

**The Ministry of Commerce of the People's Republic of China**  
**Initiation of Antidumping Investigation on Wine Imported from the EU**

Public Notice [2013] No. 37

On 15 May 2013, the Ministry of Commerce of the People's Republic of China ("MOFCOM") officially received a petition submitted by China Alcoholic Drinks Association ("CADA") on behalf of the domestic wine industry. The petitioner requested MOFCOM to conduct an antidumping investigation on the imported wine from the EU.

According to the stipulations of the *Anti-Dumping Regulations of the PRC*, MOFCOM examined the standing of the petitioners, the relevant information of the subject merchandise in the petition, the information of the domestic like products in Mainland China, the impact of the subject merchandise in the petition on the domestic industry, the relevant situation of the subject country, etc. Meanwhile, MOFCOM examined the evidence of dumping, injury and the causal link between dumping and injury shown in the petition. The prima facie evidence provided by the petitioner shows that the total wine output of the domestic producers represented by CADA in 2009, 2010, 2011 and 2012 accounted for more than 50% of the total output of like products in the same period in China, which meets the requirements defined by Articles 11, 13 and 17 of the *Anti-Dumping Regulations of the PRC* regarding the standing of petitioner applying for a countervailing investigation on behalf of the domestic industry. Meanwhile, the petition includes the contents and evidences required by Articles 14 and 15 of the *Anti-Dumping Regulations of the PRC* in relation to initiation of a countervailing investigation.

Based on the above examination result and Article 16 of the *Anti-Subsidy Regulations of the PRC*, MOFCOM decided to initiate an antidumping investigation against the imported wine originating from the EU as of 1<sup>st</sup> July 2013. MOFCOM hereby announces the following relevant issues:

**I. Initiation and Period of Investigation (POI)**

As of the Notice date, MOFCOM initiated an antidumping investigation into the imported wine originating from the EU. The POI for the dumping investigation is from 1 January 2012 to 31 December 2012 and the POI for the injury part is from 1 January 2009 to 31 December 2012.

## **II. Subject Merchandise and Scope of Investigation**

**Scope of investigation:** Imported Wine Originating from the EU

**Name of the subject merchandise:** Wine.

### **Specific description of the subject merchandise:**

An alcoholic beverage made from fresh grapes or grape juice, after fully or partly fermentation.

**HTS code in the Customs Import and Export Tariff of the People's Republic of China:** 22041000, 22042100, and 22042900

## **III. Response Registration**

For the dumping investigation, any interested parties can apply for response to the Bureau of Fair Trade for Imports & Exports (“BOFT”) of MOFCOM within 20 days from the date of this Notice. The responding foreign exporters / producers shall provide their volume and value of the subject merchandise exported to China from 1 January 2012 to 31 December 2012. The Registration Form for Dumping Investigation (for reference) can be downloaded from Column “Case updates” at the website of the Bureau of Fair Trade for Imports & Exports under MOFCOM: <http://gpj.mofcom.gov.cn>.

For the industry injury investigation, interested parties can apply for response to the Industry Injury Investigation Bureau of MOFCOM within 20 days from the date of this Notice. The application to the Industry Injury Investigation Bureau shall contain the information regarding production capacity, output, inventory, and producer' production in construction and expansion plan, as well as its respective volume and value of the subject merchandise exported to Mainland China during the POI for injury part. The Application Form can be downloaded from Column “Response Registration” at <http://www.cacs.gov.cn>.

## **IV. Rights of Interested Parties**

Interested parties can download the non-confidential version of petition submitted by the petitioner at <http://gpj.mofcom.gov.cn> or consult at the public information reading room of MOFCOM (Tel:010-65197878).

Interested parties can submit their comments to MOFCOM in writing during the above-mentioned time period for registration if they have different opinions on the product scope of the investigation, the standing of the petitioners, the subject countries / regions and other relevant issues.

## **V. Investigation Approaches**

The investigation authorities can obtain related information from interested parties, and conduct investigations by issuing questionnaires, sampling, holding public hearings, conducting on-the-spot verification, etc.

Relevant notices of injury investigation can be checked at <http://www.cacs.gov.cn>.

## **VI. Questionnaires**

### **(A) Dumping Questionnaire of antidumping investigation**

MofCOM will send the questionnaire to replying companies and other companies listed in the petition within 10 working days from the deadline of response registration. The questionnaire requests information regarding the structure and operation of companies subject merchandise, export sales in China (mainland), local (interregional) sales, export sales in other countries (regions) besides China (mainland), production cost and relevant cost, estimated dumping margin, and reconciliation slips, etc.

"Dumping Questionnaire of Antidumping Investigation on Wine" can be downloaded from Column "Case updates" at the website of the Bureau of Fair Trade for Imports & Exports under MOFCOM: <http://gpj.mofcom.gov.cn>. Non-responding companies can download directly or ask for it from MofCOM, and make declaration as required.

All the above mentioned companies should submit the complete and precise questionnaire within the time-limits. The questionnaire should include all the information required. All the questionnaires should be delivered to MofCOM within 37 days from the date of issuing. To justify the incapability of accomplishing the questionnaire before deadline, the responding company should submit an application in writing 7 days before the deadline of questionnaire submission to MofCOM to request the deadline extension and to claim the reason.

To those responding companies involved that fail to submit questionnaire before the deadline, or fail to provide a complete and precise questionnaire as required, or prevent MofCOM from examining the data and materials provided, or severely impede the investigation by other means, according to Article 21 of the *Anti-Dumping Regulations of the PRC*, MofCOM can make a determination based on the facts obtained and best information available.

### **(B) Injury Questionnaire of antidumping investigation**

The relevant notice of questionnaire of industry injury can be downloaded at <http://www.cacs.gov.cn>.

**VII.** This investigation starts from 1<sup>st</sup> July 2013 and normally shall end before 1<sup>st</sup> July 2014; under special circumstances, the investigation can be extended to 1<sup>st</sup> January 2015.

**VIII. Contact Address of MOFCOM:**

No. 2 Dong Chang'an Avenue, Beijing Post Code: 100731

**Bureau of Fair Trade for Imports & Exports (BOFT) of MOFCOM**

Tel: 86-10-85093417, 85093407 and 65198417

Fax: 86-10-85093400

**Industry Injury Investigation Bureau (IBII) of MOFCOM**

Tel: 86-10-65198180, 65198076, 65198185

Fax: 86-10-65197586