

Ministry of Commerce Announcement No. 17 [2022] on the final determination on the expiry review on the anti-dumping measures against the import of certain iron or steel fasteners originating from the EU and the UK

<http://trb.mofcom.gov.cn/article/cs/202206/20220603322399.shtml>

On 28 June 2010, the Ministry of Commerce published the Announcement No. 40 (2010), deciding to impose anti-dumping measures against the imports of certain iron or steel fasteners originating from the EU with a dumping margin of 6.1% to 26%. On 9 September 2011, the Ministry of Commerce published the Announcement No. 56 [2011], deciding to let the KAMAX GmbH&Co.KG inherit the 6.1% dumping margin and other rights and obligations of KAMAX-Werke Rudolf Kellermann GMBH & Co. KG applicable in the anti-dumping measures against certain iron or steel fasteners. On 28 June 2016, the Ministry of Commerce published the Announcement No. 24 (2016), deciding to continue the anti-dumping measures against the imports of certain iron or steel fasteners originating from the EU for 5 years as of 29 June 2016. On 19 September 2017, the Ministry of Commerce published the Announcement No.50 (2017), deciding to adjust the dumping margin on certain iron or steel fasteners imported by Koninklijke Nedschroef Holding B.V., Nedschroef Altena GmbH, Nedschroef Barcelona SAU, Nedschroef Helmond B.V., Nedschroef Beckingen GmbH, and Nedschroef Fraulautern GmbH from 26% to 5.5%.

On 29 January 2021, the Ministry of Commerce published the Announcement No. 3 (2021). In accordance with the Announcement, the trade remedy measures imposed on the EU before 31 December 2020 when the Brexit transition period ended will continue to apply to the EU and the UK, with the implementation period unchanged. Britain will no longer be treated as a member state of the EU in the trade remedy investigation and review cases newly initiated after 31 December 2020.

On 28 April 2021, the Ministry of Commerce published the Announcement No. 14 [2021] under the application from the certain iron or steel fasteners industry in China, deciding to carry out an expiry review of anti-dumping measures against the imports of certain iron or steel fasteners originating from the EU and UK from 29 June 2021.

The Ministry of Commerce made an investigation on possibilities of continuation and reoccurrence of dumping of the import of certain iron or steel fasteners originating from the EU and the UK, and the possibilities of continuation and reoccurrence of its injury on the certain iron or steel fasteners industry of China. And the Ministry of Commerce made determination of the expiry review (see annex) in accordance with the Article 48 of the *Anti-Dumping Regulation of the People's Republic of China* (hereafter referred to as Anti-Dumping Regulation). Details are as following.

1. Determination of the Expiry Review

The Ministry of Commerce determined that, if the antidumping measures were terminated, the dumping from imported certain iron or steel fasteners from the EU and the UK to China would continue or occur again, and the injury on the Chinese certain iron or steel fasteners industry would continue or occur again.

2. Anti-dumping measures

In accordance with the provisions of Article 50 of the *Anti-Dumping Regulation*, the Ministry of Commerce submitted the proposal of continuing the anti-dumping measures to the Customs Tariff Commission of the State Council. Upon the suggestion of the Ministry of Commerce, the Customs

[Translation]

Tariff Commission of the State Council decided to continue the anti-dumping duties on imported certain iron or steel fasteners from the EU and the UK for 5 years as of 29 June 2022.

The scope of products subject to anti-dumping duties is the products applicable to the original anti-dumping measures, which is consistent with the product scope in the Announcement No. 40 (2010) of the Ministry of Commerce. The details are as follows:

Name of the investigated product: certain iron or steel fasteners, including wood screws, self-tapping screws, screws and bolts (whether with or without nuts or washers, but excluding screws for fixing rails and screws and bolts with rod diameter not exceeding 6mm) and washers. The investigated products do not include nuts and fasteners used for maintenance and repair of civil aircraft.

It is listed under code of 73181200, 73181400, 73181510, 73181590, 73182100, 73182200, 90211000, and 90212900¹ in the *Customs Import and Export Tariff of the People's Republic of China (2022)*.

The continued imposition of tariff rates remain the same with the provisions of the Ministry of Commerce Announcement No. 40 (2010), Announcement No. 24 (2016), Announcement No. 50 (2017), and Announcement No. 3 (2021).

The dumping margins for the companies are as follows:

EU companies

1. KAMAX GmbH&Co.KG	6.1%
2. Koninklijke Nedschroef Holding B.V.	5.5%
3. Nedschroef Altena GmbH	5.5%
4. Nedschroef Fraulautern GmbH	5.5%
5. Nedschroef Helmond B.V.	5.5%
6. Nedschroef Barcelona SAU	5.5%
7. Nedschroef Beckingen GmbH	5.5%
8. All others	26.0%

UK companies

All UK companies	26.0%
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3. Collection of anti-dumping measure

¹ The scope of products subject to anti-dumping duties is consistent with the product scope in the Announcement No. 40 (2010) of the Ministry of Commerce. In accordance with the Announcement No, 119 [2021] annex *Adjustment Table of Corresponding Customs Commodity Codes of Anti-dumping and Countervailing Commodities in 2022*, the commodities with corresponding codes (in 2021) 73181400, 73181510, 73181590, and 73182200 shall correspond to the codes (in 2022) 73181400, 73181510, 73181590, 73182200, 90211000, and 90212900.

[Translation]

As of 29 June 2022, importers who import certain iron or steel fasteners from the EU and the UK should pay applicable anti-dumping duties to the Customs of the People's Republic of China. Anti-dumping duties shall be assessed ad valorem, with the taxable value being the price CIF on the basis of the transaction price examined and ratified by the Customs; the formula for imposition is: level of anti-dumping duty= customs dutiable value x rate of anti-dumping duty. Sectoral import VAT shall be assessed ad valorem, with the taxable value being the price CIF which is on the basis of the transaction price examined and ratified by the Customs, plus duties and anti-dumping duties.

4. Administrative review and administrative litigation

In accordance with the provisions of Article 53 of the *Anti-Dumping Regulation of the People's Republic of China*, those who do not accept the final determination may lawfully apply for administrative review, and may also lawfully lodge a case with the People's Court.

5. The announcement should be taken into force as of 29 June 2022.

Annex:

1. Ministry of Commerce Determination on the expiry review on the Anti-dumping Measures against the Imported certain iron or steel fasteners originating from the EU and the UK

Ministry of Commerce of the People's Republic of China

28 June 2022