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| |  |  | | --- | --- | | logo_ec_17_colors_300dpi | EUROPEAN COMMISSION  Directorate-General for Trade  Directorate H - Trade Defence | | |  |  | | --- | --- | |  | EUROPEAN COMMISSION  Directorate-General for Trade  Directorate G3 - Trade Defence Instruments | |

**ANTI-DUMPING QUESTIONNAIRE FOR USERS**

|  |  |
| --- | --- |
| **Company name:** |  |
| **SENSITIVE VERSION** | **VERSION OPEN FOR CONSULTATION (\*)** |
| **two versions of your reply to this questionnaire need to be submitted: a sensitive version and a version open for consultation by interested parties (tick appropriate box above)** | |
| * **Intended for** | Users of hardwood plywoodin the European Union |
| * **Country(ies) concerned** | People’s Republic of China |
| * **Product under investigation** | Hardwood plywood |
| * **Investigation period (IP)** | 1 July 2023 to 30 June 2024 |
| * **Statutory reference** | Article 5 of Regulation (EU) No 2016/1036 of the European Parliament and the Council (OJ L 176 of 30.6.2016, p. 21) |
| * **Regulatory reference** | Notice of initiation, Official Journal of the European Union <https://tron.trade.ec.europa.eu/investigations/case-view?caseId=2753> |
| * **Case number** | **AD 717** |
| * **Deadline for response to the questionnaire** | 30 days from the date of notification of the decision of the inclusion of your company in the sample |
| * **Address for communication** | European Commission  Directorate General for Trade  Directorate G3, CHAR – office 04/039  B-1049 Brussels, BELGIUM |
| * **Case related email** | TRADE-AD717-PLYWOOD-INJURY@ec.europa.eu |

(\*) Please note that confidential information falls under the term 'sensitive' according to the internal rules of the European Commission. The Commission only considers documents labelled 'sensitive' as confidential documents under Article 19 of Regulation (EU) 2016/1036 of the European Parliament and the Council of 8 June 2016 and Article 6 of the WTO Agreement on Implementation of Article VI of the GATT 1994 (Anti-dumping Agreement). The Commission considers all documents that are not labelled 'sensitive', as non-confidential documents under these provisions. **Therefore, any replies which contain confidential information must be labelled '*Sensitive*'.**

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| The undersigned certifies that all information supplied in response to the questionnaire is complete and correct to the best of his/her knowledge and belief and understands that the information submitted may be subject to audit and verification by the European Commission.  **IF THE SUBMISSION IS SENSITIVE**: On behalf of the interested party for which I make this sensitive submission, I certify that that interested party has provided the privacy statement found on <http://ec.europa.eu/trade/policy/accessing-markets/trade-defence/> to all individuals whose personal data it provides in this submission to the European Commission.  **IF THE SUBMISSION IS OPEN FOR CONSULTATION BY INTERESTED PARTIES**: On behalf of the interested party for which I make this non-confidential submission, I certify that that interested party:   * has provided the privacy statement found on <http://ec.europa.eu/trade/policy/accessing-markets/trade-defence/> to all individuals whose personal data it provides in this submission to the European Commission; * has informed all individuals, whose personal data it provides in this submission to the European Commission, that it has included their personal data in the non-confidential version of documents, which will be open to other interested parties in this specific trade defence proceeding (as ‘open file’), under the condition that those other interested parties process all personal data in the open file solely:  1. for the purpose of the establishment, exercise or defence of legal claims in relation to this particular trade defence proceeding, and 2. pursuant to Regulation (EU) 2018/1725: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32018R1725&from=EN>   \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Date Signature of authorised official  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Company name and stamp Name and title of authorised official |

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| INTRODUCTION |

The purpose of this questionnaire is to allow the European Commission to obtain the information it deems necessary for its investigation.

Before completing this questionnaire please carefully read the cover letter and the instructions provided in this questionnaire including the glossary of dumping terminology in Annex I.

It is in your own interest to reply as accurately and completely as possible and to attach supporting documents. In addition to responding to all questions, you may supplement your response with additional data.

The European Commission may carry out inspection(s) at your factory or other premises to verify the information provided in this questionnaire by examining the records of your company.

The European Commission will base its findings on your reply to this questionnaire. **It must be submitted within the deadline for response given on page 1. You should submit your questionnaire reply via TRON.tdi at** [**https://webgate.ec.europa.eu/tron/tdi**](https://webgate.ec.europa.eu/tron/tdi)**. Access to TRON.tdi is through your EU Login account.** If you do not have an EU Login account then full instructions are available here: <https://webgate.ec.europa.eu/tron/resources/documents/gettingStarted.pdf>. You will need to register to get access to TRON.tdi.

The non-submission of necessary information within the specified time limits or the submission of false or misleading information can have unfavourable consequences for your company. In any of these circumstances or if the investigation process is significantly impeded, the Commission may apply Article 18 of Regulation (EU) 2016/1036 of the European Parliament and the Council ('the basic Regulation') and disregard any late response, or responses which are false or misleading. The Commission may disregard information if the deficiencies are such as to cause undue difficulty in arriving at a reasonably accurate finding and that the information is not verifiable, and that the party has not acted to the best of its ability.

Where the Commission decides to disregard a reply to the questionnaire, it will establish its preliminary or final findings on the basis of any other facts available which may include the information set out in the complaint.

Please contact the European Commission using the email address provided on page 1 with any questions or difficulties you may have regarding your responses to the questions.

General information about trade defence processes (general overview, steps, etc.) is available in the website <http://ec.europa.eu/trade/tackling-unfair-trade/trade-defence/>

Detailed instructions on correspondence in trade defence cases is available in the following document: <http://trade.ec.europa.eu/doclib/html/148003.htm>

Please use the **Registration Number** provided on page 1 for all correspondence with the Commission in this case.

**General instructions:**

1. To be able to verify your response and link it to your accounting and management records, submit the worksheets (usually Excel files and/or other extractions from your company's databases) used for preparing data for this questionnaire. All worksheets used in preparing the questionnaires must also be available at the on-the-spot verification visit.
2. You must be able to link all information you provide in this questionnaire to your original company records (electronic or paper). This will be checked during the verification visit and the Commission recommends keeping detailed cross references to be able to link the data.
3. All documents submitted in response to this questionnaire must be accompanied by an English translation.
4. Although the questionnaire is addressed to your company, all subsidiaries or other related companies are also interested parties to this proceeding. Detailed questions about your corporate structure are in Section A of the questionnaire. Related companies in the EU that are users of the product under investigation should complete this questionnaire as well. However, in cases where there exists a large number of such related companies you may limit your reply, following a relevant request to the officials in charge and the Commission's approval, to one or several companies representing a major proportion of that share of your activities in the European Union.

For the purpose of completing this questionnaire, natural persons or legal persons (i.e. companies) should be deemed to be related if:

(a) they are officers or directors of one another's businesses;

(b) they are legally recognised partners in business;

(c) they are employer and employee;

(d) any persons directly or indirectly owns, controls or holds 5% or more of the outstanding voting stock or shares of both of them;

(e) one of them directly or indirectly controls the other;

(f) both of them are directly or indirectly controlled by a third person;

(g) together they directly or indirectly control a third person; or

(h) they are members of the same family. Persons shall be deemed to be members of the same family only if they stand in any of the following relationships to one another:

— husband and wife,

— parent and child,

— brother and sister (whether by whole or half-blood),

— grandparent and grandchild,

— uncle or aunt and nephew or niece,

— parent-in-law and son-in-law or daughter-in-law,

— brother-in-law and sister-in-law.

All other natural persons or legal persons will be considered independent for this proceeding.

1. If your company is not a user of the product under investigation please consult the European Commission, using the email provided on page 1.
2. Unless otherwise specified, the information you provide must concern the investigation period ('IP') as defined on page 1 of this questionnaire.
3. Do not leave any question or section blank. If a question does not apply to your company, please explain clearly why this is the case. If the answer to the question is 'zero', 'no', 'none' or 'not applicable', then write 'zero', 'no', 'none' or 'not applicable'.
4. Please note that any reference in this questionnaire to the 'country(ies) concerned', or the 'country(ies) of origin' is to the country(ies) concerned as stated on page 1.
5. Members of the European Union are Austria, Belgium, Bulgaria, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxemburg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain and Sweden. Questions referring to the ‘European Union’, ‘EU’, ‘Union’ or ‘Total Union’ should include all these Member States.
6. If you intend to have another party acting on your behalf e.g. a law firm or an accountancy or consultancy firm, please send a scanned copy of the original power of attorney, using the email provided on page 1.
7. The Commission makes all submitted documents, except the documents marked as sensitive, available to interested parties using our web-based system TRON. The group of interested parties includes your company, your competitors, related and independent traders, importers and producers in the European Union.
8. When justified, certain information and supporting evidence containing business confidential data can be submitted as 'sensitive', which the Commission will not disclose to interested parties. In such a case each sensitive document must have its version 'open for consultation', which contains a meaningful summary of the confidential data and which will be disclosed to the interested parties. Without the version 'open for consultation' the Commission will disregard the sensitive information. Please see Annex II for guidelines to make the non-sensitive version of the questionnaire.
9. Information submitted to the Commission for the purpose of trade defence investigations must be free from copyrights. Interested parties, before submitting to the Commission information and/or data which is subject to third party copyrights, must request specific permission to the copyright holder explicitly allowing a) the Commission to use the information and data for the purpose of this trade defence proceeding and b) to provide the information and/or data to interested parties to this investigation in a form that allows them to exercise their right of defence. Interested parties have to fill in the annexed form (Annex III) attesting that the information submitted is free from copyrights or that they have obtained the above mentioned permission before submitting it. Interested parties shall contact the Commission for any doubts about the handling of copyrighted information.

**Data protection instructions**

1. Please limit the amount of personal data in the non-confidential version to the strict necessary for interested parties to defend their interests appropriately during the investigation. To the extent possible, remove personal data from the non-confidential version.
2. Any personal data collected in this investigation will be treated in accordance with Regulation (EU) 2018/1725 (OJ L 295, 21.11.2018, p. 39): <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32018R1725&from=EN>
3. The privacy statement that informs all individuals of the processing of personal data in the framework of Commission’s trade defence activities are is available on DG Trade’s website: <http://ec.europa.eu/trade/policy/accessing-markets/trade-defence/>.

**Rules for data submitted:**

1. You should reply to this questionnaire in a Microsoft Office compatible format. For Excel transaction tables (D.2, D.3, E.2, E.3, F.2, M) please respect the instructions given in the yellow info boxes within the files:

• No thousand separators

• Decimal separator is a dot (.)

• Example of the number format: 1230900.00

• Date format DD/MM/YYYY

• Table lines as per transactions (entry on the invoice)

• No merging of cells

• Always keep formulas in the Excel sheets (do not paste values)

1. If you need to add some additional columns to the transaction tables (e.g. additional allowances), contact the European Commission immediately.
2. The submitted data must not contain any viruses. Be aware that submission of data containing a virus may be considered a deficiency which significantly impedes the investigation in accordance with the basic Regulation.

**Currency issues:**

1. For financial data reporting, use the currency in which you keep your accounting records. For amounts not booked in your accounting records, the average exchange rates listed in the 'Table 1 INFO' should be used.
2. In the transactions Tables, report invoices in their original currency. For example if the invoice is issued in EUR, always report this original value and then make the conversion to your accounting currency using the specific column in the Excel sheet.
3. Allowances have to be reported in the accounting currency of the reporting company (i.e. if the reporting company is a Belgian related importer, report the allowances in EUR).
4. Identify clearly all units of measurement and currencies used in tables, lists and calculations.

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| SECTION A - GENERAL INFORMATION |

## A - 1. Identity and Communication

Fill in the details of your company in Excel sheet 'A.1 – Corporate information'.

## A - 2. Legal Representative

In case you appointed a legal representative to assist you in this proceeding fill in the details in Excel sheet 'A.2 – Legal representation' and submit a scanned copy of the original power of attorney.

## A - 3. Corporate information

In Excel sheet 'A.3 – Main shareholders' fill in the names of the principal shareholders (who owned more than 5% of the shares during the investigation period) of your company and indicate the percentage shareholding and the activities of these shareholders.

**With respect to the product under investigation:**

1. Supply a diagram outlining the internal hierarchical and organisational structure of your company. The diagram should show all units linked to the product under investigation in the EU and export markets. Indicate clearly the role of your company.
2. Outline your company’s corporate structure and affiliations, including parent companies, subsidiaries or other related companies which are involved with the product under investigation in the EU and export markets. For this purpose you may supply a chart.
3. State if your company can be defined as one of the following: downstream industry - user - other (specify), and explain why.
4. Indicate whether your company has, in respect to the product under investigation, contractual links with other companies, legal or natural persons, located in the European Union or in third countries, concerning production, imports, exports and sales report the existence of these contractual links and keep available copies for possible inspection.

## A - 4. Range of products

1. Provide a list of all main categories of products produced and/or sold by your company. If the products fall into distinct product groups, indicate these groups, as well as the main products belonging to those groups.
2. Indicate the relevance of the product under investigation in the finished product/s (relative value in finished product).

## A - 5. Accounting system and policies

Please note that in case you limit your reply to a number of companies representing a major proportion of your activities in the EU that are relevant for the purpose of this investigation, you are requested to provide the relevant information hereunder only for this/those company/companies.

1. State your corporate financial year.
2. Attach a copy of the audited accounts (in any of the official languages of the EU or the English version, if available) including balance sheet, profit and loss statement, notes to the accounts and all reports, other notes, and auditor's opinion to these documents for the last three financial years for your company as well as for those companies related to you that are involved in the production, marketing or sales of the product under investigation. If your company's accounts have not been audited attach the financial statements which are required by your country's commercial or tax legislation.
3. If internal and periodical financial statements, management reports, standard cost reviews etc. are prepared and maintained for the product under investigation, provide copies for the three most recent financial years.
4. Provide a copy of the chart of accounts (in any of the official languages of the EU or the English version, when available) for each entity within the corporation that is involved with the production and/or sale of the product under investigation.
5. Provide the address where the accounting records of the company are kept. If they are maintained in different locations please indicate which records are kept at which location.

## A - 6. Turnover

Please complete the table in excel sheet "A.6 – Turnover", corresponding with and in the currency of your financial report (specify currency).

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| SECTION B - PRODUCT UNDER INVESTIGATION |

## B.1 Scope of the Investigation

The product subject to this investigation is plywood consisting solely of sheets of wood other than bamboo and okoumé, each ply not exceeding 6 mm thickness, with at least one outer ply of tropical wood or non-coniferous wood, of species specified under subheadings 4412 31, 4412 33 and 4412 34, whether or not coated or surface-covered.

These CN codes are given for information only and have no binding effect on the tariff classification of the product.

Any reference to **product under investigation** in this questionnaire refers to the above product description.This proceeding does not concern products that do not fit the above description. Please limit your reply where requested only to information relating to the product in question. Should you have any queries concerning this, please contact one of the officials in charge.

## B.2 Product comparability

Please comment on the comparability of the product under investigation imported from the country concerned with that produced in the EU, identifying any differences (e.g. technical or physical characteristics, prices, uses, etc.). Where possible this comparison should be provided in the form of table "B.2 - Product comparability" in the excel sheet.

To the extent possible please provide these data also with respect to the product under investigation imported from other third countries not covered by the current proceeding.

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| SECTION C - INFORMATION RELATING TO PURCHASES |

If purchases are made through a subsidiary or an intermediary, please provide details.

**Purchases of the product under investigation – volume**

State the total volume in tonnes and M³ of all purchases made by your company of the product under investigation in table "C.1 - Purchase volume" in the excel sheet.

**Purchases of the product under investigation – value**

State net CIF value at Union frontier (or ex-works value if of Union origin) after deduction of all discounts and rebates in table "C.2 - Purchase value" in the excel sheet. If the invoiced price is prior to CIF Union frontier level, please indicate costs incurred by you for transport and/or ocean freight and insurance to the Union frontier.

**Development of purchase prices**

Provide the average purchase price in tonnes and M³ in table "C.3 - Average purchase price" in the excel sheet.

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| SECTION D - INFORMATION RELATING TO SALES |

State the total quantity (tonnes and M³) and value of **all sales** **of finished products using or incorporating the product under investigation** made by your company to **unrelated customers** in tables "D.1 - Sales volume" and "D.2 - Sales value" in the excel sheet. All the worksheets used for completing the tables below should be kept available for inspection in order to facilitate the reconciliation of these figures with your financial and management accounts.

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| SECTION E - INFORMATION RELATING TO COSTS |

## E.1 Cost of raw material

Please indicate for which products you use the product under investigation and provide the cost of raw material for each of your products that incorporate the product under investigation in table "E.1 - Cost of raw material" in the excel sheet.

## E.2. Total costs & employees

Please provide the total cost for each of your products that use or incorporate the product under investigation and the number of employees involved in the production of your product in table "E.2 - Total costs & employees" in the excel sheet.

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| SECTION F - PROFIT / LOSS SITUATION |

This section refers to the profitability of your sales related to the product under investigation in the European Union. Please fill in table "F.1 - Profit/loss in % turnover" in the excel sheet.

Explain in short how the supporting data that was used to fill in the above table was compiled, namely the absolute amount of profit/loss.

Please provide the relevant trial balances for the IP as follows: Assuming that your reporting year ends 31 December, the financial data for the IP are composed of the last 6 months of the previous reporting period ending on 31 December 2023 (1 July 2023 to 31 December 2023) and of the first 6 months of the 2024 reporting period (i.e. from 1 January 2024 to 30 June 2024).

Please provide the relevant trial balances for the IP, together with a work sheet reconciling the figures (income statement only) of the trial balances to the figures as mentioned on the table F (Profit/Loss in % turnover).

Ideally, such a worksheet should include four columns: Column 1 with the financial data for the full year 2013, column 2 with the financial data for the first 6 months of 2013, and column 3 with the financial data for the first 6 months of 2024; Column 4 should then represent the financial data for the IP as follows: Column 1 – Column 2 + Column 3. It goes without saying that the financial data of all columns should be easily retraceable to the figures as per trial balances.

Moreover, assuming that your reporting period ends on 31 December, the figures of column 1 should be easily traceable to the figures of the audited accounts for the year 2023.

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| SECTION G - CAUSALITY |

Please mention and elaborate any causes other than the imports of the product in question from the country concerned which may have contributed to the alleged injury suffered by the Union Industry.

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| SECTION H - OTHER QUESTIONS |

As mentioned in the Notice of Initiation, the purpose of this section is to collect further information as to whether imposing anti-dumping duties would not be against the interest of the Union and how any measure adopted would affect interested parties of the product under investigation. When examining the interest of the Union, the Basic Regulation requires giving special consideration to the need to eliminate the trade distorting effects of injurious dumping and to restore effective competition. It should be noted that the objective of restoring effective competition refers primarily to removing the unfair competition resulting from dumped imports. It should be further noted that the information submitted under this point can only be taken into account if supported by the deemed necessary factual evidence at the time of its submission.

**Please note that:**

1. **If you form part of a group of companies you may indicate information referring either to the group or to your specific company. Please kindly clarify the above in your relevant replies.**
2. **If you feel you have insufficient knowledge to reply, please state 'insufficient knowledge'.**
3. Please indicate whether your company would be in favour of the imposition of anti-dumping measures or against.
4. Please fill in table "H.1 - Estimated market share in the EU" in the excel sheet. What is your estimated share of the Union market of the products using/incorporating the product under investigation? If you sell the products using/incorporating the product under investigation outside the European Union, please indicate the countries and your estimated market share.
5. Please fill in table "H.2 - Main customers" in the excel sheet with the names of your five main customers for the products using/incorporating the product under investigation (within and outside the EU).
6. Please fill in table "H.3 - Main suppliers" in the excel sheet with the names of your five main suppliers of the product under investigation (within and outside the EU).
7. Please describe the relevant market(s) for the purpose of this investigation in which you operate by answering to the following questions:
8. What is the degree of concentration in your sector (number of companies operating) and the level of vertical integration (in particular where the product under investigation is used or incorporated into your products)?
9. Who are your main competitors, whether EU companies or not, on the EU market and on the export markets? Please name them and indicate their estimated market shares and price levels.
10. Which are the elements that determine competition in your sector (i.e. prices, delivery times, service etc.)? To your best knowledge, please indicate and substantiate how your competitors source the product under investigation and how such supply channels affect their cost structure (e.g. if applicable, discuss the relevance and potential impact of the vertical integration of your competitors which source the product under investigation internally for their downstream operation).
11. What has been the evolution in the past three years of trade volumes from third countries?
12. Has some external factor (trade arrangements, currency fluctuation, anti-competitive conduct of input suppliers etc.) influenced the evolution of prices, market shares or other elements of your market in the past three years? Please explain and substantiate. Have there been cases of past anti-competitive conduct related to the product under investigation – if so please indicate the companies involved, the type of illicit behaviour and provide references to the corresponding decisions by the relevant competition authorities.
13. Are there products that could substitute the product under investigation? Please explain.
14. What is the possibility for your company to switch to other sources of supply for the product under investigation? Is, according to your knowledge, your situation in relation to sourcing the product concerned substantially different to that of your competitors?
15. Do the producers/exporters of the country concerned have any comparative advantage in comparison with the Union producers? Please substantiate your comments by giving some examples.
16. Please comment on what would happen on the market if anti-dumping duties are imposed on the imports of the product under investigation from the country(ies) concerned. In particular, elaborate on what would be the effects on interested parties named below and what are the factors likely to accelerate or delay the adjustment to the new situation. Please note that in case of a new investigation initiated on the basis of article 5 of the basic Regulation where the Notice of Initiation specifies that the investigation covers raw material distortions in accordance with Article 7(2a) of the basic Regulation, your comments should also consider the instance where measures are imposed at the level of the dumping margin.

*The interested parties concerned by this proceeding include the following economic operators in the EU:*

* Upstream industries
* Producers
* Importers, traders and any intermediary parties
* Downstream industries, users and consumers
* Distributors

*Special consideration should be given to the following factors:*

* Turnover (value and volume)
* Market share
* Sales prices
* Costs
* Profits
* Employment
* Other

**VI. Union interest test**

In order to allow the Commission to gather information enabling it to determine whether paragraph 2 or 2a of Article 7 of the basic Regulation should apply to imports of the product under investigation from the country(ies) concerned as provided for in Article 7 (2) (b) of the basic Regulation, you are invited to answer the questions below to the best of your knowledge, provide comments, submit other information and provide any supporting evidence you may have regarding those questions.

VI.1. Spare capacities in the country(ies) concerned

Please provide the information below

1. The production capacity of the product under investigation in the country(ies) concerned during the IP. Please explain how this capacity was calculated.
2. The production of the product under investigation in the country(ies) concerned during the IP. Please explain how this volume was calculated.
3. An estimate of the currently existing spare capacities and also a prospective estimation of these capacities in the country(ies) concerned .
4. The domestic consumption of the product under investigation in the country(ies) concerned in the IP. Please explain how this volume was calculated.
5. The exports (worldwide) of the product under investigation from the country(ies) concerned during the IP.
6. A prospective estimation of the production capacity and annual production of the product under investigation in the country(ies) concerned. Please mention any planned increase in production capacity you are aware of.
7. An estimate of the worldwide demand and supply for the product under investigation during the IP and the projections for the next years

Please provide any other pertinent information in relation to the market of the product under investigation in the country(ies) concerned and in the European Union and the possible evolution in the future, in particular in relation to spare capacity of the product under investigation.

VI.2. Competition for raw materials

1. Please provide information on the logs market in the country(ies) concerned, including the relevant domestic legislation and regulations, export restrictions, and any other restrictions concerning logs. Please explain how these factors may affect the supply of raw material in the country(ies) concerned and in other markets.
2. Please provide information on the market structure, the market players and their public or private ownership, and the pricing mechanism of raw material in the country(ies) concerned.
3. Please comment on the substitutability of the main logs with other raw materials.
4. Please provide any other comment you deem relevant on accessibility and competition for logs affecting the Union industry.

VI.3. Supply chain

1. Please provide an estimate of the total worldwide production of the product under investigation, indicating producing countries and, when possible, their production capacity. You should also include information on whether these countries export to the European market and describe how they interact with the product produced by the Union industry.
2. Please comment on the comparability of the product under investigation imported from the country(ies) concerned with the product under investigation produced in the European Union and other third countries by identifying any differences (e.g. technical or physical characteristics, prices, uses, etc.).
3. Please provide information on the impact of measures on the supply chain of the product under investigation, in particular to companies operating in the downstream markets. You should pay particular attention to the impact of the potential measures on the costs of the various industries and the supply chain, impact on employment of these industries, and the impact for the final consumer. You should also include information on the impact of measures on users/consumers. Please provide evidence of all the information you submit as much as possible.

VI.4. Other elements

Please provide any other information and evidence that you consider should be examined by the Commission under Union interest in this particular case when deciding whether to apply Article 7(2) or 7(2a) of the basic Regulation. Please substantiate your claims with relevant evidence.

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| ANNEX I: GLOSSARY |

Explanations and definitions of some of the more specialised terms used in the questionnaire are provided here.

**Adjustments**

A fair comparison has to be made between the export price and the normal value. Due allowances have to be made in each case, on its merits, for differences which affect price comparability, including discounts, rebates and quantities, transport, insurance, handling, loading and ancillary costs, packing, credit, after-sales costs, commissions.

**Facts available**

In cases in which an interested party refuses access to, or otherwise does not provide, necessary information within the time limits, or significantly impedes the investigation, provisional or definitive findings can be made on the basis of the facts available. Where it is found that false or misleading information was supplied, the information can be disregarded and use may be made of facts available. It is therefore in the interest of parties involved in an anti-dumping proceeding to actively co-operate. If an interested party does not co-operate or co-operates only partly, the result may be less favourable to the party than if it had co-operated.

**Combined Nomenclature**

The Combined Nomenclature (CN) is the classification used within the European Union for collecting and processing foreign trade data. It was introduced in 1988. Annual revisions of the CN are produced and adopted as a legal text and published in the Official Journal of the European Communities. This classification is based on the Harmonised commodity description and coding system (HS) which covers all products that can be the subject of an international transaction and simultaneously have a physical dimension.

**Constructed value**

In cases where domestic prices paid for the like products in the exporting country cannot be used for the determination of normal value, i.e. when there are no or insufficient sales or where such sales were not made in the ordinary course of trade, normal value may be based on constructed value. Constructed value is calculated on the basis of the cost of production in the country of origin plus a reasonable amount for selling, general and administrative and finance costs and for profits incurred on the domestic market of the country of origin.

**Country of origin**

The country of origin is normally either the country where the good has been wholly obtained or, when more than one country is concerned in the production of the good, the country where the last substantial transformation has been carried out.

**Dumping**

A product is considered as being dumped if its export price to the European Union is less than a comparable price for the like product, in the ordinary course of trade, as established for the exporting country.

**European Commission**

The European Commission is the executive body of the European Union. In anti-dumping proceedings it has the responsibility for the receipt of complaints and for conducting anti-dumping investigations. The European Commission is also the only decision-making body which means that it decides among others whether to impose provisional or definitive duties, to terminate proceedings and to accept undertakings.

**Exporting country**

The exporting country is normally the country of origin. However, it may be an intermediate country, except where, for example, the products are merely transhipped through that country, or the products concerned are not produced in that country, or there is no comparable price for them in that country.

**Export price**

The export price is the price actually paid or payable for the product under investigation when sold for export to the European Union, or to other countries.

**Independent customers**

A customer is being considered independent if he cannot be defined as a related company; see under related company.

**Investigation period (IP)**

For the purpose of representative findings, an investigation period has to be selected which, in the case of dumping, normally covers a period of not less than six months immediately prior to the initiation of the proceeding. The investigation period is indicated in the questionnaire.

**Member states**

|  |  |  |
| --- | --- | --- |
| **Country** | **Code** | **Currency** |
| Austria | AT | EUR |
| Belgium | BE | EUR |
| Bulgaria | BG | BGN |
| Croatia | HR | EUR |
| Cyprus | CY | EUR |
| Czech Republic | CZ | CZK |
| Denmark | DK | DKK |
| Estonia | EE | EUR |
| Finland | FI | EUR |
| France | FR | EUR |
| Germany | DE | EUR |
| Greece | GR | EUR |
| Hungary | HU | HUF |
| Ireland | IE | EUR |
| Italy | IT | EUR |
| Latvia | LV | EUR |
| Lithuania | LT | EUR |
| Luxembourg | LU | EUR |
| Malta | MT | EUR |
| Netherlands | NL | EUR |
| Poland | PL | PLN |
| Portugal | PT | EUR |
| Romania | RO | RON |
| Slovakia | SK | EUR |
| Slovenia | SL | EUR |
| Spain | ES | EUR |
| Sweden | SE | SEK |

**Normal value**

The normal value is normally based on the prices paid or payable, in the ordinary course of trade, by independent customers in the exporting country or market economy third country. In cases where the exporter in the exporting country does not produce or sell the like product the normal value may be established on the basis of prices of other sellers or producers. Normal value can also be based on constructed value, see explanation of constructed value.

**Original equipment manufacturer (OEM)**

Describes a situation where a manufacturer produces a product which is sold under the brand name of the buyer. The term OEM refers to the purchaser of goods who is, or was, a manufacturer of the product.

**Own brand manufacturer (OBM)**

This manufacturer produces a product and sells it under its own brand name.

**Product under investigation**

The product under investigation is defined in the notice of initiation. It can be either the product concerned when it is sold for export or the like product; i.e. a product which is alike in all respects to the product under investigation or, in the absence of such a product, a product which closely resembles the product, when it is sold on the domestic market.

**Related parties**

For the purpose of completing this questionnaire, natural persons or legal persons (i.e. companies) should be deemed to be related if:

(a) they are officers or directors of one another's businesses;

(b) they are legally recognised partners in business;

(c) they are employer and employee;

(d) any persons directly or indirectly owns, controls or holds 5% or more of the outstanding voting stock or shares of both of them;

(e) one of them directly or indirectly controls the other;

(f) both of them are directly or indirectly controlled by a third person;

(g) together they directly or indirectly control a third person; or

(h) they are members of the same family. Persons shall be deemed to be members of the same family only if they stand in any of the following relationships to one another:  
— husband and wife,  
— parent and child,  
— brother and sister (whether by whole or half-blood),  
— grandparent and grandchild,  
— uncle or aunt and nephew or niece,  
— parent-in-law and son-in-law or daughter-in-law,  
— brother-in-law and sister-in-law.

**Selling, general and administrative expenses (SG & A)**

The SG & A is part of the total cost:

cost of materials

+ cost of direct labour

+ cost of manufacturing overheads

= cost of production

+ SG & A expenses

= Total cost

The SG&A includes all selling, general and administration expenses including finance costs.

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| ANNEX II: GUIDELINES FOR COMPLETING THE NON-SENSITIVE QUESTIONNAIRE |

When completing the questionnaire version open for consultation by interested parties you should bear in mind that all exporters, importers and other Union producers will have access to it. The reply open for consultation should be sufficiently detailed to permit a reasonable understanding of the substance of the information submitted in confidence.

In order to assist you in completing the questionnaire version open for consultation by interested parties, we advise you to use the completed 'sensitive' questionnaire response as a basis. Identify all information in the sensitive response which you consider is not sensitive and copy it to the version open for consultation. After this, check once more whether the information you did not copy to the file for consultation is really sensitive. If you still consider it to be confidential, you must give the reasonswhy, item by item and summarise the sensitive information in a form which is suitable for consultation by interested parties. If, in exceptional circumstances,it is not possible to even summarise the sensitive information, give reasons in the questionnaire version open for consultation by interested parties why summarisation is not possible.

**Examples on how to summarise 'sensitive' information:**

When the information concerns numbers for various years you can use indices.

Example of sensitive information:

|  |  |  |
| --- | --- | --- |
| 2016 | 2017 | 2018 |
| 20.000 EUR | 30.000 EUR | 40.000 EUR |

The summary open for consultation by interested parties could be as follows:

|  |  |  |
| --- | --- | --- |
| 2016 | 2017 | 2018 |
| 100 | 150 | 200 |

When the information concerns a single number you can apply a percentage change to it.

Example of sensitive figure: 'My cost of production is EUR 300 per tonne.'

The summary for consultation could be as follows: 'My cost of production is EUR 330 per tonne' (providing a footnote saying: 'actual numbers have been amended by a margin of maximum + 10% to protect confidentiality').

When the sensitive information concerns text you can either summarise it or eliminate the names of parties by indicating their function.

Example: TRADING COMPANY Ltd told me that the prices of imports were 20% lower.

Summary for consultation by interested parties: **[one of my customers]** told me that the prices of imports were 20% lower.

|  |
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| ANNEX III: DECLARATION ON COPYRIGHT |

Please choose one of the options specified below and fill in the respective form as instructed in the Introduction to this Questionnaire.

**Option 1 – the questionnaire reply contains no copyrighted information:**

'*I, Mr/Ms …, declare that none of the information and/or data submitted in this questionnaire reply is subject to third party copyrights*'

**Option 2 – the questionnaire reply contains copyrighted information**

**a) Permission obtained:**

' *I, Mr/Ms …, declare that I am submitting to the Commission information and/or data in tables/annexes etc. which is subject to third party copyrights for which I have requested and obtained specific permission from the copyright holder/s (name/s of the company/ies) explicitly allowing [please attach document attesting the permission if possible]:*

*- the Commission to use the information and data for the purpose of this trade defence proceeding and*

*- to provide the information and/or data to interested parties to this investigation*

*I also declare that all the other information and data submitted for the purpose of this investigation are free from copyrights.*'

**b) Permission not obtained:**

' *I, Mr/Ms …, declare that I am submitting to the Commission information and/or data in tables/annexes etc. which is subject to third party copyrights for which I have requested but not obtained specific permission from the copyright holder/s (name/s of the company/ies) to provide the information and/or data to interested parties to this investigation (I provide a meaningful summary of the copyrighted information).*

*I also declare that all the other information and data submitted for the purpose of this investigation are free from copyrights.*'