

#proceso antielusión #exportaciones

URGENTE

PROCESO DE ANTELUSIÓN TURQUÍA

El pasado 26 de junio ([Diario oficial 31167](#), adjunto [traducción](#)) Turquía inició un procedimiento antielusión con el objetivo de investigar si ciertas exportaciones procedentes de España, Italia y Alemania eludían, a través del tránsito por los mencionados países o de una transformación insuficiente, las medidas Antidumping vigentes contra las importaciones de productos de las partidas 54.07 originarios de China, Malasia, Taipéi, Corea del Sur y Tailandia (Diario oficial número 29243 del 21 de enero de 2015), así como de los productos de las partidas 55.13, 55.14, 55.15 y 55.16 originarios de China (Diario oficial número 30642 del 31 de diciembre de 2018).

Descripción de los productos

54.07 - Tejidos de hilados de filamentos sintéticos, incluidos los tejidos fabricados con los productos de la partida 5404

55.13 - Tejidos de fibras sintéticas discontinuas con un contenido de estas fibras inferior al 85 % en peso, mezcladas exclusiva o principalmente con algodón, de peso inferior o igual a 170 g/m²

55.14 - Tejidos de fibras sintéticas discontinuas con un contenido de estas fibras inferior al 85 % en peso, mezcladas exclusiva o principalmente con algodón, de peso superior a 170 g/m²

55.15 - Los demás tejidos de fibras sintéticas discontinuas

55.16 - Tejidos de fibras artificiales discontinuas

Registro partes interesadas

Se concede a las empresas exportadoras afectadas un plazo de **37 días desde la publicación**, para que se registren como partes interesadas y respondan a los cuestionarios <http://ticaret.gov.tr/ithalat/ticaret-politikasi-savunma-araclari/izleme-ve-onlemlerin-etkisiz-kilinmasi/yuruyen-sorusturmalar/sentetik-ve-suni-dokunmus-mensucat-italya-ispanya-almanya-synthetic-or-artif>. El objetivo de estos cuestionarios es demostrar que la empresa no canaliza importaciones chinas o que hace una transformación suficiente y así conseguir la exención de los aranceles.

Si las empresas exportadoras no participan en el proceso de registro no podrán evitar las medidas impuestas por Turquía y deberán pagar los aranceles establecidos.

En el caso de que su empresa pueda estar afectada y decida registrarse y participar en el procedimiento agradeceremos nos informe urgentemente para emprender si es necesario medidas colectivas.

Para más información: marta@texfor.es

NOTIFICATION

From the Ministry of Commerce :

COMMUNIQUE ON PREVENTION OF UNRIGHTED COMPETITION IN IMPORT

(COMMUNIQUE NO: 2020/14)

Purpose and scope

ARTICLE 1 - (1) The purpose of this Communiqué ; " Woven fabrics of synthetic filament yarn (those for clothing)" defined in the various customs tariff statistic positions under the customs tariff position 54.07 originating / originating from the Kingdom of Spain , the Italian Republic and the Federal Republic of Germany . 55.13, 55.14, 55.15 and 55.16 customs tariffs positions defined " synthetic or artificial staple fibers , woven fabric " Import own initiative made views as a result of the measures ineffective in making against investigation opening and opened investigation method and the basis is determined .

Rest

ARTICLE 2 - (1) This Communiqué 14 /6/1989 dated and 3577 numbered Imports Unfair Competition Prevention About Law , 10/20/1999 dated and 99/13482 dated Ministerial Council Decision with effect imposed on imports Unfair Competition Prevention About Decision and 30 / 10/1999 dated and 23861 numbered Official Gazette published on Imports Unfair Competition Prevention About Regulations based was prepared .

Definitions

ARTICLE 3 - (1) This Communiqué last ;

- a) Germany : Federal Republic of Germany ,
 - b) Ministry : Commerce Ministry ,
 - c) PRC: People 's Republic of China ,
 - ç) General Directorate : General Directorate of Import ,
 - d) GTP: Customs tariff position ,
 - e) Spain : The Kingdom of Spain ,
 - f) Italy : The Italian Republic ,
 - g) Law : 06.14.1989 dated and 3577 numbered Imports Unfair Competition Prevention About the Law ,
 - i) Decision : 20/10/1999 dated and 99/13482 dated Ministerial Council Decision with effect placed Imports Unfair Competition Prevention About Decision ,
 - h) REM: Registered e-mail address,
 - i) TGTC: Turkish Customs Tariff Schedule Divided into Statistical Positions,
 - i) Regulation: Regulation on Prevention of Unfair Competition in Imports published in the Official Gazette dated 30/10/1999 and numbered 23861 ,
- express.

The subject of the investigation

ARTICLE 4 - (1) The article subject to the investigation is subject to various dump under 54.07 GTP which is subject

to anti-dumping prevention pursuant to the Communiqué on the Prevention of Unfair Competition in Imports (Communiqué No: 2015/3) published in the Official Gazette dated 21/1/2015 and numbered 29243. Communiqué on the Prevention of Unfair Competition in Imports published in the Official Gazette dated 31/12/2018 and numbered 30642 and numbered "Textile woven from synthetic filament yarn" (Annex 1) classified in the customs tariff statistics positions (Communiqué No: 2019 / 4) It is the "woven fabric made of synthetic or artificial staple fibers" under GTPs 55.13, 55.14, 55.15, 55.16 which are subject to anti-dumping prevention.

(2) Changes to the tariff position and / or article definition of the product subject to prevention do not prevent the implementation of the provisions of this Communiqué.

Application and current situation

ARTICLE 5 - (1) The Communiqué on the Prevention of Unfair Competition in Imports (Communiqué No: 2002/2) published in the Official Gazette dated 13/2/2002 and numbered 24670, PRC, Republic of Korea (South Korea), Malaysia, Kingdom of Thailand, China In the import of "synthetic filament yarn woven fabrics (for clothing)" under 54.07 GTP originating in Taiwan, countermeasures against dumping were put into effect at different rates on country and company basis. On the other hand, following the completion of the last final review investigation regarding the said measure, it was decided to continue the measures applied in the import of the mentioned products with the Communiqué on the Prevention of Unfair Competition in Imports (Communiqué No: 2015/3).

(2) Anti-dumping measure applied to the article under the Communiqué on the Prevention of Unfair Competition in Imports published in the Official Gazette dated 18/11/2006 and numbered 26350 (Communiqué No: 2006/30) and 54.07 GTP originating from PRC. It is extended to products with /.

(3) Anti-dumping measure applied to goods under PRC 54.07 GTP in the framework of the Communiqué on the Prevention of Unfair Competition in Imports (Communiqué No: 2015/41) published in the Official Gazette dated 22/8/2015 and numbered 29453. The products are originated / originated.

(4) Under the Communiqué on the Prevention of Unfair Competition in Imports (Communiqué No: 2019/15) published in the Official Gazette No. 30767 dated 7/5/2019 (Communiqué No: 2019/15), the anti-dumping measure applied to goods under the 54.07 GTP originating in PRC is of Greek origin. It is extended to products with /.

(5) On the other hand, unfair competition in imports of the "Synthetic or artificial staple fabrics", which is located under PRC 55.13, 55.14, 55.15 and 55.16 GTP, published in the Official Gazette dated 15/2/2001 and numbered 24319. Under the Communiqué on Prevention (Communiqué No: 2001/2), anti-dumping measure was put into effect. Within the scope of the final review investigation completed with the Communiqué on the Prevention of Unfair Competition in Imports (Communiqué No: 2019/4), it was decided to continue the said measure.

(6) For the goods under PRC 55.13, 55.14, 55.15 and 55.16 GTPs within the framework of the Communiqué on the Prevention of Unfair Competition in Imports (Communiqué No: 2015/40) published in the Official Gazette dated 22/8/2015 and numbered 29453. The anti-dumping measure applied has been extended to products originating / originating from the Republic of Bulgaria and the Republic of Poland.

(7) With the Communiqué on the Prevention of Unfair Competition in Imports (Communiqué No: 2019/15), the anti-dumping measure applied for goods under PRP 55.13, 55.14, 55.15 and 55.16 GTPs has been extended to products originating from Greece.

(8) Denied measures against the anti-dumping measures applied in the import of "woven fabric from synthetic filament yarn (for clothing)" and "woven fabrics made of synthetic or artificial staple fibers", which are subject to the measure, are ex officio made by imports via Spain, Italy and Germany. Upon evaluations, a review has been initiated by the Ministry.

(9) Findings regarding the aforementioned measures have been evaluated within the framework of the provisions of Law, Decision and Regulation.

Findings regarding ineffective measures

ARTICLE 6 - (1) The total imports of 54.07 GTP items subject to investigation amounted to 357 million USD-69 thousand tons in 2017; In 2018, 332 million USD-58 thousand tons; In 2019, 393 million USD-68 thousand tons; It is seen that in the first 4 months of 2020, it was realized as 179 million USD-32 thousand tons.

(2) Imports of 54.07 GTP goods from Italy amounted to 8.3 million USD-725 tons in 2017; In 2018, 11.6 million USD-1,465 tons; In 2019, 28.3 million USD- 3.692 tons; In the first 4 months of 2020, it was realized as 28.6 million USD-5.188 tons. While the ratio of the imports of the said goods from Italy to 1% in total imports was 1% in 2017, this ratio increased to 2.5% in 2018, 5.4% in 2019, and 16% in the first 4 months of 2020. In this context, it is seen that there is a rapid increase in imports of 54.07 GTP from Italy.

(3) While the unit prices in question for imports from Italy were 11.4 USD / Kg in 2017, to 7.9 USD / Kg in 2018; In 2019, to 7.7 USD / Kg; In the first 4 months of 2020, it decreased to 5.5 USD / Kg.

(4) 54.07 GTP scope imports from Spain were 5.2 million USD-518 tons in 2017; In 2018, 4.9 million USD-505 tons; In 2019, 13.3 million USD-1.754 tons; In the first 4 months of 2020, it was realized as 10.7 million USD-1.863 tons. While the ratio of the imports of the said goods from Spain to total imports on the basis of quantity was 0.7% in 2017, this ratio increased to 0.9% in 2018, 2.6% in 2019, and 5.7% in the first 4 months of 2020. increased to. In this context, it is seen that there is a rapid increase in imports of 54.07 GTP from Spain since 2019.

(5) While the unit prices in question for imports of goods from Spain were 10.1 USD / Kg in 2017, to 9.8 USD / Kg in 2018, 7.6 USD / Kg in 2019, the first 4 of 2020 decreased to 5.8 USD / Kg in September.

(6) 54.07 GTP scope imports from Germany in 2017, 10.2 million USD-1,090 tons; In 2018, 8.8 million USD-963 tons; In 2019, 14.5 million USD-2.414 tons; In the first 4 months of 2020, it was realized as 7,1 million USD-1,656 tons. The ratio of the imports of the said goods from Germany to total imports has increased from 1.6% in 2017 and 2018 to 3.5% in 2019 and to 5.1% in the first 4 months of 2020. In this context, it is observed that there is a rapid increase in imports of 54.07 GTP from Germany since 2019.

(7) The unit prices in the import of these goods from Germany were 9,3 USD / Kg in 2017, while it was 9,1 USD / Kg in 2018, 6 USD / Kg in 2019, in the first 4 months of 2020. decreased to 4.3 USD / Kg.

(8) Total imports of goods defined in the 55.13, 55.14, 55.15, 55.16 GTPs in 2017 were 101 million USD -17.6 thousand tons; In 2018, 74 million USD-12,1 thousand tons; In 2019, 81 million USD-12,3 thousand tons; In the first 4 months of 2020, it was realized as 26.5 million USD-4.5 thousand tons.

(9) Imports of goods referred to from Italy were 5.6 million USD-486 tons in 2017; In 2018, 7 million USD-494 tons; In 2019, 14.8 million USD-1.454 tons; In the first 4 months of 2020, it was realized as 6.7 million USD-942 tons. The ratio of the said imports to total imports on the basis of quantity increased from 2.8% in 2017 to 4.1% in 2018, to 11.9% in 2019 and to 21.2% in the first 4 months of 2020. In this context, it is seen that the imports from Italy have increased rapidly since 2019.

(10) While the unit price in the said import is 11.6 USD / Kg in 2017, 14.2 USD / Kg in 2018, 10.2 USD / Kg in 2019, and 7.1 USD in the first 4 months of 2020. Decreased to / Kg.

(11) Imports of goods identified in Spain at 55.13, 55.14, 55.15, 55.16 GTPs in 2017, 12.5 million USD-1.325 tons; In 2018, 6.6 million USD-639 tons; In 2019, 8.6 million USD -837 tons; In the first 4 months of 2020, it was realized as 6.1 million USD-966 tons. The ratio of the said imports to total imports on the basis of quantity decreased from 7.5% in 2017 to 5.3% in 2018, to 6.8% in 2019 and to 21.7% in the first 4 months of 2020. In this context, it is seen that the said import has increased rapidly since 2019.

(12) The unit price in the said import decreased from 9.4 USD / Kg in 2017, to 10.3 USD / Kg in 2018 and 2019, and decreased to 6.3 USD / Kg in the first 4 months of 2020.

(13) Imports of goods defined in Germany's 55.13, 55.14, 55.15, 55.16 GTPs in 2017 were 8.6 million USD-1.125 tons; In 2018, 7.4 million USD-1.108 tons; In 2019, 10.8 million USD-1.830 tons; In the first 4 months of 2020, it was realized as 2.9 million USD-451 tons. The ratio of said imports to total imports was 6.4% in 2017, while it was 9.2% in 2018; It increased to 14.9% in 2019 and was realized as 10.1% in the first 4 months of 2020.

(14) The unit price in the said import decreased from 7.7 USD / Kg in 2017 to 6.7 USD / Kg in 2018 and to 5.9 USD / Kg in 2019, and in the first 4 months of 2020 Was realized as 4 US Dollars / Kg.

(15) As a result of the examination of the import statistics; There is a rapid increase in the imports of goods, both 54.07 GTP and 55.13, 55.14, 55.15, 55.16 GTPs from Italy, Spain and Germany. In addition, unit prices in the imports of these product groups from the aforementioned countries decreased significantly.

(16) In the evaluations made using Trademap data, it is seen that Italy, Spain and Germany have significant imports of goods, including 54.07 GTP from PRC, which is one of the countries subject to anti-dumping. In this context, the import of the goods from Italy's PRC in 2017-2019 period was 38, 39 and 42 thousand tons, respectively; Germany's imports were 19, 19 and 21 thousand tons. In the said period, the imports of Spain from PRC are at the level of 23 thousand tons.

(17) In addition, within the framework of Italy's Communiqué on the Prevention of Unfair Competition in Imports (Communiqué No: 2019/15), imports of 54.07 GTP coverage from Greece, where the anti-dumping measure imposed on PRC origin was extended, increased significantly after the extension of the mentioned measure. . It is seen that the imports in question increased from 459 tons in 2018 to 2,882 tons in 2019 and the import unit price decreased from 7.3 USD / kg to 2.3 USD / kg.

(18) Italy, Spain and Germany shows that the scope of article 54.07 gtp's 2017-2019 period, Turkey's share of exports showed an increase. This ratio is from 2% to 10% in Italy in the 2017-2019 period; In Spain from 2% to 5%; In Germany, it increased from 2% to 11%. The said ratio was 26%, 12% and 13%, respectively, in the first months of 2020 in the aforementioned countries.

(19) The three countries shows that the scope of 54.07 Considering the overall export unit price of goods in a significant decline in export unit prices yaşanmazken significant decline occurred in Turkey since 2019. In this context, the years 2018-2019 and 2020-January period, Italy's exports to Turkey unit prices respectively 25, 8 and 4 USD / kg; Unit prices of Spain are 12, 8 and 7 USD / Kg; The unit prices of Germany were at the level of 10, 6 and 5 USD / Kg.

(20) As a result; Italy, Spain and Germany as a result of the examination of export statistics from international sources, a rapid increase in exports to Turkey of the above mentioned countries is observed that the goods covered by the GTP 54.07. In addition, the unit prices of exports to Turkey differed markedly according to the general export unit price of the countries referred to fell quickly.

(21) It is seen that Italy, Spain and Germany have a significant amount of imports from 55.13, 55.14, 55.15, 55.16 GTPs from the PRC, which are among the countries subject to anti-dumping. It was determined that Italy imported 16-17 thousand tons from PRC, and Spain and Germany 10-11 thousand tons in 2017-2019 period.

(22) on the basis of the amount of said items of exports to Turkey from Italy share in total export of the same products has increased significantly during the review period. The said ratio increased from 2% in 2017 to 4% in 2019 and to 13% in the first month of 2020.

(23) When the Italian said in export unit prices in general a significant change in unit price unit price While there is seen a serious decline in exports to Turkey. In this context, Turkey said the country's export unit prices showing a rapid decline since 2019 2017-2019 year with January 2020, respectively 15, 21, 11 and 4 US dollars / Kg, respectively.

Decisions and procedures

ARTICLE 7 - (1) As a result of the examinations carried out, by the Evaluation Committee of Unfair Competition in Imports, "Woven fabrics of synthetic filament (those for clothing)" registered under 54.07 GTP of Italy, Spain and Germany and 55.13, 55.14, 55.15, 55.16 GTPs Regarding the import of defined "woven fabrics made of synthetic or artificial staple fibers", an investigation was opened to prevent the measures from being ineffective within the framework of Article 38 of the Regulation.

(2) The Communiqué on the Prevention of Unfair Competition in Imports by the Board of Evaluation of Unfair Competition in Imports within the framework of Article 11 of the Decision on "woven fabric (for clothing) made of synthetic filament yarn (those for clothing)" registered under 54.07 GTP of Italy, Spain and Germany. : Within the framework of 2015/3); In the context of the Communiqué on the Prevention of Unfair Competition in Imports (Communiqué No: 2019/4), the imports against the anti-dumping measures imposed on PRC originated within the framework of the Communiqué on the Prevention of Unfair Competition in Imports (Communiqué No: 2019/4) defined in the 55.13, 55.14, 55.15, 55.16 GTPs. decided.

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

Collection of questionnaires and information

ARTICLE 8 - (1) In order to provide the necessary information for the investigation, the notification of the opening of the investigation is made to the known importers of the said article and to the known foreign producers / exporters and the Embassies of the subject countries in Ankara. The notification includes information on the opening Communication of the investigation, the non-confidential report summary and access to questionnaires.

(2) Other interested parties, whose notifications could not be sent or notified, can be found in the “Trade Policy Defense Tools”, “Monitoring and Precautions Ineffective” from the Ministry's website, <https://www.ticaret.gov.tr/> You can access it by following the "Marching Investigations" tabs.

(3) Written and oral communication regarding the investigation is in Turkish. Except for the answers to the questionnaire, no information, documents, opinions and requests submitted in a language other than Turkish are considered.

Deadlines

ARTICLE 9 - (1) The time to answer the questionnaire is 37 days from the date of notification to the investigation, including the postal period. The parties concerned, whose notification and questionnaires are not sent, are stipulated for a 37-day period from the date of publication of this Communiqué.

(2) Except for the information requested in the questionnaire, in order to take into account other information, documents and opinions that are considered to be related to the investigation, such information, documents and opinions must be sent to the General Directorate in writing no later than 37 days after the publication of this Communiqué.

(3) Opinions of other interested parties (domestic producers, importers, relevant professional organizations, consumer associations, workers or employers' unions in the field of production, etc.) that claim to be affected by the outcome of the investigation, and the flow of the investigation from the date of publication of this Communiqué. They should notify the General Directorate in writing, without affecting them.

Lack of cooperation

ARTICLE 10 - (1) As stated in Article 26 of the Regulation, if one of the parties fails to provide the necessary information within the specified time, or if it gives false information or refuses to provide information, or it is understood that it prevents the investigation, the decision regarding the investigation is taken based on the positive or negative data.

Taking temporary measures, applying taxes retrospectively

ARTICLE 11 - (1) In accordance with the relevant articles of the decision, the implementation of temporary measures may be decided during the investigation and the final measure may be applied retrospectively.

(2) There is no transaction concept and exemption started in the implementation of the measures.

Competent authority and address

ARTICLE 12 - (1) Information and documents and opinions regarding the investigation should be forwarded to the competent authority specified below:

TR Ministry of Commerce

General Directorate of Import

Import Policies Monitoring and Evaluation Department

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

Tel: +90 312 204 99 44/9955, Fax: +90 312 204 87 65

www.ticaret.gov.tr

(2) the investigation "firms established in Turkey, those who want to interested parties from institutions and organizations", their opinions about the investigation with answers to the questionnaire, the ministry of their own PEP

address into the address PEP below and sends an e-mail address.

REM Address: Ekonomi@hs01.kep.tr

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

(3) The investigation " residence outside the resident companies, institutions and the organizations concerned party to those who want to " question the form of answers to inquiries with relevant views of the Ministry of the ground area an e-mail address and mailing address sends .

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

The start date of the investigation

ARTICLE 13 - (1) The investigation is deemed to have started on the date of publication of this Communiqué .

Force

ARTICLE 14 - (1) This Communiqué enters into force on the date of publication .

Executive

ARTICLE 15 - (1) The provisions of this Communiqué are executed by the Minister of Trade .