

International Trade Commission Makes Affirmative Final Determinations in Critical Trade Cases on Utility Scale Wind Towers from Canada, Indonesia, Korea, and Vietnam

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Washington, DC – In a victory for U.S. wind tower producers, the U.S. International Trade Commission (ITC) yesterday made unanimous affirmative final determinations in the antidumping (AD) and countervailing duty (CVD) investigations on utility scale wind towers from Canada, Indonesia, Korea, and Vietnam. The ITC found that U.S. wind tower producers have been materially injured by unfairly traded imports of wind towers from these countries, paving the way for the imposition of AD/CVD orders.

“Yesterday’s ITC vote is a win for the American wind towers industry, which is critical to America’s clean energy future,” remarked Kerry Cole, President of Energy Equipment at Arcosa, Inc.

Eric Blashford, Chief Executive Officer of Broadwind, Inc., stated: “When given a level playing field, American wind tower producers can compete with anyone in the world. We commend the ITC for this positive decision, and we look forward to working with our federal enforcement agencies to ensure that the subject countries now play by the rules.”

The ITC determination follows a July 2019 petition filed by Petitioners Arcosa Wind Towers, Inc. and Broadwind Towers, Inc., alleging that unfairly dumped wind towers from Canada, Indonesia, Korea and Vietnam and subsidized wind towers from China, Indonesia, and Vietnam injure the U.S. industry and threaten the industry with additional injury. The Commerce Department already has determined

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that Canadian, Indonesian, Korean, and Vietnamese imports are being unfairly traded, meaning that AD/CVD orders will now be issued on wind towers from these countries. The AD/CVD orders will remain in effect for a minimum of five years, and there is an opportunity each year for duty rates to increase through the annual administrative review process. Duty evasion, absorption and circumvention are strictly illegal.

“This is a very positive step for the domestic industry and its workers, which assures that duties will be applied to unfairly traded imports from the subject imports,” said Daniel B. Pickard, partner in Wiley’s International Trade Practice, and counsel to Petitioners. “We appreciate the Commission’s hard work on this case. We look forward to the issuance of AD/CVD orders, which will help level the playing field in this American industry that has been devastated by unfairly traded imports.”

Wiley represents the Wind Tower Trade Coalition (WTTC), a coalition of producers of utility scale wind towers in the United States, in the matter.

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