

General Secretariat of the Cooperation Council for the Arab States of the Gulf



Final report of
the anti-dumping investigation against GCC imports of
piston motor batteries, capacity 32 to 225 amps ,
originating or exporting from the Kingdom of Spain, the
Republic of Turkey and the Republic of India

Unclassified version

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Introduction

Objectives of the agreement Proceeding from the basic objectives of the Cooperation Council for the Arab States of the Gulf, and in line with the unified economy of the Council, and the importance of the role that Gulf industries play in the economies of the GCC states, it has become necessary for the GCC states to take the necessary measures to protect their industries from harmful practices in international trade directed at them from Other than the member states that cause harm to the Gulf industry, threaten it or impede its establishment.

And based on the competencies of the Office of the Technical Secretariat to Combat Harmful Practices in International Trade of the Cooperation Council States stipulated in Article (10) of the Unified Law (Regulation) for Anti-dumping and Compensatory and Preventive Measures for the Cooperation Council Countries and its Executive Regulations, and considering that the Office of the Technical Secretariat is the body empowered to receive complaints and conduct investigations related to harmful practices in international trade directed to non-member states of the Council, and based on the decision of the Standing Committee No. (39/9G/2021) to initiate an investigation

Anti-dumping against GCC imports of piston engine batteries, capacity 32 up to 225

Ampere falling under the customs heading (85071000) (hereinafter referred to as the product under investigation), originating or exporting from the Kingdom of Spain, the Republic of Turkey and the Republic of India (hereinafter referred to as Spain, Turkey and India),

And published in the official bulletin of the Office of the Technical Secretariat to Combat Harmful Practices in International Trade, Issue (31)

For the terms and conditions stipulated in Gulf law (hereinafter referred to as the Official Bulletin), according to

Consolidated and its executive regulations.

The Office of the Technical Secretariat has prepared a report on the final results of the current investigation, after studying the data submitted by the relevant parties or the interest that requested participation and cooperated with the Office of the Technical Secretariat within the deadlines specified in the announcement of the start of the investigation, with the aim of presenting it to the Permanent Committee to take a decision

regarding The ongoing investigation is in accordance with the provisions of the unified Gulf law and its executive regulations.

8. The Technical Secretariat has received letters from some parties from within and outside the GCC states (diplomatic representations and exporters) that they wish to register as related parties or an interest in the investigation, and accordingly the Technical Secretariat has registered them.

9. The Office of the Technical Secretariat has received comments from the relevant parties or interests about the stages of the investigation, and has The office shall study and respond to these comments within the related party comments section or interest of this report.

I-4 Investigation Questionnaires 10.

The Office of the Technical Secretariat sent the investigation questionnaires to each of the Gulf industry, Gulf importers and foreign producers/exporters known to it in order to obtain the necessary data and information for the investigation. The Office of the Technical Secretariat also sent the investigation questionnaires to the embassies of the Kingdom of Spain The Republic of Turkey and the Republic of India in Riyadh with the intention of referring them to the exporters/producers Article (11) of the Executive Regulations, and questionnaires of Gulf rules According to what is known to them, importers and consumers were sent to members of the Permanent Committee and the Federation of Gulf Chambers in order to refer them to the related parties or interests known to them.

11. It is worth noting that the Technical Secretariat has received a response to the sample questionnaire from each of the foreign producers/exporters in the Republic of India (Raja Amara and Exide). exporters/producers, and from), Livguard Batteries Pvt. Ltd. and Industries Limited In the Republic of Turkey, they are (Battery AKO Company, Yuasa GS Inci Company, and YIGIT Company). AKU), and from the Kingdom of Spain, one company responded, SL D&P Iberia Clarios,

Accordingly, the office did not resort to using the sampling method in this investigation.

12. The Office of the Technical Secretariat has given the relevant parties or interest a period of (40) days to respond to the investigation questionnaires, in accordance with Article (12) (paragraph 1) of the Executive Regulations, and the period for responding to the questionnaires has been extended by an additional ten days based on a justified request from the parties. Stakeholders or stakeholders, in accordance with the provisions of Paragraph (2) of Article (12) of the Executive Regulations of the Unified Gulf Law.

13. The Office of the Technical Secretariat received responses to the investigation questionnaires from the Gulf industry represented by the National Battery Manufacturing Company, Reem Batteries and Energy Equipment Company, and the Middle East Battery Company (MEPCO).

14. No response was received from the Gulf importers.

15. The Technical Secretariat office received responses to the investigation questionnaire of producers/exporters from foreign producers/exporters who participated in the response to the sample questionnaire from India and Spain only, while the office did not receive any response from foreign producers/exporters from the Republic of Turkey, and therefore did not Any of the Turkish companies are cooperating with the Technical Secretariat, which has resulted in the use of data available to the Republic of Turkey in this investigation in accordance with the provisions of Article 26 of the executive regulations.

16. The Office of the Technical Secretariat studied the responses to the investigation questionnaires and found that there were some deficiencies. Accordingly, the Office prepared letters of completion for clarification or to supplement some of the data and information provided, and the Office received responses to those letters within the specified time limits.

I-5 Initial determinations

17. The Office of the Technical Secretariat, based on the study of the preliminary data of the investigation, determined the existence of dumping Of the imports of the product under investigation originating or exporting from the Kingdom of Spain, the Republic of Turkey and the Republic of India, and the existence of material damage to the Gulf industry of the similar Gulf product and the existence of a causal relationship between them. The margin of dumping was set at a rate ranging from 9.5% to 53. %

18. A preliminary report was prepared with the preliminary findings of the Technical Secretariat office and submitted to the Standing Committee. In implementation of the provisions of Article (20) of the executive regulations that issued its decision to complete the investigation without imposing Temporary fees in accordance with Article (21) of the Regulations.

19. The initial report of the investigation was made available to all concerned parties on December 9, 2021 AD in order to In accordance with the provisions of Paragraph (3) of Article (20) of the Executive Regulations, giving them the opportunity to comment and submit their defenses. Unified Gulf Law.

20. Subsequently, the Technical Secretariat received comments from the relevant parties or interests, and the The office shall study and respond to these comments within the related party comments section or interest from the initial report.

I-6 field verification visits

21. According to the provisions of Article (18) of the Executive Regulations, and with the aim of checking and reviewing the accuracy and validity of the data. The information provided by the companies under investigation on the investigation questionnaires, the Office of the Technical Secretariat With field verification visits during the period from September to November 2021 AD to the Gulf industry and foreign exporters/producers.

22. The results of these visits are reflected in this report.

I-7 View the public file

23. Ltd. Pvt Batteries Livguard As seen in public file on October 12

2021 AD.

24. D&P Iberia Clarios also viewed the public file on October 19, 2021 AD

And the date of January 12, 2022 AD.

I-8 Public Hearing

25. The Office of the Technical Secretariat held a public hearing for all parties concerned or interest in the investigation on January 12, 2021 AD at the request of some parties, in order to give a fair opportunity to all parties who requested to participate in the investigation as a related party or interest during the period specified in the announcement of the start of the investigation. The investigation to defend their interests, present their views and present their arguments about the investigation, in implementation of the provisions of Article (14)

From the executive regulations of the unified Gulf law.

26. The office received all the comments raised by the concerned parties during the hearing, which were submitted in writing in accordance with the accordance with 15 of the Implementing Regulations, and those comments have been addressed in provisions of Article (. Within the time limit specified in the report.

I-9 KEY RESULTS

27. The Office of the Technical Secretariat prepared a report on the main findings of the investigation, as it determined the existence of dumping from the imports of the product under investigation originating or exporting from Turkey and India, and the existence of material damage of the Gulf industry for the similar Gulf product and the existence of a causal relationship between them, while it was found that there is no Dumping is the import of the product under investigation of origin or exported from Spain, given the low

Its dumping margin is less than 2% and Spain is therefore excluded from the investigation.

28. The report of the main findings was sent to all parties concerned or interested in the investigation on February 16th

2022 AD, and the comments of a number of foreign governments and companies exporting/producing the product under investigation were received, as well as comments from the Gulf industry, which are reflected in this report.

II . Gulf Industry

II-1 Gulf Industry 29. Based on the data submitted by the concerned authorities in the GCC states or the companies cooperating in the investigation, the Technical Secretariat found that both the National Battery Manufacturing Company and Reem Company

For batteries and power equipment, and the Middle East Battery Company, their production volume represents 100% of the total production volume of the Gulf industry.

III . The product under investigation and the Gulf product

The product under investigation (the imported product) **III-1**

30. Electric accumulators, including their joints, whether or not rectangular (including square) with lead-acid, of a kind used for starting piston engines, with a capacity of 32

Up to 225 amperes, and it falls under the customs item (85071000) of the unified customs tariff, and is used to operate the engines of cars, trucks, dinars, buses, and others.

31. AGM and EFB batteries are excluded from the scope of the product under investigation, as the industry Gulf do not produce it.

32. The name shown above is the name of the product under investigation and any other information or terms An introduction that aims to help interested parties understand the product under investigation.

Similar product (Gulf product) **III-2**

33. The Gulf industry produces products similar to the product under investigation, as it was found by the Technical Secretariat that both products have the same basic physical, technical and chemical characteristics, manufacturing methods, distribution channels and the same uses, and there is a possibility of substitution between them.

34. The production process is carried out according to the following basic stages:

Preparing the raw materials by melting the lead at a certain temperature and then passing it on the rolling line

To turn into a solid tape in the form of coils of a certain thickness. On the other hand, lead oxide powder is prepared by reacting molten pure lead with oxygen, then water and acid are added to turn it into a paste.

- Manufacture of plates in the form of nets to carry the active substance by passing lead rolls on a production line

The mesh is of specific shapes and thicknesses.

- Plate manufacturing, where the paste consisting of active materials is placed on the plate to produce passive plates

And the positive.

- Collect the panels in black plastic boxes, which are battery containers.

- Fill the battery with acid and charge it with electricity, then close the battery with thermal lockout devices.

Transfer of charged batteries to cold rooms.

Packaging stage.

comparison

3-III

35. The products of piston engine batteries, whether locally manufactured or imported, have the same Basic physical and chemical properties, sharing the same production processes, the same main raw materials used, distribution channels, the same uses and customs classification, and is interchangeable with

between them.

36. According to the final determinations, the Technical Secretariat has concluded that the product that the Gulf industry is based on is defined in Article 1 of the Regulations, in accordance with the for the product under investigation, similar By producing it, it is

considered an executive product of the unified Gulf law.

IV . Determination of the presence of dumping

37. The Office of the Technical Secretariat confirms what was stated in the main findings report on determining the existence of dumping in accordance with the following, bearing in mind that the comments of the relevant parties or stakeholders on dumping accounts have been addressed and responded to in this report.

IV-1 Determination of the normal value

38. Based on the information provided by the cooperating companies in their responses to the lists of questions, and in order to determine Normal value The Technical Secretariat has studied whether the local sales of those companies of the similar product represent 5% of the export sales to the GCC countries, in line with the provisions of Article (2-2) of the Executive Regulations, as well as determining whether The Anti-Dumping Agreement and Paragraph (4) of Article 27 (of the said domestic sales were made in the normal course of trade in accordance with the provisions of Article (2-2-1) of the Anti-Dumping Agreement, and paragraph (6) of Article 27) of the Implementing Regulations Where the normal value is based on companies whose sales are representative and take place in the normal course of trade, and if the Technical Secretariat finds that there are no local sales of the similar product that took place in the normal course of trade in the local market of the country/countries concerned, or that those local sales . Of the similar product in the local market, it was low, leading to its insufficiency for the purposes of comparison with the export quantities according to Provisions of Paragraph (5) of

the product add Article 27) of the Implementing Regulations, the normal value is estimated on the basis of the cost of the addition to it. An appropriate amount of selling costs and general and administrative expenses as well as the profit margin for a similar product sold in the local market, and in the event that it is not possible to determine these amounts on this basis, the provisions of Article (Article) accordance with 2-2-2 (from the Anti-Dumping Agreement. Determined in

39. In the event that 80% of the local sales of any type of product under investigation were profitable, and . The weighted average selling price is equal to or higher than the weighted average unit cost of production Ordinary sales are calculated as a weighted average of all actual domestic sales of this type, including lost sales, during the investigation period.

Less than the unit cost Not less than 40. Also, if the volume of sales that were sold at an average price is 20% of the total volume sold for any type of similar product, or when the weighted average price

If the sale is less than the average unit cost, only the normal value of profitable sales is calculated for this type.

41. In addition to the above, if any type of product is not sold in representative quantities or if it is not sold at all in the local market, and when there are no sales of any type of similar product that have taken place in the normal course of trade, the estimated normal value of it is calculated.

First: The Kingdom of Spain

IV-1-1

Clarios Iberia P&D SL Company 1.1-1-IV 42. It was indicated in the initial report that the only company that participated in the investigation from the Kingdom of Spain was **(Clarios)** company, and the data on the normal value of the company was clarified in the initial report in paragraphs (32 to 38.)

43. The company submitted its comments on the initial report, as the company stated that it had made a mistake in distributing the cost differences in the sub-tables of costs distributed to the codes for the types of product concerned for both export sales and local sales, which were presented during the investigation for the purposes of normal value calculations. The company stated that The distribution of the cost in those sub-tables was done based on the company's standard cost without distributing the negative cost differences over the types of product concerned with the investigation. Accordingly, the office reviewed the worksheets that were verified during the field visit, which clarified the company's cost elements in total, including Including the cost differences in its total form in the worksheets for calculating the total cost of the company, then the office calculated the total costs distributed on the basis of the type codes for the product concerned in the sub-tables of cost distribution for local sales and export sales to verify the validity of the company's claim.

The total costs of the product codes concerned with those sub-tables were equal to the total standard costs of the company, which means that the company did not distribute the cost differences in the aforementioned cost tables, which resulted in the adjustment of the average cost used in the normal value calculations, as well as the adjustment of the average normal value in the final accounts of the company And its dumping margin decreased to less than 2%,

and therefore the company was excluded from the investigation.

Second: Republic of India

IV-1-2

(LBPL) Livguard Batteries Pvt Ltd Company 2.1-1-IV 44. The field visit to the company was conducted to verify its data provided in its response to the investigation questionnaire and letter of fulfillment with respect to the normal value data, as it was found that the majority of the company's sales are in the local market done

To the two related companies referred to in the initial report, namely (*****) and
(*****) company ****(.

45. During the visit, it was found that the LBPL Company (LBPL) is the one who ships the relevant products to the warehouses of shipping agents.

(*****) On behalf of the related companies, while when LBPL (direct sales) to its unrelated customers, it ships the products to them directly, and asks the company about the stage of issuing the commercial invoice in case The sale by the related companies to the unrelated customers, they reported that the commercial invoice is issued *****, and therefore to calculate the internal transport expenses, the Technical Secretariat has calculated the internal transport expenses for the sales of LBPL) To its unrelated customers, while the office calculated the internal transportation expenses for the unrelated companies when they sell to the unrelated customers after the commercial invoice for the sale of the relevant products is issued to them, which means that the internal transportation expenses cannot be calculated at the stage of shipping the relevant products from the company (LBPL * ***** (to stores ***** being an intermediate stage in which direct and final resale to unrelated customers has not taken place, and therefore cannot be considered Expenses of internal transport between the factory and stores ***** that it has a direct relationship with the final resale process to unrelated customers, in which the commercial invoice is issued for the local sale process, making it difficult to verify the impact of these expenses on the comparison fair.

46. With regard to warranty expenses, it was found that the company used the guarantee rate for the five years The previous one is based on the total defective quantities and not their value, and therefore the office recalculated that percentage based on the value of sales, as it amounted to **%.

47. Concerning the cost of credit, it has been found that LBPL 's sales to its related customers are made on the basis of ***** , which makes it difficult to track the date of collection of the value of local sales invoices for the relevant products, while the Return sales to unrelated customers where the sales value is charged in advance

Therefore, there is no credit cost for those sales.

48. The necessary adjustments were made to the settlements that were verified during the field visit, which are:

Escrow adjustments, credit cost and inland transportation to reach normal value at the factory door level.

(ARBL) Amara Raja Batteries Ltd 2.2-1-IV

49. A field visit was conducted to ARBL (and it was verified that it is producing and selling the relevant product During the investigation period for unrelated clients, it was also ascertained that the indirect relationship indicated

It was mentioned in the initial report between (ARBL) company (with (*****)) company, which is engaged in the activity of supplying the plastic used in the manufacture of the product under investigation, did not Affect the prices of raw materials used in the production of the batteries in question.

50. With regard to the settlement of the discount, it was found that the discount available to the company is divided into two parts, the first (*****) being a discount for batteries of the type (*****). (Only where it is granted based on ***** who bought

The batteries are of a type (*****) where the company pays ***** (** Rs.) and therefore the office took that settlement into consideration as it is directly related to the final sale of the product The same, while the second section of the discount relates to a commercial discount, which is a ***** granted to customers within the ***** . During the visit, it was found that the company classifies This part of the discount is under a program called (*****) and when the visiting team tried to verify the entitlement of this discount to some customers as a sample during the investigation period, it was found that there were multiple delays in entitlement to this discount for these customers During the investigation period, and accordingly, the office could not take this discount into consideration because it is impossible to link it directly with the final sales of a similar product during the investigation period, which makes it difficult to verify the impact of those expenses on the fair comparison.

51. With regard to calculating the cost of advertising, the company presented some videos during the visit of advertising for its products in the Indian market, as the office considered that this type of advertising cannot be considered as direct expenses related to the final sale of a similar product in the Indian market and therefore it was not taken into account as it is difficult to verify the impact of these expenses on the comparison fair.

52. As for calculating the cost of credit, the company was asked whether it had resorted to financing its domestic sales or export sales through short-term loans during the investigation period, but the company stated that it was ***** During the relevant period, which means that it is not possible to rely on the interest rate provided by the company for short-term borrowing, but the office used a unified rate of special interest ***** when calculating the cost of credit for domestic sales and export sales, which is What was obtained from the company's financial statements.

2 . *****

53. Regarding the internal transportation expenses, it was found that the company had divided it into two parts, the first of which is (*****), which is the transportation expenses related to transporting the similar product from the factory to the warehouses, and the second (*****) (which is the transportation expenses related to transporting the similar product from the warehouse to the final customer, and by asking the company about the stage at which the commercial invoice is issued, it stated that it is being issued *****, which means that the internal transport expenses can be calculated only in the final sale stage when the sale is made from the stores to the customers, being the stage in which a direct relationship can be found between the internal transport expenses and the commercial invoice, while it is not possible to Taking into account the internal transportation expenses in the stage of shipping the relevant products from the factory to the warehouses, as it is an intermediate stage in which direct sales to customers have not been finalized, which makes it difficult to verify the impact of these

Expenses on a fair comparison.

54. Regarding ***** the observed prices for commercial level customers (*****) compared to the special prices for distributors commercial level customers (***** **), the company stated that this is with the clients of the (*****) due to the ***** of these sales, clients at the level of the (the contract) period possible to the sales that are made

The price of lead used in the manufacture of batteries that are sold to the level of (*****) during the contract period, which is not the case with other distributors in the commercial level of (*****) Accordingly , excluding the sales that were made, the office use the price of the metals of the sales not sold in Local market* when estimating the

55. Necessary adjustments were made to the settlements verified during the field visit, which are security settlements, credit cost, internal transportation, packaging and discount to reach the normal value of the factory door level.

Exide Industries Limited 2.3-1-IV

56. A field visit was conducted to Exide, and it was verified that it is producing and selling the relevant product During the investigation period for unrelated customers, it was also confirmed that the correlation referred to in the initial report is between Exide Company and the subsidiary company (*****) , which is actively involved in recycling The supply of lead and metals to Exide as raw materials for the battery industry did not affect the prices of the raw materials used in the production of the batteries in question.

57. At the beginning of the visit, the company stated that it has new data that it would like to submit, considering that they are minor modifications

In response to the investigation questionnaire and the letter of completion, except by examining the responses that were previously submitted.

Regarding the company's claim that they are considered minor, the new data turned out to be adjustments that cannot be considered minor, according to the

Multiple adjustments to both domestic and export sales data as well as cost data, and therefore it may be decided to rely only on

Before the visit and make adjustments to the previously provided data

verified during the visit Necessary as

. The investigation questionnaire and the letter of completion indicate that consideration should be given to 58. Exide has previously stated in its responses

The differences between the product under investigation and the similar product, especially with regard to weight and technology

used in the production of batteries, but the company during its request did not clarify how to take into account these differences

And its impact on the price comparison. During the visit, it was found that some of the codes used to describe the product under

investigation make it difficult to differentiate between the technology used to manufacture the battery, in addition to that it was also found

The different weights of similar batteries that have the same capacity and specifications ***** , and when the company was

asked how to record the weights of the relevant products in the sales tables attached to the questionnaire, the company stated that

these weights are *** ***** , and therefore the office was not convinced of the existence of differences between the product under

investigation and similar products that would affect the

fair comparison.

59. With regard to the settlements requested by the Company in its response to the investigation questionnaire, all

Settlement as follows:

A- Internal transportation expenses: The internal transportation expenses related to all the company's profit centers and

related to sales of similar products have been verified, but the Technical Secretariat has excluded part of these expenses as

they are undistributed costs (concerning the centers ***** They were charged to the centers ***** of the similar

product, and therefore the Technical Secretariat considers that these undistributed costs are considered unrelated expenses

Direct It is not possible to establish a direct relationship between it and the sales of the similar product, which makes it

difficult to verify the impact of these undistributed expenses on the fair comparison.

B- Packaging expenses: It has been verified that these expenses are related to the sales process

The final product is a similar product and is therefore considered in the normal value calculation adjustments.

C- Credit cost: It was found that the company obtained ***** during the investigation period, which was applied *****, and the interest rate has been verified * *****

On domestic and export sales.

D- Stores expenses: They are indirect expenses related to the management of stores, and therefore it was not possible to verify the impact of those expenses on the fair comparison, which resulted in not considering these expenses within the adjustments for calculating the normal value.

C- Rent expenses: They are indirect expenses related to the rent of stores, and therefore it was not possible to verify the impact of these expenses on the fair comparison, which resulted in not considering these expenses Expenses within the normal value account adjustments.

H- Advertising expenses: From the examination of these expenses it was found that they are general expenses ***** and not only the product under investigation, which resulted in these expenses not being considered among the adjustments for calculating the normal value.

g- After-sales expenses: It was found from the examination of these expenses that they include multiple items that the Technical Secretariat office considers to be indirect expenses that cannot be directly related to each other.

And between the local sales of the similar product, and therefore those expenses were redistributed based on the expenses that the office deems to be directly related to the similar product.

60. Necessary adjustments were made to the settlements that were verified during the field visit, such as guarantee settlements, credit cost, after-sales expenses, inland transportation and packaging, to reach the normal value at the factory door level.

IV-2 Export Pricing **India Republic Livguard** **Batteries Pvt Ltd Company 1.1-2-IV**

61. The data on the company's export prices were verified, and some adjustments were made to the adjustments for the export

A for the following price accounts in accordance with

A- Sea freight: The cost of sea freight was verified, and the company made it clear during the visit that it had made a mistake by deducting the freight revenue shown in the commercial invoice from the invoice value, but the deduct company demanded that this revenue not be deducted. Instead, it should only

Actual shipping charges incurred by the company in sea freight shown in the export sales schedule, and the adjustment has been made accordingly.

B- Internal transport: The value of internal transport expenses was verified during the field visit.

C- Banking expenses: It was found that the company did not record bank expenses in its response to the investigation questionnaire, and therefore the bank expenses related to export sales were verified during the investigation period and were added to the adjustments for the export price accounts.

d- Marketing and Credit Expenses: Both Credit Expense and Credit Expense have been verified Marketing of some clients during the investigation period.

62. The office made the necessary adjustments to the above-mentioned settlements to bring the export price to Factory door level.

(ARBL) Amara Raja Batteries Ltd 1.2-2-IV . Company

63. The data on the company's export prices have been verified, and all settlements submitted by the company have been taken into consideration, including shipping, marine insurance, internal transport, packaging, handling and banking expenses, and the As explained in the part on determining the calculation of the credit cost has been adjusted according to normal value of the company (ARBL) of this report.

Exide Industries Limited 1.3-2-IV

64. The company stated that the export price data presented in the export sales table in the investigation questionnaire was prepared on the basis of the export invoice data of the company's internal system (*****) and not the data of the final commercial invoices for export, and accordingly The office decided to use the export price data provided in the response to the investigation questionnaire for verification and not accept the new export price adjustments.

65. All export sales for which commercial invoices were issued during the year 2021 were excluded because they were outside investigation period.

66. Adjustments for sea freight, inland freight and handling have been adjusted based on costs The actual incurred by the company during the investigation period, which was verified during the visit.

67. It was found that there was a difference in the payment dates for the invoices that were selected as a sample during the visit, which led to an adjustment of the credit cost by calculating the actual number of days during which the receipt of

Payments for invoices with an average application of the number of these days for the remainder of the invoices that were not selected during the sample visit and for which the company did not calculate a cost of credit.

68. With regard to advertising expenses, it was found that these expenses are general expenses

***** And not only the product under investigation, which resulted in those expenses not being considered as part of the investigation
Adjustments for calculating the export price.

69. The office made the necessary adjustments to the above-mentioned settlements to bring the export price to
Factory door level.

IV-3 Determination of the margin of dumping

70. In accordance with the provisions of the second paragraph of Article (29) of the Regulations, and to ensure a fair comparison, the export price was compared with the normal value estimated at the same commercial level, and the factors affecting the price comparison were taken into account when comparing for the purposes of determining the final margins of dumping.

IV-4 Conclusion about the existence of dumping

71. The following table shows the final dumping margins determined as a percentage of the CIF price as follows:

Table No. (1)

Dumping margin as a percentage of CIF	Foreign Producer/Source	country
2% off* Clarios Iberia P&D SL	P&D SL	Spain Kingdom
12% -4%	Amara Raja Batteries Ltd	Republic of India
35% -20	Exide Industries Limited	
31% -18	Livguard Batteries Pvt Ltd	
45% -38%	other	
39%	All producers/exporters in Turkey	republic of Turkey

* - less because of dumping due to the investigation, the company was excluded from it

V. Determination of physical damage

72. Based on Article 31 of the Executive Regulations of the Unified Gulf Law, in order to determine the existence of material damage, the Office of the Technical Secretariat analyzed the volume of imports of the product under investigation, originating or exporting from the countries under investigation, and assessing the extent of its impact on Gulf prices and the situation The Gulf Battery Industry, during the period from 2017G to 2020G.

73. It is also worth noting that given the low margin of dumping for Spain of less than 2%, as explained in the section on determining the existence of dumping in this report, and since all imports of the product under investigation from Spain come from Clarios company participating in the investigation. , has been

Spain excluded from the investigation.

V-1 Evolution of the volume of dumped imports

74. Based on paragraph (1-a) of Article 31 (of the Implementing Regulations, the Office of the Technical Secretariat conducted a study of the evolution of the volume of dumped imports, based on the statement of imports to the GCC countries of the product of motor batteries originating or exported from India and Turkey, falling under item Customs (85071000) of the unified customs tariff during the period from 2017 AD to 2020 AD.

75. Given that the customs item (85071000) includes products other than the product under investigation, the Technical Secretariat has estimated the percentage of imports of the product under investigation based on the knowledge and experience of the Gulf industry in the Gulf market by excluding the percentage of imports of AGM batteries (which are not It is produced by the Gulf industry, as the Gulf industry determined this percentage according to its knowledge of the Gulf market and the opinion polls it conducted with agents and sales fairs about the volume of sales of cars that use AGM batteries (on the assumption that the majority of imports of batteries of this type are imported into the Gulf market through Automobile agents, and it was found that imports of AGM batteries (representing only 2% of the total imports of the customs item (85071000), then the above-mentioned percentage was applied to the official imports of the GCC countries in order to arrive at an estimate of the actual imports percentage of the product under investigation. As for the EFB type batteries, it was finally found by the Technical Secretariat that they are products not produced by the Gulf industry, and it was also into the Gulf market. found that due to the weak demand for this type of batteries, they are not imported

Table No. (2)

Unit: kg

2020	
835,019,20	imports from India
576,759,6	Imports from
140,795,565	Turkey Other Imports
167,574,976	imports total

Source: GCC countries

76. It is clear from Table No. (2) that the ratio of the volume of imports from India and Turkey in relation to the total volume of imports of the GCC countries represents more than 3% of the total volume of imports of the GCC countries of the product under investigation, and therefore the volume of the allegedly dumped imports is not considered small. matter.

V-1-1 The absolute development of the volume of imports under investigation

Table No. (3)

Unit: kg

2020	2019	2018	2017	
26,779,412	38,765,806	30,702,639	17,085,058	Inquiry shop imports volume
157	227	180	100	pointer

Source: GCC countries

77. Table No. (3) shows that the development of the volume of GCC imports of the product under investigation recorded a remarkable increase during 2018 and 2019 by 80% and 127% respectively compared to 2017, and then continued to rise at a slower pace during 2020 by 57% compared to the same period.

78. It should also be noted that the spread of the Corona pandemic and the accompanying precautionary measures taken by the countries of the world had a negative impact on the activities of all concerned parties from foreign producers / exporters and the Gulf industry during the year 2020, and the relative development of imports in relation to the production of the Gulf industry is an indicator that can be inferred. It states that the commercial conditions between 2019 and 2020 affected everyone in a similar way, as foreign imports maintained their development in relation to production, as shown in the paragraph that it was possible, in the absence of the Corona pandemic or its absence, that the next. Therefore, the office sees an increase in dumped imports during the year 2020 AD, and it would continue in the same upward trend that it recorded during the years 2018 and 2019 AD, if we take into account the annual development rate of the imports under investigation during the pre-pandemic period.

V-1-2 The relative development of the volume of dumped imports

79. With regard to the relative development of the volume of imports by the GCC countries of the product under investigation, the Secretariat's office Technical studies of the development of these imports in relation to Gulf production.

Table No. (4)

Unit: kg

2020	2019	2018	2017	
157	227	180	100	The volume of imports under investigation
73	102	106	100	production
215	223	170	100	Indicator of imports under investigation, production as a percentage

Source: investigation data

80. Table No. (4) shows a noticeable increase in the ratio of dumped imports to production during the period from

2017 to 2020, increasing by 115%

81. Consequently, the Technical Secretariat finally found that there was a significant increase in dumped imports during the

investigation period, whether absolute or relative, compared to the volume of Gulf production, in accordance with what is stipulated in

Paragraph (1-a) of Article (31) of the Executive Regulations.

V-2 Effects of dumped imports on Gulf prices

82. Based on paragraph (1-b) of Article (31) of the Executive Regulations, the Technical Secretariat has studied the prices of dumped imports and their impact on the selling prices of the Gulf product in the Gulf market by researching the following:

V-2-1 Reducing and preventing Gulf prices from increasing

With prices 83. Reducing prices means the amount of decrease in the selling prices of the Gulf product as a result of competition of

dumped imports, and by preventing prices from increasing, means that the increase that would have occurred if these dumped imports

did not exist would not occur.

Table (5)**Value: Saudi Riyal Unit: kg**

2020	2019	2018	2017	
97.85	99.88	103.15	100	Selling average price
100.13	92.88	101.16	100	Average cost
102.33	92.999	98.07	100	Selling price as a percentage of cost

Industry Data

84. According to the data of Table No. (5), the average selling price of the Gulf product registered a slight increase during 2018 by 15.3% compared to 2017, then gradually decreased during 2019 and 2020

By 12.0% and 15.2%, respectively, compared to 2017. On the other hand, the average cost increased during 2018 by 16.1% compared to 2017, then decreased during 2019 by 12.7%.

Then it returned to stabilize during the year 2020 AD at approximately the same level as the year 2017.

85. Table No. (5) also shows that the cost-to-sale price ratio remained high during the investigation period, and the period in 2019 recorded the lowest of these percentages by **%, which reflects the industry's recording of an increase in profits during this year, then the percentage of profits increased

The cost to the selling price reached its maximum during the year 2020, at a rate of *%, which negatively affected the financial position of the industry

during the same period.

According to the above, the Technical Secretariat has finally found a decrease in the average selling price of a similar product 86.

Gulf Cooperation Council during the investigation period and the increase in the cost-to-sale price ratio during the investigation period, which shows the

existence of price reduction and repression.

Price difference 2-2-V

87. To calculate the price difference, the Technical Secretariat compared the average selling price of the Gulf product in the Gulf market (the factory door level) with the average import price from the dumped countries to the Gulf market

On the basis of the factory door level in addition to shipping, insurance and customs fees, in addition to post-import expenses during the dumping

investigation period.

Table No. (6)

Unit: kg Value: in Saudi riyals,

price difference %	price difference	the average selling price of the product imported from the dumping country in the Gulf market	The flooded state market	The average selling price of the Gulf product
23.77%	***	***	Turkey***	
14.06%	***	***	India***	Source: Office of

the Technical Secretariat calculations based on investigation data

88. Accordingly, it was found to the Technical Secretariat office as shown in Table (6) that the price difference between the average selling price of the Gulf product and the selling price of the imported product under investigation is 77.23% for Turkey and 06.14% for India.

V-3 The effects of dumped imports on the status of the Gulf industry

89. Based on the provisions of Paragraph 2 of Article 31 of the Executive Regulations, the Technical Secretariat has studied the development of indicators and economic factors for the Gulf industry during the period of investigation of the damage, based on the data available to it during the investigation, including the following:

V-3-1 Production, Production and Exploited Capacity Table

No. (7)**Unit: kg**

2020	2019	2018	2017	
73	102	106	100	production
105	105	105	100	Maximum energy yield
70	97	100	100	Indicator of used production capacity

Source: investigation data

90. Table (7) shows an increase in the actual production volume by 6% and 2%, respectively, during 2018 and 2019 compared to 2017. This increase in the volume of production is attributed to the increase in the volume of production Gulf industry sales and market share at the same pace during the same period, while the industry recorded During the year 2020, a decrease in production by 27% compared to 2017, due to a decrease in its sales volume and market share in the Gulf market.

91. The maximum production capacity of the Gulf industry recorded an increase in 2018 by 5% compared to 2017, and then stabilized at the same level during the rest of the investigation period. However, the production capacity was not fully exploited during the investigation period, as the rate of use of production capacity remained low.

***% during the year 2020, and accordingly the Gulf industry was unable to benefit from its production capacity through the increase in production and the rate of energy use.

V-3-2 Sales and Market Share**Table No. (8)**

Unit: kg

2020	2019	2018	2017	
82	116	123	100	industry sales
157	227	180	100	dumped import volume
128	144	110	100	Other imports volume
99	120	138	100	Industry sales share
189	236	202	100	dumping share imports
92	82	80	100	Other imports share
83	96	89	100	market size

Source: GCC data and investigation data

92. It is evident from Table No. (8) that the volume of Gulf industry sales recorded an increase during the years 2018 AD.

And 2019G by 23% and 16% compared to 2017, which pushed the market share to rise at the same pace during the same period, then the sales volume decreased during 2020G by 18% compared to the same period, which resulted in a decrease in the market share by 1% during the same period.

93. Also, Table No. (8) shows a significant and continuous increase in the market share of dumped imports during the investigation period, as it increased significantly from ***% in 2017 to *% in 2020, with an increase of more than 89%, on the Calculating the market share of each of the Gulf industry and other imports.

94. Based on the foregoing, it becomes clear that there was a decrease in the sales of the Gulf industry during the investigation period

Harm.

Stock 3-3-V**Table No. (9)**

2020	2019	2018	2017	
92	92	55	100	Inventory

Source: investigation data

95. According to the data of Table No. (9) the inventory recorded a decrease during the period from 2017G to 2020G by 8%, noting that the nature of the product of motor batteries cannot be stored for a long period.

Profitability 4-3-V

Table No. (10)

Value: Million Saudi Riyals

2020	2019	2018	2017	
70	257	181	100	profitability

Source: investigation data

96. It is evident from Table No. (10) that the Gulf industry recorded an increase in profits during the years 2018 and 2019, respectively, by 81% and 157% compared to 2017. In 2020, the industry's profitability recorded a significant decrease of 30% compared to 2017, as a result of the increase in price suppression, as the cost-to-sale price ratio remained high during the same year.

V-3-5 Employment, productivity and wages

Table No. (11)

2020	2019	2018	2017	
96	100	102	100	number of employees
92	112	111	100	wages
76	102	104	100	Productivity

Source: investigation data

97. It is evident from Table No. (11) that the number of employment increased by a small percentage of 2% during the year 2018 AD compared to 2017, then it stabilized during the year 2019 AD, then it decreased by 4% during the year 2020 AD compared to the same period. On the other hand, wages increased during the years 2018 and 2019, respectively, by 11%.

and 12%, then significantly decreased during the year 2020 by 8% with the decrease in the number of employment.

98. The same table shows that productivity increased during 2018 and 2019 by 4% and 2%, respectively, and the industry was unable to continue the positive improvement in productivity, as it recorded a significant decrease

In 2020, it increased by 24% compared to 2017, due to the significant decrease in production

Compared to the decrease in the number of workers during the same period.

Cash Flow 6-3-V

Table No. (12)

Value: Million Saudi Riyals

2020	2019	2018	2017	
38	77	121	100	cash flow

Source: investigation data

99. Table No. (12) shows that there was an improvement in cash flows in 2018 by 21%, but it decreased significantly during 2019 and 2020 by 23% and 62%, respectively.

This leads to a decrease in sales revenue for the Gulf industry.

V-3-7 Rate of return on investment

Table No. (13)

2020	2019	2018	2017	
86	229	143	100	Investing on return

Source: investigation data

100. It is clear from Table No. (13) that despite the improvement in the rate of return on investment during the years 2018 and 2019 compared to 2017, the Gulf industry was not able to continue this positive improvement, as the return on investment decreased significantly during 2020 By 14% compared to the base year, due to a clear decrease in profits during the same period.

V-3-8 The ability to raise capital

101. In light of the factors covered in the report, it was found that the decrease in the volume of production and sales and the decrease in profitability and return on investment had a negative impact on the ability of the Gulf industry to increase capital

during the period of investigation of the damage.

V-3-9 ability to grow

102. The Gulf industry was not able to grow in light of the decline in its financial and economic position.

V-3-11 Conclusion on determining the existence of material damage

103. By studying and evaluating indicators of physical damage, the Technical Secretariat has arrived at the determinations

The end result is the following:

104. The volume of dumped imports recorded an increase, either in absolute terms or in relation to production, during the investigation period, as dumped imports increased by 57% during the period from 2017 to 2020. As for comparison

Regarding Gulf production, imports increased by 115% during the same period.

105. By studying the effects of dumped imports on Gulf prices, it was found that there is a price difference between

Than The average selling price of the Gulf product and the average selling price of the product under investigation, and the presence of price suppression, made the Gulf industry unable to increase selling prices.

106. By studying the effects of dumped imports on the economic situation of the Gulf industry, it was found that

The economic indicators of the Gulf industry declined negatively during the investigation period.

VI . Causal Relationship

107. According to Article 33 of the Implementing Regulations, the Office of the Technical Secretariat has studied the other factors.

Other than the dumped imports that may contribute to the material damage to the Gulf industry during the period from

The year 2017 AD to the year 2020.

VI-1 The impact of the imports under investigation on the status of the Gulf industry

108. The volume of dumped imports recorded an increase, either in absolute terms or in relation to production, during the investigation period.

Where dumped imports increased by 57% during the period from 2017AD to 2020. As for comparison

Regarding Gulf production, imports increased by 115% during the same period.

109. By studying the effects of dumped imports on Gulf prices, it was found that there is a price difference between

The average selling price of the Gulf product, the average selling price of the product under investigation, the presence of price

suppression and the inability of the Gulf industry to raise selling prices.

110. By studying the effects of dumped imports on the economic situation of the Gulf industry, it was found that the economic indicators of the

Gulf industry were negatively affected, which led to a decline in performance during the period from

2017 AD to the year 2020.

Other factors **VI-2**

Total other imports **VI-2-1**

Table No. (14)

Currency: Saudi riyals Unit: kg

2020	2019	2018	2017	
140,795,565	145,442,432	131,238,398	184,720,817	Other imports volume
76	79	71	100	Other imports index
8.05	8.68	9.88	8.79	Other imports average price
92	99	112	100	Other average price index

Source: GCC countries

111. Table No. (14) shows the continuous decline in the volume and average selling price of imports other than

overturned during the investigation period.

Korea imports 1.1-2-VI

112. The impact of batteries originating/exporting from the Republic of Korea has been studied to determine the extent of their contribution to the damage caused to the Gulf industry, considering that it represents a representative percentage that reached 38% in 2020 of the total imports, in light of the implementation of the GCC decision to impose final duties to combat Dumping on GCC imports of car batteries with a capacity of 35 to 115

amp for a period of five years as of June 25, 2017, and the following results were reached:

Table No. (15)

Currency: Saudi riyal Unit: kg

2020	2019	2018	2017	
62,916,627	58,098,363	64,030,864	123,858,804	Korea imports volume
51	47	52	100	pointer
61	40%	32%	38%	Ratio to total imports
7.05	7.22	8.38	7.91	Korea average price

Source: GCC countries

113. It is evident from the above table that the volume of imports from Korea decreased significantly during the investigation period. Starting in 2018, after implementing the decision to impose final anti-dumping duties on the GCC imports of car batteries with a capacity of 35 to 115 amps of origin or exported from the Republic of Korea, and it is clear that the price of Korean imports (CIF) increased during the year 2018 by 6%, while it decreased during 2019 and 2020 by 9% and 11%, respectively, compared to 2017.

Table No. (16)

Unit: kg

2020	2019	2018	2017	
61	49	57	100	Korea's market share
154	150	125	100	The share of the rest of the other countries

Source: investigation data

114. It is clear from the above table that the market share of imports from Korea decreased during the investigation period starting in 2018. Accordingly, the Technical Secretariat considers that, were it not for the existence of the final anti-combat fees Dumping on Korean imports The impact of these imports would have been greater on the status of the Gulf industry in light of the fact that its market share represented ***% of the total Gulf market during the period of investigation into dumping.

VI-2-2.1 Other Imports Excluding Korea

Table No. (17)

Currency: Saudi riyals Unit: kg

2020	2019	2018	2017	
77,878,937	87,344,068	67,207,535	60,862,013	Korea without the other import volume
128	144	110	100	pointer
8.86	9.65	11.32	10.60	Average price of other imports without Korea index
84	91	107	100	

Source: GCC countries

115. Table No. (17) shows that the volume of imports other than Korea increased during 2020 by 28% compared to 2017. Also, the average price of other imports without Korea recorded a noticeable decrease during the investigation period by 16%, and these prices remained high compared to the prices of the imports under investigation, especially during the dumping investigation period. Accordingly, the material damage to the Gulf industry cannot be attributed to other imports.

The export performance of the Gulf industry

VI-2-2

Table No. (18)

Unit: kg

2020	2019	2018	2017	
52	67	65	100	export sales

Source: investigation data

116. Table No. (18) shows a significant decrease in export sales by 48% during the period The investigation, and this decline in export performance during the year of the investigation into dumping is not considered as affecting the general performance of the Gulf industry because the average percentage of export sales for the similar Gulf product constituted ***% in 2017, while in 2020 it decreased to ***% of the total industry sales Gulf during the same period.

117. On the other hand, the Technical Secretariat considers that after applying the decision to impose final anti-dumping duties on GCC imports of car batteries with a capacity of 35 to 115 amps for a period of time

Five years starting from June 25, 2017, the Gulf industry tried to benefit from this decision by increasing its sales volume and market share within the Gulf market during 2018 and 2019 as shown in Table No. (8) which explains the stability of its exports outside the GCC During the same period, however, during the year 2020G, exports decreased at a greater pace and may

This is due to the precautionary measures taken by all countries of the world to confront the spread of the Corona pandemic,
which had a negative impact on all concerned parties.

118. Accordingly, the material damage to the Gulf industry cannot be attributed to the export performance.

demand contraction

3-2-VI

119. It is clear from Table No. (8) related to sales and market share that despite the decrease in the volume of
consumption during the investigation period, but the volume of dumped imports increased significantly by 57%

During the investigation period, the market share of dumped imports increased by 89%, at the expense of the market share of
the Gulf industry and other imports.

120. It should also be noted that the spread of the Corona pandemic during the year 2020 AD and the accompanying measures that it followed
The countries of the world had a negative impact on the activities of all concerned parties, including foreign producers/exporters
and a Gulf industry alike, this factor cannot be considered as an element to which the damage caused
industry, given that these conditions affected all world markets.

Technical

4-2-VI

development 121. The Gulf industry uses modern technology in the manufacture of piston engine battery products, with a capacity of
32 to 225 amps.

Restrictive business practices and competition between Gulf and foreign producers

VI-2-5

122. According to the available data and information, there are no restrictive practices or trade obstacles in the GCC countries that
affect the trade in the product of 32 to 225 amp piston motor batteries under investigation. It is also clear that the Gulf industry has
been affected by the competition of dumped imports, which increased its market share by a greater percentage, at the expense of
the market share of the Gulf industry. The prices of dumped imports also affected the selling prices of the Gulf product in the Gulf
market and prevented it from increasing, which would have occurred if the dumped imports had not existed. .

Gulf Industry Productivity

VI-2-6

123. According to the available data and information, the manufacture of piston engine batteries, capacity

32 to 225 amperes in the GCC countries did not face any problems that affected the productivity of the Gulf industry.

VI-3 Summary of damage and causation

124. The Technical Secretariat has studied the causal relationship between the increase in imports and the material damage to the industry

and, according to the final selections, reached the following:

125. Determining the existence of dumping, as the size of the margins of dumping from the dumping countries are as shown in Table No. (1), which are

margins that cannot be ignored.

126. Determining the existence of a significant increase in the volume of dumped imports, either in absolute terms or in relation to production

and an increase in the market share of dumped imports at the expense of the market share of the Gulf industry

and other imports.

127. Determining the existence of a significant impact of dumped imports on the selling prices of the Gulf industry, as it was found that there is a difference

My price is between the average selling price of the Gulf product and the average selling price of the product under investigation, as well as the

reduction and suppression of my price, as the Gulf industry was not able to increase the selling prices.

128. Determine the existence of material damage represented by the deterioration of the economic and financial indicators of the Gulf industry

during the damage assessment period.

129. Factors other than dumped imports, such as export performance, contraction in demand, or a change in

Consumption pattern, technical development, internal competition, or the productivity of the Gulf industry in material damage

For the Gulf industry, while emphasizing that the spread of the Corona pandemic and the accompanying precautionary measures

Followed by the countries of the world had a negative impact on the activities of all concerned parties from foreign producers/exporters

And a Gulf industry, therefore, it is difficult to consider this circumstance as an element to which the material damage to the industry is attributed,

given that the conditions of this pandemic affected all global markets.

130. Based on the foregoing, it is definitively clear that there is sufficient evidence of a causal relationship between the increase in

The dumped imports of the product under investigation and the material damage to the Gulf industry.

VII . Stakeholder or Stakeholder Comments on the Complaint, Initial Report, Hearing and Responses from the Office of the Technical Secretariat

131. The Office of the Technical Secretariat received comments during the investigation phase from representatives of the producers/exporters under investigation, including the representation of the European Commission in Riyadh and the Government of the Republic of Turkey, as well as a number of companies exporting/producing the products under investigation, namely Raja Amara, Industries Exide Inci GS and, Clarios Iberia P&D SL, Livguard Batteries Pvt. Ltd, Limited

Yuasa (hereinafter referred to as the parties exporting the product under investigation) and the Gulf industry.

VII-1 dumping comments

First Comment VII- 1-1.1 132.

Livguard (LBPL) reports that the office has double-computed the selling, administrative and general expenses of those expenses should be calculated associated companies, and the company considers that the average of For the two companies because they resell the products of LBPL at the same commercial level and not at different levels, such as that LBPL sells to the first associated company and then that first company resells to the sells a certain number of its products to the two related companies. Each company sells its own share of LBPL and therefore the expenses of each company cannot be added to the other company when calculating the total cost of sales of the similar product, but the average expenses of the two related companies must be added to the cost

of LBPL.

within 133. The company also requested the inclusion of the main internal freight from the factory door to *****.

Total settlements/allocations for domestic sales to bring it up to the factory door level, otherwise it will be in accordance with

the provisions of the Anti-Dumping Agreement. With the export price, the factory door level, the comparison is unfair

134. The company demanded to include the cost of credit - after its value was positively converted as a result of the adjustments made on the average selling, administrative and financing expenses of the related companies - within

The provision for the adjustments made to the estimated normal value with the calculation of those adjustments as a percentage of the selling price and not a fixed value to give the correct amount of the provision for each pcn code due to

the different selling prices of each code. 135. The

company requested not to exclude the cost of credit from the provisions for calculating the estimated normal value, after the value of financing expenses became positive as a result of the adjustments made to the calculation of the average selling,

administrative and financing expenses of related companies.

its response to a questionnaire 36. It also requested the company to correct its unintended mistake it had previously made in

A portion of the value of the investigation when it has deducted the sea freight refund in the export invoices that is

considered export sales and should not be reduced because the actual freight charges incurred for ocean freight are

deducted within the adjustments made to the export price.

137. The company also added a new requirement in its comments on the hearing requesting that the marketing staff's wages and allowances incurred by the two related companies be excluded from the normal value calculation, given that Importing companies (which operate the export price ***** the producing company ***** employees for marketing Allow purposes and bear their wages and allowances) are allowed to add a margin to this ***** **

Retrieve it *****.

Technical Secretariat's response

What was stated in the company's comment that the selling, administrative and general expenses of companies 138. The Bureau agrees that instead of adding their sum to the total cost of the associated LBPL, it should be averaged

As it was found during the field visit that both companies are reselling at the same commercial level

Neither one sells to the other, so the total cost has been adjusted accordingly.

139 In relation to the company's claim to include the basic internal freight from the factory door to *****.

Within the total local sales adjustments to reach the factory door level, the . office

This request is in view of what has been clarified in the part of the calculations for the normal value of the company of this It agrees with the report, in addition to what was clarified to the company during the visit that transportation expenses cannot be considered

The internal products that have been transferred in the storage stage of the stores before the final sale stage as

Direct selling expenses related to the final sale process and affect the fair comparison

The issue of transporting goods to warehouses is an intermediate stage for storing goods before the final sale and issuance

Commercial invoice which can include sales of many different products shipped in

Various times that may not be directly related to the investigation period or to the final commercial invoice issued

The future is only for the end customers, and therefore the company's choice to transport its goods for the purpose of storage is to facilitate sale

. For end customers, it is an internal decision for the company to organize its own logistics

Claim that it affects the fair comparison.

140. And about the company's request that the provision for settlements of the estimated normal value be calculated on the basis of

A percentage of the selling price and not a fixed value, given the difference in selling prices for each code separately, the office does not see

Refuse to accept this request.

141. Finally, regarding the company's request to correct its unintended error in not deducting the freight refund

The Office has agreed to this based on what was discussed in this regard during the field visit

He amended the company's final accounts accordingly.

142. Finally, about the company's new request, with the exception of the marketing staff's wages and bonuses that the two companies incurred,

this request for a number of reasons: associated with the normal value calculation, the office does not agree with

A- That this request was not requested, whether in the company's response to the investigation questionnaire or during the field visit,

and therefore it was not discussed or verified.

B- The expenses claimed by the company are indirect selling expenses. The company did not clarify how they had an impact on the fair

comparison, especially since these employees receive their wages regardless of whether they made the sale or not, and therefore it

cannot be considered that these wages have an impact on the fair comparison

C- During the field visit, the evidence was verified by ***** for some importers in the Gulf market, which are directly related to the

sales that took place during the investigation period, which is not the case.

What was explained in the paragraph: It can be considered as the wages of employees working for related companies according to

previous.

Second Comment 1.2-1-VII

143. Raja Amara demanded that the profit rate be applied to all sales, including sales as they constitute a major part of the company's sales,

instead of the profit rate

Commercial level ***** Profit applied

in the initial accounts which was calculated based on excluding commercial level sales

144. The company also called for the necessity of calculating the percentage of selling, general and administrative expenses based on the total

Domestic sales are not only profitable.

Technical Secretariat's response

145. The Technical Secretariat does not agree with the company's request to apply the profit rate for all sales, including

Sales made to commercial level customers ***** due to the presence of ***** in

***** Compared to the rest of the selling prices to customers The level of selling prices to customers The level as a

As explained in the part of the normal value calculations of the company

result of the difference ***** According to

of this report, which negatively affects the fair comparison.

146. With regard to the company's request, it is necessary to calculate the percentage of selling, administrative and general expenses based on the

This is because it is in violation of the provisions of Article The total domestic sales and not only the profit, the office does not agree with (2-2-2) of the anti-

dumping agreement, which requires calculating the amounts of those expenses based on

Actual data relating to production and sales in the normal course of trade for a similar product.

Third Comment 1.3-1-VII

147. The Government of Turkey requested the Office of the Technical Secretariat to provide an explanation of the facts and information that was used in the

Calculation of dumping margins for Turkish companies.

Technical Secretariat's response

148. The Technical Secretariat confirms that due to the lack of cooperation of Turkish companies during the investigation and in accordance with the text of

Article (26) of the Executive Regulations, the dumping margin for Turkish companies that was reached in this report was calculated based on the information

and data available in the complaint.

VII-2 damage comments

First Comment VII-2-1.1

149. Some parties exporting the product under investigation claimed that the complaint did not meet the requirement to represent the industry, as the Middle East Battery Company, which represents 55% of the Gulf industry, did not file the complaint and did not

You support it and suffer no harm.

Technical Secretariat's response

150. The Technical Secretariat confirms that the Permanent Committee has taken the decision to start the investigation after fulfilling the requirement to represent the Gulf industry in the complainant, according to what was referred to in the part related to the representation of the Gulf industry in the initial report, the initial report, and this report, and that there were no opponents of the complaint. The Middle East Battery Company is considered a cooperating party in the investigation, and it has submitted all the data according to the Gulf industry questionnaire sent to all Gulf companies that manufacture the similar Gulf product, with the aim of verifying whether there is material damage to the Gulf industry or not.

Second Comment 1.2-2-VII

151. These parties claimed that the non-confidential version of each of the complaint, the initial report and the initial report was excessively confidential, which deprived the parties of their right to defend their interests, and some of these parties demanded that summaries of the confidential information submitted as well as the import data for each country separately, as Others demanded the necessity of submitting damage data for each Gulf company separately in order to conduct an evaluation of each company separately and to measure the extent of its representation and the application of the conditions for filing a complaint.

Technical Secretariat's response

152. First, the Technical Secretariat confirms that the complaint was submitted in accordance with the provisions of Article 2 (of the Implementing Regulations). The non-confidential version included sufficient data and indicative indicators to understand the essence of the complaint and sufficient to understand the development of real indicators without disclosing confidential numbers, which may harm the private interest of the Gulf industry. Including the Gulf industry and foreign exporters in application of the provisions of the unified Gulf law and its executive regulations. Therefore, all the data approved in the current investigation is available in its non-confidential version in the public file of the investigation, which includes sufficient evidentiary indicators to understand the essence of the complaint data and the data included in the responses of all parties participating in the investigation to

Questionnaires and any other data and information submitted during the investigation stages by the relevant parties or interest.

153. With regard to the request to submit damage data for each Gulf company separately, the Technical Secretariat confirms that the initial report and this report includes a study of the indicators of all participating and cooperating Gulf companies as indicated in the procedures section above, and the office also confirms the investigation collectively. Once again, the complaining industry has fulfilled the requirement ~~applicable to the Gulf industry~~ in Article (6) of the Implementing Regulations, as clarified in the Gulf industry part of the initial report on the complaint.

Third Comment 1.3-2-VII

154. Some of the parties exporting the product under investigation claimed that the companies cooperating in the investigation were not informed of the updated version of the complaint submitted by the industry, as the submitted complaint contained data from July 2019 to June 2020, while the announcement of the start of the investigation included that the investigation period includes the year 2020. in full, in violation of the provisions of Article (6) of the Anti-Dumping Agreement and Article (14)

From the provisions of the unified Gulf law.

155. Some of these parties also claimed that starting the investigation without examining the data from 1/7/2020 to 31/12/2020 is a violation of Article (19) of the Executive Regulations and Article (5) of the Anti-Combat Agreement.

dumping.

Technical Secretariat's response

156. The Technical Secretariat confirms that the complaint included the data available to the complainant in accordance with the text of Paragraph (2). From Article (5) of the Anti-Dumping Agreement and Article (2) of the Implementing Regulations. The complaint included sufficient evidence for the purposes of starting the investigation, and the investigation data has been updated to include the second half of the year 2020 AD, as indicated in the announcement of the start of the investigation, as the office confirms. That there is no updated version of the complaint other than the one that was accepted, and the investigation was announced, according to the information it contained, and the non-confidential text of it was made available to all parties involved in the investigation.

Fourth Comment 1.4-2-VII

157. Some parties exporting the product under investigation claimed that the protectionist approach of the Gulf industry should be taken into consideration since anti-dumping measures had already been imposed against Korean imports and now the industry is applying to impose measures against imports originating in India, Turkey and Spain.

Technical Secretariat's response

158. The Technical Secretariat confirms that the complaint submitted by the Gulf industry contained the required data and evidence in accordance with the Executive Regulations and the Anti-Dumping Agreement. The accuracy and adequacy of the evidence was studied, and a preliminary report was submitted about it, and it ended with a decision by the Permanent Committee to accept the complaint and start an investigation. The Office confirms that imposing duties on dumped Korean imports does not preclude the initiation of an anti-dumping investigation against imports from other countries if the complaint submitted contains sufficient evidence for the purposes of initiating Investigation.

V Suspension 1.5-2-VII

159. Some parties exporting the product under investigation claimed that the complaint did not contain sufficient evidence about the existence of material damage to the Gulf industry, as it was noted that there is an improvement in most of the complaining industry indicators, the raw material which is lead. Except for the price that recorded a decrease due to the low price

160. These parties also claimed that the complainant faced losses at a time when the imports under investigation clearly decreased, and then profits increased when the imports under investigation increased significantly, which indicates that there are other factors to the damage unrelated to the imports under investigation.

Technical Secretariat's response

161. The Technical Secretariat confirms that the data and evidence presented in the complaint about indicators of damage and the causal relationship are sufficient for the purposes of initiating the investigation, as indicated in the initial report on the complaint.

162. The office also confirms that the real reason behind the complaining industry's realization of profits is due to the support provided by the partners to the company as clarified in the complaint and the initial report about it, and that the partners pumped money to support the company's position, but despite that, the complaining industry still suffers from harm. materialistic.

VI comment 1.6-2-VII

163. Some parties exporting the product under investigation claimed that it is not appropriate to compare 2017 with 2019 and 2020, and it is necessary to consider the damage data for the entire period, and added that the period 2017 - 2019 should not be considered to analyze the Combat impact of imports due to the imposition of dumping duties against imports The GCC states of car batteries of origin and export from Korea and the improvement of the performance of the Gulf industry, despite the increase in imports. Some of these parties also claimed that Should

Excluding the first half of 2017, as the above-mentioned anti-dumping duties were imposed.

Technical Secretariat's response

164. First, the Technical Secretariat confirms that the damage assessment period, which extends from 2017 to 2020 AD, is a period that is consistent with international practices and the decisions of the dispute settlement committees of the World Trade Organization. As for Excluding the first half of 2017, the office finds no justification, given that dumped imports are considered competition with Korean Combat products, in addition to the fact that after the decision to impose dumping duties against Korea, the Gulf market witnessed an increase in the market share of dumped imports, despite the continuing impact of the dumped imports. Korean imports.

VII Comment 1.7-2-VII

165. Some of the parties exporting the product under investigation claimed that their products are not identical to those manufactured locally and demand that AGM, EFB and truck batteries be completely excluded from the definition of the product in question, as paragraph 20 of the initial report did not expressly explain the exclusion of this category of batteries.

Technical Secretariat's response

166. First, the Technical Secretariat confirms that it has found through the data and information provided and the field verification visits to Gulf companies that the Gulf industry exports its products to many developed countries and that its products enjoy high quality and have certificates of specifications and standards in accordance with regional and global standards, and that they meet the requirements and standards. and specific requirements related to quality, in accordance with the laws and legislations in force in the GCC countries. The office concluded, as was indicated in the section on the product under investigation and the Gulf product, that the products manufactured in the Gulf

The products under investigation have the same physical and chemical properties, share the same production processes, the same raw materials, distribution channels and the same uses, and they are classified under the same customs item and are substitutable and therefore similar products.

167. As for the exclusion of AGM and EFB batteries and trucks, the Technical Secretariat confirms that

AGM and EFB batteries were excluded from the investigation as described in the investigation section of this report.

Eighth Commentary 1.8-2-VII

168. Some parties have claimed that the Gulf industry manufactures other products besides the products in question and requires a detailed cost investigation to ensure that costs are not inflated by the industry.

Gulf.

Technical Secretariat's response

169. The Technical Secretariat confirms that the data used in the investigation is the data that pertains to the similar Gulf product as defined in the part related to the similar product, and that the calculated costs and all indicators of damage pertain only to the similar Gulf product.

IX Comment 1.9-2-VII

170. Some parties exporting the product under investigation claimed that there was no increase in the imports under investigation, noting that these imports decreased in absolute terms during the year 2020 AD compared to the year 2019. As for the production, these imports increased due to the decrease in production, and here these parties claimed that there is a contradiction in Production data between Tables (4) and (7) of the initial report, where the lower production quantities included in Table (4) were adopted in calculating the relative increase.

Technical Secretariat's response

171. First, the Technical Secretariat confirms that the investigation data shows an increase in the imports under investigation Absolutely or in relation to production, as explained in the section on the development of dumped imports. As for the claim that there is a discrepancy and a difference in the production data between Table (4) And Table (7) of the initial report, the office confirms that the numbers are identical in the two mentioned tables, and there is no difference in the production data.

Tenth Commentary 1.10-2-VII

172. The European Commission claimed that Spanish imports did not contribute to the material damage to the Gulf industry and that this damage was the result of the influence of Turkish and Indian imports and not of Spanish imports.

Technical Secretariat's response

173. The Technical Secretariat confirms that as a result of the lack of a dumping margin calculated for Clarios and considering that all GCC imports from Spain are from this company, and therefore, Spanish imports to the Gulf market were excluded from the investigation as clarified in this report.

eleven eleventh commentary 1.11-2-VII

174. Some parties exporting the product under investigation claimed that the year on which it was based was not mentioned in order to conclude that the products under investigation are sold at lower prices than similar products in the initial report, and added that the damage investigation should be based on in order to make an objective comparison with the damage data. It also claimed that the entire period of the disclosing the prices of the products under investigation is unjustified and violates the provisions of the executive regulations and the anti-dumping agreement.

Technical Secretariat's response

175. Initially, the Technical Secretariat confirms that it has calculated the price difference by comparing the average selling price of the imported product with the average selling price of the Gulf product, taking into account all the necessary adjustments to make a fair comparison during the dumping investigation period, as clarified in the price difference section of Initial report and from this report. As for the claim that the price difference must be calculated for the entire period of the investigation of the damage, the office considers that this claim is not justified, and the office confirms that its methodology in calculating the price difference is sufficient to measure the price impact of imported products on Gulf prices during the dumping investigation period. As for disclosing the prices of the products under investigation, the office confirms that it relied on the average actual import prices for the countries under investigation, and these data were considered confidential, as the disclosure of these prices would help in dealing with the disclosure of selling prices to the industry using the difference margins. Price, which is confidential data by nature, the disclosure of which harms the Gulf industry.

th second comment 1.12-2-VII

With the decline in the prices of the main raw material 176. Some parties exporting the product under investigation claimed that it is lead significantly in the year 2020AD, so the Gulf industry was supposed to benefit from the decrease in the cost of production during the same period.

Technical Secretariat's response

177. The Office of the Technical Secretariat confirms that the Gulf industry recorded stability in the average cost during 2020 compared to 2017, however, the Gulf industry was unable to benefit from the drop in lead prices due to the decrease in production and the increase in fixed costs.

Thirteenth Commentary 1.13-2-VII

178. Some parties exporting the product under investigation claimed that there was no harm, as almost all industry indicators show an improvement in the industry's performance. The overall objective examination of the relevant economic factors included in the initial report shows that there is no harm to the local industry.

179. Some of these parties also claimed that the absence of the local industries representing the Gulf industry in the hearing, with the exception of the presence of the complaining company, which is the national company, supports the statement that the Gulf industry as a whole does not suffer from material damage.

Technical Secretariat's response

180. The Technical Secretariat confirms what was stated in the initial determinations and what was stated in this report that the dumped imports had negatively affected the economic and financial situation of the Gulf industry during the period

Investigation.

181. With regard to the allegation that industries representing the Gulf industry were not present at the hearing, the Technical Secretariat confirms that no party is obligated to attend the hearings, and no harm would be caused to its interests in the investigation in the event of his non-attendance, in implementation of the provisions of Paragraph (2) of Article) 14) of the executive regulations.

Fourteenth Commentary 1.14-2-VII

182. Some parties exporting the product under investigation claimed that there was no causal relationship between the damage and the imports under investigation due to the non-coincidence and synchronization of the trends of the imports under investigation with the trends of the alleged damage. Others, including the volume and price of other imports, the contraction of demand due to the Corona pandemic, the decline in industry exports and the increase in costs due to reduced production and lower productivity.

183. Some of these parties also claimed that the prices of batteries of Chinese origin are lower than the prices of similar types of batteries imported from the rest of the countries under investigation.

dumping.

Technical Secretariat's response

184. First, the Technical Secretariat confirms what was stated in the preliminary determinations and what was stated in this report about the availability of a causal relationship that factors other than dumped imports did not contribute to the material damage to the Gulf industry as clarified in the causal relationship part of the initial report and this report.

185. With regard to the claim that the volume and prices of other imports may be the cause of harm to the Gulf industry, the Technical Secretariat confirms that despite the drop in the price of other imports during the period of the dumping investigation, the volume of other imports recorded a concurrent decrease with the decision to impose Final anti-dumping duties against GCC imports of Korean batteries as shown in the other imports section of this report, and at the same time the prices of dumped imports decreased and their market share increased significantly, which negates the possibility of other imports contributing to the material damage and reinforces the existence of a causal relationship between Dumped imports and material damage

for the Gulf industry.

186. With regard to batteries of Chinese origin, the Technical Secretariat confirms that the complaint was submitted to the countries under investigation in implementation of the provisions of Article (2) of the Executive Regulations, and was accepted by the Standing Committee and an investigation was launched. The complaint did not include any reference to the prices of Chinese batteries. Or that

the Gulf industry is affected by Chinese imports.

187. With regard to the impact of the Covid-19 pandemic, the Technical Secretariat confirms that the Corona pandemic had the same negative impact on the activities of all concerned parties from foreign producers/exporters and the Gulf industry alike during the year 2020, therefore it is difficult to consider this circumstance as an element attributed to it. The material damage to the industry, given that the conditions of this pandemic affected all global markets. Also, despite the negative impact of the Corona pandemic, this does not mean that the dumped imports were not

This caused damage to the Gulf industry, as despite the low volume of consumption

During the investigation period, the volume of dumped imports increased significantly by 57% during the period

The investigation, which made the market share of dumped imports rise by 89%, as the office sees that under

Normal trading conditions and the absence of corona, dumped imports and their market share could have increased

During the year 2020 AD more than in the year 2019 AD, it was very likely that it would continue in the same upward trend that it recorded during the years 2018 and 2019 AD, if we take into account the annual development rate of the imports under

investigation during the period before the outbreak of the pandemic.

188. With regard to the decline in Gulf industry exports, the Technical Secretariat confirms that the decline in performance is a

fundamental and influential reason for the damage to the industry.

Despite its occurrence, the Gulf industry cannot, as explained in the section on the export performance of the Gulf industry of this report.

189. With regard to the increase in costs in 2020, the Office of the Technical Secretariat confirms what was stated in its response to

Similar comment above about increasing costs despite the drop in the price of lead.

Fifteenth Commentary 1.15-2-VII

extent to which the dumping is continuing from Korea should be studied¹⁹⁰. Some parties claim for the product under investigation that the

Because it is still exporting to the Gulf market the largest percentage at lower prices.

Technical Secretariat's response

191. First, the Technical Secretariat confirms that it has studied the impact of Korean imports of the products under investigation on the status of the Gulf industry separately from the imports under investigation. It was concluded that the volume of Imports from Korea decreased significantly during the investigation period starting in 2018 after

Implementation of the decision to impose final anti-dumping duties on GCC imports of car batteries

With a capacity of 35 to 115 amps, originating or exporting from the Republic of Korea. As the share

The market share of imports from Korea decreased during the investigation period starting in 2018, and accordingly the

Technical Secretariat believes that had it not been for the existence of the final anti-dumping duties on Korean imports, the

represents ** of the total GCC imports during the period of the dumping investigation in the Gulf industry given that its market share

Sixteenth Commentary 1.16-2-VII

192. Some parties exporting the product under investigation claimed that the battery market in the Middle East is considered a promising market and is growing at an annual rate of more than 9.2%. The factors driving the battery market include reliance

on renewable energy and electric vehicles and that Gulf batteries are still promising, and added that in the fight against

dumping the product is being replaced. investigation, Gulf consumers will not turn Fee being charged

well as ~~Subjective~~ will turn to other imported products, as A practical alternative to the Gulf product because it is not

She claimed that the Gulf industry would not be able to cover the demand in the Gulf market.

Technical Secretariat's response

193. The Technical Secretariat confirms that the objective of this investigation is not to close the Gulf market against imports from

The countries under investigation, but rather to correct the situation of the Gulf market in order to achieve fair competition

between all relevant parties and interests. Against imports of the product under investigation, import will still be available

from the countries

The subject of the investigation with the amendment of dumped prices as well as from other countries that are not subject to investigation and therefore sufficient to meet the needs of the market besides the Gulf industry, in addition to the fact that the Gulf industry aspires to make better use of its production capacity, which was negatively affected by dumped imports, as the industry recorded its lowest levels in the exploitation of production capacity As explained in the section on production and production capacity of the initial report and this report. The office also confirms once again that the Gulf products are considered similar to the products under investigation and are substitutable among them as explained above.

Seventeenth Seventeenth Commentary 1.17-2-VII

194. The Turkish company Yuasa GS Inci claimed that it was surprised that it was considered a non-cooperative party despite

They complete the sample data.

Technical Secretariat's response

195. The Technical Secretariat confirms that all Turkish companies did not cooperate in the investigation, and GS Inc

Yuasa did not provide an answer to the investigation questionnaire and only provided the answer to the sample questionnaire.

Eighteenth Commentary 1.18-2-VII

196. The Gulf industry affirmed that it suffers from material damage as a result of the increase in dumped imports. It also indicated that the continuation of the practice of dumping would lead to the exit of local manufacturers from the Gulf market due to their inability to keep pace with the dumped imports. It also claimed that some exporters/producers are anti-dumping because By changing manufacturing locations in the countries of the foreigners, they may resort to circumventing other fees and continue to export to the GCC countries at dumped prices.

197. On the other hand, the Gulf industry added that its products are similar to the products under investigation and that they are subject to the highest international quality standards approved by the competent authorities to ensure the rights of the final consumer, and demanded from the Technical Secretariat Office to take all preventive measures and measures necessary to protect the Gulf industry, which leads to The interest of achieving fair competition, serving the market and the Gulf economy, enabling the Gulf industry to continue, promoting and developing the local and Gulf non-oil content and promoting the Gulf industry to reach the forefront of the industrialized countries in the region.

Technical Secretariat's response

198. The Technical Secretariat confirms that it has studied the data provided by the Gulf industry and reached the final determinations referred to in this report.

VIII . Comments from stakeholders or stakeholders on the report on the main findings and responses from the Office of the Technical Secretariat

199. The Office of the Technical Secretariat received comments on the report on the basic findings from representatives of the producers/exporters under investigation, including the Government of the Republic of Turkey, as well as a number of companies exporting/producing the products under investigation, Amara Raja, Livguard, Exide Industries Limited, India. Ltd. Pvt Batteries (hereinafter referred to as the parties exporting the product under investigation) and industry
Gulf.

VIII-1 dumping comments

First Comment 1.1-1-VIII

200. Raja Amara Company (ARBL) demanded that the provision deduction related to ***** be calculated as it is directly related to its local sales of the similar product. The company once again presented a summary of the nature of this program, *****
Then the company added a comment ***** which is

that the Technical Secretariat Office did not consider this settlement in the basic results report - the office was not able to find a direct relationship between this discount and the sales of similar products during the investigation period due to multiple delays in entitlement to this discount for some customers- Where the company clarified in its comment that the reason for these delays is due to the outbreak of the Corona pandemic, but this does not negate the direct connection of this program with the sale of the similar product.

201. The company also reported that the interest rate used by the Technical Secretariat in calculating the cost of credit is incorrect, as it cannot be considered that each of the interest earned is ***** , because it is always known that the high ****
***** The company also reported that it was clarified during the field visit ***** , which was evidenced during the visit, and accordingly the company demanded the necessity of reviewing the margin used in calculating the cost of credit.

202. The company demanded that the large quantities shipped within the various cities of India should be taken into consideration, which calls for facilitating the transportation process so that the batteries reach the end users in India. Therefore, the batteries must be transported first to the warehouses/warehouses and then from there to the distributors, and then the freight provision should be deducted The basic principle of batteries from the factory to the stores as it affects the fair comparison, as these expenses are directly related to the final sales operations.

203. The company also demanded a deduction of advertising expenses for local sales, given that

The importers in the Gulf market are the ones who bear these expenses, which affects the fair comparison.

204. Finally, the company demanded disclosure of how the percentage of profitability of local sales was calculated *****
On the applicable profit rate for domestic sales in the normal course of trade test.

Technical Secretariat's response

205. The Technical Secretariat confirms what was stated in its clarification contained in the main results report on the reason why the discount is not considered ***** within the settlements for calculating the normal value, as the office during the field visit selected samples from clients The company to ensure the entitlement of the discount to these customers, by verifying the accounts of these customers on the company's internal system, but the office found that there are multiple delays in the entitlement of these customers to these discounts, which indicates the impossibility of proving the impact of this discount on the fair comparison. Rather, the office went to Further, he demanded that the company, during the visit, send the details of the discount entitlement to its customers during the year 20/19 to verify the activation of ³***** for the various customers of the company, but it was also found that many of these customers were not received and activated ** ** for this During the aforementioned period, and accordingly, the company was not able to explain how the discount granted according to Program influence on fair comparison.

206. Also, with regard to the company's suspension, the reason for the delays in collecting this deduction from this affidavit is that the company was able to Its customers are due to the Corona pandemic, the office does not agree with, during the visit, to prove the direct relationship to the other type of discount *****, which the company grants to its customers, which is for its sales of the similar product during the same period, and therefore the lesson in considering Any settlement without another is to prove the extent of its impact on a fair comparison between domestic sales and export sales for the relevant product during the investigation period.

207. With regard to the company's request to revise the interest rate that was used in calculating the cost of credit, the office confirms that it does not oppose the application of different interest rates for loans, whether in dollars or Indian rupees, but the office still confirms what was stated in the report of the basic results as it was found during the visit ***** and therefore this means that the company is doing *****, which means that it is appropriate to use ***** for the purposes of calculating the cost of credit The company has.

for link .20/19 The year of the company during the field visit shows the list ***** to be delivered to the various clients of the company during From Email sender³ ***** (19-20)

208. With regard to the company's claim to deduct the basic freight allowance from the factory to the warehouses, the office of that claim, since the office considers that the transfer process from the factory to the technical secretariat does not agree with the stores. It is an intermediate stage before the final sale process. It also represents an administrative decision for the company to sell in the organized logistics to the process of transporting batteries to facilitate the cost process has affected the final selling price of the batteries because it was found during the visit that ***** , which means that the provision for basic freight from the factory to the warehouses cannot be considered as a direct selling expense that would From affecting the fair comparison, as is the case in deducting settlements for direct selling expenses from the export price, but the basic freight provision is considered part of the selling cost of the company within the indirect selling expenses, which is also what the company acknowledged in its response to the questionnaire. Concerned to clarify the expenses, as in accordance with the instructions ⁴ Investigation

⁵ Direct sales that are directly related to the final sale to independent clients.

209. Regarding the company's claim that advertising and advertising expenses should be deducted, the Technical Secretariat confirms what was clarified on this subject in the main results report, as the company could not explain how those expenses affected the fair comparison as they are indirect general expenses related to advertising videos issued by the company. for its products in the Indian market, and the company has clarified in its response to Annex 6-3 of the investigation questionnaire that advertising expenses are indirect selling expenses.

210. Finally, on the company's request to clarify how to calculate the profitability ratio of local sales in excess of the ***** applicable profit rate for local sales in the normal trade course test, the Technical Secretariat confirms its clarification in this regard by reporting the basic results of its use of the profit rate for sales ***** .

4 Attachment 6-3 *****

5 Vi: *Differences in transportation, handling, loading costs: "Make necessary adjustment only for directly related transportation costs incurred resulting to the sales, for moving the products from the production premises to the independent customer".*

Second Comment 1.2-1-VIII

211. Livguard (LBPL) has demanded that basic domestic freight charges be deducted from
The factory to ***** of the associated trading companies, as the office does not deduct those
Expenses makes a comparison between the normal value and the export price "unfair" and a violation of the provisions of the Convention
Anti-dumping, because the office did not conduct the comparison on a unified commercial level, which is
The "factory door level" where the office relied on the factory door level for the export price while
The office relied on the store door level, which led to an inflation of the normal value and a violation of the provisions of Article 2-4
. from the ADA as it does not provide for any intermediate stage transport costs to be ignored when conducting
A fair comparison at the factory door level, as the company cited the report of the Appeals Board of the Organization
Global Trade in the United States Case – Anti-dumping Measures on Certain Steel Products
rolled, which clarified, "We believe that when the investigation authorities decide to use sales between the parent company,
and its affiliates to independent buyers to calculate the normal value, they are subject to the obligation to ensure fairness
Comparison because sales between the parent company and its subsidiaries are likely to contain components
An additional price could distort the comparison." And therefore the company demanded that the internal freight provision be taken into account
From the factory to the ***** in view of the fact that India is a vast multi-state country, which resulted in the company bearing
Great to transport subject goods from his factory to *****^a. 212. The company Produced by internal shipment
also requested to correct the settlement of guarantee expenses, as the office of
Technical Secretariat Adding an additional decimal number to the percentage calculated in the attached accounts that the office has calculated
rounded to one decimal number, while an additional decimal number must be added and thus increase the value
The total provision.

213. The company also demanded that if the office refuses to consider the expenses of salesmen's salaries within the settlements on the normal
value, then the advertising expenses in the local market should be deducted similar to the value of the commission granted to importers in the Gulf
for marketing the company's products.

214. The company demanded that the credit cost of selling goods from the company to related companies should be calculated
It reflects the costs associated with selling the products in question.

Technical Secretariat's response

215-. The Secretariat's office confirms its methodology that was clarified in the report on the main results regarding that the internal freight provision between the factory and ***** does not affect the fair comparison, because it is an intermediate stage for storing goods in warehouses before selling them in a clear manner. final to the company's customers, in addition to the company's preference to ship its goods on behalf of its related companies to stores and warehouses

***** Before it is finally sold to independent clients, it is considered an internal administrative decision for the company to organize its logistics, and in addition to what was clarified in the main results report, the office emphasizes

the following additional points:

The company was wrong in its inference with the report of the Appellate Body in the US case on some a- commercial invoice is issued to the independent customer, and since the invoice is issued to the independent customer, the companies are considered a unified economic entity, it cannot be said that The comparison was not fair as the office considered ***** a level equivalent to the level of the factory door as long as the commercial invoice for the actual final sale was issued at *****.

B- The company could not explain how the allowance for internal freight from the factory to ***** affected the fair comparison. ***** Associated ***** It will become clear that the selling price for size ***** "****" is estimated at

**** Rs for battery as the cost of transportation for this size from *** to ***** is what

Valued at Rs. ***** per battery, while the resale value of the same battery from the associated company ***** to its independent customer ***** was Rs. ***** per battery with internal freight value *** only rupees for the battery and it is clear from this example that the resale price from the related company to its independent customer was significantly lower compared to the original selling price of the company ***** to the associated company, but more than that, it is noted that the shipping price Internal **** (** rupees for battery) from factory to ***** did not affect the resale price (*****) of the associated company ***** when it resold to its independent customer, which indicates that the cost of internal freight from the factory to ***** has no effect on the final price when reselling to the first independent buyer, which is the price paid by the final consumer, which is also the price fixed in the final commercial invoice It is used for the purposes of fair comparison with the export price.

216. With regard to the company's request to add an additional decimal number to the guarantee ratio, the office confirms that its methodology in this is the same applied when determining the final dumping margins, which is calculating the ratio to the nearest number decimal one.

217. As for the company's request to deduct advertising expenses in the local market, similar to the value of the commission granted to importers in the Gulf for marketing the company's products, the office confirms the conflicting claims of the company, as well as the The initial deducting of these expenses, and the company's request, its cost was previously reported in its results, to be reported. advertising expenses, knowing that when examining the company's cost tables, it did not appear that there were any advertising expenses, but the office concluded that what is meant in the company's request may be a deduction of what is mentioned in the table As shown on page 16 of its comment on the main results report, marketing expenses are in accordance with the company's belief that these marketing expenses are equivalent to the commission granted to importers in the Gulf market, that the office's request because with these marketing expenses are not directly related to the final sale operations because they are considered part of the cost of Indirect selling as it is included as indirect selling expenses according to the data of the related companies, and the company did not clarify how it can consider these selling expenses indirect Direct that it has affected the process of fair comparison, which is the opposite of what visit with regard to the commission granted ***** , which was fixed in was verified during the field

***** In relation to the marketing of the products under investigation ***** , advance to deduct these expenses in its responsibility to the office, the office informs the company that during the field visit. These expenses during the visit, as how can the office verify the details of those expenses when the company did not originally ask for that settlement before, and it should be noted that the technical secretariat office has set its instructions since the beginning of the investigation to fill out the investigation questionnaire, clarifying with those instructions that It is required that the expenses be directly related to the sale of the product in question and accordingly the company's request was rejected.

218. Finally, with regard to the company's request, it is necessary to calculate the cost of credit for selling goods from the company to related companies, as it reflects the costs associated with selling the products concerned, the Technical Secretariat is not what was clarified in the report of the basic results in this regard, since given that this request is in accordance with It agrees with the company and the related companies, the costs are among them on the basis of an open account, which makes it difficult to track the date of collection of the value of the local sales invoices for the products concerned with regard to

between them.

Third Comment 1.3-1-VIII

219. Exide demanded that the advertising expenses be deducted from both the normal value and the export price.

accordance with the provisions of Article 2-4-2 of the anti-dumping agreement. This is to ensure a fair comparison in

220. The company clarified that the technical secretariat office's reliance on the difference between the actual guarantee value during the investigation period and the guarantee provision is considered a mistake that would reduce the total value of the guarantee in normal value settlements, which affects the fair comparison, and therefore the company demanded from the office to deduct the actual guarantee value according to For the data provided by the company in its response to the investigation questionnaire. Or the guarantee provisions, clearly, 21.

The company demanded that the related settlements be deducted, which are essential in the stages prior to the sale of products, in order to ensure the speedy delivery of its products to its customers, and therefore those expenses must be deducted to reach the price to the factory door level, and the company has indicated in this regard that there are a number of other investigation authorities that deduct these expenses for the purposes of fair comparison.

Technical Secretariat's response

222. The Technical Secretariat would like to report that in order to consider the possibility of accepting any settlement, the company must prove how that settlement affected the fair comparison, which the company could not prove. Therefore, the Technical Secretariat explained in the investigation questionnaire that accepting settlements The fair comparison should have a direct relationship to the sales process of the product in question, and the Technical Secretariat also confirms what was stated in the basic results report that it found during the field visit that advertising and advertising expenses are general expenses for all the company's products and not only the product concerned with the investigation. The office does not consider it necessary to deduct these expenses from both the normal value and the export price.

223. With regard to the company's comment that the Technical Secretariat Office has relied, in the settlement regarding the value of the guarantee, on the difference between the actual guarantee value and the guarantee provision, the Technical Secretariat confirms that the company's claim in this regard is incorrect and the Office invites the company to review the final accounts sent to it with Report of the main results, in which it is clear that the office has deducted the value of the actual guarantee in full during

The investigation period and not only the difference between the guarantee provision and the actual value of the guarantee during the investigation period.

224. Finally, with regard to the company's request to deduct clearance and storage expenses, the office does not agree with the company's request in this regard, as the office considers that these expenses are considered part of the indirect selling cost as they are considered indirect selling expenses, because the stage of transferring goods to warehouses is a stage An intermediary before the final sale process, and the company's decision to transfer its goods to warehouses before the final sale process is an internal decision for the company to organize its logistics to ensure the speedy delivery of its products to its customers. The commercial invoice, and then the impact of subsequent direct selling expenses on the final sale process is measured to ensure a fair comparison. Since the commercial invoice for the local sales of the company is issued, the company's request can be accepted in this regard. As for the company's statement about the acceptance by a number of investigation authorities of these expenses to bring the price to the factory door level, the Technical Secretariat also confirms that its methodology in conducting

It is considered a level equivalent to the level of the factory door, and therefore the dumping calculations is in line with the anti-dumping agreement as well as with

Number

of similar investigative authorities.

Fourth Comment **1.4-1-VIII** 225. Yuasa GS

Inci reported that it sent product export schedules and offered full cooperation.

With the Bureau at the hearing on January 12, 2022.

Technical Secretariat's response

226. The Technical Secretariat confirms that it only received from the company the data on the sample form at the beginning of the investigation, while the office did not receive the rest of the data required from the company on the investigation questionnaire, which is essential for determining the extent of cooperation of the concerned parties in the investigation, and therefore the office was unable to determine the margin of dumping

The company is not considered cooperating with the office in the manner required in this investigation.

V Suspension 1.5-1-VIII

227. The National Battery Manufacturing Company demanded to reconsider not excluding the Spanish company Clarios from the investigation and to reconsider the impact of the difference in the legal accounting environment of the company and the applicable accounting standards and the consequent different applications in cost systems, which enables some companies to purchase and sell at profit margins. It also enables it to reduce the selling price and unfair competition in the market to appear that it practices international trade profitably and normally, while it benefits and exploits the standard costing system to hide or reduce part of its total costs when the standard deviations are positive, and enhances its profitability when it happens that the standard deviations are negative to prove that it is

practice dumping. The company also called for noticing and reviewing the data of the standard cost differences and their nature during the years of investigation of the damage and to ascertain the profit margins and ratios, and thus verify the practice of

The company's calculated dumping margin.

Technical Secretariat's response

228. The Technical Secretariat confirms that it has taken into account the generally accepted accounting standards when calculating the dumping margin for Clarios company by using the actual cost of the company during the period of investigation into dumping the provisions of the articles related to the anti-dumping agreement, as it is customary that, according to the companies that use Standard costs in their costing system, they often, at the accounting year, calculate the actual costs to determine the extent of deviations in their costs, which is what was done with Clarios company, as it was verified during the field visit of the ***** During the period of the dumping investigation, which resulted in the existence of the dumping profitability of local sales of similar products and thus affected the normal average price of the industry's products, which is the normal price in its cost as a result ***** during the period ***** companies can sell at unreal profit margins or sell at low prices to appear as they practice international trade profitably and normally, this is generally due to the different strategies of companies that follow in marketing and pricing according to circumstances due to the manipulation of those costs Companies as long as the market review and it cannot be said that this is according to the audited financial statements of these companies. The office also confirms that dumping accounts are Returns only made during the dumping investigation period and not during the damage investigation period. Therefore, the office does not agree with the industry's request about putting it in this matter.

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VIII-2 damage comments

First Comment 1.1-2-VIII

230 Some of the parties exporting the product under investigation mentioned the same previous comments about the initial report regarding the representation of the Gulf industry, where they claimed that the Middle East Battery Company (MEPCO), which Representing 55% of the Gulf industry, it did not submit the complaint, did not support it, and did not suffer any damage. Therefore, the rest of the Gulf industry participating in the investigation does not meet the requirement to represent the industry in accordance with the provisions of Paragraph 1 of Article 4 of the WTO Agreement on Anti-Dumping.

231. Some of these parties also claimed that MEPCO cannot be considered a part of the Gulf industry in view of the existence of a link between it and the Clarios Company under investigation. Therefore, the rest of the manufacturers, which represent only 45% of the total Gulf production, do not meet the requirement of representativeness of the industry as these The ratio cannot be considered a "significant proportion" within the meaning of Article 4.1 of the ADA, according to the interpretation of the WTO Appeals Panel in the EU-China case on iron or steel clips.

Technical Secretariat's response

232. With regard to the industry representation requirement, the Technical Secretariat confirms its response to similar comments in the stakeholder or stakeholder comments section and the Technical Secretariat's response from the Basic Findings Report that the Standing Committee has taken the decision to launch an investigation after the industry representation requirement is met. The Gulf Cooperation Council submitted the complaint as indicated in the part related to the representation of the Gulf industry in the initial report and the previous ongoing investigation reports and this report, and that there were no opponents of the complaint, noting that the Middle East Battery Company is considered a cooperating party in the investigation, and has submitted all data according to the questionnaire The Gulf industry sent to all the Gulf companies that manufacture the Gulf product

The same, with the aim of verifying whether there is material damage to the Gulf industry or not.

233. With regard to the claim that MEPCO cannot be considered part of the Gulf industry as it is linked to Clarios, the Technical Secretariat Office found that the nature of the relationship between the two companies is a partnership relationship whose main objective is investment in the field, technology transfer and technical expertise, and this relationship does not affect decision-making within the company, whether legally or practically. The office also found that the nature of the relationship between MEPCO Calrios did not affect the behavior or behavior of the company in question compared to the rest of the non-Gulf manufacturers

Associated in accordance with the meaning of footnote No. 11 of paragraph 1 of Article 4 of the Convention against

dumping.

Second Comment 1.2-2-VIII

234. These parties claimed that the non-confidential version of the primary findings report, similar to the preliminary results report, was overly confidential, depriving the parties of their right to defend their interests.

As stipulated in Article 6 of the Anti-Dumping Agreement, and demanded the disclosure of data that was not submitted by any party, especially Gulf industry data on consumption, production and export sales outside the GCC.

Technical Secretariat's response

235. The Technical Secretariat confirms that the non-confidential version of the basic results report included sufficient data and inferential indicators to understand the essence of the report and sufficient to understand the development of real indicators without disclosing confidential numbers, which may harm the private interest of the Gulf industry, including production data.

consumption and Gulf export sales.

Third Comment 1.3-2-VIII

236. Some of the parties exporting the product under investigation made the same comments about the initial report regarding the investigation period, claiming that setting the damage assessment period from 2017G to 2020G does not comply with WTO practices, and that it is necessary to consider damage data for the entire period, rather than

It's just a comprehensive comparison.

Technical Secretariat's response

237. The Office of the Technical Secretariat confirms what was stated in its response to the same comment in the relevant part of the comments section and the responses of the Office of the Technical Secretariat from the report on the basic results that the damage assessment period, extending from 2017 to 2020 AD, is a period consistent with international practices and the decisions of the dispute

settlement committees of the Organization world Trade.

Fourth Comment 1.4-2-VIII

238. Some parties exporting the product under investigation claimed that the main results report indicated that the reason for the improvement in the performance of the Gulf industry was due to the support provided by the partners indicates that the cause of the damage to the industry is a lack of funds from its partners and not another reason, and added that the office did not

Explain how financial contributions or partner support can translate into lower costs or higher profits.

Technical Secretariat's response

239. The Technical Secretariat confirms what was stated in the initial report on the complaint that the industry's performance improved and its profits increased during 2019, despite the increase in dumped imports also during the same year.

This is due to the support of the partners represented in selling the majority of sales to the related company (services) at a higher price compared to the rest of the sales to other customers that were made at a loss as a result of selling at reduced prices to them to try

In addition to the amounts collected from the company that owns the industry to maintain its market share, (Rasas) as a result of the revaluation of the lead ore in addition to the value of the sale of Scrap to the Company (Rasas) during the same year. Therefore, the industry confirmed that the profits achieved in 2019 AD are due to

Its main reason is to support partners to save the financial situation of the industry, which was not able to keep pace with the dumped imports.

V Suspension 1.5-2-VIII

240. Some parties exporting the product under investigation claimed that there was no causal relationship between the damage and the imports under investigation due to the non-coincidence and synchronization of the trends of the imports under investigation with the trends of the alleged damage. Others, including the volume and price of other imports, especially China, the Corona pandemic, the decline in export performance and the increase in costs.

Technical Secretariat's response

241. The Technical Secretariat confirms what was stated in the main results report and what was stated in this report about the availability of a causal relationship that factors other than dumped imports did not contribute to the material damage to the Gulf industry as clarified in the causal relationship part of the basic results report and this

the report.

242. With regard to the claim that the volume and prices of other imports may be the cause of harm to the Gulf industry, the Technical Secretariat confirms that despite the decrease in the price of other imports during the period of investigation into dumping, the volume of other imports recorded a concurrent decrease with the decision to impose Final anti-dumping duties against GCC imports of Korean batteries as shown in the section on other imports of this report. At the same time, prices of

The dumped imports and their market share increased significantly, which negates the possibility of other imports contributing to the material damage and reinforces the existence of a causal relationship between the dumped imports and the material damage
for the Gulf industry.

243. As for batteries of Spanish origin, the Technical Secretariat confirms that, given the low
Its dumping margin is less than 2%. Spain has been excluded from the investigation, according to what was clarified in the main results report. However, the Technical Secretariat confirms that it has studied the impact of Spain's imports on the situation of the Gulf industry within its study of other non-dumped imports, and it was found that it did not contribute to the damage. The physical reality of the Gulf
industry.

244. With regard to the impact of the Covid-19 pandemic, the Technical Secretariat confirms what was stated in the main results report on the same comment that the Corona pandemic had the same negative impact on the activities of all concerned parties, including foreign producers/exporters and the Gulf industry alike during the year 2020. Therefore, it is difficult to consider this circumstance as an element to which the material damage to the industry is attributed, given that the conditions of this pandemic affected all global markets. Also, despite the negative impact of the pandemic

However, this does not mean that the dumped imports were not a cause of harm to the Gulf industry,

Whereas, despite the decrease in the volume of consumption during the investigation period, the volume of dumped imports

It increased significantly by 57% during the investigation period, making the market share of dumped imports

It rises by 89%. The office also sees that, under normal commercial conditions and the absence of Corona, it was one of the reasons for this

It is possible that dumped imports and their market share will increase more during the year 2020 compared to the year

2019G, and it was very likely that it would continue the same upward trend that it recorded during 2018 and 2019 if we take into account the

annual development rate of the imports under investigation during the pre-pandemic period.

245. With regard to the decline in the exports of the Gulf industry, the Office of the Technical Secretariat confirms what was stated in the main results report on the same comment that the decline in export performance, despite its occurrence, cannot be a fundamental and influential reason for the damage to the Gulf industry, as clarified in the special part.

The export performance of the Gulf industry is included in this report.

246. With regard to the increase in costs in 2020, the Technical Secretariat confirms what was stated in its response to a similar comment in the Basic Results Report that the Gulf industry recorded stability in the average cost

During the year 2020G compared to 2017, however, the Gulf industry was unable to benefit from the decrease in lead prices due to the decrease in production and the increase in fixed costs.

VI comment 1.6-2-VIII

247. The representative of some Indian companies claimed that they had submitted price pledges within the framework of the ongoing investigation, but the Technical Secretariat rejected this and did not address the reasons for rejecting the submitted price pledge.

248..Reply from the Technical Secretariat

249. The Technical Secretariat confirms that it has not received any price pledges and that the companies involved in the investigation only expressed their intention to provide price pledges without disclosing any information or data about that.

IX . CONCLUSIONS AND RECOMMENDATIONS

250. Determination of the existence of dumping for imports of batteries for piston engines, capacity from 32 to 225 Ah.

Which falls under the customs item (85071000), originating or exporting from Turkey and India.

Determining the margin of dumping between 4% and 45%

251. Determining the existence of material damage to the Gulf industry.

252. Determine the existence of a causal relationship between dumped imports from Turkey and India and the damage caused to the industry

Gulf.

253. Imports of the product under investigation, originating in or exporting from Spain, were excluded from the investigation by consideration

reduced its dumping margin to less than 2%.

254. In light of the report of the Office of the Technical Secretariat; The Standing Committee decided to propose the imposition of final fees on

The GCC imports of the product under investigation are of origin or exported from the Republic of Turkey and the Republic of India and

the imports from the Kingdom of Spain are excluded, and the recommendation is submitted to the Ministerial Committee for approval.