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(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMMON
COMMERCIAL POLICY

EUROPEAN COMMISSION

NOTICE OF INITIATION

Union examination procedure on obstacles to trade within the meaning of Regulation (EU) 2015/1843 applied by the Republic of Turkey consisting of measures affecting the import of uncoated wood free paper

(2017/C 218/11)

The European Commission decided in accordance with Article 9(1) of Regulation (EU) 2015/1843⁽¹⁾ to initiate a Union examination procedure following a complaint lodged by an industry association on an obstacle to trade.

1. Products concerned

Uncoated wood free paper covered under the following headings of the Harmonised System: 4802.55.15.10.00, 4802.55.25.10.00, 4802.55.30.10.00, 4802.55.90.10.00, 4802.56.20.20.00, 4802.56.80.10.00, and 4802.57.00.10.00.

2. Country concerned

Republic of Turkey

3. Summary of the complaint

The complaint concerns the import surveillance system Turkey introduced as of 28 September 2015 for uncoated wood free paper. That import surveillance system, which according to the complaint introduced a specific import licencing requirement, would apply only to paper imported into Turkey at a customs value of 1 200 USD per tonne or less, a threshold which would cover all imports from the European Union.

According to the complaint, it is impossible for an importer to obtain such import licence due to the specific information requirements of the licencing procedure. To obtain an import licence, the Turkish authorities allegedly request information to which only the producers of the paper have access. For this reason, importers would allegedly see no alternative than to declare a customs value above 1 200 USD per tonne of imported paper even if the actual import value is below this amount.

The complaint also claims that such a declaration of value in excess of the actual value creates, as a secondary effect, an additional charge for the importer of the product as the refund for value-added tax paid upon importation is allegedly limited to the amount of value-added tax collected on the actual sales price and the actual sales price is always below the declared import price. The value-added tax on the difference between those prices would therefore constitute an additional tax levied on imported paper.

The complaint claims that the measures adopted by Turkey could be incompatible with Articles 5 and 50 of the Customs Union Agreement, Articles III:2 and XI:1 of GATT 1994 and the WTO Agreement on Import Licensing Procedures.

⁽¹⁾ Regulation (EU) 2015/1843 of the European Parliament and of the Council of 6 October 2015 laying down Union procedures in the field of the common commercial policy in order to ensure the exercise of the Union's rights under international trade rules, in particular those established under the auspices of the World Trade Organization (OJ L 272, 16.10.2015, p. 1).

4. Procedure

Interested parties may submit information in writing on specific issues raised by the complaint or provide supporting evidence.

Furthermore, the Commission will hear any interested parties who so request in writing, provided that they are primarily concerned by the result of the procedure.

5. Time limit

Any information relating to the matter and any request for a hearing should reach the Commission not later than 45 days following the date of publication of this notice and should be sent in writing to:

European Commission
Directorate-General for Trade
TRADE.F.2 – Trade Barrier Complaints
CHAR 6/135
1049 Bruxelles/Brussel
BELGIQUE/BELGIË
Email: trade-tbr@ec.europa.eu
