



Delhi Regional anti-dumping workshop for Asian investigating authorities

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Questionnaire, information gathering and verification

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Introduction

Two main factors:

Quality: questionnaire replies are the main source of information

Time: relatively short/complexity



1. Questionnaires

Who receives a questionnaire?

- *Exporting producers (sampling?)*
- *EU producers (sampling?)*
- *Importers, Users (Public interest test)*

1. Questionnaires

What do we ask in the questionnaire?

different objectives:

- *Exporter -> domestic/export price, COP*
- *EU producers -> Situation of industry, injury calculation*
- *Importers/users -> impact of measure, public interest*

1. Questionnaires

Procedural aspects

- *Standard but adapted to cases (product)*
- *Specific format (word/excel/OASIS)*
- *Deadlines and extensions*
- *1 single questionnaire (+deficiency)*
- *Reply in EN, certified by company*
- *Confidential, non-confidential version*



2. Verifications

Two main factors:

Quality: questionnaire replies are the main source of information

Time: relatively short/complexity

There are 5 “types” of verification visits:

- Exporting producers (incl. traders and agents)
- Related importers
- Unrelated importers and users
- Union producers
- Official bodies (mainly to authorities in exporting country)

The nature of the information to be verified varies amongst the different types. Questionnaires are therefore adapted to the different circumstances.

Objectives

To verify the information

To check the facts

To collect evidence

NOT *to hold a hearing or discussion with the company
and/or lawyer*

Pre-verification aspects

- *Get familiar with the case and the product concerned*
- *Read and analyse the reply immediately*
- *Make a preliminary assessment/calculation*
- *Request for further information*
- *Identify critical areas of the reply*
- *Compare replies from different companies*
- *Send a “pre-verification letter” to the company*

The on-spot visit

Some important elements:

- *timing*
- *team composition*
- *opening speech, agenda, mention non-cooperation*
- *ask if there are any corrections made to the reply*
- *copy of evidence*
- *taking good notes*
- *in case of non-cooperation: no decision but inform*
- *at the end of the visit, mention problems identified*



Thank you.



Standing and definition of the domestic industry

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2 different objectives

Standing = acceptability of the complaint (ADA Art 5.4)

Definition of the industry = domestic producers examined for injury assessment (5ADA Art 4)



1. Standing

First test: complaint/individual producers

Second test: standing questionnaires

- All known producers
- Favour/oppose/Neutral
- Company specific info
(producer?/Relationship/production/sampling)
- File open for consultation

2. Definition of the industry

EU producer of the like produce as a whole

Potential exclusion:

- *related to exporters or importers, **or***
- *importers of the dumped products, **and***
- *which have been excluded from the injury investigation (exclusion not automatic)*



Practically:

Analysis based on the situation of

- > all of them cooperate (reasonable number)
- > some of them/sampling: micro & macro indicators

All are verified

3. Potential challenges

(i) Change of composition

Possible but rare since producers as a whole are analysed

Addition/removal possible: adjustments as soon as possible; provisional stage (verification), final stage (disclosure)

(ii) Fragmented industries: exceptional



Thank you.