

# International Trade Commission Makes Affirmative Final Determination to Impose Dumping and Subsidy Duties on Utility Scale Wind Tower Imports from China and Vietnam

January 18, 2013

The U.S. International Trade Commission (ITC) today determined that dumped and subsidized imports of utility scale wind towers from China and Vietnam were a significant cause of material injury or threat thereof to the U.S. wind tower producers. The U.S. Department of Commerce will now impose antidumping (AD) and countervailing duty (CVD) orders against Chinese producers of utility scale wind towers with AD margins between 44.99 to 70.63 percent and CVD margins between 21.86 to 34.81 percent. Commerce will also impose an AD order against Vietnamese producers of utility scale wind towers at margins between 51.50 to 58.49 percent.

"We are gratified by the Commission's final determination," said Alan H. Price, partner in Wiley Rein's International Trade Practice and lead counsel to the Wind Tower Trade Coalition (WTTC). "The Commission's determination today recognizes that over the last two years, in a period of peak demand, the U.S. industry should have been profitable. Instead, due to the surge in dumped and subsidized imports, the industry lost market share, saw its profits collapse, producers leave the industry, and its workers laid off."

The case was brought on December 29, 2011, by the WTTC, a coalition of producers of utility scale wind towers in the United States. The case covers utility scale wind towers with a minimum height of 50 meters that are designed to support turbines with generating capacities in excess of 100 kilowatts.

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## Practice Areas

International Trade

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Today's determination by the ITC ensures that, following publication of the AD and CVD orders in the *Federal Register*, Commerce will instruct U.S. Customs and Border Protection (CBP) to begin collecting cash deposits on entries of utility scale wind towers at the final AD and CVD rates referenced above.

"These orders are important to help restore a U.S. industry and its workers that have been devastated by unfair price competition from Chinese and Vietnamese wind tower producers," Mr. Price said.