

PHILIPPINE STAR

BUSINESS SECTION

28 APRIL 2014

WEDNESDAY



Republic of the Philippines
DEPARTMENT OF AGRICULTURE
Office of the Secretary
Elliptical Road, Diliman, Quezon City

IN THE MATTER OF THE PRELIMINARY DETERMINATION OF THE
ANTI-DUMPING INVESTIGATION
RELATING TO WHEAT FLOUR IMPORTS FROM TURKEY
(AHN CODE 1101.00.10)
(ANTI-DUMPING MEASURE [ADM] CASE NO. 01-2013)

Philippine Association of Flour Millers, Inc.
Petitioner

x-----x

ORDER

The Philippine Association of Flour Millers, Inc. (PAFMIL) has filed a petition with the Department of Agriculture (DA) for the imposition of an anti-dumping measure against wheat flour imports from Turkey. PAFMIL claims that "local flour millers have been on the losing side of the battle against Turkish flour which is being dumped on domestic markets at prices even lower than their cost of raw material which is wheat".

The period of investigation for dumping determination covered import transactions from 1 January to 31 December 2012. However, for the injury determination, the period covered were for the years 2010-2013.

WHEREFORE, IN VIEW THEREOF, the Department of Agriculture pursuant to RA 8752, found after preliminary determination, an affirmative finding of dumping on the petition filed by PAFMIL for the imposition of anti-dumping duty against imported wheat flour originating from Turkey.

As a consequence thereof, the corresponding provisional anti-dumping duty in the form of a cash bond will be imposed for a period of four (4) months from the effectivity of this Order on importation of wheat flour from Turkey.

SOFT FLOUR

Exporter	Price Difference (US\$)	Dumping Margin (% of Export Price)
AKDUY GIDA TRADING TARIM INS NAK SAN	20.23	5.41%
DOST GIDA SANAYI VE TICARET A.S.	77.01	24.28%
KARAHAN DOGIRMENCLIK LTD STI	27.01	7.36%
TEKIRDAG UN SAN VE TIC LTD STL	41.80	11.86%
UNAY GIDA NAK SAN VE TIC LTD STI	102.63	35.21%
ULUSOY UN SANAYI VE TICARET	14.77	3.98%
YORUKGULLARI GIDA SANAYI VE	42.32	12.26%
TURUN GIDA SAN VE TIC AS	27.14	7.4%

HARD FLOUR

Exporter	Price Difference (US\$)	Dumping Margin (% of Export Price)
DORUK MARMARA UN SANAYI CILIGI AS	44.11	11.01%
ERSUN GIDA TARIM SAN VE TIC A.S.	14.49	3.36%
TEKINAK GIDA SANAYI VE TICARET AS	76.41	21.79%
TURUN GIDA SAN VE TIC AS	34.02	7.99%
ULAS GIDA UN TEKSTIL NAKLIYE	10.37	2.28%
ULUSOY UN SANAYI VE TICARET	39.01	9.59%

BISCUIT TYPE

Exporter	Price Difference (US\$)	Dumping Margin (% of Export Price)
DORUK MARMARA UN SANAYI CILIGI AS	33.94	9.68%
ERISLER GIDA SANAYI VE TICARET A.S.	51.74	14.27%
KALE MADENCILIK SAN VE TIC A.S.	138.97	39.26%

NOODLE TYPE

Exporter	Price Difference (US\$)	Dumping Margin (% of Export Price)
BKSUN GIDA TARIM SAN VE TIC A.S.	27.43	7.18%

The anti-dumping petition against imported wheat flour from Turkey will be forwarded to the Tariff Commission for formal investigation to determine whether or not there is a need to impose definitive anti-dumping measure.

This Order shall take effect upon the issuance of the relevant Memorandum Order by the Bureau of Customs or 15 days after the publication of this Order in two (2) newspapers of general circulation, whichever comes earlier.

Let this be Order be published in two (2) newspapers of general circulation and let individual notices be sent to all interested parties.

PROFESOR J. ALCALA
Secretary

FRIDAY

MAY 2 2014

PHILIPPINE STAR



Republic of the Philippines
DEPARTMENT OF AGRICULTURE
Office of the Secretary
Elliptical Road, Diliman, Quezon City

ADDENDUM TO THE DEPARTMENT ORDER ENTITLED
"IN THE MATTER OF THE PRELIMINARY DETERMINATION OF THE
ANTI-DUMPING INVESTIGATION
RELATING TO WHEAT FLOUR IMPORTS FROM TURKEY
(AHTN CODE 1101.00.10)
(ANTI-DUMPING MEASURE [ADM] CASE NO. 01-2013)"

Philippine Association of Flour Millers, Inc.
Petitioner

X-----X

ORDER

This Order is an addendum to the Department Order entitled "In the Matter of the Preliminary Determination of the Anti-Dumping Investigation Relating to Wheat Flour Imports from Turkey (AHTN Code 1101.00.10) Anti-Dumping Measure [ADM] Case No. 01-2013".

Paragraph (e) of Section 18 of the Implementing Rules and Regulations (IRR) of RA 8752 provides that "Foreign exporters who did not make themselves known to the Secretary and the Commission or those who did not cooperate sufficiently during the investigation, as well as new foreign exporters, shall be assessed a residual duty or an "all others rate" on the best information available. The residual duty will cover future importations of the dumped products originating from the same country of export."

Paragraph (g) of Section 18 provides that "New foreign exporters who have not exported the dumped product to the Philippines during the Period of Investigation (POI) may request for an accelerated review provided they are not related to any foreign exporter who is subject to the anti-dumping duty. The application must be submitted to the Tariff Commission in writing and must contain:

1. A description of the foreign exporter's product; and
2. The basis of the request.

No anti-dumping duty shall be imposed during the review. A provisional duty may be required to ensure that, in the case of an affirmative finding, the anti-dumping duty can be levied retroactively up to the date of the initiation of the review."

The corresponding provisional anti-dumping duty in the form of a cash bond will be imposed for a period of four (4) months from the effectivity of this Order on importation of wheat flour from Turkey.

The residual duty or "all others rate" of 39.26% for all types of wheat flour originating from Turkey under AHTN Code 1101.00.10 shall be imposed to all other exporters defined in Section 18 paragraph (e) of the IRR of RA 8752 except the following:

HARD FLOUR

1. YUKSEL TEZCAN GIDA SAN VE TIC LTD STI
2. YORUKOGULLARI GIDA SAN VE TIC A.S.

SOFT FLOUR

1. EKTAS TARIM URUNLERI END VE TIC A.S.
2. KALE MADENCILIK SAN VE TIC A.S.

BISCUIT TYPE

1. YUKSEL TEZCAN GIDA SAN VE TIC LTD STI
2. ULAS GIDA UN TEKSIL NAKLIYE TICARET VE SANAYI A.S.

NOODLE TYPE

1. ULAS GIDA UN TEKSIL NAKLIYE TICARET VE SANAYI A.S.

This Order shall take effect upon the issuance of the relevant Memorandum Order by the Bureau of Customs or 15 days after the publication of this Order in two (2) newspapers of general circulation, whichever comes earlier.

Let this Order be published in two (2) newspapers of general circulation and let individual notices be sent to all interested parties.

SO ORDERED.

02 May 2014

PROCESO J. ALCALA
Secretary

THURSDAY
MAY 15, 2014
PHILIPPINE STAR



Republic of the Philippines
DEPARTMENT OF AGRICULTURE
Office of the Secretary
Elliptical Road, Diliman, Quezon City

ADDENDUM TO THE ADDENDUM TO THE DEPARTMENT ORDER
ENTITLED
"IN THE MATTER OF THE PRELIMINARY DETERMINATION OF THE
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Philippine Association of Flour Millers, Inc.
Petitioner

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ORDER

This Order is an addendum to the addendum to the Department Order entitled "In the Matter of the Preliminary Determination of the Anti-Dumping Investigation Relating to Wheat Flour Imports from Turkey (AHTN Code 1101.00.10) Anti-Dumping Measure [ADM] Case No. 01-2013".

The following exporters shall also be exempted from the imposition of the residual duty or "all others rate" of 39.26% for all types of wheat flour originating from Turkey under AHTN Code 1101.00.10 defined in Section 18 paragraph (e) of the IRR of RA 8752:

GENERAL PURPOSE FLOUR

1. DORUK MARMARA UN SANAYI CILIGI AS

FLOUR FOR DEEP FRIED FOOD

1. EKŞUN GIDA TARIM SAN VE TIC A.S.

FLOUR FOR FEEDS

1. DORUK MARMARA UN SANAYI CILIGI AS
2. ULUSOY UN SANAYI VE TICARET

The provisions supplied are addendums and supplementary in nature, and does not repeal and intend to contravene with the Department Order entitled "In the Matter of the Preliminary Determination of the Anti-Dumping Investigation Relating to Wheat Flour Imports from Turkey (AHTN Code 1101.00.10) Anti-Dumping Measure [ADM] Case No. 01-2013" published on 25 April 2014 and its Addendum published on 06 May 2014.

FOR PUBLICATION IN TWO (2) NEWSPAPERS OF GENERAL CIRCULATION

This Order shall take effect upon the issuance of the relevant Memorandum Order by the Bureau of Customs or 15 days after the publication of this Order in two (2) newspapers of general circulation, whichever comes earlier.

Let this Order be published in two (2) newspapers of general circulation and let individual notices be sent to all interested parties.

SO ORDERED.

07 May 2014

PROCESO J. ALCALA
Secretary