



Pre-Sampling Questionnaire (Exporter) Extension Review

Case SE0041: Safeguard Measure on Certain Steel Products

| | |
|--------------------------------|--|
| Period of Investigation (POI): | 1 April 2018 – 31 March 2023 |
| Deadline for response: | 19 September 2023 |
| Case Team Contact: | SE0041@traderemedies.gov.uk |
| Completed on behalf of: | JSW Steel Limited and JSW Steel Coated Products Limited (hereinafter collectively referred as “JSW”) |

When you have completed this form, indicate the **confidentiality** status of this document by placing an X in the relevant box below and in the header. We strongly recommend this questionnaire to be completed on the computer, so this step is easy to complete.

Confidential

Non-Confidential – will be made publicly available

Please note that you will have to provide **two copies of your response** – a **Confidential** and a **Non-Confidential version**. Both copies must be returned to the TRA using the Trade Remedies Service (www.trade-remedies.service.gov.uk) by **19 September 2023**.



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The scope of this review

Goods Subject to Review

This review covers certain steel products imported into the United Kingdom (UK) as detailed in [Annex 1](#).

In this pre-sampling questionnaire, these goods will be referred to as ‘the Goods Subject to Review’. Any reference to ‘Goods Subject to Review’ in this pre-sampling questionnaire refers to the product categories and commodity codes set out in Annex 1.

Like Goods

In addition to seeking information about your company’s export sales to the UK of the Goods Subject to Review, this pre-sampling questionnaire will also ask about your sales of Like Goods in your domestic market and to third countries. Any reference to ‘Like Goods’ in this questionnaire refers to goods which are like the Goods Subject to Review in all respects, or with characteristics closely resembling them.

Directly Competitive Goods

Directly Competitive Goods are goods produced in the UK which are directly competitive with the Goods Subject to Review.

This can include goods that are not only similar to the Goods Subject to Review, such as a different type or variety, but also include goods that occupy a position of direct competition with the Goods Subject to Review. A Directly Competitive Good may be one that is substitutable with the Goods Subject to Review.

Please follow the instructions for each question to provide the appropriate information regarding the Goods Subject to Review, Like Goods or Directly Competitive Goods.

For more information about this case, you may refer to the Notice of Initiation published at: www.trade-remedies.service.gov.uk/public/cases



Instructions

The Trade Remedies Authority (TRA) will be carrying out a safeguards extension review to consider whether the expiry of a definitive safeguarding remedy would likely result in a continuation or recurrence of serious injury to UK producers of the Like or Directly Competitive Goods.

Who should complete this form

You should complete this form if you are an overseas exporter of the Goods Subject to Review.

Why you are being asked to complete this pre-sampling questionnaire

We are seeking your cooperation as an overseas exporter of the Goods Subject to Review to inform our review of whether the current safeguards measure should expire or be extended. If you are not an overseas exporter, please complete either the relevant Pre-Sampling Questionnaire or the Other Interested Party and Contributor Registration Form.

This pre-sampling questionnaire allows us to collect basic information and data about your company. If a large number of overseas exporters of the Goods Subject to Review complete this pre-sampling questionnaire, we will use the information each exporter provides to help us decide which companies we want to sample for further investigation. If you are sampled, we will send you a more detailed questionnaire to complete.

If you do not complete this pre-sampling questionnaire or the detailed questionnaire, you could be found to be non-cooperating. For more details on how this may affect you, please consult our [operational guidance on non-cooperation](#).

Deadline for response

A completed pre-sampling questionnaire must be submitted to the TRA by no later than **19 September 2023**. If you are unable to provide a completed submission by the given due date and you wish to request an extension, please contact the case team, **SE0041@traderemedies.gov.uk**, and see the TRA's guidance on extension requests for further information.



Note about confidentiality

You will need to submit one confidential version and one non-confidential version of your pre-sampling questionnaire by **19 September 2023**.

Please ensure that each page of information you provide is clearly marked either “Confidential” or “Non-Confidential” in the header.

It is your responsibility to ensure that the non-confidential version does not contain any confidential information, which includes personal contact information, names and signatures.

Please see the [TRA's public guidance](#) for further information on what can be considered confidential and how to prepare a non-confidential version of this questionnaire.

All information provided to the TRA in confidence will be treated accordingly and only used for this investigation (except in limited circumstance as permitted by regulation 17 of the Trade Remedies (Increase in Imports Causing Serious Injury to UK Producers) (EU Exit) Regulations 2019) and will be stored in protected systems. The non-confidential version of your submission will be placed on the public file, which is available on www.trade-remedies.service.gov.uk/public/cases



Section A – Activities of your company and any associated parties

A1 – Your company’s activities

To determine your company’s role for the purpose of this review, please select the activity/activities of your company below. For a definition of Goods Subject to Review/Like Goods/Directly Competitive Goods please refer to above section 'the scope of this review'.

- overseas exporter of the Goods Subject to Review
 other (please give details below)

If you have selected ‘other’, please describe the role of your company with regards to the Goods Subject to Review, Like Goods or Directly Competitive Goods:

Not Applicable

Please describe your interest in this review:

As an overseas producer and exporter of Goods Subject to Review, JSW submits its objection on the initiation of a safeguard extension review into certain steel products for evaluating extension of measures beyond the current expiry on 30th June 2024. These measures, having transitioned from the original European Union safeguards pursuant to Brexit, were set to expire on 30th June 2021. The WTO Panel Report in DS595 has found inconsistencies under Article XIX:1(a) of the GATT 1994, and Article 4.1(b) of the WTO Agreement on Safeguards demonstrating that the European Commission made essential errors in conducting its original investigation and the subsequent reviews, rendering these transitioned measures as incurable ab-initio, supporting its immediate termination.



A2 – Associated parties and operational links

Please give details of all associated parties involved with the company in the production and sales (export and/or domestic) of the Goods Subject to Review, Like Goods or Directly Competitive Goods during the POI. Both natural persons (individuals) and legal persons (e.g. companies) are considered to be associated where they meet the definition of ‘Related Persons’ in [regulation 128 of the Customs \(Import Duty\) \(EU Exit\) Regulations 2018](#).

Examples of activities could include manufacturing, exporting, purchasing, warehousing, sales (domestic), sales (export), further processing of the Goods Subject to Review, Like Goods or Directly Competitive Goods.

| | Company name | Company location (city, country) | Activities | Relationship |
|--------------------|--|----------------------------------|--|-------------------------|
| Associated Party 1 | JSW Steel Coated Products Limited | Various locations in India | Engaged in production of downstream flat steels including metallic coated steel, organic coated steel and tin-mill steel | Wholly owned subsidiary |
| Associated Party 2 | A list of all other associated parties is attached as Annexure 1 | | | |

+ Add additional rows as required



Section B – Production and sales volumes

B1 – Production

Please fill in your company’s total production volume and capacity for the Goods Subject to Review and Like Goods during 2022 for each product category you produced.

JSW has provided both gross and saleable production quantity (i.e. net of captive consumption) for Financial Year 2022-23 (April to March cycle), along with gross production capacity in the below table:

| Product category number | Total production volume (‘000 Metric Tons) | | Total production capacity (*) (‘000 Metric Tons) |
|-------------------------|---|----------|---|
| | Gross | Saleable | |
| 1 | *** | *** | *** |
| 2 | *** | *** | *** |
| 4 | *** | *** | *** |
| 5 | *** | *** | *** |
| 6 | *** | *** | *** |
| 7 | *** | *** | *** |
| 12A | *** | *** | *** |
| 12B | - | - | - |
| 13 | *** | *** | *** |
| 16 | *** | *** | *** |
| 17 | - | - | - |
| 19 | - | - | - |
| 20 | - | - | - |
| 21 | - | - | - |
| 25A | - | - | - |
| 25B | - | - | - |
| 26 | - | - | - |

(*) includes production capacity added during the year in totality



B2 – Sales volume and value

Please provide your total export sales (by volume and value) of the Goods Subject to Review during 2022 for each product category you produced.

JSW has provided its total export sales (by volume and value) of the Goods Subject to Review during Financial Year 2022-23, rounded off to the nearest 1000 metric tons for volume and nearest billion rupees with one decimal point, for each product category in the below table:

| Product category number | Total sales volume (‘000 Metric Tons) | Total sales value (₹-Billion) |
|-------------------------|--|----------------------------------|
| 1 | *** | *** |
| 2 | *** | *** |
| 4 | *** | *** |
| 5 | *** | *** |
| 6 | *** | *** |
| 7 | *** | *** |
| 12A | *** | *** |
| 12B | - | - |
| 13 | *** | *** |
| 16 | *** | *** |
| 17 | - | - |
| 19 | - | - |
| 20 | - | - |
| 21 | - | - |
| 25A | - | - |
| 25B | - | - |
| 26 | - | - |



Please provide your total export sales (by volume and value) of Like Goods to all other countries during 2022 for each product category you produced.

JSW has provided its total export sales (by volume and value) of like goods to all countries other than United Kingdom during Financial Year 2022-23, rounded off to the nearest 1000 metric tons for volume and nearest billion rupees with one decimal point, for each product category in the below table:

| Product category number | Total sales volume (‘000 Metric Tons) | Total sales value (₹-Billion) |
|-------------------------|--|----------------------------------|
| 1 | *** | *** |
| 2 | *** | *** |
| 4 | *** | *** |
| 5 | *** | *** |
| 6 | *** | *** |
| 7 | *** | *** |
| 12A | *** | *** |
| 12B | - | - |
| 13 | *** | *** |
| 16 | *** | *** |
| 17 | - | - |
| 19 | - | - |
| 20 | - | - |
| 21 | - | - |
| 25A | - | - |
| 25B | - | - |
| 26 | - | - |

Please provide your total domestic sales (by volume and value) of Like Goods during 2022 for each product category you produced.

JSW has provided its total domestic sales (by volume and value) of like goods during Financial Year 2022-23, rounded off to the nearest 1000 metric tons for volume and nearest billion rupees with one decimal point, for each product category in the below table:



| Product category number | Total sales volume (‘000 Metric Tons) | Total sales value (₹-Billion) |
|-------------------------|--|----------------------------------|
| 1 | *** | *** |
| 2 | *** | *** |
| 4 | *** | *** |
| 5 | *** | *** |
| 6 | *** | *** |
| 7 | *** | *** |
| 12A | *** | *** |
| 12B | - | - |
| 13 | *** | *** |
| 16 | *** | *** |
| 17 | - | - |
| 19 | - | - |
| 20 | - | - |
| 21 | - | - |
| 25A | - | - |
| 25B | - | - |
| 26 | - | - |



B3 – Commodity codes

Please provide the commodity code(s) you have used to export the Goods Subject to Review to the UK:

JSW has used the following commodity codes (4-digit) 7208, 7209, 7210 and 7214 to export the Goods Subject to Review to the UK.



Section C – Additional information

C1 – Other interested parties

If you believe there are other interested parties that should receive a questionnaire, please provide their organisation name and website details below.

| Organisation name | Website |
|----------------------|---------|
| Nothing to disclose. | |

C2 – Scope

Do you agree with the scope of the investigation as outlined on page 3?

- Yes
 No

Please explain why:

Not applicable.

C3 – Economic Interest Test

It is a requirement of the review to conduct an Economic Interest Test (EIT). The aim of the EIT is to determine whether the implementation of the proposed trade remedy



measure is in the wider economic interest of the UK. In order to obtain a complete picture of the UK market, could you please help by providing us with details of any known UK suppliers (upstream companies providing inputs) and UK customers (downstream companies buying UK produced goods). Please confirm in the final column if we are able to contact these companies.

| | Company name | Company location (city, country) | Company contact information (email/telephone) | Relationship to you | Permission to contact? (Y/N) |
|---|----------------------|----------------------------------|---|---------------------|------------------------------|
| 1 | Nothing to disclose. | | | | |
| 2 | | | | | |
| 3 | | | | | |
| 4 | | | | | |

C4 – Anything else

Please use the box below to provide information about anything else you consider relevant to this review.

The safeguard measures, both original and subsequent extensions, were based on US imposition of Section 232 measures @25%. Although these US Section 232 measures are significantly diluted, allowing exemptions to sources contributing approx. 80% of US' import requirement, the UK has maintained the measure without any significant liberalisation. This aspect requires in-depth consideration.

Now you have reached the end of this questionnaire please ensure that you have prepared a confidential and non-confidential version and indicated the status of each within the header. The non-confidential version should redact personal contact information, names, signatures, and exact sales quotes. Redacted figures should be replaced with a range where possible. Please return both versions to the TRA using the Trade Remedies Service (trade-remedies.service.gov.uk).



Annex 1

The certain steel products subject to review are currently classifiable within the following commodity codes. These commodity codes are only given for information.

| Product Number | Product Category | Commodity Codes |
|----------------|---|--|
| 1 | Non-alloy and other alloy hot-rolled sheet and strip | 72081000, 72082500, 72082600, 72082700, 72083600, 72083700, 72083800, 72083900, 72084000, 72085210, 72085299, 72085310, 72085390, 72085400, 72111300, 72111400, 72111900, 72126000, 72251910, 72253010, 72253030, 72253090, 72254015, 72254090, 72261910, 72269120, 72269191, 72269199 |
| 2 | Non-alloy and other alloy cold-rolled sheet | 72091500, 72091690, 72091790, 72091891, 72092500, 72092690, 72092790, 72092890, 72099020, 72099080, 72112320, 72112330, 72112380, 72112900, 72119020, 72119080, 72255020, 72255080, 72262000, 72269200 |
| 4 | Metallic coated sheet | 72102000, 72104100, 72104900, 72106100, 7210690020, 7210690080, 72109080, 72122000, 72123000, 72125020, 72125030, 72125040, 72125061, 72125069, 72125090, 72259100, 72259200, 72259900, 72269910, 72269930, 72269970 |
| 5 | Organic coated sheet | 72107080, 72124080 |
| 6 | Tin mill products | 72091899, 72105000, 72121090, 72101100, 72107010, 72124020, 72101220, 72109040, 72101280, 72121010 |
| 7 | Non-alloy and other alloy quarto plates | 72085120, 72089020, 72254040, 72085191, 72089080, 72254060, 72085198, 72109030, 72085291, 72254012 |
| 12A | Alloy merchant bars and light sections | 72283020, 72283041, 72283061, 72283069, 72283070, 72283089, 72286020, 72287010 |
| 12B | Non-alloy merchant bars and light sections | 72143000, 72149110, 72149190, 72149931, 72149939, 72149950, 72149971, 72149979, 72149995, 72159000, 72161000, 72162100, 72162200, 72164010, 72164090, 72165010, 72165091, 72165099, 72169900 |
| 13 | Rebar | 72142000, 72149910 |
| 16 | Non-alloy and other alloy wire rod | 72131000, 72139149, 72271000, 72132000, 72139170, 72272000, 72139110, 72139190, 72279010, 72139120, 72139910, 72279050, 72139141, 72139990, 72279095 |
| 17 | Angles, shapes, and sections of iron or non-alloy steel | 72163110, 72163219, 72163310, 72163190, 72163291, 72163390, 72163211, 72163299 |
| 19 | Railway material | 73021022, 73021028, 73021050 |
| 20 | Gas pipe | 73063041, 73063049, 73063072, 73063077 |
| 21 | Hollow section | 73066110, 73066192, 73066199 |
| 25A | Large welded tube (1) | 73051100, 73051200 |
| 25B | Large welded tube (2) | 73051900, 73052000, 73053100, 73053900, 73059000 |
| 26 | Other welded tube | 73061100, 73061900, 73062100, 73062900, 73063012, 73063018, 73063080, 73064020, 73064080, 73065021, 73065029, 73065080, 73066910, 73066990, 73069000 |