

**ASSOCIATION
BETWEEN
THE EUROPEAN UNION
AND TURKEY**

The Association Council

Brussels, 26 February 2013

UE-TR 4804/13

COVER NOTE

from: Mr P. BALÁS, Deputy Director General, European Commission
date of receipt: 20 February 2013
to: President of the EU-Turkey Association Council

Subject: AD588 - Anti-dumping investigation concerning imports of hollow sections
originating in the former Yugoslav Republic of Macedonia, Turkey and Ukraine

I have the honour to inform you that the Commission has decided to terminate the anti-dumping proceeding concerning imports of hollow sections originating in the former Yugoslav Republic of Macedonia, Turkey and Ukraine

Attached you will find a copy of the Note Verbale sent to the Mission of the Republic of Turkey to the European Union, accompanied by a copy of the relevant Regulation published in the *Official Journal of the European Union*.

I take this opportunity to renew to the President of the EU-Turkey Association Council the assurance of my highest consideration.

P. BALÁS

Encl: Official Journal; Note Verbale

COMMISSION DECISION

of 13 February 2013

terminating the anti-dumping proceeding concerning imports of welded tubes, pipes and hollow profiles of square or rectangular cross-section, of iron other than cast iron or steel other than stainless originating in the former Yugoslav Republic of Macedonia, Turkey and Ukraine

(2013/80/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Community⁽¹⁾ (the basic Regulation), and in particular Article 9 thereof,

After consulting the Advisory Committee,

Whereas:

A. PROCEDURE

- (1) On 16 February 2012 the European Commission (the Commission) received a complaint concerning the alleged injurious dumping concerning imports of welded tubes, pipes and hollow profiles of square or rectangular cross-section, of iron other than cast iron or steel other than stainless ('hollow sections') originating in the former Yugoslav Republic of Macedonia, Turkey and Ukraine (the countries concerned).
- (2) The complaint was lodged on behalf of Union producers ('the complainants'), representing more than 25 % of the total Union production of hollow sections. The complaint contained prima facie evidence of the existence of dumping and of material injury resulting from the dumped imports, which was considered sufficient to justify the initiation of an anti-dumping proceeding.
- (3) The Commission, after consultation of the Advisory Committee, in a notice published in the *Official Journal of the European Union*⁽²⁾, initiated an anti-dumping proceeding concerning imports of hollow sections originating in the countries concerned.
- (4) The Commission sent questionnaires to the Union industry, to the exporting producers in the countries concerned, to the importers and to the authorities of the former Yugoslav Republic of Macedonia, Turkey

and Ukraine. Interested parties were given the opportunity to make their views known in writing and to request a hearing within the time limit set out in the notice of initiation.

- (5) All interested parties who so requested and showed that there were particular reasons why they should be heard were granted a hearing.

B. WITHDRAWAL OF THE COMPLAINT AND TERMINATION OF THE PROCEEDING

- (6) By letter of 23 November 2012 to the Commission, the complainants formally withdrew their complaint.
- (7) In accordance with Article 9(1) of the basic Regulation, the proceeding may be terminated where the complaint is withdrawn, unless such termination would not be in the Union interest.
- (8) The Commission considered that the present proceeding should be terminated since the investigation had not brought to light any reasons or considerations showing that such termination would not be in the Union interest.
- (9) Interested parties were informed accordingly and were given the opportunity to comment. No comments were received indicating that such a termination would not be in the Union interest.
- (10) The Commission therefore concludes that the anti-dumping proceeding concerning imports into the Union of hollow sections originating in the former Yugoslav Republic of Macedonia, Turkey and Ukraine should be terminated without the imposition of measures.

HAS ADOPTED THIS DECISION:

Article 1

The anti-dumping proceeding concerning imports of welded tubes, pipes and hollow profiles of square or rectangular cross-section, of iron other than cast iron or steel other than stainless currently falling within CN codes 7306 61 92 and 7306 61 99, originating in the former Yugoslav Republic of Macedonia, Turkey and Ukraine, is hereby terminated.

⁽¹⁾ OJ L 343, 22.12.2009, p. 51.

⁽²⁾ OJ C 96, 31.3.2012, p. 13.

Article 2

This Decision shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

Done at Brussels, 13 February 2013.

For the Commission
The President
José Manuel BARROSO



EUROPEAN COMMISSION
Directorate-General for Trade

NOTE VERBALE

The Directorate-General for Trade of the European Commission presents its compliments to the Mission of the Republic of Turkey to the European Union and has the honour to refer to the anti-dumping proceeding concerning imports of hollow sections originating in Turkey, the former Yugoslav Republic of Macedonia and Ukraine, which was the subject of Note Verbale of 30 November 2012.

The Commission has decided to terminate the proceeding without the imposition of anti-dumping measures.

All interested parties have been informed of this decision and have raised no objections.

A copy of the *Official Journal of the European Union* setting out the material facts and considerations relevant to the termination of the proceeding is attached for information.

The Directorate-General for Trade of the European Commission takes this opportunity to renew to the Mission of the Republic of Turkey to the European Union the assurance of its highest consideration.

Brussels, 14 February 2013
Ares (2013)223221



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Encl. Official Journal

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