



15 December 2020

(20-9081)

Page: 1/3

Committee on Safeguards

Original: English

**NOTIFICATION UNDER ARTICLE 12.1(C) UPON TAKING A DECISION  
TO APPLY OR EXTEND A SAFEGUARD MEASURE**

UNITED STATES

*Large Residential Washers*

*Supplement*

The following communication, dated 15 December 2020, is being circulated at the request of the delegation of the United States.<sup>1</sup>

---

Pursuant to Article 12.1(c) of the WTO Agreement on Safeguards (Safeguards Agreement), the United States is notifying a determination by the U.S. International Trade Commission (ITC), pursuant to section 204(c) of the Trade Act of 1974 (the Act) (19 U.S.C. sec. 2254(c)), that action under section 203 of the Act with respect to imports of large residential washers continues to be necessary to prevent or remedy serious injury and that there is evidence that the domestic large residential washers industry is making a positive adjustment to import competition.

**1. Provide evidence, citing relevant data and the applicable period of investigation of serious injury or threat thereof caused by increased imports**

The ITC forwarded its report to the President on December 8, 2020. The report contains details of the ITC's determination, including evidence that the domestic large residential washers industry is making a positive adjustment to import competition. The United States has included with this notification both a copy of the ITC determination as published on December 14, 2020 in the Federal Register, and the ITC Report (excluding confidential business information). The ITC Report can also be downloaded from the ITC's website at: <https://usitc.gov/publications/safeguards/pub5144.pdf>.

Consistent with Article 12.3 of the Safeguards Agreement, the United States is prepared to consult with those Members having a substantial interest as exporters of the products concerned, with a view to, *inter alia*, reviewing the information provided in this notification and the ITC Report, exchanging views on the measure proposed and reaching an understanding on ways to achieve the objective set out in Article 8.1 of the Safeguards Agreement. Such Members are also requested to provide a direct contact point so that the United States may inform them without delay of any developments regarding the subject of any consultations.

**2. Provide information on whether there is an absolute increase in imports or an increase in imports relative to domestic production**

Not applicable. However, the ITC's findings regarding whether action continues to be necessary to prevent or remedy serious injury can be found on pages 8-21 of the ITC Report.

---

<sup>1</sup> A copy of the ITC determination and of the ITC Report has been submitted electronically. To consult these documents please contact Ms. Richards ([anne.richards@wto.org](mailto:anne.richards@wto.org)) or Ms. Naville ([delphine.naville@wto.org](mailto:delphine.naville@wto.org)) of the Rules Division.

**3. Provide the precise description of the product involved**

The products subject to the measure are large residential washers, as identified in the Presidential Proclamation of January 23, 2018. The measure and Presidential Proclamation were both notified in G/SG/N/8/USA/10/Suppl.3 - G/SG/N/10/USA/8 - G/SG/N/11/USA/7 (dated 26 January 2018). The measure was subsequently amended and notified in G/SG/N/8/USA/10/Suppl.4 - G/SG/N/10/USA/8/Suppl.2 - G/SG/N/11/USA/7/Suppl.1 (dated 22 May 2019), G/SG/N/8/USA/10/Suppl.4/Corr.1 - G/SG/N/10/USA/8/Suppl.2/Corr.1 - G/SG/N/11/USA/7/Suppl.1/Corr.1 (dated 27 May 2019), G/SG/N/8/USA/10/Suppl.5 - G/SG/N/10/USA/8/Suppl.3 - G/SG/N/11/USA/7/Suppl.2 (dated 7 June 2019), and G/SG/N/10/USA/8/Suppl.5 (dated 22 October 2020).

**4. If the final measure replaces a provisional measure, or if a final measure is extended, a Member is encouraged to provide a written description of any part of the imported product that will no longer be subject to the measure and the Harmonized System numbers under which it enters at least at a 6-digit level, and at a sub-national level (e.g., 8-digit, 9-digit or 10-digit level) if practicable.**

See response to item 3 above.

**5. Provide precise description of the proposed measure**

In the ITC Report, the ITC recommends that the President take the following action:

- (1) extend the action for an additional two years, or until February 7, 2023, maintaining the tariff rate quota ("TRQ") on imports of LRWs with an in-quota volume level of 1.2 million units, an in-quota tariff rate of 15% in the fourth year, decreasing to 14% in the fifth year, and an above-quota tariff rate of 35% in the fourth year, decreasing to 30% in the fifth year;
- (2) maintain the separate tariff rate quota on imports of covered parts with a tariff of 35% on imports above 110,000 units in the fourth year and a tariff of 30% on imports above 130,000 units in the fifth year; and
- (3) continue to administer the annual quota on a quarterly basis.

The President must now decide what action is to be taken by the United States, and will issue a Presidential Proclamation when such a decision is taken.

**6. Provide proposed date or actual date of introduction of the measure**

See response to item 5 above.

**7. Provide expected duration of the measure**

See response to item 5 above.

**8. For a measure with a duration of more than three years, provide the proposed date for the review (under Article 7.4) to be held not later than the mid-term of the measure, if such a date for the review has already been scheduled**

Not applicable.

**9. If the expected duration is over one year, provide expected timetable for progressive liberalization of the measure**

See response to item 5 above.

**10. If the notification relates only to a finding of serious injury or threat thereof, and does not relate to a decision to apply or extend a safeguard measure:**

**(i) provide the deadlines for interested parties to comment or any other procedures relevant to the decision to apply the measures, and**

**(ii) provide information regarding procedures for prior consultation with those Members having a substantial interest as exporters of the product concerned.**

Not applicable.

**11. If the measure is being extended, also provide:**

**(i) evidence that the industry concerned is adjusting and that the safeguard measure continues to be necessary to prevent or remedy serious injury;**

The ITC's findings that the domestic industry concerned is adjusting can be found in the ITC Report on pages 7-8 and 22-24.

**(ii) reference to the WTO document that notified the initial application of the measure;**

See response to item 3 above.

**(iii) duration of the measure from initial application till the date at which it will be extended;**

See response to item 5 above.

**and, (iv) precise description of the measure in place prior to the date of extension**

See response to item 3 above.

**12. If the notification relates to a decision to apply or extend a safeguard measure, Members are encouraged to provide the following information:**

**(i) The major exporting Members of imports of the product involved.**

**(ii) If there are any exporting Members to which the measure does not apply for any reason other than the application of Article 9.1, the names of such exporting Members and reasons for non-application of the measure.**

See pages I-12 – 1-13 and Part IV of the ITC Report, and the response to item 3 above.

**13. Members are encouraged to attach, in an electronic form, publicly available document(s) containing the relevant decision(s) made by the competent authority. This document may be in the original language of the Member, even when the language is not one of the official languages of the WTO. The document will neither be translated nor circulated to the Committee, but will be made available by the Secretariat to Members requesting it.**

See response to item 1 above.

---