

**NOTIFICATION UNDER ARTICLE 12.1(A) OF THE AGREEMENT ON SAFEGUARDS
ON INITIATION OF AN INVESTIGATION
AND THE REASONS FOR IT**

DOMINICAN REPUBLIC

Supplement

*Sweet and savoury biscuits of all kinds, industrially or mass produced,
and made primarily from wheat*

The following communication, dated 3 February 2026 and received on 12 February 2026, is being circulated at the request of the delegation of the Dominican Republic.

RESOLUTION NO. CDC-RD-SG-002-2026

**AMENDING RESOLUTION NO. CDC-RD-SG-004-2025, OF 3 DECEMBER 2025, WHICH
AMENDED THE SCHEDULE OF PROCEDURAL ACTIONS OF FILE NO. CDC-
RD/SG/2025/001, ON THE GENERAL SAFEGUARD INVESTIGATION ON IMPORTS
OF SWEET AND SAVOURY BISCUITS OF ALL KINDS¹**

The Regulatory Commission for Unfair Trade Practices and Safeguard Measures (hereinafter the "Trade Defence Commission" or "CDC"), in the exercise of the legal powers conferred upon it by Law No. 1-02 on Unfair Trade Practices and Safeguard Measures of 18 January

¹ The product refers to sweet and savoury biscuits of all kinds, industrially or mass produced, and made primarily from wheat, its derivatives (wheat, wheat flour, with or without gluten), and those with ingredients that are rich in fibre or fibre-based, excluding artisanal biscuits, biscuits for babies, biscuits made from cereals other than wheat and its derivatives, and energy or nutrition bars, the main ingredient of which is not roasted wheat flour or fibre, classified under tariff subheadings 1905.31.90, 1905.32.00, 1905.90.10 and 1905.90.90 of the Seventh Amendment to the Customs Tariff of the Dominican Republic, from countries with which the Dominican Republic does not have a free trade agreement.

2002 (hereinafter "Law No. 1-02"), and its implementing Regulations of 10 November 2015, having been convened to meet officially, issues the following resolution:

WHEREAS:

1. On 12 January 1995, the Congress of the Dominican Republic ratified the Agreement Establishing the World Trade Organization (hereinafter the "WTO"), promulgated pursuant to Resolution No. 2-95 of 20 January 1995;
2. The Dominican Republic is a signatory to the WTO Multilateral Trade Agreements, including the Agreement on Safeguards, the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 (hereinafter the "Anti-Dumping Agreement") and the Agreement on Subsidies and Countervailing Measures;
3. On 18 January 2002, the Dominican Republic enacted Law No. 1-02, establishing a set of provisions and procedures to prevent or remedy any injury to a domestic industry that may be caused by unfair foreign trade practices, and to adopt appropriate temporary measures in the event of an increase in imports in such quantities and under such conditions as to cause or threaten to cause serious injury to domestic producers of like or directly competitive products;
4. Pursuant to Article 82 of Law No. 1-02, the Trade Defence Commission was established as a decentralized public body with functional, jurisdictional and financial autonomy, its own assets, legal personality, and capacity to acquire rights, contract obligations, perform the tasks and exercise the functions specified in the provisions of the aforementioned Law and its regulations;
5. On 10 November 2015, pursuant to Resolution No. CDC-RD-ADM-004-2015 and in strict compliance with Article 84(f) of Law No. 1-02, the CDC approved the implementing regulations of the aforementioned Law;
6. The powers and duties of the CDC under Law No. 1-02 include to conduct, at the request of an interested party or ex officio, any investigation required for the purposes of the Law and its regulations in order to determine, where appropriate, the application of anti-dumping measures, countervailing duties and/or safeguard measures;
7. On 8 August 2025, the companies Molinos Modernos, S.A. and Molinos Valle del Cibao, S.A.(hereinafter the "Applicants"), submitted to the Trade Defence Commission an application to initiate an investigation to adopt a safeguard measure on imports of sweet and savoury biscuits of all kinds, including plain, sandwich or coated biscuits, made primarily from cereal flours, fats, sugar or salt, and classified under tariff

subheadings 1905.31.90, 1905.32.00, 1905.90.10 and 1905.90.90 of the Seventh Amendment to the Customs Tariff of the Dominican Republic;

8. On 19 September 2025, pursuant to Resolution No. CDC-RD-SG-002-2025, a general safeguard investigation was initiated into imports of sweet and savoury biscuits of all kinds, industrially or mass produced, and made primarily from wheat, its derivatives (wheat, wheat flour, with or without gluten), and those with ingredients that are rich in fibre or fibre-based, excluding artisanal biscuits, biscuits for babies, biscuits made from cereals other than wheat and its derivatives, and energy or nutrition bars, the main ingredient of which is not roasted wheat flour or fibre, classified under tariff subheadings 1905.31.90, 1905.32.00, 1905.90.10 and 1905.90.90 of the Seventh Amendment to the Customs Tariff of the Dominican Republic, from countries with which the Dominican Republic does not have a free trade agreement (File No. CDC-RD/SG/2025/001, hereinafter the "Investigation Proceedings");
9. On 12 November 2025, the CDC issued Resolution No. CDC-RD-SG-003-2025 approving the schedule of procedural actions of File No. CDC-RD/SG/2025/001 (hereinafter the "Procedural Schedule"), which was duly notified to the interested parties and published on the CDC website;
10. On 3 December 2025, the CDC issued Resolution No. CDC-RD-SG-004-2025 amending the Procedural Schedule of File No. CDC-RD/SG/2025/001, which was duly notified to the interested parties and published on the CDC website;
11. The ongoing Investigation Proceedings involve a high degree of technical and legal complexity owing to the multiple accredited interested parties, the substantial volume of commercial, economic and financial information, the evidence included in the file, and the need for a comprehensive, objective, and technically sound analysis of all elements that impact the investigation procedure.
12. This complexity requires the Trade Defence Commission to avail itself of a reasonable and necessary period of time to ensure that the procedural actions and the corresponding analysis are carried out with the required technical rigour, in strict adherence to the principles of due administrative process, objectivity, and reasonableness;
13. The right of defence constitutes an essential principle of the administrative procedure, in accordance with Articles 69 and 138 of the Constitution of the Dominican Republic and Articles 3.22 and 42.3 of Law No. 107-13, which guarantee interested parties the

opportunity to participate effectively in the proceedings and to provide the elements necessary for the proper defence of their interests;

14. Consequently, and with the aim of safeguarding the best interests of the Investigation Proceedings, it is deemed appropriate to amend the previously established Procedural Schedule to ensure that the procedure is conducted in an orderly and reasonable manner, in accordance with the principles governing administrative action;
15. Law No. 107-13 enshrines the principles of effectiveness, legality, objectivity, transparency, reasonableness and proportionality, which require administrative decisions to be technically correct and supported by sufficient information;
16. Article 20 of Law No. 107-13 authorizes the Administration to adjust or extend the deadlines when objective and justified reasons exist, as is this case here, in order to ensure due administrative process;
17. In accordance with the principles of reasonableness and proportionality, and the right to good administration and effective administrative protection, provided for in Article 4 of Law No. 107-13, the Trade Defence Commission must ensure that administrative decisions are taken on the basis of all necessary elements and fully guarantee the participation of interested parties who are accredited for this purpose in a timely manner;

HAVING REGARD TO:

- i. The Constitution of the Dominican Republic of 27 October 2024;
- ii. The Agreement on Safeguards of the World Trade Organization;
- iii. Law No. 1-02 on Unfair Trade Practices and Safeguard Measures of 18 January 2002;
- iv. Law No. 107-13 on the Rights of Individuals in their Interactions with the Administration and Administrative Procedures of 8 August 2013;
- v. The Regulations implementing Law No. 1-02 on Unfair Trade Practices and Safeguard Measures of 10 November 2015;
- vi. The request for the initiation of a safeguard investigation into imports of sweet and savoury biscuits of all kinds, including plain, sandwich or coated biscuits, made primarily from cereal flours, fats, sugar or salt, and classified under tariff subheadings 1905.31.90, 1905.32.00, 1905.90.10 and

1905.90.90 of the Seventh Amendment to the Customs Tariff of the Dominican Republic of 8 August 2025;

- vii. Resolution No. CDC-RD-SG-002-2025 initiating the general safeguard investigation into imports of sweet and savoury biscuits of all kinds;
- viii. Resolution No. CDC-RD-SG-003-2025 approving the schedule of procedural actions of File No. CDC-RD/SG/2025/001;
- ix. Resolution No. CDC-RD-SG-004-2025 amending the schedule of procedural actions of File No. CDC-RD/SG/2025/001;
- x. File No. CDC-RD/SG/2025/001, relating to the general safeguard investigation into imports of sweet and savoury biscuits of all kinds, classified under tariff subheadings 1905.31.90, 1905.32.00, 1905.90.10 and 1905.90.90 of the Seventh Amendment to the Customs Tariff of the Dominican Republic, from countries with which the Dominican Republic does not have a free trade agreement;

After deliberation, the Plenary of the Regulatory Commission for Unfair Trade Practices and Safeguard Measures,

HEREBY RESOLVES:

FIRST: To AMEND the schedule of procedural actions for the safeguard Investigation Proceedings, as follows:

A. Preliminary determination:

- 1. Accredited interested parties may submit written arguments to the CDC on any matter they consider relevant to the preliminary stage of the investigation no later than 15 business days before the scheduled date of issuance of the preliminary determination, so no later than 9 April 2026;
- 2. For the purposes of these Investigation Proceedings, the CDC shall issue a preliminary resolution, accompanied by the preliminary technical report. The aforementioned resolution shall determine the outcome of the preliminary stage of the investigation on 30 April 2026;

B. Possible additional information requirements and verification visits:

3. The CDC shall evaluate all the arguments and evidence submitted by the accredited interested parties, and may therefore request additional information from the accredited interested parties and conduct *in situ* verification visits, should they be deemed necessary, to the petitioning domestic producers and to other accredited interested parties that have provided information;

C. Hearing:

4. The hearing will be held on 16 June 2026. However, the CDC shall publish the notice, no later than 18 May 2026, which will indicate the time and place of the hearing, as well as the rules to be observed by all accredited interested parties wishing to participate in the hearing;
5. Accredited interested parties intending to appear at the hearing shall notify the CDC of the names and identity documents of representatives and witnesses who will appear at the hearing at least five business days before the date of the hearing, so no later than 9 June 2026;
6. Accredited interested parties may submit written arguments on any matter they consider relevant to the investigation at least five business days before the date set for the hearing, so no later than 9 June 2026;
7. In order for information presented orally during the hearing to be taken into consideration, it must be submitted in writing by the accredited interested parties no later than five business days after the date of this hearing, so no later than 23 June 2026;

D. Evidentiary period and final arguments:

8. The period for submitting evidence in order for it to be taken into account in the investigation shall begin on the day following the publication of the initiation of the investigation and end five business days before the hearing. Given the date scheduled for the hearing, this period will end on 9 June 2026;
9. Once the period for submitting evidence has closed, accredited interested parties shall have 10 business days to submit to the CDC, in writing, their incidental and/or substantive conclusions presented over the course of the investigation procedure, so no later than 23 June 2026;

E. Final determination:

10. In September 2026, the final determination in the safeguard investigation into imports of sweet and savoury biscuits of all kinds will be published, accompanied by the final technical report. The final determination shall be notified to the WTO Committee on Safeguards and to the accredited interested parties;

F. Amending the procedural schedule:

11. Should it become necessary to change the date of one or more of the planned actions in this procedural schedule for reasons that reasonably prevent it being done on the scheduled date, the Trade Defence Commission shall notify and publish the aforementioned change in order to inform all the accredited interested parties.

SECOND: This Resolution will be NOTIFIED, via the Executive Director, to all accredited interested parties.

This resolution has thus been approved and signed by unanimous vote of the Plenary of Commissioners of the Regulatory Commission for Unfair Trade Practices and Safeguard Measures, in the city of Santo Domingo, Distrito Nacional, capital of the Dominican Republic, on this day 3 February 2026.

Juan Ramón Rosario Contreras
Chairperson

Milagros J. Puello
Commissioner

Esperanza Cabral Rubiera
Commissioner

Greicy Romero
Commissioner

Omar Ramos Camacho
Commissioner
