WORLD TRADE REVIEW

GUEST EDITORS: CHAD P. BOWN AND PETROS C. MAVROIDIS

WTO CASE LAW OF 2014: A BUSY YEAR
CHAD P. BOWN AND PETROS C. MAVROIDIS

CHINA–RARE EARTHS: EXPORT RESTRICTIONS AND THE LIMITS OF TEXTUAL INTERPRETATION
ERIC W. BOND AND JOEL TRACHTMAN

EC–SEAL PRODUCTS: THE TENSION BETWEEN PUBLIC MORALS AND INTERNATIONAL TRADE AGREEMENTS
PAOLA CORCONI AND TANIA VOON

BIRD FLU, THE OIE, AND NATIONAL REGULATION: THE WTO’S INDIA–AGRICULTURAL PRODUCTS DISPUTE
CHAD P. BOWN AND JENNIFER A. HILLMAN

UNDERSTANDING AGRICULTURAL PRICE RANGE SYSTEMS AS TRADE RESTRAINTS: PERU–AGRICULTURAL PRODUCTS
KAMAL SAGGI AND MARK WU

JAMES C. HARTIGAN

CHINA–AUTOS: HAVEN’T WE DANCED THIS DANCE BEFORE?
ANDREW D. MITCHELL AND THOMAS J. PRUSA

TRADE IN ENVIRONMENTAL GOODS: A REVIEW OF THE WTO APPELLATE BODY’S RULING IN US–COUNTERVERIALLING MEASURES (CHINA)
RACHEL BREWSTER, CLAIRE BRIUML, AND ANNA MARIA MOUTA

ALAN SPEAROT AND DUKGEUN AHN

REVISITING PROCEDURE AND PRECEDENT IN THE WTO: AN ANALYSIS OF US–COUNTERVERIALLING AND ANTI-DUMPING MEASURES (CHINA)
MOSTAFA BEHKAR AND ADAM S. CHETON

For further information about this journal please go to the journal website at:journals.cambridge.org/wtr
Statement of Aims

The World Trade Review (WTR) has been established at the initiative of the Secretariat of the World Trade Organization (WTO) in close cooperation with Cambridge University Press. The WTR is an independent, multi-disciplinary journal that aims to deepen understanding of issues facing the international trading system through critical analysis and constructive debate.

The journal welcomes manuscripts written from economic, legal and inter-disciplinary perspectives on issues of relevance to the multilateral trading system. A rigorous peer review process assures that material accepted for publication meets high standards in terms of theoretical and methodological rigour. Papers written in a manner that makes them accessible to the wider public and to government officials engaged in policy discourse and decision-making are particularly welcome. To further stimulate debate, the journal encourages the submission of short articles or notes commenting on published papers. These pieces are also subject to peer review in order to ensure their quality.

The policy of the journal is determined by the Editor and the members of the Editorial Board, in conjunction with Cambridge University Press. The content of each issue is determined by the Editor, subject to broad oversight by the Board.

Opinions and other material contained in the WTR are not attributable to Members of the WTO, to the WTO Secretariat, to members of the Editorial Board or to the Editor, nor should they be taken as reflecting the views of any of the aforementioned groups or individuals.

Submission of articles

The World Trade Review invites authors to submit original manuscripts on all aspects of issues related to the multilateral trading system. Short articles or notes commenting on previously published articles are also welcome. It is assumed that the submission of a manuscript to the WTR signals that it has not been, and will not be, submitted elsewhere at the same time. Papers scheduled for future publication in book form will be considered, provided they would appear first in the WTR.

Full guidelines for contributors regarding the length, organization and reference format of submissions are available on the journal’s homepage at the Cambridge University Press web site (journals.cambridge.org/wtr).

Letters to the Editor

The World Trade Review welcomes letters containing substantive comments on published material. Letters should be submitted via the website above. Letters selected for publication are subject to editing.

Books for review

Books for review in the journal should be mailed to:

Jan Bohanes, Counsel, Advisory Centre on WTO Law, Avenue Giuseppe Motta 31-33, 1211 Geneva.

Subscriptions

World Trade Review (ISSN 1474–7456) is published four times a year in January, April, July and October. Four parts form a volume.

The 2016 subscription price (excluding VAT) of a volume, which includes print and electronic access, is £248.00 (US $416.00 in USA, Canada and Mexico); £38.00 (US $60.00) for individuals, which includes print only, ordering direct from the publishers and certifying that the journal is for their personal use. The electronic-only price available to institutional subscribers is £226.00 (US $362.00 in USA, Canada and Mexico). Single parts are £69.00 net (US $115.00 in USA, Canada and Mexico) plus postage. EU subscribers (outside the UK) who are not registered for VAT should add VAT at their country’s rate. VAT registered members should provide their VAT registration number. Japanese prices for institutions (including ASP delivery) are available from Kinokuniya Company Ltd, PO Box 55, Chitose, Tokyo 156, Japan.

Orders, which must be accompanied by payment, may be sent to a bookseller, subscription agent or direct to the publisher: Cambridge University Press, Journals Fulfillment Department, UPH, Shaftesbury Road, Cambridge CB2 8BS, UK; or in the USA, Canada and Mexico: Cambridge University Press, Journals Fulfillment Department, 32 Avenue of the Americas, New York, NY 10013. Periodicals postage paid at New York, NY and at additional mailing offices.

Copying

This journal is registered with the Copyright Clearance Center, 222 Rosewood Drive, Danvers, MA 01923, USA. Organizations in the USA who are also registered with the C.C.C. may, therefore copy material (beyond the limits permitted by, sections 107 and 108 of U.S. Copyright law) subject to payment to the C.C.C. of the per copy fee of $15.00. This consent does not extend to multiple copying for promotional or commercial purposes. Code 1474–7456/16/£15.00. (B)iar Sheet Service, 351 Market Street, Philadelphia, PA 19104, USA, is authorized to supply single copies of single articles for private use only. Organizations authorized by the Copyright Licensing Agency may also copy, material subject to the usual conditions. For all other use, permission should be sought from Cambridge or from the American Branch of Cambridge University Press.

World Trade Review is included in the Cambridge Journals Online service which can be found at http://journals.cambridge.org/. For further information on other Press titles access http://www.cambridge.org/.

Enquiries about advertising should be sent to the Journal’s Promotion Department of the Cambridge or American Branch of Cambridge University Press.

This journal issue has been printed on FSC-certified paper and cover board. FSC is an independent, non-governmental, not-for-profit organization established to promote the responsible management of the world’s forests. Please see www.fsc.org for information.

© Cambridge University Press 2016

Printed in the UK by Bell & Bain Ltd

ISSN 1474–7456
CONTENTS

183 WTO Case Law of 2014: A Busy Year
   CHAD P. BOWN AND PETROS C. MAVROIDIS

189 China–Rare Earths: Export Restrictions and the Limits of Textual Interpretation
   ERIC W. BOND AND JOEL TRACHTMAN

211 EC–Seal Products: The Tension between Public Morals and International Trade Agreements
   PAOLA CONCONI AND TANIA VOON

235 Bird Flu, the OIE, and National Regulation: The WTO’s India–Agricultural Products Dispute
   CHAD P. BOWN AND JENNIFER A. HILLMAN

259 Understanding Agricultural Price Range Systems as Trade Restraints: Peru–Agricultural Products
   KAMAL SAGGI AND MARK WU

287 It’s Baaaack: Zeroing, the US Department of Commerce, and US–Shrimp II (Viet Nam)
   JAMES C. HARTIGAN

303 China–Autos: Haven’t We Danced this Dance Before?
   ANDREW D. MITCHELL AND THOMAS J. PRUSA
327  Trade in Environmental Goods: A Review of the WTO Appellate Body’s Ruling in US–Countervailing Measures (China)  
Rachel Brewster, Claire Brunel, and Anna Maria Mayda

351  US–Carbon Steel (India): Multi-Product Firms and the Cumulation of Products  
Alan Spearot and Dukgeun Ahn

375  Revisiting Procedure and Precedent in the WTO: An Analysis of US – Countervailing and Anti-Dumping Measures (China)  
Mostafa Beshkar and Adam S. Chilton