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Tuesday, 30 April 2013 14:44

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WASHINGTON – Senator Chuck Grassley has signed onto [a letter](#) urging the U.S. Trade Representative and the Acting Secretary of Commerce to consider initiating a challenge at the World Trade Organization regarding the recent decision by the European Commission to impose an anti-dumping duty on exports of ethanol from the United States.

“The administration ought to take a very aggressive position against this penalty because of the way it violates trade law standards and practices that are well established,” Grassley said. “What’s happened is an unfair trade practice, and the negative impact on the U.S. renewable energy industry is already measurable.”

The penalty is “unprecedented” with the Commission’s “failure to make any particular finding of dumping by any producer or marketer investigated in connection with the case,” wrote the bipartisan group of 15 senators led by Senators John Thune and Amy Klobuchar. “We believe this rule sets dangerous precedent for trade and trade remedies in advance of the well-publicized state of important trade talks between the United States and the European Union, and will dramatically and unilaterally change the boundaries and limits of international dumping law,” they wrote.

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In addition to trade case precedent that has required findings of actual dumping, the senators' letter said there isn't an adequate finding by the European Commission that any injury was suffered in the European ethanol industry, noting it is another requirement of international anti-dumping trade law.

Certain member states of the European Union represent significant export markets for U.S. ethanol producers. In 2012, the United Kingdom and the Netherlands represented the second and fourth largest importers of importers of U.S. ethanol.

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