

TRADE

Newsletter

The three steel anti-dumping investigations initiated on Saturday, 13 February 2016

欧盟委员会现已对三起针对中国商品的反倾销诉讼进行立案，接下来将会展开更多详细调查。

咨询服务对象

首先，涉及相关产品的中国出口企业在此情况下需要咨询服务。由于在计算反倾销税的过程中，上述出口企业必须提供部分贸易数据，所以出口企业势必要配合调查。其次，相关产品的进口企业同样需要咨询服务。如果征收反倾销税，该部分税费将由进口企业承担。此外，进出口企业双方对相关市场均非常了解，这将有利于其在调查过程中为自身辩护。

相关企业都需要完成哪些事项？

涉及上述诉讼的相关出口与进口企业需在2016年2月29日前回复抽样调查表，否则相关企业将很难再主动参与调查程序。如出口或进口企业此前未主动参与调查，而其后被选中以被动方式配合调查，该企业将必须回复一份很长的问题清单。此外，欧盟委员会的负责官员将会对其所提供的数据进行审计核查。我们的专业律师及会计师可以在整个调查过程中为相关企业提供服务。

相关出口与进口企业也可以对诉讼及调查程序提出不同意见。一般情况下，中国工业协会将对此给予帮助。

为什么要主动参与调查？

强烈建议相关出口与进口企业主动参与欧盟委员会的反倾销调查，否则相关企业将面临承担最高金额反倾销税的风险。

为什么选择百达律师事务所(BEITEN BURKHARDT)?

在过去的26年中，我们在近百起贸易诉讼中为众多出口企业、进口企业以及欧洲企业提供了法律咨询与帮助。此外，欧盟委员会及理事会的法律事务司曾二十余次指定我所作为其外聘律师。同时，我们的资深业务负责人Rainer Bierwagen先生被列入“世界领先贸易律师”已长达十余年之久。我所位于中国办公室的全体同仁将会同相关国内贸易与财会专家，为您在诉讼或案例中提供中国相关的全方位专业服务。

Basic information on the three steel cases

1. Anti-dumping proceeding concerning imports of certain hot-rolled flat products of iron, non-alloy or other alloy steel originating in the People's Republic of China

(See: [http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016XC0213\(02\)&from=EN](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016XC0213(02)&from=EN))

The product subject to this investigation is certain flat-rolled products of iron, non-alloy steel or other alloy steel (not including stainless steel), whether or not in coils (including products cut-to-length and 'narrow strip'), not further worked than hot-rolled (hot-rolled flat), not clad, plated or coated, excluding grain-oriented silicon electrical steel. The products are classified within CN codes 7208 10 00, 7208 25 00, 7208 26 00, 7208 27 00, 7208 36 00, 7208 37 00, 7208 38 00, 7208 39 00, 7208 40 00, 7208 52 99, 7208 53 90, 7208 54 00, 7211 14 00, 7211 19 00, 7225 19 10, 7225 30 10, 7225 30 30, 7225 30 90, 7225 40 12, 7225 40 15, ex 7225 40 60, 7225 40 90, 7226 19 10, ex 7226 20 00, 7226 91 20, 7226 91 91 and 7226 91 99. These CN codes are given for information only. The first six digit codes are the same in China, but the following digits can be different.

Given that the People's Republic of China is considered to be a non-market economy country, the normal value for the imports from the People's Republic of China will be established on the basis of the price in market economy third countries. The United States of America are proposed as analogue country. Exporters and importers can comment on the choice by 23 February 2016. Exporters can also request market economy treatment; however, the chances to obtain market economy treatment for steel products are small.

In view of the potentially large number of exporting producers in the People's Republic of China involved in this proceeding, the European Commission will limit the investigation to a sample of the largest exporters and the largest importers. If the exporter and/or importer wishes to influence the investigation, they will have to reply to the sampling questionnaire by 29 February 2016. The questionnaire is in Annex I to the notice of initiation for exporters and Annex II for importers.



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2. Notice of initiation of an anti-dumping proceeding concerning imports of certain heavy plate of non-alloy or other alloy steel originating in the People's Republic of China

(See: [http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016XC0213\(03\)&from=EN](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016XC0213(03)&from=EN))

The product subject to this investigation is flat products of non-alloy or alloy steel (excluding stainless steel, silicon-electrical steel, tool steel and high-speed steel), hot-rolled, not clad, plated or coated, not in coils, of a thickness exceeding 10 mm and of a width of 600 mm or more or of a thickness of 4,75 mm or more but not exceeding 10 mm and of a width of 2 050 mm or more. The products are classified within CN codes 7208 51 20, 7208 51 91, 7208 51 98, 7208 52 91, ex 7208 90 20, ex 7208 90 80, 7225 40 40, ex 7225 40 60 and ex 7225 99 00. These CN codes are given for information only. The first six digit codes are the same in China, but the following digits can be different.

Given that the People's Republic of China is considered to be a non-market economy country, the normal value for the imports from the People's Republic of China will be established on the basis of the price in market economy third countries. The United States of America are proposed as analogue country. Exporters and importers can comment on the choice by 23 February 2016. Exporters can also request market economy treatment; however, the chances to obtain market economy treatment for steel products are small.

In view of the potentially large number of exporting producers in the People's Republic of China involved in this proceeding, the European Commission will limit the investigation to a sample of the largest exporters and the largest importers. If the exporter and/or importer wishes to influence the investigation, they will have to reply to the sampling questionnaire by 29 February 2016. The questionnaire is in Annex I to the notice of initiation for exporters and Annex II for importers.

3. Notice of initiation of an anti-dumping proceeding concerning imports of certain seamless pipes and tubes of iron (other than cast iron) or steel (other than stainless steel), of circular cross section, of an external diameter exceeding 406,4 mm, originating in the People's Republic of China

(See: [http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016XC0213\(04\)&from=EN](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016XC0213(04)&from=EN))

The product subject to this investigation is certain seamless pipes and tubes of iron (other than cast iron) or steel (other than stainless steel), of circular cross section, of an external diameter exceeding 406,4 mm. The products are classified within CN codes

7304 19 90, 7304 29 90, 7304 39 98 and 7304 59 99. These CN codes are given for information only. The first six digit codes are the same in China, but the following digits can be different.

Given that the People's Republic of China is considered to be a non-market economy country, the normal value for the imports from the People's Republic of China will be established on the basis of the price in market economy third countries. The United States of America are proposed as analogue country. Exporters and importers can comment on the choice by 23 February 2016. Exporters can also request market economy treatment; however, the chances to obtain market economy treatment for steel products are small.

In view of the potentially large number of exporting producers in the People's Republic of China involved in this proceeding, the European Commission will limit the investigation to a sample of the largest exporters and the largest importers. If the exporter and/or importer wishes to influence the investigation, they will have to reply to the sampling questionnaire by 29 February 2016. The questionnaire is in Annex I to the notice of initiation for exporters and Annex II for importers.



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