

NOTIFICATION

From the Ministry of Commerce:

COMMUNIQUÉ ON THE PREVENTION OF UNFAIR COMPETITION IN IMPORTS

(COMMUNIQUITY NO: 2023/4)

Purpose and scope

ARTICLE 1- (1) The purpose of this Communiqué is ex officio in imports of “fabrics, impregnated, coated, covered or laminated with polyurethane, imitation leather/others” registered under customs tariff heading 5903.20 originating/exiting the Republic of Bulgaria, the French Republic and the Republic of North Macedonia. opening an investigation against the ineffectiveness of the measures as a result of the examinations made and determining 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, 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) Bulgaria: the Republic of Bulgaria,
- c) PRC: People's Republic of China,
- ç) France: the French Republic
- d) General Directorate: General Directorate of Imports,
- e) GTIP: Customs tariff statistics position,
- f) GTP: Customs tariff position,
- g) Law: Law on the Prevention of Unfair Competition in Imports, dated 14/6/1989 and numbered 3577,
- ğ) Decision: 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,
- h) KEP: Registered e-mail address,

i) North Macedonia: the Republic of North Macedonia,

i) TGTC: Turkish Customs Tariff Chart Divided into Statistical Positions,

j) Regulation: Regulation on the Prevention of Unfair Competition in Imports, published in the Official Gazette dated 30/10/1999 and numbered 23861,

means .

item under investigation

ARTICLE 4- (1) The goods subject to investigation are “clothes” registered under GTP 5903.20, which are subject to anti-dumping action pursuant to the Communiqué on the Prevention of Unfair Competition in Imports (Communiqué No: 2016/44) published in the Official Gazette dated 2/11/2016 and numbered 29876. impregnated, coated, coated or laminated with polyurethane - imitation leather/others.

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

Application and current status

ARTICLE 5- (1) With the Communiqué on the Prevention of Unfair Competition in Imports (Communiqué No: 2005/2) published in the Official Gazette dated 5/2/2005 and numbered 25718; Against dumping of 1 USD/kg for the import of PRC originating goods with GTIP 5903.20.10.10.00 and 5903.20.10.90.00, against dumping at an amount of 2.2 USD/kg for the import of goods with GTIP 5903.20.90.10.00 and 5903.20.90.90.00 measures have been implemented. Regarding the last final review investigation, a final review investigation has been opened with the Communiqué on the Prevention of Unfair Competition in Imports (Communiqué No: 2021/48) published in the Official Gazette dated 30/10/2021 and numbered 31644, and the existing anti-dumping investigation has been opened until the investigation is concluded. The implementation of the measure continues. In addition, the said measure was extended to imports originating from/exit Malaysia and Greece with the Communiqué on the Prevention of Unfair Competition in Imports (Communiqué No: 2022/16) dated 15/6/2022 and numbered 31867.

(2) An ex officio investigation has been initiated by the Ministry in order to determine whether the anti-dumping measure applied in the import of the subject goods originating from PRC has been rendered ineffective by imports from Bulgaria, France and North Macedonia.

(3) Findings regarding the ineffectiveness of the aforementioned measure have been evaluated within the framework of the provisions of the Law, Decision and Regulation.

Findings on inactivation of measures

ARTICLE 6- (1) The total import of the goods under investigation is 8.177 tons (68 million US dollars) in 2019, 11,508 tons (79 million US dollars) in 2020, 11,149 tons (79 million US dollars) in 2021, and the first 9 months of 2022. It was realized as 8,817 tons (61 million USD) in the period.

(2) Average unit prices for total imports were 8.2 in the 2019-2022 (1-9) period, respectively; 6.8; 7.1 and 6.9 US dollars/kg.

(3) Imports of the aforementioned goods originating from the PRC were 1,883 tons (11 million USD) in 2019, 2,653 tons (USD 13 million) in 2020, 2,513 tons (USD 15 million) in 2021, and 2,184 tons (14 million USD) in the first 9

months of 2022. million USD). The unit prices for imports originating from PRC were 5.9 respectively during the review period; 5; 5.9 and 6.4 USD/kg.

(4) The goods under investigation had no imports from Bulgaria in 2019, and the said imports increased from 94 tons (237 thousand US dollars) in 2020 to 743 tons (US\$ 1 million) in 2021 and 993 tons (US\$ 3 million) in the first 9 months of 2022.) has risen.

(5) The average unit prices for the imports of the goods under investigation from Bulgaria are 2.5, respectively, in the period 2020-2022 (1-9); 1.8; It is at the level of 3 US dollars/kg and is below the unit prices of PRC origin imports. The share of Bulgarian imports in total imports increased from 1% in 2020 to 7% in 2021 and 11% in the first 9 months of 2022.

(6) The import of the subject goods from France in the period of 2019-2022 (1-9) increased from 10 tons (280 thousand US dollars) in 2019 to 132 tons (336 thousand US dollars) in 2020 and 544 tons (3.2 million dollars) in 2021. USD) rose to 132 tons (460 thousand USD) in the first 9 months of 2022.

(7) The average unit prices of the said goods imports from France are 28, respectively, in the period of 2019-2022 (1-9); 2.5; 5.9; It is seen that it is at the level of 3.5 US dollars/kg and decreased significantly in the analyzed period and remained below the unit prices of imports originating from PRC. The share of French origin imports in total imports in terms of quantity in the 2019-2022 (1-9) period is 0.1%, respectively; %one; 5% and 1.5%.

(8) Imports of the goods under investigation from North Macedonia in the period 2019-2022 (1-9) were 1,124 tons (5 million US dollars) in 2019, 1,551 tons (7 million US dollars) in 2020, 1,304 tons (7 million US dollars) in 2021. dollar) and 1,219 tons (6 million USD) in the first 9 months of 2022.

(9) The average unit prices of the imports of the goods subject to investigation from North Macedonia were 4.1 in the 2019-2022 (1-9) period, respectively; 4.7; It is observed that they are at the level of 5.3 and 4.8 US dollars/kg and remain below the unit prices of PRC origin imports. The share of North Macedonia origin imports in total imports in the period of 2019-2022 (1-9) is 14%, respectively; 13%; 12% and 14%.

(10) With the opening of an investigation to extend the anti-dumping measure applied to the goods originating in PRC to the imports originating/exiting Malaysia and Greece in 2021 and securing the tax in the amount of the aforementioned measure, the imports from the aforementioned countries decreased, while the imports of the said goods from Bulgaria and France increased in 2021. It is seen that there is an increase in imports from North Macedonia in 2022.

(11) According to the International Trade Center (ITC) Trade Atlas data, the import of the goods subject to investigation by Bulgaria from the PRC was 167 tons in 2019, 132 tons in 2020, 322 tons in 2021 and 540 tons in the first 9 months of 2022. realized as. It has been observed that Bulgaria's imports from PRC have increased especially in the first 9 months of 2021 and 2022, and it has been determined that Bulgaria's exports to our country have increased in the same period.

(12) According to the aforementioned data, France's imports of the goods under investigation from the PRC for the period 2019-2022 (1-9) increased from 183 tons in 2019 to 321 tons in 2020 and 467 tons in 2021, reaching 295 tons in the first 9 months of 2022. tons level.

(13) According to the aforementioned data, North Macedonia's import of the mentioned goods from the PRC for the period 2019-2022 (1-9) was 504 tons, 10 tons, 20 tons and 1.2 tons, respectively.

Decisions and transactions

ARTICLE 7- (1) As a result of the examinations made, the Regulation regarding the import of “fabrics, impregnated with polyurethane, plastered, covered or laminated - leather imitation/others” registered under GTP 5903.20 originating from Bulgaria, France and North Macedonia by the Board of Evaluation of Unfair Competition in Imports. Within the framework of Article 38, it was decided to open an investigation against the ineffectiveness of the measures.

(2) By the Board of Evaluation of Unfair Competition in Imports, within the framework of Article 11 of the Decision, imports of “fabrics, impregnated with polyurethane, plastered, coated or laminated - leather imitation/others” registered under GTP 5903.20 originating/exiting Bulgaria, France and North Macedonia Within the framework of the Communiqué on the Prevention of Prevention (Communiqué No: 2016/44), it has been decided to guarantee the same amount as the anti-dumping measure applied in imports originating from China.

(3) The investigation will be conducted by the General Directorate.

Questionnaires and collection of information

ARTICLE 8- (1) In order to obtain the necessary information for the investigation, the known importers of the goods under investigation and the known foreign producers/exporters within the scope of the investigation and the Embassies of the countries subject to the investigation in Ankara are notified regarding the opening of the investigation. The notification includes information on the opening notification of the investigation, the non-confidential summary of the investigation report and access to the questionnaires.

(2) 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 <https://www.ticaret.gov.tr/ithalat> extension, respectively, “Trade Policy Defense Tools”, “Monitoring and Disabling Measures”, It can be accessed by following the "Ongoing Investigations" tabs.

(3) 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.

Durations

ARTICLE 9- (1) The time for answering the questionnaire is 37 days, including the postal time, from the date of sending the notification regarding the opening of an investigation. The relevant parties specified in Article 8, to which the notification and questionnaires are not sent, are bound by the 37-day period that will run from the date of publication of this Communiqué.

(2) Apart from the information requested in the questionnaire, other information, documents and opinions considered to be relevant to the investigation must be submitted in writing to the General Directorate within 37 days at the latest, in order to be taken into account.

the opinions of other interested parties such as domestic manufacturers, importers, relevant professional organizations, consumer associations, labor or employer unions in the field of production, who claim that they may be affected by the outcome of the investigation, in a way that does not affect the flow of the investigation as of the date of publication of this Communiqué. They must notify the General Directorate in writing during the process.

failure to cooperate

ARTICLE 10- (1) Pursuant to Article 26 of the Regulation, if one of the parties fails to provide the necessary information within the specified time, or gives false information or refuses to provide information, or if it is

understood that he has hindered the investigation, the party in question is deemed not to cooperate and the decision regarding the investigation is taken, positive or negative, taken based on available data.

Competent authority and address

ARTICLE 11- (1) Information, documents and opinions related to the investigation should be submitted to the following competent authority:

TR Ministry of Commerce

General Directorate of Imports

Department of Monitoring and Evaluation of Import Policies

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

Tel: +90 312 204 92 94, Fax: +90 312 212 87 65

www.trade.gov.tr

KEP Address: Ticaretbakanligi@hs01.kep.tr

E-mail Address: oeksorusturma@ticaret.gov.tr

(2) They send their answers to the questionnaires and their opinions about the investigation to the KEP and e-mail addresses of the Ministry from their own KEP addresses.

(3) It sends the answers to the questionnaires of “firms, institutions and organizations residing abroad who want to be a relevant party” in the investigation and their opinions about the investigation to the mail and e-mail addresses of the Ministry.

The start date of the investigation

ARTICLE 12- (1) The investigation is deemed to have started on the date of publication of this Communiqué.

Force

ARTICLE 13- (1) This Communiqué enters into force on the date of its publication.

Executive

ARTICLE 14- (1) The provisions of this Communiqué are executed by the Minister of Trade.