

Chinese Exporters of Mobile Access Equipment Subject to Customs Enforcement Actions for Evading Trade Laws

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Washington, DC – U.S. Customs and Border Protection (CBP) announced that it has investigated allegations against several Chinese mobile access equipment exporters for violating the customs and trade laws of the United States. Wiley represented JLG Industries, Inc. (JLG) – a leading U.S. manufacturer of mobile access equipment, such as boom lifts, scissor lifts, and telehandlers – in submitting information to CBP alleging that several Chinese exporters were evading antidumping and countervailing duties in place on mobile access equipment imports from China. This included evidence that Chinese companies were falsely marking shipments in order to avoid paying duties. CBP has notified the parties that it took enforcement actions as a result of its investigations.

“We commend CBP for investigating companies that are evading duties and for taking strong action to enforce the trade laws,” said Tim Brightbill, co-chair of Wiley’s International Trade Practice, who represents JLG along with Wiley partner Laura El-Sabaawi. “Once antidumping and subsidy orders are in place, robust enforcement is critical to ensure that American companies receive the relief they are entitled to under the law. These enforcement actions show both the lengths that Chinese mobile access equipment manufacturers will go to evade trade orders and also the seriousness with which CBP takes such actions.”

Antidumping and countervailing duty orders have been in place on Chinese imports of mobile access equipment since December 2021 and April 2022, respectively. Combined duty rates range between 43% and 184% for most Chinese producers and exporters. Duty

Related Professionals

Timothy C. Brightbill
Partner
202.719.3138
tbrightbill@wiley.law

Laura El-Sabaawi
Partner
202.719.7042
lel-sabaawi@wiley.law

Practice Areas

Customs Law and Compliance
Export Controls and Economic Sanctions
International Trade
Trade Policy and Trade Negotiations

evasion, absorption, and circumvention are illegal and closely monitored by CBP, in conjunction with the U.S. Department of Commerce, and severe penalties may apply. Wiley monitors these unfair trade practices closely and is committed to a strong enforcement of the trade laws, including those in place on dumped and subsidized mobile access equipment from China.