

U.S. Apple Industry Requests Greater Enforcement of Duties On Chinese Apple Juice Concentrate

MCLEAN, Va. — The U.S. apple industry recently requested that the U.S. Department of Commerce extend antidumping duties on imports of Chinese apple-juice concentrate to include so-called frozen concentrate imports, to prevent Chinese suppliers from further injuring the U.S. industry by illegally evading the duties.

The U.S. government levied antidumping duties of up to 52 percent on Chinese concentrate imports in May 2000, following the Commerce Department and U.S. International Trade Commission's rulings that Chinese concentrate was sold in the U.S. market at prices below production costs causing economic harm to U.S. concentrate producers — a practice called dumping.

The U.S. apple industry has been devastated in recent years by a flood of unfairly priced concentrate imports from China, which displaced sales of U.S.-produced concentrate and U.S.-grown juice apples.

"U.S. apple growers and concentrate producers are still being held hostage, first by Chinese dumping and now by the Chinese skirting U.S. trade laws," said U.S. Apple Association (USApple) President and CEO Kraig R. Naasz, whose group spearheaded the apple industry's antidumping complaint against China. "We want the U.S. government to enforce our nation's trade laws, and to require that China respect and adhere to those laws."

The U.S. government's ruling and subsequent levying of antidumping duties on Chinese imports have helped to offset

Chinese dumping. However, some Chinese suppliers are avoiding the tariff by shipping chilled concentrate to the U.S. duty-free, or by chilling Chinese concentrate shipped to Canada and re-exporting it duty-free to the United States. U.S. trade law prohibits the "circumvention" of antidumping duties in this manner.

Imports of Chinese concentrate dropped 31 percent after the industry filed its antidumping complaint in June 1999, from 53.8 million single strength equivalent (SSE) gallons in 1998 to 37.3 million SSE gallons in 1999. While the volume of imported Chinese concentrate rebounded in 2000 to 50.2 million SSE gallons an increase of 35 percent compared to 1999, but still seven percent below 1998 — the value has increased substantially. The average value of Chinese concentrate was \$4.14 per gallon in 1998, \$5.81 per gallon in 1999 and \$6.29 per gallon in 2000 reflecting the upward impact of antidumping duties on the cost of Chinese concentrate.

Prior to the antidumping case, U.S. concentrate producers were forced to slash their prices, and to drastically reduce the price they paid to U.S. growers for juice apples. Imports of Chinese concentrate increased by 1,200 percent between 1995 and 1998. During that same time period, the average price of Chinese concentrate imports declined by 53 percent from \$7.65 per gallon in 1995 to a low-water mark of \$3.57 per gallon in 1998.

The average price for U.S. apple juice concentrate fell by more than 50 percent between

1995 and 1998, while the average price received by U.S. growers for juice apples fell by 64 percent, from \$153 per ton in 1995 to \$55 per ton in 1998. U.S. apple growers lost more than \$135 million in revenue from the decline in juice-apple prices, according to U.S. Department of Agriculture statistics.

In a related development, the U.S. apple industry filed a rebuttal brief with the U.S. Court of International Trade in New York City on April 6, joining the U.S. Department of Justice in

defending the U.S. government's antidumping ruling against appeal. Chinese concentrate suppliers appealed the Commerce Department's antidumping ruling to the U.S. Court of International Trade in July 2000, and filed their plaintiffs' brief with the court in January of this year.

Chinese suppliers are arguing that the Commerce Department violated U.S. trade law in arriving at its antidumping decision; whereas the Justice Department and the apple industry are arguing that the Commerce Depart-

ment's decision is firmly grounded in both precedent and U.S. trade law.

Appealing Chinese suppliers are required to submit their reply brief by May 7. Oral arguments, if required by the court, will likely occur this June. The court's final decision is likely to be announced this fall. In the meantime, the Commerce Department's decision remains in effect and the U.S. Customs Service will continue to collect antidumping duties on imported Chinese concentrate.

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Auction For:
RAYMOND C. DREIBELBIS

Auctioneer:
Dennis F. Wagner, AU-001427-L
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PUBLIC AUCTION

STEMRICH FARMS COMPLETE FARM DISPERSAL

3 Miles NW of Huntington Mills, PA 9 miles NE of Benton Arrows of Rt 118 at Red Rock or off Rt 239 between Huntington Mills & Cambra (Luzerne County)

Fri. Eve., June 8, 2001
At 6:30 p.m.

BRIEF LISTING FOLLOWS: Machinery - 2 Tractors (IH 756 & Ford 5000), Case 1825 skid loader, diesel, sharp, NH 411 discbine, NH 316 thrower baler-real sharp, IH 5000 diesel SP 12' haybine, 4 wood basket wagons, Oliver drill, JD 38 chopper NH 28 blower, 14' disc & harrow & cultipacker, Case/IH 550 m spreader, other smaller older machinery, Cub Cadet 1220 lawn tractor - needs hydro93 Ford F250 gas pickup & 86 Ford F250 diesel pickup - both 4 wheel drive, IH 1 ton dump.

DAIRY EQUIPMENT & FEED: Delaval 2" pipeline for 32 stalls, complete, 4 DV300 units, Delaval 78 vacuum pump, Girton 500 gal bulk tank, Berg CC 150' gutter cleaner, Semen tank, gates, fans, roller mill, 1/4 bag Ag-Bag corn silage, 10 ton timothy corn in blue silo, approx 1800 bales hay, 25 round bales hay some new round bales hay, other dairy supplies.

50 HOLSTEIN DAIRY CATTLE: 32 milking age, 8 bred heifers due July & Aug., 8 short yearlings & 2 started heifers, 5 just fresh, 10 due Aug., Sept. & Oct. Balance for year round Everything AI Sired & AI bred Were all registered 4 yrs ago, selling as grades.

4-27-01 DHIA RHA 23,178m 892f, 739p
10 had from 96 to 107 lbs.

SALE ORDER: Few house items, wagon load smalls, machinery, dairy equipment & feed, Cattle approx 8 PM

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4419 East Berlin Rd.
Thomasville, PA - York, Co.

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6:00 P.M. • 47 ACRE FARM

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