



## Project to develop a retail contribution to reforming EU TDI

### A stakeholder mapping project identifying Common ground on Community Interest aspects of TDI investigations

#### Final Report - EXECUTIVE SUMMARY 13 April 2007

This project is aimed at mapping the views of stakeholders on Community Interest in TDI investigations. The objective is to identify and outline where any potential cross industry common ground on Community Interest aspects of the investigation may exist. Whilst the agendas of the various groups of stakeholders are significantly broader than these issues of common ground, identification of such 'uncontroversial' issues is helpful as the minimum change that might result from the Green Paper review process.

The project started by a consultation of key retail/importing interests and the creation of an inventory of all possible changes to the Community interest test that are in the interest of retailers. The list is a broad one, including all aspects of substance, procedure and institutional questions that have a bearing on the role and influence of consuming and importing stakeholders in the Community Interest investigation.

The inventory was then discussed with some of the principal producer organisations that use TDI as complainants as well as selected companies.

The following organisations were consulted during this process.

**Associations:** RETAIL/IMPORTERS British Retail Consortium, Eurocommerce, European Retailers Round Table, Foreign Trade Association,  
PRODUCERS Business Europe (formerly UNICE), CEFIC, CIRFS, Eurocoton, Eurofer, Eurometaux,  
**Companies:** BASF, Ikea, Nike, Philips, Tesco

Discussants from EU industry were asked to consider whether, for their organisation, each possible item in the retailers' inventory would be:

- A) immediately acceptable
- B) worthy of further consideration
- C) definitely ruled out.

The views of EU producers are summarised below.

**This report has been prepared by Cliff Stevenson for the British Retail Consortium.**

## Views of EU Producers on Retailers' Inventory

<b>A - Immediately acceptable/no objection</b>	<b>A/B – Mixed views weighted towards positive</b>
Contact point for each investigation on website	Page for importers on DG Trade website
Member States contact points on DG Trade website	Email list for initiations/regulations in the OJ
Agenda of advisory Committee publicly available	Guide for importing/consuming interests on procedures, what influences a case etc.
Improve quality of non-confidential files	
Online access to non-confidential files	

<b>B - Worthy of further consideration or mixed opinions</b>
Notification of receipt of complaint (notice on website) at time sent to Member States
Availability of complaint at time sent to Member States (for interested parties).
Book of registered parties
Commission should consider EU producers excluded because of partial outsourcing
Should be disclosure in advance of provisional measures
Should be disclosure when provisional measures not adopted
Terminations for withdrawal of complaint should state reason (e.g. no causal link, no Community Interest)
Publish opinions of Member States on voting.

<b>B/C – Mixed opinions weighted towards negative</b>
Varying scope of measures
Minimum period to adopt measures before coming into effect
Create a consumer liaison officer

<b>C – Definitely ruled out/strong opposition</b>	
Community Interest test prior to initiation	Varying level of measures
Notification of receipt of complaint (notice on website) on date of submission	Varying duration of measures
Availability of complaint on date of submission	Invite interested parties to give presentations in ADC
Public availability of complaint at time it is sent to the MS.	Allow Member States to decide on initiations
Start Community Investigation pre-initiation; extra 45 days for provisional Community Interest analysis	Separate report where consumer products are involved
Commission more proactive in identifying consuming/importing interests	Provide funding to Consumer Organisations.
Public access to the non-confidential files (no need to register as interested party)	Should only be applied with 3 months' notice.
Access to confidential information (US style APO system)	Study of impact of AD measures on Community Industry
More flexible time limits for participation in Community Interest investigation	Community Interest unit in DG Trade
Commission should take consumer interest into account of its own accord	Strengthen peer review process
Community Interest should be a balanced CBA	Create position of AD economist
Commission should present absolute cost of measures in addition to %	Greater role for EP
Commission should consider impact on outsourced companies with high value added in the EU.	