



ที่ พณ ๐๓๐๙.๐๙/ว ๕๑

ถึง สภาอุตสาหกรรมแห่งประเทศไทย

กรมการค้าต่างประเทศขอส่งสำเนาประกาศคณะกรรมการว่าด้วยมาตรการปกป้องขององค์การการค้าโลก ที่ G/SG/N/๑๐/TUR/๑๖/Suppl.๔ และ G/SG/N/๑๑/TUR/๒๒/Suppl.๔ ลงวันที่ ๖ กุมภาพันธ์ ๒๕๖๗ แจ้งผลการทบทวนเพื่อขยายเวลาการใช้บังคับมาตรการปกป้องจากการนำเข้าสินค้า Toothbrushes ที่เพิ่มขึ้น (Safeguard) ของสาธารณรัฐตุรกี ภายใต้พิกัดศุลกากรที่ ๙๖๐๓.๒๑.๐๐.๐๐.๑๙ ต่อไปอีก ๓ ปี ตั้งแต่วันที่ ๓ กุมภาพันธ์ ๒๕๖๗ - ๒ กุมภาพันธ์ ๒๕๗๐ และให้เรียกเก็บอากรในอัตรา ๐.๑๓ USD/Pcs. ในปีแรก ๐.๑๑ USD/Pcs. ในปีี่ ๒ และ ๐.๐๙ USD/Pcs. ในปีี่ ๓ โดยไทยได้รับการยกเว้นจากการใช้บังคับมาตรการฯ เนื่องจากส่งออกสินค้าดังกล่าวไปสาธารณรัฐตุรกีน้อยกว่าร้อยละ ๓ ของปริมาณนำเข้ารวม และไม่เกิน ร้อยละ ๙ สำหรับประเทศกำลังพัฒนา ตาม Article ๙.๑ ของ WTO Agreement on Safeguards มาเพื่อทราบ และแจ้งให้สมาชิกทราบโดยทั่วกัน รายละเอียดตามสิ่งที่ส่งมาด้วย



กองปกป้องและตอบโต้ทางการค้า
โทรศัพท์ ๐ ๒๕๔๗ ๔๗๔๐
โทรสาร ๐ ๒๕๔๗ ๔๗๔๑



สิ่งที่ส่งมาด้วย



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**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

Toothbrushes

Supplement

The following communication, dated and received on 6 February 2024, is being circulated at the request of the delegation of Türkiye.

We enclose 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 toothbrushes and non-application of the safeguard measure to developing countries. First extension of the safeguard measure was notified with the documents [G/SG/N/10/TUR/16/Suppl.2](#) and [G/SG/N/11/TUR/22/Suppl.2](#), dated January 14 2021. The initiation of a review pursuant to Article 7.2 regarding the extension of a safeguard measure was also notified with the documents [G/SG/N/6/TUR/23/Suppl.2](#) and [G/SG/N/14/TUR/11/Suppl.1](#) dated July 20, 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 was undertaken for the period under consideration (PUC), for the years 2019-2022 and January-June period for the years 2022-2023. The data, which were submitted by the applicant companies 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	2019	2020	2021	2022	2022 (1-6)	2023 (1-6)
Consumption (Indexed)	100	109	95	91	100	91

Consumption data was calculated by consolidation of the total domestic sales data of the applicant companies and import data.

Consumption showed a declining trend except for 2020. Index, which was 100 in 2019, increased to 109 in 2021. Index declined in 2021 and 2022 and came forth as 91 in 2022. Periodic consumption index, which was 100 in the first six months of 2022, decreased to 91 in the same period of 2023.

ii. Production

Unit	2019	2020	2021	2022	2022 (1-6)	2023 (1-6)
Production (Indexed)	100	107	97	100	100	97

Production followed a fluctuating course during the PUC. Production index, which was 100 in 2019, increased to 107 in 2020, decreased to 97 in 2021 and increased to 100 in 2022. Index, which was 100 in the first six months of 2022, decreased to 97 in the same period of 2023.

iii. Domestic Sales

Unit	2019	2020	2021	2022	2022 (1-6)	2023 (1-6)
Domestic Sales (Indexed)	100	106	104	105	100	105

Domestic sales index, which was 100, increased to 106 in 2020 and declined to 104 in 2021. Index increased as of 2022 and reached to 105 in 2022. Periodic index, which was 100 in the first part of 2022 increased to 105 in the same period of 2023.

iv. Capacity and Capacity Utilization

Unit	2019	2020	2021	2022	2022 (1-6)	2023(1-6)
Capacity (Indexed)	100	100	100	100	100	100
CUR(%) (Indexed)	100	107	97	100	100	97

Production capacity did not change during the investigation period. Capacity utilization ratio (CUR) index, which was 100 in 2019 increased to 107 in 2020, decreased to 97 in 2021 and increased to 100 in 2022. CUR index also showed a slight decrease in the first half of 2023 and index, which was 100 in the first half of 2022 decreased to 97 in the same period of 2023.

v. Employment

Number of Workers	2019	2020	2021	2022	2022 (1-6)	2023 (1-6)
Employment (Indexed)	100	106	106	118	100	110

Annual employment index reached 118 in 2022, showing a continuous increase during the PUC. The number of workers increased by 10 per cent in the first 6 months of 2023 compared to the same period of 2022.

vi. Productivity

Unit per Worker	2019	2020	2021	2022	2022 (1-6)	2023 (1-6)
Productivity (Indexed)	100	101	92	85	100	88

Index on labor productivity, which decreased continuously during the PUC, dropped from 100 in 2019 to 85 in 2022. Periodical index, which was 100 in the first 6 months of 2022, decreased to 88 in the same period of 2023.

vii. Stocks

Unit	2019	2020	2021	2022	2022 (1-6)	2023 (1-6)
Stocks (Indexed)	100	162	197	222	100	96

End of period stocks increased steadily on annual basis. Index increased from 100 in 2019 to 222 in 2022. Periodical index decreased from 100 in the first half of 2022 to 96 in the same period of 2023.

viii. Profitability

Net Profit/Total Sales	2019	2020	2021	2022	2022 (1-6)	2023 (1-6)
Profitability (Indexed)	100	80	62	141	100	93

Profitability index, which was 100 in 2019, decreased to 80 in 2020, and to 62 in 2021. Index increased to 141 in 2022, marking its highest level during the PUC. In the first 6 months of 2023, index decreased by 7 per cent compared to the same period of 2022.

ix. Conclusion

Domestic toothbrushes consumption decreased since 2022 in the PUC. Production figures followed a fluctuating course annually, and decreased in the first half of 2023. End of stocks increased steadily on annual basis. Domestic sales increased since 2022.

While the capacity of domestic production did not change during the PUC capacity utilization rates followed a fluctuating course in parallel with the production and CUR index showed a decrease in the first half of 2023.

Although employment figures showed a constant improvement throughout the PUC, productivity data showed a continuous deterioration during the PUC. Showing a fluctuating course, while profitability of domestic producers reached its highest level in 2022, it decreased in the first 6 months of 2023.

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

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

i. General View of Imports

IMPORTS	Quantity		Value	Unit Price		Per Cent Change			
	Period	Pcs		Kg	\$	(\$/Pcs)	(\$/Kg)	Pcs	Kg
2019		33.813.414	594.091	17.249.850	0,51	29,0			
2020		41.268.279	799.879	20.812.367	0,50	26,0	22	35	21
2021		33.703.790	560.266	12.701.159	0,38	22,7	-18	-30	-39
2022		30.516.843	525.672	12.156.826	0,40	23,1	-9	-6	-4
2022 (6)		17.871.467	275.955	6.144.976	0,34	22,3			
2023 (6)		11.683.203	284.230	5.887.276	0,50	20,7	-35	3	-4

Quantity of imports, which was approximately 33,8 million pcs in 2019, increased by 22 per cent in 2020 and became 41,3 million pcs. In 2021, imports decreased by 18 per cent and dropped to the level of 33,7 million pcs. In 2022, toothbrush imports decreased to 30,5 million pcs, marking a 9 per cent decrease. Imports decreased by 35 per cent in the first half of 2023 compared to the same period of the previous year and became 11,7 million pcs.

On value basis, imports increased from the level of 17,2 million dollars in 2019 to 20,8 million dollars in 2020, marking a 21 per cent increase. Thereafter, imports decreased steadily on annual basis and dropped to 12,2 million dollars in 2022, marking a 4 per cent decrease compared to the previous year. In the first half of 2023 imports decreased by 4 per cent compared to the same period of the previous year and reached to 5,9 million dollars.

Import unit prices decreased between 2019-2021 on annual basis. Unit prices decreased from 0,51 \$/pcs in 2019 to 0,38 \$/pcs in 2021. Unit prices increased to 0,40 \$/pcs in 2022. Periodically, unit prices increased from 0,34 in the first half of period of 2022 to 0,50 in the same period of 2023.

ii. *Imports Relative to Domestic Production*

Imports/ Production	2019	2020	2021	2022	2022 (1-6)	2023 (1-6)
Index	100	115	103	90	100	67

During the PUC, ratio of imports to domestic production decreased except for 2020. Annual index decreased from 100 in 2019 to 90 in 2022, while periodic index decreased from 100 in the first period of 2022 to 67 in the same period of 2023.

Market Share of Imports

Market Share of Imports	2019	2020	2021	2022	2022 (1-6)	2023 (1-6)
Index	100	111	97	90	100	70

Market share of imports decreased during the PUC except for 2020. Index, which increased from 100 in 2019 to 111 in 2022, decreased to 90 in 2022. Periodic index decreased from 100 in the first part of 2022 to 70 in the same period of 2023.

1.3 Precise description of the product involved

The product involved is classified under 12-digit Customs Code 9603.21.00.00.19 in Turkish Customs Tariff Schedule of 2024.

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 February 2, 2027 (February 2, 2027 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	1st Period (3.2.2024-2.2.2025)	2nd Period (3.2.2025-2.2.2026)	3rd Period (3.2.2026-2.2.2027)
9603.21.00.00.19	Others	0.13 USD/Pcs	0.11 USD/Pcs	0.09 USD/Pcs

1.6 Proposed date of introduction of the measure

The measure enters into force on February 3, 2024 with the publication of the related Presidential Decree in the Official Gazette.

The related Presidential Decree and the Communiqué were published in the Official Gazette.

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 toothbrush market contracted since 2022 as a result of the decrease in imports and consumption. Both total imports and the ratio of imports to domestic production of the product under investigation decreased since 2021. Market share of imports also decreased since 2021, while share of imports from Viet Nam and China (the two main exporters to Türkiye of the product under investigation) reached to 31 per cent and 40 per cent respectively in 2022. Unit prices for total imports increased since 2021.

Majority of economic figures of the domestic industry recovered to some extent, particularly in 2020 and 2022. Deteriorations also occurred in domestic producer's end of stocks data between 2019-2022, in productivity data since 2022, in production, CUR and profitability rates in the first half of 2023. On the other hand, improvements were observed in domestic production's employment and domestic sales figures during the PUC, as well as in end of stocks data in the first half of 2023.

Alongside the declining trend in total imports and increasing unit prices, import shares of China and Viet Nam, where more than half of the imports took place, increased recently. At the same time, unit prices for imports from these two countries realized below the unit prices of other countries during the PUC. This situation shows that there exists a harsh price competition between Chinese and Viet Nam originated imports and domestic industry. As the products having Viet Nam origin continuously undercut the price of the domestic products during the PUC, price undercutting increased from X% in the first 6 months of 2022 to X% in the first 6 months of 2023. The unit price of the products having Chinese origin converged to the level of the unit price of the domestic products in the recent period. The data from International Trade Center (ITC) shows that China keeps its position to be capable of exporting toothbrushes in low price levels to other countries, taking into account its annual export volume over 107.550 ton and the unit price about 8,89 \$/Kg. These figures point out a high probability for imports from China and Viet Nam to Türkiye to increase soon in case the application period of the measure is not extended.

- ii. Evidence that the industry concerned is adjusting:*

The two-term safeguard implementation and the resulting recoveries in the overall economic situation of domestic producers ended up with producers' new investment plans as well as innovation activities in a way to fully adapt into new market conditions. It was determined during the on-spot investigations that producers concluded construction of a new toothbrush production facility, which are planned to begin their activities in the first half of 2024. Also, new machinery investments were realized in these facilities, while they also invested into new machinery for the production of toothbrushes in premium segment. Thanks to this investment, the domestic industry managed to increase the share of the premium products in its total production during the PUC. It was affirmed that producers are planning to make new investments in the future.

Domestic industry also started to establish a more firm and widespread marketing network to be able to more competitive with the global companies active in Turkish market. Domestic producers allocated a larger budget to new advertisement and marketing activities and made an investment in this field.

Consequently, with new investments on both production, machinery and marketing, as well as with efforts to produce high-segment toothbrushes, domestic industry has better adapted to new market conditions by increasing its competitiveness as well. These developments brought about an increase in efficiency in production, a decrease in commercial costs and an acceptable level of profitability. In this respect, the evidences above indicate that the domestic industry is adjusting.

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/16](#), [G/SG/N/10/TUR/16](#) and [G/SG/N/11/TUR/22](#), dated October 17, 2017.

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

The safeguard measure was initiated on February 3, 2018 and Türkiye now intends to extend the safeguard measure until February 2, 2027.

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 toothbrushes by Presidential Decree published in the Official Gazette dated February 2, 2021, n30383. The levels of duty are demonstrated in the table below.

Turkish Customs Tariff Code*	Description of The Product*	1 st Period (3.2.2021-2.2.2022)	2 nd Period (3.2.2022-2.2.2023)	3 rd Period (3.2.2023-2.2.2024)
9603.21.00.00.19	Toothbrushes	0.19 USD/Pcs	0.17 USD/Pcs	0.15 USD/Pcs

* Stated in accordance with Turkish Customs Tariff Schedule of 2021.

1.12 Information relating to exporting members

i. The major exporting Members of the product concerned to Türkiye:

Countries	Quantity (000 pcs)						Value (000 \$)					
	2019	2020	2021	2022	2022 -6	2023 -6	2019	2020	2021	2022	2022 (6)	2023 (6)
P.R.C.	18.445	20.246	14.840	12.210	7.512	6.078	8.615	6.310	4.355	3.383	1.897	1.961
Viet Nam	2.169	2.712	7.075	9.467	6.116	1.189	232	282	792	1.269	833	128
India	4.548	5.860	4.503	3.168	1.093	1.259	2.153	2.882	2.047	1.690	664	645
Ireland	4.660	8.318	3.145	2.659	1.599	1.461	3.224	6.760	1.749	2.163	1.290	1.426
Switzerland	573	561	603	1.131	507	140	611	807	984	2.193	684	409
Russian Federation	452	502	977	935	440	504	379	448	855	735	313	472
Germany	1.102	1.360	1.100	314	254	161	780	1.805	988	216	171	304
Sweden	273	194	204	236	143	346	234	155	168	174	108	241
Italy	427	133	106	114	57	76	269	127	102	102	52	88
USA	557	1.107	387	93	54	21	520	1.092	342	104	66	32
Other Countries	73	30	25	5	1	3	37	24	16	7	3	6
Total	33.813	41.268	33.704	30.517	17.871	11.683	17.250	20.812	12.701	12.157	6.145	5.887

The main exporter to Türkiye for the product concerned is China which had 40% share in total imports (in terms of pcs) in 2022. The quantity share of Viet Nam, with the lowest unit price among all the countries increased to 31% in 2022.

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 per cent of imports to Türkiye are listed below.

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