

20/05/2021

NOTICE
on the application of definitive anti-dumping measures on imports into Ukraine of swing-out devices (mechanisms) for window and balcony door units originating in the Republic of Turkey

According to the Law of Ukraine "On protection of domestic producers from dumped imports" (hereinafter - the Law) on the complaint of the limited liability company "AXOR INDUSTRY" (hereinafter - the applicant) by the decision of the Interdepartmental Commission on International Trade (hereinafter - the Commission) from 21.02.2020 № AD -439/2020/4411-03, an anti-dumping investigation was initiated into the import to Ukraine of swing-out devices (mechanisms) for window and balcony door blocks originating in the Republic of Turkey (hereinafter - the investigation).

The specified decision of the Commission established the object of investigation as having the following description:

swing-out devices (mechanisms) for window and balcony door blocks (hereinafter - the Goods), classified in accordance with UKTZED code 8302 41 50 10.

Country of origin Goods: Republic of Turkey.

Research period: 01.01.2017 - 31.12.2019

Investigation period: 01/01/2019 - 31/12/2019

In accordance with the Law, the Commission considered the report and materials on the results of the investigation submitted by the Ministry of Development of Economy, Trade and Agriculture of Ukraine (hereinafter - the Ministry of Economy) and established the following:

the applicant is a proper national producer within the meaning of the provisions of paragraph 16 of Article 1 of the Law, as his share in the total production of the Goods in Ukraine during the investigation period was more than 50%;

Goods produced by a national producer, in the sense of the provisions of paragraph 26 of Article 1 of the Law, are similar to the Goods under investigation;

the presence during the investigation period of dumped imports into Ukraine of Goods originating in the Republic of Turkey;

the dumping margin was calculated by comparing the export price with the normal value equated to the same trading conditions. A positive conclusion was made on the validity of the method on the basis of which the dumping margin was determined;

During the study period there was a deterioration in a number of financial and economic indicators of the domestic producer, in particular, decreased domestic sales by 12.9%, decreased the level of profitability from domestic sales by 47.1%, increased balances by 15,958.3%, deteriorated financial result from sales on the domestic market by 54.4%, etc. At the same time, there is a possibility of a significant increase in dumped imports of goods originating in the Republic of Turkey, which threatens to cause significant damage to the domestic producer;

availability of significant export potential in the Republic of Turkey;

dumped imports into Ukraine of Goods originating in the Republic of Turkey were carried out at prices that were lower than the selling prices and the cost of similar Goods of the national producer in the domestic market of Ukraine;

other factors did not have a decisive influence on the state of the national producer;

the existence of a causal link between the dumped imports into Ukraine of the Goods originating in the Republic of Turkey and causing harm to the domestic producer;

Ukraine's national interests require the application of definitive anti-dumping measures.

The main facts and conclusions based on the results of the investigation were sent to all interested parties of the investigation by the Ministry of Economy.

The comments of the interested parties did not contain sufficiently substantiated and substantiated arguments and facts that could change the conclusions reached regarding the existence of dumping, injury to the domestic producer and the causal link between them.

Taking into account the above and guided by the provisions of Article 16 of the Law, the Commission adopted a decision of 23 April 2021 № AD-490/2021 / 4411-03 "On the application of definitive anti-dumping measures on imports into Ukraine of swing-out devices (mechanisms) for window and balcony door blocks originating in the Republic of Turkey ", according to which it decided to apply definitive anti-dumping measures on imports into Ukraine of goods having the following description:

Fasteners, fittings and similar articles (other than window and / or balcony door handles with key and / or without key), of base metal, for use in windows and / or balcony door blocks with rotary and hinged mortar, classified according to with **UKTZED code 8302.41.50.10 originating in the Republic of Turkey.**

The definitive anti-dumping measures shall be applied **for a period of five years** by imposing a definitive **anti-dumping duty at the rate of:**

- for the exporting producer "**İleri Pencere Kapi Sistemleri Sanayi ve Ticaret Anonim Şirketi**" (Ataturk Industrial Zone, 72 Hakki İleri Street, Arnavutköy District, Istanbul, Turkey) (Atatürk San. Bölgesi Hakle i. 72 Arnavutköy, Istanbul, Turkey Republic) – **30,78%**;

- for **Vorne Pencere Kapi Sistemleri Pazarlama Dis Ticaret Anonim Sirketi** (Hadimkoy Mah. Dr. Mithat Marti Cad. No: 23) (Hadimkoy Mah. Dr. Mithat Marti Cad. No: 23) / 2 34555 Arnavutköy, Istanbul, Turkey Republic) - exporter of goods manufactured by "İleri Pencere Kapi Sistemleri Sanayi ve Ticaret Anonim Sirketi" – **30,78%**;

- for other producers and exporters of goods originating in the Republic of Turkey – 35,10%.

The final anti-dumping duty is levied as a percentage of the customs value of the goods.

Payment of the final anti-dumping duty shall be made in cash or non-cash form, or by depositing the amount of the duty on the deposit, or by drawing up a corresponding debt obligation, unless otherwise provided by the legislation of Ukraine.

The final anti-dumping duty is levied by the customs authorities of Ukraine regardless of the payment of other taxes and fees (mandatory payments).

The application of definitive anti-dumping measures should not create obstacles to the customs clearance of goods.

Import into the customs territory of Ukraine of goods subject to anti-dumping measures without a certificate of origin or other documents on the origin of goods specified in international free trade agreements, the binding nature of which was approved by the Verkhovna Rada of Ukraine, and in case of impossibility to determine its origin is subject to the payment of a definitive anti-dumping duty at the highest rate.

The Commission Decision of 23 April 2021 № AD-490/2021/4411-03 shall enter into force 30 days after the date of publication of this notice.

Interdepartmental Commission on International Trade