



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:	<input type="text" value="23 March 2023"/>
Case Team Contact:	<input type="text" value="SN0033@traderemedies.gov.uk"/>
Completed on behalf of:	<input type="text" value="Tata Steel UK"/>
Party type (select):	<input checked="" type="checkbox"/> UK producer of hot-rolled steel products <input type="checkbox"/> 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) by **23 March 2023**.



Table of Contents

Background to Suspension Investigation.....	3
I – Who should complete this form	5
II – Note about confidentiality	5
Section A – Your organisation’s interest in the potential extension of the suspension period.....	6
Section B – Comments on the potential extension of the suspension period	6
Section C – Additional information.....	8



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 anti-dumping 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.trade-remedies.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 non-confidential 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.

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:

TSUK is the major UK producer of the goods subject to the measure.

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:



To the best of TSUK's knowledge, the market conditions described in our response in SN0025 remain in place. This includes a significant reduction in Ukraine's production output.

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:

While it is fair to assume that the change is indeed of a temporary nature, production trends and transportation issues will to a great extent depend on the general safety situation in Ukraine. It may be anticipated that if/when the regions where the production of the goods is concentrated are secure and Ukraine takes back control of its traditional logistical routes, export of the goods may resume.

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:

To the best of our knowledge, the UK industry was not significantly affected by the temporary change in market conditions.

B4. Injury to UK industry

Injury to UK industry may be unlikely to recur if the suspension period of the anti-dumping 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:

Please refer to TSUK's comments in this respect in SN0025, which remain relevant in the present case. In general, TSUK agrees that due to the current situation of Ukrainian producers, they are unlikely to cause any injury to the UK industry.

Section C – Additional information

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



N/A