

INTERNATIONAL TRADE REMEDIES



Our international trade remedies law team advises clients on complex challenges involving antidumping and countervailing duty (AD/CVD) cases, quotas, or increased duties under escape clause provisions of U.S. law, intellectual property violations litigated at the U.S. International Trade Commission, import surges under the Generalized System of Preferences (GSP), and anti-circumvention and scope issues arising from duties or quotas.

In working with international trading companies, foreign trade associations, and corporations worldwide, our international trade remedies team closely coordinates trade remedies strategy with U.S. Customs and Border Protection (CBP) strategy to ensure goods are imported efficiently and with proper duty rates imposed. We also counsel companies involved in mergers and acquisitions that could be affected materially by international trade remedies issues.

Case Studies

CSC Sugar LLC

When the U.S. Commerce Department amended a prior suspension agreement regarding the importation of Mexican sugar in 2017, it changed the purity definition of refined sugar, effectively altering the product definition for trade purposes and significantly imperiling the business of CSC Sugar, whose cutting-edge refining processes were developed to use a higher purity input. CSC came to Husch Blackwell's international trade team to help craft a strategy to deal with this unexpected hazard.

Husch Blackwell has a deep understanding of the law pertaining to international trade in the United States.

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WPC Technologies

WPC Technologies is the leading American-owned manufacturer and developer of corrosion-inhibiting pigments and stain inhibitors. WPC's core product line is strontium chromate, a corrosion inhibitor. In 2018, the company became concerned when sales declined and they lost customers who purchased products from two other producers who were selling their competing products at a significantly lower price – a price that was unfair in the U.S. market.

Representative Experience

Represented a major Turkish producer to be excluded from both the antidumping and countervailing duty orders on steel wire nails.

Represented the only Chinese flooring company to be excluded from both the antidumping and countervailing duty orders on multilayered wood flooring.

Represented a Mexican chemical producer in devising a strategy to minimize its dumping duties and subsequently exclude the company altogether from the dumping orders after a sunset review by the ITC.

Assisted a producer in the United Kingdom to avoid punitive duties due to alleged circumvention of a dumping order and devising business strategies going forward.

On behalf of a Chinese trade association, won a decision at the ITC of no injury to the U.S. hardwood plywood industry resulting in no dumping or countervailing duties for members of the association.

Obtained a significant refund for a large importer of wire hangers from China operating under a dumping order.

Obtained a scope ruling for a U.S. importer of wire hangers, stating that certain imported wire hangers were outside the scope of the antidumping duty order. Also assisted several wire hanger importers faced with a U.S. Customs anti-circumvention investigation and audit.

Assisted a U.S. importer of welded and seamless steel pipes faced with a U.S. Customs anti-circumvention investigation and audit.

Assisted a U.S. importer of cut-to-length steel plate to demonstrate that the company's goods are excluded from the scope of the antidumping duty order.

Prevailed in a contentious year-long anticircumvention proceeding conducted by the Department of Commerce covering the antidumping duty order on hydrofluorocarbon (HFC) blends from the People's Republic of China.

Counseled a leading biofuel producer and commodities trader on potential U.S. economic sanctions applicable to them as a result of their contemplated entry into a cross-border joint venture with a Mexican counterparty that was simultaneously engaged in ongoing transactions with the Cuban government. This work included performing sanctions diligence on the Mexican counterparty as well as advising the client on how to restrict its own operations and the joint venture's operations in order to avoid violating U.S. sanctions against Cuba.

