



European
Commission

Sampling

**D. Spatharis, Head of Unit DG
Trade, Trade Defence Directorate**

Art. 17(1) BR – 6.10 ADA

In cases where the number of complainants, exporters or importers, types of product or transactions is large, the investigation may be limited to a reasonable number of parties, products or transactions by using samples which are statistically valid on the basis of information available at the time of the selection, or to the largest representative volume of production, sales or exports which can reasonably be investigated within the time available.

Sampling: Basic principles

- ***How?***

- The largest representative volume of production, sales or exports which can reasonably be investigated within the time available

- ***What?***

- Exporters
- EU Producers
- Importers
- Producers in analogue country
- Product types and transactions (almost never used!)

Sampling: Exporters

1. Selection criteria

Largest representative EU exports (also taking into account domestic sales)

2. Procedure

1) Before Publication of NoI

- list of exporters in the complaint
- "Note Verbale": list of exporting producers, asking authorities of the exporting country to check for completeness of the list + request contact details of others

Sampling: Exporters

2) Day of publication of NoI

- Send out letters/emails with a copy of the NoI to all known exporters and associations of exporters
- Refer explicitly to the sampling aspect and specific questions in the NoI drawing attention to the 15 day deadline for submitting Annex A (sampling information)
- Note Verbale (NV 2) with a copy of the NoI

Sampling: Exporters

- **NoI – Sampling form - Annex A**

- Contact details
- Turnover in local currency; volumes sold (product concerned) to the EU during the IP for each of the 28 Member States separately and in total
- Turnover in local currency and the volume of the like product sold on the domestic market during the IP,
- Corporate structure and details of company activities worldwide with regard to the product concerned
- any other relevant information that would assist the Commission in the selection of the sample

Sampling: Exporters

3) Selection procedure

- Receipt of sampling replies (annex A)
- propose sample by export volume to the EU during IP
- Inform all parties and invite comments + NV
- Confirm final sample to interested parties + NV
- Questionnaires to sampled companies

Copies of all correspondence on sampling available in the non-confidential file

Sampling: Exporters

3. Investigation results

- Individual duty rate for sampled companies
- Average of the sample for non selected companies
- Residual duty for non-cooperators

Application of lesser duty rule for each category

Sampling: EU producers

1. Selection criteria

- The largest representative volume (production/sales)
- Geographical spread in the EU
- SMEs
- Product segmentation

2. Procedure

- 1) Before Publication of NoI:** Pre-selection of proposed sample

Sampling: EU producers

2) Day of publication of NoI

- Note in the non-confidential file presenting the sample and explaining the methodology of selection
- NOI invites parties to comment
- Other parties may still come forward

3) Selection procedure

- Receipt of comments on pre-selected sample
- Final decision on sample/confirmation
- Questionnaires to sampled companies

Sampling: EU producers

3. Investigation results

- Injury assessment – macro indicators – at the level of the overall EU Industry (sales, production, capacity, market shares, .. etc)
- Injury assessment – micro indicators – at the level of the sample (profitability indicators, prices, undercutting)

Sampling: Importers

- Same procedural deadlines as Exporters
- Based on sales volume of product concerned on the EU market
- Make sure that importers are unrelated
- Post-importation costs, profit, Union interest test