



Guidance on Executive Order: Establishing Enhanced Collection and Enforcement of AD/CVD and Violations of Trade and Customs Laws

On March 31, 2017, President Trump issued Executive Order 13785, entitled, "Establishing Enhanced Collection and Enforcement of Antidumping and Countervailing Duties and Violations of Trade and Customs Laws." This Executive Order promotes the efficient and effective administration of U.S. trade laws by enhancing the enforcement of antidumping and countervailing duty (AD/CVD) collections and the interception of inadmissible merchandise, including products that violate intellectual property rights and threaten the safety and economic security of the United States.

Executive Order 13785 directs the U.S. Department of Homeland Security (DHS) to develop an implementation plan within 90 days, to require covered importers who Customs and Border Protection (CBP) has determined pose a risk to the revenue of the United States, to provide security for AD/CVD liability through bonds, and to identify other appropriate enforcement measures. CBP is currently leading the Department's efforts to implement the provisions set forth in the Executive Order, in consultation with the Secretary of the Treasury, the Secretary of Commerce, and the United States Trade Representative.

To read the entire Executive Order:
<https://www.whitehouse.gov/the-press-office/2017/03/31/presidential-executive-order-establishing-enhanced-collection-and>

For questions and answers regarding the Executive Order:
<https://www.dhs.gov/news/2017/03/31/qa-enhanced-collection-and-enforcement-antidumping-and-countervailing-duties-and>

Chemical Company and Its Owner Sentenced for Rebate Scheme, False Statements

A New Jersey swimming pool and spa chemical company and its president were sentenced in U.S. District Court for convictions related to customs and import violations.

According to court documents, from 1998 through at least June 2012, various businesses in Columbus, Ohio, served as the American representative for domestic companies seeking to import swimming pool sanitizing agents from China. A middleman who operated the Columbus businesses used a shell corporation in Vietnam to make it appear that imported chlorine was from Vietnam instead of China to avoid payment of a 286 percent antidumping duty ordered by the Department of Commerce beginning in 2005. As part of the scheme, the price of the chlorine was overstated at time of importation. The middleman would then issue a rebate to the New Jersey company for the difference between the actual price and the higher invoiced price.

The New Jersey company president was sentenced to 8 months in prison, 4 months of home confinement, and must pay \$500,000 in restitution and forfeiture. The New Jersey company received 3 years of probation, is paying \$2.25 million in restitution and also agreed to donate 2,765 gallons of hospital grade disinfectant to the Ministry of Public Health and Population of Haiti. The middleman was sentenced to prison for 12 months and 1 day and ordered to pay restitution of \$100,000.

For the full story, go to: <https://www.justice.gov/usao-sdoh/pr/chemical-company-and-its-owner-sentenced-rebate-scheme-false-statements-us-customs>

Department of Commerce (DOC) Finds Dumping of Oil Country Tubular Goods from the Republic of Korea in Groundbreaking Ruling

In an unprecedented action, the Secretary of Commerce announced the final results of an annual administrative review of the antidumping duty order on imports of oil country tubular goods (OCTG) from the Republic of Korea. DOC found that Korean steel producers have been unfairly dumping OCTG in the U.S. market, hurting American workers and businesses.

The Department exercised its statutory authority, for the first time, to address market distortions in the production of foreign merchandise, and to calculate dumping margins that more accurately account for the unfair pricing practices of foreign exporters. Section 504 of the Trade Preferences Extension Act of 2015 is a vital instrument in helping to identify distortions in the market that can enable and facilitate dumping practices.

During the period covered by this administrative review (July 2014 to August 2015), OCTG imports from Korea were valued at an estimated \$1.1 billion, accounting for nearly 25 percent of all U.S. imports of OCTG. The dumping margins, or the rate at which the imported materials were sold below fair value in the United States, were found to range from 2.76 to 24.92 percent.

DOC will instruct CBP to assess duties and collect cash deposits equal to the dumping margins found on all imports of the subject goods from Korea.

To read the entire press release:
<https://www.commerce.gov/news/press-releases/2017/04/department-commerce-finds-dumping-oil-country-tubular-goods-republic>

For more information please visit us at:

<https://www.cbp.gov/trade/priority-issues/adcvd>

If you have knowledge of a violation of U.S. trade laws, please report it by filing an e-Allegation at:

<https://apps.cbp.gov/eallegations>