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COMMISSION IMPLEMENTING REGULATION (EU) 2023/809

of 13 April 2023

imposing a definitive anti-dumping duty on imports of certain stainless steel tube and pipe butt-welding fittings, whether or not finished, originating in the People's Republic of China and Taiwan following an expiry review pursuant to Article 11(2) of Regulation (EU) 2016/1036 of the European Parliament and of the Council

(OJ L 101, 14.4.2023, p. 22)

Corrected by:

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Corrigendum, OJ L 195, 3.8.2023, p. 57 (2023/809)

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Article 1

1. A definitive anti-dumping duty is imposed on imports of tube and pipe butt-welding fittings, of austenitic stainless steel grades, corresponding to AISI types 304, 304L, 316, 316L, 316Ti, 321 and 321H and their equivalent in the other norms, with a greatest external diameter not exceeding 406,4 mm and a wall thickness of 16 mm or less, with a roughness average (Ra) of the internal surface not less than 0,8 micrometres, not flanged, whether or not finished, currently falling under CN codes ex 7307 23 10 and ex 7307 23 90 (TARIC codes 7307 23 10 50, 7307 23 10 55, 7307 23 90 50 and 7307 23 90 55), and originating in the People's Republic of China and Taiwan.

2. The rates of the definitive anti-dumping duty applicable to the net, free-at-Union-frontier price, before duty, of the product described in paragraph 1 and produced by the companies listed below shall be as follows:

Company	Definitive anti-dumping duty rate (%)	TARIC additional code
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Taiwan

Ta Chen Stainless Pipes Co., Ltd.	5,1	C176
All other companies	12,1	C999

The People's Republic of China

Zhejiang Good Fittings Co., Ltd.	55,3	C177
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Zhejiang Jndia Pipeline Industry Co., Ltd	48,9	C178
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Suzhou Yuli Pipeline Industry Co., Ltd.	30,7	C179
Jiangsu Judd Pipeline Industry Co., Ltd.	30,7	C180

All other cooperating (not sampled) companies:

Alfa Laval Flow Equipment (Kunshan) Co., Ltd.	41,9	C182
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Company	Definitive anti-dumping duty rate (%)	TARIC additional code
Kunshan Kinglai Hygienic Materials Co., Ltd.	41,9	C184
Wifang Huoda Pipe Fittings Manufacture Co., Ltd.	41,9	C186
Yada Piping Solutions Co., Ltd.	41,9	C187
Jiangsu Huayang Metal Pipes Co., Ltd.	41,9	C188
All other companies	64,9	C999

3. Anti-dumping duties are not applicable to Taiwanese exporting producer King Lai Hygienic Materials Co., Ltd. (TARIC additional code C175)

4. The definitive anti-dumping duty of 64,9 % applicable to imports originating in the People's Republic of China, as set out in paragraph 2, is extended to imports of tube and pipe butt-welding fittings, of austenitic stainless steel grades, corresponding to AISI types 304, 304L, 316, 316L, 316Ti, 321 and 321H and their equivalent in the other norms, with a greatest external diameter not exceeding 406,4 mm and a wall thickness of 16 mm or less, with a roughness average (Ra) of the internal surface not less than 0,8 micrometres, not flanged, whether or not finished, currently classified under CN codes ex 7307 23 10 and ex 7307 23 90, consigned from Malaysia, whether declared as originating in Malaysia or not (TARIC codes 7307 23 10 35, 7307 23 10 40, 7307 23 90 35, 7307 23 90 40), with the exception of those produced by the companies listed below:

Country	Company	TARIC additional code
Malaysia	Pantech Stainless And Alloy Industries Sdn. Bhd.	A021
Malaysia	SP United Industry Sdn. Bhd.	A022

5. The application of the individual duty rates specified for the companies mentioned in paragraph 2 and the exemptions from the extended duty mentioned in paragraph 4 shall be conditional upon presentation to the Member States' customs authorities of a valid commercial invoice, on which shall appear a declaration dated and signed by an official of the entity issuing such invoice, identified by his/her name and function, drafted as follows: '*I, the undersigned, certify that the (volume) of (product under review) sold for export to the European Union covered by this invoice was manufactured by (company name and address) (TARIC additional code) in [country concerned]. I declare that the information provided in this invoice is complete and correct.*' If no such invoice is presented, the duty applicable to all other companies shall apply.

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6. Article 1(2) may be amended to add new exporting producers from the People's Republic of China and make them subject to the appropriate weighted average anti-dumping duty rate for cooperating companies not included in the sample. A new exporting producer shall provide evidence that:

- (a) it did not export the goods described in Article 1(1) originating in the People's Republic of China during the period between 1 October 2014 to 30 September 2015 ('original investigation period');
- (b) it is not related to an exporter or producer subject to the measures imposed by this Regulation, and which have or could have cooperated in the investigation that led to the duty; and
- (c) it has either actually exported the product under review originating in the People's Republic of China or has entered into an irrevocable contractual obligation to export a significant quantity to the Union after the end of the original investigation period.

Article 2

Unless otherwise specified, the provisions in force concerning customs duties shall apply.

Article 3

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.