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

**ANTI-DUMPING QUESTIONNAIRE FOR UNRELATED EU IMPORTERS**

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| **Company name:** |  |
| ☐ **SENSITIVE VERSION** | ☐ **VERSION OPEN FOR CONSULTATION (\*)** |
| **two versions of your reply to this questionnaire need to be submitted: a sensitive version and a version open for consultation by interested parties (tick appropriate box above)** | |
| * **Intended for** | Importers not related to exporting producers of hardwood plywood into the European Union |
| * **Country(ies) concerned** | People’s Republic of China |
| * **Product under investigation** | Hardwood plywood |
| * **Investigation period (IP)** | 1 July 2023 – 30 June 2024 |
| * **Statutory reference** | Article 5 of Regulation (EU) No 2016/1036 of the European Parliament and the Council (OJ L 176 of 30.6.2016, p. 21. |
| * **Regulatory reference** | Notice of initiation, Official Journal of the European Union  <https://tron.trade.ec.europa.eu/investigations/case-view?caseId=2753> |
| * **Case number** | **AD 717** |
| * **Deadline for response to the questionnaire** | 30 days from the date of notification of the decision of the inclusion of your company in the sample |
| * **Address for communication** | European Commission  Directorate General for Trade  Directorate G3, CHAR – office 04/039  B-1049 Brussels, BELGIUM |
| * **Case related email** | TRADE-AD717-PLYWOOD-INJURY@ec.europa.eu |

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

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| The undersigned certifies that all information supplied in response to the questionnaire is complete and correct to the best of his/her knowledge and belief and understands that the information submitted may be subject to audit and verification by the European Commission.  **IF THE SUBMISSION IS SENSITIVE**: On behalf of the interested party for which I make this sensitive submission, I certify that that interested party has provided the privacy statement [found on http://ec.europa.eu/trade/policy/accessing-markets/trade-defence/](file:///\\NET1.cec.eu.int\homes\077\valeren\Desktop\Sherpa%20April%2021'%20(templ%20provs%20and%20couple%20Qs)\Templ.175_Questionnaire%20EU%20importers_070421\Templ.175_Questionnaire%20EU%20importers_070421\found%20on%20http:\ec.europa.eu\trade\policy\accessing-markets\trade-defence\) to all individuals whose personal data it provides in this submission to the European Commission.  **IF THE SUBMISSION IS OPEN FOR CONSULTATION BY INTERESTED PARTIES**: On behalf of the interested party for which I make this non-confidential submission, I certify that that interested party:   * has provided the privacy statement [found on http://ec.europa.eu/trade/policy/accessing-markets/trade-defence/](file://NET1.cec.eu.int/homes/077/milevml/Desktop/EU%20Importers/found%20on%20http:/ec.europa.eu/trade/policy/accessing-markets/trade-defence/) to all individuals whose personal data it provides in this submission to the European Commission; * has informed all individuals, whose personal data it provides in this submission to the European Commission, that it has included their personal data in the non-confidential version of documents, which will be open to other interested parties in this specific trade defence proceeding (as ‘open file’), under the condition that those other interested parties process all personal data in the open file solely:  1. for the purpose of the establishment, exercise or defence of legal claims in relation to this particular trade defence proceeding, and 2. pursuant to Regulation (EU) 2018/1725: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32018R1725&from=EN>   \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Date Signature of authorised official  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Company name and stamp Name and title of authorised official |

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| INTRODUCTION |

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

The questionnaire is to be submitted electronically.

When answering the questionnaire, please read all the instructions carefully. It is in your own interest to reply as accurately and completely as possible and to attach supporting documents. You may supplement your response with additional data. This information can only be in addition to the specific responses to questions addressed in this questionnaire. Do not leave any question or section blank. If a question does not apply to your company, please explain clearly why this is the case. If the answer to the question is "zero", "no", “none” or "not applicable", then write "zero", "no", “none” or "not applicable".

The European Commission may carry out **on-the-spot visits** to examine the records of your company and to verify the information provided in this questionnaire.

You should be aware that your reply to the questionnaire will constitute the body of information on the basis of which preliminary or final findings will be made with regard to your company. In this respect, it is essential that your reply to the questionnaire and any significant correction to it are submitted within the time limit provided on page 1, as a considerable amount of preparatory work and analysis of replies has to be carried out prior to verification visits.

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

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

Please do not hesitate to contact the European Commission officials in charge using the case related email indicated on the cover page of this questionnaire with any questions you may have regarding your responses to the questions, any difficulties in completing the questionnaire or to see whether a timely and duly motivated request for an extension of the deadline on page 1 can be accommodated in the framework of the current investigation. General information about trade defence processes (general overview, steps, etc.) is available on the website <https://policy.trade.ec.europa.eu/enforcement-and-protection/trade-defence_en>

All correspondence with the Commission must refer to the **Registration Number** of the proceeding indicated on page 1.

**Some general instructions:**

1. Answer questions in the order presented in the questionnaire. Listed information and tables should conform to the requested formats and should be clearly labelled. If you encounter difficulties with this you should contact the officials in charge to find an acceptable solution. If there is insufficient space in any Section of the questionnaire to provide the details asked for, you should attach Annexes indicating clearly to which Section they relate.
2. It is imperative that all worksheets used in preparing the response to the questionnaire, in particular those linking the information supplied with management and accounting records, be retained for inspection during a possible on-the-spot verification by the European Commission.
3. To facilitate verification, please identify sources and specify where the source documents are kept. During the verification you should be prepared to substantiate all information you submitted. **For every part of the response the European Commission should be able to trace it back to regular company documents in the ordinary course of business.**
4. All documents and source material submitted in response to this questionnaire **must be in one of the official languages of the EU and accompanied preferably by an English translation.**
5. Detailed questions about your corporate structure are included in Section A of the questionnaire. For the purpose of completing this questionnaire, natural persons or legal persons (i.e. companies) should be deemed to be related if they fulfil the definition of related companies in the glossary of Annex I.
6. **Related companies that import and sell in the EU the product under investigation, or** **finished products using or incorporating the product under investigation, should complete this questionnaire as well. However, in cases where you use a large number of related companies that import and sell in the EU the product under investigation, or a finished product incorporating the product under investigation, to independent buyers you may limit your reply, following a relevant request to the officials in charge and the Commission's approval, to one or several companies representing a major proportion of your imports and sales in the EU.**
7. Unless otherwise specified, replies should relate to the investigation period ('IP') as defined on page 1 of this questionnaire**.**
8. Please note that any reference to the "country(ies) concerned", or the "country(ies) of origin" is to the country(ies) concerned as stated on page 1 of this questionnaire.
9. Members of the European Union are listed in the glossary in Annex I. Questions referring to the ‘European Union’, ‘EU’, ‘Union’ or ‘Total Union’ should include **all** these Member States.
10. If you intend to have another party acting on your behalf e.g. a law firm or an accountancy or consultancy firm, **please ensure that the European Commission receives a scanned copy of the original power of attorney.**
11. Where appropriate, certain information and supporting evidence may be given on a confidential (“sensitive”) basis in the version of your response marked "Sensitive" (see top of page 1). Sensitive information, i.e. business secrets etc., will not be made available to any other interested party. However, **a version of your response open for consultation by interested parties must be provided within the time limit specified in accordance with Article 19 of the basic Regulation**. Where a meaningful summary is not provided, and where the information is susceptible of such summary, the information submitted may be disregarded. The open versions of all responses submitted by parties to the Commission services are available to all interested parties, including your company, for consultation upon appointment with the officials in charge. Please see Annex II for guidelines to make the non-sensitive version of the questionnaire.
12. 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 a) the Commission to use the information and data for the purpose of this trade defence proceeding and b) to provide the information and/or data to interested parties to this investigation in a form that allows them to exercise their right of defence.** Interested parties are invited to fill in the annexed form (Annex III) attesting that the information submitted is free from copyrights or that they have obtained the above mentioned permission before submitting it. Interested parties shall contact the Commission for any doubts about the handling of copyrighted information.

**Data protection instructions**

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

**Guidelines to answer the excel tables of the questionnaire:**

* The questionnaire and the excel file are attached to the cover letter email. The excel file includes numbered sheets which correspond to the numbered tables in the questionnaire.
* Before you start entering the information in the excel sheet, you have to fill in all red areas in the tables. Use the same currency and volume that are used in your accounts.
* The dark blue areas that you will find in the excel sheets contain formulas and should not be changed.
* Identify clearly all units of measurement and currencies used in tables, lists and calculations. You are requested to apply measurements consistently throughout your questionnaire response. Where we request quantities in specific units you must report in those units.
* For the purpose of replying to this questionnaire you should use the amounts in your accounting currency as booked in your accounting records. For amounts not booked in your accounting records, or where a conversion is needed, the average exchange rates provided should be used.
* **It is essential to the investigation that information be submitted electronically in an accessible format.** You should submit your questionnaire reply via TRON.tdi at <https://webgate.ec.europa.eu/tron/tdi>

Access to TRON.tdi is through your EU Login account. If you do not have an EU Login account then full instructions are available here:

<https://webgate.ec.europa.eu/tron/resources/documents/gettingStarted.pdf>. You will need to register to get access to TRON.tdi.

* The data files should not contain any separators, links, spaces, etc., between individual records. A lack of computerised response may be considered as non-co-operation unless the interested party shows that presenting the response as requested would result in an unreasonable extra burden or unreasonable additional cost. If you feel that you cannot present the responses as requested, please contact the case team on the email address on page 1.

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| SECTION A - GENERAL INFORMATION |

## A - 1. Identity and Communication

Supply the details requested in Table A.1.

## A - 2. Legal Representative

In case you appointed a legal representative to assist you in this proceeding, please provide the details requested in Table A.2 and submit a scanned copy of the original power of attorney.

## A - 3. Shareholders & Additional corporate information

Complete Table A.3: list the names of the principal shareholders (who owned more than 5% of the shares during the investigation period) of your company as shown and indicate the percentage share-holding and the activities of these shareholders.

With respect to the product under investigation:

1. Supply a diagram outlining the internal hierarchical and organisational structure of your company. The diagram should show all units involved in the sales and distribution of the product under investigation in the EU and export markets. Indicate clearly the role of your company.

2. Outline your company’s corporate structure and affiliations, including parent companies, subsidiaries or other related companies which are involved with the product under investigation in the EU and export markets. For this purpose you may supply a chart.

3. State how your company can be defined:

importer - trader - broker - agent - other (specify).

4. Indicate whether your company itself labels and/or packs the purchased products, whether it uses a specialised company for labelling and/or packaging as a subcontractor or whether the product is sold as such.

5. If your company has, in respect to the product under investigation, contractual links with other companies, legal or natural persons, located in the European Union or in third countries, concerning production, imports, exports and sales, report the existence of these contractual links and keep available copies for possible inspection.

## A - 4. Range of products

1. Provide a **list of all main categories of products produced and/or traded** by your company. If the products fall into distinct product groups, indicate these groups, as well as the main products belonging to those groups.

2. In case you **use** the product under investigation in products manufactured and/or traded by your company, please provide a list of all types of these products. Indicate the relevance of the product under investigation in the finished product (relative value in finished product).

## A - 5. Accounting system and policies

*Please note that if you limit your reply to a number of companies representing a major proportion of your imports and sales in the EU, you are requested to provide the relevant information in this section only for these companies.*

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

## A - 6. Turnover

Please complete Table A.6, corresponding with and in the currency of your financial report.

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| SECTION B - PRODUCT UNDER INVESTIGATION |

## B.1 Scope of the Investigation

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

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

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

## B.2 Product comparability

Please comment on the comparability of the product under investigation imported from the country(ies) concerned with that produced in the Union, identifying any differences (e.g. technical or physical characteristics, prices, uses, etc.). Where possible this comparison should be provided in Table B.2.

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

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| SECTION C - INFORMATION RELATING TO PURCHASES |

## C.1 Transaction-by-transaction (T-by-T) list

Please kindly note that the Commission may request if considered necessary in the course of the investigation an Excel table reporting all purchases of the product concerned intended for consumption in the Union.

In case of the above, a supplementary questionnaire will be addressed to you with the relevant tables and guidelines.

## C. 2 Summaries

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

1. Purchases of the product under investigation – volume (in tonnes and M³): State the total of all purchases made by your company of the product under investigation as requested in Table C.2.1.
2. Purchases of the product under investigation – value: State the net CIF value at Union frontier (or ex-works value if of Union origin) after deduction of all discounts and rebates in Table C.2.2. If the invoiced price is prior to CIF Union frontier level, please indicate costs incurred by you for transport and/or ocean freight and insurance to the Union frontier.
3. Development of purchase prices: Please fill in Table C.2.3.

**C.3 Significant transactions**

For the ten largest transactions concerning the product concerned bought from the country(ies) concerned and sold in the European Union, please fill in Table C.3 and provide copies of the relevant invoices, and of the relevant customs documents.

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| SECTION D - TOTAL SALES OF THE PRODUCT UNDER INVESTIGATION |

**D.1. Sales of the product under investigation to unrelated customers**

State the total quantity (in tonnes and M³) and value of all sales (net, free of all taxes, after all discounts) made by your company of the product under investigation to unrelated customers in Tables D.1.1 and D.1.2.

All the worksheets used for completing these tables should be kept available for inspection in order to facilitate the reconciliation of these figures with your financial and management accounts.

**D.2.** **Sales of finished products using or incorporating the product under investigation (IF APPLICABLE)**

State the total quantity (in tonnes and M³) and value of these sales (net, free of all taxes, after all discounts) in Tables D.2.1 and D.2.2.

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| SECTION E - DISTRIBUTION NETWORK AND SELLING PRICES |

## E.1 Distribution system and sales channels of the product under investigation

Explain your company’s distribution network in the European Union and describe the different sales channels up to the first independent customer.

Describe the difference in these sales channels and fill in the table E.1 in the excel file (please note that the information concerns only sales to the first unrelated party). State in what way sales through the different sales channels affect the sales price of your company.

Refer to the Member State(s) where these clients are situated, their importance in terms of turnover and the standard terms of sale for each category of customers (such as delivery and payment conditions, transport costs, packaging costs, direct and deferred discounts, commissions paid, etc.).

## E.2. Prices of the product under investigation sold by your company in the EU

Please provide all the most relevant **price lists used for the IP and the last calendar year or financial year preceding the IP.** Explain how they are used when negotiating individual sales contracts.

In the event price lists are not used, explain on which basis prices are fixed. If this implies the use of standard documents, please provide us with a copy of these documents.

If prices are based on contracts please explain the contract negotiation process and provide full documentation **for the most important customers**, which together represent at least 30% of your company's sales on the Union market.

Provide full documentation (from sales contract to final payment) **on three sales transactions**, selected at random, to independent customers in different distribution channels within the Union. Attach order forms, transport documents, credit contracts, bank statements, etc.

Indicate the nature of and the amount of payments made to any third parties related to sales (e.g. royalties, commissions, distribution or advertising costs, etc.). Mention the way they are taken into account in the sales prices.

**E.3. Additional costs**

Please comment upon the costs your company incurs between importation (Union frontier) of the product under investigation and the arrival at your warehouse and estimate the incidence of those costs either as a percentage of the purchase price or as a fixed amount per tonne and M³ of the product under investigation from the country(ies) concerned. Fill in table E.3 accordingly.

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| SECTION F – EMPLOYMENT |

Provide the average number of people employed by your company in the European Union in Table F.

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| SECTION G - PROFIT / LOSS SITUATION |

Please fill in Table G the profitability of your sales of the product under investigation and the product under investigation from the country(ies) concerned in the European Union.

Then please explain in short how the supporting data that was used to fill in each cell was compiled, namely the absolute amount of profit/loss.

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

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

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

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

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| SECTION H - CAUSALITY |

Please mention and elaborate any causes other than the imports of the product under investigation from the country(ies) concerned which may have contributed to the alleged injury suffered by the Union Industry.

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| SECTION I - OTHER QUESTIONS |

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

**Please note that:**

* **If you form part of a group of companies you may indicate information referring either to the group or to your specific company. Please kindly clarify the above in your relevant replies.**
* **If you feel you have insufficient knowledge to reply, please state 'insufficient knowledge'.**
* **If your company/group of companies is a retailer please note that you do not need to list your five main customers**

1. Please indicate whether your company would be in favour of the imposition of anti-dumping measures or against.
2. What is your estimated share of the Union market of the product under investigation? If you sell the product under investigation outside the European Union, please indicate the countries and your estimated market share as shown in Table I.1.
3. Customers - Please name your five main customers for the product under investigation (within and outside the Union) and fill in Table I.2.
4. Suppliers - Please name your five main suppliers of the product under investigation (within and outside the Union) and fill in Table I.3.
5. Please describe the relevant market(s) for the purpose of this investigation in which you operate by answering to the following questions:

* What is the degree of concentration in your sector (number of companies operating) and the level of vertical integration (in particular where the product under investigation is used or incorporated into your products)?
* Who are your main competitors, whether EU companies or not, on the EU market and on the export markets? Please name them and indicate their estimated market shares and price levels.
* Which are the elements that determine competition in your sector (i.e. prices, delivery times, service etc.)? To your best knowledge, please indicate and substantiate how your competitors source the product under investigation and how such supply channels affect their cost structure (e.g. if applicable, discuss the relevance and potential impact of the vertical integration of your competitors which source the product under investigation internally for their downstream operation).
* What has been the evolution in the past three years of trade volumes from third countries?
* Has some external factor (trade arrangements, currency fluctuations, anticompetitive conduct of input suppliers etc.) influenced the evolution of prices, market shares or other elements of your market in the past three years? Please explain and substantiate. Have there been cases of past anti-competitive conduct related to the product under investigation – if so please indicate the companies involved, the type of illicit behaviour and provide references to the corresponding decisions by the relevant competition authorities.
* Are there products that could be easily substitute the product under investigation? Please explain.
* What is the possibility for your company to switch to other sources of supply for the product under investigation? Is, according to your knowledge, your situation in relation to sourcing the product under investigation substantially different to that of your competitors?
* Do the producers/exporters of the country(ies) concerned have any comparative advantage in comparison with the Union producers? Please substantiate your comments by giving some examples.
* Please comment on what would happen on the market if anti-dumping duties are imposed on the imports of the product under investigation from the country(ies) concerned. In particular, elaborate on what would be the effects on interested parties (named below) and what are the factors likely to accelerate or delay the adjustment to the new situation. Please note that in case of a new investigation initiated on the basis of article 5 of the basic Regulation where the Notice of Initiation specifies that the investigation covers raw material distortions in accordance with Article 7(2a) of the basic Regulation, your comments should also consider the instance where measures are imposed at the level of the dumping margin.

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

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

*In both cases special consideration should be given to the following factors:*

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

6. Union interest test

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

6.1. Spare capacities in the country(ies) concerned

Please provide the information below

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

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

6.2. Competition for raw materials

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

6.3. Supply chain

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

6.4. Other elements

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

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| Annex I - GLOSSARY |

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

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

**Annual working unit/AWU**: staff headcount should be expressed in annual work units (AWU). Anyone who worked full-time within an enterprise, or on its behalf, during the entire reference year counts as one unit. Part-time staff, seasonal workers and those who did not work the full year should be treated as fractions of one unit.

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

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

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

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

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

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

**Export price:** The export price is the price actually paid or payable for the product concerned when sold for export to the European Union, or to other countries.

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

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

**Member states:** Please refer to country / currency codes

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

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

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

**Own brand manufacturer (OBM):** This manufacturer produces a product and sells it under its own brand name.

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

## Related companies: Persons shall be deemed to be related only if:

## they are officers or directors of one another’s businesses

## they are legally recognised partners in business

## they are employer and employee

## any person directly or indirectly owns, controls or holds 5% or more of the outstanding voting stock or shares of both of them, or

## one of them directly or indirectly controls the other, or

## both of them are directly or indirectly controlled by a third person, or

## together they directly or indirectly control a third person.

## they are members of the same family

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

The SG & A is part of the total cost:

+ cost of materials

+ cost of direct labour

+ cost of manufacturing overheads

= cost of production

+ SG & A expenses

= Total cost

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

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| ANNEX II - version open for consultation |

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

In order to assist you in completing the questionnaire version open for consultation by interested parties, we advise you to proceed as follows:

1. Use the completed “sensitive” questionnaire response as a basis. Identify all information in the sensitive response which you consider is not sensitive and **copy** it to the version open for consultation.

2. After this***,*** check once more whether the information you did not copy to the file for consultation is really sensitive. If you still consider it to be confidential, you must give the reasonswhy, item by item and summarise the sensitive information in a form which is suitable for consultation by interested parties. If, in exceptional circumstances,it is not possible to even summarise the sensitive information, give reasons why summarisation is not possible.

3. Please refer to the general rules on confidential vs non confidential information.

**Examples on how to summarise "sensitive" information**

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

Example of sensitive information:

|  |  |  |
| --- | --- | --- |
| 2015 | 2016 | 2017 |
| 20.000 EUR | 30.000 EUR | 40.000 EUR |

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

|  |  |  |
| --- | --- | --- |
| 2015 | 2016 | 2017 |
| 100 | 150 | 200 |

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

Example of sensitive figure:

"My cost of production is EUR 300 per tonne."

The summary for consultation could be as follows:

"My cost of production is EUR 330 per tonne" (+ footnote saying: "actual numbers have been amended by a margin of maximum + 10% to protect confidentiality").

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

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

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

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| ANNEX III – declaration on copyright |

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

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

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

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

**a) Permission obtained:**

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

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

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

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

**b) Permission not obtained:**

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

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