



Republika e Kosovës
Qeveria - Vlada – Government

*Ministria e Industrisë, Ndërmarrësisë dhe Tregtisë -Ministarstvo Industrije,
Preduzetništva i Trgovine -Ministry of Industry, Entrepreneurship and Trade*

Kabineti i Ministres - Kabinet Ministra - Cabinet of the Minister

No.Ref.01/63
21.08.2023

The Minister of the Ministry of Industry, Entrepreneurship and Trade, pursuant to Article 11, paragraph 1 subparagraph 1.5 of Law No. 08/L-117 on the Government of the Republic of Kosovo, Articles 10 and 11, of Law No. 06/L-113 on the Organization and Functioning of the State Administration and Independent Agencies (Official Gazette, No. 7/01 March 2019), Article 46 of Law No. 04/L-240 on Anti-Dumping and Countervailing Measures, as well as Article 8 paragraph 1 under paragraph 1.4 and Appendix 12 of Regulation No. 02/2021 on Areas of Administrative Responsibility of the Office of the Prime Minister and Ministries issues the following:

DECISION

1. The Antidumping protection measure on the poultry and animal concentrate production sector from Serbia is hereby repealed.
2. The Customs of the Republic of Kosovo is obliged to implement this decision.

REASONING

After receiving the request of the Poultry Association of Kosovo, which requested that the current measure be repealed, as well as the request made by or on behalf of the local industry of Kosovo, a request to extend customs codes to the entire chapter, the Ministry of Industry, Entrepreneurship and Trade, respectively the Department of Trade, in cooperation with the Commission for the Evaluation of Special Duties on Imports, in accordance with Article 50 paragraph 1 of Law No. 04/L-240 on Anti-Dumping and Countervailing Measures, reviewed the requests and also held several meetings with the manufacturing companies, the Kosovo

Customs and KAS. The data obtained on the ground from the producers, importers as well as from the points of sale show that the local production does not meet the main condition for protection with the anti-dumping measure since we have a change in the prices of poultry and animals concentrate in the market, where Serbian products in Kosovo that are considered for this measure are more expensive and the amount of production of this product is less than (50%) of the total production of the similar product, so the production of this product has not met the condition which is provided in paragraph 6 of Article 28 of Law no. 04/L-240 on Anti-dumping and Countervailing Measures, which quotes as in the following:

It is considered that the application has been made by or on behalf of the domestic Kosovo industry only if it is supported by:

- ***6.1. either Kosovo manufacturers/producers whose production constitutes equal or more than fifty percent (50%) of the total production of the like product; or,***
- ***6.2. if opposition expressed to the application of Kosovo producers is less than the production of those manufacturers/producers who support the application.***

The Ministry of Industry, Entrepreneurship and Trade, respectively the Department of Trade, in consultation with the Commission for the Evaluation of Protective Measures in Imports, based on Article 46 of Law No. 04/L-240 on Anti-dumping and Countervailing Measures, as well as based on the analysis of the data from this commission which was presented as a final analysis dated 29.03.2023, recommends the repeal of the protective anti-dumping measure on the production sector of poultry and animals concentrate based on the above mentioned data.

Based on Article 46 of Law No. 04/L-240 on Anti-dumping and Countervailing Measures and based on the aforementioned recommendation, the Minister decided as in the enacting clause of this Decision.

This decision enters into force on the day of its publication in the Official Gazette of the Republic of Kosovo.

Legal remedy: The party dissatisfied with this decision may file a lawsuit with the Department of Administrative Matters of the Commercial Court of Prishtina, within a period of 30 days after the decision is served.

Rozeta HAJDARI

Minister

The decision is sent to:

- Kosovo Customs;
- Cabinet;
- Office of Secretary General/MIET;
- Members of Commission for the Evaluation of Protective Measures in Imports;

- Department of Trade;
- Legal Department;
- Archive.