

NOTIFICATION

From the Ministry of Commerce:

**NOTIFICATION ON THE PREVENTION OF UNFAIR COMPETITION IN IMPORTS
(COMMUNIQUE NO: 2023/13)**

Purpose and scope

ARTICLE 1- (1) The purpose of this Communiqué is to local producer Trakya Döküm San. and Tic. Inc. Based on the application made by the Federal Republic of Brazil, the Republic of Bulgaria, the People's Republic of China, the Republic of Indonesia, the Republic of India and the Kingdom of Thailand, the final review of the anti-dumping measures in force for imports of "others" (pipe fittings) registered under tariff heading 7307.19 The purpose of the investigation is to open an investigation and to determine the procedures and principles of the investigation.

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 put into effect by the Decision of the Council of Ministers dated 20/10/1999 and numbered 99/13482, and Law No. 30 It was 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;

- Ministry: Ministry of Commerce,
- Brazil: Federative Republic of Brazil,
- Bulgaria: The Republic of Bulgaria,
- CIF: Delivery including costs, insurance and freight,
- PRC: People's Republic of China,
- Indonesia: Republic of Indonesia,
- General Directorate: Ministry General Directorate of Imports,
- GTP: Customs tariff position,
- India: Republic of India,
- KEP: Registered e-mail address,
- NGGS: Final review investigation,
- Thailand: The Kingdom of Thailand,
- TGTC: Turkish Customs Tariff Schedule Divided into Statistical Positions,
- Regulation: Regulation on the Prevention of Unfair Competition in Imports published in the Official Gazette dated 30/10/1999 and numbered 23861,

expresses.

The product under investigation

ARTICLE 4- (1) The product subject to investigation is "others" (pipe fittings) registered under GTP 7307.19, originating from Brazil, Bulgaria, PRC, Indonesia, India and Thailand.

(2) The GTP in question is given for informational purposes only and is not binding.

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

Representative nature of the application

ARTICLE 5- (1) From the evidence submitted at the application stage, the domestic producer Trakya Döküm San. is understood to represent the domestic production branch within the framework of Article 18 of the Regulation. and Tic. Inc. It has been understood that the application made by was made on behalf of the domestic production branch in accordance with Article 20 of the Regulation. In this context, the applicant company will be referred to as "domestic production branch" in the relevant sections of this Communiqué.

Current measure

ARTICLE 6- (1) The "iron or steel pipe fittings" product registered under the Communiqué on the Prevention of Unfair Competition in Imports (Communiqué No: 2000/3) published in the Official Gazette dated 27/4/2000 and numbered 24032 and under GTP 7307.19 Anti-dumping measures have been put into effect at the rate of 50% of the CIF value against imports originating from Brazil and 95% of the CIF value against imports originating from the PRC. Within the framework of the first NGGS, which was completed with the Communiqué on the Prevention of Unfair Competition in Imports (Communiqué No: 2006/23) published in the Official Gazette dated 7/9/2006 and numbered 26282, the measure in question was 400 US dollars per ton against imports of products originating from Brazil, PRC origin. The fee against product imports was changed to 800 US dollars per ton.

(2) With the Communiqué on the Prevention of Unfair Competition in Imports (Communiqué No: 2006/24) published in the Official Gazette dated 7/9/2006 and numbered 26282, it is against imports of "others" (pipe fittings) products registered under 7307.19 GTP originating from Bulgaria. 400 USD per ton, 253 USD to 400 USD per ton for those originating from Indonesia, in amounts ranging from 253 USD to 400 USD per ton, and 305 USD to 400 USD per ton, against Indian origin, and 305 USD to 400 USD per ton, for those originating from the Republic of Serbia-Montenegro. Anti-dumping measures have been put into effect in amounts ranging from 400 USD per ton against Thai origin products to 147 USD to 400 USD per ton on a company basis.

(3) As a result of the NGGS, which resulted in the Communiqué on the Prevention of Unfair Competition in Imports (Communiqué No: 2012/10) published in the Official Gazette dated 22/5/2012 and numbered 28300, the import of "others" (pipe fittings) products registered under 7307.19 GTP The same anti-dumping measures have been continued for products originating from PRC, Brazil, Bulgaria, Indonesia, India and Thailand. The anti-dumping measure against the Republic of Serbia-Montenegro has been repealed at the end of the 5-year period.

(4) As a result of the NGGS, which resulted in the Communiqué on the Prevention of Unfair Competition in Imports (Communiqué No: 2018/15) published in the Official Gazette dated 21/4/2018 and numbered 30398, the import of "others" (pipe fittings) products registered under 7307.19 GTP The same anti-dumping measures have been continued for products originating from PRC, Brazil, Bulgaria, Indonesia, India and Thailand.

Reason

ARTICLE 7- (1) Pursuant to the second paragraph of Article 35 of the Regulation, through the Communiqué on the Prevention of Unfair Competition in Imports (Communiqué No: 2022/22) published in the Official Gazette dated 4/8/2022 and numbered 31913, the current measure will be abolished and the relevant product will be domestically produced. It has been announced that the producer or producers can request the opening of NGGS with an application supported by sufficient evidence within the periods stipulated in the legislation.

(2) Following the aforementioned announcement, as a result of the examination of the application submitted by the domestic production branch for the product subject to the measure originating from Brazil, Bulgaria, PRC, Indonesia, India and Thailand, it is determined that dumping and damage will continue or occur again if the applied anti-dumping measure is repealed. It has been understood that there is information, documents and evidence that would justify the opening of an NGGS regarding the issue.

Decisions and actions

ARTICLE 8- (1) As a result of the examination, it was understood that there was sufficient information, documents and evidence to open an NGGS, and with the decision of the Unfair Competition Evaluation Board in Imports, "others" registered under 7307.19 GTP originating from Brazil, Bulgaria, PRC, Indonesia, India and Thailand (It has been decided to open an NGGS within the framework of Article 35 of the Regulation for the import of pipe fittings).

Market economy assessment

ARTICLE 9- (1) If the producer or producers located in the PRC and subject to investigation prove with sufficient evidence within the periods specified in Article 12 that market economy conditions are valid in the production and sale of the product subject to investigation within the framework of the criteria in Additional Article 1 of the Regulation, this producer or producers In determining the normal value, Article 5 of the Regulation applies, otherwise the provisions of Article 7 of the Regulation apply. In case the provisions of Article 7 of the Regulation are implemented, it is envisaged that Turkey will be selected as a precedent country implementing a market economy for the said country.

Notification of the opening of an investigation to relevant parties

ARTICLE 10- (1) In accordance with Article 23 of the Regulation, the exporter of the product subject to investigation, the foreign producer, the importer, the professional organizations whose members are the majority of them, the government of the exporting country, the producer of the similar goods in Turkey, the professional organizations whose members are the majority of the producers of the similar goods in Turkey. organizations are considered 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 12 are considered as relevant parties in the investigation.

(2) Following the opening of an investigation, notification is made regarding the opening of the investigation to the known producers/exporters resident in the countries subject to the investigation, the Embassy of the countries subject to the investigation in Ankara, and the known importers of the product subject to the investigation specified in the application and determined by the Ministry.

(3) The notification includes information about the investigation opening notification, the non-confidential summary of the application and access to the questionnaires.

(4) Other relevant parties to whom a notification cannot be sent or who have not received a notification can access information regarding the investigation on the Ministry's website with the extension "<https://www.ticaret.gov.tr/ithalat>" under "Trade Policy Defense Tools", "Dumping and Subsidy", respectively. You can access the relevant title of the investigation by following the "Investigations" tabs.

The competent authority requests the relevant parties to present their opinions and answers.

ARTICLE 11- (1) The investigation is carried out by the General Directorate whose contact information is given below.

Turkish Ministry of Commerce
General Directorate of Imports
Dumping and Subsidy Department
Address: Söğütözü Mah. 2176. St. No:63 06530 Çankaya/ANKARA
Phone: +90 312 204 75 00

(2) In the investigation, "companies, institutions and organizations established in Turkey" send their answers to the questionnaires and their official opinions from their own KEP addresses to the Ministry's KEP address below.

KEP address: ticaretbakanligi@hs01.kep.tr

(3) In the investigation, "companies, institutions and organizations resident abroad" send their answers to the questionnaires and their official opinions in writing, and the attachments regarding their answers to the questionnaire and their official opinions only in electronic form (via CD/USB) to the mailing address of the Ministry. Questionnaire responses, official comments and their attachments are also sent to the email 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, documents, opinions and requests submitted in a language other than Turkish will not be taken into consideration.

(5) The answers given to the questionnaire by the relevant parties and other information, documents, opinions and supporting evidence presented regarding the investigation are submitted in writing unless otherwise stated. In written presentations, the names and titles, address information, e-mail addresses and telephone numbers of the relevant parties are stated. "Those who wish to become interested parties from companies, institutions and organizations established in Turkey" must also state their KEP addresses in their written presentations.

(6) Apart from the information requested in the questionnaire, relevant parties may submit other information, documents and opinions thought 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 12.

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

Durations

ARTICLE 12- (1) The response time to the questionnaire for all relevant parties to whom the notification specified in the second paragraph of Article 10 is sent is 37 days, including postal time, from the date of sending the notification regarding the opening of the investigation.

(2) Relevant parties to whom the notification in the fourth paragraph of Article 10 could not be sent shall submit their answers to the questionnaire and their opinions regarding the investigation within 37 days starting from the date of publication of this Communiqué.

(3) Other domestic and foreign parties, other than the first paragraph of Article 10, who claim that they may be affected by the outcome of the investigation, may present their opinions during the investigation process, as of the date of publication of this Communiqué, in a way that does not affect the course of the investigation.

non-cooperation

ARTICLE 13 - (1) Within the framework of the provision of Article 26 of the Regulation, in cases where one of the relevant parties does not provide the necessary information and documents within the given periods and in the requested form, or refuses access to this information and documents, or is understood to hinder the investigation, or provides false or misleading information, the party in question is deemed to have failed to cooperate. In such cases, provisional or final determinations within the scope of the investigation can be made, positively or negatively, based on available data.

(2) If the relevant parties do not cooperate or cooperate partially, the outcome of the investigation may be less advantageous for the party in question than if they cooperate.

Implementation of the measure

ARTICLE 14- (1) In accordance with Article 35 of the Regulation, the effective measure remains in force until the investigation is concluded.

Start date of the investigation

ARTICLE 15- (1) The investigation is deemed to have started on the date of publication of this Communiqué.

Force

ARTICLE 16- (1) This Communiqué shall enter into force on the date of its publication.

Executive

ARTICLE 17- (1) The provisions of this Communiqué shall be enforced by the Minister of Trade.