

**Committee on Anti-Dumping Practices**  
**Working Group on Implementation**

Original: English

**DRAFT RECOMMENDATION CONCERNING THE TIME-PERIOD TO BE  
CONSIDERED IN MAKING A DETERMINATION OF NEGLIGIBLE  
IMPORT VOLUMES FOR PURPOSES OF ARTICLE 5.8  
OF THE AGREEMENT**

Proposal by Norway

The Committee notes that Article 5.8 of the Agreement on Implementation of Article VI of GATT 1994 provides that there shall be immediate termination in cases where the authorities determine that the volume of dumped imports, actual or potential, is negligible. Article 5.8 also defines the volume of dumped imports from a particular country that shall normally be regarded as negligible. However, it does not establish a period of time over which imports are to be counted in determining whether the volume of imports is negligible. The Committee considers that guidance regarding an appropriate time-period for that determination would be useful.

In light of the foregoing, the Committee recommends that, with respect to original investigations to determine the existence of dumping and consequent injury, whether the volume of actual or potential dumped imports from a particular country is regarded as negligible shall be determined with reference to the volume of dumped imports from that country during:

- the most recent 12 consecutive months, prior to initiation or prior to the date on which the application was filed, for which data are available.

However, Members whose legislation does not provide for the use of such time-periods may use the following:

- the period of data collection for the dumping investigation.

Members shall choose in advance, give notice of and use on a consistent basis, one of the aforementioned time-periods set out above. Members shall notify the Committee and by public notice all relevant information relating to the implementation of this decision.

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