

International Trade Commission Makes Affirmative Preliminary Determination in Trade Cases on Chassis from China

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Washington, DC – In a victory for U.S. intermodal container chassis producers, the U.S. International Trade Commission today found there is a reasonable indication that the U.S. intermodal container chassis industry is materially injured due to imports from China.

The Commission's vote comes in response to July 30, 2020 petitions filed by the Coalition of American Chassis Manufacturers, a coalition of five leading U.S. manufacturers of chassis. The cases allege that unfairly dumped and subsidized imports of Chinese chassis are injuring the domestic industry.

"U.S. chassis producers and their workers are suffering as a result of dumped and subsidized imports from China," said Robert E. DeFrancesco, counsel to the Coalition and a partner in the International Trade Practice at Wiley. "Today's vote by the Commission takes the domestic industry one step closer to restoring a level playing field in the U.S. chassis market."

On August 20, 2020, the U.S. Department of Commerce announced the initiation of antidumping (AD) and countervailing duty (CVD) investigations into imports of chassis from China. The dumping margins for Chinese chassis imports are alleged to be as high as 188.05%.

The Commission's affirmative preliminary injury determination paves the way for the Commerce Department to move forward with its investigations. Unless extended, Commerce is expected to issue its preliminary CVD determination in October 2020 and its preliminary

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AD determination in January 2021. If Commerce also reaches affirmative preliminary determinations in these cases, provisional AD and CVD duties will be collected from importers based on the preliminary margins calculated.

If both agencies ultimately reach affirmative final determinations, AD and CVD orders on chassis from China will be issued, imposing duties on the unfairly traded imports for a minimum of five years. Duty evasion, absorption, and circumvention are strictly illegal.