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SEVENTH ANNUAL REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT

OVERVIEW OF THIRD COUNTRY TRADE DEFENCE ACTIONS AGAINST THE EUROPEAN UNION

(STATISTICS UP TO 31 DECEMBER 2009 BUT COMMENTARY ON CASES AND
TEXT IS UPDATED TO MARCH 2010)

Annual Report
DG TRADE H.5

Executive Summary

The trends described in last years' report have continued in 2009. Despite the international commitments not to introduce protectionist measures in this climate of global economic crisis, the number of new investigations and trade defence measures imposed in 2009 was very high. Regrettably, the relevant rules have not always been respected and in particular, the standards of initiation were very low this year. Furthermore, the ever increasing use of the safeguard instrument is preoccupying. The Commission's monitoring activity in this context has been very important. The Commission intervened frequently in order to assist EU exporters and to ensure that their access to foreign markets was not unduly restricted by unwarranted measures. This has often led to positive results, but unfortunately not all the problems could be solved. The Commission will thus continue to advocate for a prudent and disciplined use of trade defence instruments in order to promote free and fair trade world wide.

1. INTRODUCTION

Last years' report highlighted the first signs of the global crisis and its impact on the trade defence activity. In 2008, an impressive number of new investigations has been initiated, in particular during the last two months of the year. Despite the commitment of the G20 to avoid any trade restrictive measures, this report will show that the trend started in 2008 has continued in 2009. The number of new investigations initiated and of measures imposed in 2009 has indeed increased significantly.

As long as trade defence instruments are used in full compliance with WTO rules, they cannot be considered as a protective tool. Their purpose is rather to remedy very specific situations in accordance with strict rules. Unfortunately, the trends and the problems identified in this report seem to indicate that in 2009 these rules were not always followed. The inappropriate use of the instruments and the all too often poor standards applied during trade defence investigations, as continuously deplored by the Commission in the past, have been more prominent than ever.

The Commission's continued efforts in monitoring third country trade defence actions have been intensified in this context. The Commission assisted numerous industries in individual investigations and also intervened frequently at broader levels in order to avoid deviations from the applicable rules. Furthermore, the Spanish presidency has identified market access as a priority, which will enhance the importance of the Commission's activities in this field and will certainly help to achieve positive results.

This report describes overall trends, the problems identified and the results achieved. It also gives a detailed analysis of trends and specific cases for the most important users of the instrument.

2. OVERALL TRENDS

The 2009 activity was very intense, especially in terms of **new initiations**. The increasing trend observed since the end of 2008 has indeed continued. No less than 45 new investigations have been initiated in 2009, which is a steep increase as compared to

the 33 new initiations in 2008 (of which almost half took place in the last quarter), and even more so when compared to the 19 new initiations in 2007.

Safeguard is more than ever the most frequently used instrument for new investigations. Indeed, with 31 new safeguard investigations initiated, more than two out of three new cases concern this instrument. Even if, given the *erga omnes* nature of safeguards, the EU does not always export the product under investigation, this trend remains a cause of serious concern. While India has been the most important user with 9 new initiations in 2009, it should be noted that Turkey has prolonged 4 safeguard measures beyond their original period of imposition of three years.

The overall increase of new investigations since the end of 2008 has naturally resulted in a higher number of **measures imposed** in 2009: 33 new measures were imposed, as compared to 18 in 2008. India was again the most important player (7 measures imposed) followed by China (4 measures), Israel and Ukraine (3 measures each). Almost half of these measures were safeguards, meaning 15 out of 33 measures in 2009 (as compared to 6 out of 18 measures in 2008).

Despite the above trend, the total number of **measures in force** increased only slightly. At the end of 2009, there were 136 trade defence measures were in force, which is only 3 measures more than at the end of 2008. This is due to the fact that a non negligible number of measures has lapsed or has been terminated during the year 2009.

Anti-dumping remains the instrument with most measures in force (93 measures versus 91 in 2008), followed by safeguards (with 37 measures versus 32 in 2008) and anti-subsidy (6 measures versus 10 in 2008).

The main user of the instruments against the European Union is still the USA with 23 measures in force, even though in 2009 there was no activity in terms of new measures or initiations. India remains the second biggest user, with 15 measures in force, and has been extremely active in 2009, as explained above. China is now almost catching up with India and is together with Turkey in third position with 12 measures in force against the EU in 2009. The other important users are Brazil with 11, closely followed by Ukraine with 9 measures in force.

3. ONGOING PROBLEMS

Even if the Commission's interventions have resulted in improvements in certain individual cases, the problems described in previous reports still exist. Due to the pressure created by the difficult economic situation, it seems that certain problems got even worse in 2009. This is the case in particular for the (weak) standards of initiation and the ever increasing use of the safeguard instrument. The lack of transparency also remained an important issue. In the worst cases we have even seen a combination of these three issues.

3.1. Poor standards of initiation

Many industries worldwide have suffered and are still suffering from the difficult economic situation since the end of last year. In this context, operators may be tempted to look for a shield against foreign competition, e.g. protective measures. Therefore,

national authorities have to be particularly careful when they receive applications to impose trade defence measures. Investigations should only be initiated when there is genuine evidence that the legal conditions required for initiation are met.

Even though the pressure to initiate investigations may be very high, only technical grounds should serve as a basis for initiation. Unfortunately, in 2009 this was not always the case, which led to an increase of new initiations of over 80% when compared to 2008, i.e. 33 new investigations were initiated in 2009 as compared to 18 in 2008. For most of these initiations the relevant criteria were not met, e.g. the evidence on injury was based on only a few negative financial indicators covering a very short period (often only one quarter). The causality analyses were also flawed since businesses tried to impute the negative impact of the financial crises on dumped, subsidised or increased imports.

Although these investigations did not and may not always lead to measures, the initiation already has a disturbing effect on trade flows because it creates an uncertain and unsafe business environment. Furthermore, cooperating in an investigation implies a significant investment in human and financial resources for the economic operators concerned. Therefore, initiations that do not meet the WTO criteria should be avoided at all times because they are unlawful, and, particularly in the present framework, because they put unnecessary additional pressure on businesses that are already suffering from the current economic crises.

In addition to the issues identified above, a new trend has emerged in 2009. On various occasions, it has been found that, following the imposition of anti-dumping measures by the European Commission, investigations concerning similar products have been initiated by the country targeted by these measures. While it is too early to conclude that this is an established trend, it is difficult to believe in a pure coincidence. The Commission is closely following this issue.

3.2. Extensive use of safeguards

In 2009 the use of the safeguard instrument virtually exploded after an already steep increase in 2008. 31 new safeguard investigations were initiated and 15 new measures were imposed in 2009. This represents more than two thirds of all new investigations initiated and almost half of all new measures imposed.

It should be recalled that safeguard measures are the most restrictive trade defence instrument because they concern 'fairly traded' imports (i.e. neither dumped nor subsidised) from all countries of origin, and also imports that do not cause injury to the domestic producers. Therefore, WTO rules regarding safeguards have always been interpreted in a very strict way by panels and the appellate body. Hence, it is highly questionable whether all these measures imposed in 2009 do actually comply with the strict legal standards required. More importantly, even if, due to the very poor standards of initiation, measures are ultimately not imposed, trade flows will have been disturbed during the investigation. Furthermore, for the first time in 2009 certain countries (i.e. Turkey and Russia) have extended safeguard measures beyond their initial 3 year period of application. This is also a cause of concern because in some of these cases imports had almost completely disappeared due to the measures, and the domestic industry had recovered. In other cases, the domestic industry was still in a weak situation, either as a

result of the economic crisis, or because measures were ineffective. In all of these situations, maintaining measures was not a valid option.

The very strict standards for safeguards should scrupulously be applied, particularly in the current economic context, and as always, this instrument should be reserved to exceptional cases. Regrettably, it seems that many countries were not able to resist the pressure of using safeguards as a protectionist tool to preserve their industries from foreign competition. The European Commission has intervened in many cases in order to highlight such WTO incompatibilities and, as will be explained below, in some cases measures could be avoided while in others, at least European exports could be spared. This is however far from satisfactory, as safeguards became the most frequently used instrument in 2009.

3.3. Procedural aspects

The lack of transparency in trade defence investigations is a recurrent problem, and it is damaging because it deprives interested parties from their legitimate right of defence.

The most frequent problems occur in relation to issues of confidentiality. While it is obvious that information submitted on a confidential basis by parties should not be disclosed, every interested party has the right to receive sufficient information to understand the substance of the data submitted in confidence. However, often all figures in public versions of applications and/or public notices of preliminary or final determinations are simply blanked out, without giving a summary of this information. In addition, data such as aggregated figures relating to more than three companies are often unduly considered confidential, since their disclosure would not have any adverse effect on the party supplying the information.

Other procedural shortcomings make trade defence investigations unnecessarily burdensome. This mainly concerns excessive requests for information such as seen in sampling cases, where exporters are asked to provide detailed information beyond that necessary for the selection of a sample. In other cases, complete information (including sales, costs, third country sales, etc.) for an overly long investigation period of two years or more has been requested. Sometimes exporters are asked to provide very detailed information that is not necessary for the establishment of dumping but is considered a business secret, e.g. specific cost items in the production process. These excessive requests may discourage companies to cooperate, which has inevitably negative consequences usually in the form of higher duties.

The Commission tries to remedy such situations by intervening directly with the investigating authorities and by providing assistance to the parties concerned. Even if in many cases such interventions have been successful, this was unfortunately not always the case. The Commission will thus continue to raise these issues in the framework of bilateral contacts and during the appropriate WTO committees in Geneva with the aim to ensure that WTO legislation and high standards are applied by all users of the instruments.

4. MAIN ACHIEVEMENTS

The Commission's role in relation to third country cases goes far beyond mere monitoring of investigations. In fact, the Commission provides advice and assistance to European exporters concerned and intervenes directly with third country authorities on case specific and systemic issues. These efforts aim at supporting the companies concerned, but also at generally improving disciplines among trading partners. In this context, the Commission also continues to organise specialised trade defence seminars in order to spread best practices throughout the trade community.

Although, achievements in these areas are not always easy to measure, the Commission's perseverance did bear fruit, and in several cases, the outcome for the companies was more favourable than it would have been without the Commission's intervention, in particular:

4.1. India: termination of 7 safeguard investigations

India has initiated 9 safeguard investigations in 2009. This is about one third of all safeguards initiated this year, and also an extraordinary high number when compared to the 10 safeguard investigations initiated by India over the past 10 years. 7 of these cases concerned products exported from the EU for an estimated value of no less than 500 million €/year, and covering sectors such as steel, paper and chemicals. All these cases were initiated on very weak grounds. The Commission, in cooperation with exporters, strongly opposed the proceedings and intervened at different levels. These interventions had positive results and despite the recommendation by the Indian authorities to impose provisional measures, all the investigations which directly concerned EU exports were terminated without the imposition of any measures. However, it has to be born in mind that during almost one year trade was negatively affected by on-going investigations that should not have been initiated in the first place.

4.2. New Zealand: termination of the expiry review concerning countervailing measures on canned peaches

This case is important because it concerns the new scheme introduced as part of the reform of the EU Common Agricultural Policy, which is considered to be in full compliance with WTO standards and should thus not be subject to any countervailing measures. In the framework of the expiry review initiated in 2008, New Zealand has accepted the arguments put forward by the Commission, which demonstrated that the new scheme has no trade distorting effects and is thus not countervailable. As a result, the duties in force for more than 10 years were terminated.

4.3. Croatia: termination of the safeguard measure on cheese and cheese supplements

Croatia has imposed provisional measures on these products in June 2009, on very weak procedural grounds and lack of transparency (no disclosure showing that the legal conditions to introduce measures were met). The annual EU exports originally at stake were around 80 million €. Given the high economic impact and the serious flaws of the case, the Commission has strongly intervened at technical and political level. As a result,

the product scope was significantly reduced. The types of cheese excluded represented 80% of the EU exports and the corresponding measures were revoked and reimbursed. For the remaining products measures were imposed for 6 months only and expired in January 2010.

4.4. Israel: no imposition of safeguard measures

Israel became an important user of trade defence instruments in 2009. Amongst others, a safeguard investigation against imports of *steel products* was initiated. The case was initiated on weak grounds, and provisional measures were imposed despite the fact that imports decreased in 2009 and average import prices increased. Following various interventions, including from the Commission, the measures were suspended and duties reimbursed. The Commission nevertheless continues to monitor this case since the investigation has unfortunately not been terminated yet. It is however difficult to see how Israel could still justify the imposition of any measure.

4.5. Russia: termination of the anti-dumping investigation concerning flat-rolled polymer coated steel and temporary non-application of safeguard measures on grain-harvesting combines

The anti-dumping investigation against imports of *flat rolled polymer coated steel* from Belgium and Finland was concluded in September 2009. The Commission had intervened in order to highlight weaknesses identified in this case, such as lack of injury and transparency. Subsequently, in November 2009, the investigating authorities have proposed not to impose measures due to a negative injury determination.

The Commission and the EU industry have also been very active in the safeguard case concerning *grain harvesting combines*, given its high economic interest (110 million € in 2007). The conditions to impose safeguard measures were indeed not met and Russia has therefore decided not to apply safeguard measures. Unfortunately import duties were increased instead, which is more difficult to be legally challenged. It cannot be excluded that Russia may consider to nevertheless introduce safeguard measures at a later stage, i.e. if customs duties are reviewed downwards, and the Commission thus remains vigilant on this issue.

4.6. Morocco: extension of EU quota for safeguard measures on ceramic tiles

In 2009 Morocco has initiated an investigation in order to explore the need to prolong safeguard measures imposed in 2006. The Commission, together with the industry, actively intervened in this case. Although, the prolongation of measures could not be avoided, the quota allocated to EU exporters has been significantly liberalised as compared to the original measures, and the conditions to obtain import licences have been improved. As a result EU exporters have access to the Moroccan market again.

4.7. Termination of investigations or absence of measures in various cases

In the *petrol extraction pumps* case initiated by Argentina in May 2008 against imports from Romania, the continued interventions by the Commission and the industry resulted in the acceptance of undertakings offered by the Romanian exporter concerned. The

Commission also actively supported the EU industry in a safeguard investigation initiated by Ukraine concerning *liquid chlorine* and an anti-dumping investigation initiated by Turkey concerning *textile products*. Both investigations were terminated without measures in 2009.

4.8. MES new Member States

It is recalled that in June 2009, after a long and difficult struggle and numerous interventions by the Member States and the Commission, Bulgaria and Romania were finally also granted market economy status by Brazil.

5. CONCLUSION

As predicted in last year's report, the TDI activity in third countries has been very intense in 2009. The increasing trend of the number of new initiations which started at the end of 2008 has continued in 2009, and the number of measures imposed has increased significantly as compared to previous years. The relatively limited increase of measures in force at the end of the year does therefore not fully reflect the true situation. In reality, the high number of new measures has partly been compensated by the expiry of many measures in 2009. In addition, some investigations have either not yet been concluded or have been terminated without the imposition of measures. However, as explained above, even if an investigation is terminated without measures, trade flows are nevertheless disturbed while the investigation is ongoing due to its uncertain outcome. Moreover, in many cases, due to the lack of evidence required for opening a proceeding, investigations should not have been initiated in the first place.

The overall increase in activity is preoccupying as such, and certain aspects of it are especially worrying. In particular, the low standards of initiation and the extensive use of the safeguard instrument continue to be more and more problematic. It seems that the economic situation since the end of 2008 has resulted in a particularly wide interpretation of WTO rules. Therefore, the Commission increased its efforts in order to prevent any deviations from these rules whenever possible.

In this context, the Commission intervened in many cases and contacts with industries have been numerous. Often these efforts have been successful and investigations were either terminated without measures or measures did not unduly harm EU exports. This shows the particular importance of the Commission's monitoring activity in these economically difficult times. Ensuring legitimate market access for EU producers is even more important in times of crisis.

There is certainly a need to maintain and even enhance the Commission's efforts. The Commission is continuously trying to improve its actions and the most important challenge for the coming years, besides assisting the EU exporters concerned in on-going investigations, is to try to anticipate and avoid the initiation of unwarranted new investigations. This could be achieved by intensifying exchanges with other investigating authorities in order to increase standards, transparency and predictability.

ANNEX I – TRENDS AND MAIN CASES BY COUNTRY

1. UNITED STATES

1.1. Overall trends

With 23 measures at the end of 2009, the US remains the country with the highest number of trade defence measures in force against the EU. It should however be noted that the number of measures decreased as compared to 2008 and no new investigations were initiated and no new measures imposed in 2009. The measures currently in force are 20 AD and 3 CVD measures.

With regard to the 'zeroing' cases, as reported last year, the EU was successful in both cases, the DS 294 and DS 350. However, the implementation of these Panel decisions by the US is still pending and the Commission has taken the appropriate steps.

1.2. Main cases

Zeroing remains the most important issue with the US. It is recalled that zeroing is a practice whereby non-dumped transactions are disregarded in the calculation of the dumping margin, often resulting in artificially inflated duties. The EU challenged this practice in two WTO dispute settlement cases DS 294 and DS 350. Although, the Panel decided in favour of the EU in both cases, the US still has to comply with the Panels' decisions.

In the first Zeroing case (DS 294), the EU had requested a so-called compliance panel, which issued its report in December 2008. The EU received the Panel's confirmation that the US cannot escape its WTO obligations by conducting annual reviews of a duty and then arguing that such reviews have "superseded" the challenged measure and can only be subject to challenge in a new dispute. Nonetheless, the EU decided to appeal this report as it disagreed with certain aspects of the Panel's additional findings. The final ruling in this dispute found that the US had to stop this unfair practice immediately. But so far the US has done nothing to comply. Therefore, the Commission has taken the further steps foreseen in the proceeding and requested the WTO to authorise trade sanctions against the US. Since the US did not agree with the amount of sanctions proposed by the Commission, an arbitrator was nominated and a hearing will take place to decide on the level of the sanctions. The arbitrator has 60 days to issue an award.

In the second Zeroing case (DS350), the AB confirmed the main EU claims on appeal, rejected all grounds of appeal put forward by the US and upheld the Panel's findings that the US was in breach of its WTO obligations by applying zeroing in periodic reviews. Therefore, the US was required to implement the recommendations and rulings in this dispute. Implementation in this case involves recalculating the dumping margins in the 46 individual measures identified by the EC, without using zeroing. The reasonable period of time agreed with the US to comply with WTO obligations expired on 19 December 2009. Again, the US has effectively done nothing to further implement the panel decision. The Commission is at present considering further actions as a result of the US's lack of compliance.

2. INDIA

2.1. Overall trends

India remains second in the list of countries having measures in force against the EU. Even if the number of measures has decreased in the last years (from 19 in 2007 to 15 in 2009), India has been the most active country in 2009 with the initiation of 10 new investigations (of which 9 safeguards) and the imposition of 7 new measures in 2009. In addition, India initiated 4 expiry reviews of AD duties in force against the EU (*mica pearl pigment, propylene glycol, PVC paste resin and sodium hydrosulphite*).

The most remarkable development in 2009 was of course the initiation of no less than 9 safeguard investigations against a wide range of products. This is an extraordinary increase as compared to 2008 with only 3 new safeguard investigations. India has also initiated a number of China specific safeguards.

2.2. Main cases

a) Termination of safeguard investigations

Out of the 9 new safeguard investigations 7 concerned products exported from the EU (*oxo alcohol, hot rolled coils, acrylic fibre, coated and uncoated paper, plain particle board, unwrought aluminium, and aluminium waste and scrap*) for an estimated value of 500 million €/year. The other safeguard cases were China specific (TPSSM).

All these cases were initiated on very weak grounds, i.e. there was neither a surge of imports (in some cases imports even decreased) nor solid evidence of injury and causality. The Commission has strongly opposed such improper use of the safeguard instrument and multiplied its efforts by intervening at all possible technical and political levels. As a result, and against the recommendation of the investigating authorities, all the cases with an important economic interest for the EU were terminated without imposition of measures, by the end of 2009.

b) Cold rolled stainless steel: imposition of definitive duties

Definitive AD duties were imposed in November 2009. The Commission assisted the EU cooperating exporters to ensure that their rights of defence were respected.

3. TURKEY

3.1. Overall trends

Even though Turkey has initiated only 1 new investigation and imposed measures in only 1 case (as compared to respectively 3 and 4 in 2008), it is still high on the list of countries having measures against the EU with 12 measures in force (of which 10 safeguards). In addition, it should be noted that Turkey has decided to extend antidumping measures on *PVC* for an additional five years and to maintain safeguard measures on 4 products (*footwear, steam irons, vacuum cleaners and motorcycles*) for an additional period of 3 years. Turkey thus remains the biggest user of the safeguard instrument in the world with 10 measures in force.

3.2. Main cases

a) Polyvinylchloride: continuation of AD measures

An expiry review was concluded in June 2009 with the continuation of AD measures for Germany, Italy and Romania. Following the findings of this investigation, the Commission assisted and supported the EU cooperating companies in order to ensure that the measures were not increased, despite the fact that higher dumping margins were established. The measures for Greece, Hungary, Netherlands and Finland have expired on 5 February 2008 and were not subject to the review.

b) Matches: imposition of definitive safeguard measures

This investigation was initiated in May 2009. Provisional measures were imposed in June 2009 and definitive measures, in form of a minimum import price, were imposed in December 2009 for 3 years. Thanks to the Commission's interventions coordinated with the EU industry, the vast majority of EU exports are not affected by this measure.

c) Various textiles: termination of the AD proceeding

The case was of high economic interest, and the Commission actively supported the Italian industry and contested, amongst others, the unclear product scope in this case. The investigation was terminated without measures in June 2009 due to a lack of representativeness of the domestic industry.

d) Footwear, steam irons, motorcycles and vacuum cleaners: extension of safeguard measures

Turkey opened review investigations in May/June 2009 in order to examine whether or not to extend the safeguard measures imposed 4 years ago. In order to fill the time gap between the expiry of the original measures and the conclusion of the investigations, Turkey imposed provisional measures on all products in August 2009. In December 2009, following a delayed conclusion of the investigations, it was proposed to extend measures concerning footwear, steam irons, motorcycles and vacuum cleaners, but not concerning salt. The Commission has strongly opposed the extension of any of these measures due to formal flaws and insufficient legal justification. The Commission has raised these cases on various occasions at technical and political level. Although the impact of these measures is not very important for the EU, and the EU exports seem not to have been significantly harmed by these measures, it is generally difficult to accept that measures are extended beyond a 3 year period.

4. CHINA

4.1. Overall trends

After the increased use of trade defence measures by China in 2008 compared to the previous years, this trend unfortunately continued in 2009. In particular, China initiated 2 new AD investigations and one expiry review. China also imposed definitive AD duties in 2 of the investigations initiated in 2008 and provisional measures in 2 other investigations. Finally China also concluded a sunset review initiated in 2008 by prolonging the AD duties imposed for 5 years.

This brings the total number of TDI measures in force against EU exports to 12 definitive AD measures (plus 2 provisional AD measures).

4.2. Main cases

a) Polyamide 6: imposition of provisional AD measures

The investigation was initiated at the end of April 2009. This investigation affects about € 100 million of EU exports per year. Interestingly, the investigation concerns a chemical product in the same production chain as the other two investigations, where definitive measures have been imposed (see below). The Chinese authorities were very quick to impose provisional measures in October 2009.

b) X-ray security scanning equipment: initiation of AD investigation

The investigation was initiated in October 2009. The trade at stake in this case amounts to around €20 million. Remarkably, this case concerns a product similar to the product subject to an AD investigation initiated by the EU against China, i.e. cargo scanning equipment. The complainant is the same producer affected by the EU investigation, whereas the EU exporter affected in the Chinese case is the complainant in the EU defensive case. The producer has been fully cooperating in the investigation. The Commission has raised several issues, such as poor transparency standards and weaknesses in the injury and causal link analysis as well as in the public interest element. The Commission will continue to closely monitor this proceeding to make sure that China fully respects its WTO obligations.

c) Polyamide 6,6: imposition of definitive AD measures

The investigation was initiated in 2008 and China imposed definitive measures against imports of polyamide 6,6 from France, Italy, and the UK in October 2009.

d) Adipic acid: imposition of definitive AD measures

The investigation was initiated in November 2008 and definitive measures were imposed in November 2009 against imports from the EU. With the imposition of provisional measures on polyamide 6 (see above), three chemical products in the same chain are now subject to substantial AD duties from China.

e) Certain iron or steel fasteners: imposition of provisional measures

The investigation was initiated in December 2008 shortly before the imposition of definitive AD duties in the defensive AD proceeding by the EU against Chinese fasteners in January 2009. Provisional measures were imposed in December 2009. Unfortunately the disclosure problems and the weak preliminary analysis on the existence of dumping and injury already raised by the Commission at the initiation of the proceeding have not been addressed by the Chinese authorities yet. The Commission will continue to insist that the Chinese authorities improve transparency in this proceeding and address the flaws raised with regard to the dumping and the injury analyses in full compliance with WTO rules. The Commission will resort to the most appropriate legal remedies should the failure to address these issues by the Chinese authorities persist.

5. LATIN AMERICA

5.1. Overall trends

The TDI activity in 2009 was somewhat quieter in Latin America than in previous years. However, there are still causes of concern and there were still certain investigations initiated and measures imposed that did not meet the relevant criteria, in particular regarding injury and causality. The Commission continued to intervene and raise these issues at all possible levels. In addition, one completely new user appeared on the scene, the Dominican Republic, who initiated 3 safeguard investigations in 2009, however with no significant impact on EU exports.

Among the important users of the instruments, **Brazil** is in fourth position with 11 measures in force (just behind Turkey and China). In 2009, Brazil imposed 2 definitive AD measures, concerning imports of viscose yarn and viscose fibre from Austria and initiated 1 safeguard investigation concerning desiccated coconuts.

5.2. Main cases

a) Argentina: laminated flooring and petrol extraction pumps

Argentina initiated an AD investigation against imports of *laminated flooring* from Germany. The domestic industry however stopped production of the product concerned after the initiation and withdrew its complaint in October 2009. The investigation was officially terminated in February 2010.

In the *petrol extraction pumps* case, (initiated in May 2008 against Romania), definitive AD measures were imposed in November 2009 and the undertaking offered by the Romanian exporter concerned was accepted.

b) Brazil: viscose fibres and viscose yarn

Definitive AD measures concerning imports of *viscose fibres* from Austria have been imposed in April 2009 (initiation in March 2008, imposition of provisional measures in October 2008). Following the imposition of provisional measures based on 'best facts available' despite full cooperation of the industry, the Commission has made several strong interventions opposing this WTO incompatible methodology. As a result definitive measures were based on the exporter's data and the duty calculated on that basis reflected the exporter's situation.

Definitive AD measures concerning imports of *viscose yarn* from Austria have been imposed in December 2009 (initiated in August 2008). The Austrian exporter has cooperated, with the assistance of the Commission. Again the main issues in this case were the lack of an objective analysis of injury and causality. Despite de industry's and the Commission's efforts, definitive measures were imposed although the criteria concerning injury and causality were very weak.

c) Mexico: carbon steel tubes and bovine meat

Provisional AD measures concerning imports of *carbon steel tubes* from the UK were imposed in May 2009 (initiated in July 2008). The main issues in this case were the outdated investigation period and the weak analysis regarding tendering. Despite several

interventions by the exporter concerned and the Commission, definitive AD measures were imposed in January 2010.

An expiry review (the third in a row) concerning the CVD measures on *bovine meat* from the EU, was initiated in June 2009. The main issue in this case is the change in the subsidy schemes since the previous review, and in particular the entering into force of the single payment scheme ('SPS'). The Commission replied to the questionnaire and provided ample information concerning this change and the SPS itself, highlighting the WTO compatibility of the new scheme. Additional information was submitted in March 2010. The Commission is closely following the developments in this case especially because of its systemic importance.

d) Peru: olive oil

Peru has initiated a new CVD investigation concerning olive oil from Spain and Italy, in July 2009, i.e. about one year after the expiry of the previous measures. Besides the significant weaknesses in this case, such as outdated and partial information concerning injury and causality, the single payment scheme is also an issue. The Commission and exporters (mainly from Spain) and the Spanish administration are fully cooperating in the investigation, in order to show that the SPS is not a countervailable subsidy. Additional information was submitted in February 2010 and a decision is expected for April 2010. The Commission is closely following this case because of its systemic importance.

e) Dominican Republic: glass bottles and flasks, toilet paper, polypropylene bags

The Dominican Republic has never used TDI instruments before these three safeguard investigations in 2009, and it seems that this sudden start up of activity merits attention.

The safeguard investigation concerning *glass bottles and flasks* was initiated in April 2009. Due to strong opposition of local consumers and interventions by the Commission the investigation has been terminated in February 2010 without the imposition of measures. The safeguard cases concerning *toilet paper* and *polypropylene bags* were initiated in October 2009 and December 2009 respectively. However, the economic interest in these two cases is negligible and no reaction from industry was received.

6. RUSSIA AND UKRAINE

6.1. Overall trends

Russia and Ukraine are both regular users of the instruments. At the end of 2009, Ukraine had 9 measures in force (of which 6 safeguards) and Russia had 5 measures in force (of which 4 safeguards). Both countries have initiated 2 new safeguard investigations in 2009 and have adopted 2 safeguard measures.

6.2. Main cases by country

a) Russia: various activated carbon

A new safeguard investigation concerning imports of activated carbon was initiated in November 2009. It is evident in this case that the use of a country specific instrument

such as anti-dumping would have been more appropriate. The Commission will further monitor the developments in this case and support the industry.

b) Russia: stainless steel pipes and flatware from corrosion-proof steel

Definitive safeguard measures were imposed on imports of *stainless steel pipes*. The Commission has raised a number of weaknesses in this case, in particular concerning the much too broad product scope. Definitive safeguard measures were also imposed on *flatware*. The Commission, in coordination with the industry, insisted on (and obtained) a form of measure with a lower impact on the EU imports.

c) Russia: grain-harvesting combines

In the case of grain-harvesting combines, a temporary non-application of safeguard measures was decided, but customs duties have been increased instead. The Commission and the EU industry have been very active in this case given the high economic interest (110 million € in 2007). At the end of 2009, the application of increased import duties was extended by 9 months, and thus the safeguard measures remain suspended for the time being. The Commission will closely monitor this case to ensure that no double protection can take place.

d) Russia: large-diameter pipes

Russia decided in December 2009 to extend the safeguard measure against imports of large-diameter pipes beyond its initial period of imposition. The Commission, in coordination with the EU industry, voiced significant concerns against this prolongation. As a result, the extension of measures, originally proposed for a period of 3 years, is applied for only 1 year.

e) Ukraine: float glass, liquid chlorine, syringes and, matches

Ukraine initiated two safeguard investigations in 2009: while the safeguard investigation concerning *liquid chlorine* has been concluded in December 2009 without the imposition of measures, in the investigation concerning imports of *float glass* provisional measures were imposed in November 2009 for a period of 200 days. In the latter case, the main issues are the weak and unconvincing causal relationship between the claimed injury and the imports, which the Commission and the industry have raised on several occasions.

Definitive safeguard measures on *matches* and definitive AD measures on *syringes* from Spain, UK and Germany were imposed in November 2009.

7. CROATIA

In 2009, Croatia has made use of a trade defence instrument for the first time and applied a provisional safeguard measure on imports of ***cheese and cheese supplements***. Given the serious flaws identified in this proceeding, the Commission has intensively intervened. These interventions were successful and product types representing 80% of the EU exports were exempted from the measure, which remained in force for half a year only.

8. KAZAKHSTAN

In 2009, Kazakhstan had 5 on-going safeguard investigations, out of which three were of interest for the EU industry. Given the fact that Kazakhstan exclusively uses the safeguard instrument and provides very scarce or no information on the cases, the Commission monitored all 5 proceedings, and was particularly active in two: *glass* and *confectionary*. A Commission intervention was also requested by the EU industry in the *asphalt case* in view of the importance of the market for the future. Kazakhstan has concluded the investigations concerning confectionary and asphalt in the second semester of 2009, but has neither disclosed findings despite several formal requests by the Commission, nor has it adopted the final decisions.

9. ISRAEL

Israel, a rare user of TDI in the past, has initiated 5 new investigations in 2009: 4 AD investigations concerning *recycled containerboards*, *uncoated wood free printing paper*, *bituminous membranes* and *stretch wrap*, and one safeguard investigation concerning *steel rebars*. Provisional AD measures were imposed on imports of stretch wrap and recycled containerboards, and provisional safeguard measures on imports of steel rebars. The very low standards applied in all of these proceedings and the persistence of major flaws such as the lack of transparency, an unreliable injury analysis and an incomplete causality analysis have been raised by Commission in written submissions in the framework of the investigations and during a bilateral meeting with the TDI authorities in Tel Aviv in December 2009. These interventions resulted in the suspension of the safeguard measures against re-bars, and the Commission is closely monitoring the development in the AD cases for which results are imminent.

10. AUSTRALIA

In 2009 Australia's trade defence system has undergone a wide reform including the publication of a new dumping and subsidy manual, and a public inquiry into Australia's anti-dumping and countervailing system.

Australia's TDI activity regarding the EU has been relatively stable over the past years with one new AD investigation opened and concluded in 2009 and a total of five measures in force. The new AD measure concerns imports of *geosynthetic clayliners* from Germany. The Commission and the German exporter concerned intervened several times in this case in particular raising the very weak injury and causality analysis. Nevertheless provisional and definitive measures were imposed. The German exporter asked for a judicial review and the Commission supported him in this action.

11. CANADA

The total number of measures against the EU decreased from 6 to 4 in 2009. In February 2010, Canada initiated an expiry review (the third in a row) concerning imports of *refined sugar* from the EU. The case is of systemic importance, since it involves the single payment scheme and the Commission is closely monitoring this case and intervenes as appropriate.

12. NEW ZEALAND

No new investigation has been initiated by New Zealand against the EU in 2009. In October 2009 the Commission obtained the termination of the expiry review concerning countervailing measures against imports of *canned peaches* from the EU initiated in December 2008.

13. JORDAN

No new trade defence action was initiated by Jordan in 2009.

In the *ceramic tiles* safeguard investigation (initiated in November 2008) final findings were disclosed in July 2009. At the Commission's request high quality products have been excluded from the product scope which reduced the potential negative impact for EU exporters. The Commission nevertheless continues to question the Jordanian unconvincing conclusions and has raised its concerns in bilateral meetings at high level. The decision of the Jordanian Government is pending. As mentioned in previous reports, this is the third investigation against ceramic tiles initiated by Jordan in 6 years. The previous proceeding had been initiated and terminated in 2007 following a private "gentlemen's agreement" resulting in a tax on imports that was subsequently declared illegal by a local court.

14. GULF COUNTRIES

In November 2009 the Cooperation Council for the Arab States of the Gulf has, for the first time, initiated two safeguard investigations concerning imports of *uncoated paper and paperboard in rolls and sheets* and *steel angles, channels and beams*. The main issues in these cases are the lack of transparency due to the abusive use of confidentiality, the lack of objectivity in the choice of the periods of investigation which has a distorting effect on the injury analysis, and the weak causal link analysis. The Commission will continue to closely monitor these investigations in coordination with the EU industry concerned.

Annex II - Measures in force at the end of 2007, 2008 and 2009

Measures in force at the end of 2007, 2008 and 2009												
Country	AD			CVD			SG			TOTAL		
	2007	2008	2009	2007	2008	2009	2007	2008	2009	2007	2008	2009
Andean Community	1	0	0	0	0	0	0	0	0	1	0	0
Argentina	3	3	5	0	0	0	1	1	1	4	4	6
Australia	3	2	4	1	1	1	0	0	0	4	3	5
Belarus	0	0	0	0	0	0	2	1	1	2	1	1
Brazil	11	10	10	0	0	0	1	1	1	12	11	11
Canada	5	5	3	1	1	1	0	0	0	6	6	4
Chile	0	0	0	0	0	0	1	1	1	1	1	1
China	10	9	12	0	0	0	0	0	0	10	9	12
Croatia	0	0	0	0	0	0	0	0	1	0	0	1
Egypt	3	2	0	0	0	0	0	1	1	3	3	1
India	18	16	13	0	0	0	1	0	2	19	16	15
Indonesia	1	1	0	0	0	0	1	1	2	2	2	2
Israel	0	0	2	0	0	0	0	0	1	0	0	3
Japan	0	1	1	0	0	0	0	0	0	0	1	1
Jordan	0	0	0	0	0	0	2	1	1	2	1	1
Korea	1	1	0	0	0	0	0	0	0	1	1	0
Mexico	7	6	6	2	2	1	0	0	0	9	8	7
Moldova	0	0	0	0	0	0	0	1	1	0	1	1
Morocco	0	0	0	0	0	0	1	1	1	1	1	1
New Zealand	2	2	2	1	1	0	0	0	0	3	3	2
Pakistan	2	1	3	0	0	0	0	0	0	2	1	3
Peru	1	1	1	1	0	0	0	0	0	2	1	1
Philippines	0	0	0	0	0	0	4	4	2	4	4	2
Russia	1	1	1	0	0	0	4	3	4	5	4	5
South Africa	4	4	3	0	0	0	1	1	1	5	5	4
Thailand	2	1	2	0	0	0	0	0	0	2	1	2
Turkey	2	2	2	0	0	0	7	9	10	9	11	12
Ukraine	1	2	3	0	0	0	9	6	6	10	8	9
USA	21	21	20	4	4	3	0	0	0	25	25	23
Venezuela	0	0	0	2	1	0	0	0	0	2	1	0
TOTAL	99	91	93	12	10	6	35	32	37	146	133	136

Annex III – Details of measures in force as of December 2009

Country	Product	Instrument	Type Of Measure	Date Of Imposition	Countries Investigated
Argentina	Disposable electrodes for electrocardiograms	AD	Definitive	2007-Dec-07	Austria
Argentina	Recordable CD	SG	Definitive	2007-May-30	Italy
Argentina	Hot-rolled steel (HRS)	AD	Definitive	2002-Apr-30	Slovakia, Romania
Argentina	straight handsaw blades	AD	Definitive	2008-Feb-21	Sweden
Argentina	petrol extraction pumps	AD	Definitive	2009-Nov-23	Romania
Argentina	Electrical terminals	AD	Definitive	2009-Apr-02	Germany
Australia	Brandy packaged in bottles or bulk	CVD	Definitive	2007-Mar-08	France
Australia	Processed dried currants	AD	Definitive	2008-Nov-17	Greece
Australia	Geosynthetic clay liners	AD	Definitive	2009-Oct-09	Germany
Australia	Polyvinyl chloride homopolymer resin (PVC)	AD	Definitive	2000-Mar-24	Hungary
Australia	Polyethylene high density	AD	Definitive	2003-Dec-05	Sweden
Belarus	Polyester yarn	SG	Definitive	2006-Apr-01	Germany, Poland
Brazil	Méthyl métacrylate	AD	Definitive	2001-Mar-14	Germany, Spain, France, United Kingdom
Brazil	Milk powder	AD	Definitive	2001-Feb-23	Denmark, Ireland
Brazil	Phenol	AD	Definitive	2002-Oct-16	Belgium, Germany
Brazil	Viscose Yarn	AD	Provisional	2009-Mar-16	Austria
Brazil	Pumping units	AD	Definitive	2005-Jun-29	Belgium, Denmark, Germany, Greece, Spain, Ireland, Italy, Luxembourg, Netherlands, Austria, Portugal, Sweden, United Kingdom
Brazil	Indigo Blue	AD	Definitive	2008-Mar-24	Germany
Brazil	glassine/glazed papers	AD	Definitive	2008-Oct-22	Finland
Brazil	Viscose Fibres	AD	Definitive	2009-Apr-08	Austria
Brazil	Polycarbonate resins in powder, granulates or pellets, with or without pigments additives	AD	Definitive	2008-Apr-08	Belgium, Germany, Spain
Brazil	Seamless steel pipes	AD	Definitive	2005-Oct-07	Romania
Brazil	Coconuts	SG	Definitive	2002-Sep-01	European Union
Canada	Refined sugar	CVD	Definitive	1995-Nov-06	European Union

Canada	Laminate flooring	AD	Definitive	2005-May-17	France
Canada	Hot-rolled carbon steel plate and high-strength low-alloy steel plate	AD	Definitive	2004-Jan-09	Czech Republic, Bulgaria, Romania
Canada	Refined sugar	AD	Definitive	1995-Nov-06	Denmark, Germany, Netherlands, United Kingdom
Chile	Milk in powder, milk, gouda cheese	SG	Definitive	2006-Dec-14	Germany, Netherlands
China	Methylene Chloride	AD	Definitive	2002-Jun-20	Germany, Netherlands, United Kingdom
China	Potato Starch	AD	Definitive	2007-Feb-06	Germany, France, Netherlands
China	Hydrazine Hydrate	AD	Definitive	2005-Jun-17	France
China	Dimethyl Cyclosiloxane	AD	Definitive	2006-Jan-16	Germany, United Kingdom
China	Chloroprene Rubber	AD	Definitive	2005-May-10	Germany, France, European Union
China	Benzofuranol; (7-Hydroxy or Furan phenol)	AD	Definitive	2006-Feb-12	Italy
China	Catechol	AD	Definitive	2003-Aug-27	France, Italy
China	Wear resistant overlay	AD	Definitive	2006-Dec-13	Germany, European Union
China	Adipic acid	AD	Definitive	2009-Nov-02	Germany, France, Italy
China	Polyamide-6,6	AD	Definitive	2009-Oct-12	France, Italy, United Kingdom
China	Certain iron or steel fasteners	AD	Provisional	2009-Dec-29	Germany, Spain, France, Italy, Poland, Sweden, United Kingdom
China	Polyamide-6 (PA6)	AD	Provisional	2009-Oct-20	Belgium, Germany, Italy, Netherlands, Poland
Croatia	Semi-hard Cheese and Cheese supplements	SG	Definitive	2009-Nov-09	Germany, Italy, Austria, Poland, Slovenia
Egypt	Blankets	SG	Definitive	2008-Feb-12	Spain
India	Acrylonitrile butadiene rubber (NBR)	AD	Definitive	2005-Jun-07	Belgium, France
India	Caustic soda	AD	Definitive	2001-Jun-26	France
India	Caustic Soda	SG	Provisional	2009-Dec-04	European Union
India	Certain Phosphorous based chemical compounds	AD	Provisional	2009-Aug-18	European Union
India	Dimethoate Technical	SG	Definitive	2009-Aug-27	European Union
India	Cold-Rolled Flat Products of Stainless Steel	AD	Definitive	2009-Nov-24	Belgium, Spain, France, Italy, Netherlands, Finland, Sweden, United Kingdom
India	Hydrogen Peroxyde	AD	Definitive	2008-Sep-04	European Union
India	Caustic soda	AD	Definitive	2003-Oct-01	Belgium, Italy
India	Certain Rubber Chemicals	AD	Definitive	2005-Nov-20	Belgium, Germany, Italy
India	Mica pearl pigment	AD	Definitive	2005-Mar-	Germany

				21	
India	Pentaerythritol	AD	Definitive	2006-Apr-20	Sweden
India	Phenol	AD	Definitive	2003-Mar-24	European Union
India	Potassium carbonate	AD	Definitive	2004-Feb-20	European Union
India	Sodium nitrite	AD	Definitive	2002-Nov-29	European Union
India	Acetone	AD	Definitive	2008-Mar-11	Belgium, Spain, Italy
Indonesia	dextrose monohydrate	SG	Definitive	2009-Aug-24	France
Indonesia	Wire Nails	SG	Definitive	2009-Oct-12	Estonia, Cyprus, Latvia, Lithuania, Hungary, Romania
Israel	Stretch wrap	AD	Provisional	2009-Aug-30	Greece, Italy
Israel	Recycled containerboards - Testliner and Flutting	AD	Provisional	2009-Sep-01	Germany, Spain, Austria, Sweden
Israel	Steel rebars for construction, straight and spiral, used for reinforcement of concrete, in diameters 8 - 40 millimetre	SG	Provisional	2009-Jun-23	European Union
Japan	Electrolytic Manganese Dioxide	AD	Definitive	2008-Aug-29	Spain
Jordan	Footwear	SG	Definitive	2007-Feb-19	Spain, Italy
Mexico	Bovine Meat	CVD	Definitive	1994-Jun-03	Denmark
Mexico	Parathion Methyl	AD	Definitive	2000-May-31	Denmark
Mexico	Sorbitol UPS grade	AD	Definitive	1990-Sep-27	France
Mexico	Cold-rolled sheet	AD	Definitive	2005-Dec-12	Bulgaria
Mexico	Organic pesticides	AD	Definitive	2007-Dec-21	Denmark
Mexico	carbon steel tubes with longitudinal straight seam	AD	Provisional	2009-May-26	United Kingdom
Mexico	Carbon steel plate in sheets	AD	Definitive	2005-Sep-22	Romania
Moldova	Sugar	SG	Definitive	2004-Jan-01	European Union
Morocco	Ceramic tiles	SG	Definitive	2006-Jan-26	Spain, Italy
New Zealand	Oral Liquid Paracetamol	AD	Definitive	2006-Jul-17	Ireland
New Zealand	Canned peaches	AD	Definitive	1998-Mar-09	Greece
Pakistan	Sorbitol 70% solution	AD	Definitive	2003-Nov-19	France
Pakistan	Tinplate (secondary quality)	AD	Definitive	2009-Nov-16	Belgium, Germany, France, Netherlands
Pakistan	Formic acid	AD	Definitive	2006-Jul-07	Germany, Finland
Peru	Hot-rolled steels and coils	AD	Definitive	2006-Jul-07	Romania
Philippines	Steel angle bars	SG	Definitive	2009-Aug-31	European Union
Philippines	Ceramic floor and wall tiles	SG	Definitive	2002-Apr-11	European Union

Russia	Flat rolled austenitic stainless steel (hot and cold-rolled, containing nickel)	AD	Definitive	2007-Mar-17	Belgium, Germany, Spain, France, Italy, Finland, Sweden
Russia	Flatware from corrosion-proof steel	SG	Definitive	2009-Dec-27	Belgium, Germany, France, Italy
Russia	Stainless steel pipes	SG	Definitive	2009-Nov-01	Germany, Italy, Netherlands, Poland, Finland, Sweden
Russia	Woven Glass Fibres	SG	Definitive	2007-Dec-10	Germany
Russia	Steel pipes (for oil and gas industry)	SG	Definitive	2006-Dec-15	Germany, Italy
South Africa	Acetaminophenol	AD	Definitive	1999-Jun-18	France
South Africa	Tall Oil Fatty Acid	AD	Definitive	2009-Jun-05	Sweden
South Africa	Lysine powder and feed supplements containing by mass 40 per cent or more lysine	SG	Definitive	2007-Dec-14	European Union
South Africa	Ropes & cables of iron or steel	AD	Definitive	2002-Aug-28	Germany, United Kingdom
Thailand	Hot-rolled flat in coils and not in coils	AD	Definitive	2003-May-27	Slovakia
Thailand	Glass Block	AD	Definitive	2009-Jan-15	Czech Republic
Turkey	Certain electrical appliances	SG	Definitive	2008-Nov-01	Belgium, France
Turkey	Matches	SG	Provisional	2009-Jun-06	Germany, Poland
Turkey	Frames and mountings for spectacles	SG	Definitive	2008-Mar-05	Italy
Turkey	Fittings	AD	Definitive	2006-Sep-07	Bulgaria
Turkey	Travel goods, handbags and similar containers	SG	Definitive	2008-Mar-07	Belgium, Germany, Spain, France, Italy, Netherlands, United Kingdom
Turkey	Cotton yarn other than sewing thread	SG	Definitive	2008-Oct-21	Belgium, Italy
Turkey	Vacuum cleaners for a voltage of 110 V or more	SG	Provisional	2006-Aug-10	Germany, France, Poland
Turkey	Steam Smoothing Irons	SG	Provisional	2006-Aug-10	European Union
Turkey	Footwear	SG	Provisional	2006-Aug-10	Germany, Greece, Spain, Slovenia
Turkey	Motorcycles	SG	Provisional	2007-Mar-02	Spain, Italy
Turkey	Salt	SG	Provisional	2006-Aug-10	Italy
Turkey	Polyvinyl chloride (PVC)	AD	Definitive	2003-Feb-06	Belgium, Germany, Greece, Italy, Hungary, Netherlands, Finland, Romania
Ukraine	Knitted fabrics	SG	Definitive	2007-Mar-01	Germany, Poland
Ukraine	Cotton Fabrics	SG	Definitive	2007-Jun-11	Germany, Italy, Poland
Ukraine	Steel Seamless Casing and Lifting Pipes	SG	Definitive	2008-Oct-01	Austria, Poland, Slovakia, Romania

Ukraine	Screw compressor installations	AD	Definitive	2005-Oct-17	Belgium, Italy, Finland
Ukraine	Gas-discharge incandescent lamps	SG	Definitive	2007-Jul-13	Hungary, Austria, Poland, Slovakia
Ukraine	Syringes	AD	Definitive	2009-Nov-04	Germany, Spain, United Kingdom
Ukraine	Laminated fibreboards	AD	Definitive	2005-Mar-01	Poland, Slovakia
Ukraine	Matches	SG	Definitive	2009-Nov-04	Germany, Poland, Romania
Ukraine	Float glass unreinforced, transparent, colourless (thickness 3.5 - 4.5 mm)	SG	Provisional	2009-Nov-13	Poland, Bulgaria
United States	Antifriction bearings	AD	Definitive	1989-May-15	United Kingdom
United States	Antifriction bearings	AD	Definitive	1989-May-15	Italy
United States	Granular polytetrafluoroethylene resin	AD	Definitive	1988-Aug-30	Italy
United States	Ball bearings	AD	Definitive	1999-May-15	France
United States	Ball bearings	AD	Definitive	1989-May-15	Germany
United States	Brass sheet & strip	AD	Definitive	1987-Mar-06	France
United States	Brass sheet & strip	AD	Definitive	1987-Mar-06	Germany
United States	Brass sheet & strip	AD	Definitive	1987-Mar-06	Italy
United States	Chlorinated isocyanurates	AD	Definitive	2005-Jun-24	Spain
United States	Sodium Nitrite	AD	Definitive	2008-Aug-27	Germany
United States	Certain Lightweight Thermal Paper	AD	Definitive	2008-Nov-10	Germany
United States	Stainless steel butt-weld pipe fittings	AD	Definitive	2001-Feb-23	Italy
United States	Stainless steel plates in coils	AD	Definitive	1999-May-21	Belgium
United States	Stainless steel plates in coils	AD	Definitive	1999-May-21	Italy
United States	Stainless steel plates in coils	CVD	Definitive	1999-May-11	Belgium
United States	Stainless steel sheet and strip in coils	AD	Definitive	1999-Jul-27	Germany
United States	Stainless steel sheet and strip in coils	AD	Definitive	1999-Jul-27	Italy
United States	Steel concrete reinforcing bars	AD	Definitive	2001-Sep-07	Latvia
United States	Steel concrete reinforcing bars	AD	Definitive	2001-Sep-07	Poland
United States	Low enriched uranium	AD	Definitive	2002-Feb-13	France
United States	Pressure sensitive plastic tape	AD	Definitive	2001-May-14	Italy
United States	Pasta	AD	Definitive	1996-Jul-24	Italy
United States	Pasta	CVD	Definitive	1996-Jul-24	Italy
United States	Purified Carboxymethylcellulose (CMC)	AD	Definitive	2005-Jul-11	Sweden

United States	Purified Carboxymethylcellulose (CMC)	AD	Definitive	2005-Jul-11	Finland
United States	Purified Carboxymethylcellulose (CMC)	AD	Definitive	2005-Jul-11	Netherlands
United States	Sorbitol	AD	Definitive	1995-Jul-03	France
United States	Stainless steel bar	AD	Definitive	1995-Mar-02	Spain
United States	Corrosion-resistant carbon steel flat products	AD	Definitive	1993-Aug-19	Germany
United States	Cut-to-length carbon steel plate	CVD	Definitive	1999-Dec-29	Italy
United States	Cut-to-length carbon-quality steel plate	AD	Definitive	2000-Feb-10	Italy
United States	Stainless steel wire rod	AD	Definitive	2007-Aug-26	Spain
United States	Stainless steel wire rod	AD	Definitive	2007-Aug-26	Italy

Annex IV – Investigations opened in 2007, 2008, 2009

Investigation opened in 2007, 2008, 2009												
Country	AD			CVD			SG			TOTAL		
	2007	2008	2009	2007	2008	2009	2007	2008	2009	2007	2008	2009
Argentina	1	1	1	0	0	0	0	0	0	1	1	1
Australia	0	1	1	0	0	0	1	0	0	1	1	1
Belarus	0	0	0	0	0	0	0	1	0	0	1	0
Brazil	3	2	0	0	0	0	0	1	1	3	3	1
Chile	0	0	0	0	0	0	0	0	1	0	0	1
China	0	3	2	0	0	0	0	0	0	0	3	2
Croatia	0	0	0	0	0	0	0	0	1	0	0	1
Dominican Republic	0	0	0	0	0	0	0	0	3	0	0	3
Egypt	0	0	1	0	0	0	0	1	0	0	1	1
GCC	0	0	0	0	0	0	0	0	2	0	0	2
India	1	3	1	0	0	0	0	2	9	1	5	10
Indonesia	0	0	0	0	0	0	0	2	0	0	2	0
Israel	0	0	4	0	0	0	0	0	1	0	0	5
Japan	1	0	0	0	0	0	0	0	0	1	0	0
Jordan	0	0	0	0	0	0	1	2	0	1	2	0
Kazakhstan	0	0	0	0	0	0	0	3	2	0	3	2
Kyrgyzstan	0	0	0	0	0	0	0	0	2	0	0	2
Mexico	0	1	0	0	0	0	0	0	0	0	1	0
Morocco	0	0	0	0	0	0	0	0	1	0	0	1
Pakistan	0	0	3	0	0	0	0	0	0	0	0	3
Peru	0	0	0	0	0	1	0	0	1	0	0	2
Philippines	0	0	0	0	0	0	0	1	1	0	1	1
Russia	0	1	0	0	0	0	1	2	2	1	3	2
South Africa	0	1	0	0	0	0	1	0	0	1	1	0
Turkey	0	2	0	0	0	0	3	1	1	3	3	1
Ukraine	0	1	0	0	0	0	2	1	2	2	2	2
USA	3	0	0	1	0	0	0	0	0	4	0	0
Vietnam	0	0	0	0	0	0	0	0	1	0	0	1
TOTAL	9	16	13	1	0	1	9	17	31	19	33	45

Annex V – Details of investigations initiated in 2009

Country	Product	Instrument	Initiation Date	Countries Investigated
Argentina	Laminated Flooring	AD	2009-Jan-28	Germany
Australia	Geosynthetic clay liners	AD	2009-Jan-05	Germany
Brazil	Coconuts desiccated	SG	2009-Jul-31	European Union
Chile	Powdered milk and Gouda cheese	SG	2009-Sep-04	France, Netherlands
China	X-Ray Security Inspection Equipment (energy above 100 thousand KeV)	AD	2009-Oct-23	Germany, Netherlands, Finland, United Kingdom
China	Polyamide-6 (PA6)	AD	2009-Apr-29	Belgium, Germany, Italy, Netherlands, Poland
Croatia	Semi-hard Cheese and Cheese supplements	SG	2009-Jun-23	Germany, Italy, Austria, Poland, Slovenia
Dominican Republic	Toilet paper	SG	2009-Oct-12	European Union
Dominican Republic	Glass bottles and flasks	SG	2009-Apr-15	Spain, France, Italy
Dominican Republic	Polypropylene Bags	SG	2009-Dec-17	European Union
Egypt	PET containers	AD	2009-Dec-24	Italy
Gulf Cooperation Council	Angles, channels, beams	SG	2009-Nov-07	Belgium, Germany, Spain, France, Italy, United Kingdom
Gulf Cooperation Council	Uncoated paper and paperboard in rolls and sheets	SG	2009-Nov-07	Belgium, Germany, Spain, Sweden
India	Plain Particle Board, Oriented Strand Board and similar Boards from wood or other ligneous materials	SG	2009-Apr-22	Belgium, Germany, Spain, France, Netherlands, Poland, Portugal, Finland, Romania
India	Unwrought Aluminium, Aluminium Waste and Scraps	SG	2009-May-22	Denmark, Germany, Spain, France, Italy, Netherlands, United Kingdom
India	Acrylic Fibre	SG	2009-Apr-09	Belgium, Spain, Italy, Bulgaria
India	Hot Rolled Coils, Sheets and Strips	SG	2009-Apr-09	Belgium, Germany, France, Netherlands, Sweden, United Kingdom, Romania
India	Coated Paper and Paper Board	SG	2009-Apr-20	Finland
India	Certain Phosphorous based chemical compounds	AD	2009-Feb-13	European Union
India	Dimethoate Technical	SG	2009-Feb-06	European Union
India	Oxo Alcohols (Acylic.Alcohols)	SG	2009-Jan-16	Germany
India	Uncoated Paper and Copy Paper	SG	2009-Apr-20	Germany, Finland, Sweden
India	Caustic Soda	SG	2009-Aug-20	European Union
Israel	Recycled containerboards - Testliner and Flutting	AD	2009-Jan-18	Germany, Spain, Austria, Sweden
Israel	Steel rebars for construction, straight and spiral, used for reinforcement of concrete, in diameters 8 - 40 millimetre	SG	2009-Mar-26	European Union
Israel	Uncoated woodfree printing papers (white papers)	AD	2009-Feb-25	Belgium, Germany, Netherlands, Finland, Sweden

Israel	Bituminous Membranes - waterproofing products	AD	2009-Aug-16	Greece, Italy
Israel	Stretch wrap	AD	2009-Apr-02	Greece, Italy
Kazakhstan	Glass jars for conservation, bottles of colourless glass for storage, transportation and package of goods, of 0.33 – 1 l	SG	2009-Jun-13	Germany
Kazakhstan	Active yeast	SG	2009-Jun-13	European Union
Kyrgyzstan	Wheat Flour	SG	2009-Apr-28	European Union
Kyrgyzstan	White Sugar	SG	2009-Feb-18	Poland
Morocco	Polyvinyl chloride	SG	2009-Aug-10	European Union
Pakistan	Tinplate (secondary quality)	AD	2009-Jan-16	Belgium, Germany, France, Netherlands
Pakistan	Hot rolled steel coil	AD	2009-Sep-04	Belgium
Pakistan	Hydrogen Peroxide	AD	2009-Aug-31	Belgium
Peru	Olive oil	CVD	2009-Jul-07	Spain, Italy
Peru	Cotton Yarn	SG	2009-Mar-13	European Union
Philippines	Testliner board	SG	2009-Nov-16	Belgium, Germany
Russia	Activated carbon (coal)	SG	2009-Nov-27	Germany, France, Netherlands, United Kingdom
Russia	metal bolts, nuts, springs	SG	2009-May-14	Czech Republic, Germany, Italy, Poland, Finland, Romania
Turkey	Matches	SG	2009-May-02	Germany, Poland
Ukraine	Liquid chlorine	SG	2009-Mar-17	Romania
Ukraine	Float glass unreinforced, transparent, colourless (thickness 3.5 - 4.5 mm)	SG	2009-Aug-27	Poland, Bulgaria
Viet Nam	Float Glass	SG	2009-Jul-01	European Union

Annex VI – Measures imposed in 2007, 2008, 2009

Measures imposed in 2007, 2008, 2009												
Country	AD			CVD			SG			TOTAL		
	2007	2008	2009	2007	2008	2009	2007	2008	2009	2007	2008	2009
Argentina	2	1	2	0	0	0	1	0	0	3	1	2
Australia	0	1	1	1	0	0	0	0	0	1	1	1
Brazil	1	4	2	0	0	0	0	0	0	1	4	2
Canada	1	0	0	0	0	0	0	0	0	1	0	0
China	1	0	4	0	0	0	0	0	0	1	0	4
Croatia	0	0	0	0	0	0	0	0	1	0	0	1
Egypt	0	0	0	0	0	0	0	1	0	0	1	0
India	1	2	3	0	0	0	0	0	4	1	2	7
Indonesia	0	0	0	0	0	0	0	0	2	0	0	2
Israel	0	0	2	0	0	0	0	0	1	0	0	3
Japan	0	1	0	0	0	0	0	0	0	0	1	0
Jordan	0	0	0	0	0	0	1	0	0	1	0	0
Kazakhstan	0	0	0	0	0	0	0	0	1	0	0	1
Mexico	1	0	0	0	0	0	0	0	0	1	0	0
Pakistan	0	0	1	0	0	0	0	0	0	0	0	1
Panama	0	0	0	0	0	0	1	0	0	1	0	0
Philippines	0	0	0	0	0	0	0	0	1	0	0	1
Russia	1	0	0	0	0	0	1	0	2	2	0	2
South Africa	0	1	1	0	0	0	1	0	0	1	1	1
Thailand	0	0	1	0	0	0	0	0	0	0	0	1
Turkey	0	0	0	0	0	0	1	4	1	1	4	1
Ukraine	0	0	1	0	0	0	3	1	2	3	1	3
USA	0	2	0	0	0	0	0	0	0	0	2	0
TOTAL	8	12	18	1	0	0	9	6	15	18	18	33

Annex VII – Details of measures imposed in 2009

Country	Product	Instrument	Type Of Measure	Date Of Imposition	Countries Investigated
Argentina	petrol extraction pumps	AD	Definitive	2009-Nov-23	Romania
Argentina	Electrical terminals	AD	Definitive	2009-Apr-02	Germany
Australia	Geosynthetic clay liners	AD	Definitive	2009-Oct-09	Germany
Brazil	Viscose Fibres	AD	Definitive	2009-Apr-08	Austria
Brazil	Viscose Yarn	AD	Provisional	2009-Mar-16	Austria
China	Adipic acid	AD	Definitive	2009-Nov-02	Germany, France, Italy
China	Polyamide-6 (PA6)	AD	Provisional	2009-Oct-20	Belgium, Germany, Italy, Netherlands, Poland
China	Certain iron or steel fasteners	AD	Provisional	2009-Dec-29	Germany, Spain, France, Italy, Poland, Sweden, United Kingdom
China	Polyamide-6,6	AD	Definitive	2009-Oct-12	France, Italy, United Kingdom
Croatia	Semi-hard Cheese and Cheese supplements	SG	Definitive	2009-Nov-09	Germany, Italy, Austria, Poland, Slovenia
India	Caustic Soda	SG	Provisional	2009-Dec-04	European Union
India	Cold-Rolled Flat Products of Stainless Steel	AD	Definitive	2009-Nov-24	Belgium, Spain, France, Italy, Netherlands, Finland, Sweden, United Kingdom
India	Thyionyl Chloride	AD	Provisional	2009-Apr-29	Germany
India	Coated Paper and Paper Board	SG	Provisional	2009-Apr-24	Finland
India	Certain Phosphorous based chemical compounds	AD	Provisional	2009-Aug-18	European Union
India	Dimethoate Technical	SG	Definitive	2009-Aug-27	European Union
India	Phthalic Anhydride	SG	Definitive	2009-Jun-30	European Union
Indonesia	dextrose monohydrate	SG	Definitive	2009-Aug-24	France
Indonesia	Wire Nails	SG	Definitive	2009-Oct-12	Estonia, Cyprus, Latvia, Lithuania, Hungary, Romania
Israel	Stretch wrap	AD	Provisional	2009-Aug-30	Greece, Italy
Israel	Steel rebars for construction, straight and spiral, used for reinforcement of concrete, in diameters 8 - 40 millimetre	SG	Provisional	2009-Jun-23	European Union
Israel	Recycled containerboards - Testliner and Flutting	AD	Provisional	2009-Sep-01	Germany, Spain, Austria, Sweden
Kazakhstan	Confectionery	SG	Provisional	2009-Jun-13	Germany, Netherlands, Poland
Pakistan	Tinplate (secondary quality)	AD	Definitive	2009-Nov-16	Belgium, Germany, France, Netherlands
Philippines	Steel angle bars	SG	Definitive	2009-Aug-31	European Union
Russia	Stainless steel pipes	SG	Definitive	2009-Nov-01	Germany, Italy, Netherlands, Poland, Finland, Sweden
Russia	Flatware from corrosion-proof steel	SG	Definitive	2009-Dec-27	Belgium, Germany, France, Italy
South Africa	Tall Oil Fatty Acid	AD	Definitive	2009-Jun-05	Sweden
Thailand	Glass Block	AD	Definitive	2009-Jan-15	Czech Republic
Turkey	Matches	SG	Provisional	2009-Jun-06	Germany, Poland
Ukraine	Matches	SG	Definitive	2009-Nov-04	Germany, Poland, Romania
Ukraine	Syringes	AD	Definitive	2009-Nov-04	Germany, Spain, United Kingdom
Ukraine	Float glass unreinforced, transparent, colourless (thickness 3.5 - 4.5 mm)	SG	Provisional	2009-Nov-13	Poland, Bulgaria