



18 May 2017

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Committee on Safeguards

Original: English

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

VIET NAM

*(Mineral or chemical fertilizers)*

The following communication, dated 17 May 2017, is being circulated at the request of the delegation of Viet Nam.

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Pursuant to Article 12.1 (a) of the WTO Agreement on Safeguards, the Socialist Republic of Vietnam hereby wishes to notify the Committee on Safeguards that the Vietnam Competition Authority hereafter referred as "the Investigating Authority" has initiated a safeguard investigation on the imports of "Certain mineral or chemical fertilizers" under HS Code 3105.10.90; 3105.30.00; 3105.40.00; 3105.51.00; 3105.59.00; 3105.90.00.

On 12 May 2017, the Investigating Authority received a sufficient and legal application for a safeguard measure from the two companies, hereinafter referred to as "the Applicant". After examining the properly documented application, the Investigating Authority concluded that there was sufficient evidence to justify the initiation of a safeguard investigation.

**1. The date of initiation**

The investigation was initiated on 12 May 2017.

**2. Subject goods**

The fertilizers under the investigation included: Mineral or chemical fertilizers containing substantial elements of Nitrogen and Phosphorus with minimum content of 7% Nitrogen and 30% Phosphorus.

Certain fertilizer products under HS Code: 3105.10.90; 3105.30.00; 3105.40.00; 3105.51.00; 3105.59.00; 3105.90.00.

**3. Reasons for initiation of investigation procedure**

The investigation was initiated following an evaluation of prima facie evidence provided in the application for a safeguard measure by the Applicant which accounts for a major proportion in the total production of the like products in Viet Nam.

The data submitted by the Applicant showed that there was an increase of volume of import of the subject good that caused serious injury to the domestic industry producing similar products.

The currently available data also showed a situation of sharply declining in sales, revenue, profits and losses, production, capacity utilization, productivity, market shares, labor and losses, inventory and labor in conjunction with the increase in imports.

#### **4. Further information**

Interested parties who desire to present evidence, documents and opinions pertaining to the investigation could submit evidence, documents and opinions in Vietnamese, in both computer files and hardcopy during the investigation.

Deadline of submitting the registration for interested parties to receive the public information and documents on the investigation is **16<sup>th</sup> June 2017**. Registration form shall be delivered to the following address:

VIET NAM COMPETITION AUTHORITY  
(Trade Remedies Investigation Division)  
25 Ngo Quyen Street, Ha Noi, Viet Nam  
Tel: (84 4) 22205002 ext.1038  
Email: [hungnht@moit.gov.vn](mailto:hungnht@moit.gov.vn);  
[quynhpm@moit.gov.vn](mailto:quynhpm@moit.gov.vn);

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