

**NOTIFICATION**

Ministry of Economy:

**NOTIFICATION TO THE PREVENTION OF UNFAIR COMPETITION IMPORTS  
(NOTIFICATION NO: 2012/21)**

**Application**

**ARTICLE 1** - (1) dated 06.14.1989 and numbered 3577 Law on the Prevention of Unfair Competition in Imports (the Act), dated 10/20/1999 and 99/13482 issued by the Council of Ministers on the Prevention of Unfair Competition in Imports Decision (Decision ) and published in the Official Gazette No. 23 861, dated 10.30.1999 on the Prevention of Unfair Competition in Imports (Regulation) under the provisions of, and 8 by 19 domestic manufacturers supported by domestic producers to apply, Malaysia, Egypt, Pakistan, Thailand and Vietnam synthetic or artificial staple fibers originating yarns (spun yarn) exports to Turkey were dumped prices and cause damage to branches of the situation by claiming that domestic production originating in these countries are requested to take measures against imports of the substance.

**Of the subject matter**

**ARTICLE 2** - (1) the subject goods, 55.08, 55.09, 55.10, 55.11 (5509.52, 5509.61, 5509.91 and 5510.20 except) customs tariff heading (GTP) classified as synthetic or artificial staple fibers (staple fiber yarn), respectively.

(2) Staple fiber yarn, 100% synthetic or artificial staple fibers, or mixtures thereof with each other or with natural fibers in various proportions and weight of synthetic or artificial fibers formed from egrilmesiyile yarns. Offending product, cutting length, the number, brightness, melting temperature and quality vary depending on factors like. The product in question, in general, fabrics, carpets, upholstery / finish and garment manufactures are used.

(3) Further, GTP, are given for informational purposes only, not binding in nature.

**Represents the nature of the application**

**ARTICLE 3** - (1) the evidence presented in the application stage, the complainant / supporter of companies within the meaning of Article 20 of the Regulation is understood that having the nature of a form of domestic production.

**Alleged dumping**

**ARTICLE 4** - (1) Malaysia, Egypt, Pakistan and Thailand, providing data regarding their sales to the domestic market can not be created in the calculation of normal value were chosen and branch production costs of domestic production, sales general administrative expenses and financial expenses, after making adjustments by adding a reasonable profit rate stage of the value ex-factory normal value was established and has been adopted.

(2) is a country in Vietnam's market economy is not applicable because the determination of normal value is applied to the provisions of Article 7 of the Regulation Malaysia, Egypt, Pakistan, and Thailand has been considered as the normal value applies to Vietnam.

(3) The complaint states that, in determining the export price of sales to Turkey, for the period used in the calculation of normal value of the product complaint Turkey Statistical Institute (TSI) is based on data obtained from the weighted average export prices. CIF export prices on FOB export prices were brought down, and factory output stage has been considered as such.

(4) Normal value and export prices in Turkey as far as possible the same commercial stage (ex-factory stage) by way of comparing the calculated dumping margins for staple fiber yarn, offending rates were found to be important for the countries.

**Damages and the claim of causality**

**ARTICLE 5** - (1) Malaysia, Egypt, Pakistan, Thailand and Vietnam imports of products originating in the complaint and the share of total imports in absolute terms as well as significant increases in the 2009-2011 period have been identified.

(2) The increase in the consumption sector, but due to increase in dumped imports, the market share of domestic industry decreased by growing domestic market and increase market share in countries were the subject of complaints.

(3) of the domestic production of domestic sales, profitability, inventory, economic indicators such as capacity utilization rate in the 2009-2011 period were experiencing serious disadvantages.

(4) In the same period subject of the complaint the average unit prices of imports from countries domestic production of staple fiber yarn branch broke, and significantly suppressed domestic prices are determined.

(5) the evidence submitted at the application stage and in the light of the findings in relation to imports based on official statistics, the alleged dumped imports to domestic production branch of the negativity caused by the economic indicators were evaluated.

**Decisions and actions**

**ARTICLE 6** - (1) As a result of the examination, the application of adequate information, documents and evidence contained understood, and Unfair Competition in Imports Evaluation Board, Malaysia, Egypt, Pakistan, Thailand and Vietnam origin for the item in question, within the framework of Article 20 of the Regulation to open a dumping investigation decided.

(2) Investigation, Ministry of Economic Affairs Directorate General (Headquarters) will be carried out by.

**Applied to the selection of the market economy third country**

**ARTICLE 7** - (1) the provisions of Article 7 of the Regulation within the framework of a free market economy in Turkey applying for Vietnam at this stage, the selection of the third country is considered a precedent.

(2) However, the producer or producers subject to investigation in Vietnam, production and sale of the product under investigation Regulation, the conditions of the market economy within the framework of the additional criteria of Article 1 of the Communiqué is valid within the period specified in Article 9 that the manufacturer or the manufacturer if sufficient evidence to prove that the normal Article 5 of the Regulation applies to the determination of value.

**Questionnaires and data collection**

**ARTICLE 8** - (1) in order to supply the necessary information for the investigation, domestic producers of the substance in question, within the scope of the investigation is known importers and known foreign producers / exporters will be sent notification of the opening of the investigation. Statement of the Ministry of Economy Trade Policy of the questionnaire can not get the parties Defence Equipment's web site ([www. tPSA. Gov.tr](http://www.tPSA.Gov.tr)) are able to download the relevant sections.

(2) In addition, in order to facilitate and accelerate information of manufacturers and exporters in the countries concerned, Malaysia, Egypt, Pakistan, Thailand and Vietnam, the official representative in Ankara will be notified.

**Times**

**ARTICLE 9** - (1) time of answering the questionnaire, mail to initiate an investigation within 37 days from the date of the notification. Specified in Article 8 of the notification sent to the interested parties, it will process the 37-day period from the date of publication thereof are bound by.

(2) Except as required in the form of questions, are thought to be involved in the investigation, other information, documents and opinions, no later than 37 days from the date of publication of this Notification in writing should be sent to the General Directorate.

(3) who claims to be affected the outcome of the investigation, but not in the scope of Article 8 of the interested parties (companies that use the product as an input, their professional organizations, consumer associations, workers 'or employers' associations, such as the production branch) views in 37 days from the date of publication of this Notification should be forwarded in writing to the Directorate General.

**To come with co-operation**

**ARTICLE 10** - (1) As stated in Article 26, one of the parties is unable to provide the necessary information within the time periods specified in, or give false information or refuse to provide information or impede the investigation is determined that the decision of the investigation, positive or negative, will be based on the available data.

**Retroactive application of provisional measures and taxes**

**ARTICLE 11** - (1) in accordance with the relevant provisions of the Decision, the implementation of interim measures during the investigation agreed and definitive measures can be applied retroactively.

(2) the implementation of measures and exception processing has begun.

**And address of the competent authority**

**ARTICLE 12** - (1) the information and documents related to the investigation should be submitted to the competent authority the following views:

Ministry of Economy of the Republic of Turkey  
General Directorate of Imports  
Dumping and Subsidy Agency for Research on  
Inonu Boulevard No. 36, Labour / ANKARA  
Tel: +90-312-204 77 26/212 87 52

Fax: +90-312-212 87 65 or 212 87 11

E-mail: [dms225@ekonomi.gov.tr](mailto:dms225@ekonomi.gov.tr)

**Since the investigation**

**ARTICLE 13** - (1) The investigation began is considered the date of publication of this Notification.

**Effect**

**ARTICLE 14** - (1) This Communiqué enters into force on the date of publication.

**Executive**

**ARTICLE 15** - (1) The provisions of this Communiqué shall be executed by the Minister of Economy.

<http://ia.ita.doc.gov/trcs/downloads/documents/turkey/index.html>