

COMMISSION IMPLEMENTING REGULATION (EU) 2023/919**of 4 May 2023****amending Implementing Regulation (EU) 2017/804 imposing a definitive anti-dumping duty on 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**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union ⁽¹⁾ ('the basic Regulation'), and in particular Article 14(1) thereof,

Whereas:

- (1) Imports of certain seamless pipes and tubes of iron (other than cast iron) or steel (other than stainless steel), of a circular cross-section, of an external diameter exceeding 406,4 mm, originating in the People's Republic of China, are subject to a definitive anti-dumping duty imposed by Commission Implementing Regulation (EU) 2017/804 ('the original regulation') ⁽²⁾.
- (2) The companies Zhejiang Gross Seamless Steel Tubes Co., Ltd. and Hubei Xinyegang Special Tube Co., Ltd., are subject to definitive anti-dumping duties of 41,4 %, TARIC ⁽³⁾ additional code of C204, and of 54,9 %, TARIC additional code C172, respectively.
- (3) On 23 August 2019, the company Zhejiang Gross Seamless Steel Tubes Co., Ltd. was acquired by Daye Special Steel Company Ltd ⁽⁴⁾, which is also the shareholder of Hubei Xinyegang Special Tube Co., Ltd. By this acquisition, Zhejiang Gross Seamless Steel Tubes Co., Ltd. and Hubei Xinyegang Special Tube Co., Ltd. became related companies.
- (4) On 12 September 2019, the company Daye Special Steel Company Ltd. changed its name to CITIC Pacific Special Steel Group Co., Ltd ('the CITIC Pacific Group'), Hubei Xinyegang Special Tube Co., Ltd changed its name to Daye Special Steel Co., Ltd ⁽⁵⁾ and Zhejiang Gross Seamless Steel Tube Co., Ltd changed its name to Zhejiang Pacific Seamless Steel Tube Co., Ltd ⁽⁶⁾.
- (5) The Commission confirmed that the information and the evidence regarding the name changes supplied by the companies was correct.
- (6) In light of the changes described in recitals (3) and (4), the Commission considered that the individual duty rates for each of the two exporting producers needed to be replaced by a single duty rate for the newly created CITIC Pacific Group.

⁽¹⁾ OJ L 176, 30.6.2016, p. 21.

⁽²⁾ Commission Implementing Regulation (EU) 2017/804 of 11 May 2017 imposing a definitive anti-dumping duty on 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 (OJ L 121, 12.5.2017, p. 3).

⁽³⁾ The Integrated Tariff of the European Union.

⁽⁴⁾ Daye Special Steel Company Ltd (Chinese name: 大冶特殊钢股份有限公司) is the former name of CITIC Pacific Special Steel Group Co., Ltd., not the exporter Daye Special Steel Co., Ltd. (Chinese name: 大冶特殊钢有限公司).

⁽⁵⁾ The change was approved by Market Supervision and Administration Bureau of Huangshi City on 4 September 2019.

⁽⁶⁾ The change was approved by Market Supervision and Administration Bureau of Shangyu District on 27 August 2019.

- (7) The changes consisted solely of the change of the ownership for Zhejiang Pacific Seamless Steel Tube Co., Ltd and of name changes, without affecting the companies' production and operations nor any other circumstances with regards to dumping and injury. Therefore, the Commission concluded that establishing a new anti-dumping rate based on new dumping and injury margins calculations under Article 11(3) of the basic Regulation was not warranted. Instead, the Commission considered it appropriate to determine one duty level for the group based on the weighted average of the data submitted by both exporting producers and verified in the original investigation.
- (8) Based on this data, the Commission determined a single injury and dumping margin applicable to the CITIC Pacific Group:

Company	Injury margin (%)	Dumping margin (%)	Definitive anti-dumping rate (%)
CITIC Pacific Group:			
— Daye Special Steel Co., Ltd	51,8	92,1	51,8
— Zhejiang Pacific Seamless Steel Tube Co., Ltd			

- (9) The Commission compared the injury margins and the dumping margins. In accordance with the lesser duty rule in Article 9(4) of the basic Regulation, the amount of the duties should be set at the level of the lower of the dumping and injury margins if such lesser duty would be adequate to remove the injury to the Union industry. Based on the above, the new duty margin for both the companies under the CITIC Pacific Group is 51,8 %.
- (10) These findings were disclosed to interested parties and they were given time to comment. No comments were received.
- (11) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 15(1) of the basic Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The table in Article 1(2) of Implementing Regulation (EU) 2017/804 shall be amended as follows:

— the lines below shall be removed from the table:

Company	Definitive anti-dumping rate (%)	TARIC additional code
Hubei Xinyegang Special Tube Co., Ltd	54,9	C172
Zhejiang Gross Seamless Steel Tube Co., Ltd	41,4	C204

— the following lines should be inserted in the table:

Company	Definitive anti-dumping rate (%)	TARIC additional code
CITIC Pacific Group: — Daye Special Steel Co., Ltd — Zhejiang Pacific Seamless Steel Tube Co., Ltd	51,8	899H

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 4 May 2023.

For the Commission
The President
Ursula VON DER LEYEN
