



WTO DS 577: United States — Anti-dumping and countervailing duties on ripe olives from Spain

**CDG HOS – OLIVES SECTOR
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Background

- ❑ Two US processors complained in June 2017 that Spanish companies were receiving subsidies and dumping black table olives, largely used on pizzas.
- ❑ CVD and AD duty orders issued on 1 August 2018 by the US Department of Commerce, following final determinations by the DOC and by the US International Trade Commission
- ❑ The US countervailing duties and anti-dumping margins range from 30 to 44%.
- ❑ Exports of Spanish black olives to the United States declined by almost 70% in August 2018 compared to August 2017.

Main EU concerns

- ❑ US is countervailing subsidies that are not *specific (ASCM)*
- ❑ US did not carry out a pass-through analysis to assess that support provided to farmers passes through to processed agricultural products
- ❑ US has not shown that the imports of ripe olives from Spain are causing injury to the US industry
- ❑ US has used incorrect figures when calculating the subsidy rate for one of the producers

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Procedural steps

- ❑ 31/01/2019: request for consultations by the EU
- ❑ 20/03/2019: consultations took place in Geneva but failed to resolve the dispute
- ❑ 17/05/2019: request for the establishment of a panel by the European Union

How long to settle a dispute?



These approximate periods for each stage of a dispute settlement procedure are **target figures** — the agreement is **flexible**. In addition, the countries can settle their dispute themselves at any stage. Totals are also approximate.

60 days	Consultations
45 days	Panel set up and panellists appointed
6 months	Final panel report to parties
3 weeks	Final panel report to WTO members
60 days	Dispute Settlement Body adopts report (if no appeal)
Total = 1 year	(without appeal)
60-90 days	Appeals report
30 days	Dispute Settlement Body adopts appeals report
Total = 1y 3m	(with appeal)

Your input:

- The Commission's services are preparing the first EU written submission to WTO
- Any data on volumes, market shares and prices of Spanish exports in the US market during POI are welcome:

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Disclaimer

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