

EXECUTIVE SUMMARY

of the interim review request filed by the Ukrainian producer, Interpipe, for the purposes of initiating an interim review of the anti-dumping measures applicable to imports of certain seamless tubes and pipes in accordance with Article 11(3) of the Basic Anti-dumping Regulation

1. Product subject to the existing anti-dumping measures in the EU

The product under review is certain seamless pipes and tubes of iron or steel, of circular cross-section, of an external diameter not exceeding 406,4 mm with a Carbon Equivalent Value (CEV) not exceeding 0,86 according to the International Institute of Welding (IIW) formula and chemical analysis, currently falling within CN codes ex 7304 11 00, ex 7304 19 10, ex 7304 19 30, ex 7304 22 00, ex 7304 23 00, ex 7304 24 00, ex 7304 29 10, ex 7304 29 30, ex 7304 31 80, ex 7304 39 58, ex 7304 39 92, ex 7304 39 93, ex 7304 51 89, ex 7304 59 92 and ex 7304 59 93 (TARIC codes 7304 11 00 10, 7304 19 10 20, 7304 19 30 20, 7304 22 00 20, 7304 23 00 20, 7304 24 00 20, 7304 29 10 20, 7304 29 30 20, 7304 31 80 30, 7304 39 58 30, 7304 39 92 30, 7304 39 93 20, 7304 51 89 30, 7304 59 92 30 and 7304 59 93 20) and originating in Ukraine (“the product concerned”).”

The product concerned is used in a wide variety of applications, like transport of gas and liquids, in the construction business for piling, for mechanical uses, gas tubes, boiler tubes as well as oil and country tubular goods (OCTG) for drilling, casing and tubing for the oil industry.

The product concerned takes very different forms at the time of their delivery to the users. They can be e.g. galvanised, threaded, delivered as green tubes (i.e. without any heat treatment), with special ends, different cross-sections, cut to size or not. There are no generalised standard sizes for the tubes, which explains why most of the types of product concerned are made upon customers’ orders. The product concerned is normally connected by welding. However, in particular cases they can be connected by their thread or be used alone, although they remain weldable.

2. Summary of the case

Imports of seamless pipes and tubes of iron or steel originating in, *inter alia*, Ukraine are presently subject to anti-dumping measures imposed by Council Regulation (EC) No 954/2006 of 27 June 2006.¹ An individual anti-dumping duty for Interpipe Group of companies (hereinafter referred to as “Interpipe”) was originally set at 25.1%. Following the judgments of the General Court and of the Court of Justice of the EU²

¹ Regulation (EC) No 954/2006, OJ L 175/4, 29.6.2006.

² Judgment of the General Court of 10 March 2009 in case T-249/06; Judgment of the Court of Justice of 16 February 2012 in Joined Cases C-191/09 P and C-200/09 P.

concerning the unwarranted adjustments to the export price for commission of Interpipe when sales took place through an intermediary, the anti-dumping duty of Interpipe was corrected to 17.7%. Following a request for an interim review lodged by Interpipe and the subsequent interim review investigation carried out by the European Commission, the definitive anti-dumping duty for Interpipe was reduced to 13.8%.³

The measures currently in force are a definitive anti-dumping duty imposed by Council Implementing Regulation (EU) No 585/2012, as amended by Implementing Regulations (EU) No 795/2012 and (EU) No 1269/2012.

3. Grounds for the review

The request pursuant to Article 11(3) was based on sufficient evidence, provided by the Ukrainian producer of seamless pipes and tubes, that, as far as the applicant is concerned, the circumstances on the basis of which the existing measures were imposed have changed and that these changes are of a lasting nature.

The applicant alleges that its production structure has changed. Interpipe has set up a new plant producing steel billets, which is the major raw material used in the production of the product concerned. Therefore, the applicant is now a vertically-integrated group for the production and sale of the product concerned, with significant optimisations of its manufacturing process and cost.

This newly built plant has also allowed the broadening of the portfolio of steel grades and the corresponding range of product types. It enabled the applicant to start producing high-end products such as higher value-added line pipes and industry pipes. The enlargement of the product range implies an important quality change in the product types manufactured and exported by the group in comparison with the last review.

The applicant provided sufficient evidence showing that, as far as the group exporting producer is concerned, the continued imposition of the measures at its current level is no longer necessary to counteract the injurious dumping. In particular the applicant alleges that the significant changes in the production organisation and in their product range have had a direct impact both on the domestic and on the export markets. A comparison of the applicant's normal value and their export prices to the Union indicates that the dumping margin appears to be lower than the current level of the measures.

Therefore, the continued imposition of measures at the existing level, which was based on the level of dumping previously established, appears to be no longer necessary to offset dumping.

³ Regulation (EU) No 795/2012 of 28 August 2012, OJ L 238/1, 4.9.2012.

4. List of known parties to the review

The request for the interim review investigation was lodged by the Ukrainian producer and exporter of the product concerned, Interpipe Group, consisting of two production facilities for the product concerned located in Ukraine (LLC “Interpipe NIKO Tube” and PJSC “Interpipe NTRP”).

The Union industry is represented by European Steel Tube Association (“ESTA”).
