

September 22, 2023

## LOUISIANA SHRIMP ASSOCIATION ANTI DUMPING CASE TIMELINE

In 2003, elements of the U.S. shrimp industry became increasingly concerned by what they believed to be unfair pricing of warm-water shrimp (primarily farm-raised) exported by six countries — Brazil, China, Ecuador, India, Thailand, and Vietnam — claiming that this situation caused the loss of thousands of U.S. jobs and forced hundreds of U.S. companies to close in 2003, more than 88% of the 1.7 billion pound U.S. shrimp supply was derived from imported product with 74% of these imports from the six targeted countries<sup>1</sup>

- **08/06/2003** — Board of the Louisiana Shrimp Association unanimously votes to pursue shrimp trade remedy actions, including antidumping and countervailing duty petitions, against foreign shrimp imports.
- **08/08/2003** — Southern Shrimp Alliance votes to pursue shrimp trade remedies.
- **08/22/2003** — American Shrimp Processors Association votes to support antidumping and countervailing duty petitions against imported shrimp products.
- **12/18/2003** — Southern Shrimp Alliance and the National Chamber of Fishing and Aquaculture Industries of Mexico issue a joint statement, announcing cooperation to oppose unfair shrimp trade.
- **12/31/2003** — Ad Hoc Shrimp Trade Action Committee, an ad hoc committee of boat owners and shrimp processors, files six antidumping petitions with the International Trade Commission (ITC) and the Department of Commerce.
- **01/16/2004** — Louisiana Shrimp Association files a document with the DOC opposing the antidumping petitions “as currently drafted,” arguing that the DOC should treat fresh shrimp as the same “like product” as frozen shrimp.
- **04/29/2004** — Louisiana Shrimp Association files a lawsuit in U.S. district court, asking for a ruling on whether LSA members are eligible for any monetary proceeds that may result from the antidumping petitions.
- **01/06/2005** — ITC announces affirmative final determinations for non-canned warmwater shrimp and prawns from all six countries.

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<sup>1</sup> Shrimp Trade Dispute: Chronology ATTACHED

- **October 1, 2007**, The Byrd Amendment was **passed on October 28, 2000 and was repealed effective October 1, 2007**. The provisions of this act allow for anti-dumping and countervailing (AD/CV) duties collected by CBP to be disbursed to domestic producers injured by foreign dumping and subsidies.
- **On January 4, 2010**, the Department published in the Federal Register the of initiation of its sunset reviews of the antidumping duty orders on certain frozen warmwater shrimp from Brazil, the People's Republic of China, India, Thailand, and Vietnam, in accordance with section 751(c) of the Act. See Initiation of Five-Year<sup>2</sup>
- **On December 7, 2010**, the Department published the final results of the first sunset review of the AD order on certain frozen warmwater shrimp from Vietnam finding that revocation of the order would likely lead to continuation or recurrence of dumping.<sup>3</sup>
- **On September 15, 2016**, the Department of Commerce (Department) issued the preliminary results of the second full five-year (sunset) review of the antidumping duty (AD) order on certain frozen warmwater shrimp from the Socialist Republic of Vietnam (Vietnam).<sup>4</sup>
- **On May 2, 2022**, Commerce published the notice of initiation of the third sunset review of the AD orders on certain frozen warmwater shrimp from the People's Republic of China (China), India, Thailand, and the Socialist Republic of Vietnam (Vietnam) <sup>[1]</sup> pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act).
- **In May 2022, the Ad Hoc Shrimp Trade Action Committee (AHSTAC) and the American Shrimp Processors Association (ASPA) (collectively, the domestic interested parties) notified Commerce of their intent to participate within the 15-day period specified in 19 CFR 351.218(d)(1). The domestic interested parties claimed interested party status under sections 771(9)(C) and (E) of the Act as producers of domestic like product and a trade association, the majority of whose members are producers and/or processors of a domestic like product, in the United States, respectively.** <sup>5</sup>
- **On June 1, 2023**, The U.S. International Trade Commission (USITC) determined that revoking the existing antidumping duty orders on frozen warmwater shrimp from China, India, Thailand, and Vietnam would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time. <sup>6</sup>

<sup>2</sup> <https://www.govinfo.gov/content/pkg/FR-2010-12-07/pdf/2010-30664.pdf>

<sup>3</sup> <https://www.federalregister.gov/documents/2014/03/19/2014-06081/certain-frozen-warmwater-shrimp-from-the-socialist-republic-of-vietnam-notice-of-reopening-of-the>

<sup>4</sup> <https://www.federalregister.gov/documents/2017/01/30/2017-01952/certain-frozen-warmwater-shrimp-from-the-socialist-republic-of-vietnam-final-results-of-the-second>

<sup>5</sup> <https://www.federalregister.gov/documents/2022/09/06/2022-19125/certain-frozen-warmwater-shrimp-from-the-peoples-republic-of-china-india-thailand-and-the-socialist>

<sup>6</sup> [https://www.usitc.gov/press\\_room/news\\_release/2023/er0601\\_63963.htm](https://www.usitc.gov/press_room/news_release/2023/er0601_63963.htm)