
NOTIFICATION

From the Ministry of Commerce:

COMMUNIQUÉ ON THE PREVENTION OF UNFAIR COMPETITION IN IMPORTS

(COMMUNIQUITY NO: 2022/30)

Purpose and scope

ARTICLE 1- (1) The purpose of this Communiqué is, by domestic producer Sarkuysan Elektrolitik Bakır Sanayi ve Ticaret A.Ş., originating from the Greek Republic (Greece) 7411.10.10.00.11, 7411.10.10.00.12, 7411.10.10.00.19, 7411.10.90.00 It is to open a final review investigation regarding the definitive prevention against dumping in force for the import of “thin and thick pipes made of refined copper” classified under the .00 customs tariff statistical headings, and to determine the procedures and principles of the investigation opened.

Rest

ARTICLE 2- (1) This Communiqué includes the Law on the Prevention of Unfair Competition in Imports, dated 14/6/1989 and numbered 3577, the Decision on the Prevention of Unfair Competition in Imports, which was put into effect with the Council of Ministers Decision dated 20/10/1999 and numbered 99/13482, It has been prepared based on the Regulation on the Prevention of Unfair Competition in Imports published in the Official Gazette dated /10/1999 and numbered 23861.

Definitions

ARTICLE 3- (1) In this Communiqué;

- a) Ministry: Ministry of Commerce,
 - b) EBYS: Electronic Document Management System,
 - c) General Directorate: Ministry General Directorate of Imports,
 - ç) GTIP: Customs tariff statistics position,
 - d) Greece: the Greek Republic,
 - e) KEP: Registered e-mail address,
 - f) NGGS: Final review investigation,
 - g) TGTC: Turkish Customs Tariff Schedule Divided into Statistical Positions,
 - ğ) Regulation: Regulation on the Prevention of Unfair Competition in Imports,
- means.

The product under investigation

ARTICLE 4- (1) The product subject to investigation is the product defined as “fine and thick pipes made of refined copper” classified under GTIPs 7411.10.10.00.11, 7411.10.10.00.12, 7411.10.10.00.19, 7411.10.90.00.00.

(2) The aforementioned GTIPs are given for information purposes only and are not binding.

(3) Changes to be made in the tariff position and/or the definition of goods in the TGTC of the product subject to investigation shall not constitute an obstacle to the implementation of the provisions of this Communiqué.

Representational nature of the application

ARTICLE 5- (1) From the evidence submitted at the application stage, it has been understood that the application made by the domestic manufacturer Sarkuysan Elektrolitik Bakır Sanayii ve Ticaret A.Ş., which is understood to represent the domestic production branch within the framework of Article 18 of the Regulation, was made on behalf of the domestic production branch in accordance with Article 20 of the Regulation. In this context, the company in question will be referred to as the "domestic production branch" in the relevant sections of this Communiqué.

Current measure

ARTICLE 6- (1) With the Communiqué on the Prevention of Unfair Competition in Imports (Communiqué No: 2017/25) published in the Official Gazette dated 17/10/2017 and numbered 30213, the CIF fee is charged in the importation of "fine and thick pipes made of refined copper" originating in Greece. Definitive measures against dumping have been put into effect at the rates of 5% and 9%.

Reason

ARTICLE 7- (1) Pursuant to the second paragraph of Article 35 of the Regulation, with the Communiqué on the Prevention of Unfair Competition in Imports (Communiqué No: 2022/5) published in the Official Gazette dated 11/2/2022 and numbered 31747, the existing measure originating in Greece will be repealed and it has been announced that the domestic producers of the relevant product can request the opening of NGGS with an application supported by sufficient evidence within the periods stipulated in the legislation.

(2) As a result of the examination of the application submitted by the domestic production branch following the aforementioned announcement, it has been understood that if the anti-dumping measure applied is repealed, it is possible that the dumping and the damage will continue or reoccur, and that there is information, documents and evidence that will justify the opening of a NGGS.

Decisions and transactions

ARTICLE 8- (1) As it was understood as a result of the examination that there was sufficient information, documents and evidence for a NGGS to be opened, it was decided to open a NGGS within the framework of Article 35 of the Regulation for the product originating in Greece, with the Decision of the Board for Evaluation of Unfair Competition in Imports.

Notification of the opening of an investigation to the relevant parties

ARTICLE 9- (1) Pursuant to Article 23 of the Regulation, the profession is composed of the exporter, foreign producer, importer, professional organizations with the majority of members consisting of them, the government of the exporting country, the producer of the similar goods in Turkey, the majority of the members in Turkey of the similar goods. organizations are considered as interested parties. However, those who report themselves to the competent authority by answering the questionnaires or presenting their opinions within the periods specified in Article 11 shall be considered as the relevant party in the investigation.

(2) Following the initiation of the investigation, a notification is made to the known manufacturers/exporters residing in the country subject to investigation, to the Embassy of the country in question in Ankara, to the known importers of the product subject to investigation specified in the application with the Delegation of the European Union to Turkey and determined by the Ministry.

(3) The notification shall include information on the Communiqué on the opening of the investigation, the non-confidential summary of the application and access to the questionnaires.

(4) Other interested parties, to whom notifications cannot be sent or not received, can provide information about the investigation on the Ministry 's website with the extension "<https://www.ticaret.gov.tr/ithalat> ", respectively, "Trade Policy Defense Tools", "Dumping and Subsidy", It can be accessed from the relevant heading of the investigation by following the "Investigations" tabs.

Competent authority, interested parties to submit their comments and answers

ARTICLE 10- (1) The investigation is carried out by the General Directorate, whose contact information is given below.

TR Ministry of Commerce

General Directorate of Imports

Dumping and Subsidy Department

Address: Söğütözü Mah. 2176. St. No:63 Çankaya/ANKARA

Tel: +90 312 204 75 00

(2) In the investigation, “firms, institutions and organizations residing in Turkey” send their answers to the questionnaires and their official opinions from their KEP addresses to the following KEP address of the Ministry.

KEP address: Ticaretbakanligi@hs01.kep.tr

(3) In the investigation, “firms, institutions and organizations residing abroad” send their answers to the questionnaires and their official opinions in physical and electronic media (via CD/USB) to the postal address of the Ministry and to the e-mail address below.

EBYS e-mail address: ithebys@ticaret.gov.tr

(4) Written and verbal communication regarding the investigation is made in Turkish. Except for the answers to the questionnaire, any information, document, opinion and request submitted in a language other than Turkish will not be considered.

(5) The answers given to the questionnaire by the relevant parties, other information, documents, opinions and supporting evidence submitted regarding the investigation are submitted in writing unless otherwise stated. In written submissions, the names and titles, address information, e-mail addresses and telephone numbers of the relevant parties are indicated. Their KEP addresses are also indicated in the written submissions by “the companies, institutions and organizations residing in Turkey who want to be interested parties”.

(6) Related parties, apart from the information requested in the questionnaire, may submit other information, documents and opinions considered to be relevant to the investigation, together with supporting evidence, to the General Directorate in writing, within the period specified in the second paragraph of Article 11.

(7) During the investigation, a non-confidential summary of all kinds of information, documents and opinions given under confidentiality within the framework of the second paragraph of Article 22 of the Regulation is submitted. The non-confidential summary shall be in such detail as to allow a reasonable understanding of the essential information. Interested parties may, in exceptional circumstances, state that this information cannot be summarized. In such exceptional cases, the reasons why the information cannot be summarized should be stated.

Durations

ARTICLE 11- (1) For all interested parties to whom the notification specified in the second paragraph of Article 9 was sent, the response time to the questionnaire is 37 days, including the postal time, from the date of sending the notification regarding the opening of the investigation.

(2) The parties to whom the notification in the fourth paragraph of Article 9 could not be sent submit their answers to the questionnaire and their views on the investigation within 37 days starting from the publication of this Communiqué.

(3) Other domestic and foreign parties, other than the first paragraph of Article 9, who claim that they may be affected by the outcome of the investigation, may present their opinions within the investigation process, in a way that will not affect the flow of the investigation as of the publication of this Communiqué.

Failure to cooperate

ARTICLE 12- (1) In the event that one of the relevant parties fails to provide the necessary information and documents within the given timeframes and in the requested form, or refuses access to such information and documents, or if it is understood that it hinders the investigation, or gives false or misleading information, within the framework of the provision of Article 26 of the Regulation, the said party deemed not to cooperate. In such cases, temporary or final determinations within the scope of the investigation can be made, positively or negatively, based on the available data.

(2) In case the interested parties do not cooperate or partially cooperate, the outcome of the investigation may be less advantageous for the said party than when it comes to cooperation.

Implementation of the precautionary measure

ARTICLE 13- (1) In accordance with the fourth paragraph of Article 35 of the Regulation, the measure in force shall remain in force until the conclusion of the investigation.

The start date of the investigation

ARTICLE 14- (1) The investigation is deemed to have started on the date of publication of this Communiqué.

Force

ARTICLE 15- (1) This Communiqué enters into force on the date of its publication.

Executive

ARTICLE 16- (1) The provisions of this Communiqué are executed by the Minister of Trade.