

Do Anti-Dumping or Countervailing Duties (AD/CVD) apply to my goods?

An importer's step-by-step guide

1) Determine what AD/CVD case(s) are flagging for your HTS codes

There is an attempt by the U.S. government to help "flag" HTS numbers that most likely will fall in the scope of an AD/CVD case. *Note that your product may qualify for AD/CVD and not be flagged by its HTS code.*

- Login to the [ACE Portal](#)
- Click: 'References' > 'Launch AD/CVD'

The screenshot shows the ACE secure data portal interface. The 'References' tab is selected, and the 'Launch AD/CVD' button is highlighted with a red circle and the number 2. The interface includes a 'Task Selector' on the left and a 'Links' section on the right with buttons for 'Launch ISF', 'Launch AD/CVD', and 'Launch Truck Manifest Trade Portal'.

- Click: 'Advanced Search'

The screenshot shows the Search interface. The 'Advanced Search' button is highlighted with a red circle and the number 3. The interface includes a 'Search By' dropdown menu set to 'Case', a 'Case Number' input field, a 'Principal Case Only' checkbox, and 'Clear' and 'Search' buttons.

- Enter the HTS number in the 'HTS #' search box – you will need to enter one other search criteria besides HTS
- Review the 'Case Search Results' – remember more than one case can flag so check to see if there are multiple pages

The screenshot shows the Cases Advanced Search interface. The 'HTS #' search box is highlighted with a red circle and the number 1. The interface includes various search criteria such as 'Search by Case Type', 'Suspend ES Liquidation', 'Manufacturer Name', 'Case # (CBP/DOC)', 'Suspend ES Liquidation Date', 'Exporter Name', 'Companion Case # (CBP/DOC)', 'HTS #', 'Rate Application', 'Third Country CBP Case #', 'Event FR Cite', 'Current Rate', 'Country', 'Event FR Cite Date', 'Bond/Cash', 'Case Status', 'Company Name (Mfr or Exp fields)', 'Bond/Cash Effective Date', 'Determination', 'Official Case Name', 'Event', and 'Event Effective Date'.

2) Find and read the case scope(s)

Every AD/CVD case is issued with a scope. They are published in a few places, but we find the easiest way to read the scope is through the Department of Commerce website:

[Link to AD/CVD Duty Scope Descriptions and Determinations](#)

Scopes are typically very long and precise. You must read them carefully as this will help you determine if your product will need AD/CVD.

3) Determine if the case applies

Based on the case scope, determine if it applies to your product. Sometimes it is easy to determine it doesn't apply; other times, it is more difficult, and you will need to dig deeper. Here are some resources that may assist you:

- Internal specification sheets
- External product documentation or literature
- Buyers
- Engineers (or other technical people)
- Suppliers

It may seem like your Customs Broker should know, but they typically only have a limited description on the invoice to look at. It is highly unlikely that this is enough to determine whether a product is within the scope. In some instances, you may want to request a scope ruling from the Department of Commerce, more information can be found [here](#).

4) Report back to your Customs Broker (if a shipment is pending)

Once you make your determination, let us know! If multiple cases apply, we will need determination stated per case.

- If the product is OUT of scope: State briefly why it is out of scope – “The product length excludes it from the case scope”. This is important because Customs Brokers must show due diligence in this area.
- If the product is IN scope: You will need to provide us with the exact case number that should be used.
- Additionally, if anti-dumping duties apply, U.S. Customs and Border Protection (CBP) is responsible to collect a statement from the importer confirming that they were not reimbursed duties. Find out more about that document and process [here](#).

5) Update your records

You just put a lot of time and energy into making this determination. Document it so you don't need to repeat this process. We like to utilize a parts database to store this information, but it can be stored via other methods (e.g., Customs Broker SOP, Import Compliance Manual, etc.) as well.



FAQ

Isn't it just better to pay the AD/CVD so I am safe?

It can seem that way, but there are implications that can affect your entries that you should be aware of. Entries with AD/CVD are typically slow (and we mean slow) to liquidate. CBP may assess more AD/CVD up until liquidation, so even if the AD/CVD amount seems "reasonable" now – it may increase substantially prior to liquidation. Lastly, your importer bond premium is affected by the duties you pay and if you file AD/CVD entries – so you may inadvertently raise the cost of your bond.

Thus, it is best to do the research upfront, and make a good determination at the time of import.

Should I pay AD/CVD if my product is included in the AD/CVD scope, but the HTS number is not listed on the scope?

Yes, you need to pay for the additional duties. The HTS numbers listed in the AD/CVD scope are simply for the importing communities' convenience. This is similar to the responsibility of declaring FDA even when the HTS has not been officially flagged for potentially needing FDA. FDA is required on all FDA-regulated items, regardless of HTS flagging. The same concept for AD/CVD is applied; if a product falls under the scope, then AD/CVD is required to be declared.

For further questions please contact your local Expeditors office.