

Executive Summary

of the

**Expiry review request under Article 11 of Regulation 2016/1036
concerning certain prepared or preserved sweetcorn in kernels originating in Thailand**

Submitted by



**Association européenne des transformateurs de maïs doux (AETMD)
European sweet corn processors**

1. Product concerned

The product subject to this review request is preserved sweet corn (in kernels), regardless of whether or not the covering liquid contains vinegar or acetic acid, originating in Thailand:

- Sweetcorn (*Zea mays var. saccharata*) in kernels, prepared or preserved by vinegar or acetic acid, not frozen, currently falling within CN code ex 2001 90 30 (TARIC code 2001 90 30 10)
- Sweetcorn (*Zea mays var. saccharata*) in kernels prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading 2006, currently falling within CN code ex 2005 80 00 (TARIC code 2005 80 00 10).

This product is intended for human consumption. It is usually, but not exclusively, presented in a canned format.

A distinction is to be made between this product and 'baby corn' or 'young corn' (small corncobs often used in salads or exotic dishes), which does not fall within the scope of the request.

2. Standing

This expiry review request is submitted by the European sweet corn processors' association AETMD (Association européenne des transformateurs de maïs doux) on behalf of EU producers of the product concerned representing 60% of EU production (« the Applicants »).

3. Summary of the request

Following an ER investigation (R552) in 2012-2013, the AD measures imposed in 2007 on prepared or preserved sweet corn in kernels from Thailand were extended for a period of 5 years.

AETMD has submitted *prima facie* evidence that imports of the product concerned continued to be dumped in the recent period and that injury to the EU sweet corn industry would recur should the antidumping measures be allowed to lapse.

Therefore, AETMD, on behalf of Union producers of the product concerned, requests that the European Commission initiate an expiry review ("ER") pursuant to Article 11 of the Basic Regulation¹ of the anti-dumping ("AD") measures currently in force with a view to the extension of these measures for a five-year period.

The AD measures have allowed the EU industry to face Thai unfair competition and the trend of steady decline in injury indicators observed during the original investigation stopped.

However, evidence supplied by AETMD demonstrates that there is a strong likelihood of continuation & aggravation of dumping should measures expire. Indeed dumping continued while the measures were in place. Should measures be repealed, the relatively higher price in the EU will attract significant Thai volumes. Thailand has significant spare capacity available. Moreover Thai total exports volume continued to grow steadily year on year and are now approximately 10 times Thai exports volume to the Union. Finally, the Union market is attractive compared to other Thai export markets so the risk of trade diversion (at prices lower than current prices to the EU) is high.

Thus the expiry of the AD measures would quickly result in a sharp increase of dumped imports from Thailand into the EU leading to price reduction on the EU market. Prices would start spiralling down again and the Union industry would have to give up profitability to try and maintain its market share.

As a conclusion, the continuation of the AD measures is essential to the survival of the EU industry as without measures high import volumes of heavily dumped imports of the product concerned from Thailand would cause material injury to the EU industry.

¹ Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union

4. Interested parties

EU producers
Applicants
Bonduelle Europe Long life (BELL) and its subsidiaries
Conserve Italia Soc. Coop. Agr. and its subsidiaries
Groupe D'aucy and its subsidiaries
Other Union producers
Conservas EL CIDACOS S.A.
DAF AL srl
DAWTONA Sp z o.o.
EKO Konzervipari Kft.
Heinz (Pudliski)
Hortícoalba Albacete S.A.
Kecskeméti Konzervgyár Zrt.
Pusztai Konzerv Kft.
Schenk & Tsa Kft (Nagyatad Canning Kft)
Seretram – Géant vert (SERETRAM S.A.)
Szatmár Konzervgyar Kft.
WZPOW KWIDZYN
Zakład Produkcji Spożywczej JAMAR Szczepaniak sp. j
EU associations
Associazione Italiana Industrie Prodotti Alimentari (AIIPA)
Federación Nacional de Asociaciones de Transformados Vegetales y Alimentos Procesados (FENAVAL)
Fédération française des Industries d'Aliments Conservés (FIAC)
MHKSz (Magyar Hűtő és Konzervipari Szövetség) - Association of Hungarian Deep freezing and Canning Industry

EU importers
INTERGARDEN nv
CANDYS Food Trading GmbH
HARTWICH & KADEN
I. SCHMIDT
I. SCHRÖDER
OTTO FRANCK IMPORT KG
PAUL M. MÜLLER GmbH
Schmidt Handelsges. mbH
WILHEM SCHUMACHER GmbH
Wünsche Handelsges. international mbH & Co KG
WYDRA International GMBH
ZUMDIECK
FOODNET Ltd
IVORY ET LEDOUX
JK FOODS
LDH (La Doria) Ltd
LOVERING FOODS
MARITIME FOODS
MARTIN MATHEW
NILA Ltd
PEATY MILLS Plc
PRINCES FOODS Ltd
SELECT FOODS
EU retailers importers
ASDA STORES LTD
AUCHAN PRODUCTION
BAUD MARQUE LEADER PRICE
CARREFOUR MARQUE N°1
DIA
EDEKA ZENTRALE AG & Co. KG
EMC DISTRIBUTION MARQUE CASINO ET MONOPRIX
ERTECO MARQUE ED
ITM ENTREPRISES MARQUE ST ELOI
KAUFLAND WARENHANDEL GmbH & Co. KG
LIDL
METRO GROUP BUYING GmbH
MORRISON SUPERMARKETS PLC
REWE-ZENTRALORGANISATION
SAINSBURYS STORE PLC
SOMERFIELD PLC
TENGMANN WARENHANDELSGESELLSCHAFT KG
TESCO HOUSE

Thai producers
ABD KHAN CO.,LTD.
Agrifresh Company Limited
Boonsith Enterprise Co., Ltd.
BNH Canning Co Ltd
CHANG AWARDS 1959 Ltd
ERAWAN Food Public Company Limited
Exotic Food Public Company Limited
FANG AGRI FOODS PRODUCTS CO.,LTD.
Grand Asia Food Industry Co., LTD
Great Oriental Food Products Co Ltd
KARN CORN GROUP - KARN CORN CO. LTD.
KUIBURI FRUIT CANNING CO., LTD.
LAMPANG FOOD PRODUCTS CO., LTD
Majestic Food Industry Co., LTD (SUNLEE)
New Lamthong Foods Industries Co., Ltd.
Northern Food Co., Ltd.
ONGKORN SPECIAL FOODS CO., LTD.
O.V.International Import Export Co., Ltd
Pan Inter Foods Co.,Ltd.
RIVER KWAI INTERNATIONAL FOOD INDUSTRY CO., LTD. (RKI)
Roza Agri-Industrial Company Limited
Saha Prachinburi Foods Industry Ltd.
SIAM BICENT CO.,LTD.
SIAM DEL MONTE CO.,LTD
SUN SWEET
Thai Soon Foods, Co., Ltd.
The Peace Canning (1958) Co., Ltd
Tropical Food Industries Co., Ltd.
TROPICAL PREMIER FOODS CO.,LTD
Universal Food Public Company Limited
Vara Food & Drink Co., Ltd.
Thai exporters
ASA Bangkok Limited
CP Intertrade Co.,Ltd.
Ongkorn Special Foods Co., Lt.