**MINISTRY OF DEVELOPMENT, INDUSTRY AND FOREIGN TRADE
SECRETARIAT OF FOREIGN TRADE**

**CIRCULAIRE No. 3, January 12, 2016**(Published in the Official Gazette in January 13, 2016)

The substitute Secretary of Foreign Trade of the Ministry of Development, Industry and Foreign Trade, under the agreement over the Implementation of the IV Article of the General Agreement about Tariffs and Trade – GATT 1994, and in view of the records in the MDIC/SECEX Process No. 52272.001752/2015-86, the Opinion No. 2 of the Department of Commercial Defense (DECOM) of the Secretariat of Foreign Trade, and the sufficient elements that indicate dumping practice in exports from Turkey to Brazil, decides to:

1. Initiate an investigation to ascertain the existence of dumping in exports of iron rebars or alloy/no-alloy steel rebars (category CA-50) that correspond to the Mercosur Tariff Codes (NCM) 7213.10.00, 7214.20.00, 7227.20.00, 7227.90.00 and 7228.30.00, and injury to the domestic industry due to its practice.

1.1 Make public the facts that justify the decision to initiate an investigation, according to the information provided in the attachment to this *circulaire*. (Annexes to the publication)

1.2 The date of initiation of the investigation will be the same as the publication of this *circulaire* in the Official Gazette (D.O.U.).

2. The analysis of dumping evidences has considered the period between July 2014 and June 2015. As for the damage analysis, the period considered was from July 2010 to June 2015.

3. The participation of the concerned parties in the course of this investigation must be carried out through the DECOM (Department of Commercial Defense) Digital System (SDD), according to the SECEX Ordinance No. 58/2015. The address of SDD is <http://decomdigital.mdic.gov.br>. The importers, exporters and government representations involved are automatically recognized by DECOM as interested parties to the case.

4. In compliance with the 3rd Paragraph of the 45th Article of the Decree No. 8.058/2013, a period of 20 days to be counted from the publication of this *circulaire* in the Official Gazette will be granted to other parties that are deemed interested in this case to present their requests for “representative authorization” in the case, if they were not automatically recognized by DECOM in the first moment.

5. The participation of the concerned parties in the course of this investigation must be carried out through their legal representatives duly authorized by DECOM through the submission of the relevant documentation in the DECOM Digital System (SDD). Interventions in such cases of trade defenses by parties without proper prior authorization by DECOM will only be admitted in the hypothesis described in the SECEX Ordinance No. 58/2015, in up to 91 days after the initiation of the investigation.

6. Representation of foreign governments will be carried out by the chief of its official representation in Brazil or through the representative designated by him/her. The designation of the representative must be filed through DECOM Digital System (SDD) by DECOM in official communication with the representative.

7. According to the 50th Article of the Decree 8.058/2013, questionnaires will be sent to the known producers or exporters, as well as importers and other domestic producers, as it is specified by the 2nd paragraph of the Article 45. 30 days will be granted for the return submission of questionnaires, through the SDD, to be counted from the date of acknowledgement. It is presumed that national parties will have acknowledged receipt of the questionnaires sent by DECOM 5 days after their transmission, and 10 days for foreign parties, in compliance with the Article 19 of the Law 12.995/2014.

8. According to the Articles 49 and 58 of the Decree 8.058/2013, the interested parties will have the opportunity to show evidence elements that they deem relevant to the case through submissions to the SDD. Further audiences should be requested by duly authorized representatives within 5 months from the date of initiation of the investigation and must be accompanied by a list of specific issues to be addressed in the occasion.

9. In compliance with the 3rd Paragraph of the Article 50 and to the Article 179 of the Decree 8.058/2013, DECOM may give a less favorable preliminary or final decision for an interested party if it denies access to information that is necessary to the case, do not provide it timely or create barriers for the investigation.

10. If it is found that an interested party has provided false or misleading information, such information will be disregarded and only the available facts will be used for further preliminary or final decisions.

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