



THE TIMELINE OF AN ANTIDUMPING AND COUNTERVAILING CASE

and how it impacts an importer's entries.



CRITICAL CIRCUMSTANCES

Entries made up to **90 days prior** to the initiation of an Antidumping/Countervailing investigation may retroactively be subject to Antidumping/Countervailing duties.

This regulation is in place to offset the possibility of importers making an increased amount of entries of a commodity during the early period of an Antidumping/Countervailing investigation.

THE SURETY'S LIABILITY

When a U.S. Customs Bond has been placed with a Surety, that Surety is responsible for the liability associated with every entry made by the importer while that bond is in place. The Surety is liable up to the bond amount **per bonded period**, which is typically 1 year. The liability for these entries remains open until all of the entries made on that bond have been liquidated by U.S. Customs and Border Protection.

Since Antidumping/Countervailing entries remain unliquidated for a longer period of time than a standard entry, the Surety's liability also remains open for a longer period of time.

THE LIABILITY OF BOND PROVIDER A

The liability for Bond Provider A will remain open until entries 1 - 4 are liquidated by U.S. Customs and Border Protection.

THE LIABILITY OF BOND PROVIDER B

The liability for Bond Provider B will remain open until entries 5 - 8 are liquidated by U.S. Customs and Border Protection.

ADMINISTRATIVE REVIEWS

Each year during the anniversary month of the publication of an antidumping or countervailing duty order, an interested party may request that an administrative review is conducted. This type of review is a procedure for determining final duty liability for the antidumping/countervailing entries that have previously been made.

Administrative Reviews can be held annually and this is typically when the antidumping/countervailing entries made over the course of the previous year will liquidate. However, this is not guaranteed.

ENTRIES 3 - 8

Entries 3 - 8 were after the official Antidumping and Countervailing investigation held by the Department of Commerce and the International Trade Commission has concluded. From this point on there will be an Annual Review of the case with a Sunset Review occurring every 5 years.

During this period, the Antidumping/Countervailing duty amount has been determined and will be applied to these entries as they are made. However, the payment made at the time of entry will still act as a deposit toward the AD/CV duty amount until that entry has been liquidated.

PETITION AND PRELIMINARY FINDINGS STAGE

After the simultaneous filing of a petition with the United States International Trade Commission and the U.S. Department of Commerce, the USITC conducts a preliminary phase injury investigation.

During this phase, the DOC is focused on determining that foreign producers are either dumping or receiving financial assistance making those exports subsidized. While the USITC is focused on looking to see if that dumping or subsidized export is causing material injury.

If both departments' investigation ends in the affirmative, the DOC will tell U.S. Customs and Border Protection to suspend the liquidation of entries made of that commodity and to begin to collect cash deposits for those entries based on their initial estimate of what the Antidumping/Countervailing duty rate would need to be.

This process takes about 6 months, but can possibly take much longer.

ANTIDUMPING/COUNTERVAILING INVESTIGATION

The antidumping/countervailing investigation continues with the Department of Commerce going into a final determination to further verify the amount of dumping being done. Then the case moves back to the International Trade Commission where they make a final determination of the extent of material injury done to the domestic market.

If both Commerce and the USITC make affirmative final determinations, Commerce issues an antidumping or countervailing duty order to U.S. Customs and Border Protection. Cash deposits will continue to be collected and entries made will then remain suspended until the Administrative Review for that case and that Administrative Review period typically occurs annually.

This process takes about 6 months, but, again, can possibly take much longer.

ENTRIES 1 - 2

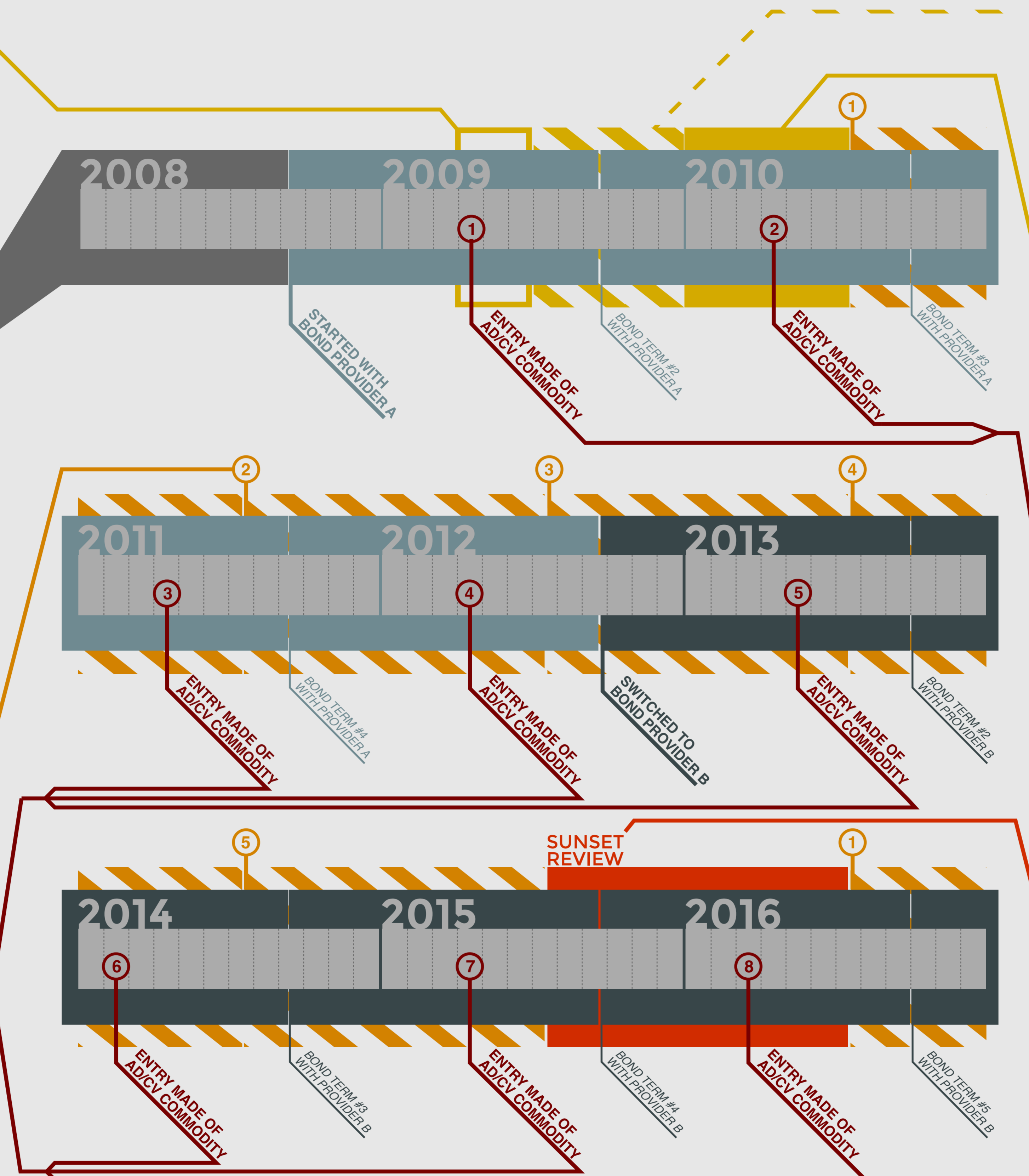
Entries 1 & 2 were made during different phases of the Antidumping and Countervailing investigation. This means that a petition has been filed stating that the commodity imported in these entries are under investigation to determine if dumping is occurring.

During this period, a preliminary Antidumping/Countervailing duty amount will be applied to these entries and act as a deposit toward the final AD/CV duty amount when the investigation has concluded and the entry has liquidated.

SUNSET REVIEWS

The DOC and USITC are required to conduct a review every 5 years to determine if the antidumping/countervailing order is still necessary or if it should be terminated. This review is called the Sunset Review.

This review also considers if the cancellation of the antidumping and/or countervailing duties will result in a recurrence of the initial dumping or subsidies.



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