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REPORT FROM THE COMMISSION
NINETEENTH ANNUAL REPORT FROM THE COMMISSION □
TO THE EUROPEAN PARLIAMENT
ON THE COMMUNITY'S ANTI-DUMPING AND ANTI-SUBSIDY ACTIVITIES

**OVERVIEW OF THE MONITORING OF THIRD COUNTRY ANTI-DUMPING,
ANTI-SUBSIDY AND SAFEGUARD CASES**

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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 report of the European Parliament's Committee on industry, external trade, research and energy³.

This report summarises the developments in general policy and contains a concise commentary on each anti-dumping and anti-subsidy case initiated, each provisional and definitive measure adopted, the reviews undertaken and each case terminated without the imposition of measures. It also provides an overview on the Court cases relating to these trade policy instruments.

As last year, this issue also includes an overview of the activities in relation to anti-dumping, anti-subsidy and safeguard measures adopted by third countries and actions under the dispute settlement understanding of the World Trade Organisation. Due to a restructuring in the anti-dumping services, however, the application of the Trade Barrier Regulation will from now onwards be included in the European Commission Report to the European Parliament on activities in the WTO.

The year 2000 shows a remarkable increase in the number of provisional (48 against 17 for the whole of 1999) and definitive measures adopted (51 versus 21 for the whole of 1999). Also, the number of terminations shows an increase in comparison with previous years (32 in 2000 against 22 in 1999 and 16 in 1998). All this is a direct consequence of the exceptional increase in the number of new investigations initiated during 1999.

The number of new investigations initiated during 2000 significantly decreased (31 against 86 in 1999). Hence, 2000 can be described as a return to normality with regard to the initiations of investigations. However, it should be noted that, due to the large amount of review investigations, the year 2000 was a record year in terms of investigations carried out.

In 2000, eleven countries initiated a total of 31 anti-dumping and anti-subsidy investigations against imports from Community Member States. The Commission provided assistance to Community companies in a large number of such cases and intervened vis-à-vis third country investigating bodies as well as in the WTO context.

The annexes to this report provide easy access to the activities in table form.

This report is also available to the general public. The 1999 version was released in more or less 600 copies.

(Internet Website <http://europa.eu.int/comm/dg01/trade10.htm>)

² OJC 11, 18.1.1982, p.37

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

Overview of the anti-dumping and anti-subsidy legislation

1.1. The legal framework

1.1.1. *The applicable law*

1.1.1.1. 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 instruments. During the last GATT round (the « Uruguay Round ») which led to the creation of the WTO and the detailed Anti-Dumping and Anti-Subsidy Agreements, much of the attention was focused on the procedural and material conditions to be fulfilled before protective measures can be adopted. The Community played an active role in the negotiation of these relevant criteria which are reflected in its own legislation.

1.1.1.2. The Community legislation

The Community's anti-dumping and anti-subsidy legislation was first enacted in 1968 and has since been modified several times. The current basic texts (EC and ECSC), which form the legal basis of anti-dumping and anti-subsidy investigations in the Community, entered into force between March 1996 and April 1998. These are in line with the Anti-Dumping and Anti-Subsidy Agreements adopted during the GATT/WTO negotiations. The basic texts are :

- Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community⁴
- Council Regulation (EC) No 2026/97 of 6 October 1997 on protection against subsidized imports from countries not members of the European Community⁵
- Commission Decision No 2277/96/ECSC of 28 November 1996 on protection against dumped imports from countries not members of the European Coal and Steel Community⁶

⁴ OJ L 56, 6.3.96, p. 1, as last amended by Council Regulation (EC) No 2238/2000 (OJ L 257, 11.10.2000, p. 2)

⁵ OJ L 288, 21.10.97, p. 1

⁶ OJ L 308, 29.11.96, p. 11, as last amended by Commission Decision No 435/2001/ECSC (OJ L 63, 3.3.2001, p. 14)

- Commission Decision No 1889/98/ECSC of 3 September 1998 on protection against subsidized imports from countries not members of the European Coal and Steel Community⁷

These regulations and decisions will overall be referred to as the "basic Regulation(s)".

The Community legislation contains a number of provisions aimed at ensuring a balanced application of the Community's Anti-Dumping and Anti-Subsidy rules on all interested parties. These provisions include the "Community interest test" and the "lesser duty rule".

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

The lesser duty rule requires the measures imposed by the Community to be lower than the dumping or subsidy margin, if such lower duty rate is sufficient to remove the injury suffered by the Community industry.

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

1.1.2.1. 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 anti-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. Therefore, a country is selling at dumped prices if the prices in its home market are higher than its export prices (i.e. price discrimination).

Where sales in the domestic market are not representative, for instance because they have only been made in small quantities, the normal value may then 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.

A certain segregation of the market exists in the majority of the cases where dumping occurs on a more than incidental basis. That segregation may be caused, amongst other reasons, by government regulation or consumer preferences. As a result, exporters are shielded, at least to a certain degree, from international competition on their domestic market.

⁷ OJ L 245, 4.9.1998, p. 3

Subsidies can have similar effects to sales at dumped prices. They involve a direct support from a government which has the effect of conferring a benefit to producers or exporters (e.g. grants, tax and duty exemptions, preferential loans at below commercial rates, export promotion schemes, etc, all aimed at allowing the exporters to sell at low prices in the Community.)

1.1.2.2. Material injury and causation

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, who cannot compete on an equal footing with exporters.

Typical injury indicators are that the dumped and/or 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 thus losing market shares, making losses or having to make employees redundant. In extreme cases, 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 in fact suffering “material injury”.

A further condition for the imposition of measures is the need for “causality”: the injury must be *caused* by the dumping or the subsidy. This condition is fulfilled when the injury to 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.

1.1.2.3. 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 must be taken into account.

1.1.3. 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, 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 the same procedural rules. However certain preferential rules apply to Central and Eastern European Countries and Turkey. The rules relating to a new case are summarised below.

Initiation

A case normally starts with a sufficiently substantiated complaint from the Community industry manufacturing the same or a similar product to the one referred to in the complaint. 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 and co-operate in the proceedings. Detailed questionnaires are sent to producers in the exporting countries and in 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 defend their case.

The investigation up to the 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 main purpose of these visits is to verify whether the information given in the questionnaires is reliable. The verified information is subsequently used to calculate or determine the dumping margin and the injury factors, in particular 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 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 proceedings. In either eventuality, at this stage the decision is the Commission's responsibility.

The investigation up to the definitive stage

Following the publication in the Official Journal of a Commission regulation imposing provisional duties, interested parties which so request receive a full disclosure which allows them to verify the Commission's calculations and to submit comments. Comments can also be made at a hearing. These provisional 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 the latter case, no duties are generally imposed on 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.

In view of the findings made, it may also be decided to terminate a case without the imposition of measures. The same procedure (disclosure, comments, hearing, working document) as described above applies. The termination of the case would generally be made by a Commission Decision after consultation of the Member States.

Timing

The procedure described above is subject to strict statutory time limits. Thus, a decision to impose provisional duties must be taken within nine months of the initiation and the total duration of an investigation is limited to fifteen months (13 months in anti-subsidy cases). This leads to significant time constraints, 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.

The basic Regulations provide for administrative reviews and distinguish between interim reviews, newcomer reviews and expiry reviews. Those procedures are initiated normally only on the basis of substantiated evidence and will normally not exceed 12 months in length.

The *expiry review* is intended to determine if the expiry of the measures would lead to continuation or recurrence of dumping and injury. During the five year period, the Commission may perform an *interim review*. Under the latter procedure, the Commission will consider whether the circumstances with regard to subsidy/dumping and injury have changed significantly or whether existing measures are achieving the intended results in removing the injury. Finally, the basic Regulations provide that a review shall be carried out to determine individual margins for new exporters in the exporting country concerned.

Judicial reviews

The procedural rights of the parties, including hearings and access to non-confidential files, are respected in the course of the proceeding, and a system of judicial review is in place to ensure their correct implementation. The competence to review anti-dumping and 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.

1.1.4 The anti-dumping and anti-subsidy services in the Commission

Anti-dumping and anti-subsidy investigations are carried out, among other responsibilities, by Directorates B and C of Directorate General Trade in charge of external commercial policy. Whilst Directorate C deals with the dumping and subsidy aspects of investigations, Directorate B covers the areas of injury and Community interest. In addition, Unit 1 in Directorate B is in charge of policy aspects for both Directorates and Unit 1 in Directorate C monitors the activity of third countries on anti-dumping, anti-subsidy and safeguards.

1.2. Changes to the basic anti-dumping Regulation in 2000

In 2000, the special market economy regime applicable in anti-dumping cases concerning Russia and China since 1998⁸ was reviewed. The review examined the application of the regime to date, the possibility of extending the regime to any other countries normally classed as non-market economies for anti-dumping purposes and the criteria for granting individual treatment.

The review found that while only a small number of companies had succeeded in their claim for market economy status, the criteria were a proper indication of a market economy and were in fact relevant, realistic and attainable. It was also found that while reforms had continued in Russia and China, there had been some setbacks and, as a result, it was considered appropriate to continue applying the current regime to anti-dumping investigations concerning imports from these two countries.

Regarding the application of the regime to other countries, an examination of the situation in these countries found that the economic reforms ongoing in Kazakhstan, Ukraine and Vietnam showed that steps have been taken to move away from a centrally planned economy towards an economy based on market principles. It was therefore considered that it was appropriate to extend the special anti-dumping regime to them.

It was further decided, given that membership of the WTO indicates a certain level of economic reform and trade liberalisation, that the special regime should be extended to those non-market economy countries which are members of the WTO. In addition, provision was made in the legislation that the regime should be automatically extended to other non-market economy countries which become WTO members in the future.

As a result, the Council adopted on 9 October 2000, Regulation (EC) No 2238/2000⁹ amending the basic anti-dumping Regulation. The amendment entered into force on 12 October 2000.

In addition to the amendment to the basic anti-dumping Regulation, the review also examined the criteria that are applicable for exporters in non-market economies who apply for individual treatment in anti-dumping cases. Following this examination, it was decided to amend the criteria to focus more on the independence from State

⁸ Regulation (EC) No 905/98 (OJ L 128, 30.04.1998).

⁹ OJ L 257, 11.10.2000, p. 2

influence with regard to the export activities of firms. The amendment ensures that any unnecessary overlap with market economy treatment criteria is now removed.

1.3. WTO dispute settlement in the field of anti-dumping and anti-subsidy

1.3.1. Definition of the WTO dispute settlement procedure

In line with the conclusions of the Uruguay Round, the WTO provides for a procedure for the settlement of disputes between WTO Members on the application of certain WTO agreements. This was a major development for international trade law. The procedure is divided into two stages. The first stage is at the level of the WTO Members and consists of a bilateral consultation. Upon failure of the consultation, the second stage can be opened by consulting a special group ("panel"). The panel will publish a report, which can be appealed before the Appellate Body. Both the panel report and the report by the Appellate Body are deemed to be adopted by the Dispute Settlement Body unless the latter rejects the report by unanimity¹⁰.

The Marrakech agreement identifies the specific WTO agreements that may be invoked for the initiation of the dispute settlement procedure. The dispute settlement procedure applies expressly to the agreements on anti-dumping and to the agreement on anti-subsidy and countervailing duties.

1.3.2. Dispute settlement procedures involving Community activities

The Community initiated dispute settlement procedures in three cases involving safeguard measures. In all three of them, the Dispute Settlement Body adopted the reports of the Panel and the Appellate Body, which upheld most of the Community claims. In two of the cases, the WTO members found to be violating the Agreement on Safeguards, complied with the decisions of the Dispute Settlement Body. In the third case, the final decision of the Dispute Settlement Body is still pending. As regards cases involving anti-dumping and anti-subsidy measures, there are also a number of pending consultations. One panel was established further to the request of the Community in the field of anti-dumping and one panel report was released in the field of anti-subsidy, further to a dispute brought by the Community. Furthermore, one panel report was released in the field of anti-dumping further to a dispute brought by India against the Community.

1.3.2.1. Cases in which the Community initiated the dispute settlement procedure

– Korea - safeguard measures on dairy products

On 7 March 1997, Korea imposed definitive safeguard measures in the form of a quota on imports of certain dairy products (milk powder blends). Community trade affected by this measure amounts to approximately € 75 million.

¹⁰ Each appeal is heard by three members of a permanent seven-member Appellate Body set up by the Dispute Settlement Body. The Dispute Settlement Body has to accept or reject the appeals report within 30 days and rejection is only possible by consensus.

The Community initiated dispute settlement action in September 1997 and on 23 July 1998 a panel was established. In January 2000, the Dispute Settlement Body adopted the reports of the Panel and the Appellate Body in this case. They upheld most of Community claims, and found that the Korean measures violated several provisions of the WTO Agreement on Safeguards. In particular, the injury investigation was found to be incomplete and insufficient, the choice of the measure was not justified and the notifications to the WTO were not made within time limits.

Korea accepted the decision and complied with it by abolishing the measures in May 2000.

– *Argentina – safeguard measures on footwear*

On 12 September 1997, Argentina imposed definitive measures on imports of all footwear (except ski-boots- and snowboard-boots). The Community trade interest is estimated at approximately € 10 million.

The Community initiated a dispute settlement procedure on this case in April 1998. On 12 January 2000, the WTO Dispute Settlement Body adopted the reports of the Panel and the Appellate Body, which had found that Argentina's measures were not in conformity with its international obligations, and requested Argentina to bring its measure into conformity with the Safeguard Agreement. In particular, it declared that the serious injury determination was in serious breach of several WTO rules and did not show that an emergency situation existed as a result of increased imports.

In 2000, under pressure from the Commission, Argentina finally extended and modified the existing regime under which minimum specific duties at a level not exceeding WTO bound rates were imposed on “non-sport” footwear while a tariff quota, (including per-country allocation) was introduced on imports of sport footwear. Imports within that quota are subject to minimum specific duties at a level not exceeding WTO bound rates. The duties are doubled for imports falling outside that quota. The portion of the quota allocated to the Community has been determined on the basis of the historical trade, updated to reflect present market conditions. This should ensure adequate protection for Community exports.

The Commission continues to monitor the evolution of Community trade to Argentina, to ensure that the current regime does not unduly penalise Community exporters.

– *USA - safeguard measures on wheat gluten*

In May 1998, the USA imposed a safeguard measure (quota) on imports of wheat gluten originating in third countries (except NAFTA and developing countries). As the measure will expire on 1 June 2001, the industry has submitted a request for a 2-year extension and the USA is conducting the relevant review. The Community trade interests amounts to approximately € 48 million.

The Community initiated WTO dispute settlement action on this case in April 1999. The final reports of the panel and the Appellate Body, the latter circulated on 22 December 2000, has confirmed that the safeguard measure violates the Safeguard Agreement for reasons of both substance (in particular causality and exclusion of NAFTA imports) and procedure (WTO notifications and consultations). The

Commission has already told the USA that it expects them to comply with the ruling by removing the measure without delay.

On 14 August 1998, the Community withdrew "substantially equivalent concessions" under the WTO by imposing a tariff quota on imports of corn gluten feed from the USA. In accordance with Article 8 of the Safeguard Agreement, the suspensions shall become effective upon the declaration of a WTO Dispute Settlement Body that the measures imposed by the USA are not in compliance with WTO rules. This declaration and the related introduction of tariff quota on corn gluten feed from the USA, are expected to take place during January 2001.

– *Argentina - anti-dumping measures on floor tiles from Italy*

On 12 November 1999, Argentina imposed definitive anti-dumping measures in the form of minimum prices of 7,80 US\$/m² (tiles of 20x20 cm), 9 US\$ (tiles of 30x30 cm) and 10,9 US\$ (tiles of 40x40 cm). Community exporters and the Commission contested this decision on a number of grounds. In brief, Argentina appears to have disregarded the information presented by the Community exporters without providing any valid justification.

On 26 January 2000, the Community requested WTO consultations with Argentina under Article 4 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (the "DSU"), and Article 17 of the Anti-Dumping Agreement. The consultations also included another Argentinean anti-dumping case, Carton Board from Germany, for which similar issues could be raised. Consultations were held in Geneva on 1 March 2000, but failed to resolve the dispute.

On 6 November 2000, the Community requested the establishment of a Panel on the two cases pursuant to Articles 6 of the DSU and Article 17 of the Anti-dumping Agreement. However, the Community request concerning the Carton Board case was finally suspended, given that there were reasonable expectations that Argentina would let the measures lapse at their natural expiry, i.e. in February 2001.

As regards the floor tiles case, the Dispute Settlement Body, at its meeting of 17 November 2000, agreed to the establishment of the Panel.

It is important to note that this is the first panel requested by the Community in the anti-dumping area. The Commission attaches considerable importance to this case, which shows its firm intention to pursue vigorously breaches of WTO rules also in this area.

– *USA - countervailing duties on certain hot-rolled lead and bismuth carbon steel originating from the UK.*

On 10 May 2000, the Appellate Body ruled in the case brought by the Community concerning countervailing duties on imports of lead and bismuth steel from the UK.

The panel and the Appellate Body upheld the Community's complaint that these countervailing duties, which relate to subsidies granted by the UK Government to British Steel Corporation before its privatisation, were inconsistent with the provisions of the WTO Subsidies Agreement.

The Appellate Body ruled against the USA on two counts. Firstly, it concluded that the USA could not, as it had done, simply presume that subsidies granted prior to a change of ownership « passed through » to the purchaser. Secondly, the Appellate Body ruled that a privatisation for fair market value (which it determined the British Steel privatisation to be) eliminated the benefit of any past subsidies.

The panel and the Appellate Body's findings have led the USA to change its countervailing practice in this area, and the findings also call into question the continued imposition by the USA of countervailing duties, particularly on steel products, against several other Member States of the Community.

1.3.2.2. Dispute settlement procedures initiated by third countries against the Community.

- *Complaint by India against the Community regarding the imposition of anti-dumping duties on imports of cotton-type bed linen from India*

On 30 October 2000, the panel report concerning the above-mentioned dispute was released: it ruled in favour of the Community on 13 points, did not consider it necessary to give a ruling on 14 points, and ruled against the Community on four points. The Community presented an appeal on one of these points, concerning the practice of "zeroing" in dumping margin calculations.

2. GENERAL OVERVIEW OF MEASURES IN FORCE

At the end of 2000, the Community had 175 anti-dumping measures¹¹ and 17 countervailing measures in force. The anti-dumping measures covered 67 products and 38 countries (see Annex O); the countervailing measures covered 11 products and 8 countries (see Annex P). Of the measures, the large majority was in the form of duties; however, in a significant number of cases, undertakings were accepted.

Of the measures in force at the end of 2000, 34 concerned China, 11 Russia and 13 measures applied to non-market-economy countries, including Ukraine with 9 measures, Belarus with 3 measures and Kazakhstan with 1 measure. Twenty-two measures concerned one or more of the 10 Central and Eastern European Countries (CEEC)¹².

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, such as electronics, which are high-value products. It should be noted that in 2000, 0,5%¹³ of total imports into the Community was affected by anti-dumping or anti-subsidy measures.

¹¹ The measures are counted per product and country concerned.

¹² These countries are : Romania, Bulgaria, Slovak Republic, Czech Republic, Slovenia, Hungary, Poland, Latvia, Lithuania and Estonia.

¹³ Source Comext.

TABLE 1

**Anti-dumping and anti-subsidy new investigations
during the period 1 January 1996 - 31 December 2000¹⁴**

	1996	1997	1998	1999	2000
Investigations in progress at the beginning of the period	77	54	62	44	87
Investigations initiated during the period	25	45	29	86	31
Investigations in progress during the period	102	99	91	130	118
Investigations concluded :					
- imposition of definitive duty or acceptance of undertakings	23	24	28	21	51
- terminations ¹⁵	25	13	16	22	32
Total investigations concluded during the period	48	37	44	43	83
Investigations in progress at the end of period	54	62	44	87	35
Provisional duties imposed during the period	11	33	30	17	48

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

3.1. Introduction

In 2000, 31 investigations were initiated. They involved 11 products from 20 different countries (review investigations are dealt with in section 7 of this report). Details of these investigations are given in Annex A.

In comparing with 1999, where the number of new investigations amounted to 86, one notices a remarkable reduction. This reduction appears to confirm that the year 1999 was exceptional in terms of the high number of initiations registered and seems to confirm a return in 2000 to the normal situation which has existed throughout the nineties.

In the five-year period from 1996 to 2000, 216 investigations were initiated on imports from 41 countries. The main countries concerned were the People's Republic of China with 30 investigations, India with 27 investigations and Korea with 22

¹⁴ The initiation of a case concerning several countries is accounted as separate investigations/proceedings per country involved.

¹⁵ Investigations might be terminated for reasons such as the withdrawal of the complaint, *de minimis* dumping or injury, etc.

investigations. The investigations initiated over the last five years are broken down by country of export in Annex B.

The main sectors concerned by the investigations during the period from 1996 to 2000 were iron and steel with 64 investigations, chemical and allied with 53 investigations and textiles and allied with 38 investigations. A breakdown of the product sectors is given in Annex F.

A summary of the cases initiated in 2000 can be found below.

3.2. Cases (in chronological order)

3.2.1. Aluminium foil from the People's Republic of China and Russia

The anti-dumping proceeding was initiated on 18 February 2000, following a complaint lodged by Eurométaux on behalf of the Community industry. The complaint was supported by a total of six companies.

No provisional measures were imposed. However, the investigation continued and was still pending at the end of the year.

3.2.2. Steel ropes and cables from the Czech Republic, the Republic of Korea, Malaysia, Russia, Thailand and Turkey

The anti-dumping proceeding was initiated on 5 May 2000, following a complaint lodged by EWRIS on behalf of the Community industry. The complaint was supported by a total of 17 companies.

The investigation was still pending at the end of the year.

3.2.3. Paracetamol from the People's Republic of China, India, Turkey and the USA

The anti-dumping proceeding was initiated on 13 May 2000, following a complaint lodged by CEFIC on behalf of the Community industry. The complaint was supported by the sole Community producer of paracetamol.

The investigation was still pending at the end of the year.

3.2.4. Integrated electronic compact fluorescent lamps from the People's Republic of China

This anti-dumping proceeding was initiated on 17 May 2000, following a complaint lodged by the European Lighting Companies Federation on behalf of the Community Industry. The complaint was supported by a total of 3 companies.

The investigation was still pending at the end of the year.

3.2.5. Polyethylene terephthalate (PET) film from India and the Republic of Korea

The anti-dumping proceeding was initiated on 27 May 2000, following two complaints lodged by DuPont Teijin Films (DTF), Mitsubishi Polyester Film GmbH, Nuroll SpA and FAPACK SpA on behalf of the Community industry.

The investigation was still pending at the end of the year.

3.2.6. *Colour television receivers from Turkey*

The anti-dumping proceeding was initiated on 15 July 2000, following a complaint lodged by the Producers of European Televisions in Co-operation (Poetic) on behalf of the Community industry. The complaint was supported by producers representing a major proportion of the total Community production of colour television receivers.

The investigation was still pending at the end of the year.

3.2.7. *Internal gear hubs for bicycles from Japan*

The anti-dumping proceeding was initiated on 27 July 2000, following a complaint lodged by Sram Deutschland GmbH on behalf of the Community industry. Apart from Sram Deutschland GmbH, only one other Community producer, Sturmey Archer Ltd., was identified.

The investigation was still pending at the end of the year.

3.2.8. *Urea from Belarus, Bulgaria, Croatia, Egypt, Estonia, Lithuania, Libya, Poland, Romania and Ukraine*

The anti-dumping proceeding was initiated on 21 October 2000, following a complaint lodged by the European Fertilisers Manufacturers Association (EFMA) on behalf of the Community industry. The complaint was supported by a total of 10 companies.

The investigation was still pending at the end of the year.

3.2.9. *Ferro molybdenum from the People's Republic of China*

The anti-dumping proceeding was initiated on 9 November 2000, following a complaint lodged by Euro Alliages on behalf of the Community industry. The complaint was supported by a total of two companies representing 66% of the total Community production.

The investigation was still pending at the end of the year.

3.2.10. *Worked monumental or building granite stones from the People's Republic of China and India*

The anti-dumping proceeding was initiated on 11 November 2000, following a complaint lodged by the European & International Federation of Natural Stone Industries (EURO-ROC) on behalf of producers representing a major proportion of the total Community production of certain worked monumental or building granite stones.

The investigation was still pending at the end of the year.

3.2.11. *Zinc oxide from the People's Republic of China*

The anti-dumping proceeding was initiated on 20 December 2000, following a complaint lodged by Eurométaux on behalf of the Community industry. The complaint was supported by a total of 6 companies.

The investigation was still pending at the end of the year.

4. PROVISIONAL MEASURES

4.1. Overview

In 2000, provisional duties were imposed in 48 proceedings involving imports from 18 different countries. As shown in Table 1 (see point 2), this figure compares to 17 in 1999 and 30 in 1998. The increase in the number of provisional measures imposed during 2000 is a direct consequence of the high level of investigations initiated during 1999.

An overview of the provisional duties imposed in 2000 is given in Annex D. This section of the report gives a summary of each of these cases.

4.2. Cases (in chronological order)

4.2.1. Polyester staple fibres (AD) from Australia, Indonesia and Thailand

Provisional anti-dumping measures were imposed by the Commission on 21 January 2000. The proceeding was initiated in parallel with the anti-dumping proceeding concerning the same product originating in the same countries (see above) April 1999, following a complaint lodged by the International Rayon and Synthetic Fibres Committee (CIRFS) on behalf of the Community industry.

The investigation confirmed that the total Community consumption in the investigation period (1 April 1998 to 31 March 1999) amounted to 578.000 tonnes. The value of the total imports originating in the countries concerned during the same period amounted to € 38,2 million.

Dumping

Due to the large number of exporting producers in Indonesia, the Commission used sampling for the investigation of dumping in this country. Dumping was found for all investigated exporting producers in the three countries concerned by comparing normal values with export prices to the Community by product type. The provisional dumping margins established ranged from 5,2% to 36,6%.

Injury and causation of injury

The Community industry was found to have suffered material injury during the period 1996 to March 1999, particularly in terms of declining capacity, sales volume, sales prices, market share, investments and employment. A weighted average price undercutting margin of 40%, expressed as a percentage of the Community producer's sales price, was established during the investigation period.

Although other factors, for example low-priced imports from other countries, may have contributed to the injury suffered by the Community industry, the Commission found that the significant increase in import volume from these three countries and their substantial price undercutting of the Community industry's prices had material negative consequences on the situation of this industry. It was, therefore, concluded

that dumped imports from the countries concerned, when taken in isolation, had caused material injury to the Community industry.

Community interest

All the various interests involved were examined, in particular those of the Community industry, of the importers and of the users. 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 to be 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 5,2% to 36,6%. However, given that a provisional countervailing duty based on export subsidies was imposed at the same time against Australia (see parallel anti-subsidy proceeding), the anti-dumping duty rate for Australia was adjusted by the amount of the countervailing duty in order to avoid making Australian PSF subject to two measures dealing with the same situation.

4.2.2. Polyester staple fibres (AS) from Australia, Indonesia and Taiwan

On 21 January 2000, the Commission imposed a provisional countervailing duty on imports of polyester staple fibres originating in Australia and Taiwan, and continued the investigation regarding Indonesia without imposing provisional measures. The proceeding had been initiated in April 1999 following complaints lodged by the International Rayon and Synthetic Fibres Committee ("CIRFS") on behalf of producers representing a major proportion of the total Community production of polyester staple fibres (PSF).

The investigation confirmed that the total Community consumption in the investigation period (1 April 1998 to 31 March 1999) amounted to 578.967 tonnes. The value of the total imports in the countries concerned during the same period amounted to € 32,2 million.

Subsidisation

(a) Australia

This was the first anti-subsidy investigation concerning this country. It was found that the exporting producer received benefits from export subsidies under the following schemes: the Export Market Development Grants Scheme, the International Competitiveness Scheme, the Investment Attraction Programme and the Import Credit Scheme. The amount of subsidy for the sole exporting producer in Australia was 6%.

(b) Indonesia

This was the first anti-subsidy investigation concerning imports from this country. Due to the high number of exporters, sampling methods were used. The companies availed themselves of the BKPM Schemes and the BAPEKSTA Schemes. The

amounts of countervailable subsidies for the individual exporters in the sample did vary from 0,2% to 1% and were therefore below the *de minimis* threshold for subsidisation. However, it should be noted that two companies representing a substantial share of imports of the product concerned into the Community did not cooperate in this proceeding. The treatment of these companies and the effect on the establishment of the country-wide margin of subsidisation was further investigated and determined at the definitive stage of the proceeding.

(c) Taiwan

This was the second investigation concerning Taiwan. Companies have been found to benefit from the following subsidies : Tax credits and tax exemptions, Loans at preferential rates on the basis of conditions set by the Executive Yuan of the Development Fund, Import duty exemptions and Matching Funds and Assistance Funds. The amounts of subsidies for the individual exporters did range from 1,1% to 1,5%. The subsidy margin for two companies was *de minimis*. The weighted average country-wide subsidy margin was above the applicable *de minimis* threshold of 1%

Injury and causation of injury

The Community industry was found to have suffered material injury during the period 1996 to March 1999, particularly in terms of declining capacity, sales volume, sales prices, market share, investments and employment. A weighted average price undercutting margin of 21% for Australia and 6,1% for Taiwan, expressed as a percentage of the Community producer's sales price, was established during the investigation period.

Although other factors, for example low-priced imports from other countries, may have contributed to the injury suffered by the Community industry, the Commission found that the significant increase in import volume from these three countries and their substantial price undercutting of the Community industry's prices had material negative consequences on the situation of this industry. It was, therefore, concluded that dumped imports from the countries concerned, when taken in isolation, had caused material injury to the Community industry.

Community interest

At this stage of the proceeding, no compelling reasons were found against the imposition of countervailing measures.

Measures

A provisional countervailing duty of 6% was imposed on the Australian exporter, and the residual duty was set at the same rate. Taiwanese exporters were subject to provisional CVD rates of 1,1% to 1,5%, with rates for two companies being *de minimis* and the all other rate set at 1,5%.

4.2.3. *Hot-rolled flat products of non-alloy steel (quarto plates) from the People's Republic of China, India and Romania*

Provisional anti-dumping measures were imposed by the Commission on 11 February 2000. The proceeding had been initiated in May 1999, following a

complaint lodged by EUROFER (the European Confederation of Iron and Steel Industries).

The investigation confirmed that the total Community consumption in the investigation period (1 January 1998 until 31 March 1999) amounted to about 7,2 million tonnes. The value of total imports originating in the countries concerned amounted to € 308 million during the same period.

Dumping

A number of Chinese companies requested market economy treatment, but since none of these companies met all the criteria it was decided to reject these requests. The normal value therefore had to be based on an analogue country. For this purpose India was used. All Chinese companies also requested individual treatment, i.e. to receive an individual dumping margin based on their own export prices. These requests had to be rejected as well since none of these companies met all the criteria required.

The dumping margins were established on the basis of a comparison between the weighted average normal value and the weighted average export price. Dumping was found with regard to all the exporting producers in the countries concerned, with dumping margins at Community frontier level ranging from 14,4% to 52,6%.

Injury and causation of injury

The investigation showed that while consumption grew by 5% between 1995 and the investigation period, dumped imports from the countries concerned grew exponentially. They increased their market share by 4,9%.

The Community industry had to reduce production and sales, with a concomitant increase in its stock levels, while price undercutting by the dumped imports increased sharply. Prices and profits experienced very strong falls in the last six months of the investigation period. It was thus considered that the Community industry has suffered material injury.

In the light of the sharp growth in the volumes of dumped imports, with the accompanying increase in price undercutting and the marked worsening of the situation of the Community industry, it was concluded that the dumped imports had played a decisive role in causing the material injury to the Community industry.

Community interest

In general, crude steel production can only benefit from stable prices for downstream products. The lack of interest shown by the user industries, co-operation being almost zero, suggests that measures would have only a limited, insignificant effect on users' activities. It was therefore concluded that there were no compelling reasons not to impose measures, particularly as other sources of supply not subject to measures exist.

Measures

Since for each country concerned the dumping margin established was higher than the injury margin, measures were based on the latter. The rates of duty imposed ranged from 9,6% to 21,8%.

4.2.4. *Malleable cast iron tube or pipe fittings from Brazil, the Czech Republic, Japan, the People's Republic of China, the Republic of Korea and Thailand*

Provisional anti-dumping measures were imposed by the Commission on 29 February 2000. The proceeding had been initiated in May 1999, following a complaint lodged by the Defence Committee of Malleable Cast Iron Tube or Pipe Fittings Industry of the European Union.

The investigation, which was originally also opened against Croatia and the Federal Republic of Yugoslavia, showed that the market share for these countries was *de minimis*. Therefore, no provisional measures were imposed.

Furthermore, the investigation confirmed that the total Community consumption in the investigation period (1 April 1998 to 31 March 1999) amounted to 61.000 tonnes. The value of the total imports originating in the countries concerned during the same period amounted to around € 32 million.

Dumping

Three Chinese exporting producers requested market economy status. The Commission did not grant market economy status to these companies due to significant state interference in their activities. As most appropriate market economy third country, Thailand was used as analogue country to establish normal value for China.

The dumping margins provisionally found amounted to 28,5% for Brazil, 49,4% for China, 28,4% for the Czech Republic and ranged from 17,6% to 28,3% for Japan, from 11,8% to 24,6% for Korea and from 6,3% to 25,8% for Thailand.

Injury and causation of injury

The market shares of the imports from the countries concerned in the Community increased from 20% to 29% between 1995 and the investigation period. The imports volumes increased by around 20%. The weighted average import price of the countries concerned decreased by 5,5% between 1995 and the investigation period. However, when looking at the period between 1996 and the investigation period, the price decrease amounted to 10%. Moreover, substantial undercutting has been found during the investigation period for all countries concerned.

The situation of the Community industry deteriorated between 1995 and the investigation period. Almost all the economic indicators had a negative development in that period. Moreover one plant closed down in 1995.

The analysis established that the cause of the material injury suffered by the Community industry have been caused by the imports from the countries concerned. In fact, the deterioration of the Community industry coincided with the significant increase of the import volumes and market shares of the countries concerned and with the decrease of their prices, in particular as from 1996. The impact of other factors, such as the imports from other third countries or the substitution effect due to

fittings of different materials, have been examined as well, but have been considered not to have contributed to the material injury found.

Community interest

As to the importers, the investigation has shown that they are on average profitable and that they have in several cases alternative sources of supply and deal with a large product range, other than the malleable fittings. With respect to the users (gas and water distributors, plumbers, installers of heating and installers of sanitary fittings), it was concluded that the impact of anti-dumping measures would be negligible. In fact, the cost of malleable fittings on the total costs sustained, for example, in a domestic gas installation, has been estimated at around 1%. It was therefore concluded that there were no compelling reasons not to impose anti-dumping duties.

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: 26,1% for Brazil, 49,4% for China, 28,4% for the Czech Republic, between 17,6% and 28,3% for Japan, between 11,8% and 24,6% for Korea and between 6,3% and 25,8% for Thailand.

The co-operating exporting producer in the Czech Republic offered a price undertaking which could be accepted by the Commission since it eliminates the injurious effect of dumping.

4.2.5. *Solutions of urea and ammonium nitrate from Algeria, Belarus, Lithuania, Russia and Ukraine*

Provisional anti-dumping measures were imposed by the Commission on 24 March 2000. The proceeding had been initiated in June 1999, following a complaint lodged by the European Fertiliser Manufacturers Association on behalf of the Community industry.

The investigation confirmed that the total Community consumption in the investigation period (1 June 1998 to 31 May 1999) amounted to 3,3 million tonnes. The value of the total imports originating in the countries concerned during the same period amounted to around € 100,5 million.

The investigation was originally also opened against the Slovak Republic. No dumping margin was however calculated for the Slovak Republic, due to the absence of material impact of the Slovak imports on the injury caused to the Community industry.

Dumping

As regards the sole exporting producer in Lithuania and Algeria, the dumping margins were established on the basis of a comparison of a constructed normal value with weighted average export price.

For the three other non-market economy countries, Russia, Belarus, and Ukraine, the Commission determined the normal value on the basis of data obtained from producers in a market economy third country, in this case Lithuania. This normal

value was compared with export prices for each of these countries, which were generally established on the basis of the prices actually paid or payable for the product when sold for export to the Community. However, for Ukraine, in view of the exporter's non-co-operation, the facts available were used, in this case Eurostat and the figures in the complaint.

Injury and causation of injury

The overall situation of the Community industry improved between 1995 and 1996/1997, in parallel to the imposition of measures on imports of UAN originating in Poland and Bulgaria. However, between 1997 and the investigation period, it worsened, as indicated by the unfavourable development of economic indicators during the period under investigation.

The analysis provisionally established that the imports originating in the Slovak Republic did not cause material injury to the Community industry. With respect to the other countries concerned, it was established that the cause for the material injury suffered by the Community industry was the imports originating in these countries. The worsening of the Community industry's situation coincided in time with the significant increase in the import volumes and market shares of the countries concerned and the decrease in their prices, in particular as from 1997.

Community interest

It was found that without measures, the price-depressive effect of the dumped imports would continue to frustrate all efforts of the Community industry to regain a satisfactory margin of profitability. As concerns the importers/traders, given the level and nature of the measures proposed, it was considered that imports would continue to take place, albeit at non-injurious prices, although it could not be excluded that these importers would face some negative effects. With respect to the users (farmers and farmers' co-operatives), the Commission considered that any anti-dumping measures would most likely not have a decisive impact on the users.

Measures

The provisional duties set for Algeria (9,42 €/tonne), Lithuania (5,19 €/tonne), Russia (15,46 €/tonne) and Ukraine (21,47 €/tonne) were based on the dumping margins as these were found to be lower than the injury margins. For imports originating in Belarus, the duty was based on the injury margin (18,02 €/tonne).

4.2.6. *Stainless steel fasteners (AS) from Malaysia and the Philippines*

Provisional countervailing duties were imposed by the Commission on 22 March 2000. The proceeding had been initiated on 26 June 1999, following a complaint lodged by the European Industrial Fasteners Institute. The investigation originally covered Thailand, Malaysia, the Philippines and Singapore.

However, since the investigation showed that the countrywide subsidy margin for Singapore and Thailand were zero or below the *de minimis* threshold, the proceeding was terminated as regards imports from these 2 countries.

The investigation confirmed that the total Community consumption in the investigation period (1 April 1998 to 31 March 1999) amounted to around € 239

million. The value of the total imports originating in the countries concerned during the same period amounted to around € 19 million.

Subsidisation

As regards Malaysia, the investigation revealed that the companies obtained countervailable benefits under the Pioneer Status, sales tax and import duty exemptions for companies in export processing and double deductions of eligible expenses. The investigation resulted in subsidy margins, which ranged from 11,3% to 3,7%.

For the Philippines, the investigation showed that the exporting producer obtained benefits under the income tax exemption scheme and the import duty exemption on imports of spare parts. The subsidy margin for the sole co-operating producer was 3,5%.

Injury and causation of the injury

The volume of imports from the countries concerned increased between 1996 and the investigation period (by 16%), as did their share of the Community market (from 7,9% in 1996 to 12,4% in the investigation period). The prices of these imports decreased substantially during the same period (by 11%).

The Community industry was found to suffer injury in the form of a severe price depression caused by the price undercutting with the consequent deterioration of profitability (-0,8% during the investigation period).

The investigation showed that the imports from the countries concerned caused injury to the Community industry: the deterioration of the situation of the Community industry coincided with the substantial decrease in its prices. Other factors examined were not found to break the causal link.

Community interest

No reasons were found on grounds of the Community interest not to impose countervailing measures.

Measures

For each country, the total of the subsidy margin established was lower than the injury margin. The level of the duty imposed to the Malaysian exporting producers took into account the totality of the domestic subsidy plus the export subsidy amount in excess of the existing anti-dumping duty. The countervailing duty was thus 0% for one exporting producer and 1,8% for the other (the residual duty was also established at this level), which was below the total amount of subsidy found. The duty for the only Philippine exporting producer as well as the residual duty was 3,5%.

4.2.7. Cathode-ray colour television picture tubes from India, Malaysia, the People's Republic of China and the Republic of Korea

Provisional anti-dumping measures were imposed on 27 April 2000. The proceeding was initiated in July 1999, following a complaint lodged by the Taskforce against

Unfair Business in Europe (TUBE), on behalf of the sole producer in the Community not related to exporters in the countries concerned.

The investigation confirmed that total Community consumption in the investigation period (1 July 1998 - 30 June 1999) amounted to 3,4 million units. The value of total imports originating in the countries concerned during the same period amounted to € 38,9 million.

The investigation showed, in respect of all countries except Lithuania, the existence of dumping and injury caused to the Community industry, as well as of a causal link between the two. It was also shown that the adoption of provisional measures would not be against the Community interest. In the case of Lithuania, it was found that the dumping margin was below the *de minimis* threshold set out in Article 9(3) of the basic Regulation.

Provisional anti-dumping duties were therefore imposed in respect of imports of the product concerned originating in India (21,2%), Malaysia (between 0 and 5,2%), the People's Republic of China (11%) and the Republic of Korea (20,4%).

4.2.8. *Hairbrushes from the People's Republic of China, the Republic of Korea, Taiwan and Thailand*

Provisional anti-dumping measures were imposed by the Commission on 9 May 2000. The proceeding was initiated in August 1999, following a complaint lodged by the Fédération Européenne des Industries de la Brosserie et de la Pinceauterie, on behalf of Community producers representing more than 70% of the Community production of hair brushes.

The investigation confirmed that the total Community consumption in the investigation period (July 1998 - June 1999) amounted to 107 million pieces. The value of the total imports originating in the countries concerned during the same period amounted to € 39 million.

Dumping

As regards Korea and Taiwan, the dumping margins were established on the basis of a comparison between the weighted average normal value and the weighted average export price at ex-factory level on a type-by-type basis and at the same level of trade. This led to dumping margins at Community frontier level ranging from 5% to 19,5% for Korea and of 3,1% for Taiwan.

For the seven Chinese co-operating companies which were granted individual treatment, it was provisionally decided to establish the dumping margin on the basis of sampling in view of the considerable number of types of hairbrushes exported from China and the large number of companies concerned. The sample was selected on the basis of the four most popular types of hairbrushes sold by the two largest exporters and is largely representative since it covers more than 70% of the exports of the companies concerned. This led to a single dumping margin at Community frontier of 48,2% applicable to all seven co-operating exporting producers.

As regards Thailand, the dumping margin was established on the basis of the facts available since the only known exporting producer was considered non-co-operating. The dumping margin for Thailand was based on the complaint, at 48,4%.

Injury and causation of injury

The material injury suffered by the Community industry was caused by the imports from the four countries concerned. In fact, the deterioration of the situation of the Community industry coincided with the significant increase in the import volumes and market shares of the countries concerned and with the decrease in their prices, in particular from 1997. While Community consumption rose by around 33% between 1996 and the investigation period, the sales volume of the Community industry decreased by around 5% and the volume of dumped imports increased by 46%. These opposing trends resulted in a loss of market share for the Community industry by 7 percentage points.

The impact of other factors, such as imports from other third countries, were considered not to have contributed to the material injury found.

Community interest

At this stage of the proceeding, no compelling reasons were found not to impose anti-dumping duties.

Indeed, the Community industry had proven to be viable, tried to adapt its product range to the changing market conditions and had the potential capacity to satisfy an important share of the Community market. Importers dealt with a large product range, of which hairbrushes were only a small part and could source from the Community industry, the countries concerned and third countries. The amount of the duties paid was not likely to be passed over entirely to the consumers.

Measures

On this basis, seven Chinese companies were subject to a provisional anti-dumping duty of 48,2%, whereas a specific residual duty of € 0,55 was imposed on the non co-operating Chinese companies in view of the high level of non-co-operation.

Three Korean companies were subject to provisional anti-dumping duties ranging between 5% and 19,5%, with a residual duty of 42,6% for the non co-operating companies.

One Taiwanese company was subject to a provisional anti-dumping duty of 3,1%, with a residual anti-dumping duty of 11,9% for all other companies.

Finally, as concerns Thailand and given that there was no co-operation, the country-wide provisional duty rate was 48,4%.

4.2.9. Glycine from the People's Republic of China

Provisional anti-dumping measures were imposed by the Commission on 19 May 2000. The proceeding had been initiated in August 1999, following a complaint lodged by the European Chemical Industry Council (CEFIC) on behalf of the sole producer of glycine in the Community.

The investigation confirmed that the value of the total imports originating in the country concerned during the investigation period amounted € 5,9 million.

Dumping

Although five Chinese companies claimed market economy status, none demonstrated that they fulfilled all relevant conditions. Therefore, normal value had to be determined by reference to a market economy analogue country, Hungary

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 45,9%.

Injury and causation of injury

The Commission found that the Community producer suffered material injury between 1996 and June 1999, particularly in terms of a reduction in sales volume, in market share, in prices and in employment levels for the product concerned. A weighted average price undercutting margin, expressed as a percentage of the Community producer's sales price, of 24,7%, was calculated.

Furthermore, the Commission found that the pricing behaviour of the Chinese exporters led to the significant increase in their sales volume and market share on the Community market at the expense of the production, sales and market share of the Community producer. It was, therefore, concluded that dumped imports from China, when taken in isolation, had been the cause of the material injury suffered by the Community industry.

Community interest

Although the imposition of anti-dumping measures may possibly have negative effects on downstream industries, not taking anti-dumping measures could entail the disappearance of the sole Community producer. This would reduce competition and prices would be likely to rise. It was, therefore, provisionally concluded that there were no compelling reasons not to adopt measures.

Measures

The injury margin was found to be lower than the dumping margin established and therefore, the provisional duty rate was based on the injury margin of 39,7%. A fixed amount duty of 910 €/tonne was considered the most appropriate measure in these circumstances.

4.2.10. Styrene-butadien-styrene (SBS) thermoplastic rubber(AD) from Taiwan

Provisional anti-dumping measures were imposed by the Commission on 25 May 2000. The proceeding had been initiated in June 1999, following a complaint lodged by the European Chemical Industry Council (CEFIC) on behalf of Community producers representing a major proportion of the Community production of SBS thermoplastic rubber.

The investigation confirmed that the total Community consumption in the investigation period (1 July 1998 - 30 June 1999) amounted to 203.450 tonnes. The value of the total imports from Taiwan during the same period amounted to € 9,4 million.

Dumping

Normal value was based either on domestic prices or constructed value where domestic sales were unrepresentative.

Export prices were established on the basis of prices actually paid or payable by the first independent customer in the Community. For both exporters average normal values were compared to individual transaction export prices, for all transactions throughout the investigation period, since specific targeting was found, i.e. all the dumping took place in the last half of the investigation period.

The provisional dumping margin found for the two co-operating exporting producers was 5,3% and 9,1%.

Injury and causation of injury.

After examining all of the elements affecting the Community industry, the Commission concluded that material injury had been suffered. This assessment was based upon the significant price undercutting practised by the exporting producers (averaging 12%) together with the increase in imports from Taiwan, both in absolute terms and in market share, between 1995 and the investigation period.

Over the same period, the Community industry saw decreases in investments (-35%), employment (-5%), capacity utilisation (-16%), sales prices (-47%), market share (-5 percentage points), and profitability (from a profit of 14,9% in 1995 to a net loss of 9,8% during the investigation period).

In view of the substantial increase in import volume from Taiwan, and the considerable degree of price decreases and price undercutting for these imports, the Commission concluded that the dumped imports from Taiwan caused material injury to the Community industry.

One interested party claimed that only one exporter from Taiwan had been responsible for the significant price drop and, consequently, that only this exporter should be subject to measures. However, the Commission found that both co-operating exporters from Taiwan had significantly undersold and undercut Community industry prices, albeit to different degrees. The argument was therefore rejected.

Community interest

At this stage of the proceeding, the Commission concluded that there were no compelling reasons not to impose antidumping measures.

Measures

Two Taiwanese exporters co-operated in the investigation. Provisional antidumping duties of 5,3% and 9,1% were imposed on these two exporters. The rate of residual duty to apply to Taiwanese companies which failed to co-operate was set at 20%, based on the highest dumping margins found for both co-operating companies. This approach was deemed necessary due to the low level of co-operation (equivalent to less than 30% of Taiwanese exports of the product concerned to the Community).

4.2.11. *Styrene-butadien-styrene (SBS) thermoplastic rubber (AS) from Taiwan*

Provisional countervailing measures were imposed by the Commission on 25 May 2000. The proceeding had been initiated in June 1999, following a complaint lodged by the European Chemical Industry Council (CEFIC) on behalf of Community producers representing a major proportion of the Community production of SBS thermoplastic rubber.

The investigation confirmed that the total Community consumption in the investigation period (1 July 1998 to 30 June 1999) amounted to 203.450 tonnes. The value of the total imports originating in the countries concerned during the same period amounted to € 9,4 million.

Subsidisation

Four schemes allegedly available for granting countervailable subsidies to exporters in Taiwan were investigated. These schemes are Tax Credits and Tax Exemptions, Loans at Preferential Interest Rates, Accelerated Depreciation, and Import Duty Exemption. For the Accelerated Depreciation scheme, whilst the scheme had been used by at least one exporter, the amount of benefit was found to be so small as to be negligible. For the other three schemes, it was found that they benefited both of the exporters of the product concerned. All three schemes were found to be countervailable under Regulation (EC) No 2026/97 as they all involve a financial contribution from the Government of Taiwan in the form of foregone revenue, and they confer a benefit on the companies concerned by relieving them of certain costs. The schemes are all either contingent upon the use of domestic over imported products or are otherwise limited to certain enterprises and are therefore specific under the provisions of the basic Regulation.

Concerning the total amount of benefit received by the two co-operating Taiwanese exporters during the investigation period, it was found that one of the exporters benefited from a subsidy of 1,6% and the other of 2,1%.

Injury and causation of injury / Community interest

The findings on injury, causation of injury and Community interest can be found under point 4.2.10.

Measures

Two Taiwanese exporters co-operated in the investigation. A countervailing duty of 1% was imposed on one of the exporters and a rate of 1,5% imposed on the other. The rate of residual duty to apply to Taiwanese companies which failed to co-operate, in accordance with the Commission's policy not to reward non co-operation, was set at 8,2%.

4.2.12. Coke of coal in pieces with a diameter of more than 80 mm from the People's Republic of China

Provisional anti-dumping measures were imposed by the Commission on 15 June 2000. The proceeding had been initiated in September 1999, following a complaint lodged by EUCKE-EEIG.

The investigation confirmed that the total Community consumption in the investigation period (1 July 1998 to 30 June 1999) amounted to 1.372.862 tonnes. The volume of the total imports originating in the country concerned during the same period was 383.150 tonnes.

Dumping

One company claimed market economy status. The investigation revealed however that the company concerned did not meet the necessary criteria. Consequently, the claim had to be rejected and normal value was based on the information obtained from an analogue third country. As most appropriate market economy third country, the USA was used as analogue country to establish normal value.

Three companies claimed individual treatment. However, one company did not co-operate during the proceeding and the two others did not demonstrate a sufficient level of independence from the State. Their requests were thus rejected.

The provisional country-wide dumping margin exceeded 60%.

Injury and causation of injury

The investigation revealed that the situation of the Community industry deteriorated in terms of production, capacity utilisation, cost of production, stocks, volume and value of sales, market share as well as profitability. This deterioration was attributable to the effect of the dumped imports, which surged in the same period (+63%) and gained the market share lost by the Community industry (+10,6 percentage points) through low prices, which significantly undercut those of the Community industry (29,5%).

All other factors examined such as the prices of raw materials, changes in environmental legislation, alleged over-capacity in the Community and imports from other third countries were not found to have negatively affected the situation of the Community industry.

Community interest

It was found that the imposition of measures was unlikely to have significant negative effects on the main industrial users of coke 80+ (foundries and stone wool producers), while it would allow the Community industry to recover.

Regarding foundries, whose profitability ranged between 5,1% and 22,1%, it was found that coke 80+ represents a very small part of their overall costs (2,3% of the full costs). In this respect, the imposition of the measures proposed would result in a maximum increase in foundries' costs of less than 0,5%.

Regarding the major stone wool producer, Rockwool, whose profitability amounted to *[between 7% and 9%]* in 1998¹⁶, it was found that the negative impact of the measures was likely to be limited given that coke 80+ represented only *[between 2% and 5%]*¹⁷ of its cost of production. Therefore, a provisional anti-dumping duty as proposed would have a maximum hypothetical increase in the cost of production of Rockwool of around 1%. Furthermore, moderate price increases were found to be passed on to customers.

On the other hand, had measures not been imposed, the situation of the Community industry would have been likely to deteriorate. Given the level of losses made by the Community industry, this could have led in the medium term to closures and to shortages of supply in the Community market.

Therefore, it was concluded that imposing anti-dumping measures was in the overall interest of the Community.

Measures

Since the level of dumping found exceeded the injury elimination margin provisionally established, the provisional duty of 45,1% was set at the level of the latter. It was considered appropriate to impose the duty in form of a specific amount of 33,7 €/tonne to ensure the efficiency of the measure and discourage any absorption of the measure through a decrease in the export prices.

4.2.13. Polyester staple fibres from India and the Republic of Korea

Provisional measures were imposed by the Commission on 6 July 2000. Two proceedings were initiated in October and December 1999, following two complaints lodged by the International Rayon and Synthetic Fibres Committee (CIRFS) on behalf of the Community industry. The complaints were supported by a total of 8 companies representing a major proportion of the Community production of polyester staple fibres.

The investigation confirmed that the total Community consumption in the investigation period (1 October 1998 to 30 September 1999) amounted to 588.466 tonnes. The value of the total imports originating in the countries concerned during the same period amounted to Ecu/€ 68,8 million.

¹⁶ Actual data has been indexed for reasons of confidentiality.

¹⁷ See previous footnote

Dumping

Dumping was found for all investigated exporting producers in both countries by comparing normal values with export prices to the Community by product type. However, for two Korean exporting producers, the dumping margins established were *de minimis*. The provisional dumping margins established for all the other exporting producers ranged from 5,3% to 36,5%.

Injury and causation of injury

The Community industry was found to have suffered material injury during the period 1996 to September 1999, particularly in terms of declining capacity, sales volume, market share and employment. A weighted average price undercutting margin of 23%, expressed as a percentage of the Community producer's sales price, was established during the investigation period.

Although other factors, in particular low priced imports from other countries where anti-dumping and countervailing measures were already imposed, have contributed to the injury suffered by the Community industry, the Commission found that the significant increase in import volume from these two countries and their substantial price undercutting of the Community industry's prices had material negative consequences on the situation of this industry. It was, therefore, concluded that dumped imports from the countries concerned, when taken in isolation, had caused material injury to the Community industry.

Community interest

All various interests involved were examined in particular those of the Community industry, of the importers and of the users. 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 to be 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 0% to 36,5%.

4.2.14. Ammonium nitrate from Poland and Ukraine

Provisional anti-dumping measures were imposed by the Commission on 26 July 2000. The proceeding had been initiated in October 1999, following a complaint lodged by the European Fertiliser Manufacturers Association on behalf of the Community industry.

The investigation, which was originally also opened against Lithuania, showed that the dumping margin found was *de minimis*. Therefore, and pending further investigation, it was provisionally proposed not to impose any duties on these imports.

The total Community consumption in the investigation period (1 April 1998 to 30 September 1999) amounted to 7,1 million tonnes. The value of the total imports originating in Poland and Ukraine during the same period amounted to € 53 million.

Dumping

As regards the exporting producers in Lithuania and Poland, the dumping margins were established on the basis of a comparison of the weighted average normal value with weighted average export price at the same level of trade. The provisional dumping margins established for Poland ranged from 25,4 to 43,4%, whereas for Lithuania it was found to be *de minimis*.

Since the Ukraine 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, in this case Poland. As far as the export price is concerned, in view of the Ukrainian exporter's non-co-operation, the facts available were used, in this case Eurostat and the figures provided in the complaint.

Injury and causation of injury

The overall situation of the Community industry improved between 1995 and 1996. However, between 1996 and the investigation period it worsened considerably.

The analysis provisionally established that the material injury suffered by the Community industry has been caused by the imports from the two countries concerned. In fact, the deterioration of the Community industry's situation coincided in time with the significant increase of the import volumes and market shares of the countries concerned and with the decrease of their prices, in particular as from 1996. Other factors, such as the decreasing imports from other third countries, are considered not to have contributed to the material injury found.

Community interest

Without measures, the price-depressive effect of the dumped imports would have continued to frustrate all efforts of the Community industry to regain a satisfactory margin of profitability. As for the importers/traders, given the level and nature of the measures proposed, it was considered that imports would continue to take place, albeit at non-injurious prices, although it could not be excluded that these importers would face some negative effects. With respect to the users (farmers and farmers' co-operatives), the Commission considered that any anti-dumping measures would most likely not have a decisive impact on them.

Measures

The provisional duties set for Poland (between 22,61 and 26,91 €/tonne) and Ukraine (33,25 €/tonne) were based on the injury margins as these were found to be lower than the dumping margins.

4.2.15. *Polyethylene terephthalate (PET) (AD) from India, Indonesia, the Republic of Korea, Malaysia, Taiwan and Thailand*

Provisional anti-dumping measures were imposed by the Commission on 5 August 2000. The proceeding had been initiated in November 1999, following a complaint

lodged by the Association of Plastic Manufacturers in Europe (A.P.M.E) on behalf of producers representing over 85% of Community production. A parallel anti-subsidy investigation was initiated on the same date.

The investigation confirmed that the total Community consumption in the investigation period (1 October 1998 to 30 September 1999) amounted to 1.338.229 tonnes. The volume of total imports originating in the countries concerned during the same period amounted to 307.000 tonnes.

Dumping

The dumping margins provisionally found ranged from 30% to 52,6% for India, from 15,2% to 73,7% for Indonesia, from 3,2% to 55,8% for Korea, from 8,3% to 34,2% for Malaysia, from 8,1% to 12,4% for Taiwan and amounted to 32,5% for Thailand.

Injury and causation

Quantities of the product concerned imported into the Community from the 6 countries subject to investigation grew by 136%, between 1996 and the investigation period, while their market share increased by more than 50% and their prices decreased by 45% from 1996 to the investigation period.

In a fast growing Community market (more than 10% per year), the production of the Community industry increased by 89% from 1996 to the investigation period and its market share remained almost constant, at the level of 58%. At the same time, prices dropped by 37%. This price development arose from the Community industry's efforts to maintain its market share in the face of increasing downward pressure on prices from dumped imports. Because of this business behaviour, the level of undercutting found was low.

As a result, during the investigation period, the Community industry suffered from the continuation of the severe depression of its profit margins that could not recover because of the pressure imposed by dumped imports, and thus made financial losses. Furthermore, despite a foreseeable rapidly expanding market, the Community industry was not able to invest due to its precarious situation.

The Commission, therefore, considered that the Community industry has suffered material injury within the meaning of Article 3 of the basic Regulation.

It was found that, considered in isolation, the dumped imports from all 6 countries have caused material injury to the Community industry by depressing and suppressing prices on the Community market since the beginning of 1997. None of the other factors examined had an impact on the situation of the Community industry such as to break the causal link between the dumped imports from the concerned countries and the injury suffered by the Community industry.

Community interest

The imposition of measures will allow PET producers and their suppliers of raw materials to improve profitability and to have the possibility of making new investments. Measures are, therefore, clearly in their interest.

Although there are indications that measures could have an impact on user sectors (soft drinks and water producers and plastic converters), it was difficult, at that stage, to draw firm conclusions due to the low level of co-operation on the user side and the resulting lack in the information available.

The Commission concluded that, at the provisional stage, the imposition of measures was not contrary to the overall interest of the Community.

Measures

Provisional duties were imposed at the lesser level of either the dumping margin found or the injury elimination margin found. Provisional anti-dumping duties, taking into account the countervailing duties established in the parallel anti-subsidy proceeding, ranged from 27,5% to 31,8% for India, from 15,2% to 35,1% for Indonesia, from 3,2% to 26,5% for Korea, from 4,1% to 34,2% for Malaysia, from 8,1% to 12,4% for Taiwan and amounted to 14,1% for Thailand. It was considered appropriate to impose duties in form of a specific amount per tonne.

4.2.16. Polyethylene terephthalate (PET) (AS) from India, Malaysia, Taiwan and Thailand

Provisional countervailing measures were imposed by the Commission on 5 August 2000. The proceeding had been initiated in November 1999, following a complaint lodged by the Association of Plastic Manufacturers in Europe (A.P.M.E) on behalf of producers representing over 85% of Community production. A parallel anti-dumping investigation was initiated on the same date.

The investigation, which was originally also opened against Indonesia and Korea, showed that the co-operating exporters received benefits which were below the applicable *de minimis* threshold. Therefore, and pending further investigation, it was provisionally proposed not to impose any duties on these imports.

The investigation confirmed that the total Community consumption in the investigation period (1 October 1998 to 30 September 1999) amounted to 1.338.229 tonnes. The volume of total imports originating in the countries concerned during the same period amounted to 307.000 tonnes.

Subsidisation

In respect of India, it was found that the exporting producers in India received benefits from the following programmes: Duty Entitlement Passbook Scheme, Export Promotion Capital Goods Scheme, Income Tax Exemption Scheme and Benefits for EOUs (Export Oriented Units).

The investigation found that all of the schemes are countervailable. The subsidies are all contingent upon export performance and are therefore specific under the provisions of the basic Regulation.

Concerning the total amount of benefit received by the 4 co-operating exporting producers in India during the investigation period, it was found that they received benefits from 5,8% to 16,8%.

In respect of Malaysia, it was found that the exporting producer received benefits from subsidies under the following schemes: Double deduction of insurance premiums for exporters, Pioneer status, Sales tax exemptions, Import duty exemptions.

Concerning the total amount of benefit received by the two co-operating exporting producers in Malaysia during the investigation period, it was found that they received benefits of 0,9% and 4,2% respectively.

In respect of Taiwan, it was found that countervailable subsidies were granted by means of tax credits, import duty exemption and loans at preferential interest rates.

Concerning the total amount of benefit received by the two co-operating exporting producers in Taiwan during the investigation period, it was found that they received benefits from 0% to 2%.

In respect of Thailand, two schemes were found to be used and countervailable: (a) the corporate income tax exemption and (b) the import duty exemption for machinery. These programmes are countervailable pursuant to Articles 3(2)(a) and 3(4)(b) of the basic Regulation. The subsidy found for the sole co-operating company was 8,4%.

Injury and causation

In view of the findings on de minimis subsidisation for Indonesia and Korea, imports originating in these countries were not taken into account in the injury and causation parts of the investigation.

Quantities of the product concerned imported into the Community from India, Malaysia, Taiwan and Thailand grew by 139%, between 1996 and the investigation period, while their market share increased by approximately 50% and their prices decreased by 49% from 1996 to the investigation period.

In a fast growing Community market (more than 10% per year), the production of the Community industry increased by 89% from 1996 to the investigation period and its market share remained almost constant, at the level of 58%. At the same time, prices dropped by 37%. This price development arose from the Community industry's efforts to maintain its market share in the face of increasing downward pressure on prices from subsidised imports. Because of this business behaviour, the level of undercutting found was low.

As a result, during the investigation period, the Community industry suffered from the continuation of the severe depression of its profit margins that could not recover because of the pressure imposed by subsidised imports, and thus made financial losses. Furthermore, despite a foreseeable rapidly expanding market, the Community industry was not able to invest due to its precarious situation.

The Commission, therefore, considered that the Community industry had suffered material injury within the meaning of Article 3 of the basic Regulation.

It was found that, considered in isolation, the subsidised imports from India, Malaysia, Taiwan and Thailand have caused material injury to the Community industry by depressing and suppressing prices on the Community market since the beginning of 1997. None of the other factors examined had an impact on the situation of the Community industry such as to break the causal link between the subsidised imports from the concerned countries and the injury suffered by the Community industry.

Community interest

The imposition of measures will allow PET producers and their suppliers of raw materials to improve profitability and to have the possibility of making new investments. Measures are, therefore, clearly in their interest.

Although there were indications that measures could have an impact on user sectors (soft drinks and water producers and plastic converters), it was difficult, at that stage, to draw firm conclusions due to the low level of co-operation on the user side and the resulting lack in the information available.

The Commission concluded that, at the provisional stage, the imposition of measures was not contrary to the overall interest of the Community.

Measures

Provisional countervailing duties were imposed on the basis of the subsidy margins established. They ranged from 5,8% to 16,8% in India, from 0 to 4,2% in Malaysia, from 0 to 2% in Taiwan and amounted to 8,5% in Thailand. It was considered appropriate to impose duties in form of a specific amount per tonne.

5. DEFINITIVE MEASURES

5.1. Overview

During 2000, definitive duties were imposed in 51 cases involving imports from 22 different countries and covering 18 products. India and Taiwan featured most prominently with 7 investigations, followed by the Republic of Korea with 5 and Thailand and the People's Republic of China with 4 each.

The increase in the number of definitive measures imposed during 2000 in comparison with 1999 (21) is a direct consequence of the high number of investigations initiated during 1999.

Whilst an overview of the definitive duties imposed in 2000 can be found in Annex E, a summary of each case is given below.

5.2. Cases (in chronological order)

5.2.1. *Flat-rolled products of iron or non-alloy steel (hot rolled coils) (AD) from Bulgaria, India, South Africa, Taiwan and the Federal Republic of Yugoslavia*

Definitive anti-dumping measures were imposed by the Commission on 5 February 2000. The proceeding had been initiated in January 1999, following a complaint lodged by Eurofer on behalf of the Community industry. At the same time an anti-subsidy investigation was initiated against imports from India, South Africa and Taiwan.

The information available and the relevant analysis carried out up to the provisional stage did not show clear evidence of material injury to the Community steel industry during the investigation period. It was therefore decided not to impose provisional measures but to continue the investigation in order to collect additional information, which would allow definitive conclusions to be reached.

The investigation confirmed that the total Community consumption in the investigation period (1 January 1998 to 31 December 1998) amounted to 20,1 million tonnes. The value of the total imports originating in the countries concerned during the same period amounted to € 5.800 million.

Dumping

The dumping margins were established on the basis of a comparison between the weighted average normal value and the weighted average export price. Dumping was found with regard to all the exporting producers in the countries concerned, with dumping margins at Community frontier level ranging from 2,1% to 56,3%.

Injury and cause of injury

The analysis of the economic situation of the Community industry on a year-to-year basis seemed to show that some injury indicators developed negatively while others developed positively. Imports increased significantly both in terms of volume and market share and were made at prices undercutting those of the Community industry. However, during the investigation period, the economic indicators decreased significantly, in particular during the third and fourth quarters. These decreases went far beyond seasonal fluctuations.

For these reasons the imposition of provisional measures was not considered to be justified.

The information available was complemented and a number of analyses were carried out, in particular a quarterly analysis of the injury indicators, a differentiated analysis of the two common product categories, the type of sales contract, the time lag between orders and the resulting sales on the market, and of developments after the investigation period.

These showed that the prices of the Community industry and thus its profits remained high during the first half of the investigation period. Apparent consumption (and therefore demand) was exceptionally high in 1997. As this was not matched by a commensurate increase in actual consumption this led to overstocking (largely fed by the dumped imports concerned) during the first half of the investigation period and significant de-stocking during the second half. The high level of prices and profits in the first half of the investigation period prevailed despite the inflow of imports.

The investigation showed different results for different types of hot-rolled coils and for different types of sales contracts. The existing time lag between orders and actual deliveries explains both the relatively positive performance of the Community industry during the first two quarters of the investigation period and why the negative situation only became apparent for all the injury indicators in the second half of the investigation period.

Although market developments after the investigation period could not be followed with the same level of precision, market research data suggested that market prices in the Community recovered slowly after the investigation period. Nevertheless, the price level at the end of 1999 was still far from such that the Community industry would regain reasonable profitability.

It was therefore concluded that the Community industry suffered injury. The magnitude of the injury suffered means that it could be classified as material in accordance with the provisions of the basic Regulation.

The analysis of causation indicated that factors such as the world-wide situation of the steel business in the context of the south-east Asian crisis may have contributed to the difficult state of the Community industry. However, the sudden increase in import volume from the countries concerned, and price undercutting by the exporting producers (8% on average) contributed to the creation of a serious imbalance on the Community market. This had a negative impact on the Community industry's sales prices during 1998 (-27%) as shown by the more refined analysis carried out on product types and market segments, where the imports in particular were present. Given the material negative consequences on the economic situation of the Community industry, it was concluded that these imports caused the material injury.

Community interest

Certain users claimed that the imposition of duties was likely to undermine their independence of supply, arguing that they would become entirely dependent on the goodwill of Community producers. They alleged that Community producers were unable to meet their needs for hot-rolled coils in the last few years because their capacity utilisation was saturated and because their priority was to supply their integrated processes and related user companies. Users claimed that Community producers were therefore not always in a position to supply them within the agreed deadlines or even refused to supply them altogether.

Despite these claims, anti-dumping measures were considered to be necessary in order to prevent further imports of low-priced dumped imports and to avoid further deterioration in the economic situation of the Community industry.

Measures

In view of the conclusions reached on dumping, subsidy, injury, causation and Community interest, definitive anti-dumping duties were imposed and price undertakings accepted for some exporting producers located in Bulgaria and India to prevent further injury to the Community industry. The duties range between 0% and 37,8%.

5.2.2. *Flat-rolled products of iron or non-alloy steel (hot rolled coils) (AS) from India and Taiwan*

Definitive countervailing measures were imposed by the Commission on 5 February 2000. The proceeding had been initiated in January 1999, following a complaint lodged by Eurofer on behalf of the Community industry. At the same time an anti-dumping investigation was initiated against imports from India and Taiwan.

The information available and the relevant analysis carried out up to the provisional stage did not show clear evidence of material injury to the Community steel industry during the investigation period. It was therefore decided not to impose provisional measures but to continue the investigation in order to collect additional information, which would allow definitive conclusions to be reached.

The investigation confirmed that the total Community consumption in the investigation period (1 January 1998 to 31 December 1998) amounted to 20,1 million tonnes. The value of the total imports originating in the countries concerned during the same period amounted to € 5.800 million.

Subsidisation

On the basis of the information contained in the complaint and the replies to the Commission's questionnaire, the Commission investigated certain alleged subsidy schemes such as the passbook, the export promotion capital goods, the duty entitlement passbook scheme on pre-export and post export basis, the income tax exemption, the tax credits and exemptions, the accelerated depreciation, the import duty exemption and other subsidies.

The investigation indicated that subsidy margins, which ranged between 4,4% and 12,3%, existed in India and Taiwan.

Injury and cause of injury / Community interest

The findings on injury, causation of injury and Community interest can be found under point 5.2.1.

Measures

In view of the conclusions reached on subsidy, injury, causation and Community interest, definitive countervailing measures were imposed and price undertakings accepted for some exporting producers located in India to prevent further injury to the Community industry by subsidised imports.

For India (13,1%), the amounts of anti-dumping duty were reduced to avoid double-counting with export subsidies. For Taiwan (between 0 and 4,4%), the subsidies

found were domestic subsidies and were therefore added on top of the anti-dumping duties imposed on the parallel anti-dumping proceeding.

5.2.3. *Seamless pipes and tubes of non-alloy steel from Croatia and Ukraine*

Definitive anti-dumping measures were imposed by the Council on 17 February 2000. The proceeding had been initiated in November 1998, following a complaint lodged by the Defence Committee of the Seamless Tube Industry. Provisional duties were imposed in August 1999.

The investigation confirmed that the total Community consumption in the investigation period (November 1997 to October 1998) amounted to 1.195.329 tonnes. The value of the total imports originating in the countries concerned during the same period amounted to € 66;2 million.

Dumping

Concerning Croatia, no arguments were submitted in relation to the dumping calculation, therefore the dumping margin was confirmed at 40,8%. Regarding Ukraine, since it is considered as a non-market economy country, Croatia was used as an analogue country. The dumping margin was confirmed at 123,7%.

Injury and causation of injury

In the absence of new arguments as regards injury and causation, the provisional findings that the imports from Croatia and Ukraine had caused material injury to the Community industry were confirmed.

Community interest

In the absence of any new arguments submitted, it was confirmed that no compelling reasons existed on grounds of Community interest not to impose measures.

Measures

As the injury elimination levels were lower than the dumping margins, the definitive anti-dumping duties were based on the former, i.e. 23% for Croatia and 38,5% for Ukraine. The exporting producers in both countries offered undertakings which were considered acceptable. In the case of Ukraine, the undertaking was offered by the companies in conjunction with the Ukrainian authorities.

5.2.4. *Synthetic fibres of polyester (AS) from Australia, Indonesia and Taiwan*

Definitive countervailing measures were imposed by the Council on 12 May 2000. The proceeding had been initiated in April 1999, following complaints lodged by the International Rayon and Synthetic Fibres Committee ("CIRFS") on behalf of producers representing a major proportion of the total Community production of polyester staple fibres (PSF). Provisional measures as regards Australia and Taiwan were imposed on 21 January 2000.

The investigation, which was original also opened against the Republic of Korea and Taiwan showed that the subsidies found for these two countries were below the

applicable *de minimis* level for each country. It was therefore decided to terminate the proceeding against these countries.

The investigation confirmed that the total Community consumption in the investigation period (1 April 1998 to 31 March 1999) amounted to 578.967 tonnes. The value of the total imports in the countries concerned during the same period amounted to € 38,2 million.

Subsidisation

- (a) Australia: the Council confirmed the provisional findings (see point 4.2.2.). The amount of subsidy for the sole exporting producer in Australia was 6%.
- (b) Indonesia: the Council confirmed the provisional findings. Two companies representing a very substantial share (over 30%) of imports of the product concerned into the Community did not co-operate in this proceeding. The amount of countervailable subsidies for these two producers was set at 10%, on the basis of facts available including the complaint.
- (c) Taiwan: the Council confirmed the provisional findings. The amounts of subsidies for the individual exporters ranged from 1,1% to 1,5%. The subsidy margin for two companies was *de minimis*. The weighted average country-wide subsidy margin was above the applicable *de minimis* threshold of 1%.

Injury and causation of injury

At the definitive stage of the proceeding it was confirmed that the Community industry has suffered material injury during the period 1996 to March 1999.

The causal link of the injury to the Community industry to the imports from the countries concerned was established by considering that injury took place during a period where the Community market grew rapidly by 27%. At the same time, imports from the countries concerned increased from 24.971 tonnes to 69.548 tonnes, augmenting their market share from 1,66% to 8,97% of the total Community market. This surge of imports from those countries was facilitated by the noted decrease of sales prices of PSF imported from the countries concerned by 23%, which undercut the Community industry ones by more than 14% on the average.

Following the publication of the provisional duty Regulation, interested parties disputed the fact that the Community industry had suffered material injury, because of its improved profitability and its reduction of production capacity. The investigation has shown however, that the improvement in profitability was a result of the extremely low raw material prices prevailing in 1998 and during the investigation period and not of increasing sales prices.

Community interest

After the initiation of the proceeding the Commission sent questionnaires to 14 known importers, users and users' associations in the Community and received only three replies containing sufficient information for the assessment of the impact of the measures proposed by the Commission.

Following the publication of the provisional duty Regulation and the disclosures to the interested parties, a number of letters from Community importers, users and from one users' association reached the Commission, some of them appearing for the first time since the initiation of the proceeding.

These letters did not contain any substantial information that would permit a more detailed assessment of the measures on the cost structures of these operators.

The Commission, despite the very limited co-operation from the Community users, attempted to assess the impacts of the proposed measures using the available information. The result of this assessment is that the proposed measures would lead to a maximum production cost increase of about 0,16%, all other factors remaining equal. Such a result did not suggest any significant deterioration of the situation of the Community users and therefore there were no substantial reasons prohibiting the imposition of definitive measures in this case.

Measures

A definitive countervailing duty of 6% was imposed on the Australian exporter, and the residual duty was set at the same rate. Taiwanese exporters were subject to provisional CVD rates of 1,0% to 1,5%, with rates for two companies being *de minimis* and the all other rate set at 1,5%. The co-operating Indonesian exporters were not subject to definitive countervailing measures but the rate for all other companies were set at 10%.

5.2.5. *Synthetic staple fibres of polyester from Australia, Indonesia and Thailand*

Definitive anti-dumping measures were imposed by the Council on 14 July 2000. The proceeding had been initiated in April 1999, following a complaint lodged by the International Rayon and Synthetic Fibres Committee (CIRFS) on behalf of the Community industry. The complaint was supported by a total of 9 companies representing a major proportion of the Community production of polyester staple fibres (PSF). Provisional duties were imposed on all countries on 21 January 2000.

The investigation confirmed that the total Community consumption in the investigation period (1 April 1998 - 31 March 1999) amounted to 578.467 tonnes. The value of the total imports originating in the countries concerned during the same period amounted to € 38,2 million.

Dumping

The provisional dumping margins established ranged from 5,2% to 36,6%. The exporting producers from all the countries under consideration made claims to modify certain cost calculations. Some of these claims were accepted and the corresponding dumping margins were reduced accordingly. The dumping margin for one Indonesian exporting producer however was revised upwards, in view of its limited co-operation during the investigation. The dumping margins established at the definitive stage ranged from 8,4% to 27,7%.

Injury and causation of injury

At the definitive stage of the proceeding it was confirmed that the Community industry has suffered material injury during the period 1996 to March 1999. Production capacity declined by 7%, sales volume were reduced by 6%, prices decrease by 12%, its market share shrunk by 26%, stocks increased by 22%, investments decreased by 9% and finally employment decreased by 20%. It was further confirmed that the imports from the countries concerned undercut the Community industry's prices by 40% on the average during the investigation period.

The causal link of the unfavourable developments described above to the imports from the countries concerned was established by considering that these developments took place during a period where the Community market grew rapidly by 27%. At the same time, imports from the countries concerned increased from 7.549 tonnes to 51.911 tonnes, augmenting their market share from 1,66% to 8,97% of the total Community market. This surge of imports from those countries was facilitated by the noted decrease of sales prices of PSF imported from the countries concerned by 22%, which undercut the Community industry ones by more than 38% on the average.

The provisional findings that the dumped imports from Australia, Indonesia and Thailand have caused material injury to the Community industry were therefore confirmed.

Community interest

Following the publication of the provisional duty Regulation and the disclosures to the interested parties, certain Community importers, users and one users' association claimed that they would find themselves in a more difficult economic situation after the imposition of the duties, as they would face higher production costs which they would not be able to pass on to the consumers. They also claimed that since certain PSF types were not produced by the Community industry at all, they had to import them from third countries, including those concerned by this proceeding.

Although the co-operation of Community users in this proceeding was very limited, since such users represented about 4% of the Community consumption, it was nevertheless attempted to assess the impact of the proposed measures by using the available information. The result of this assessment showed that the proposed measures would lead to a maximum production cost increase of about 0,16%, all other factors remaining equal.

Furthermore, the investigation showed that certain PSF types that were alleged not to be produced by the Community industry, were in fact found to be offered by certain Community producers, although at higher prices. It was also established that the Community industry could produce any type of PSF, given that the sales price would cover the production costs. It was clear therefore, that PSF types which could be sourced at significantly lower prices from exporting producers in the countries concerned, were not ordered by the users to the Community producers and therefore the latter did not have any incentive to offer them in the market.

In conclusion, it was considered that imposing definitive anti-dumping measures in order to correct the distortive effect of injurious dumping, was not against the overall Community interest.

Measures

In all cases, the injury margins were found to be higher than the dumping margins established and, therefore, the definitive duty rates were based on the latter. The rates of the duty imposed ranged from 8,4% to 27,7%. However, given that a provisional countervailing duty based on export subsidies was imposed at the same time against Australia and Indonesia (see parallel anti-subsidy proceeding), the anti-dumping duty rates for Australia and for the non-co-operating exporting producers in Indonesia were adjusted in order to avoid making PSF from these sources subject to two measures dealing with the same situation.

5.2.6. Stainless steel fasteners (AS) from Malaysia and Philippines

Definitive countervailing measures were imposed by the Council on 14 July 2000. The proceeding had been initiated in June 1999, following a complaint lodged by the European Industrial Fasteners Institute (EIFI) on behalf of the Community industry. Provisional duties were imposed in March 2000.

The investigation confirmed that the total Community consumption in the investigation period (1 April 1998 to 31 March 1999) amounted to 58.680 tonnes. The value of the total imports originating in the countries concerned during the same period amounted to € 18,8 million and corresponded to 7.293 tonnes.

Subsidisation

Malaysia's exporting producers were found to have received benefits from subsidies under the following countervailable schemes: double deduction of business expenses for the promotion of exports; pioneer status; sales tax and import duty exemptions. The total amount of subsidy for the two exporting producers was 2,31% and 4,71%.

The Philippine exporting producer received benefits from export subsidies under the following countervailable schemes: gross income tax; import duty exemption on imports of spare parts and supplies. The total amount of subsidy for the sole exporting producer in the Philippines was 3,59%.

Injury and causation of injury

The volume of imports from the countries concerned increased between 1996 and the investigation period (by 16%), as did their share of the Community market (from 7,9% in 1996 to 12,4% in the investigation period). The prices of these imports decreased substantially during the same period (by 11%).

The Community industry was found to suffer injury in the form of a severe price depression caused by the price undercutting with the consequent deterioration of profitability (-0,8% during the investigation period).

The investigation showed that the imports from the countries concerned caused injury to the Community industry: the deterioration of the situation of the Community industry coincided with the substantial decrease in its prices. Other factors examined were not found to break the causal link.

Community interest

No reasons were found on grounds of the Community interest not to impose countervailing measures.

Measures

For each country, the total of the subsidy margin established was lower than the injury margins. The level of the duty imposed to the Malaysian exporting producers took into account the totality of the domestic subsidy plus the export subsidy amount in excess of the existing anti-dumping duty. The countervailing duty was thus 0% for one exporting producer and 1,8% for the other (the residual duty was also established at this level), which is below the total amount of subsidy found. The duty for the only Philippine exporting producer as well as the residual duty was 3,5%.

5.2.7. *Hot-rolled flat products of non-alloy steel (quarto plates) from the People's Republic of China, India and Romania*

Definitive anti-dumping measures were imposed by the Commission on 10 August 2000. The proceeding had been initiated on 13 May 1999, following a complaint lodged by the European Confederation of Iron and Steel Industries (Eurofer). A provisional anti-dumping duty was imposed on 11 February 2000.

The investigation confirmed that overall Community consumption in the investigation period (1 January 1998 to 31 March 1999) amounted to about 605.000 tonnes/month. The value of the total imports originating in the countries concerned during the same period amounted to € 25,7 million/month.

Dumping

As regards the People's Republic of China, it was decided not to grant individual treatment. As all the companies were either wholly or majority state-owned, independence from state interference could not be guaranteed and there was a risk of circumvention of the measures. The Chinese companies objected to the methodology used at the provisional stage for the calculation of the dumping margins which was based on Eurostat. They requested a more refined calculation differentiating between categories of steel. This request was partially granted.

As regards Romania, calculations were amended on the basis of the additional information submitted and the margin for India was confirmed.

The definitive dumping margins amounted to 55,5% for the People's Republic of China, 51,1% for India and 12,1% and 52,6% for Romania.

Injury

Certain exporting producers argued that the annual data examined by the Commission at the provisional stage did not demonstrate injury. They also questioned whether the subsequent quarterly analysis was pertinent, given the excellent performance of the Community industry in the investigation period.

These allegations were carefully examined. In fact, at the provisional stage, the Commission had analysed available economic indicators on a yearly, half-yearly and quarterly basis. This was in order to take into account the profound changes which occurred in the investigation period (a period of 15 months). During this time, the prices of the Community industry decreased by more than 25% and profitability by more than 22 percentage points. This clearly established a strong deterioration of the situation of the Community industry.

As exporting producers limited themselves to questioning the methodology without bringing to light new information, the Commission confirmed the existence of material injury.

Causation of injury

Some exporting producers also contested that injury was caused by dumped imports, and contended that other factors, such as imports from other third countries, the behaviour of other Community producers and the world-wide instability of the steel market, were the main causes of injury.

The Commission did not contest that these factors may have had a negative influence on the situation of the Community industry. However, this did not detract from the fact that imports from the three countries concerned, which were made in considerable volumes with substantial price undercutting, caused material injury to the Community industry.

Community interest

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

Measures

For the three countries concerned, the dumping margins were higher than the injury elimination margins; the latter therefore were used to establish the level of the definitive measures.

Definitive ad valorem duties were imposed, amounting at 8,1% for the People's Republic of China, 22,3% for India, 5,7% and 11,5% for Romania.

However as regards India and Romania, undertakings were accepted by the Commission on a company-by-company basis, allowing the exemption of these companies from the duties in force.

5.2.8. *Malleable cast iron tube or pipe fittings from Brazil, the Czech Republic, Japan, the People's Republic of China, the Republic of Korea and Thailand*

Definitive anti-dumping measures were imposed by the Council on 18 August 2000. The proceeding had been initiated in May 1999, following a complaint lodged by the Defence Committee of Malleable Cast Iron Tube or Pipe Fittings Industry of the European Union. Provisional duties were imposed in February 2000.

The investigation, which was originally also opened against Croatia and the Federal Republic of Yugoslavia, showed that the market shares were *de minimis*. It was therefore decided to terminate the investigation against these two countries (see Chapter 6).

The investigation confirmed that the total Community consumption in the investigation period (1 April 1998 to 31 March 1999) amounted to 61.000 tonnes corresponding to around € 189 million. The volume of total imports originating in the countries concerned during the investigation period amounted to around 17.500 tonnes with a value of € 12 million.

Dumping

Following the imposition of provisional measures, the Commission services analysed the comments to the disclosure of the findings received from the parties concerned. A number of adjustments and corrections were made following these comments. All co-operating companies were found to be dumping. The weighted average dumping margins per company, expressed as a percentage of the free-at-Community frontier price, ranged from 6,3% to 49,4%.

Injury and causation

After publication of provisional measures, the appropriateness of termination of the proceeding with respect to imports originating in Croatia and the Federal Republic of Yugoslavia, as well as the cumulative assessment of the effects of the imports originating in Brazil, the Czech Republic, Japan, the People's Republic of China, the Republic of Korea and Thailand were confirmed.

It was also confirmed that the Community industry suffered material injury caused by the imports from the countries concerned.

Community interest

In the absence of any new information on Community interest, it was confirmed that no compelling reasons existed not to impose measures.

Measures

Since the level of injury found exceeded the dumping margins definitively established for most companies, definitive ad valorem duties were set at the level of the latter, with the exception of Japan: 34,8% for Brazil, 49,4% for China, 26,1% for the Czech Republic, between 26,9% and 33,6% for Japan, between 13,4% and 23,4% for Korea and between 6,3% and 22,1% for Thailand. Subsequent to the imposition of provisional measures, the Korean exporting producer and one of the exporting producers in Thailand offered a price undertaking which could be accepted by the Commission since it eliminates the injurious effect of dumping. A price undertaking offered by the Japanese exporting producer was rejected because of the poor level of co-operation throughout the investigation and of the accuracy and reliability of the data provided.

5.2.9. *Styrene-butadien-styrene (SBS) thermoplastic rubber from Taiwan*

Definitive anti-dumping duties were imposed by the Council on 22 September 2000. The proceeding had been initiated in August 1999, following a complaint lodged by the European Chemical Industry Council (CEFIC) on behalf of Community producers representing a major proportion of the Community production of SBS thermoplastic rubber. Provisional anti-dumping duties were imposed in May 2000.

The investigation confirmed that the total Community consumption in the investigation period (1 July 1998 - 30 June 1999) amounted to 203.450 tonnes. The value of the total imports originating in the country concerned during the same period amounted to € 9,4 million.

Dumping

No substantiated arguments were presented in respect of findings concerning dumping and, therefore, the provisional conclusions and margins were confirmed. The definitive dumping margins were ranging from 5,3% to 9,1%.

Injury and causation of injury.

One Community importer claimed that SBS imported from Taiwan has a different fluidity and resistance than SBS produced in the Community. However, the Commission investigation revealed that producers in Taiwan produce different types of SBS with exactly the same composition as those types produced in the Community.

One Community importer claimed that dry and oil-extended SBS should be considered as two different products, arguing that dry and oil-extended SBS are used by different industries. However, the investigation has shown that many Community users, especially in the footwear industry, do not differentiate dry and oil-extended SBS. It was therefore concluded that the markets of dry and oil-extended SBS cannot be distinguished.

One Community importer argued that dry and oil-extended SBS are close to other types of products, such as SIS, which are also produced by the Community producers of SBS. The company claimed that there is no justification for distinguishing SBS from these other products. However, the investigation showed that dry and oil-extended SBS have exactly the same physical composition of butadiene and styrene, the only difference being the addition of oil at the end of the production process. This physical composition clearly distinguishes SBS from other products such as SIS (styrene-isoprene-styrene).

One Community importer pointed out that stocks and profitability have not been calculated for 1995. This was due to changes of accounting systems in one company and changes of structure in an other company. In any event, the investigation showed that the profitability was higher in 1995 than in 1996, which reinforced the injury determination.

Since no other comments were received regarding injury and the causation of injury, the findings of the provisional investigation were confirmed.

Community interest

Since no comments were received regarding the interest of the Community industry, the conclusions of the provisional investigation were confirmed.

Measures

The rates of duties for the two co-operating producers in Taiwan, were 5,3% and 9,1%, and the residual duty rate was fixed at 20%.

5.2.10. *Styrene-butadien-styrene (SBS) thermoplastic rubber (AS) from Taiwan*

Definitive countervailing duties were imposed by the Council on 22 September 2000. The proceeding had been initiated in August 1999, following a complaint lodged by the European Chemical Industry Council (CEFIC) on behalf of Community producers representing a major proportion of the Community production of SBS thermoplastic rubber. Provisional anti-dumping duties were imposed in May 2000.

The investigation confirmed that the total Community consumption in the investigation period (1 July 1998 - 30 June 1999) amounted to 203.450 tonnes. The value of the total imports originating in the countries concerned during the same period amounted to € 9,4 million.

Subsidisation

As far as loans at preferential interest rates are concerned, the Government of Taiwan claimed that these loans are generally available to almost all Taiwanese companies and therefore they are not specific and are accordingly not countervailable. As regards these claims, it is a fact that the provisions of Article 21(1) of the Statute for Upgrading Industries explicitly limit the benefits thereunder to certain enterprises which comply with a number of criteria or conditions. Those criteria or conditions were not considered to be objective within the meaning of Article 3(2)(b) of the basic Regulation, and benefits from this scheme were inevitably more relevant to some sectors than to others. Thus, this claim was rejected.

Concerning import duty exemption for equipment, the GOT claimed that this programme does not meet any of the definitions of a subsidy as set forth in Article 2 of the basic Regulation, notably because there is no direct transfer of funds, there are no goods or services provided and there is no price or income support. This claim has to be rejected because this scheme involved a financial contribution by the GOT in the form of import duties foregone, in accordance with Article 2(1)(a)(ii) of the basic Regulation, and a benefit is conferred thereby.

Concerning the import duty exemption for raw materials, the GOT claimed that this programme does not meet any of the definitions of a subsidy, because there is no direct transfer of funds, there are no goods or services provided and there is no price or income support. This claim has to be rejected because this scheme involved a financial contribution by the GOT in the form of import duties foregone, in accordance with Article 2(1)(a)(ii) of the basic Regulation.

Also, this scheme is explicitly limited to certain enterprises which comply with the conditions contained in the provisions of the specific Additional Note of the Customs Code. Such conditions are not considered to be neutral or economic in nature and horizontal in application.

The provisional findings regarding subsidisation were confirmed. The amount of countervailable subsidies for the two co-operating exporters were 1,04% and 1,50%.

Injury and causation of injury / Community interest

The findings on injury, causation of injury and Community interest can be found under point 5.2.9.

Measures

The rates of duties for the two co-operating producers in Taiwan, were 1,0% and 1,5%, and the residual duty rate was fixed at 8,2%.

5.2.11. Solutions of urea and ammonium nitrate from Algeria, Belarus, Lithuania, Russia and Ukraine

Definitive anti-dumping duties were imposed by the Council on 22 September 2000. The proceeding had been initiated on 26 June 1999, following a complaint lodged by the European Fertiliser Manufacturers Association alleging that imports of the product concerned were being dumped and were causing injury to the Community industry. Provisional anti-dumping duties were imposed in March 2000.

The investigation, which was originally also opened against the Slovak Republic showed that there was a lack of a causal link between the situation of the Community industry and imports originating from that country. It was therefore decided to terminate the investigation against this country (see Chapter 6).

The investigation confirmed that the total Community consumption in the investigation period (1 June 1998 - 31 May 1999) amounted to 3.297 K.tonnes. The value of the total imports originating in the countries concerned during the same period amounted to € 102 million.

Dumping

After definitive disclosure, the sole exporting producer in Lithuania claimed that in constructing normal value the Commission had overstated the selling, general and administrative expenses. After reviewing all the information, the normal value was recalculated and adjusted downward. For Algeria, the normal value was recalculated following a claim by the sole exporting producer which was accepted. For the three other countries, Russia, Belarus, and Ukraine, the dumping margins were recalculated using the revised normal value of the Lithuanian producer (analogue country).

One Russian co-operating exporting producer requested the Commission services to reconsider favourably its claim for individual treatment. The company was granted individual treatment as it was concluded that it would not encourage circumvention of the measures due to the different duty rates.

The definitive dumping margins found are for Algeria 9,7%, for Belarus 31,2%, for Russia 23,9% and 21,4% for the company granted individual treatment, and for Ukraine 36,6%.

Injury and causation of injury

It was confirmed that the Community industry suffered material injury, as indicated by the unfavourable development of economic indicators during the period under investigation.

The investigation also confirmed that the imports originating in the Slovak Republic did not cause material injury to the Community industry. With respect to the other countries concerned, it is confirmed that the cause for the material injury suffered by the Community industry is the imports originating in these countries. The Community industry's situation coincided in time with the significant increase in the import volumes and market shares of the countries concerned and the decrease in their prices, in particular as from 1997.

Community interest

Likewise, the conclusions reached on the Community interest aspect of the case at the provisional stage of the investigation, namely that no compelling reasons exist not to impose measures were confirmed.

Measures

The specific definitive anti-dumping duties imposed were as follows: Algeria: 6,88 €/t, Belarus: 17,86 €/t, Lithuania: 3,98 €/t, Russia: 20,11 €/t, whereas one company was granted an individual rate of 17,8 €/t, and Ukraine: 26,17 €/t. An undertaking offered by an Algerian producer was accepted by the Commission.

5.2.12. Black colorformers from Japan (formerly One Dye Black 1 and One Dye Black 2)

Definitive anti-dumping measures were imposed by the Council 13 October 2000. The proceeding had been initiated in July 1999, following a complaint lodged by European Chemical Industry Council (CEFIC) on behalf of Ciba Specialty Chemicals Plc, UK.

The investigation confirmed that the total Community consumption in the investigation period (1 July 1998 to 30 June 1999) amounted to € 33,4 million and 1.696 tonnes. The value of the total imports originating in the country concerned during the same period amounted to € 14,8 million and 735 tonnes.

Product under investigation

Originally two proceedings were initiated with regard to two black colorformers, i.e. One Dye Black 1 (ODB-1) and One Dye Black 2 (ODB-2). During the investigations it appeared that there were other black colorformers, which shared same basic chemical and physical characteristics and were used for the same purpose (coating paper for carbonless copy paper and thermal paper). Consequently, the Commission published in April 2000 a notice relating to the clarification/extension of the product scope of both proceedings and invited comments from interested parties. In view of the above, no provisional measures were imposed. On the basis of all the information

received, it was concluded that all black colorformers form one product and the two proceedings should be merged to cover one single product, i.e. black colorformers.

Dumping

None of the Japanese exporting producers did co-operate in the proceeding, and therefore dumping was examined on the basis of the facts available, leading to a dumping margin of 49,8%.

Injury and causation of injury

It was found that between 1996 and the investigation period the volume of imports of black colorformers originating in Japan increased substantially (41%) at prices which continuously decreased over the same period (-19%) and which significantly depressed the Community industry's prices by undercutting the prices quoted by the Community industry in price negotiations.

Over the same period the situation of the Community industry deteriorated in terms of production (-1%), sales (-5%) and market share (-8,5% percentage points). Despite an important decrease in its overall costs (-7%), the sharp price depression (-16%) led to severe losses. During the period considered, despite an increase in Community consumption, i.e. by 17%, the Community industry's market share decreased sharply, from 45% to 36,5%.

Community interest

In view of the fact that any negative impact on importers/traders and users was unlikely to be significant, no compelling reasons were found on grounds of Community interest not to adopt measures. Moreover, the imposition of measures was likely to restore effective competition on this market.

Measures

As the dumping margin exceeded the level of injury found and given the lack of co-operation from Japanese exporters, a definitive countrywide anti-dumping duties was imposed at the level of the latter, i.e. 18,9%.

5.2.13. *Cathode-ray colour television picture tubes from India and the Republic of Korea*

Definitive anti-dumping measures were imposed by the Council on 20 October 2000. The proceeding has been initiated on 29 July 1999, following a complaint lodged by the Taskforce against Unfair Business in Europe (TUBE) on behalf of the sole producer of certain cathode-ray colour television picture tubes ("CPTs") in the Community. The investigation had originally included imports originating in Lithuania, Malaysia and the People's Republic of China.

The investigation confirmed that the total Community consumption in the investigation period (1 July 1998 - 30 June 1999) amounted to 4.704.257 units. The value of the total imports originating in the countries concerned during the same period amounted to € 15,7 million.

Dumping

The dumping margins were revised in order to reflect the changes in the highest normal value found for Malaysia and were definitively established in respect of India and the Republic of Korea (20,5% and 19,7% respectively).

Injury and causation of injury

The deepened analysis showed that the volume of dumped imports significantly increased by 291% in the period 1997 to the investigation period. This increase coincided with a 6% drop in consumption during the same period. With regard to the average import price, it was found that in the period 1995 to 1997 an increase of 15% was established whereas between 1997 and the investigation period average import prices decreased by 30%.

The further investigation confirmed that the Community industry suffered material injury. It underwent significant price pressure, as the price decrease of 21% indicated. In addition, it was confirmed that its profitability was negative (loss of around 4 percentage points), sales volume decreased by 55% and its loss in market share was 15,5 percentage points. The average price of the dumped imports, consistently lower than that of the Community industry during the period considered, was around 12% below the Community industry's average price during the investigation period.

In addition, the more detailed investigation confirmed that the economic situation of the Community industry became particularly negative as from 1997 to the investigation period when the surge of dumped imports took place (+291%). Sales prices decreased by 19%, sales volume by 26%, market share by 7,9 percentage points, production by 15% and profitability was significantly reduced. During that period employment decreased by 13%.

It was confirmed that the dumped imports have caused material injury to the Community industry. The main factor of the injurious situation of the Community industry was the price pressure leading to financial losses and this situation could mainly be attributed to the dumped imports.

While it could not be excluded that factors other than dumped imports from the countries concerned, in particular the decrease in consumption and the imports from other third countries, may have contributed to the injury suffered by the Community industry, these factors did not break the causal link between the injury established and the imports concerned. This latter was demonstrated clearly by the substantial price decrease in particular from 1997 up to the investigation period, and the price undercutting found during the investigation period (around 12% on average).

Community interest

From the fact that other producing exporters with exception from India and the Republic of Korea were not subject to measures and that other operators in the Community may sell their CPTs produced in the Community freely on the Community market, it was concluded that the imposition of anti-dumping measures against imports from the countries concerned would not imply a disadvantage, in particular in terms of significant reduction of choice, to users in the Community.

Measures

The measures imposed were *ad valorem* duties to be applied on imports of CPTs originating in India (20,5%) and the Republic of Korea (19,7%).

5.2.14. *Polyethylene terephthalate (PET) from India, Indonesia, the Republic of Korea, Malaysia, Taiwan and Thailand*

Definitive anti-dumping measures were imposed by the Council on 30 November 2000. The proceeding had been initiated on 6 November 1999, following a complaint lodged by the Polyethylene Terephthalate Committee of the Association of Plastic Manufacturers in Europe. A provisional anti-dumping duty was imposed on 4 August 2000. Definitive countervailing duties were imposed on the same day on imports of PET originating in India, Malaysia, and Thailand.

The investigation confirmed that overall Community consumption in the investigation period (1 October 1998 to 30 September 1999) amounted to about 1.338.000 tonnes/year. The volume of the total imports originating in the countries concerned during the same period amounted to 307.000 tonnes.

Dumping

Following the imposition of provisional measures, the Commission services analysed the comments received from the parties concerned. A number of adjustments and corrections were made following these comments.

All co-operating companies were found to be dumping. However, for one of the Korean exporting producers, the dumping margin was found to be *de minimis*. The weighted average dumping margins per company, expressed as a percentage of the free-at-Community frontier price, ranged from 30% to 51,5% for India, 15,2% to 73,7% for Indonesia, from 1,4% to 55,8% for Korea, from 7,8% to 34,2% for Malaysia, from 7,8% to 12,4% for Taiwan and 32,5% for Thailand.

Injury and causation

Following the imposition of provisional measures, certain injury elements were further investigated without, however, changing the conclusions made previously.

It was concluded that the Community industry suffered material injury during the investigation period, in the form of price depression, deterioration of its financial situation, inability to raise capital and to plan the necessary new investment, and that it continued to suffer injury in the following months.

As no new information was submitted concerning causation, the finding that dumped imports had depressed PET prices on the Community market and caused material injury to the Community industry during the investigation period was maintained.

Community interest

In view of the low level of co-operation from users during the first stage of the investigation, the likely effect of the imposition of measures on the downstream industries was further investigated at the definitive stage.

The Commission services received a number of new submissions from users and their representative associations. The total level of co-operation was then considered satisfactory.

It was concluded that the negative impact of the measures on the downstream industries, including converters and producers, would be limited and outweighed by the benefits expected for the Community industry and its suppliers and, therefore, that no compelling reasons existed not to impose measures.

Measures

Measures in the form of specific duties were imposed on all the countries concerned, taking into account the countervailing duties imposed the parallel anti-subsidy investigation. Duties ranged from 0 to 187,7 €/tonne. Undertakings from two Indian exporters and one Indonesian exporter were accepted.

5.2.15. Polyethylene terephthalate (PET) (AS) from India, Malaysia and Thailand

Definitive countervailing measures were imposed by the Council on 30 November 2000. The proceeding had been initiated on 6 November 1999, following a complaint lodged by the Polyethylene Terephthalate Committee of the Association of Plastic Manufacturers in Europe (A.P.M.E) on behalf of producers representing over 85% of Community production. A provisional countervailing duty was imposed on 4 August 2000. Definitive anti-dumping duties were imposed on the same day on imports of PET originating in India, Indonesia, Malaysia, Republic of Korea, Taiwan and Thailand.

The investigation confirmed that overall Community consumption in the investigation period (1 October 1998 to 30 September 1999) amounted to about 1.338.000 tonnes/year. The volume of total imports originating in the countries concerned during the same period amounted to 307.000 tonnes.

Subsidisation

It was confirmed that the provisional countervailing measures with regard to India, Malaysia and Thailand were warranted, and that definitive measures should be imposed on imports from these countries.

Injury and causation of injury / Community interest

The findings on injury, causation of injury and Community interest can be found under point 5.2.14.

Measures

Measures in the form of a specific duties were imposed on India, Malaysia and Thailand. Duties ranged from 0 to 49,1 €/tonne. Undertakings from two Indian exporters were accepted.

5.2.16. *Electronic weighing scales (REWS) from the People's Republic of China, the Republic of Korea and Taiwan*

Definitive anti-dumping measures were imposed by the Council on 30 November 2000. The proceeding had been initiated in September 1999, following a complaint lodged by JKM Consulting which acted on behalf of Community producers representing over 50% of the Community industry for REWS.

The investigation confirmed that the total Community consumption in the investigation period (1 September 1998 to 31 August 1999) amounted to € 325 million for a quantity of 218.655 units. The volume of the total imports originating in the countries concerned during the same period amounted to 33.063 units.

Dumping

As regards the People's Republic of China, all claims for market economy status were rejected, although individual treatment was granted to all three co-operating companies. Dumping margins were based on a normal value using Indonesia as an analogue country. These ranged from 9% to 12,8%.

Dumping margins for Korea ranged from 0% to 4,7%. For Taiwan, they ranged from 5,5% to 5,9%.

Injury and causation

Consumption on the Community market increased by 35% over the period analysed due to the introduction of the Euro that led many retailers to replace their weighing scales. This had a positive effect on the Community industry in terms of production, sales volume, turnover and profitability. However, this trend linked to the introduction of the Euro is temporary in nature. Furthermore, despite favourable short term market conditions, the Community industry suffered a reduction in average prices and a loss in market share.

There was a clear coincidence in time between the significant price undercutting established and the significant market share gained by the dumped imports from the countries concerned and, on the other hand, the corresponding loss of market share suffered by the Community industry, as well as the reduction of its sales prices.

The poor economic situation of the low range segment (in which 97% of the imports from the countries concerned were concentrated) provided further evidence of a causal link. Other factors examined did not break the causal link between the dumped imports and the injury suffered by the Community industry.

Community interest

There was a low level of co-operation by users and importers, which clearly made it difficult to draw conclusions on the likely effects of anti-dumping measures in these sectors. However, it was considered that the impact was likely to be negligible, particularly for the retail sector where the proportion of costs represented by REWS was very small.

In contrast, the dumped imports from the countries concerned had caused material injury to the Community industry, which had made great efforts to remain competitive. The full extent of this injury was concealed by temporary benefits caused by the introduction of the Euro. However, in the absence of measures, the situation of the Community industry was likely to deteriorate further with the possible cessation of production of low range REWS and the viability of the entire Community industry being threatened as a consequence.

Measures

For the three countries concerned, the dumping margins were higher than the injury elimination margins; the latter were therefore used to establish the level of the definitive measures except for one company in China, for which the duty was established on the basis of the injury elimination margin.

Ad valorem duties were imposed as follows: for the People's Republic of China, individual company duties ranged from 0% to 12,8% with a residual duty of 30,7%; for Korea, individual company duties ranged from 0% to 4,7% with a residual duty of 4,9%; for Taiwan, individual company duties ranged from 5,5% to 5,9% with a residual duty of 13,4%.

5.2.17. Coke of coal in pieces with a diameter of more than 80 mm from the People's Republic of China

Definitive anti-dumping measures were imposed by the Commission on 15 December 2000. The proceeding had been initiated in September 1999, following a complaint lodged by EUCOKE-EEIG. A provisional duty was imposed in June 2000.

The investigation confirmed that the total Community consumption in the investigation period (1 July 1998 to 30 June 1999) amounted to 1.372.862 tonnes. The volume of the total imports originating in the country concerned during the same period was 383.150 tonnes.

Dumping

The further investigation did not lead to changes with regard to the dumping margin, which on a country-wide basis exceeded 60%.

Injury and causation of injury

One interested party claimed that in order to compare the product concerned and the Community foundry coke at the same level of trade, an adjustment should be made to the Chinese import prices to include the profit margin of importers. The request was considered justifiable and the undercutting margin was amended accordingly. Chinese foundry coke was definitively found to be sold in the Community at prices which undercut those of the Community industry by 25,7% during the investigation period.

The Community industry's profitability was revised to take account of a calculation error which occurred at the provisional stage. The profitability of the Community industry remained positive between 1995 and 1997 (9,4% in 1995, 14,1% in 1996 and 8,1% in 1997) whereas it decreased to 1,3% in 1998 and then to losses amounting to -5,5% in the investigation period.

On the basis of all the facts and considerations, it was clearly concluded that the Community industry suffered material injury during the investigation period. Consequently, the findings of the provisional Decision regarding injury were confirmed.

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

The further investigation into the Community interest aspects of the case confirmed that no compelling reasons existed on grounds of Community interest against the imposition of anti-dumping measures. Indeed, it was confirmed that the anti-dumping measures would have a limited impact on the main users of coke 80+ (foundries and stone wool producers). This conclusion was justified given that coke 80+ represented only a small part of users overall costs, their profitability was healthy and they were able to pass moderate cost increases on to sales prices. On the other hand, should definitive measures not be imposed, the situation of the Community industry was likely to deteriorate leading in the medium term to closures.

Measures

Subsequent to the imposition of provisional measures, certain Chinese exporters offered undertakings which could not be accepted by the Commission since they did not contain the necessary guarantees on the part of the Chinese authorities to allow adequate monitoring.

Since the injury margin was below the dumping margin established, the duty was set at the level of the former, i.e. at 43,6%. The definitive anti-dumping duty took the form of a specific amount of 32,6 €/tonne.

5.2.18. *Polyester staple fibres (PSF) from India and the Republic of Korea*

Definitive anti-dumping measures were imposed by the Council on 28 December 2000. The proceeding concerning the Republic of Korea and the one concerning India had been initiated in October and December 1999 respectively, following two complaints lodged by the International Rayon and Synthetic Fibres Committee ("CIRFS"). The two investigations were subsequently combined. Provisional anti-dumping duties were imposed in July 2000.

The value of the total imports of PSF from the countries concerned during the investigation period (from 1 October 1998 to 30 September 1999) amounted to Ecu/€ 68,8 million.

Dumping

Following the comments received from the exporting producers upon publication of the provisional measures and the disclosure of the dumping calculations, the latter were either confirmed or revised where appropriate.

Shortly after providing their comments, two exporting producers, Samyang Corporation and SK Chemicals Co. Ltd. informed the Commission that they would merge their polyester business activities into one jointly-owned company, to be named Huvis Corporation. On the basis of the additional information submitted, it was decided that a single dumping margin should be definitively established for Huvis Corporation as the weighted average of the dumping margins of the two exporting producers concerned. The dumping margin for the related trading company in Korea was set at the same level as for Huvis Corporation.

Definitive dumping margins ranged from 23,3% to 35,4% for Indian exporting producers and from *de minimis* to 20,2% for Korean exporting producers.

Injury and causation of injury

Following comments received by exporting producers in the countries concerned, the Commission re-examined a number of indicators not commented upon in the provisional Regulation. These indicators refer, amongst others, to the productivity of the Community industry, its return on investments, the development of its cash flow and wages and its ability to raise capital. The examination of the trends of these indicators however, reinforced the conclusions reached in the provisional Regulation.

Following the publication of the provisional Regulation, interested parties submitted their comments, the analysis of which however did not present any new facts that could change the above findings of the Commission.

Community interest

Following the publication of the provisional Regulation, a number of Community users and one users' association submitted comments to the Commission.

It was argued that the Community industry does not produce certain types of PSF and therefore users were forced to source these types from abroad. In addition, it was claimed that the Community industry did not have the capacity to cover the existing total market demand. Under these circumstances, certain PSF types should not be subject to measures. In respect of this claim, the investigation revealed that the Community industry's decision not to offer certain PSF types in the market was imposed by the very low prices offered for these types from exporting producers in the countries concerned and other third countries. The imposition of antidumping measures was expected to re-establish fair terms of trade in the market and permit the Community industry to extend its current production lines both in terms of output and in product types. Also, given the level of the duties proposed, imports from the countries concerned will still be able to enter the Community. Furthermore, imports from other third countries and the Community industry will ensure sufficient choice and supply to the Community users.

Another argument raised was that the Community users would find themselves in a more difficult economic situation after the imposition of the duties, as they would face higher production costs which they would not be able to pass on to the consumers, because of the competition from increased imports of downstream products.

The Commission, despite the very limited co-operation from the Community users, attempted to assess the impacts of the proposed measures using the available information. The result of this assessment is that the proposed measures would lead to an increase of production cost from 0,6% to 1,2%, all other factors remaining equal. Such a result does not suggest any significant deterioration of the situation of the Community users and therefore there were no substantial reasons against the imposition of definitive measures in this case.

Measures

For all but one company, the dumping margins established were lower than the corresponding injury margins. Definitive anti-dumping duties based on the previous consideration range from 14,7% to 35,4% for India and from 0% to 20,2% for the Republic of Korea. However, a price undertaking offered by one Indian exporting producer was accepted.

6. INVESTIGATIONS TERMINATED WITHOUT MEASURES

6.1. 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 2000, 32 new proceedings were concluded without measures, compared to 22 in 1999 and 16 in 1998. This increase is a direct consequence of the high level of investigations initiated during 1999.

An overview of the investigations terminated without measures can be found in Annex F, and a short summary of each case is given below.

6.2. Cases (in chronological order)

6.2.1. Polyester staple fibres (AS) from the Republic of Korea and Thailand

The proceeding was initiated on 22 April 1999, following complaints lodged by the International Rayon and Synthetic Fibres Committee ("CIRFS") on behalf of producers representing a major proportion of the total Community production of polyester staple fibres (PSF).

As for Korea, it was determined that the exporters received countervailable benefits in the shape of tax incentives, cheap loans and the Fixed Amount Duty Drawback Scheme and subsidies under the Localisation Scheme for the Capital Goods Industry. However, the weighted average country-wide subsidy margin for all exporters investigated was *de minimis*, i.e. below the threshold of 1% for subsidisation.

As for Thailand, this was the first investigation after the pre-Uruguay Round *ball bearings* case. It was found that the exporters received countervailable benefits in the shape of exemptions or reduction of import duties on machinery. However, it was determined that the weighted country-wide margin for subsidisation was below the applicable *de minimis* level of 2%.

In these circumstances, the proceeding was terminated without imposition of measures by a decision published on 21 January 2000.

6.2.2. *Television camera systems from the USA*

The proceeding was initiated on 22 January 1999, following a complaint lodged by Philips Broadcast Television Systems BV.

At an advanced stage of the investigation, the sole exporting producer concerned, i.e. Sony Corporation, decided to transfer its manufacturing activities of television camera systems in the USA to Europe.

In view of the discontinuation of the exports of television camera systems from the USA, the proceeding was terminated without imposition of measures on 1 February 2000.

6.2.3. *Flat rolled products of iron or non-alloy steel (hot rolled coils) from Iran*

The proceeding was initiated on 7 January 1999, following a complaint lodged by Eurofer on behalf of the Community industry.

The evidence submitted and the claim made by the exporting producer in Iran required further investigation of the market share held by this country. According to the official import statistics (Eurostat), Iran's exports to the Community were just above the *de minimis* level (1,2% market share) during the investigation period (1998). However, based on the actual level of exports from the Iranian company concerned assessed during the investigation, it emerged that the market share was below the *de minimis* threshold of 1%. Given the conflicting information, it was considered that Iran should be excluded from the scope of the anti-dumping investigation.

In these circumstances, the proceeding was terminated without imposition of measures by a decision published on 5 February 2000.

6.2.4. *Flat rolled products of iron or non-alloy steel (hot rolled coils)(AS) from South Africa*

The proceeding was initiated on 8 January 1999, following a complaint lodged by Eurofer on behalf of the Community industry.

The investigation showed that a number of the subsidy schemes listed in the complaint were considered to be actionable. However, the level of subsidisation was found to be *de minimis* in South Africa.

In these circumstances, the proceeding was terminated without imposition of measures by a decision published on 5 February 2000.

6.2.5. *Yellow phosphorus from the People's Republic of China*

The proceeding was initiated on 14 January 1999, following a complaint lodged by Thermphos International BV representing the totality of the Community production.

In the course of the investigation, Thermphos International BV withdrew its complaint. The Commission considered that the termination of the proceeding in this context would not be against the interest of the Community.

In these circumstances, the proceeding was terminated without imposition of measures by a decision published on 28 March 2000.

6.2.6. *Bicycle frames from the People's Republic of China and Taiwan*

The proceeding was initiated on 5 November 1999, following a complaint lodged by the European Bicycle Manufacturers Association (EBMA) on behalf of the Community Industry.

On 24 January 2000, EBMA formally withdrew its complaint. The Commission considered that termination of the proceeding would therefore not be against the interest of the Community.

In these circumstances, the proceeding was terminated without imposition of measures by a decision published on 3 May 2000.

6.2.7. *Bicycle forks from the People's Republic of China and Taiwan*

The proceeding was initiated on 5 November 1999, following a complaint lodged by the European Bicycle Manufacturers Association (EBMA) on behalf of the Community Industry.

On 24 January 2000, EBMA formally withdrew its complaint. The Commission considered that termination of the proceeding would therefore not be against the interest of the Community.

In these circumstances, the proceeding was terminated without imposition of measures by a decision published on 3 May 2000.

6.2.8. *Bicycle wheels from the People's Republic of China*

The proceeding was initiated on 5 November 1999, following a complaint lodged by the European Bicycle Manufacturers Association (EBMA) on behalf of the Community Industry.

On 24 January 2000, EBMA formally withdrew its complaint. The Commission considered that termination of the proceeding would therefore not be against the interest of the Community.

In these circumstances, the proceeding was terminated without imposition of measures by a decision published on 3 May 2000.

6.2.9. *Hairbrushes from Hong Kong*

The proceeding was initiated on 13 August 1999, following a complaint lodged by the 'Fédération européenne des Industries de la Brosserie et de la Pinceauterie'.

The volume of these imports was found to be negligible during the investigation period, i.e. 600.000 units with a market share of 0,6%. It was therefore considered that these imports could not be cumulated with those of the other countries concerned and that the proceeding had to be terminated at the provisional stage *vis-à-vis* Hong-Kong.

In these circumstances, the proceeding was terminated without imposition of measures by a decision published on 9 May 2000.

6.2.10. *Parts of television camera systems from Japan*

The proceeding was initiated *ex officio* by the Commission on 12 February 1999.

No provisional anti-dumping measures were imposed within nine months following the initiation.

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. The Commission presented a proposal for definitive measures to the Council, which was not adopted before the expiration of the deadline mentioned above.

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

6.2.11. *Compact disc boxes from the People's Republic of China*

The proceeding was initiated on 5 March 1999, following a complaint lodged by the European Plastics Converters (EuPC) on behalf of the Community industry.

In the course of the investigation, EuPC formally withdrew its complaint. The Commission could thus decide to terminate the proceeding unless such termination was found not to be in the Community interest. The investigation did not bring to light any such considerations.

In these circumstances, the proceeding was terminated without imposition of measures by a decision published on 24 May 2000.

6.2.12. *Stainless steel fasteners (AS) from Singapore and Thailand*

The proceeding was initiated on 26 June 1999, following a complaint lodged by the European Industrial Fasteners Institute (EIFI) on behalf of the Community industry.

The proceeding concerning imports of stainless steel fasteners and parts thereof originating in Singapore was terminated due to the fact that none of the alleged subsidies had been used by the exporting producers in Singapore.

The proceeding concerning imports of stainless steel fasteners and parts thereof originating in Thailand was terminated due to the fact that the amount of

countervailable subsidies found for the two co-operating exporting producers were either none or *de minimis*. As these exporting producers covered virtually all Thai exports into the Community, the weighted average countrywide margin was thus *de minimis*.

In these circumstances, the proceeding was terminated without imposition of measures by a regulation published on 14 July 2000.

6.2.13. *Steel wire rod from Turkey*

The proceeding was initiated on 22 May 1999, following a complaint lodged by the European Confederation of Iron and Steel Industries (EUROFER) on behalf of the Community industry.

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

In these circumstances, the proceeding was terminated without imposition of measures by a decision published on 12 August 2000.

6.2.14. *Malleable cast iron tube or pipe fittings from Croatia and the Federal Republic of Yugoslavia*

The proceeding was initiated on 29 May 1999, following a complaint lodged by the Defence Committee of Malleable Cast Iron Tube or Pipe Fittings Industry of the European Union.

The investigation concerning Croatia and the Federal Republic of Yugoslavia showed that the market shares were *de minimis*.

In these circumstances, the proceeding was terminated without imposition of measures by a decision published on 18 August 2000.

6.2.15. *Solutions of urea and ammonium nitrate from the Slovak Republic*

The proceeding was initiated on 26 June 1999, following a complaint lodged by the European Fertiliser Manufacturers Association on behalf of the Community industry.

The investigation concerning the Slovak Republic showed that there was a lack of a causal link between the situation of the Community industry and imports originating from that country.

In these circumstances, the proceeding was terminated without imposition of measures by a decision published on 22 September 2000.

6.2.16. *Woven glass fibre fabrics (AS) from Taiwan*

The proceeding was initiated in September 1999, following a complaint lodged by the European Apparel and Textile Organisation (Euratex) on behalf of the Community industry.

In the course of the investigation, Euratex formally withdrew its complaint. The Commission could thus decide to terminate the proceeding unless such termination was found not to be in the Community interest. The investigation did not bring to light any such considerations.

In these circumstances, the proceeding was terminated without imposition of measures by a decision published on 23 September 2000.

6.2.17. *Cathode-ray colour television picture tubes from Lithuania, Malaysia and the People's Republic of China*

The proceeding was initiated on 29 July 1999, following a complaint lodged by the Taskforce against Unfair Business in Europe (TUBE) on behalf of the sole producer of certain cathode-ray colour television picture tubes in the Community.

With respect to Lithuania the *de minimis* dumping margin established in the provisional Regulation (1,3%) was confirmed. Following the review of calculations carried out by the Commission, the weighted average dumping margin for the two Malaysian companies was definitively established as *de minimis*. With respect to the People's Republic of China, the market share held by Chinese imports was found to be below the *de minimis* threshold.

In these circumstances the proceeding was terminated without imposition of measures by a regulation published on 20 October 2000.

6.2.18. *Hairbrushes from the People's Republic of China, the Republic of Korea, Taiwan and Thailand*

The proceeding was initiated on 13 August 1999, following a complaint lodged by the 'Fédération européenne des Industries de la Brosserie et de la Pinceauterie'. Provisional measures were imposed in May 2000.

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. The Commission presented a proposal for definitive measures to the Council, which was not adopted before the expiration of the deadline mentioned above.

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

6.2.19. *Glycine from the People's Republic of China*

The proceeding was initiated on 24 August 1999, following a complaint lodged by the European Chemical Industry Council (CEFIC) on behalf of the sole Community producer.

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. The Commission presented a proposal for definitive measures to the Council, which was not adopted before the expiration of the deadline mentioned above.

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

6.2.20. *Polyethylene terephthalate (PET) (AS) from Indonesia, the Republic of Korea and Taiwan*

The proceeding was initiated in 6 November 1999, following a complaint lodged by the Polyethylene Terephthalate Committee of the Association of Plastic Manufacturers in Europe.

However, the investigation showed that the countrywide subsidy margin for Indonesia, the Republic of Korea and Taiwan were below *de minimis* threshold.

In these circumstances, the proceeding was terminated without the imposition of measures by a regulation published on 30 November 2000.

7. **REVIEWS OF ANTI-DUMPING AND ANTI-SUBSIDY MEASURES**

7.1. **Overview**

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

Also anti-subsidy measures may be subject, under the basic Regulation, to five different types of reviews : expiry reviews (Article 18), interim reviews (Article 19), absorption investigations (Article 19(3)), accelerated reviews (Article 20) and circumvention investigations (Article 23).

These reviews continue to represent a major part of the work of the Commission's anti-dumping services. In the period from 1996 to 2000, a total of 165 review investigations were initiated. These review investigations represented almost 43% of all investigations.

In 2000, 37 reviews were initiated. Of these, 9 were expiry reviews, 21 interim reviews, 3 newcomer review, 1 absorption reviews and 3 accelerated reviews.

An overview of the review investigations in 2000 can be found in Annexes G to L. Table 2 provides statistical information for the years 1996 - 2000.

TABLE 2
Reviews of anti-dumping and anti-subsidy investigations
during the period 1 January 1996 - 31 December 2000¹⁸

	1996	1997	1998	1999	2000
Reviews in progress at the beginning of the period	42	59	49	48	61
Reviews opened during the period	33	18	37	40	37
Reviews in progress during the period	75	77	86	88	97
Total reviews concluded during the period	16	28	38	27	44 ¹⁹
Reviews in progress at the end of the period	59	49	48	61	53

7.2. Expiry reviews

Article 11(2) and Article 18 of the basic Regulations provide for the expiry of measures after five years, unless an expiry review demonstrates that they should be maintained in their original form.

In 2000, 4 measures were allowed to expire automatically. The references for these measures are set out in Annex N.

Since the expiry (or "sunset") provision of the basic Regulations came into force in 1985, a total of 305 measures have been allowed to expire automatically.

An overview of the expiry reviews that were initiated or concluded in 2000 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. This section of the report gives a summary of each of these cases.

7.2.1. Expiry reviews initiated (in chronological order)

7.2.1.1. Urea from Russia

The expiry review was initiated on 4 March 2000, following a request lodged by the European Fertilizer Manufacturers Association (EFMA) on behalf of the Community industry. The request was supported by a total of 11 companies. Definitive duties were initially imposed in March 1995.

¹⁸ The initiation of a case concerning several countries is accounted as separate investigations/proceedings per country involved.

¹⁹ Investigations which were conducted and concluded under the specific provisions of the Regulation imposing the original measures are not counted as there was no publication of the initiation.

The request was based on the grounds that, although the quantities exported by Russia had dropped substantially since the previous investigation, the expiry of the measures would be likely to result in the continuation or recurrence of dumping and injury to the Community industry.

7.2.1.2. Colour television receivers from Malaysia, the People's Republic of China, the Republic of Korea, Singapore and Thailand

The expiry review was initiated on 1 April 2000, following a request lodged by the Producers of European Television in Co-operation (Poetic) on behalf of the Community industry. The request was supported by producers representing a major proportion of the total Community production of colour television receivers. Definitive duties were initially imposed in April 1995. At the same time, an interim review was initiated.

The request was based on the grounds that the expiry of the measures would be likely to result in the continuation or recurrence of dumping and injury to the Community industry.

7.2.1.3. Gas-fuelled, non refillable lighters from the People's Republic of China

The expiry review was initiated on 5 May 2000, following a request lodged by the European Lighters Manufacturers Federation on behalf of the Community industry. Definitive duties were initially imposed in May 1991, amended in May 1995 and extended in January 1999.

The request was based on the grounds that the expiry of the measures would be likely to result in the continuation or recurrence of dumping and injury to the Community industry.

7.2.1.4. Ammonium nitrate from Russia

The expiry review was initiated on 23 August 2000, following a request lodged by the European Fertiliser Manufacturers Association on behalf of the Community industry. The request was supported by producers representing a major proportion of the total Community production of ammonium nitrate. Definitive duties were initially imposed in August 1995. At the same time, the Commission also opened an interim review.

The request contained evidence that the expiry of the measures would result in the continuation or recurrence of dumping and injury to the Community industry. Further the request provided evidence that the current measures were not sufficient to counteract the injurious effects of dumping.

7.2.1.5. Peroxodisulphates from the People's Republic of China

The expiry review was initiated on 20 December 2000, following a request lodged by CEFIC on behalf of the Community industry. The request was supported by a total of 2 companies. Definitive duties were initially imposed in December 1995.

The request was based on the grounds that the expiry of measures would be likely to result in a continuation or recurrence of dumping and injury to the Community industry. The applicant alleged that the exports from the People's Republic of China to the Community had continued at substantial dumping margins.

7.2.2. *Expiry reviews concluded with confirmation of duty (in chronological order)*

7.2.2.1. Magnesium (dead-burned) from the People's Republic of China

The expiry review was initiated in December 1998, following a request lodged by Eurométaux, representing the Community industry. Definitive measures were initially imposed in December 1993.

The investigation has shown that substantial dumping from Chinese producers still existed on the Community market and that the market shares of these exports continued to increase. On these grounds, it was considered very likely that dumping would continue if the measures were removed.

The imposition of a minimum import price in 1993 had the effect of increasing the sales price of Chinese dead burned magnesium on the Community market. However, this was due to the fact that the Chinese producers changed the product mix of their exports to the Community by selling higher quality products, thus more expensive. When considering that change of product mix, it was established that the sales prices of the Chinese exporters on the Community market were significantly lower than those of the Community industry.

Additionally, the fact that the Chinese export price of dead-burned magnesium on the US market was significantly lower than the Community market price indicated that repealing the measures would lead to the prices of the Community industry being undercut.

The investigation established that, although the situation of the Community industry had improved in some areas, other economic factors did not develop favourably and that the Community industry was not able to fully recover from the effect of the dumping practices. In view of the above described Chinese aggressive price behaviour, their large raw material reserves and unused production capacity, it was considered more than likely that injurious dumping would continue if measures were repealed.

Any price increase for users resulting from the imposition of anti-dumping measures was not expected to be disproportionate when compared to the benefit to the Community industry achieved by the removal of the trade distortion caused by the dumped imports.

On 18 February 2000, the Council therefore concluded that anti-dumping measures should be maintained.

7.2.2.2. Potassium chloride from Belarus, Russia and Ukraine

The investigation was initiated in March 1999, as a combined expiry and interim review (limited to the form of the duty), following a request lodged by the European Association of Potash Producers representing the Community Industry. Definitive measures were initially imposed in March 1994.

The investigation established that potash consumption in the Community during the investigation period (1 January – 31 December 1998) was about 7.300.000 tonnes, primarily as a fertiliser. The volume of the imports from the three countries concerned in the same period totalled 396.000 tonnes, mostly under inward processing regime; their value amounted to € 35,3 million.

Recurrence of dumping

Canada was maintained as the analogue country. With regard to imports from Belarus and Russia, it was concluded that there had been a continuation of significant dumping. Statistics did not show any imports from Ukraine; and no co-operation was received from Ukrainian producers/exporters. It was also concluded that dumping would not stop or would recur if the measures were repealed.

Recurrence of injury

It was found that the economic situation of the Community industry had somewhat improved between 1994 and 1998; but, because several parameters had not developed very favourably, it would continue to be vulnerable to injurious dumping if the measures were allowed to lapse. Specifically, the Community industry showed a positive development of profitability as average sales prices per tonne increased. However, its sales decreased by almost 5%; its production and capacity declined with ensuing decrease of capacity utilisation. Investments decreased markedly, and so did the workforce. While Russia and Belarus were able to redirect part of their exports to other markets, their capacity utilisation continued to be exceptionally low; moreover, domestic consumption was considerably reduced in those countries. It appeared therefore that in the absence of measures, massive sales in the Community, at prices even lower than those in 1998, would be more attractive to the exporters concerned than sales to distant markets on account of lower freight costs and hard currency payments. The likelihood of recurrent, injurious dumping was manifest.

Community Interest

If dumped imports destined to free circulation were to reappear following the lapse of the current anti-dumping measures, the situation of the Community industry would again deteriorate from its current, moderately profitable situation. A further reduction of the number of employees would occur as a result.

Importers of potash were opposed to the prolongation of the measures on account of reduced competition and artificially high prices. No evidence was found of the alleged difficulties of importing potash from other producing countries as alternative sources of potash. On the other hand the different form of the measures replacing those under review would allow increasing imports from the countries concerned and stave off any feared deterioration of the importers' profitability.

Manufacturers of compound and blended fertilisers also opposed the continuation of measures. However, in spite of their increased costs attributable to raw materials - potash as well as nitrogen- it could not be proven that the continuation of measures would imply a further deterioration of their situation.

Farmers' associations did not express their opinion.

After analysing the various interests involved, it was established that the continuation of measures would prevent new injurious dumping and would offer overall benefits to the Community far larger than the disadvantages the users claimed would befall on them.

Measures

On 11 May 2000, the Council concluded that the duties established should be based on the content of potassium oxide and should vary according to the country of origin from 19,61 to 48,19 €/tonne.

7.2.2.3. Silicon carbide from the People's Republic of China, Russia and Ukraine

The expiry review was initiated in April 1999, following a request lodged by the European Chemical Industry Council (CEFIC) on behalf of Community producers representing the totality of Community production of silicon. Definitive measures were initially imposed in April 1994.

The imposition of the measures in 1994 had the effect of significantly reducing the market shares of Chinese and Ukrainian exports which fell below 1%. The market shares of exports from Russia remained relatively stable around 7%, following the acceptance of undertakings limiting Russian imports to a non-injurious volume.

The investigation has shown that significant dumping from exporting producers of the three countries concerned still existed, taking into account a normal value established on the basis of domestic sales in Brazil, which has been selected as an appropriate analogue country. No reasons were found why this actual dumping would not continue.

Since the countries concerned, especially China and Ukraine, had relatively low shares of the Community market, it was further examined whether other circumstances supported the conclusion that dumping would continue should measures be repealed.

In that respect, it was found that, due to their large unused production capacity, the three countries concerned had the potential to significantly increase their production and export volume to the Community. It was also found that, on their main export markets, the sales price of these three countries was below the normal value and also much lower than the price of silicon carbide sold by the Community producers on the Community market.

For these reasons, and due to the attractiveness of the Community market in terms of prices, it was considered more than likely that, if measures were repealed, the exports originating in Russia, Ukraine and China would significantly increase and dumping practices would continue, causing further injury to the Community industry.

As to the users and importers of silicon carbide, it appeared that the imposition of the measures in general did not have any negative effects on their economic situation. A significant number of the co-operating users and importers were in favour of the continuation of the measures.

On 26 May 2000, the Council therefore concluded that the anti-dumping measures should be maintained.

7.2.2.4. Bicycles from the People's Republic of China

The expiry review was initiated in September 1998, following a request by the European Bicycle Manufacturers' Association (EBMA) on behalf of Community bicycle producers whose collective output constituted a major proportion of total Community production. Definitive measures were initially imposed in September 1993.

The investigation showed that the dumping margin for the drastically reduced number of bicycles which entered in the Community was higher than in the original investigation. The existence of substantial production capacity available in China, the degree of circumvention found and fraudulent customs declarations further indicated that the volume of Chinese bicycle exports to the Community would in all probability reach substantial levels were the measures allowed to lapse.

All the economic indicators pertaining to the Community industry continued to show negative trends during the investigation period. One of the main reasons for this was the circumvention of the measures, which had prevented the industry from fully recovering from the previous injury. It was therefore considered that the removal of the anti-dumping duty would inevitably lead to a recurrence of material injury to the Community industry.

The Community interest investigation showed that without anti-dumping measures most of the producers included in the Community industry operating at the low-end of the bicycle market were likely to disappear. Competition and consumer choice on the Community market will thus be reduced.

In addition, it was considered that, although sales prices may decrease at the low-end of the market the Community industry's losses in sales volume would lead to higher factory break-even levels and thus price increases, in particular at the high-end of the market. On balance, the absence of anti-dumping measures would lead to a price increase, which would have to be borne by consumers.

On this basis, the Council concluded on 14 July 2000 that there were no compelling reasons for not maintaining the measures in force.

7.2.2.5. Ethanolamines from the USA

The expiry review was initiated in February 1999, following a request lodged by the European Chemical Industry Council (CEFIC) on behalf of the Community industry. In view of the allegation of changed circumstances and the likelihood of increased dumping and injury after expiry of the measures, the Commission considered it appropriate to initiate a combination of an expiry review and an interim review, the latter having to examine whether the form and level of the measures should be modified. Definitive measures were initially imposed in February 1994.

The investigation has shown that substantial dumping from US exporting producers still existed, that exports were continued to be made in significant quantities, that the dumping margins were lower than in the previous investigation and that these changes were likely to prove lasting. On this basis, it was concluded that a revision of the dumping calculation was warranted.

It was found that the Community industry had regained some market share since the measures were imposed, showing that these measures were to a certain extent effective in restoring the situation of the Community industry. However, the situation of the Community industry remained fragile as reflected by the losses incurred. This situation stemmed from the fact that, although the minimum import prices were apparently respected, the measures were not passed on by the US related importers to the first independent buyers on the Community market. As a direct consequence of this absorption, the measures could not achieve their aim of fully removing injury as reflected in the fact that the prices of the Community industry were below breakeven point and losses were incurred.

In terms of recurrence of injury, the investigation indicated that some exporting producers increased their production capacities in third countries, allowing for a likely decrease of US exports to these countries and for an increase of available production capacity in the USA, the result of which could be re-directed to the Community. Moreover, it was observed that there is a growing gap between capacity and consumption in the USA; a situation which pointed to the need for additional outlets to be found for the product concerned. In conclusion, the likelihood of the continuation or recurrence of injurious dumping was considered to be very high and maintaining the measures would therefore be in the interest of the Community industry by limiting the downward pressure on sales prices.

Users of ethanolamines, which came forward in the investigation, represented a minor share of Community consumption and were not in a position to substantiate their allegations that measures were not in the Community interest.

On the basis of the above, the Council concluded on 25 July 2000 that the measures should be maintained but not in their current form. Given that most of the US imports were made via related sales companies, it was considered that measures should be imposed in the form of a specific fixed duty which cannot be absorbed.

7.2.2.6. Fluorspar from the People's Republic of China

The expiry review was initiated in March 1999, following a request lodged by Eurométaux. Further to the request presented by the Community industry, the Commission initiated an *ex officio* interim review. Definitive measures were initially imposed in March 1994.

The request was based on the grounds that the expiry of the measures would be likely to result in the continuation or recurrence of dumping and injury to the Community industry. The investigation showed that despite the anti-dumping measures in force, the Chinese exporters had continued to export Chinese fluorspar to the Community market at dumped prices and in significant quantities. The existence of a large production capacity and the high level of stocks held by the Chinese exporters suggested that dumping would recur should the measures be allowed to lapse. Moreover, the increase in Chinese prices was mainly due to the Chinese export licence system in place which artificially mirrors export prices from the People's Republic of China and which would in all likelihood have been removed had the measures lapsed.

As far as injury is concerned, it was found that the Community industry has improved its situation. However, the period of application of the anti-dumping measures has not allowed the industry to fully recover, notably in terms of profitability, from the injurious effects of the Chinese imports which continued after the imposition of the anti-dumping measures. It was concluded that injury would continue in view of the increase in the production capacity and production of Chinese fluorspar which is unmatched by internal consumption and the likely decrease in the Chinese export prices in the absence of the export licensing system.

As regards Community interest, the investigation had shown that whilst the continuation of the measures would allow the Community industry to fully recover, the impact of the measures on users was unlikely to be significant.

On the basis of the above, the Council concluded on 26 September 2000 that if measures were allowed to lapse, dumping and injury were likely to continue and therefore measures should be maintained.

7.2.2.7. Television camera systems from Japan

The expiry review was initiated in April 1999, following a complaint lodged by Philips Digital Video Systems and Thomson Broadcast Systems, the complainants in the original investigation. Definitive measures were initially imposed in April 1994.

It was concluded that, should the measures be repealed, there was a likelihood of recurrence of injurious dumping since in the absence of measures, Japanese prices would likely remain at the current levels found on the Community market which were significantly lower than those of the Community industry and could fall to levels comparable to the prices for imports into third markets or even to the level of prices found in the original investigation.

Also, the anti-dumping measures reviewed did not have a decisive impact on users. Therefore, it was considered that there were no compelling reasons against the prolongation of the existing anti-dumping duties.

On the basis of the above, the Council concluded on 29 September 2000 that if measures were allowed to lapse, dumping and injury were likely to continue and to recur and that therefore measures should be maintained.

7.2.3. *Expiry reviews concluded by termination (in chronological order)*

7.2.3.1. Non-refillable lighters from Japan

The expiry review was initiated on 30 November 1996, following a request lodged by the European Federation of Lighter Manufacturers. An interim review was opened at the same time. Definitive measures were initially imposed in November 1991.

On the basis of the facts established in the investigation, the Commission had concluded that there was likelihood of recurrence of injurious dumping and, in April 1999, made the second of two proposals to impose definitive duties.

However, the necessary majority in the Council was not achieved to adopt a Regulation on the basis of the Commission proposal.

Article 11(2) of the basic Regulation provides that, while a review is carried out, the anti-dumping measure remains in force pending the outcome of the review. In the present case, therefore, the result of the Council deciding not to adopt a Regulation on the basis of a Commission proposal would have had the consequence that the review proceeding would remain open and the existing measure would remain in force for an unlimited period of time.

In these circumstances, the Commission considered that the anti-dumping duty should be repealed in order to avoid both an undue duration of the review and the remaining in force of the anti-dumping measure for an indefinite period of time.

Consequently, the anti-dumping duty was repealed on 27 January 2000.

7.2.3.2. Large aluminium electrolytic capacitors (LAECs) from Japan

The expiry review was initiated on 3 December 1997, following a request lodged by the Federation for Appropriate Remedial Anti-Dumping (FARAD). Definitive measures were initially imposed December 1992.

The investigation was conducted simultaneously with an investigation pursuant to Article 5 of the basic Regulation on imports of LAECs originating in the USA and Thailand and with a review pursuant to Article 11(3) of the basic Regulation of the anti-dumping measures applicable to imports of LAECs originating in the Republic of Korea and Taiwan.

Since the conclusions of the investigation regarding Japan were the same as those of the investigation regarding the USA and Thailand, and given the absence of measures on the USA and Thailand, the imposition of measures on imports originating in Japan would be discriminatory and thus contrary to Article 9(5) of the basic Regulation.

In these circumstances, the investigation was terminated on 27 January 2000.

7.2.3.3. Low carbon ferro-chrome from Russia and Kazakhstan

The expiry review was initiated on 2 October 1998, following a request by Euro Alliances on behalf of the Community industry. Definitive measures were initially imposed in October 1993.

The investigation established that dumping did not occur during the investigation period (i.e. from January to September 1998) as concerns the Russian exporting producers, which all co-operated. The Kazakh exporting producer did not co-operate. During the investigation period, according to Eurostat, there was no indication of exports from Kazakhstan into the Community market, therefore no determination of dumping was undertaken.

As to the likelihood of recurrence of dumping it was concluded that it was unlikely that dumping would recur for both Kazakhstan and Russia. As to Russia, account was taken in particular of the market behaviour in the USA, where Russia exported significant volumes of low carbon ferro-chrome and where the export price was higher than the normal value. Secondly, it appeared unlikely that Russian exporting producers would lower their export prices in the Community to a degree that they would be dumped. In fact, considering that the Russian export prices to the Community market were much lower than those of the Community industry, it appeared that there would be no reason for the Russian exporting producers to further lower their prices to a dumped level.

As to Kazakhstan, although massive capacities of chromium ore reserves exist in that country, the investigation revealed outdated equipment and failure to privatise, restructure and modernise the industry. Moreover, based on the information available and taking into account that the Kazakh production is focused on medium and high carbon ferro-chrome rather than low carbon ferro-chrome, it appeared unlikely that any significant resumption of imports of the product concerned would recur.

In these circumstances, the investigation was terminated on 25 March 2000.

7.3. Interim reviews

Article 11(3) and Article 19 of the basic Regulations provide 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. In carrying out the investigations, it is being considered, *inter alia*, whether the circumstances with regard to dumping and injury have changed significantly. Reviews can be limited to dumping/subsidization or injury aspects.

In 2000, 21 such interim reviews were initiated.

An overview of these reviews can be found in Annex H. This section of the report gives a summary of each of these cases.

7.3.1. *Interim reviews initiated (in chronological order)*

7.3.1.1. Stainless steel fasteners and parts thereof from the People's Republic of China

The interim review was initiated on 12 January 2000, following a request lodged by the Chinese exporting producer Bulten Fasteners (China) Co Ltd. Definitive anti-dumping measures were initially imposed on 20 February 1998. At the same time, a new exporter review was opened.

The company claimed that it operated under market economy conditions and that it was not related to any of the exporting producers subject to the anti-dumping measures in force. Furthermore, it claimed that it had not exported the product concerned during the original period of investigation, but had started exports to the Community after that period.

7.3.1.2. Stainless steel bars from India

The interim review was initiated on 26 January 2000, following a request from one of the exporters who co-operated in the original investigation. Definitive duties were initially imposed on 14 November 1998.

The grounds for the interim review were based on the applicant's allegation that the duty rate imposed by the definitive regulation was no longer necessary to offset the countervailable subsidy being received by the applicant.

The interim review was limited to the issue of whether the rate of duty should be adapted in order to ensure the continued accuracy of the measures.

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

The interim review was initiated on 8 February 2000, following a request lodged by two Italian importers, Pro.cat Scarl and De Stefani Luigi. Definitive duties were initially imposed on 7 November 1998.

The request was based on the clarification of the product coverage of these anti-dumping measures. It was clear at the time of the original investigation that measures could be easily circumvented by intentionally adding other elements to the product concerned in order to create alloys. It was therefore decided that such "artificial" alloys should be covered by the measures whilst those which conformed to known industrial standards should be excluded from them.

7.3.1.4. Television camera systems from Japan

The interim review was initiated on 12 February 2000, following a request lodged by Hitachi Denshi Ltd, an exporting producer of television camera systems that took part in the original investigation. Definitive duties were initially imposed on 30 April 1994 and, since the initiation of the above review, confirmed further to an expiry review on 29 September 2000.

The request was based on the grounds that a review of the measures would be likely to result in a repeal or a reduction of the anti-dumping duty applicable to the applicant. It was limited in scope to the examination of dumping as far as the applicant is concerned.

7.3.1.5. Colour television receivers from Malaysia, the People's Republic of China, the Republic of Korea, Singapore and Thailand

The interim review was initiated on 1 April 2000, following a request lodged by the Producers of European Televisions in Co-operation (Poetic) on behalf of the Community industry. Definitive duties were initially imposed on 1 April 1995. At the same time, an expiry review was initiated.

The grounds for the interim review were based on information available which showed that the various markets involved and the product itself, underwent significant changes over the last few years.

7.3.1.6. Polyester textured filament yarn (PTY) from Thailand

The interim review was initiated on 20 June 2000, following a request lodged by the Thai exporter Sunflag. Definitive duties were initially imposed on 12 November 1996.

The request was limited in scope to the examination of dumping as far as the applicant was concerned and was based on the grounds that the review would most likely result in the repeal of the current anti-dumping duty applicable to the above exporter as the circumstances had changed and were likely to be of a lasting nature.

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

The interim review was initiated on 1 July 2000 on the Commission's own initiative. Definitive duties were initially imposed on 30 April 1998.

The request was based on the grounds that significant changes occurred in the trade pattern between third countries and the Community, both in terms of import volumes and import prices which indicated changed circumstances. Allegation had also been made that the effectiveness of the anti-dumping measures had been undermined by slight changes in the product itself.

7.3.1.8. Ammonium nitrate from Russia

The interim review was initiated on 23 August 2000, following a request lodged by the European Fertiliser Manufacturers Association on behalf of the Community industry. Definitive duties were initially imposed on 23 August 1995. An expiry review was initiated at the same time.

The request contained evidence that the expiry of the measures would result in the continuation or recurrence of dumping and injury to the Community industry. Further the request provided evidence that the current measures were not sufficient to counteract the injurious effects of dumping.

7.3.1.9. Bicycles from the People's Republic of China

The interim review was initiated on 30 September 2000, following requests lodged by four Chinese exporters. Definitive duties were initially imposed in 1993 and were maintained in July 2000 following an expiry review.

The requests were limited in scope to dumping and were based on the grounds that the applicants operated under market economy conditions in respect of the manufacture and sale of the product concerned, and that circumstances had changed significantly with regard to the dumping previously established. The existing measures would therefore be no longer necessary to offset dumping.

7.3.1.10. Lighters (gas-fuelled non-refillable) from Thailand

The interim review was initiated on 31 October 2000, following a request lodged by the Thai company Thai Merry Co., Ltd. Definitive duties were initially imposed and undertakings accepted on 6 March 1997.

The request was based on the grounds that the circumstances on the basis of which the measures were established had changed and that these changes were of a lasting nature.

7.3.1.11. Polyester staple fibres (PSF) from Belarus

The interim review was initiated on 8 December 2000, following a request lodged by Khimvolokno, an exporting producer of PSF that took part in the original investigation. Definitive duties were initially imposed on 30 July 1996.

The request was based on the grounds that the circumstances on the basis of which the measures were established had changed and that these changes were of a lasting nature. The applicant alleged, *inter alia*, that the domestic prices in the analogue country Taiwan which were used to determine the normal value in the previous investigations had decreased significantly and substantially more than the export prices from Belarus to the Community resulting in a much lower dumping margin. The review was limited in scope to the examination of dumping as far as the applicant is concerned.

7.3.2. *Interim reviews concluded with confirmation/amendment of duty (in chronological order)*

7.3.2.1. Television camera systems from Japan

Definitive anti-dumping duties were initially imposed on 30 April 1994. The definitive anti-dumping duties were confirmed further to an expiry review on 29 September 2000. The Council exempted from the application of the duty professional camera systems, which are listed in the Annex to the Regulations imposing definitive measures.

Between November 1998 and May 1999 five Japanese exporting producers of television and professional camera systems requested that certain successor models of professional camera systems should be exempted from the duty in force.

The Commission examined the requests and on 27 January 2000, the Council concluded that the models under consideration were professional camera systems which should be excluded from the scope of the duty.

7.3.2.2. Seamless pipes and tubes of iron or non-alloy steel from Russia

The interim review was initiated on 20 March 1999, following a request from Russian exporters and was limited in scope to the examination of the acceptability of an undertaking. Definitive measures were initially imposed in November 1997.

At the time of the imposition of the definitive measures against imports of the product in question originating in different eastern Europe countries, most exporters in these countries had offered undertakings which had been accepted by the Commission.

In the case of Russia, the Commission had not accepted the offer as it did not contain the necessary guarantees on the part of the Russian authorities to allow adequate monitoring.

The Russian authorities having subsequently provided new guarantees, the new investigation revealed that the undertaking which was offered jointly by the Russian authorities and the Russian exporters concerned was modelled on those offered and accepted in the original investigation and that the Russian Ministry of Trade guaranteed to supervise and monitor the undertaking.

Having carefully examined the situation, the Commission accepted the undertaking and on 28 January 2000, the Council amended the existing measures in order to allow the adequate functioning of the measures.

7.3.2.3. Potassium chloride from Belarus, Russia and Ukraine

The interim review was initiated by the Commission on its own initiative on 23 March 1999. Definitive measures were initially imposed in March 1994.

In view of the allegation of changed circumstances and the likelihood of increased dumping and injury after expiry of the measures, the Commission considered it appropriate to initiate a combination of an expiry review and an interim review, the latter having to examine whether the form and level of the measures should be modified.

The conclusions of the investigation are set out under point 7.2.2.2.

In view of the findings, the Council amended the existing measures on 11 May 2000.

7.3.2.4. Tube and pipe fittings of iron or steel from Thailand

The interim review was initiated on 22 July 1999, following a request made by BKL Fittings Ltd, a UK importer, and by its related Thai supplier, Thai Benkan Co. Ltd. Definitive measures were initially imposed in April 1996.

The investigation found dumping to have stopped for a number of reasons, including a fall in normal values and an increase in export prices. These changes were considered to be of a lasting nature. This is particularly the case in respect of the recalculation of the export price using actual data and, to a degree, to the fall in normal value.

In view of the findings, the Council concluded on 21 July 2000 that the measures for two companies should be repealed. However, since the repeal of the measures does not concern Thailand as a whole, the exporter Thai Benkan Co. Ltd. remains subject to the proceeding and may be re-investigated in any subsequent review.

7.3.2.5. Ethanolamines from the USA

The interim review was initiated on 2 February 1999, following a request lodged by the European Chemical Industry Council (CEFIC) on behalf of the Community industry. Definitive measures were initially imposed in February 1994.

In view of the allegation of changed circumstances and the likelihood of increased dumping and injury after expiry of the measures, the Commission considered it appropriate to initiate a combination of an expiry review and an interim review, the latter having to examine whether the form and level of the measures should be modified.

The conclusions of the investigation are set out under point 7.2.2.5.

In view of the findings, the Council amended the existing measures on 25 July 2000.

7.3.2.6. Polyester textured filament yarn from Malaysia

The interim review was initiated on 30 July 1999, following a request by Hualon Corporation (M) Sdn.Bhd., a Malaysian exporting producer. The request was limited in scope to the examination of dumping as far as the applicant was concerned. Definitive duties were initially imposed in June 1997.

The investigation found that dumping during the investigation period had been reduced to 3,2% due to a fall in the normal value and an increase in export prices. These changes were considered to be of a lasting nature.

In the light of the foregoing, the Council amended on 22 September 2000 the existing measures by reducing the duty in force for Hualon Corporation to 3,2%.

7.3.2.7. Polyester textured filament yarn from Taiwan

The interim review was initiated on 21 May 1999, following a request by LeaLea Enterprise Co. Ltd., a Taiwanese exporting producer. The request was limited in scope to the examination of dumping as far as the applicant was concerned. Definitive measures were initially imposed in June 1996.

The investigation found that dumping during the investigation period had been reduced to a *de minimis* level due to a fall in the normal value and an increase in export prices. These changes were considered to be of a lasting nature. This was

particularly the case in respect of the reduction in the normal value, triggered by a better production efficiency that led to a lasting drop in production costs.

In view of the findings, the Council concluded on 26 September 2000 that the measures for LeaLea should be repealed. However, since the repeal of the measures does not concern Taiwan as a whole, the exporter LeaLea remains subject to the proceeding and may be re-investigated in any subsequent review.

7.3.2.8. Fluorspar from the People's Republic of China

The interim review was initiated on 4 March 1999, following a request lodged by Eurométaux on behalf of the Community industry. Definitive measures were initially imposed in March 1994.

In view of the allegation of changed circumstances and the likelihood of increased dumping and injury after expiry of the measures, the Commission considered it appropriate to initiate a combination of an expiry review and an interim review, the latter having to examine whether the form and level of the measures should be modified.

The conclusions of the investigation are set out under point 7.2.2.6.

In view of the findings, the Council amended the existing measures on 26 September 2000.

7.3.2.9. Microwave ovens from the Republic of Korea

The interim review was initiated on 15 June 1999, following a request by a Korean exporter, LG Electronics Inc. Definitive duties were initially imposed in January 1996. The request was limited in scope to an examination of whether the continued imposition of the duty (at its current level) was necessary.

Following publication of the notice of initiation, a second Korean company, Daewoo Electronics Co. Ltd, made a satisfactory request to be admitted to the review proceeding.

In view of the findings, the Council concluded on 29 September 2000 that the measures for the two companies should be repealed. However, since the repeal of the measures does not concern Korea as a whole, the two exporters remain subject to the proceeding and may be re-investigated in any subsequent review.

7.3.2.10. Stainless steel fasteners and parts thereof from the People's Republic of China

The interim review was initiated on 12 January 2000, following a request lodged by the Chinese producer Bulten Fasteners (China) Co Ltd. At the same time, a new exporter review was initiated. Definitive anti-dumping measures were initially imposed in February 1998.

The investigation confirmed the "new exporter" and the "market economy" status of the company concerned.

In view of these findings, the Council amended on 24 November 2000 the existing measures by reducing the anti-dumping duty imposed on this Chinese exporter from 74,7% to 18,5%.

7.3.2.11. Television camera systems from Japan

Definitive anti-dumping duties were initially imposed on 30 April 1994. The definitive anti-dumping duties were confirmed further to an expiry review on 29 September 2000. The Council exempted from the application of the duty professional camera systems.

In December 1999, Matsushita, a Japanese exporting producer of television and professional camera systems, requested to exempt certain successor models of professional camera systems already exempted.

The Commission examined the request and on 8 December 2000, the Council concluded that the models under consideration were professional camera systems which should be excluded from the scope of the duty.

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

The interim review was initiated on 8 February 2000, following a request lodged by two Italian importers, Pro.cat Scarl and De Stefani Luigi. Definitive measures were initially imposed in November 1998.

The investigation showed that there was another set of alloys meeting international standards which had not been known at the time of the original proceedings. It was therefore decided to exclude this further category of alloys.

On 21 December 2000, the Council amended the existing measures accordingly.

7.3.3. *Interim reviews concluded by termination (in chronological order)*

7.3.3.1. Lighters (non-refillable) from Japan

The interim review was initiated on 30 November 1996. An expiry review was opened at the same time. Definitive measures were initially imposed in November 1991.

The conclusions of the investigation are set out under point 7.2.3.1.

In view of the findings, the Council repealed the anti-dumping measures on 27 January 2000.

7.3.3.2. Large aluminium electrolytic capacitors (LAECs) from Japan

The interim review was initiated on 3 December 1997 on the Commission's own initiative, in order to consider the impact of changed circumstances in relation to technical developments for the product as well as market conditions on dumping and injury. At the same time, the Commission initiated an expiry review, following a request by the Federation for Appropriate Remedial Anti-Dumping (FARAD). Definitive measures were initially imposed in December 1992.

The conclusions of the investigation are set out under point 7.2.3.2.

In view of the findings, the Council repealed the anti-dumping measures on 27 January 2001.

7.3.3.3. Large aluminium electrolytic capacitors (LAECs) from the Republic of Korea and Taiwan

The interim review was initiated on 7 April 1998 on the Commission's own initiative, in order to allow the Commission to form a better overall view of the impact on the Community industry of the imports originating from the main exporting countries, including Japan, the USA and Thailand which were also being investigated. The investigations were conducted simultaneously. Definitive measures were initially imposed in June 1994.

Since the conclusions of the investigation regarding the Republic of Korea and Taiwan were the same as those of the investigation regarding the USA and Thailand, and given the absence of measures on the USA and Thailand, the imposition of measures on imports originating in the Republic of Korea and Taiwan would be discriminatory and thus contrary to Article 9(5) of the basic Regulation.

In these circumstances, the Council terminated the investigation on 27 January 2000.

7.3.3.4. Bicycle parts from the People's Republic of China

Three anti-dumping proceedings were initiated concerning imports of frames, forks and complete wheels of bicycles originating, *inter alia*, in the People's Republic of China on 5 November 1999. At the same time, the Commission opened on its own initiative an interim review because, in the event of measures being imposed on bicycle frames, forks and complete wheels, the continued extension of the measures imposed on the above mentioned bicycle parts would no longer be appropriate. Definitive measures on bicycle parts were initially imposed in January 1997.

On 24 January 2000, the complainant formally withdrew its complaints. The Commission considered that termination of the proceedings would therefore not be against the interest of the Community.

In these circumstances, the Commission decided on 2 May 2000 to terminate the interim review. Regulations (EEC) No 2474/93 and No (EC) 71/97 remain in force.

7.3.3.5. Magnetic disks (3,5" microdisks) from Taiwan

The interim review was initiated on 26 June 1999, following a request submitted by CIS Technology Inc., a Taiwanese exporting producer which declared that it produced and sold for export to the Community the product concerned. Definitive measures were initially imposed in October 1993.

In January 2000, the applicant informed the Commission of its decision to withdraw the request for a review.

In these circumstances, the Commission decided on 27 May 2000 to terminate the interim review.

7.3.3.6. Stainless steel bars (AS) from India

The interim review was initiated on 26 January 2000, following a request from one of the exporters who co-operated in the original investigation. Definitive measures were initially imposed in November 1998.

In May 2000, the applicant informed the Commission of its decision to withdraw the request for a review.

In these circumstances, the Commission decided on 7 December 2000 to terminate the interim review.

7.4. New exporter reviews

As far as the anti-dumping measures are concerned, Article 11(4) of the basic Regulation allows for a review ("newcomer" review) to be carried out in order to determine individual margins of dumping for new exporters located 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 started to export 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.

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 Article 14(5) of the basic Regulation 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.

As far as anti-subsidy measures are concerned, Article 20 of the basic Regulation allows for a review ("accelerated" review) to be carried out in order to establish promptly an individual countervailing duty. Any exporter whose exports are subject to a definitive countervailing duty but who was not individually investigated during the original investigation for reasons other than a refusal to co-operate with the Commission can request such review.

An overview of the anti-dumping newcomer reviews can be found in Annex I. Annex L lists the accelerated reviews. This section of the report gives a summary of each of these cases.

In 2000, 3 new exporter reviews and 3 accelerated reviews were initiated. Since the Commission carried out the first reviews of this type in 1990, a total of 32 investigations have been initiated.

7.4.1. *New exporter reviews initiated (in chronological order)*

7.4.1.1. Stainless steel fasteners and parts thereof from the People's Republic of China

The new exporter review was initiated on 12 January 2000, following a request lodged by the Chinese producer Bulten Fasteners (China) Co Ltd. At the same time, an interim review was initiated. Definitive anti-dumping measures were initially imposed in February 1998. (See also point 7.3.1.1.)

7.4.1.2. Stainless steel wire (= or > 1 mm diameter) from India (AS)

The accelerated review investigation was initiated on 3 March 2000, following a request lodged by two Indian exporters, Capico Trading Pvt. Ltd. and Atlas Stainless Corporation Ltd.. Definitive duties were initially imposed in July 1999.

The applicants alleged that they did not export the product concerned to the Community during the investigation period. They further alleged that they began exporting the product concerned to the Community after the end of the investigation period, or intended to do so, and that they were not related to any other exporters of the product in India.

7.4.1.3. Stainless steel bars from India (AS)

The accelerated review investigation was initiated on 3 March 2000, following a request lodged by the Indian exporter, Capico Trading Pvt. Ltd. Definitive duties were initially imposed in November 1998.

The applicant alleged that it did not export the product concerned to the Community during the investigation period. It further alleged that it had begun exporting the product concerned to the Community after the end of the investigation period, or intended to do so, and that it was not related to any other exporters of the product in India.

7.4.1.4. Sacks and bags of polyethylene or polypropylene from India

The new exporter review was initiated on 24 March 2000, following a request lodged by the Indian producer, Subham Polymers Ltd. Definitive measures were initially imposed in October 1997.

This request was based on the grounds that this company had not exported the product concerned to the Community during the investigation period, that it had begun exporting the product concerned to the Community after the end of the investigation period and that it was not related to any of the exporting producers of the product concerned which are subject to the anti-dumping measures.

7.4.1.5. Flat rolled products of iron or non-alloy steel (hot rolled coils) from India (AS)

The accelerated review investigation was initiated on 14 July 2000, following a request lodged by two Indian exporters, Ispat Industries Ltd. and Jindal Vijayanagar Steel Ltd. Definitive duties were initially imposed in February 2000.

The companies concerned claimed that they were not related to any other exporter of the product concerned in India. Furthermore, they claimed that they did not export

the product concerned during the original investigation period but had exported the product concerned to the Community since then.

7.4.1.6. Flat rolled products of iron or non-alloy steel (hot rolled coils) from India

The new exporter review was initiated on 6 October 2000, following a request by Ispat Industries, India. Definitive duties were initially imposed in February 2000.

The request was based on the grounds that the applicant only begun exporting the product concerned to the Community after the end of the original investigation period, and that it was not related to any of the exporting producers of the product concerned which were subject to the anti-dumping measures for imports of hot-rolled coils from India.

7.4.2. *New exporter reviews concluded with imposition/amendment of duty (in chronological order)*

7.4.2.1. Handbags (leather) from the People's Republic of China

The newcomer review investigation was initiated on 23 January 1999, following applications lodged by five Chinese exporters. Definitive measures were initially imposed in August 1997.

The investigation showed that the five applications were inadmissible and that therefore it was not necessary to establish export prices, normal values and dumping margins in respect of the applicants.

Consequently, on 27 January 2000, the Council decided to re-introduce the country-wide ad valorem duty of 38% applicable to imports of Chinese leather handbags retroactively from the date of initiation of the investigation.

7.4.2.2. Cotton-type bed linen from Egypt, India and Pakistan

Definitive measures were initially imposed in December 1997. The new exporter investigation was conducted and concluded under the specific provisions of the regulation imposing the original measures.

At the time, due to the large number of exporting producers in these countries, the investigation of dumping was based on samples of exporting producers. An individual duty rate was finally imposed to each one of the sampled exporting producers. An average duty rate was imposed to all other co-operating exporting producers not included in the sample of their country. The regulation provided that the average duty rate by country should also be imposed to any new exporting producer which would satisfy the new exporters criteria.

The Commission received requests from three new Indian exporting producers. Following an examination of these requests, the Council amended on 16 March 2000 Regulation (EC) No 2398/97 in order to make exports of these Indian exporting producers subject to the average duty of 11,6%.

7.4.2.3. Bicycles from Taiwan

Definitive measures were initially imposed in February 1999. The new exporter investigation was conducted and concluded under the specific provisions of the regulation imposing the original measures.

At that time, due to the large number of exporting producers in Taiwan, the investigation of dumping was based on a sample of exporting producers. An individual duty rate was finally imposed to each one of the sampled exporting producers. An average duty rate was imposed to all other co-operating exporting producers not included in the sample. The regulation provided that the average duty rate should also be imposed to any new exporting producer which would satisfy the new exporters criteria.

The Commission received requests from four new Taiwanese exporting producers. Following an examination of these requests, the Council amended on 26 May 2000 Regulation (EC) No 397/1999 in order to make exports of these Taiwanese exporting producers subject to the average duty of 5,4%.

7.4.2.4. Flat pallets of wood from Poland

Definitive measures were initially imposed in November 1997. The new exporter investigation was conducted and concluded under the specific provisions of the regulation imposing the original measures.

At the time, due to the large number of exporting producers in Poland, the investigation of dumping was based on a sample of exporting producers. An individual duty rate was finally imposed to each one of the sampled exporting producers. An average duty rate was imposed to all other co-operating exporting producers not included in the sample. The regulation provided that the average duty rate should also be imposed to any new exporting producer which would satisfy the new exporters criteria.

The Commission received requests from eight new Polish exporting producers. Following an examination of these requests, the Council amended on 14 July 2000 Regulation (EC) No 2334/97 in order to make exports of these Polish exporting producers subject to the average duty of 6,3%. The Commission also accepted undertakings from six of these eight exporting producers in respect of a specific pallet type, the EUR-pallet.

7.4.2.5. Stainless steel fasteners and parts thereof from the People's Republic of China

The new exporter review was initiated on 12 January 2000, following a request lodged by the Chinese producer Bulten Fasteners (China) Co Ltd. At the same time, an interim review was opened. Definitive measures were initially imposed by the Council in February 1998.

The investigation confirmed the "new exporter" and the "market economy" status of the company concerned. On 24 November 2000, the Council amended the existing measures by reducing the anti-dumping duty imposed on this Chinese exporter from 74,7% to 18,5%.

7.4.2.6. Salmon from Norway

Definitive measures were initially imposed in September 1997. The new exporter investigation was conducted and concluded under the specific provisions of the regulation imposing the original measures.

Two Norwegian companies made themselves known to the Commission, claiming to be new exporters and requested that the exemption of duties be extended to them. They demonstrated that they did not export the product concerned to the Community during the investigation period and showed that they were not related to any of the companies in Norway which are subject to the measures.

The companies offered undertakings, by which they both agreed to sell the product concerned at or above price levels which eliminate the injurious effects of dumping and subsidisation. They will also provide the Commission with regular and detailed information concerning their exports to the Community, meaning that the undertakings can be monitored effectively.

The undertakings have therefore been considered acceptable and the annex, which lists the companies from which undertakings are accepted, was amended accordingly on 30 November 2000.

7.4.2.7. Sacks and bags of polyethylene or polypropylene from India

The new exporter review was initiated on 24 March 2000, following a request lodged by the Indian producer, Subham Polymers Ltd. Definitive anti-dumping measures were initially imposed in October 1997.

The investigation showed that the exporting producer's sales to the Community consisted of a single shipment and did not permit a meaningful assessment of the situation of dumping as regards this exporting producer. Moreover, the company did not supply a satisfactory questionnaire reply.

On 15 December 2000, the Council therefore concluded that the weighted average duty of the Indian companies investigated during the original anti-dumping investigation, i.e. 10,5%, would constitute the most appropriate anti-dumping duty for the company concerned.

7.5. 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, is included in Article 12 and Article 19(3) of basic Regulations.

In 2000, 1 new investigation was initiated.

An overview of such investigations can be found in Annex J. This section of the report gives a summary of each of the cases.

7.5.1. *Anti-absorption investigations initiated (in chronological order)*

7.5.1.1. Polypropylene binder or baler twine from Poland

The investigation was initiated on 9 August 2000, following a request lodged by the Liaison Committee of EU Twine, Cordage & Netting Industries (EUROCORD) on behalf of the Community industry. Definitive duties were initially imposed in March 1999.

The request was based on the grounds that the duties imposed had allegedly not led to any movement or sufficient movement in resale prices or subsequent selling prices in the Community. The evidence contained in the request showed that export prices and resale prices in the Community of the product concerned had fallen significantly since the imposition of the anti-dumping measures.

7.5.2. *Anti-absorption investigations concluded with increase of duty (in chronological order)*

7.5.2.1. Glyphosate from the People's Republic of China

The investigation was initiated on 6 August 1998, following a request made on behalf of Community producers whose collective output of glyphosate constituted a major proportion of the total Community production. Definitive measures were initially imposed in February 1998.

The investigation showed that there was a direct fall in export prices which was considered the reason for the lack of movement in resale prices and subsequent selling prices in the Community following the imposition of measures and, therefore, the absorption of measures was reflected in the fall in export prices.

Accordingly, on 25 May 2000, the Council amended the regulation imposing the definitive measures.

7.5.2.2. Ring binder mechanisms from the People's Republic of China

The investigation was initiated on 19 January 1999, following a request lodged by Koloman Handler AG and Robert Krause Ringbuchtechnik GmbH. Definitive anti-dumping measures were initially imposed in January 1997.

The investigation showed that resale prices failed to adequately reflect the cost of the anti-dumping duty and that the measures imposed have been to a large extent absorbed.

Accordingly, on 5 October 2000, the Council amended the regulation imposing the definitive measures.

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

The investigation was initiated on 4 September 1999, following a request lodged by the Comité de Liaison des Industries de Ferro-Alliages (Euro Alliages). Definitive measures were initially imposed in November 1998.

The investigation showed that the resale prices of Chinese magnesium in the Community have slightly decreased whilst they should have gone up by the amount of the duties charged. There was no satisfactory explanation given for the absence of a price increase following adoption of the measures. Clear evidence of full absorption was therefore established.

The investigation also showed that the form of the measures imposed following the original investigation was effective and still appeared to be appropriate, as absorption was only established in respect of the *ad valorem* duty but not the variable duty. Therefore the form of the measures did not need to be modified.

Accordingly, on 20 October 2000, the Council amended the regulation imposing the definitive duties by increasing the level of the *ad valorem* duty to 63,4%, while maintaining the minimum import price at its former level.

7.5.3. *Anti-absorption investigations concluded without increase of duty/termination (in chronological order)*

7.5.3.1. Stainless steel fasteners and parts thereof from Malaysia and Thailand

The investigation was initiated on 6 May 1999, following a request lodged by the European Industrial Fasteners Institute. Definitive measures were initially imposed in February 1998.

The request contained prima facie information showing that the duties imposed had led to no movement, or insufficient movement in resale prices or subsequent selling prices in the Community, and that this indicated that the duties had been borne, wholly or partly, by the respective producers/exporters.

In January 2000, the applicant formally withdrew its request.

In these circumstances, the investigation was terminated on 29 April 2000.

7.6. **Circumvention investigations**

The possibility of investigations being re-opened in circumstances where evidence is brought to show that measures are being circumvented was introduced by Article 13 and Article 23 of the basic Regulations.

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. The duties may be extended to imports from third countries of like products, or parts thereof, if circumvention is taking place.

An overview of such investigations are given in Annex K. This section of the report gives a summary of each of these cases.

7.6.1. *Anti-circumvention investigations initiated (in chronological order)*

In 2000, the Commission did not initiate any anti-circumvention investigations.

7.6.2. *Anti-circumvention investigations concluded with extension of duty (in chronological order)*

7.6.2.1. Tube and pipe fittings, of iron or steel from the People's Republic of China

The anti-circumvention investigation was initiated on 30 July 1999, following a request lodged by the Defence Committee of the Community steel butt-welding fittings industry. Definitive measures were initially imposed in April 1996.

During the course of the investigation, it was found that there had been a change in the pattern of trade stemming from a practice, process or work for which there was insufficient due cause or economic justification other than the imposition of the existing duty. There was also evidence that the remedial effects of the duty were being undermined in terms of prices and quantities and of dumping in relation to the normal values previously established.

The duties imposed on imports of certain tube and pipe fittings, of iron or steel, originating in the People's Republic of China were therefore extended by the Council to imports of the same product consigned from Taiwan, whether declared as originating in Taiwan or not. No measures were extended in respect of products manufactured by three Taiwanese companies which proved not to be circumventing the measures in place.

On 20 October 2000, the Council amended the regulation imposing the definitive measures in order to make the exemption applicable to products manufactured by the three co-operating Taiwanese producers, irrespective of the identity of the operator responsible for exporting the goods to the Community.

7.6.3. *Anti-circumvention investigations concluded without extension of duty/termination (in chronological order)*

7.6.3.1. Magnetic disks (3,5" microdisks) from Taiwan and the People's Republic of China

The anti-circumvention investigation was initiated on 28 July 1999, following a request lodged by the Committee of European Diskette Manufacturers (Diskma) on behalf of the Community industry. Definitive measures were initially imposed in October 1993.

The request was based on the allegation that the anti-dumping duties on imports of 3,5" microdisks originating in Taiwan and the People's Republic of China were being circumvented by imports of microdisk parts from these countries used in assembly operations in the Community.

No evidence of circumvention was found concerning imports of parts from the People's Republic of China. As for Taiwan, the investigation showed that no circumvention had occurred since, in accordance with Article 13(2)b) of the basic Regulation, the percentage of value added to the parts brought in, during the assembly operation in the Community, was greater than 25% of the manufacturing cost.

In these circumstances, the Commission terminated the investigation on 18 April 2000.

8. MONITORING OF UNDERTAKINGS

Undertakings are a form of anti-dumping or countervailing measures. They are accepted by the Commission if it is satisfied that they can effectively eliminate the injurious effects of dumping or subsidisation. To achieve this goal, exporters normally pledge to raise their prices. The necessary price increase stems from the findings of the investigation and directly depends on the level of dumping or subsidisation found, or on the injury elimination level, whichever is the lower.

In order that the Commission can monitor whether or not the undertakings are being respected, the parties concerned have to submit regular sales reports, normally every quarter. They also have to provide the Commission with any other information that is considered necessary, and to allow verification of such data and information at their premises, even at short notice.

At the beginning of 2000, there were undertakings in force accepted from 234 companies, covering 14 products originating in 18 different countries.

During 2000, definitive anti-dumping and/or countervailing duties were imposed on 2 companies following breaches of their undertakings. Both of these cases related to imports of farmed Atlantic salmon originating in Norway. In addition, 4 companies voluntarily withdrew their undertakings (flat pallets of wood originating in Poland – 2 companies; polypropylene binder or baler twine originating in Poland – 1 company; farmed Atlantic salmon originating in Norway – 1 company). In view of the findings of a review investigation, the undertaking of 1 other company was no longer considered necessary (tube and pipe fittings of iron or steel originating in Thailand).

Price undertakings were also accepted from a further 25 companies in 5 new cases (flat rolled products of iron or non-alloy steel originating in Bulgaria, India and South Africa - 5 companies; malleable cast iron tube or pipe fittings originating in the Republic of Korea, Thailand and Czech Republic – 3 companies; urea ammonium nitrate originating in Algeria – 1 company; hot-rolled flat products of non-alloy steel originating in India and Romania – 12 companies; seamless pipes and tubes of iron or non-alloy steel originating in Croatia and Ukraine – 4 companies) and from 16 new exporters in existing cases (farmed Atlantic salmon originating in Norway - 7 companies; wooden pallets from Poland - 6 companies; seamless pipes and tubes of iron or non-alloy steel originating in Russia – 3 companies).

This brings the total number of undertakings in force at the end of 2000 to 266. Details concerning the above can be found in Annex M and an overview of all undertakings in force can be found in Annex P.

Apart from the significant increase in the number of undertakings that have been accepted in 2000, they have tended to be more complex in nature than before, with greater numbers of product models, types or grades. The Commission has, however, continued to allocate additional resources to the monitoring of undertakings.

As undertakings have to provide the same remedial effect as the alternative duties would do, the examination, adaptation, and drafting of undertaking offers has to be based on a double assessment of risk and effectiveness. This has led to situations in which undertakings were not considered to be acceptable, notably where an exporter did not provide sufficient co-operation and accurate data during an investigation, or where the trading patterns of the company allow too much scope for cross-compensation of products either subject to or not subject to the undertaking, if sold to the same customer in the Community.

Once undertakings were accepted, continued contacts with the Community industry remained essential in order that the necessary feedback was received on the effects of the undertakings on the market. In this way, the Commission could focus its monitoring activities more effectively.

9. REFUNDS

Article 11(8) of the basic anti-dumping 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 Commission continued to deal with a mixture of outstanding refund requests and new applications. During the year 2000, 6 decisions were adopted covering 24 different applications. Of these decisions, 1 granted the complete refund of duties paid, 3 granted partial refunds of duties paid and 2 decisions rejected applications as the exporting producers concerned indicated that they would not co-operate with an investigation. The admissibility and merits of a further 11 refund cases were also under consideration as the year closed. One new refund request was lodged during the year, with indications that others would follow shortly pursuant to the publication of the results of certain ongoing investigations.

Further details can be found in Annex S.

10. JUDICIAL REVIEW : DECISIONS BY THE COURT OF JUSTICE / COURT OF FIRST INSTANCE

10.1. Overview of the judicial reviews in 2000

In 2000, nine Judgments related to anti-dumping were rendered by the Court of First Instance (CFI) and one by the Court of Justice. Four other technical decisions were taken by the CFI (orders on inadmissibility, no need to adjudicate, withdrawal by the applicant) without any consequences on the substance of the matter or the policy followed by the Institutions.

Four of the Judgments rendered by the CFI have been unfavourable to the Institutions, two have been favourable and three Judgments declared the actions inadmissible.

Seven new cases were lodged in 2000 (compared to 6 in 1999 and 12 in 1998), five before the CFI and 2 appeals before the Court of Justice.

10.2. Cases pending

A list of the anti-dumping/anti-subsidy cases before the Court of Justice and the CFI still pending at the end of 2000 is given in Annex T (11 before the CFI and 4 before the Court of Justice). Among them, two concern anti-subsidy.

10.3. New cases

Cases brought to the CFI in 2000 dealt in particular with the following items :

- The allegedly illegal termination of an expiry review²⁰
- Failure to grant a complete retroactive effect by applying the non-discrimination principle²¹
- The allegedly illegal rejection by the Council of the Commission's proposal to impose definitive anti-dumping duties²²
- The allegedly illegal countervailing of the tax credit for important enterprises and the import duty exemption for raw materials in Taiwan²³

²⁰ T-82/00, *Bic and others v. Council* (OJ C 176, 24.6.2000, p. 24).

²¹ T-89/00, *Europe Chemi-Con v. Council* (OJ C 163, 10.6.2000, p. 32).

²² T-177/00, *Philips v. Council* (OJ C 273, 23.9.2000, p. 13).

²³ T-226 & 227/00, *Far Eastern Textiles Ltd. & Nan Ya Plastics Co. v. Council* (OJ C 316, 4.11.2000, p. 33).

10.4. THE MAIN JUDGMENTS RENDERED BY THE COURT OF FIRST INSTANCE

The following summaries focus on the most important points of the Judgments and do not deal with all questions raised in the course of the different judicial reviews.

10.4.1. Unbleached cotton fabrics originating, inter alia, in the People's Republic of China

- Cases T-256/97 and T-96/98 - BEUC v. Commission : Judgment of 27 January 2000

In the above-mentioned proceeding, the Commission refused to recognise BEUC, an international association which represents at Community level the national consumer organisations established in the Member States, as an interested party. This refusal was based on two grounds. Firstly, Article 6(12) of the WTO Anti-dumping Code states that representative consumer organisations can have opportunities to provide information on dumping, injury and causality only in cases where the product concerned is commonly sold at retail level. Secondly, even though Article 21(2) of the basic Regulation allows representative consumer organisations to participate in anti-dumping proceedings, here the consumers are not users of the like product (unbleached cotton fabric) which is not commonly sold at retail level.

BEUC claimed that, the provisions of the basic Regulation make no distinction in respect of the nature or type of product which is the subject matter of the proceeding and added that the recourse to the WTO Anti-dumping Code was irrelevant. Consequently, it submitted that consumer organisations have the right to participate in anti-dumping investigations, irrespective the product concerned.

The CFI rejected the position of the Commission and annulled the contested decision. In order to be considered an interested party for the purposes of an anti-dumping proceeding, it was necessary to prove that there was an objective link between the party's activities, on the one hand, and the product under investigation, on the other hand. The CFI concluded that the Commission did not have grounds to automatically exclude consumer organisations from the circle of interested parties by applying a general criterion such as the distinction between products sold at the retail level and other products. It also stated that the standing of a party had to be assessed on a case-by-case basis in the light of the particular circumstances of each case.

In this respect, the CFI held that the basic Regulation was to be interpreted in the light of the WTO Anti-dumping Code, however the basic anti-dumping Regulation deliberately did not adopt the distinction between products commonly sold at retail level and other products.

Given the Judgment in case T-256/97, the CFI decided that there was no need to adjudicate in T-96/98 (BEUC v. Commission).

10.4.2. *Monosodium glutamate originating, inter alia, in the Republic of Korea*

- Case T-51/96 - Miwon v. Council : Judgment of 30 March 2000

In the above-mentioned proceeding, the Commission had accepted an undertaking from the applicant, a Korean exporter producing monosodium glutamate (MSG), and exempted it from the definitive duties on MSG from Korea. However, the Commission subsequently found that the undertaking had been violated when evidence showed that importers who had purchased MSG from the applicant, were selling at a loss on the Community market. Consequently, the Council imposed definitive anti-dumping duties on MSG originating in Korea.

The applicant claimed that the institutions should not have constructed the export price on the basis of the resale price charged by some of the applicant's independent importers pursuant to Article 2(8) of the basic Regulation. The applicant also challenged the assessment of injury.

The CFI dismissed the action in its entirety and stated that the Institutions have a certain latitude in deciding whether or not to apply Article 2(8). Furthermore, the CFI held that the Institutions could construct the export prices not only where they obtain actual evidence of the existence of a compensatory arrangement, but also where such an arrangement appeared to exist or the export price reported appeared to be unreliable.

In the present case, the CFI found that all the importers who had purchased MSG from the applicant resold it at a loss, and that none of the applicant's explanations could justify the independent importer's pricing behaviour. Secondly, none of the alternative explanations put forward by the applicant to justify the independent importer's pricing behaviour was convincing. Finally, documentary evidence showed that the actual export prices for the transactions concerned were significantly lower than those required by the undertaking.

Concerning the alleged wrong determination of injury, the CFI considered that the Institutions had considered all the possible factors which give decisive guidance (volume of the dumped imports, the prices of the dumped imports and the consequent impact on the industry concerned) and, that the Council did not commit a manifest error of assessment in finding that imports by a Community producer from a third country were not the cause of the injury suffered by the Community industry.

10.4.3. *Unwrought, unalloyed zinc originating in Russia and Poland*

- Case T-597/97 - Euromin S.A. v. Council - Judgment of 20 June 2000

In this case, following a preliminary objection to admissibility of the defence, the CFI dismissed the application as inadmissible on the ground that the applicant, a company established in Geneva (Switzerland), was not able to show direct and individual concern.

The CFI found that the dumping practices in the above-mentioned proceeding were attributed to Polish and Russian companies and not to the applicant. Secondly, the applicant was not involved in the investigation. Thirdly, neither the finding that the dumping was taking place, nor the determination of the dumping margin, nor the setting of the rate of duty imposed was based on data pertaining to the applicant's business activities. Fourthly, the applicant had not even given a precise and detailed description of the exact nature of its activities in relation to the product concerned. In the absence of evidence of other special circumstances, the mere fact that the applicant submitted observations on the Commission Regulation which were referred to in the Contested Regulation cannot be said to have prompted the Community Institutions intervention or to have formed any part of the *raison d'être* of the regulation itself.

10.4.4. *Handbags originating in the People's Republic of China*

– Case T-7/99 - Medici Grimm KG v. Council : Judgment of 29 June 2000

In this proceeding, the Chinese exporters which had not participated in the investigation did not receive individual treatment and their imports of leather handbags into the Community were thus made subject to a residual duty of 38%. Exceptionally, given the high level of non-co-operation, the Commission subsequently opened an interim review of the anti-dumping measures limited to the issue of individual treatment of the said Chinese exporting producers. Moreover, and without any precedent in the Institution's practice, the identical investigation period which had formed the basis for the imposition of the definitive duties was used in the review.

The review concluded that no dumping existed for the applicant during the investigation period. Accordingly, it was entitled to an individual dumping margin of 0%. Yet, retroactive effect was not granted on the grounds that reviews can only have a prospective effect and that retroactivity would have warranted a bonus for non-co-operation in the original investigation.

The application before the CFI contested the decision of the Council to refuse to grant retroactive reimbursement of the anti-dumping duties paid by the applicant prior to the conclusion of the review.

The Court considered that the Institutions departed from the rules of the basic Regulation governing interim reviews in the sense that changed circumstances were a precondition for an interim review to be initiated. They did not "review" the measures in force (there was no change in circumstances), but in fact re-opened the original procedure.

Therefore, the CFI annulled Article 2 of the regulation concluding the review insofar as the Council did not put up with all the consequences of the new findings relating to the applicant's imports.

10.4.5. *Bicycle parts originating in the People's Republic of China*

- Case T-74/97 and T-75/97 - Büchel & Co. v. Council and Commission : Judgment of 26 September 2000

In this case, following a preliminary objection to inadmissibility of the defence, the CFI dismissed the application as inadmissible on the ground that the applicant, a company incorporated under German law which specialised in the production and trading of spare parts of bicycles and which also imported bicycle parts from the People's Republic of China, was not able to show individual concern.

10.4.6. *Bicycle parts originating in the People's Republic of China*

- Case T-80/97 - Starway v. Council : Judgment of 26 September 2000

Starway, the applicant, was an assembler of bicycles and was found to have circumvented the definitive duties on bicycles from the People's Republic of China by importing certain bicycle parts from this country.

In order to exempt the applicant from the extension of duties which were imposed further to the anti-circumvention investigation, the Commission asked the applicant to provide certificates of origin for its imports. The applicant could not prove that any part consigned from China had an origin other than Chinese and, therefore, the Commission concluded that all the parts which it imported from China were of Chinese origin. The applicant contested the legality of the request for such certificates and subsequently delivered to the Commission a large amount of documents in an attempt to prove the non-Chinese origin of the products. The Commission refused to accept this evidence.

In its application, Starway claimed that the Council had infringed Article 13(2) of the basic Regulation by requiring it to provide certificates of origin in order to prove that it had not circumvented the original anti-dumping duty on bicycles from China.

The CFI accepted the claim of the applicant and annulled the contested regulation as far as the applicant was concerned.

In this respect, the CFI considered that the Community Institutions were not prevented *per se* from asking importers to produce documentation in support of their customs declarations. However, the Institutions were not entitled to request certificates of origin (to the exclusion of all other possible types of proof) when they knew or ought to have known that this may be impossible for certain importers. Such a requirement would be contrary to Article 13 and the principles of legal certainty and respect of the rights of the defence, in so far as it made it impossible to demonstrate that a particular duty was not applicable.

10.4.7. *Potassium chloride originating, inter alia, in Russia*

- Case T-87/98 - International Potash Company v. Council : Judgment of 29 September 2000

In this case, in view of the clear risk of an increase in the dumping margin (due to circumvention and potential compensatory arrangements), the Council amended the form of an existing duty by a combination of a "fixed duty" (fixed amount in ECU per tonne of potassium chloride per type and grade) and a "variable duty" (difference between the minimum price in ECU and the net, free-at-Community frontier price per tonne of potassium chloride, before customs clearance), whichever was higher.

The applicant contested the legality of such a combination. However, the CFI dismissed the action in its entirety.

The applicant first alleged that wherever the fixed duty applied, the amount of duty would always exceed the dumping margin of future export transactions.

The Court recalled that the dumping margin referred to in Article 9(4) of the basic Regulation is the margin established during the investigation period and that the concept of "actual" dumping margins (for future transactions) are relevant only in the context of review and refund procedures (respectively Articles 11(3) and (8)). The CFI concluded that the applicant could not claim that the imposition of a fixed duty in the contested regulation infringed Article 9(4) of the basic Regulation (paragraph 37 of the Judgment).

Secondly, the applicant asserted that the Council breached the principle of proportionality because the imposition of a variable duty alone would have been sufficient to achieve the objectives of the basic Regulation.

The Court stated that, in the present case, it was precisely the fact that the variable duty had been circumvented which led the Community Institutions to impose a combination of fixed and variable duties. Accordingly, the Court concluded that the Council did not breach the principle of proportionality by imposing a fixed duty with a view to preventing circumvention of the variable duty, even though it might have had other ways of combating such circumvention.

10.4.8. *Farmed Atlantic salmon originating in Norway*

- Case T-178/98 - Fresh Marine Company v. Commission : Judgment of 24 October 2000

In this case, the Commission accepted undertakings offered by a number of Norwegian exporters, including the applicant, in connection with the anti-dumping and anti-subsidy proceedings concerning imports of farmed Atlantic salmon originating in Norway.

In October 1997, as it was legally obliged, the applicant sent the Commission a report on all its exports of the product concerned to the Community during the third quarter of 1997. The Commission considered that the report disclosed that the applicant had exported the product concerned at a price lower than the minimum average price set in its undertaking, which led it to believe that the applicant had not respected that undertaking.

The Commission thus decided to revoke the undertaking and to promptly impose a provisional duty on imports made by the applicant.

However, following an investigation, the Commission eventually was satisfied that the undertaking had not been violated by the applicant and reinstated it.

The applicant claimed that the Commission's decision to impose the provisional duty was erroneous and sought compensation for damage.

The CFI awarded damages against the Commission in respect of loss of profits caused by the contested Regulation because it found that the Commission had infringed the duty to exercise ordinary care and due diligence. However, the Court found that the applicant had also behaved negligently. Consequently, the damages awarded were reduced to 50%.

The Commission has appealed against this Judgment.

10.4.9. Unbleached cotton fabrics originating, inter alia, in the People's Republic of China

– Case T-213/97 - Eurocoton v. Council : Judgment of 29 November 2000

On 21 April 1997, the Commission adopted a proposal for a Council Regulation imposing definitive anti-dumping duties on imports of unbleached cotton fabrics from China, Egypt, Indonesia, Pakistan and Turkey and transmitted it to the Council. The Council did not achieve the simple majority necessary to adopt the Commission's proposal. Consequently, the deadline of 15 months (Article 6(9) of the basic Regulation) expired and no measures were imposed.

The main plea advanced by the applicant, the Community industry, was that the Council did not have the authority to reject a proposal for a regulation imposing definitive anti-dumping duties put forward by the Commission. It also submitted that the Council, by failing to adopt the Commission's proposal, had exercised its powers in an arbitrary fashion.

The Council contested the admissibility of the application, firstly insofar as there was no decision from the Council, i.e. no reviewable act within the meaning of Article 173 of the EC Treaty (now Article 230). The CFI agreed and dismissed the action as inadmissible.

In this respect, the CFI first stated that the complainant did not have a right to the adoption by the Council of a proposal for a regulation imposing definitive duties but was only entitled to the specific procedural rights provided in the basic Regulation. Secondly, for the CFI, the reference in the basic Regulation to the voting procedure (simple majority) implied necessarily that the Commission's proposal would not be adopted by the Council in the absence of this simple majority. Thirdly, the sole aim of the 15 months deadline was to prevent over-long anti-dumping procedures and not to force the Council to decide. Finally, the WTO Anti-dumping Agreement did not oblige the competent authorities to impose duties, but only fixed strict conditions to be met before imposing such duties.

Consequently, the Court concluded that the applicant could not rely on a right to the adoption by the Council of the proposal for the imposition of definitive duties.

Having established the above, the Court considered that a vote which did not result in the majority required did not mean a decision to reject but meant the absence of decision. Therefore, in the present case, there was no reviewable act within the meaning of Article 173 of the EC Treaty (now Article 230).

10.5. Judgment rendered by the Court of Justice

10.5.1. Appeal against CFI Judgment of 15 October 1998 in case T-2/95

– Case C-458/98P - I.P.S. & Council : Judgment of 3 October 2000

Following the Judgment in 1992 in the Extramet case (C-358/89) by which the CFI annulled a Council Regulation imposing a definitive anti-dumping duty on imports of calcium metal originating in the People's Republic of China and Russia, the sole Community producer requested that the investigation be re-opened, and in this respect, submitted a technical memorandum on the assessment of the injury to the Community industry. As a result of the re-opening, definitive anti-dumping duties were imposed by the contested Regulation.

In 1995, Industrie de Poudres Sphériques (IPS), an unrelated importer acting as successor of Extramet, brought an action before the CFI seeking annulment of the contested Regulation. The CFI dismissed IPS' application for annulment (Judgment in T-2/95 of 15 October 1998).

Consequently, IPS brought an appeal against the Judgment of the CFI on two grounds.

According to IPS, the CFI infringed Articles 174 and 176 of the EC Treaty (now Articles 231 and 233) in holding that the Commission was entitled to re-open the investigation on the basis of a different reference period but without initiating a new anti-dumping proceeding.

The Court of Justice observed that the Institution or Institutions whose act has been declared void were required to take necessary measures to comply with the Judgment.

In the Extramet case (C-358/89), the Regulation was annulled on the grounds that the Community Institutions has not actually considered whether the Community industry had itself contributed to the injury. The Court observed that this annulment was therefore based on factors which arose in the course of the anti-dumping proceeding. The Court concluded that the Commission could, without infringing either the operative part or the grounds of the Judgment, look in more detail at the issue of determining injury in the course of the anti-dumping proceeding which was still open.

Indeed, under the previous basic Regulation (Regulation No 2423/88), the Commission was not obliged to open an entirely new proceeding, which would have necessitated the lodging of a new complaint on behalf of the Community industry. It should be noted, however, that under the new basic Regulation (Regulation No 384/96), the situation is quite different due to Article 6(9), which provides that a proceeding must be concluded within a maximum of 15 months after initiation.

The appellant also claimed, in the same plea, that the change in the reference period was contrary to Article 7(1)(c) of the basic Regulation No 2423/88 in force at that time and which provided that the dumping investigation should normally cover a period of not less than six months immediately prior to the initiation of proceedings.

In this respect, the Court observed that the period provided for in Article 7(1) was a guide rather than mandatory and the institutions had a wide discretion regarding the determination of the period to be taken into account for the purposes of determining injury in an anti-dumping proceeding. The Court, therefore, concluded that the CFI did not infringe Article 174 and 176 of the EC Treaty.

11. ANTI-DUMPING AND ANTI-SUBSIDY INVESTIGATIONS OF THIRD COUNTRIES CONCERNING IMPORTS FROM THE COMMUNITY AND/OR ITS MEMBER STATES

At the beginning of 2000, 17 countries had a total of 111 anti-dumping and anti-subsidy measures in force against imports from the Community and/or its Member States. During 2000, a further 17 measures were imposed though 25 measures were repealed. At the end of 2000, an additional 33 new investigations were in progress.

The Commission's "pro-active" approach in these cases has led to increasing intervention vis-à-vis the investigating authorities of the third countries concerned, as well as in the WTO context. One of the problems identified by the Commission's more active involvement in these cases is that many Community exporters are not accustomed to being involved in these investigations and do not always understand the benefits of fully co-operating with the investigating authorities. Any significant non-co-operation, of course, reduces the capacity of the Commission to intervene and a clear need was identified to encourage Community exporters to co-operate fully with the investigating authority of the third country.

The Commission is ready to assist Member States and companies, which are involved, in these investigations. Nevertheless, it is the companies themselves who should take the primary role in defending their own interests by co-operating and, if necessary, appointing legal representation.

11.1. Anti-dumping cases against the Community and/or its Member States

The table below provides a record of the anti-dumping action taken by third countries against the Community and/or its Member States in 2000. It gives the position at the beginning of the year, during the year, and at the end of the year, in terms of measures in force and cases initiated. A more detailed picture is provided in Annex U, Section A.

TABLE 3

Anti-dumping investigations against the Community and/or its Member States during 2000

	Total	Of which (in order of number of cases)
Measures in force at 1 January 2000	82	42 by USA, 11 by South Africa, 9 by Australia, 5 by India, 2 by Argentina, 2 by Malaysia, 2 by New Zealand, 2 by Philippines, 1 by Brazil, 1 by Columbia, 1 by Egypt, 1 by Israel, 1 by South Korea, 1 by Mexico, 1 by Poland
Investigations initiated prior to 2000 and still pending at end of 2000	6	4 by Brazil, 1 by Colombia, 1 by Czech Republic
Investigations initiated in 2000 still pending	26	7 by India, 4 by Argentina, 4 by USA, 2 by Australia, 2 by New Zealand, 2 by South Africa, 1 by Brazil, 1 by Canada, 1 by China, 1 by Egypt, 1 by Indonesia
Definitive measures imposed in 2000	16	7 by India, 3 by South Africa, 2 by Brazil, 2 by USA, 1 by Argentina, 1 by Mexico
Measures repealed in 2000	18	18 by USA
Reviews in progress at end 2000	1	1 by New Zealand
Number of measures in force at end 2000	80	
Provisional measures imposed in 2000	6	4 by India, 1 by South Africa, 1 by China

The increasing trend of investigations targeting the Community as a whole rather than individual Member States has been confirmed in 2000. In 6 of the cases initiated, action has been directed against imports from the whole of the Community, mainly by India which appears to be following a more or less consistent approach in this regard.

In 2000, the UK has been the Member State most often affected by anti-dumping proceedings (10 new investigations, compared to only one in 1999), followed by Germany and the Netherlands (both 5), Spain and France (both 4), and Italy (3). As for the sectors concerned, chemical, pharmaceutical and steel products have been the most often targeted.

11.2. Details on some individual cases

This chapter identifies some of the anti-dumping actions taken in 2000 by third countries which merit special attention.

11.2.1. X-ray films from Germany

On 15 March 1999, **Poland** initiated an anti-dumping investigation on imports of “Retina” X-ray films from Germany. On 2 November 2000, the procedure was terminated, since the co-operating German exporter (Kodak group) accepted a price undertaking.

11.2.2. Milk from the Community

On 25 August 1999, **Brazil** initiated an anti-dumping investigation against imports of milk products from, inter alia, the Community. The investigation has been extended until 25 February 2001. The main Community Member States concerned are Denmark, the Netherlands and the UK. The Community trade interest is approximately € 30 million/year. Provisional findings were released in November 2000. Dumping margins have been estimated at between 59% and 147,8% for three Community companies (most Community exporters are not co-operating in the proceeding), but no provisional measures were introduced.

The Commission participated actively in the investigation and expressed strong reservations as to Brazil’s provisional findings, in particular with regard to injury and a relatively low volume of Community exports to Brazil. However, the defence of Community interests in this case was made very difficult by the very low degree of co-operation by Community exporters.

11.2.3. Acrylates from Germany

On 10 December 1999, **China** initiated an anti-dumping investigation against Germany, Japan and the USA concerning imports of acrylates.

On 23 November 2000, China took the decision to impose provisional anti-dumping duties.

In the context of this proceeding, several contacts have taken place between the German exporter, the Commission and the Chinese authorities. The Commission has also expressed its concerns at the way this investigation has been conducted in a written submission and at the public hearing, which took place in Peking in December 2000. The case also raises an issue of discrimination of Community exports vis-à-vis exports from other countries. The final determinations are expected before 10 June 2001.

China is a relatively new as a user of the anti-dumping instrument and is not yet bound by WTO rules as it has not yet entered this organisation. The Commission has urged the Chinese authorities to ensure that they apply WTO rules in all their current investigations.

11.2.4. Ropes and Cables of iron and steel from Germany, Spain and the UK

On 22 September 2000, **South Africa** initiated an anti-dumping investigation concerning imports of ropes and cables of iron and steel from Germany, Spain and the UK. Community exporters and the Commission are participating actively in the procedure. The Commission has already expressed its concerns at the scope of this proceeding which includes products that do not appear to be “like” as required by WTO rules. The Commission intends to monitor this case very carefully to ensure that WTO rules are properly applied.

11.2.5. Low enriched uranium from France, Germany, the Netherlands and the UK

On 27 December 2000, the **USA** initiated anti-dumping and countervailing duty investigations against the above countries, following a complaint by USEC, the only US enrichment company. The scheduled date for preliminary findings is 7 May 2001 in the countervailing case and 16 May 2001 in the anti-dumping case. There are two Community exporters involved, one with a presence in the UK, Germany and the Netherlands, and the second in France.

Consultations under Article 13(1) of the Agreement on Subsidies and Countervailing Measures were held with the USA on 21 December 2000. This intervention, as well as the active involvement of the exporters concerned, has resulted in several of the subsidy programmes being removed from the scope of the countervailing case.

This investigation is an important one since Community exports to the USA are very large, i.e. € 450 million in the year 2000. The Commission has already complained about several aspects of this case including the fact that this complaint was lodged by the enrichment service provider rather than the owners of the product who appear to be opposed to the investigation.

It is planned to hold further bilateral consultations with the USA prior to the provisional findings.

11.3. Anti-subsidy cases against the Community and/or its Member States

The table below provides a record of the anti-subsidy action taken by third countries against the Community and/or its Member States in 2000. It gives the position at the beginning of the year, during the year, and at the end of the year, in terms of measures in force and cases initiated. A more detailed picture is provided in Annex U, Section B.

TABLE 4

Anti-subsidy investigations against the Community and/or its Member States during 2000

	Total	Of which (in order of number of cases)
Measures in force 1 January 2000	29	17 by USA, 4 by Australia, 3 by Argentina, 3 by Canada, 1 by Mexico, 1 by Venezuela
Investigations initiated prior to 2000 and pending at end 2000	0	
Investigations initiated in 2000	1	1 by Australia
Definitive measures imposed in 2000	1	1 by USA
Measures repealed in 2000	6	5 by USA, 1 by Canada
Reviews in progress at end 2000	1	1 by Argentina
Number of measures in force at end 2000	24	
Provisional measures imposed in 2000	0	

11.4. Details on some individual cases

This chapter identifies some of the anti-subsidy actions taken in 2000 actions by third countries which merit special attention.

11.4.1. Sugar from the Community

On 9 March 2000, **Canada** initiated a review of the countervailing duties against imports of refined sugar from the Community. The Commission responded to all the questionnaires sent by Canada and pointed out that there was no longer any threat of injury.

On 3 November 2000, Canada announced that countervailing duties against imports of refined sugar from the Community would continue for another five years. Although measures were not revoked, Canada restricted the scope of the measures imposed and excluded certain Community sugar-based products from the scope of the measures.

11.4.2. Canned ham from Denmark and the Netherlands and against imports of canned pork-based luncheon meat from the Community

On 20 March 2000, Canada announced it would rescind countervailing measures against certain Community imports of canned pork-based luncheon meat, but would continue the countervailing measures against canned ham from Denmark and the Netherlands for another five years. These countervailing measures on canned ham,

which have been in place since August 1984, are extended for another five years until 20 March 2005.

11.4.3. Lead and bismuth from the UK

On 10 May 2000, the WTO Appellate Body largely confirmed the findings of a panel in the case “*USA – Imposition of Countervailing duties on Certain Lead and Bismuth Carbon Steel Products originating in the UK*”. The panel ruled against the **USA** because of its “change-in-ownership” methodology in these investigations.

The WTO Appellate Body concluded that the USA had acted inconsistently with the Agreement on Subsidies and Countervailing Measures because it simply presumed, without examining the question or providing any positive evidence, that subsidies granted to a firm prior to a change of ownership “passed through” to the purchaser. The Appellate Body also found that a privatisation for fair market value eliminated the benefit of any past subsidies.

Despite this clear WTO decision, this old methodology is still being applied by the USA in 14 countervailing cases on Community steel. Following domestic court action and the WTO consultations, the USA has acknowledged the WTO inconsistency of this old methodology and proposed a “**new**” methodology which was first applied in the case “*grain oriented electrical steel from Italy*” which is expected to be concluded early in 2001.

In reality, this “new methodology”, can actually lead to a higher rate of duty for exporters than the old methodology. The USA will still refuse to examine whether the nature of the privatisation precludes the pass-through of a benefit to the new owner. Rather they will still assume that there is automatic pass-through to the present Community steel producers of 100 % of the alleged subsidies, some of which go back to the mid-1980’s and involved some state-owned firms that no longer exist. It is clearly WTO inconsistent because it completely ignores the findings of the British Steel case.

As to the 14 cases where the “old methodology” is still applied, the Commission is also pursuing dispute settlement and consultations were held with the USA on the 7 December 2000. No progress was made as regards the dispute and this matter will be further pursued in 2001.

11.4.4. Olive oil from the Community

In June 2000, **Argentina** initiated an expiry review in order to determine whether the continuation of the measures was necessary to offset the injury sustained by the local industry. The Commission made a detailed submission in which it argued that the developments in the market situation no longer justify the imposition of countervailing duties. No decision has yet been made

11.4.5. *Corrosion resistant steel from Germany*

On 27 July 2000, the **USA** published the final results of its expedited review in the case “*Corrosion resistant steel from Germany*”. In fact, it has decided to continue these measures, in spite of the amounts of dumping and subsidy being below *de minimis* levels.

On 13 November 2000, the Commission requested formal consultations and these were held on 8 December 2000. WTO consultations have also been requested for a similar decision involving an anti-dumping sunset review, where the dumping margin is also below *de minimis* (“*Seamless pipe from Italy*”). This case concerns the Italian steel producer, Dalmine S.p.A. .

These cases also raise the general problem with the USA’s approach to sunsets, which shifts the burden of proof from the WTO position of the domestic industry having to demonstrate why duties should continue, to a situation where exporters have to show why they should expire.

11.4.6. *Bulk brandy from France*

In September 2000, **Australia** decided to continue the countervailing duty applicable to bulk brandy exported to Australia from France, which has been in force since 1990.

It was found that the production of brandy in France continues to be subsidised, and that the removal of the countervailing duty on imported subsidised French bulk brandy would be likely to exert price pressure on Australian market prices and thereby lead to a recurrence of material injury. On 27 December 2000, Australia also opened an investigation into the alleged subsidisation of bottled brandy from France.

12. SAFEGUARD MEASURES

12.1. Legal framework

The principle of liberalisation of imports was set under the GATT 1947 and strengthened under the 1994 WTO Agreement on Safeguards. As they consist of the unilateral withdrawal of a commercial concession on liberalisation of trade formerly agreed, safeguard measures have to be considered as an exception to this principle. The GATT 1947 and the WTO Agreements imposed strict conditions for the application of this escape clause. As it stands, Article XIX GATT 1994 and the WTO Agreement on Safeguards not only set out rules and criteria, but also put in place a multilateral control under the WTO Committee on Safeguards.

The principle of liberalisation was the starting point of the Community rules on imports and the requirements to adopt safeguard measures correspond to those of the GATT 1994 and WTO Agreements.

Under WTO rules, safeguard action has to be viewed as a short-term temporary defence measure that applies to all imports of the product in question, irrespective of

origin²⁴. They should only be adopted after a comprehensive investigation which provides evidence of the existence of a) increased imports b) the existence of a serious injury for Community producers and c) a causal link between the imports and the injury. Ultimately, the adoption of measures requires an analysis of all interests concerned, i.e. the impact of the measures on producers, users and consumers. These principles are reflected in the relevant Community regulations²⁵, as well as a provision requiring that safeguard action is only taken when it is in the Community's interest to do so²⁶.

12.2. Community activities in the field of safeguards

The Community has seldom made use of safeguard measures and none have been adopted since the entry into force of the 1994 WTO Agreement.

As a matter of principle, the Commission considers that safeguard measures should only be used as an exceptional tool in emergency situations. This position is shared by the WTO Dispute Settlement Body, which has recently confirmed this restrictive interpretation on the use of safeguards²⁷.

The Commission expects the Community's commercial partners to follow a similarly strict approach. However, more and more countries are adopting safeguard measures, often in circumstances which do not appear to be entirely in line with Article XIX GATT 1994 and the WTO Agreement on Safeguards. Consequently, the activities of the Commission in relation to safeguards is more and more driven towards the defence of the export interests of Community producers, if necessary at WTO level.

As regards conventional trade regimes, the Commission has agreed within the various bilateral agreements of which it is a party (Europe Agreements, Agreements with Mediterranean countries, FTAs with South Africa and Mexico, etc.) to introduce special safeguard clauses, which apply to cases, which arise between the partners. These clauses normally entail rights and obligations additional to those arising under WTO safeguard rules (for example special notification and consultation procedures). In this regard, the Commission carefully monitors any cases, which are initiated by partners with which it has a preferential trade agreement.

12.3. Safeguard cases concerning the Community

In 2000, fourteen countries initiated a total of 23 safeguard investigations affecting imports from the Community and its Member States.

The Commission is increasing its interventions vis-à-vis third-country investigating bodies as well as within the WTO framework. The Commission has voiced its concerns on several safeguard cases at the regular meetings of the WTO Safeguard

²⁴ However, as regards non-WTO members, safeguard measures may be selective and apply to products originating in a specific country.

²⁵ Council Regulation (EC) No 3285/94, Article 16, 1st indent. As regards non-WTO members those two conditions shall be understood alternatively.

²⁶ Council Regulation (EC) No 517/94 on common rules on imports of textile products from certain third countries; Council Regulation No 519/94 on common rules on imports from certain third countries; Council Regulation No 3285/94 on common rules for imports.

²⁷ See *Infra*, point 13.4.1 and 13.4.2 (*Appellate Body Report on Argentina – Footwear; Appellate Body Report on Korea – Dairy products*).

Committee in Geneva and in various occasions it has requested consultations with countries adopting safeguard measures pursuant to Article 12 of the Safeguard Agreement.

Furthermore, the Commission has continued its action in the dispute settlement area. After the two cases successfully brought against Argentina and Korea in 1998-1999, the Community has obtained yet another positive result in the US wheat gluten case, where the Appellate Body ruled against the USA in December 2000. The Commission also requested dispute settlement consultations with the USA on two safeguard measures concerning certain steel products.

The table below gives the number of investigations initiated by third countries, as well as the number of measures, which were imposed on Community exports during the same year.

TABLE 5

Safeguard investigations by third countries during 2000

	Total	of which (in order of number of cases)
Measures in force 1 January 2000	11	2 by Czech Republic, 2 by USA, 1 by Egypt, 1 by Argentina, 1 by Brazil, 1 by Poland, 1 by India, 1 by Korea, 1 by Latvia
Investigations initiated prior to 2000 and still pending at the end of 2000	2	2 by Ecuador
Investigations initiated in 2000	23	3 by Chile, 3 by Russia, 3 by Japan, 2 by El Salvador, 2 by India, 2 by Morocco, 1 by Argentina, 1 by Bulgaria, 1 by Czech Republic, 1 by Ecuador, 1 by Egypt, 1 by Slovakia, 1 by Ukraine, 1 by Venezuela
Definitive measures imposed	10	3 by Chile, 2 by Russia, 2 by USA, 1 by Egypt, 1 by India, 1 by Korea
Measures repealed in 2000	2	1 by South Korea, 1 by Latvia
Reviews in progress at end 2000	1	1 by USA
Number of measures in force at end 2000	19	
Provisional measures imposed	3	2 by Chile, 1 by Egypt

Annex V provides a more detailed breakdown and picture of these cases.

12.4. Details on some individual cases

This section sets out some cases, which merit special mention.

12.4.1. USA - Steel wire rod

On 12 January 1999, the USA initiated a safeguard investigation concerning imports of steel wire rod. The Community trade volume for this product is about € 150 million.

The Commission has actively participated in the procedure before the US International Trade Commission (ITC), including the presentation of a submission explaining why in the Commission's view no safeguard measures are warranted in this case.

On 12 May 1999, the ITC made a split recommendation to the US President (i.e. three Commissioners voted that no serious injury or threat existed while the remaining three Commissioners found that such injury or threat thereof existed), as to whether to take action. On 1 March 2000, the USA imposed safeguard measures in the form of a tariff quota of 1,58 million net tons per year, with imports exceeding this quota to be subject to an additional import duty. This quota will remain in place for three years.

The Commission has meanwhile initiated dispute settlement action by requesting consultations with the USA under Article 4 of the Dispute Settlement Understanding, which are expected to take place in January 2001. The Commission believes that the measures are in breach of WTO safeguard rules for both substantial and procedural grounds.

12.4.2. USA - Welded line pipe

On 30 June 1999, the USA initiated a safeguard procedure against imports of welded line pipe. The Community trade interest in this case is approximately € 15 million.

The Commission has actively participated in this case and made its view known to the US International Trade Commission that safeguard measures do not appear warranted, notably with respect to speciality products (High Frequency Induction Welding Line Pipe) originating in the Community.

On 1 March 2000, the USA imposed safeguard measures in the form of an additional import duty, which will remain in place for three years, but which will not apply to the first 9.000 net tons of line pipe originating in each exporting country.

The Commission has meanwhile initiated dispute settlement action by requesting consultations with the USA under Article 4 of the Dispute Settlement Understanding, which are expected to take place in January 2001. The Commission believes that the measures are in breach of WTO safeguard rules for both substantial and procedural grounds.

12.4.3. *Russia – steel tubes and pipes*

On 17 March 2000, Russia initiated a safeguard procedure on imports of tubes and pipes of iron and steel. The Community trade interest in this case amounts to approximately € 254 million. The case was mainly triggered by cheap imports from Ukraine, and Community exports do not appear to be the cause of any injury to Russian producers. The Commission, in co-operation with the European Steel and Tube Association, expressed its strong concerns at this case, and requested that Russia respects its bilateral obligations as contained in the safeguard provision of the Partnership and Co-operation Agreement. By 17 December 2000, the deadline for action under the Russian procedure, no decision has been taken by Russia, and it is hoped that they will proceed no further with the case.

12.4.4. *Latvia - Swine meat*

On 11 May 2000, Latvia removed the definitive safeguard measures on imports of swine meat it had imposed in December 1999. The move came after the Commission had complained that Latvia's action was in breach of the bilateral safeguard provision of the Europe Agreement, which Latvia was obliged to respect. The Commission had threatened to take appropriate measures under Article 123(2) of the Europe Agreement, and to that end it had made a proposal to the Council to adopt a Regulation suspending concessions on imports of butter from Latvia into the Community.

12.4.5. *Chile - Liquid milk and milk powder*

In June 2000, Chile initiated a new investigation and soon after it imposed a provisional safeguard measure on imports of liquid milk and milk powder. The measure takes the form of an additional *ad valorem* import duty of 16%. Total Community exports can be estimated at well above € 10 million.

The Commission, in co-operation with the Community industry (European Dairy Association) participated actively in the Chilean procedure. In addition, it requested consultations with Chile under Article 12(4) of the Agreement on Safeguards, which were held in Geneva in December 2000. Argentina, Australia, Canada, New Zealand, Poland, Uruguay and the USA also attended these consultations. All expressed strong reservations at Chile's action.

12.4.6. *India - Methylene Chloride*

On 17 July 2000, India initiated a safeguard investigation concerning imports of Methylene Chloride. The Community trade interest is estimated at € 5 million. The Commission participated directly in the Indian investigation, in full co-operation with the European Chlorinated Solvent Association.

The Commission filed two written submissions with the Indian authorities in which it expressed strong reservations at the low standards applied in their investigation. The Commission also made clear to India that this case is far from meeting the criteria for warranting the imposition of safeguard measures, given that several of the requirements for such action appear not to be present, i.e. that the injury has been shown to be because of “unforeseen circumstances”, that there has been a significant rise in imports and that there is a causal link between the imports and the injury.

12.4.7. Egypt - Milk powder

On 25 September 2000, Egypt initiated a safeguard investigation concerning imports of milk powder and imposed provisional safeguard duties of 45%. The Community trade interest is estimated at some € 30 million.

In co-operation with Member States and the Community industry (European Dairy Association), the Commission expressed its strong reservations on the merits of this case by means of written submissions and when attending the public hearing held by the investigating authority in Cairo. The Commission has requested Egypt to terminate the procedure and to remove the 45% provisional duty applied on imports of milk powder, and reserved the right to take WTO action if Egypt introduced definitive measures.

13. CONCLUSION

As regards the Community's anti-dumping and anti-subsidy activities, one can conclude that the number of new investigations initiated during the year 2000 (31) decreased significantly in comparison with the previous year (86). This reduction appears to confirm that the year 1999 was exceptional in terms of the high number of initiations registered and also seems to confirm a return to the normal situation which has existed throughout the nineties. The great number of initiations in 1999 led to a significant increase in the number of provisional measures (48 versus 17 for the whole of 1999), definitive measures (51 versus 21 for the whole of 1999) and investigations terminated without imposing measures (32 versus 22 in 1999).

As regards measures imposed by third countries, the increasing trend of investigations targeting the Community as a whole rather than individual Member States has been confirmed in 2000. Of the total measures in force targeting the Community or its Member States (both anti-dumping and countervailing), more than 50% were imposed by the USA.

The Commission has also continued its efforts in order to have measures imposed by third countries comply with WTO agreements. In a number of cases, it initiated dispute settlement procedures which had a positive outcome.

ANNEX
SUMMARY

1. GENERAL TRENDS FOR 2000

- The number of new investigations initiated (31) decreased significantly in comparison with the previous year (86 in 1999). This reduction appears to confirm that the year 1999 was exceptional in terms of the high number of initiations registered and also seems to confirm a return to the normal situation which has existed throughout the nineties.
- The number²⁸ of provisional measures taken during 2000 (48 versus 17 for the whole of 1999), the number of definitive measures taken (51 versus 21 for the whole of 1999) and the number of investigations terminated without imposing measures (32 versus 22 in 1999) increased significantly. All this is a direct consequence of the increased number of new investigations initiated during 1999. As a result, the Community had 192 measures in force at the end of 2000.

2. MAIN FEATURES

2.1. Initiations

A total of 64 anti-dumping and 4 anti-subsidy investigations were initiated, split up as follows :

- 31 new investigations (all anti-dumping) (see Annex A)
- 9 expiry reviews (when a measure is about to expire, a review can be initiated on the request by the Community producers. The measure remains in force pending the outcome of such a review.) (see Annex G)
- 21 interim reviews, of which 1 anti-subsidy review (the need for the continued imposition of measures may be reviewed on the initiative of the Commission, at the request of a Member State or upon request by any exporter or importer or Community producer, when circumstances have substantially changed) (see Annex H)
- 3 new exporter reviews (see Annex I)
- 1 anti-absorption investigations (see Annex J)
- 0 anti-circumvention investigations (see Annex K)

²⁸ The measures are counted per product and country concerned.

- 3 accelerated reviews (anti-subsidy) (see Annex L)

2.2. Measures

- 48 provisional measures were imposed (of which 38 anti-dumping and 10 anti-subsidy), involving imports from 21 different countries and covering 16 products (see Annex D)
- 51 definitive measures were imposed (of which 40 anti-dumping and 11 anti-subsidy), involving imports from 22 different countries and covering 18 products (see Annex E)
- the Commission accepted undertakings offered by exporters from 20 third countries and 2 undertakings were repealed with imposition of definitive measures (see Annex M)
- of the expiry reviews, 11 reviews were concluded with confirmation of duty (see Annex G)
- of the interim reviews, 12 reviews were concluded with confirmation/ amendment of duty (see Annex H)
- of the new exporter reviews, 3 were concluded with imposition/ amendment of duty (see Annex I)
- of the anti-absorption investigations, 3 were concluded with increase of duty (see Annex J)
- of the anti-circumvention investigations, 1 was concluded with extension of duty (see Annex K)

2.3. Terminations

- 32 new investigations (of which 23 anti-dumping and 9 anti-subsidy) were terminated without the imposition of measures (see Annex F)
- of the expiry reviews, 4 were terminated (see Annex G)
- of the interim reviews, 7 were terminated (see Annex H)
- of the anti-absorption investigations, 2 were concluded without increase of duty/termination (see Annex J)
- of the anti-circumvention investigations, 2 were concluded without extension of duty/termination (see Annex K)
- 3 undertakings were repealed

Please note that those statistics are also available on the following Internet Website : <http://europa.eu.int/comm/dg01/trade10.htm>.

ANNEX A

NEW INVESTIGATIONS INITIATED

DURING THE PERIOD 1 JANUARY – 31 DECEMBER 2000

A. ANTI-DUMPING INVESTIGATIONS

PRODUCT	Country of origin	OJ Reference
Aluminium foil	P.R. China Russia	C 45 18.02.2000, p. 2
Steel ropes and cables	Czech Rep. Korea (Rep. of) Malaysia Russia Thailand Turkey	C 127 05.05.2000, p. 12
Paracetamol	P.R. China India Turkey U.S.A.	C 134 13.05.2000, p. 10
Lamps (integrated electronic compact fluorescent)	P.R. China	C 138 17.05.2000, p. 8
Polyethylene terephthalate (PET) film	India Korea (Rep. of)	C 148 27.05.2000, p. 22
Colour television receivers	Turkey	C 202 15.07.2000, p. 4
Gear hubs (internal) for bicycles	Japan	C 214 27.07.2000
Urea	Belarus Bulgaria Croatia Egypt Estonia Lithuania Libya Poland Romania Ukraine	C 301 21.10.2000, p. 2
Ferro molybdenum	P.R. China	C 320 09.11.2000, p. 3

Stones (worked monumental or building granite stones)	P.R. China India	C 322 11.11.2000, p. 3
Zinc oxides	P.R. China	C 366 20.12.2000, p. 7

B. ANTI-SUBSIDY INVESTIGATIONS

Product	Country of origin	OJ Reference
NONE		

ANNEX B

NEW INVESTIGATIONS INITIATED BY COUNTRY OF EXPORT

DURING THE PERIOD 1996 – 2000 (31 DECEMBER)

Country of origin	1996	1997	1998	1999	2000
Algeria	-	-	-	1	-
Australia	-	-	-	2	-
Belarus	-	-	-	1	1
Brazil	-	2	-	1	-
Bulgaria	-	1	-	1	1
China (People's Republic of)	6	5	1	12	6
Croatia	-	-	1	1	1
Czech Republic	1	-	1	1	1
Egypt	2	1	-	-	1
Estonia	-	1	-	-	1
Hong Kong	-	-	-	1	-
Hungary	-	-	2	-	-
India	4	6	7	7	3
Indonesia	1	1	-	4	-
Iran	-	-	-	1	-
Japan	-	2	-	4	1
Korea (Rep. of)	1	3	7	9	2
Latvia	-	1	-	-	-
Libya	-	-	-	-	1
Lithuania	-	1	-	3	1
Malaysia	1	2	-	4	1
Mexico	-	-	1	-	-
Norway	2	-	-	-	-
Pakistan	2	1	-	-	-
Peru	-	1	-	-	-
Philippines	-	-	-	1	-
Poland	-	1	2	1	1
Romania	1	-	-	1	1
Russia	1	2	-	1	2
Saudi Arabia	-	-	2	-	-
Singapore	-	1	-	1	-
Slovakia	1	-	-	1	-
Slovenia	-	-	1	-	-
South Africa	-	-	2	2	-
Taiwan	1	4	-	12	-
Thailand	-	3	-	7	1
Turkey	1	1	-	1	3

Ukraine	-	1	2	2	1
USA	-	3	-	1	1
Vietnam	-	1	-	-	-
Yugoslavia (F.R.)	-	-	-	2	-
	25	45	29	86	31

ANNEX C

NEW INVESTIGATIONS INITIATED BY PRODUCT SECTOR

DURING THE PERIOD 1996 – 2000 (31 DECEMBER)

Product	1996	1997	1998	1999	2000
Chemical and allied	-	8	-	28	17
Textiles and allied	10	8	9	11	-
Wood and paper	-	7	-	-	-
Electronics	-	14	-	12	2
Other mechanical engineering	-	1	-	5	1
Iron and Steel	9	4	19	25	7
Others metal	1	1	-	-	2
Other	5	2	1	5	2
	25	45	29	86	31
Of which anti-dumping	24	42	21	66	31
anti-subsidy	1	3	8	20	0

ANNEX D

NEW INVESTIGATIONS CONCLUDED BY THE IMPOSITION OF PROVISIONAL DUTIES

DURING THE PERIOD 1 JANUARY – 31 DECEMBER 2000

A. ANTI-DUMPING INVESTIGATIONS

Product	Country of origin	Regulation N°	OJ Reference
Polyester staple fibres (AD)	Australia Indonesia Thailand	Commission Reg. (EC) No 124/2000 20.01.2000	L 16 21.01.2000 p. 30
Hot-rolled flat products of non-alloy steel (quarto plates)	P.R. China India Romania	Commission Dec. No 307/2000/ECSC 10.02.2000	L 35 11.02.2000 p. 4
Tube or pipe fittings (malleable cast iron)	Brazil Czech Rep. Japan P.R. China Korea (Rep. of) Thailand	Commission Reg. (EC) No 449/2000 28.02.2000	L 55 29.02.2000 p. 3
Solutions of urea and ammonium nitrate	Algeria Belarus Lithuania Russia Ukraine	Commission Reg. (EC) No 617/2000 16.03.2000	L 75 24.03.2000 p. 3
Cathode-ray colour-television picture tubes	India Malaysia P.R. China Korea (Rep. of)	Commission Reg. (EC) No 837/2000 19.04.2000	L 102 27.04.2000 p. 15
Hairbrushes	P.R. China Korea (Rep. of) Taiwan Thailand	Commission Reg. (EC) No 967/2000 08.05.2000	L 111 09.05.2000 p. 4
Glycine	P.R. China	Commission Reg. (EC) No 1043/2000 18.05.2000	L 118 19.05.2000 p. 6
SBS thermoplastic rubber (AD)	Taiwan	Commission Reg. (EC) No 1091/2000 24.05.2000	L 124 25.05.2000 p. 12

Coke of coal in pieces with a diameter of more than 80 mm	P.R. China	Commission Dec. No 1238/2000/ECSC 14.06.2000	L 141 15.06.2000 p. 9
Polyester staple fibres	India Korea (Rep. of)	Commission Reg. (EC) No 1472/2000 06.07.2000 amended by Commission Reg. (EC) No 1899/2000 07.09.2000	L 166 06.07.2000 p. 1 L 228 08.09.2000 p. 24
Ammonium nitrate	Poland Ukraine	Commission Reg. (EC) No 1629/2000 25.07.2000	L 187 26.07.2000 p. 12
Polyethylene terephthalate (PET)	India Indonesia Korea (Rep. of) Malaysia Taiwan Thailand	Commission Reg. (EC) No 1742/2000 04.08.2000	L 199 05.08.2000 p. 48

B. ANTI-SUBSIDY INVESTIGATIONS

Product	Country of origin	Regulation N°	OJ Reference
Polyester staple fibres (AS)	Australia Indonesia Taiwan	Commission Reg. (EC) No 123/2000 20.01.2000	L 16 21.01.2000 p. 3
Stainless steel fasteners (AS)	Malaysia Philippines	Commission Reg. (EC) No 618/2000 22.03.2000	L 75 24.03.2000 p. 18
SBS thermoplastic rubber (AS)	Taiwan	Commission Reg. (EC) No 1092/2000 24.05.2000	L 124 25.05.2000 p. 26
Polyethylene terephthalate (PET) (AS)	India Malaysia Taiwan Thailand	Commission Reg. (EC) No 1741/2000 03.08.2000	L 199 05.08.2000 p. 6

ANNEX E

NEW INVESTIGATIONS CONCLUDED BY THE IMPOSITION OF DEFINITIVE DUTIES

DURING THE PERIOD 1 JANUARY – 31 DECEMBER 2000

A. ANTI-DUMPING INVESTIGATIONS

Product	Country of origin	Regulation N°	OJ Reference
Flat rolled products of iron or non-alloy steel (hot rolled coils)	Bulgaria India South Africa Taiwan Yugoslavia (F.R.)	Commission Dec. No 283/2000/ECSC 04.02.2000 corrected by Commission Dec. No 2009/2000/ECSC 22.09.2000	L 31 05.02.2000 p. 15 L 240 23.09.2000 p. 12
Seamless pipes and tubes of non-alloy steel	Croatia Ukraine	Council Reg. (EC) No 348/2000 14.02.2000	L 45 17.02.2000 p. 1
Synthetic staple fibres of polyester	Australia Indonesia Thailand	Council Reg. (EC) No 1522/2000 10.07.2000	L 175 14.07.2000 p. 10
Hot-rolled flat products of non-alloy steel (quarto plates)	P.R. China India Romania	Commission Dec. No 1758/2000/ECSC 09.08.2000	L 202 10.08.2000 p. 21
Tube or pipe fittings (malleable cast iron)	Brazil Czech Rep. Japan P.R. China Korea (Rep. of) Thailand	Council Reg. (EC) No 1784/2000 11.08.2000	L 208 18.08.2000 p. 8
Styrene-butadien-styrene thermoplastic rubber	Taiwan	Council Reg. (EC) No 1993/2000 18.09.2000	L 238 22.09.2000 p. 4
Solutions of urea and ammonium nitrate	Algeria Belarus Lithuania Russia Ukraine	Council Reg. (EC) No 1995/2000 18.09.2000	L 238 22.09.2000 p. 15
Black colorformers	Japan	Council Reg. (EC) No 2263/2000 09.10.2000	L 259 13.10.2000 p. 1

Colour television picture tubes (cathode-ray)	India Korea (Rep. of)	Council Reg. (EC) No 2313/2000 17.10.2000	L 267 20.10.2000 p. 1
PET (polyethylene terephthalate)	India Indonesia Korea (Rep. of) Malaysia Taiwan Thailand	Council Reg. (EC) No 2604/2000 27.11.2000	L 301 30.11.2000 p. 21
Electronic weighing scales	P.R. China Korea (Rep. of) Taiwan	Council Reg. (EC) No 2605/2000 27.11.2000	L 301 30.11.2000 p. 42
Coke of coal in pieces with a diameter of more than 80 mm	P.R. China	Commission Dec. No 2730/2000/ECSC 14.12.2000	L 316 15.12.2000 p. 30
Polyester staple fibres	India Korea (Rep. of)	Council Reg. (EC) No 2852/2000 22.12.2000	L 332 28.12.2000 p. 17

B. ANTI-SUBSIDY INVESTIGATIONS

Product	Country of origin	Regulation N°	OJ Reference
Flat rolled products of iron or non-alloy steel (hot rolled coils) (AS)	India Taiwan	Commission Dec. No 284/2000/ECSC 04.02.2000 corrected by Commission Dec. No 2071/2000/ECSC 29.09.2000	L 31 05.02.2000 p. 44 L 246 30.09.2000 p. 32
Synthetic fibres of polyester (AS)	Australia Indonesia Taiwan	Council Reg. (EC) No 978/2000 08.05.2000	L 113 12.05.2000 p. 1
Stainless steel fasteners (AS)	Malaysia Philippines	Council Reg. (EC) No 1523/2000 10.07.2000	L 175 14.07.2000 p. 29
Styrene-butadien-styrene thermoplastic rubber (AS)	Taiwan	Council Reg. (EC) No 1994/2000 18.09.2000	L 238 22.09.2000 p. 8
PET (polyethylene terephthalate) (AS)	India Malaysia Thailand	Council Reg. (EC) No 2603/2000 27.11.2000	L 301 30.11.2000 p. 1

ANNEX F

NEW INVESTIGATIONS TERMINATED WITHOUT THE IMPOSITION OF MEASURES

DURING THE PERIOD 1 JANUARY – 31 DECEMBER 2000

A. ANTI-DUMPING INVESTIGATIONS

Product	Country of origin	Regulation N°	OJ Reference
Television camera systems	USA	Commission Dec. No 2000/73/EC 31.01.2000	L 25 01.02.2000 p. 24
Flat rolled products of iron or non-alloy steel (hot rolled coils)	Iran	Commission Dec. No 283/2000/ECSC 04.02.2000	L 31 05.02.2000 p. 15
Yellow phosphorus	P.R. China	Commission Dec. No 2000/247/EC 27.03.2000	L 77 28.03.2000 p. 23
Bicycle frames	P.R. China Taiwan	Commission Dec. No 2000/316/EC 02.05.2000	L 105 03.05.2000 p. 40
Bicycle forks	P.R. China Taiwan	Commission Dec. No 2000/316/EC 02.05.2000	L 105 03.05.2000 p. 40
Bicycle wheels	P.R. China	Commission Dec. No 2000/316/EC 02.05.2000	L 105 03.05.2000 p. 40
Hairbrushes	Hong Kong	Commission Reg. (EC) No 967/2000 08.05.2000	L 111 09.05.2000 p. 4
Parts of television camera systems	Japan	15 months deadline to impose definitive measures expired	
Compact disc boxes	P.R. China	Commission Dec. No 2000/349/EC 23.05.2000	L 122 24.05.2000 p. 46
Steel wire rod	Turkey	Commission Dec. No 2000/512/ECSC 11.08.2000	L 205 12.08.2000 p. 15
Tube or pipe fittings (malleable cast iron)	Croatia Yugoslavia (F.R.)	Commission Dec. No 2000/523/EC 10.08.2000	L 208 18.08.2000 p. 53

Solutions of urea and ammonium nitrate	Slovak Rep.	Council Reg. (EC) No 1995/2000 18.09.2000	L 238 22.09.2000 p. 15
Colour television picture tubes (cathode-ray)	Lithuania Malaysia P.R. China	Council Reg. (EC) No 2313/2000 17.10.2000	L 267 20.10.2000 p. 1
Hairbrushes	P.R. China Korea (Rep. of) Taiwan Thailand	15 months deadline to impose definitive measures expired	
Glycine	P.R. China	15 months deadline to impose definitive measures expired	

B. ANTI-SUBSIDY INVESTIGATIONS

Product	Country of origin	Regulation N°	OJ Reference
Polyester staple fibres (AS)	Korea (Rep. of) Thailand	Commission Reg. (EC) No 123/2000 20.01.2000	L 16 21.01.2000 p. 3
Flat rolled products of iron or non-alloy steel (hot rolled coils) (AS)	South Africa	Commission Dec. No 284/2000/ECSC 04.02.2000	L 31 05.02.2000 p. 44
Stainless steel fasteners (AS)	Singapore Thailand	Council Reg. (EC) No 1523/2000 10.07.2000	L 175 14.07.2000 p. 29
Woven glass-fibre fabrics (AS)	Taiwan	Commission Dec. No 2000/575/EC 20.09.2000	L 240 23.09.2000 p. 27
PET (polyethylene terephthalate) (AS)	Indonesia Korea (Rep. of) Taiwan	Council Reg. (EC) No 2603/2000 27.11.2000	L 301 30.11.2000 p. 1

ANNEX G

EXPIRY REVIEWS INITIATED OR CONCLUDED

DURING THE PERIOD 1 JANUARY – 31 DECEMBER 2000

Initiated		
Product	Country of origin	OJ Reference
Urea	Russia	C 62 04.03.2000 p. 19
Colour television receivers *	Malaysia P.R. China Korea (Rep. of) Singapore Thailand	C 94 01.04.2000 p. 2
Lighters (gas-fuelled, non refillable)	P.R. China	C 127 05.05.2000 p. 15
Ammonium nitrate*	Russia	C 239 23.08.2000 p. 10
Peroxodisulphates	P.R. China	C 366 20.12.2000 p. 5

Concluded : confirmation of duty			
Product	Country of origin	Regulation/ Decision No	OJ Reference
Magnesium (dead-burned)	P.R. China	Council Reg. (EC) No 360/2000 14.02.2000	L 46 18.02.2000 p. 1
Potassium chloride*	Belarus Russia Ukraine	Council Reg. (EC) No 969/2000 08.05.2000	L 112 11.05.2000 p. 4
Silicon carbide	P.R. China Russia Ukraine	Council Reg. (EC) No 1100/2000 22.05.2000	L 125 26.05.2000 p. 3

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

Bicycles	P.R. China	Council Reg. (EC) No 1524/2000 10.07.2000	L 175 14.07.2000 p. 39
Ethanolamines*	U.S.A.	Council Reg. (EC) No 1603/2000 20.07.2000	L 185 25.07.2000 p. 1
Fluorspar*	P.R. China	Council Reg. (EC) No 2011/2000 18.09.2000	L 241 26.09.2000 p. 5
Television camera systems	Japan	Council Reg. (EC) No 2042/2000 26.09.2000	L 244 29.09.2000 p. 38

Concluded : termination			
Product	Country of origin	Regulation/ Decision No	OJ Reference
Lighters (non-refillable)*	Japan	Council Reg. (EC) No 174/2000 24.01.2000	L 22 27.01.2000 p. 16
Large aluminium electrolytic capacitors*	Japan	Council Reg. (EC) No 173/2000 24.01.2000	L 22 27.01.2000 p. 1
Ferro-chrome (low carbon)	Russia Kazakhstan	Commission Dec. No 2000/242/EC 24.03.2000	L 76 25.03.2000 p. 23

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

ANNEX H

INTERIM REVIEWS INITIATED OR CONCLUDED

DURING THE PERIOD 1 JANUARY – 31 DECEMBER 2000

Initiated		
Product	Country of origin	OJ Reference
Stainless steel fasteners and parts thereof [*]	P.R. China	L 7 12.01.2000 p. 1
Stainless steel bars (AS)	India	C 22 26.01.2000 p. 7
Magnesium (unwrought unalloyed)	P.R. China	C 35 08.02.2000 p. 12
Television camera systems	Japan	C 40 12.02.2000 p. 5
Colour television receivers ^{**}	Malaysia P.R. China Korea (Rep. of) Singapore Thailand	C 94 01.04.2000 p. 2
Polyester textured filament yarn (PTY)	Thailand	C 170 20.06.2000 p. 4
Personal fax machines	P.R. China Japan Korea (Rep. of) Malaysia Singapore Taiwan Thailand	C 184 01.07.2000 p. 26
Ammonium nitrate ^{**}	Russia	C 239 23.08.2000 p. 10

^{*} Parallel interim and new exporter review (see also Annex I)

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

Bicycles	P.R. China	C 278 30.09.2000 p. 28
Lighters (gas-fuelled non-refillable)	Thailand	C 311 31.10.2000 p. 5
Polyester staple fibres and polyester filament tow	Belarus	C 352 08.12.2000 p. 6

Concluded : confirmation/amendment of duty			
Product	Country of origin	Regulation/ Decision No	OJ Reference
Television camera systems ***	Japan	Council Reg. (EC) No 176/2000 24.01.2000	L 22 27.01.2000 p. 29
Seamless pipes and tubes of iron or non-alloy steel	Russia	Council Reg. (EC) No 190/2000 24.01.2000	L 23 28.01.2000 p. 1
Potassium chloride*	Belarus Russia Ukraine	Council Reg. (EC) No 969/2000 08.05.2000	L 112 11.05.2000 p. 4
Tube and pipe fittings, of iron or steel	Thailand	Council Reg. (EC) No 1592/2000 17.07.2000	L 182 21.07.2000 p. 1
Ethanolamines*	U.S.A.	Council Reg. (EC) No 1603/2000 20.07.2000	L 185 25.07.2000 p. 1
Polyester textured filament yarn	Malaysia	Council Reg. (EC) No 1992/2000 18.09.2000	L 238 22.09.2000 p. 1
Polyester textured filament yarn	Taiwan	Council Reg. (EC) No 2010/2000 18.09.2000	L 241 26.09.2000 p. 1

*** Investigation conducted and concluded under the specific provisions of the Regulation imposing the original measures

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

Fluorspar*	P.R. China	Council Reg. (EC) No 2011/2000 18.09.2000	L 241 26.09.2000 p. 5
Microwave ovens	Korea (Rep. of)	Council Reg. (EC) No 2041/2000 26.09.2000	L 244 29.09.2000 p. 33
Stainless steel fasteners and parts thereof**	P.R. China	Council Reg. (EC) No 2570/2000 20.11.2000	L 297 24.11.2000 p. 1
Television camera systems***	Japan	Council Reg. (EC) No 2676/2000 04.12.2000	L 308 08.12.2000 p. 1
Magnesium (unwrought, unalloyed)	P.R. China	Council Reg. (EC) No 2788/2000 18.12.2000	L 324 21.12.2000 p. 4

Concluded : termination			
Product	Country of origin	Regulation/ Decision No	OJ Reference
Lighters (non-refillable)*	Japan	Council Reg. (EC) No 174/2000 24.01.2000	L 22 27.01.2000 p. 16
Large aluminium electrolytic capacitors*	Japan	Council Reg. (EC) No 173/2000 24.01.2000	L 22 27.01.2000 p. 1
Large aluminium electrolytic capacitors	Korea (Rep. of) Taiwan	Council Reg. (EC) No 173/2000 24.01.2000	L 22 27.01.2000 p. 1
Bicycle parts	P.R. China	Commission Dec. No 2000/316/EC 02.05.2000	L 105 03.05.2000 p. 40

** Parallel interim and new exporter review (see also Annex I)

*** Investigation conducted and concluded under the specific provisions of the Regulation imposing the original measures

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

Magnetic disks (3,5" microdisks)	Taiwan	Commission Dec. No 2000/356/EC 26.05.2000	L 127 27.05.2000 p. 58
Stainless steel bars (AS)	India	Commission Dec. No 2000/768/EC 06.12.2000	L 306 07.12.2000 p. 36

ANNEX I

NEW EXPORTER REVIEWS INITIATED OR CONCLUDED

DURING THE PERIOD 1 JANUARY – 31 DECEMBER 2000

Initiated			
Product	Country of origin	Regulation/ Decision No	OJ Reference
Stainless steel fasteners and parts thereof*	P.R. China	Commission Reg. (EC) No 59/2000 05.01.2000	L 7 12.01.2000 p. 1
Sacks and bags (polyethylene/polypropylene)	India	Commission Reg. (EC) No 621/2000 23.03.2000	L 75 24.03.2000 p. 45
Flat rolled products of iron or non-alloy steel (hot rolled coils)	India	Commission Dec. No 2113/2000/ECSC 05.10.2000	L 252 06.10.2000 p. 3

Concluded : imposition/amendment of duty			
Product	Country of origin	Regulation/ Decision No	OJ Reference
Handbags (leather)	P.R. China	Council Reg. (EC) No 175/2000 24.01.2000	L 22 27.01.2000 p. 25
Cotton-type bed linen**	Egypt India Pakistan	Council Reg. (EC) No 554/2000 13.03.2000	L 68 16.03.2000 p. 1
Bicycles**	Taiwan	Council Reg. (EC) No 1099/2000 22.05.2000	L 125 26.05.2000 p. 1
Flat pallets of wood**	Poland	Council Reg. (EC) No 1521/2000 10.07.2000	L 175 14.07.2000 p. 1

* Parallel interim and new exporter review (see also Annex H)

** Investigation conducted and concluded under the specific provisions of the Regulation imposing the original measures

Stainless steel fasteners and parts thereof [*]	P.R. China	Council Reg. (EC) No 2570/2000 20.11.2000	L 297 24.11.2000 p. 1
Salmon (AD/AS) ^{**}	Norway	Council Reg. (EC) No 2606/2000 27.11.2000	L 301 30.11.2000 p. 61
Sacks and bags (polyethylene/polypropylene)	India	Council Reg. (EC) No 2744/2000 14.12.2000	L 316 15.12.2000 p. 67

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

* Parallel interim and new exporter review (see also Annex H)

** Investigation conducted and concluded under the specific provisions of the Regulation imposing the original measures

ANNEX J

ANTI-ABSORPTION INVESTIGATIONS INITIATED OR CONCLUDED

DURING THE PERIOD 1 JANUARY – 31 DECEMBER 2000

Initiated		
Product	Country of origin	OJ Reference
Binder or baler twine (polypropylene)	Poland	C 227 09.08.2000 p. 15

Concluded with increase of duty			
Product	Country of origin	Regulation/ Decision No	OJ Reference
Glyphosate	P.R. China	Council Reg. (EC) No 1086/2000 22.05.2000	L 124 25.05.2000 p. 1
Ring binder mechanisms	P.R. China	Council Reg. (EC) No 2100/2000 29.09.2000	L 250 05.10.2000 p. 1
Magnesium (unwrought unalloyed)	P.R. China	Council Reg. (EC) No 2315/2000 17.10.2000	L 267 20.10.2000 p. 17

Concluded without increase of duty / termination			
Product	Country of origin	Regulation/ Decision No	OJ Reference
Stainless steel fasteners and parts thereof	Malaysia Thailand	Commission Dec. No 2000/315/EC 28.04.2000	L 104 29.04.2000 p. 87

ANNEX K

ANTI-CIRCUMVENTION INVESTIGATIONS INITIATED OR CONCLUDED

DURING THE PERIOD 1 JANUARY – 31 DECEMBER 2000

Initiated			
Product	Country of origin	Regulation/ Decision No	OJ Reference
NONE			

Concluded with extension of duty			
Product	Country of origin and/or consignment	Regulation/ Decision No	OJ Reference
Tube and pipe fittings, of iron or steel	China (consigned from Taiwan)	Council Reg. (EC) No 763/2000 10.04.2000 amended by Council Reg. (EC) No 2314/2000 17.10.2000	L 94 14.04.2000 p. 1 L 267 20.10.2000 p. 15

Concluded without extension of duty / termination			
Product	Country of origin and/or consignment	Regulation/ Decision No	OJ Reference
Magnetic disks (3,5" microdisks)	Taiwan P.R. China	Commission Reg. (EC) No 799/2000 17.04.2000	L 96 18.04.2000 p. 30

ANNEX L

ACCELERATED REVIEW INVESTIGATIONS (ANTI-SUBSIDY) INITIATED OR CONCLUDED

DURING THE PERIOD 1 JANUARY – 31 DECEMBER 2000

Initiated		
Product	Country of origin	OJ Reference
Stainless steel wire (= or > 1 mm) (AS)	India	C 61 03.03.2000 p. 2
Stainless steel bars (AS)	India	C 61 03.03.2000 p. 3
Flat rolled products of iron or non-alloy steel (hot rolled coils)	India	C 201 14.07.2000 p. 2

Concluded			
Product	Country of origin and/or consignment	Regulation/ Decision No	OJ Reference
NONE			

ANNEX M

UNDERTAKINGS ACCEPTED OR REPEALED

DURING THE PERIOD 1 JANUARY – 31 DECEMBER 2000

Undertakings accepted			
Product	Country of origin	Regulation N°	OJ Reference
Seamless pipes and tubes of iron or non-alloy steel	Russia	Commission Dec. No 2000/70/EC 22.12.1999	L 23 28.01.2000 p. 78
Flat rolled products of iron or non-alloy steel (hot rolled coils) (AS)	India	Commission Dec. No 284/2000/ECSC 04.02.2000	L 31 05.02.2000 p. 44
Flat rolled products of iron or non-alloy steel (hot rolled coils)	Bulgaria India South Africa	Commission Dec. No 283/2000/ECSC 04.02.2000	L 31 05.02.2000 p. 15
Seamless pipes and tubes of iron or non-alloy steel	Croatia Ukraine	Commission Dec. No 2000/137/EC 17.02.2000	L 46 18.02.2000 p. 34
Tube or pipe fittings (malleable cast iron) (at provisional stage)	Czech Rep.	Commission Reg. (EC) No 449/2000 28.02.2000	L 55 29.02.2000 p. 3
Solutions of urea and ammonium nitrate (at provisional stage)	Algeria	Commission Reg. (EC) No 617/2000 16.03.2000	L 75 24.03.2000 p. 3
Silicon carbide	Russia	Council Reg. (EC) No 1100/2000 22.05.2000	L 125 26.05.2000 p. 3
Flat pallets of wood	Poland	Commission Dec. No 2000/437/EC 27.06.2000	L 175 14.07.2000 p. 93
Hot-rolled flat products of non-alloy steel (quarto plates)	India Romania	Commission Dec. No 1758/2000/ECSC 09.08.2000	L 202 10.08.2000 p. 21

Salmon (AD/AS)	Norway	Commission Dec. No 2000/522/EC 26.07.2000	L 208 18.08.2000 p. 47
Tube or pipe fittings (malleable cast iron)	Korea (Rep. of) Thailand	Commission Dec. No 2000/523/EC 10.08.2000	L 208 18.08.2000 p. 53
Salmon (AD/AS)	Norway	Commission Dec. No 2000/744/EC 30.10.2000	L 301 30.11.2000 p. 82
PET (polyethylene terephthalate) (AD/AS)	India Indonesia	Commission Dec. No 2000/745/EC 29.11.2000	L 301 30.11.2000 p. 88
Polyester staple fibres	India	Commission Dec. No 2000/818/EC 19.12.2000	L 332 28.12.2000 p. 116

Undertakings repealed

Product	Country of origin	Regulation N°	OJ Reference
Tube and pipe fittings, of iron or steel	P.R. China Croatia Thailand	Commission Dec. No 2000/453/EC 11.07.2000	L 182 21.07.2000 p. 25

Undertakings repealed with imposition of definitive measures

Product	Country of origin	Regulation N°	OJ Reference
Binder or baler twine (polypropylene)	Poland	Council Reg. (EC) No 968/2000 08.05.2000	L 112 11.05.2000 p. 1
Salmon (AD/AS)	Norway	Council Reg. (EC) No 1783/2000 16.08.2000	L 208 18.08.2000 p. 1

Undertakings withdrawn			
Product	Country of origin	Regulation N°	OJ Reference
Flat pallets of wood	Poland	Commission Dec. No 2000/437/EC 27.06.2000	L 175 14.07.2000 p. 93

ANNEX N

MEASURES WHICH EXPIRED

DURING THE PERIOD 1 JANUARY – 31 DECEMBER 2000

Product	Country of origin	Original measure & OJ Reference	Publication
Microwave ovens	P.R. China Korea (Rep. of) Malaysia Thailand	Council Reg. (EC) No 5/96 (OJ L 2, 04.01.2000)	C 374 28.12.2000 p. 9

ANNEX O

DEFINITIVE ANTI-DUMPING MEASURES IN FORCE ON 31 DECEMBER 2000

A. RANKED 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	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 as last amended by Council Reg. (EC) No 554/2000 13.03.2000	L 332 04.12.97 p. 1 L 68 16.03.2000 p. 1
Bicycles	P.R. China	Duties	Council Reg. (EC) No 1524/2000 10.07.2000 and extended to bicycle parts by Council Reg. (EC) No 71/97 10.01.97	L 175 14.07.2000 p. 39 L 16 18.01.97 p. 1
	Indonesia Malaysia Thailand	Duties	Council Reg. (EC) No 648/96 28.03.96	L 91 12.04.96 p. 1
	Taiwan	Duties	Council Reg. (EC) No 397/99 22.02.99 as last amended by Council Reg. (EC) No 1099/2000 22.05.2000	L 49 25.02.99 p. 1 L 125 26.05.2000 p. 1

Binder or baler twine (polypropylene)	Poland Czech Rep. Hungary	Duties	Council Reg. (EC) No 603/99 15.03.99 as last amended by Council Reg. (EC) No 968/2000 08.05.2000	L 75 20.03.99 p. 1 L 112 11.05.2000 p. 1
	Poland Czech Rep. Hungary	Undertakings	Commission Dec. No 1999/215/EC 16.03.99 as last amended by Commission Dec. No 2000/324/EC 25.04.2000	L 75 20.03.99 p. 34 L 112 11.05.2000 p. 65
Black colorformers	Japan	Duties	Council Reg. (EC) No 2263/2000 09.10.2000	L 259 13.10.2000 p. 1
Chamottes (refractory)	P.R. China	Duties	Council Reg. (EC) No 137/96 22.01.96	L 21 27.01.96 p. 1
Coke of coal in pieces with a diameter of more than 80 mm	P.R. China	Duties	Commission Dec. No 2730/2000/ECSC 14.12.2000	L 316 15.12.2000 p. 30
Colour television picture tubes (cathode-ray)	India Korea (Rep. of)	Duties	Council Reg. (EC) No 2313/2000 17.10.2000	L 267 20.10.2000 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
	P.R. China Korea (Rep. of) Taiwan	Duties	Council Reg. (EC) No 2605/2000 27.11.2000	L 301 30.11.2000 p. 42
Ethanolamines	USA	Duties	Council Reg. (EC) No 1603/2000 20.07.2000	L 185 25.07.2000 p. 1

Ferro-silico-manganese	P.R. China Ukraine Ukraine	Duties Undertaking	Council Reg. (EC) No 495/98 23.02.98	L 62 03.03.98 p. 1
Ferro-silicon	Brazil Kazakhstan Ukraine Venezuela Russia P.R. China	Duties Duties	Council Reg. (EC) No 3359/93 02.12.93 as last amended by Council Reg. (EC) No 351/98 12.02.98 Council Reg. (EC) No 621/94 17.03.94	L302 09.12.93 p. 1 L 42 14.02.98 p. 1 L 77 19.03.94 p. 48
Flat pallets of wood	Poland Poland	Duties Undertakings	Council Reg. (EC) No 2334/97 24.11.97 as last amended by Council Reg. (EC) No 1521/2000 10.07.2000 Commission Reg. (EC) No 1023/97 06.06.97 as last amended by Commission Dec. 2000/437/EC 27.06.2000	L 324 27.11.97 p. 1 L 175 14.07.2000 p. 1 L 150 07.06.97 p. 4 L 175 14.07.2000 p. 93
Flat rolled products of iron or non-alloy steel (hot rolled coils)	Bulgaria India South Africa Taiwan Yugoslavia (F.R.) Bulgaria India South Africa	Duties Undertakings	Commission Dec. No 283/2000/ECSC 04.02.2000 corrected by Commission Dec. No 2209/2000/ECSC 22.09.2000	L 31 05.02.2000 p. 15 L 240 23.09.2000 p. 12
Fluorspar	P.R. China	Duties	Council Reg. (EC) No 2011/2000 18.09.2000	L 241 26.09.2000 p. 5
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 2722/99 17.12.99	L 328 22.12.99 p. 1
Glyphosate	P.R. China	Duties	Council Reg. (EC) No 368/98 16.02.98 as last amended by Council Reg. (EC) No 1086/2000 22.05.2000	L 47 18.02.98 p. 1 L 124 25.05.2000 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 175/2000 24.01.2000	L 208 02.08.97 p. 31 L 22 27.01.2000 p. 25
Hardboard	Bulgaria Estonia Latvia Lithuania Poland Russia	Duties	Council Reg. (EC) No 194/99 25.01.99	L 22 29.01.99 p. 16
		Undertakings	Commission Dec. No 1999/71/EC 06.01.99	L 22 29.01.99 p. 71
Hot-rolled flat products of non-alloy steel (quarto plates)	P.R. China India Romania	Duties	Commission Dec. No 1758/2000/ECSC 09.08.2000	L 202 10.08.2000 p. 21
		Undertakings	India Romania	
Lighters (non-refillable)	P.R. China	Duties	Council Reg. (EC) No 1006/95 03.04.95 extended to lighters (non-refillable) from Taiwan and to lighters (refillable) from China and Taiwan by Council Reg. (EC) No 192/99 25.01.99	L 101 04.05.95 p. 38 L 22 29.01.99 p. 1

	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
Magnesium (deadburned)	P.R. China	Duties	Council Reg. (EC) No 360/2000 14.02.2000	L 46 18.02.2000 p. 1
Magnesium (unwrought, unalloyed)	P.R. China	Duties	Council Reg. (EC) No 2402/98 03.11.98 as last amended by Council Reg. (EC) No 2788/2000 18.12.2000	L 298 07.11.98 p. 1 L 324 21.12.2000 p. 4
	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 1334/99 21.06.99	L 159 25.06.99 p. 1
Magnetic disks (3,5" microdisks)	P.R. China Japan Taiwan	Duties	Council Reg. (EC) No 2861/93 18.10.93 as last amended by Council Reg. (EC) No 2537/99 29.11.99	L 262 21.10.93 p. 4 L 307 02.12.99 p. 1
	Hong Kong Korea (Rep. of)	Duties	Council Reg. (EC) No 2199/94 09.09.94 as last amended by Council Reg. (EC) No 2537/99 29.11.99	L 236 10.09.94 p. 1 L 307 02.12.99 p. 1

	Malaysia Mexico USA	Duties	Council Reg. (EC) No 663/96 28.03.96 as last amended by Council Reg. (EC) No 2537/99 29.11.99	L 92 13.04.96 p. 1 L 307 02.12.99 p. 1
	Indonesia	Duties	Council Reg. (EC) No 1821/98 29.07.98 as last amended by Council Reg. (EC) No 2537/99 29.11.99	L 236 22.08.98 p. 1 L 307 02.12.99 p. 1
Monosodium glutamate	Brazil Vietnam Korea (Rep. of) 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 Korea (Rep. of) Malaysia Singapore Taiwan Thailand	Duties	Council Reg. (EC) No 904/98 27.04.98	L 128 30.04.98 p. 1
PET (polyethylene terephthalate)	India Indonesia Korea (Rep. of) Malaysia Taiwan Thailand	Duties	Council Reg. (EC) No 2604/2000 27.11.2000	L 301 30.11.2000 p. 21
	India Indonesia	Undertakings	Commission Dec. No 2000/745/EC 29.11.2000	L 301 30.11.2000 p. 88
Polyester staple fibre	Belarus	Duties	Council Reg. (EC) No 1490/96 23.07.96 extended to polyester filament tow by Council Reg. (EC) No 2513/97 15.12.97	L 189 30.07.96 p. 13 L 346 17.12.97 p. 1

Polyester staple fibres	India Korea (Rep. of)	Duties	Council Reg. (EC) No 2852/2000 22.12.2000	L 332 28.12.2000 p. 17
	India	Undertakings	Commission Dec. No 2000/818/EC 19.12.2000	L 332 28.12.2000 p. 116
Polyester textured filament yarns (PTY)	Taiwan	Duties	Council Reg. (EC) No 1074/96 10.06.96 as last amended by Council Reg. (EC) No 2010/2000 18.09.2000	L 141 14.06.96 p. 45 L 241 26.09.2000 p. 1
	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 as last amended by Council Reg. (EC) No 1992/2000 18.09.2000	L 145 05.06.97 p. 1 L 238 22.09.2000 p. 1
Polyester yarns (PTY/POY)	Turkey	Duties	Council Reg. (EC) No 1074/96 10.06.96 as last amended by Council Reg. (EC) No 2010/2000 18.09.2000	L 141 14.06.96 p. 45 L 241 26.09.2000 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 969/2000 08.05.2000	L 112 11.05.2000 p. 4
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 as last amended by Council Reg. (EC) No 2100/2000 29.09.2000	L 22 24.01.97 p. 1 L 250 05.10.2000 p. 1
Sacks and bags (woven polyolefin)	P.R. China	Duties	Council Reg. (EC) No 2003/97 13.10.97	L 284 16.10.97 p. 1
Sacks and bags (polyethylene/polypropylene)	India Indonesia Thailand	Duties	Council Reg. (EC) No 1950/97 06.10.97 as last amended by Council Reg. (EC) No 2744/2000 14.12.2000	L 276 09.10.97 p. 1 L 316 15.12.2000 p. 67
Salmon (farmed Atlantic) (AD)	Norway	Duties	Council Reg. (EC) No 1890/97 26.09.97 repealed by Council Reg. (EC) No 772/99 30.03.99 as last amended by Council Reg. (EC) No 2606/2000 27.11.2000	L 267 30.09.97 p. 1 L 101 16.04.99 p. 1 L 301 30.11.2000 p. 61
	Norway	Undertakings	Commission Dec. No 97/634/EC 26.09.97 as last amended by Commission Dec. No 2000/744/EC 30.10.2000	L 267 30.09.97 p. 81 L 301 30.11.2000 p. 82
Seamless pipes and tubes of non-alloy steel	Croatia Ukraine	Duties	Council Reg. (EC) No 348/2000 14.02.2000	L 45 17.02.2000 p. 1
	Croatia Ukraine	Undertakings	Commission Dec. No 2000/137/EC 17.02.2000	L 46 18.02.2000 p. 34

Seamless steel pipes and tubes	Czech Republic Hungary Poland Romania Russia Slovak Republic	Duties	Council Reg. (EC) No 2320/97 17.11.97 as last amended by Council Reg. (EC) No 190/2000 24.01.2000	L 322 25.11.97 p. 1 L 23 28.01.2000 p. 1
	Czech Republic Hungary Poland Romania Slovak Republic	Undertakings	Commission Dec. No 97/790/EC 24.10.97	L 322 25.11.97 p. 63
	Russia	Undertakings	Commission Dec. No 2000/70/EC 22.12.1999	L 23 28.01.2000 p. 78
Silicon carbide	P.R. China Russia Ukraine	Duties	Council Reg. (EC) No 1100/2000 22.05.2000	L 125 26.05.2000 p. 3
	Russia	Undertakings	Commission Dec. No 94/202/EC 09.03.94 prolonged by above Council Reg.	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
Solutions of urea and ammonium nitrate	Algeria Belarus Lithuania Russia Ukraine	Duties	Council Reg. (EC) No 1995/2000 18.09.2000	L 238 22.09.2000 p. 15
	Algeria	Undertakings	Commission Reg. (EC) No 617/2000 16.03.2000	L 75 24.03.2000 p. 3
Stainless steel fasteners	P.R. China India Korea (Rep. of) Malaysia Taiwan Thailand	Duties	Council Reg. (EC) No 393/98 16.02.98 as last amended by Council Reg. (EC) No 2570/2000 20.11.2000	L 50 20.02.98 p. 1 L 297 24.11.2000 p. 1
Stainless steel wires (= or > 1 mm diameter) (AD)	India	Duties	Council Reg. (EC) No 1600/99 12.07.99	L 189 22.07.99 p. 19

Steel ropes and cables	P.R. China Hungary India Mexico Poland South Africa Ukraine	Duties	Council Reg. (EC) No 1796/99 12.08.99	L 217 17.08.99 p. 1
	Hungary Poland	Undertakings	Council Reg. (EC) No 1796/99 12.08.99	L 217 17.08.99 p. 1
	India Mexico South Africa Ukraine	Undertakings	Commission Dec. No 1999/572/EC 13.08.99	L 217 17.08.99 p. 63
Styrene-butadiene-styrene thermosplastic rubber	Taiwan	Duties	Council Reg. (EC) No 1993/2000 18.09.2000	L 238 22.09.2000 p. 4
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 1728/99 04.08.99	L 204 04.08.99 p. 3
Synthetic staple fibres of polyester	Australia Indonesia Thailand	Duties	Council Reg. (EC) No 1522/2000 10.07.2000	L 175 14.07.2000 p. 10
Television camera systems	Japan	Duties	Council Reg. (EC) No 2042/2000 26.09.2000 as last amended by Council Reg. (EC) No 2676/2000 04.12.2000	L 244 29.09.2000 p. 38 L 308 08.12.2000 p. 1
Televisions (colour)	Malaysia Singapore Thailand Korea (Rep. of) 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 as last amended by Council Reg. (EC) No 1592/2000 17.07.2000 and extended as concerns China to such imports from Taiwan by Council Reg; (EC) No 763/2000 10.04.2000 as last amended by Council Reg. (EC) No 2314/2000 17.10.2000	L 84 03.04.96 p. 1 L 182 21.07.2000 p. 1 L 94 14.04.2000 p. 1 L 267 20.10.2000 p. 15
	Croatia Thailand	Undertakings	Commission Dec. No 96/252/EC 01.03.96 as last amended by Commission Dec. No 2000/453/EC 11.07.2000	L 84 03.04.96 p. 46 L 182 21.07.2000 p. 25
Tube or pipe fittings (malleable cast iron)	Brazil Czech Rep. Japan P.R. China Korea (Rep. of) Thailand	Duties	Council Reg. (EC) No 1784/2000 11.08.2000	L 208 18.08.2000 p. 8
	Czech Rep.	Undertakings	Commission Reg. (EC) No 449/2000 28.02.2000	L 55 29.02.2000 p. 3
	Korea (Rep. of) Thailand	Undertakings	Commission Dec. No 2000/523/EC 10.08.2000	L 208 18.08.2000 p. 53
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	Poland	Duties	Council Reg. (EC) No 3319/94 22.12.94	L 350 31.12.94 p. 20

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. RANKED BY COUNTRY

Origin	Product	Measure	Regulation N°	Publication
Algeria	Solutions of urea and ammonium nitrate	Duties	Council Reg. (EC) No 1995/2000 18.09.2000	L 238 22.09.2000 p. 15
		Undertakings	Commission Dec. (EC) No 617/2000 16.03.2000	L 75 24.03.2000 p. 3
Australia	Synthetic staple fibres of polyester	Duties	Council Reg. (EC) No 1522/2000 10.07.2000	L 175 14.07.2000 p. 10
Belarus	Polyester staple fibre	Duties	Council Reg. (EC) No 1490/96 23.07.96 extended to polyester filament tow by Council Reg. (EC) No 2513/97 15.12.97	L 189 30.07.96 p. 13 L 346 17.12.97 p. 1
			Potassium chloride	Duties
	Solutions of urea and ammonium nitrate	Duties	Council Reg. (EC) No 1995/2000 18.09.2000	L 238 22.09.2000 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

	Tube or pipe fittings (malleable cast iron)	Duties	Council Reg. (EC) No 1784/2000 11.08.2000	L 208 18.08.2000 p. 8
Bulgaria	Flat rolled products of iron or non-alloy steel (hot rolled coils)	Duties Undertakings	Commission Dec. No 283/2000/ECSC 04.02.2000 corrected by Commission Dec. No 2009/2000/ECSC 22.09.2000	L 31 05.02.2000 p. 15 L 240 23.09.2000 p. 12
	Hardboard	Duties Undertakings	Council Reg. (EC) No 194/99 25.01.99 Commission Dec. No 1999/71/EC 06.01.99	L 22 29.01.99 p. 16 L 22 29.01.99 p. 71
P.R. China	Artificial corundum	Duties	Council Reg. (EC) No 1951/97 06.10.97	L 276 09.10.97 p. 9
	Bicycles	Duties	Council Reg. (EC) No 1524/2000 10.07.2000 and extended to bicycle parts by Council Reg. (EC) No 71/97 10.01.97	L 175 14.07.2000 p. 39 L 16 18.01.97 p. 1
	Chamottes (refractory)	Duties	Council Reg. (EC) No 137/96 22.01.96	L 21 27.01.96 p. 1
	Coke of coal in pieces with a diameter of more than 80 mm	Duties	Commission Dec. No 2730/2000/ECSC 14.12.2000	L 316 15.12.2000 p. 30
	Coumarin	Duties	Council Reg. (EC) No 600/96 25.03.96	L 86 04.04.96 p. 1
	Electronic weighing scales	Duties	Council Reg. (EC) No 2605/2000 27.11.2000	L 301 30.11.2000 p. 42
	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 2011/2000 18.09.2000	L 241 26.09.2000 p. 5
	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 2722/99 17.12.99	L 328 22.12.99 p. 1
	Glyphosate	Duties	Council Reg. (EC) No 368/98 16.02.98 as last amended by Council Reg. (EC) No 1086/2000 22.05.2000	L 47 18.02.98 p. 1 L 124 25.05.2000 p. 1
	Handbags (leather)	Duties	Council Reg. (EC) No 1567/97 01.08.97 as last amended by Council Reg. (EC) No 175/2000 24.01.2000	L 208 02.08.97 p. 31 L 22 27.01.2000 p. 25
	Hot-rolled flat products of non-alloy steel (quarto plates)	Duties	Commission Dec. No 1758/2000/ECSC 09.08.2000	L 202 10.08.2000 p. 21
	Lighters (non-refillable)	Duties	Council Reg. (EC) No 1006/95 03.04.95 extended to lighters (non-refillable) from Taiwan and to lighters (refillable) from China and Taiwan by Council Reg. (EC) No 192/99 25.01.99	L 101 04.05.95 p. 38 L 22 29.01.99 p. 1
	Magnesium (deadburned)	Duties	Council Reg. (EC) No 360/2000 14.02.2000	L 46 18.02.2000 p. 1

	Magnesium (unwrought, unalloyed)	Duties	Council Reg. (EC) No 2402/98 03.11.98 as last amended by Council Reg. (EC) No 2788/2000 18.12.2000	L 298 07.11.98 p. 1 L 324 21.12.2000 p. 4
	Magnesium oxide (caustic magnesite)	Duties	Council Reg. (EC) No 1334/99 21.06.99	L 159 25.06.99 p. 1
	Magnetic disks (3,5" microdisks)	Duties	Council Reg. (EC) No 2861/93 18.10.93 as last amended by Council Reg. (EC) No 2537/99 29.11.99	L 262 21.10.93 p. 4 L 307 02.12.99 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
	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 as last amended by Council Reg. (EC) No 2100/2000 29.09.2000	L 22 24.01.97 p. 1 L 250 05.10.2000 p. 1
	Sacks and bags (woven polyolefin)	Duties	Council Reg. (EC) No 2003/97 13.10.97	L 284 16.10.97 p. 1
	Silicon carbide	Duties	Council Reg. (EC) No 1100/2000 22.05.2000	L 125 26.05.2000 p. 3
	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 as last amended by Council Reg. (EC) No 2570/2000 20.11.2000	L 50 20.02.98 p. 1 L 297 24.11.2000 p. 1
	Steel ropes and cables	Duties	Council Reg. (EC) No 1796/99 12.08.99	L 217 17.08.99 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 or pipe fittings (malleable cast iron)	Duties	Council Reg. (EC) No 1784/2000 11.08.2000	L 208 18.08.2000 p. 8
	Tube and pipe fitting, of iron or steel	Duties	Council Reg. (EC) No 584/96 11.03.96 as last amended by Council Reg. (EC) No 1592/2000 17.07.2000 and extended as concerns China to such imports from Taiwan by Council Reg. (EC) No 763/2000 10.04.2000 as last amended by Council Reg. (EC) No 2314/2000 17.10.2000	L 84 03.04.96 p. 1 L 182 21.07.2000 p. 1 L 94 14.04.2000 p. 1 L 267 20.10.2000 p. 15
	Tungsten carbide and fused tungsten carbide	Duties	Council Reg. (EC) No 771/98 07.04.98	L 111 09.04.98 p. 1
Croatia	Seamless pipes and tubes of non-alloy steel	Duties	Council Reg. (EC) No 348/2000 14.02.2000	L 45 17.02.2000 p. 1
		Undertakings	Commission Dec. No 2000/137/EC 17.02.2000	L 46 18.02.2000 p. 34

	Tube and pipe fitting, of iron or steel	Duties	Council Reg. (EC) No 584/96 11.03.96 as last amended by Council Reg. (EC) No 1592/2000 17.07.2000	L 84 03.04.96 p. 1 L 182 21.07.2000 p. 1
		Undertakings	Commission Dec. No 96/252/EC 01.03.96 as last amended by Commission Dec. No 2000/453/EC 11.07.2000	L 84 03.04.96 p. 46 L 182 21.07.2000 p. 25
Czech Republic	Binder or baler twine (polypropylene)	Duties	Council Reg. (EC) No 603/99 15.03.99 as last amended by Council Reg. (EC) No 968/2000 08.05.2000	L 75 20.03.99 p. 1 L 112 11.05.2000 p. 1
		Undertakings	Commission Dec. No 1999/215/EC 16.03.99 as last amended by Commission Dec. No 2000/324/EC 25.04.2000	L 75 20.03.99 p. 34 L 112 11.05.2000 p. 65
	Seamless steel pipes and tubes	Duties	Council Reg. (EC) No 2320/97 17.11.97 as last amended by Council Reg. (EC) No 190/2000 24.01.2000	L 322 25.11.97 p. 1 L 23 28.01.2000 p. 1
		Undertakings	Commission Dec. No 97/790/EC 24.10.97	L 322 25.11.97 p. 63
	Tube or pipe fittings (malleable cast iron)	Duties	Council Reg. (EC) No 1784/2000 11.08.2000	L 208 18.08.2000 p. 8
		Undertakings	Commission Reg. (EC) No 449/2000 28.02.2000	L 55 29.02.2000 p. 3

Egypt	Bed linen (cotton-type)	Duties	Council Reg. (EC) No 2398/97 28.11.97 as last amended by Council Reg. (EC) No 554/2000 13.03.2000	L 332 04.12.97 p. 1 L 68 16.03.2000 p. 1
Estonia	Hardboard	Duties	Council Reg. (EC) No 194/99 25.01.99	L 22 29.01.99 p. 16
		Undertakings	Commission Dec. No 1999/71/EC 06.01.99	L 22 29.01.99 p. 71
Hong Kong	Magnetic disks (3,5" microdisks)	Duties	Council Reg. (EC) No 2861/93 18.10.93 as last amended by Council Reg. (EC) No 2537/99 29.11.99	L 236 10.09.94 p. 1 L 307 02.12.99 p. 1
Hungary	Binder or baler twine (polypropylene)	Duties	Council Reg. (EC) No 603/99 15.03.99 as last amended by Council Reg. (EC) No 968/2000 08.05.2000	L 75 20.03.99 p. 1 L 112 11.05.2000 p. 1
		Undertakings	Commission Dec. No 1999/215/EC 16.03.99 as last amended by Commission Dec. No 2000/324/EC 25.04.2000	L 75 20.03.99 p. 34 L 112 11.05.2000 p. 65
	Seamless steel pipes and tubes	Duties	Council Reg. (EC) No 2320/97 17.11.97 as last amended by Council Reg. (EC) No 190/2000 24.01.2000	L 322 25.11.97 p. 1 L 23 28.01.2000 p. 1
		Undertakings	Commission Dec. No 97/790/EC 24.10.97	L 322 25.11.97 p. 63

	Steel ropes and cables	Duties Undertakings	Council Reg. (EC) No 1796/99 12.08.99	L 217 17.08.99 p. 1
India	Bed linen (cotton-type)	Duties	Council Reg. (EC) No 2398/97 28.11.97 as last amended by Council Reg. (EC) No 554/2000 13.03.2000	L 91 12.04.96 p. 1 L 68 16.03.2000 p. 1
	Colour television picture tubes (cathode-ray)	Duties	Council Reg. (EC) No 2313/2000 17.10.2000	L 267 20.10.2000 p. 1
	Flat rolled products of iron or non-alloy steel (hot rolled coils)	Duties Undertakings	Commission Dec. No 283/2000/ECSC 04.02.2000 corrected by Commission Dec. No 2009/2000/ECSC 22.09.2000	L 31 05.02.2000 p. 15 L 240 23.09.2000 p. 12
	Hot-rolled flat products of non-alloy steel (quarto plates)	Duties Undertakings	Commission Dec. No 1758/2000/ECSC 09.08.2000	L 202 10.08.2000 p. 21
	PET (polyethylene terephthalate)	Duties Undertakings	Council Reg. (EC) No 2604/2000 27.11.2000 Commission Dec. No 2000/745/EC 29.11.2000	L 301 30.11.2000 p. 21 L 301 30.11.2000 p. 88
	Polyester staple fibres	Duties Undertakings	Council Reg. (EC) No 2852/2000 22.12.2000 Commission Dec. No 2000/818/EC 19.12.2000	L 332 28.12.2000 p. 17 L 332 28.12.2000 p. 116
	Potassium permanganate	Duties	Council Reg. (EC) No 1507/98 13.07.98	L 200 16.07.98 p. 4
	Sacks and bags (polyethylene/polypropylene)	Duties	Council Reg. (EC) No 1950/97 06.10.97 as last amended by Council Reg. (EC) No 2744/2000 14.12.2000	L 276 09.10.97 p. 1 L 316 15.12.2000 p. 67

	Stainless steel fasteners	Duties	Council Reg. (EC) No 393/98 16.02.98 as last amended by Council Reg. (EC) No 2570/2000 20.11.2000	L 50 20.02.98 p. 1 L 297 24.11.2000 p. 1
	Stainless steel wires (= or > 1 mm diameter) (AD)	Duties	Council Reg. (EC) No 1600/99 12.07.99	L 189 22.07.99 p. 19
	Steel ropes and cables	Duties	Council Reg. (EC) No 1796/99 12.08.99	L 217 17.08.99 p. 1
		Undertakings	Commission Dec. No 1999/572/EC 13.08.99	L 217 17.08.99 p. 63
	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 2861/93 18.10.93 as last amended by Council Reg. (EC) No 2537/99 29.11.99	L 236 22.08.98 p. 1 L 307 02.12.99 p. 1
	PET (polyethylene terephthalate)	Duties	Council Reg. (EC) No 2604/2000 27.11.2000	L 301 30.11.2000 p. 21
		Undertakings	Commission Dec. No 2000/745/EC 29.11.2000	L 301 30.11.2000 p. 88

	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
	Sacks & bags (polyethylene/ polypropylene)	Duties	Council Reg. (EC) No 1950/97 06.10.97 as last amended by Council Reg. (EC) No 2744/2000 14.12.2000	L 276 09.10.97 p. 1 L 316 15.12.2000 p. 67
	Synthetic staple fibres of polyester	Duties	Council Reg. (EC) No 1522/2000 10.07.2000	L 175 14.07.2000 p. 10
Japan	Advertising matches	Duties	Council Reg. (EC) No 2025/97 15.10.97	L 284 16.10.97 p. 1
	Black colorformers	Duties	Council Reg. (EC) No 2263/2000 09.10.2000	L 259 13.10.2000 p. 1
	Electronic weighing scales	Duties	Council Reg. (EC) No 993/93 26.04.93	L 104 29.04.93 p. 4
	Magnetic disks (3,5" microdisks)	Duties	Council Reg. (EC) No 2861/93 18.10.93 as last amended by Council Reg. (EC) No 2537/99 29.11.99	L 262 21.10.93 p. 4 L 307 02.12.99 p. 1
	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 2042/2000 26.09.2000 as last amended by Council Reg. (EC) No 2676/2000 04.12.2000	L 244 29.09.2000 p. 38 L 308 08.12.2000 p. 1
	Tube or pipe fittings (malleable cast iron)	Duties	Council Reg. (EC) No 1784/2000 11.08.2000	L 208 18.08.2000 p. 8

Kazakhstan	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)	Colour television picture tubes (cathode-ray)	Duties	Council Reg. (EC) No 2313/2000 17.10.2000	L 267 20.10.2000 p. 1
	Electronic weighing scales	Duties	Council Reg. (EC) No 2605/2000 27.11.2000	L 301 30.11.2000 p. 42
	Magnetic disks (3,5" microdisks)	Duties	Council Reg. (EC) No 2861/93 18.10.93 as last amended by Council Reg. (EC) No 2537/99 29.11.99	L 236 10.09.94 p. 1 L 307 02.12.99 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
	PET (polyethylene terephthalate)	Duties	Council Reg. (EC) No 2604/2000 27.11.2000	L 301 30.11.2000 p. 21
	Polyester staple fibres	Duties	Council Reg. (EC) No 2852/2000 22.12.2000	L 332 28.12.2000 p. 17
	Stainless steel fasteners	Duties	Council Reg. (EC) No 393/98 16.02.98 as last amended by Council Reg. (EC) No 2570/2000 20.11.2000	L 50 20.02.98 p. 1 L 297 24.11.2000 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 or pipe fittings (malleable cast iron)	Duties	Council Reg. (EC) No 1784/2000 11.08.2000	L 208 18.08.2000 p. 8
		Undertakings	Commission Dec. No 2000/523/EC 10.08.2000	L 208 18.08.2000 p. 53
Latvia	Hardboard	Duties	Council Reg. (EC) No 194/99 25.01.99	L 22 29.01.99 p. 16
		Undertakings	Commission Dec. No 1999/71/EC 06.01.99	L 22 29.01.99 p. 71
Lithuania	Hardboard	Duties	Council Reg. (EC) No 194/99 25.01.99	L 22 29.01.99 p. 16
		Undertakings	Commission Dec. No 1999/71/EC 06.01.99	L 22 29.01.99 p. 71
	Solutions of urea and ammonium nitrate	Duties	Council Reg. (EC) No 1995/2000 18.09.2000	L 238 22.09.2000 p. 15
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 2861/93 18.10.93 as last amended by Council Reg. (EC) No 2537/99 29.11.99	L 92 13.04.96 p. 1 L 307 02.12.99 p. 1
	Personal fax machines	Duties	Council Reg. (EC) No 904/98 27.04.98	L 128 30.04.98 p. 1
	PET (polyethylene terephthalate)	Duties	Council Reg. (EC) No 2604/2000 27.11.2000	L 301 30.11.2000 p. 21
	Polyester textured filament yarns (PTY)	Duties	Council Reg. (EC) No 1001/97 02.06.97 as last amended by Council Reg. (EC) No 1992/2000 18.09.2000	L 145 05.06.97 p. 1 L 238 22.09.2000 p. 1

	Ring binder mechanisms	Duties	Council Reg. (EC) No 119/97 20.01.97 as last amended by Council Reg. (EC) No 2100/2000 29.09.2000	L 22 24.01.97 p. 1 L 250 05.10.2000 p. 1
	Stainless steel fasteners	Duties	Council Reg. (EC) No 393/98 16.02.98 as last amended by Council Reg. (EC) No 2570/2000 20.11.2000	L 50 20.02.98 p. 1 L 297 24.11.2000 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 2861/93 18.10.93 as last amended by Council Reg. (EC) No 2537/99 29.11.99	L 92 13.04.96 p. 1 L 307 02.12.99 p. 1
	Steel ropes and cables	Duties	Council Reg. (EC) No 1796/99 12.08.99	L 217 17.08.99 p. 1
		Undertakings	Commission Dec. No 1999/572/EC 13.08.99	L 217 17.08.99 p. 63

Norway	Salmon (AD)	Duties	Council Reg. (EC) No 1890/97 26.09.97 repealed by Council Reg. (EC) No 772/99 30.03.99 as last amended by Council Reg. (EC) No 2606/2000 27.11.2000	L 267 30.09.97 p. 1 L 101 16.04.99 p. 1 L 301 30.11.2000 p. 61
		Undertakings	Commission Dec. No 97/634/EC 26.09.97 as last amended by Commission Dec. No 2000/744/EC 30.10.2000	L 267 30.09.97 p. 81 L 301 30.11.2000 p. 82
Pakistan	Bed linen (cotton-type)	Duties	Council Reg. (EC) No 2398/97 28.11.97 as last amended by Council Reg. (EC) No 554/2000 13.03.2000	L 332 04.12.97 p. 1 L 68 16.03.2000 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	Binder or baler twine (polypropylene)	Duties	Council Reg. (EC) No 603/99 15.03.99 as last amended by Council Reg. (EC) No 968/2000 08.05.2000	L 75 20.03.99 p. 1 L 112 11.05.2000 p. 1
		Undertakings	Commission Dec. No 1999/215/EC 16.03.99 as last amended by Commission Dec. No 2000/324/EC 25.04.2000	L 75 20.03.99 p. 34 L 112 11.05.2000 p. 65
	Flat pallets of wood	Duties	Council Reg. (EC) No 2334/97 24.11.97 as last amended by Council Reg. (EC) No 1521/2000 10.07.2000	L 324 27.11.97 p. 1 L 175 14.07.2000 p. 1
		Undertakings	Commission Reg. (EC) No 1023/97 06.06.97 as last amended by Commission Dec. 2000/437/EC 27.06.2000	L 150 07.06.97 p. 4 L 175 14.07.2000 p. 93
Hardboard	Duties	Council Reg. (EC) No 194/99 25.01.99	L 22 29.01.99 p. 16	
	Undertakings	Commission Dec. No 1999/71/EC 06.01.99	L 22 29.01.99 p. 71	
Seamless steel pipes and tubes	Duties	Council Reg. (EC) No 2320/97 17.11.97 as last amended by Council Reg. (EC) No 190/2000 24.01.2000	L 322 25.11.97 p. 1 L 23 28.01.2000 p. 1	
	Undertakings	Commission Dec. No 97/790/EC 24.10.97	L 322 25.11.97 p. 63	

	Steel ropes and cables	Duties Undertakings	Council Reg. (EC) No 1796/99 12.08.99	L 217 17.08.99 p. 1
	Urea ammonium nitrate	Duties	Council Reg. (EC) No 3319/94 22.12.94	L 350 31.12.94 p. 20
	Zinc (unwrought unalloyed)	Duties Undertakings	Council Reg. (EC) No 1931/97 22.09.97 Commission Dec. No 97/644/EC 03.09.97	L 272 04.10.97 p. 1 L 272 04.10.97 p. 50
Romania	Hot-rolled flat products of non-alloy steel (quarto plates)	Duties Undertakings	Commission Dec. No 1758/2000/ECSC 09.08.2000	L 202 10.08.2000 p. 21
	Seamless steel pipes and tubes	Duties Undertakings	Council Reg. (EC) No 2320/97 17.11.97 as last amended by Council Reg. (EC) No 190/2000 24.01.2000 Commission Dec. No 97/790/EC 24.10.97	L 322 25.11.97 p. 1 L 23 28.01.2000 p. 1 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
	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
	Hardboard	Duties	Council Reg. (EC) No 194/99 25.01.99	L 22 29.01.99 p. 16

	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 969/2000 08.05.2000	L 112 11.05.2000 p. 4
	Seamless steel pipes and tubes	Duties	Council Reg. (EC) No 2320/97 17.11.97 as last amended by Council Reg. (EC) No 190/2000 24.01.2000	L 322 25.11.97 p. 1 L 23 28.01.2000 p. 1
		Undertakings	Commission Dec. No 2000/70/EC 22.12.1999	L 23 28.01.2000 p. 78
	Silicon carbide	Duties	Council Reg. (EC) No 1100/2000 22.05.2000	L 125 26.05.2000 p. 3
		Undertaking	Commission Dec. No 94/202/EC 09.03.94 prolonged by above Council Reg.	L 94 13.04.94 p. 32
	Solutions of urea and ammonium nitrate	Duties	Council Reg. (EC) No 1995/2000 18.09.2000	L 238 22.09.2000 p. 15
	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 as last amended by Council Reg. (EC) No 190/2000 24.01.2000	L 322 25.11.97 p. 1 L 23 28.01.2000 p. 1
		Undertakings	Commission Dec. No 97/790/EC 24.10.97	L 322 25.11.97 p. 63
South Africa	Flat rolled products of iron or non-alloy steel (hot rolled coils)	Duties Undertakings	Commission Dec. No 283/2000/ECSC 04.02.2000 corrected by Commission Dec. No 2009/2000/ECSC 22.09.2000	L 31 05.02.2000 p. 15 L 240 23.09.2000 p. 12
	Steel ropes and cables	Duties	Council Reg. (EC) No 1796/99 12.08.99	L 217 17.08.99 p. 1
		Undertakings	Commission Dec. No 1999/572/EC 13.08.99	L 217 17.08.99 p. 63
Taiwan	Bicycles	Duties	Council Reg. (EC) No 397/99 22.02.99 as last amended by Council Reg. (EC) No 1099/2000 22.05.2000	L 49 25.02.99 p. 1 L 125 26.05.2000 p. 1
	Electronic weighing scales	Duties	Council Reg. (EC) No 2605/2000 27.11.2000	L 301 30.11.2000 p. 42

	Flat rolled products of iron or non-alloy steel (hot rolled coils)	Duties	Commission Dec. No 283/2000/ECSC 04.02.2000 corrected by Commission Dec. No 2009/2000/ECSC 22.09.2000	L 31 05.02.2000 p. 15 L 240 23.09.2000 p. 12
	Magnetic disks (3,5" microdisks)	Duties	Council Reg. (EC) No 2861/93 18.10.93 as last amended by Council Reg. (EC) No 2537/99 29.11.99	L 262 21.10.93 p. 4 L. 307 02.12.99 p. 1
	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
	PET (polyethylene terephthalate)	Duties	Council Reg. (EC) No 2604/2000 27.11.2000	L 301 30.11.2000 p. 21
	Polyester textured filament yarns (PTY)	Duties	Council Reg. (EC) No 1074/96 10.06.96 as last amended by Council Reg. (EC) No 2010/2000 18.09.2000	L 141 14.06.96 p. 45 L 241 26.09.2000 p. 1
	Stainless steel fasteners	Duties	Council Reg. (EC) No 393/98 16.02.98 as last amended by Council Reg. (EC) No 2570/2000 20.11.2000	L 50 20.02.98 p. 1 L 297 24.11.2000 p. 1
	Styrene-butadiene-styrene thermosplastic rubber	Duties	Council Reg. (EC) No 1993/2000 18.09.2000	L 238 22.09.2000 p. 4
	Synthetic fibres of polyester	Duties	Council Reg. (EC) No 1728/99 29.07.99	L 204 04.08.99 p. 3
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
	Personal fax machines	Duties	Council Reg. (EC) No 904/98 27.04.98	L 128 30.04.98 p. 1
	PET (polyethylene terephthalate)	Duties	Council Reg. (EC) No 2604/2000 27.11.2000	L 301 30.11.2000 p. 21
	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
	Sacks and bags (polyethylene/polypropylene)	Duties	Council Reg. (EC) No 1950/97 06.10.97 as last amended by Council Reg. (EC) No 2744/2000 14.12.2000	L 276 09.10.97 p. 1 L 316 15.12.2000 p. 67
	Stainless steel fasteners	Duties	Council Reg. (EC) No 393/98 16.02.98 as last amended by Council Reg. (EC) No 2570/2000 20.11.2000	L 50 20.02.98 p. 1 L 297 24.11.2000 p. 1
	Synthetic staple fibres of polyester	Duties	Council Reg. (EC) No 1522/2000 10.07.2000	L 175 14.07.2000 p. 10
	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 or pipe fittings (malleable cast iron)	Duties	Council Reg. (EC) No 1784/2000 11.08.2000	L 208 18.08.2000 p. 8
		Undertakings	Commission Dec. No 2000/523/EC 10.08.2000	L 208 18.08.2000 p. 53
	Tube and pipe fitting, of iron or steel	Duties	Council Reg. (EC) No 584/96 11.03.96 as last amended by Council Reg. (EC) No 1592/2000 17.07.2000	L 84 03.04.96 p. 1 L 182 21.07.2000 p. 1
		Undertakings	Commission Dec. No 96/252/EC 01.03.96 as last amended by Commission Dec. No 2000/453/EC 11.07.2000	L 84 03.04.96 p. 46 L 182 21.07.2000 p. 25
Turkey	Polyester yarns (POY/PTY)	Duties	Council Reg. (EC) No 1074/96 10.06.96 as last amended by Council Reg. (EC) No 2010/2000 18.09.2000	L 141 14.06.96 p. 45 L 241 26.09.2000 p. 1
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 969/2000 08.05.2000	L 112 11.05.2000 p. 4

	Potassium permanganate	Duties	Council Reg. (EC) No 1507/98 13.07.98	L 200 16.07.98 p. 4
	Seamless pipes and tubes of non-alloy steel	Duties	Council Reg. (EC) No 348/2000 14.02.2000	L 45 17.02.2000 p. 1
		Undertakings	Commission Dec. No 2000/137/EC 17.02.2000	L 46 18.02.2000 p. 34
	Silicon carbide	Duties	Council Reg. (EC) No 1100/2000 22.05.2000	L 125 26.05.2000 p. 3
	Solutions of urea and ammonium nitrate	Duties	Council Reg. (EC) No 1995/2000 18.09.2000	L 238 22.09.2000 p. 15
	Steel ropes and cables	Duties	Council Reg. (EC) No 1796/99 12.08.99	L 217 17.08.99 p. 1
		Undertakings	Commission Dec. No 1999/572/EC 13.08.99	L 217 17.08.99 p. 63
USA	Ethanolamines	Duties	Council Reg. (EC) No 1603/2000 20.07.2000	L 185 25.07.2000 p. 1
	Magnetic disks (3,5" microdisks)	Duties	Council Reg. (EC) No 2861/93 18.10.93 as last amended by Council Reg. (EC) No 2537/99 29.11.99	L 92 13.04.96 p. 1 L 307 02.12.99 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

Yugoslavia (F.R.)	Flat rolled products of iron or non-alloy steel (hot rolled coils)	Duties	Commission Dec. No 283/2000/ECSC 04.02.2000 corrected by Commission Dec. No 2009/2000/ECSC 22.09.2000	L 31 05.02.2000 p. 15 L 240 23.09.2000 p. 12
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ANNEX P

DEFINITIVE ANTI-SUBSIDY MEASURES IN FORCE ON 31 DECEMBER 2000

A. RANKED BY PRODUCT

Product	Origin	Measure	Regulation N°	Publication
Antibiotics (broad spectrum) (AS)	India	Duties	Council Reg. (EC) No 2164/98 05.10.98	L 273 09.10.98 p. 1
Flat rolled products of iron or non-alloy steel (hot rolled coils) (AS)	India Taiwan	Duties	Commission Dec. No 284/2000/EC 04.02.2000	L 31 05.02.2000 p. 44
	India	Undertakings	corrected by Commission Dec. No 2071/2000/ECSC 29.09.2000	L 246 30.09.2000 p. 32
PET (polyethylene terephthalate) (AS)	India Malaysia Thailand	Duties	Council Reg. (EC) No 2603/2000 27.11.2000	L 301 30.11.2000 p. 1
	India	Undertakings	Commission Dec. No 2000/745/EC 29.11.2000	L 301 30.11.2000 p. 88
PET film (polyethylene terephthalate) (AS)	India	Duties	Council Reg. (EC) No 2597/99 06.12.99	L 316 10.12.99 p. 1
Salmon (AS)	Norway	Duties	Council Reg. (EC) No 1891/97 26.09.97 repealed by Council Reg. (EC) No 772/99 30.03.99 as last amended by Council Reg. (EC) No 2606/2000 27.11.2000	L 267 30.09.97 p. 19 L 101 16.04.99 p. 1 L 301 30.11.2000 p. 61
		Undertakings	Commission Dec. No 97/634/EC 26.09.97 as last amended by Commission Dec. No 2000/744/EC 30.10.2000	L 267 30.09.97 p. 81 L 301 30.11.2000 p. 82

Stainless steel bars (AS)	India	Duties	Council Reg. (EC) No 2450/98 14.11.98 as last amended by Council Reg. (EC) No 2049/99 27.09.99	L 304 14.11.98 p. 1 L 255 30.09.99 p. 8
Stainless steel fasteners (AS)	Malaysia Philippines	Duties	Council Reg. (EC) No 1523/2000 10.07.2000	L 175 14.07.2000 p. 29
Stainless steel wire (= or > 1 mm diameter) (AS)	India	Duties	Council Reg. (EC) No 1599/99 12.07.99	L 189 22.07.99 p. 1
Stainless steel wires (< 1 mm diameter) (AS)	India	Duties	Council Reg. (EC) No 1601/99 12.07.99	L 189 22.07.99 p. 26
Styrene-butadiene-styrene thermoplastic rubber (AS)	Taiwan	Duties	Council Reg. (EC) No 1994/2000 18.09.2000	L 238 22.09.2000 p. 8
Synthetic fibres of polyester (AS)	Australia Indonesia Taiwan	Duties	Council Reg. (EC) No 978/2000 08.05.2000	L 113 12.05.2000 p. 1

B. RANKED BY COUNTRY

Origin	Product	Measure	Regulation N°	Publication
Australia	Synthetic fibres of polyester (AS)	Duties	Council Reg. (EC) No 978/2000 08.05.2000	L 113 12.05.2000 p. 1
India	Antibiotics (broad spectrum) (AS)	Duties	Council Reg. (EC) No 2164/98 05.10.98	L 273 09.10.98 p. 1
	Flat rolled products of iron or non-alloy steel (hot rolled coils) (AS)	Duties Undertakings	Commission Dec. No 284/2000/ECSC 04.02.2000 corrected by Commission Dec. No 2071/2000/ECSC 29.09.2000	L 31 05.02.2000 p. 44 L 246 30.09.2000 p. 32
	PET (polyethylene terephthalate) (AS)	Duties Undertakings	Council Reg. (EC) No 2603/2000 27.11.2000 Commission Dec. No 2000/745/EC 29.11.2000	L 301 30.11.2000 p. 1 L 301 30.11.2000 p. 88

	PET film (polyethylene terephthalate) (AS)	Duties	Council Reg. (EC) No. 2597/99 06.12.99	L 316 10.12.99 p. 1
	Stainless steel bars (AS)	Duties	Council Reg. (EC) No 2450/98 13.11.98 as last amended by Council Reg. (EC) No 2049/99 27.09.99	L 304 14.11.98 p. 1 L 255 30.09.99 p. 8
	Stainless steel wire (= or > 1 mm diameter) (AS)	Duties	Council Reg. (EC) No 1599/99 12.07.99	L 189 22.07.99 p. 1
	Stainless steel wires (< 1 mm diameter) (AS)	Duties	Council Reg. (EC) No 1601/99 12.07.99	L 189 22.07.99 p. 26
Indonesia	Synthetic fibres of polyester (AS)	Duties	Council Reg. (EC) No 978/2000 08.05.2000	L 113 12.05.2000 p. 1
Malaysia	PET (polyethylene terephthalate) (AS)	Duties	Council Reg. (EC) No 2603/2000 27.11.2000	L 301 30.11.2000 p. 1
	Stainless steel fasteners (AS)	Duties	Council Reg. (EC) No 1523/2000 10.07.2000	L 175 14.07.2000 p. 29
Norway	Salmon (AS)	Duties	Council Reg. (EC) No 1891/97 26.09.97 repealed by Council Reg. (EC) No 772/99 30.03.99 as last amended by Council Reg. (EC) No 2606/2000 27.11.2000	L 267 30.09.97 p. 19 L 101 16.04.99 p. 1 L 301 30.11.2000 p. 61
		Undertakings	Commission Dec. (EC) No 634/97 26.09.97 as last amended by Commission Dec. No 2000/744/EC 30.10.2000	L 267 30.09.97 p. 81 L 301 30.11.2000 p. 82
Philippines	Stainless steel fasteners (AS)	Duties	Council Reg. (EC) No 1523/2000 10.07.2000	L 175 14.07.2000 p. 29

Taiwan	Flat rolled products of iron or non-alloy steel (hot rolled coils) (AS)	Duties	Commission Dec. No 284/2000/ECSC 04.02.2000 corrected by Commission Dec. No 2071/2000/ECSC 29.09.2000	L 31 05.02.2000 p. 44 L 246 30.09.2000 p. 32
	Styrene-butadiene-styrene thermosplastic rubber (AS)	Duties	Council Reg. (EC) No 1994/2000 18.09.2000	L 238 22.09.2000 p. 8
	Synthetic fibres of polyester (AS)	Duties	Council Reg. (EC) No 978/2000 08.05.2000	L 113 12.05.2000 p. 1
Thailand	PET (polyethylene terephthalate) (AS)	Duties	Council Reg. (EC) No 2603/2000 27.11.2000	L 301 30.11.2000 p. 1

ANNEX Q

UNDERTAKINGS IN FORCE ON 31 DECEMBER 2000

A. RANKED BY PRODUCT

Product	Origin	Measure	Regulation N°	Publication
Binder or baler twine (polypropylene)	Poland Czech Rep. Hungary	Undertakings	Commission Dec. No 1999/215/EC 16.03.99 as last amended by Commission Dec. No 2000/324/EC 25.04.2000	L 75 20.03.99 p. 34 L 112 11.05.2000 p. 65
Ferro-silico-manganese	Ukraine	Undertaking	Council Reg. (EC) No 495/98 23.02.98	L 62 03.03.98 p. 1
Flat pallets of wood	Poland	Undertakings	Commission Reg. (EC) No 1023/97 06.06.97 as last amended by Commission Dec. No 2000/437/EC 27.06.2000	L 150 07.06.97 p. 4 L 175 14.07.2000 p. 93
Flat rolled products of iron or non-alloy steel (hot rolled coils)	Bulgaria India South Africa	Undertaking	Commission Dec. No 283/2000/ECSC 04.02.2000 corrected by Commission Dec. No 2009/2000/ECSC 22.09.2000	L 31 05.02.2000 p. 15 L 240 23.09.2000 p. 12
Flat rolled products of iron or non-alloy steel (hot rolled coils) (AS)	India	Undertaking	Commission Dec. No 284/2000/ECSC 04.02.2000 corrected by Commission Dec. No 2071/2000/ECSC 29.09.2000	L 31 05.02.2000 p. 44 L 246 30.09.2000 p. 32
Grain-oriented electrical steel sheets	Russia	Undertakings	Commission Dec. No 303/96/ECSC 19.02.96	L 42 20.02.96 p. 7
Hardboard	Bulgaria Estonia Latvia Lithuania Poland	Undertakings	Commission Dec. No 1999/71/EC 06.01.99	L 22 29.01.99 p. 71

Hot-rolled flat products of non-alloy steel (quarto plates)	India Romania	Undertakings	Commission Dec. No 1758/2000/ECSC 09.08.2000	L 202 10.08.2000 p. 21
Lighters (non-refillable)	Mexico Philippines Thailand	Undertakings	Commission Dec. No 97/167/EC 25.02.97	L 65 06.03.97 p. 54
Magnesium (unwrought, unalloyed)	Russia Ukraine	Undertakings	Commission Dec. No 96/422/EC 25.06.96	L 174 12.07.98 p. 32
PET (polyethylene terephthalate)	India Indonesia	Undertakings	Commission Dec. No 2000/745/EC 29.11.2000	L 301 30.11.2000 p. 88
PET (polyethylene terephthalate) (AS)	India	Undertakings	Commission Dec. No 2000/745/EC 29.11.2000	L 301 30.11.2000 p. 88
Polyester staple fibres	India	Undertakings	Commission Dec. No 2000/818/EC 19.12.2000	L 332 28.12.2000 p. 116
Salmon (AD)	Norway	Undertakings	Commission Dec. No 97/634/EC 26.09.97 as last amended by Commission Dec. No 2000/744/EC 30.10.2000	L 267 30.09.97 p. 81 L 301 30.11.2000 p. 82
Salmon (AS)	Norway	Undertakings	Commission Dec. No 97/634/EC 26.09.97 as last amended by Commission Dec. No 2000/744/EC 30.10.2000	L 267 30.09.97 p. 81 L 301 30.11.2000 p. 82
Seamless steel pipes and tubes	Czech Republic Hungary Poland Romania Slovak Republic	Undertakings	Commission Dec. No 97/790/EC 24.10.97	L 322 25.11.97 p. 63
	Russia	Undertakings	Commission Dec. No 2000/70/EC 22.12.1999	L 23 28.01.2000 p. 78
Seamless steel pipes and tubes of iron or non-alloy steel	Croatia Ukraine	Undertakings	Commission Dec. No 2000/137/EC 17.02.2000	L 46 18.02.2000 p. 34

Silicon carbide	Russia	Undertakings	Commission Dec. No 94/202/EC 09.03.94 prolonged by Council Reg. (EC) No 1100/2000 22.05.2000	L 94 13.04.94 p. 32 L 125 26.05.2000 p. 3
Solutions of urea and ammonium nitrate	Algeria	Undertakings	Commission Reg. (EC) No 617/2000 16.03.2000	L 75 24.03.2000 p. 3
Steel ropes and cables	Hungary Poland	Undertakings	Council Reg. No 1796/99 12.08.99	L 217 17.08.99 p. 1
	India Mexico South Africa Ukraine	Undertakings	Commission Dec. No 1999/572/EC 13.08.99	L 217 17.08.99 p. 63
Tube or pipe fittings (malleable cast iron)	Czech Rep.	Undertakings	Commission Reg. (EC) No 449/2000 28.02.2000	L 55 29.02.2000 p. 3
	Korea (Rep. of) Thailand	Undertakings	Commission Dec. No 2000/523/EC 10.08.2000	L 208 18.08.2000 p. 53
Tube and pipe fitting, of iron or steel	Croatia Thailand	Undertakings	Commission Dec. No 96/252/EC 01.03.96 as last amended by Commission Dec. No 2000/453/EC 11.07.2000	L 84 03.04.96 p. 46 L 182 21.07.2000 p. 25
Zinc (unwrought unalloyed)	Poland	Undertakings	Commission Dec.. No 97/644/EC 03.09.97	L 272 04.10.97 p. 50

B. RANKED BY COUNTRY

Origin	Product	Measure	Regulation N°	Publication
Algeria	Solutions of urea and ammonium nitrate	Undertakings	Commission Reg. (EC) No 617/2000 16.03.2000	L 75 24.03.2000 p. 3
Bulgaria	Flat rolled products of iron or non-alloy steel (hot rolled coils)	Undertakings	Commission Dec. No 283/2000/ECSC 04.02.2000 corrected by Commission Dec. No 2009/2000/ECSC 22.09.2000	L 31 05.02.2000 p. 15 L 240 23.09.2000 p. 12
	Hardboard	Undertakings	Commission Dec. No 1999/71/EC 06.01.99	L 22 29.01.99 p. 71
Croatia	Seamless pipes and tubes of iron or non-alloy steel	Undertakings	Commission Dec. No 2000/137/EC 17.02.2000	L 46 18.02.2000 p. 34
	Tube and pipe fitting, of iron or steel	Undertakings	Commission Dec. No 96/252/EC 01.03.96 as last amended by Commission Dec. No 2000/453/EC 11.07.2000	L 84 03.04.96 p. 46 L 182 21.07.2000 p. 25
Czech Republic	Binder or baler twine (polypropylene)	Undertakings	Commission Dec. No 1999/215/EC 16.03.99 as last amended by Commission Dec. No 2000/324/EC 25.04.2000	L 75 20.03.99 p. 34 L 112 11.05.2000 p. 65
	Seamless steel pipes and tubes	Undertakings	Commission Dec. No 97/790/EC 24.10.97	L 322 25.11.97 p. 63
	Tube or pipe fittings (malleable cast iron)	Undertakings	Commission Reg. (EC) No 449/2000 28.02.2000	L 55 29.02.2000 p. 3
Estonia	Hardboard	Undertakings	Commission Dec. No 1999/71/EC 06.01.99	L 22 29.01.99 p. 71
Hungary	Binder or baler twine (polypropylene)	Undertakings	Commission Dec. No 1999/215/EC 16.03.99 as last amended by Commission Dec. No 2000/324/EC 25.04.2000	L 75 20.03.99 p. 34 L 112 11.05.2000 p. 65

	Seamless steel pipes and tubes	Undertakings	Commission Dec. No 97/790/EC 24.10.97	L 322 25.11.97 p. 63
	Steel ropes and cables	Undertakings	Council Reg. (EC) No 1796/99 12.08.99	L 217 17.08.99 p. 1
India	Flat rolled products of iron or non-alloy steel (hot rolled coils)	Undertakings	Commission Dec. No 283/2000/ECSC 04.02.2000 corrected by Commission Dec. No 2009/2000/ECSC 22.09.2000	L 31 05.02.2000 p. 15 L 240 23.09.2000 p. 12
	Flat rolled products of iron or non-alloy steel (hot rolled coils) (AS)	Undertakings	Commission Dec. No 284/2000/ECSC 04.02.2000 corrected by Commission Dec. No 2071/2000/ECSC 29.09.2000	L 31 05.02.2000 p. 44 L 246 30.09.2000 p. 32
	Hot-rolled flat products of non-alloy steel (quarto plates)	Undertakings	Commission Dec. No 1758/2000/ECSC 09.08.2000	L 202 10.08.2000 p. 21
	PET (polyethylene terephthalate)	Undertakings	Commission Dec. No 2000/745/EC 29.11.2000	L 301 30.11.2000 p. 88
	PET (polyethylene terephthalate) (AS)	Undertakings	Commission Dec. No 2000/745/EC 29.11.2000	L 301 30.11.2000 p. 88
	Polyester staple fibres	Undertakings	Commission Dec. No 2000/818/EC 19.12.2000	L 332 28.12.2000 p. 116
	Steel ropes and cables	Undertakings	Commission Dec. No 1999/572/EC 13.08.99	L 217 17.08.99 p. 63
Indonesia	PET (polyethylene terephthalate)	Undertakings	Commission Dec. No 2000/745/EC 29.11.2000	L 301 30.11.2000 p. 88
Korea (Rep. of)	Tube or pipe fittings (malleable cast iron)	Undertakings	Commission Dec. No 2000/523/EC 10.08.2000	L 208 18.08.2000 p. 53
Latvia	Hardboard	Undertakings	Commission Dec. No 1999/71/EC 06.01.99	L 22 29.01.99 p. 71
Lithuania	Hardboard	Undertakings	Commission Dec. No 1999/71/EC 06.01.99	L 22 29.01.99 p. 71
Mexico	Lighters (non-refillable)	Undertakings	Commission Dec. No 97/167/EC 25.02.97	L 65 06.03.97 p. 54

	Steel ropes and cables	Undertakings	Commission Dec. No 1999/572/EC 13.08.99	L 217 17.08.99 p. 63
Norway	Salmon (AD)	Undertakings	Commission Dec. No 97/634/EC 26.09.97 as last amended by Commission Dec. No 2000/744/EC 30.10.2000	L 267 30.09.97 p. 81 L 301 30.11.2000 p. 82
	Salmon (AS)	Undertakings	Commission Dec. (EC) No 634/97 26.09.97 as last amended by Commission Dec. No 2000/744/EC 30.10.2000	L 267 30.09.97 p. 81 L 301 30.11.2000 p. 82
Philippines	Lighters (non-refillable)	Undertakings	Commission Dec. No 97/167/EC 25.02.97	L 65 06.03.97 p. 54
Poland	Binder or baler twine (polypropylene)	Undertakings	Commission Dec. No 1999/215/EC 16.03.99 as last amended by Commission Dec. No 2000/324/EC 25.04.2000	L 75 20.03.99 p. 34 L 112 11.05.2000 p. 65
	Flat pallets of wood	Undertakings	Commission Reg. (EC) No 1023/97 06.06.97 as last amended by Commission Dec. 2000/437/EC 27.06.2000	L 150 07.06.97 p. 4 L 175 14.07.2000 p. 93
	Hardboard	Undertakings	Commission Dec. No 1999/71/EC 06.01.99	L 22 29.01.99 p. 71
	Seamless steel pipes and tubes	Undertakings	Commission Dec. No 97/790/EC 24.10.97	L 322 25.11.97 p. 63
	Steel ropes and cables	Undertakings	Council Reg. (EC) No 1796/99 12.08.99	L 217 17.08.99 p. 1
	Zinc (unwrought unalloyed)	Undertakings	Commission Dec. No 97/644/EC 03.09.97	L 272 04.10.97 p. 50
Romania	Hot-rolled flat products of non-alloy steel (quarto plates)	Undertakings	Commission Dec. No 1758/2000/ECSC 09.08.2000	L 202 10.08.2000 p. 21

	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
	Magnesium (unwrought, unalloyed)	Undertakings	Commission Dec. No 96/422/EC 25.06.96	L 174 12.07.96 p. 32
	Seamless pipes and tubes of iron or non-alloy steel	Undertakings	Commission Dec. No 2000/70/EC 22.12.1999	L 23 28.01.2000 p. 78
	Silicon carbide	Undertakings	Commission Dec. No 94/202/EC 09.03.94 prolonged by Council Reg. (EC) No 1100/2000 22.05.2000	L 94 13.04.94 p. 32 L 125 26.05.2000 p. 3
Slovak Republic	Seamless steel pipes and tubes	Undertakings	Commission Dec. No 97/790/EC 24.10.97	L 322 25.11.97 p. 63
South Africa	Flat rolled products of iron or non-alloy steel (hot rolled coils)	Undertakings	Commission Dec. No 283/2000/ECSC 04.02.2000 corrected by Commission Dec. No 2009/2000/ECSC 22.09.2000	L 31 05.02.2000 p. 15 L 240 23.09.2000 p. 12
	Steel ropes and cables	Undertakings	Commission Dec. No 1999/572/EC 13.08.99	L 217 17.08.99 p. 63
Thailand	Lighters (non-refillable)	Undertakings	Commission Dec. No 97/167/EC 25.02.97	L 65 06.03.97 p. 54
	Tube or pipe fittings (malleable cast iron)	Undertakings	Commission Dec. No 2000/523/EC 10.08.2000	L 208 18.08.2000 p. 53
	Tube and pipe fitting, of iron or steel	Undertakings	Commission Dec. No 96/252/EC 01.03.96 as last amended by Commission Dec. No 2000/453/EC 11.07.2000	L 84 03.04.96 p. 46 L 182 21.07.2000 p. 25
Ukraine	Ferro-silico-manganese	Undertakings	Council Reg. (EC) No 495/98 23.02.98	L 62 03.03.98 p. 1
	Magnesium (unwrought, unalloyed)	Undertakings	Commission Dec. No 96/422/EC 25.06.96	L 174 12.07.96 p. 32

	Seamless pipes and tubes of iron or non-alloy steel	Undertakings	Commission Dec. No 2000/137/EC 17.02.2000	L 46 18.02.2000 p. 34
	Steel ropes and cables	Undertakings	Commission Dec. No 1999/572/EC 13.08.99	L 217 17.08.99 p. 63

ANNEX R

ANTI-DUMPING & ANTI-SUBSIDY INVESTIGATIONS PENDING

ON 31 DECEMBER 2000

A. NEW INVESTIGATIONS (RANKED BY PRODUCT)

Product	Origin	Type	Publication
Aluminium foil	P.R. China Russia	Initiation	C 45 18.02.2000, p. 2
Ammonium nitrate	Lithuania Poland Ukraine	Initiation Prov. duty (not for Lithuania)	C 311 29.10.99, p. 3 L 187 26.07.2000, p. 12
Colour television receivers	Turkey	Initiation	C 202 15.07.2000, p. 4
Ferro molybdenum	P.R. China	Initiation	C 320 09.11.2000, p. 3
Gear hubs (internal) for bicycles	Japan	Initiation	C 214 27.07.2000, p. 4
Lamps (integrated electronic compact fluorescent)	P.R. China	Initiation	C 138 17.05.2000, p. 8
Paracetamol	P.R. China India Turkey USA	Initiation	C 134 13.05.2000, p. 10
Polyethylene terephthalate (PET) film	India Korea (Rep. of)	Initiation	C 148 27.05.2000, p. 22
Steel ropes and cables	Czech Rep. Korea (Rep. of) Malaysia Russia Thailand Turkey	Initiation	C 127 05.05.2000, p. 12
Stones (worked monumental or building granite stones)	P.R. China India	Initiation	C 322 11.11.2000, p. 3

Urea	Belarus Bulgaria Croatia Egypt Estonia Lithuania Libya Poland Romania Ukraine	Initiation	C 301 21.10.2000, p. 2
Zinc oxides	P.R. China	Initiation	C 366 20.12.2000, p. 7

B. REVIEW INVESTIGATIONS (RANKED BY PRODUCT)

Product	Origin	Type of review	Publication
Ammonium nitrate	Russia	Expiry review	C 239 23.08.2000, p. 10
Ammonium nitrate	Russia	Interim review	C 239 23.08.2000, p. 10
Bicycles	P.R. China	Interim review	C 278 30.09.2000, p. 28
Binder or baler twine (polypropylene)	Poland	Anti-absorption review	C 227 09.08.2000, p. 15
Colour television receivers	Malaysia P.R. China Korea (Rep. of) Singapore Thailand	Expiry review	C 94 01.04.2000, p. 2
Colour television receivers	Malaysia P.R. China Korea (Rep. of) Singapore Thailand	Interim review	C 94 01.04.2000, p. 2
Electronic weighing scales	Japan	Expiry review	C 128 25.04.98, p. 11
Electronic weighing scales	Japan	Interim review	C 128 25.04.98, p. 11
Electronic weighing scales	Singapore	Expiry review	C 324 22.10.98, p. 4
Electronic weighing scales	Singapore	Interim review	C 324 22.10.98, p. 4

Ferro-silicon	Brazil P.R. China Kazakhstan Russia Ukraine Venezuela	Expiry review	C 382 09.12.98, p. 9
Flat rolled products of iron or non-alloy steel (hot rolled coils) (AS)	India	Accelerated review	C 201 14.07.2000, p. 2
Flat rolled products of iron or non-alloy steel (hot rolled coils)	India	New exporter review	L 252 06.10.2000, p. 3
Lighters (gas-fuelled, non-refillable)	P.R. China	Expiry review	C 127 05.05.2000, p. 15
Lighters (gas-fuelled, non-refillable)	Thailand	Interim review	C 311 31.10.2000, p. 5
Magnetic disks (3,5" microdisks)	Japan Taiwan P.R. China	Expiry review	C 322 21.10.98, p. 4
Magnetic disks (3,5" microdisks)	Hong Kong Korea (Rep. of)	Expiry review	C 256 09.09.99, p. 3
Peroxodisulphates	P.R. China	Expiry review	C 366 20.12.2000, p. 5
Personal fax machines	P.R. China Japan Korea (Rep. of) Malaysia Singapore Taiwan Thailand	Interim review	C 184 01.07.2000, p. 26
Polyester staple fibres and polyester filament tow	Belarus	Interim review	C 352 08.12.2000, p. 6
Polyester textured filament yarn (PTY)	Thailand	Interim review	C 170 20.06.2000, p. 4
Potassium permanganate	P.R. China	Expiry review	C 323 11.11.99, p. 5
Stainless steel bars (AS)	India	Accelerated review	C 311 29.10.99, p. 2
Stainless steel bars (AS)	India	Accelerated review	C 61 03.03.2000, p. 3
Stainless steel wire (< 1 mm) (AS)	India	Accelerated review	C 261 15.09.99, p. 4
Stainless steel wire (= or > 1 mm) (AS)	India	Accelerated review	C 288 09.10.99, p. 45
Stainless steel wire (= or > 1 mm) (AS)	India	Accelerated review	C 61 03.03.2000, p. 2
Television camera systems	Japan	Interim review	C 40 12.02.2000, p. 5
Urea	Russia	Expiry review	C 62 04.03.2000, p. 19

Urea ammonium nitrate solution	Poland	Expiry review	C 369 21.12.99, p. 22
Urea ammonium nitrate solution	Poland	Interim review	C 369 21.12.99, p. 22

C. RANKED BY COUNTRY (NEW AND REVIEW INVESTIGATIONS)

Origin	Product	Type	Publication
Belarus	Polyester staple fibres and polyester filament tow	Interim review	C 352 08.12.2000, p. 6
	Urea	New investigation	C 301 21.10.2000, p. 2
Brazil	Ferro-silicon	Expiry review	C 382 09.12.98, p. 9
Bulgaria	Urea	New investigation	C 301 21.10.2000, p. 2
China	Aluminium foil	New investigation	C 45 18.02.2000, p. 2
	Bicycles	Interim review	C 278 30.09.2000, p. 28
	Colour television receivers	Expiry review	C 94 01.04.2000, p. 2
	Colour television receivers	Interim review	C 94 01.04.2000, p. 2
	Ferro molybdenum	New investigation	C 320 09.11.2000, p. 3
	Ferro-silicon	Expiry review	C 382 09.12.98, p. 9
	Lamps (integrated electronic compact fluorescent)	New investigation	C 138 17.05.2000, p. 8
	Lighters (gas-fuelled, non-refillable)	Expiry review	C 127 05.05.2000, p. 15
	Magnetic disks (3,5" microdisks)	Expiry review	C 322 21.10.98, p. 4
	Paracetamol	New investigation	C 134 13.05.2000, p. 10
	Peroxodisulphates	Expiry review	C 366 20.12.2000, p. 5
	Personal fax machines	Interim review	C 184 01.07.2000, p. 26

	Potassium permanganate	Expiry review	C 323 11.11.99, p. 5
	Stones (worked monumental or building granite stones)	New investigation	C 322 11.11.2000, p. 3
	Zinc oxides	New investigation	C 366 20.12.2000, p. 7
Croatia	Urea	New investigation	C 301 21.10.2000, p. 2
Czech Rep.	Steel ropes and cables	New investigation	C 127 05.05.2000, p. 12
Egypt	Urea	New investigation	C 301 21.10.2000, p. 2
Estonia	Urea	New investigation	C 301 21.10.2000, p. 2
Hong Kong	Magnetic disks (3,5" microdisks)	Expiry review	C 256 09.09.99, p. 3
India	Flat rolled products of iron or non-alloy steel (hot rolled coils) (AS)	Accelerated review	C 201 14.07.2000, p. 2
	Flat rolled products of iron or non-alloy steel (hot rolled coils)	New exporter review	L 252 06.10.2000, p. 3
	Paracetamol	New investigation	C 134 13.05.2000, p. 10
	Polyethylene terephthalate (PET) film	New investigation	C 148 27.05.2000, p. 22
	Stainless steel bars (AS)	Accelerated review	C 311 29.10.99, p. 2
	Stainless steel bars (AS)	Accelerated review	C 61 03.03.2000, p. 3
	Stainless steel wire (< 1 mm) (AS)	Accelerated review	C 261 15.09.99, p. 4
	Stainless steel wire (= or > 1 mm) (AS)	Accelerated review	C 288 09.10.99, p. 45
	Stainless steel wire (= or > 1 mm) (AS)	Accelerated review	C 61 03.03.2000, p. 2
	Stones (worked monumental or building granite stones)	New investigation	C 322 11.11.2000, p. 3
Japan	Electronic weighing scales	Expiry review	C 128 25.04.98, p. 11
	Electronic weighing scales	Interim review	C 128 25.04.98, p. 11
	Gear hubs (internal) for bicycles	New investigation	C 214 27.07.2000, p. 4
	Magnetic disks (3,5" microdisks)	Expiry review	C 322 21.10.98, p. 4
	Personal fax machines	Interim review	C 184 01.07.2000, p. 26
	Television camera systems	Interim review	C 40 12.02.2000, p. 5

Kazakhstan	Ferro-silicon	Expiry review	C 382 09.12.98, p. 9
Korea (Rep. of)	Colour television receivers	Expiry review	C 94 01.04.2000, p. 2
	Colour television receivers	Interim review	C 94 01.04.2000, p. 2
	Magnetic disks (3,5" microdisks)	Expiry review	C 256 09.09.99, p. 3
	Personal fax machines	Interim review	C 184 01.07.2000, p. 26
	Polyethylene terephthalate (PET) film	New investigation	C 148 27.05.2000, p. 22
	Steel ropes and cables	New investigation	C 127 05.05.2000, p. 12
Libya	Urea	New investigation	C 301 21.10.2000, p. 2
Lithuania	Ammonium nitrate	Initiation	C 311 29.10.99, p. 3
	Urea	New investigation	C 301 21.10.2000, p. 2
Malaysia	Colour television receivers	Expiry review	C 94 01.04.2000, p. 2
	Colour television receivers	Interim review	C 94 01.04.2000, p. 2
	Personal fax machines	Interim review	C 184 01.07.2000, p. 26
	Steel ropes and cables	New investigation	C 127 05.05.2000, p. 12
Poland	Ammonium nitrate	New investigation	C 311 29.10.99, p. 3
		Prov. duty	L 187 26.07.2000, p. 12
	Binder or baler twine (polypropylene)	Anti-absorption	C 227 09.08.2000, p. 15
	Urea	New investigation	C 301 21.10.2000, p. 2
	Urea ammonium nitrate solution	Expiry review	C 369 21.12.99, p. 22
	Urea ammonium nitrate solution	Interim review	C 369 21.12.99, p. 22
Romania	Urea	New investigation	C 301 21.10.2000, p. 2
Russia	Aluminium foil	New investigation	C 45 18.02.2000, p. 2
	Ammonium nitrate	Expiry review	C 239 23.08.2000, p. 10
	Ammonium nitrate	Interim review	C 239 23.08.2000, p. 10
	Ferro-silicon	Expiry review	C 382 09.12.98, p. 9

	Steel ropes and cables	New investigation	C 127 05.05.2000, p. 12
	Urea	Expiry review	C 62 04.03.2000, p. 19
Singapore	Colour television receivers	Expiry review	C 94 01.04.2000, p. 2
	Colour television receivers	Interim review	C 94 01.04.2000, p. 2
	Electronic weighing scales	Expiry review	C 324 22.10.98, p. 4
	Electronic weighing scales	Interim review	C 324 22.10.98, p. 4
	Personal fax machines	Interim review	C 184 01.07.2000, p. 26
Taiwan	Magnetic disks (3,5" microdisks)	Expiry review	C 322 21.10.98, p. 4
	Personal fax machines	Interim review	C 184 01.07.2000, p. 26
Thailand	Colour television receivers	Expiry review	C 94 01.04.2000, p. 2
	Colour television receivers	Interim review	C 94 01.04.2000, p. 2
	Lighters (gas-fuelled, non-refillable)	Interim review	C 311 31.10.2000, p. 5
	Personal fax machines	Interim review	C 184 01.07.2000, p. 26
	Polyester textured filament yarn (PTY)	Interim review	C 170 20.06.2000, p. 4
	Steel ropes and cables	New investigation	C 127 05.05.2000, p. 12
Turkey	Colour television receivers	New investigation	C 202 15.07.2000, p. 4
	Paracetamol	New investigation	C 134 13.05.2000, p. 10
	Steel ropes and cables	New investigation	C 127 05.05.2000, p. 12
Ukraine	Ammonium nitrate	Initiation	C 311 29.10.99, p. 3
		Prov. duty	L 187 26.07.2000, p. 12
	Ferro-silicon	Expiry review	C 382 09.12.98, p. 9
	Urea	New investigation	C 301 21.10.2000, p. 2
USA	Paracetamol	New investigation	C 134 13.05.2000, p. 10
Venezuela	Ferro-silicon	Expiry review	C 382 09.12.98, p. 9

ANNEX S

REFUNDS DURING THE PERIOD 1 JANUARY - 31 DECEMBER 2000

LODGED		
PRODUCT	ORIGIN	REFERENCE
Leather handbags	PR China	R17/03
Stainless steel fasteners	PR China	R21/01

ANALYSIS UNDERWAY		
PRODUCT	ORIGIN	REFERENCE
Iron & steel sheets	FYROM	R1/01
DRAMs	Japan	R3/15
Wooden pallettes	Poland	R15/01
Wooden pallettes	Poland	R15/02
Bed linen	India	R16/01
Leather handbags	PR China	R17/02
Leather handbags	PR China	R17/03
Bicycles	China	R19/01
Bicycles	China	R19/02
Synthetic rope	India	R20/01
Stainless steel fasteners	PR China	R21/01

DECISIONS ADOPTED			
PRODUCT	ORIGIN	DECISION	REFERENCE
DRAMs	Korea (Rep. of)	Full refund	R3/13
Large aluminium capacitors	Japan	Partial refund	R5/03-5&6
Cotton yarn	Turkey	No refund	R8/01
PSF and PFT	Belarus	Partial refund	R14/01
Leather handbags	PR China	Partial refund	R17/01
Tungstic oxide	PR China	No refund	R18/01

ANNEX T

COURT CASES

A. COURT CASES PENDING BEFORE THE COURT OF JUSTICE AND THE COURT OF FIRST INSTANCE OF THE EUROPEAN COMMUNITIES ON 31 DECEMBER 2000

Court of Justice	
Case C-46/98P	EFMA & Council (Appeal T-121/95)
Case C-76/98 & C-77/98P	Nutrasweet/Ajinomoto & Council (Appeal T-159 & 160/94)
Case C-239/99	Nachi Europe v. Hauptzollamt Krefeld (Preliminary ruling)
Case C-76/00P	Petrotub and Republic & Council (Appeal T-33 & 34/98)
Case C-472/00P	Fresh Marine v. Commission (Appeal T-178/98)
Court of First Instance	
Case T-598/97	British Shoe v. Council
Case T-88/98	Kundan Industries Ltd. and Tata International Ltd. v. Council
Case T-192/98	EUROCOTON v. Council
Case T-195/98	Ettlin Spinnerei AG v. Council
Case T-58/99	Munkand v. Council
Case T-188/99	Euroalliages v. Commission
Case T-340/99	Arne Mathisen AS v. Council
Case T-82/00	Bic SA, Flamagaz SA, Swedish Match SA v. Council
Case T-89/00	Europe ChemiCon GmbH v. Council
Case T-177/00	Philips v. Council
Case T-226/00 & 227/00	Far Eastern Textiles Ltd. & Nan Ya Plastics Corp. v. Council

B. JUDGMENTS, ORDERS AND OTHER DECISIONS RENDERED BY THE COURT OF JUSTICE AND THE COURT OF FIRST INSTANCE OF THE EUROPEAN COMMUNITIES DURING 2000

Court of Justice	
Case C-458/98P	IPS & Council (Appeal T-2/95)
Court of First Instance	
Case T-256/97	BEUC v. Commission
Case T-96/98	BEUC v. Commission
Case T-104/99	AS Bolderaja & Co. v. Council
Case T-37/98	FTA v. Council
Case T-51/96	MIWON v. Council
Case T-597/97	EUROMIN v. Council
Case T-7/99	Medici Grim KG 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-87/98	International Potash v. Council
Case T-178/98	Fresh Marine Company v. Commission
Case T-155/00	Achema v. Commission
Case T-213/97	Eurocoton v. Council

ANNEX U

ANTI-DUMPING AND ANTI-SUBSIDY INVESTIGATIONS OF THIRD COUNTRIES CONCERNING IMPORTS FROM THE COMMUNITY OR ITS MEMBER STATES

A. ANTI-DUMPING INVESTIGATIONS

Anti-dumping measures in force at the beginning of 2000			
Country	Product	Member States concerned	Date of imposition
USA	Large power transformers	France	14 June 1972
USA	Stainless steel plate	Sweden	8 June 1973
USA	Pressure sensitive plastic tape	Italy	21 October 1977
USA	Animal glue and inedible gelatin	Germany	22 December 1977
USA	Viscose rayon staple fibre	Finland	21 March 1979
USA	Sugar	EU, Belgium, France, Germany	13 June 1979
USA	Anhydrous sodium metasilicate	France	7 January 1981
USA	Barium carbonate	Germany	25 June 1981
USA	Sorbitol	France	9 April 1982
USA	Industrial nitrocellulose	France	10 August 1983
USA	Potassium permanganate	Spain	19 January 1984
USA	Stainless steel wire rod	France	28 January 1984
USA	Brass fire protection equipment	Italy	1 March 1985
USA	Brass sheet and strip	France, Germany, Italy	6 March 1987
USA	Industrial phosphoric acid	Belgium	20 August 1987
USA	Seamless stainless steel hollow products	Sweden	3 December 1987
USA	Brass sheet and strip	Netherlands, Spain	12 August 1988
USA	Granular polytetrafluoroethylene resin	Italy	30 August 1988
USA	Manganese dioxide	Greece	17 April 1989
USA	Spherical plain bearings	France, Germany	15 May 1989
USA	Ball bearings	France, Germany, Italy, UK	15 May 1989
USA	Cylindrical roller bearings	France, Germany, Italy, Spain, UK	15 May 1989

USA	Antifriction bearings	France, Germany Italy, Sweden, UK	15 May 1989
USA	Industrial belts	Germany, Italy	14 June 1989
USA	Industrial nitrocellulose	Germany, UK	10 July 1990
USA	Sulfur chemicals	Germany, UK	19 February 1991
USA	Hot rolled lead and bismuth carbon steel	France, Germany	22 March 1993
USA	Corrosion-resistant carbon steel flat products	France, Germany	19 August 1993
USA	Cut-to-length carbon steel plate	Belgium, Finland, Spain, Sweden, UK	19 August 1993
USA	Cold rolled carbon steel flat products	Germany, Netherlands	19 August 1993
USA	Calcium aluminate cement and cement clinker	France	13 June 1994
USA	Aramid fibres	Netherlands	24 June 1994
USA	Grain-oriented silicon electrical steel	Italy	12 August 1994
USA	Colour negative photo paper and chemicals	Netherlands	12 August 1994
USA	Stainless steel bar	Spain	2 March 1995
USA	Seamless line and pressure pipe	Germany, Italy	3 August 1995
USA	Standard (seamless) line and pressure pipe	Germany, Italy	3 August 1995
USA	Oil country tubular goods	Italy	11 August 1995
New Zealand	G-Clamps	UK	19 December 1995
South Africa	PVC cling film	France	26 April 1996
USA	Certain pasta	Italy	24 July 1996
USA	Large newspapers printing presses	Germany	4 September 1996
Australia	A4 copy paper	Finland	18 December 1996
Philippines	Newsprint	Finland	26 December 1996
South Africa	Supension PVC	France, UK	27 March 1997
Malaysia	Paper self copy	EU	20 April 1997
Australia	Canned tomatos	Italy	29 April 1997
South Africa	Calcium acetate	Netherlands	25 July 1997
India	Acrylonitrile butadiene rubber (ABR)	Germany	30 July 1997
South Africa	Circuit breakers	France, Italy	08 August 1997
Australia	Polyvinyl chloride	Finland, Germany	21 October 1997
South Africa	Acrylic fibers	Portugal	24 December 1997

South Africa	Paper woodfree	Sweden	13 January 1998
India	Catalysts	Denmark	2 February 1998
South Africa	Glass microspheres	Austria, UK	27 February 1998
New Zealand	Canned peaches	Germany	9 March 1998
Korea (Rep. of)	Carbonless self-copy paper	Germany	10 March 1998
Malaysia	Paper corrugating medium	EU	3 April 1998
Australia	Paper woodfree coated	Finland, Germany	1 May 1998
India	Graphite electrodes	Austria, Belgium, France, Germany, Italy, Spain	5 May 1998
Australia	Paper woodfree coated	Austria	9 May 1998
Philippines	Magnesite based refractory Bricks	Germany	9 June 1998
Argentina	Drills	Italy	12 September 1998
USA	Stainless steel wire rod	Spain, Italy, Sweden	15 September 1998
Israel	Woven pile weather stripping	Spain, UK	15 November 1998
Australia	Wound skin closure strips	Finland, Germany	17 December 1998
India	Acrylic fibers	Italy, Spain, Portugal	24 December 1998
Australia	Woven polypropilene	Belgium	28 January 1999
Australia	A4 copy paper	Finland, Germany	17 February 1999
Australia	Woven polypropilene	Belgium, UK	17 February 1999
South Africa	Hypodermic needles	Belgium, Germany, Ireland, Spain	12 March 1999
Poland	X- ray film	Germany	15 March 1999
USA	Stainless steel plate in coils	Belgium, Italy	21 May 1999
South Africa	Acetaminophenol	France	18 June 1999
Brazil	Polycarbonates	Germany	22 July 1999
USA	Stainless steel sheet and strip in coils	Finland, France, Germany, Italy UK	27 July 1999
Mexico	Crystal polystyrene	EU	23 September 1999
India	PTBC	France	4 October 1999
Egypt	Tires for motor cars	Finland, EU	4 October 1999
South Africa	Calcium proprionate	Netherlands	15 October 1999
Colombia	Fertilizers	Belgium	16 October 1999
Argentina	Floor tiles	Italy	12 November 1999
South Africa	Selfcopy Paper	UK	17 December 1999

Anti-dumping initiations prior to 2000 and pending end 2000			
Country	Product	Member States concerned	Date of initiation
Colombia	Tins	Netherlands	14 May 1999
Brazil	Polycarbonates	Germany	22 July 1999
Brazil	Insulin products	Denmark, France	10 August 1999
Brazil	Milk	EU	25 August 1999
Czech Republic	Salt	EU, Germany	1 September 1999
Brazil	Methyl methacrylate	France, Germany, Spain, UK	14 September 1999

Anti-dumping initiations in 2000			
Country	Product	Member States concerned	Date of initiation
India	Bisphenol-A	EU	10 January 2000
New Zealand	G-clamps	UK	24 January 2000
Australia	Woven polypropylene (carpet backing)	Belgium, UK	29 February 2000
India	Hydroxyl amine sulphate	EU	2 March 2000
Indonesia	Wheat flour	EU	22 March 2000
Australia	Tin plate	UK	30 March 2000
India	Caustic Soda	France	26 May 2000
India	Aniline	EU	29 May 2000
India	Isopropyl alcohol	Netherlands	12 June 2000
India	Sodium ferro cyanide	EU	13 June 2000
India	Theophylline and caffeine	EU	11 July 2000
Egypt	Carbon black	Italy	24 August 2000
Argentina	Washing machines	Italy	24 August 2000
South Africa	PVC based roll goods	Germany, Netherlands	25 August 2000
New Zealand	Tamoxifen citrate	UK	30 August 2000
Brazil	Blood collection vacuum tubes	Austria, UK	30 August 2000
USA	Stainless steel angle	Spain	14 September 2000
Argentina	Tailings	Spain	21 September 2000
South Africa	Ropes and cables of iron and steel	Germany, Spain, UK	22 September 2000

USA	Stainless steel bars	France, Germany, Italy, UK	16 October 2000
Argentina	Saw blades	UK	7 November 2000
USA	Hot rolled steel products	Netherlands	13 November 2000
Canada	Certain corrosion-resistant steel sheet	Portugal	4 December 2000
Argentina	Agricultural machines	Spain	12 December 2000
China	Methylene chloride	France, Germany, Netherlands, UK	20 December 2000
USA	Low enriched uranium	France, Germany, Netherlands, UK	27 December 2000

Definitive anti-dumping measures imposed in 2000			
Country	Product	Member States concerned	Date of imposition
USA	Cut-to-length carbon quality steel plate	France	10 February 2000
USA	Sorbitol	France	14 February 2000
India	Thermal sensitive paper	Finland, Germany, EU	3 March 2000
India	Sodium cyanide	EU	6 March 2000
South Africa	Supertension cable	Germany	31 March 2000
Brazil	Hydro-cellulose	Netherlands	17 April 2000
India	Purified terephthalic acid (PTA)	Spain	20 April 2000
South Africa	Surgical sutures	Germany	12 May 2000
India	Seamless tubes	Austria	19 May 2000
Brazil	Flat-rolled products of stainless steel less than 3 mm	France, Germany, Italy, Spain	29 May 2000
Mexico	Insecticide	Denmark	31 May 2000
India	Iso Butanol, 2-ethyl hexanol and other oxo-alcohols	EU	17 July 2000
India	Vitamin C	EU	8 August 2000
South Africa	Glass microspheres	France, Germany	13 October 2000
India	Photographic paper	France, UK	24 October 2000
Argentina	Carton boards	Austria, Spain, Sweden	17 November 2000

Anti-dumping measures repealed in 2000			
Country	Product	Member states concerned	Date of termination
USA	Cold rolled carbon steel flat products	Germany, Netherlands	1 January 2000
USA	Industrial belts	Germany, Italy	1 January 2000
USA	Spherical plain bearings	Germany	1 January 2000
USA	Manganese dioxide	Greece	1 January 2000
USA	Cylindrical roller bearings	France, Germany, Italy, Spain, UK	1 January 2000
USA	Brass sheet and strip	Netherlands, Spain	1 January 2000
USA	Colour negative photo paper and chemicals	Netherlands	1 January 2000
USA	Industrial phosphoric acid	Belgium	1 January 2000
USA	Potassium permanganate	Spain	July\Dec 2000
USA	Brass fire protection equipment	Italy	July\Dec 2000
USA	Viscose rayon staple fiber	Finland	July\Dec 2000
USA	Hot rolled lead and bismuth carbon steel	Germany, France	July\Dec 2000
USA	Stainless steel plate	Sweden	July\Dec 2000
USA	Calcium aluminate cement and cement clinker (Flux)	France	July\Dec 2000
USA	Large power transformers	France	July\Dec 2000
USA	Barium carbonate	Germany	July\Dec 2000
USA	Seamless stainless steel hollow products	Spain	July\Dec 2000
USA	Animal glue and inedible gelatin	Germany	July\Dec 2000

Anti-dumping reviews in progress at end 2000			
Country	Product	Member States concerned	Date of decision
New Zealand	G-clamps	UK	11 February 2000

Provisional anti-dumping measures imposed in 2000			
Country	Product	Member States concerned	Date of imposition
India	Vitamin C	EU	7 January 2000
South Africa	Glass microspheres	France, Germany	6 April 2000
India	Bisphenol-A	EU	27 April 2000
India	Photographic paper	France, UK	28 April 2000
India	Hydroxyl amine sulphate (HAS)	EU	4 August 2000
China	Acrylates	Germany	23 November 2000

B. ANTI-SUBSIDY INVESTIGATIONS

Anti-subsidy measures in force at beginning of 2000			
Country	Product	Member states concerned	Date of imposition
USA	Sugar	EU	31 July 1978
USA	Viscose rayon fibre and rayon staple	Sweden	15 May 1979
USA	Stainless steel wire rod	Spain	3 January 1983
Canada	Canned ham	Denmark, Netherlands	7 August 1984
Canada	Pork based luncheon meat	EU	7 August 1984
USA	Brass sheet and strip	France	6 March 1987
USA	Chrysanthemums	Netherlands	12 March 1987
Australia	Bulk brandy	France	October 1989
USA	Hot rolled lead and bismuth carbon steel products	France, Germany, UK	22 March 1993
USA	Cut to length carbon steel products	Germany Spain, Sweden, UK	17 August 1993
USA	Cut to length carbon steel plate	Belgium	17 August 1993
USA	Cold rolled carbon steel products	Germany	17 August 1993
USA	Corrosion-resistant carbon steel products	France, Germany	19 August 1993

Venezuela	Cheese	EU	4 May 1994
USA	Grain-oriented electrical steel	Italy	7 June 1994
USA	Seamless line and pressure pipe	Italy	8 August 1995
USA	Oil country tubular goods	Italy	10 August 1995
Canada	Sugar	EU	6 November 1995
Argentina	Canned Peaches	EU	9 January 1996
USA	Certain Pasta	Italy	24 July 1996
Australia	Canned tomatoes	Italy	6 September 1996
Australia	Canned peaches	Greece	19 February 1997
Australia	Cherries	France, Italy	8 April 1997
Argentina	Olive Oil	EU	25 June 1998
Argentina	Wheat Gluten	EU	22 July 1998
USA	Stainless steel wire rod	Italy	15 September 1998
USA	Stainless steel plate in coils	Belgium, Italy	11 May 1999
Mexico	Frozen Beef	EU	3 June 1999
USA	Stainless steel sheet and strip in coils	France, Italy	6 August 1999

Anti-subsidy initiations prior to 2000 and pending at end 2000

Country	Product	Member States concerned	Date of initiation
NONE			

Anti-subsidy initiations in 2000

Country	Product	Member States concerned	Date of initiation
Australia	Bottled brandy	France	27 December 2000

Definitive anti-subsidy measures in 2000

Country	Product	Member States concerned	Date of imposition
USA	Cut to length carbon steel plate	France, Italy	10 February 2000

Anti-subsidy measures repealed in 2000			
Country	Product	Member States concerned	Date of decision
USA	Viscose rayon fibre and rayon staple	Sweden	1 January 2000
USA	Stainless steel wire rod	Spain	1 January 2000
USA	Chrysanthemums	Netherlands	1 January 2000
USA	Cold-rolled carbon steel flat product	Germany, Sweden	1 January 2000
USA	Hot rolled lead and bismuth steel products	France Germany UK	1 January 2000 9 March 2000 14 March 2000
Canada	Pork-based luncheon meat	EU	20 March 2000

Anti-subsidy reviews in progress at end 2000			
Country	Product	Member States concerned	Date of initiation
Argentina	Olive Oil	EU	3 July 2000

Provisional anti-subsidy measures imposed in 2000			
Country	Product	Member States concerned	Date of imposition
NONE			

ANNEX V

THIRD COUNTRY SAFEGUARD ACTIONS DURING 2000

Safeguard measures in force at the beginning of 2000		
Country	Product	Date of imposition
Brazil	Toys	18 June 1996
Argentina	Footwear(sport footwear)	25 February 1997
Korea (Rep. of)	Dairy products	7 March 1997
USA	Wheat Gluten	19 July 1997
Egypt	Matches	19 February 1999
India	Phenol	30 June 1999
Czech Rep	Sugar	15 September 1999
Czech Rep	Road Tractors	27 October 1999
USA	Lamb	7 July 1999
Poland	Yogurt	17 September 1999
Latvia	Swine meat	December 1999

Safeguard investigations initiated prior to 2000 and pending end 2000		
Country	Product	Date of initiation
Ecuador	Sandals	12 January 1999

Safeguard initiations in 2000		
Country	Product	Date of initiation
El Salvador	Pork meat	17 January 2000
Chile	Socks	9 February 2000
Russia	Sugar	29 February 2000
Venezuela	Tyres	8 March 2000
Russia	Steel tubes & pipes	17 March 2000
Russia	Glucose	31 March 2000
Chile	Milk Powder	21 June 2000
El Salvador	Rice	21 June 2000
Morocco	Bananas	26 June 2000
India	Iron Oxide	6 July 2000
India	Methylene Chloride	17 July 2000

Argentina	Motorcycles	21 July 2000
Egypt	Milk Powder	25 September 2000
Slovakia	Cane or beat sugar	20 October 2000
Bulgaria	Ammonium Nitrate	24 October 2000
Ukraine	Fire-resistant bricks	30 October 2000
Czech Republic	Footwear, gaiters	1 November 2000
Morocco	Rubber plates and sheets	2 December 2000
Chile	Mixtures of oil	19 December 2000
Japan	Tatami-omote	22 December 2000
Japan	Welsh onion	22 December 2000
Japan	Shitake Mushrooms	22 December 2000
Ecuador	Matches	29 December 2000

Definitive safeguard measures in 2000		
Country	Product	Date of imposition
Chile	Wheat Flour	22 January 2000
Chile	Sugar	22 January 2000
Chile	Edible Vegetable Oils	22 January 2000
Egypt	Lamps	27 February 2000
India	Acetone	27 January 2000
Korea (Rep. of)	Garlic	1 June 2000
Russia	Glucose	16 April 2000
Russia	Sugar	16 April 2000
USA	Steel Wire Rod	1 March 2000
USA	Line Pipe	1 March 2000

Safeguard measures terminated in 2000		
Country	Product	Date of termination
Korea (Rep. of)	Dairy products	May 2000
Latvia	Swine Meat	11 May 2000

Safeguard reviews in progress at end 2000		
Country	Product	Date of initiation
USA	Wheat Gluten	30 November 2000

Provisional safeguard measures imposed in 2000		
Country	Product	Date of imposition
Chile	Milk Powder	13 July 2000
Chile	Socks	July 2000
Egypt	Milk Powder	26 September 2000