



26 March 2018

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Committee on Safeguards

Original: Spanish

**NOTIFICATION UNDER ARTICLE 12.1(A) OF THE AGREEMENT  
ON SAFEGUARDS ON INITIATION OF AN INVESTIGATION  
AND THE REASONS FOR IT**

COSTA RICA

*(Bars and Rods of Steel for Concrete Reinforcement)*

The following communication, dated 26 March 2018, is being circulated at the request of the delegation of Costa Rica.

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The Republic of Costa Rica hereby submits to the Committee on Safeguards the following notification under Article 12.1(a) of the Agreement on Safeguards regarding the initiation of an investigation procedure with a view to the application of a safeguard measure to imports of bars and rods of steel for concrete reinforcement.

**1 DATE WHEN THE INVESTIGATION WAS INITIATED**

An excerpt of the Resolution initiating the investigation was published in the Costa Rican Official Journal *La Gaceta* No. 51 of 19 March 2018. Under the terms of this Resolution, the investigation is initiated 10 calendar days following such publication. The full text of the Resolution is available at:

<https://www.meic.go.cr/meic/web/169/defensa-comercial/resoluciones-finales.php>

**2 PRODUCT SUBJECT TO INVESTIGATION**

The product subject to the investigation is "cylindrical bars and rods of alloy and non-alloy steel, corrugated, for use in reinforced concrete constructions, regardless of their dimension and diameter", imported into Costa Rica under Costa Rican Harmonized System (SAC) tariff subheadings 7214.20.00.00.10, 7214.20.00.00.90, 7214.99.20.00.10, 7228.30.00.00.10, 7228.50.00.00.10 and 7228.60.00.00.10.

**3 REASONS FOR THE INITIATION OF THE INVESTIGATION**

On 30 November 2017, the company ArcelorMittal Costa Rica S.A submitted an application for an investigation with a view to the application of a general safeguard measure pursuant to the provisions of Article XIX of the GATT 1994, the Agreement on Safeguards, and the Central American Regulations on Safeguard Measures.

With regard to the analysis of the preliminary evaluation of the relevant factors, bearing in mind that ArcelorMittal is the only company manufacturing the product subject to investigation domestically; that the product subject to investigation and the domestic product have been found to be like products; that there were increased imports of the product subject to investigation (18%) during the last year of the period of investigation (2016-2017) which were recent, sudden and significant; and elements were found to exist that demonstrate a threat of injury to the domestic industry, the Trade Defence Directorate of the Ministry of the Economy, Industry and

Trade, as the investigating authority, considered that the application submitted met all of the requirements justifying the initiation of the investigation procedure.

#### **4 CONTACT INFORMATION**

Any questions on the above proceeding may be addressed to Ms Odalys Vega Calvo, Director of the Trade Defence Directorate of the Ministry of the Economy, Industry and Trade (MEIC) by email ([defensacomercial@meic.go.cr](mailto:defensacomercial@meic.go.cr); [ovega@meic.go.cr](mailto:ovega@meic.go.cr)) or by telephone (506) 2291-1865.

#### **5 DEADLINES AND PROCEDURES**

##### **(i) Presentation of evidence and views**

Pursuant to Article 14(j) of the Central American Regulations on Safeguard Measures, the parties will have a period of 10 working days, in accordance with Article 264 of the General Law on Public Administration of Costa Rica, as from the date of notification of the initiation of the investigation to submit their written arguments and any evidence they consider pertinent.

They will also have three working days from the date of the last notification of the initiation of the investigation to file an ordinary appeal under Articles 435.1 and 346.1 of the General Law on Public Administration of Costa Rica.

In accordance with Article 15 of the Central American Regulations on Safeguard Measures, the parties will have a period of 45 calendar days from the day following the notification of the request for information - a period which may be extended by up to 30 days - in which to submit evidence.

##### **(ii) Deadlines and procedures for Members and exporters to identify themselves as interested parties**

Pursuant to paragraph 8.176 of the Resolution initiating the investigation, anyone who considers themselves to be an interested party to the proceedings has a period of eight working days as from the date of publication of the Resolution in the Official Journal to appear in person before the investigating authority and demonstrate that they have a direct interest in the case and that they fulfil the requirements to be considered as such.

##### **(iii) Date of the intended public hearings**

Pursuant to Article 24 of the Central American Regulations on Safeguard Measures, during the investigation procedure the investigating authority will notify the parties of the holding of a public hearing 15 calendar days in advance.

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