

Measures

Types of trade defence measures

Duties

Anti-dumping investigations may result in anti-dumping duties to offset injurious dumping. The duties are imposed when the products in question are imported from the non-EU country(ies).

The rate of duty for each case is based on the dumping margin, unless a lower rate would remove the injury («lesser-duty rule»).

In regard to anti-dumping duties, the EU may choose to impose one or more of three basic forms:

- ad valorem duty – a percentage of the net, free-at-EU frontier (CIF) price. This is the most common form of duty.
- specific duty – a fixed value for a certain amount of goods, e.g. €100 per tonne of a product
- variable duty – a minimum import price (MIP). Importers in the EU do not pay an anti-dumping duty if the foreign exporter's export price to the EU is higher than the MIP.

Upon request from individual exporters, a company-specific price undertaking may also be accepted. This is a commitment by an exporter to respect minimum import prices (MIPs). This commitment is not meant to fix prices at specific levels, rather to prevent them from falling below a certain floor price. To avoid any restriction of fair competition, the content of such undertakings is not made public.

Price undertakings are governed by Article 8 of the basic anti-dumping Regulation (which draws on Article 8 of the WTO anti-dumping Agreement).

Once the Commission accepts an undertaking, the company's products are exempt from anti-dumping duties that would otherwise be charged when they are entered for free circulation.

Price undertakings are closely monitored by the Commission.

Special rules for developing countries are contained in Article 15 of the WTO Anti-dumping agreement and for EU candidate countries in the Essen Declaration.