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Hapag-Lloyd



domestic like product

Domestic Like Product

What is the “*domestic like product*”? The *domestic like product* is the product produced in the United States which is most similar to the foreign product covered under the scope.

What is its purpose? Before the Department of Commerce (Commerce) initiates an investigation, it must determine that the petition has been filed on behalf of and has the support of the industry producing the domestic like product. The *domestic like product* helps Commerce and the International Trade Commission (ITC) determine whether a company may be part of the domestic industry for industry support and injury purposes, respectively.

A petition should clearly identify and define the *domestic like product*.

Key Elements of the Domestic Like Product:

- Detailed description of the physical and technical characteristics and uses, interchangeability, distribution channels, customer and producer perceptions, manufacturing facilities, processes, and production employees, and, where appropriate, price of the domestic like product
- Discussion of how these factors differentiate the domestic like product from other products that may be similar but are not covered by the scope
- Explanation of whether the domestic like product is “coextensive with” (or identical to) the product covered by the scope

Important Considerations:

- Both Commerce and the ITC are required to make domestic like product determinations but do so for different purposes and pursuant to different statutory authorities.
- Commerce makes its domestic like product determination early in the investigation process, in the context of analyzing industry support for a petition.
- The ITC makes its domestic like product determination in its investigation, in the context of analyzing injury to the U.S. industry producing the domestic like product.

Helpful Resources:

Section 771(10) of the Tariff Act of 1930, as amended

19 CFR 351.202(b)(2)(i) and 351.202(b)(3) of Commerce's Regulations

ITC – AD/CVD Handbook