



United Arab Emirates

United Arab Emirates

Ministry of Economy

Antidumping Application

Industrial Affairs Department

Directorate of Antidumping

Dubai – United Arab Emirates

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INTRODUCTION

First: The information called for in this application is in connection with an antidumping complaint which has been submitted by producers of, in UAE alleging that the increase of imports of originating and exported from countries under the harmonized System Code are being increased and sold in the UAE domestic market in prices lower than those practiced by domestic producers, causing and threatening to cause injury to the UAE industry producing like product or directly competitive product, and therefore, request the initiation of an antidumping Investigation and the imposition of trade defense measures against those imports.

Second: The subject product is which are classified under the harmonized tariff schedule

Third: The commercial and financial data furnished in response to the enclosed questionnaire that reveal the individual operations of your firm will be treated as confidential to the extent that such data are not otherwise available to the public and will not be disclosed without specific permission of your firm, except as may be required by law. Such confidential information will not be published in a manner that will reveal the individual operations of your firm. Thus, it is required to indicate as "confidential" any information which is by nature confidential, or which is provided on a confidential basis.

Fourth: Please be advised to unify the units of measurement for quantity and for value.

Fifth: please complete the application and return it back to the Ministry of Economy as soon as possible. If you have questions concerning the questionnaire, the request of an electronic copy of this questionnaire or any other matters related to the complaint, please contact us on 00971 4 3141631 or via email to antidumping@economy.ae

Seventh: please provide a non confidential version of the complaint

First section
General Questions

1. What is the main activity of your firm?

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2. What is the main product produced by your firm?

Product	Harmonized system	Quantity
1.		
2.		
3.		

3. What are the other products produced by your firm, other than the main product?

Product	Harmonized system	Quantity
4.		
5.		
6.		

4. What is the product in respect of which the initiation of an investigation is requested, which is called, hereafter, the subject product?

Product	Description	Harmonized system	Commercial name
1.			
2.			
3.			

- ✓ Provide full description of the product including chemical formula, grade constituent materials / Components, process of manufacture, uses and inter-changeability of various grades, etc.

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5. Is your firm owned in whole or in part by any other firm? If yes list the following information?

Company	Address	Extent of ownership
1.		
2.		
3.		

6. Does your firm have any related firms, either in UAE or in foreign countries, which are engaged in importing the subject product into your country or which are engaged in exporting the subject product to your country?

NO

Yes , list the following information:

Company	Address	Affiliation
1.		
2.		
3.		

7. Does your firm have any related firms, either in UAE or in foreign countries, which are engaged in producing the subject product?

NO

Yes, list the following information:

Company	Address	Affiliation
1.		
2.		
3.		

8. Who should be contacted regarding the requested questionnaire information?

Name:.....

Title:

Phone No.:.....

E-mail address:

9. Have you filed within the past two years or planned to file a complaint involving the subject product?

No

Yes, explain the nature of the complaint and the import relief sought?

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10. Do you know other UAE producers manufacturing the subject product?

No

Yes, list the following information.

	Name	Address	Quantity of production in the most recently completed calendar year	Position with regard to the complaint (support, opposition, no opinion)

Producers in your country	1.			
	2.			
	3.			
	4.			
Other producers in UAE	1.			
	2.			
	3.			
	4.			

11. Identify any of the UAE producers that are related to foreign producers/exporters or are importers of the subject product?

No

Yes, list the following information.

Name	Address	Quantity of production in the most recently calendar year
1.		
2.		
3.		
4.		

12. Provide the name of the country or countries from which the subject product is being , or is likely to be imported into UAE market in the most recently calendar year?

Country of importation	Quantity imported (approximately)	Share in UAE market (approximately)
1.		
2.		

3.		
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13. Provide the names, addresses and telephone number of the known foreign producers and exporters of the subject product?

Name of the foreign producer or exporter	Address and country of origin or export
1.	
2.	
3.	

(Please add a specific annex if the list of exporters/ foreign producers is too long)

14. Provide the names, addresses and telephone numbers of persons or firms believed to be importing the subject product into UAE?

Name of importer	Activity	Address
1.		
2.		
3.		

(Please add a specific annex if the list of importers is too long)

15. Provide the names, addresses and telephone number of the major users of the subject product in UAE?

Name of the industrial user	Address and country
1.	
2.	
3.	

(Please add a specific annex if the list of users is too long)

16. Provide information whether the subject product is commonly sold at retail level or at the wholesale level.

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17. Provide information whether the subject product is produced in industrial free trade zones in UAE?

NO

Yes, list the following information

Name of the firm	Address	Quantity of production in the most recently calendar year
1.		
2.		
3.		

Second Section

Production and related information

PLEASE BE INFORMED THAT ALL INFORMATION HAS TO BE PROVIDED ONLY REGARDING THE CONCERNED PRODUCT.

1. Has your firm experienced any plant openings, relocations, expansions acquisitions, closures because of strikes or equipments failure, curtailment of production because of shortage of raw materials or any other change in the character of your operations and organization relating to the production of the subject product during the three previous years?

NO

Yes, supply details as to the time, nature and significance of such changes?

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2. What is the actual production and installed capacity of the factory regarding the concerned product per model or type?

Capacity production						
product	2008	2009	2010			
Total						
Production						
product	2008	2009	2010			
Total						

3. Please describe the constraints that set the limits on your production capabilities?

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4. Provide information concerning the imported product?

Description of the product	
HS code	
Physical characteristics	
Production process (summary)	
Major raw materials and /or components	
End uses	
Distribution channels	
Seasonality	

5. Please provide any documents related to the description of the imported product (brochures, photographs, further specification).

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6. Please, if applicable, provide whether the imported product may be divided into the following types. If yes, insert the main types of the imported product

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7. Provide information concerning the product produced by your company?

Description of the product	
Commonly used name	
The unit of measurement of the product	
HS code	
Physical characteristics	
Production process (summary)	
Major raw materials and /or components	
End uses	
Distribution channels	
Seasonality	

8. Please provide any documents related to the description of the product produced by your company (brochures, photographs, further specification).

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9. Please, if applicable, provide whether the domestically produced product may be divided into the following types. If yes, insert the main types of the product

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10. Considering the above, it is submitted that the imported product and the domestically produced product is identical

yes

NO,

In the event that the imported product and the domestically produced product has closely resembling characteristics, please identify the differences between the imported product and the domestically produced product

Criteria	Differences between the domestic product and the imported product

11. Please explain to what extent the differences between the domestically produced product and the imported product have an effect on the consumer perception?

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12. Please explain to what extent the differences between the domestically produced product and the imported product have an effect on the price?

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13. Since 2005, has your firm imported the subject product?

No

Yes, list the following information .

	H · S · C o d e	Desig natio n	quanti ty	va lu e	export countr y	reasons
2 0 0 8						
2 0 0 9						
2 0 1 0						

14. Other than direct imports, has your firm otherwise purchased the subject product?

No

Yes, report such purchases below for the specified periods ?

	2008	2009	2010
Purchases from your home country importers			
Quantity			

Value			
Purchases from UAE producers			
Quantity			
Value			
Purchases from other sources			
Quantity			
Value			

15. Does your firm export the subject product to GCC or foreign countries?

- No
- Yes, list the following information.

		2008	2009	2010
Exportations to GCC				
Kingdom of Bahrain	Q			
	V			
Kingdom of Saudi Arabia	Q			
	V			
State of Qatar	Q			
	V			
State of Kuwait	Q			
	V			
Sultanate of Oman	Q			
	V			
total	Q			
	V			

Exportations to foreign countries				
Country.....	Q			
	V			
Country.....	Q			
	V			
Country.....	Q			
	V			
Country.....	Q			
	V			
Total	Q			
	V			
Total	Q			
	V			

16. Describe the end uses and main customers of the product produced by you company in UAE?

Name	Activity	address
End use		
End use		
End use 3.....		

17. Describe the end uses and main customers of the imported product into UAE?

Name	Activity	address

End use		
End use		
End use		

Third section
Injury and related Information

The Following Data Relates To the Alleged Injury Caused By the Imported Product during the period of three years starting from to, hereafter called, injury period.

1. Is there an increase of the imported product in the domestic market of your country during the above period?

- No
- Yes

If yes explain when the increase of imports has started?

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2. How has the demand in UAE for the imported product changed since? What principal factors affect changes in demand?

- Increased
- Unchanged
- Decreased

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3. What is the total UAE consumption of the concerned product in terms of quantity? Please specify the unit.

	2008	2009	2010
Estimated imported product into UAE market(quantity)			

Estimated total imports of the concerned products into UAE market(value)			
Sales of the applicant (s) domestic product in the UAE market (quantity)			
Estimated total sales of the domestic product into UAE market(value)			
Estimated apparent UAE consumption of the concerned product (quantity)			

Please comment on the above table

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4. Depending on the data included in the table above, please indicate the market share of the domestic product and the imported product as a percentage of the total apparent UAE market consumption.

	2008	2009	2010
Estimated imported product into UAE market(%)			
Estimated total imports of the concerned products into UAE market (%)			
Sales of the applicant (s) domestic product in the UAE			

market (%)			
Estimated sales of the domestic product of other UAE producers in the UAE market (%)			
Estimated total sales of the domestic product into UAE market (%)			
Estimated apparent UAE consumption of the concerned product (quantity)	100 %	100%	100%

Please comment on the above table

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5. Does your firm anticipate or suffer any negative impact due to the increase of imports of the concerned product within the above period?

No

Yes, list the following information:

- Lost sales in the local market Yes No
- Lost sales orders Yes No
- Reduce sale prices Yes No
- Cancellation or postponement of Investments Yes No
- Decrease of market share Yes No

- Reduction of workforce. Yes No
- Increased Stock Yes No
- Decreased profitability Yes No
- Decreased return on investment Yes No
- Decreased productivity Yes No
- Decreased capacity utilization Yes No
- Decreased production Yes No
- Decrease of cash flow Yes No

Please be informed that all the data and injury factors refer exclusively to the product concerned.

Please complete the enclosed table to show all data related to the abovementioned injury factors within the specified period of time, named IFAT.

6. Please provide an analysis of data presented above bringing out a causal link between the increased imports and the injury caused to the UAE industry.

- The applicant has to show that the injury to the domestic industry is caused by imports.
- Outline your arguments in support of a causal link between increased imports & injury explaining how the sales of imported products have affected UAE domestic industry.
- The evidence of injury above-mentioned have to show that the injury suffered by the UAE producers cannot be attributed to causes other than imports and that the effects of the imports is a direct cause of the injury suffered by the UAE producers.
- Therefore, it is concluded that there is a direct causal link between the imports and the injury suffered during the injury period.

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7. Please provide the evolution of the average selling price of the domestic product and the average of the imported product?

Please use the same level of trade (wholesaler, retailer,...) and indicate which one has been used for the comparison.

Please determine the average selling price by model or category or type or closest group.

	2008	2009	2010
Average selling price of the imported product charged in the UAE market.			
Average selling price of the domestic product charged in the UAE market			

8. Provide information on how the selling price of the imported product into the UAE market is exercising a price effect on the selling price of the domestic product in terms of price undercutting.

The undercutting margin is shown below. The margin is expressed as a percentage of the applicant average selling price in the UAE market.

Average selling price of the domestic product-average selling price of the imported product/average selling price of the domestic product*100=....%.

9. Provide information on how the selling price of the imported product into the UAE market is exercising a price effect on the selling price of the domestic product in terms of price underselling.

	2008	2009	2010
Average Cost of Production/Cost of Goods Sold			
Average Sales Price			
Cost as % of Prices			

10. Provide details of any other factors that may be attributing to the injury to the domestic industry and an explanation that injury caused by these

other factors is not attributed to injury caused by increased imports. The following information need to be analyzed in accordance with the same period of time:

- a. Export performance to countries: increase or decrease or stagnation

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- b. Competition: The effect of competition between the UAE producers of the concerned product, inter alia between applicant companies and the non applicant companies had the following effect on the applicants:

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- c. Any other relevant factor that show that you have examined other factors that may have influenced the performance of the concerned UAE industry.

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Section Four : Dumping

Dumping occurs when the export price of a product imported into UAE market is less than the price at which a like product is sold in the domestic market of the exporting country.

The period used for dumping calculation is not less than 6 months and could be 1 year, which is called the dumping period, starting from

I. Export price

Export price is the price paid or payable for the investigated product when sold for export from the exporting country to UAE market.

There may be more than one approach to determine the export price. The best way is to have direct ex-factory price for the purpose of export.

If the export price of each known exporter is not accessible or available, the export price can be calculated from C & F price of a dumped product by deducting total expenses incurred from to port of importation in UAE market to the factory gate as per table named EPIM.

In case the applicant feels that there is a known relationship between the parties then the export price may be estimated, by deducting total expenses incurred i.e. transportation costs, duty, tax, selling and distribution expenses incurred in UAE market, and resale profit from the importer's resale price in UAE market as per table named CEP (Constructed Export Price).

Whichever method is used should be fully described and the sources of information should be identified. The export price determined should be stated, i.e. US\$ per metric ton.

Possible sources of information on export price include export price lists; estimates from the UAE Bureau of Statistics; a deductive export price calculation from the UAE selling price of the imported goods; export sales quotations or invoices; foreign government export trade clearances.

Indicate the FOB export price(s) of the imported goods. Where there are different grades, levels of trade, models or types involved, an export price should be supplied for each.

Specify the terms and conditions of the sale, where known.

If you consider published export prices are inadequate, or do not appropriately reflect actual prices, please calculate a constructed export price for the product.

It is important that the application be supported by evidence to show how export price(s) have been calculated or estimated. The evidence should identify the source(s) of data.

1. EXPORT PRICE INVOICE METHOD (EPIM)

The below information is to be provided for each exporter

EPIM table

Name of exporter: _____

01	02	03	04	05	06=+4+5	07	08	09	10	11=7+8+9+10	12=2-6-11
Product & its grade/type separately	C&F price (currency of exporting country)	Expenses from port of embarkation to port of importation into UAE market				Inland expenses from ex-factory to the port of embarkation					Ex-factory price for export
		Ocean freight	insurance	Others (specify)	Total (FOB price)	Port handling charges	Inland freight	Insurance	Others (specify)	Total	

- Please provide the average exchange rate for the Dumping Period.
- Give the quantities exported by each exporter in the period of alleged dumping. The information may be given separately for each consignment.
- Please indicate the known ex-factory export prices of each exporter for products alleged to be dumped into UAE market.
- Please explain in detail any known relationship between importer and exporter or among any other interested parties.
- Any comments about answers given of above questions including your efforts to determine any information that is not readily available to you.

2. CONSTRUCTED EXPORT PRICE (CEP)

Information may be given on above lines separately for each exporter and for each model/ grade/ type

Note: Please give material changes in any of the above heads with reference to the date.

Please state the unit of measurement and the currency.

	Model A	Model B	Model C
Price at first point of resale in UAE market to an independent buyer (UAE retail price)			
Less charges for			
Sales taxes			
Other taxes (specify)			
Retailer margin			
Transportation			
Insurance			
Other (specify)			
Wholesale price			
Wholesaler margin			
Transportation			
Insurance			
Other (specify)			
Customs duty (specify)			
Import clearance charges			
CIF price			
Ocean Insurance			
C&F price			
Ocean freight			
FOB price			
Port handling charges			
Other costs (specify)			

Inland freight & insurance			
Constructed export price (EX-Factory level)			

Information may be given on above lines separately for each exporter and for each model/ grade/ type.

II. Normal value

There may be more than one approach to determine Normal Value.

Normal Value is a comparable price paid or payable, in ordinary course of trade, for sales of the like product when destined for consumption in the domestic market of the exporting country.

If it is not possible to establish normal value on the basis of sales price then normal value may be established on the basis of the cost of production in the exporting country plus a reasonable amount for administration, selling and general costs and for profits

OR

On the basis of a comparable price of the like product when exported to third country provided that the price is representative.

The applicant is expected to establish normal value on the basis of any one method given in sub-section A, B, & C.

Explain how you determined normal value. The preferred method is sales prices for consumption in the domestic markets of the country or countries of exportation. Whichever method is used should be fully described and the sources of information should be identified. The normal value determined should be stated, i.e. US\$ per metric ton.

1. Domestic selling price in the country of export (DSPCE)

Comparable price, in the ordinary course of trade, for like product when meant for consumption in the exporting country.

Evidence on prices could be found on price list of the exporters, commercial invoices raised in the local market in the exporting country,...

Please calculate the exporter`s selling price in the domestic market of the exporting country and indicate the level of trade. It is preferable that it would be calculated at ex-factory level.

What is the ex-factory price charged by the producer(s) in the exporting country, subject to this application?

Are indirect taxes such as VAT (total approximate amount may be given) included in the ex-factory price?

What is the level of trade, (i-e manufacturer to wholesalers, wholesaler to retailers etc) of the prices used to calculate domestic prices?

Please provide the known quantities of sale, conditions and terms of sales?

Any comments about information given above including your efforts to determine any information that is not readily available to you.

DSPCE

Please state the unit of measurement and the currency.

	Model A	Model B	Model C
Retail price			
Value Added Tax			
Other taxes (specify)			
Retailer margin			
transportation			
Insurance			
Wholesale price			
Wholesaler margin			
Transportation			
Insurance			
Other (specify)			
EX-factory			

price			
Normal value			

Please provide information on the adjustments in the selling prices required to be made on account of trade/commercial discounts, taxes, product differences, taxation, etc associated with the selling prices considered for determination of normal value.

2. Constructed normal value (CNV).

Because there are no sales of the like product in the ordinary course of trade in the market of the exporting country, or because of the particular market situation in the exporting country or the low volume of the sales in the exporting country (less than 5% of exports), which do not permit a proper comparison, the normal value could be constructed as follows:

CNV Table

Please state the unit of measurement and the currency

	Model A	Model B	Model C
Manufacture cost			
Raw materials			
Raw material 1			
Raw material 2			
Raw material 3			
Labor			
Direct labor			
Indirect labor			
Manufacturing overheads			
Depreciation			
Others (specify)			
Selling , general			

& administrative cost (SG&A)			
Selling expenses			
Administrative and general expenses (specify)			
Financial expenses			
Total cost			
Profit			
Constructed normal value :EX-factory price			

Please provide information on the adjustments used on account of trade/commercial discounts, taxes, product differences, taxation, etc associated with the selling prices considered for determination of normal value.

3. Third Countries Export Price (TCEP)

Because there are no sales of the like product in the ordinary course of trade in the market of the exporting country, or because of the particular market situation in the exporting country or the low volume of the sales in the exporting country (less than 5% of exports), which do not permit a proper comparison, the normal value could be determined on the basis of evidence obtained concerning prices charged by the exporting country to other country markets, as follows:

TCEP

Please state the unit of measurement and the currency.

	Model A	Model B	Model C
CIF price			
<i>Less than</i>			
Insurance			

C&F price			
Ocean freight			
FOB price			
Port handling charges			
Other costs (specify)			
Inland freight			
Insurance			
EX-factory normal value			

Please provide information on the adjustments used on account of trade/commercial discounts, taxes, product differences, taxation, etc associated with the selling prices considered for determination of normal value.

III. Adjustments for price comparison

Please identify whether there are differences between the exported product to UAE market and the value used for the determination of the normal value in the exporting country which could affect prices and price comparability between them, in terms of physical characteristics or any other difference affecting price comparability. The information may be provided in the following format:

Difference	Domestic product	Export price product	Effect on price

IV. Estimates of Dumping margin

Dumping margin is the difference between the normal value and the export price at the same level of trade after allowances have been made for any differences affecting price comparability.

$$\text{Dumping margin} = \text{Normal value} - \text{Export price}$$

Provide details of estimates dumping margin in **case of each country** alleged to be dumping the subject product into UAE market. The information may be provided in the following format:

	Local currency of exporters	Exchange rate/ US\$	In US\$
Normal value (ex-factory level)			
Export price (ex-factory level)			
Dumping amount			
CIF value			
Dumping margin (as % of CIF value)			

- Please note that separate table for each of the exporting country is to be furnished.
- Dumping margin should be calculated for as many exporters and consignments as practical.
- Dumping margin should be in terms of absolute amount per unit of the product.

Please provide as much further comments, information and additional remarks, which are likely to be relevant for the complaint?

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Please enclose a copy of the income statements related to the years 2008-2010.

Name:.....

Position:.....

Signature:.....