



United Arab Emirates

United Arab Emirates

Ministry of Economy

Safeguards Application

Industrial Affairs Department

Directorate of Antidumping

Dubai – United Arab Emirates

P.O. Box 3625 - Telephone: +971 4 3141631 - Fax: + 971 4 3581313

INTRODUCTION

First: The information called for in this application is in connection with a safeguard complaint which has been submitted to the Ministry of Economy, 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 a safeguard 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 by the Ministry of Economy 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 Such confidential information will not be published in a manner that will reveal the individual operations of your firm.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 via email to antidumping@economy.ae

Sixth: please provide a non confidential version of the complaint that could be inspected by interested parties. Guidelines for the non confidential version of the application are available at section 7.

Section I
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 a safeguard 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. What is the rate of import duty levied on the subject product during the past years in UAE?

2005	2006	2007	2008	2009

- ✓ Provide details, if the product enjoys any concessional or preferential treatment?

6. 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.		

7. Does your firm have any related firms in UAE 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.		

8. Does your firm have any related firms in UAE which are engaged in producing the subject product?

☐ NO

☐ Yes, list the following information:

Company	Address	Affiliation
1.		
2.		
3.		

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

Name:.....

Title:

Phone No.:.....

E-mail address:

10. 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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11. 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.			

12. 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.		

13. 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)
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1.		
2.		
3.		

14. 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)

15. 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)

16. 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)

- 17. Provide information whether the subject product is commonly sold at retail level or at the wholesale level.**

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- 18. 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.		

- 19. Provide information which you feel indicates that there have been massive imports of the subject product over a relatively short or long period of time?**

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Second II

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	2005	2006	2007	2008
Total						
Production						
product	2005	2006	2007	2008
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

Type/Model	Description/ main characteristics	HS Code
1.		
2.		
3.		

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

Type/Model	Description/ main characteristics	HS Code
1.		
2.		

3.		
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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 are not like product but directly competitive products, please identify the differences between the imported product and the domestically produced product and how they are competing directly with each other.

Criteria	Differences between the domestic product and the imported product	Competition indicators

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, has your firm imported the subject product?

☐ No

☐ Yes, list the following information .

	H. S. Code	Designation	quantity	value	export country	reasons
2005						
2006						
2007						
2008						
2009						

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

☐ No

☐ Yes, report such purchases below for the specified periods ?

	2005	2006	2007	2008	2009
Purchases from your home country importers					
Quantity					
Value					

Purchases from other sources					
Quantity					
Value					

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

☐ No

☐ Yes, list the following information.

		2005	2006	2007	2008	2009
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, either in UAE?

Name	Activity	address

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

Name	Activity	address

Section III

Injury and related Information

THE FOLLOWING DATA RELATES TO THE ALLEGED INJURY CAUSED BY THE IMPORTED PRODUCT DURING THE PERIOD OF THREE TO 5 YEARS STARTING FROMTO 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 within UAE for the imported product changed since January 2005? 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.

	2005	2006	2007	2008	2009
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 sales of the domestic product of other UAE producers in the UAE market(quantity)					
Estimated total sales of the domestic product into UAE market(quantity)					
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.**

	2005	2006	2007	2008	2009
Estimated imported product into domestic market (%)					
Estimated					

imported product 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%	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 | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Lost sales orders | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Reduce sale prices | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Cancellation or postponement of Investments | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Decrease of market share | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Reduction of workforce. | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Increased Stock | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Decreased profitability | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Decreased return on investment | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Decreased productivity | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Decreased capacity utilization | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Decreased production | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Decrease of cash flow | <input type="checkbox"/> Yes | <input type="checkbox"/> 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.

	2005	2006	2007	2008	2009
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.

$$\frac{\text{Average selling price of the domestic product} - \text{average selling price of the imported product}}{\text{average selling price of the domestic product}} * 100 = \dots\%$$

	2005	2006	2007	2008	2009
Price undercutting in %					

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.

	2005	2006	2007	2008	2009
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 other 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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11. Please provide as much further comments, information and additional remarks, which are likely to be relevant for the complaint?

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12. Please enclose a copy of the income statements related to the years

Name:.....

Position:.....

Signature:.....

SECTION IV

GUIDELINES FOR NON CONFIDENTIAL VERSION OF THE

QUESTIONNAIRE

When completing the non confidential version of the application, which is for inspection by interested parties you should bear in mind that all exporters, importers and other

UAE producers will have access to it. The version for inspection by interested parties should be sufficiently detailed to permit a reasonable understanding of the substance of the information submitted in the limited version.

When completing the application version for inspection by interested parties we advise you to act as follows:

1. Use the completed "confidential" application response as a basis. Identify all information in the "confidential" response which you consider is not confidential and copy it to the version for inspection by interested parties.
2. After this, check again whether the information you did not copy to the version for inspection by interested parties is really confidential. If you still consider it to be confidential, you must give the reasons why, item by item and summarize the confidential information in non-confidential form. If, in exceptional circumstances, it is not possible to even summarize the confidential information, give reasons why summarization is not possible.

Examples on how to summarize limited information.

- **When the information concerns numbers for various years you can use indices.**

Example of **confidential** information:

2005	2006	2007
20.000 US\$	30.000 US\$	40.000 US\$

The summary for consultation by interested parties could be as follows:

2005	2006	2007
=100	150	200

- **When the information concerns a single number you can apply a % change to it.**

Example of limited figure:

"My cost of production is US\$ 300 per tonne."

The summary for consultation by interested parties could be as follows:

"My cost of production is US\$ 330 per tonne" (+ footnote saying: "actual numbers have been amended by a margin of maximum $\pm 10\%$, to protect confidentiality").

- **When the limited information concerns text, you can either summarize it or eliminate the names of parties by indicating their function.**

Example of **limited** information:

"TRADING COMPANY Ltd, told me that the prices of imports were 20% lower."

The summary for **consultation by interested parties** could be as follows:

"[**One of my customers**], told me that the prices of imports were 20% lower."