

The Arab Republic of Egypt
Ministry of Industry, Trade and Small & Medium Enterprises
Anti-Dumping, Subsidy and Safeguard Department
Notice No. (2) of the year 2015
Concerning the Initiation of an Anti-Dumping Investigation
Against the Dumped Imports of Wet Wipes
Originating in or Exported from Turkey

Pursuant to the provisions of Law No. 161 of the year 1998 concerning the Protection of the National Economy from the Injurious Effects of Unfair Practices in International Trade and its Executive Regulation, issued by virtue of Ministerial Decree No. 549 of the year 1998 and amendments thereof (hereinafter referred to as the "Regulation"),

On 9/4/2015, the Minister of Industry, Trade & Small & Medium Enterprises approved of the recommendation of the Advisory Committee concerning the initiation of the investigation and the publication in the *Egyptian Official Gazette* pursuant to the provisions of Article (10) of the Regulation and in light of the conclusions reached by the Anti-Dumping, Subsidy and Safeguard Department, (hereinafter referred to as the "Investigating Authority").

1. Procedures

On 2/2/2015, The Investigating Authority received a properly documented application submitted by the domestic industry represented by Easy Care Company for Cosmetics, (hereinafter referred to as the "domestic industry") alleging that the imports of Wet Wipes, originating in or exported from Turkey are imported into Egypt at dumped prices and are thereby causing material injury to the domestic industry in accordance with Article (14) of the Regulation.

The Investigating Authority examined the accuracy and adequacy of the data contained in the application. On 24/3/2015, the Investigating Authority notified the embassy of Turkey that the application was accepted.

On 2/4/2015, the Investigating Authority submitted a report to the Advisory Committee which in turn, submitted its recommendation to the Minister of Industry, Trade and SMEs concerning the initiation of the investigation and the publication of the notice of initiation in the *Egyptian Official Gazette*.

2. Domestic Industry

The domestic industry which produces the like product is Easy Care Company for Cosmetics whose production represents 64 % of the total domestic production. Hence, it represents the domestic industry in accordance with Article (19) of the Regulation.

3. Product under Investigation

The product under investigation is wet wipes manufactured from wadding, felt and nonwoven coated or covered with perfume or toilet preparations hereinafter referred to as the "Product Under Investigation".

The product concerned is classified under the following HS Tariff Code:

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4. Allegation of Dumping

The domestic industry based its allegation of the existence of dumping on a comparison between the export prices of the product under investigation imported from Turkey with its selling prices in the Turkish domestic market at the same level of trade. This comparison resulted in the existence of a dumping margin exceeding 2% which is not *de minimis*.

5. Allegation of Injury

The domestic industry alleged that there has been a significant increase in the volume of the allegedly dumped imports of the product under investigation originating in or exported from Turkey, a price undercutting between the product concerned and the like product, and price suppression causing material injury to the domestic industry. This material injury was represented in the following:

- Inability to cover production cost,
- Decline in production,
- Decline in productivity,
- Decline in sales volume of the domestic industry,
- Decline in market share of the domestic industry,
- Increase in inventory,
- Decline in the average profitability of the unit,
- Decline in the ability to grow,
- Decline in the ability to raise capital,
- Decline in the rate of return on investment.

6. Investigation Period

The dumping investigation period is from 1/1/2014 to 31/12/2014.

The injury analysis period covers the period from 1/1/2012, to 31/12/2014.

7. Questionnaires and Collecting Information

In order to obtain information necessary for the investigation, the Investigating Authority will send questionnaires to known foreign producers and exporters (and to unknown foreign producers and exporters through their embassies in Cairo).

Questionnaires will also be sent to the domestic industry and to the known importers of the product under investigation.

Unknown foreign producers, exporters and importers of the product under investigation shall make themselves known to the Investigating Authority in order to receive a copy of the questionnaire within 21 days from the date of publication of this notice in the *Egyptian Official Gazette* in order to submit their respective responses within the time limits.

All parties shall submit their responses to questionnaires to the Investigating Authority within 37 days from the date of receipt.

8. Sampling Techniques

Pursuant to Article 24 of the Regulation, the Investigating Authority may resort to apply sampling technique in case of the existence of a large number of parties concerned or number of products under investigation.

a) Sampling for Foreign Producers/Exporters

To enable the Investigating Authority to determine whether it is necessary to resort to sampling technique, all foreign producers/exporters, or legal representatives acting on their behalf, are requested to contact the Investigating Authority, and to provide the following information of their company or companies within 21 days from the date of publication of this notice in the *Egyptian Official Gazette*:

- Names, addresses, e-mail addresses, telephones, fax and contact person,
- Volume and value of sales of the product concerned exported into Egypt by the company concerned during the period from 1/1/2014 to 31/12/2014,
- Volume and value of sales of the product concerned sold in the domestic market of the countries referred to during the period from 1/1/2014 to 31/12/2014,

- Precise activities of the company with regard to the production and sale of the product under investigation,
- Names and precise activities of all related companies involved in the production and/or selling (export and/or domestic market) of the product concerned, and
- Any other relevant information that would assist the Investigating Authority in the selection of the sample.

By submitting all the above mentioned information, the company concerned agrees to its inclusion in the sample, and if the company is selected as part of the sample, this implies replying to questionnaires and accepting a possible on-the-spot verification visit. If the company concerned is unwilling to be included in the sample, it will be deemed non-cooperating with the Investigating Authority.

For the purpose of collecting information deemed to be necessary for the selection of the sample for foreign producers/exporters, the Investigating Authority may contact any known associations of foreign producers/exporters in Turkey.

b) Sampling for Importers

To enable the Investigating Authority to determine whether it is necessary to resort to sampling, all importers, or legal representatives acting on their behalf, are requested to contact the Investigating Authority and to provide the following information concerning their company or companies within 21 days from the date of publication of this notice in the *Egyptian Official Gazette*:

- Names, addresses, e-mail addresses, telephones, fax numbers and contact person,
- The volume and value of company's total sales of the product concerned in the Egyptian market during the period from 1/1/2014 to 31/12/2014,
- Total number of employees during the period from 1/1/2014 to 31/12/2014,
- Activities of the company with regard to the product concerned,
- Imports volume and value in L.E, that the company imported for the purpose of resale inside the Egyptian market during the period from 1/1/2014 to 31/12/2014,
- Names and activities of all related companies involved in the production and/or selling of the product under investigation, and
- Any other relevant information that would assist the Investigating Authority in the selection of the sample.

By submitting all the above mentioned information, the company concerned agrees to its inclusion in the sample. If the company is chosen as a part of the sample, that implies replying to questionnaires and accepting a possible on-the-spot verification visit. If the company concerned is unwilling to be included in the sample, it will be deemed non-cooperating with the Investigating Authority.

For the purpose of collecting the information deemed to be necessary for the selection of the sample of importers, the Investigating Authority may also contact any known associations of importers.

c) Final Selection of Samples

All parties concerned wishing to submit any relevant information regarding the selection of the samples shall do so within the specified time limits.

The Investigating Authority intends to make the final selection of the samples after having consulted the parties concerned that have expressed their willingness to be included in the sample.

Companies included in the samples shall reply to the questionnaire within the specified time limits in this notice and shall cooperate with the Investigating Authority.

9. Hearings

Pursuant to Article (25) of the Regulation, hearings may be held at the premises of the Investigating Authority for all parties concerned and other interested parties to present their views and arguments, provided that they submit a written request to the Investigating Authority that includes specific reasons as to why they should be heard. Parties concerned and other interested parties must express their wish to hold a hearing within a 21-day period from the date of publication of this notice in the *Egyptian Official Gazette*.

10. On-the-Spot Verification Visits

Pursuant to Article (26) of the Regulation, the Investigating Authority may conduct verification visits to the premises of the parties concerned to verify the accuracy of the information submitted.

11. Time Limits

For information on the time limits specified for the submission of information to the Investigating Authority, sampling and hearings, please refer to points (7, 8 and 9) mentioned in this notice.

12. Non-cooperation

In cases any party concerned or any interested party does not provide necessary information within the specified time limits or impedes the course of the investigation, the Investigating Authority will make its provisional and final determinations based on the best information available pursuant to Article (27) and (35) of the Regulation.

13. Public File

The Investigating Authority, in the course of the investigation, makes available all relevant non-confidential information submitted by the parties concerned through its public file. This information is available for all parties concerned and all interested parties at the premises of the Investigating Authority in Cairo pending the final determination.

14. Provisional Measures

The Investigating Authority may impose provisional measures in accordance with Article (44) of the Regulation.

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