



<b>COMPLETE THIS PART</b>  <i>( tick box as appropriate and enter company name)</i>	<input type="checkbox"/> <b>LIMITED VERSION (*)</b>
	<input type="checkbox"/> <b>VERSION OPEN FOR CONSULTATION</b>
<b>COMPANY NAME:</b>	

## ANTI-DUMPING QUESTIONNAIRE

• <b>Intended for:</b>	Users not related to exporting producers of <b>(prod. in question)</b> in the European Union
• <b>Country(ies) concerned</b>	<b>(country(ies) concerned)</b>
• <b>Product under investigation:</b>	<b>(prod. in question)</b>
• <b>Product concerned:</b>	<b>(prod. in question)</b> originating in <b>(country(ies) concerned)</b>
• <b>Investigation period (IP):</b>	<b>(date)</b> to <b>(date)</b>
• <b>Statutory reference:</b>	Article 5 of Council Regulation (EC) No 1225/2009 (OJ L 343 of 22.12.2009, p. 51)
• <b>Regulatory reference:</b>	Notice of initiation, Official Journal of the European Union C <b>xxx</b> of <b>date</b>
• <b>Internal registration number:</b>	AD <b>xxx</b>
• <b>Deadline for response to the questionnaire:</b>	<b>Date</b>

**Officials in charge:**

	HEAD OF SECTION:	CASE HANDLERS	
<b>Name:</b>			
<b>Tel.:</b>			
<b>e-mail:</b>			

**Address:**

European Commission  
Directorate General for Trade - Directorate H  
B-1049 Brussels, BELGIUM

**PLEASE NOTE THAT THIS QUESTIONNAIRE HAS TO BE COMPLETED TWICE, ONCE AS A LIMITED VERSION AND ONCE AS A VERSION OPEN FOR CONSULTATION BY INTERESTED PARTIES**

(\*) Please note that confidential information falls under the term 'limited' according to the internal rules of the European Commission. Hence, only documents labelled 'limited' are considered confidential documents pursuant to Article 19 of Council Regulation (EC) No 1225/2009 (OJ L 343 of 22.12.2009, p.51) and Article 6 of the WTO Agreement on Implementation of Article VI of the GATT 1994 (Anti-dumping Agreement). Documents, which do not contain this label, are considered to be non-confidential documents pursuant to these provisions. **Therefore, any replies which contain confidential information must be labelled 'Limited'.**

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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.

Before completing the questionnaire you are requested to carefully review the covering letter and all the instructions therein.

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 is submitted within the time limits provided for this purpose, 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 Council Regulation (EC) No 1225/2009 of 30 November 2009 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 named 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 in the website <http://ec.europa.eu/trade/tackling-unfair-trade/trade-defence/>

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 subsequent inspection during the 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. It is essential to the investigation that information be submitted in a way that can be utilised by the Commission, so preferably on a computer media in accordance with the formats set out in Section I. 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 information as requested, please contact the officials in charge forthwith.
6. 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:

- (a) they are officers or directors of one another's businesses;
  - (b) they are legally recognised partners in business;
  - (c) they are employer and employee;
  - (d) any persons directly or indirectly owns, controls or holds 5% or more of the outstanding voting stock or shares of both of them;
  - (e) one of them directly or indirectly controls the other;
  - (f) both of them are directly or indirectly controlled by a third person;
  - (g) together they directly or indirectly control a third person; or
  - (h) they are members of the same family.
7. **Related companies in the EU that are users of the product under investigation should complete this questionnaire as well. However, in cases where there exists a large number of such related companies you may limit your reply, following a relevant**

**request to the officials in charge and the Commission's approval, to one or several companies representing a major proportion of that share of your activities in the European Union.**

8. 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.
9. 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.**
10. Unless otherwise specified, replies should relate to the investigation period ('IP') as defined on page 1 of this questionnaire.
11. 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.
12. Members of the European Union are Austria, Belgium, Bulgaria, Croatia, Cyprus, The Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxemburg, Malta, The Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and The United Kingdom. Questions referring to the 'European Union', 'EU', 'Union' or 'Total Union' should include **all** these Member States.
13. 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 properly documented original power of attorney.**
14. The main tables and data files requested in this questionnaire are also available on an enclosed CD-R. These tables and data files are in Excel format.
15. You are expected to submit on CD-R an electronic version of the questionnaire including its annexes and all data. However, the "Certification" should also be provided in hard copy.
16. Where appropriate, certain information and supporting evidence may be given on a confidential ("limited") basis in the version of your response marked "Limited" (see top of page 1). Limited 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 Council Regulation (EC) No 1225/2009. 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.

## SECTION A - GENERAL INFORMATION

### **A - 1. Identity and Communication**

Supply the following details of your company:

Name:

Legal form:

Address:

Telephone:

Telefax:

E-mail:

Website:

and indicate the names of the persons to contact and their functions within the company.

### **A - 2. Legal Representative**

In case you appointed a legal representative to assist you in this proceeding provide the following details and submit the original power of attorney:

Name of legal representative:

Address:

Telephone:

Telefax:

E-mail:

### **A - 3. Corporate information**

1. Indicate the legal form of your company.
2. Complete the sheet "Shareholders" of the computer file. 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:**

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

4. 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.
5. State how your company can be defined and explain why:  
  
downstream industry - user - other (specify).
6. Indicate whether your company has, in respect to the product under investigation, contractual links with other companies, legal or natural persons, located in the European Union or in third countries, concerning production, imports, exports and sales report the existence of these contractual links and keep available copies for possible inspection.

#### **A - 4. Range of products**

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

#### **A - 5. Accounting system and policies**

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

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

## A - 6. Turnover

Please complete the table below, corresponding with and in the currency of your financial report.

Table A.6: Turnover (specify currency)

	Last calendar or financial year ending within the IP <sup>1</sup>	IP
Total company turnover (all products)		
Turnover of product/s using/incorporating the product under investigation ( <b>IF APPLICABLE</b> )		

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<sup>1</sup> If last calendar year coincides with the IP, complete with data for the previous calendar year.



## SECTION B - PRODUCT CONCERNED

### B.1 Scope of the Investigation

The product covered by this proceeding is [ENTER DESCRIPTION] ('**the product under investigation**'). The product described and which is covered by this proceeding currently falls within CN codes [ENTER CODES].

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

Any reference to **product under investigation** in this questionnaire refers to the above product description.

It is obvious that all products corresponding to the above product description, regardless of the CN code under which they might be imported, are covered by this proceeding and have to be reported in the relevant section of this questionnaire.

### B.2 Product specifications

In order to ensure a fair comparison between prices of the imports from [ENTER COUNTRY/COUNTRIES] (hereinafter the '**the country concerned**') and prices charged and costs incurred by the Union producers, the Commission intends to classify the product concerned into different categories.

The product has been categorised according to a Product Control Number (PCN) (see table below).

[ENTER TABLE]

**Example of a PCN:** [ENTER EXAMPLE]

The product control number will be used to compare prices of imports from the country concerned and prices charged by Union producers. Please contact the official in charge should you have any questions on the application of product control numbers.

### B.3 Product comparability

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

**Table B.3.**

Type <sup>2</sup> imported and/ or used by your company	Type manufactured by the EU producers	Characteristics of the imported product and differences with the EU product	Average Price of the imported product <sup>3</sup>

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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<sup>2</sup> State the exact type denomination. This should correspond to the denomination of the product or the commercial reference in your company's internal records such as sales invoices, product specification sheets, price lists etc.

<sup>3</sup> Please specify currency and unit

## SECTION C - INFORMATION RELATING TO PURCHASES

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

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

State the total [ENTER UNIT MEASUREMENT] of all purchases made by your company of the product under investigation in the following format:

*Table C.1: Volume of purchases*

Purchase volume ( ENTER UNIT OF MEASUREMENT)	Last calendar or financial year ending within the IP	IP
Originating in the EU		
Originating in country/countries concerned <sup>4</sup>		
Originating in other countries <sup>5</sup> – please specify		
TOTAL PURCHASE VOLUME		

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

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

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<sup>4</sup> Separate for each country under investigation.

<sup>5</sup> Specify the countries.

Table C.2: Value of purchases (specify currency)

<b>Purchase value</b>	<b>Last calendar or financial year ending within the IP</b>	<b>IP</b>
Originating in the EU		
Originating in country/countries concerned <sup>6</sup>		
Originating in other countries <sup>7</sup>		
<b>TOTAL PURCHASE VALUE</b>		

**Development of purchase prices**

Table C.3: Purchase prices (in <currency> per <volume unit>)

<b>Average purchase price</b>	<b>Last calendar or financial year ending within the IP</b>	<b>IP</b>
Originating in the EU		
Originating in country/countries concerned <sup>8</sup>		
Originating in other countries		
<b>TOTAL AVERAGE PURCHASE PRICE</b>		

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<sup>6</sup> Separate for each country under investigation.

<sup>7</sup> Specify the countries.

<sup>8</sup> Separate for each country under investigation.

**SECTION D - INFORMATION RELATING TO SALES**

State the total quantity and value of **all sales of finished products using or incorporating the product under investigation** made by your company to **unrelated customers** in the following worksheets. All the worksheets used for completing the tables below should be kept available for inspection in order to facilitate the reconciliation of these figures with your financial and management accounts.

**Table D.1: Volume**

Volume in <volume unit>	<b>Last calendar or financial year ending within the IP</b>	IP
<b>All Products</b> <i>- sales inside EU</i> <i>- sales outside EU</i>	  	  
<b>Products using/incorporating the product under investigation originating in the EU</b> <i>- sales inside EU</i> <i>- sales outside EU</i>	  	  
<b>Products using/incorporating the product under investigation originating in the country/countries concerned<sup>9</sup></b> <i>- sales inside EU</i> <i>- sales outside EU</i>	  	  
<b>Products using/incorporating the product under investigation originating in other countries<sup>10</sup></b> <i>- sales inside EU</i> <i>- sales outside EU</i>	  	  

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<sup>9</sup> Indicate origin

<sup>10</sup> Indicate origin

**Table D.2: Value**

Value <sup>11</sup>	Last calendar or financial year ending within the IP	IP
<b>All Products</b> - sales inside EU - sales outside EU	..... .....	..... .....
<b>Products using/incorporating the product under investigation originating in the EU</b> - sales inside EU - sales outside EU	..... .....	..... .....
<b>Products using/incorporating the product under investigation originating in the country/countries concerned<sup>12</sup></b> - sales inside EU - sales outside EU	..... .....	..... .....
<b>Products using/incorporating the product under investigation originating in other countries<sup>13</sup></b> - sales inside EU - sales outside EU	..... .....	..... .....

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<sup>11</sup> Net, free of all taxes, after all discounts. Indicate currency.

<sup>12</sup> Indicate origin

<sup>13</sup> Indicate origin

**SECTION E - INFORMATION RELATING TO COSTS**

**E.1 Cost of raw material**

Please provide the cost of raw material for each of your products that incorporate the product under investigation.

<b>Your product name:</b>	<b>Last calendar or financial year ending within the IP</b>	<b>IP</b>
Raw material costs for the product in question		
Other raw materials		
Total costs for raw material		

**E.2. Total costs & employees**

Please provide the total cost for each of your products that use or incorporate the product under investigation. Please also provide the number of employees involved in the production of your product.

<b>Your product name:</b>	<b>Last calendar or financial year ending within the IP</b>	<b>IP</b>
Total costs for raw material (as above)		
Labour costs		
Indirect costs, Overheads		
Full Costs		
Quantity produced – please specify unit of measurement		
Number of employees		

## SECTION F - PROFIT / LOSS SITUATION

This section refers to the profitability of your sales related to the product under investigation in the European Union.

*Table F.1: Profitability*

Profit/loss in % of turnover	Last calendar or financial year ending within the IP	IP
Total company		
Total for the product/s using/incorporating the product under investigation		

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



## **SECTION G - CAUSALITY**

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

## SECTION H- OTHER QUESTIONS

As mentioned in the Notice of Initiation, the purpose of this section is to collect further information as to whether imposing anti-dumping duties would be in the interest of the Union and how any measure adopted would affect interested parties of the product under investigation. It should be noted that the information submitted under this point can only be taken into account if supported by the deemed necessary factual evidence at the time of its submission.

**Please note that:**

- (1) If you form part of a group of companies you may indicate information referring either to the group or to your specific company. Please kindly clarify the above in your relevant replies.**
- (2) If you feel you have insufficient knowledge to reply, please state 'insufficient knowledge'.**

- I. Please indicate whether your company would be in favour of the imposition of anti-dumping measures or against.
- II. What is your estimated share of the Union market of the products using/incorporating the product under investigation? If you sell the products using/incorporating the product under investigation outside the European Union, please indicate the countries and your estimated market share.

Country	Market share

- III. Customers - Please name your five main customers for the products using/incorporating the product under investigation (within and outside the EU):

NAME	Sales value (indicate currency)
1)	
2)	
3)	
4)	
5)	

IV. Suppliers - Please name your five main suppliers of the product under investigation (within and outside the EU):

NAME	Volume of purchase (indicate unit of measurement)	Value of purchase (indicate currency)
1)		
2)		
3)		
4)		
5)		

V. Please describe the relevant market(s) for the purpose of this investigation in which you operate by answering to the following questions:

- (1) What is the degree of concentration in your sector (number of companies operating)?
- (2) Who are your four main competitors on the EU market and on the export markets?
- (3) What are their price levels?
- (4) Which are the elements that determine competition in your sector (i.e. prices, delivery times, service ...)? Please substantiate.
- (5) What has been the evolution in the past three years of trade volumes from third countries?
- (6) Has some external factor (trade arrangements, currency fluctuation, etc.) influenced the evolution of prices in your market in the past three years? Please explain and substantiate.
- (7) Are there products that could be easily substituted for the product under investigation? Please explain.
- (8) What is the possibility for your company to switch to other sources of supply for the product under investigation?
- (9) Do the producers/exporters of the country concerned have any comparative advantage in comparison with the Union producers? Please substantiate your comments by giving some examples.
- (10) Please comment on what would happen on the market if anti-dumping duties are imposed on the imports under consideration, in particular: what would be the effects on interested parties, what are the factors likely to accelerate or delay the adjustment to the new situation **[OR: Please comment on what would happen on the market if anti-dumping duties are repealed/maintained on the imports under consideration]**.

*The interested parties concerned by this proceeding would 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

## SECTION I - COMPUTERISED INFORMATION REQUIRED

**This section explains how to submit an electronic version of the questionnaire, including its annexes and all data, on CD-R.** In case your company is not in a position to submit the requested computerised data, your attention is drawn to the introduction of the questionnaire (see point 5).

### **I- 1. General instructions**

1. Information should be exploitable by the Commission, thus preferably on a CD-R under Microsoft Windows, or under another operating system whose CD-R is fully compatible therewith.

#### **2. Formats of the data files: Excel**

The Excel files should be saved into an EXCEL 2003 compatible format. The files should not contain any separators, links, spaces etc. between individual records.

Formulas used in the Excel spreadsheets should not be deleted from the CD-Rs provided to the Commission services.

#### **Additional information**

In the case that the reporting company needs some additional columns, these columns have to be clearly described in the narrative part of its submission.

#### **Accounting, Exporting and Invoice Currency**

The reporting company has to follow strictly the requirements concerning the currency to be used (see Table INFORMATION in Section I – 2).

#### **Other format**

If you wish to submit information in another format, you must contact the Commission and get its agreement. Otherwise, data submitted in another format may be disregarded.

Please ensure that the submitted data does not contain any viruses. Be aware that submission of data containing a virus may be considered a deficiency which significantly impedes the investigation in accordance with Article 18(1) of Council Regulation (EC) No 1225/2009.

### **I - 2. Files to be submitted on the CD-R mentioned in I - 1**

Sheet Name	Sheet/tab n°	Table Name
Tables A	1	Corporate information
	2	Legal information
	3	Main shareholders
	6	Turnover
Table B	3	Product comparability
Tables C	1	C.1 Purchase volume
	2	C.2 Purchase value

	3	C.3 Average purchase price
Tables D	1	D.1 Sales volume
	2	D.2 Sales value
Tables E	1	E.1 Cost of raw material
	2	E.2 Total costs & employees
Table F	1	F.1 Profitability
Table H	1	Market share
	2	Customers
	3	Suppliers

**FOR ALL THESE TABLES YOU WILL FIND ENCLOSED A CD-R IN VERSION EXCEL FOR WINDOWS**

**You are reminded that you are expected to submit an electronic version of the questionnaire, including its annexes and all data on CD-R.**

## CERTIFICATION

The undersigned certifies that all information herein supplied in response to the questionnaire is complete and correct to the best of his knowledge and belief and understands that the information submitted may be subject to audit and verification by the European Commission.

Internal registration number (see page 1):

Company name:

LIMITED VERSION (\*)

VERSION OPEN FOR CONSULTATION

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of authorised official

\_\_\_\_\_  
Company stamp

\_\_\_\_\_  
Name and title of authorised official

## 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**

In light of the Commission Recommendation 2003/361/EC regarding the SME definition, the 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 also decides whether to terminate proceedings, to accept undertakings and to impose provisional duties. For the imposition of definitive duties the Commission makes a proposal to the Council of Ministers for decision.

## **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**

<b>Country</b>	<b>Code</b>	<b>Currency</b>
Austria	AT	EUR
Belgium	BE	EUR
Bulgaria	BG	BGN
Croatia	HR	HRK
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	LVL
Lithuania	LT	LTL
Luxembourg	LU	EUR
Malta	MT	EUR
Netherlands	NL	EUR
Poland	PL	PLN
Portugal	PT	EUR

Romania	RO	RON
Slovakia	SK	EUR
Slovenia	SI	EUR
Spain	ES	EUR
Sweden	SE	SEK
United Kingdom	UK	GBP

### **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 party (company)**

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

- (a) they are officers or directors of one another's businesses;
- (b) they are legally recognised partners in business;
- (c) they are employer and employee;
- (d) any persons directly or indirectly owns, controls or holds 5% or more of the outstanding voting stock or shares of both of them;
- (e) one of them directly or indirectly controls the other;
- (f) both of them are directly or indirectly controlled by a third person;
- (g) together they directly or indirectly control a third person; or
- (h) they are members of the same family.

**Selling, general and administrative expenses (SG & A) [production company]**

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.

**ANNEX I - 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 "limited" questionnaire response as a basis. Identify all information in the limited response which you consider is not limited 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 limited. If you still consider it to be confidential, you must give the reasons why, item by item and summarise the limited information in a form which is suitable for consultation by interested parties. If, in exceptional circumstances, it is not possible to even summarise the limited 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 "limited" information**

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

Example of limited information:

2006	2007	2008
20.000 EUR	30.000 EUR	40.000 EUR

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

2006	2007	2008
100	150	200

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

Example of limited 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  $\pm$  10% to protect confidentiality").

- ◆ When the limited 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.