

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2021/1754

of 4 October 2021

amending Implementing Regulation (EU) 2019/1382 amending certain Regulations imposing anti-dumping or anti-subsidy measures on certain steel products subject to a safeguard measure

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2015/477 ⁽¹⁾ of the European Parliament and of the Council of 11 March 2015, on measures that the Union may take in relation to the combined effect of anti-dumping or anti-subsidy measures with safeguard measures

Whereas:

- (1) By Commission Implementing Regulation (EU) 2019/159 ⁽²⁾, the Commission imposed a safeguard measure with respect to certain steel products for a period of three years. Those measures take the form of tariff-rate quotas applicable for specified periods, by which an above-quota tariff duty of 25 % is payable when imports exceed a specified threshold corresponding to the average level of imports in the years 2015 to 2017. By Commission Implementing Regulation (EU) 2021/1029 ⁽³⁾, the Commission extended the application of the safeguard for three years, until 30 June 2024.
- (2) By Commission Implementing Regulation (EU) 2019/1382 ⁽⁴⁾, the Commission put in place a mechanism preventing the concurrent application of this above-quota tariff duty with anti-dumping and/or countervailing measures also applicable to some of the steel products.
- (3) For this purpose, the Annex to Implementing Regulation (EU) 2019/1382 listed all anti-dumping and anti-subsidy measures on products also subject to the safeguard measure at the time, and specified the anti-dumping and/or anti-subsidy duty that should apply once the above-quota tariff becomes applicable.
- (4) On 6 July 2021, by Commission Implementing Regulation (EU) 2021/1100 ⁽⁵⁾, the Commission imposed a definitive anti-dumping duty on imports of certain hot-rolled flat products of iron, non-alloy or other alloy steel originating in Turkey.

⁽¹⁾ OJ L 83, 27.3.2015, p. 11.

⁽²⁾ 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).

⁽³⁾ 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 225I, 25.6.2021, p. 1).

⁽⁴⁾ Commission Implementing Regulation (EU) 2019/1382 of 2 September 2019 amending certain Regulations imposing anti-dumping or anti-subsidy measures on certain steel products subject to safeguard measures (OJ L 227, 3.9.2019, p. 1).

⁽⁵⁾ Commission Implementing Regulation (EU) 2021/1100 of 5 July 2021 imposing a definitive anti-dumping duty and definitively collecting the provisional duty imposed on imports of certain hot-rolled flat products of iron, non-alloy or other alloy steel originating in Turkey (OJ L 238, 6.7.2021, p. 32).

- (5) The mechanism preventing the concurrent application of measures should apply to these products since they are also subject to the safeguard measure. The annex to Implementing Regulation (EU) 2019/1382 should therefore be amended in order to include Implementing Regulation (EU) 2021/1100.
- (6) In order to ensure transparency for the economic operators, in the future, each Regulation imposing anti-dumping and/or anti-subsidy concerning steel products also subject to the safeguard measure will include specific provisions preventing their concurrent application with the above-quota safeguard tariff duty.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Trade Defence Instruments Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Implementing Regulation (EU) 2019/1382 is amended as follows:

1. in ANNEX 1.B 'List of the regulations imposing anti-dumping and anti-subsidy measures on the products that are subject to the safeguard measure', the following paragraph is added:

'20. COMMISSION IMPLEMENTING REGULATION (EU) 2021/1100 of 5 July 2021 imposing a definitive anti-dumping duty and definitively collecting the provisional duty imposed on imports of certain hot-rolled flat products of iron, non-alloy or other alloy steel originating in Turkey, OJ L 238, 6.7.2021, p. 32.'

2. in ANNEX 2 'Rates of anti-dumping and/or countervailing duties applicable as long as a safeguard duty is due on the same product', the following ANNEX 2.19 is added:

'ANNEX 2.19

Commission Implementing Regulation (EU) 2021/1100 of 5 July 2021 imposing a definitive anti-dumping duty and definitively collecting the provisional duty imposed on imports of certain hot-rolled flat products of iron, non-alloy or other alloy steel originating in Turkey, (OJ L 238, 6.7.2021, p. 32).

Country	Company	TARIC additional code	Original definitive anti-dumping duty	Anti-dumping duty once safeguard measure is due
Turkey	Çolakoğlu Metalurji A.Ş.	C602	7,3 %	0,0 %
Turkey	Erdemir group: – Ereğli Demir ve Çelik Fabrikaları T.A.S. – İskenderun Demir ve Çelik A.Ş.	C603	5,0 %	0,0 %
Turkey	Habaş Sınai ve Tibbi Gazlar İstihsal Endüstrisi A.Ş.	C604	4,7 %	0,0 %
Turkey	Ağır Haddecilik A.Ş.	C605	5,7 %	0,0 %
Turkey	Borçelik Çelik Sanayii Ticaret A.Ş.	C606	5,7 %	0,0 %
Turkey	All other companies	C999	7,3 %	0,0 %

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 4 October 2021.

For the Commission
The President
Ursula VON DER LEYEN
