



APPROVED
by order of the director
Department of Internal Market Protection of
the Eurasian Economic Commission
24 February 2025. № 1

NOTICE
**Department of Internal Market Protection of the Eurasian
Economic Commission**

"On the initiation of an anti-dumping investigation in respect of graphitised electrodes with a diameter greater than 520 mm but not exceeding 650 mm originating from the People's Republic of China and imported into the customs territory of the Eurasian Economic Union"

In accordance with the Protocol on the application of special protective, anti-dumping and countervailing measures against third countries, which is annex № 8 to the Treaty on the Eurasian Economic Union of 29 May 2014 (hereinafter - the Protocol), the Decision of the Board of the Eurasian Economic Commission of 7 March 2012. № 1 "On Certain Issues of Application of Special Protective, Anti-dumping and Countervailing Measures in the Common Customs Territory of the Customs Union" and based on the results of consideration of the application submitted by EI 6 LLC (hereinafter - the Applicant and the Application respectively), the Department for Protection of the Internal Market of the Eurasian Economic Commission (hereinafter - the Department) decided to initiate an anti-dumping investigation in respect of graphite electrodes with a diameter of more than 520 mm but not more than 650 mm originating in the People's Republic of China (hereinafter - the People's Republic of China).

According to the data provided in the Application, the share of the Applicant for the period from 1 January 2021 to 30 September 2024 accounted for 100% of the production of graphite electrodes with a diameter of more than 520 mm but not more than 650 mm in States - members of the EAEU, which meets the requirements contained in paragraphs 187 and 189 of the Protocol.

1. The product is the subject of the investigation

The subject of the investigation is electrodes used in furnaces, graphitised electrodes of circular cross-section with a diameter of more than 520 mm but not more than 650 mm or other cross-section with an area of more than $2,700 \text{ cm}^2$ but not more than $3,300 \text{ cm}^2$ (hereinafter referred to as "graphitised electrodes" or "Goods" in this Notice) originating in the PRC and imported into the EAEU TT.

Graphitised electrodes are classified by code 8545 11 002 0 of the Eurasian Economic Union's HS.

Graphite electrodes produced in the Union are defined in the Statement as a commodity that is similar to graphite electrodes originating in the PRC and imported into the EAEU TT.

2. Presence of dumped imports and the resulting damage to the EAEU economic sector

The Statement contains the following information.

Presence of dumping imports of Goods on the EAEU

TT.

From 1 October 2023 to 30 September 2024, graphite electrodes from the PRC were supplied to the EAEU TT at dumping prices, i.e. at prices below the normal cost in the PRC domestic market.

The normal cost of graphite electrodes in the PRC is determined on the basis of data on the prices of graphite electrodes in the domestic market of the PRC received by the Applicant from a specialised analytical agency (adjusted for VAT).

The export price is calculated on the basis of the data provided in the Application on the volume of importation of the Goods to the TT of the EAEU in the specified period and their statistical value with adjustment for transportation costs.

The dumping margin on supplies of graphite electrodes to the EAEU TT from the PRC exceeded the minimum permissible dumping margin within the meaning of paragraph 222 of the Protocol and amounted to 28.6%.

Existence of damage to the economy of the EAEU member states due to dumping imports.

Against the background of a decrease in the volume of apparent consumption of the Goods in the period from 2021 to 2023, there was an increase in the volume of imports of Goods from the PRC to the EAEU TT by 5.2%. In October 2023 - September 2024¹, while the volume of visible consumption of Goods on the Union market increased, the volume of import of Goods from PRC to the EAEU TT increased by 0.1 %.

For period c 2021 to 2023 year growth growth share imports of imports from PRC to the EAEU TT in the volume of visible consumption by 30.0 per cent and the ratio of the volume of imports from PRC to the volume of production of Goods in the EAEU by 30.0 per cent. production of Goods in the EAEU by 25,4 %. In October 2023 - September 2024, the share of imports of Goods from the PRC in the EAEU TT in the volume of apparent consumption decreased by 5.1%, while the ratio of the volume of imports of Goods from the PRC to the volume of production of Goods in the EAEU increased by 5.9%.

The weighted average price of imports of Goods from the PRC to the EAEU TT for the period from 2021 2023 increased by 8.6%, while for October 2023 to September 2024 this indicator decreased by 28.0%. During the period considered in the Statement, the weighted average price of imports of Goods from the PRC was lower than the weighted average price of Goods of the economy sector.

¹ Here and hereafter in this notice, the trends in performance for October 2023 to September 2024 are based on comparisons with the period October 2022 to September 2023.

In the period from 2021 to 2023, against the background of a significant reduction in imports of Goods from other countries to the EAEU TT, there was an increase in the volume of sales of Goods of the sector of economy on the market of the Union by 39.6%, the share of such sales in the apparent consumption of Goods in the EAEU by 72.4%, as well as financial indicators of the sector of economy.

At the same time, in October 2023 - September 2024, under conditions of a significant reduction in the weighted average price of imports of Goods from the PRC and cessation of imports of Goods from other countries to the TA of the EAEU, the industry had to reduce prices to a level below the cost of production in order to maintain its share in the market of the Union, which led to losses from the sale of Goods in the market of the Union and negative indicators of profitability of production of Goods and profitability of sales of Goods.

It is also necessary also it should also be noted that Chinese manufacturers have significant export и production potential, at the same time at the same time in European union B with regard to graphitised electrodes of various diameters originating from the PRC is subject to an anti-dumping measure. In addition, Japan initiated an anti-dumping investigation on imports of graphite electrodes of various diameters originating from the PRC in April 2024.

The above allows us to conclude that there is material damage to the sector of the economy caused by dumping imports.

3. Results of the application review

The information provided in the Application indicates the existence of:

- dumping imports of graphite electrodes originating from PRC and imported to the EAEU TT;
- the material damage caused by dumping imports to the economy of the EAEU member states.

In accordance with paragraph 206 of the Protocol, the presence in the Application of the specified information is the basis for a decision to initiate an anti-dumping investigation.

4. Rights of stakeholders and timeframes for their realisation

The date of commencement of the investigation is the date of publication of this notice on the official website of the Eurasian Economic Union.

Within 60 calendar days from the date of commencement of the investigation, the Department shall accept comments and information relevant to the investigation from interested persons referred to in paragraphs 259, 260 of the Protocol (in writing, in Russian language, in confidential and non-confidential versions). Guidelines for preparation of non-confidential versions of documents are available on the website of the Eurasian Economic Commission of the Eurasian Economic Community.

of non-confidential documents.pdf.

In order to have access to non-confidential investigation materials and to participate in public hearings and negotiations, interested persons may, in accordance with paragraph 209 of the Protocol, declare

their intention to become a participant in the investigation. The Department shall accept expressions of intent to participate in an investigation within 25 calendar days of the date of commencement of the investigation (such an expression should specify and document the status of the person concerned within the meaning of paragraph 259 of the Protocol).

B in accordance with c para. 213 Protocol participants Enquiry participants shall be provided with the opportunity to review non-confidential investigation materials through access to the "Electronic Library of Investigator Materials". Enquiry Electronic Library", posted B thematic section "Protection of the Internal Market" of the Portal of Common Information Resources and Open Data on the official website of the Eurasian Economic Union on the Internet. To obtain credentials for access to the above materials, it is necessary to send to the Department a completed form (original), a sample of which is available at the following link: https://remedies.eaeunion.org/dimd/filestorage/access_form.docx.

Participants in the investigation, within 45 calendar days from the date of commencement of the investigation, may request a public hearing as provided for in paragraphs 235 - 238 of the Protocol.

5. Information on the selection of foreign producers (exporters) for the purposes of limiting the determination of the individual dumping margin

In accordance with paragraph 49 of the Protocol, where the investigating authority concludes that it is inappropriate to determine an individual dumping margin for each known exporter and/or producer of a good because of the total number of exporters, it may use a limitation on the determination of individual dumping margins based on an acceptable number of interested parties.

Taking into account the available information on a significant number of producers and (or) exporters of the Goods in the PRC, in order to make a decision on the necessity to conduct a selection of foreign exporters and (or) producers to limit the determination of individual dumping margins and to conduct such selection, exporters and (or) producers of the Goods shall submit the following information to the Department in writing in Russian (in confidential and non-confidential versions) within 25 calendar days from the date of commencement of the investigation:

1) name, legal address, fax and telephone number, e-mail address of the organisation, full name of the contact person (in Russian and English);

2) volume of sales of the Goods in value (in Chinese yuan) and quantity (in kg) for period from 1 January 2024 to 31 December 2024 at the EAEU TT as a whole and separately to the Republic of Armenia, the Republic of Belarus, the Republic of Kazakhstan, the Kyrgyz Republic and the Russian Federation;

3) sales volume of the Goods in value (in RMB) and quantity (in kg) terms for the period from 1 January 1 2024 to 31 December 2024 in the PRC domestic market;

4) nature of activity (including in the markets of third countries) of the organisation in relation to production and (or) sales of the Goods (full or partial production, including subcontracting, sale, distribution, purchase and other);

5) the name and nature of activities of all related organisations within the meaning of paragraph 2 of the Protocol involved in the production and (or) sales of the Goods, both in the PRC domestic market and in the EAEU TT;

6) other information that the organisation wishes to provide in order for the Department to select exporters and (or) producers of the Goods to determine the individual dumping margin.

The requested information may be submitted to the Department using the application form available on the official website of the Eurasian Economic Union at the following link:

https://remedies.eaeunion.org/dimd/filestorage/sampling_form_AD40.docx.

Submission of the above information to the Department indicates the interested party's consent to participate in the selection of foreign producers and (or) exporters for the purposes of determining the individual dumping margin and readiness to submit to the Department a response to the anti-dumping questionnaire for foreign producers and (or) exporters (hereinafter - the questionnaire), which will be sent to it following the results of such selection. Following the results of analysing the response to the questionnaire in order to verify the reliability of the information provided therein, the Department may carry out the verification visit provided for in paragraph 242 of the Protocol.

Submission of the information requested in this section to the Department shall simultaneously be the basis for registration of the interested person as a participant in the investigation.

6. Gathering information during the investigation

Based on paragraph 239 of the Protocol, a list of questions to be answered shall be sent to the known to the Department exporters and (or) foreign producers of the Commodity and producers of the Commodity in the EAEU member states. If necessary, the list of questions is also sent to importers and consumers of the Goods.

The above list may be requested, including information on import deliveries of Goods to the EAEU TT and on the production, economic and financial situation of the sector of the economy of the EAEU member states.

In accordance with paragraph 211 of the Protocol in the course of an investigation, additional information may be requested from the person concerned referred to in paragraphs 259, 260 of the Protocol for the purposes of the investigation.

7. Consequences of non-cooperation

In the event that an interested person referred to in paragraphs 259, 260 of the Protocol refuses the Department to provide the required information, fails to provide it within the prescribed time limit, or provides inaccurate information, thereby substantially impeding the investigation,

a preliminary or final conclusion, including on the presence of dumped imports and the production, economic and financial state of the sector of the economy of the EAEU member states, may be made by the Department on the basis of the information available to it.

8. Confidential information mode

In respect of confidential information received during the investigation in the Department from interested parties and participants in the investigation, the Regulation on the use and protection of confidential information and official information of restricted distribution in the body responsible for conducting investigations, approved by the Decision of the Board of the Eurasian Economic Commission of 7 March 2012 № 1, will be applied.

9. Contact information

Mailing address for interested parties to send comments and information relevant to the investigation:

*Department of Internal Market Protection of
the Eurasian Economic Commission
Smolensky Boulevard, 3/5, building 1,
Moscow, Russian Federation, 119121.*

In case comments and information related to the investigation are sent by **post** to the Department of Internal Market Protection of the Eurasian Economic Commission, the address to receive correspondence is: *2 Letnikovskaya Street, Letnikovskaya, Moscow, Russian Federation, Vivaldi Plaza Business Centre, Building D, telephone +7 (495) 669-24-00 ext. 1272. 1272.*

A leaflet on the submission of documents to the Department for the Protection of the Internal Market of the Eurasian Economic Commission within the framework of anti-dumping, countervailing and special protection investigations is available in the thematic section "Protection of the Internal Market" of the Portal of Common Information Resources and Open Data on the official website of the Eurasian Economic Union on the Internet at the following address: https://remedies.eaeunion.org/dimd/filestorage/DIMD_submission_guide.pdf.

Contact phones: +7 (495) 669-24-00 ext. 4959, 1316, 4955, 4966, 3097, 1272.