



2023/2169

18.10.2023

COMMISSION IMPLEMENTING REGULATION (EU) 2023/2169

of 17 October 2023

amending Implementing Regulation (EU) 2022/1477 extending the definitive anti-dumping duty imposed by Implementing Regulation (EU) 2020/492, as amended by Implementing Regulation (EU) 2020/776, on imports of certain woven and/or stitched glass fibre fabrics originating in the People's Republic of China and Egypt to imports of certain woven and/or stitched glass fibre fabrics consigned from Turkey, whether declared as originating in Turkey or not

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2016/1036 of the European Parliament and the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union ⁽¹⁾ ('the basic Regulation'), and in particular Article 11(3) thereof,

Whereas:

1. MEASURES IN FORCE

- (1) By Commission Implementing Regulation (EU) 2020/492 ⁽²⁾, the Commission imposed definitive anti-dumping duties on imports of certain woven and/or stitched glass fibre fabrics from the People's Republic of China and Egypt.
- (2) Following anti-circumvention investigations, these measures were extended by Commission Implementing Regulation (EU) 2022/1477 ⁽³⁾, to imports of certain woven and/or stitched glass fibre fabrics consigned from Türkiye, whether declared as originating in Türkiye or not, with the exception of those produced by Saertex Turkey Tekstil Ltd Şti, Sonmez Asf İplik Dokuma Ve Boya San Tic A. Ş. and Telateks Tekstil Ürünleri Sanayi ve Ticaret Anonim Şirketi/Telateks Dış Ticaret ve Kompozit Sanayi Anonim Şirketi.

2. PROCEDURE

2.1. Initiation

- (3) The Commission received a request for a partial interim review under Article 11(3) of the basic Regulation. The request was lodged by Fibroteks Dokuma Sanayi Ve Ticaret AS ('the applicant'), a producer in the Türkiye, and is limited in scope to the examination of the possibility of granting an exemption to the applicant from the measures in force.
- (4) Having examined the evidence submitted by the applicant and after consultation of the Member States, and after the Union industry had been given the opportunity to comment, the Commission initiated 'ex officio' a partial interim review on 4 July 2023 by publishing a notice of initiation in the *Official Journal of the European Union* ⁽⁴⁾.

⁽¹⁾ OJ L 176, 30.6.2016, p. 21.

⁽²⁾ Commission Implementing Regulation (EU) 2020/492 of 1 April 2020 imposing definitive anti-dumping duties on imports of certain woven and/or stitched glass fibre fabrics originating in the People's Republic of China and Egypt (OJ L 108, 6.4.2020, p. 1).

⁽³⁾ Commission Implementing Regulation (EU) 2022/1477 of 6 September 2022 extending the definitive anti-dumping duty imposed by Implementing Regulation (EU) 2020/492, as amended by Implementing Regulation (EU) 2020/776, on imports of certain woven and/or stitched glass fibre fabrics originating in the People's Republic of China and Egypt to imports of certain woven and/or stitched glass fibre fabrics consigned from Turkey, whether declared as originating in Turkey or not (OJ L 233, 8.9.2022, p. 1).

⁽⁴⁾ Notice of initiation of a partial interim review of the anti-dumping and countervailing measures applicable to imports of certain woven and/or stitched glass fibre fabrics originating in the People's Republic of China and Egypt, as extended to imports consigned from Türkiye, whether declared as originating in Türkiye or not (OJ C 236, 4.7.2023, p. 7).

2.2. Product under review

- (5) The product under review is fabrics of woven, and/or stitched continuous filament glass fibre rovings and/or yarns with or without other elements, excluding products which are impregnated or pre-impregnated (pre-preg), and excluding open mesh fabrics with cells with a size of more than 1,8 mm in both length and width and weighing more than 35 g/m², currently classified under CN codes ex 7019 61 00, ex 7019 62 00, ex 7019 63 00, ex 7019 64 00, ex 7019 65 00, ex 7019 66 00, ex 7019 69 10, ex 7019 69 90 and ex 7019 90 00 (TARIC codes 7019 61 00 81, 7019 61 00 84, 7019 62 00 81, 7019 62 00 84, 7019 63 00 81, 7019 63 00 84, 7019 64 00 81, 7019 64 00 84, 7019 65 00 81, 7019 65 00 84, 7019 66 00 81, 7019 66 00 84, 7019 69 10 81, 7019 69 10 84, 7019 69 90 81, 7019 69 90 84, 7019 90 00 81 and 7019 90 00 84) consigned from Türkiye, whether declared as originating in Türkiye or not (TARIC codes 7019 61 00 83, 7019 62 00 83, 7019 63 00 83, 7019 64 00 83, 7019 65 00 83, 7019 66 00 83, 7019 69 10 83, 7019 69 90 83 and 7019 90 00 83).
- (6) The product under review is used to reinforce thermoplastic and thermoset resins in the composites industry.

2.3. Review investigation period

- (7) The review investigation period covered the period from 1 January 2019 to 30 June 2023 ('review investigation period').

2.4. Investigation

- (8) The Commission officially advised the applicant and the representatives of the Government of Türkiye of the initiation of the review. Interested parties were invited to make their views known and were informed of the possibility to request a hearing. No such request was received.
- (9) The Commission requested the applicant to complete a questionnaire in order to obtain information it deemed necessary for its investigation. The applicant submitted the questionnaire reply within the given deadline.
- (10) The Commission then carried out a verification visit at the premises of the applicant in July 2023. The Commission sought to verify all information it deemed necessary for the purpose of determining whether the applicant met the necessary conditions.

3. FINDINGS

- (11) The investigation has confirmed that the applicant is a genuine producer of the product under review and that it was not related to any Chinese exporters or producers subject to the anti-dumping measures in force. The investigation further confirmed that the applicant was capable of producing the entire quantity that it has exported to the Union and that it has no commercial links with Chinese or Egyptian exporting producers regarding the production of the product under review.
- (12) Accordingly, the Commission concluded that the applicant met the conditions to benefit from an exemption.

4. MODIFICATION TO THE LIST OF COMPANIES BENEFITTING FROM AN EXEMPTION TO THE EXTENDED MEASURES

- (13) Given the findings referred to above, the Commission concluded that the applicant should be added to the list of companies that are exempted from the anti-dumping measures imposed by Implementing Regulation (EU) 2022/1477.
- (14) The applicant and the Union industry were informed of the Commission's intention to exempt Fibroteks Dokuma Sanayi Ve Ticaret AS from the anti-dumping measures in force.
- (15) The parties were granted the possibility to submit comments. No comments were received.
- (16) The Regulation is in accordance with the opinion of the Committee established by Article 15(1) of Regulation (EU) 2016/1036,

HAS ADOPTED THIS REGULATION:

Article 1

The table set out in Article 1 of Implementing Regulation (EU) 2022/1477, is replaced by the following table:

Country	Company	TARIC additional code
Türkiye	Saertex Turkey Tekstil Ltd. Şti.	C115
Türkiye	Sonmez Asf Iplik Dokuma Ve Boya San Tic A. Ş.	C116
Türkiye	Telateks Tekstil Ürünleri Sanayi ve Ticaret Anonim Şirketi Telateks Dış Ticaret ve Kompozit Sanayi Anonim Şirketi	C117
Türkiye	Fibroteks Dokuma Sanayi Ve Ticaret AS	899G'

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 17 October 2023.

For the Commission
The President
Ursula VON DER LEYEN