

MAIN FACTS AND CONCLUSIONS

**Ministry of Economy of Ukraine within the framework of
anti-dumping investigation into the import of heating radiators
originating in Ukraine
from the Republic of Türkiye and the People's Republic of China**

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Introduction

These materials were prepared by the Ministry of Economy of Ukraine (hereinafter referred to as the Ministry) as part of an anti-dumping investigation into imports into Ukraine. radiators for heating originating in the Republic of Türkiye and the People's Republic of China (hereinafter referred to as the investigation), initiated by the decision of the Interdepartmental Commission on International Trade (hereinafter referred to as the Commission) dated 12.04.2024 No. AD-561/2024/441-01.

The materials reflect the main issues investigated by the Ministry during the investigation, as well as the main facts and conclusions obtained based on the results of the research.

The investigation was carried out on the basis of the Law of Ukraine "On Protection of National Producers from Dumped Imports" (hereinafter referred to as the *Law*) and the Agreement on the Application of Article VI of the General Agreement on Tariffs and Trade of 1994 (hereinafter referred to as *the Agreement*).

The materials were prepared on the basis of the most indicative information at the disposal of the Ministry, obtained in accordance with the procedure provided for by the Law and the Agreement, in particular, based on the results of consideration of:

- complaints about the initiation and conduct of an anti-dumping investigation into the import of heating radiators from Türkiye and China into Ukraine, filed by Limited Liability Company " SAN TECH RAI " and Limited Liability Company " UTERM UKRAINE " ;
- responses to questionnaires for domestic manufacturers, foreign manufacturers and/or exporters, importers, associations and additional requests from the Ministry;
- information from government authorities,
- information from other sources available to the Ministry.

1. Procedural issues

1.1. Violation of the investigation

On December 28, 2023, the Ministry received a complaint from the Limited Liability Company " SAN TECH RAI " and the Limited Liability Company " UTERM UKRAINE" (hereinafter referred to as the Applicant) about the initiation and conduct of an anti-dumping investigation into the import of heating radiators from Türkiye and China into Ukraine (hereinafter referred to as the Complaint) .

In accordance with Article 12 of the Law, the Ministry violated the anti-dumping procedure regarding the import into Ukraine of heating radiators from the Republic of Türkiye and the People's Republic of China .

During the anti-dumping procedure, the Ministry reviewed the complaint for evidence of dumped imports and injury to the national producer as a result of such imports and established their sufficiency and justification for the purposes of initiating an anti-dumping investigation.

Based on the results of consideration of the materials and recommendations of the Ministry, the Commission adopted a decision dated 12. 04.2024 No. AD-561 /2024/441-01 " On the initiation and conduct of an anti-dumping investigation into imports into Ukraine radiators for heating originating in the Republic of Türkiye and the People's Republic of China .

The notification of the said decision was published in the newspaper "Government Courier" dated April 17 , 2024 No. 78 ¹(hereinafter referred to as the notification of the initiation of the investigation) .

In accordance with the requirements of Articles 13 and 34 of the Law, the Ministry notified known producers, exporters, importers, the competent authorities of the exporting country, and the Applicant of the initiation of the investigation.

1.2. Stakeholders of the investigation

In accordance with Part Twelve of Article 12 of the Law, the notification of the initiation of an investigation specified a 30- -day period during which the Ministry registered interested parties to the investigation.

Taking into account paragraph 21 of Article 1 of the Law, as defined in Within the notified period, interested parties in the investigation registered:

Ukrainian manufacturers

1. LLC "SAN TECH RAI" (462 KM+100 M of the Kyiv-Odesa highway, Usativska village council, Bilyaivskiy district, Odesa region, Ukraine, 67663)
2. LLC "UTERM UKRAINE" (85 Nezalezhnosti Ave., Bila Tserkva, Kyiv region, Ukraine, 09108).

Foreign manufacturers/exporters

3. UNMAK HEATING SYSTEMS (ÜNMAK ISITMA SİSTEMLERİ MAKİNA SANAYİ VE TİCARET A.Ş.) (Izmir Pancar Org. San. Böl. 10 Cad. No. 2 Ayrancılar/Torbalı/İZMİR, Türkiye);
4. Zhejiang Yongkang SaiXi Industry And Trade Co., Ltd (BUILDING 3rd, No. 133 JIJIN ROAD, YALV VILLAGE, XIANGZHU TOWN, YONGKANG, CHINA);
5. SANICA ISI SANAYI AS (Kavakli Mah., Istanbul Cad., No: 10-1, Beylikduzu, Istanbul, 34520, Türkiye);
6. Zhejiang Wisdom Industry&Trade Co.,Ltd (No.123, South Jingui Road, Chengxi new District, Yongkang City, Zhejiang Province, China);
7. PEKPAN INSAAT TAAHHUT TURİZM SANAYI VE TİCARET LTD. STI (UMURLU MAHALLESİ ORGANİZE SANAYİ CADDESİ NO: 191/1 09630 EFELER/AYDIN- TÜRKİYE);
8. Eleks Dış Ticaret A.Ş. (Esentepe Mah. Kasap Sk. No:15/1 34394 Şişli Istanbul, Türkiye) ;

¹ <http://surl.li/srcts>

9. Elba Basincli Dokum San. AS (Manisa Organized Industrial Zone, 50. YIL Cad. No:15 Manisa/Yunusemre – Türkiye);
10. Zhejiang Youmay Industry and Trade Co., Ltd (Hardware and Machinery Industrial Zone, Wuyi County, Jinhua, Zhejiang, China);
11. COPA ISI SISTEMLERİ SAN. VE. TIC. AS (MINERALICAVUS OSB MH. CEVİZ CD NO:21 16220 NİLÜFER / BURSA / TÜRKİYE);
12. Türk Demir Döküm Fabrikaları A. Ş. (Atatürk Mahallesi. Meriç Caddesi No:1/4 34758 Ataşehir / İSTANBUL / TÜRKİYE);
13. Yongkang Huandi Cookware Co., Ltd. (1-2F, No. 89 Jiuzhou West Road, Yongkang Economic Development Zone, Jinhua, Zhejiang, China);
14. ZHEJIANG RONGRONG INDUSTRIAL CO., LTD. (Huanglong Industrial Zone, Wuyi, Zhejiang, China).

Foreign exporters' associations

15. Turkish HVAC-R Exporters Association (ISIB) (Ehlibeyt Neighborhood, Ceyhun Atuf Street No: 120 Balgat Cankaya Ankara Türkiye).

Ukrainian importers

16. "WATER INDUSTRY" LLC (Bogomoltsya St., building 7/14, app. 182, Kyiv, Ukraine, 01024) ;
17. LLC "COMPANY "SVIT TEPLA" (7 Boryspilska St., Kyiv, Ukraine, 02660) ;
18. LLC "OLMIKS" (Soborna St., building No. 1/4, Tsyркuny village, Kharkiv region, Ukraine, 62441) ;
19. LLC "ROMSTAL UKRAINE" (4a Novokostyantynivska St., Kyiv, Ukraine, 04080).

Authorities of exporting countries

20. Ministry of Trade of the Republic of Türkiye (Embassy of the Republic of Türkiye in Ukraine, 22 Panas Myrny St., Kyiv, Ukraine, 01901).

By letter dated 05/23/2024 No. 4411-05/37895-07, the Ministry informed the above-mentioned parties that they were registered as interested parties in the investigation, and also informed them of their rights and obligations within the framework of the investigation.

1.3. Establishing investigation and research periods

In accordance with paragraph 18 of Article 1 and part two of Article 13 of the Law, the Ministry, in order to investigate the facts regarding the presence/absence of dumped imports, determined the investigation period immediately preceding the initiation of the investigation:

01.04.2023 – 31.03.2024 (hereinafter referred to as the investigation period).

The investigation of the fact of the presence/absence of injury to the national producer, as well as the establishment of the presence/absence of a causal link between dumped imports and injury to the national producer, was carried out within the framework of the investigation period:

01.01.2021 – 31.03.2024 (hereinafter referred to as the research period), namely :

1st annual period: 01.01.2021 – 31.12.2021 ;

2nd annual period: 01.01.2022 – 31.12.2022 ;

3rd year period: 01.01.2023 – 31.12.2023 ;

4th year period: 01.04.2023 – 31.03.2024.

In their comments, interested parties noted that the investigation period determined by the Ministry was unfounded. It is worth noting that to investigate the presence of injury to the domestic producer and the causal link, the Ministry determined the period from January 1, 2021 to the end of the investigation period. Such a period, which includes three full calendar years prior to the initiation

of the investigation, is sufficient and reasonable for an objective study of trends relevant to the assessment of injury, and is also consistent with international practice in the field of trade protection.

1.4. Sending requests and questionnaires to interested parties in the investigation

In accordance with Part Three of Article 13 of the Law, in order to obtain information and evidence used for the purposes of conducting an investigation, the Ministry sent to interested parties of the investigation requests for information characterizing the financial and economic condition of enterprises for the period 2021 - Q1 2024 , for the purposes of ensuring the analysis of indicators of interested parties and questionnaires . When sending requests and questionnaires to interested parties of the investigation, the Ministry determined the deadline by which it was necessary to provide a response. At the same time, the Ministry considered the requests of interested parties for an extension of the deadlines for providing responses to requests and questionnaires and, if there were sufficient grounds, made a decision to extend the specified deadlines.

Table 1.4.1

Sending requests			
<i>Stakeholder</i>	<i>Date of sending</i>	<i>Term granting</i>	<i>Date of receipt</i>
<i>Domestic manufacturers</i>			
LLC "SUN TECH RAY"	05/30/2024	06/10/2024 extended until 06/17/2024	06/17/2024
LLC "UTERM UKRAINE"	05/30/2024	06/10/2024 extended until 06/17/2024	06/17/2024
<i>Foreign manufacturers/exporters</i>			
UNMAK HEATING SYSTEMS (ÜNMAK ISITMA SİSTEMLERİ MAKİNA SANAYİ VE TİCARET A.Ş.)	05/30/2024	06/10/2024 extended until 06/17/2024	-
Zhejiang Yongkang SaiXi Industry And Trade Co.,Ltd	05/30/2024	06/10/2024 extended until 06/17/2024	06/13/2024
SANICA ISI SANAYI A.Ş.	05/30/2024	06/10/2024 extended until 06/17/2024	06/17/2024
Zhejiang Wisdom Industry&Trade Co.,Ltd	05/30/2024	06/10/2024 extended until 06/17/2024	06/10/2024
PEKPAN INS AAT TAA HHUT TURIZM SANAYI VE TICARET LTD. STI	05/30/2024	06/10/2024 extended until 06/17/2024	-
Eleks Foreign Trade Co., Ltd.	05/30/2024	06/10/2024 extended until 06/17/2024	-
Elba Basincli Dokum San. AS	05/30/2024	06/10/2024 extended until 06/17/2024	-
Zhejiang Youmay Industry and Trade Co., Ltd	05/30/2024	06/10/2024 extended until 06/17/2024	06/12/2024
COPA ISI SYSTEMS SAN . VE . TIC. AS	05/30/2024	06/10/2024	-

<i>Stakeholder</i>	<i>Date of sending</i>	<i>Term granting</i>	<i>Date of receipt</i>
		extended until 06/17/2024	
Türk Demir Döküm Fabrikaları A. Ş.	05/30/2024	06/10/2024 extended until 06/17/2024	-
Yongkang Huandi Cookware Co., Ltd.	05/30/2024	06/10/2024 extended until 06/17/2024	06/13/2024
ZHEJIANG RONGRONG INDUSTRIAL CO., LTD.	05/30/2024	06/10/2024 extended until 06/17/2024	-

Table 1.4.2

Sending questionnaires

<i>Stakeholder</i>	<i>Date of sending</i>	<i>Term provision (expected)</i>	<i>Date of receipt</i>
<i>Domestic manufacturers</i>			
LLC "SUN TECH RAY"	06/26/2024	02.08.2024	08/26/2024
LLC "UTERM UKRAINE"		extended until 08/26/2024	08/26/2024
<i>Foreign manufacturers/exporters</i>			
UNMAK HEATING SYSTEMS (ÜNMAK ISITMA SİSTEMLERİ MAKİNA SANAYİ VE TİCARET A.Ş.)	06/26/2024	02.08.2024	-
Zhejiang Yongkang SaiXi Industry And Trade Co.,Ltd	06/26/2024	02.08.2024	-
SANICA ISI SANAYI AS	06/26/2024	02.08.2024 extended to 08/26/2024	-
Zhejiang Wisdom Industry&Trade Co.,Ltd	06/26/2024	02.08.2024 extended to 08/16/2024	08/12/2024
PEKPAN INS AAT TAA HHUT TURIZM SANAYI VE TICARET LTD. STI	06/26/2024	02.08.2024	-
Eleks Foreign Trade Co., Ltd.	06/26/2024	02.08.2024 extended until 08/16/2024	-
Elba Basincli Dokum San. AS	06/26/2024	02.08.2024 extended to 08/16/2024	-
Zhejiang Youmay Industry and Trade Co., Ltd	06/26/2024	02.08.2024	-
COPA ISI SYSTEMS SAN . VE . TIC. AS	06/26/2024	02.08.2024	-
Türk Demir Döküm Fabrikaları A. Ş.	06/26/2024	02.08.2024	-
Yongkang Huandi Cookware Co. , Ltd.	06/26/2024	02.08.2024 extended until	08/16/2024

<i>Stakeholder</i>	<i>Date of sending</i>	<i>Term provision (expected)</i>	<i>Date of receipt</i>
		08/16/2024	
ZHEJIANG RONGRONG INDUSTRIAL CO., LTD.	06/26/2024	02.08.2024	-
<i>Foreign exporters' associations</i>			
HVAC - R Exporters Association (ISIB)	06/26/2024	02.08.2024 extended until 15.08.2024	08/12/2024
<i>Domestic importers</i>			
"WATER INDUSTRY" LLC	06/26/2024	02.08.2024	-
LLC "COMPANY "SVIT TEPLA"	06/26/2024	02.08.2024	-
LLC "OLMIX"	06/26/2024	02.08.2024	07/31/2024
LLC "ROMSTAL UKRAINE"	06/26/2024	02.08.2024	-

1.5. Sending requests for information

In accordance with the provisions of Part Four of Article 13 of the Law, in order to obtain information necessary for conducting an investigation, the Ministry sent requests to:

- 1) The State Customs Service of Ukraine regarding the provision of customs statistics on the import and export of heating radiators ;
- 2) Antimonopoly Committee of Ukraine regarding violations of legislation on the protection of economic competition;
- 3) State Statistics Service of Ukraine regarding the list of domestic manufacturers, sales volumes, production and consumption of radiators for heating in Ukraine;
- 4) State Tax Service of Ukraine regarding the payment of taxes and fees by domestic manufacturers and importers of heating radiators;
- 5) Embassy of Ukraine in the Republic of Türkiye regarding monitoring the domestic market of heating radiators in the Republic of Türkiye;
- 6) Embassy of Ukraine in the People's Republic of China regarding monitoring the domestic market of heating radiators in the People's Republic of China;
- 7) regional state administrations regarding the general characteristics of the Applicant's activities in the region;
- 8) State Enterprise "Ukrpromzovnesheexpertiza" (hereinafter referred to as SE "Ukrpromzovnesheexpertiza") regarding the study of the market of radiators for heating in Ukraine, the Republic of Türkiye and the People's Republic of China;
- 9) enterprises of Ukraine regarding their production volumes of heating radiators.

1.6. Conducting hearings

The notice of initiation of the investigation, published in the newspaper "Government Courier" dated 17.04.2024 No. 78 , set a 30-day period during which the Ministry considered the requirements for holding hearings. Within the specified period, the following interested parties applied to the Ministry with requirements for holding hearings:

1. UNMAK HEATING SYSTEMS ;
2. Zhejiang Yongkang SaiXi Industry And Trade Co., Ltd .;
3. SANICA ISI SANAYI AS;
4. Zhejiang Wisdom Industry&Trade Co.,Ltd;
5. Eleks Foreign Trade Co., Ltd.;
6. Elba Basincli Dokum San. AS;

7. COPA ISI SISTEMLERİ SAN. VE. TIC. AS;
8. Türk Demir Döküm Fabrikaları A. Ş.;
9. ZHEJIANG RONGRONG INDUSTRIAL CO., LTD. ;
10. Turkish HVAC-R Exporters Association (ISIB);
11. LLC "COMPANY "SVIT TEPLA".

At the same time, in connection with the military aggression of the Russian Federation against Ukraine, based on the proposal of the National Security and Defense Council of Ukraine, in accordance with Clause 20 of Part One of Article 106 of the Constitution of Ukraine, the Law of Ukraine "On the Legal Regime of Martial Law", by Decree of the President of Ukraine dated February 24, 2022 No. 64/2022 "On the Introduction of Martial Law in Ukraine", approved by the Law of Ukraine dated February 24, 2022 No. 2102-IX, as amended, martial law has been introduced in Ukraine.

The Ministry informed interested parties about the specifics of conducting investigations under martial law, in particular, about the cancellation of public hearings in the format of face-to-face meetings.

In view of the above, in order to ensure the exercise by interested parties of the right to protect their interests in accordance with the provisions of the Law, the hearing was organized in a remote format through the exchange of opinions/positions of interested parties. Information and evidence related to the investigation (hereinafter referred to as position materials) were to be sent by interested parties to the Ministry, as well as to all other interested parties no later than 16.12.2024.

The following interested parties submitted position papers to the Ministry within the established deadline:

1. Zhejiang Wisdom Industry&Trade Co.,Ltd;
2. Eleks Dış Ticaret A.Ş. and Elba Basincli Dokum San. AS;
3. Turkish HVAC-R Exporters Association (ISIB);
4. LLC "SUN TECH RAY" and LLC "UTERM UKRAINE".

Interested parties also had the opportunity to provide their counterarguments to the positions of other interested parties. Within the established deadline (23.12.2024), counterarguments were received from the Ministry of Trade of the Republic of Türkiye, Zhejiang Wisdom Industry & Trade Co. , Ltd. , Eleks Foreign Trade A .Ş. and Elba Basincli Document San . A. S. , Turkish HVAC-R Exporters Association (ISIB) .

1.7. Comments from interested parties on the initiation of the investigation

In accordance with the notice of initiation of the investigation, the Ministry considered the written comments and information regarding the initiation of the investigation within 60 days from the date of publication of the notice. Taking into account the provisions of paragraph three of part four of Article 6 of the Law, the final The deadline for providing comments was set at 06/17/2024.

Table 1. 7

Stakeholder	Deadline	Actual registration date
Ministry of Trade of the Republic of Türkiye	06/17/2024	06/11/2024
Turkish HVAC-R Exporters Association (ISIB)		06/17/2024
Zhejiang Wisdom Industry&Trade Co.,Ltd		06/17/2024
SANICA ISI SANAYI AS		06/17/2024
Eleks Foreign Trade Co., Ltd.		06/17/2024
Elba Basincli Dokum San. AS		06/17/2024

All comments regarding the initiation of the investigation were received by the Ministry before

the expiration of the established deadline and were registered in accordance with the established procedure.

The Ministry took into account the comments of interested parties regarding the excessive application of the confidential regime to certain components of the complaint and sent a request to the Applicant. In response, the Applicant, by letter dated 10.06.2024 No. 7/10062024, provided an updated text of the non-confidential version of the complaint, access to which was provided to other interested parties of the investigation.

In addition, during the investigation, the Ministry took into account the comments of interested parties and conducted a comprehensive study on the issues of determining the national producer, determining the product that is the subject of the investigation, the presence of dumped imports of goods into Ukraine, the presence of significant damage or threat of damage to a national producer, etc.

1.8. Previous anti-dumping measures

By letter dated 06/25/2024 No. 1/25062024, LLC "SUN TECH RAI" and LLC "UTERM UKRAINE" sent a joint letter to the members of the Commission regarding the current situation on the market of heating radiators in Ukraine with a proposal to submit for consideration by the Commission the issue of the application of preliminary anti-dumping measures.

Based on the results of consideration of the materials submitted by the Ministry, the Commission, guided by the provisions of Article 14 of the Law, adopted a decision dated 15.10.2024 No. AD-568/2024/441-01 "On the application of preliminary anti-dumping measures on the import into Ukraine of radiators for heating originating from the Republic of Türkiye and the People's Republic of China", according to which it decided to apply preliminary anti-dumping measures on the import into Ukraine of radiators for heating by introducing the collection of a preliminary anti-dumping duty at the rates:

for manufacturers and exporters of goods originating from the Republic of Türkiye – 41.86%;
for manufacturers and exporters of goods originating from the People's Republic of China – 42%.

The said decision of the Commission entered into force 5 days after the date of publication of the notice about it in the newspaper "Government Courier" dated 10/18/2024 No. 212 ².

Thus, taking into account the provisions of Part Four of Article 2 of the Customs Code of Ukraine and Part Four of Article 6 of the Law, preliminary anti-dumping measures were applied from October 24, 2024 to February 23, 2025.

In accordance with Part One of Article 33 of the Law, at the request of Zhejiang Wisdom Industry&Trade Co.,Ltd, Eleks Dış Ticaret A.Ş., Elba Basimli Dokum San. AS, the Ministry provided information on the facts and conclusions on the basis of which the preliminary anti-dumping measures are applied.

[...]

Comments from interested parties on previous anti-dumping measures

According to Part Four of Article 36 of the Law, interested parties may submit comments to the Ministry regarding the Commission's decision to impose a preliminary anti-dumping duty. These comments shall be taken into account by the Ministry if they are submitted to the Ministry within one month from the date of application of the preliminary anti-dumping measures. Zhejiang's comments were received within the time limit set by the Law Wisdom Industry & Trade Co. , Ltd , in which it stated that there was no legal justification for the application of the previous anti-dumping measures, since:

- The report of the State Enterprise "Ukrpromzovneshexpertiza" cannot be proper evidence,

² <https://bit.ly/4h7n5N3>

since when conducting the relevant study, this expert organization did not take into account the facts of import and export of goods by the Applicant during the study period, as well as the fact that under the NPP code 25.21.11.00 the Applicant also produced parts for radiators. At the same time, there are contractual relations between the Applicant and the State Enterprise "Ukrpromzovnesheexpertiza";

- LLC "UTERM UKRAINE" cannot be considered a proper national producer within the meaning of the Law because it imported radiators for heating under the Ukrainian Classification Of Goods Of Foreign Economic Activity code 7322 19 00 00 originating from the Republic of Türkiye and the People's Republic of China;

- The applicant does not manufacture all types of radiators that are manufactured and exported to Ukraine by interested parties under the Ukrainian Classification Of Goods Of Foreign Economic Activity codes specified in the description of the goods under investigation. The object of investigation should be a product with the following description: horizontal radiators for heating (steel panel, aluminum sectional, bimetallic sectional), classified under the relevant Ukrainian Classification Of Goods Of Foreign Economic Activity codes and exclude other types of radiators for heating, including: vertical panel (designer), vertical tubular (designer), horizontal tubular (designer), towel dryers (tubular radiators), underfloor convectors, etc., which can also be made of steel, aluminum, bimetallic, from the object of investigation;

- According to information from the State Customs Service, during the research period there was a decrease in the volume of imports of aluminum radiators for heating originating from the People's Republic of China;

- the selling price of heating radiators of Zhejiang Wisdom Industry&Trade Co.,Ltd on the domestic market of the People's Republic of China is lower than the selling price for export to Ukraine under comparable identical delivery conditions according to Incoterms;

- retail prices for goods originating from the People's Republic of China on the Ukrainian commodity market are higher than the Applicant's prices and the retail prices for goods on the commodity market of the People's Republic of China. The high retail price in Ukraine of radiators originating from the People's Republic of China did not prevent the Applicant from significantly increasing the prices for radiators produced by it on the Ukrainian market in order to improve all indicators of financial and economic activity;

- the conclusions of the Ministry and the decision of the Commission did not identify each supplier (producer, exporter, importer) of the goods, the import of which into Ukraine is the object of the application of preliminary anti-dumping measures, and did not establish the amount of the preliminary anti-dumping duty rate for each such supplier (producer, exporter, importer), despite the fact that the Ministry had all the relevant information, as well as all data on suppliers (producers, exporters, importers) of the goods, who fully cooperated with the Ministry during the anti-dumping investigation. The Ministry should have determined the circle of such persons in accordance with Article 14 of the Law, Article 9 of the Agreement and the practice of the WTO Dispute Settlement Body;

- the financial indicators of the Applicant, both as a whole and of each of the companies that filed the complaint, throughout the entire period of the investigation demonstrate an objective trend related to other factors (the beginning of Russia's full-scale military invasion of Ukraine, a decrease in export sales), and therefore there is no causal link between the import of heating radiators into Ukraine and the damage;

- there is no confirmation of any plans by Chinese manufacturers to reorient to the Ukrainian market as their main one;

- the introduction of preliminary and final anti-dumping measures contradicts/will contradict national interests and leads/will lead to monopolization of the market with corresponding significant negative social (public) consequences (reduction of the price accessibility of the product for the vast majority of consumers). At the same time, the introduction of anti-dumping measures is a potential threat of a shortage of goods and may become a threat to mutually beneficial international cooperation

of Ukraine with members of the international community.

In this regard, it is worth noting that as of the date of preparation of the materials that became the basis for the introduction of preliminary anti-dumping measures, the Ministry did not have at its disposal all the responses of the interested parties of the investigation included in the sample to the questionnaire for the foreign manufacturer and/or exporter. At the same time, the data contained in the responses of the interested parties on the financial and economic condition of the enterprises for the period 2021 - Q1 2024, provided at the request of the Ministry, were insufficient for the proper calculation of the individual dumping margin. The Ministry based its preliminary conclusions on the information it had at the time of preparation of the materials, in particular, received from the State Enterprise "Ukrpromzovneshekspertiza".

SE "Ukrpromzovneshekspertyza" is a leading company in Ukraine in the field of marketing and expert assessments of foreign economic contracts. Its main activity is defined as research and experimental developments in the field of social sciences and humanities. The competence of SE "Ukrpromzovneshekspertyza" includes industrial consulting, analytical research, writing business plans, feasibility studies, investment memoranda, market and price research, etc. It provides services in the following main areas: industrial policy, market and price research, marketing research, project research, strategic research, providing information contained in corporate databases. The applicant and the Ministry applied to SE "Ukrpromzovneshekspertyza" for information that corresponds to the sphere and areas of its activity. Information regarding the export and import of goods that are the subject of the investigation, used by SE "Ukrpromzovneshekspertyza" in the preparation of information and analytical materials, corresponds to the information received by the Ministry from the State Customs Service. Taking into account the above, the Ministry considers the above-mentioned materials prepared by the State Enterprise "Ukrpromzovneshekspertiza" to be appropriate evidence within the framework of the investigation.

Other issues raised by Zhejiang Wisdom Industry&Trade Co.,Ltd in the comments were analyzed as part of the investigation and are described in the relevant sections of this report.

2. Information regarding the product that is the subject of the investigation and the domestically produced product. Establishing similarity

2.1. Description and classification of the product under investigation

According to the Commission's decision of April 12 , 2024 No. AD-561/2024/441-01, the product that is the subject of the investigation has the following description:

radiators for heating (steel, aluminum, bimetallic), classified under codes ex7322 19 00 00, ex7615 20 00 00, ex7616 99 10 00, ex7616 99 90 00 according to the Ukrainian classification of goods of foreign economic activity.

The "ex" symbol next to the classification code indicates that the investigation is carried out on goods whose description is specified in the decision .

The countries of origin of the goods described above are the Republic of Türkiye and the People's Republic of China.

Code and description of the product according to the Ukrainian classification of goods of foreign economic activity Code:

Table 2. 1.

Ukrainian classification of goods of foreign economic activity Code	Description from the complaint	Description according to the Ukrainian classification of goods of foreign economic activity Code
7322 19 00 00	Other radiators for central heating, not electrically heated, and parts thereof, of ferrous metal	Radiators for central heating, not electrically heated, and parts thereof, of ferrous metal; air heaters and heated air distributors (including those capable of supplying fresh or conditioned air), not electrically heated, incorporating a motor-driven fan or blower, and parts thereof, of ferrous metal: - radiators and parts thereof: - - others
7615 20 00 00	Aluminum products, sanitary equipment and its aluminum parts	Tableware, kitchenware or other household articles and parts thereof, of aluminium; pot scourers and scouring or polishing pads, gloves and similar articles, of aluminium; sanitary ware and parts thereof, of aluminium: - sanitary equipment and parts thereof
7616 99 10 00	Aluminum products, other aluminum products, cast	Other aluminum products: - others: - - other: - - - cast
7616 99 90 00	Aluminum products, other aluminum products, other	Other aluminum products: - others: - - other: - - - others

Radiators or heating batteries are the devices most often used for water heating of any premises. Heating batteries are divided into several groups, depending on the material used for their manufacture: aluminum, steel, cast iron, bimetal (aluminum + steel).

Depending on the material, the thermal power of radiators for heating differs. The heat transfer specified in the radiator passport is usually less than the declared one, because the heat transfer is greatly affected by the temperature of the air and coolant, which depend little on the radiator itself.

In an individual heating system of a private house, batteries of the same capacity, made of

different metals, work differently.

Aluminum radiators are considered one of the most efficient of all types of heating batteries. The high thermal conductivity of aluminum and the large fin area allow aluminum batteries to heat any room very quickly and efficiently.

Bimetallic radiators combine the best qualities of aluminum and steel radiators. They are efficient, unpretentious to operating conditions and have a modern, attractive design, which makes them a great solution for any room.

Steel radiators distribute thermal energy not only through thermal radiation from the side panels, but also through natural convection. This improves their technical performance and reduces energy costs for heating the room.

2.2. Description and classification of goods produced by a national producer

According to the information provided in the complaint, responses to questionnaires and additional requests, Ukrainian enterprises produce various radiators that are almost identical or quite similar to brands of goods produced by foreign manufacturers. Non-fundamental differences may concern only technical design, aimed at recognising a particular brand of goods.

The Applicant notes that according to the Nomenclature of Industrial Products (NPP), its product is classified under code 25.21.11.00 "Central heating radiators without electrical heating, parts thereof". The Applicant's enterprises manufacture steel, aluminum and bimetallic radiators for heating.

Steel radiators are thin plates of sheet steel connected by spot welding. The coolant moves in a zigzag channel. Steel radiators manufactured by the Applicant are presented in the following types: 10, 11, 20, 21, 22, 30, 33. The first digit in the type designation indicates the number of radiator panels, and the second - the number of convectors. The specified types of radiators are manufactured in sizes from 200 mm to 900 mm in height and from 400 mm to 3000 mm in length with different options for connecting to the heating system: side, lower right, lower left and lower universal. This allows the end consumer to make the right choice based on his needs. For example, low and elongated in length are suitable for installation in front of panoramic windows, and high and narrow ones are suitable for installation near doors to a balcony, etc. The lower connection is more economical, works better with thermostatic heads and is intended for systems with hidden pipe wiring in the floor and does not work without a circulation pump. This is important if an autonomous heating system is installed and there is a risk of a power outage in the winter. The side connection has a lower cost, it is possible to use a thermal head and operate the heating system with natural circulation of the coolant. Also, the Applicant's enterprises have the ability to manufacture designer and vertical radiators for heating of any size or color for each specific request of consumers.

Steel panel radiators are used in heating systems with a liquid coolant and can be installed in a wide variety of premises: residential, office, industrial, warehouse, children's institutions, hospitals and others. Although such radiators can be replaced by aluminum, bimetallic, cast iron or tubular steel radiators, due to low inertia and high heat transfer, a steel panel radiator is the most economical in terms of heat production costs, and its efficiency in this regard is superior to other types of radiators. The quality management system for the production of heating steel panel radiators (code DCP 25.21, direction in the field of economics No. 17) in accordance with the regulatory documents in force in Ukraine meets the requirements of DSTU ISO 9001:2015 (ISO 9001:2015, IDT).

Aluminum radiators are a construction of individual aluminum sections, have better heat transfer, a different design and low weight. Each section consists of elements - a head, ribs and a bottom part, which are connected to each other. [...] Aluminum radiators are produced in sizes from 300 mm to 600 mm. The length depends on the number of interconnected sections. Most often, aluminum radiators are produced in 6, 8, 10 and 12 sections, but it all depends on the end user, so the main unit of measurement is the section. [...]

In the production of bimetallic radiators, steel and aluminum are used. [...] Bimetallic

radiators, like aluminum ones, are produced in sizes from 300 mm to 600 mm. The length depends on the number of interconnected sections.

The main technological operations for the production of aluminum radiators:

- casting [...],
- welding [...],
- machining [...],
- collection [...],
- painting [...],
- packaging.

The main technological operations for the production of bimetallic radiators:

- casting [...],
- production of mortgages [...],
- machining [...],
- collection [...],
- painting [...],
- packaging.

The main technological operations for the production of steel radiators:

- dissolution of metal [...],
- stamping [...],
- welding [...],
- assembly [...],
- painting [...],
- packaging.

The applicant notes that the technical production process is approximately the same at all enterprises. Differences may occur in equipment, production culture, and quality control.

The product of the national producer is manufactured in accordance with the standards TU U 25.2-35901980-002.2015 "Steel heating radiators. Technical conditions" p.2, DIN EN442-1:2015-03, DIN EN442-2:2015-03, DSTU B V.2.5-3-95 (GOST 20849-94), p.5.2.1, p.7.2, p.7.5, EN 442-1 ed.2:2015 Tab.Za 1.

2.3. Establishing the similarity of the goods produced by the Applicant to the goods that are the subject of the investigation

As part of the aforementioned study, the Ministry sent questionnaires to domestic manufacturers and foreign manufacturers and/or exporters, which required detailed information on the characteristics of the product.

Table 2.3. shows a comparison of the general characteristics of the goods produced by the Applicant and goods originating in the Republic of Türkiye and the People's Republic of China.

Table 2.3.

Comparison of the main brands of goods produced by a national producer and goods imported into Ukraine and subject to investigation

Indicators and criteria	Goods produced by a national producer	Goods from countries of origin	Disagreements
Steel radiators			

Indicators and criteria	Goods produced by a national producer	Goods from countries of origin	Disagreements
Standard	TU U 25.2-35901980-002.2015 "Steel heating radiators. Technical conditions" p. 2 DIN EN442-1:2015-03 DIN EN442-2:2015-03, DSTU ISO 9001:2015, IDT	ISO-9001, BS, DIN EN 422 (EN 442-1; EN 442-2).	Similar
Physical characteristics	Height 200-900 mm, types 10, 11, 20, 21, 22, 30, 31,32, 33, length 400-3000 mm, connection side, bottom right, bottom left and bottom universal	Height 300-900 mm, type 11, 22, 33, length 400-3000 mm, side/bottom connection	Similar
Units of measurement	pieces	pieces	Identical
Classification according to the Ukrainian classification of goods of foreign economic activity	7322 19 00 00	7322 19 00 00	Identical
Production process	1) stamping [...]; 2) welding [...]; 3) compilation [...]; 4) coloring [...]; 5) packaging in cardboard and polyethylene. The technical process is approximately the same at all enterprises.	1) stamping; 2) welding; 3) stamping and welding of convectors; 4) welding and inserting fittings; 5) tightness test, painting (pre-treatment; painting is carried out using the cathodic electrophoresis method, thanks to which the radiator is reliably protected from external metal corrosion and retains the color and uniformity of the coating for a long time); 6) packaging in cardboard and polyethylene. The technical process is approximately the same at all enterprises.	Similar
Packaging	In cardboard and polyethylene	In cardboard and polyethylene	Identical
Transportation	On pallets	-	n/a
Storage conditions in stores or at production facilities	On pallets	-	n/a
Technical specifications	Steel thickness 1.15 mm Working pressure 10 bar Test pressure 13 bar Maximum coolant temperature 110 °C Heat transfer 108- 15499 W Side/bottom connection	Steel thickness 1.25 mm Working pressure 10 bar Test pressure 13 bar Maximum coolant temperature 95 °C Thermal power 253-5508 W Side/bottom connection	Similar
Quality characteristics	Two-layer coating Color white RAL 9016	Color white	Similar
Scope, specifics of application and purpose	Steel radiators are used for installation in water heating systems of apartment buildings, country cottages, as well as industrial and commercial premises.	Steel radiators are suitable for any type of premises, both residential and industrial, they are light and easy to install, and are used for heating rooms, both with a central heating system and with an autonomous one.	Identical
Compliance with domestic and international standards	Yes	Yes	Respond
Bimetallic radiators			
Standard	DSTU B V.2.5-3-95 (GOST 20849-94), p.5.2.1, p.7.2, p.7.5 EN 442-1 ed.2:2015 Tab.Za 1	Group standard T/CNIA 0169-2022, EN 442, JG 293-2010	Similar
Physical characteristics	Construction: sectional Height: from 300 mm to 600 mm	Construction: sectional Height: [...]	Similar

Indicators and criteria	Goods produced by a national producer	Goods from countries of origin	Disagreements
	Section depth: [...]	Section depth: [...]	
Units of measurement	Pieces of sections	Pieces of sections	Identical
Classification according to the Ukrainian classification of goods of foreign economic activity	7616 99 10 00	7616 99 10 00, 7616 99 90 00 ³	Identical
Production process	[...]	[...]	Similar
Packaging	In cardboard and polyethylene	In cardboard and polyethylene	Similar
Transportation	On pallets	-	n/a
Storage conditions in stores or at production facilities	On pallets	-	n/a
Quality characteristics	Anaphoretic coating Color white RAL 9016 (preferably) ISO 9001 quality management control	Color white (mostly) ISO 9001	Similar
Scope, specifics of application and purpose	Bimetallic radiators are used for installation in water heating systems of apartment buildings, country cottages, as well as industrial and commercial premises. They can operate in high-pressure systems.	For water heating of any premises	Identical
Compliance with domestic and international standards	Yes	Yes	Respond
Aluminum radiator			
Standard	DSTU B V.2.5-3-95 (GOST 20849-94), p.5.2.1, p.7.2, p.7.5 EN 442-1 ed.2:2015 Tab.Za 1	Group standard T/CNIA 0169-2022, EN 442, JG 293-2010	Similar
Physical characteristics	Construction: sectional Height: from 300 mm to 600 mm Section depth: [...]	Construction: sectional Height: [...] Section depth: [...]	Similar
Units of measurement	Pieces of sections	Pieces of sections	Identical
Classification according to Ukrainian classification of goods of foreign economic activity	7616 99 10 00	7616 99 10 00, 7616 99 90 00 ⁴	Identical
Production process	[...]	[...]	Similar
Packaging	In cardboard and polyethylene	In cardboard and polyethylene	Similar
Transportation	On pallets	-	n/a
Storage conditions in stores or at production facilities	On pallets	-	n/a
Quality	Anaphoretic coating	Color white (mostly)	Similar

³ According to the information of the exporters, who cooperated in the investigation, they classify their own products under the HS code of the Foreign Economic Activity 7616 99 90 00. According to the information of the State Customs Service, the import of aluminum and bimetallic radiators into Ukraine is carried out under the codes 7616 99 10 00, 7616 99 90 00 according to the Ukrainian Customs Code of the Foreign Economic Activity.

⁴ According to the information of the exporters, who cooperated in the investigation, they classify their own products under the HS code of the Foreign Economic Activity 7616 99 90 00. According to the information of the State Customs Service, the import of aluminum and bimetallic radiators into Ukraine is carried out under the codes 7616 99 10 00, 7616 99 90 00 according to the Ukrainian Customs Code of the Foreign Economic Activity.

Indicators and criteria	Goods produced by a national producer	Goods from countries of origin	Disagreements
characteristics	Color white RAL 9016 (preferably) ISO 9001 quality management control	ISO 9001, ROHS	
Scope, specifics of application and purpose	Aluminum radiators are used for installation in water heating systems of country cottages, hotels, as well as industrial and commercial premises.	For water heating of any premises	Identical
Compliance with domestic and international standards	Yes	Yes	Respond

Thus, it has been established that the physical/qualitative characteristics and technological process of production of Ukrainian-made goods do not significantly differ from goods imported into Ukraine from the Republic of Türkiye and the People's Republic of China.

The scope of use/application of the product is similar, the distribution channels are similar: imported goods and goods of Ukrainian production are used for installation in water heating systems of apartment buildings, country cottages, hotels, as well as industrial and commercial premises, both with a central heating system and autonomous ones. The distribution channels are similar: through wholesale and retail networks.

2.4. Features of the classification of the goods that are the object of the investigation

Based on the results of processing the product description to match the provided codes according to the Ukrainian classification of goods of foreign economic activity The State Customs Service proposed to exclude code 7615 20 00 00 according to the Ukrainian Customs Code. Foreign economic activity on the description of the goods that are the subject of the investigation.

Based on customs statistics on imports of goods into Ukraine under the code 7615 20 00 00 according to the Ukrainian classification of goods of foreign economic activity for the period of the study, the Ministry did not identify any facts of imports into Ukraine of goods originating from the People's Republic of China and the Republic of Türkiye.

At the same time, under code 7615 20 00 00 according to the Ukrainian Customs Tariff Foreign Economic Activity revealed facts of export of similar goods from Ukraine by the Applicant.

In view of the above, for the purposes of properly conducting an investigation into the facts relating to injury, the Ministry will use data on the volume of exports of goods under the code ex 7615 20 00 00 in accordance with the Ukrainian classification of goods of foreign economic activity.

At the same time, the Ministry sees no grounds for applying measures regarding the import into Ukraine of goods classified under code 7615 20 00 00 according to the Ukrainian classification of goods of foreign economic activity.

2.5. Product Variety Control Numbers (PCN Codes)

In order to ensure an objective comparison of the selling prices of the goods that are the subject of the investigation with the corresponding selling prices of similar goods on the domestic market of the exporting countries, during the investigation, the study was conducted in terms of product control numbers (hereinafter referred to as *PCN codes*), combined according to the main criteria that have the greatest impact on the formation of the price of the goods and/or determine the belonging of the goods to a certain category.

The methodology for assigning PCN codes to goods, developed by the national producer, was sent to all interested parties of the investigation. Interested parties had the opportunity to provide their comments and observations on the specified methodology. Taking into account the positions of interested parties, the Ministry used the following methodology for determining PCN codes according to the main features and characteristics of the goods:

Methodology for generating PCN codes

Table 2.5.

Product characteristics	Classification	Code
HS code of foreign economic activity	7322 19 00 00	A1
	7615 20 00 00	A2
	7616 99 10 00	A3
	7616 99 90 00	A4
View	Steel	B1
	Aluminum	B2
	Bimetallic	B3
Construction	Panel with standard surface	C1
	Panel with flat surface	C2
	Sectional	C3
	Tubular (except towel dryers)	C4
	Tubular (towel dryers)	C5
Color	White	D1
	Another	D2
Height, mm	<200	E01
	200- 299	E02
	300- 399	E03
	400- 499	E04
	500- 599	E05
	600- 699	E06
	700- 799	E07
	800- 899	E08
	900- 999	E09
	>999	E10
Length, mm (for steel radiators)	Aluminum and bimetallic radiators	FNN
	<400	F01
	400- 499	F02
	500- 599	F03
	600- 699	F04
	700- 799	F05
	800- 899	F06
	900- 999	F07
	1000- 1099	F08
	1100- 1199	F09
	1200- 1299	F10
	1300- 1399	F11
	1400- 1499	F12
	1500- 1599	F13
	1600- 1699	F14
	1700- 1799	F15
	1800- 1899	F16
	1900- 1999	F17
	2000- 2099	F18
	2100- 2199	F19
	2200- 2299	F20
	2300- 2399	F21
2400- 2499	F22	

Product characteristics	Classification	Code
	2500- 2599	F23
	2600- 2699	F24
	2700- 2799	F25
	2800- 2899	F26
	2900- 2999	F27
	3000- 3099	F28
	>3099	F29
Number of heating convectors, number of panels (for steel radiators)	Aluminum and bimetallic radiators	GN
	Without convectors	G 1
	1	G 2
	2	G 3
	3	G 4
	>3	G5
Type connection (for steel radiators)	Aluminum and bimetallic radiators	HN
	Side	H 1
	Lower	H2
	Other	H 3
Depth sections, mm (for sectional radiators)	Not applicable	IN
	<70	I 1
	70- 75	I 2
	76- 84	I 3
	85- 95	I 4
	96- 100	I 5
	>100	I 6

Thus, the PCN code consists of 20 characters (Latin letters and Arabic numerals) and has the format: AXBX C X DXEXXFXXGXHXIX .

Examples of PCN formation:

A1B1C1D1E03F04G1H1I1N: white steel panel radiator, 300 mm high, 600 mm long, without convectors, with side connection, with a standard (non-flat) surface type, classified under code 7322 19 00 00 of the Foreign Trade Classification.

A3B2C3D1E05FNNGNHNI5: white aluminum sectional radiator, 570 mm high with 100 mm deep sections, classified under code 7616 99 10 00 of the Foreign Trade Classification.

2.6. Stakeholder comments on the product

The Turkish HVAC-R Exporters Association (ISIB) considers the Applicant's inclusion of codes 7616 99 10 00 and 7616 99 90 00 according to the UKRAINIÄN CLASSIFÄTION OF GOODS OF FOREIGN ECONOMIC ACTIVITY in the description of the goods subject to investigation to be unjustified.

The Ministry, based on customs statistics on imports of goods into Ukraine under codes 7616 99 10 00 and 7616 99 90 00 according to the Ukrainian classification of goods of foreign economic activity for the period of the study, established the facts of imports of goods into Ukraine. Also, the presence of imports of goods into Ukraine under the specified codes is confirmed by the reports of the State Enterprise "Ukrpromzovnesheexpertiza" ("Ukrainian market of radiators for heating in 2020-2023", "Ukrainian market of radiators for heating in 2021-2024") and information provided in the responses to the questionnaire for a foreign manufacturer and/or exporter.

Elba Basincli Dokum San. AS and Eleks Dış Ticaret A.Ş. notes the inappropriateness of

combining steel, aluminum and bimetallic radiators for heating into one product, as they differ in material, production technology, thermal power, coolant volume, coolant pressure, weight, design, physical parameters and price.

Despite some differences in the characteristics of steel, aluminum and bimetallic radiators for heating, they all have a similar production process and are intended for heating premises. The law does not contain requirements for establishing the similarity of all types of products with each other.

Zhejiang Yongkang SaiXi Industry And Trade Co., Ltd draws attention to the fact that during 2023-2024, a significant number of cast bimetallic blanks were delivered to the Applicant from the territory of the People's Republic of China, which are actually unpainted sections of future bimetallic sectional radiators. This may indicate that the Applicant's technological operations for the manufacture of bimetallic radiators do not involve direct casting of radiator sections under pressure.

Since cast bimetallic billets are not a commodity, but only a semi-finished product for its production, the Ministry has excluded the volumes and value of billets imported into Ukraine from the indicators of commodity imports and will not take them into account when studying the volumes and value of imports.

At the same time, the described situation does not affect the conclusion about the similarity of the imported goods (meaning not blanks, but finished products) and the Applicant's goods. Despite the fact that certain operations were carried out not by the Applicant, but by foreign manufacturers, the finished products of the Applicant and such manufacturers are manufactured using similar technology.

Eleks Dış Ticaret A.Ş. and Elba Basınclı Dokum San. AS offer Ukrainian consumers some product assortments with additional characteristics (with a smooth flat surface and non-standard colors), which are allegedly not produced by the Applicant.

Zhejiang Yongkang SaiXi Industry And Trade Co., Ltd gave examples of types of radiators that differ from radiators of a national manufacturer in design, weight, dimensions, heat transfer, strength, etc.

"OLMIX" LLC notes that under the code 7322 19 00 00, according to the Ukrainian Customs Union for Foreign Economic Activity, radiators are imported that significantly differ in quality characteristics, purpose and prices from the products of the national producer, and some types are not produced by it, but does not specify such varieties.

According to Article 1 of the Law, a similar product is an identical product, that is, similar in all characteristics to the product that is the subject of the investigation, or, in the absence of this product, another product that is not similar in all characteristics, but has indicative features that are very similar to the characteristic features of the product that is the subject of the investigation.

The types of radiators specified by Elba Basınclı Dokum San. AS and Eleks Dış Ticaret A.Ş., although they have some differences from the standard types and, in some cases, are better adapted to the needs of healthcare institutions, are generally a product with similar technical characteristics, purpose, production technology, etc.

The Ministry has made appropriate changes to the methodology for generating product control numbers (PCNs) in order to conduct research on the specified features of goods of Turkish origin.

It is worth noting that the Applicant produces steel radiators of type 10, which are intended for installation in premises with special sanitary requirements. Devices of this type provide easy accessibility for washing and disinfection. Hygiene and compliance with European quality standards give the right to use these radiators in healthcare institutions, food industry enterprises and other facilities with increased sanitary control. Structurally, such radiators consist of one welded panel, inside which the medium circulates, mounting liner and mounting brackets. Additional hygiene and compliance with sanitary standards is provided by a snow-white surface coating - this is an important parameter for medicine or "clean" industries. The quality and safety of the products are confirmed by

the CE marking and certificates of Ukraine. Without convector fins, the Applicant also produces radiators of types 20 and 30.

The Turkish HVAC-R Exporters Association (ISIB) notes that the Applicants produce horizontal radiators for heating, while Turkish manufacturers produce, among others, steel radiators of the following types - vertical panel (designer), vertical tubular (designer), horizontal tubular (designer), towel warmers (tubular radiators), which differ in their physical, technical, quality, cost characteristics, specific application and consumer preferences.

Vertical radiators are used as part of a design solution for decorating residential and office spaces, and also heat them at the same time.

Towel warmers (tubular steel radiators) provide ideal solutions for rooms such as bathrooms and kitchens. They heat and dry towels at the same time.

Thus, the Turkish HVAC-R Exporters Association (ISIB), as well as the Chinese radiator manufacturer Zhejiang Wisdom Industry&Trade Co.,Ltd propose to amend the description of the product under investigation and state it as follows: *"horizontal radiators for heating (panel steel, sectional aluminum, sectional bimetallic), classified under codes ex7322 19 00 00, ex7615 20 00 00 according to the UKT ZEA"*, and to exclude other types of radiators for heating, including: *vertical panel (designer), vertical tubular (designer), horizontal tubular (designer), towel dryers (tubular radiators), etc., which can also be made of steel, aluminum, bimetallic*, from the object of investigation, also taking into account the fact that the Applicant does not produce such types of radiators at all.

The national producer notes that it can satisfy any demand for radiators: horizontal or vertical, standard models or designer ones. The production of the national producer allows the production of radiators of any color and size, if the consumer requires it. The national producer manufactured non-standard radiators at the request of consumers. In addition, it is worth noting that in the technical documentation for the production of the product, there are no concepts of "horizontal" or "vertical" radiators, this is exclusively an internal classification of each manufacturer and a marketing approach. For example, a standard radiator type 22 (height 900 mm, length 400 mm), from the point of view of the national producer, is a horizontal radiator, although for some suppliers it is vertical, because its height is greater than its length.

Thus, the national producer does not see a difference between a vertical or horizontal radiator in the context of the investigation. They all have the same intended purpose and scope of application - they are used for heat transfer in heating systems.

According to customs statistics, during the study period, imports of designer radiators originating from the People's Republic of China and the Republic of Türkiye into Ukraine were insignificant and isolated. Towel dryers were imported in larger volumes.

Unlike conventional radiators designed for heating rooms, the primary function of a heated towel rail is to dry damp, small items. Most heated towel rails have insufficient heat output, so they are used in addition to the main heating system.

Thus, heated towel rails do not fall under the description of the product under investigation.

Taking into account the above, as well as the position of the State Customs Service, in the Commission's decision dated 15.10.2024 No. AD-568/2024/441-01 "On the application of preliminary anti-dumping measures on the import into Ukraine of radiators for heating originating in the Republic of Türkiye and the People's Republic of China", the description of the goods was defined as:

radiators for heating (steel, aluminum, bimetallic) (excluding towel dryers, water underfloor convectors and designer radiators (vertical and horizontal tubular), classified under codes ex 7322 19 00 00, ex 7616 99 10 00, ex 7616 99 90 00 according to the UKT ZEA.

An approximate typical appearance of the goods subject to the application of preliminary anti-dumping measures is given in the annex to this decision, which is an integral part thereof.

The "ex" marking next to the classification code means that anti-dumping measures apply to goods the description of which is specified in the decision (hereinafter referred to as the Goods).

The Ministry's conclusion to the section

Based on the results of the analysis of the available information, the Ministry established that the Goods of Ukrainian production and the Goods that are the subject of the investigation originate from the Republic of Türkiye and the People's Republic of China, in terms of the relevant varieties:

- a) have similar product characteristics;
- b) are produced using similar technology;
- c) are manufactured in accordance with similar standards;
- d) have the same scope of application;
- e) have similar consumer properties.

Thus, the Ministry has established that, within the meaning of paragraph 26 of Article 1 of the Law, the Goods of Ukrainian origin are similar to the Goods that are the subject of the investigation.

3. National producer

3.1. Establishment of a national producer

The Ministry investigated whether the Applicant is a proper national producer within the meaning of the provisions of Clause 16 of Article 1 and Article 11 of the Law.

The Ministry established the Applicant's share in the total production of the Goods in Ukraine, and also determined whether the Applicant is related to exporters or importers, or is simultaneously an importer of the Goods that are the subject of the investigation.

In order to establish whether the Applicant is a national producer of goods in accordance with Part Four of Article 13 of the Law, the Ministry sent a request to the State Statistics Service of Ukraine to provide a list of domestic producers of the Goods, sales volumes and volumes of products produced by them, as well as volumes of consumption of the Goods in Ukraine for the period 01.01.2021 – 31.03.2024 .

In response, the State Statistics Service of Ukraine reported that the Goods are displayed accordingly under the generalized codes of NPP 25.21.11.00 "Central heating radiators without electric heating, parts thereof, of ferrous metals", 25.99.11.37 "Sanitary and technical products and parts thereof, of aluminum", 25.99.29.55 "Aluminum products, n.e.c." and in the generalized commodity groups of NTVT "Iron products, plumbing and heating equipment" (in wholesale trade), "Sanitary and technical, plumbing and heating equipment and accessories" (in retail trade).

According to Law Ukraine "On Protection of the Interests of Reporting Entities and other documents during the period of martial law or state of war", individuals, individual entrepreneurs, legal entities during martial law or state of emergency wars have the right not to submit statistical and financial reports.

Some respondents exercised this right and did not submit reports, which makes it impossible formation of objective statistical information by state statistics bodies .

Given the absence of reports and any other documents required to be submitted in accordance with the norms of current legislation from respondents, during the period of martial law or during a state of war, as well as within three months after its end, state bodies statisticians suspend publication of statistical information, except for the index consumer prices (CPI), exports and imports of goods, preliminary GDP estimates, separate information for the periods 2022–2024, as well as for 2021 and previous periods.

The list of enterprises producing the Goods is confidential information protected by the Law of Ukraine "On Official Statistics" and is used exclusively for statistical purposes in a consolidated, depersonalized form.

According to the report of the State Enterprise "Ukrpromzovnesheexpertiza" "Ukrainian market of radiators for heating in 2021-2024", in Ukraine, radiators for heating in the studied nomenclature in 2021-2024 were produced by 2 enterprises: LLC "SAN TECH RAI" and LLC "UTERM UKRAINE".

By letters dated 07/26/2024 No. 4411-05/54296-07 and 09/24/2024 No. 4411-05/70391-07, the Ministry sent requests to a number of enterprises (UKRTEPLOPROM LLC, PRESS Trading House LLC, ROZMA Trading House LLC, LITIZ LLC, VINNYTSK PLANT MAYAK PRJSC), in particular, regarding their production of the Goods during the research period. The Ministry received a response only from VINNYTSK PLANT MAYAK PRJSC, which is currently a manufacturer, in particular, of bimetallic (copper-aluminum) panel radiators for liquid heating systems. However, it should be noted that copper-aluminum radiators differ both from radiators for heating produced by a national producer and from goods imported into Ukraine. Due to fierce price competition, the company ceased production of steel radiators for water heating systems in 2021. The production volumes of heating radiators by PJSC "VINNYTSA PLANT "MAYAK" during the study period were insignificant compared to the production volumes of LLC "SAN TECH RAI" and LLC "UTERM UKRAINE" and amounted to less than [...].

In view of the above, for the purposes of establishing the national producer, the Ministry used the indicators of the production volumes of the Goods provided by LLC "SUN TECH RAI" and LLC "UTERM UKRAINE" in their responses to the questionnaire for the domestic producer and additional requests of the Ministry, as well as provided by PRJSC "VINNYTSA PLANT "MAYAK".

Table 3.1.

Production volume of the Product	2021	2022	2023	Q2 2023 – Q1 2024
LLC "UTERM UKRAINE", t	[...]	[...]	[...]	[...]
LLC "SAN TECH RAI", vol	[...]	[...]	[...]	[...]
PJSC "VINNYTSK PLANT "MAYAK" , t	[...]	[...]	[...]	[...]
In general	[...]	[...]	[...]	[...]
<i>Applicant's share in total production, %</i>	<i>≈100</i>	<i>≈100</i>	<i>≈100</i>	<i>≈100</i>

Having analyzed the available information, the Ministry established that the production volumes of the Applicant's enterprises during the research period amounted to more than 50% of the total production of the Goods in Ukraine .

3.2. Stakeholder comments

The interested parties contested the inclusion of LLC " UTERM UKRAINE " in the composition of the national producer of goods, given the fact that it imported goods to Ukraine under the code 7322 19 00 00 according to the UKT ZED, as well as LLC "SAN TECH RAI", [...]. In their opinion, if in the case of bimetallic/aluminum radiators, the import of individual sections of the Goods under the same UKT ZED code as the Goods assembled in the section is possible, then in the case of steel radiators, which are not assembled from individual sections and the production technology and raw materials of which are significantly different from the production technology and raw materials of aluminum/bimetallic radiators, it can be assumed that the import of finished steel radiators took place. In addition, during the period of investigation, the Applicant imported parts/semi-finished products for the production of the Goods, which may indicate that the Applicant lacks some necessary technological operations for the production of the Goods. At the same time, the Ministry did not verify the physical presence of the Applicant with the necessary production capacities and the fullness of the production process of the Goods. Interested parties expressed doubts as to whether the Goods manufactured by the Applicant by assembling radiator parts originating from the Republic of Türkiye and the People's Republic of China can be considered Goods originating from Ukraine in accordance with the current legislation of Ukraine.

It is worth noting that under the code 7322 19 00 00 according to the UKRAÏNIAN CLASSIFICATION OF GOODS OF FOREIGN ECONOMIC ACTIVITY, according to its description, not only the Goods that are the subject of the investigation, in particular steel radiators for heating, but also other products, namely their parts made of ferrous metals, are imported into Ukraine.

The Ministry analyzed the data of the customs import statistics of the State Customs Service and found that during the investigation period [...]. Thus, during the investigation period, the Applicant imported into Ukraine products under codes 7322 19 00 00 and 7616 99 10 00 originating from the Republic of Türkiye and the People's Republic of China, however, such products are not Goods.

The Applicant emphasized that the Applicant's enterprises are producers of similar goods in Ukraine and are not related to exporters or importers and are not simultaneously importers of the Goods that are the subject of the investigation, therefore there are no grounds for not granting the

Applicant the status of a national producer within the meaning of the Law and the Agreement.

[...].

As part of the investigation, the Ministry verified the information provided by interested parties by all available means. The Applicant's availability of the necessary production capacities for the production of the Goods was confirmed by the information provided in the responses to the questionnaire and additional requests of the Ministry, as well as information received by the Ministry from the Kyiv, Odessa and Kharkiv regional state administrations.

It is also worth noting that the specifics of the definition of a national producer are defined in Article 11 of the Law. The norms of the Law do not contain requirements regarding the acquisition of goods produced by domestic producers of Ukrainian origin .

The Ministry's conclusion to the section

The Ministry concluded that the Applicant is a proper national producer within the meaning of the provisions of Clause 16 of Article 1 and Article 11 of the Law.

4. Investigation of dumping facts

4.1. Procedural aspects of investigating dumping facts

As part of the investigation, the following foreign producers and/or exporters of the Goods were registered by interested parties:

- 1) originating from the People's Republic of China:
 - Zhejiang Yongkang SaiXi Industry And Trade Co., Ltd;
 - Zhejiang Wisdom Industry&Trade Co., Ltd;
 - Zhejiang Youmay Industry and Trade Co., Ltd;
 - Yongkang Huandi Cookware Co., Ltd.;
 - ZHEJIANG RONGRONG INDUSTRIAL CO., LTD.
- 2) originating from the Republic of Türkiye:
 - UNMAK HEATING SYSTEMS (ÜNMAK ISITMA SİSTEMLERİ MAKİNA SANAYİ VE TİCARET A.Ş.);
 - SANICA ISI SANAYI AS;
 - PEKPAK İNŞAAT TAAHHUT TURİZM SANAYİ VE TİCARET LTD. STİ.;
 - Eleks Foreign Trade Co., Ltd.;
 - Elba Basınclı Dokum San. AS;
 - COPA ISI SİSTEMLERİ SAN. VE. TİC. AS;
 - Türk Demir Döküm Fabrikaları A. Ş.

Given the significant number of foreign exporting producers of the Goods who registered as interested parties to the investigation, the Ministry, in accordance with Clause 10 of Article 6 of the Agreement and Articles 9 and 30 of the Law, decided to apply a selective investigation method by limiting the investigation to the largest volumes of export supplies of the Goods that can be investigated within the time limits specified by the Law.

The Ministry by letter dated 05/23/2024 No. 4411-05/37895-07 informed all registered foreign exporters and/or producers about the application of the sampling method of investigation, the list of selected foreign exporters and/or producers and provided the opportunity to express their position within seven calendar days.

No comments were received from interested parties regarding the use of a selective investigation method.

Thus, within the framework of the investigation, the Ministry investigated the facts regarding the presence of dumping in the context of the following foreign exporters and/or producers:

- Yongkang Huandi Cookware Co., Ltd. (People's Republic of China);
- Zhejiang Wisdom Industry&Trade Co., Ltd (People's Republic of China);
- SANICA ISI SANAYI AS (Republic of Türkiye);
- Elba Basınclı Dokum San. AS (Republic of Türkiye).

In accordance with Part Three of Article 13 of the Law, the Ministry, in order to obtain information for the purposes of the investigation, sent questionnaires to the specified enterprises for the foreign manufacturer and/or exporter.

Responses to the questionnaire for a foreign manufacturer and/or exporter were not provided/provided in violation of the requirements of the Law:

- SANICA ISI SANAYI AS (Republic of Türkiye) (not provided);
- Elba Basınclı Dokum San. AS (Republic of Türkiye) (not provided).

Also, no other Turkish producer or exporter provided a response to the questionnaire for a foreign producer and/or exporter.

The response of Zhejiang Wisdom Industry&Trade Co., Ltd to the questionnaire for foreign

manufacturers and/or exporters, taking into account the responses to the Ministry's additional requests, was considered incomplete within the meaning of Article 31 of the Law. Zhejiang Wisdom Industry&Trade Co., Ltd was given the opportunity to submit additional comments.

In additional comments, Zhejiang Wisdom Industry&Trade Co., Ltd, among other things, noted that:

- none of the related companies of Zhejiang Wisdom Industry&Trade Co., Ltd is related to the production and sale of the Product under investigation. The company [...];

- [...];

- [...];

- [...]

- Zhejiang Wisdom Industry&Trade Co., Ltd did not participate in government programs to receive preferential loans, subsidies and other types of state assistance regarding the Goods that are the subject of the Investigation.

The Ministry has taken into account additional comments from Zhejiang Wisdom Industry & Trade Co. , Ltd. , however , it was determined that additional adjustment of the normal value for the difference in the physical characteristics of the Goods in accordance with Article 9 of the Law, namely for the difference in the characteristics [...].

For foreign producers/exporters who duly cooperated with the Ministry in the investigation, an individual dumping margin was calculated based on the information provided in the responses to the questionnaire for the foreign producer and/or exporter, as well as other information at the disposal of the Ministry.

For foreign producers/exporters that did not cooperate or were found not to cooperate with the Ministry in the investigation, an individual dumping margin was not calculated, but was established in accordance with Article 31 of the Law on the basis of the information available to the Ministry.

4.2. Methodological aspects of investigating dumping facts

In accordance with the provisions of paragraph 4 of part five of Article 16 of the Law, the dumping margin was determined as a percentage of the customs value of the Goods.

The dumping margin was calculated using the following formula:

$$DM = (NV_{EXW} - EP_{EXW}) / EP_{border\ of\ Ukraine} * 100 \%$$

where

DM – dumping margin;

NV_{EXW} – normal value on basic terms (usually EXW);

EP_{EXW} – export price on basic terms (usually EXW);

EP_{border of Ukraine} – export price at the border of Ukraine.

DM – dumping margin

The Ministry calculated the dumping margin by making a fair comparison between the export price of the Goods and their normal value.

The comparison between the normal value determined in accordance with Article 7 of the Law and the export price determined in accordance with Article 8 of the Law shall be made in accordance with article norms 9 of the Law.

NV_{EXW} – normal value on EXW terms

According to the provisions of Article 7 of the Law, normal value is generally determined on the basis of prices established in the ordinary course of trade between independent buyers in the exporting country during the investigation period. Normal value on an EXW basis is determined by adjusting the actual transaction prices for the amounts of transport and other trading costs.

EP_{border of Ukraine} – export price on the border of Ukraine terms

In accordance with the provisions of Article 8 of the Law, the export price of goods is considered to be the price at which goods sold to Ukraine from the country of export are actually paid or payable.

EP_{EXW} – export price on EXW terms

In accordance with the provisions of Article 9 of the Law, for the purpose of determining the dumping margin, a fair comparison is made between the normal value and the export price of the goods. Such comparison is made on the basis of the same basic delivery conditions (as a rule, ex-works).

In order to ensure a fair comparison of the normal value and export price, each type of Product is assigned its own PCN code (Product Control Number) depending on the specified characteristics.

The individual dumping margin was determined for the investigation period as a percentage of the export value on the basic delivery terms CIF/DAF-border of Ukraine (or on terms equivalent to them) using the following formula.

$$DM = \sum DV_i * 100 / CIFV$$

where

CIFV – general The value of the Goods exported to Ukraine is established on CIF terms. (DAF) - the border of Ukraine (or equivalent conditions) ;

DV_i – dumping margin determined for a specific PCN code ;

At the same time, the amounts of dumping differences were determined for the investigation period by individual PCN codes as follows:

$$DV_i = (NV_{EXW_i} - EP_{EXW_i}) * Q_i,$$

where

NV_{EXW_i} – normal cost of a single PCN code under baseline conditions;

EP_{EXW_i} – export price a separate PCN code on basic terms;

Q_i – volume of exports to Ukraine a separate PCN code .

4.3. Import of Goods to Ukraine

Based on data from the State Customs Service on customs statistics of imports into Ukraine, the main exporters of Goods originating from the People's Republic of China and the Republic of Türkiye during the investigation period were identified.

Analysis of statistics on imports into Ukraine of goods under codes 7322 10 00 00, 7615 20 00 00, 7616 99 10 00 and 7616 99 90 00 according to the Ukrainian classification of goods of foreign economic activity revealed deliveries of goods that do not fall under the description of the goods under investigation. In view of the above, the Ministry carried out a sample of Goods according to the description of import operations.

Table 4.3.

Country of origin	Quantity, t	Cost, thousand US dollars	Average price, USD/t
under code 7322 19 00 00 (steel radiators) according to the Ukrainian classification of goods of foreign economic activity			
Republic of Türkiye	[...]	[...]	[...]
People's Republic of China	[...]	[...]	[...]
Together	[...]	[...]	[...]
under code 7615 20 00 00 according to the UKRAÏNÏAN CLASSÏFÏCATION OF GOODS OF FOREIGN ECONOMIC ACTIVITY			
Republic of Türkiye	[...]	[...]	[...]
People's Republic of China	[...]	[...]	[...]
Together	[...]	[...]	[...]
under codes 7616 99 10 00 and 7916 99 90 00 (aluminum and bimetallic radiators) according to the UKRAÏNÏAN CLASSÏFÏCATION OF GOODS OF FOREIGN ECONOMIC ACTIVITY			
Republic of Türkiye	[...]	[...]	[...]
People's Republic of China	[...]	[...]	[...]
Together	[...]	[...]	[...]
Product in general			
Republic of Türkiye	[...]	[...]	[...]
People's Republic of China	[...]	[...]	[...]
Together	[...]	[...]	[...]

4.4. Determination of normal value

According to paragraph 17 of Article 1 of the Law, normal value is the equivalent of the price of the Goods on the domestic market.

According to Part One of Article 7 of the Law, normal value is, as a rule, determined on the basis of prices established in the ordinary course of trade between independent buyers in the country of export.

In accordance with Part Four of Article 7 of the Law, the sales volumes of similar Goods intended for consumption in the domestic market of the exporting country are used to determine the normal value, if the volume of such sales is not less than 5 percent of the sales volumes of the specified Goods in Ukraine.

In accordance with Part Five of Article 7 of the Law, if there was no sale of a similar Product in the ordinary course of trade or this sale is insignificant, or due to the peculiarities of the domestic market of the exporting country such a sale cannot be used for an appropriate comparison, the normal value of a similar Product is determined in one of the following ways:

- 1) based on the costs of production in the country of origin, increased by a reasonable amount for selling, administrative and other general expenses and a reasonable amount for profit;
- 2) on the basis of export prices prevailing in the ordinary course of trade in the relevant third country, where the prices indicated are indicative.

4.4.1. Determination of normal value for the Republic of Türkiye

Since no Turkish producer and/or exporter that registered as part of the investigation cooperated properly by providing responses to the questionnaire for foreign producers and/or exporters, the

Ministry, in accordance with Article 31 of the Law, based its conclusions on the existence of dumping on the basis of available information, namely data from the State Enterprise "Ukrpromzovnesheexpertiza" on the sales prices of heating radiators on the domestic market of the Republic of Türkiye.

Thus, the normal value of the Goods originating in the Republic of Türkiye was [...].

4.4.2. Determination of normal value for the People's Republic of China

Special market situation in the market of the People's Republic of China

In the complaint, the national producer stated that due to the peculiarities of the economy of the People's Republic of China, when investigating the issue of dumping, first of all, it is necessary to study a number of facts during the supply of the Goods within the framework of the investigation. Thus, the European Commission, for the purposes of conducting trade investigations, published a report on significant distortions in the PRC market (EU report on significant distortion in the economy of PRC). As part of the anti-dumping investigation, when investigating the fact of dumping from the People's Republic of China, the issue of the presence of significant deformations in the PRC market ("market distortion") during the production of goods must be additionally carefully investigated, which certainly affects the amount of dumping and, accordingly, the scale of the impact of dumped imports on the national producer of Ukraine.

As part of the investigation, the Ministry investigated the impact of significant distortions in the economy of the People's Republic of China, described in the European Commission Staff Working Document on Significant Distortions in the Economy of the People's Republic of China for the purposes of Trade Defence Investigations (Commission Staff Working Document on Significant Distortions in the Economy of the People's Republic of China for the purposes of Trade Defence Investigations ⁵, SWD(2024) 91 final, 10 April 2024) (hereinafter referred to as the EC Working Document), in terms of pricing of the product under investigation and the main raw material used for its production, namely aluminum ingots.

The EC Working Document notes that the PRC is the world's largest producer of aluminium. The PRC's domestic market is largely served by large state-owned enterprises, which account for a dominant share of Chinese aluminium production and production capacity. These state-owned enterprises are the main instrument for implementing state policies. There are numerous plans, directives and other documents relating to aluminium issued at national, regional and municipal levels, which clearly demonstrate the high degree of intervention of the Chinese government in the aluminium sector. Through these and other instruments, the government largely directs and controls the development and operation of the industry.

Government intervention in the sector has taken the form of, in particular, export-related measures, including VAT refund policies and export taxes on aluminium products (e.g. primary aluminium and scrap). In addition, various types of government intervention affect key factors of production such as energy and electricity. Other types of government intervention leading to market distortions include the stockpiling policy through the NFSRA and the role of the SHFE. In addition, trade defence investigations have found that the government has consistently provided various types of state support to aluminium producers. The government's active intervention in the aluminium sector has also led to overcapacity. Although the Chinese authorities have taken various official measures to reduce overcapacity, the issue of structural overcapacity has not been resolved at the time of writing of the EC Working Document.

The information and analytical materials of the State Enterprise "Ukrpromzovnesheexpertiza" regarding the aluminum ingot market in 2023-2024 indicate that [...]. The USA is a major producer and at the same time one of the largest consumers of aluminum in the world. Considering For this,

⁵ [https://ec.europa.eu/transparency/documents-register/detail?ref=SWD\(2024\)91&lang=en](https://ec.europa.eu/transparency/documents-register/detail?ref=SWD(2024)91&lang=en)

aluminum prices in the US can be used as a benchmark .

Therefore, due to the specificities of the domestic market of the People's Republic of China, sales of the product cannot be used for a relevant comparison.

In view of this, in accordance with the provisions of Part Five of Article 7 of the Law, the normal value was determined on the basis of the costs of production in the People's Republic of China, increased by a reasonable amount for selling, administrative and other general expenses and a reasonable amount for profit.

At the same time, when determining production costs in the People's Republic of China, the Ministry adjusted the actual amounts of direct production costs for aluminum ingots in accordance with the coefficient of excess of the arithmetic mean of average prices in the United States over the average price on the market of the People's Republic of China.

The actual average values of the trading, administrative and other general costs of foreign manufacturers/exporters were taken as a reasonable level of trading, administrative and other general costs.

The reasonable amount of profit was determined based on actual data from foreign producers/exporters, and for Zhejiang Wisdom Industry&Trade Co., Ltd – based on approximate figures from other producers subject to the investigation during the production and sale of a similar product on the domestic market of the People's Republic of China.

4.5. Determination of export price

In accordance with the provisions of Article 8 of the Law, the export price is considered to be the price at which goods sold to Ukraine from the country of export are actually paid or payable.

4.5.1. Determination of the export price for the Republic of Türkiye

Since no Turkish producer and/or exporter registered in the framework of the investigation cooperated properly, the export price of the Goods originating in the Republic of Türkiye was determined according to the customs statistics of the State Customs Service of Ukraine on imports of the Goods into Ukraine. Thus, the export price of the Goods originating in the Republic of Türkiye at the border of Ukraine during the investigation period was determined at [...].

For the purposes of determining the amount of dumping, the export price on the terms of delivery CIF/CIP-border of Ukraine is adjusted by the average transport costs for delivering goods to the border with Ukraine. According to the report of the State Enterprise " Ukrpromzovnesheexpertiza " "Ukrainian market of radiators for heating in 2021-2024", radiators are delivered to Ukraine from the Republic of Türkiye in containers by sea. One 40-foot container with a volume of 67 m³ transports ~22 tons of products. Before the start of the full-scale Russian invasion in February 2022, containers were delivered by sea, from a Turkish port to a Ukrainian port. After the start of the war, containers with radiators for heating from the Republic of Türkiye are transported exclusively by road. According to the proposals of specialized transport and logistics companies, the cost of transporting products to Ukraine from the Republic of Türkiye after February 2022 was \$ 55 . USD/t (Source: [...]). The indicated cost of transportation costs includes freight, insurance, transshipment at the port of departure and reception, inspection and does not include the cost of delivery from the manufacturing plant to the seaport.

given in the Report of the State Enterprise " Ukrpromzovnesheexpertiza " did not exceed the difference between the customs and invoice values of the Goods according to the data of the customs import statistics of the State Customs Service.

4.5.2. Determination of the export price for the People's Republic of China

Since no facts were established during the investigation that would give grounds to consider

such prices unreasonable, the export price was determined according to data on sales transactions of the Goods for export to Ukraine by registered foreign exporters who duly cooperated in the investigation, namely:

Yongkang Huandi Cookware Co., Ltd.;
Zhejiang Wisdom Industry&Trade Co., Ltd.

4.6. Comparison of export price with normal value

In accordance with the provisions of Article 9 of the Law, in order to determine the dumping margin, a comparison is made between the normal value and the export price. Such a comparison is made on the basis of the same basic delivery terms (as a rule, ex-works) for sales made on the earliest date for which relevant information is available. The basic delivery terms are determined in accordance with the International Rules for the Interpretation of Commercial Terms "Incoterms". In this case, the necessary adjustment is made with due regard to the amounts of differences that affect price comparability, i.e. the differences calculated when adjusting the factors specified in paragraphs 1-11 of part four of Article 9 of the Law.

4.7. Calculation of the dumping margin

Guided by the provisions of Articles 1, 7-9 of the Law, the Ministry determines the dumping margin, the value of which is the difference by which the normal value exceeds the export price. The dumping margin is determined as a percentage of the value of the Goods on the basic terms of delivery CIF/DAF-border of Ukraine.

The dumping margin is calculated using the following formula:

$$DM = (NV_{EXW} - EP_{EXW}) / EP_{CIF} * 100\%$$

where

DM – dumping margin;

NV_{EXW} – normal value on basic terms (usually on EXW terms);

EP_{EXW} – export price on basic terms (usually on EXW terms);

EP_{CIF} – export price at the border of Ukraine (usually on CIF/DAF terms).

The Ministry calculated the dumping margin by comparing the export price and the normal value, adjusted to the same basic conditions.

4.7.1. Calculation of the dumping margin for the Republic of Türkiye

Based on the results of the calculations, the Ministry determined the following level of dumping margin for imports into Ukraine of Goods originating from the Republic of Türkiye:

Table 4.7.1 .

Period	Normal value (<i>NV_{EXW}</i>)	Export price (<i>EP_{EXW}</i>)	Export price at the border (<i>EP_{CIF}</i>)	Dumping margin (<i>DM</i>)	Share in the total value of imports of Goods from the Republic of Türkiye during the
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					investigation period
Q2 2023	[...]	[...]	[...]	[...]	[...]
Q3 2023	[...]	[...]	[...]	[...]	[...]
Q4 2023	[...]	[...]	[...]	[...]	[...]
Q1 2024	[...]	[...]	[...]	[...]	[...]
In general for the Republic of Türkiye				41.86	100

4.7.2. Calculation of the dumping margin for the People's Republic of China

The Ministry calculated the individual dumping margin by comparing the export price and the normal value, reduced to EXW delivery terms, taking into account adjustments for differences that affect price comparability, in terms of PCN codes.

The total amount of the individual dumping margin for the Goods was calculated as the weighted average of the dumping margin amounts for individual PCN codes, weighted by the volume of exports of the Goods to Ukraine.

The calculation of the individual dumping margin was carried out in pieces, which are the main unit of accounting for heating radiators from foreign manufacturers .

Confidential disclosures on the methodology for calculating individual dumping margins were sent to Yongkang Huandi Cookware Co., Ltd. and Zhejiang Wisdom Industry&Trade Co., Ltd.

Yongkang Huandi Cookware Co., Ltd. and Zhejiang Wisdom Industry&Trade Co., Ltd. submitted comments on the Ministry's calculations.

Yongkang Huandi Cookware Co., Ltd., among other things, disagreed with the existence of significant distortions in the aluminum ingot market in the People's Republic of China, believes that the United States of America, given its particular stage of economic development, is not an appropriate comparator market, and the source and methodology for calculating the average price in the United States are unreliable.

Zhejiang Wisdom Industry&Trade Co., Ltd. also stated that [...] .

It is worth noting that the EC Working Paper is a technical, fact-based document, drawing on many publicly available sources, including legislation and policy documents of the People's Republic of China, information from international organisations such as the IMF, OECD or WTO, as well as information from academic sources.

Its main findings focus on:

pervasive distortions, such as the role of the state in allocating resources and setting economic goals, the role of the planning system, and the importance of state-owned enterprises;

distortions of factors of production, such as the discriminatory nature of the distribution and access to resources: land, labor, raw materials and energy;

distortions in certain sectors, such as state support, including preferential access to financing, in specific industries.

In order to verify the information provided in the EC Working Document, the Ministry asked the State Enterprise "Ukrpromzovnesheexpertiza" to provide information, in particular, on the impact of significant distortions in the economy of the People's Republic of China on the functioning of the market for heating radiators (in particular aluminum and bimetallic) and the most representative markets for aluminum ingots. In its information and analytical materials on the aluminum ingot market in 2023-2024, the State Enterprise "Ukrpromzovnesheexpertiza" confirmed the presence of significant distortions in the economy of the People's Republic of China and noted that aluminum prices in the United States are market prices and, accordingly, can be used as a benchmark.

This benchmark should not reflect the actual market conditions in which companies operate in the People's Republic of China, but should approximate the level of prices that could be obtained in the People's Republic of China market in the absence of significant distortions in the economy.

It should also be noted that for the purpose of establishing sales that were not made in the ordinary course of trade due to price, the individual net prices of individual transactions in the DMSALES file were compared with the average full cost of the relevant type of Goods (adjusted for distortions in the People's Republic of China market) in the DMCOSTS file . At the same time, in the process of constructing the normal value, production costs could be based on data from the UACOSTS file (for types whose sales volume on the domestic market of the People's Republic of China was insufficient to determine the normal value).

At the same time, disclosure of the values of indicators determined in accordance with paragraph 1 of part twelve of Article 7 of the Law will result in a violation of the provisions of Article 32 of the Law.

The Ministry took into account individual comments from Yongkang Huandi Cookware Co., Ltd. in terms of ensuring a fair comparison of the normal value with the export price and recalculated the individual dumping margin rate. At the same time, the comments of Zhejiang Wisdom Industry&Trade Co., Ltd. did not contain sufficient evidence that could affect the calculation. individual dumping margin rates.

For other exporting producers of the Goods originating in the People's Republic of China, which were not included in the sample within the framework of the investigation, the dumping margin is set at **24.12%** . The specified dumping margin level is determined as the weighted average of the dumping margin rates calculated for those foreign exporting producers that cooperated during the investigation, excluding zero and de minimis dumping margins.

For other exporting producers of the Goods originating in the People's Republic of China who did not cooperate with the Ministry in the investigation, the dumping margin is set at the level of the previous dumping margin, namely **42%** .

Thus, based on the results of the calculations and taking into account the comments of interested parties to the investigation, the Ministry determined the following dumping margin rates:

Table 4.7.2.

Foreign manufacturer/exporter	Individual dumping margin, %
Yongkang Huandi Cookware Co., Ltd.	23.30
Zhejiang Wisdom Industry&Trade Co., Ltd.	25.19
Zhejiang Yongkang SaiXi Industry And Trade Co., Ltd Zhejiang Youmay Industry and Trade Co., Ltd ZHEJIANG RONGRONG INDUSTRIAL CO., LTD	24.12
other manufacturers and exporters of goods from the PRC	42.00

According to the calculations conducted by the Ministry, the established amount of the dumping margin for imports into Ukraine of Goods originating in the Republic of Türkiye and the People's Republic of China is higher than the minimum amount (2%) within the meaning of the provisions of Article 16 of the Law.

The Ministry's conclusion to the section

As a result of the calculations, the Ministry concluded that during the investigation period there were facts of dumping when importing goods originating in the Republic of Türkiye and the People's Republic of China into Ukraine.

The following dumping margin sizes have been established:

for manufacturers and exporters of Goods originating from the Republic of Türkiye – 41.86%;

for the exporting manufacturer Yongkang Huandi Cookware Co., Ltd. – 23.30%;

for the exporting manufacturer Zhejiang Wisdom Industry&Trade Co., Ltd. – 25.19%;

for the exporting manufacturer Zhejiang Yongkang SaiXi Industry And Trade Co., Ltd – 24.12%;
for the exporting manufacturer Zhejiang Youmay Industry and Trade Co., Ltd – 24.12%;
for the exporting manufacturer ZHEJIANG RONGRONG INDUSTRIAL CO., LTD – 24.12%;
for other producers and exporters originating from the People's Republic of China – 42.00%.

5. Establishing the fact of causing damage to a sector of the Ukrainian economy

5.1. Research into the financial and economic situation of a national producer

According to the information provided in the responses of the national producer (SUN TECH RAY LLC and UTERM UKRAINE LLC) to the questionnaire for the domestic producer and additional requests, in order to study the impact of dumped imports on the national producer, the Ministry, in accordance with the provisions of Part Five of Article 10 of the Law, investigated the economic factors and financial and economic indicators of the national producer.

For a clear demonstration of the calculation results, the data in the tables are rounded.

Table 5.1.1.

Indicators	20 21 years	20 22 years	202 3 years	II quarter. 202 3 – Q1 2024
Volumes of production of the Goods by the national producer, tons	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-68.2	-37.6	24, 7
<i>Dynamics compared to the base year, %</i>	0	-68.2	-80.1	-75.2
Production capacity, tons	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-27.5	6.3	10.8
<i>Dynamics compared to the base year, %</i>	0	-27.5	- 23.0	-14.6
Production capacity utilization rate, %	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-56.1	-41, 3	12.5
<i>Dynamics compared to the base year, %</i>	0	-56.1	-74.2	-71.0
Volumes of idle production capacities, tons	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	33.8	25.4	6.7
<i>Dynamics compared to the base year, %</i>	0	33.8	67.8	79.1
Production volumes of steel radiators by the national producer, tons	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-69.5	-34.2	22.2
<i>Dynamics compared to the base year, %</i>	0	-69.5	-79.9	-75.5
Production volumes of aluminum and bimetallic radiators by national producers, tons	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-49.9	-66.3	65.0
<i>Dynamics compared to the base year, %</i>	0	-49.9	-83.1	-72.2

As shown in Table 5.1.1, during the study period, the production volumes of the Goods by the national producer decreased by 75.2%, production capacities by 14.6%, and the level of utilization of production capacities by 71.0%. In particular, in 2022, both the production volumes of the national producer decreased rapidly by 68.2 % and the volumes of its production capacities by 27.5 % .

In 2023, production capacity gradually recovered, but production volumes continued to decline, which led to a reduction in the level of production capacity utilization. The fourth period saw a moderate recovery in both production volumes and capacity utilization. However, these indicators were still significantly lower than in 2021.

The production volumes of both steel and aluminum and bimetallic radiators decreased sharply in 2022 and 2023, and partially recovered in the latter period. At the same time, the decrease in the

production of steel radiators was more significant compared to the previous period in 2022, while that of aluminum and bimetallic radiators was more significant in 2023. The production volumes of steel radiators in general decreased by 75.5% during the study period, and that of aluminum and bimetallic radiators by 72.2%.

Idle capacity volumes increased throughout the study period.

Table 5.1.2.

Indicators	20 21 years	20 22 years	202 3 years	Q2 2023 – Q1 2024
Sales volumes on the domestic market, tons	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-61.3	25.8	17.8
<i>Dynamics compared to the base year, %</i>	0	-61.3	-51.4	-42.7
Consumption of Goods in Ukraine*, t	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-60.2	21.9	14.9
<i>Dynamics compared to the base year, %</i>	0	-60.2	-51.5	-44.2
Share of national producer in consumption, %	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-2.9	3.2	2.6
<i>Dynamics compared to the base year, %</i>	0	-2.9	0.2	2.7
Sales volumes of steel radiators on the domestic market, tons	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-63.4	32.8	18.1
<i>Dynamics compared to the base year, %</i>	0	-63.4	-51.4	-42.6
Sales volumes of aluminum and bimetallic radiators on the domestic market, tons	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-36.0	-23.2	14.5
<i>Dynamics compared to the base year, %</i>	0	-36.0	-50.9	-43.8

* Calculated as: sales volume by a national producer on the domestic market + import volume

The dynamics of sales volumes by national producers of goods on the domestic market of Ukraine generally correlated with the dynamics of consumption - a rapid decline in 2022 and a gradual recovery in subsequent years. Despite a reduction of 42.7 % of sales volumes of the Goods in absolute terms, the share of the national producer in the Goods market in Ukraine during the study period minimally increased from [...] to [...].

The dynamics of fluctuations in sales volumes by main types of Goods was similar to the trends in sales of Goods in general. In addition, after a sharp decline in the second period, a partial recovery of sales volumes of steel radiators began in the third, while aluminum and bimetallic ones - in the fourth period. In general, during the study period, sales volumes of steel radiators decreased by 42.6%, and aluminum and bimetallic ones - by 43.8%.

Table 5.1.3.1

Indicators	20 21 years	20 22 years	202 3 years	II quarter. 202 3 – Q1 2024
Average selling price of similar goods (steel radiators) on the domestic market, UAH/t	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	51.0	0.0	-11.3

Indicators	20 21 years	20 22 years	202 3 years	II quarter. 2023 – Q1 2024
<i>Dynamics compared to the base year, %</i>	0.0	51.0	51.1	34.0
Cost price of similar goods (steel radiators), UAH/t	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	80.3	5.2	-5.7
<i>Dynamics compared to the base year, %</i>	0.0	80.3	89.6	78.8
Price to cost ratio	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-16.2	-4.9	-6.0
<i>Dynamics compared to the base year, %</i>	0.0	-16.2	-20.3	-25.1
Average selling price of similar Goods (steel radiators) on the domestic market *, USD/ t	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	27.4	-11.5	-12.3
<i>Dynamics compared to the base year, %</i>	0.0	27.4	12.7	-1.1
Cost price of similar Goods (steel radiators)*, USD/ t	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	52.1	-7.0	-6.7
<i>Dynamics compared to the base year, %</i>	0.0	52.1	41.4	32.0
Price to cost ratio	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-16.2	-4.9	-6.0
<i>Dynamics compared to the base year, %</i>	0.0	-16.2	-20.3	-25.1

* Calculated by the Ministry as a weighted average indicator for enterprises of the national commodity producer at the average exchange rate of the NBU⁶

The average price and cost of steel radiators of the national producer, which were sold on the domestic market of Ukraine, in dollar equivalent had a sharp increase in 2022 with a further decrease in subsequent periods. At the same time, despite the relatively stable cost indicators, the average prices of the national producer have been decreasing in recent periods. The average prices of the national producer in hryvnia equivalent during the study period increased by 34.0% with a cost increase of 78.8%. [...]

Table 5.1.3.2

Indicators	20 21 years	20 22 years	202 3 years	II quarter. 2023 – Q1 2024
Average selling price of similar goods (aluminum and bimetallic radiators) on the domestic market, UAH/t	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	48.4	-2.1	-3.8
<i>Dynamics compared to the base year, %</i>	0.0	48.4	45.2	39.6
Cost price of similar goods (aluminum and bimetallic radiators), UAH/t	[...]	[...]	[...]	[...]

⁶ <https://bank.gov.ua/ua/markets/exchangerates>

Indicators	20 21 years	20 22 years	202 3 years	II quarter. 202 3 – Q1 2024
<i>Dynamics compared to the previous year, %</i>	-	82.0	-10.8	10.9
<i>Dynamics compared to the base year, %</i>	0.0	82.0	62.4	80.2
Price to cost ratio	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-18.5	9.6	-13.3
<i>Dynamics compared to the base year, %</i>	0.0	-18.5	-10.6	-22.5
Average selling price of similar Goods (aluminum and bimetallic radiators) on the domestic market*, USD/ t	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	25.2	-13.5	-4.9
<i>Dynamics compared to the base year, %</i>	0.0	25.2	8.3	3.0
Cost price of similar Goods (aluminum and bimetallic radiators)*, USD/ t	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	53.6	-21.1	9.7
<i>Dynamics compared to the base year, %</i>	0.0	53.6	21.2	33.0
Price to cost ratio	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-18.5	9.6	-13.3
<i>Dynamics compared to the base year, %</i>	0.0	-18.5	-10.6	-22.5

* Calculated by the Ministry at the average NBU exchange rate

The average price and cost of aluminum and bimetallic radiators of the national producer in dollar equivalent, which were sold on the domestic market of Ukraine, had a jump-like growth in 2022 with a subsequent decrease. At the same time, despite the increase in cost in the fourth period by 9.7% compared to the previous one, the average prices of the national producer, on the contrary, decreased by 4.9%. The average prices of the national producer in hryvnia equivalent during the study period increased by 39.6 % with an increase in cost by 80.2 %. [...]

Table 5.1.4.

Indicator	20 21 years	20 22 years	202 3 years	II quarter. 202 3 – Q1 2024
Remains of similar goods at the end of the period, tons	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	4.7	-63.9	-3.9
<i>Dynamics compared to the base year, %</i>	0	4.7	-62.1	-63.6

The volume of residues of a similar product of a national commodity producer (as of the end of the corresponding annual period) after a slight increase in 2022, significantly decreased in 2023 (by 63.9% compared to 2022). As of the end of the last period, the volume of residues decreased slightly further, their level did not exceed [...] the sales volume.

Table 5.1.5.

Indicator	20 21 years	20 22 years	202 3 years	II quarter. 202 3 – Q1 2024
Financial result from sales to the domestic market, thousand UAH	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	763.7	-72.2	-117.4

Indicator	20 21 years	20 22 years	202 3 years	II quarter. 202 3 – Q1 2024
<i>Dynamics compared to the base year, %</i>	0	763.7	140.1	-141.8
Financial result from sales to the domestic market*, thousand US dollars	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	628.6	-75.4	-117.2
<i>Dynamics compared to the base year, %</i>	0	628.6	79.1	-130.8
Profitability of sales of the Goods on the domestic market**, %	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	1,072.5	-77.3	-115.3
<i>Dynamics compared to the base year, %</i>	0	1,072.5	166.2	-140.8

*Calculated at the average NBU exchange rate

**Calculated by the Ministry (as a percentage of the full cost)

During the study period, there was a deterioration in the financial result from the sale of similar Goods by a national producer on the domestic market. in in hryvnia equivalent by 141.8 %, in dollar equivalent – by 130.8 %, and the profitability indicator – by 140.8 %.

Table 5.1.6.

Indicator	20 21 years	20 22 years	202 3 years	II quarter. 202 3 – Q1 2024
Employment (average), people	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-27.1	-10.6	3.0
<i>Dynamics compared to the base year, %</i>	0	-27.1	-34.8	-32.9
Number of employees involved in the production of such Goods, people.	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-21.7	-11.7	0.4
<i>Dynamics compared to the base year, %</i>	0	-21.7	-30.9	-30.6
Average salary of employees involved in the production of similar Goods*, UAH/person.	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-28.1	106.2	1.8
<i>Dynamics compared to the base year, %</i>	0	-28.1	48.3	51.0
Average salary of employees involved in the production of similar Goods**, USD/person.	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-39.3	82, 4	0.7
<i>Dynamics compared to the base year, %</i>	0	-39.3	10, 7	11.4
Labor productivity, tons/person.	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-59.4	-29.2	24.1
<i>Dynamics compared to the base year, %</i>	0	-59.4	-71.3	-64.3

*Calculated by the Ministry as a weighted average indicator for enterprises of the national commodity producer

**Calculated by the Ministry at the average NBU exchange rate

The employment level of the national producer declined significantly during 2022-2023. In the fourth period, there was a slight increase compared to the previous one, but the decrease compared to the baseline was still significant (by 32.9%).

Expressed in US dollars, the average wage level of employees involved in the production of a similar Product had a situational decrease in 2022 by 39.3 % , but already in 2023 it exceeded the 2021 figure and showed minimal growth in the fourth period. During the study period, the figure increased by 11.4%.

The sharp decline in labor productivity in 2022 is associated with a significant decrease in production volumes with a less sharp reduction in the number of personnel involved in production. The increase in production in the recent period resulted in a partial recovery in the level of the productivity indicator, which, however, overall decreased by 64.3% during the study period.

Table 5.1.7.

Indicator	20 21 years	20 22 years	202 3 years	II quarter. 202 3 – Q1 2024
Volume of investments made, thousand UAH	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-89.4	29.8	99.8
<i>Dynamics compared to the base year, %</i>	0	-89.4	-86.2	-72.4
Volume of investments made*, thousand USD	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-91.0	14.9	97.7
<i>Dynamics compared to the base year, %</i>	0	-91.0	-89.7	-79.6
Liquidity	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	26.0	0.6	0.6
<i>Dynamics compared to the base year, %</i>	0	26.0	26.7	27.4

*Calculated by the Ministry at the average NBU exchange rate

Investment volumes in the face of growing market uncertainty in 2022 in dollar terms decreased by more than 10 times, and during the study period, despite gradual growth in the third and fourth periods, by 79.6%. Investment volumes in hryvnia equivalent decreased by 72.4%. The current liquidity ratio of the national commodity producer increased by 27.4% during the study period. %.

Table 5.1. 8.

Indicator	2021	2022	2023	II quarter. 202 3 – Q1 2024
Balance of funds at the end of the period, thousand UAH	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	202.1	103.9	-30.8
<i>Dynamics compared to the base year, %</i>	0.0	202.1	516.1	326.4
Balance of funds at the end of the period*, thousand USD	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	154.9	80.3	-31.5
<i>Dynamics compared to the base year, %</i>	0.0	154.9	359.7	214.7

*Calculated by the Ministry at the average NBU exchange rate

The balance of funds of the national commodity producer, both in hryvnia and dollar equivalents, during the study period demonstrates unstable dynamics: there is a sharp increase at the end of 2022-2023 compared to 2021 and a sharp decrease at the end of the latter period. In general, during the study period, the balance of funds in hryvnia equivalent increased by 326.4%, and in dollar equivalent - by 214.7%.

Regarding the attraction of financial resources, the national producer is making maximum efforts to accumulate funds and develop production. Within the framework of the USAID project "Investments for Business Sustainability", the company LLC "UTERM UKRAINE" received [...] million USD: USD [...] million in the form of a grant from USAID and another USD [...] million in the form of a loan from Vostok Bank. This project is a five-year initiative implemented by DAI Global to promote systemic changes in the Ukrainian economy and expand access to financing for Ukrainian businesses.

The study conducted by the Ministry confirmed the deterioration of the following main financial and economic indicators of the national producer during the study period:

- reduction in production volumes by 75.2%;
- reduction in production capacity by 14.6%;
- reduction in the level of utilization of production capacities by 71.0%;
- increase in idle capacity by 79.1 %;
- reduction in sales volumes of similar goods on the domestic market by 42.7%;
- a decrease in the average selling price of steel radiators on the domestic market relative to their cost price by 25.1%;
- a decrease in the average selling price of aluminum and bimetallic radiators on the domestic market relative to their cost price by 22.5%;
- deterioration of the financial result from the sale of Goods on the domestic market of Ukraine in dollar equivalent by 130.8 %;
- deterioration of the profitability indicator of the sale of Goods on the domestic market of Ukraine by 140.8 %;
- reduction in total employment by 32.9%, those involved in the production and sale of Goods by 30.6%;
- decrease in labor productivity by 64.3%;
- a decrease in the volume of investments made in dollar terms by 79.6%.

At the same time, during the study period, improvements were recorded in the following indicators of the national producer:

- increase in the share of the national commodity producer in the Ukrainian goods market by 2.7%;
- reduction of goods in warehouses by 63.6%;
- an increase in the average salary of employees involved in the production of a similar Product in US dollars by 11.4%;
- increase in liquidity by 27.4%;
- growth in the balance of funds in US dollars as of the end of the period by 214.7%.

During the investigation period, compared to the previous period, the following indicators deteriorated:

- increase in idle capacity by 6.8 %;
- a decrease in the average selling price of steel radiators on the domestic market relative to their cost price by 6.0%;
- a decrease in the average selling price of aluminum and bimetallic radiators on the domestic market relative to their cost price by 13.3 %;

- deterioration of the financial result from the sale of Goods on the domestic market of Ukraine in dollar equivalent by 81.5%;
- deterioration of the profitability indicator of the sale of Goods on the domestic market of Ukraine by 61.7%;
- a decrease in the balance of funds in US dollars as of the end of the period by 31.5%.

At the same time, some indicators remained at the same level, in particular, employment in production and sales, average salary (in dollar equivalent), liquidity. While other indicators showed a positive trend in the investigation period compared to the previous period, namely:

- production volume growth by 24.7%;
- growth in production capacity by 10.8%;
- increase in the level of utilization of production capacities by 14.5%;
- increase in sales volumes of similar goods on the domestic market by 17.8%;
- increase in the share of the national commodity producer in the Ukrainian commodity market by 2.6%;
- reduction of the balance of Goods in warehouses by 3.9%;
- growth in total employment by 3.0%;
- labor productivity growth by 24.1%;
- an increase in the volume of investments made in dollar terms by 97.7%.

5.2. Investigation of the likelihood of causing material injury to a domestic producer during the investigation

In accordance with Part Ten of Article 10 of the Law, the Ministry investigated the facts of the threat of causing significant harm to a national producer.

Growth rates of dumped imports

During the investigation period, the volume of dumped imports of the Goods originating in the Republic of Türkiye and the People's Republic of China decreased by 30.5%. At the same time, its share in total imports was significant and increased from [...] to [...], and in consumption – from [...] to [...]. Dumped imports relative to the production of similar goods in Ukraine increased by 108.8% during the study period.

Export potential of the Republic of Türkiye and the People's Republic of China

At the same time, the production capacities available to Chinese and Turkish enterprises, including their spare capacities, indicate significant export potential and can be used to increase exports, in particular to Ukraine.

Table 5.2.1.

Indicators	2021	2022	2023
Production capacity steel radiators in the PRC, thousand tons	[...]	[...]	[...]
<i>Dynamics compared to the previous period, %</i>	-	2.7	0.9
<i>Dynamics compared to the base period, %</i>	100	2.7	3.6
Production steel radiators in the PRC, thousand tons	[...]	[...]	[...]
<i>Dynamics compared to the previous period, %</i>	-	1.5	-0.1
<i>Dynamics compared to the base period, %</i>	100	1.5	1.4
Capacity utilization in the PRC, %	[...]	[...]	[...]
<i>Dynamics compared to the previous period, %</i>	-	-1.2	-0.9
<i>Dynamics compared to the base period, %</i>	100	-1.2	-2.1
Volume of unused capacities in the PRC, thousand tons	[...]	[...]	[...]
<i>Dynamics compared to the previous period, %</i>	-	6.3	3.5
<i>Dynamics compared to the base period, %</i>	100	6.3	10.0

Indicators	2021	2022	2023
Production capacity of steel radiators in Türkiye, thousand tons	[...]	[...]	[...]
<i>Dynamics compared to the previous period, %</i>	-	1.6	0.0
<i>Dynamics compared to the base period, %</i>	100	1.6	1.6
Production steel radiators in Türkiye, thousand tons	[...]	[...]	[...]
<i>Dynamics compared to the previous period, %</i>	-	1.0	-0.4
<i>Dynamics compared to the base period, %</i>	100	1.0	0.6
Capacity utilization in Türkiye, %	[...]	[...]	[...]
<i>Dynamics compared to the previous period, %</i>	-	-0.6	-0.4
<i>Dynamics compared to the base period, %</i>	100	-0.6	-1.1
Volume of unused capacities in Türkiye, thousand tons	[...]	[...]	[...]
<i>Dynamics compared to the previous period, %</i>	-	3.8	1.4
<i>Dynamics compared to the base period, %</i>	100	3.8	5.2

Source: Report of the State Enterprise "Ukrpromzovnesheptiza" [...]

The analysis found that during 2021-2023, the production capacity of steel radiators of Chinese and Turkish manufacturers increased slightly (by 3.6% and 1.6% in 2023 compared to 2021, respectively). Production volumes also grew, but at a slower pace than production capacity (by 1.4% and 0.6% in 2023 compared to 2021, respectively). This led to an increase in the volume of unused production capacity during the study period (by 10% and 5.2%, respectively). Thus, in the fourth annual period, the total indicator of unused capacity amounted to [...] thousand tons/year.

Table 5.2.2.

Indicators	2021	2022	2023
Production capacity aluminum and bimetallic radiators in the PRC, thousand tons	[...]	[...]	[...]
<i>Dynamics compared to the previous period, %</i>	-	1.6	0.4
<i>Dynamics compared to the base period, %</i>	100	1.6	2.0
Production aluminum and bimetallic radiators in the PRC, thousand tons	[...]	[...]	[...]
<i>Dynamics compared to the previous period, %</i>	-	0.6	-1.1
<i>Dynamics compared to the base period, %</i>	100	0.6	-0.5
Capacity utilization in the PRC, %	[...]	[...]	[...]
<i>Dynamics compared to the previous period, %</i>	-	-1.0	-1.5
<i>Dynamics compared to the base period, %</i>	100	-1.0	-2.4
Volume of unused capacities in the PRC, thousand tons	[...]	[...]	[...]
<i>Dynamics compared to the previous period, %</i>	-	6.5	7.4
<i>Dynamics compared to the base period, %</i>	100	6.5	14.4
Production capacity of aluminum and bimetallic radiators in Türkiye, thousand tons	[...]	[...]	[...]
<i>Dynamics compared to the previous period, %</i>	-	0.0	0.0
<i>Dynamics compared to the base period, %</i>	100	0.0	0.0
Production aluminum and bimetallic radiators in Türkiye, thousand tons	[...]	[...]	[...]
<i>Dynamics compared to the previous period, %</i>	-	6.3	-2.9
<i>Dynamics compared to the base period, %</i>	100	6.3	3.1
Capacity utilization in Türkiye, %	[...]	[...]	[...]
<i>Dynamics compared to the previous period, %</i>	-	6.3	-2.9
<i>Dynamics compared to the base period, %</i>	100	6.3	3.1
Volume of unused capacities in Türkiye, thousand tons	[...]	[...]	[...]

Indicators	2021	2022	2023
<i>Dynamics compared to the previous period, %</i>	-	-15.4	9.1
<i>Dynamics compared to the base period, %</i>	100	-15.4	-7.7

Source: Report of the State Enterprise "Ukrpromzovnesheptiza" [...]

During 2021-2023, the production capacity of aluminum and bimetallic radiators of Chinese manufacturers increased slightly (by 2%), while that of Turkish manufacturers remained at the same level. The production volumes of Chinese manufacturers decreased by 0.5 %, which led to an increase in idle production capacity by 14.4 %. The production volumes of Turkish producers, on the contrary, increased by 3.1 %, and idle production capacity decreased by 7.7 %. However, it is worth noting that the production capacities and production volumes of aluminum and bimetallic radiators in the Republic of Türkiye are only [...] % of the similar indicators in the People's Republic of China. The total idle production capacity amounted to [...] thousand tons.

The total volume of unused production capacity of the Goods in the Republic of Türkiye and the People's Republic of China ([...] million tons) exceeded the volume of consumption of similar goods in Ukraine ([...] thousand tons) by tens of times.

Table 5.2.3.

Indicators	2021	2022	2023	II quarter. 2023 – Q1 2024
Total exports of steel radiators from Türkiye and the PRC, thousand tons	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous period, %</i>	-	-26.7	-6.9	3.9
<i>Dynamics compared to the base period, %</i>	100	-26.7	-31.8	-29.1
Export volumes of steel radiators from Türkiye and the PRC to Ukraine, thousand tons	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous period, %</i>	-	-63.7	49.7	16.0
<i>Dynamics compared to the base period, %</i>	100	-63.7	-45.7	-37.0
Share of steel radiator exports in production in Türkiye and China, %	[...]	[...]	[...]	n/a

Source: State Enterprise "Ukrpromzovnesheptiza" [...]

During the study period, total exports of steel radiators from the Republic of Türkiye and the People's Republic of China decreased by 29.1% compared to the base period, and exports to Ukraine by 37.0%. It is worth noting that the share of exports of steel radiators in total production volumes by Turkish and Chinese manufacturers decreased and in the fourth annual period amounted to [...]. At the same time, the share of exports in the volumes of Chinese production amounted to [...] in the fourth period, while in the volumes of Turkish production [...].

Table 5.2.4.

Indicators	2021	2022	2023	II quarter. 2023 – Q1 2024
Total export volumes of aluminum and bimetallic radiators from Türkiye and the PRC, thousand tons	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous period, %</i>	-	2.3	-0.1	2.1
<i>Dynamics compared to the base period, %</i>	100	2.3	2.2	4.4
Export volumes of aluminum and bimetallic radiators from Türkiye and the PRC to Ukraine, thousand tons	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous period, %</i>	-	-66.8	73.3	36.2
<i>Dynamics compared to the base period, %</i>	100	-66.8	-42.5	-21.7

Share of exports of aluminum and bimetallic radiators in production in Türkiye and China, %	[...]	[...]	[...]	<i>n/a</i>
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Source: State Enterprise "Ukrpromzovnesheexpertiza" [...]

During the study period, total exports of aluminum and bimetallic radiators from the Republic of Türkiye and the People's Republic of China increased by 4.4% compared to the base period, while exports to Ukraine decreased by 21.7%. The share of aluminum and bimetallic radiators in total exports increased and in the third annual period amounted to [...] .

Thus, the Chinese and Turkish industries have significant unused capacities for the production of heating radiators, which significantly exceed the volumes of consumption of the Goods in Ukraine and can be used, in particular, to increase exports of the Goods to Ukraine at dumped prices.

During the investigation period, the following anti-dumping measures were in force on heating radiators originating in the People's Republic of China:

1. Argentina: definitive anti-dumping duty on imports of household aluminum radiators of 87%⁷.
2. European Union: definitive anti-dumping duty on imports of aluminum radiators in the amount of 12.6-61.4%⁸.

On 15.10.2024, Implementing Regulation EC 2024/2661 of 14.10.2024 was published in the Official Journal of the European Union⁹, according to which the definitive anti-dumping duty on imports of aluminum radiators, elements or sections of which such radiators consist, regardless of whether such elements are assembled into blocks or not, originating in the People's Republic of China was extended until 16.10.2029.

5.3. Calculation of the damage margin

The calculation of the damage margin for the Goods is carried out according to the formula:

$$IM = (NIP - IP) * 100\% / EP \text{ border of Ukraine ,}$$

where

IM – damage margin;

NIP – the price at which no harm is caused to the national producer;

IP – import price;

EP border of Ukraine – export price at the border of Ukraine.

According to the information provided by LLC "UTERM UKRAINE", the level of profitability from [...] to [...] is optimal for ensuring not only stable operation, but also active development of the enterprise. [...]

According to the information provided by LLC "SUN TECH RAI", the profitability level [...].

In view of the above, the Ministry has determined that the profitability indicator at the level of [...] is sufficient for the normal and effective functioning of the enterprise .

The import duty rate for steel radiators originating in the Republic of Türkiye and the People's Republic of China during the investigation period was 5%.

The import duty rate for aluminum and bimetallic radiators originating in the Republic of Türkiye and the People's Republic of China during the investigation period was 0%.

[...]

Thus, the calculated damage margin is:

⁷ <https://www.argentina.gob.ar/normativa/nacional/resoluci%C3%B3n-1283-2019-332015/texto>

⁸ <https://eur-lex.europa.eu/eli/reg/impl/2019/59/oj>

⁹ <https://eur-lex.europa.eu/eli/reg/impl/2024/2661/oj/eng>

for Goods originating from the Republic of Türkiye – **37.35 %** ,
for Goods originating from the People's Republic of China – **130.97 %** .

5.4. Stakeholder comments

In their comments, the interested parties emphasized the absence of injury caused to the national producer by imports of Goods originating in the Republic of Türkiye and the People's Republic of China. In their opinion, the deterioration of the situation of the national producer in 2022-2023 was caused by the large-scale war and a number of negative factors of a legal, financial, organizational, logistical and security nature associated with this.

In addition, the sales volumes of the Goods by the national producer, after a reduction in 2022, are growing significantly in the third and fourth annual periods, outpacing the growth dynamics of consumption volumes. The share of the national producer in consumption has been growing not only compared to the previous year, but even compared to 2021.

The net income indicator of LLC "SUN TECH RAI" demonstrates a positive trend from year to year , despite the beginning of the full-scale aggression of Russia against Ukraine in 2022 and its continuation to this time. The indicators of LLC "UTERM UKRAINE" demonstrate an objective negative trend due to the fact that the specified enterprise was located in the city of Chuguiv, Kharkiv region, at the beginning of the full-scale invasion, and then moved to the city of Bila Tserkva, Kyiv region, and therefore was forced to stop production and sales of goods. The relocation process, the stop and start of production at a new location, as well as long and costly commissioning work led to significant additional costs and a significant increase in the cost of manufactured products. Therefore, a significant and sharp increase in the cost of production of the Applicant's goods, which produces steel radiators, was the result of extraordinary circumstances caused by the beginning of a full-scale war and the relocation of the enterprise. Such an extraordinary increase of a subjective nature in market conditions cannot be automatically converted into a proportional significant and sharp increase in the selling price of the goods. Accordingly, imports of the Goods originating in the PRC and the Republic of Tajikistan are not related to such negative trends.

In addition, the Applicant provided different indicators regarding its financial situation in the information that served as the basis for the decision to impose preliminary anti-dumping measures and in the responses to the questionnaire for the domestic producer, which significantly differ from the public data, therefore there is no reason to trust the Applicant's arguments about a significant deterioration in its financial situation.

The Ministry took these comments into account when examining the cause of material injury to the domestic producer and examined the impact of other factors in Section 6.

It is worth noting that trends towards an increase in the cost of production of Goods, in particular steel radiators for heating, are characteristic of both enterprises of the national producer.

At the Ministry's request, in particular regarding the identified discrepancies in the indicators on which the previous conclusions were based, the national producer reported that [...] . The updated and clarified data confirmed the Ministry's previous conclusions on the existence of material injury to the national producer.

The financial result of the overall activity of the national producer (collectively across all areas and sectors), which was generally profitable, also demonstrated negative dynamics during the study period. At the same time, the assessment of the state of the national producer and the presence of significant damage was carried out on the basis of its activity indicators specifically in the field of production and sale of Goods on the domestic market of Ukraine.

The Ministry's conclusion to the section

The study conducted by the Ministry confirmed the fact of the deterioration of the main financial and economic indicators of the enterprises of the national commodity producer during the

study period and the presence of significant damage to the national commodity producer, which was established when introducing previous anti-dumping measures.

At the same time, taking into account the significant export potential in the Republic of Türkiye and the People's Republic of China , there is a possibility of an increase in the volume of dumped imports into Ukraine of goods originating from these countries, which may threaten to cause significant harm to the national producer in the future.

6. Research into the causal link between dumped imports and injury caused to the national producer

6.1. Research on the volume of dumped imports and market distribution

Based on the data obtained during the investigation from the State Customs Service, the national producer, as well as the Ministry's calculated data, in accordance with Article 10 of the Law, the Ministry investigated whether there was a significant increase in dumped imports into Ukraine of the Goods that are the subject of the investigation, either in absolute terms or relative to the production or consumption of the Goods in Ukraine during the investigation period.

Analysis of import statistics of goods under codes 7322 10 00 00, 7616 99 10 00 and 7616 99 90 00 according to the Ukrainian classification of goods of foreign economic activity revealed deliveries of goods that do not fall under the description of the Goods that are the subject of the investigation. In view of the above, the Ministry carried out a sample of the Goods according to their description based on detailed customs statistics of the State Customs Service and took into account the volumes and value of imports of the Goods only.

During the study period, the share of import volumes of Goods originating from the Republic of Türkiye was more than 3 % of the total volume of imports of Goods into Ukraine, the share of imports of Goods originating from the People's Republic of China also amounted to more than 3 % of the total volume of imports of goods into Ukraine.

Taking into account the established facts that the dumping margin established in relation to imports from the People's Republic of China and the Republic of Türkiye is higher than the de minimis level, the volume of imports from the People's Republic of China and the Republic of Türkiye cannot be determined as insignificant separately, and the cumulative assessment of the impact of imports corresponds to the conditions of competition between imported Goods and the conditions of competition between imported goods and similar goods, the impact of these imports in accordance with Part Four of Article 10 of the Law is assessed cumulatively.

Table 6.1.

Indicator	20 21 years	20 22 years	202 3 years	II quarter. 202 3 – Q1 2024
Total import volume Goods, tons	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-59.6	20.0	13.3
<i>Dynamics compared to the base year, %</i>	0	-59.6	-51.5	-45.1
Value of total imports of Goods, USD	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-53.8	20.9	13.0
<i>Dynamics compared to the base year, %</i>	0	-53.8	-44.1	-36.8
Volume of imports of goods originating from Türkiye and the PRC, tons	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-54.0	31.1	15.4
<i>Dynamics compared to the base year, %</i>	0	-54.0	-39.8	-30.5
Cost of import of Goods originating from Türkiye and the PRC, USD	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-46.2	32.0	14.4
<i>Dynamics compared to the base year, %</i>	0	-46.2	-28.9	-18.7

Indicator	20 21 years	20 22 years	202 3 years	II quarter. 202 3 – Q1 2024
Volume of imports of goods originating from third countries, tons	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-66.3	1.6	8.9
<i>Dynamics compared to the base year, %</i>	0	-66.3	-65.7	-62.7
Cost of import of Goods originating from third countries, USD USA	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-60.7	7.0	10.8
<i>Dynamics compared to the base year, %</i>	0	-60.7	-58.0	-53.4
Share of imports of goods originating in Türkiye and the PRC in total imports, %	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	13.7	9.3	1.9
<i>Dynamics compared to the base year, %</i>	0	13.7	24.3	26.6
Share of imports of goods from third countries in total imports, %	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-16.6	-15.3	-3.9
<i>Dynamics compared to the base year, %</i>	0	-16.6	-29.3	-32.1
Consumption in Ukraine of the Product *, t	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-60.2	21.9	14.9
<i>Dynamics compared to the base year, %</i>	0	-60.2	-51.5	-44.2
Share of imports of goods originating from Türkiye and the PRC in consumption, %	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	15.5	7.5	0.5
<i>Dynamics compared to the base year, %</i>	0.0	15.5	24.1	24.7
Share of imports of goods from third countries in consumption, %	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-15.3	-16.6	-5.2
<i>Dynamics compared to the base year, %</i>	0	-15.3	-29.4	-33.1
Share of national producer in consumption, %	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-2.9	3.2	2.6
<i>Dynamics compared to the base year, %</i>	0	-2.9	0.2	2.7
Production volume in Ukraine of similar goods, tons	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-68.2	-37.6	24.7
<i>Dynamics compared to the base year, %</i>	0	-68.2	-80.1	-75.2
Share of imports of goods originating from Türkiye and the PRC relative to production in Ukraine, %	[...]	[...]	[...]	[...]

Indicator	20 21 years	20 22 years	202 3 years	II quarter. 202 3 – Q1 2024
<i>Dynamics compared to the previous year, %</i>	-	44.5	109.9	-7.4
<i>Dynamics compared to the base year, %</i>	0	44.5	203.3	180.8

**Calculated as Total sales volume of similar goods in Ukraine + Total import volume of Goods into Ukraine*

As the analysis shows, during the study period The dynamics of total imports correlated with the dynamics of consumption of the Goods in Ukraine, in particular, in 2022 imports sharply decreased by 59.6% compared to the previous year, in 2023 they recovered by 20.0% from the 2022 level, and in the investigation period by 13.3% from the 2023 level, but overall during the study period they decreased by 45.1%.

The volume of imports into Ukraine of goods originating from the Republic of Türkiye and the People's Republic of China during the study period decreased by 30.5 %, while those originating from third countries – by 62.7%. It is worth noting that imports of Goods originating from the Republic of Türkiye and the People's Republic of China, after a sharp decline in 2022, recovered at a much faster pace than imports of Goods from other countries.

The share of imports of Goods originating from the Republic of Türkiye and the People's Republic of China in total imports of Goods to Ukraine increased throughout the study period, reaching a growth rate of 26.6%.

Despite the reduction in absolute figures, during the study period there was an increase in the volume of imports into Ukraine of goods originating from the Republic of Türkiye and the People's Republic of China relative to consumption in Ukraine by 24.7 % and 2.8 times in relation to the production of similar Goods in Ukraine . At the same time, the share of imports into Ukraine of Goods originating from the Republic of Türkiye and the People's Republic of China in consumption increased throughout the entire research period.

The growth of the share of imports of Goods originating from the Republic of Türkiye and the People's Republic of China in the consumption of similar Goods in Ukraine occurred mainly due to imports into Ukraine of Goods originating from third countries. At the same time, the growth rate of the share of imports of Goods originating from the Republic of Türkiye and the People's Republic of China in consumption exceeded the growth rate of the share of the national producer, which was only 2.7%. The share of the national producer in consumption throughout the study period was inferior to the share of imports of Goods originating from the Republic of Türkiye and the People's Republic of China, which in the fourth period reached the level of [...].

6.2. Research into the impact of dumped imports of Goods on the prices of similar goods

In accordance with Part Three of Article 10 of the Law on the Impact of Dumped Imports on Prices of Similar Goods, the Ministry, based on data from Ukrainian executive authorities and Ukrainian producers, investigated the following facts:

- 1) whether the prices for the Goods subject to dumped imports were significantly lower than the prices for similar Goods;
- 2) whether the dumped imports have led to a significant decrease in prices for the like Product;
- 3) whether the dumped imports prevented a significant increase in prices for the similar Goods that would have occurred in the absence of dumped imports.

Taking into account the comments of interested parties regarding the significant difference between the prices of steel and the prices of aluminum and bimetallic radiators, the study of the impact of dumped imports on the prices of similar Goods was carried out in the context of the specified categories.

Table 6.2.1

Indicator	20 21 years	20 22 years	202 3 years	II quarter. 2023 – Q1 2024
Average price of imports into Ukraine of steel radiators originating from Türkiye and the PRC, USD / t	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	24.3	3.1	-2.2
<i>Dynamics compared to the base year, %</i>	0	24.3	28.1	25.3
Average selling price of steel radiators by a national producer on the domestic market, USD/ t	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	27.4	-11.5	-12.3
<i>Dynamics compared to the base year, %</i>	0	27.4	12.7	-1.1
Cost price of steel radiators of a national producer , USD / t	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	52.1	-7.0	-6.7
<i>Dynamics compared to the base year, %</i>	0	52.1	41.4	32.0
The ratio between the price and cost of steel radiators of a national producer	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-16.2	-4.9	-6.0
<i>Dynamics compared to the base year, %</i>	0	-16.2	-20.3	-25.1
The ratio between the import price of steel radiators from Türkiye and the PRC and the cost price of the national producer	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-18.3	10.8	4.8
<i>Dynamics compared to the base year, %</i>	0	-18.3	-9.4	-5.1
The ratio between the import price of steel radiators from Türkiye and the PRC and the price of the national producer	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-2.4	16.5	11.5
<i>Dynamics compared to the base year, %</i>	0	-2.4	13.7	26.7

The average price of imports into Ukraine of steel radiators originating from the Republic of Türkiye and the People's Republic of China, except for the last period, had a tendency to increase. During the research period, the price of such imports increased by 25.3%.

The growth rate of the cost price of the national producer exceeded the growth rate of the average price of imports into Ukraine of steel radiators originating from the Republic of Türkiye and the People's Republic of China. At the same time, the average selling price of such goods on the domestic market, on the contrary, decreased.

The level of average import prices into Ukraine of steel radiators originating from the Republic of Türkiye and the People's Republic of China, which was lower than or at the cost price of a similar Product of a national producer, prevented the national producer from raising prices for steel radiators of its own production to an economically justified level, which, accordingly, led to a deterioration in the profitability indicator and financial result from the sale of the Product.

Table 6.2.2

Indicator	20 21 years	20 22 years	202 3 years	II quarter. 2023 – Q1 2024
Average import price to Ukraine of aluminum and bimetallic radiators originating from Türkiye and the PRC, USD /t	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	1.2	-1.7	0.1
<i>Dynamics compared to the base year, %</i>	0.0	1.2	-0.5	-0.4
Average selling price of aluminum and bimetallic radiators by a national producer on the domestic market, USD/ t	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	25.2	-13.5	-4.9
<i>Dynamics compared to the base year, %</i>	0.0	25.2	8.3	3.0
Cost price of aluminum and bimetallic radiators of a national producer , USD /t	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	53.6	-21.1	9.7
<i>Dynamics compared to the base year, %</i>	0.0	53.6	21.2	33.0
The ratio between the price and cost of aluminum and bimetallic radiators of a national producer	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-18.5	9.6	-13.3
<i>Dynamics compared to the base year, %</i>	0	-18.5	-10.6	-22.5
The ratio between the import price of aluminum and bimetallic radiators from Türkiye and the PRC and the cost price of the national producer	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-34.1	24.6	-8.8
<i>Dynamics compared to the base year, %</i>	0	-34.1	-17.9	-25.1
The ratio between the import price of aluminum and bimetallic radiators from Türkiye and the PRC and the price of the national producer	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-19.2	13.7	5.3
<i>Dynamics compared to the base year, %</i>	0	-19.2	-8.1	-3.3

The average import price of aluminum and bimetallic radiators originating in the Republic of Türkiye and the People's Republic of China into Ukraine remained stable, fluctuating within the $\pm 2\%$ corridor.

Average import prices to Ukraine of aluminum and bimetallic radiators originating from the Republic of Türkiye and the People's Republic of China throughout the study period were lower than the price and cost price of a similar Product of a national producer, which prevented the national

producer from raising prices for its own produced Product to an economically justified level, which, accordingly, led to a deterioration in the profitability indicator and financial result from the sale of the Product.

6.3. Research into the influence of other factors

In accordance with Part Seven of Article 10 of the Law, the Ministry analyzed the presence of other known factors, the simultaneous action of which may cause harm to the national producer.

Table 6.3.1.

Indicator	20 21 years	20 22 years	202 3 years	II quarter. 2023 – Q1 2024
Volume of imports of goods originating from third countries, tons	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-66.3	1.6	8.9
<i>Dynamics compared to the base year, %</i>	0	-66.3	-65.7	-62.7
Share of imports of goods from third countries in total imports, %	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-16.6	-15, 3	-3.9
<i>Dynamics compared to the base year, %</i>	0	-16.6	-29.3	-32.1
Share of imports of goods from third countries in consumption, %	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-15.3	-16.6	-5.2
<i>Dynamics compared to the base year, %</i>	0	-15.3	-29.4	-33.1

The volume of imports into Ukraine of goods originating from third countries during the study period decreased in absolute terms by 62.7%. The share of such imports in total imports during the study period decreased by 32.1%, and in the investigation period compared to the previous period – by 3.9%, which indicates that the dynamics of the decrease in the volume of dumped imports was much slower than the dynamics of the decrease in the volume of imports from third countries. The share of imports of goods from third countries in consumption during the study period decreased by 33.1%, and in the investigation period compared to the previous period – by 5.2%.

Table 6.3.2.

Indicators	20 21 years	20 22 years	202 3 years	II quarter. 2023 – Q1 2024
Average price of imports into Ukraine of steel radiators originating from third countries, USD/t	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	18.3	5.5	1.2
<i>Dynamics compared to the base year, %</i>	0	18.3	24.9	26.4
Average price of imports into Ukraine of steel radiators originating from Türkiye and the PRC, USD /t	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	24.3	3.1	-2.2

Indicators	20 21 years	20 22 years	202 3 years	II quarter. 2023 – Q1 2024
<i>Dynamics compared to the base year, %</i>	0	24.3	28, 1	25.3
Average selling price of steel radiators by a national producer on the domestic market, USD/ t	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	27.4	-11.5	-12.3
<i>Dynamics compared to the base year, %</i>	0	27.4	12.7	-1.1
Cost price of steel radiators of a national producer , USD /t	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	52.1	-7.0	-6.7
<i>Dynamics compared to the base year, %</i>	0	52.1	41.4	32.0

Average import prices of steel radiators originating in third countries into Ukraine during the study period increased by 26.4% and were significantly higher than the average import prices of Goods originating in the Republic of Türkiye and the People's Republic of China, the average selling prices and cost price of steel radiators of the national producer.

Table 6.3. 3 .

Indicators	20 21 years	20 22 years	202 3 years	II quarter. 2023 – Q1 2024
Average import price to Ukraine of aluminum and bimetallic radiators originating from third countries, USD/t	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	6.6	9.6	5, 8
<i>Dynamics compared to the base year, %</i>	0	6.6	16, 9	23.6
Average import price to Ukraine of aluminum and bimetallic radiators originating from Türkiye and the PRC, USD /t	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	1, 2	-1, 7	0.1
<i>Dynamics compared to the base year, %</i>	0	1, 2	-0.5	-0.4
Average selling price of aluminum and bimetallic radiators by a national producer on the domestic market, USD/ t	[...]	[...]	[...]	[...]

Indicators	20 21 years	20 22 years	202 3 years	II quarter. 2023 – Q1 2024
<i>Dynamics compared to the previous year, %</i>	-	25.2	-13.5	-4.9
<i>Dynamics compared to the base year, %</i>	0	25.2	8.3	3.0
Cost price of aluminum and bimetallic radiators of a national producer , USD /t	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	53.6	-21.1	9.7
<i>Dynamics compared to the base year, %</i>	0	53.6	21.2	33.0

Average import prices of aluminum and bimetallic radiators originating from third countries into Ukraine increased by 23.6% during the study period and in the investigation period were higher than the average prices of dumped imports and the selling prices of aluminum and bimetallic radiators of the national producer.

Thus, an analysis of the dynamics of import volumes from third countries and the conditions of its implementation shows that it could not have a significant negative impact on the indicators of the national producer.

Results of export activities of the national commodity producer

Table 6.3.4.

Indicator	20 21 years	20 22 years	202 3 years	II quarter. 2023 – Q1 2024
Export volume of goods of the national producer , tons	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-71.9	-74.3	11.5
<i>Dynamics compared to the base year, %</i>	0	-71.9	-92.8	-91.9
Share of exports in total sales %	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-13.1	-64.9	-4.4
<i>Dynamics compared to the base year, %</i>	0	-13.1	-69.5	-70.9
Share of exports in production, %	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	-11.7	-58.8	-10.6
<i>Dynamics compared to the base year, %</i>	0	-11.7	-63.6	-67.5
Profitability of export supplies of goods of a national producer * , %	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	844.3	-73.9	49.3
<i>Dynamics compared to the base year, %</i>	0	844.3	294.4	390.2
Financial result from export activities ** , thousand USD	[...]	[...]	[...]	[...]
<i>Dynamics compared to the previous year, %</i>	-	341.4	-91.1	65.1
<i>Dynamics compared to the base year, %</i>	0	341.4	121.5	135.4

* Calculated by the Ministry, percentage of cost

**Calculated by the Ministry at the average NBU exchange rate

During the study period, there was a significant reduction (by 9 1.9 %) of the national producer's

export deliveries. The share of exports in the national producer's total sales has significantly decreased, shifting the focus of the national producer's activities to the domestic market of Ukraine.

During the study period, there was an increase in the financial result from the sale of similar goods for export by the national producer. by 135.4 %, and the profitability index by 390.2 %.

Undoubtedly, such a significant drop in the volume of exports of the national producer had an impact on production volumes. However, even after deducting the volume of export sales from production, the resulting indicator still shows a significant drop, and the volume of dumped imports relative to adjusted production - a significant increase.

At the same time, the assessment of the state of the national commodity producer was carried out in terms of its performance indicators on the domestic market of Ukraine and an overall assessment of all economic factors.

Impact of war and its consequences (market narrowing, productivity)

Russia's full-scale invasion of Ukraine, which began in February 2022, affected almost the entire market for heating radiators, causing a common trend for most indicators related to both imports and the national producer, namely a significant decrease in 2022 and a gradual recovery in subsequent periods.

The level of apparent consumption of the Goods in Ukraine in 2022 decreased by 60.2% and in subsequent periods recovered by only 16% of the 2021 indicator. The level of productivity of the national producer demonstrated negative dynamics. However, it should be noted that the narrowing of the market and the decrease in the level of productivity of the national producer are not systemic phenomena or evidence of technological degradation of Ukrainian production of the Goods, but are the consequences of the onset of sudden and unforeseen circumstances of national importance.

As of the date of preparation of the above materials, Russia's aggressive war against Ukraine and the negative factors associated with it continue and affect the activities of enterprises, in particular: restrictions on the use of electricity, rising costs of energy resources, reduction of available labor resources, increased probability of unplanned shutdowns and extraordinary situations in production, threat of damage to fixed assets.

According to the information of interested parties, LLC "UTERM UKRAINE", which at the beginning of the war was located in the city of Chuhuiv, Kharkiv region, was forced to relocate to the city of Bila Tserkva, Kyiv region and, therefore, for the period of relocation, stopped the production and sale of the Goods. LLC "UTERM UKRAINE" noted that during the relocation all equipment was successfully preserved and the production capabilities of the enterprise remained unchanged. [...]

Introduction of trade restrictions by Ukrainian and foreign producers and competition between these producers

The Ministry does not have data on the impact of this factor on the activities of the national producer during the study period.

Development of technology and engineering

The Ministry does not have data on the impact of this factor on the activities of the national producer during the study period.

6.4. Stakeholder comments

As already noted, stakeholders emphasized that the deterioration of the national producer's situation was caused by the large-scale war and a number of negative factors of a legal, financial, organizational, logistical and security nature associated with it. At the same time, stakeholders noted the lack of coincidence in time of trends in import volumes with the results of the national producer's activities. In particular, import trends had similar dynamics to the indicators of the national producer. Whereas, if there is a cause-and-effect relationship, against the background of an increase in import volumes, there should be a simultaneous deterioration in the position of the national producer, and

vice versa, with a reduction in import volumes, an improvement in the indicators of the national producer.

In addition, stakeholders noted the possible impact on the national producer of such factors as: purchasing raw materials from third-party suppliers, including from abroad, rising prices for raw materials and energy resources, a decrease in the exchange rate of the national currency of Ukraine and currency restrictions imposed by the National Bank of Ukraine, and difficulty in accessing financial resources.

In this regard, it is worth noting that the presence of increasing volumes of cheap dumped imports relative to consumption and production has exacerbated the negative consequences caused by the full-scale military invasion of Ukraine by the Russian Federation after 2022 and prevented the national producer from taking advantage of the relative stabilization of the situation during the investigation period.

In particular, in a market governed by fair competition, prices can be set at a level sufficient to cover costs and achieve an acceptable rate of return. The average prices of dumped imports from the Republic of Türkiye and the People's Republic of China undercut the prices of the domestic producer during the investigation period. Accordingly, given the constant price pressure, the domestic producer was unable to increase its prices in response to the increase in cost.

[...]

The Ministry's conclusion to the section

According to the results of the study, the Ministry established the existence of a causal relationship between the increase in dumped imports and the infliction of significant damage to the national producer, which is clearly demonstrated by the results of comparing the prices of dumped imports with the prices of the national producer. Dumped imports into Ukraine of Goods originating from the Republic of Türkiye and the People's Republic of China were carried out under such conditions that prevented a significant increase in prices for similar Goods of the national producer, which would have occurred in the absence of dumped imports.

The volumes of dumped imports into Ukraine during the study period decreased in absolute terms, but increased relative to the production and consumption of the Goods in Ukraine. At the same time, there was a significant reduction in consumption volumes along with a significant increase in the share of imports of the Goods from the Republic of Türkiye and the People's Republic of China in consumption and a slight increase in the share of the national producer.

During the study period, there was an influence of other factors, mainly related to the full-scale military invasion of the Russian Federation into Ukraine, the increase in cost and export activities of the national producer. However, simultaneously with the influence of other factors, there was a negative impact of dumped imports, the conclusions regarding the presence of which are highlighted in these materials.

7. National interests

The Ministry considered written comments and information regarding the initiation of the investigation, as well as the compliance of the application of anti-dumping measures with the national interests of Ukraine, which were received within 60 days from the date of publication of the notice of initiation of the investigation in the newspaper "Governmental Courier" No. 78 dated April 17, 2024.

Taking into account the comments of interested parties and information obtained during the investigation (from the complaint, responses of interested parties to questionnaires, responses of state authorities to inquiries, etc.), the Ministry determined whether national interests required the application of anti-dumping measures.

In accordance with the provisions of Part One of Article 36 of the Law, the study of the national interests factor was based on an assessment of all interests, in particular:

- interests of the national producer and its investments;
- interests of consumers of the Goods;
- employment of the population of Ukraine;
- international economic interests of Ukraine.

7.1. Interests of the national producer

The national producer emphasizes that the application of anti-dumping measures on imports of Goods into Ukraine from Türkiye and the PRC meets the national interests of Ukraine and will contribute to the establishment of equal conditions of competition in the domestic market .

The national manufacturer is interested in the further development of domestic production and is trying to partially offset the negative impact of dumped imports. In particular, the gradual modernization of production is being carried out, new equipment is being purchased, new production lines are being opened. It is planned to further expand production, create new jobs, improve working and living conditions of employees and take measures to improve the social infrastructure of enterprises. The Applicant has no wage debts, all payments are made on time and in full. However, due to dumped imports, the situation in the industry has significantly worsened.

In total, during the period under review, the national producer paid more than [...] in contributions to budgets of all levels. In addition, since the beginning of the full-scale invasion, one of the enterprises has provided all its own production areas and its own transport for the performance of combat and domestic tasks to the Armed Forces of Ukraine. According to approximate estimates, the national producer has implemented and continues to implement assistance projects for the needs of the Armed Forces of Ukraine in the amount of more than [...]. Also, the coordinated work of the Applicant's enterprises helped local communities survive the energy crisis in 2023.

Failure to take anti-dumping measures to counteract dumped imports from the Republic of Türkiye and the People's Republic of China may lead to a significant deterioration in the situation of Ukrainian producers, and even to bankruptcy. At the same time, the national producer plans to use the State's protection primarily for modernization and restructuring, which will allow the industry to adapt to predatory competition in the future.

7.2. Consumer interests

The application of anti-dumping measures will allow Ukrainian manufacturers to increase production volumes, which, according to the national producer, will have a positive impact on the cost of production. The increase in income at enterprises will allow them to direct funds to the modernization of production. At the same time, the quality of heating radiators produced in Ukraine by the national producer meets world standards, that is, the interests of Ukrainian consumers are fully protected.

In addition, for consumers, effective communication with the manufacturer is important in terms of protecting consumer rights, prompt correction and taking into account consumer needs, etc.,

which is possible primarily with Ukrainian manufacturers. While the issue of holding a foreign manufacturer liable for violating consumer rights is complicated.

7.3. Employment of the population

The impact of dumped imports on employment is an important factor of Ukraine's national interest, since further displacement of domestic producers from the domestic market by imports will lead to the closure (bankruptcy) of enterprises and a decrease in the number of workers employed in the production and sale of Goods, as well as in related industries (construction, production of rolled metal, plastics, powder paint, etc.) .

Given the complexity and laboriousness of the production process of the Goods, various categories of highly qualified specialists, on whose training a lot of effort and money have been spent, may be left without work. At the same time, in the conditions of the closure of a number of enterprises, it will be very difficult for such specialists to get a job in their specialty, which will pose the task of ensuring social protection of the unemployed and their further retraining for the state. While the creation of one job at the enterprises of a national goods producer leads to the creation of new jobs in related industries.

According to information received from the Kyiv Regional State Administration, LLC "UTERM UKRAINE" is a leading national manufacturer of steel panel radiators, operating on the Ukrainian market since 2013. After the start of the full-scale invasion, the company was forced to relocate its business from Kharkiv to Kyiv region and currently operates in the city of Bila Tserkva. LLC "UTERM UKRAINE" supplies the domestic market, exports products and is included in the list of companies that are of strategic importance for the needs of territorial communities of Kyiv region in a special period.

According to the Odessa Regional State Administration, LLC "SAN TECH RAI" is a leading manufacturer of aluminum, bimetallic and steel radiators in Ukraine. The technological processes of the enterprise have been certified and fully comply with the ISO 9001:2008 standard and the European standard EN442, which is the only one for all manufacturers of steel panel radiators. Social responsibility and labor protection play an important role in the work of LLC "SAN TECH RAI" (confirmed by the OHSAS 18001:2007 certificate). The production sites of the plant are located in the industrial zone of Odessa on an area of over 25 thousand m² and are equipped with new high-tech Italian and Swiss equipment with a high degree of automation of work processes. LLC "SAN TECH RAI" has a significant socio-economic impact on the region and the formation of budgets of various levels; and also actively cooperates with the regional state (military) administration on participation in programs to support socially vulnerable segments of the population, IDPs, the Armed Forces of Ukraine, former Soviet Union troops, etc. The Odessa Regional State Administration expressed support for conducting an anti-dumping investigation into the import of heating radiators originating in the Republic of Türkiye and the People's Republic of China into Ukraine in order to support domestic manufacturers and promote business development.

7.4. International interests

International economic interests consist in ensuring the existence of fair competitive conditions for trade in Goods on the basis of fair market competition.

The possibility of applying both preliminary and final anti-dumping measures on imports of Goods originating in the Republic of Türkiye and the People's Republic of China is provided for by the Agreement on Implementation of Article VI of the GATT 1994 and is the right of Ukraine.

The restoration of competitive conditions as a result of the application of anti-dumping measures on Goods originating in the Republic of Türkiye and the People's Republic of China will not contradict WTO rules. However, failure to comply with the provisions of international agreements in the case of the application of anti-dumping measures may result in the violation of procedures for appealing such measures in the judicial authorities of Ukraine and the WTO Dispute Settlement Body.

7.5. The need to restore competition and eliminate the impact of imbalances in trade resulting from dumped imports

According to the national producer, the demand for imports in the context of the disappearance of domestic production will cause an outflow of capital outside Ukraine and lead to an increase in Ukraine's negative trade balance, which is especially dangerous right now, in conditions when the long-term negative balance in foreign trade in goods has led to significant devaluation pressure on the national currency.

The application of anti-dumping measures can prevent capital outflow and deterioration of Ukraine's trade balance by supporting the domestic production of heating radiators in Ukraine and increase Ukraine's investment attractiveness for foreign investors.

Suppliers of imported goods who do not want to build their own sales and logistics network use a low-price policy to oust domestic producers from the market.

7.6. Stakeholder comments on national interests

In their comments, interested parties to the investigation noted that:

- The applicant is not a conscientious taxpayer, since during the period of investigation he was repeatedly accused of evading taxes and fees, which could cause harm to the Ukrainian economy, Ukrainian society, national interests and the defense capability of the Ukrainian state during the war;

- there are doubts as to whether the Applicant's enterprises can fully produce the Goods without depending on foreign manufacturers, and whether they have sufficient production capacity to produce the Goods in such volumes and in such an assortment to satisfy all the needs of Ukrainian consumers, in the event of the possible application of definitive anti-dumping measures and potential problems with the import of raw materials/materials/semi-finished products;

- the application of definitive anti-dumping measures on imports of Goods originating from the Republic of Türkiye and the People's Republic of China will not meet the interests of Ukrainian consumers, as it will cause importers to be disinterested in supplying Goods of various types to the Ukrainian market, which will lead to a significant limitation of the assortment of Goods, monopolization of the Goods market, an increase in prices for Goods by the national producer, and an increase in the economic costs of the end consumer;

- Turkish manufacturers are the main suppliers of steel radiators to the Ukrainian market, which are cheaper compared to aluminum and bimetallic radiators. Accordingly, supplies from other countries of more expensive aluminum and bimetallic radiators cannot be their replacement for those consumers who choose steel radiators. Therefore, the statement that supplies of the Goods from one country can be easily replaced by supplies of the Goods from another country is not true;

- given the ongoing attacks on energy and utility infrastructure, as well as the risks of prolonged power outages and possible heating problems in the coming years, the application of anti-dumping measures will inevitably negatively affect consumers of the Goods and the energy security of the state;

- the application of anti-dumping measures will have a negative impact on the activities of other enterprises, including enterprises of Ukrainian importers and distributors of the Goods, in particular, it will lead to a reduction in the employment of employees involved in the process of importing the Goods and a decrease in the level of tax payments to local and State budgets of Ukraine;

- the application of anti-dumping measures on the Goods that are the subject of the investigation will have negative consequences for the negotiation process regarding important aspects of trade between Ukraine and the Republic of Türkiye, and will also generally not contribute to improving the investment climate and partnership relations between Ukraine and the countries exporting the Goods;

- the application of anti-dumping measures on the Goods threatens the possible initiation and initiation of counter-trade investigations by producers from other countries, which may lead to a certain trade isolation of the Applicant and other Ukrainian producers on certain foreign markets and a lack of foreign exchange revenues for the Ukrainian budget.

The European Business Association (not an interested party in the investigation) noted that the direct consequence of the introduction of previous anti-dumping measures was an increase in prices, which negatively affected the availability of products for the end consumer, especially during the heating season. This trend can lead to serious consequences (shortages) for both business and consumers, since it becomes impossible for domestic producers to supply the market with their existing capacities.

According to the information received by the Ministry from the State Tax Service of Ukraine, during the study period, tax debt and arrears of the single contribution to mandatory state social insurance (hereinafter referred to as the single contribution) were not recorded for LLC "SAN TECH RAY" and/or LLC "UTERM UKRAINE", measures aimed at repayment of tax debt by the supervisory authorities for LLC "SAN TECH RAY" and/or LLC "UTERM UKRAINE" were not applied, in particular, tax claims were not formed, there is no tax lien, administrative seizure of property was not applied. There are no court cases initiated by the supervisory authority in relation to LLC "SAN TECH RAY" and/or LLC "UTERM UKRAINE" related to the work-out of tax debt, arrears of the single contribution and arrears of other payments in the courts of first, appellate and cassation instances during the study period.

No consumer of the Goods registered as an interested party in the anti-dumping investigation. No comments from consumers regarding the initiation of the anti-dumping investigation and/or the application of preliminary/final anti-dumping measures were received by the Ministry.

It is worth noting that the Applicant's production capacity allows to ensure the existing volume of consumption on the domestic market of Ukraine both during the investigation period and before the introduction of martial law. In addition, the product that is the subject of the investigation is usually part of large construction projects, where its cost is a small share of the total project costs. Accordingly, the impact of the increase in prices for the product caused by the duty on the total cost of such construction projects will not be significant for consumers.

Given the negative impact of dumped imports, LLC "SAN TECH RAI" was forced to resort to the supply of raw materials and materials of foreign production. At the same time, LLC "SAN TECH RAI" has information on the contacts of domestic suppliers, reliable carriers and optimal logistics routes; there are signed contracts and established supply channels. Subject to the application of anti-dumping measures, the company is ready to cooperate with domestic suppliers to stimulate the development of inter-industry enterprises with the aim of developing the economy of domestic production, and is also considering the feasibility of producing Goods from raw materials and materials of Ukrainian manufacturers and is ready to use its own equipment for their processing.

According to information received from the Antimonopoly Committee of Ukraine, during the period of investigation, no applications/cases regarding violations of the legislation on protection of economic competition by LLC "SUN TECH RAY" and/or LLC "UTERM UKRAINE" were considered by it, and no decisions provided for by the legislation on protection of economic competition were made regarding LLC "SUN TECH RAY" and/or LLC "UTERM UKRAINE".

The materials provided by the national producer as part of the investigation provide sufficient evidence indicating that the application of anti-dumping measures on imports of the Goods into Ukraine will have a positive impact on the further development of the domestic industry, will allow for an increase in production volumes, preservation of existing jobs and creation of new ones.

The Ministry's position is that the investigation is conducted exclusively in relation to dumped imports of Goods originating in the Republic of Türkiye and the People's Republic of China. and aimed at eliminating unfair competition from such imports in accordance with WTO agreements, therefore the application of anti-dumping measures will not have a negative impact on supplies from other countries and will contribute to the creation of a fair competitive environment in the domestic market. It is worth noting that in addition to the Republic of Türkiye and the People's Republic of

China, both steel, aluminum and bimetallic radiators are supplied from other countries, in particular from the countries of the European Union.

The Ministry's conclusion to the section

Based on the results of the study, the Ministry concluded that the application of definitive anti-dumping measures on imports into Ukraine of goods originating in the Republic of Türkiye and the People's Republic of China does not contradict national interests.

8. Planned actions of the national producer in the event of the application of definitive anti-dumping measures

Each of the enterprises of the national commodity producer has its own plans for the development of the enterprise in the medium term. The implementation of these plans depends on the financial capacity of the enterprises, which, in turn, depends on the volumes of product sales and the profitability of production.

Thus, LLC "UTERM UKRAINE", in the event of the application of definitive anti-dumping measures, plans to [...].

In addition, LLC "UTERM UKRAINE" plans [...].

LLC "SAN TECH RAI", in the event of the application of definitive anti-dumping measures, plans to implement the following projects:

[...].

9. Final conclusions and recommendations of the Ministry

The results of the anti-dumping investigation showed that there is sufficient evidence and grounds for the Ministry to submit proposals for consideration by the Commission on the advisability of applying definitive anti-dumping measures on imports into Ukraine of heating radiators originating in the Republic of Türkiye and the People's Republic of China.

As part of the investigation, the Ministry reached the following conclusions:

1. Applicant is a proper national producer within the meaning of paragraph 16 of Article 1 and Article 11 of the Law .
2. Goods of Ukrainian origin within the meaning of paragraph 26 of Article 1 of the Law, is similar to the Goods that are the subject of the investigation .
3. During the study period, imports of Goods into Ukraine originating in the Republic of Türkiye and the People's Republic of China was carried out at dumped prices .
4. During the study period, the financial and economic performance of the national producer deteriorated. In addition, there is a possibility of a significant increase in the volume of dumped imports into Ukraine of goods originating from the Republic of Türkiye and the People's Republic of China, which will threaten to cause significant harm to the national producer in the future .
5. There is a causal link between the dumped imports of the Goods into Ukraine and the material injury caused to the national producer. The influence of other factors, in addition to the dumped imports, in particular the full-scale military invasion of the Russian Federation into Ukraine and the export activities of the national producer, affected the state of the national producer. At the same time, the influence of such factors does not exclude the existence of a causal link between the dumped imports and the material injury caused to the national producer.
6. The application of anti-dumping measures on the import into Ukraine of goods originating in the Republic of Türkiye and the People's Republic of China does not contradict the national interests of Ukraine .

Thus, the results of the anti-dumping investigation showed that there is sufficient evidence and grounds to submit proposals for consideration by the Commission regarding the advisability of applying definitive anti-dumping measures on imports into Ukraine of heating radiators originating in the Republic of Türkiye and the People's Republic of China.

During the anti-dumping investigation, the Ministry calculated:

- **damage margin:**
 - **for Goods originating in the Republic of Türkiye – 37,35 %,**
 - for Goods originating from the People's Republic of China – 130,97 %;
- **dumping margin:**
 - **for manufacturers and exporters of Goods originating from the Republic of Türkiye – 41,86 %;**
 - for the manufacturer/exporter Yongkang Huandi Cookware Co., Ltd. – 23,30%;
 - for the exporting manufacturer Zhejiang Wisdom Industry&Trade Co., Ltd – 25,19%;
 - for the exporting manufacturer Zhejiang Yongkang SaiXi Industry And Trade Co., Ltd – 24,12%;
 - for the exporting manufacturer Zhejiang Youmay Industry and Trade Co., Ltd – 24,12%;
 - for the exporting manufacturer ZHEJIANG RONGRONG INDUSTRIAL CO., LTD – 24,12%;
 - for other manufacturers and exporters of Goods originating from the People's Republic of China – 42,0 %.

In accordance with paragraph 3 of part five of Article 16 of the Law, upon the proposal of the Ministry, the Commission shall decide on the introduction of a definitive anti-dumping duty and establish the rate of the definitive anti-dumping duty, which shall not exceed the dumping margin

calculated in accordance with the Law and may be less than this margin if such rate is sufficient to prevent injury to the national producer.

Based on the findings of the investigation facts and conclusions in accordance with Article 16 of the Law It is proposed to apply definitive anti-dumping measures for a period of five years on imports into Ukraine of goods originating in the Republic of Türkiye and the People's Republic of China , which have the following description :

radiators for heating (steel, aluminum, bimetallic) (excluding towel dryers, water underfloor convectors and designer radiators (vertical and horizontal tubular)), classified under codes ex 7322 19 00 00, ex 7616 99 10 00, ex 7616 99 90 00 according to the Ukrainian Classification Of Goods Of Foreign Economic Activity .

The "ex" symbol next to the classification code means that anti-dumping measures apply to goods whose description is specified in the decision.

To establish the following rates of definitive anti-dumping duty :

for manufacturers and exporters of Goods originating from the Republic of Türkiye – 37,35%;

for the manufacturer-exporter Yongkang Huandi Cookware Co., Ltd. (1-2F, No. 89 Jiuzhou West Road, Yongkang Economic Development Zone, Jinhua, Zhejiang, China) – 23,30%;

for the manufacturer-exporter Zhejiang Wisdom Industry&Trade Co., Ltd. (No. 123, South Jingui Road, Chengxi new District, Yongkang City, Zhejiang Province, China) – 25,19%;

for the exporting producer Zhejiang Yongkang SaiXi Industry And Trade Co., Ltd (BUILDING 3rd, No. 133 JIJIN ROAD, YALV VILLAGE, XIANGZHU TOWN, YONGKANG, CHINA) – 24,12%;

for the exporting manufacturer Zhejiang Youmay Industry and Trade Co., Ltd (Hardware and Machinery Industrial Zone, Wuyi County, Jinhua, Zhejiang, China) – 24,12%;

for the exporting manufacturer ZHEJIANG RONGRONG INDUSTRIAL CO., LTD (Huanglong Industrial Zone, Wuyi, Zhejiang, China) – 24,12%;

for other manufacturers and exporters of Goods originating from the People's Republic of China – 42,00%.