

Ministry of Commerce of the People's Republic of China Notice No.4 (2024)

On 5 February 2007, the Ministry of Commerce published the notice No. 8 [2007] and decided to conduct an anti-dumping investigation on imports of potato starch originating from the EU. On 18 April 2011, the Ministry of Commerce published the notice No.16 [2011] and decided to adjust the anti-dumping tariff rates to 12.6% - 56.7%. On 5 February 2013, the Ministry of Commerce published the notice No. 4 [2013] and decided to continue collecting the anti-dumping tariffs on imports of potato starch originating from the EU for 5 years. On 14 December 2016, the Ministry of Commerce published the notice No.72 [2016] and decided that Coöperatie AVEBE U.A. would take over the tariff rates applied by the AVEBE U.A. in anti-dumping and countervailing measures on potato starch. On 1 February 2019, the Ministry of Commerce published the notice No. 4 [2019] and decided to continue collecting anti-dumping tariffs on imports of potato starch originating from the EU for 5 years as of 6 February 2019. On 8 March 2021, the Ministry of Commerce published the notice No. 4 [2021] and decided that the Coöperatie Koninklijke Avebe U.A. would take over the tariff rates applied by the Coöperatie AVEBE U.A. in anti-dumping and countervailing measures on potato starch.

According to the Ministry of Commerce notice No.3[2021], after the end of the Brexit transition period on 31 December 2020, the trade remedy measures previously implemented against the EU would continue to apply to the EU and the UK, and the implementation period would remain unchanged; after this date, the newly initiated trade remedy investigations and review cases against EU would no longer treat the UK as an EU member state.

On 16 November 2023, the Ministry of Commerce received an application for an expiry review from the domestic potato starch industry. The application pretested that if the anti-dumping measures terminated, the dumping imports of potato starch originating from the EU would continue, dumping injury to the domestic industry would continue and therefore requested the Ministry of Commerce to carry out expiry review investigation on imports of potato starch originating from the EU, and maintain the anti-dumping measures to potato starch originating from the EU. The applicant did not request for an expiry review of the anti-dumping measures applicable to imported potato starch originating in the UK.

In accordance with the provisions of the *Anti-Dumping Regulation of the People's Republic of China*, the Ministry of Commerce made an investigation to the applicant qualification, the investigated products, domestic same kind of products, imports during the anti-dumping measures are taken, possibilities of continuation of dumping and possibilities of continuation of injury and related evidence. The prima facie evidences provided by the petitioner are in line with the Article 11, 13 and 17 of the *Anti-Dumping Regulation of the People's Republic of China*.

In compliance with provisions of Article 48 of *Anti-Dumping Regulation of the People's Republic of China*, The Ministry of Commerce decided to carry out an investigation on expiry review of anti-dumping measures of imports of potato starch originating from the EU from 6 February 2024.

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The relevant details are hereby made public as follows:

1 Continue of the anti-dumping measures

According to the suggestions of Ministry of Commerce, the Duty Tariff Committee of the State Council has decided to continually impose anti-dumping tariffs during the expiry review period to imports of potato starch originating from the EU, according to the scope and tariff rate announced in Mofcom's Notices of No. 8 [2007], No. 16 [2011], No. 4 [2013], No. 72 [2016], No. 4 [2019], No. 4 [2021]. Starting from February 6, 2024, the anti-dumping measures applicable to imported potato starch originating in the UK will expire.

Anti-dumping tariff rates are as follows:

1. Coöperatie Koninklijke Avebe U.A.	12.6%
2. Avebe Kartoffelstärkefabrik Prignitz/Wendland GmbH	12.6%
3. ROQUETTE FRERES	56.7%
4. Other EU companies	56.7%

2. Period of review investigation

The dumping investigation period of the review is set as 1 July 2022 to 30 June 2023. The industry injury investigation period is set as 1 January 2019 to 30 June 2023.

3. Scope of investigation

Product investigated is the same as in Notices of No. 8 [2007], No. 16 [2011], No. 4 [2013], No. 72 [2016], No. 4 [2019], No. 4 [2021] published by the Ministry of Commerce.

Name of product: potato starch

The HS codes of the product listed in the *Customs Import and Export Tariff of the People's Republic of China* are: 11081300.

Detailed description of the product under investigation: Potato starch is a white powder composed of multiple glucose molecules processed from potatoes. Its physical and chemical indicators are: whiteness (457nm blue light reflectance) $\geq 90\%$, moisture content $\leq 20\%$, viscosity (4% concentration, 700cmg) $\geq 1100\text{BU}$, protein (content in dry matter) $\leq 0.15\%$.

Main uses: Potato starch is mainly used in the food industry in China. It is an important raw material for the production of emulsifiers, thickeners, stabilizers, puffing agents, excipients, etc. It is widely used in puffed foods, convenience foods, sausages, hams, etc. Meat products, frozen foods, sauces, purees, soups, beverages, sauces, cooking, sugar making, aquatic product processing and other industries.

4. Content of review

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The content of the review is if terminate the anti-dumping measures to potato starch originating from the EU, whether it leads to continuation or recurrence of dumping and industry injury.

5 Registration to intervene in the case

As concerns the dumping investigation, any interested party may, within 20 days of the publication of this Notice, apply to the Bureau of Trade Remedy and Investigation of MOFCOM to intervene in the case; Interested parties should provide information according to the reference of registration form, such as quantity and value of the product, capacity during the injury investigation, output, inventory, construction and expansion plan. The reference registration form can be downloaded at relevant webpage (<http://trb.mofcom.gov.cn>).

The interested parties registered to participate in this anti-dumping investigation shall submit electronic version through the Trade Remedy and Investigation Information Platform (<https://etrb.mofcom.gov.cn>), and at the same time submit the written version according to the requirements of the Ministry of Commerce. The electronic version and the written version shall keep consistent in terms of content and format.

The interested parties in the Announcement refer to the individuals and organisations defined in the Article 19 of the *Anti-Dumping Regulation of the People's Republic of China*.

6 Access to Public Information

The interested parties can download from relevant website or go to the Trade Remedy Public Information Office (phone number: 0086-10-65197878) to search, read and copy non-confidential documents of the case.

7 Comments to the case initiation

The interested parties can submit their comments to MOFCOM in written form within 20 days since the notice is published if they have different opinions on the product scope of the investigation, the standing of the petitioners, the alleged countries and regions and other relevant issues.

8 Investigation Approaches

The investigation authority can investigate by means of questionnaires, sampling, public hearing, on-the-spot verification etc.

In order to obtain the required information, MOFCOM will normally issue investigation questionnaire to involved foreign exporters or producers, domestic producers or importers within 10 business days since the expiration of the above-mentioned responding time period. The interested parties can download the questionnaire from the relevant website.

Companies shall provide complete and accurate questionnaire responses to MOFCOM in specified time limit. The response shall include all information required by the questionnaire.

9 Submission and processing of Confidential Information

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The interested parties, when submitting comments and questionnaires during the investigation, shall submit electronic version through the Trade Remedy and Investigation Information Platform (<https://etrb.mofcom.gov.cn>), and at the same time submit the written version according to the requirements of the Ministry of Commerce. The electronic version and the written version shall keep consistent in terms of content and format.

For confidential information, interested parties can submit request and reason to the Ministry of Commerce for confidential processing of the information. If the Ministry of Commerce agrees to the request, the interested party should submit the non-confidential outline summary of the confidential information. The outline should include sufficient meaningful information to allow other interested parties to have reasonable understanding of the confidential information. If the interested party cannot provide the outline, it should clarify the reasons. If the interested party does not indicate confidential requests when submit information, the Ministry of Commerce will treat the information as non-confidential.

10 Result of Non-cooperation

According to the Article 21 of the *Anti-Dumping Regulation of the People's Republic of China*, the interested parties shall provide authentic information and relevant documentation to the Ministry of Commerce in the process of the investigation. In the event that any interested party does not provide authentic information and relevant documentation, or does not provide necessary information within a reasonable time limit, or significantly impedes the investigation in other ways, the Ministry of Commerce may make determinations on the basis of the facts already known and the best information available.

11 Investigation period

The investigation starts from 6 February 2024 and shall normally end before 6 February 2025 (excluding this date).

12 Contact of MOFCOM

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MOFCOM

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Ministry of Commerce

5 February 2024

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