



## Suspension Extension Comments Form

### Potential extension of suspension period regarding anti-dumping duties on certain hot-rolled flat products of iron, non-alloy steel or other alloy steel from Ukraine

**Case No. SN0033**

**Deadline for response:**

23 March 2023

**Case Team Contact:**

SN0033@traderemedies.gov.uk

**Completed on behalf of:**

Department of Foreign Economic Activity and  
Trade Defence, Ministry of Economy of Ukraine

**Party type (select):**

UK producer of hot-rolled steel products  
 Other

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 – may be made publicly available

Parties providing confidential information should also provide a non-confidential summary of that information or a statement of reasons why it cannot be summarised. Both copies must be returned to the TRA using the Trade Remedies Service ([www.trade-remedies.service.gov.uk](http://www.trade-remedies.service.gov.uk)) by **23 March 2023**.



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## Background to Suspension Investigation

The original [Suspension Investigation SR0025](#) regarding anti-dumping duties on certain hot-rolled flat products of iron, non-alloy steel or other alloy steel from Ukraine concluded, in a [Final Recommendation](#), that:

- market conditions had changed temporarily;
- as a consequence of the change in market conditions, injury caused to the UK industry was unlikely to recur if the application of the anti-dumping amount was suspended;
- the suspension was appropriate; and
- 9 months was the appropriate length of suspension.

### Relevant measure

This potential extension of suspension period concerns the original suspension as set out in [Trade Remedies Notice 2022/05](#). This notice temporarily suspended antidumping duties on certain hot rolled flat products of iron, non-alloy steel or other alloy steel from Ukraine for a period of 9 months. The original measure was set out under [Taxation Notice 2020/17](#), which gives effect under United Kingdom (UK) law to the EU trade remedies measure specified in [Notice of Determination 2020/17](#).

The current suspension of anti-dumping duties on HRFC from Ukraine will expire on 30 May 2023, and the TRA is considering whether it is appropriate to extend the suspension as per regulation 87(2) of the Regulations. Where the TRA considers it appropriate, the TRA may recommend to the Secretary of State that the period of nine months can be extended by a further 12 months to a maximum of 21 months (“extended period of suspension”).

We propose it is appropriate to extend the period of suspension to the maximum 21 months on the basis that the temporary change in market conditions and effect on the UK industry as a result of the temporary change in market conditions remain.

If you wish to comment please submit a completed version of this form via TRS by 23 March 2023.

### Goods subject to the measure

This potential extension of the suspension period covers certain hot-rolled flat products of iron, non-alloy or other alloy steel exported from Ukraine described as:

Certain hot-rolled flat products of iron, non-alloy or other alloy steel whether or not in coils (including ‘cut-to-length’ and ‘narrow strip’ products), not further worked than hot-rolled, not clad, plated or coated.



The following product types are excluded:

- products of stainless steel excluding grain-oriented silicon electrical steel
- products of tool steel and high speed steel
- products not in coils, without patterns in relief, of a thickness exceeding 10mm and of a width of 600mm or more \* products not in coils, without patterns in relief, of a thickness of 4.75mm or more but not exceeding 10mm and of a width of 2.5m for more.

The hot-rolled flat products listed above (the Goods) are currently classifiable within the following commodity code(s);

72 08 10 00 00	72 08 40 00 00	72 11 19 00 00
72 08 25 00 00	72 08 52 10 00	72 25 19 10 90
72 08 26 00 00	72 08 52 99 00	72 25 30 90 00
72 08 27 00 00	72 08 53 10 00	72 25 40 60 90
72 08 36 00 00	72 08 53 90 00	72 25 40 90 00
72 08 37 00 00	72 08 54 00 00	72 26 19 10 90
72 08 38 00 00	72 11 13 00 00	72 26 91 91 00
72 08 39 00 00	72 11 14 00 00	72 26 91 99 00

The commodity code 72 26 19 10 90 was replaced by commodity codes 72 26 19 10 91 and 72 26 19 10 95 on 9 July 2021.

For more information about this case, you may refer to the public file at:  
[www.traderemedies.service.gov.uk/public/cases](http://www.traderemedies.service.gov.uk/public/cases).



## Instructions

### I – Who should complete this form

You should complete this form if you have previously registered your interest in the original suspension investigation and wish to comment on the proposed extension of the suspension period.

If you did not register your interest in the original suspension investigation but wish to comment on the extension consideration, please also use this form.

### II – Note about confidentiality

Anyone requesting that information be treated as confidential should provide a nonconfidential summary of that information or a statement of reasons why it cannot be summarised.

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.

All information provided to the Trade Remedies Authority (TRA) in confidence will be treated accordingly, only used for this potential extension of suspension period, and will be stored in protected systems.

The non-confidential version of your submission may be placed on the public file, which is available on [www.trade-remedies.service.gov.uk/public/cases](http://www.trade-remedies.service.gov.uk/public/cases).

Further guidance is available at [Confidential information and Non-Confidential summaries](#)



## Section A – Your organisation’s interest in the potential extension of the suspension period

A1. Please describe your interest in this potential extension of the suspension period:

The Ministry of Economy of Ukraine is the Government entity guided by legal acts of Ukraine and responsible for foreign economic policy of Ukraine. The Department of Foreign Economic Activity and Trade Defence of the Ministry of Economy of Ukraine is responsible, *inter alia*, for the domestic producers’ trade interests protection on foreign markets within anti-dumping, anti-subsidy or safeguard procedures in regard to goods of Ukrainian origin.

## Section B – Comments on the potential extension of the suspension period

Having reviewed the evidence available, the TRA considers that the circumstances in the original Suspension Investigation SR0025, as set out under regulation 85(4) of the Regulations, are continuing. Accordingly, the TRA is considering whether it is appropriate to extend the period of suspension for the application of anti-dumping duties on the Goods from Ukraine.

Therefore, we invite comment on the following considerations:

### B1. Change in market conditions

Market conditions have changed since the measure was put into place because of a significant reduction in both the output of the Goods by Ukrainian producers and in the export of these Goods to the UK from Ukraine. Furthermore, future residual domestic production capacity within Ukraine is likely to be focused on meeting domestic demand rather than servicing international markets.

Please provide any comments on the described change in market conditions that you consider relevant for the TRA to take into consideration during the extension consideration:

Two out of three main steel mills producing the product concerned have been either destroyed or remain no longer under the Ukrainian government control. The remaining steel producer operates only at a fraction of the capacity that existed prior to the onset of the current war and this is expected for the foreseeable future. Indeed, the unprecedented damage caused to the domestic infrastructure of



Ukraine as a result of war will require significant restoration and rebuilding during the post-war recovery, and the product concerned will play an essential role in it.

## B2. Temporary nature of the change

This change is of a temporary nature because we are aware that some Ukrainian producers are able to maintain output at minimum levels despite the conflict. We are also aware of ongoing efforts to overcome the severe logistical challenges to export; by developing routes to the Baltic Sea and neighbouring Romania for shipping; the construction of new railway terminals on Ukraine's Western borders to overcome delays to rail freight; and the future possibility of the Black Sea Grain Initiative being expanded to include cargo such as iron and steel products. While there is some evidence that some of the challenges to export can be addressed within the medium term, we cannot be confident that they will be resolved, nor that Ukraine will have sufficient production capacity to export in the next twelve months. Therefore, we consider that export of the Goods may resume in future.

Please provide any comments on the described temporary nature of this change in market conditions that you consider relevant for the TRA to take into consideration during the extension consideration:

Despite Russian war against Ukraine, Ukrainian producers continue to operate, but with significant complications and interruptions due to supplies and logistical problems, as well as finding itself under extraordinary conditions, including regular shelling and damaging by the Russian armed forces. At the same time, some of Ukrainian producers of steel products and related industries are under constant fire, which affected the capacities, production, cost of production and export potential, opportunities for exports sales are significantly inhibited since both cost and times of transportation have increased. The employees are hiding in shelters within their daily operating activity and the production cycle, the operating activity is interrupted by the needs to save people's lives due to severe attacks of Russian troops. Communication networks in the area are often damaged and majority of administrative staff may be executing their duties remotely that makes it very difficult, if not impossible, for them to cooperate. Therefore, considering that two out of three main steel mills have been either destroyed or remain no longer under the Ukrainian government control, those producers which continue to operate face great complications and interruptions, some of producers are under constant shelling it is impossible that Ukraine will increase its production and export to such an amount that it would be able to cause or threaten to cause material injury to steel industry of the United Kingdom in the foreseeable future.



### **B3. Effect on the UK industry as a result of the temporary change in market conditions**

UK industry has seen a rise in the sales price of the Goods as a result of the change in market conditions. This is amplified by the interconnectivity of the global steel markets, where hot-rolled steel is the raw material for many downstream steel products.

Please provide any comments on the described effect on UK industry as a result of the temporary change in market conditions that you consider relevant for the TRA to take into consideration during the extension consideration:

Click or tap here to enter text.

### **B4. Injury to UK industry**

Injury to UK industry may be unlikely to recur if the suspension period of the antidumping duties were extended. The capacity for Ukraine to export the Goods remains significantly impacted in the short term and we consider it likely that Ukraine has a reduced capacity to dump the Goods due to the increase in costs of production and export.

Please provide any comments that you consider relevant for the TRA to take into consideration to assess whether injury would be likely to recur, if the suspension of anti-dumping measures against Ukraine were to be extended as a result of the temporary changes to market conditions described above:

In view of the military aggression of Russia against Ukraine, the Ukrainian steel industry does not pose any threat to the market and industry of the United Kingdom because of the dramatically reduced production capacities, destroyed logistics and interrupted supply chains within Ukraine. According to the Worldsteel data, in January - December 2022 Ukraine produced 6.26 Mt or 29.31 % as compared to January - December 2021 and occupied 24th position among 64 world steel producers.

## **Section C – Additional information**



**C1.** Please use the box to provide information about anything else you consider relevant to this extension consideration:

Click or tap here to enter text.