**Pre-Sampling Questionnaire (Importer)**

**Anti-dumping and Subsidy investigation**

**Optical Fibre Cables imported from the People’s Republic of China**

**Case AD0021 & AS0022**

|  |  |
| --- | --- |
| **Period of Investigation:** | **1 January 2021 to 31 December 2021** |
|  |  |
| **Injury Period:** | **1 January 2018 to 31 December 2021** |
|  |  |
| **Deadline for response:** | **13 May 2022** |
|  |  |
| **Case Team Contact:** | ad0021@traderemedies.gov.uk & as0022@traderemedies.gov.uk |
|  |  |
| **Completed on behalf of:** |  |

When you have completed this form, indicate the **confidentiality** of this document by placing an X in the relevant box below. We strongly recommend this questionnaire to be completed on the computer, so this step is easy to complete:

**☐X** Confidential

**☐** Non-Confidential – will be made publicly available

Please note that you will have to provide **two copies of your response** – a **Confidential** and a **Non-Confidential version** (guidance on confidentiality is available at: <https://www.gov.uk/government/publications/the-uk-trade-remedies-investigations-process/an-introduction-to-our-investigations-process#confidential-information-and-non-confidential-summaries>)**.** Both copies should be returned to the TRA using the Trade Remedies Service ([www.trade-remedies.service.gov.uk](http://www.trade-remedies.service.gov.uk)) by 13 May 2022.

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## The scope of this investigation

### Goods concerned

This investigation covers optical fibre cables originating from the People’s Republic of China, described as:

Single mode optical fibre cables, made up of one or more individually sheathed fibres, with protective casing, whether or not containing electric conductors. Hybrid cables, which are fitted both with optical fibres and electrical conductors, fall within the product scope of the investigation

These optical fibre cables are currently classifiable within the following commodity code: 85447000*.* This code is only given for information and not all goods within this code are part of this investigation.

In this pre-sampling questionnaire, these goods will be referred to as the ‘the goods concerned’. Any reference to ‘goods concerned’ in this questionnaire refers to the goods description above, regardless of the commodity code under which they are exported.

The following products included under commodity code 85447000 are excluded from the scope of the investigation:

1. Multimode optical fibre cables.
2. Cables in which all the optical fibres are individually fitted with operational connectors at one or both extremities; and
3. cables for submarine use - cables for submarine use are plastic insulated optical fibre cables, containing a copper or aluminium conductor, in which fibres are contained in metal modules.

### Like goods

This pre-sampling questionnaire asks for information about your company’s imports and sales of goods which are like the goods concerned. Any reference to ‘like goods’ in this pre-sampling questionnaire refers to goods produced in the UK or imported to the UK from a country other than the People’s Republic of China which are like the goods concerned in all respects, or with characteristics closely resembling them.

Please follow the instructions for each question to provide the appropriate information regarding the goods concerned or like goods.

For more information about this case, you may refer to the Notice of Initiation published at: [**www.trade-remedies.service.gov.uk/public/case/AD0021**](http://www.trade-remedies.service.gov.uk/public/case/AD0021) and [**www.trade-remedies.service.gov.uk/public/case/AS0022**](http://www.trade-remedies.service.gov.uk/public/case/AS0022).

## Instructions

**I – Who should complete this form**

You should complete this form if you are a UK importer of the goods concerned.

### II - Why you are being asked to complete this pre-sampling questionnaire

We are seeking your cooperation as an importer of the goods concerned to identify whether this alleged dumping has occurred, the alleged exports were subsidised, and if this has caused injury to the UK industry. The information your company provides will help us determine a fair and appropriate response.

This pre-sampling questionnaire allows us to collect basic information and data about your company. If a large number of UK importers complete this pre-sampling questionnaire, we will use the information each one provides to help us decide which companies we want to sample for further investigation. If you are sampled, we will send you a more detailed questionnaire to complete.

For more information about this case, you may refer to the Notice of Initiation published at: [**www.trade-remedies.service.gov.uk/public/case/AD0021**](http://www.trade-remedies.service.gov.uk/public/case/AD0021) and [**www.trade-remedies.service.gov.uk/public/case/AS0022**](http://www.trade-remedies.service.gov.uk/public/case/AS0022).

### III – Deadline for response

A completed pre-sampling questionnaire must be submitted to the TRA by no later than 13 May 2022. If you are unable to provide a completed submission by the given due date and you wish to request an extension, please contact the case team at ad0021@traderemedies.gov.uk or as0022@traderemedies.gov.uk for further information.

### IV – Note about confidentiality

You will need to submit one confidential version and one non-confidential version of your pre-sampling questionnaire by the due date. Please ensure that each page of information you provide is clearly marked either “Confidential” or “Non-Confidential” in the header. It is your responsibility to ensure that the non-confidential version does not contain any confidential information.

Please see <https://www.gov.uk/government/publications/the-uk-trade-remedies-investigations-process/an-introduction-to-our-investigations-process#how-we-handle-confidential-information>for further information on what can be considered confidential and how to prepare a non-confidential version of this questionnaire.

All information provided to the TRA in confidence will be treated accordingly and only used for this investigation (except in limited circumstance as permitted by regulation 46 of the Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019) and will be stored in protected systems. The non-confidential version of your submission will be placed on the public file, which is available on [**www.trade-remedies.service.gov.uk/public/case/AD0021**](http://www.trade-remedies.service.gov.uk/public/case/AD0021) and [**www.trade-remedies.service.gov.uk/public/case/AS0022**](http://www.trade-remedies.service.gov.uk/public/case/AS0022).

## Section A – Activities of your company and any associated parties

### A1 – Your company’s activities

To determine your company’s role for the purpose of this investigation, please select the activity/activities of your company below. For a definition of goods concerned please refer to the section above on ‘the scope of this investigation.

importer of the goods concerned in the UK

other (please give details below)

If you have selected ‘other’, please describe the role of your company with regards to the goods concerned or like goods:

*Please answer here*

Our business imports optical fibre cables. We purchase singlemode (the type of product under investigation) and multimode cables. These products are sold into 2 distinct end markets.. (1) The office, retail, education, health sectors as part of ‘Local Area Network’ (LAN) applications, where the cabling provides communication pathways for the business/organisations own internal data requirements, and (2) The fibre to the home market (FTTh) sector where cables are installed across residential areas to provide Gigabit and faster broadband services. Our understanding is that the complaint that led to this investigation relates to supply from China of cables which service demand in the second of these end markets – FTTh. Our interest in the case is to ensure that full consideration is given to the impact to a wider sector of the market than just the FTTh vertical if a new tariff system were introduced for singlemode cables. There are specific characteristics of the LAN market compared to the FTTh market and in our view these should be considered as part of the scope of this investigation.

*Please answer here*

Please describe your interest in this case:

### A2 – Associated parties and operational links

Please give details of all associated parties involved in the production and/or sales (export and/or domestic) of the goods concerned or like goods during the POI. Both natural persons (individuals) and legal persons (e.g. companies) are considered to be associated where they meet the definition of ‘Related Persons’ in [regulation 128 of the *Customs (Import Duty) (EU Exit) Regulations 2018*](http://www.legislation.gov.uk/uksi/2018/1248/regulation/128/made).

Examples of activities could include manufacturing, exporting, purchasing, warehousing, sales (domestic), sales (export), further processing of the goods concerned or like goods.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Company name** | **Company location**  **(city, country)** | **Activities** | **Relationship** |
| Your company | *Mayflex UK* | Birmingham, England | Importer, Distribution, cable cutting, termination services |  |
| Associated Party 1 |  |  |  |  |
| Associated Party 2 |  |  |  |  |

+ Add additional rows as required

## Section B – Details of companies you import from

Please provide the contact details for each individual company you import from.

|  |  |  |
| --- | --- | --- |
| **Exporter/Supplier name** | **Address** | **Contact Details** |
|  |  |  |
|  |  |  |
|  |  |  |

+ Add additional rows as required

## Section C – Sales, imports and domestic purchases

### C1 – Total company revenue

Please provide your company’s total revenue and the revenue of the goods concerned:

|  |  |
| --- | --- |
|  | **Value**  **in GBP (£)** |
| Total revenue of your company in the POI | £120,000,000 |
| Total revenue of your company for the goods concernedin the POI | Between £2,750,000 and £3,680,000 |

### C2 – Your imports of the goods concerned

Please provide the total volume and value of the goods concerned imported by your company from the People’s Republic of Chinain the POI:

|  |  |  |
| --- | --- | --- |
|  | **Volume**  **(fkm)** | **Value in GBP (£)** |
| The goods concernedimported into the UK in the POI | Between 69,969 and 94,664 fkm | Between 920,000 and 1,2450000 |
| The goods concernedimported into the UK in the POI and resold in the UK | Between 2,500,178 and 3,383,595 optical fibre cable metres | Between 968,000 and 1,334,000 |
| The goods concerned imported into the UK in the POI and consumedby your own company | n-a | n-a |
| The goods concernedimported into the UK in the POI and exported | Between 767,550 and 1,038450 optic fibre cable metres | Between 282,000 and 381,000 |

Please provide the total volume and value of the like goods imported by your company from all other countriesin the POI:

|  |  |  |
| --- | --- | --- |
|  | **Volume**  **(fkm)** | **Value in GBP (£)** |
| The like goodsimported into the UK in the POI | Between 119,850 and 162,1150 fkm | Between 1,315,325 and 1,779,561 |
| The like goods imported into the UK in the POI and resold in the UK | Between 2,179,510 and 2,948,745 | Between 1,362,442 and 1,843,305 |
| The like goods imported into the UK in the POI and consumedby your own company | N\_A | N-A |
| The like goods imported into the UK in the POI and exported | Between 132,794 and 179,663 | Between 99,000 and 133,952 |

### C3 – Like goods purchased from a UK producer

If you have also purchased like goods from a UK producer during the POI, please provide the total sales volume and total sales price value of your purchases in the table below.

|  |  |  |
| --- | --- | --- |
|  | **Volume**  **(fkm)** | **Value**  **in GBP (£)** |
| Like goods purchased from UK producers in the POI | n-a | n-a |
| Like goods purchased from UK producers in the POI and resold in the UK market | n-a | n-a |
| Like goods purchased from UK producers in the POI and consumed by your own company | n-a | n-a |
| Like goods purchased from UK producers in the POI and exported | n-a | n-a |

## Section D – Additional information

**D1 – Other interested parties**

If you believe there are other interested parties that should receive a questionnaire, please provide their organisation name, website, and contact name and email address details below.

|  |  |  |
| --- | --- | --- |
| Organisation name | Website | Contact name and email address (if known) |
| Any altnet / internet service provider (ISP) for example names listed below if you are not in contact with these companies we can provide further details after seeking their permission |  |  |
| Openreach, Virgin Media, City Fibre, Hyperoptic, UPP, Trooli, Grain Connect, Full Fibre, Swish + upto 70 more |  |  |
| BDUK Project Gigabit  (If new tariffs are introduced there will be direct increase in required investment levels to meet UK Gov initiatives, and/or a likely shortage of capacity to meet the declared timeframes) Eventually the increases costs, and extended timeframes will impact consumers/businesses in a negative way | <https://www.gov.uk/guidance/building-digital-uk#:~:text=In%20May%202019%2C%20the%20Chancellor,of%20the%20programme%20was%20confirmed>. |  |
|  |  |  |

**D2 – Particular Market Situation**

If you have any concerns or information about the possible existence of a particular market situation in the People’s Republic of China, please provide details in the box below. This can include examples such as:

* + Prices are artificially low
  + There is significant barter trade (e.g. goods exchanged for other goods)
  + Prices reflect non-commercial factors; or
  + Anything else

*We have no concerns about any market situation in relation to the export of optical cables from PRC to UK, our market sampling has shown cables are available for lower costs than can be purchased in PRC from other countries*

**D3 – Scope**

Do you agree with the scope of the investigation as outlined on page 3?

Yes

No

If you have answered no to the above question, please can you explain why?

*We believe the scope should consider the 2 distinct end markets for the products described on page 3, please refer to the detail given in our response to A1 of this document. This could be achieved by considering cable designs / fibreoptic core counts that are specific to the FTTH market which is the vertical for which we understand the complaint is focused.*

*With regards to the exclusion ref ii we believe this should be amended to read ‘cables in which at least one of the optical fibres are individually fitted with optical connectors at one or both extremities’ rather than as currently drafted stating* all optical fibres. There are applications where only some of the optical fibres may be terminated prior to installation / use for reasons of redundancy and future capacity planning – for example 2 fibres out of 4.

**D4 – Product Control Numbers**

The TRA uses Product Control Numbers (PCNs) to define and distinguish the different types of products that fall under the goods description above.

PCNs, which come in the formof analphanumeric code**,** help to create a categorisation system so that comparisons can be made between goods produced in the domestic UK market and those produced in foreign markets.

We have created the following draft PCN table:.

|  |  |  |
| --- | --- | --- |
| **Description** | **Value** | **Comments** |
| Type of single mode optical fibre in the cable | **A** | Type G.652D  <https://www.itu.int/itu-t/recommendations/rec.aspx?rec=13076> |
| **B** | Type G.657 A1  <https://www.itu.int/itu-t/recommendations/rec.aspx?rec=13078> |
| **C** | Type G.657 A2  <https://www.itu.int/itu-t/recommendations/rec.aspx?rec=13078> |
| **D** | Type G.654  <https://www.itu.int/itu-t/recommendations/rec.aspx?rec=14198> |
| **E** | Other types of single mode optical fibre |
| Number of fibres in the cable | **NNNNN** | An optical fibre cable with 48 fibres would be marked as 00048 |
| First (innermost) cable jacket | **A** | polyethylene (PE) + embedded radial strength member (RSM) |
| **B** | polyethylene (PE) sheath |
| **C** | Halogen Free Flame Retardant (HFFR) |
| **D** | Other type of jacket |

By way of example, for a single-mode fibre of type G.657 A2, with 96 fibres, and an innermost polyethylene (PE) sheath jacket, the PCN would be C00096B.

Please review the draft PCN structure for this investigation in the table above. Please include any comments on the PCN structure in the box provided.

*The suggested PCN draft structure makes sense and covers all key aspects of product design*

### D5 – Economic Interest Test

It is a requirement of the investigation to conduct an Economic Interest Test (EIT). The aim of the EIT process is to determine whether the implementation of the proposed trade remedies measure is in the wider economic interest of the UK. In order to obtain a complete picture of the UK market, could you please help by identifying UK business which may wish to contribute to our investigation. If possible, please provide the names and contact information for any UK-based companies operating in the optical fibre cables market. Please confirm in the final column if we are able to contact these companies.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **Company name** | **Company location**  **(City, country)** | **Company Contact Information**  **(email/telephone)** | **Relationship** | **Can we contact**  **Y/N** |
| 1 | *Any altnet or ISP* | National | Various – see answer provided in section D1. |  | We can provide lists of contacts if required |
| 2 | *UK Gov* | National | See answer provided in section D1 |  |  |
| 3 |  |  |  |  |  |
| 4 |  |  |  |  |  |

*The UK Gov has set out aggressive Gigabit broadband roll out targets as part of election manifestos. This expectation is being supported with significant public and private capital investment. Similar large scale roll outs are being undertaken within the same timeframes across Europe. There are already capacity and lead time constraints within the cable supply chain – this can be demonstrated through interviews with altnet and network operators a situation exacerbated by the recent EU finding in favour of the same complaint as has led to this investigation.*

*If the option for UK companies to purchase product produced in PRC becomes economically unviable through punitive tariffs there is a high likelihood of delays to the roll out programme. Existing UK and EU factories cannot meet market demand in the timeframes required at the moment, so removing capacity from the wider supply chain will only worsen the situation, this in turn impacts the UKs competitiveness and attractiveness for business investment and the general publics access to fit for purpose internet access.*

*If tariffs are introduced the market price for products under investigation will naturally increase – whether sourced from PRC with tariffs imposed – or by removing the competitiveness that optional sources (we emphasise the word optional – all users have a choice currently) bring to the market. The companies that are left to supply into the market tariff free will increase prices. As in any market inflation will eventually reach the end user, in this case the home owner / business user who will pay increased amounts for internet/broadband subscription, along the way the government cost to support the national project will also increase which ultimately is another cost to the general public*

*Our strong view is that changes to current tariffs and market competition will not benefit the UK in any measurable manner, and will infact have a negative impact in both time/delivery of BDUK Project Gigabit and to the cost incurred by the government and public to complete this roll out. We also believe the attractiveness of Project Gigabit to Private / Venture Capitalist investors will be reduced if timelines for return on investment are extended due to supply chain capacity constraints, and if returns are reduced through increased costs.*

*The UK does not need to follow the EU in this case*

**D6 – Anything else**

Please use the box below to provide information about anything else you consider relevant to this investigation.

Now you have reached the end of this questionnaire please ensure that you have prepared a confidential and non-confidential version and indicated the status of each within the header. Please return both versions to the TRA using the Trade Remedies Service ([trade-remedies.service.gov.uk)](https://www.trade-remedies.service.gov.uk/accounts/login/?next=/dashboard/).