

PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMMON  
COMMERCIAL POLICY

EUROPEAN COMMISSION

**Notice of Initiation concerning a review of the safeguard measure applicable to imports of certain  
steel products**

(2022/C 459/06)

On 31 January 2019, the European Commission ('the Commission') imposed a definitive safeguard measure on certain steel products (the 'Definitive Safeguard Regulation')<sup>(1)</sup>. By Regulation (EU) 2021/1029, the Commission prolonged the steel safeguard measure until 30 June 2024 ('the Prolongation Regulation')<sup>(2)</sup>. The product under review is certain steel products. The product under review is composed of the 26 product categories included in the Annex to this Notice.

**1. Scope of the review**

Recital (85) of the Prolongation Regulation set out that the Commission will carry out a review to determine whether the safeguard measure should be terminated by 30 June 2023, which is one year earlier than its otherwise current duration. In line with its commitment under the Prolongation Regulation, the review investigation will focus on collecting and analysing any relevant evidence and data to determine whether it would be justified to terminate the measure by 30 June 2023. To that end, the Commission deems it necessary to collect certain specific information via questionnaires (see Section 2 below).

In addition, considering that the Commission used data pertaining to the year 2021 in the last review in order to update the list of developing countries subject to the measure, the Commission may also use this review to update such a list in view of the data for 2022.

**2. Procedure**

In light of the above, the Commission hereby initiates a review of the existing steel safeguard measure applicable to imports of certain steel products, limited to the scope specified in point 1.

*2.1. Questionnaires for Union producers*

Union producers are requested to fill in and submit the questionnaires, through their respective Union associations where appropriate, by 13 January 2023.

A template of the relevant questionnaire is available at: <https://tron.trade.ec.europa.eu/investigations/case-view?caseId=2645>

<sup>(1)</sup> Commission Implementing Regulation (EU) 2019/159 of 31 January 2019 imposing definitive safeguard measures against imports of certain steel products (OJ L 31, 1.2.2019, p. 27).

<sup>(2)</sup> Commission Implementing Regulation (EU) 2021/1029 of 24 June 2021 amending Commission Implementing Regulation (EU) 2019/159 to prolong the safeguard measure on imports of certain steel products (OJ L 225, 25.6.2021, p. 1).

## 2.2. Questionnaires for Union users

Union users are requested to fill in and submit the questionnaires, through their respective Union associations where appropriate, by 13 January 2023.

A template of the relevant questionnaire is available at: <https://tron.trade.ec.europa.eu/investigations/case-view?caseId=2645>

## 2.3. Written submissions

In order to obtain all relevant information deemed necessary for the investigation, interested parties are hereby invited to make their views known, submit information and provide supporting evidence to the Commission. This information and supporting evidence must reach the Commission by 13 January 2023.

## 2.4. Possibility to comment on other parties' submissions

In order to guarantee the rights of defence, interested parties should have the possibility to comment on the information submitted by other interested parties. When doing so, interested parties may only address the issues raised in the other interested parties' submissions and may not raise new issues.

Such comments must reach the Commission within 7 days from the moment the submissions mentioned in paragraph 2.3 are made available for inspection by interested parties. The Commission may also issue specific instructions on the structure of the rebuttals at a later stage in the proceeding. In such case, the Commission would inform interested parties via a Note to the file in Tron accordingly.

Access to the file available for inspection for interested parties is made via Tron.tdi at the following address: <https://tron.trade.ec.europa.eu/tron/TDI>. Please follow the instructions on that page to get access.

The outlined timeframe is without prejudice to the Commission's right to request additional information from interested parties in duly justified cases.

Given the need to complete the review in a short timeframe – see Section 6. Below – and the fact that interested parties will be given the possibility to comment on other parties' submissions, which will ensure sufficient opportunities to defend their interests, the Commission will not organise hearings for the purpose of this investigation, unless exceptional circumstances so require.

## 2.5. Submission of information and extension to time limits specified in this Notice

As a rule, interested parties may only submit information within the timeframes specified in this Notice. Any extension to the time limits provided for in this Notice can only be requested in exceptional circumstances and will only be granted if duly justified. Duly justified exceptional extensions to the deadline to make submission will normally be limited to 3 additional days.

Interested parties are requested not to provide further information outside the periods set out in this Notice or in any further communication sent by the Commission. In order to properly conclude the investigation on time, any submission, rebuttal or any other written document which does not respect the deadlines specified by the Commission may be disregarded.

## 2.6. Instructions for making written submissions and correspondence

Information submitted to the Commission for the purpose of trade defence proceeding shall be free from copyrights. Interested parties, before submitting to the Commission information and/or data which is subject to third party copyrights, must request specific permission to the copyright holder explicitly allowing the Commission a) to use the information and data for the purpose of this trade defence proceeding and b) to provide the information and/or data to interested parties to this investigation in a form that allows them to exercise their rights of defence.

All written submissions provided by interested parties for which confidential treatment is requested shall be labelled 'Limited' <sup>(3)</sup>. Parties submitting information in the course of this investigation are invited to reason their request for confidential treatment.

Parties providing 'Limited' information are required to furnish non-confidential summaries of it pursuant to Article 8 of EU Regulation 2015/478 <sup>(4)</sup> and Article 5 of EU Regulation 2015/755 <sup>(5)</sup>, which will be labelled 'For inspection by interested parties'. Those summaries should be sufficiently detailed to permit a reasonable understanding of the substance of the information submitted in confidence and must reach the Commission at the same time of the 'Limited' version.

If a party providing confidential information fails to show good cause for a confidential treatment request or does not furnish a non-confidential summary of it in the requested format and quality, the Commission may disregard such information.

Interested parties are strongly encouraged to make all written submissions and requests via TRON.tdi (<https://tron.trade.ec.europa.eu/tron/TDI>), including scanned powers of attorney where appropriate.

By using TRON.tdi or e-mail, interested parties express their agreement with the rules applicable to electronic submissions contained in the document 'CORRESPONDENCE WITH THE EUROPEAN COMMISSION IN TRADE DEFENCE CASES' published on the website of the Directorate-General for Trade: [http://trade.ec.europa.eu/doclib/docs/2011/june/tradoc\\_148003.pdf](http://trade.ec.europa.eu/doclib/docs/2011/june/tradoc_148003.pdf).

The interested parties must indicate their name, address, telephone and a valid e-mail address and they should ensure that the provided e-mail address is a functioning official business email that is checked on a daily basis. Once contact details are provided, the Commission will communicate with interested parties by TRON.tdi or email only, unless they explicitly request to receive all documents from the Commission by another means of communication or unless the nature of the document to be sent requires the use of a registered mail. For further rules and information concerning correspondence with the Commission including principles that apply to submissions via TRON.tdi, interested parties should consult the communication instructions with interested parties referred to above.

Commission address for correspondence:

European Commission  
Directorate-General for Trade  
Directorate G, unit G5  
Office: CHAR 03/66  
1049 Bruxelles/Brussel  
BELGIQUE/BELGIË

TRON.tdi: <https://webgate.ec.europa.eu/tron/tdi>

Email address: [TRADE-SAFE009-REVIEW@ec.europa.eu](mailto:TRADE-SAFE009-REVIEW@ec.europa.eu)

## 2.7. *Automatic extension of status of interested parties*

Like in the previous review investigations, the Commission has decided to automatically extend the status of interested parties to all those parties that have come forward and have been duly registered at some point during the proceeding that was initiated on 23 March 2018. Therefore, these parties do not need to make an additional request, as their access to TRON will be automatically granted.

On the other hand, any party not previously registered in TRON as interested party to the safeguard proceeding, and who wishes to take part in this investigation, is invited to register as interested party following the instructions in Section 2.6 above.

<sup>(3)</sup> A 'Limited' document is a document which is considered confidential pursuant to Article 8 of Regulation (EU) 2015/478, Article 5 of Regulation (EU) 2015/755 and Article 3.2 of the WTO Agreement on Safeguards. It is also a document protected pursuant to Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council (OJ L 145, 31.5.2001, p. 43).

<sup>(4)</sup> OJ L 83, 27.3.2015, p. 16.

<sup>(5)</sup> OJ L 123, 19.5.2015, p. 33.

The Commission recalls that a company, industry association, third country government, etc that is not yet part of the case directory, and hence is not an interested party to the case, will acquire the procedural rights associated to this review investigation only from the moment they have duly registered as interested party in line with the instructions of Section 2.6 above.

The Commission also recalls that those interested parties represented by law firms or other external representatives, will need to provide an updated Power of Attorney for this investigation.

### 3. **Schedule of the review**

The Commission will conclude the review investigation by 30 June 2023.

### 4. **Non-cooperation**

In cases where any interested party does not provide the necessary information that may have been requested by the Commission within the time limits, or significantly impedes the investigation, findings may be made on the basis of facts available, in accordance with Article 5 of Regulation (EU) 2015/478 and Article 3 of Regulation (EU) 2015/755. Where it is found that any interested party has supplied false or misleading information, the information may be disregarded and use may be made of facts available.

### 5. **Hearing Officer**

The Hearing Officer acts as an interface between the interested parties and the Commission investigation services. The Hearing Officer reviews requests for access to the file, disputes regarding the confidentiality of documents, requests for extension of time limits and any other request concerning the rights of defence of interested parties and third parties as may arise during the proceeding.

Interested parties may request an intervention of the Hearing Officer. In principle, these interventions shall be limited to the issues that have arisen during the current review proceeding.

A request for an intervention of the Hearing Officer should be made in writing and should specify the reasons for the request. Interested parties are invited to follow the timeframes set out in Section 2.3 to Section 2.5 of this Notice to requests for intervention to the Hearing Officer. Where such requests are submitted outside the relevant timeframes, the Hearing Officer may also examine the reasons for such late requests, having due regard to the interests of good administration and the timely completion of the investigation.

For further information and contact details interested parties may consult the Hearing Officer's web pages on DG Trade's website: <http://ec.europa.eu/trade/trade-policy-and-you/contacts/hearing-officer/>.

### 6. **Processing of personal data**

Any personal data collected in this investigation will be treated in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council <sup>(6)</sup>.

A data protection notice that informs all individuals of the processing of personal data in the framework of Commission's trade defence activities is available on DG Trade's website: <http://trade.ec.europa.eu/doclib/html/157639.htm>.

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<sup>(6)</sup> Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

## ANNEX

Product category number	Product category
1	Non Alloy and Other Alloy Hot Rolled Sheets and Strips
2	Non Alloy and Other Alloy Cold Rolled Sheets
3.A	Electrical Sheets (other than GOES)
3.B	
4.A	Metallic Coated Sheets
4.B	
5	Organic Coated Sheets
6	Tin Mill products
7	Non Alloy and Other Alloy Quarto Plates
8	Stainless Hot Rolled Sheets and Strips
9	Stainless Cold Rolled Sheets and Strips
10	Stainless Hot Rolled Quarto Plates
12	Non Alloy and Other Alloy Merchant Bars and Light Sections
13	Rebars
14	Stainless Bars and Light Sections
15	Stainless Wire Rod
16	Non Alloy and Other Alloy Wire Rod
17	Angles, Shapes and Sections of Iron or Non Alloy Steel
18	Sheet Piling
19	Railway Material
20	Gas pipes
21	Hollow sections
22	Seamless Stainless Tubes and Pipes
24	Other Seamless Tubes
25.A	Large welded tubes
25.B	
26	Other welded pipes
27	Non Alloy and Other Alloy Cold Finished Bars
28	Non Alloy Wire