

international trade

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International Trade Law

Module 6 Assignment

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2. Suppose the President of the United States issued a secret order to the Secretary of the Treasury, instructing him to "get tough" with Japan by making Japanese automobiles more difficult to import. The Secretary of the Treasury then instructed the Customs Service to drag its feet for an additional 60 days, using as its excuse the fact that each automobile would need to be inspected to ensure that it meets Environmental Protection Agency emissions standards before entering the country. What avenues of response might be available to Japan as a member of the WTO?

Japan can argue that WTO sets the rules on which each of its members is supposed to follow. The terms and conditions must be followed by all the members of WTO and no single members should set standards in order to create huddles for any other member country. All the environmental measures set by WTO must be adopted but not used unfairly against other members, it is therefore discriminatory for US to set measures for Japan in order to restrict importation of Japan goods to US. Quantitative restrictions set on Japanese exports are geared towards slowing down Japan sales to US and not necessarily environmental protection. This act can therefore be described as a violation of the trade basic rules and pure discrimination off Japanese products in the American markets. In order to legally take the right measures as the affected country in this trade network, Japan can file a complaint with WTO on the violation of trade rights by the US.

3. Acme Tarp Company has decided to import some cotton tarps from India. About half of the tarps will be used to make tents. The other half will be used to make sails. Assume that importation is occurring under the Harmonized Tariff Schedule of the United States. Assume that the imported goods are valued by U.S. Customs at \$10,000. What duty will

Acme have to pay on the imported goods? What rules did you use to arrive at your decision?

Duty rates. I looked at the U.S's Custom service which is entitled to the tariffs of all the import entries.

4. XYZ Toy Company is importing some rocking horses that were hand painted in Germany. The rocking horses had been assembled in Poland using wood that had been purchased from Russia. When the rocking horses arrive in the United States, they are warehoused in a Free Trade Zone (FTZ), where they are packaged, labeled, and then shipped to various retail outlets in the United States. When they leave the FTZ, they are subject to a duty. What decision will U. S. Customs make with regard to the country of origin of the rocking horses? By what process will they arrive at that decision?

It is important to determine the country of origin of the products as well as the standards of the country of origin in member trade groups. This will able the examiners to identify whether the products were in strict adherence of the trade laws and agreements. For example, where they have been manufactured and the components of the products added by the manufacture e.g. the materials used. It is therefore important to follow up and realize the country of origin through a process described below.

1. Finding out the definition of the country of origin. The definition ought to be spelled in a excruciating manner.
2. To check the free trade guidelines that the country of origin must follow in doing business. For example the NAFTA and cross check the tariff schedule as indicated.
3. It is important to observe the trade agreements and the duty guidelines that must be adhered to for example, shipping requirements, the product's regional value content.

4. The process should also seek to identify the eligibility of the country of origin's duty preference.
5. It is also important to find out what does not confer to the country of origin. For example, assembling procedure of the toys, packaging and the repackaging of the products, the finishing of the work among other requirements.
6. Ascertain product documentation. This can be done by directly visiting the production/manufacturing site to determine the product inputs, the manufacturing process as well as the fabrics used.

This process/steps can be used to identify the country of origin of the product and the requirements of the manufacture, supplier in trading under a particular trade organization.

5. Answer "Questions and Case Problems" Numbers 1, 3, 4, 9 and 10 on pages 305-306 of the Schaffer textbook.

Question 1

- a. Signing traffic policies
- b. Raising rates on manufactured and industrial products
- c. Offering incentives the economy
- d. Signing business deals with other partner countries.

Question 3

The statute was constitutional. CVD creates civil remedy. The intention of the Congress was to impose punishment

Question 4

value of the goods - the USA needed to provide the nominal value or the production cost of the cars sold by the company

Question 9

Import practice is unfair when industries sell the products lesser price than the normal values

- Antidumping duties – United states of America is using antidumping duties to control imports and protect the domestic industries, dumping arises when the imported goods are sold at a lesser price than it production cost. most of this goods are low quality
- Countervailing duties – this arises when the foreign industries are subsidized unfairly than the local industry. Government investigates the issues and they develop a strategy to protect their industry
- Safeguards

The president has the power provided by the constitution, under section 201 and 421 of the Trade act of 1974 the president may impose import restrictions to the foreign industries if they become a threat to the American industries.

Question 10

Function of the international of the international trade commission

- The US international trade commission is mandated to investigate issues of patents and copyrights, intellectual property rights, trademark infringements. it also investigates about import and how they affecting the local industries

- Trade assistance -They provide small scale enterprises with information on the U.S trade laws .

Functions of the international trade administration

One of the major functions of the international trade organization is to promote and strengthen ⁴competitiveness of the U.S industry. The organization also ³promotes trade and investment; it also makes sure that there is fair trade by enforcing the trade laws.

6. Answer "Ethical Consideration" Number 2 on page 307 of the Schaffer textbook.

The dryer profits should be included when considering the effects of the imports of the subject washers on domestic U.S producers.

7. Answer "Questions and Case Problem" Numbers 1, 2, 3, 4 and 5 on pages 338-339 of the Schaffer textbook.

a. The country of origin of the Saw is England. The tests that would apply in order to determine the country of origin include product documentation, the trade agreements, the name and details of the product as well.

b. The country of origin is Denmark because it is the point where the Vodka is produced.

c. Yes, the Calamari can be labelled as a product of USA because it has undergone a process of product development/processing which has changed the value of the product.

2. Factors to prove

- a. The documentation of the assembled parts
- b. The tariffs paid to the government of China
- c. Trade agreements with China

3. These are outerwears. On the basis of the fabrics used. I don't think the used of articles is relevant to its identity.

4. The result was that adding a beverage compartment was not necessary. Yes these were composite goods. These were just backpacks with an improved design.

5. Boxers are classified as inner wears. ² A camisole worn under a sport jacket or slip worn under a dress would be classified as a singlets.

8. Answer "Ethical Consideration" Questions 1 through 4 on page 340 of the Schaffer textbook.

1. Yes. I will definitely pay a slightly higher price if I am assured that these farmers from poor background get a fair price for their small scale produce. It would be satisfying for them to work hard and change their lives. I believe consumers will make economic choices in the market.

2. Fair price is determined after enough considerations have been laid down to make reasonable amount of profit after all the costs associated with production and distribution to market have been deducted. The role of independent fair trade organization is to ensure that both the buyer and the seller get a fair price for the product as well as quality and quantity.

3. I don't believe fair trade can be a major reason that would root out poverty in developing countries. This is because these countries not only suffer from trade issues but also political issues, and lack of policies that would encourage trade and development.

4. Impacts of fair trade

- a. Economic development
- b. Competitive advantage in the global market
- c. Job creation
- d. Cultural integration.

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