

THOUGHT LEADERSHIP

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Husch Blackwell Secures ITC Win for TricorBraun-Led Importers

Husch Blackwell prevailed before the U.S. International Trade Commission (ITC) on behalf of long-time client and global packaging leader TricorBraun in a countervailing duties case filed by the American Glass Packaging Coalition, a group of U.S. glassware companies, over imported glass wine bottles and other glass containers.

The ITC's final determination found that the importation of the Chinese-made bottles does not injure or threaten U.S. producers, a finding that will prevent countervailing duties placed last month on imported glassware by the U.S. Department of Commerce from taking effect.

TricorBraun led the effort of glassware importers, distributors and suppliers and was chiefly responsible for the development and execution of the winning strategy.

“Our client took the lead in defending the interests of distributors and of their suppliers,” said Jeffrey Neeley, the Husch Blackwell partner who led the firm’s ITC effort. “Both because of its substantial contribution to the legal effort and because of its deep knowledge of the market, an effective strategy was developed, and yesterday’s victory is mainly a testament to their commitment to fight on when many believed that this was an uphill battle. All distributors owe TricorBraun a tip of the hat.”

Working with Husch Blackwell’s Washington, DC-based International Trade Remedies team headed by Neeley, TricorBraun developed a coordinated strategy to protect the current supply of glassware available to small and mid-market businesses across the U.S. While Neeley, along with senior counsel Stephen Brophy, led the ITC effort, Husch Blackwell also handled matters before the U.S. Department of Commerce, working with TricorBraun’s main supplier in China and co-counsel in China.

The two-pronged strategy ultimately met success before the ITC, as it unanimously voted that there is no injury in the countervailing duty case, thus eliminating the imposition of any additional countervailing duties. A similar decision is expected to follow in the antidumping case in September.

“I’m incredibly proud of our team’s ability, time after time, to work together to secure great results for clients,” said St. Louis-based partner Chris Hamlin, who serves as Husch Blackwell’s client relationship manager for TricorBraun. “I’m also proud of TricorBraun in their resolve and fortitude to stand up and lead this industry-wide effort. We appreciate their trust in us with such a critical matter.”

Members of the Husch Blackwell team included Neeley, Brophy, Hamlin, Nithya Nagarajan, Julia Banegas, Camron Greer, and Turner Kim.

To learn more about this matter, please read TricorBraun’s statement.