
**Committee on Anti-Dumping Practices
Ad Hoc Group on Implementation**

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TOPIC 3 – SAMPLING METHOD UNDER ARTICLE 6.10

Paper by Turkey

The following communication, dated 18 September 2000, has been received from the Permanent Mission of Turkey.

Views of the Turkish delegation on the topics laid out in paper G/ADP/W/401 as requested by WTO/AIR/1372.

The Group, at the meetings held on 27-28 October 1998, had discussed Topic 3 and particular questions were raised stemming from Members' practices. Now, we would like to address such points concerning sampling.

In Turkish practice, sampling may be applied where the number of producers or products is so large that an individual examination would be unduly burdensome for the investigating authority and timely completion of the investigation may not be attained. Samples are generally selected either to be statistically valid on the basis of information available to the authorities at the time of selection or as the largest percentage of the volume of the exports from the country in question which can reasonably be investigated. As for the timing of selection of samples, it is observed mostly that the investigating authorities may not have knowledge of all the producers or products before the initiation or at the very beginning of the investigation. Therefore, in some instances it would be more accurate to make such selection following the receipt of responses to the questionnaires.

Where, in an investigation, it is decided to employ sampling but there is a degree of non-cooperation by some or all of the parties selected and which is likely to affect the outcome of the investigation, then a new sample may be selected taking into account the time constraints. New consultations may or may not be held with such party(s) depending on the availability of time.

In practice, we apply either product sampling or producer sampling or both. In some of the cases, being statistically valid may or may not coincide with the largest volume of exports especially in the case of industries with a few large and many small companies. In any case our general objective when sampling is to examine sales representing at least 51 per cent of the total apparent volume during the period of investigation, although there could be cases where the sample may cover a greater or lesser percentage. When it is the types of product which require sampling, again the products selected in the sample must represent a significant share of the total volume of products exported to Turkey, which is in our view minimum 51 per cent. Yet in our experience up to date, such share has always been high above 51 per cent. Nevertheless, utmost attention should be paid to include maximum number of producers or products in sampling.

As for the companies to be included in the "all others duty rate", in Turkish practice, it is either that such companies have never showed up during the investigation or that those companies had not cooperated albeit invited. Also, in our duty determinations and public notices, we normally hold a different position for the cooperating producers which were not included in the sample but deemed cooperative, in which they receive the weighted average dumping margin of the sample.
