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SEVENTEENTH ANNUAL REPORT FROM THE COMMISSION

TO THE

EUROPEAN PARLIAMENT

ON

THE COMMUNITY'S ANTI-DUMPING AND ANTI-SUBSIDY ACTIVITIES

(1998)

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SEVENTEENTH ANNUAL REPORT OF THE COMMISSION¹
ON THE COMMUNITY'S ANTI-DUMPING AND ANTI-SUBSIDY ACTIVITIES

Purpose and Aim

This report is submitted to the European Parliament following its Resolution of 16 December 1981 on the Community's anti-dumping activities², and the reports of the European Parliament's Committee on External Relations on the anti-dumping policy of the European Community³.

Its aim is to provide comprehensive and comprehensible information on the trade policy instruments of the European Community and, in particular, on the activities of the Community in anti-dumping and anti-subsidy matters in 1998. It summarises developments in general policy and contains a concise commentary on each case initiated, each provisional and definitive measure taken, and each case terminated without measures.

Furthermore, it provides information on the court cases relating to the trade defence instruments, and summarises anti-dumping and anti-subsidy investigations carried out by other countries against the European Community or its Member States. As an introduction to this report, the notions of dumping and subsidies and international and Community legislation relating to these are explained. The annexes to this report provide easy access to the activities in table form.

This report is also available to the general public.

Further information on anti-dumping and anti-subsidy is available on the Internet Website <http://europa.eu.int/comm/dg01/trade10.htm>. The anti-dumping and anti-subsidy services can also be contacted by E-mail : antidumping.icp@dg1.cec.be or by phone : +32-2-296.32.01.

¹ Previous reports were given in COM(83)519 final/2; COM(84)721 final; COM(86)308 final; COM(87)178; COM(88)92 final; COM(89)106; COM(90)229 final; SEC(91)92 final; SEC(91)974 final; SEC(92)716 final; COM(93)516 final; COM(95)16 final and COM(95)309 final; COM(96)146 final; COM(97)428 final; COM(98)482 final.

² OJ No C.11, 18.01.82, p 37.

³ PE 141.178/fin of 30.11.1990, reporter Mr Gijs DE VRIES.

1. INTRODUCTION

The European Union is committed to open markets and further liberalisation of international trade. However global markets are still threatened by unfair trading practices, such as dumping or subsidisation, which can cause material injury to Community industries and put employment at risk. The European Union is therefore determined to act to ensure that its industries are not disadvantaged by these practices, that the Community interests are defended and that fair competition is restored, where needed.

1.1. The legal framework

The international framework

On an international level, unfair trading practices, such as dumping and the granting of subsidies, were identified as a threat to open markets as early as 1947, when the first GATT agreement was signed. The agreement contained specific provisions allowing GATT members to take action against these practices, if they caused material injury to the domestic industry of a GATT member.

Since that time, considerable efforts have been made to harmonise the rules relating to trade defence instruments. Particularly during the last GATT round (the so-called Uruguay round), which led to the creation of the WTO and to detailed Anti-dumping and Anti-Subsidy Agreements, these efforts have focused on the procedural rules as well as the material conditions to be fulfilled before protective measures can be taken. The Community played an active role in the negotiation of these relevant criteria and has included them in its own legislation.

The Community legislation

The first Community anti-dumping and anti-subsidy legislation was enacted in 1968, and has subsequently been modified several times. The current basic Regulations (EC and ECSC), which form the legal basis of anti-dumping and anti-subsidy investigations in the Community, entered into force in between March 1996 and April 1998⁴. They are to a large extent identical with the Anti-dumping and Anti-subsidy Agreements agreed upon in the GATT/WTO negotiations.

Furthermore, Community legislation contains a number of provisions aimed at ensuring a balanced application of the Community's anti-dumping and anti-subsidy rules. These provisions are the "Community interest test" and the "lesser duty rule".

The Community interest test corresponds to a public interest clause, and foresees that measures can only be taken if they are not contrary to the overall interest of the Community. This requires an appreciation of all the economic interests involved, including the interests of the domestic industry, users and consumers.

⁴ Council Regulation (EC) No 384/96 of 22 December 1995 (OJ No L 56 of 6.3.1996), as last amended by Regulation (EC) No 905/98 (OJ No L 128 of 30.04.1998) and Commission Decision No 2277/96/ECSC of 28.11.1996 (OJ No L 308 of 29.11.1996) for anti-dumping, and Council Regulation (EC) No 2026/97 of 6 October 1997 (OJ No L 288 of 21.10.1997) and Commission Decision No 1889/98/ECSC of 3 September 1998 (OJ No L 245 of 4.9.1998) for anti-subsidies.

The lesser duty rule allows the measures imposed by the Community to be lower than the dumping or subsidy margin, if such a lower duty rate is sufficient to protect the Community industry adequately.

1.2. What is dumping and what are countervailable subsidies – the material conditions for the imposition of duties

Dumping and Subsidies

Dumping is traditionally defined as price discrimination between national markets, or as selling below cost of production. The Community's anti-dumping legislation defines dumping as selling a product in the Community at a price below its "normal value". This "normal value" is usually the actual sales price on the domestic market of the exporting country. Consequently a company is selling at dumped prices if the prices on its home market are higher than its export prices (price discrimination).

However, if sales on the domestic market are not representative, for instance because they have only been made in small quantities, the normal value may be established on another basis, such as the sales prices of other producers on the domestic market, or the cost of production. In the latter case, a company is selling at dumped prices if its export prices are below the cost of production.

In the majority of cases where dumping occurs on a more than incidental basis, a certain market segregation exists. That segregation may be due to government regulation, but also to other circumstances, including consumer preferences. As a result, exporters are shielded, at least to a certain degree, from international competition on their domestic market.

Subsidies can have similar effects as sales at dumped prices. They consist of a financial contribution from a government, which confers a benefit to producers or exporters (e.g. grants, tax and duty exemptions, preferential loans at below commercial rates). Typical examples are export promotion schemes, which allow exporters to sell at low prices in the Community.

Material Injury and Causality

For measures to be taken against these unfair trading practices, it is not sufficient that companies are exporting their products to the Community at dumped or subsidised prices. Measures can only be taken if these exports cause *material injury* to Community producers, which cannot compete on an equal footing with the exporters.

Typical injury indicators are that the dumped and subsidised import volumes increase over a certain period and import prices undercut the sales prices of the Community industry. As a consequence, the latter is forced to decrease production volumes and sales prices, loses market shares, makes losses or has to make employees redundant. In the worst case, exporters may try to eliminate viable Community producers by using a predatory pricing strategy. In any event, the injury analysis requires that all relevant factors be taken into account before deciding whether the Community industry is suffering material injury.

Another condition for the imposition of measures is that the injury must be *caused* by the dumping or the subsidies. This condition is fulfilled when the deterioration of the situation of the Community industry coincides with the increase in dumped and subsidised imports. It is important to note that the dumped or subsidised imports do not have to be the only cause of the injury.

Community interest

Finally, it has to be established that the application of measures would not be contrary to the overall interest of the Community. In this respect, the interests of all relevant economic operators, which might be affected by the outcome of the investigation, are to be taken into account, the so-called *Community interest* test. In this context, the interest to preserve employment in the Community is carefully considered.

1.3. Procedure

Investigations are carried out in accordance with the procedural rules laid down in the basic Regulations. These rules guarantee a transparent, fair and objective proceeding by granting significant procedural rights to interested parties. In addition, the results of an investigation are published in the Official Journal of the EC, and the Community is obliged to justify its decisions in this publication. Finally, it is ensured that each case is decided on its merits and the Commission does not hesitate to terminate a case if the conditions to impose measures are not met.

Whereas each investigation is different, depending on the products and countries involved, all cases follow more or less the same procedural rules. Certain preferential rules only apply to the Central and Eastern European Countries and Turkey. The rules relating to a new case are summarised below :

Initiation

A case normally starts with a complaint from the Community industry. After receipt of this complaint, the Commission assesses whether the complaint contains sufficient evidence to allow for the initiation of the case. A case is opened by a notice of initiation published in the Official Journal. In this notice, all interested parties, including users and, where appropriate, consumer organisations, are invited to participate in the proceeding. Detailed questionnaires are sent to producers in the exporting countries and the Community, traders (in particular importers) and other interested parties, such as users. These parties are also informed that they can request a hearing and ask for access to the non-confidential files, which will help them to defend their case.

The investigation up to provisional measures

Following receipt of the replies to the questionnaire, investigations are carried out by Commission officials at the premises of the co-operating parties. The purpose of these visits is to verify whether the information given in the questionnaire is reliable. The verified information is subsequently used to calculate the dumping margin, the price undercutting margin and injury elimination level. These calculations often involve the processing of thousands of transactions, and require a complex analysis of production costs.

The results of the calculations and the other findings are summarised in a working document, on the basis of which it is decided - after consultation of the Member States in the Advisory Committee - whether to impose provisional measures or to terminate the proceeding. In either eventuality, the decision at this stage is the Commission's responsibility.

The investigation up to definitive measures

Following the publication in the Official Journal of a Commission regulation imposing provisional duties, interested parties, who so request, receive a full disclosure, which allows them to verify the calculations of the Commission and to submit comments. Comments can also be made in a hearing. All submissions and comments are taken into account when a second, definitive, working document is prepared by the Commission.

After final disclosure and consultation of the Member States on the basis of the second working document, the Commission makes a proposal to the Council whether or not to confirm the provisional measures and impose definitive measures. Another possibility is that the Commission accepts undertakings offered by exporters, which undertake to respect minimum prices. In this case, no duties are imposed for the companies from which undertakings are accepted.

The Council decides on the adoption of the Commission proposal by simple majority vote, i.e. at least eight Member States have to be in favour of the Commission proposal. The regulation imposing definitive duties, and deciding on the collection of the provisional duties, is published in the Official Journal.

Timing

The procedure described above is subject to strict statutory deadlines. Thus, a decision to impose provisional duties must be taken within nine months of initiation and the total duration of an investigation is limited to fifteen months. This leads to significant time pressures, taking into account, *inter alia*, internal consultations and the necessity to publish regulations and decisions in all Community languages at the same time.

Anti-dumping or countervailing measures will normally remain in force for five years, and may consist of duties or undertakings concluded with exporters. Measures are taken on a countrywide basis, but individual treatment, i.e. the application of a company-specific duty, can be granted to exporters which have co-operated throughout the investigation. During the five-year period, interested parties may, under certain conditions, request a review of measures or the refund of anti-dumping duties paid. Measures may also be suspended for a certain period, subject to given criteria.

Procedural rights and judicial review

EU legislation ensures full transparency in anti-dumping and anti-subsidy cases by the disclosure of information to the parties concerned and the authorities of third countries, and by the publication of decisions and the reasons underlying them. The procedural rights of parties, including hearings and access to non-confidential files, are fully respected in the course of the proceeding, and a system of judicial review exists to ensure their correct implementation.

The competence to review anti-dumping or anti-subsidy cases lies with the Court of First Instance and the Court of Justice in Luxembourg. Furthermore, the possibility of recourse to the WTO dispute settlement mechanism exists for WTO members.

1.4. The Anti-dumping and Anti-subsidy Services

Anti-dumping and anti-subsidy investigations are, among other responsibilities, carried out by Directorates C and E of Directorate General I in charge of external commercial policy. Whilst Directorate I-C deals with the dumping aspects of investigations, Directorate I-E covers the areas of injury and Community interest. In addition, Unit 3 in Directorate I-E is in charge of anti-subsidy investigations.

2. GATT/WTO ISSUES

WTO Anti-Subsidy Developments in 1998

British Steel

In July 1998, the Commission requested consultations with the US with respect to the imposition of countervailing duties on certain hot-rolled lead and bismuth carbon steel (lead bars) originating in the United Kingdom in three successive administrative reviews. The US refuses to take account of the privatisation or change of ownership of the body receiving a subsidy, even if at a full market price, and to consider whether the subsidy still provides a benefit when assessing or reassessing the countervailable subsidy. The consultations were held on 29 July 1998 in Geneva but, as they did not lead to a solution, the Commission is planning to request a WTO Panel in 1999.

Non-actionable subsidies review

As part of the built-in agenda, the WTO Subsidies Committee will, under Article 31 of the Agreement on Subsidies and Countervailing Measures, have to review the provisions of Article 6.1 (subsidies creating a presumption of serious prejudice), and of Articles 8 and 9 (the so-called "green-light" category), by mid-1999. These articles are only applied on a provisional basis and will expire by the end of 1999, if not renewed by the Committee. The Commission is in favour of maintaining these provisions, and has had informal discussions on this with other WTO members.

3. CHANGES TO THE BASIC REGULATION

3.1. Changes to Regulation (EC) No 384/96 (anti-dumping)

The Russia/China amendment

In recent years, unprecedented economic reforms in the Russian Federation and the People's Republic of China have significantly altered economic circumstances in these countries. Eventually, there was enough clear economic justification for adapting EU anti-dumping practice to reflect the remarkable advances brought about by these reforms. The EU, therefore, adopted an amendment to the basic anti-dumping Regulation, which came into force on 1 July 1998.

This amendment (Regulation (EC) No 905/98, OJ L128 of 30/4/98) stipulates under which circumstances it is possible to grant full market economy status to individual companies. It allows a degree of flexibility, on a case-by-case basis, to assess whether individual companies operate in an environment where market economic conditions prevail. It also introduces a more systematic approach to issues of individual treatment and natural comparative advantage. In this way, the amendment recognises the efforts made by Russia and China to transform their economies.

In practical terms, a hybrid regime applies to Russian and Chinese exporters. If they can prove that they operate in an environment where market economy conditions prevail, they will be treated like companies in market economy countries. If they do not wish to claim market economy treatment, or cannot prove that they qualify for it, the exporters will receive the non-market economy treatment they would have received in the past (i.e. normal value based on costs and prices in an analogue country). In any event, such companies can still claim individual treatment, or claim a natural comparative advantage, which, if backed with evidence, could lead to the analogue normal value being adjusted to take account of specific circumstances in their country.

Claiming market economy status

Despite the amendment, and the additional workload it represents for both Russian and Chinese exporters and Commission officials, the deadlines for conducting anti-dumping investigations remain fixed by Community law. Therefore, claims for market economy status have to be dealt with extremely quickly in order to meet these deadlines. As a result, exporters concerned have to complete a special claim form and return it to the Commission within three weeks of the initiation of a proceeding.

In the claim form, a minimum amount of information is requested, which is needed to decide whether a company in Russia or in China is operating in a market economy environment, that is, if:

- decisions of firms regarding prices, costs and inputs, including for instance raw materials, costs of technology and labour, output, sales and investment, are made in response to market signals reflecting supply and demand, without significant State interference in this regard, and costs of major inputs substantially reflect market values,
- firms have one clear set of basic accounting records which are independently audited in line with international accounting standards and are applied for all purposes,
- the production costs and financial situation of firms are not subject to significant distortions carried over from the former non-market economy system, in particular in relation to depreciation of assets, other write-offs, barter trade and payment via compensation of debts,
- the firms concerned are subject to bankruptcy and property laws which guarantee legal certainty and stability for the operation of firms, and
- exchange rate conversions are carried out at the market rate.

Due to the tight deadlines, both the criteria and the deadlines are applied strictly. If any information is missing in the completed claim form, or if it is returned late, the claim is automatically rejected.

Examples of the type of information required include costs for the main inputs of the product concerned (raw materials, components, labour, energy), and proper sets of audited accounts, translated into English and covering the previous two years. English translations of the Memorandum and Articles of Association, and of any business licence required to carry out operations will also be required.

Evidence will also be required that exchange rate conversions are carried out at the market rate. Such evidence could include letters from the company's bank and bank statements showing conversions for a sample of transactions. The company will also have to give information on loans, debts and fixed assets like buildings, land and machinery.

This list is not exhaustive, and is only provided as an indication. However, every effort is made to minimise the burden on companies requesting market economy treatment in view of the very short deadlines involved.

Once the Commission has analysed the completed claim forms, it either rejects the claim, or sends a team of investigators to the company concerned to verify the information provided.

A decision on whether to grant market economy status to a company must be made within three months of initiation of the proceeding. The case then continues using market economy or non-market economy procedures, as appropriate. The normal deadlines still apply, meaning that provisional measures, if any, must be published within nine months of the case being initiated, and definitive measures within 15 months of initiation.

3.2. New Commission Decision No 1889/98 (anti-subsidies for coal and steel)

On 4 September 1998, the Commission published Decision 1889/98 containing the anti-subsidy investigation provisions for ECSC products (OJ L 245/3). Decision 1889/98 is almost identical to Regulation 2026/97 concerning countervailing investigations for non-ECSC products; the main difference being that, for ECSC products, the decision power belongs to the Commission.

4. GENERAL OVERVIEW OF MEASURES IN FORCE

At the end of 1998, the Community had 142 measures⁵ in force, covering 60 products and 33 countries. Three of the measures related to anti-subsidy proceedings. Of the definitive measures, the large majority was in the form of duties; however, in a significant number of cases, in particular those relating to CEEC countries, undertakings were accepted.

⁵ The measures are counted per product and country concerned.

Of the measures in force at the end of 1998, 11 measures (or 7,7%) concerned non-market-economy countries⁶, including Belarus with 3 measures, Kazakhstan with 2 measures and Ukraine with 6 measures. Eleven measures (or again 7,7%) concerned one or more of the 10 Central and East European Countries (CEEC)⁷.

For a more realistic view of the impact of anti-dumping measures, however, one has to look at the trade volume of the products concerned, which varies considerably depending on the product sector. The biggest trade volumes are often generated by high technology, high-value products such as electronics. It should be noted, however, that in 1998 (as in previous years) only 0,3%⁸ of the total import trade is affected by anti-dumping or anti-subsidy measures.

TABLE 1

**Anti-dumping and anti-subsidy investigations
during the period 1 January 1994 – 31 December 1998⁹**

	1994	1995	1996	1997	1998
Investigations in progress at the beginning of the period	51	65	77	54	62
Investigations initiated during the period	43	33	25	45	29
Investigations in progress during the period	94	98	102	99	91
Investigations concluded by :					
- imposition of definitive duty or acceptance of undertakings	21	13	23	24	28
- terminations ¹⁰	8	8	25	13	16
Total investigations concluded during the period	29	21	48	37	44
Investigations in progress at the end of period	65	77	54	62	47
Provisional duties imposed during the period	25	21	11	33	30

⁶ According to Council Regulation (EC) No 519/94 and (EC) No 384/96, as amended by Council Regulation (EC) No 905/98 of 27 April 1998, these countries were the following in 1998 : Albania, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldavia, Mongolia, North Korea, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Vietnam.

⁷ These countries are: Romania, Bulgaria, Slovak Republic, Czech Republic, Slovenia, Hungary, Poland, Latvia, Lithuania and Estonia.

⁸ Source Comext

⁹ The initiation of a case concerning several countries is accounted as separate investigations/proceedings per country involved.

¹⁰ Investigations might be terminated for reasons such as the withdrawal of the complaint, *de minimis* dumping or injury, etc. -

5. INITIATIONS OF ANTI-DUMPING AND ANTI-SUBSIDY INVESTIGATIONS

5.1. Overview

In 1998, 29 new investigations⁹ were initiated, involving imports from 12 different countries (review investigations are dealt with in section 9 of this report). India and the Republic of Korea featured most prominently with 7 investigations, followed by Poland, Hungary, Saudi Arabia, South Africa and Ukraine with 2 each, and the Czech Republic, China, Mexico, Slovenia and Croatia with 1 each. Details of these investigations are given in Annex A.

In the five-year period from 1994 to 1998, 175 investigations were initiated on imports from 39 different countries. The main countries concerned were the People's Republic of China and India with 22 investigations each, the Republic of Korea with 15, Thailand with 12 and Indonesia with 10 investigations. The investigations initiated over the last five years are broken down by country of export in Annex E.

The main sectors concerned by the investigations during the period from 1994 to 1998 were those of textiles, with 48 investigations, and electronics and iron and steel with 24 investigations each. In 1998, the largest number of investigations (9) took place in the textile sector. A breakdown of the product sectors is given in Annex F.

A summary of the cases opened in 1998 can be found below.

5.2. Cases

5.2.1. *Polypropylene binder or baler twine from Poland*

The notice of initiation of the anti-dumping proceeding was published on 3 January 1998. The proceeding was initiated following a complaint lodged by the Liaison Committee of European Union Twine, Cordage and Netting Industries (Eurocord) on behalf of the Community industry. The complaint was supported by a total of fourteen companies.

The allegation of dumping was based on a comparison of normal value established on the basis of domestic prices in Poland with the export prices of the product concerned to the Community. On this basis, the dumping margins were substantial.

The complainant alleged and provided evidence that imports from Poland had increased significantly in absolute terms and in terms of market share. It was further alleged that the volume and prices of the imported product had, among other consequences, a negative impact on the quantities sold and the prices charged by the Community producers, resulting in a substantial adverse effect on the financial situation of the Community industry.

5.2.2. *Polypropylene binder or baler twine from the Czech Republic, Hungary and Saudi Arabia*

The notice of initiation of the anti-dumping proceeding was published on 28 February 1998. The proceeding was initiated following a complaint lodged by the Liaison Committee of European Union Twine, Cordage and Netting Industries (Eurocord) on behalf of the Community industry. The complaint was supported by a total of thirteen companies.

The allegation of dumping was based on a comparison of normal value established on the basis of domestic prices in the Czech Republic, Hungary and Saudi Arabia with the respective export prices of the product concerned to the Community. On this basis, the dumping margins calculated were significant for all three exporting countries.

The complainant alleged and provided evidence that imports from the Czech Republic, Hungary and Saudi Arabia had increased significantly in absolute terms and in terms of market share. It was further alleged that the volume and prices of the imported product had, among other consequences, a negative impact on the quantities sold, the market share and the level of the prices charged by the Community producers, resulting in a substantial adverse effect on the financial situation of the Community industry.

5.2.3. *Steel stranded ropes & cables from the People's Republic of China, India, the Republic of Korea, South Africa and Ukraine*

The notice of initiation of the anti-dumping proceeding was published on 20 May 1998. The proceeding was initiated following a complaint lodged by EWRIS on behalf of the Community industry. The complaint was supported by 23 companies located in all Member States.

A notice of extension of this proceeding, with regard to imports originating in Mexico, Hungary and Poland, was published on 30 July 1998.

Both complaints contained evidence of significant dumping based on a comparison of normal value established on domestic prices in these countries with the export prices of the product concerned to the Community.

For China and the Ukraine, the complainant proposed to base the calculation of dumping on a comparison of normal value established on the basis of domestic prices in Norway with the respective export prices of the product concerned to the EU.

With regard to injury, it was alleged that imports from these countries had increased significantly in absolute terms and in terms of market share. It was further alleged that the price of the imported products had significantly undercut the prices charged by the Community producers, resulting in material injury to the Community industry and a deterioration of profitability.

5.2.4. *Stainless steel wire (< 1 mm) from the Republic of Korea*

The notice of initiation of the anti-dumping proceeding was published on 25 June 1998. The proceeding was initiated following a complaint lodged by the European Confederation of Iron and Steel Industries (Eurofer) on behalf of the Community industry.

The complaint contained evidence of significant dumping based on a comparison of normal value established on the basis of domestic prices in the Republic of Korea with the export prices of the product concerned to the Community.

With regard to injury, it was alleged that imports from the Republic of Korea had increased significantly both in absolute terms and in terms of market share. It was further alleged that the volume and prices of the imported products had, among other consequences, a negative impact on the quantities sold, the market share and the level of the prices charged by the Community producers, resulting in substantial adverse effects on the financial situation of the Community industry and significant job losses.

5.2.5. *Stainless steel wire (= or > 1 mm) from India and the Republic of Korea*

The notice of initiation of the anti-dumping proceeding was published on 25 June 1998. The proceeding was initiated following a complaint lodged by the European Confederation of Iron and Steel Industries (Eurofer) on behalf of the Community industry.

The complaint contained evidence of significant dumping based on a comparison of normal value established on the basis of domestic prices in India and the Republic of Korea with the respective export prices of the product concerned to the Community.

With regard to injury, it was alleged that imports from India and the Republic of Korea had increased significantly both in absolute terms and in terms of market share. It was further alleged that the volume and prices of the imported products had, among other consequences, a negative impact on the quantities sold, the market share and the level of the prices charged by the Community producers, resulting in substantial adverse effects on the financial situation of the Community industry and significant job losses.

5.2.6. *Stainless steel wire (< 1 mm) from India and the Republic of Korea (AS)*

The notice of initiation of the anti-subsidy proceeding was published on 25 June 1998. The proceeding was initiated following a complaint lodged by Eurofer on behalf of the Community industry.

Concerning Korea, the complaint contained evidence that Korean producers and/or exporters benefited from a number of subsidies granted by the Government of Korea. The alleged subsidies relate to credit financing at preferential interest rates, the granting of export credits and advance payment guarantees at rates below the appropriate interest rates, the provision of loans at reduced interest rates to export-oriented industries, ad-hoc subsidies to certain steel producers, the provision of goods and services by the Korean Electricity Company without remuneration, debt forgiveness by the Korea Asset Management Corporation, the drawback of import duties and taxes on imported materials and certain tax incentives.

The subsidy was estimated to amount to 15-25%. It was alleged that the subsidies concerned involved a financial contribution from the Government of Korea and conferred a benefit on the recipients. They were alleged to be either contingent upon export performance, contingent upon the use of domestic over imported goods, or otherwise specific to the steel industry, and were therefore specific and countervailable.

Concerning India, the complaint contained evidence that Indian producers and/or exporters benefited from a number of subsidies granted by the Government of India. These subsidies were a credit for import duty on materials used by exporters (Duty Entitlement Passbook Scheme), a tax exemption on profits earned on exports, and an export promotion capital goods scheme providing for preferential rates of import duty on imports of capital goods to be used for export manufacture. It was also alleged that a number of exporting companies located in export processing zones obtained further tax and duty exemptions. The subsidy was estimated to amount to 25-30%. It was alleged that the subsidies concerned involved a financial contribution from the Government of India and conferred a benefit on the recipients. They were alleged to be contingent upon export performance and therefore specific and countervailable.

With regard to injury, it was alleged that imports from India and Korea had increased significantly in absolute terms and in terms of market share. It was further alleged that the volume and prices of the allegedly subsidised imports had, among other consequences, a negative impact on the quantities sold, market share and the prices charged by the Community producers, resulting in substantial adverse effects on the financial situation of the Community industry and significant job losses.

5.2.7. *Stainless steel wire (= or > 1 mm) from India and the Republic of Korea (AS)*

The notice of initiation of the anti-subsidy proceeding was published on 25 June 1998. The proceeding was initiated following a complaint lodged by Eurofer on behalf of the Community industry.

Concerning Korea, the complaint contained evidence that Korean producers and/or exporters benefited from a number of subsidies granted by the Government of Korea. The alleged subsidies relate to credit financing at preferential interest rates, the granting of export credits and advance payment guarantees at rates below the appropriate interest rates, the provision of loans at reduced interest rates to export-oriented industries, ad-hoc subsidies to certain steel producers, the provision of goods and services by the Korean Electricity Company without remuneration, debt forgiveness by the Korea Asset Management Corporation, the drawback of import duties and taxes on imported materials and certain tax incentives. The subsidy was estimated to amount to 15-25%.

It was alleged that the subsidies concerned involved a financial contribution from the Government of Korea and conferred a benefit on the recipients. They were alleged to be either contingent upon export performance, contingent upon the use of domestic over imported goods, or otherwise specific to the steel industry, and were therefore specific and countervailable.

Concerning India, the complaint contained evidence that Indian producers and/or exporters benefited from a number of subsidies granted by the Government of India. These subsidies were a credit for import duty on materials used by exporters (Duty Entitlement Passbook Scheme), a tax exemption on profits earned on exports, and an export promotion capital goods scheme providing for preferential rates of import duty on imports of capital goods to be used for export manufacture. It was also alleged that a number of exporting companies located in export processing zones obtain further tax and duty exemptions. The subsidy was estimated to amount to 25-30%. It was alleged that the subsidies concerned involved a financial contribution from the Government of India and conferred a benefit on the recipients. They were alleged to be contingent upon export performance and therefore specific and countervailable.

With regard to injury, it was alleged that imports from India and Korea had increased significantly in absolute terms and in terms of market share. It was further alleged that the volume and prices of the allegedly subsidised imports had, among other consequences, a negative impact on the quantities sold, market share and the prices charged by the Community producers, resulting in substantial adverse effects on the financial situation of the Community industry and significant job losses.

5.2.8. *Polypropylene binder or baler twine from Saudi Arabia (AS)*

The notice of initiation of the anti-subsidy proceeding was published on 25 July 1998. The proceeding was initiated following a complaint lodged by Eurocord on behalf of the Community industry.

The complaint contained evidence that Saudi Arabian producers and/or exporters benefit from a number of subsidies granted by the Government of Saudi Arabia. These subsidies were alleged to be: import duty exemption for machinery, interest free loans, tax exemptions, specific incentives for exporters such as reduced port fees, exemption from storage fees and reduced air freight fees for the export of products to Europe, government provision of inputs for less than adequate remuneration and preferential utility rates. The subsidy was estimated to amount to 30-35%. It was alleged that the subsidies concerned involved a financial contribution from the Government of the Kingdom of Saudi Arabia and conferred a benefit on the recipients. They were alleged to be either contingent upon export performance or limited to certain enterprises/industries and therefore specific and countervailable.

With regard to injury, it was alleged that imports from Saudi Arabia had increased significantly in absolute terms and in terms of market share. It was further alleged that the volume and prices of the imported products had, among other consequences, a negative impact on the quantities sold, market share and the prices charged by the Community producers, resulting in substantial adverse effects on the financial situation of the Community industry.

5.2.9. *Steel stranded ropes & cables from Hungary, Mexico and Poland*

The anti-dumping proceeding with regard to steel stranded ropes & cables originating in the People's Republic of China, India, the Republic of Korea, South Africa and the Ukraine (see 5.2.3.) was extended to imports of the same product originating from Hungary, Mexico and Poland. The notice of extension was published on 30 July 1998.

5.2.10. Polyester textured filament yarn (PTY) from India and the Republic of Korea

The notice of initiation of the anti-dumping proceeding was published on 21 August 1998. The proceeding was initiated following a complaint lodged by the International Rayon and Synthetic Fibres Committee, representing a major proportion of Community production of PTY.

The complaint contained evidence of significant dumping based on a comparison of normal values established on domestic prices in India and the Republic of Korea with the export prices of the product concerned to the Community.

With regard to injury, it was alleged that imports from India and the Republic of Korea had increased significantly in absolute terms and in terms of market share. It was further alleged that the volume and prices of the imported products had, among other consequences, a negative impact on the quantities sold and the prices charged by the Community producers, resulting in substantial adverse effects on the overall performance and the financial situation of the Community industry.

5.2.11. Polyester textured filament yarn (PTY) from India and the Republic of Korea (AS)

The notice of initiation of the anti-subsidy proceeding was published on 21 August 1998. The proceeding was initiated following a complaint lodged by the International Rayon and Synthetic Fibres Committee (CIRFS) on behalf of the Community industry..

The complaint contained evidence that producers and/or exporters of the product concerned in India and the Republic of Korea benefit from a number of subsidies granted by their respective Governments. As regards India, these subsidies are a credit for import duty on materials used by exporters, an income tax exemption on profits earned from exports, an export promotion capital goods scheme and benefits from locating in export processing zones or export-oriented units. As regards the Republic of Korea, the alleged subsidies include grants from a modernisation fund for textile firms, an excessive drawback of duty on imported materials, various income tax deductions, tax incentives and credits, subsidised loans for certain strategic industries (including man-made fibre), low interest preferential facility loans and export credits and advance payment guarantees at below the appropriate interest rate. All of these schemes are considered countervailable, as they are allegedly either contingent upon export performance or otherwise specific. The amount of subsidy is estimated at 10-15% for India and 10% for the Republic of Korea.

With regard to the injury, it was alleged that that imports of the product concerned from India and the Republic of Korea had increased in absolute terms and in terms of market share, and that the volume and the prices of the imports, among other consequences, had a negative impact on the quantities sold and the prices charged by the Community producers, resulting in substantial adverse effects on the overall performance and the financial situation of the Community industry.

5.2.12. Stainless steel heavy plates from Slovenia and South Africa

The notice of initiation of the anti-dumping proceeding was published on 17 September 1998. The proceeding was initiated following a complaint lodged by the European Confederation of Iron and Steel Industries (Eurofer) on behalf of the Community industry.

The products allegedly being dumped were flat-rolled products of stainless steel, of a width of 600 mm or more, not further worked than hot-rolled, not in coils, of a thickness of 4,75 mm or more, containing by weight 2,5% or more of nickel.

The complaint contained evidence of significant dumping based on a comparison of constructed normal value with the export price of the product concerned to the Community.

With regard to injury, it was claimed that imports from Slovenia and South Africa had increased significantly in absolute terms and in terms of market share. It was further alleged that the volume and prices of the imported products had a negative impact on the the quantities sold and the prices charged by the Community producers, resulting in a substantial adverse effect on the financial situation of the Community industry.

5.2.13. Seamless pipes and tubes from Croatia and Ukraine

The notice of initiation of the anti-dumping proceeding was published on 19 November 1998. The proceeding was initiated following a complaint lodged by the 'Defence Committee of the Seamless Steel Tube Industry of the European Union' on behalf of the Community industry.

The products allegedly being dumped were seamless pipes, of iron or non-alloy steel, of a kind used for oil or gas pipelines, of an external diameter not exceeding 406,4mm, seamless tubes of circular cross section, of iron or non-alloy steel, cold-drawn or cold-rolled (cold-reduced) and other tubes of circular cross-section, of iron or non-alloy steel, of an external diameter not exceeding 406,4 mm.

The complaint contained evidence of significant dumping based on a comparison of export price of the product concerned to the Community with normal values established for both countries concerned. Since the Ukraine is a non-market economy, the complainant proposed that normal value be established on the basis of the price in a market economy third country.

With regard to injury, it was claimed that imports from Croatia and the Ukraine had increased significantly in absolute terms and in terms of market share. It was further alleged that the volume and prices of the imported products had a negative impact on the the quantities sold and the prices charged by the Community producers, resulting in a substantial adverse effect on the overall performance of the Community industry.

5.2.14. *Polyethylene terephthalate (PET) film from India (AS)*

The notice of initiation of the anti-subsidy proceeding was published on 21 November 1998. The proceeding was initiated following a complaint lodged by Du Pont de Nemours International S.A., Hoechst Diafoil GmbH, Toray Plastic Europe and Nuroll SpA., which account for more than 50% of the Community production of the like product.

The complaint contained evidence that producers and/or exporters of the product concerned in India benefit from a number of subsidies granted by the Government of India and certain State Governments. These subsidies are a credit for import duty on materials used by exporters, a tax exemption scheme on profits earned on exports, export promotion capital goods scheme and benefits from locating in export processing zones. All of these schemes are considered countervailable, as they are allegedly either contingent upon export performance or otherwise specific. The amount of subsidy is estimated at 15-25%.

With regard to the injury, it was alleged that imports from India had increased significantly in absolute terms and in terms of market share. It was further alleged that the low prices of the imported products had, among other consequences, driven down price levels charged by the Community producers, resulting in substantial adverse effects on their profitability as well as on future employment levels.

6. PROVISIONAL MEASURES

6.1. Overview

In 1998, provisional duties were imposed in 30 proceedings involving imports from 20 different countries. India featured most prominently with 7 investigations. As shown in Table 1, this figure compares to 33 in 1997 and 11 in 1996. Details of the provisional duties imposed in 1998 are given in Annex B, whilst this section of the report gives a summary of each of these cases.

6.2. Cases

6.2.1. *Synthetic fibre ropes from India*

On 7 January 1998, the Commission imposed a provisional anti-dumping duty on imports of synthetic fibre ropes originating in India. The proceeding had been initiated in July 1997 on the Commission's initiative. A large number of European producers co-operated in the proceeding.

The investigation confirmed that the total Community consumption in the investigation period (from 1 July 1996 to 31 May 1997), extrapolated to a one-year period, amounted to 26.773 tons, corresponding to a total value of 67.500.000 ECU. The value of the total imports of synthetic fibre ropes from India during the investigation period (12 months) amounted to 1.412.050 ECU.

Dumping

On a product type basis, in all those cases where the investigation revealed that sales of the product concerned on the domestic market during the investigation period were representative and made in the ordinary course of trade, normal value was based on the weighted average domestic selling price. In all other cases, in the absence of domestic selling prices from other co-operating Indian exporters, normal value was constructed.

Since exports of the only co-operating Indian exporter were made directly to independent customers in the Community, the export price was established on the basis of the export price actually paid or payable.

A comparison between normal value and export price, made at the same level of trade after due adjustments, showed an individual dumping margin of 53,4% for the only co-operating Indian exporter. In view of the low level of co-operation with the anti-dumping proceeding, a provisional dumping margin of 82% was established for non-co-operating exporters.

Injury and causation of injury

It was found that consumption in the Community increased by 24% between 1993 and the investigation period. Dumped imports originating in India increased significantly during the same period, by 182%, while their market share went from 2% in 1993 to 4,6% in the investigation period.

During the same period, sales of the Community industry increased by only 8% and its market share declined sharply, by more than 10 percentage points. Profitability decreased from -1,7% to -7,1%, and employment declined by 9%. In addition, the Community industry suffered significant price pressure from the imports originating in India, with undercutting up to 38%. In the light of the above, it was concluded that the Community industry had suffered material injury and that this injury was caused by Indian imports.

Community interest

Having examined the various interests involved, the Commission concluded that there were no compelling reasons not to impose measures.

6.2.2. *Potassium permanganate from India and Ukraine*

On 23 January 1998, the Commission imposed a provisional anti-dumping duty on imports of potassium permanganate originating in India and the Ukraine. The proceeding had been initiated in April 1997 on the basis of a complaint lodged by CEFIC (the European Chemical Industry Council) on behalf of the two Community producers of the product concerned, Industrial Química del Nalón in Spain and Chemie Bitterfeld-Wolfen in Germany.

The investigation confirmed that the total Community consumption in the investigation period (1 April 1996 until 31 March 1997) amounted to about 3.150 tons, corresponding to a total value of approximately 5 million ECU. The value of the total imports of potassium permanganate from India and Ukraine during the investigation period amounted to 750.000 ECU.

Dumping

Indian normal value was established on the basis of domestic selling prices. Export prices were established on the basis of the prices paid by independent customers. The comparison between the weighted average normal value and the weighted average export prices led to a provisional dumping margin at Community frontier level of 6,8%.

For the Ukraine, which is considered to be a non-market economy country, India was selected as the analogue market economy country for the establishment of normal value. The export prices were based on the prices actually paid for the product sold to the Community. A comparison of the weighted average Indian normal value with the weighted average Ukrainian export price at the same level of trade led to a provisional dumping margin of 40,4%.

Injury and causation of injury

The investigation showed that the total volume of imports from India and the Ukraine taken together increased from 278 tonnes in 1992 to 576 tonnes in the investigation period, a 107% increase. These imports reached an 18,3% market share in the investigation period. Imports from India and the Ukraine were found to undercut the EC producers' prices by 8,4% and 26% respectively.

In the analysis, account was taken of the fact that while certain indicators, such as production and sales, had experienced positive trends over the period examined, this had to be seen in the light of the recovery that occurred, and had to be expected, after the imposition of measures against the People's Republic of China.

In addition, the Community industry's prices, significantly undercut by the imports, decreased on average by 10% between 1992 and the investigation period. As a consequence, and despite significant cost reductions, the financial situation of the Community industry is a matter of serious concern.

It was thus considered that the Community industry had suffered material injury and as no other cause of material injury could be established, it was concluded that the dumped imports from India and the Ukraine had caused this material injury.

Community interest

It was found that leaving the Community industry without adequate protection would add to its difficulties at a time when, in volume terms, it is beginning to feel the effects of a progressive recovery from past dumping. On the other hand, the lack of co-operation of traders and users, to which questionnaires on Community interest were sent, is an indicator of the low cost impact of potassium permanganate in its various applications.

Measures

Since for each country concerned the injury elimination margin established was higher than the dumping margin, measures were based on the latter. As regards the form of the measures, particular consideration was given to the fact that the injury established consisted mainly of a depression of the Community producers' prices, together with the negative impact of these low prices on their profitability. It was therefore considered that the appropriate way to remedy injury would be the imposition of a variable duty based on a minimum price. This minimum price, corresponding to the normal value, set at CIF level, was provisionally set at 1.475 ECU/tonne for India and 1.567 ECU/tonne for the Ukraine.

6.2.3. Magnetic disks (3,5" microdisks) from Indonesia

On 3 March 1998, the Commission imposed a provisional anti-dumping duty on imports of certain magnetic disks (3,5" microdisks) originating in Indonesia. The proceeding had been initiated in April 1995 following a complaint lodged by the Committee of European Diskette Manufacturers on behalf of the Community industry.

The investigation confirmed that the total Community consumption in the investigation period (1 March 1994-28 February 1995) amounted to 1.413 million units. The value of the total imports of magnetic disks from Indonesia during the investigation period amounted to 20.641.788 ECU.

Dumping

One Indonesian producer, which accounted for almost all imports of the product in question into the Community from Indonesia, co-operated in the investigation. A dumping margin of 41,1% was found for this producer. Since there was no reason to believe that any non-co-operating producer/exporter would have dumped at a higher level than that found for the co-operating producer, the residual margin was set at the same level.

Injury and causation of injury

Between 1992 and the investigation period production, sales and capacity utilisation of the European industry showed positive development. However, the impact of these positive factors had been offset by low prices, which remained well below the level required for generating sufficient profits to finance the investments needed to allow the Community industry to keep pace with swiftly changing conditions in the area of information technology. Despite the expansion of the market, the Community industry's prices fell by 37% between 1992 and the investigation period, resulting in a considerably worsened financial situation.

The Commission concluded that the dumped imports from Indonesia had caused material injury to the European industry because of their low prices and their growing share of the Community market. This resulted in a deterioration of the financial situation of the Community industry.

Community interest

It was concluded that the adoption of measures would re-establish fair competition by eliminating the injurious effects of Indonesian dumping practices, thereby enabling the Community industry to maintain and develop its activities in the sector of data storage and transmission.

Measures

The injury margin found was above the dumping margin established for the co-operating producer in Indonesia. Therefore the provisional anti-dumping duty was set at the level of the dumping margin, that is 41,1%. The residual duty was set at the same level.

6.2.4. *Polysulphide polymers from the United States of America*

On 19 March 1998, the Commission imposed a provisional anti-dumping duty on imports of polysulphide polymers (PSP) originating in the United States of America (USA). The proceeding had been initiated in June 1997 following a complaint lodged by Akcros Chemicals GmbH & Co KG the sole Community producer of PSP.

The investigation confirmed that the total Community consumption in the investigation period (April 1996 until March 1997) amounted to about 16.000 tons, corresponding to a total value of approximately 48 million ECU.

Dumping

Normal value was established on the basis of the weighted average prices actually paid for domestic sales made in the ordinary course of trade for those PSP types where domestic sales were found to be representative. For those types of product where the volume of domestic sales was lower than 5% of the volume destined for export to the Community, normal value was constructed. As the sole exporting producer made all export sales of the product concerned to the Community via two related importers, the export prices were constructed. The comparison between the weighted average normal value and the weighted average export prices led to a provisional dumping margin at Community frontier level of 49,6%.

Injury and causation of injury

The injury investigation showed that despite an increase in consumption of 5%, the negative evolution of sales prices during the whole period under examination led to a deterioration in the situation of the Community industry. Production, sales volume and sales prices decreased significantly. In addition, return on sales was negative, and the continuous pressure on prices prevented any improvement being made in profitability and financial losses occurred, adding to those already made in the past. In view of the above developments, it was considered that the Community industry had suffered material injury.

In order to ensure that any injury caused by other factors was not attributed to the dumped imports, other known factors, such as developments in consumption, export activity and the price policy of the Community industry, were examined. However, given the fact that PSP is an homogeneous product, mainly offered to end-users in the Community market, it was found that the presence of the high volume of dumped imports from the USA had a significant impact on that market. Furthermore, the market being transparent, the effects of low-priced dumped imports offered by the US exporting producer had a major impact on the level of prices in the Community market. It was thus concluded that the dumped imports under examination had caused the material injury suffered by the Community industry.

Community interest

On the basis of all the available information and the evidence submitted by users, it was also examined whether, despite the conclusions of dumping, injury and the cause of this injury, there were any compelling reasons not to impose anti-dumping measures. In examining the various interests involved as well as the consequences of possible measures on competition in the Community market, no such reasons were found.

Measures

It was considered that the amount of duty necessary to remove the effects of injurious dumping should allow the Community industry to cover its costs and obtain a reasonable profit on sales. Accordingly injury elimination levels were determined and compared with the selling price of PSP originating in the USA. This margin expressed as a percentage of the CIF value of the imports in question, was 9,1%. Since the injury margin is lower than the dumping margin found, a provisional ad-valorem duty of 9,1% was imposed on imports of PSP originating in the USA.

6.2.5. *Cotton fabric (unbleached) from the People's Republic of China, Egypt, India, Indonesia, Pakistan and Turkey*

On 10 April 1998, the Commission imposed a provisional anti-dumping duty on imports of unbleached cotton fabrics originating in Egypt, India, Indonesia, Pakistan, The People's Republic of China and Turkey. The proceeding had been initiated in July 1997 following a complaint lodged by the Committee of the Cotton and Allied Textile Industries of the European Union (Eurocoton) on behalf of the Community industry.

The value of the total imports of cotton fabrics from the countries concerned during the investigation period (12 months) amounted to 351.624.000 ECU.

Dumping

Given the large number of exporters, sampling techniques were used. The margins provisionally found ranged from 13,5% to 31,7% for Indonesia, from 1,6% to 11% for Turkey, from 11,7% to 32,5% for Pakistan and from 4,9% to 16,9% for India. As the sampled Chinese and Egyptian exporters did not fulfil the criteria for individual dumping margins, a single margin was calculated for China (15,7%) and for Egypt (20,6%).

All countries, except Turkey, had a very high level of co-operation. The residual dumping margin for those countries was set on the margin of the company with the highest dumping margin. For Turkey, the residual margin, which was assessed on the basis of best information available, amounted to 14,2%.

Injury and causation of injury

After having made an analysis of injury factors, the Commission concluded that, between 1993 and 1996, the Community industry suffered material injury. This assessment was based on the decrease of production, sales, profitability and employment, whereas, during the same period, stocks increased.

The undercutting margins established for exporting companies ranged from 20% to 24% for China, from 24% to 35% for Egypt, from 3% to 35% for India, from 18% to 36% for Indonesia, from 9% to 19% for Pakistan and from 0,1% to 21,2% for Turkey.

The Commission established that the negative situation of the Community industry coincided with the increase in imports from the exporting countries and the substantial price undercutting by those imports. On this basis, it was concluded that the imports from the countries concerned had caused material injury to the Community industry.

Community interest

After it had examined all the arguments raised in the course of the investigation, the Commission concluded that no compelling reasons had been found not to impose anti-dumping measures.

Measures

Since the level of injury found exceeded the dumping margins provisionally established for most companies, provisional duties were set mostly at the level of the latter: 15,7% for China, 20,6% for Egypt, between 4,9% and 16,9% for India, between 19% and 31,7% for Indonesia, between 11,7% and 32,5% for Pakistan and between 0% and 14,3% for Turkey.

6.2.6. Unwrought unalloyed magnesium from the People's Republic of China

On 15 May 1998, the Commission imposed a provisional anti-dumping duty on imports of unwrought unalloyed magnesium originating in the People's Republic of China (PRC). The proceeding had been initiated in August 1997 following a complaint lodged on 7 July 1997 by the Comité de Liaison des Industries de Ferro-Alliages (Euro Alliages) on behalf of the sole known Community producer of the product, Pechiney Electrometallurgie, France (PEM). The value of the total imports of unwrought unalloyed magnesium from China during the investigation period (from 1 July 1996 to 30 June 1997) amounted to 32.134.000 ECU.

Dumping

Since the PRC was considered to be a non-market economy country, normal value had to be determined by reference to a market economy analogue country; the Commission used Norway in this context.

The single weighted average dumping margin established for all Chinese exporters, expressed as a percentage of the export price free at Community frontier, amounted to 40,6%.

Injury and causation of injury

The Community producer suffered material injury between 1995 and June 1997, particularly in terms of a reduction in sales volume and value, of market share, of profitability and in employment levels for the product concerned. A comparison of sales prices of the Community producer with those of the Chinese exporters on the Community market for this period showed a weighted average price-undercutting margin, expressed as a percentage of the sales price, of 45,5%.

Furthermore, the Commission found that the pricing behaviour of Chinese exporters to the Community was in sharp contrast to that of other market participants and that dumped imports from the PRC, when taken in isolation, had caused the material injury suffered by the Community industry.

Community interest

It was found that the existence of a wide range of different sources of supply of magnesium, meant that competition would remain intense on the Community market. Not taking anti-dumping measures, however, could entail the disappearance of the sole Community producer, thus decreasing the degree of competition and possibly increasing prices. It was provisionally concluded, therefore, that there were no compelling reasons not to adopt measures.

Measures

The injury margin was found to be higher than the dumping margin established and therefore, the provisional duty rate was based on the dumping margin of 40,6%. A variable duty was considered the most appropriate, and in these circumstances a variable duty based on a minimum price of ECU 2.797 per tonne, on a CIF Community border level was adopted.

6.2.7. *Stainless steel bars from India (AD)*

On 29 May 1998, the Commission imposed a provisional anti-dumping duty on imports of stainless steel bars (SSB) originating in India. The proceeding had been initiated in August 1997 following a complaint lodged by the European Confederation of Iron and Steel Industries (Eurofer). The investigation established that the total Community consumption in the investigation period (12 months) amounted to 148.457 tons. The value of the total imports of stainless steel bars from India during the same period amounted to 13.505.375 ECU.

Dumping

In all those cases where the investigation revealed that sales of the product concerned on the Indian domestic market during the investigation period were representative and made in the ordinary course of trade, normal value was based on the weighted average domestic selling price of comparable types. In all other cases, normal value was established either on the basis of domestic selling prices of comparable types from other co-operating Indian exporters, or constructed.

Since exports of SSB were made directly to independent customers in the Community, the export price was established on the basis of the export price actually paid or payable.

A comparison between normal value and export price, made at the same level of trade after due adjustments, showed individual dumping margins ranging from 10,9% to 17,7%, the latter dumping margin being applicable for all non-co-operating exporters.

Injury and causation of injury

After examination of all the elements affecting the Community industry, the Commission concluded that the latter had suffered material injury. This assessment was based on the significant price undercutting practised by the Indian exporting producers (up to 19,8%) and the constant increase of imports from India, both in absolute terms and in terms of market share between 1994 and 1996.

The dumped imports of SSB from India caused an adverse effect on the Community industry, which was forced to lower its prices, and coincided with the deterioration of the situation of the Community industry, particularly its loss of market share and unsatisfactory profitability.

Community interest

The Commission considered that following the results of the investigation, it was necessary to restore fair competition conditions on the Community market. Due to the low level of co-operation from the user industry, no representative information was available to the Commission. However, it was noted that any price increase would be moderate, given the high number of competitors inside and outside the Community.

Measures

The provisional duty was based on the dumping margin, except where the injury margin was lower, in which case the duty was based on the injury margin. Provisional duties ranged from 10,9% to 17,7%, the latter duty being applicable for all non-co-operating exporters.

6.2.8. *Antibiotics (broad spectrum) from India (AS)*

On 11 June 1998, the Commission imposed provisional countervailing duties on imports of certain broad-spectrum antibiotics originating in India. The proceeding had been initiated in September 1997 following a complaint lodged by the following Community producers: Antibioticos S.A. and Biochemie S.A. (Spain), Antibioticos S.p.A, Biochemie S.p.A. and ACS Dobfar S.p.A. (Italy) and Biochemie GmbH (Austria).

Subsidisation

The complainant alleged that five schemes (i.e. the Passbook scheme, the Duty Entitlement Passbook scheme, the Export Promotion Capital Goods scheme, the scheme relating to the Export Processing Zones and Export Oriented Units and the Income Tax Exemption scheme) involved the granting of countervailable subsidies to the Indian exporters. Following an investigation of these schemes, it was found that all were countervailable under Council Regulation (CE) No 2026/97 and that benefits accrued thereunder to the exporters of the products concerned. Concerning the total amount of benefit received by the co-operating exporters during the investigation period, it was found that one of the companies received no subsidy. For two of the subsidised exporters, the subsidy was below the *de minimis* level of 3% applicable to India. For the six others, the amount of subsidy ranged from 6,67% to 37,26%.

Injury and causation of injury

The main features of the injury which the Community industry was found to have suffered was a reduction of market share on the Community market and a fall in profitability. The Community industry's share of the Community market, in spite of an increase in production volume, went down from 25% in 1993 to 19,5% in the investigation period. The market share of the imports from India, on the other hand, increased considerably. The profitability of the Community industry also declined significantly during the same period.

In view of the above, the Commission considered that, even though other factors may have contributed to depress the market for the product concerned, the subsidised imports from India, when taken in isolation, had nevertheless caused material injury to the Community industry.

Community interest

Most parties which made submissions to the Commission regarding Community interest stated that they expected positive effects from the imposition of any countervailing measures; none of these parties alleged that such measures would negatively affect them. In these circumstances, it was considered that there were no compelling reasons to conclude that it was not in the Community interest to impose such measures.

Measures

A total of nine Indian exporters co-operated in the investigation. Three of these were found either not to have benefited from any countervailable subsidies, or the latter were found to be at a level which could be qualified as *de minimis*. For these three companies, the rate of provisional duty was set at 0%. For the six other co-operating exporters, provisional ad valorem countervailing duties, varying between 4,6% and 12%, were imposed. These rates of duty were based on the company-specific injury margin or subsidy margin, whichever was the lower. The rate of residual duty to apply to companies which failed to cooperate was set at a slightly higher level, in accordance with the Commissions' policy not to reward non-co-operation, of 14,6%. This last rate corresponds to the average injury elimination margin established for co-operating exporters.

6.2.9. *Stainless steel bars from India (AS)*

On 18 July 1998, the Commission imposed a provisional countervailing duty on imports of stainless steel bars originating in India, amending the provisional anti-dumping duty imposed on 29 May 1998. The proceeding had been initiated in October 1997 following a complaint lodged by the European Confederation of Iron and Steel Industries (Eurofer), representing a number of Community producers of the products concerned based in France, Germany and Italy. The value of the total imports of stainless steel bars from India during the investigation period (12 months) amounted to 13.505.375 ECU.

Subsidisation

The complainant alleged that five schemes involved the granting of countervailable subsidies to the Indian exporters. These schemes are the same schemes which were investigated in the antibiotics proceeding. Following an investigation of these schemes, it was found that three of these schemes (the Passbook scheme, the Export Promotion Capital Goods scheme and the Income Tax Exemption scheme) benefited at least some of the exporters of the products concerned. The investigation established that all three schemes are countervailable under Regulation (EC) No 2026/97 because they all involve a financial contribution from the Indian Government in the form of revenue foregone, and they confer a benefit on the companies concerned by relieving them of certain costs. The subsidies are all contingent upon export performance and therefore specific under the provisions of the basic Regulation.

Concerning the total amount of benefit received by the co-operating exporters during the investigation period, it was found that for one of the subsidised exporters, the subsidy was below the *de minimis* level of 3% applicable to India. For the eight others, the subsidy ranged from 14,5% to 85,6%.

Injury and causation of injury

The result of the analysis of injury and causation was identical to that of the parallel anti-dumping proceeding (see point 6.2.7). Hence, after examination of all elements affecting the Community industry, the Commission concluded that the latter had suffered material injury. This assessment was based on the significant price undercutting practised by the Indian exporting producers (up to 19,8%) and the constant increase of imports from India, both in absolute terms and in terms of market share between 1994 and 1996.

The subsidised imports of SSB from India caused an adverse effect on the Community industry, which was forced to lower its prices, and coincided with the deterioration of the situation of the Community industry, particularly its loss of market share and unsatisfactory profitability.

Community interest

In order to investigate whether the measures were in the interest of the Community, questionnaires were sent to all known users of stainless steel bars, but no substantiated replies were received. The suppliers of inputs to the stainless steel bars' producers in the Community claimed that the imposition of measures was necessary in order to protect their interests.

In these circumstances, it was considered that there were no compelling reasons to conclude that it was not in the Community interest to impose measures.

Measures

A total of nine Indian exporters co-operated in the investigation. The subsidy margin for one of these was found to be at a level, which could be qualified as *de minimis*. For this company, the rate of provisional duty was set at 0%. For the eight other co-operating exporters provisional ad valorem countervailing duties varying between 11,5% and 25% were imposed. These rates of duty were based on the company specific injury margin or subsidy margin, whichever was the lower. The rate of residual duty to apply to companies which failed to co-operate was, in accordance with the Commission's policy not to reward non-co-operation, set at 25%. This last rate corresponds to the level of the highest duty rate found.

6.2.10. *Hardboard from Brazil, Bulgaria, Estonia, Latvia, Lithuania, Poland and Russia*

On 6 August 1998, the Commission imposed a provisional anti-dumping duty on imports of hardboard originating in Brazil, Bulgaria, Estonia, Latvia, Lithuania, Poland and Russia. The proceeding had been initiated in November 1997 following a complaint lodged by 8 companies producing more than 50% of the Community output of the like product. The value of the total imports of hardboard from the countries concerned during the investigation period (from 1 October 1996 to 30 September 1997) amounted to 64,828 million ECU.

Dumping

As far as the exporting producers in the market-economy countries subject to the investigation were concerned, the comparison of normal value with the export prices revealed, during the investigation period, the existence of dumping in all cases. The provisional dumping margins established ranged from 5,6% to 77,8%.

Since Russia is a non-market economy country, the Commission determined the normal value on the basis of data obtained from producers in a market economy third country, i.e. an analogue country. No co-operation could be obtained from any of the market-economy third countries proposed by the complainants. It was therefore decided to have recourse to a country subject to the investigation. In this respect, the Russian authorities claimed that a Central and Eastern European Country (CEEC) would be the most appropriate choice. It was found that Poland was an appropriate analogue country given in particular the volume of domestic sales and the fact that the Polish market is open to imports of hardboard from other countries. Normal value was based on the weighted average of normal values established for the co-operating Polish companies. The provisional dumping margin established was 36,4%.

Injury and causation of injury

Over the period examined, 1993 to September 1997, the volume of imports from the countries concerned increased by 18%. Their market share varied slightly, reaching 23% in the investigation period. Substantial price undercutting was found from all the countries concerned, varying from about 5% for Brazil to about 65% for Estonia. Although imports from other third countries increased their market share over the period, they did so at prices, which did not, on average, undercut those of the Community industry.

The Community industry reacted to the dumped imports by attempting to match their price in order to maintain production volumes and capacity utilisation. Although production levels were indeed maintained, average Community prices fell, from 100 to 84 in index terms. This resulted in substantial and growing financial losses, from 8,1% on turnover in 1993 to 13% in the investigation period. Employment levels decreased by 13%.

The Commission considered that there was a clear causal link between the financial losses suffered by the Community industry and the downward pressure on prices exerted by the dumped imports.

The Commission also examined whether competition from medium density fibreboard (MDF), a wood-based panel product which in some market segments competes with hardboard, could have caused the injury suffered by the Community industry. Although the MDF sector did expand rapidly over the period examined, this did not happen at the expense of hardboard, consumption of which rose over the period examined. Furthermore, there is no evidence that the prices of MDF exerted downward pressure on the prices of hardboard over the period.

Community interest

The Commission contacted companies and associations from both the suppliers' side and the users' side. Only the lacquered doors sector, as users of hardboard, submitted usable information. This sector opposed the imposition of measures on imports of eucalyptus hardboard from Brazil, claiming that they could only produce lacquered doors economically with eucalyptus hardboard. The Community industry, it was alleged, did not produce any hardboard, which satisfied their requirements. The Commission's provisional analysis indicated that around two-thirds of exports from Brazil went to sectors *other than* Community lacquered door production. It was therefore considered that excluding Brazil would substantially weaken the overall effectiveness of the measures proposed. Furthermore, the proposed duties were expected to have a *maximum* impact on average of only 3% on the costs of production of the door producers, a value which the Commission did not consider to be disproportionate to the benefits expected for the Community industry.

Measures

The injury margins were found to be higher than the dumping margins established for all exporting producers except for the two Brazilian companies. The provisional duty rates were based, therefore, on the dumping margins, except for the two Brazilian companies for which the injury margins applied. The rates of the duty imposed ranged from 5,8% to 37,8%. Undertakings were offered by all exporting producers, except the Russians, and the Commission accepted these.

6.2.11. *Bicycles from Taiwan*

On 26 August 1998, the Commission imposed a provisional anti-dumping duty on imports of bicycles originating in Taiwan. The proceeding has been initiated in November 1997 following a complaint lodged by the European Bicycle Manufacturers' Association on behalf of 32 Community producers. The investigation confirmed that the total Community consumption in the investigation period (i.e. from 1 November 1996 to 31 October 1997) amounted to 15,45 million bicycles, corresponding to a total value 2.266 million ECU. The value of the total imports of bicycles from Taiwan during the investigation period amounted to 285.500.000 ECU.

Dumping

Due to the large number of exporting producers in Taiwan, the Commission used sampling for the investigation of dumping. Dumping was found for all exporting producers included in the sample and investigated by comparing constructed normal values with export prices to the Community. The provisional dumping margins ranged from 2,4% to 18,2%.

Injury and causation of injury

Due to the large number of Community producers constituting the Community industry, the Commission also used sampling for the investigation of injury. The Community industry was found to have suffered material injury during the period 1994-97, particularly in terms of declining production, capacity and capacity utilization, sales, market share, profitability, employment and investments.

A direct causal link between the increased volume of dumped imports from Taiwan and the material injury suffered by the Community industry was found. Indeed, between 1994 and 1997 the market share of the dumped imports from Taiwan increased from 11,7% to 17,5% whilst the market share of the Community industry decreased from 44,3% to 41,3%. At the same time, substantial price undercutting of the Community industry's prices by the prices of the dumped imports from Taiwan was found, ranging from 11,6% to 28,7%.

Community interest

All various interests involved were examined in particular those of the Community industry, of the importers and of the consumers. The Commission considered that there were no compelling reasons not to impose measures in order to correct the distortive effect of injurious dumping, to restore a competitive regime of fair pricing practices and prevent further injury to the Community industry.

Measures

In all cases, the injury margins were found higher than the dumping margins established and, therefore, the provisional duty rates were based on the latter. The rates of the duty imposed ranged from 2,4% to 18,2% for the exporting producers included in the sample. An average duty rate of 5,4% was imposed to all other co-operating exporting producers not included in the sample.

6.2.12. Large electrolytic aluminium capacitors from the United States and Thailand

On 29 August 1998, the Commission imposed a provisional anti-dumping duty on imports of certain large electrolytic aluminium capacitors originating in the United States of America and Thailand. The proceeding had been initiated in November 1997 following a complaint lodged by the Federation for Appropriate Remedial Anti-Dumping (FARAD) on behalf of Nederlandse Philipsbedrijven B.V. (The Netherlands) and BHC Aerovox Ltd. (United Kingdom) whose combined output represented a major proportion of the Community production of the product concerned. The value of the total imports of capacitors from the USA and Thailand during the investigation period (from 1 October 1996 to 30 September 1997) amounted to 19.811.424 ECU.

Dumping

Dumping was found for both co-operating companies in the United States: the margins ranged from 19,9% to 24,6%. As there was no co-operation from Thailand, the Commission provisionally decided to determine the dumping margin on the basis of the information provided in the complaint i.e. 39,5%. Considering the high level of co-operation for the United States, the residual margin was set at the level of the highest dumping margin established for an investigated producer/exporter i.e. 24,6%.

Injury and causation of injury

The Community industry was found to have suffered material injury during the period considered i.e. from January 1993 till 30 September 1997. The growing quantities imported from the USA and Thailand were undercutting the Community industry by 25% to 41%, the industry experiencing a drop in sales, market share and production, at a time when demand on the Community market was growing. It was found that a direct causal link existed between the increased volume of dumped imports and the material injury suffered by the Community industry.

Community interest

In balancing all interests involved, the Commission took special account of the fact that the possible disappearance of one important Community producer could influence the total degree of competition on the Community market. The Commission concluded that there were no compelling reasons indicating that it would be against the Community interest to impose provisional duties.

Measures

For the producers/exporters in the USA, the injury elimination levels were higher than the dumping margins and therefore the provisional duties were based on the latter: 19,9% and 24,6%. For Thailand, the provisional duty was based on the injury elimination level i.e. 39,4%.

6.2.13. Polypropylene binder or baler twine from Poland, the Czech Republic, Hungary and Saudi Arabia

On 1 October 1998, the Commission imposed a provisional anti-dumping duty on imports of polypropylene binder or baler twine originating in Poland, the Czech Republic, Hungary and Saudi Arabia. A first proceeding concerning Poland, and another concerning the Czech Republic, Hungary and Saudi Arabia, had been initiated in January and February 1998 respectively, following two complaints lodged by the Liaison Committee of European Union Twine, Cordage and Netting Industries (Eurocord) on behalf of the Community industry. The two investigations were subsequently combined. The value of the total imports of baler twine from the countries concerned during the investigation period (calendar year 1997) amounted to 13,6 million ECU.

The investigation confirmed that the total Community consumption in the investigation period (1 January 1997-31 December 1997) amounted to 52.526 tonnes.

Dumping

Dumping was found for all the exporters investigated. Dumping margins ranged between 16,3% and 27,9% for Poland, between 24,8% and 24,9% for the Czech Republic and between 12,1% and 33,3% for Hungary, while for Saudi Arabia the dumping margin was 36,8%. Residual dumping margins for non-co-operating parties were established at the level of the highest dumping margin found for an individual co-operating company in each country, with the exception of Poland where, because of the relatively high proportion of total imports accounted for by non-co-operators, the residual dumping margin was set at the level of the highest dumping margin found for a representative type of twine exported by a co-operating producer.

Injury and causation of injury

The investigation showed that the Community industry had been subject to substantial price undercutting by the dumped imports, which had significantly increased in terms of volume and market share. In addition, the Community industry suffered a significant loss of market share (8 percentage points) at a time when Community consumption increased by 31%. Furthermore, the Community industry showed a significant deterioration of its financial results, in particular from 1995 onwards.

Imports of twines originating in the exporting countries concerned, taken in isolation, caused material injury to the Community industry. This conclusion was drawn in particular from the loss of market share of the Community industry, combined with a deterioration in profitability, coinciding with a significant increase in the volume and market share of dumped imports.

Community interest

Having examined all the various interests involved, it was concluded that there were no compelling reasons not to remedy the trade distorting effects of injurious dumping.

Provisional Measures

The level of the anti-dumping duties provisionally established ranged between 3,9% and 32,9%, and corresponded in all cases to the margin of dumping, or the amount necessary to remove the injury, whichever was lower. The Commission accepted price undertakings offered from all the Hungarian co-operating producers, and did not impose provisional duties on imports from the companies concerned.

Amendment of provisional measures

On 9 December 1998, the Regulation imposing provisional measures was amended in order to accept the undertaking offered by one Czech co-operating producer.

7. DEFINITIVE MEASURES

7.1. Overview

In 1998, definitive duties were imposed in 28 cases involving imports from 13 different countries and covering 13 products. China featured most prominently with 6 investigations, followed by India with 5 investigations. As shown in Table 1, this figure compares to 24 in 1997 and 23 in 1996.

Whilst details of the definitive duties imposed in 1998 can be found in Annex C, a summary of each case is given below.

7.2. Cases

7.2.1. *Glyphosate from the People's Republic of China*

On 16 February 1998, the Council imposed a definitive anti-dumping duty on imports of glyphosate originating in the People's Republic of China. The proceeding had been initiated in October 1995 following a complaint lodged by Monsanto SA/NV (Belgium) with support from Cheminova Agro A/S (Denmark). Provisional duties were imposed in September 1997.

The investigation confirmed that total Community consumption in the investigation period (1 September 1994 to 31 August 1995) amounted to 13.249 tonnes of glyphosate of equivalent acid 95%, corresponding to a value of 243.000.000 ECU. The value of the total imports of glyphosate from China during the investigation period amounted to 25.100.000 ECU.

Product

The product appears in different forms and grades. Although the product produced by the Community industry was normally in the formulated form, it was usually imported in concentrated form (in acid or salt) in order to reduce transport costs. After importation, the concentrated product was further processed to obtain the end product (formulated form). The Chinese exporting producers, and a number of importers, argued that glyphosate could not be considered as one product because of substantial differences in cost terms and the different properties of the various grades of the product. It was further argued that the production process used in China was different to that used in the Community and in the analogue country (Brazil). Consequently, the products resulting from these different processes were not alike.

The investigation showed that the different forms of glyphosate basically had identical chemical characteristics and properties, and was dedicated to the same end-use as a herbicide, and could not be used for any other purposes. It was found that the glyphosate produced by the two processes was identical. The provisional findings on product under investigation and like product were confirmed.

Analogue country.

After the publication of provisional measures, some exporting producers and importers claimed that the Commission had not done enough to find alternative analogue countries. This claim was examined, but it was found that Brazil was the most appropriate country.

Dumping.

No persuasive arguments were received on dumping, and the provisional dumping margin of 38,2% was confirmed at the definitive stage.

Injury and causation of injury.

After publication of provisional measures, a number of arguments were received. The exporting producers in China argued that their market share was overestimated because imports from other countries had not been taken into account. As to undercutting, the Community producers argued that all types of products produced and sold by the Community industry should form the basis of the undercutting calculation. All these claims were examined but did not change the findings on injury provisionally established.

On causation, the Chinese exporting producers argued that the decrease in prices and profitability was to be expected after the expiry of a patent on glyphosate held by one of the Community producers up to 1991. This claim was examined, and it was found that, despite considerable reductions in costs, prices had decreased even more. Furthermore, the fall in prices accelerated further when imports from China started to appear in significant volumes on the Community market as from 1993. The causal link established at the provisional stage was confirmed.

Community interest.

One importer argued that the imposition of duties would strengthen the position of the former patent holder in the Community market, thus preventing competition from developing in this market. The Commission considered, however, that by imposing measures, first, the viability of two new producers, which had entered the market after the expiry of the patent, was ensured. Secondly, the imposition of measures would maintain a greater variety of reliable sources of supply for the Community consumers. On the contrary, if measures were not imposed, only the former patent holder would be in a position to compete economically with the dumped prices of the Chinese exporting producers, leaving only these two sources of supply on the Community market. This was found not to be in the interest of the Community. The provisional findings on Community interest were confirmed.

Measures.

Claims were received from the Community industry that the level of research & development (R&D) costs and profit were underestimated in the calculation of the non-injurious price level of the Community industry. Sufficient additional evidence was provided with regard to R&D costs. Together with a small correction in post importation costs, this resulted in a revised injury margin on 24%, compared to 21,8% at the provisional stage. Since the injury margin was lower than the dumping margin, the injury margin was used in order to determine the level of the definitive measures at 24%.

7.2.2. Stainless steel fasteners from the People's Republic of China, India, the Republic of Korea, Malaysia, Taiwan and Thailand

On 16 February 1998, the Council imposed definitive anti-dumping duties on imports of stainless steel fasteners (SSFs) originating in the People's Republic of China, India, Malaysia, South Korea, Taiwan and Thailand. The investigation had been initiated in December 1996 following a complaint alleging that imports of the product concerned were being dumped and were causing injury to the Community industry. Provisional anti-dumping duties were imposed September 1997.

The value of the total imports of stainless steel fasteners from the countries concerned during the investigation period (1 January 1996 - 30 November 1996) amounted to 93,3 million ECU.

Dumping

Substantial dumping margins were established for all exporters from the countries concerned.

Following the imposition of provisional anti-dumping duties, a number of submissions were received from producers in all the exporting countries concerned, with the exception of Korea.

With regard to India, modifications to the dumping margins were made due to a change in the methodology used for calculating normal value for two Indian companies without domestic sales of the like product.

For Malaysia, minor changes to the dumping margins were made, due to the changes in certain adjustments and in the profit margin used in establishing the constructed normal value.

Regarding Taiwan, companies which had not co-operated in the investigation sent data after the imposition of provisional duties. The data was rejected as being out of time.

With regard to the co-operating companies in Thailand, no definitive measure was imposed on one company subject to a provisional duty, as, during the investigation period, it had exported only a negligible quantity of SSFs, which, furthermore, had not been produced in Thailand. The changes in the dumping margins established for the other two Thai companies resulted from adjustments to the SG&A used for constructing the normal value.

As regards the People's Republic of China, the main issue concerned the subject of individual treatment. Of the six companies which were refused individual treatment, and which repeated their claim, one presented convincing new evidence. This company was therefore granted individual treatment.

The dumping margins, expressed as a percentage of the free-at-Community frontier price, ranged between; 11,2% and 47,4% (residual 54%) in respect of India; 5,7% and 7% (residual 7%) for Malaysia; 5,3% and 11,1% (residual 23,1%) for Taiwan; 2,7% and 8,4% (residual 8,4%) for Thailand; 13,6% and 24,2% (residual 74,7%) for the People's Republic of China. The dumping margin for the sole co-operating exporter in Korea was 24% (residual 26,7%).

Injury and causation of injury

Three exporters (two Indian and one Taiwanese) supplied additional information on export sales and prices and revised undercutting margins were calculated on the basis of this new data.

In addition, adjustments to the CIF export prices for all exporters (to take account of post importation expenses incurred) were recalculated, resulting in minor changes to the margins of undercutting provisionally established.

No further submissions to cause a change in the provisional finding on other injury factors or causation, were received.

The causal link between the dumped imports and the material injury suffered by the Community industry, established in the provisional duty Regulation, was confirmed.

Community interest

In the absence of any new arguments, the provisional findings were confirmed.

Measures

Since the dumping margins were lower than the injury elimination margins, the dumping margins, as shown above, were used to establish the level of the definitive measures.

7.2.3. Footwear with uppers of leather or plastics from the People's Republic of China, Indonesia and Thailand

On 23 February 1998, the Council imposed a definitive anti-dumping duty on imports of certain footwear with uppers of leather or plastic originating in the People's Republic of China, Indonesia and Thailand. The proceeding had been initiated in February 1995 following a complaint lodged by the European Footwear Confederation (CEC). No provisional duties were imposed. 87 Community producers co-operated in the proceeding, of which 15, situated in France, Italy, Portugal, Spain and the United Kingdom were selected as a sample, and subjected to on-the-spot verifications.

The investigation confirmed that total Community consumption in the investigation period (1994) amounted to 307 million pairs, corresponding to a total value of 4 thousand million ECU. The value of the total imports of footwear with uppers of leather or plastics from China during the investigation period (calendar year 1994) amounted to 350 million ECU.

Dumping

In view of the number of exporters in Indonesia and the People's Republic of China, a sample of exporters was selected in each country for in-depth investigation. As only three Thai producers/exporters co-operated, sampling was not necessary in the case of Thailand.

In the case of the People's Republic of China, which was considered a non-market economy, normal value was established on the basis of the situation in an analogue country. Indonesia was considered the appropriate choice, and normal value for the People's Republic of China was established, depending on models concerned, either on the basis of domestic prices in Indonesia, or by adding a reasonable amount for sales, general and administrative expenses and profit to the manufacturing costs of the Indonesian producers. An individual dumping margin (1,3%) was established for one Chinese exporter, while the dumping margin calculated for all other Chinese exporters amounted to 47,6%.

The dumping margins for the exporters in the sample for Indonesia ranged from 2% to 18,6%, with a weighted average of 12,3% to be applied to the co-operating exporters outside the sample. The residual dumping margin, applicable to all other exporters, amounted to 50%.

The dumping margins for the three Thai co-operating exporters ranged from 0% to 1,4%. The residual dumping margin, applicable to all other exporters, amounted to 50%.

Injury

It was found that the Community industry had suffered material injury, demonstrated by, among other indicators, a significant drop in production, market share, employment and a marked downward trend in profit rates. A number of company closures has also taken place.

As to causation, it was found that the increasing volume and market share of the dumped imports, in combination with their decreasing prices which undercut those of the Community producers, coincided with the loss of market share and the price depression suffered by the Community industry. Although certain factors other than dumped imports from the countries concerned may have contributed to the injury suffered by the Community industry, none was such as to have broken the causal link between the dumped imports and the injury.

Community interest

All the various interests involved were examined, particularly the impact of the measures on distribution and consumers. It was found that leaving the Community industry without adequate protection against unfair competition would worsen the position of this industry and lead to its disappearance or relocation. No compelling reasons not to take action against the imports in question came to light.

Measures

The anti-dumping duty was based on the injury elimination level found in each case, where it was lower than the dumping margin. For the People's Republic of China, the definitive anti-dumping duty took the form of a variable duty based on the minimum price of ECU 5,7 per pair, whereas one company was granted an individual duty rate of 0%. For Indonesia, the definitive anti-dumping duty was set at the lower of the individual ad valorem rates established for co-operating exporters (ranging from 0% to 20,3%) and the variable duty based on the minimum price of ECU 5,7 per pair. For Thailand, the definitive anti-dumping duty took the form of a variable duty based on the minimum price of ECU 5,7 per pair, whereas three companies were granted individual duty rates of 0%.

7.2.4. Ferro-silico-manganese from the People's Republic of China

On 23 February 1998, the Council imposed a definitive anti-dumping duty on imports of ferro-silico-manganese from the People's Republic of China. The proceeding had been initiated in December 1996 following a complaint lodged by EuroAlliages. Provisional duties were imposed in September 1997. The seven Community producers of the product concerned cooperated in the proceeding.

The investigation confirmed that total Community consumption in the investigation period (1 January 1996 to 30 September 1996) amounted to about 538.750 tons, corresponding to a total value of approximately 250 million ECU. The value of the total imports of ferro-silico-manganese from China during the investigation period (calendar year 1996) amounted to 33.511.000 ECU.

Dumping

As the People's Republic of China was considered to be a non-market-economy, normal value was based on domestic prices from producers in Brazil. Following claims made by the Chinese exporting producers, the dumping calculation was slightly modified due to a re-evaluation of the export price adjustment for commissions. The provisional dumping margin of 26,1% was therefore revised, resulting in a definitive dumping margin of 25,7%.

Injury and causation of injury

Although consumption in the Community increased by 7% between 1993 and 1996, the rising level of imports from the People's Republic of China, meant that its total market share increased from 2,4% in 1993 to 14% in 1996, i.e. by 11,6 percentage points, with a peak of 21,5% in 1995. In contrast, the Community industry increased its market share from 32,5% in 1992, to 37% in 1996, i.e. by 4,5 percentage points.

This increase occurred between 1995 and 1996, that is, after the imposition of measures against imports originating in Russia, Ukraine, Brazil and South Africa, and did not, in any event, reflect the level which the Community industry had held before injurious dumping started. In addition, significant price undercutting was found for the People's Republic of China. The Chinese exports into the Community of ferro-silico-manganese had a significant adverse effect on the Community industry, which was still suffering from the injury found in a previous investigation of dumped exports of ferro-silico-manganese from Brazil, South Africa, Ukraine and Russia.

It was thus confirmed that the Community industry has suffered material injury and although certain factors other than the dumped imports from the country concerned may have contributed to the said injury, none was such as to detract from the conclusion that the dumped imports from the People's Republic of China had caused this material injury.

Community interest

It was found that leaving the Community industry without adequate protection against unfair competition would add to its difficulties at a time when, in volume terms, it is beginning to feel the effects of a progressive recovery from past dumping. On the other hand, no compelling reasons not to take action against the dumped imports in question came to light.

Measures

As the dumping margin exceeded the level of injury found, definitive anti-dumping duties were imposed at the level of the latter, i.e. 19,6%.

7.2.5. Personal fax machines from the People's Republic of China, Japan, the Republic of Korea, Malaysia, Singapore, Taiwan and Thailand

In April 1998, the Council imposed definitive anti-dumping duties on imports of personal fax machines originating in the People's Republic of China (PRC), Japan, Korea, Malaysia, Singapore, Taiwan and Thailand. The investigation had been initiated in February 1997, following a complaint introduced on December 1996 alleging that imports were being dumped and were causing material injury to the Community industry. Provisional anti-dumping duties were imposed in November 1997.

The value of the total imports of personal fax machines from the countries concerned during the investigation period (calendar year 1996) amounted to 278.839.058 ECU.

Product under consideration

The product concerned by the proceeding was thermal paper and thermal transfer fax machines. Only fax machines with a weight of 5 kilograms or less and with dimensions (width x depth x height) of the main body measuring 470 mm x 450 mm x 170 mm or less, were considered as personal or consumer fax machines and constituted the product concerned. Fax machines using ink-jet, laser and LED printing technology, and portable fax machines, to be used in connection with mobile telephone sets only, were excluded.

Dumping

Substantial dumping margins were found for all exporters from the countries concerned. The Council confirmed the choice of Korea as an analogue country for the determination of the normal value for China

Normal value was established on the basis of all domestic sales and it was considered that the adjustments for differences in level of trade as requested by the Japanese, Singapore and Korean producers/exporters were not justified.

Two of the Chinese producers were able to demonstrate that they fulfilled all the criteria to obtain individual treatment. For the three remaining Chinese producers, the required independence was not demonstrated by the companies, and the countrywide duty was therefore applied to them.

For each country, the dumping margins, expressed as a percentage of the free-at-Community frontier price, were ranging from 21,2% to 23,2% (residual: 51,6%) for PRC, from 49,2% to 124,2% (residual: 130,2%) for Japan, from 7,5% to 19,8% (residual: 25,1%) for Korea, from 6% to 56,2% (residual: 60,8%) for Taiwan, and they were of 30,1% (residual: 68,2%) for Singapore, of 10,4% (residual: 22,6%) for Thailand and a residual duty of 124,2% for Malaysia.

Injury and causation of injury

The Council confirmed the provisional findings that the Community industry had suffered material injury, indicated by substantially decreasing sales volumes and market shares, low production capacity utilisation rates, considerable financial losses and loss of employment.

A causal link was established between the dumped imports and the injury suffered by the Community industry. Indeed, substantial undercutting was established for the exporting countries concerned, except for Japan and Singapore. Significantly declining import price trends were found for all exporting countries concerned. Both undercutting and declining price trends caused a situation of price suppression on the Community market, which prevented the Community industry from increasing its prices to a profitable level. Thus, the dumped imports from all exporting countries concerned had caused material injury to the Community industry.

Community interest

Regarding Community interest, the likely impact of the imposition/non-imposition of anti-dumping measures was assessed with regard to the Community industry, importers and consumers.

Particular attention was given to the effect of measures on consumers. The assessment of the consumer interests in this case was hampered by the non-co-operation from the European consumer associations, including BEUC. In this respect, the data collected during the investigation suggested, that, after the imposition of AD-duties, no price increase would occur for personal fax machines produced in the Community (which were expected to supply around 50% of the market), since the Community producers were likely to keep prices stable in order to increase their sales volumes and market shares.

As to imported products, the price increase due to anti-dumping duties, for the large majority of exporters (accounting for around 70% of all imports) would be moderate, i.e. between 3% and 9% (or between 7 and 27 ECU per unit). Such a price increase would occur over the useful lifetime of the product of around 5 years, further diminishing the effect on consumers.

The Council therefore confirmed that it was in the Community interest to impose definitive anti-dumping measures.

Measures

The injury elimination level was based on the Community industry's cost of production plus a profit margin of 10,7 % on turnover, which was sufficient to provide the resources for the investment necessary to produce the new product types and to provide a reasonable return on the capital already invested. It was also in line with the profit margins found for sales of the exporters concerned on their domestic markets and with the profit margins used in past anti-dumping cases for similar industries. The injury margins determined on that basis ranged from 7% to 34,9% for Japan, from 23,5% to 74,2% for PR China, from 17,4% to 73,1% for Korea, from 7,7% to 39,5% for Singapore, from 32,4% to 36,6% for Taiwan, from 40,7% to 47,3% for Thailand and it was 89,9% for Malaysia.

The definitive anti-dumping duties, set either at the level of the dumping margins, or at the level of the injury margins, if the latter were lower, ranged from 6% to 35,8% for the co-operating companies, and from 22,6% to 89,9% for non-co-operating companies.

7.2.6. *Synthetic fibre ropes from India*

On 24 June 1998, the Council imposed a definitive anti-dumping duty on imports of synthetic fibre ropes originating in India. The proceeding had been initiated in July 1997 on the Commission's own initiative. Provisional duties were imposed in January 1998. Given the large number of Community producers supporting the proceeding, the injury analysis was performed on the basis of a selection of such producers. The investigation confirmed that total Community consumption in the investigation period (1 July 1996 to 31 May 1997), extrapolated to a one-year period, amounted to 26.773 tons, corresponding to a value of approximately 67.500.000 ECU. The value of the total imports of synthetic fibre ropes from India during the investigation period (12 months) amounted to 1.412.050 ECU.

Dumping

After the publication of provisional measures, the co-operating Indian exporting producer claimed that the cost of production used to examine whether or not domestic prices were made in the ordinary course of trade, were not net of discounts, as was the case for the domestic sales prices. This claim was accepted and, consequently, the dumping margin was reduced from 96,4% to 87,5%.

Injury and causation of injury.

The co-operating Indian exporting producer contested the findings concerning the volume, market share and prices of the dumped imports originating in India on the grounds that some of the products imported into the Community were allegedly not released for free circulation. Having examined this claim, a change in volume and market share of the dumped imports was made. However, this change did not alter the provisional findings that the Community industry had suffered material injury.

Concerning causation, the causal link between injury and dumping established at the provisional stage was confirmed.

Community interest.

It was claimed that the Commission had not sought sufficient information on the impact of the measures on users in order to support the conclusions on Community interest. However, the Commission had contacted all known associations of users, distributors and upstream industries. Only limited and general replies had been received. As no additional substantiated information had been presented, the provisional findings on Community interest were confirmed.

Measures.

Since the injury margin was lower than the dumping margin, the injury margin was used in order to determine the level of the definitive measures. These measures were set at 53% of the net, free-at-Community frontier price for the sole co-operating Indian exporting producer, and at 82% for all other Indian exporting producers.

7.2.7. *Potassium permanganate from India and Ukraine*

On 13 July 1998, the Council imposed a definitive anti-dumping duty on imports of potassium permanganate originating in India and the Ukraine. The proceeding had been initiated in April 1997 following a complaint lodged by CEFIC (the European Chemical Industry Council). Provisional duties were imposed in January 1998. The two Community producers of the product concerned, Industrial Química del Nalón in Spain and Chemie Bitterfeld-Wolfen in Germany, co-operated in the proceeding. The investigation confirmed that total Community consumption in the investigation period (1 April 1996 until 31 March 1997) amounted to about 3.150 tons, corresponding to a total value of approximately 5 million ECU. The value of the total imports of potassium permanganate from India and Ukraine during the investigation period amounted to 750.000 ECU.

Dumping

For India, the normal value was established on the basis of domestic selling prices while for the Ukraine, which is considered to be a non-market economy country, India was selected as an analogue market economy country for the establishment of normal value.

The Indian and Ukrainian exporting producers claimed that the Commission had incorrectly made adjustments to the export price for credit cost and customs duty respectively. Since it was found that no such deductions should have been made, corrections to the export prices were made accordingly. The provisional dumping margins of 6,8% for India and 40,4% for the Ukraine were therefore revised to definitive dumping margins of 5,6% for India and 36,2% for the Ukraine.

Injury and causation of injury

The investigation showed that the total volume of imports from India and the Ukraine taken together increased substantially between 1992 and the investigation period. The Indian and Ukrainian exporters' prices were found to have undercut the EC producers' prices by 8,4% and 26% respectively. Against this background, the Community industry was obliged to lower its prices, and despite significant cost reductions, recorded persisting financial losses.

It was thus confirmed that the Community industry had suffered material injury and, although certain factors other than the dumped imports from the countries concerned may have contributed to the said injury, none was such as to detract from the conclusion that the dumped imports from India and the Ukraine had caused this material injury.

Community interest

It was found that leaving the Community industry without adequate protection against unfair competition would add to its difficulties at a time when, in volume terms, it is beginning to feel the effects of a progressive recovery from past dumping. On the other hand, no compelling reasons not to take action against the dumped imports in question came to light.

Measures

Since, for each country concerned, the injury elimination margin was higher than the dumping margin, measures were based on the latter. As regards the form of the measures, the provisional conclusion that a variable duty based on a minimum price was an appropriate remedy had to be reconsidered, because certain potential non-desirable effects of such a method had been identified. The definitive anti-dumping duties thus took the form of ad valorem duties of, respectively, 5,6% for India and 36,2% for the Ukraine.

7.2.8. *Magnetic disks (3,5" microdisks) from Indonesia*

On 29 July 1998, the Council imposed a definitive anti-dumping duty on imports of magnetic disks (3,5" microdisks) originating in Indonesia. The proceeding had been initiated in April 1995 following a complaint lodged by the Committee of European Diskette Manufacturers (Diskma). Provisional duties were imposed in March 1998.

The value of the total imports of magnetic disks from Indonesia during the investigation period (1 March 1994 - 28 February 1995) amounted to 20.641.788 ECU.

Dumping

Following definitive disclosure, the Indonesian authorities claimed that the exports of the product concerned were not of Indonesian origin and that the proceeding should therefore be terminated without measures. However, no evidence was adduced to this effect. No other arguments in respect of the findings on dumping were presented and, therefore, the provisional conclusions were confirmed. The dumping margin was 41,1%.

Injury, Causation and Community Interest

As no arguments were presented in any of these contexts following the imposition of the provisional duty, the provisional findings were confirmed.

Measures

For imports of the product concerned originating in Indonesia, the amount of duties were established at the level of dumping margin (41,1%), this being lower than the injury margin found.

7.2.9. *Polysulphide polymers from the United States of America*

On 17 September 1998, the Council imposed a definitive anti-dumping duty on imports of polysulphide polymers (PSP) originating in the United States of America (USA). The proceeding had been initiated on June 1997 following a complaint lodged by Akros Chemicals GmbH & Co KG, the sole Community producer of PSP. A provisional duty of 9,1% was imposed in March 1998. The investigation confirmed that total Community consumption in the investigation period (April 1996 until March 1997) amounted to about 16.000 tons, corresponding to a total value of approximately 48 million ECU.

Dumping

After the imposition of the provisional duty, the exporting producer requested an adjustment for currency conversions. As the conditions provided for in the basic Regulation were met, the adjustment was granted, and the dumping margin was reduced and set at 47,5%. As this company is deemed to represent 100% of United States' exports to the European Union, the residual definitive dumping margin was also 47,5%.

Injury and causation of injury

The Community market is the largest market in the world; only two suppliers are in competition, and the four main industrial users, mainly producing PSP-based sealant for insulating glass, represent 85% of that market. The investigation carried out at the premises of the user companies in the Community revealed that the exporting producer had adopted a systematic price discount policy, depending on the volume purchased. As a result, the definitive undercutting margin rose to 3,7% from a provisional margin of 1,8%.

Prices were also affected, and over the period examined, the exporting producer reduced sales prices to key customers by 16%, i.e. by more than the sales prices of the Community industry. No conclusive evidence or new arguments were supplied to alter the provisional conclusion that the Community industry suffered material injury.

Given that the exporting producer in the USA is the largest supplier in the Community market, the volume discounts granted to key customers were found to be very harmful to the Community industry. The investigation also showed that developments in consumption and competition from other polymer-based sealants did not contribute to the injury suffered by the Community industry. Accordingly, in the absence of evidence demonstrating that the provisional conclusions on the causes of the material injury were not valid, the provisional conclusions were confirmed.

Community interest

The interest of users requires that both suppliers are present in the Community market. It was considered that the measures would not stop the US supplier exporting PSP, or revert to the sale of the finished sealant on the Community market. Furthermore the level of measures is not such as to encourage a switch to substitute polymers, PSP being technically the most adequate polymer for insulating glass. The general interest of users is therefore preserved.

Measures

Since the injury margin was lower than the dumping margin, a definitive anti-dumping duty at the level of the injury margin found, namely 13,2%, was imposed on PSP originating in the USA.

7.2.10. Monosodium glutamate from Brazil and Vietnam

On 24 September 1998, the Council imposed a definitive anti-dumping duty on imports of monosodium glutamate originating in Brazil and Vietnam. The proceeding had been initiated in July 1997 following a complaint lodged by Orsan SA, the sole MSG producer in the Community.

On 24 October 1997, Orsan informed the Commission of its decision to withdraw the complaint in respect of Brazil and the USA. Subsequently, by letter of 4 March 1998, Orsan cancelled the withdrawal, as the disclosure of the results of the Commission's investigation had shown that the assumptions on which it was based were unfounded. In view of the time which had elapsed before Orsan cancelled the withdrawal of its complaint, the Commission was not in a position to impose provisional measures.

The value of the total imports of monosodium glutamate from Brazil and Vietnam during the investigation period (1 July 1996 - 30 June 1997) amounted to 14.161.000 ECU.

Dumping

As Vietnam was considered to be a non-market-economy, normal value was based on the domestic prices of a producer in Thailand. The Thai producer replied fully to the questionnaire and accepted a verification visit. The exact dumping margin for Taiwan and Vietnam is not given, as its disclosure would allow third parties to reconstruct confidential information concerning the cooperating exporting producer in Thailand. With regard to Brazil, the two co-operating exporting producers found to belong to Ajinomoto represented almost the totality of Brazilian exports of MSG to the Community. For the two co-operating Brazilian exporting producers, normal value was established on the basis of the price actually paid in the ordinary course of trade for domestic sales of the like product to independent customers. As all exports to the Community were made to a related importer and trader, the export price had to be determined on the basis of the price at which the imported product was first resold to an independent buyer in the Community. The dumping margin for Brazil was 19,9%.

Injury and causation of injury

Injury indicators showed that, notwithstanding certain positive effects in 1995 and 1996 of the anti-dumping measures currently in force, the financial situation of the Community industry remained precarious, and had worsened, with financial losses being incurred during the investigation period.

The price analysis of exports from Brazil, USA and Vietnam showed that these prices had undercut those of the Community industry by 12,8%, 11,1% and 4% respectively. Imports from the three countries increased by 300%. In contrast, the Community industry's market share fell by 3%.

Community interest

Leaving the Community industry without adequate protection against unfair competition would add to its difficulties at a time when, in volume terms, it was beginning to feel the effects of a progressive recovery from past dumping. On the other hand, no compelling reasons not to take action against the dumped imports in question came to light.

Measures

Since the injury margins found were lower than the respective dumping margins, the definitive duties corresponded to the injury margins. The definitive measures consist of ad valorem duties at the rates of 17,8% and 16,8% for Brazil and Vietnam respectively.

Concerning the USA, by the end of 1997, i.e. after the end of the investigation period, ADM, the only producer which had exported MSG to the European Union, ceased production of MSG. In these circumstances, protective measures against the USA were judged unnecessary.

7.2.11. Antibiotics (broad spectrum) from India (AS)

On 9 October 1998, the Council imposed a definitive countervailing duty on imports of certain broad-spectrum antibiotics originating in India. The proceeding had been initiated in September 1997 following a complaint lodged by the following Community producers: Antibioticos S.A. and Biochemie S.A. (Spain), Antibioticos S.p.A., Biochemie S.p.A. and ACS Dobfar S.p.A. (Italy) and Biochemie GmbH (Austria). Provisional duties were imposed in June 1998.

Subsidisation

The Council confirmed the provisional findings that the five schemes investigated i.e. the Passbook scheme, the Duty Entitlement Passbook scheme, the Export Promotion Capital Goods scheme, the scheme relating to the Export Processing Zones and Export Oriented Units and the Income Tax Exemption scheme involved the granting of countervailable subsidies to the Indian exporters. It was found that all of these schemes benefited at least some of the exporters of the products concerned. Concerning the total amount of benefit received by the co-operating exporters during the investigation period, it was found that one of the companies received no subsidy. For two of the subsidised exporters, the subsidy was below the *de minimis* level of 3% applicable to India. For the six others, the amount of subsidy ranged from 6,32% to 15,32%.

Injury and causation of injury

It was found that the Community industry had suffered material injury, most clearly demonstrated by a reduction of its market share on the Community market, and a fall in profitability. The Community industry's share of the Community market, in spite of an increase in the volume of its production, went down from 25% in 1993 to 19,5% in the investigation period. The market share of the imports from India, on the other hand, considerably increased. The profitability of the Community industry also declined significantly during the same period.

In view of the above, the Commission considered that, even though other factors may have contributed to depress the market for the product concerned, the subsidised imports from India, when taken in isolation, nevertheless caused material injury to the Community industry.

Community interest

Following the imposition of provisional measures, a number of additional comments were submitted regarding the issue of Community interest. Having examined these comments and the various interests involved, it was considered that there are no compelling reasons not to take action against the imports in question to restore a competitive market situation of fair pricing practices and prevent further injury to the Community industry.

Measures

A total of nine Indian exporters co-operated in the investigation. Three of these were found either not to have benefited from any countervailable subsidies, or these subsidies were at levels which could be qualified as *de minimis*. For these three companies, the rate of definitive duty was set at 0%. For the six other co-operating exporters, definitive ad valorem countervailing duties, varying between 4,6% and 12%, were imposed. These rates of duty were based on the company-specific injury margin or subsidy margin, whichever was the lower. The rate of residual duty to apply to companies, which failed to co-operate was set at 14.6%. This rate corresponds to the average injury elimination margin established for co-operating exporters.

7.2.12. *Unwrought, unalloyed magnesium from the People's Republic of China*

On 3 November 1998, the Council imposed a definitive anti-dumping duty on imports of unwrought unalloyed magnesium originating in the People's Republic of China (anti-dumping measures on the same product originating in Russia and the Ukraine had also been imposed in 1996). The proceeding had been initiated in August 1997, following a complaint lodged by Euroalliages, Comité de Liaison des Industries de Ferro-Alliages, on behalf of the sole producer of the product concerned in the Community, Pechiney Electrometallurgie, France. Provisional duties were imposed in May 1998.

The investigation showed that the total Community consumption in the investigation period (1 July 1996 - 30 June 1997) amounted to 72.703 tonnes, corresponding to a total value of 173.552 ECU. The value of the total imports of unwrought unalloyed magnesium from China during the investigation period amounted to 32.134.000 ECU.

Dumping

The dumping margin found was 31,7%. Normal value was established by using Norway as reference country.

Injury and causation of injury

The undercutting margin was 36,8% and the injury margin 41%.

The Community industry's market share dropped (in value terms) from 21,4% in 1993 to 12,7% during the investigation period, while the dumped imports' share increased over the same period from 0,5% to 18,5%.

Community interest

The interests of the users (the aluminium founders; the manufacturers of magnesium-based alloys, turnings and powders; the steel manufacturers), as well as of importers, were examined.

It was concluded from this examination that the benefit of imposing measures outweighed any potential negative effects of measures on the downstream industries.

Measures

On the basis of the dumping margin found, a general variable duty, based on a minimum import price of 2.622 ECU per tonne - or an *ad valorem* duty of 31,7% on certain imports - was imposed.

7.2.13. *Stainless steel bars from India (AS)*

On 14 November 1998, the Council imposed definitive countervailing duties on imports of stainless steel bars originating in India. The proceeding had been initiated in October 1997 following a complaint from a number of Community producers of the products concerned based in France, Germany and Italy. Provisional measures were imposed in July 1998.

A parallel anti-dumping investigation was also initiated following a complaint. The Commission found dumping, injury and a causal link between the imports and the injury suffered by the Community industry, and imposed provisional measures. However, in spite of the fact that the injury situation was the same as in the anti-subsidy case, the Council, due to lack of majority, failed to approve the definitive measures.

The value of the total imports of stainless steel bars from India during the investigation period (12 months) amounted to 13.505.375 ECU.

Subsidisation

The Council confirmed the provisional findings that three of the schemes investigated (the Passbook scheme, the Export Promotion Capital Goods scheme and the Income Tax Exemption scheme) involved the granting of countervailable subsidies to the Indian exporters. It was found that these schemes benefited at least some of the exporters of the products concerned. Concerning the total amount of benefit received by the co-operating exporters during the IP, it was found that for two of the subsidised exporters, the subsidy was below the *de minimis* level of 3% applicable to India. For the other exporters, the subsidy ranged from 14,4% to 85,6%.

Injury, causation of injury and Community interest

The examination of all elements affecting the Community industry confirmed the provisional findings. The Community industry had suffered material injury caused by the significant price undercutting practised by the Indian exporting producers and the constant increase of Indian imports, both in absolute terms and in terms of market share between 1994 and 1996.

The allegation of the Indian exporting producers, reiterated throughout the proceeding, that the Community producers - by the means of a cartel - had artificially increased their prices, was not proven.

The limited submissions regarding Community interest confirmed that none of these parties alleged that such measures would negatively affect them. In these circumstances, it was considered that it was in the Community interest to impose definitive countervailing measures since there were no compelling reasons not to impose such measures.

Measures

Two of the Indian exporters were found to have benefited from subsidies at a level, which could be qualified as *de minimis*. For these two companies, the rate of definitive duty was set at 0%. For the other exporters, definitive ad valorem countervailing duties varying between 11,5% and 25,5% were imposed. These rates of duty were based on the company-specific injury margin or subsidy margin, whichever was the lower. The rate of residual duty for companies which failed to co-operate was 25,5%. This last rate corresponds to the level of the highest duty rate found.

8. INVESTIGATIONS TERMINATED WITHOUT MEASURES

8.1. Overview

In accordance with the provisions of the respective basic Regulations, investigations may be terminated without the imposition of measures if a complaint is withdrawn or if protective measures are unnecessary (i.e. no dumping/no subsidies, no injury resulting therefrom, measures not in the interest of the Community).

In 1998, 16 new proceedings were concluded without measures. This figure is in line with the average yearly rate of terminations. The ratio of investigations terminated without imposition of measures to the total number of new investigations concluded is around one third. Details of the investigations terminated without measures can be found in Annex D, and a short summary of each case is given below.

8.2. Cases

8.2.1. *Flat-rolled narrow strips from Russia*

The notice of initiation of a regional anti-dumping proceeding concerning imports into Italy of certain flat-rolled narrow strips, of iron or non-alloy steel, cold-rolled originating in Russia was published on 12 July 1997. The proceeding was initiated following a complaint lodged by the Italian Narrow Cold-Rolled Strips Producers Association (Federacciai).

In the course of the investigation, Federacciai withdrew the complaint. The Commission considered that a termination in this context would not be against the interest of the Community.

In these circumstances, the proceeding was terminated without the imposition of measures on the 21 January 1998.

8.2.2. *Magnetic disks (3,5" microdisks) from Canada, Macao and Thailand*

The notice of initiation of an anti-dumping proceeding concerning imports of 3,5" microdisks originating in Canada, Macao, Indonesia and Thailand was published on 6 April 1995. The proceeding was initiated following a complaint lodged by the Committee of the European Diskette Manufacturers (DISKMA) on behalf of the Community industry.

With regard to Indonesia, definitive measures were introduced in July 1998 (see 7.2.8 above).

As far as Macao is concerned, a separate Commission investigation covering exports from this country in the period from July 1993 to April 1995 revealed that the microdisks exported from Macao were in fact of Chinese origin. As none of the microdisks exported from Macao, therefore, could be considered to originate there, no determination of dumping and injury was required.

Imports from Canada and Thailand were considered *de minimis*.

In these circumstances, the proceeding was terminated for all three countries, without imposition of measures, on 3 March 1998.

8.2.3. *Thiourea dioxide from the People's Republic of China*

The notice of initiation of an anti-dumping proceeding concerning imports of thiourea dioxide originating in the People's Republic of China was published on 24 October 1997. The proceeding was initiated following a complaint lodged by the European Chemical Industry Council (Cefic) on behalf of Degussa AG, the sole producer of thiourea dioxide in the Community.

Subsequently, Cefic formally withdrew its complaint. The Commission considered that a termination in this context would not be against the interest of the Community.

In these circumstances, the proceeding was terminated without the imposition of measures on 18 July 1998.

8.2.4. *Glass fibre fabrics (woven) from Taiwan*

Two notices of initiation of an anti-dumping and an anti-subsidy proceeding concerning imports of certain woven glass fibre fabric originating in Taiwan were published on 4 December 1997. Both proceedings were initiated following complaints lodged by Euratex (European Apparel and Textile Organisation).

In the course of the investigations, Euratex withdrew both the anti-dumping and anti-subsidy complaints.

The Commission considered that a termination of both proceedings in this context would not be against the interest of the Community.

In these circumstances, both proceedings were terminated without imposition of measures, on 20 July 1998.

8.2.5. *Cochineal carmine from Peru*

The notice of initiation of an anti-subsidy proceeding concerning imports of cochineal carmine originating in Peru was published on 6 November 1997. The proceeding was initiated following a complaint lodged by Xantoflor S.A. (Spain).

On 11 June 1998, Xantoflor withdrew the complaint. It was established that the only other producer making up the Community industry represented less than 25% of overall Community production, and there were no considerations of Community interest against the termination of the proceeding.

In these circumstances, the proceeding was terminated without imposition of measures on 31 July 1998.

8.2.6. *Monosodium glutamate from the United States of America*

The notice of initiation of an anti-dumping proceeding concerning imports of monosodium glutamate originating in USA, Brazil and Vietnam was published on 5 July 1997. The proceeding was initiated following a complaint lodged by Orsan SA, the sole MSG producer in the Community.

By the end of 1997, i.e. after the end of the investigation period, the US producer ADM had ceased production of MSG. The one remaining producer in the USA had never exported MSG to the Community, and indeed was an importer of MSG into the USA, its production being less than that required to meet domestic demand. Moreover this producer, after the closure of ADM, will face a domestic demand substantially in excess of its production capacity. Therefore, it is considered unlikely that this producer will change its prior behaviour. In these circumstances, no protective measures are necessary.

The proceeding was, therefore, terminated without the imposition of measures on 24 September 1998.

8.2.7. *Cotton fabric (unbleached) from the People's Republic of China, Egypt, India, Indonesia, Pakistan and Turkey*

The notice of initiation of an anti-dumping proceeding concerning imports of certain unbleached cotton fabrics originating in the People's Republic of China, India, Indonesia, Pakistan, Egypt and Turkey was published on 11 July 1997. The proceeding was initiated following a complaint lodged by the Cotton and Allied Textile Industries of the EU (Eurocoton) on behalf of the Community industry.

According to Article 6(9) of the basic Regulation, an investigation shall be concluded within 15 months of initiation, in accordance with the definitive findings made. In the present proceeding, this period passed without imposition of measures.

Since no measures can thereafter be imposed, the proceeding is deemed to be terminated by operation of law.

8.2.8. *Synthetic fibre ropes from the Republic of Korea*

The notice of initiation of an anti-dumping proceeding concerning imports of synthetic fibre ropes originating in the Republic of Korea was published on 31 July 1997. The proceeding was initiated following a complaint lodged by the Liaison Committee of European Union Twine, Cordage and Netting industries (EUROCORD) on behalf of the Community industry.

The dumping margins established were between 0,5% and 1,4%. It was therefore concluded that any negative situation of the Community industry could not be attributed to imports with such *de minimis* margins.

In these circumstances, the proceeding was terminated without the imposition of measures on 7 October 1998.

8.2.9. *Stainless steel bars from India (AD)*

The notice of initiation of an anti-dumping proceeding with regard to imports of stainless steel bars originating in India was published on 30 August 1997. The proceeding was initiated following a complaint lodged by the European Confederation of Iron and Steel Industries (Eurofer).

Subsequent to the imposition of provisional measures on 30 May 1998, which were amended by the imposition of provisional countervailing measures on 18 July 1998, the Commission continued its investigation, and submitted a proposal to impose definitive measures to the Council. The proposal failed to obtain the necessary majority in the Council, despite the fact that, in the parallel anti-subsidy investigation, based on identical injury findings, a majority was obtained.

According to Article 6(9) of the basic Regulation, an anti-dumping investigation shall be concluded within 15 months of initiation, in accordance with the definitive findings made. In the present proceeding, this period passed without the imposition of measures. Since no measures can thereafter be imposed, the proceeding was deemed to be terminated by operation of law.

9. REVIEWS OF ANTI-DUMPING AND ANTI-SUBSIDY

9.1. Overview

Anti-dumping measures, including price undertakings, may be subject, under the basic Regulation, to five different types of reviews: expiry reviews (Art. 11 (2)), interim reviews (Art. 11 (3)), newcomer reviews (Art. 11 (4)), absorption investigations (Art. 12) and circumvention investigations (Art. 13).

These reviews continue to represent a major part of the work of the Commission's anti-dumping services. In the period from 1994 to 1998, a total of 129 review investigations were initiated. These review investigations represented almost 44% of all investigations.

In 1998, 37 reviews were initiated. Of these, 16 were interim reviews, 2 circumvention reviews, 2 newcomer reviews, 16 expiry reviews and 1 absorption review.

Details and results of the review investigations in 1998 can be found in Annexes G to K, whilst Table 2 provides statistical information for the years 1994 - 1998.

TABLE 2

Reviews of anti-dumping and anti-subsidy investigations

During the period 1 January 1994 – 31 December 1998

	1994	1995	1996	1997	1998
Reviews in progress at the beginning of the period	20	24	34	50	39
Reviews opened during the period	17	26	32	17	37
Reviews in progress during the period	37	50	66	67	76
Total reviews concluded during the period	13	16	16	28	38
Reviews in progress at the end of the period	24	34	50	39	38

9.2. Expiry reviews

Art. 11(2) of the basic Regulation provides for the expiry of anti-dumping measures after five years, unless an expiry review demonstrates that they should be maintained in their original form.

In 1998, 6 measures (both duties and undertakings) were allowed to expire automatically under Art. 11(2). The references for these measures are set out in Annex N.

Since the expiry (or "sunset") provision of the basic Regulation came into force in 1985 (Art. 15 of the basic regulations No 2176/84 and No 2423/88, Art. 11 (2) of the current basic regulation), a total of 294 measures have been allowed to expire automatically.

Details of the expiry reviews that were initiated or concluded can be found in Annex G. It should be noted that some expiry reviews are carried out in parallel with interim reviews, which will allow the amendment of the duty rates. These reviews are marked specifically in the annexes.

9.3. Interim reviews

Art. 11(3) of the basic Regulation provides for the review of measures during their period of validity on the initiative of the Commission, at the request of a Member State or, provided that at least one year has elapsed since the imposition of the definitive measure, following a request containing sufficient evidence by an exporter, an importer or by the Community producers. Reviews can be limited to dumping or injury aspects.

In 1998, 16 interim reviews were initiated under Art. 11(3) of Council Regulation (EC) No 384/96.

Details of these reviews can be found in Annex H.

9.4. Newcomer reviews

Art. 11(4) of the basic Regulation allows for a review to be carried out in order to determine individual margins of dumping for new exporters in the exporting country in question which did not export the product during the investigation period.

Such parties have to show that they are genuine new exporters, i.e. that they are not related to any of the exporters or producers in the exporting country, which are subject to the anti-dumping measures, and that they have actually exported to the Community following the investigation period, or that they have entered into an irrevocable contractual obligation to export a significant quantity to the Community (newcomer or new exporter review).

When a review for a new exporter is initiated, the duties are repealed with regard to that exporter, though its imports are made subject to registration under Art. 14(5) in order to ensure that, should the review result in a determination of dumping in respect of such an exporter, anti-dumping duties may be levied retroactively to the date of the initiation of the review.

Details of these reviews can be found in Annex I.

In 1998, 2 newcomer reviews were initiated. Since the Commission carried out the first review of this type in 1990, a total of 21 investigations have been initiated.

9.5. Absorption investigations

The possibility of "absorption" reviews, which deal with situations where the exporters directly or indirectly bear the cost of the duty and thereby increase the dumping margin without leading to sufficient movement in resale prices, was incorporated into the basic Regulation of 1988 under Article 13(11), and is now included in Article 12 of Regulation (EC) No. 384/96.

In 1998, 2 investigations pursuant Article 12 of the basic Regulation were concluded, and 1 new investigation was initiated.

Further details can be found in Annex J.

9.6. Circumvention investigations

The possibility of investigations being re-opened in circumstances where evidence is brought to show that anti-dumping measures are being circumvented was introduced by Article 13 of the basic Regulation.

Circumvention is defined as a change in the pattern of trade between third countries and the Community which stems from a practice, process or work for which there is insufficient due cause or economic justification other than the imposition of the duty. Assembly operations, whether in the Community or a third country, may fall under this definition, as stipulated in Article 13. According to this article, anti-dumping duties may be extended to imports from third countries of like products, or parts thereof, if circumvention is taking place.

In 1998, the Commission initiated 2 new anti-circumvention investigations. One investigation was concluded with a suspension of the duty, while for 3 investigations, exemptions were granted, and for a further 3, exemptions were refused (these investigations all concerned bicycle parts).

The details of these investigations are given in Annex K.

10. MONITORING OF UNDERTAKINGS

Undertakings are accepted by the Commission *in lieu* of anti-dumping duties where the Commission is satisfied that they effectively eliminate the injurious effect of dumping. This requires that exporters commit to raise their prices to a non-injurious level or to cease exports at dumped prices, and to submit periodical (quarterly or half-yearly) sales reports to the Commission. Undertakings are underpinned by definitive duties applying to all imports not subject to undertakings. In line with the Declaration of the Essen Summit of November 1994, the possibility of accepting price undertakings is explored in all cases involving countries in Central and Eastern Europe. In two cases, this resulted in undertakings being accepted as early as the time the provisional measures were taken (hardboard from Bulgaria, Estonia, Latvia, Lithuania, and Poland, and polypropylene binder and baler twine from the Czech Republic and Hungary).

At the beginning of 1998, undertakings accepted from 281 companies were in effect, covering 15 products from 15 countries.

In 1998, undertakings were accepted in 2 new cases (hardboard from Bulgaria, Estonia, Latvia, Lithuania, and Poland – 11 companies; polypropylene binder and baler twine from the Czech Republic and Hungary – 4 companies). The undertakings in relation to three cases were under review. One review is still ongoing (ferrosilicon from Egypt and Poland – 2 companies). In the second case, the sunset review confirmed the measures and the undertakings continue to apply (ferro-silico-manganese from Ukraine – 2 companies). In the third case, the undertakings expired after the review led to a termination of the proceeding (hematite pig-iron from the Czech Republic – 1 company). Undertakings also expired without review in another case (sisal binder and baler twine from Brazil – 6 companies).

During the same period, undertakings were accepted from new exporters in two cases (wooden pallets from Poland – 10 companies; salmon from Norway – 1 company). In the salmon case, definitive anti-dumping and countervailing duties were imposed on 60 exporters following breach or withdrawal of their undertakings. By the end of 1998, provisional duties were in force concerning 9 other salmon exporters which, the Commission had reason to believe, had also breached their undertakings.

This brings the total number of companies subject to undertakings in force by the end of 1998 to 231. The undertakings which the Commission is monitoring cover 15 products from 16 different countries.

The Commission is responsible for the monitoring of the undertakings. This is done on the basis of checking the reports which the companies bound by undertakings have committed themselves to submit periodically (usually on a quarterly or half-yearly basis). Failure to submit the reports in due time is normally construed as a violation of the undertaking. The Commission conducted on the spot verifications at the premises of some 25 companies. The very high number of parties involved in the salmon and wooden pallets cases led to the allocation of considerable human resources for an effective monitoring of these undertakings. In the salmon case, this monitoring resulted in the repeated imposition of provisional and definitive anti-dumping and countervailing duties after the Commission found violations of either the minimum price or the reporting obligation.

Details can be found in Annex L.

11. SUSPENSION OF MEASURES

Art. 14(4) of the basic Regulation provides for the suspension of measures in cases where market conditions have temporarily changed to an extent that injury would be unlikely to resume as a result of the suspension. Measures may be reinstated if the reason for the suspension is no longer applicable.

In 1998, there were no suspensions.

12. REFUNDS

Art. 11(8) of the basic Regulation allows importers to request the reimbursement of anti-dumping duties collected where it is shown that the dumping margin, on the basis of which duties were paid, has been eliminated, or reduced to a level below the duty in force.

The effort undertaken by the Commission in 1997 to deal with the large portfolio of refund requests bore fruit during 1998 with the resolution of 16 cases. Of these, 6 were either the partial or complete refund of duties collected, and 2 were the rejection of the requests on grounds of non-admissibility. A further 8 requests were ultimately withdrawn by the applicants. Two decisions were published in the *Official Journal of the European Communities* as they dealt with specific policy issues.

In addition, a further 35 refund requests were analysed during the year. It is anticipated that decisions will be adopted in respect of 15 of these requests during the first quarter of 1999.

Nine new refund requests were lodged during the year.

Further details can be found in Annex S.

13. COURT OF JUSTICE / COURT OF FIRST INSTANCE

13.1. Overview

In 1998, judgments or orders concerning anti-dumping cases were rendered in nine cases (eight by the Court of First Instance (CFI) and one by the Court of Justice), summaries of which are given below (except for two orders stating that the applications were inadmissible, and one order stating that there was no need to adjudicate). In addition, nine new cases were lodged before the CFI (nine in 1997), and three appeals (none in 1997) were lodged before the Court of Justice challenging two judgements given in 1997 and one in 1998 by the CFI. One case has been withdrawn by the applicant¹¹. At the end of 1998, thirteen cases dating from 1997 and earlier were still pending before the Court of Justice and the CFI.

13.2. Cases pending

A list of the anti-dumping cases before the Court of Justice and the Court of First Instance still pending at the end of 1998 is given in Annex O (there is no anti-subsidy pending case). This list shows the cases still pending from the previous years and the 12 new cases registered in 1998, a total of 25 cases (22 were before the Court of First Instance and 3 appeals before the Court of Justice).

13.3. New cases

During 1998, 9 cases were brought before the Court of First Instance. Two of them concern, for the first time, the implementation of the anti-dumping provisions of a Europe agreement¹². The other grounds on which the applications are based deal with:

- the determination of the normal value and the calculation of the dumping margin¹³,
- the determination of the export price¹⁴,
- the assessment of the like product¹⁵,
- the establishment of the existence of material injury and a causal link¹⁶,
- the assessment of the Community interest¹⁷,
- the statement of reasons as required by Article 190 of the EC treaty¹⁸,
- the application of Article 18 (3) of the Council Regulation (EC) N°384/96 on information submitted and non-co-operation¹⁹,
- the status and rights of interested parties²⁰,

¹¹ Case T-245/97, OJ C 113 of 11.04.98

¹² Case T-33/98, OJ C 113 of 11.04.98; Case T-34/98, OJ C 113 of 11.04.98

¹³ Case T-33/98, OJ C 113 of 11.04.98; Case T-34/98, OJ C 113 of 11.04.98

¹⁴ Case T-88/98, OJ C 234 of 25.07.98

¹⁵ Case T-37/98, OJ C 113 of 11.04.98

¹⁶ Case T-33/98, OJ C 113 of 11.04.98; Case T-34/98, OJ C 113 of 11.04.98

¹⁷ Case T-37/98, OJ C 113 of 11.04.98

¹⁸ Case T-87/98, OJ C 234 of 25.07.98

¹⁹ Case T-88/98, OJ C 234 of 25.07.98

²⁰ Case T-33/98, OJ C 113 of 11.04.98; Case T-34/98, OJ C 113 of 11.04.98; Case T-96/98, OJ C 258 of 15.08.98; Case T-88/98, OJ C 234 of 25.07.98

- the principle of proportionality²¹,
- the lesser duty rule (Article 9(4) of the Council Regulation (EC) N°384/96)²²,
- the conditions imposed for imports to be exempted from A-D duties²³,
- the claim of damages (based on Article 215 of the Treaty) following the allegedly illegal withdrawal of an undertaking²⁴,
- the non-adoption by the Council of the Commission's proposal for a Regulation imposing definitive duties²⁵.

Three appeals²⁶ were lodged before the Court of Justice in 1998 challenging two judgments²⁷ given in 1997 and one judgment given in 1998 * by the CFI.

13.4. Judgments and orders rendered

13.4.1. Court of Justice

13.4.1.1. Ball bearings with a greatest external diameter exceeding 30 mm originating in Japan: Judgment of 10 February 1998²⁸

- case C-245/95P, appeal against the CFI judgement of 02.05.1995²⁹ in cases T-163/94 and T-165/94.

By judgment of 10 February 1998, the European Court of Justice (ECJ) dismissed the appeal of the Commission against the judgment of the Court of First Instance (CFI) which had annulled Council Regulation (EC) No 2849/92 concerning certain ball bearings from Japan. The court proceeding concerned the important question of which "injury-test" is to be applied in sunset and interim reviews under the former basic Regulation (EC) No 2423/88.

In the proceeding before the CFI, the main reasons for the annulment of Regulation (EC) No 2849/92 were that in the absence of a specific injury test for review investigations, the same injury test should have been applied for new and review investigations (cf. Article 4 of the Regulation No (EC) 2423/88). The Council had, however, relied on the test "threat of recurrence of injury" which is not mentioned in Article 4. The CFI therefore decided that the Council could not rely on this test.

²¹ Case T-37/98, OJ C 113 of 11.04.98; Case T-87/98, OJ C 234 of 25.07.98

²² Case T-87/98, OJ C 234 of 25.07.98

²³ Case T-33/98, OJ C 113 of 11.04.98; Case T-34/98, OJ C 113 of 11.04.98

²⁴ Case T-178/98, OJ C 159 of 05.06.99

²⁵ Case T-213/97, OJ C 318 of 18.10.97, Case T-192/98, Case T-195/98, OJ C 159 of 05.06.99

²⁶ Case C-46/98P, OJ C 137 of 02.05.98; Joint cases C-76/98 and C-77/98P, OJ C 166 of 30.05.98

²⁷ Judgment T-121/95 (*Efma v. Council*) of 17.12.97, OJ C 41 of 07.02.98; Judgment in the joint case Case T-159/94 (*Ajinomoto v. Council*) and case T-160/94 (*Nutrasweet v. Council*) of 18.12.97, OJ C 55 of 20.12.98.

* i.e. Judgment T-2/95 (*Industrie des Poudres Sphériques v. Council*) of 15.10.98.

²⁸ OJ C 113 of 11.04.98

²⁹ OJ C 159 of 24.6.95

Moreover, when determining whether measures were necessary, the Council had relied – amongst others - on factors such as market recession. Again, for the CFI, these factors must not be taken into account for injury findings, since they are not mentioned in Article 4 of the basic Regulation relating to injury investigations. Finally, the duration of the investigation had been 42 months, and the CFI concluded that the reason given for this long duration was insufficient.

In its judgment, the ECJ confirmed the position of the Commission that, in review investigations, consideration must be given to the question of “recurrence of injury”. The ECJ, however, did not follow the reasoning of the Commission completely, and it confirmed the applicability of Article 4 in review investigations. In this respect, the Court noted in particular that “recession of the market” is not a factor which can be taken into account when analysing the injury indicators mentioned in Article 4 of the basic Regulation. Therefore, Regulation (EC) No 2849/92 was annulled because it took into consideration a factor (in this case recession) which should not have been considered. Finally, the judgement of the ECJ was silent on the question whether the long duration in itself would have been a reason for annulment.

Following the judgment of the ECJ, the Commission published a notice clarifying the extent to which duties paid in accordance with the annulled regulation should be reimbursed.

13.4.2. *Court of First Instance*

13.4.2.1. Furfuraldehyde originating in the People’s Republic of China: Judgement of 29 January of 1998³⁰

- case T-97/95, *Sinochem v. Council*

By Regulation (EEC) No 95/95, the Council imposed a definitive anti-dumping duty on furfuraldehyde originating in the People’s Republic of China. Furfuraldehyde is used in two different applications: cleaning of lubricating oils and production of furfural alcohol. The first argument raised by the applicant was that the definitive duty had been imposed although injury was only alleged and established for one of the two applications, the cleaning of lubricating oils. The Court considered that, despite two totally different applications, furfuraldehyde is to be considered as a single and interchangeable product.

The judgment confirmed the wide margin of discretion of the Community institutions when establishing the causal link between dumped imports and the injury suffered by the Community industry. In this respect, if other factors are found which could have contributed to the injurious situation of the Community industry, the decisive question is whether these other factors are of such a nature that they break the causal link established between dumped imports and the injury suffered by the Community industry. The judgment also confirmed the discretion of the Community institutions

³⁰ OJ C 94 of 28.03.98

to reject proposals for undertakings, provided there were sufficient grounds to do so, and the obligation to state the reasons was fulfilled. The judgment clarified in particular that the Community institutions – in rejecting a proposal for an undertaking - may also rely on the fact that, in equivalent circumstances, a previous undertaking relating to a different product had been breached.

13.4.2.2. Plain Paper Photocopiers (PPC) originating in Japan: Judgment of 8 July 1998³¹

- case T-232/95, *Cecom v. Council*

In the review investigation concerning Plain Paper Photocopiers (PPC) originating in Japan, the Council decided that, due to the long duration of the review investigation, the new measures should remain in force for two years only, instead of five years (cf. Council Regulation No 2380/95). The Community industry was of the opinion that such a limitation of the period was illegal.

The CFI dismissed the application. According to the Court, the period of operation of new measures should systematically be five years, but for review investigations, and if certain exceptional circumstances are fulfilled, the period of operation might be limited to a shorter period. One reason which might call for a limitation of the period of operation is the long duration of the sunset review (i.e. more than 12 months).

The Court furthermore confirmed that any limitation of the period of operation must be based on objective grounds, and must not infringe the balancing of the rights and obligations of the parties concerned.

13.4.2.3. Bicycles originating in Thailand: Judgment of 17 July 1998³²

- case T-118/96, *Thai Bicycle Industry Co. Ltd v Council*

By Regulation (EC) No 648/96, the Council imposed definitive anti-dumping duties on imports of bicycles originating in, *inter alia*, Thailand. In order to establish the dumping margin, normal value had been constructed following significant reallocations of production costs and SGA expenses. In addition, the Community institutions decided not to use the profit margin of Thai Bicycle (the applicant) on its profitable domestic sales, but to use the profit margin of two other Thai bicycle producers. The reason for this was that Thai Bicycle's profitable domestic sales represented less than 10% of its total domestic sales by volume (hereafter "10% threshold"). The CFI dismissed the application for annulment lodged by Thai Bicycle and confirmed the Commission's practice as regards the 10% threshold. The Court ruled that the profit margin of a given producer can only be used for the purpose of constructing normal value if the profit of this producer is made on a sufficiently large number of its domestic sales. The Court also confirmed the Commission's definition of the term "sufficiently large number of sales" to mean "at least 10% of the total domestic sales by volume". The Court favoured the introduction of this threshold, because it provides legal certainty to interested parties.

³¹ OJ C 278 of 05.09.98

³² OJ C 327 of 24.10.98

13.4.2.4. Calcium metal originating in China and Russia: Judgment of 15 October 1998³³

- case T-2/95– *Industries des poudres sphériques (IPS) v Council*

By Regulation (EC) No 2557/94, the Council imposed definitive anti-dumping duties on imports of calcium metal originating in the People's Republic of China and Russia. The same product had already been subject to definitive anti-dumping duties (Regulation (EC) No 2808/89 imposing definitive anti-dumping duties on calcium metal from China and Russia); this latter regulation was annulled by judgement of the Court of First Instance of 11 June 1992 (*Extramet Industrie/Council*, Case C-358/89, [1992] ECR I-3813, the "*Extramet II*" judgement) upon application of the French importer, *Extramet Industrie*. Subsequent to the *Extramet II* judgement, the Commission, rather than open a new proceeding, decided to resume the investigation on the basis of a different reference period. This investigation eventually led to the adoption of Regulation (EC) No 2557/94.

The Court of First Instance, in a judgement containing almost 400 recitals, dismissed the application for annulment lodged by IPS. The Court ruled that the Commission did not exceed its discretion by deciding to continue the previous proceeding instead of opening a new proceeding, and pointed out that, in the framework of one proceeding, there may be one or more investigations. It was therefore for the institution concerned (i.e. the Commission) to draw the appropriate consequences from the annulling judgement. The Court also had to address the applicant's arguments on Community interest aspects that the positive consequences of the anti-dumping duties were outweighed by their negative consequences, namely the elimination of the applicant due to a strengthening of the Community producer's alleged by dominant position. The Court made it clear that anti-dumping measures can be in the Community interest even though the duties may lead to the closure of a Community importer which further processes the product in question. If the importer's ability to compete with, or to undercut the prices of, the Community producer of the like product relies merely on the dumped imports, the imposition of anti-dumping duties can not be challenged by arguing that it will lead to the elimination of the importer. This follows from the purpose underlying all anti-dumping legislation, which is to maintain fair and undistorted competition in the common market.

13.4.2.5. Ring binder mechanisms originating in China and Malaysia: Judgment of 19 November 1998³⁴

- case T-147/97 – *Champion Stationery Mfg Co. Ltd v. Council*

The main issue in this case was whether the Commission had given adequate disclosure in the anti-dumping proceeding leading to Regulation (EC) No 119/97 imposing definitive anti-dumping duties on imports of certain ring binder mechanisms originating in, *inter alia*, the People's Republic of China.

³³ OJ C 358 of 21.11.98

³⁴ OJ C I of 04.01.99

In the provisional regulation, the Commission had imposed a countrywide duty for China at the rate of 35,4%. Following the imposition of these duties, the Commission decided to grant individual treatment to a Chinese exporter (WWS); this led to a reduced duty rate for this company of 32,5%. For the remaining Chinese companies, the duty rate was increased to 39,4%, as the transactions relating to WWS had been eliminated from the calculations of the residual duty. In the fax and letter sent to the applicant, the last page showing the new duty rates was missing. The applicant alleged that it had not received adequate disclosure. The CFI dismissed the application for annulment of the regulation lodged by the Chinese exporter, Champion Stationery. According to the Court, the right to disclosure in accordance with Article 20 of the basic Regulation is one of the essential rights of defence, and in this respect, the Court noted that there was no dispute that the disclosure document received by the applicant was incomplete. Despite this deficiency, the Court ruled that the disclosure given by the Commission was sufficient to allow Champion Stationery a proper defence, and explained that the methodology to calculate the duties had not changed between provisional and definitive measures as the definitive duty regulation confirmed the injury elimination methodology previously applied.

In addition, the Court considered that the disclosure document had clarified why the calculations leading to an increased residual duty had to be changed following the granting of individual treatment to a Chinese exporter, WWS.

The applicant had argued that the disclosure letter had not informed it about the *correct duty rate*. In this respect, the Court confirmed that the Commission was obliged to disclose the correct duty rate. Nonetheless, the Court dismissed the plea, because it was evident to the Court that the applicant had been orally informed of the correct duty rate in due time, and had never requested disclosure in writing.

14. ANTI-DUMPING AND ANTI-SUBSIDY INVESTIGATIONS OF THIRD COUNTRIES CONCERNING IMPORTS FROM EU MEMBER STATES

In 1998, investigations by third countries of EU Member states continued to increase. Many third countries have adopted, or are in the process of adopting, anti-dumping and anti-subsidy rules with the clear intention of using them. Furthermore, the United States, a traditional user of trade instruments, has continued to target steel exports from a number of EU countries, notably Italy. At the same time, however, the United States have for the first time launched the process of carrying out sunset reviews, which are expected to lead to the termination of many decade-old cases.

The Commission's "pro-active" approach in these cases has led to increasing intervention vis-à-vis third-country national investigating bodies.

The Commission will pursue violations of the WTO Agreements (e.g. USA's CVD on leaded bar from the U.K., Israel's time limit violations).

However, many EU companies, not used to being involved in investigations, do not always seem to understand the benefits of co-operating with the investigating authorities. It is therefore very difficult for the Commission to intervene in cases of non-co-operation.

The Commission is ready to assist Member States and companies which are involved in an investigation. Nevertheless, it is for companies to defend their own interests by co-operating and, if necessary, appointing legal representation. The benefits of such co-operation can be seen from the cases described in this report.

14.1. Anti-subsidy cases against EU Member States

14.1.1. Initiations

14.1.1.1. Butter cookies from Denmark

On 26 February 1998, the USA initiated an investigation concerning imports of butter cookies from Denmark. The Commission used consultations under Article 13.1 of the WTO Subsidies' Agreement to challenge the alleged subsidy programmes.

14.1.1.2. Pasta from Italy (R)

On 4 March 1998, the USA initiated a newcomer review for the company Corex Srl.

14.1.1.3. Lead and bismuth steel from UK (R)

On 24 April 1998, the USA initiated an administrative review for the calendar year 1997, following a request from British Steel. Preliminary findings have been postponed to not later than 31 March 1999.

14.1.1.4. Lead and bismuth steel from Germany (R)

On 24 April 1998, the USA initiated an administrative review for the calendar year 1997. The time limit for terminating the preliminary investigation has been extended to March 1999.

14.1.1.5. Stainless steel plate in coils from Italy and Belgium

On 28 April 1998, the USA initiated an investigation concerning imports of stainless steel plate in coils from, *inter alia*, Italy and Belgium. The main concern is the "pass through" issue, and also the apparent lack of evidence in the complaint.

14.1.1.6. Stainless steel sheet and strip from Italy and France

On 13 July 1998, the USA initiated an investigation concerning imports of stainless steel sheet and strip from, *inter alia*, Italy and France. The main concern is the "pass through" issue, and also the apparent lack of evidence in the complaint.

14.1.1.7. Sugar from EU

On 27 August 1998, Egypt initiated an investigation into sugar from the EU. The Commission held bilateral consultations with the Egyptian authorities on 15 October 1998, and made a formal submission. The subsidy allegations concern the export restitutions provided to sugar exporters, as well as support for storage costs. Questionnaires were sent to the Commission, Member States and producers on 16 November 1998, with a deadline for reply of 23 December 1998. An extension until 1 February 1999 was subsequently granted.

14.1.1.8. Pasta from Italy (R)

In September 1998, the USA (DOC) initiated a second administrative review (covering the calendar year 1997). The first review was concluded in August 1998 with the imposition of measures.

14.1.1.9. Carbon steel from Sweden (R)

On 30 November 1998, the USA (DOC) initiated an administrative review concerning certain carbon steel from Sweden (SSAB Svenskt AB) covering the period 1997.

14.1.2. *Provisional measures*

14.1.2.1. Stainless steel plate in coils from Italy and Belgium

On 4 September 1998, the USA published its preliminary findings. For Belgium, the duty for the only exporter (ALZ) was 1,59%. In the case of Italy, the duty for the only exporter (Terni) was 14,75%. The investigation was initiated in April 1998.

In the Italian case, the Commission has made a green light request with regard to the Community THERMIE programme. Verification took place in November 1998.

14.1.2.2. Stainless steel sheet and strip from Italy and France

On 9 November 1998, the USA (DOC) issued its preliminary findings. Duties for Italy ranged from 0,46% - 6,11% and for France, the provisional duty was 2,84%. The case was initiated in July 1998.

In the Italian case, which involves the same producer as in the plate in coils case, Terni, the Commission has again made a green light request with regard to the Community THERMIE programme; DOC provisionally established that Thermie was not specific, and therefore not countervailable. Verifications of the Commission, the Government of Italy and the exporters took place in mid-November 1998.

14.1.3. *Definitive measures*

14.1.3.1. Canned peaches from Greece and Spain

On 9 January 1998, **New Zealand** imposed countervailing duties of between 12 and 22% on imports from co-operating exporters of canned peaches from Greece and Spain, with a residual duty of 21% for Greece, 13% for Spain and 21% for other EC countries.

This case had been initiated in July 1997. One positive finding for the Community was New Zealand's decision to "green light" regional aid granted in Spain.

14.1.3.2. Lead and bismuth steel from UK (R)

On 15 April 1998, following an administrative review initiated in May 1997, the USA established a definitive CVD rate of 5,28% for British Steel. In this review, the Commission had requested green-light treatment for the BRITE-EURAM R&D programme. DOC, apparently unable to find a reason to reject the claim, has instead chosen to dismiss the benefit from the programme as *de minimis*.

During this proceeding, British Steel has continued to dispute DOC's assertion that pre-privatisation subsidies are "passed through" to the new owners of the company. Following a request from the UK, the Commission took this matter up with the US in dispute settlement consultations on 29 July 1998, arguing that the open market sale of a company eliminates the benefit of all past subsidies, and that therefore no countervailing duties should be levied. A WTO panel was requested in January 1999.

14.1.3.3. Olive oil from EU

On 25 June 1998, **Argentina** imposed a definitive countervailing duty on the basis of a threat of injury. The Commission, having consulted Member States, is not yet convinced that the existence of such a threat has been established, and has requested bilateral discussions with Argentina on this matter. It is hoped that these will take place in early 1999.

The measures were imposed following the initiation of a CVD investigation concerning imports of olive oil from the EU in March 1997. The Commission submitted information to Argentina.

14.1.3.4. Viscose rayon staple fibre from Sweden (R)

On 17 June 1998, the USA concluded an administrative review of CVD measures covering the year 1996, with a finding of *de minimis* subsidy of 0,06%.

14.1.3.5. Wheat gluten from EU

On 22 July 1998, **Argentina** imposed a definitive countervailing duty of \$120,3 per tonne. Since Argentina's investigation had exceeded the maximum period of 18 months permitted by the WTO Subsidies Agreement, the Community requested DSU consultations on this case. These were held in Geneva on 27 October 1998, but did not lead to a solution. The Commission is now considering further DSU action.

The measures were taken following a CVD investigation concerning imports of wheat gluten from the EU, which was initiated on 23 October 1996. A provisional countervailing duty was imposed on 8 October 1997.

14.1.3.6. Stainless steel wire rod from Italy

On 29 July 1998, the USA imposed definitive duties at a level of 22,2% on Cogne; Valbruna/Bolzano's level was 1,28%. The residual duty was set at 13,85%. The petitioners have appealed the DOC determination concerning Valbruna/Bolzano.

The measures were taken following the initiation of CVD investigation concerning imports of stainless steel wire rod from Italy in August 1997. Following consultations held in Washington on 13 August 1997 under Article 13(1) of the WTO Subsidies' Agreement, DOC decided not to investigate 9 of the 43 programmes alleged in the complaint.

The "pass-through" effect is also a major issue in this case. The three Italian exporters are now privately owned, but most of the alleged subsidies related to the period of state ownership of the same production units.

The preliminary findings were published on 29 December 1997, with duties ranging from 1,22 to 30,47%. This latter rate was applied to Cogne, and was almost entirely accounted for by subsidies granted before privatisation. The issue here was therefore the same as in the British Steel case, and the Commission held bilateral consultations with DOC in May 1998.

14.1.3.7. Pasta from Italy (R)

In August 1998, the USA (DOC) concluded the first administrative review of the countervailing duties imposed in July 1996, covering the period 17.10.95 – 31.12.96. Duties for the exporters concerned ranged from 0 to 5%.

14.1.3.8. Pasta from Italy (R)

On 23 November 1998, the USA (DOC) announced a definitive duty rate of 0,95% for the company Corex Srl., following the newcomer review initiated in March 1998.

14.1.4. *Investigations terminated without measures*

14.1.4.1. Baked goods from EU

In January 1998, Israel terminated its countervailing duty investigation concerning baked goods from the EU without measures, due to lack of injury.

14.1.4.2. Pasta from Italy

In January 1998, Israel dropped the CVD case concerning pasta from Italy.

14.1.4.3. Butter cookies from Denmark

On 20 March 1998, the USA (ITC) terminated the investigation with a finding of no injury. The case had been initiated in February 1998.

14.1.4.4. Viscose rayon staple fibre from Sweden

In September 1998, the USA revoked this measure following a sunset review, although duties may still be collected until 1 January 2000.

14.1.4.5. Canned peaches from Greece

On 25 November 1998, **Mexico** terminated the investigation without measures.

The investigation concerning imports of canned peaches from Greece was initiated in May 1997. The Commission replied to Mexico's questionnaire, and held consultations with the Mexican authorities in Geneva. The Greek exporters did not initially co-operate with the investigation.

On 9 December 1997, Mexico imposed provisional duties. The amount of subsidy was found to be 18,2% and dumping (based on the facts available) was 33,3%. A provisional duty of 43,5% was imposed, since part of the subsidy (the export refund on sugar) was excluded to avoid double counting.

Following this finding, the Greek exporters secured legal representation in Mexico, and provided the required information to Mexico. The Mexican authorities carried out verification visits to Greek producers.

14.1.5. Pending investigations

14.1.5.1. Sugar from EU (R)

On 30 October 1998, the Commission confirmed its intention to participate in the sunset review of CVD measures, originally imposed in July 1978 by the USA, concerning imports of sugar from the EU, and made a submission. The petitioner issued its rebuttal on 9 November 1998. The DOC postponed its preliminary findings until April 1999.

14.2. Major anti-dumping investigations against EU Member States

14.2.1. Initiations

14.2.1.1. Syringes from Belgium, Germany, Ireland and Spain

On 24 December 1997, **South Africa** initiated an anti-dumping investigation concerning imports of syringes from Belgium, Germany, Ireland and Spain.

14.2.1.2. Stainless steel bars from France, Germany, Italy, Spain, Sweden and the UK

On 28 December 1997, **Canada** initiated an anti-dumping investigation concerning imports of stainless steel bars from France, Germany, Italy, Spain, Sweden and the UK.

14.2.1.3. Acrylic Fibre from Portugal, Spain and Italy

On 7 January 1998, **India** initiated an anti-dumping investigation concerning imports of acrylic fibre from Portugal, Spain and Italy.

14.2.1.4. Industrial Sewing Machine Needles from Germany

On 16 January 1998, **India** initiated an anti-dumping investigation concerning imports of industrial sewing machine needles from, *inter alia*, Germany.

14.2.1.5. Hypodermic needles from Belgium, Germany, Ireland and Spain

On 16 January 1998, **South Africa** initiated an anti-dumping investigation concerning imports of hypodermic needles from Germany.

14.2.1.6. Polycarbonates from Germany

On 12 February 1998, **Brazil** initiated an anti-dumping investigation concerning imports of polycarbonates from, *inter alia*, Germany.

14.2.1.7. Butter cookies from Denmark

On 26 February 1998, the **USA** initiated anti-dumping and anti-subsidy investigations concerning imports of butter cookies from Denmark.

14.2.1.8. Wound skin and closure strips from France and Germany

On 3 April 1998, **Australia** initiated an anti-dumping investigation concerning imports of wound skin and closure strips from, *inter alia*, France and Germany.

14.2.1.9. Styrene butane rubber from France and Germany

On 7 April 1998, **India** initiated an anti-dumping investigation concerning imports of styrene butane rubber from, *inter alia*, France and Germany

14.2.1.10. Stainless steel plate in coils from Belgium and Italy

On 27 April 1998, the **USA** initiated an anti-dumping investigation concerning imports of stainless steel plate in coils from, *inter alia*, Belgium and Italy. A preliminary determination of dumping was made on 27 October 1998.

14.2.1.11. Black and white resin coated photographic paper from France and the UK

On 5 May 1998, **India** initiated an anti-dumping investigation concerning imports of black and white resin coated photographic paper, other than type setting paper, from France and the UK.

14.2.1.12. Stainless steel round wire from Spain

On 12 May 1998, the **USA** initiated an anti-dumping investigation concerning imports of stainless steel round wire from, *inter alia*, Spain. A preliminary determination of dumping was made on 12 November 1998.

14.2.1.13. Rock wool from the Netherlands

On 15 May 1998, **South Africa** initiated an anti-dumping investigation concerning imports of rock wool from the Netherlands.

14.2.1.14. Woven pile weather stripping from Spain and the UK

On 26 May 1998, **Israel** initiated an anti-dumping investigation concerning imports of woven pile weather stripping from Spain and the UK.

14.2.1.15. Crystal polystyrene from the EC

On 10 June 1998, **Mexico** initiated an anti-dumping investigation concerning imports of crystal polystyrene from the EC.

14.2.1.16. Stainless steel sheet and strip in coils from France, Germany, Italy and the UK

On 30 June 1998, the **USA** initiated an anti-dumping investigation concerning imports of stainless steel sheet and strip in coils from, *inter alia*, France, Germany, Italy and the UK.

14.2.1.17. Woven polypropylene carpet backing fabric from Belgium and the UK

On 9 July 1998, **Australia** initiated an anti-dumping investigation concerning imports of woven polypropylene primary carpet backing fabric from, *inter alia*, Belgium and the UK.

14.2.1.18. Acetaminophenol from France

On 24 July 1998, **South Africa** initiated an anti-dumping investigation concerning imports of acetaminophenol from, *inter alia*, France.

14.2.1.19. Uncoated white ream copy paper from Finland

On 26 August 1998, **Australia** initiated an anti-dumping investigation concerning imports of uncoated white ream copy paper from Finland.

14.2.1.20. Glass containers from Germany, Italy, Portugal and Spain

At the end of August 1998, **Israel** initiated an anti-dumping investigation concerning imports of glass containers from Germany, Italy, Portugal and Spain.

14.2.1.21. Powdered babymilk from Denmark and the Netherlands

On 2 September 1998, the **Czech Republic** initiated an anti-dumping investigation concerning imports of powdered babymilk from Denmark and the Netherlands. This is the first anti-dumping investigation initiated by this country.

14.2.1.22. Tyres for motor cars, light trucks, buses and lorries from France and the EC

In September 1998, **Egypt** initiated an anti-dumping investigation concerning tyres for motor vehicles such as cars, light trucks, buses and lorries, from France and the EC.

14.2.1.23. Floor tiles from Italy

On 25 September 1998, **Argentina** initiated an anti-dumping investigation concerning floor tiles from Italy.

14.2.1.24. Hydroethylcellulose from the Netherlands

On 16 October 1998, **Brazil** initiated an anti-dumping investigation concerning imports of from, *inter alia*, the Netherlands.

14.2.1.25. Filter tipped cigarette tubes from France and Germany

On 19 October 1998, **Canada** initiated an anti-dumping investigation concerning certain imports of filter tipped cigarette tubes from France and Germany.

14.2.2. *Provisional measures*

14.2.2.1. Stainless steel wire rod from Germany, Italy, Spain and Sweden

On 5 March 1998, the USA imposed provisional anti-dumping duties on imports of stainless steel wire rod from Germany (21,2 %), Italy (5,7 % or less), Sweden (6,5 %) and Spain (11,4 %). The investigation was initiated on 26 August 1997.

14.2.2.2. Electric smoothing irons from France

On 6 April 1998, **Korea** imposed provisional anti-dumping duties on imports of electric smoothing irons from France at the rate of almost 30 %. The investigation was initiated on 23 October 1997.

14.2.2.3. Stainless steel bars from France, Germany, Italy, Spain, Sweden and the UK

On 7 May 1998, **Canada** imposed provisional anti-dumping duties on imports of stainless steel bars from France, Germany, Italy, Spain, Sweden and the UK. The investigation was initiated on 28 December 1997.

14.2.2.4. Cartonboard from Germany

On 9 June 1998, **Argentina** imposed provisional anti-dumping measures on imports of cartonboard from Germany. These provisional measures, taking the form of a minimum price of US \$ 730 per ton, lapsed on 9 October 1998.

This investigation was initiated on 27 August 1997. The provisional determination was based solely on information provided by the complainants. Argentina agreed, however, to take into account the questionnaire responses by the German exporters for the final determination.

14.2.2.5. Polymeric plasticisers from the UK

On 30 June 1998, **Australia** imposed provisional measures on imports of polymeric plasticisers from the UK. The investigation was initiated on 6 April 1997.

14.2.2.6. Syringes from Belgium, Germany, Ireland and Spain

On 24 July 1998, **South Africa** imposed a provisional anti-dumping duty (of 5,4 to 36,9 %) on imports of syringes from Belgium, Germany, Ireland and Spain. The investigation was initiated on 24 December 1997.

14.2.2.7. Syringes from Italy

On 11 August 1998, **Venezuela** imposed provisional anti-dumping duties of 23,93 % on imports of syringes from Italy for a duration of 4 months. The investigation was initiated on 4 December 1997.

14.2.2.8. Hypodermic needles from Belgium, Germany, Ireland and Spain

On 31 August 1998, **South Africa** imposed a provisional anti-dumping duty of 27,3 % on imports of hypodermic needles from Germany. Imports from Belgium, Ireland and Spain are not subject to this provisional anti-dumping duty. The investigation was initiated on 16 January 1998.

14.2.2.9. Blades for saws from UK and Sweden

On 12 September 1998, **Argentina** imposed provisional anti-dumping measures on imports of blades for saws from the UK (minimum import price of US\$ 0,43) and Sweden (minimum import price of US\$ 0,47). This investigation was initiated on 11 August 1997.

14.2.2.10. Acrylic Fibre from Portugal, Spain and Italy

On 20 October 1998, **India** imposed provisional anti-dumping duties on imports of acrylic fibre from Portugal, Spain and Italy. The duties are defined as the difference between a fixed price and the landed value of imports, with an absolute minimum of 5,04 Rs/kg for Portugal, 11,12 Rs/kg for Italy and 13,35 Rs/kg for Spain. The investigation was initiated on 7 January 1998.

14.2.2.11. Woven pile weather stripping from Spain and the UK

On 27 October 1998, **Israel** imposed a provisional anti-dumping duty on imports of woven pile weather stripping from Spain and the UK. The rates are 21,12 % for imports from Spain and 31,37 % for those from the UK. The investigation was initiated on 26 May 1998.

14.2.3. *Definitive measures*

14.2.3.1. Catalysts from Denmark

On 5 January 1998, **India** imposed definitive anti-dumping duties on imports of catalysts from Denmark. The investigation was initiated on 6 September 1996. The definitive duties confirmed the provisional duties of 0-154 % imposed on 20 June 1997.

14.2.3.2. Uncoated woodfree paper in reels or sheets from Sweden

On 13 February 1998, **South Africa** imposed a definitive anti-dumping duty of 13,2 % on imports of uncoated woodfree paper in reels or sheets from Sweden. The investigation was initiated on 18 July 1996.

14.2.3.3. Glass microspheres from Austria, Belgium and the UK

On 27 February 1998, **South Africa** imposed definitive anti-dumping duties on imports of glass microspheres from Austria and the UK, at the same rates as the provisional duties of 5 September 1997. Imports from Belgium were not hit by these measures.

The investigation was initiated on 23 May 1997. Provisional duties (12,1% for imports from the UK and 33,2% for those from Austria) were imposed on 5 September 1997.

14.2.3.4. Canned peaches from Greece

On 9 March 1998, **New Zealand** imposed a definitive anti-dumping duty of 17% on imports of canned peaches from Greece. However, one of the exporters was exempted from duties because it was found not to be dumping. The investigation was initiated on 12 September 1997.

14.2.3.5. Carbonless copy paper from UK and Germany

On 9 March 1998, **Korea** imposed definitive anti-dumping duties of 12,26% and 15,38% on imports from the UK and Germany, respectively, and accepted a price undertaking of a German producer. The investigation was initiated on 20 June 1997.

14.2.3.6. Corrugating medium paper from the EC

On 2 April 1998, **Malaysia** imposed definitive anti-dumping duties on imports of corrugating medium paper from the EC. The rate of duty ranges from 13,4 to 37,2%.

The investigation was initiated on 8 July 1997. Provisional duties were imposed on 4 November 1997.

14.2.3.7. Graphite electrodes from Austria, Belgium, France, Germany, Italy and Spain

On 5 May 1998, **India** imposed definitive anti-dumping duties on imports of high power graphite electrodes measuring 24 inches or less from Austria, Belgium, France, Germany, Italy and Spain. These specific duties range from 10.337 to 30.997 rupees per tonne. India decided not to impose definitive duties on imports of graphite electrodes measuring between 26 and 30 inches.

The investigation was initiated on 30 September 1996. Provisional duties were imposed on 21 October 1997.

14.2.3.8. Reinforced Steel Rounds from Italy

On 25 June 1998, **Israel** imposed a definitive anti-dumping duty on imports of reinforced steel rounds from Italy for a period of nine months. This decision was made by the Prime minister, as the government ministers concerned did not reach agreement on the course of action. The duty amounts to US \$ 12-22 per tonne.

The investigation was initiated on 6 January 1994, and a provisional anti-dumping duty of US \$ 25 per tonne imposed upon initiation.

14.2.3.9. Stainless Steel sinks from Greece and Spain

On 28 June 1998, **Egypt** imposed definitive anti-dumping duties of 35 and 50% on imports from Greece and Spain, respectively. The investigation was initiated on 7 March 1997.

14.2.3.10. Medium Density Fibreboard from Germany, Italy and Portugal

In June 1998, **Israel** imposed definitive anti-dumping duties on imports of medium density fibreboard from Germany, Italy and Portugal. These duties, ranging from US \$ 34 to \$ 55 per cubic metre are applicable for a period of 18 months. The investigation was initiated on 4 December 1996, and provisional duties of between \$ 47 and \$ 80 per cubic meter were imposed on 7 May 1997.

14.2.3.11. Coated woodfree paper from, *inter alia*, Finland

In July 1998, **Australia** imposed definitive anti-dumping duties on imports of coated woodfree paper from Finland. The investigation, which also concerned imports from several other Member States, was initiated on 9 July 1997, and provisional anti-dumping duties were imposed in November 1997.

14.2.3.12. Electric smoothing irons from France

On 6 August 1998, **Korea** imposed definitive anti-dumping duties on imports of electric smoothing irons from France at the rate of 11,47 to 14,02%.

The investigation was initiated on 23 October 1997. Provisional anti-dumping duties (almost 30%) were imposed on 6 April 1998.

14.2.3.13. Corrosion-resistant steel sheet from France, Germany, Spain, Sweden and the UK (R)

Further to an administrative review initiated on 9 February 1998, **Canada** reviewed the level of the anti-dumping duties on imports of corrosion-resistant steel sheet from France, Germany, Spain, Sweden and the UK. On 7 August 1998, the rate was set at 155%, due to insufficient co-operation by all the Community exporters concerned.

14.2.3.14. Brass sheet and strip from Germany

Further to an administrative review covering the period from 1 March 1996 to 1 March 1997, the USA reviewed the level of the anti-dumping duty on imports of brass sheet and strip from Germany manufactured by the main German exporter. On 11 August 1998, the rate for this exporter was set at 16,18%. The anti-dumping duty had originally been imposed in March 1987.

14.2.3.15. Stainless steel bars from France, Germany, Italy, Spain, Sweden and the UK

On 4 September 1998, **Canada** imposed definitive anti-dumping measures on imports of stainless steel bars from France, Germany, Italy, Spain, Sweden and the UK. The investigation was initiated on 28 December 1997 and provisional duties were imposed on 7 May 1998.

In addition, an administrative review was launched on 9 October 1998.

14.2.3.16. Drill bits from Italy

On 12 September 1998, **Argentina** imposed definitive anti-dumping measures on imports of drill bits from Italy, for a two-year period. The duty to be paid is the difference between the minimum import values fixed by Argentina (which range from US\$ 7 to US\$ 45) and the F.O.B. value declared by the importer. The investigation was initiated on 21 February 1997. WTO consultations have been requested as the investigation took more than 18 months.

14.2.3.17. Stainless steel wire rod from Germany, Italy, Spain and Sweden

On 15 September 1998, the USA imposed definitive anti-dumping duties on imports of stainless steel wire rod from Italy, Sweden and Spain at the rates of 12,73%, 5,71% and 4,73%, respectively. As imports from Germany were found not to cause injury, such imports are not subject to the duties.

The investigation was initiated on 26 August 1997. Provisional duties were imposed on 5 March 1998. As regards imports from Italy, the USA has also initiated an anti-subsidy investigation.

14.2.3.18. Medium density fibreboard from Germany, Italy and Portugal

On 17 December 1998, **Israel** imposed definitive duties of \$ 34 to \$ 55 per cubic meter. The investigation was initiated on 18 December 1996.

14.2.3.19. Acrylic Fibre from Portugal

On 24 December 1998, **South Africa** imposed a definitive anti-dumping duty of 10,3% on imports of acrylic fibre tow from Portugal. Imports of staple fibres were found to be *de minimis*. As regards acrylic fibre tops, no causal link could be established between the injury and the imports.

The investigation was initiated on 5 July 1996. A provisional duty of 10,9% on imports of tow was imposed on 27 June 1997.

14.2.4. Investigations terminated without measures

14.2.4.1. Unglazed ceramic wall and floor tiles from Italy

On 6 January 1998, **South Africa** terminated the investigation concerning imports of unglazed tiles from Italy without imposition measures for absence of injury. The investigation, which also covered glazed tiles, was initiated on 25 October 1996.

14.2.4.2. Gas meters from Italy

On 7 January 1998, **Argentina** terminated the anti-dumping investigation concerning gas meters from Italy without imposition of measures for absence of material injury to the domestic industry. This investigation was initiated on 27 August 1996.

14.2.4.3. Newsprint paper from France

In February 1998, **Indonesia** terminated the anti-dumping investigation concerning imports of white newsprint paper from France as the complaint had been withdrawn. The investigation was initiated on 31 October 1997.

14.2.4.4. Pasta from Italy

On 5 March 1998, **Israel** terminated the anti-dumping investigation concerning imports of pasta from Italy for absence of material injury to the domestic industry. The investigation was initiated on 1 October 1995. Provisional duties were imposed on 26 August 1996 but lapsed well before March 1998.

14.2.4.5. Carbon Steel Wire Rod from Germany

On 18 March 1998, the **USA** terminated the anti-dumping investigation concerning imports of carbon steel wire rod from Germany without imposition of measures for absence of injury to the domestic industry. The investigation was initiated on 18 March 1997.

An anti-subsidy investigation concerning the same product was terminated on 19 November 1997.

14.2.4.6. Butter cookies from Denmark

On 20 March 1998, the **USA** terminated the anti-dumping investigation concerning imports of butter cookies from Denmark without imposition of measures for absence of injury to the domestic industry. The investigation was initiated on 26 February 1998.

14.2.4.7. Electric cables from France and Spain

On 31 March 1998, **Argentina** terminated the anti-dumping investigation concerning cables for electronic transmission inferior to 1000V from France and Spain without imposition of measures. The investigation was initiated on 20 February 1996.

14.2.4.8. Urea from the former GDR (R)

On 3 April 1998, the USA revoked the anti-dumping duty imposed on imports of urea from the former GDR, as the complainants did not express any interest. This anti-dumping duty had been imposed in 1987 and the review was initiated on 12 February 1998.

14.2.4.9. Calcium aluminate flux from France (R)

On 7 April 1998, the USA terminated the anti-dumping measure imposed on imports of calcium aluminate flux from France. This decision was made further to a changed circumstances administrative review initiated on 9 February 1998. The anti-dumping duties were originally imposed on 13 June 1994.

14.2.4.10. PVC resin from Germany and the Netherlands

In April 1998, Australia terminated the anti-dumping investigation concerning imports of PVC resin from, *inter alia*, Germany and the Netherlands as a causal link between these imports and the material injury suffered by the domestic industry had not been established. The investigation was initiated on 10 July 1997, and provisional duties imposed on 17 October 1997.

14.2.4.11. Carbon and alloy steel plate from Belgium, Denmark, Germany and the UK (R)

On 5 May 1998, Canada terminated the anti-dumping measures on carbon and alloy steel plate from Belgium, Denmark, Germany and the UK. The expiry review was initiated on 20 November 1997. The authorities established that there was no likelihood of resumed dumping.

14.2.4.12. Disposable diapers from Germany

On 13 May 1998, Israel terminated the anti-dumping investigation concerning disposable diapers from Germany for absence of injury to the domestic industry. In April 1998, the Commission made the point that the 18-month time limit had expired.

The investigation was initiated on 27 May 1996 and a provisional duty of 7,2 % per package was imposed on 27 November 1996.

14.2.4.13. Benzoic acid from the Netherlands (R)

On 29 May 1998, Turkey repealed the anti-dumping duty imposed on imports of benzoic acid from the Netherlands. The review was initiated on 5 December 1996.

14.2.4.14. Glazed ceramic wall and floor tiles from Italy

On 26 June 1998, South Africa terminated the anti-dumping investigation concerning imports of glazed tiles from Italy further to the withdrawal of the petition. The investigation, which also covered unglazed tiles, was initiated on 25 October 1996, and provisional duties of 7,3 to 13,6 % imposed on 3 December 1997.

14.2.4.15. Soda ash from Spain

On 30 June 1998, **Brazil** terminated the anti-dumping investigation concerning imports of soda ash from Spain without the imposition of anti-dumping measures. The investigation was initiated on 5 May 1996.

14.2.4.16. Blood collection tubes and laboratory reagents from the UK

On 30 June 1998, **Brazil** terminated the anti-dumping investigation concerning imports of laboratory reagents from the UK without measures. On 9 October 1998, the investigation concerning blood collection tubes from the UK was also terminated without measures. The investigations were initiated on 15 September 1997.

14.2.4.17. Coated woodfree paper from, *inter alia*, Austria, Belgium, France, Germany, Italy, the Netherlands and Sweden

In July 1998, **Australia** terminated the anti-dumping investigation concerning imports of coated woodfree paper from Austria, Belgium, France, Germany, Italy, the Netherlands and Sweden, as imports from Belgium, France, the Netherlands and Sweden were found to be *de minimis*, and it was established that dumping from Austria and Germany was not likely in future.

The investigation, which also concerned imports from Finland, was initiated on 9 July 1997, and provisional duties were imposed in November 1997.

14.2.4.18. Cold-rolled steel sheet from France, Germany, Italy and the UK (R)

On 28 July 1998, **Canada** terminated the anti-dumping measures on imports of cold-rolled steel sheet from France, Germany, Italy and the UK which had been in force for over five years. The expiry review was initiated on 20 January 1998.

Further to an administrative review initiated on 8 December 1997, Canada had reviewed the level of the anti-dumping duties on imports of cold-rolled steel sheet from France, Germany, Italy and the UK. In June 1998 the rate was set at 87,3%, due to insufficient co-operation by all Community exporters concerned.

14.2.4.19. Recycled polyethylene pellets from Germany

On 12 August 1998, **Israel** terminated the anti-dumping investigation concerning imports of recycled polyethylene pellets from Germany. The investigation was initiated on 6 March 1997, and provisional duties ranging from 11,5 to 28,2 % were imposed on 6 August 1997.

14.2.4.20. Viscose staple rayon fibre from Finland (R)

On 22 October 1998, the **USA** terminated an expiry review of the anti-dumping duty on imports of viscose staple rayon fibre from Finland. It announced that the anti-dumping duty would be revoked as of 1 January 2000.

This anti-dumping duty had been imposed in 1979, and a review initiated on 1 September 1998.

14.2.4.21. Optic fibre cable from Spain

On 15 December 1998, Argentina terminated the anti-dumping investigation concerning optic fibre cables from Spain without the imposition of anti-dumping measures. This decision followed representations made by the Commission that imports from Spain were *de minimis*, and that the investigation had taken more than 18 months. The investigation concerning imports of optic fibre cables from, *inter alia*, Spain was initiated on 21 February 1997.

14.2.4.22. Ball bearings with a diameter of more than 30 mm from the EC

On 26 December 1998, Turkey terminated the anti-dumping investigation concerning certain ball bearings from the EC without the imposition of anti-dumping measures. This decision followed representations made by the Commission that the imports had not caused material injury to Turkey's domestic industry. The investigation was initiated on 29 June 1997.

14.2.5. Pending investigations initiated prior to 1998

14.2.5.1. Certain oil and gas well casings from Germany

Canada suspended the anti-dumping investigation concerning imports of certain oil and gas well casings from Germany in 1986. As regards imports of these products from Japan, the undertakings offered by the exporters are being reviewed. As regards imports from Germany, the procedure is still suspended.

14.2.5.2. Reinforcing Deformed Bars (Round) from Spain

On 25 July 1995, Israel initiated an anti-dumping investigation concerning imports of reinforcing deformed bars from Spain. Provisional duties of US \$ 28 per tonne were imposed on 21 February 1996.

In June 1997, the Commission made the point that the investigation had taken more than 18 months and should be terminated. Nevertheless, the imposition of an anti-dumping duty of \$13 per tonne was recommended in late 1997, but apparently no agreement on the course of action has been reached between the government ministers concerned.

14.2.5.3. Canned peaches from Greece

In May 1997, Mexico initiated an anti-dumping and anti-subsidy investigation concerning imports of canned peaches from Greece. On 9 December 1997, a provisional anti-dumping duty of 43,5 % was imposed, covering both dumping and subsidy.

14.2.5.4. Evaporated milk from the Netherlands

On 24 August 1997, Peru initiated an anti-dumping investigation concerning imports of evaporated milk from the Netherlands.

14.2.5.5. Coated paperboard from Austria, Germany, the Netherlands and Spain

On 20 March 1997, **South Africa** initiated an anti-dumping investigation concerning imports of coated paperboard from Austria, Germany, the Netherlands and Spain.

The complainant appealed against the preliminary finding of 31 October 1997 that injury to the domestic industry had not been established.

14.2.5.6. Pasta from Italy (R)

Further to an administrative review initiated on 28 August 1997, the **USA** made a preliminary determination of dumping concerning imports of pasta from Italy, on 7 August 1998. The rates range from 0,36 % to 71,49 %.

14.2.6. *Anti-circumvention investigations*

14.2.6.1. Leaded bars and billets from Germany and the UK

On 1 May 1998, the **USA** made a preliminary finding on circumvention of the anti-dumping and countervailing duties imposed on imports of leaded bars from Germany and the UK. It was found that imports of leaded billets from Germany and the UK had not circumvented these duties. The circumvention investigation was initiated on 19 June 1997.

14.2.6.2. Circuit breakers from France

On 24 December 1997, **South Africa** initiated an anti-circumvention investigation concerning the anti-dumping duty imposed on imports of circuit breakers from France. Definitive anti-dumping duties were imposed on imports from France and Italy on 8 August 1998.

14.2.6.3. Pasta from Italy

On 5 October 1998, the **USA** made a definitive finding on circumvention of the anti-dumping duty imposed on imports of pasta from Italy, confirming a preliminary finding of circumvention made on 15 April 1998. It was established that, whereas the anti-dumping duty applied to packages of 5 kg or less, imports of packages containing more than 5 kg circumvented the anti-dumping duty as they had been re-packed in the USA. The anti-circumvention investigation was initiated on 8 December 1997.

ANNEX A

NEW INVESTIGATIONS INITIATED DURING THE PERIOD 1 JANUARY – 31 DECEMBER 1998

Product	Country of origin	OJ Reference
Polypropylene binder or baler twine	Poland	C 1 03.01.98, p. 10
Polypropylene binder or baler twine	Czech Republic Hungary Saudi Arabia	C 65 28.02.98, p. 8
Steel stranded ropes & cables	P.R. China India Rep. of Korea South Africa Ukraine	C 155 20.05.98, p. 11
Stainless steel wire (< 1 mm) (AS)	India Rep. of Korea	C 199 25.06.98, p. 3
Stainless steel wire (= or > 1 mm) (AS)	India Rep. of Korea	C 199 25.06.98, p. 5
Stainless steel wire (< 1 mm) (AD)	Rep. of Korea	C 199 25.06.98, p. 8
Stainless steel wire (= or > 1 mm) (AD)	India Rep. of Korea	C 199 25.06.98, p. 7
Polypropylene binder or baler twine (AS)	Saudi Arabia	C 233 25.07.98, p. 25
Steel stranded ropes & cables	Hungary Mexico Poland	C 239 30.07.98, p. 3
Polyester textured filament yarn (PTY) (AD)	India Rep. of Korea	C 264 21.08.98, p. 5
Polyester textured filament yarn (PTY) (AS)	India Rep. of Korea	C 264 21.08.98, p. 2
Stainless steel heavy plates	Slovenia South Africa	C 289 17.09.98, p. 12
Seamless pipes and tubes	Croatia Ukraine	C 353 19.11.98, p. 13
Polyethylene terephthalate (PET) film (AS)	India	C 357 21.11.98, p. 12

ANNEX B

**NEW INVESTIGATIONS CONCLUDED BY THE IMPOSITION
OF PROVISIONAL DUTIES
DURING THE PERIOD 1 JANUARY – 31 DECEMBER 1998**

Product	Country of origin	Regulation N°	OJ Reference
Synthetic fibre ropes	India	Commission Reg. (EC) No 18/98 07.01.98	L 4 08.01.98 p. 28
Potassium permanganate	India Ukraine	Commission Reg. (EC) No 178/98 23.01.98	L 19 24.01.98 p. 23
Magnetic disks (3,5" microdisks)	Indonesia	Commission Reg. (EC) No 502/98 03.03.98	L 63 04.03.98 p. 4
Polysulphide polymers	USA	Commission Reg. (EC) No 617/98 18.03.98	L 82 19.03.98 p. 25
Cotton fabric (unbleached)	P.R. China Egypt India Indonesia Pakistan Turkey	Commission Reg. (EC) No 773/98 07.04.98	L 111 09.04.98 p. 19
Unwrought unalloyed magnesium	P.R. China	Commission Reg. (EC) No 1002/98 13.05.98	L 142 14.05.98 p. 24
Stainless steel bars (AD)	India	Commission Reg. (EC) No 1084/98 28.05.98	L 155 29.05.98 p. 3
Antibiotics (broad spectrum) (AS)	India	Commission Reg. (EC) No 1204/98 09.06.98	L 166 11.06.98 p. 17
Stainless steel bars (AS)	India	Commission Reg. (EC) No 1556/98 17.07.98	L 202 18.07.98 p. 40
Stainless steel bars (AD) (amendment)	India	Commission Reg. (EC) No 1556/98 17.07.98	L 202 18.07.98 p. 40

Hardboard	Brazil Bulgaria Estonia Latvia Lithuania Poland Russia	Commission Reg. (EC) No 1742/98 05.08.98	L 218 06.08.98 p. 16
Bicycles	Taiwan	Commission Reg. (EC) No 1833/98 25.08.98	L 238 26.08.98 p. 10
Large electrolytic aluminium capacitors	USA Thailand	Commission Reg. (EC) No 1845/98 27.08.98	L 240 28.08.98 p. 4
Polypropylene binder or baler twine	Poland Czech Republic Hungary Saudi Arabia	Commission Reg. (EC) No 2107/98 01.10.98	L 267 02.10.98 p. 7

ANNEX C

NEW INVESTIGATIONS CONCLUDED BY THE IMPOSITION OF DEFINITIVE DUTIES DURING THE PERIOD 1 JANUARY – 31 DECEMBER 1998

Product	Country of origin	Regulation N°	OJ Reference
Glyphosate	P.R. China	Council Reg. (EC) No 368/98 16.02.98	L 47 18.02.98 p. 1
Stainless steel fasteners	P.R. China India Rep. of Korea Malaysia Taiwan Thailand	Council Reg. (EC) No 393/98 16.02.98	L 50 20.02.98 p. 1
Footwear with uppers of leather or plastics	P.R. China Indonesia Thailand	Council Reg. (EC) No 467/98 23.02.98	L 60 28.02.98 p. 1
Ferro-silico-manganese	P.R. China	Council Reg. (EC) No 495/98 23.02.98	L 62 03.03.98 p. 1
Personal fax machines	P.R. China Japan Rep. of Korea Malaysia Singapore Taiwan Thailand	Council Reg. (EC) No 904/98 27.04.98	L 128 30.04.98 p. 1
Synthetic fibre ropes	India	Council Reg. (EC) No 1312/98 24.06.98	L 183 26.06.98 p. 1
Potassium permanganate	India Ukraine	Council Reg. (EC) No 1507/98 13.07.98	L 200 16.07.98 p. 4
Magnetic disks (3,5" microdisks)	Indonesia	Council Reg. (EC) No 1821/98 29.07.98	L 236 22.08.98 p. 1
Polysulphide polymers	USA	Council Reg. (EC) No 1965/98 09.09.98	L 255 17.09.98 p. 1

Monosodium glutamate	Brazil Vietnam	Council Reg. (EC) No 2051/98 24.09.98	L 264 29.09.98 p. 1
Broad spectrum antibiotics (AS)	India	Council Reg. (EC) No 2164/98 05.10.98	L 273 09.10.98 p. 1
Magnesium (unwrought, unalloyed)	P.R. China	Council Reg. (EC) No 2402/98 03.11.98	L 298 07.11.98 p. 1
Stainless steel bars (AS)	India	Council Reg. (EC) No 2450/98 13.11.98	L 304 14.11.98 p. 1

ANNEX D

**NEW INVESTIGATIONS TERMINATED
WITHOUT THE IMPOSITION OF MEASURES
DURING THE PERIOD 1 JANUARY – 31 DECEMBER 1998**

Product	Country of origin	Regulation N°	OJ Reference
Flat-rolled narrow strips	Russia	Commission Dec. 98/141/EC 12.02.98	L 40 13.02.98 p. 15
Magnetic disks (3,5" microdisks)	Canada Macao Thailand	Commission Dec. 98/175/EC 03.03.98	L 63 04.03.98 p. 32
Thiourea dioxide	R.P. China	Commission Dec. 98/462/EC 17.07.98	L 202 18.07.98 p. 65
Glass fibre fabrics (woven) (AD/AS)	Taiwan	Commission Dec. 98/464/EC 20.07.98	L 203 21.07.98 p. 27
Cochineal carmine (AS)	Peru	Commission Dec. 98/478/EC 29.07.98	L 214 31.07.98 p. 61
Monosodium glutamate	USA	Council Reg. (EC) No 2051/98 24.09.98	L 264 29.09.98 p. 1
Cotton fabric (unbleached)	P.R. China Egypt India Indonesia Pakistan Turkey	15 months deadline to impose definitive measures expired	
Synthetic fibre ropes	Rep. of Korea	Commission Dec. No 98/563/EC 07.10.98	L 271 08.10.98 p. 39
Stainless steel bars (AD)	India	15 months deadline to impose definitive measures expired	

ANNEX E

NEW INVESTIGATIONS INITIATED BY COUNTRY OF EXPORT DURING THE PERIOD 1994 – 1998 (31 DECEMBER)

Country of origin	1994	1995	1996	1997	1998	Totals
Belarus	1	-	-	-	-	1
Brazil	-	-	-	2	-	2
Bulgaria	-	-	-	1	-	1
Canada	-	1	-	-	-	1
P. R. China	5	5	6	5	1	22
Croatia	1	-	-	-	1	2
Czech Republic	2	1	1	-	1	5
Egypt	-	-	2	1	-	3
Estonia	-	-	-	1	-	1
Hungary	-	1	-	-	2	3
India	4	1	4	6	7	22
Indonesia	4	4	1	1	-	10
Japan	2	-	-	2	-	4
Kazakhstan	1	1	-	-	-	2
Latvia	-	-	-	1	-	1
Lithuania	1	-	-	1	-	2
Macao	-	1	-	-	-	1
Malaysia	2	2	1	2	-	7
Mexico	1	1	-	-	1	3
Norway	-	-	2	-	-	2
Pakistan	3	-	2	1	-	6
Peru	-	-	-	1	-	1
Philippines	-	1	-	-	-	1
Poland	1	2	-	1	2	6
Romania	-	-	1	-	-	1
Russia	3	1	1	2	-	7
Saudi Arabia	-	-	-	-	2	2
Singapore	-	1	-	1	-	2
Slovakia	2	-	1	-	-	3
Slovenia	-	-	-	-	1	1
South Africa	-	-	-	-	2	2
Rep. of Korea	-	4	1	3	7	15
Taiwan	1	-	1	4	-	6
Thailand	5	4	-	3	-	12
Turkey	2	-	1	1	-	4
Ukraine	1	1	-	1	2	5
USA	1	-	-	3	-	4
Uzbekistan	-	1	-	-	-	1
Vietnam	-	-	-	1	-	1
	43	33	25	45	29	175

ANNEX F

NEW INVESTIGATIONS INITIATED BY PRODUCT SECTOR DURING THE PERIOD 1994 – 1998 (31 DECEMBER)

Product	1994	1995	1996	1997	1998
Chemical and allied	3	4	-	8	-
Textiles and allied	17	4	10	8	9
Wood and paper	-	1	-	7	-
Electronics	3	7	-	14	-
Other mechanical engineering	4	3	-	1	-
Iron and Steel	7	2	9	4	19
Others metal	3	5	1	1	-
Other	6	7	5	2	1
	43	33	25	45	29

ANNEX G

EXPIRY REVIEWS INITIATED OR CONCLUDED DURING THE PERIOD 1 JANUARY – 31 DECEMBER 1998

Initiated		
Product	Country of origin	OJ Reference
Electronic weighing scales*	Japan	C 128 25.04.98 p. 11
Magnesium oxide (caustic burned)	P.R. China	C 190 18.06.98 p. 4
Bicycles	P.R. China	C 281 10.09.98 p. 8
Ferro-chrome (low carbon)*	Russia Kazakhstan	C 303 02.10.98 p. 4
Magnetic disks (3,5" microdisks)	Japan Taiwan P.R. China	C 322 21.10.98 p. 4
Electronic weighing scales*	Singapore	C 324 22.10.98 p. 4
Ferro-silicon	Brazil P.R. China Kazakhstan Russia Ukraine Venezuela	C 382 09.12.98 p. 9
Magnesia (deadburned)	P.R. China	C 385 11.12.98 p. 7

Concluded : confirmation of duty			
Product	Country of origin	Regulation/ Decision No	OJ Reference
Tungsten carbide & fused tungsten carbide	P.R. China	Council Reg. (EC) No 771/98 07.04.98	L 111 09.04.98 p. 1
Colour television receivers*	P.R. China Rep. of Korea Malaysia Singapore Thailand	Council Reg. (EC) No 2584/98 27.11.98	L 324 02.12.98 p. 1

Concluded : termination			
Product	Country of origin	Regulation/ Decision No	OJ Reference
Video cassette tapes	Hong Kong Rep. of Korea	Commission Dec. 98/19/EC 06.01.98	L 7 13.01.98 p. 47
Dihydrostreptomycin*	P.R. China	Commission Dec. 98/90/EC 21.01.98	L 17 22.01.98 p. 42
Silicon metal	Brazil	Commission Dec. 98/164/EC 26.02.98	L 58 27.02.98 p. 58
Tungsten ores and concentrates	P.R. China	Commission Dec. 98/229/EC 20.03.98	L 87 21.03.98 p. 22
Tungstic oxide and acid	P.R. China	Commission Dec. 98/230/EC 20.03.98	L 87 21.03.98 p. 24
Typewriter ribbon fabrics (pure silk)*	P.R. China	Commission Dec. 98/349/EC 27.05.98	L 155 29.05.98 p. 55
Polyester fibres and yarns (AS)*	Turkey	Commission Dec. 98/378/EC 12.06.98	L 168 13.06.98 p. 46

* Parallel expiry and interim review (see also Annex H)

ANNEX H

INTERIM REVIEWS INITIATED OR CONCLUDED DURING THE PERIOD 1 JANUARY – 31 DECEMBER 1998

Initiated		
Product	Country of origin	OJ Reference
Large aluminium electrolytic capacitors	Rep. of Korea Taiwan	C 107 07.04.98 p. 4
Electronic weighing scales*	Japan	L 128 25.04.98 p. 11
Ferro-chrome (low carbon)*	Russia Kazakhstan	C 303 02.10.98 p. 4
Electronic weighing scales*	Singapore	C 324 22.10.98 p. 4
Magnetic disks (3,5" microdisks)	Japan Taiwan P.R. China Hong Kong Rep. of Korea Malaysia Mexico USA Indonesia	C 394 17.12.98 p. 21
Salmon (AD/AS)	Norway	C 400 22.12.98 p. 4

Concluded : confirmation/amendment of duty			
Product	Country of origin	Regulation/ Decision No	OJ Reference
Ferro-silicon	Brazil	Council Reg. (EC) No 351/98 12.02.98	L 42 14.02.98 p. 1
Potassium chloride	Belarus Russia Ukraine	Council Reg. (EC) No 449/98 23.02.98	L 58 27.02.98 p. 15

Ferro-silico-manganese	Ukraine	Council Reg. (EC) No 495/98 23.02.98	L 62 03.03.98 p. 1
Monosodium glutamate	Rep. of Korea Taiwan	Council Reg. (EC) No 2051/98 24.09.98	L 264 29.09.98 p. 1
Handbags (leather)	P.R. China	Council Reg. (EC) No 2380/98 03.11.98	L 296 05.11.98 p. 1
Colour television receivers*	P.R. China Rep. of Korea Malaysia Singapore Thailand	Council Reg. (EC) No 2584/98 27.11.98	L 324 02.12.98 p. 1

Concluded : termination			
Product	Country of origin	Regulation/ Decision No	OJ Reference
Dihydrostreptomycin*	P.R. China	Commission Dec. 98/90/EC 21.01.98	L 17 22.01.98 p. 42
Ferro-silico-manganese	Brazil South Africa Russia	Council Reg. (EC) No 495/98 23.02.98	L 62 03.03.98 p. 1
Hematite pig iron	Brazil Czech Republic Poland Russia Ukraine	Commission Dec. No 962/98/ECSC 07.05.98	L 135 08.05.98 p. 7
Typewriter ribbon fabrics (pure silk)*	P.R. China	Commission Dec. 98/349/EC 27.05.98	L 155 29.05.98 p. 55
Polyester fibres and yarns (AS)*	Turkey	Commission Dec. 98/378/EC 12.06.98	L 168 13.06.98 p. 46
Monosodium glutamate	Indonesia	Council Reg. (EC) No 2051/98 24.09.98	L 264 29.09.98 p. 1

* Parallel interim and expiry review (see also Annex G)

ANNEX I

NEW EXPORTER REVIEWS INITIATED OR CONCLUDED DURING THE PERIOD 1 JANUARY – 31 DECEMBER 1998

Initiated			
Product	Country of origin	Regulation/ Decision No	OJ Reference
Polyethylene/polypropylene sacks & bags	India	Commission Reg. (EC) No 802/98 16.04.98	L 115 17.04.98 p. 3
Magnetic disks (3,5" microdisks)	Indonesia	Commission Reg. (EC) No 2152/98 07.10.98	L 271 08.10.98 p. 9

Concluded : imposition/amendment of duty			
Product	Country of origin	Regulation/ Decision No	OJ Reference
Bed linen (cotton-type)	Egypt India Pakistan	Council Reg. (EC) No 1508/98 13.07.98	L 200 16.07.98 p. 9
Polyester textured filament yarn (PTY)	Indonesia	Council Reg. (EC) No 1822/98 14.08.98	L 236 22.08.98 p. 3
Flat pallets of wood	Poland	Council Reg. (EC) No 2079/98 24.09.98	L 266 01.10.98 p. 1

Concluded : termination			
Product	Country of origin	Regulation/ Decision No	OJ Reference
NONE			

ANNEX J

ANTI-ABSORPTION INVESTIGATIONS INITIATED OR CONCLUDED DURING THE PERIOD 1 JANUARY – 31 DECEMBER 1998

Initiated		
Product	Country of origin	OJ Reference
Glyphosate	P.R. China	C 246 06.08.98 p. 3

Concluded with increase of duty			
Product	Country of origin	Regulation/ Decision No	OJ Reference
Ammonium nitrate	Russia	Council Reg. (EC) No 663/98 23.03.98	L 93 26.03.98 p. 1

Concluded without increase of duty / termination			
Product	Country of origin	Regulation/ Decision No	OJ Reference
Microwave ovens	Rep. of Korea	Commission Dec. 98/225/EC 20.03.98	L 85 20.03.98 p. 29

ANNEX K

ANTI-CIRCUMVENTION INVESTIGATIONS INITIATED OR CONCLUDED DURING THE PERIOD 1 JANUARY – 31 DECEMBER 1998

Initiated			
Product	Country of origin	Regulation/ Decision No	OJ Reference
Lighters (non-refillable & refillable)	P.R. China (transhipped via Hong Kong, Macao & Taiwan)	Commission Reg. (EC) No 971/98 07.05.98	L 135 08.05.98 p. 38
Television camera systems	Japan	Commission Reg. (EC) No 1178/98 05.06.98	L 163 06.06.98 p. 20

Concluded with extension of duty			
Product	Country of origin	Regulation/ Decision No	OJ Reference
NONE			

Concluded without extension of duty / termination			
Product	Country of origin	Regulation/ Decision No	OJ Reference
NONE			

Suspension			
Product	Country of origin	Regulation/ Decision No	OJ Reference
Bicycle parts	P.R. China	Commission Dec. 98/551/EC 21.09.98	L 264 29.09.98 p. 64

Exemptions granted			
Product	Country of origin	Regulation/ Decision No	OJ Reference
Bicycle parts	P.R. China	Commission Dec. 98/115/EC 28.01.98	L 31 06.02.98 p. 25
Bicycle parts	P.R. China	Commission Dec. 98/366/EC 28.05.98	L 164 09.06.98 p. 49
Bicycle parts	P.R. China	Commission Dec. 98/551/EC 21.09.98	L 264 29.09.98 p. 64
Bicycle parts	P.R. China	Commission Dec. 98/684/EC 17.11.98	L 320 28.11.98 p. 60

Exemptions refused			
Product	Country of origin	Regulation/ Decision No	OJ Reference
Bicycle parts	P.R. China	Commission Dec. 98/299/EC 24.04.98	L 133 07.05.98 p. 23
Bicycle parts	P.R. China	Commission Dec. 98/323/EC 29.04.98	L 141 13.05.98 p. 36
Bicycle parts	P.R. China	Commission Dec. 98/336/EC 06.05.98	L 148 19.05.98 p. 33

ANNEX L

UNDERTAKINGS ACCEPTED OR REPEALED DURING THE PERIOD 1 JANUARY – 31 DECEMBER 1998

Undertakings accepted			
Product	Country of origin	Regulation N°	OJ Reference
Hardboard	Brazil Bulgaria Estonia Latvia Lithuania Poland	Commission Reg. (EC) No 1742/98 05.08.98	L 218 06.08.98 p. 16
Flat pallets of wood	Poland	Commission Dec. No 98/554/EC 03.09.98	L 266 01.10.98 p. 82
Polypropylene binder or baler twine	Hungary	Commission Reg. (EC) No 2107/98 01.10.98	L 267 02.10.98 p. 7
Polypropylene binder or baler twine	Czech Republic	Commission Reg. (EC) No 2649/98 09.12.98	L 335 10.12.98 p. 41

Undertakings repealed with imposition of provisional measures			
Product	Country of origin	Regulation N°	OJ Reference
Salmon (AD/AS)	Norway	Commission Reg. (EC) No 651/98 23.03.98	L 88 24.03.98 p. 31
Salmon (AD/AS)	Norway	Commission Reg. (EC) No 1126/98 29.05.98	L 157 30.05.98 p. 82
Salmon (AD/AS)	Norway	Council Regulation (EC) No 1789/98 14.08.98	L 228 15.08.98 p. 4
Salmon (AD/AS)	Norway	Commission Reg. (EC) NO 2249/98 19.10.98	L 282 20.10.98 p. 57

Undertakings repealed with imposition of definitive measures			
Product	Country of origin	Regulation N°	OJ Reference
Salmon (AD/AS)	Norway	Council Regulation (EC) No 772/98 07.04.98	L 111 09.04.98 p. 10
Salmon (AD/AS)	Norway	Commission Dec. 98/540/EC 11.09.98	L 252 12.09.98 p. 68
Salmon (AD/AS)	Norway	Council Reg. (EC) No 2039/98 24.09.98	L 263 26.09.98 p. 3
Salmon (AD/AS)	Norway	Council Reg. (EC) No 2052/98 24.09.98	L 264 29.09.98 p. 17
Salmon (AD/AS)	Norway	Council Reg. (EC) No 2678/98 10.12.98	L 337 12.12.98 p. 1

ANNEX M

SUSPENSION OF MEASURES DURING THE PERIOD 1 JANUARY – 31 DECEMBER 1998

Product	Country of origin	OJ Reference
NONE		

ANNEX N

MEASURES WHICH EXPIRED DURING THE PERIOD 1 JANUARY – 31 DECEMBER 1998

Product	Country of origin	Original measure & OJ Reference	Publication
Synthetic fibres of polyester	India	Council Reg. (EEC) No 54/93 (L 9, 15.01.1993)	C 1 03.01.98 p. 11
Ball bearings (miniature) (AS)	Thailand	Council Reg. (EEC) No 1781/93 (L 163, 06.07.93)	C 203 30.06.98 p. 11
Binder & baler twine	Brazil	Commission Dec. 93/521/EEC (L 251, 08.10.93)	C 297 25.09.98 p. 23
Electronic weighing scales	Rep. of Korea	Council Reg. (EEC) No 2887/93 (L 263, 22.10.93)	C 326 24.10.98 p. 3
Ferro-chrome (low-carbon)	Ukraine	Council Reg. (EEC) No 2717/93 (L 246, 02.10.93)	C 339 07.11.98 p. 25
Photo albums in bookbound form	P.R. China	Council Reg. (EC) No 3664/93 (L 333, 31.12.93)	C 395 18.12.98 p. 4

ANNEX O

COURT CASES

A. COURT CASES PENDING ON 31 DECEMBER 1998

Court of Justice	
Case C-76/98 & C-77/98P	Nutrasweet/Ajinomoto & Council
Case C-46/98P	EFMA & Council
Case C-458/98P	IPS & Council
Court of First Instance	
Case T-210/95	EFMA v. Council
Case T-46/96	Whirlpool v. Council
Case T-48/96	ACME v. Council
Case T-51/96	MIWON v. Council
Case T-74/97	Buchel & Co. v. Council
Case T-75/97	Buchel & Co v. Commission
Case T-80/97	Starway v. Council
Case T-171/97	Swedish Match Philippines v. Council
Case T-213/97	Eurocoton v. Council
Case T-256/97	BEUC v. Commission
Case T-597/97	Euromin S.A. v. Council
Case T-598/97	British Shoe Corp. and others v. Council
Case T-599/97	Swedish Match v. Council
Case T-33/98	Petrotub v. Council
Case T-34/98	Republica v. Council
Case T-37/98	FTA v. Council
Case T-87/98	International Potash v. Council
Case T-88/98	Kundan Industries Ltd. And Tata International Ltd. V. Council
Case T-96/98	BEUC v. Commission
Case T-178/98	Fresh Marine Company v. Commission
Case T-192/98	EUROCOTON v. Council
Case T-195/98	Ettlin Spinnerei AG v. Council

B. JUDGMENTS AND ORDERS RENDERED DURING 1998

Court of Justice	
Case C-245/95P	NTN & Koyo Seiko & Council
Court of First Instance	
Case T-97/95	SINOCHEM v. Council
Case T-84/96	BEUC v. Commission
Case T-267/97	BROOME & WELLINGTON v. Commission
Case T-73/97	British Shoe v. Council
Case T-232/95	CECOM v. Council
Case T-118/96	Thai Bicycle v. Council
Case T-2/95	IPS v. Council
Case T-147/97	Champion Stationary v. Council

ANNEX P

DEFINITIVE MEASURES IN FORCE ON 31 DECEMBER 1998

A. BY PRODUCT

Product	Origin	Measure	Regulation N°	Publication
Advertising matches	Japan	Duties	Council Reg. (EC) No 2025/97 15.10.97	L 284, 16.10.97 p. 1
Ammonium nitrate	Lithuania	Undertakings	Commission Dec. No 94/293/EC 13.04.94	L 129, 21.05.94 p. 24
	Russia	Duties	Council Reg. (EC) No 2022/95 16.08.95 as last amended by Council Reg. (EC) No 663/98 23.03.98	L 198, 23.08.95 p. 1 L 93 26.03.98 p. 1
Artificial corundum	P.R. China	Duties	Council Reg. (EC) No 1951/97 06.10.97	L 276, 09.10.97 p. 9
Bed linen (cotton-type)	Egypt India Pakistan	Duties	Council Reg. (EC) No 2398/97 28.11.97	L 332, 04.12.97 p. 1
Bicycle parts (extension to bicycles)	P.R. China	Duties	Council Reg. (EC) No 71/97 10.01.97	L 16, 18.01.97 p. 1
Bicycles	P.R. China	Duties	Council Reg. (EC) No 2474/93 08.09.93	L 228, 09.09.93 p. 1
	Indonesia Malaysia Thailand	Duties	Council Reg. (EC) No 648/96 28.03.96	L 91, 12.04.96 p. 1
Broad spectrum antibiotics (AS)	India	Duties	Council Reg. (EC) No 2164/98 05.10.98	L 273 09.10.98 p. 1
Calcium metal	P.R. China Russia	Duties	Council Reg. (EC) No 2557/94 19.10.94	L 270, 21.10.94 p. 27
Chamottes (refractory)	P.R. China	Duties	Council Reg. (EC) No 137/96 22.01.96	L 21, 27.01.96 p. 1
Coumarin	P.R. China	Duties	Council Reg. (EC) No 600/96 25.03.96	L 86, 04.04.96 p. 1

Electronic weighing scales	Japan	Duties	Council Reg. (EC) No 993/93 26.04.93	L 104, 29.04.93 p. 4
	Singapore	Duties	Council Reg. (EC) No 2887/93 20.10.93 as last amended by Council Reg. (EC) No 2937/95 20.12.95	L 263, 22.10.93 p. 1 L 307 20.12.95 p. 30
Ethanolamines	USA	Duties	Council Reg. (EC) No 229/94 01.02.94	L 28, 02.02.94 p. 40
Ferrochrome (low-carbon)	Kazakhstan Russia	Duties	Council Reg. (EC) No 2717/93 28.09.93	L 246, 02.10.93 p. 1
Ferro-silico-manganese	P.R. China Ukraine	Duties	Council Reg. (EC) No 495/98 23.02.98	L 62 03.03.98 p. 1
	Ukraine	Undertaking		
Ferro-silicon	Egypt Poland	Duties	Council Reg. (EC) No 3642/92 14.12.92	L 369, 18.12.92 p. 1
	Poland	Undertakings	Commission Dec. No 92/572/EC 14.12.92	L 369 18.12.92 p. 1
	Egypt	Undertakings	Commission Dec. No 92/331/EEC 30.06.92	L 183, 03.07.92 p. 40
	Brazil Kazakhstan Ukraine Venezuela Russia	Duties	Council Reg. (EC) No 3359/93 02.12.93 as last amended by Council Reg. (EC) No 351/98 12.02.98	L302, 09.12.93 p. 1 L 42 14.02.98 p. 1
	P.R. China South Africa	Duties	Council Reg. (EC) No 621/94 17.03.94	L 77, 19.03.94 p. 48
Flat pallets of wood	Poland	Duties	Council Reg. (EC) No 2334/97 24.11.97 as last amended by Council Reg. (EC) No 2079/98 24.09.98	L 324, 27.11.97 p. 1 L 266 01.10.98 p. 1

Flat pallets of wood (cont'd)	Poland	Undertaking	Commission Reg. (EC) No 1023/97 06.06.97	L 150 07.06.97 p. 4
		Undertaking	Commission Dec. No 97/797/EC 07.11.97	L 324 27.11.97 p. 36
		Undertaking	Commission Dec. No 98/554/EC 03.09.98	L 266 01.10.98 p. 82
Fluorspar	P.R. China	Duties	Council Reg. (EC) No 486/94 04.03.94	L 62, 05.03.94 p. 1
Footwear with textile uppers	P.R. China Indonesia	Duties	Council Reg. (EC) No 2155/97 29.10.97	L 298, 01.11.97 p. 1
Footwear with uppers of leather or plastics	P.R. China Indonesia Thailand	Duties	Council Reg. (EC) No 467/98 23.02.98	L 60 28.02.98 p. 1
Furfuraldehyde	P.R. China	Duties	Council Reg. (EC) No 95/95 16.01.95	L 15, 21.01.95 p. 11
Glyphosate	P.R. China	Duties	Council Reg. (EC) No 368/98 16.02.98	L 47 18.02.98 p. 1
Grain-oriented electrical steel sheets	Russia	Duties Undertakings	Commission Dec. No 303/96/ECSC 19.02.96	L 42, 20.02.96 p. 7
Handbags (leather)	P.R. China	Duties	Council Reg. (EC) No 1567/97 01.08.97 as last amended by Council Reg. (EC) No 2380/98 03.11.98	L 208, 02.08.97 p. 31 L 296 05.11.98 p. 1
Isobutanol	Russia	Duties	Council Reg. (EC) No 721/94 29.03.94	L 87, 31.03.94 p. 3
Large electrolytic aluminium capacitors	Japan	Duties	Council Reg. (EC) No 3482/92 30.11.92 as last amended by Council Reg. (EC) No 2593/97 19.12.97	L 353, 03.12.92 p. 1 L 351 23.12.97 p. 6
	Rep. of Korea Taiwan	Duties	Council Reg. (EC) No 1384/94 13.06.94	L 152, 18.06.94 p. 1

Lighters (non-refillable)	Japan	Duties	Council Reg. (EC) No 3433/91 25.11.91	L 326, 28.11.91 p. 1
	P.R. China	Duties	Council Reg. (EC) No 1006/95 03.04.95	L 101, 04.05.95 p. 38
	Mexico Philippines Thailand	Duties	Council Reg. (EC) No 423/97 03.03.97 as last amended by Council Reg. (EC) No 1508/97 28.07.97	L 65, 06.03.97 p. 1 L 204 31.07.97 p. 7
	Mexico Philippines Thailand	Undertakings	Commission Dec. No 97/167/EC 25.02.97	L 65 06.03.97 p. 54
Magnesia (deadburned)	P.R. China	Duties	Council Reg. (EC) No 3386/93 06.12.93	L 306, 11.12.93 p. 16
Magnesium (unwrought, unalloyed)	P.R. China	Duties	Council Reg. (EC) No 2402/98 03.11.98	L 298 07.11.98 p. 1
	Russia Ukraine	Duties	Council Reg. (EC) No 1347/96 02.07.96	L 174, 12.07.96 p. 1
	Russia Ukraine	Undertakings	Commission Dec. No 96/422/EC 25.06.96	L 174 12.07.98 p. 32
Magnesium oxide (caustic magnesite)	P.R. China	Duties	Council Reg. (EC) No 1473/93 14.06.93	L 145, 17.06.93 p. 1
Magnetic disks (3,5" microdisks)	P.R. China Japan Taiwan	Duties	Council Reg. (EC) No 2861/93 18.10.93	L 262, 21.10.93 p. 4
	Hong Kong Rep. of Korea	Duties	Council Reg. (EC) No 2199/94 09.09.94	L 236, 10.09.94 p. 1
	Malaysia Mexico USA	Duties	Council Reg. (EC) No 663/96 28.03.96	L 92, 13.04.96 p. 1
	Indonesia	Duties	Council Reg. (EC) No 1821/98 29.07.98	L 236 22.08.98 p. 1

Microwave ovens	P.R. China Malaysia Rep. of Korea Thailand	Duties	Council Reg. (EC) No 5/96 22.12.95	L 2, 04.01.96 p. 1
Monosodium glutamate	Brazil Vietnam Rep. of Korea Taiwan	Duties	Council Reg. (EC) No 2051/98 24.09.98	L 264 29.09.98 p. 1
Peroxidisulphates	P.R. China	Duties	Council Reg. (EC) No 2961/95 18.12.95	L 308, 21.12.95 p. 61
Personal fax machines	P.R. China Japan Rep. of Korea Malaysia Singapore Taiwan Thailand	Duties	Council Reg. (EC) No 904/98 27.04.98	L 128 30.04.98 p. 1
Polyester filament tow (extension to polyester staple fibre)	Belarus	Duties	Council Reg. (EC) No 2513/97 15.12.97	L 346, 17.12.97 p. 1
Polyester staple fibre	Belarus	Duties	Council Reg. (EC) No 1490/96 23.07.96	L 189, 30.07.96 p. 13
Polyester textured filament yarns (PTY)	Taiwan	Duties	Council Reg. (EC) No 1074/96 14.06.96	L 141, 14.06.96 p. 45
	Indonesia Thailand	Duties	Council Reg. (EC) No 2160/96 11.11.96 as last amended by Council Reg. (EC) No 1822/98 14.08.98	L 289, 12.11.96 p. 14 L 236 22.08.98 p. 3
	Malaysia	Duties	Council Reg. (EC) No 1001/97 02.06.97	L 145, 05.06.97 p. 1
Polyester yarns (PTY/POY)	Turkey	Duties	Council Reg. (EC) No 1074/96 14.06.96	L 141 14.06.96 p. 45
Polyethylene/polypropylene sacks & bags	India Indonesia Thailand	Duties	Council Reg. (EC) No 1950/97 06.10.97	L 276, 09.10.97 p. 1
Polyolefin woven sacks	P.R. China	Duties	Council Reg. (EC) No 2003/97 13.10.97	L 284, 16.10.97 p. 1
Polysulphide polymers	USA	Duties	Council Reg. (EC) No 1965/98 09.09.98	L 255 17.09.98 p. 1

Potassium chloride	Belarus Russia Ukraine	Duties	Council Reg. (EC) No 643/94 21.03.94 as last amended by Council Reg. (EC) No 449/98 23.02.98	L 80, 24.03.94 p. 1 L 58 27.02.98 p. 15
Potassium permanganate	P.R. China	Duties	Council Reg. (EC) No 2819/94 17.11.94	L 298, 19.11.94 p. 32
	India Ukraine	Duties	Council Reg. (EC) No 1507/98 13.07.98	L 200 16.07.98 p. 4
Powdered activated carbon	P.R. China	Duties	Council Reg. (EC) No 1006/96 03.06.96	L 134, 05.06.96 p. 20
Ring binder mechanisms	P.R. China Malaysia	Duties	Council Reg. (EC) No 119/97 20.01.97	L 22, 24.01.97 p. 1
Salmon (farmed Atlantic) (AD)	Norway	Duties	Council Reg. (EC) No 1890/97 26.09.97 as last amended by Council Reg. (EC) No 2678/98 10.12.98	L 267, 30.09.97 p. 1 L 337 12.12.98 p. 1
		Undertakings	Commission Dec. No 97/634/EC 26.09.97 as last amended by Commission Reg. No 2249/98 19.10.98	L 267 30.09.97 p. 81 L 282 20.10.98 p. 57
Salmon (AS)	Norway	Duties	Council Reg. (EC) No 1891/97 26.09.97 as last amended by Council Reg. (EC) No 2678/98 10.12.98	L 267, 30.09.97 p. 19 L 337 12.12.98 p. 1
		Undertakings	Commission Dec. No 97/634/EC 26.09.97 as last amended by Commission Reg. No 2249/98 19.10.98	L 267 30.09.97 p. 81 L 282 20.10.98 p. 57

Seamless steel pipes and tubes	Czech Republic Hungary Poland Romania Russia Slovak Republik	Duties	Council Reg. (EC) No 2320/97 17.11.97	L 322, 25.11.97 p. 1
	Czech Republic Hungary Poland Romania Slovak Republik	Undertakings	Commission Dec. No 97/790/EC 24.10.97	L 322 25.11.97 p. 63
Silicon carbide	P.R. China Poland Russia Ukraine	Duties	Council Reg. (EC) No 821/94 12.04.94 as last amended by Council Reg. (EC) No 1786/97 15.09.97	L 94, 13.04.94 p. 21 L 254 17.09.97 p. 6
	Russia	Undertakings	Commission Dec. No 94/202/EC 09.03.94	L 94 13.04.94 p. 32
Silicon metal	P.R. China	Duties	Council Reg. (EC) No 2496/97 11.12.97	L 345, 16.12.97 p. 1
Stainless steel bars (AS)	India	Duties	Council Reg. (EC) No 2450/98 14.11.98	L 304 14.11.98 p. 1
Stainless steel fasteners	P.R. China India Rep. of Korea Malaysia Taiwan Thailand	Duties	Council Reg. (EC) No 393/98 16.02.98	L 50 20.02.98 p. 1
Synthetic fibre ropes	India	Duties	Council Reg. (EC) No 1312/98 24.06.98	L 183 26.06.98 p. 1
Synthetic fibres of polyester	Taiwan	Duties	Council Reg. (EC) No 3017/92 19.10.92	L 306, 22.10.92 p. 1
	Rep. of Korea	Duties	Council Reg. (EC) No 54/93 08.01.93 as last amended by Council Reg. (EC) No 907/97 20.05.97	L 9, 15.01.93 p. 2 L 131 23.05.97 p. 1

Television camera systems	Japan	Duties	Council Reg. (EC) No 1015/94 29.04.94 as last amended by Council Reg. (EC) No 1952/97 07.10.97	L 111, 30.04.94 p. 106 L 276 09.10.97 p. 20
Televisions (colour)	Malaysia Singapore Thailand Rep. of Korea P.R. China	Duties	Council Reg. (EC) No 710/95 27.03.95 as last amended by Council Reg. (EC) No 2584/98 27.11.98	L 73, 01.04.95 p. 3 L 324, 02.12.98 p. 1
Tube and pipe fitting, of iron or steel	P.R. China Croatia Thailand	Duties	Council Reg. (EC) No 584/96 11.03.96	L 84, 03.04.96 p. 1
	Croatia Thailand	Undertakings	Commission Dec. No 96/252/EC 01.03.96	L 84 03.04.96 p. 46
Tungsten carbide and fused tungsten carbide	P.R. China	Duties	Council Reg. (EC) No 771/98 07.04.98	L 111, 09.04.98 p. 1
Urea	Russia	Duties	Council Reg. (EC) No 477/95 16.01.95	L 49, 04.03.95 p. 1
Urea ammonium nitrate	Bulgaria Poland	Duties	Council Reg. (EC) No 3319/94 22.12.94	L 350, 31.12.94 p. 20
	Bulgaria	Undertakings	Commission Dec. No 94/825/EC 12.12.94	L 350 31.12.94 p. 115
Zinc (unwrought unalloyed)	Poland Russia	Duties	Council Reg. (EC) No 1931/97 22.09.97	L 272, 04.10.97 p. 1
	Poland	Undertakings	Commission Dec. No 97/644/EC 03.09.97	L 272 04.10.97 p. 50

B. BY COUNTRY

Origin	Product	Measure	Regulation Nº	Publication
Belarus	Polyester filament tow (extension to polyester staple fibre)	Duties	Council Reg. (EC) No 2513/97 15.12.97	L 346, 17.12.97 p. 1
	Polyester staple fibre	Duties	Council Reg. (EC) No 1490/96 23.07.96	L 189, 30.07.96 p. 13
	Potassium chloride	Duties	Council Reg. (EC) No 643/94 21.03.94 as last amended by Council Reg. (EC) No 449/98 23.02.98	L 80, 24.03.94 p. 1 L 58 27.02.98 p. 15
Brazil	Ferro-silicon	Duties	Council Reg. (EC) No 3359/93 02.12.93 as last amended by Council Reg. (EC) No 351/98 12.02.98	L 302, 09.12.93 p. 1 L 42 14.02.98 p. 1
	Monosodium glutamate	Duties	Council Reg. (EC) No 2051/98 24.09.98	L 264 29.09.98 p. 1
Bulgaria	Urea ammonium nitrate	Duties	Council Reg. (EC) No 3319/94 22.12.94	L 350, 31.12.94 p. 20
		Undertakings	Council Reg. (EC) No 825/94 12.12.94	L 350, 31.12.94 p. 115
P.R. China	Artificial corundum	Duties	Council Reg. (EC) No 1951/97 06.10.97	L 276, 09.10.97 p. 9
	Bicycle parts (extension to bicycles)	Duties	Council Reg. (EC) No 71/97 10.01.97	L 16, 18.01.97 p. 1
	Bicycles	Duties	Council Reg. (EC) No 2474/93 08.09.93	L 228, 09.09.93 p. 1
	Calcium metal	Duties	Council Reg. (EC) No 2557/94 19.10.94	L 270, 21.10.94 p. 27
	Chamottes (refractory)	Duties	Council Reg. (EC) No 137/96 22.01.96	L 21, 27.01.96 p. 1
	Coumarin	Duties	Council Reg. (EC) No 600/96 25.03.96	L 86, 04.04.96 p. 1

	Ferro-silico-manganese	Duties	Council Reg. (EC) No 495/98 23.02.98	L 62 03.03.98 p. 1
	Ferro-silicon	Duties	Council Reg. (EC) No 621/94 17.03.94	L 77, 19.03.94 p. 48
	Fluorspar	Duties	Council Reg. (EC) No 486/94 04.03.94	L 62, 05.03.94 p. 1
	Footwear with textile uppers	Duties	Council Reg. (EC) No 2155/97 29.10.97	L 298, 01.11.97 p. 1
	Footwear with uppers of leather or plastics	Duties	Council Reg. (EC) No 467/98 23.02.98	L 60 28.02.98 p. 1
	Furfuraldehyde	Duties	Council Reg. (EC) No 95/95 16.01.95	L 15, 21.01.95 p. 11
	Glyphosate	Duties	Council Reg. (EC) No 368/98 16.02.98	L 47 18.02.98 p. 1
	Handbags (leather)	Duties	Council Reg. (EC) No 1567/97 01.08.97 as last amended by Council Reg. (EC) No 2380/98 03.11.98	L 208, 02.08.97 p. 31 L 296 05.11.98 p. 1
	Lighters (non-refillable)	Duties	Council Reg. (EC) No 1006/95 03.04.95	L 101, 04.05.95 p. 38
	Magnesia (deadburned)	Duties	Council Reg. (EC) No 3386/93 06.12.93	L 306, 11.12.93 p. 16
	Magnesium (unwrought, unalloyed)	Duties	Council Reg. (EC) No 2402/98 03.11.98	L 298 07.11.98 p. 1
	Magnesium oxide (caustic magnesite)	Duties	Council Reg. (EC) No 1473/93 14.06.93	L 145, 17.06.93 p. 1
	Magnetic disks (3,5" microdisks)	Duties	Council Reg. (EC) No 2861/93 18.10.93	L 262, 21.10.93 p. 4
	Microwave ovens	Duties	Council Reg. (EC) No 5/96 22.12.95	L 2, 04.01.96 p. 1
	Peroxidisulphates	Duties	Council Reg. (EC) No 2961/95 18.12.95	L 308, 21.12.95 p. 61
	Personal fax machines	Duties	Council Reg. (EC) No 904/98 27.04.98	L 128 30.04.98 p. 1

	Polyolefin woven sacks	Duties	Council Reg. (EC) No 2003/97 13.10.97	L 284, 16.10.97 p. 1
	Potassium permanganate	Duties	Council Reg. (EC) No 2819/94 17.11.94	L 298, 19.11.94 p. 32
	Powdered activated carbon	Duties	Council Reg. (EC) No 1006/96 03.06.96	L 134, 05.06.96 p. 20
	Ring binder mechanisms	Duties	Council Reg. (EC) No 119/97 20.01.97	L 22, 24.01.97 p. 1
	Silicon carbide	Duties	Council Reg. (EC) No 821/94 12.04.94 as last amended by Council Reg. (EC) No 1786/97 15.09.97	L 94, 13.04.94 p. 21 L 254 17.09.97 p. 6
	Silicon metal	Duties	Council Reg. (EC) No 2496/97 11.12.97	L 345, 16.12.97 p. 1
	Stainless steel fasteners	Duties	Council Reg. (EC) No 393/98 16.02.98	L 50 20.02.98 p. 1
	Televisions (colour)	Duties	Council Reg. (EC) No 710/95 27.03.95 as last amended by Council Reg. (EC) No 2584/98 27.11.98	L 73 01.04.95 p. 3 L 324 02.12.98 p. 1
	Tube and pipe fitting, of iron or steel	Duties	Council Reg. (EC) No 584/96 11.03.96	L 84, 03.04.96 p. 1
	Tungsten carbide and fused tungsten carbide	Duties	Council Reg. (EC) No 771/98 07.04.98	L 111, 09.04.98 p. 1
Croatia	Tube and pipe fitting, of iron or steel	Duties	Council Reg. (EC) No 584/96 11.03.96	L 84, 03.04.96 p. 1
		Undertakings	Commission Dec. No 96/252/EC 01.03.96	L 84, 03.04.96 p. 46
Czech Republic	Seamless steel pipes and tubes	Duties	Council Reg. (EC) No 2320/97 17.11.97	L 322, 25.11.97 p. 1
		Undertakings	Commission Dec. No 97/790/EC 24.10.97	L 322, 25.11.97 p. 63

Egypt	Bed linen (cotton-type)	Duties	Council Reg. (EC) No 2398/97 28.11.97	L 332, 04.12.97 p. 1
	Ferro-silicon	Duties	Council Reg. (EC) No 3642/92 14.12.92	L 369, 18.12.92 p. 1
		Undertakings	Commission Dec. No 92/331/EC 30.06.92	L 183, 03.07.92 p. 40
Hong Kong	Magnetic disks (3,5" microdisks)	Duties	Council Reg. (EC) No 2199/94 09.09.94	L 236, 10.09.94 p. 1
Hungary	Seamless steel pipes and tubes	Duties	Council Reg. (EC) No 2320/97 17.11.97	L 322, 25.11.97 p. 1
		Undertakings	Commission Dec. No 97/790/EC 24.10.97	L 322, 25.11.97 p. 63
India	Broad spectrum antibiotics (AS)	Duties	Council Reg. (EC) No 2164/98 05.10.98	L 273, 09.10.98 p. 1
	Bed linen (cotton-type)	Duties	Council Reg. (EC) No 2398/97 28.11.97	L 91 12.04.96 p. 1
	Polyethylene/polypropylene sacks & bags	Duties	Council Reg. (EC) No 1950/97 06.10.97	L 276 09.10.97 p. 1
	Potassium permanganate	Duties	Council Reg. (EC) No 1507/98 13.07.98	L 200 16.07.98 p. 4
	Stainless steel bars (AS)	Duties	Council Reg. (EC) No 2450/98 13.11.98	L 304 14.11.98 p. 1
	Stainless steel fasteners	Duties	Council Reg. (EC) No 393/98 16.02.98	L 50 20.02.98 p. 1
	Synthetic fibre ropes	Duties	Council Reg. (EC) No 1312/98 24.06.98	L 183 26.06.98 p. 1
Indonesia	Bicycles	Duties	Council Reg. (EC) No 648/96 28.03.96	L 91, 12.04.96 p. 1
	Footwear with textile uppers	Duties	Council Reg. (EC) No 2155/97 29.10.97	L 298, 01.11.97 p. 1
	Footwear with uppers of leather or plastics	Duties	Council Reg. (EC) No 467/98 23.02.98	L 60 28.02.98 p. 1
	Magnetic disks (3,5" microdisks)	Duties	Council Reg. (EC) No 1821/98 29.07.98	L 236 22.08.98 p. 1

	Polyester textured filament yarns (PTY)	Duties	Council Reg. (EC) No 2160/96 11.11.96 as last amended by Council Reg. (EC) No 1822/98 14.08.98	L 289, 12.11.96 p. 14 L 236 22.08.98 p. 3
	Polyethylene/polypropylene sacks & bags	Duties	Council Reg. (EC) No 1950/97 06.10.97	L 276, 09.10.97 p. 1
Japan	Advertising matches	Duties	Council Reg. (EC) No 2025/97 15.10.97	L 284, 16.10.97 p. 1
	Electronic weighing scales	Duties	Council Reg. (EC) No 993/93 26.04.93	L 104, 29.04.93 p. 4
	Large electrolytic aluminium capacitors	Duties	Council Reg. (EC) No 3482/92 30.11.92 as last amended by Council Reg. (EC) No 2593/97 19.12.97	L 353, 03.12.92 p. 1 L 351 23.12.97 p. 6
	Lighters (non-refillable)	Duties	Council Reg. (EC) No 3433/91 25.11.91	L 326, 28.11.91 p. 1
	Magnetic disks (3,5" microdisks)	Duties	Council Reg. (EC) No 2861/93 18.10.93	L 262, 21.10.93 p. 4
	Personal fax machines	Duties	Council Reg. (EC) No 904/98 27.04.98	L 128 30.04.98 p. 1
	Television camera systems	Duties	Council Reg. (EC) No 1015/94 29.04.94 as last amended by Council Reg. (EC) No 1952/97 07.10.97	L 111, 30.04.94 p. 106 L 276 09.10.97 p. 20
Kazakhstan	Ferrochrome (low-carbon)	Duties	Council Reg. (EC) No 2717/93 28.09.93	L 246, 02.10.93 p. 1
	Ferro-silicon	Duties	Council Reg. (EC) No 3359/93 02.12.93 as last amended by Council Reg. (EC) No 351/98 12.02.98	L 302, 09.12.93 p. 1 L 42 14.02.98 p. 1
Korea (Rep. of)	Large electrolyte aluminium capacitors	Duties	Council Reg. (EC) No 1384/94 13.06.94	L 152, 18.06.94 p. 1

	Magnetic disks (3,5" microdisks)	Duties	Council Reg. (EC) No 2199/94 09.09.94	L 236, 10.09.94 p. 1
	Microwave ovens	Duties	Council Reg. (EC) No 5/96 22.12.95	L 2, 04.01.96 p. 1
	Monosodium glutamate	Duties	Council Reg. (EC) 2051/98 24.09.98	L 264 29.09.98 p. 1
	Personal fax machines	Duties	Council Reg. (EC) No 904/98 27.04.98	L 128 30.04.98 p. 1
	Stainless steel fasteners	Duties	Council Reg. (EC) No 393/98 16.02.98	L 50 20.02.98 p. 1
	Synthetic fibres of polyester	Duties	Council Reg. (EC) No 54/93 08.01.93 as last amended by Council Reg. (EC) No 907/97 20.05.97	L 9, 15.01.93 p. 2 L 131 23.05.97 p. 1
	Televisions (colour)	Duties	Council Reg. (EC) No 710/95 27.03.95 as last amended by Council Reg. (EC) No 2584/98 27.11.98	L 73 01.04.95 p. 3 L 324, 02.12.98 p. 1
Lithuania	Ammonium nitrate	Undertakings	Commission Dec. (EC) No 293/94 13.04.94	L 129, 21.05.94 p. 24
Malaysia	Bicycles	Duties	Council Reg. (EC) No 648/96 28.03.96	L 91, 12.04.96 p. 1
	Magnetic disks (3,5" microdisks)	Duties	Council Reg. (EC) No 663/96 28.03.96	L 92, 13.04.96 p. 1
	Microwave ovens	Duties	Council Reg. (EC) No 5/96 22.12.95	L 2, 04.01.96 p. 1
	Personal fax machines	Duties	Council Reg. (EC) No 904/98 27.04.98	L 128 30.04.98 p. 1
	Polyester textured filament yarns (PTY)	Duties	Council Reg. (EC) No 1001/97 02.06.97	L 145, 05.06.97 p. 1
	Ring binder mechanisms	Duties	Council Reg. (EC) No 119/97 20.01.97	L 22, 24.01.97 p. 1
	Stainless steel fasteners	Duties	Council Reg. (EC) No 393/98 16.02.98	L 50 20.02.98 p. 1

	Televisions (colour)	Duties	Council Reg. (EC) No 710/95 27.03.95 as last amended by Council Reg. (EC) No 2584/98 27.11.98	L 73, 01.04.95 p. 3 L 324 02.12.98 p. 1
Mexico	Lighters (non-refillable)	Duties	Council Reg. (EC) No 423/97 03.03.97 as last amended by Council Reg. (EC) No 1508/97 28.07.97	L 65, 06.03.97 p. 1 L 204 31.07.97 p. 7
		Undertakings	Commission Dec. No 97/167/EC 25.02.97	L 65, 06.03.97 p. 54
	Magnetic disks (3,5" microdisks)	Duties	Council Reg. (EC) No 663/96 28.03.96	L 92, 13.04.96 p. 1
Norway	Salmon (AD)	Duties	Council Reg. (EC) No 1890/97 26.09.97 as last amended by Council Reg. (EC) No 2678/98 10.12.98	L 267, 30.09.97 p. 1 L 337 12.12.98 p. 1
		Undertakings	Commission Dec. No 97/634/EC 26.09.97 as last amended by Commission Reg. No 2249/98 19.10.98	L 267, 30.09.97 p. 81 L 282 20.10.98 p. 57
	Salmon (AS)	Duties	Council Reg. (EC) No 1891/97 26.09.97 as last amended by Council Reg. (EC) No 2678/98 10.12.98	L 267, 30.09.97 p. 19 L 337 12.12.98 p. 1
		Undertakings	Commission Dec. (EC) No 634/97 26.09.97 as last amended by Commission Reg. No 2249/98 19.10.98	L 267, 30.09.97 p. 81 L 282 20.10.98 p. 57

Pakistan	Bed linen (cotton-type)	Duties	Council Reg. (EC) No 2398/97 28.11.97	L 332, 04.12.97 p. 1
Philippines	Lighters (non-refillable)	Duties	Council Reg. (EC) No 423/97 03.03.97 as last amended by Council Reg. (EC) No 1508/97 28.07.97	L 65, 06.03.97 p. 1 L 204 31.07.97 p. 7
		Undertakings	Commission Dec. No 97/167/EC 25.02.97	L 65, 06.03.97 p. 54
Poland	Ferro-silicon	Duties	Council Reg. (EC) No 3642/92 14.12.92	L 369, 18.12.92 p. 1
		Undertakings	Commission Dec. No 92/572/EC 14.12.92	L 369, 18.12.92 p. 1
	Flat pallets of wood	Duties	Council Reg. (EC) No 2334/97 24.11.97 as last amended by Council Reg. (EC) No 2079/98 24.09.98	L 324, 27.11.97 p. 1 L 266 01.10.98 p. 1
		Undertakings	Commission Reg. (EC) No 1023/97 06.06.97	L 150 07.06.97 p. 4
		Undertakings	Commission Dec. No 97/797/EC 07.11.97	L 324 27.11.97 p. 36
		Undertakings	Commission Dec. No 98/554/EC 03.09.98	L 266 01.10.98 p. 82
	Seamless steel pipes and tubes	Duties	Council Reg. (EC) No 2320/97 17.11.97	L 322, 25.11.97 p. 1
		Undertakings	Commission Dec. No 97/790/EC 24.10.97	L 322, 25.11.97 p. 63

	Silicon carbide	Duties	Council Reg. (EC) No 821/94 12.04.94 as last amended by Council Reg. (EC) No 1786/97 15.09.97	L 94, 13.04.94 p. 21 L 254 17.09.97 p. 6
	Urea ammonium nitrate	Duties	Council Reg. (EC) No 3319/94 22.12.94	L 350, 31.12.94 p. 20
	Zinc (unwrought unalloyed)	Duties	Council Reg. (EC) No 1931/97 22.09.97	L 272, 04.10.97 p. 1
		Undertakings	Commission Dec. No 97/644/EC 03.09.97	L 272, 04.10.97 p. 50
Romania	Seamless steel pipes and tubes	Duties	Council Reg. (EC) No 2320/97 17.11.97	L 322, 25.11.97 p. 1
		Undertakings	Commission Dec. No 97/790/EC 24.10.97	L 322, 25.11.97 p. 63
Russia	Ammonium nitrate	Duties	Council Reg. (EC) No 2022/95 16.08.95 as last amended by Council Reg. (EC) No 663/98 23.03.98	L 198, 23.08.95 p. 1 L 93 26.03.98 p. 1
	Calcium metal	Duties	Council Reg. (EC) No 2557/94 19.10.94	L 270, 21.10.94 p. 27
	Ferrochrome (low-carbon)	Duties	Council Reg. (EC) No 2717/93 28.09.93	L 246, 02.10.93 p. 1
	Ferro-silicon	Duties	Council Reg. (EC) No 3359/93 02.12.93 as last amended by Council Reg. (EC) No 351/98 12.02.98	L 302, 09.12.93 p. 1 L 42 14.02.98 p. 1
	Grain-oriented electrical steel sheets	Duties Undertakings	Commission Dec. No 303/96/ECSC 19.02.96	L 42, 20.02.96 p. 7
	Isobutanol	Duties	Council Reg. (EC) No 721/94 29.03.94	L 87, 31.03.94 p. 3

	Magnesium (unwrought, unalloyed)	Duties	Council Reg. (EC) No 1347/96 02.07.96	L 174, 12.07.96 p. 1
		Undertakings	Commission Dec. No 96/422/EC 25.06	L 174, 12.07.96 p. 32
	Potassium chloride	Duties	Council Reg. (EC) No 643/94 21.03.94 as last amended by Council Reg. (EC) No 449/98 23.02.98	L 80, 24.03.94 p. 1 L 58 27.02.98 p. 15
	Seamless steel pipes and tubes	Duties	Council Reg. (EC) No 2320/97 17.11.97	L 322, 25.11.97 p. 1
	Silicon carbide	Duties	Council Reg. (EC) No 821/94 12.04.94 as last amended by Council Reg. (EC) No 1786/97 15.09.97	L 94, 13.04.94 p. 21 L 254 17.09.97 p. 6
		Undertakings	Commission Dec. No 94/202/EC 09.03.94	L 94, 13.04.94 p. 32
	Urea	Duties	Council Reg. (EC) No 477/95 16.01.96	L 49, 04.03.95 p. 1
	Zinc (unwrought unalloyed)	Duties	Council Reg. (EC) No 1931/97 22.09.97	L 272, 04.10.97 p. 1
Singapore	Electronic weighing scales	Duties	Council Reg. (EC) No 2887/93 20.10.93 as last amended by Council Reg. (EC) No 2937/95 20.12.95	L 263, 22.10.93 p. 1 L 307 20.12.95 p. 30
	Personal fax machines	Duties	Council Reg. (EC) No 904/98 27.04.98	L 128 30.04.98 p. 1
	Televisions (colour)	Duties	Council Reg. (EC) No 710/95 27.03.95 as last amended by Council Reg. (EC) No 2584/98 27.11.98	L 73, 01.04.95 p. 3 L 324 02.12.98 p. 1

Slovak Republic	Seamless steel pipes and tubes	Duties	Council Reg. (EC) No 2320/97 17.11.97	L 322, 25.11.97 p. 1
		Undertakings	Commission Dec. No 97/790/EC 24.10.97	L 322, 25.11.97 p. 63
South Africa	Ferro-silicon	Duties	Council Reg. (EC) No 621/94 17.03.94	L 77, 19.03.94 p. 48
Taiwan	Large electrolyte aluminium capacitors	Duties	Council Reg. (EC) No 1384/94 13.06.94	L 152, 18.06.94 p. 1
	Magnetic disks (3,5" microdisks)	Duties	Council Reg. (EC) No 2861/93 18.10.93	L 262, 21.10.93 p. 4
	Monosodium glutamate	Duties	Council Reg. (EC) No 2051/98 24.09.98	L 264 29.09.98 p. 1
	Personal fax machines	Duties	Council Reg. (EC) No 904/98 27.04.98	L 128 30.04.98 p. 1
	Polyester textured filament yarns (PTY)	Duties	Council Reg. (EC) No 1074/96 14.06.96	L 141, 14.06.96 p. 45
	Stainless steel fasteners	Duties	Council Reg. (EC) No 393/98 16.02.98	L 50 20.02.98 p. 1
	Synthetic fibres of polyester	Duties	Council Reg. (EC) No 3017/92 19.10.92	L 306, 22.10.92 p. 1
Thailand	Bicycles	Duties	Council Reg. (EC) No 648/96 28.03.96	L 91, 12.04.96 p. 1
	Footwear with uppers of leather or plastics	Duties	Council Reg. (EC) No 467/98 23.02.98	L 60 28.02.98 p. 1
	Lighters (non-refillable)	Duties	Council Reg. (EC) No 423/97 03.03.97 as last amended by Council Reg. (EC) No 1508/97 28.07.97	L 65, 06.03.97 p. 1 L 204 31.07.97 p. 7
		Undertakings	Commission Dec. No 97/167/EC 25.02.97	L 65, 06.03.97 p. 54
	Microwave ovens	Duties	Council Reg. (EC) No 5/96 22.12.95	L 2, 04.01.96 p. 1

	Personal fax machines	Duties	Council Reg. (EC) No 904/98 27.04.98	L 128 30.04.98 p. 1
	Polyester textured filament yarns (PTY)	Duties	Council Reg. (EC) No 2160/96 11.11.96 as last amended by Council Reg. (EC) No 1822/98 14.08.98	L 289 12.11.96 p. 14 L 236 22.08.98 p. 3
	Polyethylene/polypropylene sacks & bags	Duties	Council Reg. (EC) No 1950/97 06.10.97	L 276 09.10.97 p. 1
	Stainless steel fasteners	Duties	Council Reg. (EC) No 393/98 16.02.98	L 50 20.02.98 p. 1
	Televisions (colour)	Duties	Council Reg. (EC) No 710/95 27.03.95 as last amended by Council Reg. (EC) No 2584/98 27.11.98	L 73 01.04.95 p. 3 L 324 02.12.98 p. 1
	Tube and pipe fitting, of iron or steel	Duties	Council Reg. (EC) No 584/96 11.03.96	L 84 03.04.96 p. 1
		Undertakings	Commission Dec. No 96/252/EC 01.03.96	L 84, 03.04.96 p. 46
Turkey	Polyester yarns (POY/PTY)	Duties	Council Reg. (EC) No 1074/96 14.06.96	L 141, 14.06.96 p. 45
Ukraine	Ferro-silico-manganese	Duties Undertakings	Council Reg. (EC) No 495/98 23.02.98	L 62 03.03.98 p. 1
	Ferro-silicon	Duties	Council Reg. (EC) No 3359/93 02.12.93 as last amended by Council Reg. (EC) No 351/98 12.02.98	L 302, 09.12.93 p. 1 L 42 14.02.98 p. 1
	Magnesium (unwrought, unalloyed)	Duties	Council Reg. (EC) No 1347/96 02.07.96	L 174, 12.07.96 p. 1
		Undertakings	Commission Dec. No 96/422/EC 25.06.96	L 174, 12.07.96 p. 32

	Potassium chloride	Duties	Council Reg. (EC) No 643/94 21.03.94 as last amended by Council Reg. (EC) No 449/98 23.02.98	L 80, 24.03.94 p. 1 L 58 27.02.98 p. 15
	Potassium permanganate	Duties	Council Reg. (EC) No 1507/98 13.07.98	L 200 16.07.98 p. 4
	Silicon carbide	Duties	Council Reg. (EC) No 821/94 12.04.94 as last amended by Council Reg. (EC) No 1786/97 15.09.97	L 94, 13.04.94 p. 21 L 254 17.09.97 p. 6
USA	Ethanolamines	Duties	Council Reg. (EC) No 229/94 01.02.94	L 28, 02.02.94 p. 40
	Magnetic disks (3,5" microdisks)	Duties	Council Reg. (EC) No 663/96 28.03.96	L 92, 13.04.96 p. 1
	Polysulphide polymers	Duties	Council Reg. (EC) No 1965/98 09.09.98	L 255 17.09.98 p. 1
Venezuela	Ferro-silicon	Duties	Council Reg. (EC) No 3359/93 02.12.93 as last amended by Council Reg. (EC) No 351/98 12.02.98	L 302, 09.12.93 p. 1 L 42 14.02.98 p. 1
Vietnam	Monosodium glutamate	Duties	Council Reg. (EC) No 2051/98 24.09.98	L 264 29.09.98 p. 1

ANNEX Q

UNDERTAKINGS IN FORCE ON 31 DECEMBER 1998

A. BY PRODUCT

Product	Origin	Measure	Regulation N°	Publication
Ammonium nitrate	Lithuania	Undertakings	Commission Dec. No 94/293/EC 13.04.94	L 129, 21.05.94 p. 24
Ferro-silico-manganese	Ukraine	Undertaking	Council Reg. (EC) No 495/98 23.02.98	L 62 03.03.98 p. 1
Ferro-silicon	Poland	Undertakings	Commission Dec. No 92/572/EC 14.12.92	L 369 18.12.92 p. 1
	Egypt	Undertakings	Commission Dec. No 92/331/EEC 30.06.92	L 183, 03.07.92 p. 40
Flat pallets of wood	Poland	Undertaking	Commission Reg. (EC) No 1023/97 06.06.97	L 150 07.06.97 p. 4
		Undertaking	Commission Dec. No 97/797/EC 07.11.97	L 324 27.11.97 p. 36
		Undertaking	Commission Dec. No 98/554/EC 03.09.98	L 266 01.10.98 p. 82
Grain-oriented electrical steel sheets	Russia	Undertakings	Commission Dec. No 303/96/ECSC 19.02.96	L 42, 20.02.96 p. 7
Lighters (non-refillable)	Mexico Philippines Thailand	Undertakings	Commission Dec. No 97/167/EC 25.02.97	L 65 06.03.97 p. 54
Salmon (AD)	Norway	Undertakings	Commission Dec. No 97/634/EC 26.09.97	L 267 30.09.97 p. 81
			as last amended by Commission Reg. No 2249/98 19.10.98	L 282 20.10.98 p. 57

Salmon (AS)	Norway	Undertakings	Commission Dec. No 97/634/EC 26.09.97 as last amended by Commission Reg. No 2249/98 19.10.98	L 267 30.09.97 p. 81 L 282 20.10.98 p. 57
Seamless steel pipes and tubes	Czech Republic Hungary Poland Romania Slovak Republik	Undertakings	Commission Dec. No 97/790/EC 24.10.97	L 322 25.11.97 p. 63
Silicon carbide	Russia	Undertakings	Commission Dec. No 94/202/EC 09.03.94	L 94 13.04.94 p. 32
Tube and pipe fitting, of iron or steel	Croatia Thailand	Undertakings	Commission Dec. No 96/252/EC 01.03.96	L 84 03.04.96 p. 46
Unwrought, unalloyed magnesium	Russia Ukraine	Undertakings	Commission Dec. No 96/422/EC 25.06.96	L 174 12.07.98 p. 32
Urea ammonium nitrate	Bulgaria	Undertakings	Commission Dec. No 94/825/EC 12.12.94	L 350 31.12.94 p. 115
Zinc (unwrought unalloyed)	Poland	Undertakings	Commission Dec. No 97/644/EC 03.09.97	L 272 04.10.97 p. 50

B. BY COUNTRY

Origin	Product	Measure	Regulation N°	Publication
Bulgaria	Urea ammonium nitrate	Undertakings	Council Reg. (EC) No 825/94 12.12.94	L 350, 31.12.94 p. 115
Croatia	Tube and pipe fitting, of iron or steel	Undertakings	Commission Dec. No 96/252/EC 01.03.96	L 84, 03.04.96 p. 46
Czech Republic	Seamless steel pipes and tubes	Undertakings	Commission Dec. No 97/790/EC 24.10.97	L 322, 25.11.97 p. 63
Egypt	Ferro-silicon	Undertakings	Commission Dec. No 92/331/EC 30.06.92	L 183, 03.07.92 p. 40
Hungary	Seamless steel pipes and tubes	Undertakings	Commission Dec. No 97/790/EC 24.10.97	L 322, 25.11.97 p. 63
Lithuania	Ammonium nitrate	Undertakings	Commission Dec. (EC) No 293/94 13.04.94	L 129, 21.05.94 p. 24

Mexico	Lighters (non-refillable)	Undertakings	Commission Dec. No 97/167/EC 25.02.97	L 65, 06.03.97 p. 54
Norway	Salmon (AD)	Undertakings	Commission Dec. No 97/634/EC 26.09.97 as last amended by Commission Reg. No 2249/98 19.10.98	L 267, 30.09.97 p. 81 L 282 20.10.98 p. 57
	Salmon (AS)	Undertakings	Commission Dec. (EC) No 634/97 26.09.97 as last amended by Commission Reg. No 2249/98 19.10.98	L 267, 30.09.97 p. 81 L 282 20.10.98 p. 57
Philippines	Lighters (non-refillable)	Undertakings	Commission Dec. No 97/167/EC 25.02.97	L 65, 06.03.97 p. 54
Poland	Ferro-silicon	Undertakings	Commission Dec. No 92/572/EC 14.12.92	L 369, 18.12.92 p. 1
	Flat pallets of wood	Undertakings	Commission Reg. (EC) No 1023/97 06.06.97	L 150 07.06.97 p. 4
		Undertakings	Commission Dec. No 97/797/EC 07.11.97	L 324 27.11.97 p. 36
		Undertakings	Commission Dec. No 98/554/EC 03.09.98	L 266 01.10.98 p. 82
	Seamless steel pipes and tubes	Undertakings	Commission Dec. No 97/790/EC 24.10.97	L 322, 25.11.97 p. 63
	Zinc (unwrought unalloyed)	Undertakings	Commission Dec. No 97/644/EC 03.09.97	L 272, 04.10.97 p. 50
Romania	Seamless steel pipes and tubes	Undertakings	Commission Dec. No 97/790/EC 24.10.97	L 322, 25.11.97 p. 63
Russia	Grain-oriented electrical steel sheets	Undertakings	Commission Dec. No 303/96/ECSC 19.02.96	L 42, 20.02.96 p. 7
	Silicon carbide	Undertakings	Commission Dec. No 94/202/EC 09.03.94	L 94, 13.04.94 p. 32
	Unwrought magnesium	Undertakings	Commission Dec. No 96/422/EC 25.06.96	L 174, 12.07.96 p. 32

Slovak Republic	Seamless steel pipes and tubes	Undertakings	Commission Dec. No 97/790/EC 24.10.97	L 322, 25.11.97 p. 63
Thailand	Lighters (non-refillable)	Undertakings	Commission Dec. No 97/167/EC 25.02.97	L 65, 06.03.97 p. 54
	Tube and pipe fitting, of iron or steel	Undertakings	Commission Dec. No 96/252/EC 01.03.96	L 84, 03.04.96 p. 46
Ukraine	Ferro-silico-manganese	Undertakings	Council Reg. (EC) No 495/98 23.02.98	L 62 03.03.98 p. 1
	Unwrought magnesium	Undertakings	Commission Dec. No 96/422/EC 25.06.96	L 174, 12.07.96 p. 32

ANNEX R

ANTI-DUMPING & ANTI-SUBSIDY INVESTIGATIONS PENDING ON 31 DECEMBER 1998

A. NEW INVESTIGATIONS (BY PRODUCT)

Product	Origin	Type	Publication
Bicycles	Taiwan	Initiation	C 360 26.11.97, p. 5
		Prov. Duty	L 238 26.08.98, p. 10
Hardboard	Brazil Bulgaria Estonia Latvia Lithuania Poland Russia	Initiation	C 336 07.11.97, p. 2
		Prov. Duty	L 218 06.08.98, p. 16
Large electrolytic aluminium capacitors	USA Thailand	Initiation	C 363 29.11.97, p. 2
		Prov. Duty	L 240 28.08.98, p. 4
Laser optical reading systems	Japan Rep. of Korea Malaysia P.R. China Taiwan	Initiation	C 324 25.10.97, p. 2
Polyethylene terephthalate (PET) film (AS)	India	Initiation	C 357 21.11.98, p. 12
Polyester textured filament yarn (PTY)	India Rep. of Korea	Initiation	C 264 21.08.98, p. 5
Polyester textured filament yarn (PTY) (AS)	India Rep. of Korea	Initiation	C 264 21.08.98, p. 2
Polypropylene binder & baler twine	Czech Republic Hungary Saudi Arabia	Initiation	C 65 28.2.98, p. 8
		Prov. Duty	L 267 02.10.98, p. 7
Polypropylene binder & baler twine	Poland	Initiation	C 1 03.01.98, p. 10
		Prov. Duty	L 267 02.10.98, p. 7

Polypropylene binder & baler twine (AS)	Saudi Arabia	Initiation	C 233 25.07.98, p. 25
Seamless pipes and tubes	Croatia Ukraine	Initiation	C 353 19.11.98, p. 13
Stainless steel heavy plates	Slovenia South Africa	Initiation	C 289 17.09.98, p. 12
Stainless steel wire (< 1 mm)	Rep. of Korea	Initiation	C 199 25.06.98, p. 8
Stainless steel wire (= or > 1 mm)	India Rep. of Korea	Initiation	C 199 25.06.98, p. 7
Stainless steel wire (< 1 mm) (AS)	India Rep. of Korea	Initiation	C 199 25.06.98, p. 3
Stainless steel wire (= or > 1 mm) (AS)	India Rep. of Korea	Initiation	C 199 25.06.98, p. 5
Steel stranded ropes & cables	P.R. China India Rep. of Korea South Africa Ukraine	Initiation	C 155 20.05.98, p. 11
Steel stranded ropes & cables	Hungary Mexico Poland	Initiation	C 239 30.07.98, p. 3

B. REVIEW INVESTIGATIONS (BY PRODUCT)

Product	Origin	Type of review	Publication
Bicycles	P.R. China	Expiry review	C 281 10.09.98, p. 8
Calcium metal	P.R. China Russia	Interim review	C 2 05.01.96, p. 2
Electronic weighing scales	Japan	Expiry + interim review	C 128 25.04.98, p. 11
Electronic weighing scales	Singapore	Expiry + interim review	C 324 22.10.98, p. 4
Ferro-chrome (low-carbon)	Russia Kazakhstan	Expiry + interim review	C 303 02.10.98, p. 4
Ferro-silicon	Poland Egypt	Expiry review	C 204 04.07.97, p. 2

Ferro-silicon	Brazil P.R. China Kazakhstan Russia Ukraine Venezuela	Expiry review	C 382 09.12.98, p. 9
Furfuraldehyde	P.R. China	Interim review	C 156 24.05.97, p. 3
Glyphosate	P.R. China	Anti-absorption	C 246 06.08.98, p. 3
Large aluminium electrolytic capacitors	Rep. of Korea Taiwan	Interim review	C 107 07.04.98, p. 4
Large electrolytic aluminium capacitors	Japan	Expiry review	C 365 03.12.97, p. 5
Lighters (non-refillable)	Japan	Expiry review	C 361 30.11.96, p. 3
Lighters (non-refillable & refillable)	P.R. China (transhipped via Hong Kong, Macao & Taiwan)	Circumvention	L 135 08.05.98, p. 38
Magnesia (deadburned)	P.R. China	Expiry review	C 385 11.12.98, p. 7
Magnesium oxide (caustic magnesite)	P.R. China	Expiry review	C 190 18.06.98, p. 4
Magnetic disks (3,5" microdisks)	Japan Taiwan P.R. China	Expiry review Interim review	C 322 21.10.98, p. 4 C 394 17.12.98, p. 21
Magnetic disks (3,5" microdisks)	Hong Kong Rep. of Korea Malaysia Mexico USA	Interim review	C 394 17.12.98, p. 21
Magnetic disks (3,5" microdisks)	Indonesia	Newcomer Interim review	L 271 08.10.98, p. 9 C 394 17.12.98, p. 21
Polyethylene/polypropylene sacks & bags	India	Newcomer	L 115 17.04.98, p. 3
Salmon (AD/AS)	Norway	Interim review	C 400 22.12.98, p. 4

Synthetic polyester fibres	Rep. of Korea Taiwan	Expiry review	C 321 22.10.97, p. 12
Television camera systems	Japan	Circumvention	L 163 06.06.98, p. 20

C. BY COUNTRY (NEW AND REVIEW INVESTIGATIONS)

Origin	Product	Type	Publication
Brazil	Hardboard	New investigation	C 336 07.11.97, p. 2
		Prov. Duty	L 218 06.08.98, p. 16
	Ferro-silicon	Expiry review	C 382 09.12.98, p. 9
Bulgaria	Hardboard	New invest.	C 336 07.11.97, p. 2
		Prov. Duty	L 218 06.08.98, p. 16
P.R. China	Bicycles	Expiry review	C 281 10.09.98, p. 8
	Calcium metal	Interim review	C 2 05.01.96, p. 2
	Ferro-silicon	Expiry review	C 382 09.12.98, p. 9
	Furfuraldehyde	Interim review	C 156 24.05.97, p. 3
	Glyphosate	Anti-absorption	C 246 06.08.98, p. 3
	Laſer optical reading systems	New investigation	C 324 25.10.97, p. 2
	Lighters (non-refillable & refillable)	Circumvention	L 135 08.05.98, p. 38
	Magnesia (deadburned)	Expiry review	C 385 11.12.98, p. 7
	Magnesium oxide (caustic magnesite)	Expiry review	C 190 18.06.98, p. 4
	Magnetic disks (3,5" microdisks)	Expiry review	C 322 21.10.98, p. 4
		Interim review	C 394 17.12.98, p. 21

	Steel stranded ropes & cables	New investigation	C 155 20.05.98, p. 11
Croatia	Seamless pipes and tubes	New investigation	C 353 19.11.98, p. 13
Czech Republic	Polypropylene binder & baler twine	New investigation Prov. Duty	C 65 28.2.98, p. 8 L 267 02.10.98, p. 7
Egypt	Ferro-silicon	Expiry review	C 204 04.07.97, p. 2
Estonia	Hardboard	New investigation Prov. Duty	C 336 07.11.97, p. 2 L 218 06.08.98, p. 16
Hong Kong	Magnetic disks (3,5" microdisks)	Interim review	C 394 17.12.98, p. 21
Hungary	Polypropylene binder & baler twine	New investigation Prov. Duty	C 65 28.2.98, p. 8 L 267 02.10.98, p. 7
	Steel stranded ropes & cables	New investigation	C 239 30.07.98, p. 3
India	Polyethylene/polypropylene sacks & bags	Newcomer	L 115 17.04.98, p. 3
	Polyethylene terephthalate (PET) film (AS)	New investigation	C 357 21.11.98, p. 12
	Polyester textured filament yarn (PTY)	New investigation	C 264 21.08.98, p. 5
	Polyester textured filament yarn (PTY) (AS)	New investigation	C 264 21.08.98, p. 2
	Stainless steel wire (= or > 1 mm)	New investigation	C 199 25.06.98, p. 7
	Stainless steel wire (< 1 mm) (AS)	New investigation	C 199 25.06.98, p. 3
	Stainless steel wire (= or > 1 mm) (AS)	New investigation	C 199 25.06.98, p. 5
	Steel stranded ropes & cables	New investigation	C 155 20.05.98, p. 11

Indonesia	Magnetic disks (3,5" microdisks)	Newcomer Interim review	L 271 08.10.98, p. 9 C 394 17.12.98, p. 21
Japan	Electronic weighing scales	Expiry + interim review	C 128 25.04.98, p. 11
	Large electrolytic aluminium capacitors	Expiry review	C 365 03.12.97, p. 5
	Laser optical reading systems	New investigation	C 324 25.10.97, p. 2
	Lighters (non-refillable)	Expiry review	C 361 30.11.96, p. 3
	Magnetic disks (3,5" microdisks)	Expiry review Interim review	C 322 21.10.98, p. 4 C 394 17.12.98, p. 21
	Television camera systems	Circumvention	L 163 06.06.98, p. 20
Kazakhstan	Ferro-chrome (low-carbon)	Expiry + interim review	C 303 02.10.98, p. 4
	Ferro-silicon	Expiry review	C 382 09.12.98, p. 9
Korea (Rep. of)	Large aluminium electrolytic capacitors	Interim review	C 107 07.04.98, p. 4
	Laser optical reading systems	New investigation	C 324 25.10.97, p. 2
	Magnetic disks (3,5" microdisks)	Interim review	C 394 17.12.98, p. 21
	Polyester textured filament yarn (PTY)	New investigation	C 264 21.08.98, p. 5
	Polyester textured filament yarn (PTY) (AS)	New investigation	C 264 21.08.98, p. 2
	Stainless steel wire (< 1 mm)	New investigation	C 199 25.06.98, p. 8
	Stainless steel wire (= or > 1 mm)	New investigation	C 199 25.06.98, p. 7
	Stainless steel wire (< 1 mm) (AS)	New investigation	C 199 25.06.98, p. 3

	Stainless steel wire (= or > 1 mm) (AS)	New investigation	C 199 25.06.98, p. 5
	Steel stranded ropes & cables	New investigation	C 155 20.05.98, p. 11
	Synthetic polyester fibres	Expiry review	C 321 22.10.97, p. 12
Latvia	Hardboard	New investigation Prov. Duty	C 336 07.11.97, p. 2 L 218 06.08.98, p. 16
Lithuania	Hardboard	New investigation Prov. Duty	C 336 07.11.97, p. 2 L 218 06.08.98, p. 16
Malaysia	Laser optical reading systems	New investigation	C 324 25.10.97, p. 2
	Magnetic disks (3,5" microdisks)	Interim review	C 394 17.12.98, p. 21
Mexico	Magnetic disks (3,5" microdisks)	Interim review	C 394 17.12.98, p. 21
	Steel stranded ropes & cables	New investigation	C 239 30.07.98, p. 3
Norway	Salmon (AD/AS)	Interim review	C 400 22.12.98, p. 4
Poland	Ferro-silicon	Expiry review	C 204 04.07.97, p. 2
	Hardboard	New investigation Prov. Duty	C 336 07.11.97, p. 2 L 218 06.08.98, p. 16
	Polypropylene binder & baler twine	New investigation Prov. Duty	C 1 03.01.98, p. 10 L 267 02.10.98, p. 7
	Steel stranded ropes & cables	New investigation	C 239 30.07.98, p. 3
Russia	Calcium metal	Interim review	C 2 05.01.96, p. 2
	Ferro-chrome (low-carbon)	Expiry + interim review	C 303 02.10.98, p. 4

	Ferro-silicon	Expiry review	C 382 09.12.98, p. 9
	Hardboard	New investigation Prov. Duty	C 336 07.11.97, p. 2 L 218 06.08.98, p. 16
Saudi Arabia	Polypropylene binder & baler twine	New investigation Prov. Duty	C 65 28.2.98, p. 8 L 267 02.10.98, p. 7
	Polypropylene binder & baler twine (AS)	New investigation	C 233 25.07.98, p. 25
Singapore	Electronic weighing scales	Expiry + interim review	C 324 22.10.98, p. 4
Slovenia	Stainless steel heavy plates	New investigation	C 289 17.09.98, p. 12
South Africa	Stainless steel heavy plates	New investigation	C 289 17.09.98, p. 12
	Steel stranded ropes & cables	New investigation	C 155 20.05.98, p. 11
Taiwan	Bicycles	New investigation Prov. Duty	C 360 26.11.97, p. 5 L 238 26.08.98, p. 10
	Laser optical reading systems	New investigation	C 324 25.10.97, p. 2
	Large aluminium electrolytic capacitors	Interim review	C 107 07.04.98, p. 4
	Magnetic disks (3,5" microdisks)	Expiry review Interim review	C 322 21.10.98, p. 4 C 394 17.12.98, p. 21
	Synthetic polyester fibres	Expiry review	C 321 22.10.97, p. 12
Thailand	Large electrolytic aluminium capacitors	New investigation Prov. Duty	C 363 29.11.97, p. 2 L 240 28.08.98, p. 4

Ukraine	Ferro-silicon	Expiry review	C 382 09.12.98, p. 9
	Seamless pipes and tubes	New investigation	C 353 19.11.98, p. 13
	Steel stranded ropes & cables	New investigation	C 155 20.05.98, p. 11
USA	Large electrolytic aluminium capacitors	New investigation Prov. Duty	C 363 29.11.97, p. 2 L 240 28.08.98, p. 4
	Magnetic disks (3,5" microdisks)	Interim review	C 394 17.12.98, p. 21
Venezuela	Ferro-silicon	Expiry review	C 382 09.12.98, p. 9

ANNEX S

REFUNDS DURING 1998

Lodged		
Product	Origin	Reference
DRAMs (2 applicants)	Japan	R 3/14 and 3/15
Polyester filament tow	Belarus	R 14/01
Wooden pallets	Poland	R15/01
Bed Linen	India	R 16/01
Leather handbags (2 applicants)	P.R. China	R 17/01 and 17/02
Tungstic oxyde	P.R. China	R 18/01
Bicycles	P.R. China	R 19/01

Analysis underway		
Product	Origin	Reference
Iron & steel sheets	Yugoslavia	R 1/01
Photocopiers (12 different requests)	Japan	R 2/01, R 2/02 R 2/03, R 2/04 R 2/05, R 2/06 R 2/07, R 2/08 R 2/09, R 2/10 R 2/11, R 2/12
DRAMs	Japan	R 3/14, 3/15
Capacitors (2 different applicants) 1 applicant's requests require the analysis of 4 separate periods, (1 of which is covered by a review investigation). 1 applicant's request depends on the outcome of a review investigation.	Japan	R 5/01-2 R 5/03-1&2 R 5/03-3&4 R 5/03-5 R 5/03-6
Cotton Yarn	Turkey	R 8/01
Silicon-metal	Brazil	R 10/01, R 10/02, R 10/03, R 10/04
Ferro-silicon	Brazil	R 11/01
PSF/PFT	Belarus	R 14/01
Wooden pallettes	Poland	R 15/01

Bed linen	India	R 16/01
Handbags	China	R 17/01
Tungsten Oxide	China	R 18/01
Bicycles	China	R 19/01

Decisions adopted			
Product	Origin	Decision	Reference
DRAMs	Japan	Partial refund	R 3/02
DRAMs	Japan	Partial refund	R 3/03
DRAMs	Japan	Inadmissible	R 3/04
DRAMs	Japan	Full refund	R 3/05
DRAMs	Japan	Partial refund	R 3/06
DRAMs	Japan	Partial refund	R 3/07
DRAMs	Japan	Withdrawn	R 3/11
Capacitors	Japan	Partial refund	R 5/01 ³⁵
Capacitors	Japan	Withdrawn	R 5/02
Polyester yarn	Indonesia	Withdrawn	R 6/01
Polyolefin sacks	China	Inadmissible	R 9/01 ³⁶
Polyester yarn	Indonesia	Withdrawn	R 12/01
Polyester yarn	Indonesia	Withdrawn	R 12/02
Polyester yarn	Indonesia	Withdrawn	R 12/03
Polyester yarn	Indonesia	Withdrawn	R 12/04
Ball bearings	Japan	Withdrawn	R 13/01

³⁵ OJ L 346 , 22/12/1998 p. 57.

³⁶ OJ L 011 , 17/01/1998 p. 43.

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