

For Immediate Release

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ITC Rules Unanimously in Favor of Agri-Fab in Critical Case Involving Unfairly Traded Imports of Chinese Lawn Equipment

Ruling will impose largest ever duty on a Chinese product exported to the United States

CHICAGO – Katten Muchin Rosenman LLP is pleased to announce that the U.S. International Trade Commission (ITC) yesterday ruled unanimously (6-0) in favor of its client, Agri-Fab Inc., in a critical antidumping case involving the unfair importation of certain types of Chinese lawn grooming equipment into the United States. As a result of the ruling, U.S. importers of the Chinese products will be required to deposit an antidumping duty of up to 386.28 percent, which is the largest ever imposed on a Chinese product exported to the United States.

In ruling in favor of Sullivan, Ill.-based Agri-Fab, the nation's largest producer of tow-behind lawn grooming equipment, the ITC concluded that "a U.S. industry is materially injured or threatened with material injury by reason of imports of certain tow-behind lawn groomers from China that the U.S. Department of Commerce has determined are subsidized and sold in the United States at less than fair value."

On June 24, 2008, Agri-Fab filed an antidumping petition on behalf of the domestic industry, urging the ITC and U.S. Department of Commerce to investigate unfairly traded exports of such equipment from the People's Republic of China. Tow-behind lawn grooming equipment covered by the petition included lawn sweepers, lawn seed and grass spreaders, and turf aerators and dethatchers. The petition requested that the U.S. government impose antidumping duties to offset the underpriced Chinese products included in the petition.

"This is an important ruling, not only for Agri-Fab, but for U.S. industry as a whole," said [Mark S. Zolno](#), lead counsel to Agri-Fab and chair of Katten's Customs and International Trade Practice in Chicago. "Competition in the manufacture and sale of products imported to the United States is a good thing when it encourages innovation that ultimately benefits the end user. However, no U.S. company should be forced to compete against Chinese manufacturers which sell similar products at less than the American company's costs of materials."

The value of imports of tow-behind lawn groomers from China surged by over 240 percent from 2005 to 2007. At the same time, the prices of imported Chinese products undersold U.S. producers by significant margins, the ITC concluded. Rising volume and unfair prices had enabled Chinese manufacturers to claim a significant foothold in the U.S. market – a threefold increase in just three years.

Katten's Customs and International Trade Practice is a national leader in understanding the constantly changing world of international trade. The group has the credentials, experience and track record that has enabled its clients to leverage the opportunities and avoid the pitfalls present in the global marketplace. The

Practice provides effective, cost-conscious legal advice on the full array of regulatory, dispute resolution, policy and corporate compliance matters that ensure client success.

NOTE: Mr. Zolno is available for media interviews on the ruling in this case.

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