



ที่ พณ ๐๓๐๙.๐๙/ว ๒๗๗

ถึง สภาอุตสาหกรรมแห่งประเทศไทย

กรมการค้าต่างประเทศขอส่งสำเนาประกาศคณะกรรมการว่าด้วยมาตรการปกป้องขององค์การการค้าโลก ที่ G/SG/N/๘/TUR/๑๘/Suppl.๑; G/SG/N/๑๐/TUR/๑๘/Suppl.๑; G/SG/N/๑๑/TUR/๒๕/Suppl.๑ ลงวันที่ ๑๓ ธันวาคม ๒๕๖๖ แจ้งผลการทบทวนเพื่อขยายเวลาการใช้บังคับมาตรการปกป้องจากการนำเข้าสินค้าที่เพิ่มขึ้น (Safeguard) ของสาธารณรัฐตุรกี กรณีสินค้า Polyethylene Terephthalate Chips ภายใต้พิกัดศุลกากรที่ ๓๙๐๗.๖๙.๐๐.๐๐.๐๐ ต่อไปอีก ๓ ปี ตั้งแต่วันที่ ๑๓ ธันวาคม ๒๕๖๖ - ๑๒ ธันวาคม ๒๕๖๙ และให้เรียกเก็บอากรในอัตรา ๐.๐๕๔ USD/Kg. ในปีแรก ๐.๐๕๒ USD/Kg. ในปีี่ ๒ และ ๐.๐๕๐ USD/Kg. ในปีี่ ๓ โดยไทยได้รับการยกเว้นจากการใช้บังคับมาตรการฯ เนื่องจากส่งออกสินค้านี้ไป สาธารณรัฐตุรกีน้อยกว่าร้อยละ ๓ ของปริมาณนำเข้ารวม และไม่เกินร้อยละ ๙ สำหรับประเทศกำลังพัฒนา ตาม Article ๙.๑ ของ WTO Agreement on Safeguards มาเพื่อทราบและแจ้งให้สมาชิกทราบโดยทั่วกัน รายละเอียดตามสิ่งที่ส่งมาด้วย



กองปกป้องและตอบโต้ทางการค้า

โทรศัพท์ ๐ ๒๕๔๗ ๔๗๔๐

โทรสาร ๐ ๒๕๔๗ ๔๗๔๑



สิ่งที่ส่งมาด้วย



**NOTIFICATION UNDER ARTICLES 7.2 AND 12.1(C) OF THE AGREEMENT ON SAFEGUARDS
ON TAKING A DECISION TO APPLY A SAFEGUARD MEASURE
(EXTENSION OF THE EXISTING MEASURE)**

**NOTIFICATION PURSUANT TO ARTICLE 9, FOOTNOTE 2
OF THE AGREEMENT ON SAFEGUARDS**

TÜRKIYE

Polyethylene Terephthalate Chips

Supplement

The following communication, dated and received on 12 December 2023, is being circulated at the request of the delegation of Türkiye.

Türkiye encloses a notification pursuant to Article 7.2, 12.1(c) and Article 9, footnote 2 of the Agreement on Safeguards, on taking a decision to extend a safeguard measure that is being applied against imports of polyethylene terephthalate chips and non-application of the safeguard measure to developing countries. The initial safeguard measure was notified with the document [G/SG/N/8/TUR/18-G/SG/N/10/TUR/18-G/SG/N/11/TUR/25](#), dated 16 November 2020. The initiation of a review pursuant to Article 7.2 and 12.1 (A) regarding the extension of a safeguard measure was also notified with the document [G/SG/N/6/TUR/27/Suppl.1](#), dated 16 May 2023.

Consistent with Article 12.3 of the Agreement on Safeguards, Türkiye is ready to hold consultations with those Members having a substantial interest as exporters of the product concerned.

**1 NOTIFICATION UNDER ARTICLES 7.2 AND 12.1(C) OF THE AGREEMENT ON
SAFEGUARDS UPON TAKING A DECISION TO EXTEND A SAFEGUARD MEASURE**

**1.1 Evidence that the safeguard measure continues to be necessary to prevent or remedy
serious injury or threat thereof caused by increased imports**

The investigation has been conducted by the Turkish Investigating Authority. In order to review the situation of the domestic industry after introduction of the safeguard measure, an evaluation of all relevant factors of an objective and quantifiable nature having a bearing on the situation of the domestic industry was undertaken for the investigation period January 2018-December 2022, and January-June period for the years 2022 and 2023. The data, which was submitted by the applicant company and used in this analysis, represents major proportion of the total domestic production of the product involved according to the 2022 figures.

(i) Consumption

Unit	2018	2019	2020	2021	2022	2022(6)	2023(6)
Consumption (Indexed)	100	136	173	222	242	100	75

During the investigation period, consumption index of the product under investigation increased steadily on annual basis. Index, which was 100 in 2018, increased to 242 points in 2022. Periodically, index decreased by 25 points in the first half of 2023 compared to the same period of 2022.

(ii) Production

Unit	2018	2019	2020	2021	2022	2022(6)	2023(6)
Production (Indexed)	100	131	182	290	301	100	83

Domestic PET chips production increased steadily on annual basis. Index, which was 100 in 2018, increased to 301 points in 2022. On the contrary, periodical production showed a downward trend. Index, which was 100 in January-June period of 2022, decreased to 83 points in the same period of 2023.

(iii) Domestic Sales

Unit	2018	2019	2020	2021	2022	2022(6)	2023(6)
Domestic Sales (Indexed)	100	174	327	551	556	100	94

Domestic sales of the product under investigation increased steadily on annual basis. Index, which was 100 in 2018, increased to 556 points in 2022. Conversely, periodical production index, which was 100 in the first half of 2022, decreased to 94 points in the same period of 2023.

(iv) Capacity and Capacity Utilization Ratio (CUR%)

Unit	2018	2019	2020	2021	2022	2022(6)	2023(6)
Capacity (Indexed)	100	149	292	716	705	100	97
CUR(%) (Indexed)	100	88	62	40	43	100	86

Installed production capacity of the product under investigation increased steadily between 2018 and 2021. Capacity index, which was 100 in 2018, increased to 716 in 2021. Index decreased to 705 in 2022 due to the closure of a small production facility with old technology in 2022. Related with this, periodical capacity index, which was 100 in January-June period of 2022, decreased by 3 points in the same period of 2023.

Capacity utilisation rate (CUR) in the production of PET chips decreased between 2018 and 2021. CUR index, which was 100 in 2018, decreased to 40 in 2021. Index increased to 43 in 2022. Periodical index for CUR, which was 100 in the first half of 2022 decreased to 86 in the same period of 2023.

(v) Employment

Number of Workers	2018	2019	2020	2021	2022	2022(6)	2023(6)
Employment (Indexed)	100	124	169	213	257	100	106

Number of persons employed in PET chips production increased throughout the investigation period. Annual employment index, which was 100 in 2018, increased to 257 in 2022. Periodical index, which was 100 in January-June period of 2022, increased to 106 in the same period of 2023.

(vi) Productivity

Unit per Worker	2018	2019	2020	2021	2022	2022(6)	2023(6)
Productivity (Indexed)	100	106	108	136	117	100	79

Productivity, which refers to annual production in tons per employee, increased between 2018 and 2021, and has decreased since 2022. Index, which was 100 in 2018, increased to 136 in 2021. Index decreased to 117 in 2022. Periodical index, which was 100 in the first half of 2022, decreased to 79 in the same period of 2023

(vii) Stocks

Unit	2018	2019	2020	2021	2022	2022(6)	2023(6)
Stocks (Indexed)	100	240	328	93	410	100	234

End of period stocks index increased between 2018 and 2020 on annual basis. Index, which was 100 in 2018, increased to 328 in 2020. Stocks index showed a sharp fall in 2021 and decreased to 93. On the contrary, index showed a sharp increase in 2022 and rose to 410 in 2022. End of stock indicator continued its upward course periodically, and index, which was 100 in the first half of 2022 increased to 234 in the same period of 2023.

(viii) Profitability

Net Profit/Total Sales	2018	2019	2020	2021	2022	2022(6)	2023(6)
Profitability (Indexed) (%)	100	32	72	75	54	100	-18

Profitability, which refers to net profit in total sales showed a fluctuating course in the investigation period, while a downward trend has predominated. Annual profitability index, which was 100 in 2018, decreased to 32 in 2019. Index increased to 72 in 2020, and then to 75 in 2021. Index decreased to 54 in 2022. Periodical index, which was 100 in 2018, decreased to -18 in the same period of 2023, and marked a negative indicator (loss) for the first time in the investigation period.

(ix) Conclusion

During the investigation period, while an improvement was observed in domestic production and domestic sales until 2022, some deterioration was observed in these data in January-June period of 2023. It has been observed that production reached its highest level in 2022 following the capacity increase in 2021. While domestic sales increased until 2022 in parallel to the increase in production, it decreased in the first half of 2023. With the effect of the safeguard measure, capacity indicator showed a continuous improvement except for the small decrease in 2022 due to the closure of a production facility with old technology. In parallel to the increase in capacity, employment data also showed a continuous improvement throughout the investigation period, whereas productivity per person decreased as of 2022. End of period stocks, which increased between 2018 and 2022 except for 2021, continued to increase in January-June period of 2023. Profitability data showed a fluctuating path, while it decreased as of 2022, marking loss in the first half of 2023.

1.2 Information on imports in absolute term and relative to domestic production

An analysis of the imports into Türkiye of the product concerned both in absolute and relative terms are given below.

(i) General View of Imports

Imports	Quantity (tons)	Value (thousand dollars)	Unit Price (\$/Kg)	Per Cent Change		
				Quantity	Value	U.P.
2018	102.103	126.875	1,24			
2019	123.212	137.190	1,11	21	8	-10
2020	124.036	102.064	0,82	1	-26	-26
2021	112.211	123.079	1,10	-10	21	33
2022	140.130	193.530	1,38	25	57	26
2022/9	116.487	163.839	1,41			
2023/9	62.515	69.727	1,12	-46	-57	-21

Total imports of the product under investigation tended to increase on annual basis, except for a decrease in 2021. Imports, which were at the level of 102.1 tons in 2018, increased in 2019 and 2020 and reached to 124.2 thousand tons in 2020. Imports, which decreased to 112.2 thousand tons in 2021, reached to 140.1 thousand tons with an increase of 25% in 2022. Periodic imports decreased by 46% per cent in the first 9 months of 2023 compared to the same period of the previous year, decreasing to 62.5 thousand tons.

Unit prices for total imports decreased in 2019 and 2020 compared to previous years, and increased starting from 2021. Import unit price, which was 1.24 \$/kg in 2018 increased to 1.38 \$/kg in 2022. Periodic unit prices decreased by 21% in the first 9 months of 2023 compared to the same period of the previous year and came to the level of 1.12 \$/kg.

(ii) Imports Relative to Domestic Production

Imports/ Production	2018	2019	2020	2021	2022	2022(6)	2023(6)
Production (Indexed)	100	92	67	38	46	100	56

During the period under investigation, the ratio of imports to domestic production decreased on an annual basis until 2022, and index, which was 100 in 2018, decreased to 38 in 2021. Conversely, index increased to 46 in 2022. Periodical index, which was 100 in the first 6 months of 2022, decreased to 56 in the same period of 2023.

1.3 Precise description of the product involved

The product involved is classified under Customs Code 3907.69.00.00.00 in Turkish Customs Tariff Schedule of 2023.

1.4 Description of any part of the imported product that will no longer be subject to the measure in the extension

Not applicable.

1.5 Precise description of the proposed measure

The safeguard measure is proposed to be extended for 3 years until 12 December 2026 (12 December 2026 is included) in the form of fixed duty which will be implemented as shown in the table below.

Turkish Customs Tariff Code	Description of the Product	1 st Period	2 nd Period	3 rd Period
		(13.12.2023-12.12.2024)	(13.12.2024-12.12.2025)	(13.12.2025-12.12.2026)
3907.69.00.00.00	Others	0,054 USD/Kg	0,052 USD/Kg	0,050 USD/Kg

1.6 Proposed date of introduction of the measure

The measure enters into force on 13 December 2023 according to the provisions of the related Presidential Decree published in the Official Gazette.

The date of entry into force of the related Presidential Decree and the Communiqué is 13 December 2023.

1.7 Expected duration of the measure

The expected duration of the proposed measure is three years.

1.8 Proposed date for the review

Not applicable.

1.9 Expected timetable for progressive liberalization of the measure

The measure is proposed to be liberalized annually as stated in the Section 1.5.

1.10 If the notification relates only to a finding of serious injury or threat thereof, and does not relate to a decision to apply or extend a safeguard measure:

Not applicable.

1.11 Information relating to the extension of a safeguard measure

(i) Evidence that the safeguard measure continues to be necessary to prevent or remedy serious injury or threat thereof:

Domestic consumption of the product under investigation increased continuously on annual basis, while periodical consumption decreased slightly in 2023. Although PET chips imports decreased in 2021 with the effect of the safeguard measure put into force in December 2020, it increased in 2022 on both quantitative and value basis. Imports decreased in the first 9 months of 2023. While share of imports in domestic market decreased between 2018 and 2022, it re-increased in 2022. Relative imports (imports relative to domestic production) also increased in 2022. Unit prices for imports decreased in the first half of 2023.

Deteriorations have occurred in domestic producers' profitability indicators since 2022, while there has also been deterioration in the producers' production and domestic sales indicators in the first half of 2023. End-of-period stocks indicator has been deteriorated over the investigation period, except for 2021. While domestic sales price of the domestic producer remained above the import unit prices throughout investigation period (except for 2018), the reasonable sales price of the producer, which was created by adding a reasonable profit to producers' unit production cost, was above the import unit prices in January-June period of 2023. In this context, domestic sales reasonable price was suppressed by import unit prices in the first half of 2023. Consequently, the deterioration in the economic indicators of the domestic producer which started to occur simultaneously with the re-increase in imports in 2022, continued in the first half of 2023.

On the other hand, global PET chips exports have increased since 2021. Exports originating from People's Republic of China (China), which ranks first in global exports of PET chips, also increased continuously between 2018 and 2022 (except for 2020, when the effects of the global epidemic were intense). Share of Chinese exports in total PET chips exports became 20% in 2022. Türkiye ranked fourth in China's PET chips export markets in 2022. Between 2018 and 2022, China's exports to Türkiye increased continuously, except for 2020, and the increase rate was 118% in 2022. In this regard, PET chips imports to Türkiye, mainly originating from Far Eastern countries, will likely to further increase, in case the current safeguard measure is not extended at the end of the implementation period.

(ii) Evidence that the industry concerned is adjusting:

It was confirmed during the on-spot investigations that the applicant domestic producer made a capacity growth investment with the most-recent production technology. Production under this facility began just after the safeguard measure was put into force, which provided domestic producer to gain advantages in production costs. The applicant domestic producer is also making a new investment to enlarge its established PET chips production capacity, which is planned to start production in 2024. Following the completion of capacity increase plans, domestic producer plans to focus on the production of specialty products.

Domestic producer also commenced an investment on production of the main raw material of PET chips: PTA (Terephthalic acid) in the period safeguard measure was in force. PTA production is also planned to start in 2024. The applicant producer also completed the territory acquisition to establish facilities for production of main petro-chemical raw materials and polymers in Adana, Türkiye. In an effort to reduce production costs, the installation of Solar Energy System (SPP) was installed in producers' main facilities buildings in the Adana, Türkiye, which is planned to be put into operation in 2024. In addition, another solar power installation is planned to be put into operation in Gaziantep, Türkiye in 2024.

As a result, with new investment decisions, new production and product development processes, raw material production to reduce production costs and the implementation of improved production technology in new facilities, the applicant producer started to increase its competitiveness in the domestic market during the period safeguard measure was implemented. In this regard, it has been determined that there is evidence showing that domestic producers are adapting to market conditions.

(iii) Reference to the WTO document that notified the initial application of the measure:

The introduction of the definitive safeguard measure was notified with the document numbered [G/SG/N/8/TUR/18-G/SG/N/10/TUR/18-G/SG/N/11/TUR/25](#), dated 16 November 2020.

(iv) Duration of the measure from initial application till the date at which it will be extended:

The safeguard measure was initiated on 13 December 2020 and will be in force until 12 December 2023 (12 December is included). Türkiye now intends to extend the safeguard measure until 12 December 2026.

(v) Precise description of the measure in place prior to the date of extension:

The measure in place prior to the date of extension is a specific duty, which was put into force on imports of polyethylene terephthalate chips by the Presidential Decision numbered 3192 and published in the Official Gazette dated 13 November 2020, no. 31303. The levels of duty are demonstrated in the table below.

Turkish Customs Tariff Code	Description of the Product	1 st Period	2 nd Period	3 rd Period
3907.69.00.00.00	Others	0,060 USD/Kg	0,058 USD/Kg	0,056 USD/Kg

**Stated in accordance with Turkish Customs Tariff Schedule of 2023.*

1.12 Information relating to exporting members**(i) The major exporting Members of the product concerned to Türkiye:**

Countries	Quantity (tons)						
	2018	2019	2020	2021	2022	2022-9	2023-9
China	8.545	23.148	19.382	19.843	59.942	46.612	32.464
Malaysia	13.585	28.497	42.060	36.306	28.916	25.972	15.074
Korea, Republic of	50.845	39.377	23.589	22.237	19.712	19.263	3.612
Indonesia	5.380	7.360	6.780	4.540	4.111	3.788	3.260

Countries	Quantity (tons)						
	Çorlu-Europe Free Zone of Türkiye	1.742	1.889	2.785	5.175	7.902	4.536
Thailand	1.019	2.860	1.482	1.020	1.127	1.120	1.102
Germany	9.676	9.797	8.022	7.764	5.715	4.419	853
Algeria	0	0	0	0	332	232	650
Spain	0	1	8	94	364	180	509
Uganda	0	0	0	24	2.112	1.799	482
Other	11.310	10.283	19.928	15.207	9.898	8.566	1.901
Total	102.103	123.212	124.036	112.211	140.130	116.487	62.515

Countries	Value (000 \$)						
	2018	2019	2020	2021	2022	2022-9	2023-9
China	10.897	26.106	18.957	22.549	82.797	65.480	36.711
Malaysia	15.842	29.096	31.797	40.498	42.023	38.395	16.202
Korea, Republic of	62.607	45.474	19.333	22.342	29.005	28.403	4.449
Indonesia	6.440	7.716	5.347	4.971	6.232	5.800	3.480
Çorlu-Europe Free Zone of Türkiye	2.192	1.799	2.001	5.793	8.620	5.169	2.453
Thailand	1.459	4.415	2.151	1.686	1.947	1.924	1.450
Germany	13.573	12.249	8.253	9.960	9.852	7.453	2.099
Algeria	0	0	0	0	135	106	192
Spain	0	1	41	92	355	269	388
Uganda	0	0	0	20	1.682	1.435	327
Other	7.786	3.376	7.397	10.753	3.697	2.987	615
Total	126.875	137.190	102.064	123.079	193.530	163.839	69.727

In the quantity-based ranking made according to the PET chips imports to Türkiye in January-September period of 2023, it is seen that the countries with the largest share in imports since 2022 are China, Malaysia and South Korea, respectively. While more than half of the imports originated from the China in 2023, share of Malaysia and South Korea in imports was 24% and 6% respectively. PET chips imports from China has increased continuously during the investigation period, except for 2020, and the share of the said country in Türkiye's imports increased from 43% in 2022 to 52% in the first 9 months of 2023.

(ii) The exporting Members to which the measure does not apply for any reason other than the application of Article 9.1:

Not applicable.

1.13 Members are encouraged to attach, in an electronic form, publicly available document(s) containing the relevant decision(s) made by the competent authority.

The official documents regarding the investigation and the final decision are available in the link below.

<https://ticaret.gov.tr/ithalat/ticaret-politikasi-savunma-araclari/korunma-onlemleri/yururlukteki-onlemler>

2 NOTIFICATION PURSUANT TO ARTICLE 9, FOOTNOTE 2 OF THE AGREEMENT ON SAFEGUARDS

2.1 The measure

It is proposed to impose safeguard measure as described in Section 1.5.

2.2 The product subject to the measure

The measure is applied to the product described in Section 1.3.

2.3 Developing countries to which the measure is not applied under Article 9.1 of the Agreement on Safeguards.

The developing countries which are excluded from the measure as they export in quantities less than 3% of imports to Türkiye are listed below.

Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Burkina Faso, Burma (Burmese/Myanmar), Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chile, Colombia, Cook Islands, Costa Rica, Cuba, Democratic Republic of the Congo, Djibouti, Dominican Republic, Dominica, East Timor, Egypt, El Salvador, Eritrea, Ethiopia, Equatorial Guinea, Federal Republic of Nigeria, French Polynesia, Gabon, Gambia, Georgia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Independent State of Samoa, Iraq, Iran, Ivory Coast, Jamaica, Jordan, Kazakhstan, Kenya, Kingdom of Eswatini, Kingdom of Tonga, Kiribati, Kosovo, Kyrgyzstan, Laos, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Maldives, Mali, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia, Mongolia, Moldova, Montenegro, Montserrat, Morocco, Mozambique, Namibia, Nauru, Nepal, Nicaragua, Niger, Niue, North Korea, North Macedonia, Oman, Pakistan, Palau, Palestine, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Republic of Chad, Republic of Congo, Republic of Ecuador, Republic of Fiji, Russian Federation, Rwanda, Sao Tome and Principe, Senegal, Seychelles, Serbia, Sierra Leone, Solomon Islands, Somalia, South Africa, South Sudan, Sri Lanka, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, Sudan, Suriname, Tajikistan, Tanzania, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, Union of Comoros, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.
