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Committee on Safeguards

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**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 21 April 2026 and received on 6 May 2026, is being circulated at the request of the delegation of the Dominican Republic.

RESOLUTION NO. CDC-RD-SG-018-2026

AMENDING RESOLUTION NO. CDC-RD-SG-017-2026 OF 31 March 2026, AMENDING THE SCHEDULE OF PROCEDURAL ACTIONS OF FILE NO. CDC-RD/SG/2025/001, ON THE GENERAL SAFEGUARDS INVESTIGATION INTO 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 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

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.

- 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 conducting, at the request of an interested party or *ex officio*, any investigation required for the purposes of the Law and its implementing 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");
 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 web page;
 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 web page;
 11. On 3 February 2026, the CDC issued Resolution No. CDC-RD-SG-002-2026, 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 web page;
 12. On 31 March 2026, the CDC issued Resolution No. CDC-RD-SG-017-2026, 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 web page;
 13. The investigation file contains a significant volume of information as a result of the information submitted by the accredited interested parties, the issuance of confidentiality resolutions, and other documents produced by the parties;

14. On 20 April 2026, the importing company Willy Chic Dominican, S.R.L., requested an extension, because of the significant volume of information contained in the file, as well as the need for reasonable time to verify, analyse and prepare its means of defence;
15. The ongoing investigation is marked by a high degree of technical and legal complexity, owing to the multiple accredited interested parties, the substantial volume of commercial, economic and financial information and evidence included in the file, and the need for a comprehensive, objective, and technically sound analysis of the elements that affect the investigation.
16. This complexity requires not only the Trade Defence Commission, but also the accredited interested parties, have 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;
17. In this regard, the right of defence is an essential principle of the administrative procedure, pursuant to 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, to submit duly substantiated claims, and to provide the elements necessary for the proper defence of their interests;
18. Consequently, and with the aim of protecting the best interests of the investigation, it is deemed appropriate to amend the previously established Procedural Schedule to ensure orderly and reasonable proceedings, in accordance with the principles governing administrative action;
19. Law No. 107-13 enshrines the principles of effectiveness, legality, objectivity, transparency, reasonableness and proportionality, which require the issuance of technically correct administrative decisions supported by sufficient information;
20. Article 20 of Law No. 107-13 authorizes the Administration to adjust or extend the deadlines when there are objective and justified reasons, as is this case here, in order to guarantee due administrative process;
21. 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 the necessary elements and fully guarantee the participation of interested parties who are duly accredited in a timely manner;
22. Consequently, it is deemed appropriate to amend the previously established Procedural Schedule to ensure orderly and balanced proceedings, in accordance with the principles governing administrative action;

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 implementing regulations of 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. Resolution No. CDC-RD-SG-002-2026, amending the schedule of procedural actions of File No. CDC-RD/SG/2025/001;
- xi. Resolution No. CDC-RD-SG-017-2026, amending the schedule of procedural actions of File No. CDC-RD/SG/2025/001;
- xii. 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 Commissioners 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, 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 19 May 2026;
2. For the purposes of this investigation, the CDC shall issue a preliminary resolution, together with the preliminary technical report. The preliminary resolution shall set out the outcome of the preliminary stage of the investigation on 10 June 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, therefore accredited interested parties may be required to provide additional information and, should they be deemed necessary, *in situ* verification visits may be made to the applicant domestic producers and to other accredited interested parties that have provided information;

C. Hearing:

4. The hearing shall be held on 4 August 2026. However, the CDC shall, no later than 1 July 2026, publish the notice, indicating 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 28 July 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 28 July 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 11 August 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 28 July 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, so no later than 11 August 2026;

E. Final determination:

10. In October 2026, the final determination shall be published, together with the final technical report. The final determination shall set out the conclusion of the safeguards investigation into imports of sweet and savoury biscuits of all kinds. The final determination shall be notified to the WTO Committee on Safeguards and to the accredited interested parties;

F. Procedural schedule amendment:

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 planned date, the Trade Defence Commission shall notify and publish the aforementioned change in order to inform all the accredited interested parties.

SECOND: To request the NOTIFICATION of this Resolution, 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 21 April 2026.

Juan Ramón Rosario Contreras
Chairperson

Milagros J. Puello
Commissioner

Esperanza Cabral Rubiera
Commissioner

Greicy Romero
Commissioner

Omar Ramos Camacho
Commissioner
