

Update on Anti-dumping Regulations & Impact on Export Markets

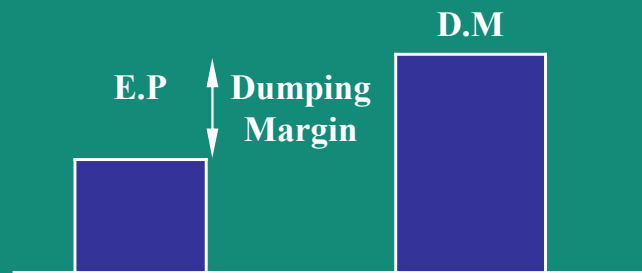
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GSI – PET Day 2005
Florence, 6 October 2005

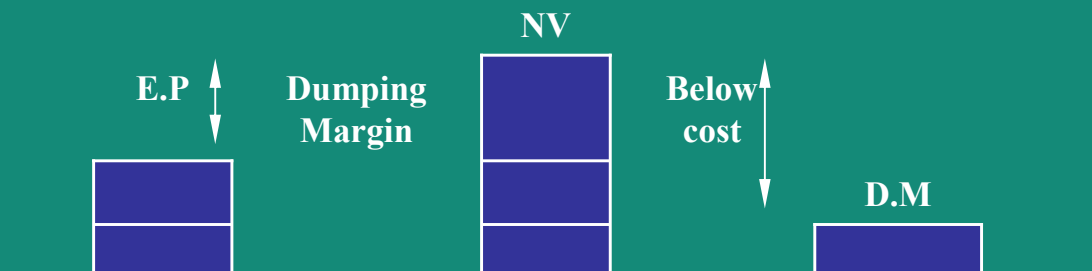
Conditions for the imposition of AD duties

1. Dumping:

- export prices are lower than domestic prices



- or, in the absence of reliable domestic prices, constructed normal value



Conditions for the imposition of AD duties?

2. **Injury:** the dumped exports cause or threaten to cause injury to the EC industry
3. **Community interest:** it is in the Community interest to impose measures

Main procedural stages in an anti-dumping proceeding

- 1. Submission of a complaint** (the Commission considers the admissibility of the complaint within 45 days)
- 2. Initiation of the investigation**
- 3. Imposition of provisional measures** (within 9 months of the initiation)
- 4. Imposition of definitive measures for 5 years** (within 15 months of the initiation)
- 5. Review investigations:**
 - expiry, interim, new exporter
 - anti-absorption
 - anti-circumvention

AD measures imposed on imports of PET chips?

Country	Normal expiry	Type of measures	Level (min - max)
India	01.12.2005	Definitive duty	130,8-223,0 Euro/T
	01.12.2005	Undertaking	---
Indonesia	01.12.2005	Definitive duty	92,1-187,7 Euro/T
	01.12.2205	Undertaking	---
Malaysia	01.12.2005	Definitive duty	36,0-160,1 Euro/T
Rep. Korea	01.12.2005	Definitive duty	0-148,3 Euro/T
Taiwan	01.12.2005	Definitive duty	0-143,4 Euro/T
Thailand	01.12.2005	Definitive duty	83,2 Euro/T
China	20.08.2009	Definitive duty	0-184 Euro/T
Pakistan	---	Termination	---
Australia	20.08.2009	Definitive duty	66-128 Euro/T
	20.08.2009	Undertaking	---

- There are also countervailing measures for PET from India, Malaysia and Thailand

Notice of the impending expiry of certain anti-dumping and countervailing measures for PET

(2005/C 52/02)

Countries of origin or exportation	Measures	Reference	Date of expiry
India Indonesia Rep of Korea Malaysia Taiwan Thailand	Anti-dumping duty	Council Regulation (EC) No 2604/2000 (OJ L 301, 30.11.2000, p. 21) as last amended by Regulation (EC) No 83/2005 (OJ L 19, 21.1.2005, p. 1)	1.12.2005
India Indonesia	Undertakings	Commission Decision No 2000/745/EC (OJ L 301, 30.11.2000, p. 88) as last amended by Commission Decision No 2002/232/EC (OJ L 78, 21.3.2002, p. 12)	1.12.2005
India Malaysia Thailand	Countervailing duty	Council Regulation (EC) No 2603/2000 (OJ L 301, 30.11.2000, p. 1) as last amended by Regulation (EC) No 822/2004 (OJ L 127, 29.4.2004, p. 3)	1.12.2005
India	Undertaking	Commission Decision No 2000/745/EC (OJ L 301, 30.11.2000, p. 88)	1.12.2005

Expiry, Interim and New Exporter Review Investigations under the EU Basic Anti-Dumping Regulation

- Expiry reviews
 - **Initiation:** on the basis of a substantiated request evidencing should measures be removed, injurious dumping will recur
 - **Procedure:** should normally be conducted within 15 months (mandatory)
 - **Scope:** full (dumping and injury)
 - **Outcome:** confirmation or termination of the existing measures

Expiry, Interim and New Exporter Review Investigations under the EU Basic Anti-Dumping Regulation

- **Interim reviews**
 - **Initiation:** on the basis of a substantiated request evidencing a significant change in circumstances.
 - **Procedure:** should normally be conducted within 12 months (not mandatory)
 - **Scope:** full (dumping and injury), partial
 - **Outcome:** confirmation, modification or termination of the measures imposed

Expiry, Interim and New Exporter Review Investigations under the EU Basic Anti-Dumping Regulation

- Combined expiry and interim reviews
 - The Commission frequently carries out interim and expiry reviews simultaneously, either on request or on its own initiative
 - **Procedure:** should normally be conducted within 15 months (mandatory)
 - **Scope:** full (dumping and injury), partial
 - **Outcome:** confirmation, modification or termination of the measures imposed

Expiry, Interim and New Exporter Review Investigations under the EU Basic Anti-Dumping Regulation

- New exporter reviews
 - **Initiation:** available to exporters which did not export PET to the EU during the original investigation period
 - **Procedure:** should normally be conducted with 12 months (not mandatory)
 - **Scope:** dumping only
 - **Outcome:** no duty imposed, an undertaking can be granted, duties can be imposed or review can be terminated

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