

Regulation (EU) 2015/478 of the European Parliament and of the Council of 11 March 2015 on common rules for imports (codification)

CHAPTER III

UNION INVESTIGATION PROCEDURE

Article 9

1 Examination of the trend in imports, of the conditions in which they take place and of serious injury or threat of serious injury to Union producers resulting from such imports shall cover in particular the following factors:

- a the volume of imports, in particular where there has been a significant increase, either in absolute terms or relative to production or consumption in the Union;
- b the price of imports, in particular where there has been a significant price undercutting as compared with the price of a like product in the Union;
- c the consequent impact on Union producers as indicated by trends in certain economic factors such as:
 - production,
 - capacity utilisation,
 - stocks,
 - sales,
 - market share,
 - prices (i.e. depression of prices or prevention of price increases which would normally have occurred),
 - profits,
 - return on capital employed,
 - cash flow,
 - employment;
- d factors other than trends in imports which are causing or may have caused injury to the Union producers concerned.

2 Where a threat of serious injury is alleged, the Commission shall also examine whether it is clearly foreseeable that a particular situation is likely to develop into actual injury.

In this regard account may be taken of factors such as:

- a the rate of increase of the exports to the Union;
- b the export capacity in the country of origin or export, as it stands or is likely to be in the foreseeable future, and the likelihood that that capacity will be used to export to the Union.

Changes to legislation:

There are currently no known outstanding effects for the Regulation (EU) 2015/478 of the European Parliament and of the Council, Article 9.