

Official Journal of the European Union

C 342



English edition

Information and Notices

Volume 63

14 October 2020

Contents

IV Notices

NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

European Commission

2020/C 342/01	Euro exchange rates — 13 October 2020	1
---------------	---	---

V Announcements

PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMMON COMMERCIAL POLICY

European Commission

2020/C 342/02	Notice of initiation of an anti-dumping proceeding concerning imports of birch plywood originating in Russia	2
2020/C 342/03	Notice of initiation of an anti-dumping proceeding concerning imports of mono ethylene glycol originating in the United States of America and the Kingdom of Saudi Arabia	12
2020/C 342/04	Notice of initiation of an expiry review of the anti-dumping measures applicable to imports of wire rod originating in the People's Republic of China	23

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

European Commission

2020/C 342/05	Prior notification of a concentration (Case M.9954 — Sumitomo/AAR/JV) Candidate case for simplified procedure ⁽¹⁾	34
2020/C 342/06	Prior notification of a concentration (Case M.9861 — Unilabs/Medbase/JV) Candidate case for simplified procedure ⁽¹⁾	36

EN

⁽¹⁾ Text with EEA relevance.

IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

EUROPEAN COMMISSION

Euro exchange rates ⁽¹⁾

13 October 2020

(2020/C 342/01)

1 euro =

Currency			Exchange rate		
Currency			Exchange rate		
USD	US dollar	1,1787	CAD	Canadian dollar	1,5450
JPY	Japanese yen	124,38	HKD	Hong Kong dollar	9,1350
DKK	Danish krone	7,4432	NZD	New Zealand dollar	1,7715
GBP	Pound sterling	0,90591	SGD	Singapore dollar	1,6007
SEK	Swedish krona	10,3430	KRW	South Korean won	1 351,00
CHF	Swiss franc	1,0734	ZAR	South African rand	19,4446
ISK	Iceland króna	163,20	CNY	Chinese yuan renminbi	7,9388
NOK	Norwegian krone	10,7923	HRK	Croatian kuna	7,5785
BGN	Bulgarian lev	1,9558	IDR	Indonesian rupiah	17 403,27
CZK	Czech koruna	27,356	MYR	Malaysian ringgit	4,8822
HUF	Hungarian forint	360,20	PHP	Philippine peso	57,325
PLN	Polish zloty	4,4851	RUB	Russian rouble	90,8041
RON	Romanian leu	4,8750	THB	Thai baht	36,676
TRY	Turkish lira	9,3155	BRL	Brazilian real	6,5389
AUD	Australian dollar	1,6403	MXN	Mexican peso	25,0183
			INR	Indian rupee	86,4250

⁽¹⁾ Source: reference exchange rate published by the ECB.

V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMMON
COMMERCIAL POLICY

EUROPEAN COMMISSION

**Notice of initiation of an anti-dumping proceeding concerning imports of birch plywood originating
in Russia**

(2020/C 342/02)

The European Commission ('the Commission') has received a complaint pursuant to Article 5 of 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'), alleging that imports of birch plywood originating in Russia are being dumped and are thereby causing injury ⁽²⁾ to the Union industry.

1. Complaint

The complaint was lodged on 31 August 2020 by the Woodstock Consortium, ('the complainant'), on behalf of two Union producers representing more than 25 % of the total Union production of birch plywood in 2019.

An open version of the complaint and the analysis of the degree of support by Union producers for the complaint are available in the file for inspection by interested parties. Section 5.6 of this Notice provides information about access to the file for interested parties.

2. Product under investigation

The product subject to this investigation is defined as plywood consisting solely of sheets of wood, each ply not exceeding 6 mm thickness, with outer plies of wood specified under subheading 4412 33, with at least one outer ply of birch wood, whether or not coated, ('birch plywood' or the 'product under investigation'). All interested parties wishing to submit information on the product scope must do so within 10 days of the date of publication of this Notice ⁽³⁾.

3. Allegation of dumping

The product allegedly being dumped is the product under investigation, originating in Russia ('the country concerned') currently classified under CN code ex 4412 33 00 (TARIC code 4412 33 00 10). The CN and TARIC codes are given for information only.

The allegation of dumping from Russia is based on a comparison of the domestic price with the export price (at ex-works level) of the product under investigation when sold for export to the Union. In addition, a comparison of a constructed normal value, (manufacturing costs, selling, general and administrative costs – SG&A – and profit) with the export price (at ex-works level) of the product under investigation when sold for export to the Union was provided by the complainant.

On either basis, the dumping margins calculated are significant for the country concerned.

⁽¹⁾ OJ L 176, 30.6.2016, p. 21.

⁽²⁾ The general term 'injury' refers to material injury as well as to threat of material injury or material retardation of the establishment of an industry as set out in Article 3(1) of the basic Regulation.

⁽³⁾ References to the publication of this Notice mean publication in the *Official Journal of the European Union*.

4. **Allegation of injury/causation**

The complainant has provided evidence that imports of the product under investigation from the country concerned have increased overall in absolute terms and in terms of market share.

The evidence provided by the complainant shows that the volume and the prices of the imported product under investigation have had, among other consequences, a negative impact on the quantities sold and on the level of prices charged as well as on the market share held by the Union industry, resulting in adverse effects on the financial situation of the Union industry.

5. **Procedure**

Having determined, after informing the Member States, that the complaint has been lodged by or on behalf of the Union industry and that there is sufficient evidence to justify the initiation of a proceeding, the Commission hereby initiates an investigation pursuant to Article 5 of the basic Regulation.

The investigation will determine whether the product under investigation originating in the country concerned is being dumped and whether the dumped imports have caused injury to the Union industry.

Regulation (EU) 2018/825 of the European Parliament and of the Council ⁽⁴⁾, which entered into force on 8 June 2018 (TDI Modernisation package), introduced significant changes to the timetable and deadlines previously applicable in anti-dumping proceedings. The time-limits for interested parties to come forward, in particular at the early stage of investigations, are shortened.

The Commission also draws the attention of the parties that further to the COVID-19 outbreak, a Notice ⁽⁵⁾ was published on the potential consequences of the COVID-19 outbreak on anti-dumping and anti-subsidy investigations.

5.1. ***Investigation period and period considered***

The investigation of dumping and injury will cover the period from 1 July 2019 to 30 June 2020 ('the investigation period'). The examination of trends relevant for the assessment of injury will cover the period from 1 January 2017 to the end of the investigation period ('the period considered').

5.2. ***Comments on the complaint and the initiation of the investigation***

All interested parties wishing to comment on the complaint (including matters pertaining to injury and causality) or any aspects regarding the initiation of the investigation (including the degree of support for the complaint) must do so within 37 days of the date of publication of this Notice.

Any request for a hearing with regard to the initiation of the investigation must be submitted within 15 days of the date of publication of this Notice.

5.3. ***Procedure for the determination of dumping***

Exporting producers ⁽⁶⁾ of the product under investigation are invited to participate in the Commission investigation.

5.3.1. ***Investigating exporting producers***

5.3.1.1. **Procedure for selecting exporting producers to be investigated in Russia**

(a) **Sampling**

In view of the potentially large number of exporting producers in the country concerned involved in this proceeding and in order to complete the investigation within the statutory time limits, the Commission may limit the exporting producers to be investigated to a reasonable number by selecting a sample (this process is also referred to as 'sampling'). The sampling will be carried out in accordance with Article 17 of the basic Regulation.

⁽⁴⁾ Regulation (EU) 2018/825 of the European Parliament and of the Council of 30 May 2018 amending Regulation (EU) 2016/1036 on protection against dumped imports from countries not members of the European Union and Regulation (EU) 2016/1037 on protection against subsidised imports from countries not members of the European Union (OJ L 143, 7.6.2018, p. 1).

⁽⁵⁾ On the consequences of the COVID-19 outbreak on anti-dumping and anti-subsidy investigations (OJ C 86, 16.3.2020, p. 6).

⁽⁶⁾ An exporting producer is any company in the country concerned which produces and exports the product under investigation to the Union market, either directly or via a third party, including any of its related companies involved in the production, domestic sales or exports of the product under investigation.

In order to enable the Commission to decide whether sampling is necessary, and if so, to select a sample, all exporting producers, or representatives acting on their behalf, are hereby requested to provide the Commission with information on their company(ies) within 7 days of the date of publication of this Notice. This information must be provided via TRON.tdi at the following address: <https://tron.trade.ec.europa.eu/tron/tdi/form/8e1f9816-e208-1e22-247b-408d0bf40db1> Tron access information can be found in Sections 5.6 and 5.8.

In order to obtain information it deems necessary for the selection of the sample of exporting producers, the Commission has also contacted the authorities of Russia and may contact any known associations of exporting producers.

If a sample is necessary, the exporting producers may be selected based on the largest representative volume of exports to the Union which can reasonably be investigated within the time available. All known exporting producers, the authorities of Russia and associations of exporting producers will be notified by the Commission, via the authorities of Russia if appropriate, of the companies selected to be in the sample.

Once the Commission has received the necessary information to select a sample of exporting producers, it will inform the parties concerned of its decision whether they are included in the sample. The sampled exporting producers will have to submit a completed questionnaire within 30 days from the date of notification of the decision of their inclusion in the sample, unless otherwise specified.

The Commission will add a note reflecting the sample selection to the file for inspection by interested parties. Any comment on the sample selection must be received within 3 days of the date of notification of the sample decision.

A copy of the questionnaire for exporting producers is available in the file for inspection by interested parties and on DG Trade's website (https://trade.ec.europa.eu/tdi/case_details.cfm?id=2486).

Without prejudice to the possible application of Article 18 of the basic Regulation, exporting producers that have agreed to be included in the sample but are not selected as part of the sample will be considered to be cooperating ('non-sampled cooperating exporting producers'). Without prejudice to Section 5.3.1.1(b) below, the anti-dumping duty that may be applied to imports from non-sampled cooperating exporting producers will not exceed the weighted average margin of dumping established for the exporting producers in the sample ⁽⁷⁾.

(b) Individual dumping margin for exporting producers not included in the sample

Pursuant to Article 17(3) of the basic Regulation, non-sampled cooperating exporting producers may request the Commission to establish their individual dumping margins. Exporting producers wishing to claim an individual dumping margin must fill in the questionnaire and return it duly completed within 30 days of the date of notification of the sample selection, unless otherwise specified. A copy of the questionnaire for exporting producers is available in the file for inspection by interested parties and on DG Trade's website (https://trade.ec.europa.eu/tdi/case_details.cfm?id=2486).

The Commission will examine whether non-sampled cooperating exporting producers can be granted an individual duty in accordance with Article 9(5) of the basic Regulation.

However, non-sampled cooperating exporting producers claiming an individual dumping margin should be aware that the Commission may nonetheless decide not to determine their individual dumping margin if, for instance, the number of non-sampled cooperating exporting producers is so large that such determination would be unduly burdensome and would prevent the timely completion of the investigation.

⁽⁷⁾ Pursuant to Article 9(6) of the basic Regulation, any zero and *de minimis* margins, and margins established in accordance with the circumstances described in Article 18 of the basic Regulation will be disregarded.

5.3.2. *Investigating unrelated importers* ⁽⁸⁾ ⁽⁹⁾

Unrelated importers of the product under investigation from Russia to the Union are invited to participate in this investigation.

In view of the potentially large number of unrelated importers involved in this proceeding and in order to complete the investigation within the statutory time limits, the Commission may limit to a reasonable number the unrelated importers that will be investigated by selecting a sample (this process is also referred to as 'sampling'). The sampling will be carried out in accordance with Article 17 of the basic Regulation.

In order to enable the Commission to decide whether sampling is necessary and, if so, to select a sample, all unrelated importers, or representatives acting on their behalf, are hereby requested to provide the Commission with the information on their company(ies) requested in the Annex to this Notice within 7 days of the date of publication of this Notice.

In order to obtain information it deems necessary for the selection of the sample of unrelated importers, the Commission may also contact any known associations of importers.

If a sample is necessary, the importers may be selected based on the largest representative volume of sales of the product under investigation in the Union which can reasonably be investigated within the time available.

Once the Commission has received the necessary information to select a sample, it will inform the parties concerned of its decision on the sample of importers. The Commission will also add a note reflecting the sample selection to the file for inspection by interested parties. Any comment on the sample selection must be received within 3 days of the date of notification of the sample decision.

In order to obtain information it deems necessary for its investigation, the Commission will make available questionnaires to the sampled unrelated importers. Those parties must submit a completed questionnaire within 30 days from the date of the notification of the decision about the sample, unless otherwise specified.

A copy of the questionnaire for importers is available in the file for inspection by interested parties and on DG Trade's website (https://trade.ec.europa.eu/tdi/case_details.cfm?id=2486).

5.4. ***Procedure for the determination of injury and investigating Union producers***

A determination of injury is based on positive evidence and involves an objective examination of the volume of the dumped imports, their effect on prices on the Union market and the consequent impact of those imports on the Union industry. In order to establish whether the Union industry is injured, Union producers of the product under investigation are invited to participate in the Commission investigation.

In view of the large number of Union producers concerned and in order to complete the investigation within the statutory time limits, the Commission has decided to limit to a reasonable number the Union producers that will be investigated by selecting a sample (this process is also referred to as 'sampling'). The sampling is carried out in accordance with Article 17 of the basic Regulation.

⁽⁸⁾ This section covers only importers not related to exporting producers. Importers that are not related to exporting producers have to fill in Annex I to the questionnaire for these exporting producers. In accordance with Article 127 of Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code, two persons shall be deemed to be related if: (a) they are officers or directors of the other person's business; (b) they are legally recognised partners in business; (c) they are employer and employee; (d) a third party 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 control a third person directly or indirectly; or (h) they are members of the same family (OJ L 343, 29.12.2015, p. 558). Persons shall be deemed to be members of the same family only if they stand in any of the following relationships to one another: (i) husband and wife; (ii) parent and child; (iii) brother and sister (whether by whole or half blood); (iv) grandparent and grandchild; (v) uncle or aunt and nephew or niece; (vi) parent-in-law and son-in-law or daughter-in-law; (vii) brother-in-law and sister-in-law. In accordance with Article 5(4) of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code, 'person' means a natural person, a legal person, and any association of persons which is not a legal person but which is recognised under Union or national law as having the capacity to perform legal acts (OJ L 269, 10.10.2013, p. 1).

⁽⁹⁾ The data provided by unrelated importers may also be used in relation to aspects of this investigation other than the determination of dumping.

The Commission has provisionally selected a sample of Union producers. Details can be found in the file for inspection by interested parties. Interested parties are hereby invited to comment on the provisional sample. In addition, other Union producers, or representatives acting on their behalf, that consider that there are reasons why they should be included in the sample must contact the Commission within 7 days of the date of publication of this Notice. All comments regarding the provisional sample must be received within 7 days of the date of publication of this Notice, unless otherwise specified.

All known Union producers and/or associations of Union producers will be notified by the Commission of the companies finally selected to be in the sample.

The sampled Union producers will have to submit a completed questionnaire within 30 days from the date of notification of the decision of their inclusion in the sample, unless otherwise specified.

A copy of the questionnaire for Union producers is available in the file for inspection by interested parties and on DG Trade's website (https://trade.ec.europa.eu/tdi/case_details.cfm?id=2486).

5.5. ***Interested parties***

In order to participate in the investigation interested parties, such as exporting producers, Union producers, importers and their representative associations, users and their representative associations, trade unions and representative consumer organisations first have to demonstrate that there is an objective link between their activities and the product under investigation.

Exporting producers, Union producers, importers and representative associations who made information available in accordance to the procedures described in Sections 5.3.1, 5.4 and 5.3.2 above will be considered as interested parties if there is an objective link between their activities and the product under investigation.

Other parties will only be able to participate in the investigation as interested party from the moment they make themselves known, and provided that there is an objective link between their activities and the product under investigation. Being considered as an interested party is without prejudice to the application of Article 18 of the basic Regulation.

Access to the file available for inspection for interested parties is made via TRON.tdi at the following address: <https://tron.trade.ec.europa.eu/tron/TDI>. Please follow the instructions on that page to get access.

5.6. ***Possibility to be heard by the Commission investigation services***

All interested parties may request to be heard by the Commission's investigation services.

Any request to be heard must be made in writing and must specify the reasons for the request as well as a summary of what the interested party wishes to discuss during the hearing. The hearing will be limited to the issues set out by the interested parties in writing beforehand.

The timeframe for hearings is as follows:

- (i) For any hearings to take place before the deadline for the imposition of provisional measures, a request should be made within 15 days from the date of publication of this Notice and the hearing will normally take place within 60 days of the date of publication of this Notice.
- (ii) After the stage of provisional findings, a request should be made within 5 days from the date of the disclosure of the provisional findings or of the information document, and the hearing will normally take place within 15 days from the date of notification of the disclosure or the date of the information document.
- (iii) At the stage of definitive findings, a request should be made within 3 days from the date of the final disclosure, and the hearing will normally take place within the period granted to comment on the final disclosure. If there is an additional final disclosure, a request should be made immediately upon receipt of this additional final disclosure, and the hearing will normally take place within the deadline to provide comments on this disclosure.

The outlined timeframe is without prejudice to the right of the Commission services to accept hearings outside the timeframe in duly justified cases and to the right of the Commission to deny hearings in duly justified cases. Where the Commission services refuse a hearing request, the party concerned will be informed of the reasons for such refusal.

In principle, hearings will not be used to present factual information which is not yet on file. Nevertheless, in the interest of good administration and to enable Commission services to progress with the investigation, interested parties may be directed to provide new factual information after a hearing.

5.7. **Instructions for making written submissions and sending completed questionnaires and correspondence**

Information submitted to the Commission for the purpose of trade defence investigations shall 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 the Commission (a) 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 rights of defence.

All written submissions, including the information requested in this Notice, completed questionnaires and correspondence provided by interested parties for which confidential treatment is requested shall be labelled '*Sensitive*' ⁽¹⁰⁾. Parties submitting information in the course of this investigation are invited to reason their request for confidential treatment.

Parties providing '*Sensitive*' information are required to furnish non-confidential summaries of it pursuant to Article 19(2) of the basic Regulation, which will be labelled '*For inspection by interested parties*'. Those summaries should be sufficiently detailed to permit a reasonable understanding of the substance of the information submitted in confidence.

If a party providing confidential information fails to show good cause for a confidential treatment request or does not furnish a non-confidential summary of it in the requested format and quality, the Commission may disregard such information unless it can be satisfactorily demonstrated from appropriate sources that the information is correct.

Interested parties are invited to make all submissions and requests via TRON.tdi (<https://tron.trade.ec.europa.eu/tron/TDI>) including scanned powers of attorney and certification sheets. By using TRON.tdi or e-mail, interested parties express their agreement with the rules applicable to electronic submissions contained in the document '*CORRESPONDENCE WITH THE EUROPEAN COMMISSION IN TRADE DEFENCE CASES*' published on the website of the Directorate-General for Trade: http://trade.ec.europa.eu/doclib/docs/2011/june/tradoc_148003.pdf The interested parties must indicate their name, address, telephone and a valid e-mail address and they should ensure that the provided e-mail address is a functioning official business e-mail which is checked on a daily basis. Once contact details are provided, the Commission will communicate with interested parties by TRON.tdi or e-mail only, unless they explicitly request to receive all documents from the Commission by another means of communication or unless the nature of the document to be sent requires the use of a registered mail. For further rules and information concerning correspondence with the Commission including principles that apply to submissions via TRON.tdi and by e-mail, interested parties should consult the communication instructions with interested parties referred to above.

Commission address for correspondence:

European Commission
Directorate-General for Trade
Directorate H
Office: CHAR 04/039
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

Email:

For dumping issues:

TRADE-AD-672-PLYWOOD-DUMPING@ec.europa.eu

For injury and Union interest issues:

TRADE-AD-672-PLYWOOD-INJURY@ec.europa.eu

⁽¹⁰⁾ A '*Sensitive*' document is a document which is considered confidential pursuant to Article 19 of the basic Regulation and Article 6 of the WTO Agreement on Implementation of Article VI of the GATT 1994 (Anti-Dumping Agreement). It is also a document protected pursuant to Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council (OJ L 145, 31.5.2001, p. 43).

6. **Schedule of the investigation**

The investigation will be concluded, pursuant to Article 6(9) of the basic Regulation within normally 13, but not more than 14 months of the date of the publication of this Notice. In accordance with Article 7(1) of the basic Regulation, provisional measures may be imposed normally not later than 7 months, but in any event not later than 8 months from the publication of this Notice.

In accordance with Article 19a of the basic Regulation, the Commission will provide information on the planned imposition of provisional duties 4 weeks before the imposition of provisional measures. Interested parties will be given 3 working days to comment in writing on the accuracy of the calculations.

In cases where the Commission intends not to impose provisional duties but to continue the investigation, interested parties will be informed, by means of an information document, of the non-imposition of duties 4 weeks before the expiry of the deadline under Article 7(1) of the basic Regulation.

Interested parties will be given 15 days to comment in writing on the provisional findings or on the information document, and 10 days to comment in writing on the definitive findings, unless otherwise specified. Where applicable, additional final disclosures will specify the deadline for interested parties to comment in writing.

7. **Submission of information**

As a rule, interested parties may only submit information in the timeframes specified in Sections 5 and 6 of this Notice. The submission of any other information not covered by those sections, should respect the following timetable:

- (i) Any information for the stage of provisional findings should be submitted within 70 days from the date of publication of this Notice, unless otherwise specified.
- (ii) Unless otherwise specified, interested parties should not submit new factual information after the deadline to comment on the disclosure of the provisional findings or the information document at the stage of provisional findings. After this deadline, interested parties may only submit new factual information if they can demonstrate that such new factual information is necessary to rebut factual allegations made by other interested parties and provided that such new factual information can be verified within the time available to complete the investigation in a timely manner.
- (iii) In order to complete the investigation within the mandatory deadlines, the Commission will not accept submissions from interested parties after the deadline to provide comments on the final disclosure or, if applicable, after the deadline to provide comments on the additional final disclosure.

8. **Possibility to comment on other parties' submissions**

In order to guarantee the rights of defence, interested parties should have the possibility to comment on information submitted by other interested parties. When doing so, interested parties may only address issues raised in the other interested parties' submissions and may not raise new issues.

Such comments should be made according to the following timeframe:

- (i) Any comment on information submitted by other interested parties before the deadline of imposition of provisional measures should be made at the latest on day 75 from the date of publication of this Notice, unless otherwise specified.
- (ii) Comments on the information provided by other interested parties in reaction to the disclosure of the provisional findings or of the information document should be submitted within 7 days from the deadline to comment on the provisional findings or on the information document, unless otherwise specified.
- (iii) Comments on the information provided by other interested parties in reaction to the final disclosure should be submitted within 3 days from the deadline to comment on the final disclosure, unless otherwise specified. If there is an additional final disclosure, comments on the information provided by other interested parties in reaction to this disclosure should be made within 1 day from the deadline to comment on this disclosure, unless otherwise specified.

The outlined timeframe is without prejudice to the Commission's right to request additional information from interested parties in duly justified cases.

9. Extension to time limits specified in this Notice

Any extension to the time-limits provided for in this Notice should only be requested in exceptional circumstances and will only be granted if duly justified. In any event, any extension to the deadline to reply to questionnaires will be limited normally to 3 days, and as a rule will not exceed 7 days. Regarding time limits for the submission of other information specified in the Notice of initiation, extensions will be limited to 3 days unless exceptional circumstances are demonstrated.

10. Non-cooperation

In cases where any interested party refuses access to or does not provide the necessary information within the time limits, or significantly impedes the investigation, provisional or final findings, affirmative or negative, may be made on the basis of facts available, in accordance with Article 18 of the basic Regulation.

Where it is found that any interested party has supplied false or misleading information, the information may be disregarded and use may be made of facts available.

If an interested party does not cooperate or cooperates only partially and findings are therefore based on facts available in accordance with Article 18 of the basic Regulation, the result may be less favourable to that party than if it had cooperated.

Failure to give a computerised response shall not be deemed to constitute non-cooperation, provided that the interested party shows that presenting the response as requested would result in an unreasonable extra burden or unreasonable additional cost. The interested party should immediately contact the Commission.

11. Hearing Officer

Interested parties may request the intervention of the Hearing Officer for trade proceedings. The Hearing Officer reviews requests for access to the file, disputes regarding the confidentiality of documents, requests for extension of time limits and any other request concerning the rights of defence of interested parties and third parties as may arise during the proceeding.

The Hearing Officer may organise hearings and mediate between the interested party/-ies and Commissions services to ensure that the interested parties' rights of defence are being fully exercised. A request for a hearing with the Hearing Officer should be made in writing and should specify the reasons for the request. The Hearing Officer will examine the reasons for the requests. These hearings should only take place if the issues have not been settled with the Commission services in the due course.

Any request must be submitted in good time and expeditiously so as not to jeopardise the orderly conduct of proceedings. To that effect, interested parties should request the intervention of the Hearing Officer at the earliest possible time following the occurrence of the event justifying such intervention. In principle, the timeframes set out in Section 5.6 to request hearings with the Commission services apply *mutatis mutandis* to requests for hearings with the Hearing Officer. Where hearing requests are submitted outside the relevant timeframes, the Hearing Officer will also examine the reasons for such late requests, the nature of the issues raised and the impact of those issues on the rights of defence, having due regard to the interests of good administration and the timely completion of the investigation.

For further information and contact details interested parties may consult the Hearing Officer's web pages on DG Trade's website: <http://ec.europa.eu/trade/trade-policy-and-you/contacts/hearing-officer/>

12. Processing of personal data

Any personal data collected in this investigation will be treated in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council ⁽¹⁾.

A data protection notice that informs all individuals of the processing of personal data in the framework of Commission's trade defence activities is available on DG TRADE's website: <http://ec.europa.eu/trade/policy/accessing-markets/trade-defence/>

⁽¹⁾ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

ANNEX

<input type="checkbox"/>	'Sensitive' version
<input type="checkbox"/>	Version 'For inspection by interested parties'
(tick the appropriate box)	

ANTI-DUMPING PROCEEDING CONCERNING IMPORTS OF BIRCH PLYWOOD ORIGINATING IN RUSSIA

INFORMATION FOR THE SELECTION OF THE SAMPLE OF UNRELATED IMPORTERS

This form is designed to assist unrelated importers in responding to the request for sampling information made in point 5.3.2 of the Notice of initiation.

Both the '*Sensitive*' version and the version '*For inspection by interested parties*' must be returned to the Commission as set out in the Notice of initiation.

1. IDENTITY AND CONTACT DETAILS

Supply the following details about your company:

Company name	
Address	
Contact person	
Email address	
Telephone	
Company website	
VAT number	
Company registration number	

2. TURNOVER AND SALES VOLUME

Indicate the total turnover in euros (EUR) of your company, and the turnover and weight of imports into the Union and resales on the Union market after importation from Russia, during the investigation period (1 July 2019 to 30 June 2020) of birch plywood as defined in the Notice of initiation.

	Tonnes	Volume in m ³	Value in euros (EUR)
Total turnover of your company in value (euros)			
Total turnover of the product under investigation of your company in value (euros)			
Imports of the product under investigation originating in Russia into the Union			
Imports of the product under investigation into the Union (all origins)			
Resales on the Union market after importation from Russia of the product under investigation			

3. ACTIVITIES OF YOUR COMPANY AND RELATED COMPANIES ⁽¹⁾

Give details of the precise activities of your company and all related companies (please list them and state the relationship to your company). Provide if they are involved in the production and/or selling (export and/or domestic) of the product under investigation. Such activities could include but are not limited to purchasing the product under investigation or producing it under sub-contracting arrangements, or processing or trading the product under investigation.

Company name and location	Relationship	Activities	Involved in the production and/or selling (Y/N)

4. OTHER INFORMATION

Please provide any other relevant information that you consider useful to assist the Commission in the selection of the sample.

5. CERTIFICATION

By providing the above information, your company agrees to its possible inclusion in the sample. If your company is selected to be part of the sample, this will involve completing a questionnaire and accepting a visit at its premises in order to verify its response. If your company indicates that it does not agree to its possible inclusion in the sample, it will be deemed not to have cooperated in the investigation. The Commission's findings for non-cooperating importers are based on the facts available and the result may be less favourable to that company than if it had cooperated.

Signature of authorised official:

Name and title of authorised official:

Date:

⁽¹⁾ In accordance with Article 127 of Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code, two persons shall be deemed to be related if: (a) they are officers or directors of the other person's business; (b) they are legally recognised partners in business; (c) they are employer and employee; (d) a third party 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 control a third person directly or indirectly; or (h) they are members of the same family (OJ L 343, 29.12.2015, p. 558). Persons shall be deemed to be members of the same family only if they stand in any of the following relationships to one another: (i) husband and wife, (ii) parent and child; (iii) brother and sister (whether by whole or half blood); (iv) grandparent and grandchild; (v) uncle or aunt and nephew or niece; (vi) parent-in-law and son-in-law or daughter-in-law; (vii) brother-in-law and sister-in-law. In accordance with Article 5(4) of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code, "person" means a natural person, a legal person, and any association of persons which is not a legal person but which is recognised under Union or national law as having the capacity to perform legal acts (OJ L 269, 10.10.2013, p. 1).

**Notice of initiation of an anti-dumping proceeding concerning imports of mono ethylene glycol
originating in the United States of America and the Kingdom of Saudi Arabia**

(2020/C 342/03)

The European Commission ('the Commission') has received a complaint pursuant to Article 5 of 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'), alleging that imports of mono ethylene glycol, originating in the United States of America and the Kingdom of Saudi Arabia are being dumped and are thereby causing injury ⁽²⁾ to the Union industry.

1. Complaint

The complaint was lodged on 31 August 2020 by the Defence Committee of European MEG Producers ('the complainant'), on behalf of producers representing more than 25 % of the total Union production of mono ethylene glycol.

An open version of the complaint and the analysis of the degree of support by Union producers for the complaint are available in the file for inspection by interested parties. Section 5.6 of this Notice provides information about access to the file for interested parties.

2. Product under investigation

The product subject to this investigation is mono ethylene glycol (current EC-number 203-473-3) ('the product under investigation').

All interested parties wishing to submit information on the product scope must do so within 10 days of the date of publication of this Notice ⁽³⁾.

3. Allegation of dumping

The product allegedly being dumped is the product under investigation, originating in the United States of America and the Kingdom of Saudi Arabia ('the countries concerned') currently classified under CN code ex 2905 31 00 (TARIC code 2905 31 00 10). The CN and TARIC codes are given for information only.

— The United States of America

The allegation of dumping from the United States of America is based on a comparison of the domestic price with the export price (at ex-works level) of the product under investigation when sold for export to the Union.

On this basis, the dumping margin calculated is significant for the United States of America.

— The Kingdom of Saudi Arabia

The allegation of dumping from the Kingdom of Saudi Arabia is based on a comparison of a constructed normal value (manufacturing costs, selling, general and administrative costs – SG&A – and profit) with the export price (at ex-works level) of the product under investigation when sold for export to the Union.

On that basis, the dumping margin calculated is significant for the Kingdom of Saudi Arabia.

4. Allegation of injury and causation

The complainant has provided evidence that imports of the product under investigation from the countries concerned have increased overall in absolute terms and in terms of market share.

The evidence provided by the complainant shows that the volume and the prices of the imported product under investigation have had, among other consequences, a negative impact on the quantities sold and on the level of prices charged as well as on the market share held by the Union industry, resulting in adverse effects on the overall performance and financial situation of the Union industry.

⁽¹⁾ OJ L 176, 30.6.2016, p. 21.

⁽²⁾ The general term 'injury' refers to material injury as well as to threat of material injury or material retardation of the establishment of an industry as set out in Article 3(1) of the basic Regulation.

⁽³⁾ References to the publication of this Notice mean publication in the *Official Journal of the European Union*.

5. Procedure

Having determined, after informing the Member States, that the complaint has been lodged by or on behalf of the Union industry and that there is sufficient evidence to justify the initiation of a proceeding, the Commission hereby initiates an investigation pursuant to Article 5 of the basic Regulation.

The investigation will determine whether the product under investigation originating in the countries concerned is being dumped and whether the dumped imports have caused injury to the Union industry.

If the conclusions are affirmative, the investigation will examine whether the imposition of measures would not be against the Union interest under Article 21 of the basic Regulation.

Regulation (EU) 2018/825 of the European Parliament and of the Council ⁽⁴⁾, which entered into force on 8 June 2018 (TDI Modernisation package), introduced significant changes to the timetable and deadlines previously applicable in anti-dumping proceedings. The time-limits for interested parties to come forward, in particular at the early stage of investigations, are shortened.

The Commission also draws the attention of the parties that further to the COVID-19 outbreak, a Notice ⁽⁵⁾ was published on the potential consequences of the COVID-19 outbreak on anti-dumping and anti-subsidy investigations.

5.1. Investigation period and period considered

The investigation of dumping and injury will cover the period from 1 July 2019 to 30 June 2020 ('the investigation period'). The examination of trends relevant for the assessment of injury will cover the period from 1 January 2017 to the end of the investigation period ('the period considered').

5.2. Comments on the complaint and the initiation of the investigation

All interested parties wishing to comment on the complaint (including matters pertaining to injury and causation) or any aspects regarding the initiation of the investigation (including the degree of support for the complaint) must do so within 37 days of the date of publication of this Notice.

Any request for a hearing with regard to the initiation of the investigation must be submitted within 15 days of the date of publication of this Notice.

5.3. Procedure for the determination of dumping

Exporting producers ⁽⁶⁾ of the product under investigation are invited to participate in the Commission investigation.

5.3.1. Investigating exporting producers

5.3.1.1. Procedure for selecting exporting producers to be investigated in the United States of America and the Kingdom of Saudi Arabia

(a) Sampling

In view of the potentially large number of exporting producers in the countries concerned involved in this proceeding and in order to complete the investigation within the statutory time limits, the Commission may limit the exporting producers to be investigated to a reasonable number by selecting a sample (this process is also referred to as 'sampling'). The sampling will be carried out in accordance with Article 17 of the basic Regulation.

In order to enable the Commission to decide whether sampling is necessary, and if so, to select a sample, all exporting producers, or representatives acting on their behalf, are hereby requested to provide the Commission with information on their company(ies) within 7 days of the date of publication of this Notice.

⁽⁴⁾ Regulation (EU) 2018/825 of the European Parliament and of the Council of 30 May 2018 amending Regulation (EU) 2016/1036 on protection against dumped imports from countries not members of the European Union and Regulation (EU) 2016/1037 on protection against subsidised imports from countries not members of the European Union (OJ L 143, 7.6.2018, p. 1).

⁽⁵⁾ On the consequences of the COVID-19 outbreak on anti-dumping and anti-subsidy investigations (OJ C 86, 16.3.2020, p. 6).

⁽⁶⁾ An exporting producer is any company in the country concerned which produces and exports the product under investigation to the Union market, either directly or via a third party, including any of its related companies involved in the production, domestic sales or exports of the product under investigation.

This information must be provided via TRON.tdi at the following address:

<https://tron.trade.ec.europa.eu/tron/tdi/form/1c069b94-6437-c707-53fe-060752b51199>

Tron access information can be found in sections 5.6 and 5.8.

In order to obtain information it deems necessary for the selection of the sample of exporting producers, the Commission has also contacted the authorities of the United States of America and the Kingdom of Saudi Arabia and may contact any known associations of exporting producers.

If a sample is necessary, the exporting producers may be selected based on the largest representative volume of exports to the Union which can reasonably be investigated within the time available. All known exporting producers, the authorities of the United States of America and the Kingdom of Saudi Arabia and associations of exporting producers will be notified by the Commission, via the authorities of the United States of America and the Kingdom of Saudi Arabia if appropriate, of the companies selected to be in the sample.

Once the Commission has received the necessary information to select a sample of exporting producers, it will inform the parties concerned of its decision whether they are included in the sample. The sampled exporting producers will have to submit a completed questionnaire within 30 days from the date of notification of the decision of their inclusion in the sample, unless otherwise specified.

The Commission will add a note reflecting the sample selection to the file for inspection by interested parties. Any comment on the sample selection must be received within 3 days of the date of notification of the sample decision.

A copy of the questionnaire for exporting producers is available in the file for inspection by interested parties and on DG Trade's website (https://trade.ec.europa.eu/tdi/case_details.cfm?id=2485).

Without prejudice to the possible application of Article 18 of the basic Regulation, exporting producers that have agreed to be included in the sample but are not selected as part of the sample will be considered to be cooperating ('non-sampled cooperating exporting producers'). Without prejudice to section 5.3.1.1(b) below, the anti-dumping duty that may be applied to imports from non-sampled cooperating exporting producers will not exceed the weighted average margin of dumping established for the exporting producers in the sample ⁽⁷⁾.

(b) Individual dumping margin for exporting producers not included in the sample

Pursuant to Article 17(3) of the basic Regulation, non-sampled cooperating exporting producers may request the Commission to establish their individual dumping margins. Exporting producers wishing to claim an individual dumping margin must fill in the questionnaire and return it duly completed within 30 days of the date of notification of the sample selection, unless otherwise specified. A copy of the questionnaire for exporting producers is available in the file for inspection by interested parties and on DG Trade's website (https://trade.ec.europa.eu/tdi/case_details.cfm?id=2485).

The Commission will examine whether non-sampled cooperating exporting producers can be granted an individual duty in accordance with Article 9(5) of the basic Regulation.

However, non-sampled cooperating exporting producers claiming an individual dumping margin should be aware that the Commission may nonetheless decide not to determine their individual dumping margin if, for instance, the number of non-sampled cooperating exporting producers is so large that such determination would be unduly burdensome and would prevent the timely completion of the investigation.

⁽⁷⁾ Pursuant to Article 9(6) of the basic Regulation, any zero and de minimis margins, and margins established in accordance with the circumstances described in Article 18 of the basic Regulation will be disregarded.

5.3.2. *Investigating unrelated importers* ⁽⁸⁾ ⁽⁹⁾

Unrelated importers of the product under investigation from the United States of America and the Kingdom of Saudi Arabia to the Union are invited to participate in this investigation.

In view of the potentially large number of unrelated importers involved in this proceeding and in order to complete the investigation within the statutory time limits, the Commission may limit to a reasonable number the unrelated importers that will be investigated by selecting a sample (this process is also referred to as 'sampling'). The sampling will be carried out in accordance with Article 17 of the basic Regulation.

In order to enable the Commission to decide whether sampling is necessary and, if so, to select a sample, all unrelated importers, or representatives acting on their behalf, are hereby requested to provide the Commission with the information on their company(ies) requested in the Annex to this Notice within 7 days of the date of publication of this Notice.

In order to obtain information it deems necessary for the selection of the sample of unrelated importers, the Commission may also contact any known associations of importers.

If a sample is necessary, the importers may be selected based on the largest representative volume of sales of the product under investigation in the Union which can reasonably be investigated within the time available.

Once the Commission has received the necessary information to select a sample, it will inform the parties concerned of its decision on the sample of importers. The Commission will also add a note reflecting the sample selection to the file for inspection by interested parties. Any comment on the sample selection must be received within 3 days of the date of notification of the sample decision.

In order to obtain information it deems necessary for its investigation, the Commission will make available questionnaires to the sampled unrelated importers. Those parties must submit a completed questionnaire within 30 days from the date of the notification of the decision about the sample, unless otherwise specified.

A copy of the questionnaire for importers is available in the file for inspection by interested parties and on DG Trade's website (https://trade.ec.europa.eu/tdi/case_details.cfm?id=2485).

5.4. ***Procedure for the determination of injury and investigating Union producers***

A determination of injury is based on positive evidence and involves an objective examination of the volume of the dumped imports, their effect on prices on the Union market and the consequent impact of those imports on the Union industry. In order to establish whether the Union industry is injured, Union producers of the product under investigation are invited to participate in the Commission investigation.

In view of the large number of Union producers concerned and in order to complete the investigation within the statutory time limits, the Commission has decided to limit to a reasonable number the Union producers that will be investigated by selecting a sample (this process is also referred to as 'sampling'). The sampling is carried out in accordance with Article 17 of the basic Regulation.

⁽⁸⁾ This section covers only importers not related to exporting producers. Importers that are not related to exporting producers have to fill in Annex I to the questionnaire for these exporting producers. In accordance with Article 127 of Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code, two persons shall be deemed to be related if: (a) they are officers or directors of the other person's business; (b) they are legally recognised partners in business; (c) they are employer and employee; (d) a third party 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 control a third person directly or indirectly; or (h) they are members of the same family (OJ L 343, 29.12.2015, p. 558). Persons shall be deemed to be members of the same family only if they stand in any of the following relationships to one another: (i) husband and wife, (ii) parent and child, (iii) brother and sister (whether by whole or half blood), (iv) grandparent and grandchild, (v) uncle or aunt and nephew or niece, (vi) parent-in-law and son-in-law or daughter-in-law, (vii) brother-in-law and sister-in-law. In accordance with Article 5(4) of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code, 'person' means a natural person, a legal person, and any association of persons which is not a legal person but which is recognised under Union or national law as having the capacity to perform legal acts (OJ L 269, 10.10.2013, p. 1).

⁽⁹⁾ The data provided by unrelated importers may also be used in relation to aspects of this investigation other than the determination of dumping.

The Commission has provisionally selected a sample of Union producers. Details can be found in the file for inspection by interested parties. Interested parties are hereby invited to comment on the provisional sample. In addition, other Union producers, or representatives acting on their behalf, that consider that there are reasons why they should be included in the sample must contact the Commission within 7 days of the date of publication of this Notice. All comments regarding the provisional sample must be received within 7 days of the date of publication of this Notice, unless otherwise specified.

All known Union producers and/or associations of Union producers will be notified by the Commission of the companies finally selected to be in the sample.

The sampled Union producers will have to submit a completed questionnaire within 30 days from the date of notification of the decision of their inclusion in the sample, unless otherwise specified.

A copy of the questionnaire for Union producers is available in the file for inspection by interested parties and on DG Trade's website (https://trade.ec.europa.eu/tdi/case_details.cfm?id=2485).

5.5. Procedure for the assessment of Union interest

Should the existence of dumping and injury caused thereby be established, a decision will be reached, pursuant to Article 21 of the basic Regulation, as to whether the adoption of anti-dumping measures would not be against the Union interest. Union producers, importers and their representative associations, users and their representative associations, trade unions and representative consumer organisations are invited to provide the Commission with information on the Union interest. In order to participate in the investigation, the representative consumer organisations have to demonstrate that there is an objective link between their activities and the product under investigation.

Information concerning the assessment of Union interest must be provided within 37 days of the date of publication of this Notice unless otherwise specified. This information may be provided either in a free format or by completing a questionnaire prepared by the Commission. A copy of the questionnaires, including the questionnaire for users of the product under investigation, is available in the file for inspection by interested parties and on DG Trade's website (https://trade.ec.europa.eu/tdi/case_details.cfm?id=2485). The information submitted pursuant to Article 21 will only be taken into account if supported by factual evidence at the time of submission.

5.6. Interested parties

In order to participate in the investigation interested parties, such as exporting producers, Union producers, importers and their representative associations, users and their representative associations, trade unions and representative consumer organisations first have to demonstrate that there is an objective link between their activities and the product under investigation.

Exporting producers, Union producers, importers and representative associations who made information available in accordance to the procedures described in sections 5.3.1, 5.3.2 and 5.4 above will be considered as interested parties if there is an objective link between their activities and the product under investigation.

Other parties will only be able to participate in the investigation as interested party from the moment they make themselves known, and provided that there is an objective link between their activities and the product under investigation. Being considered as an interested party is without prejudice to the application of Article 18 of the basic Regulation.

Access to the file available for inspection for interested parties is made via TRON.tdi at the following address: <https://tron.trade.ec.europa.eu/tron/TDI>. Please follow the instructions on that page to get access ⁽¹⁰⁾.

5.7. Possibility to be heard by the Commission investigation services

All interested parties may request to be heard by the Commission's investigation services.

Any request to be heard must be made in writing and must specify the reasons for the request as well as a summary of what the interested party wishes to discuss during the hearing. The hearing will be limited to the issues set out by the interested parties in writing beforehand.

⁽¹⁰⁾ In case of technical problems please contact the Trade Service Desk by email trade-service-desk@ec.europa.eu or by telephone +32 22979797.

The timeframe for hearings is as follows:

- i. For any hearings to take place before the deadline for the imposition of provisional measures, a request should be made within 15 days from the date of publication of this Notice and the hearing will normally take place within 60 days of the date of publication of this Notice.
- ii. After the stage of provisional findings, a request should be made within 5 days from the date of the disclosure of the provisional findings or of the information document, and the hearing will normally take place within 15 days from the date of notification of the disclosure or the date of the information document.
- iii. At the stage of definitive findings, a request should be made within 3 days from the date of the final disclosure, and the hearing will normally take place within the period granted to comment on the final disclosure. If there is an additional final disclosure, a request should be made immediately upon receipt of this additional final disclosure, and the hearing will normally take place within the deadline to provide comments on this disclosure.

The outlined timeframe is without prejudice to the right of the Commission services to accept hearings outside the timeframe in duly justified cases and to the right of the Commission to deny hearings in duly justified cases. Where the Commission services refuse a hearing request, the party concerned will be informed of the reasons for such refusal.

In principle, hearings will not be used to present factual information which is not yet on file. Nevertheless, in the interest of good administration and to enable Commission services to progress with the investigation, interested parties may be directed to provide new factual information after a hearing.

5.8. ***Instructions for making written submissions and sending completed questionnaires and correspondence***

Information submitted to the Commission for the purpose of trade defence investigations shall 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 the Commission a) 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 rights of defence.

All written submissions, including the information requested in this Notice, completed questionnaires and correspondence provided by interested parties for which confidential treatment is requested shall be labelled '*Sensitive*' ⁽¹¹⁾. Parties submitting information in the course of this investigation are invited to reason their request for confidential treatment.

Parties providing '*Sensitive*' information are required to furnish non-confidential summaries of it pursuant to Article 19(2) of the basic Regulation, which will be labelled '*For inspection by interested parties*'. Those summaries should be sufficiently detailed to permit a reasonable understanding of the substance of the information submitted in confidence.

If a party providing confidential information fails to show good cause for a confidential treatment request or does not furnish a non-confidential summary of it in the requested format and quality, the Commission may disregard such information unless it can be satisfactorily demonstrated from appropriate sources that the information is correct.

Interested parties are invited to make all submissions and requests via TRON.tdi (<https://tron.trade.ec.europa.eu/tron/TDI>) including scanned powers of attorney and certification sheets. By using TRON.tdi or email, interested parties express their agreement with the rules applicable to electronic submissions contained in the document '*CORRESPONDENCE WITH THE EUROPEAN COMMISSION IN TRADE DEFENCE CASES*' published on the website of the Directorate-General for Trade: http://trade.ec.europa.eu/doclib/docs/2011/june/tradoc_148003.pdf. The interested parties must indicate their name, address, telephone and a valid email address and they should ensure that the provided email address is a functioning official business email which is checked on a daily basis. Once contact details are provided, the Commission will communicate with interested parties by TRON.tdi or email only, unless they explicitly request to receive all documents from the Commission by another means of communication or unless the nature of the document to be sent requires the use of a registered mail. For further rules and information concerning correspondence with the Commission including principles that apply to submissions via TRON.tdi and by email, interested parties should consult the communication instructions with interested parties referred to above.

⁽¹¹⁾ A '*Sensitive*' document is a document which is considered confidential pursuant to Article 19 of the basic Regulation and Article 6 of the WTO Agreement on Implementation of Article VI of the GATT 1994 (Anti-Dumping Agreement). It is also a document protected pursuant to Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council (OJ L 145, 31.5.2001, p. 43).

Commission address for correspondence:

European Commission
Directorate-General for Trade
Directorate H
Office: CHAR 04/039
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

Email:

For dumping issues:

TRADE-AD671-MEG-DUMPING@ec.europa.eu

For injury and Union interest issues:

TRADE-AD671-MEG-INJURY@ec.europa.eu

6. **Schedule of the investigation**

The investigation will be concluded, pursuant to Article 6(9) of the basic Regulation within normally 13, but not more than 14 months of the date of the publication of this Notice. In accordance with Article 7(1) of the basic Regulation, provisional measures may be imposed normally not later than 7 months, but in any event not later than 8 months from the publication of this Notice.

In accordance with Article 19a of the basic Regulation, the Commission will provide information on the planned imposition of provisional duties 4 weeks before the imposition of provisional measures. Interested parties will be given 3 working days to comment in writing on the accuracy of the calculations.

In cases where the Commission intends not to impose provisional duties but to continue the investigation, interested parties will be informed, by means of an information document, of the non-imposition of duties 4 weeks before the expiry of the deadline under Article 7(1) of the basic Regulation.

Interested parties will be given 15 days to comment in writing on the provisional findings or on the information document, and 10 days to comment in writing on the definitive findings, unless otherwise specified. Where applicable, additional final disclosures will specify the deadline for interested parties to comment in writing.

7. **Submission of information**

As a rule, interested parties may only submit information in the timeframes specified in sections 5 and 6 of this Notice. The submission of any other information not covered by those sections, should respect the following timetable:

- i. Any information for the stage of provisional findings should be submitted within 70 days from the date of publication of this Notice, unless otherwise specified.
- ii. Unless otherwise specified, interested parties should not submit new factual information after the deadline to comment on the disclosure of the provisional findings or the information document at the stage of provisional findings. After this deadline, interested parties may only submit new factual information if they can demonstrate that such new factual information is necessary to rebut factual allegations made by other interested parties and provided that such new factual information can be verified within the time available to complete the investigation in a timely manner.
- iii. In order to complete the investigation within the mandatory deadlines, the Commission will not accept submissions from interested parties after the deadline to provide comments on the final disclosure or, if applicable, after the deadline to provide comments on the additional final disclosure.

8. **Possibility to comment on other parties' submissions**

In order to guarantee the rights of defence, interested parties should have the possibility to comment on information submitted by other interested parties. When doing so, interested parties may only address issues raised in the other interested parties' submissions and may not raise new issues.

Such comments should be made according to the following timeframe:

- i. Any comment on information submitted by other interested parties before the deadline of imposition of provisional measures should be made at the latest on day 75 from the date of publication of this Notice, unless otherwise specified.

- ii. Comments on the information provided by other interested parties in reaction to the disclosure of the provisional findings or of the information document should be submitted within 7 days from the deadline to comment on the provisional findings or on the information document, unless otherwise specified.
- iii. Comments on the information provided by other interested parties in reaction to the final disclosure should be submitted within 3 days from the deadline to comment on the final disclosure, unless otherwise specified. If there is an additional final disclosure, comments on the information provided by other interested parties in reaction to this disclosure should be made within 1 day from the deadline to comment on this disclosure, unless otherwise specified.

The outlined timeframe is without prejudice to the Commission's right to request additional information from interested parties in duly justified cases.

9. Extension to time limits specified in this Notice

Any extension to the time-limits provided for in this Notice should only be requested in exceptional circumstances and will only be granted if duly justified.

In any event, any extension to the deadline to reply to questionnaires will be limited normally to 3 days, and as a rule will not exceed 7 days.

Regarding time limits for the submission of other information specified in the Notice of initiation, extensions will be limited to 3 days unless exceptional circumstances are demonstrated.

10. Non-cooperation

In cases where any interested party refuses access to or does not provide the necessary information within the time limits, or significantly impedes the investigation, provisional or final findings, affirmative or negative, may be made on the basis of facts available, in accordance with Article 18 of the basic Regulation.

Where it is found that any interested party has supplied false or misleading information, the information may be disregarded and use may be made of facts available.

If an interested party does not cooperate or cooperates only partially and findings are therefore based on facts available in accordance with Article 18 of the basic Regulation, the result may be less favourable to that party than if it had cooperated.

Failure to give a computerised response shall not be deemed to constitute non-cooperation, provided that the interested party shows that presenting the response as requested would result in an unreasonable extra burden or unreasonable additional cost. The interested party should immediately contact the Commission.

11. Hearing Officer

Interested parties may request the intervention of the Hearing Officer for trade proceedings. The Hearing Officer reviews requests for access to the file, disputes regarding the confidentiality of documents, requests for extension of time limits and any other request concerning the rights of defence of interested parties and third parties as may arise during the proceeding.

The Hearing Officer may organise hearings and mediate between the interested party/-ies and Commission services to ensure that the interested parties' rights of defence are being fully exercised. A request for a hearing with the Hearing Officer should be made in writing and should specify the reasons for the request. The Hearing Officer will examine the reasons for the requests. These hearings should only take place if the issues have not been settled with the Commission services in the due course.

Any request must be submitted in good time and expeditiously so as not to jeopardise the orderly conduct of proceedings. To that effect, interested parties should request the intervention of the Hearing Officer at the earliest possible time following the occurrence of the event justifying such intervention. In principle, the timeframes set out in section 5.7 to request hearings with the Commission services apply *mutatis mutandis* to requests for hearings with the Hearing Officer. Where hearing requests are submitted outside the relevant timeframes, the Hearing Officer will also examine the reasons for such late requests, the nature of the issues raised and the impact of those issues on the rights of defence, having due regard to the interests of good administration and the timely completion of the investigation.

For further information and contact details, interested parties may consult the Hearing Officer's web pages on DG Trade's website: <http://ec.europa.eu/trade/trade-policy-and-you/contacts/hearing-officer/>

12. **Processing of personal data**

Any personal data collected in this investigation will be treated in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council ⁽¹²⁾.

A data protection notice that informs all individuals of the processing of personal data in the framework of Commission's trade defence activities is available on DG TRADE's website: <http://ec.europa.eu/trade/policy/accessing-markets/trade-defence/>

⁽¹²⁾ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

ANNEX

<input type="checkbox"/>	'Sensitive version'
<input type="checkbox"/>	Version 'For inspection by interested parties'
(tick the appropriate box)	

**ANTI-DUMPING PROCEEDING CONCERNING IMPORTS OF MONO ETHYLENE GLYCOL ORIGINATING IN
THE UNITED STATES OF AMERICA AND THE KINGDOM OF SAUDI ARABIA**

INFORMATION FOR THE SELECTION OF THE SAMPLE OF UNRELATED IMPORTERS

This form is designed to assist unrelated importers in responding to the request for sampling information made in point 5.3.2 of the Notice of initiation.

Both the 'Sensitive' version and the version 'For inspection by interested parties' must be returned to the Commission as set out in the Notice of initiation.

1. IDENTITY AND CONTACT DETAILS

Supply the following details about your company:

Company name	
Address	
Contact person	
Email address	
Telephone	

2. TURNOVER AND SALES VOLUME

Indicate the total turnover in euros (EUR) of your company, and the turnover and weight of imports into the Union and resales on the Union market after importation from the United States of America and the Kingdom of Saudi Arabia, during the investigation period (1 July 2019 to 30 June 2020) of mono ethylene glycol as defined in the Notice of initiation.

	Tonnes	Value in euros (EUR)
Total turnover of your company in euros (EUR)		
Imports of the product under investigation originating in the United States of America and the Kingdom of Saudi Arabia into the Union (please distinguish for each of the countries concerned)		
Imports of the product under investigation into the Union (all origins)		
Resales on the Union market after importation from the United States of America and the Kingdom of Saudi Arabia of the product under investigation (please distinguish for each of the countries concerned)		

3. ACTIVITIES OF YOUR COMPANY AND RELATED COMPANIES ⁽¹⁾

Give details of the precise activities of your company and all related companies (please list them and state the relationship to your company) involved in the production and/or selling (export and/or domestic) of the product under investigation. Such activities could include but are not limited to purchasing the product under investigation or producing it under sub-contracting arrangements, or processing or trading the product under investigation.

Company name and location	Activities	Relationship

4. OTHER INFORMATION

Please provide any other relevant information that you consider useful to assist the Commission in the selection of the sample.

5. CERTIFICATION

By providing the above information, your company agrees to its possible inclusion in the sample. If your company is selected to be part of the sample, this will involve completing a questionnaire and accepting a visit at its premises in order to verify its response. If your company indicates that it does not agree to its possible inclusion in the sample, it will be deemed not to have cooperated in the investigation. The Commission's findings for non-cooperating importers are based on the facts available and the result may be less favourable to that company than if it had cooperated.

Signature of authorised official:

Name and title of authorised official:

Date:

⁽¹⁾ In accordance with Article 127 of Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code, two persons shall be deemed to be related if: (a) they are officers or directors of the other person's business; (b) they are legally recognised partners in business; (c) they are employer and employee; (d) a third party 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 control a third person directly or indirectly; or (h) they are members of the same family (OJ L 343, 29.12.2015, p. 558). Persons shall be deemed to be members of the same family only if they stand in any of the following relationships to one another: (i) husband and wife, (ii) parent and child, (iii) brother and sister (whether by whole or half blood), (iv) grandparent and grandchild, (v) uncle or aunt and nephew or niece, (vi) parent-in-law and son-in-law or daughter-in-law, (vii) brother-in-law and sister-in-law. In accordance with Article 5(4) of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code, 'person' means a natural person, a legal person, and any association of persons which is not a legal person but which is recognised under Union or national law as having the capacity to perform legal acts (OJ L 269, 10.10.2013, p. 1).

Notice of initiation of an expiry review of the anti-dumping measures applicable to imports of wire rod originating in the People's Republic of China

(2020/C 342/04)

Following the publication of the Notice of impending expiry ⁽¹⁾ of the anti-dumping measures in force on imports of wire rod originating in the People's Republic of China ('the PRC', 'the country concerned'), the European Commission received a request for a review pursuant to Article 11(2) of 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 ⁽²⁾ ('the basic Regulation').

1. Request for review

The request was lodged on 14 July 2020 by the European Steel Association ('EUROFER'), ('the applicant'), representing around 60 % of the total Union production of wire rod.

An open version of the request and the analysis of the degree of support by Union producers for the request are available in the file for inspection by interested parties. Section 5.6 of this Notice provides information about access to the file for interested parties.

2. Product under review

The product subject to this review is 'bars and rods, hot-rolled, in irregularly wound coils, of iron, non-alloy steel or alloy steel other than of stainless steel originating in the PRC' (the product under review or wire rod), currently classified under CN codes 7213 10 00, 7213 20 00, 7213 91 10, 7213 91 20, 7213 91 41, 7213 91 49, 7213 91 70, 7213 91 90, 7213 99 10, 7213 99 90, 7227 10 00, 7227 20 00, 7227 90 10, 7227 90 50 and 7227 90 95.

3. Existing measures

The measures currently in force are definitive anti-dumping duties imposed by Commission Implementing Regulation (EU) 2015/1846 ⁽³⁾.

4. Grounds for the review

The request is based on the grounds that the expiry of the measures would be likely to result in recurrence of dumping and recurrence of injury to the Union industry.

4.1. Allegation of likelihood of recurrence of dumping

The applicant claimed that it is not appropriate to use domestic prices and costs in the PRC, due to the existence of significant distortions within the meaning of point (b) of Article 2(6a) of the basic Regulation.

To substantiate the allegations of significant distortions, the applicant relied on the information contained in the country report produced by the Commission services on 20 December 2017 describing the specific market circumstances in the PRC ⁽⁴⁾. In particular, the applicant referred to distortions affecting the steel sector, as steel is the main raw material to produce wire rod, and to chapters on general distortions of energy, land and labour. In addition, the applicant relied on publicly available information showing that wire rod prices in the PRC are significantly distorted through government intervention, in particular the 13th Five Year Plan, more specifically the 'Steel Industry Adjustment and Upgrading plan for

⁽¹⁾ Notice of the impending expiry of certain anti-dumping measures (OJ C 35, 3.2.2020, p. 3).

⁽²⁾ OJ L 176, 30.6.2016, p. 21, as last amended by (OJ L 143, 7.6.2018, p. 1).

⁽³⁾ Commission Implementing Regulation (EU) 2015/1846 of 14 October 2015 imposing a definitive anti-dumping duty on imports of wire rod originating in the People's Republic of China following an expiry review pursuant to Article 11(2) of Council Regulation (EC) No 1225/2009 (OJ L 268, 15.10.2015, p. 9).

⁽⁴⁾ Commission Staff Working Document, on Significant Distortions in the Economy of the People's Republic of China for the Purposes of Trade Defence Investigations, 20.12.2017, SWD (2017) 483 final/2, available at: http://trade.ec.europa.eu/doclib/docs/2017/december/tradoc_156474.pdf

2016-2020' for the steel sector, which aims at promotion and development of the steel industry as a favoured sector of the Chinese economy, and the Decision No. 40 of the State Council on promulgation and implementing the 'Temporary Provisions on Promoting the Industrial Structure Adjustment' that identifies the steel industry as a strategic, prioritized and encouraged industry.

As a result, in view of Article 2(6a)(a) of the basic Regulation, the allegation of recurrence of dumping is based on a comparison of a constructed normal value on the basis of costs of production and sale reflecting undistorted prices or benchmarks in an appropriate representative country, with the export price (at ex-works level) of the product under review from the PRC when sold for export to a number of third countries, in view of the current absence of significant import volumes from the PRC to the Union. On this basis the dumping margins calculated are significant for the PRC.

In light of the information available, the Commission considers that there is sufficient evidence pursuant to Article 5(9) of the basic Regulation tending to show that, due to significant distortions affecting prices and costs, the use of domestic prices and costs in the PRC is inappropriate, thus warranting the initiation of an investigation on the basis of Article 2(6a) of the basic Regulation.

The country report is available in the file for inspection by interested parties and on DG Trade's website ⁽⁵⁾.

4.2. *Allegation of likelihood of continuation or recurrence of injury*

The applicant alleges the likelihood of recurrence of injury caused by imports from the PRC. In this respect the applicant has provided sufficient evidence that, should measures be allowed to lapse, the current import level of the product under review from the country concerned to the Union is likely to increase. This is due to (i) the existence of unused capacity and the potential of the manufacturing facilities of the exporting producers in the PRC; (ii) the attractiveness of the Union market; and (iii) trade defence measures against imports of the product under review in force or in the process of being enforced in traditional markets other than the EU (inter alia the USA, Indonesia, India, Mexico, Australia).

The applicant finally alleges that the removal of injury has been mainly due to the existence of measures and that any recurrence of substantial imports at dumped prices from the country concerned would likely lead to a recurrence of injury to the Union industry should measures be allowed to lapse.

5. **Procedure**

Having determined, after consulting the Committee established by Article 15(1) of the basic Regulation, that sufficient evidence of a likelihood of dumping and injury exists to justify the initiation of an expiry review, the Commission hereby initiates a review in accordance with Article 11(2) of the basic Regulation.

The expiry review will determine whether the expiry of the measures would be likely to lead to a continuation or recurrence of dumping of the product under review originating in the country concerned and a continuation or recurrence of injury to the Union industry.

Regulation (EU) 2018/825 of the European Parliament and of the Council ⁽⁶⁾, which entered into force on 8 June 2018 (TDI Modernisation package), introduced significant changes to the timetable and deadlines previously applicable in anti-dumping proceedings. The time-limits for interested parties to come forward, in particular at the early stage of investigations, are shortened.

⁽⁵⁾ Documents cited in the country report may also be obtained upon a duly reasoned request.

⁽⁶⁾ Regulation (EU) 2018/825 of the European Parliament and of the Council of 30 May 2018 amending Regulation (EU) 2016/1036 on protection against dumped imports from countries not members of the European Union and Regulation (EU) 2016/1037 on protection against subsidised imports from countries not members of the European Union (OJ L 143, 7.6.2018, p. 1).

The Commission also draws the attention of the parties that further to the COVID-19 outbreak a Notice ⁽⁷⁾ has been published on the consequences of the COVID-19 outbreak on anti-dumping and anti-subsidy investigations that may be applicable to this proceeding.

5.1. ***Review investigation period and period considered***

The investigation of a continuation or recurrence of dumping will cover the period from 1 July 2019 to 30 June 2020 ('the review investigation period'). The examination of trends relevant for the assessment of the likelihood of a continuation or recurrence of injury will cover the period from 1 January 2017 to the end of the investigation period ('the period considered').

5.2. ***Comments on the request and the initiation of the investigation***

All interested parties are invited to make their views known on the inputs and the Harmonised System (HS) codes provided in the request ⁽⁸⁾ within 15 days of the date of publication of this Notice in the *Official Journal of the European Union* ⁽⁹⁾.

All interested parties wishing to comment on the request (including matters pertaining to injury and causality) or any aspects regarding the initiation of the investigation (including the degree of support for the requests) must do so within 37 days of the date of publication of this Notice.

Any request for a hearing with regard to the initiation of the investigation must be submitted within 15 days of the date of publication of this Notice.

5.3. ***Procedure for the determination of a likelihood of continuation or recurrence of dumping***

In an expiry review, the Commission examines exports that were made to the Union in the review investigation period and, irrespective of exports to the Union, considers whether the situation of the companies producing and selling the product under review in the country concerned is such that exports at dumped prices to the Union would be likely to continue or recur if measures expire.

Therefore, all producers ⁽¹⁰⁾ of the product under review from the country concerned, irrespective of whether or not they exported the product under review to the Union in the review investigation period, are invited to participate in the Commission investigation.

5.3.1. ***Investigating producers in the country concerned***

In view of the potentially large number of exporting producers in the country concerned involved in this expiry review and in order to complete the investigation within the statutory time limits, the Commission may limit the producers to be investigated to a reasonable number by selecting a sample (this process is also referred to as 'sampling'). The sampling will be carried out in accordance with Article 17 of the basic Regulation.

In order to enable the Commission to decide whether sampling is necessary, and if so, to select a sample, all producers, or representatives acting on their behalf, including the ones who did not cooperate in the investigation leading to the measures subject to this review, are hereby requested to provide the Commission with information on their companies within 7 days of the date of publication of this Notice. This information must be provided via TRON. tdi at the following address: <https://tron.trade.ec.europa.eu/tron/tdi/form/d5d76d09-1919-dcc9-f0fe-780a91e53bae>. Tron access information can be found in sections 5.6 and 5.9 below.

⁽⁷⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020XC0316%2802%29>

⁽⁸⁾ Information on HS codes is also provided in the executive summary of the review requests, which is available on DG Trade's website (<http://trade.ec.europa.eu/tdi/>).

⁽⁹⁾ All references to the publication of this Notice will be references to publication of this Notice in the *Official Journal of the European Union* unless otherwise specified.

⁽¹⁰⁾ A producer is any company in the countries concerned which produces the product under review, including any of its related companies involved in the production, domestic sales or exports of the product under review.

In order to obtain the information it deems necessary for the selection of the sample of producers in the country concerned, the Commission will also contact the authorities of the country concerned and may contact any known associations of producers in the country concerned.

If a sample is necessary, the producers will be selected based on the largest representative volume of production, sales or exports which can reasonably be investigated within the time available. All known producers in the country concerned, the authorities of the country concerned and associations of producers in the country concerned will be notified by the Commission, via the authorities of the country concerned if appropriate, of the companies selected to be in the sample.

Once the Commission has received the necessary information to select a sample of producers, it will inform the parties concerned of its decision whether they are included in the sample. The sampled producers will have to submit a completed questionnaire within 30 days from the date of notification of the decision of their inclusion in the sample, unless otherwise specified.

The Commission will add a note to the file for inspection by interested parties reflecting the sample selection. Any comment on the sample selection must be received within 3 days of the date of notification of the sample decision.

A copy of the questionnaire for producers in the country concerned is available in the file for inspection by interested parties and on DG Trade's website (https://trade.ec.europa.eu/tdi/case_details.cfm?id=2489).

Without prejudice to the possible application of Article 18 of the basic Regulation, companies that have agreed to their possible inclusion in the sample but are not selected to be in the sample will be considered to be cooperating ('non-sampled cooperating producers').

5.3.2. *Additional procedure with regard to the PRC*

Subject to the provisions of this Notice, all interested parties are hereby invited to make their views known, submit information and provide supporting evidence regarding the application of Article 2(6a) of the basic Regulation. Unless otherwise specified, this information and supporting evidence must reach the Commission within 37 days of the date of publication of this Notice.

Pursuant to point (e) of Article 2(6a), the Commission will, shortly after initiation, by means of a note to the file for inspection by interested parties, inform parties to the investigation about the relevant sources that it intends to use for the purpose of determining normal value in the PRC pursuant to Article 2(6a) of the basic Regulation. This will cover all sources, including the selection of an appropriate representative third country where appropriate. Parties to the investigation shall be given 10 days from the date at which that note is added to that file to submit comments.

The applicant suggested India as a possible representative country. With the aim of finally selecting the appropriate representative third country, the Commission will examine whether there are countries with a similar level of economic development as the PRC, in which there is production and sales of the product under review and in which relevant data are readily available. Where there is more than one such country, preference will be given, where appropriate, to countries with an adequate level of social and environmental protection.

With regard to the relevant sources, the Commission invites all producers in the PRC to provide information on the materials (raw and processed) and energy used in the production of the product under review within 15 days of the date of publication of this Notice. This information must be provided via TRON. tdi at the following address: <https://tron.trade.ec.europa.eu/tron/tdi/form/de515c60-6f00-dc86-c77a-4227759293f4>. Tron access information can be found in sections 5.6 and 5.9 below.

Furthermore, any submissions of factual information to value costs and prices pursuant to point (a) of Article 2(6a) of the basic Regulation must be filed within 65 days of the date of publication of this Notice. Such factual information should be taken exclusively from publicly available sources.

In order to obtain the information it deems necessary for its investigation with regard to the alleged significant distortions within the meaning of point (b) of Article 2(6a) of the basic Regulation, the Commission will also make available a questionnaire to the Government of the PRC.

5.3.3. Investigating unrelated importers ⁽¹¹⁾ ⁽¹²⁾

Unrelated importers of the product under review from the country concerned to the Union, including those that did not cooperate in the investigation(s) leading to the measures in force, are invited to participate in this investigation.

In view of the potentially large number of unrelated importers involved in this expiry review and in order to complete the investigation within the statutory time limits, the Commission may limit to a reasonable number the unrelated importers that will be investigated by selecting a sample (this process is also referred to as 'sampling'). The sampling will be carried out in accordance with Article 17 of the basic Regulation.

In order to enable the Commission to decide whether sampling is necessary and, if so, to select a sample, all unrelated importers, or representatives acting on their behalf, including the ones who did not cooperate in the investigation leading to the measures subject to the present review, are hereby requested to make themselves known to the Commission. These parties must do so within 7 days of the date of publication of this Notice by providing the Commission with the information on their company (ies) requested in the Annex to this Notice.

In order to obtain information it deems necessary for the selection of the sample of unrelated importers, the Commission may also contact any known associations of importers.

If a sample is necessary, the importers may be selected based on the largest representative volume of sales of the product under review from the country concerned in the Union which can reasonably be investigated within the time available. All known unrelated importers and associations of importers will be notified by the Commission of the companies selected to be in the sample.

The Commission will also add a note to the file for inspection by interested parties reflecting the sample selection. Any comment on the sample selection must be received within 3 days of the date of notification of the sample decision.

In order to obtain the information it deems necessary for its investigation, the Commission will make available questionnaires to the sampled unrelated importers. Those parties must submit a completed questionnaire within 30 days from the date of the notification of the sample selection, unless otherwise specified.

A copy of the questionnaire for unrelated importers is available in the file for inspection by interested parties and on DG Trade's website (https://trade.ec.europa.eu/tdi/case_details.cfm?id=2489).

5.4. Procedure for the determination of a likelihood of a continuation or recurrence of injury

In order to establish whether there is a likelihood of a continuation or recurrence of injury to the Union industry, the Union producers of the product under review are invited to participate in the Commission investigation.

5.4.1. Investigating Union producers

In view of the large number of Union producers involved in this expiry review and in order to complete the investigation within the statutory time limits, the Commission has decided to limit to a reasonable number the Union producers that will be investigated by selecting a sample (this process is also referred to as 'sampling'). The sampling is carried out in accordance with Article 17 of the basic Regulation.

⁽¹¹⁾ Only importers not related to producers in the countries concerned can be sampled. Importers that are related to producers have to fill in Annex I to the questionnaire for these exporting producers. In accordance with Article 127 of Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code, two persons shall be deemed to be related if: (a) they are officers or directors of the other person's business; (b) they are legally recognised partners in business; (c) they are employer and employee; (d) a third party 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 control a third person directly or indirectly; or (h) they are members of the same family (OJ L 343, 29.12.2015, p. 558). Persons shall be deemed to be members of the same family only if they stand in any of the following relationships to one another: (i) husband and wife, (ii) parent and child, (iii) brother and sister (whether by whole or half blood), (iv) grandparent and grandchild, (v) uncle or aunt and nephew or niece, (vi) parent-in-law and son-in-law or daughter-in-law, (vii) brother-in-law and sister-in-law. In accordance with Article 5(4) of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code, 'person' means a natural person, a legal person, and any association of persons which is not a legal person but which is recognised under Union or national law as having the capacity to perform legal acts (OJ L 269, 10.10.2013, p. 1).

⁽¹²⁾ The data provided by unrelated importers may also be used in relation to aspects of this investigation other than the determination of dumping.

The Commission has provisionally selected a sample of Union producers. Details can be found in the file for inspection by interested parties. Interested parties are hereby invited to comment on the provisional sample. In addition, other Union producers, or representatives acting on their behalf, that consider that there are reasons why they should be included in the sample must contact the Commission within 7 days of the date of publication of this Notice. All comments regarding the provisional sample must be received within 7 days of the date of publication of this Notice, unless otherwise specified.

All known Union producers and/or associations of Union producers will be notified by the Commission of the companies finally selected to be in the sample.

The sampled Union producers will have to submit a completed questionnaire within 30 days from the date of notification of the decision of their inclusion in the sample, unless otherwise specified.

A copy of the questionnaire for Union producers is available in the file for inspection by interested parties and on DG Trade's website (https://trade.ec.europa.eu/tdi/case_details.cfm?id=2489).

5.5. Procedure for the assessment of Union interest

Should the likelihood of continuation or recurrence of dumping and continuation or recurrence of injury be confirmed, a decision will be reached, pursuant to Article 21 of the basic Regulation, as to whether maintaining the anti-dumping measures would not be against the Union interest.

Union producers, importers and their representative associations, users and their representative associations, trade unions and representative consumer organisations are invited to provide the Commission with information on the Union interest. In order to participate in the investigation, the representative consumer organisations have to demonstrate that there is an objective link between their activities and the product under review.

Information concerning the assessment of Union interest must be provided within 37 days of the date of publication of this Notice, unless otherwise specified. This information may be provided either in a free format or by completing a questionnaire prepared by the Commission.

A copy of the questionnaires, including the questionnaire for users of the product under review, is available in the file for inspection by interested parties and on DG Trade's website (https://trade.ec.europa.eu/tdi/case_details.cfm?id=2489). In any case, information submitted pursuant to Article 21 will only be taken into account if supported by factual evidence at the time of submission.

5.6. Interested parties

In order to participate in the investigation, interested parties, such as producers in the country concerned, Union producers, importers and their representative associations, users and their representative associations, trade unions and representative consumer organisations first have to demonstrate that there is an objective link between their activities and the product under review.

Producers in the country concerned, Union producers, importers and representative associations who made information available in accordance to the procedures described in sections 5.2, 5.3 and 5.4 will be considered as interested parties if there is an objective link between their activities and the product under review.

Other parties will only be able to participate in the investigation as interested party from the moment they make themselves known, and provided that there is an objective link between their activities and the product under review. Being considered as an interested party is without prejudice to the application of Article 18 of the basic Regulation.

Access to the file available for inspection for interested parties is made via Tron.tdi at the following address: <https://tron.trade.ec.europa.eu/tron/TDI>. Please follow the instructions on that page to get access.

5.7. Other written submissions

Subject to the provisions of this Notice, all interested parties are hereby invited to make their views known, submit information and provide supporting evidence. Unless otherwise specified, this information and supporting evidence must reach the Commission within 37 days of the date of publication of this Notice.

5.8. *Possibility to be heard by the Commission investigation services*

All interested parties may request to be heard by the Commission investigation services. Any request to be heard must be made in writing and must specify the reasons for the request as well as a summary of what the interested party wishes to discuss during the hearing. The hearing will be limited to the issues set out by the interested parties in writing beforehand.

In principle, hearings will not be used to present factual information which is not yet on file. Nevertheless, in the interest of good administration and to enable Commission services to progress with the investigation, interested parties may be directed to provide new factual information after a hearing.

5.9. *Instructions for making written submissions and sending completed questionnaires and correspondence*

Information submitted to the Commission for the purpose of trade defence investigations shall 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 the Commission a) 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 rights of defence.

All written submissions, including the information requested in this Notice, completed questionnaires and correspondence provided by interested parties for which confidential treatment is requested shall be labelled '*Sensitive*'⁽¹³⁾. Parties submitting information in the course of this investigation are invited to reason their request for confidential treatment.

Interested parties providing '*Sensitive*' information are required to furnish non-confidential summaries of it pursuant to Article 19(2) of the basic Regulation, which will be labelled '*For inspection by interested parties*'. These summaries must be sufficiently detailed to permit a reasonable understanding of the substance of the information submitted in confidence. If a party providing confidential information fails to show good cause for a confidential treatment request or does not furnish a non-confidential summary of it in the requested format and quality, the Commission may disregard such information unless it can be satisfactorily demonstrated from appropriate sources that the information is correct.

Interested parties are invited to make all submissions and requests via TRON. tdi (<https://tron.trade.ec.europa.eu/tron/TDI>) including scanned powers of attorney and certification sheets. By using TRON. tdi or email, interested parties express their agreement with the rules applicable to electronic submissions contained in the document '*CORRESPONDENCE WITH THE EUROPEAN COMMISSION IN TRADE DEFENCE CASES*' published on the website of the Directorate-General for Trade: http://trade.ec.europa.eu/doclib/docs/2011/june/tradoc_148003.pdf. The interested parties must indicate their name, address, telephone and a valid email address and they should ensure that the provided email address is a functioning official business email which is checked on a daily basis. Once contact details are provided, the Commission will communicate with interested parties by TRON. tdi or email only, unless they explicitly request to receive all documents from the Commission by another means of communication or unless the nature of the document to be sent requires the use of a registered mail. For further rules and information concerning correspondence with the Commission including principles that apply to submissions via TRON. tdi and by email, interested parties should consult the communication instructions with interested parties referred to above.

Commission address for correspondence:

European Commission
Directorate-General for Trade
Directorate H
Office: CHAR 04/039
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

TRON. tdi: <https://tron.trade.ec.europa.eu/tron/tdi>

Email addresses:

TRADE-R725-WIREROD-DUMPING@ec.europa.eu

TRADE-R725-WIREROD-INJURY@ec.europa.eu

⁽¹³⁾ A '*Sensitive*' document is a document which is considered confidential pursuant to Article 19 of the basic Regulation and Article 6 of the WTO Agreement on Implementation of Article VI of the GATT 1994 (Anti-Dumping Agreement). It is also a document protected pursuant to Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council (OJ L 145, 31.5.2001, p. 43).

6. **Schedule of the investigation**

The investigation shall normally be concluded within 12 months and in any event no later than 15 months from the date of the publication of this Notice, pursuant to Article 11(5) of the basic Regulation.

7. **Submission of information**

As a rule, interested parties may only submit information in the timeframes specified in section 5 of this Notice.

In order to complete the investigation within the mandatory deadlines, the Commission will not accept submissions from interested parties after the deadline to provide comments on the final disclosure or, if applicable, after the deadline to provide comments on the additional final disclosure.

8. **Possibility to comment on other parties' submissions**

In order to guarantee the rights of defence, interested parties should have the possibility to comment on information submitted by other interested parties. When doing so, interested parties may only address issues raised in the other interested parties' submissions and may not raise new issues.

Comments on the information provided by other interested parties in reaction to the disclosure of the definitive findings should be submitted within 5 days from the deadline to comment on the definitive findings, unless otherwise specified. If there is an additional final disclosure, comments filed by other interested parties in reaction to this further disclosure should be made within 1 day from the deadline to comment on this further disclosure, unless otherwise specified.

The outlined timeframe is without prejudice to the Commission's right to request additional information from interested parties in duly justified cases.

9. **Extension to time limits specified in this Notice**

Extensions to time-limits provided for in this Notice may be granted upon request of interested parties showing due cause.

Any extension to the time-limits provided for in this Notice should only be requested in exceptional circumstances and will only be granted if duly justified. In any event, any extension to the deadline to reply to questionnaires will be limited normally to 3 days, and as a rule will not exceed 7 days. Regarding time limits for the submission of other information specified in the Notice of Initiation, extensions will be limited to 3 days unless exceptional circumstances are demonstrated.

10. **Non-cooperation**

In cases where any interested party refuses access to or does not provide the necessary information within the time limits, or significantly impedes the investigation, findings, affirmative or negative, may be made on the basis of facts available, in accordance with Article 18 of the basic Regulation.

Where it is found that any interested party has supplied false or misleading information, the information may be disregarded and use may be made of facts available.

If an interested party does not cooperate or cooperates only partially and findings are therefore based on facts available in accordance with Article 18 of the basic Regulation, the result may be less favourable to that party than if it had cooperated.

Failure to give a computerised response shall not be deemed to constitute non-cooperation, provided that the interested party shows that presenting the response as requested would result in an unreasonable extra burden or unreasonable additional cost. The interested party should immediately contact the Commission.

11. **Hearing Officer**

Interested parties may request the intervention of the Hearing Officer for trade proceedings. The Hearing Officer reviews requests for access to the file, disputes regarding the confidentiality of documents, requests for extension of time limits and any other request concerning the rights of defence of interested parties and third parties as may arise during the proceeding.

The Hearing Officer may organise hearings and mediate between the interested party/-ies and Commissions services to ensure that the interested parties' rights of defence are being fully exercised. A request for a hearing with the Hearing Officer should be made in writing and should specify the reasons for the request. The Hearing Officer will examine the reasons for the requests. These hearings should only take place if the issues have not been settled with the Commission services in due course.

Any request must be submitted in good time and expeditiously so as not to jeopardise the orderly conduct of proceedings. To that effect, interested parties should request the intervention of the Hearing Officer at the earliest possible time following the occurrence of the event justifying such intervention. Where hearing requests are submitted outside the relevant timeframes, the Hearing Officer will also examine the reasons for such late requests, the nature of the issues raised and the impact of those issues on the rights of defence, having due regard to the interests of good administration and the timely completion of the investigation.

For further information and contact details interested parties may consult the Hearing Officer's web pages on DG Trade's website: <http://ec.europa.eu/trade/trade-policy-and-you/contacts/hearing-officer/>.

12. Possibility to request a review under Article 11(3) of the basic Regulation

As this expiry review is initiated in accordance with the provisions of Article 11(2) of the basic Regulation, the findings thereof will not lead to the existing measures being amended but will lead to those measures being repealed or maintained in accordance with Article 11(6) of the basic Regulation.

If any interested party considers that a review of the measures is warranted so as to allow for the possibility to amend the measures, that party may request a review pursuant to Article 11(3) of the basic Regulation.

Parties wishing to request such a review, which would be carried out independently of the expiry review mentioned in this Notice, may contact the Commission at the address given above.

13. Processing of personal data

Any personal data collected in this investigation will be treated in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council ⁽¹⁴⁾.

A data protection notice that informs all individuals of the processing of personal data in the framework of Commission's trade defence activities is available on DG Trade's website: <http://ec.europa.eu/trade/policy/accessing-markets/trade-defence/>.

⁽¹⁴⁾ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

ANNEX

<input type="checkbox"/>	Sensitive version
<input type="checkbox"/>	Version 'For inspection by interested parties'
(tick the appropriate box)	

**ANTI-DUMPING PROCEEDING CONCERNING IMPORTS OF WIRE ROD ORIGINATING IN THE PEOPLE'S
REPUBLIC OF CHINA**

INFORMATION FOR THE SELECTION OF THE SAMPLE OF UNRELATED IMPORTERS

This form is designed to assist unrelated importers in responding to the request for sampling information made in point 5.3.3 of the Notice of Initiation.

Both the 'Sensitive' version and the version 'For inspection by interested parties' should be returned to the Commission as set out in the Notice of Initiation.

1. IDENTITY AND CONTACT DETAILS

Supply the following details about your company:

Company name	
Address	
Contact person	
Email address	
Telephone	
Fax	

2. TURNOVER AND SALES VOLUME

Indicate the total turnover in euros (EUR) of the company, and the turnover and weight for imports into the Union and resales on the Union market after importation from the PRC, during the review investigation period, 1 July 2019 to 30 June 2020 of wire rod as defined in the Notice of Initiation and the corresponding weight. State the unit of weight used.

	Tonnes	Value in euros (EUR)
Total turnover of your company in euros (EUR)		
Imports of the product under review into the Union		
Resales on the Union market after importation from the People's Republic of China of the product under review		

3. ACTIVITIES OF YOUR COMPANY AND RELATED COMPANIES ⁽¹⁾

Give details of the precise activities of the company and all related companies (please list them and state the relationship to your company) involved in the production and/or selling (export and/or domestic) of the product under review. Such activities could include but are not limited to purchasing the product under review or producing it under sub-contracting arrangements, or processing or trading the product under review.

Company name and location	Activities	Relationship

4. OTHER INFORMATION

Please provide any other relevant information, which the company considers useful to assist the Commission in the selection of the sample.

5. CERTIFICATION

By providing the above information, the company agrees to its possible inclusion in the sample. If the company is selected to be part of the sample, this will involve completing a questionnaire and accepting a visit at its premises in order to verify its response. If the company indicates that it does not agree to its possible inclusion in the sample, it will be deemed not to have cooperated in the investigation. The Commission's findings for non-cooperating importers are based on the facts available and the result may be less favourable to that company than if it had cooperated.

Signature of authorised official:

Name and title of authorised official:

Date:

⁽¹⁾ In accordance with Article 127 of Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code, two persons shall be deemed to be related if: (a) they are officers or directors of the other person's business; (b) they are legally recognised partners in business; (c) they are employer and employee; (d) a third party 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 control a third person directly or indirectly; or (h) they are members of the same family (OJ L 343, 29.12.2015, p. 558). Persons shall be deemed to be members of the same family only if they stand in any of the following relationships to one another: (i) husband and wife, (ii) parent and child, (iii) brother and sister (whether by whole or half blood), (iv) grandparent and grandchild, (v) uncle or aunt and nephew or niece, (vi) parent-in-law and son-in-law or daughter-in-law, (vii) brother-in-law and sister-in-law. In accordance with Article 5(4) of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code, 'person' means a natural person, a legal person, and any association of persons which is not a legal person but which is recognised under Union or national law as having the capacity to perform legal acts (OJ L 269, 10.10.2013, p. 1).

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.9954 — Sumitomo/AAR/JV)

Candidate case for simplified procedure

(Text with EEA relevance)

(2020/C 342/05)

1. On 6 October 2020, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾.

This notification concerns the following undertakings:

- Sumitomo Corporation ('Sumitomo', Japan),
- AAR CORP. ('AAR', USA),
- AAR Sumisho Aviation Services LLC (the 'JV', USA).

Sumitomo and AAR acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of the JV.

The concentration is accomplished by way of purchase of shares in a newly created company constituting a joint venture.

2. The business activities of the undertakings concerned are:

- for Sumitomo: a trading and investment company active in various sectors, such as the trading of metal products, transportation and construction of systems, environment and infrastructure, media, network and lifestyle related products, mineral resources, energy, chemicals and electronics.
- for AAR: a diversified provider of products and services to worldwide aviation, government and defence markets through its two business segments: (i) Aviation Services; and (ii) Expeditionary Services.
- for the JV: The joint venture will distribute aircraft parts and offer aviation logistics management solutions to the Japanese defense market, and distribute parts from Original Equipment Manufacturers based in Japan to the global aviation aftermarket.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved.

Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under the Council Regulation (EC) No 139/2004 ⁽²⁾ it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. The following reference should always be specified:

M.9954 — Sumitomo/AAR/JV

⁽¹⁾ OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').

⁽²⁾ OJ C 366, 14.12.2013, p. 5.

Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:

Email: COMP-MERGER-REGISTRY@ec.europa.eu

Fax +32 22964301

Postal address:

European Commission
Directorate-General for Competition
Merger Registry
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

Prior notification of a concentration
(Case M.9861 — Unilabs/Medbase/JV)
Candidate case for simplified procedure

(Text with EEA relevance)

(2020/C 342/06)

1. On 6 October 2020, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾.

This notification concerns the following undertakings:

- Unilabs Holding AB (“Unilabs”, Sweden),
- Medbase AG (“Medbase”, Switzerland)

Unilabs and Medbase acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of a newly created company constituting a joint venture (“the JV”).

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- for Unilabs: provision of bio-medical testing services, medical imaging services, reproductive medicine services and drug development services in a number of European countries,
- for Medbase: provision of medical and therapeutic services exclusively in Switzerland,
- the JV: provision of medical laboratory diagnostics services exclusively in Switzerland and predominantly in Eastern Switzerland.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved.

Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under the Council Regulation (EC) No 139/2004 ⁽²⁾ it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. The following reference should always be specified:

M.9861 — Unilabs/Medbase/JV

Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:

Email: COMP-MERGER-REGISTRY@ec.europa.eu

Fax +32 22964301

Postal address:

European Commission
Directorate-General for Competition
Merger Registry
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

⁽¹⁾ OJ L 24, 29.1.2004, p. 1 (the ‘Merger Regulation’).

⁽²⁾ OJ C 366, 14.12.2013, p. 5.

ISSN 1977-091X (electronic edition)
ISSN 1725-2423 (paper edition)



Publications Office
of the European Union
L-2985 Luxembourg
LUXEMBOURG

EN