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**Annex to the**

**23<sup>rd</sup> ANNUAL REPORT FROM THE COMMISSION**

**TO THE EUROPEAN PARLIAMENT**

**ON THE COMMUNITY'S ANTI-DUMPING, ANTI-SUBSIDY**

**AND SAFEGUARD ACTIVITIES (2004)**

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## TABLE OF CONTENTS

Executive summary .....	5
1. Overview of the legislation .....	7
1.1. Anti-dumping and anti-subsidy .....	7
1.1.1. The international framework .....	7
1.1.2. The Community legislation .....	7
1.1.3. Changes to the Community legislation in 2004 .....	8
1.2. Safeguards .....	9
1.2.1. The international framework .....	9
1.2.2. The Community legislation .....	10
1.2.2.1. The basic safeguard Regulations .....	10
1.3. Anti-subsidy and unfair pricing instrument for airline services .....	10
2. Basic concepts .....	11
2.1. Anti-dumping and anti-subsidy .....	11
2.1.1. What is dumping and what are countervailable subsidies - the material conditions for the imposition of duties? .....	11
2.1.1.1. Dumping and subsidies .....	11
2.1.1.2. Material injury and causation .....	12
2.1.1.3. Community interest .....	12
2.1.2. Procedure .....	13
2.1.3. Review of measures .....	15
2.1.4. Judicial reviews .....	15
2.2. Safeguards .....	16
2.2.1. What are safeguard measures? .....	16
2.2.2. Procedure .....	16
3. Enlargement .....	17
4. Country-wide market economy status (MES) .....	19
5. Information and Communication activities / Bilateral contacts .....	20
5.1. Small and medium sized enterprises (SMEs) .....	20
5.2. Seminars .....	20

6.	The Trade Defence Instruments' services.....	21
7.	General overview of anti-dumping and anti-subsidy investigations and measures ...	21
7.1.	New investigations .....	21
7.2.	view investigations.....	23
8.	Overview of activities in 2004 .....	24
8.1.	New investigations .....	24
8.1.1.	Initiations .....	24
8.1.2.	Provisional measures.....	25
8.1.3.	Definitive measures.....	26
8.1.3.1.	Overview .....	26
8.1.3.2.	Details on individual cases (in alphabetical order) .....	27
8.1.4.	Investigations terminated without measures .....	35
8.1.4.1.	Overview .....	35
8.1.4.2.	Details on individual cases (in chronological order) .....	35
8.2.	Review investigations .....	36
8.2.1.	Expiry reviews .....	36
8.2.1.1.	Initiations .....	37
8.2.1.2.	Reviews concluded with confirmation of duty(ies) .....	38
8.2.1.3.	Reviews concluded by termination .....	41
8.2.2.	Interim reviews.....	42
8.2.3.	“Other” interim reviews .....	44
8.2.4.	New exporter reviews .....	44
8.2.5.	Absorption investigations .....	45
8.2.6.	Circumvention investigations .....	45
8.3.	Safeguard investigations .....	45
8.3.1.	Safeguard measures on certain prepared or preserved citrus fruits (satsumas) .....	46
8.3.2.	Safeguard measures on salmon .....	47
9.	Enforcement of anti-dumping/countervailing measures .....	48
9.1.	Enforcement-related changes to the Community anti-dumping and anti-subsidy legislation in 2004 .....	48
9.2.	Follow-up of measures.....	49

9.3.	Monitoring of undertakings .....	49
10.	Refunds .....	51
11.	Judicial review : decisions given by the Court of Justice / Court of First Instance ...	52
11.1.	Overview of the judicial reviews in 2003 .....	52
11.2.	Cases pending .....	52
11.3.	New cases.....	52
11.4.	Judgments rendered by the Court of First Instance.....	53
11.4.1.	Electronic weighing scales originating in the People’s Republic of China .....	53
12.	Activities in the framework of the World Trade Organization (WTO) .....	55
12.1.	Dispute settlement in the field of anti-dumping, anti-subsidy and safeguards .....	55
12.1.1.	Overview of the WTO dispute settlement procedure.....	55
12.1.2.	Dispute settlement procedures initiated by third countries against the Community..	55
12.1.2.1.	Brazil – anti-dumping duties on malleable cast iron tube or pipe fittings .....	55
12.1.2.2.	Korea – countervailing duties on dynamic access memory chips (DRAMs) .....	56
12.2.	Other WTO activities .....	56
13.	Conclusion .....	57
	LIST OF ANNEXES.....	58

## EXECUTIVE SUMMARY

This report is submitted to the European Parliament following its resolution of 16 December 1981 on the Community's anti-dumping activities<sup>1</sup>, and the report of the European Parliament's Committee on industry, external trade, research and energy<sup>2</sup>.

Since 2003, the report differs from its previous issues as it no longer includes an overview of the activities in relation to anti-dumping, anti-subsidy and safeguard measures adopted by third countries against imports from the Community or its Member States. These activities are now being dealt with in a separate report.

This report, as in previous years, gives an overview of the Community legislation in force with regard to trade defence instruments, including safeguards. This chapter also covers the adoption by the Council in 2004 of a proposal amending the anti-dumping and anti-subsidy basic Regulations. The proposal dealt with a streamlined decision-making process, but also with, *inter alia*, the introduction of deadlines in reviews and clearer rules on enforcement of the basic Regulations as regards undertakings and circumvention investigations. The proposal was adopted by the Council on 8 March 2004. The report underlines that these changes address to a significant extent the request voiced by the European Parliament in its resolution PE 316.244 (see point 1.1.3).

A major event during 2004 was the enlargement of the European Union (EU). In terms of trade defence, this meant that all measures taken formerly by the acceding countries lapsed and that the Community's measures were automatically extended to cover the EU-25 as of 1 May 2004.

The report further summarises the developments in general policy. As in previous years, the report no longer contains a commentary on each individual case. It gives an overview of all investigations together with the most essential information, such as for instance the rate of individual duty imposed. In turn, cases which merit some special attention are treated in more detail. Consequently, the report is more factual and condensed and covers the essential facts of the year. The detailed annexes which cover all cases ensure that the factual content of the report remains meaningful and sufficient to provide a full overview of the activity in 2004.

As regards the 2004 activities, a total of 13 new investigations were concluded, of which 11 by the imposition of definitive anti-dumping or countervailing measures and 2 by termination. In a further 6 investigations, provisional measures were imposed.

As regards the expiry review investigations, 6 investigations were initiated and 4 terminated. In 5 cases, the investigations were concluded with confirmation of the duty. As for the interim review investigations, 26 were initiated, 2 terminated and 16 concluded with confirmation or amendment of the duty. It should be noted that of the 26 initiations, 10 were called "enlargement reviews". Indeed, the Commission, following consultations with interested parties, identified that the enlargement of the EU would create significant changed circumstances for imports of certain products subject to anti-dumping measures. These

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<sup>1</sup> OJ C 11, 18.1.1982, p. 37.

<sup>2</sup> PE 141.178/fin of 30.11.1990, reporter Mr Gijs DE VRIES.

reviews were therefore specifically aimed at identifying and rectifying the negative impact of certain exports to the acceding States.

As regards safeguard activities, the Commission initiated in 2004 a safeguard investigation on imports of farmed salmon based on the WTO general *erga omnes* rules. Provisional measures were imposed in August 2004. Furthermore, the investigation initiated in 2003 on imports of citrus fruits was concluded by the imposition of definitive measures.

As in previous years, this issue continues to provide an overview on the Court cases relating to the trade policy instruments. During 2004, two Judgments were rendered by the Court of First Instance

As this report has now been split into two reports, the chapter in this report on activities in the framework of the World Trade Organisation (WTO) only covers dispute settlement procedures initiated against the Community. Furthermore, it deals with other activities, such as the continuation of the first phase of negotiations on the Anti-dumping and Subsidies Agreements, in which the Commission continues to play an active role by submitting negotiating proposals.

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

This report is also available to the general public. The 2003 version was released in more or less 500 copies.

(Internet Website

[http://europa.eu.int/comm/trade/issues/respectrules/anti\\_dumping/legis/index\\_en.htm](http://europa.eu.int/comm/trade/issues/respectrules/anti_dumping/legis/index_en.htm)

## **1. OVERVIEW OF THE LEGISLATION**

### **1.1. Anti-dumping and anti-subsidy**

#### *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.

#### *1.1.2. 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, which form the legal basis of anti-dumping and anti-subsidy investigations in the Community, entered into force in March 1996 and October 1997. 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 Community<sup>3</sup>
- Council Regulation (EC) No 2026/97 of 6 October 1997 on protection against subsidized imports from countries not members of the European Community<sup>4</sup>.

These regulations 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", which go beyond the WTO obligations.

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

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<sup>3</sup> OJ L 56, 6.3.1996, p. 1, as last amended by Council Regulation (EC) No 461/2004 (OJ L 77, 13.3.2004, p. 12).

<sup>4</sup> OJ L 288, 21.10.1997, p. 1, as last amended by Council Regulation (EC) No 461/2004 (OJ L 77, 13.3.2004, p. 12).

requires an analysis of all the economic interests involved, including those of the Community industry, users, consumers and traders of the product concerned. The Community interest test does not involve wider aspects such as foreign or development policy considerations.

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. Such a “no-injury” rate is determined by using the cost of production of the Community industry and a reasonable profit margin; it reduces the anti-dumping measures for individual exporting companies in almost half of the cases and is applied, on a world-wide level, only by the Community on a regular basis.

### *1.1.3. Changes to the Community legislation in 2004*

Experience in 2003, during which two proposals of the Commission for the imposition of definitive anti-dumping measures did not find the necessary majority in the Council, has highlighted a number of shortcomings in the decision-making process in the area of trade defence instruments (TDI).

In these instances, Member States had opted to abstain from voting in the light of a Commission proposal rather than taking clearly a position in favour or against it. On the basis of the applicable decision-making mechanism, these abstentions had the effect of undermining the effectiveness of the TDI instrument.

In order to address this problem, the Council adopted on 8 March 2004 a Regulation<sup>5</sup> amending the above-mentioned basic Regulations. The amendments concerned :

- A clarification of the way decisions were made. In the past, the Council could reject a Commission proposal without clearly taking position, either by abstaining or by expressing a negative vote. Indeed, abstentions had the same practical effects as negative votes. Under the new procedure, a Commission proposal would be adopted unless the Council decided by a simple majority to reject it. This new approach does not upset the balance of responsibilities under the current system; it tackles surgically the problem at hand while respecting the simple majority principle: it ensures that an affirmative position is required by Member States to overturn a Commission proposal.
- The introduction of mandatory deadlines for the completion of review investigations: while maintaining the indicative timetable of 12 months, a mandatory deadline of 15 months was introduced for the completion of interim and expiry review investigations. For newcomer reviews and anti-absorption re-investigations, a mandatory time limit of 9 months was proposed. While this provision will require additional human resources to deal with the resulting additional workload, it will be phased in, starting with deadlines on expiry reviews, and after 2 years, deadlines for other reviews.

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<sup>5</sup> OJ L 77, 13.3.2004, p. 12



- A provision for a streamlined procedure in case of withdrawal of undertakings (reflecting the principle that the Commission is the institution solely responsible for accepting and withdrawing undertakings).

The Regulation further clarified a number of issues in case of an anti-absorption reinvestigation and it rendered the provisions on circumvention more operational by clarifying, *inter alia*, the identification of practices like, notably, transshipment, slightly modified products and re-channelling of sales via the producers or exporters with the lowest duties.

By introducing mandatory deadlines for the completion of review investigations and by making the trade defence instrument in general more transparent, account has been taken of a number of requests voiced by the European Parliament in its resolution PE 316.244 of 3 October 2002.

## **1.2. Safeguards**

### *1.2.1. The international framework*

The principle of liberalisation of imports was set under the GATT 1947 and strengthened under the 1994 WTO Agreements. As safeguard measures consist of the unilateral withdrawal or suspension of a tariff concession or of other trade liberalisation obligations formerly agreed, they have to be considered as an exception to this principle. Article XIX GATT 1994 and the WTO Agreement on Safeguards do not only impose strict conditions for the application of this "escape clause", but also put in place a multilateral control mechanism under the WTO Committee on Safeguards.

Under WTO rules, safeguard action has to be viewed as a temporary defence measure that applies to all imports of the product covered by a measure, irrespective of origin. As regards non-WTO members, safeguard measures may be selective and apply to products originating in a specific country. WTO Accession Protocols may also provide for such selective safeguard mechanisms (e.g. the People's Republic of China's Protocol).

WTO safeguards should only be adopted after a comprehensive investigation which provides evidence of the existence of a) unforeseen developments leading to b) increased imports c) the existence of a serious injury for Community producers and d) a causal link between the imports and the injury. WTO Accession Protocols may provide for specific requirements.

### *1.2.2. The Community legislation*

The above-mentioned principles are all reflected in the relevant Community regulations, except for the "unforeseen development requirement" (which is not in the Community law but has been confirmed as a self-standing condition by WTO jurisprudence). Additionally, the adoption of measures in the Community requires an analysis of all interests concerned, i.e. the impact of the measures on producers, users and consumers. In other words, safeguard action can only be taken when it is in the Community's interest to do so. The current Community safeguard instruments are covered by the following regulations :

### 1.2.2.1. The basic safeguard Regulations

The basic safeguard regulations consist of :

- Council Regulation (EC) No 3285/94<sup>6</sup> on the common rules of imports and repealing Regulation (EC) No 518/94;
- Council Regulation (EC) No 519/94<sup>7</sup> on common rules for imports from certain third countries and repealing Regulations (EEC) Nos 1765/82, 1766/82 and 3420/83. This Regulation was amended in 2003 when a Transitional Product-Specific Safeguard Mechanism for imports originating in the People's Republic of China was adopted<sup>8</sup>. This Regulation ensures that Council Regulation (EC) No 519/94 is no longer applicable to the People's Republic of China;
- Council Regulation (EC) No 517/94<sup>9</sup> on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Community import rules.

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

### 1.3. Anti-subsidy and unfair pricing instrument for airline services

Regulation n° 868/2004 of the European Parliament and of the Council<sup>10</sup> which deals with the effect of subsidisation and unfair pricing for air services from third countries entered into force on 20 May 2004. The Regulation foresees the adoption of redressive measures if subsidised or unfairly priced airline services cause material injury to Community carriers on certain routes to and from the Community.

This is the first new trade defence instrument in the services sector since a similar instrument was adopted in 1986 concerning maritime services. It was prompted by the crisis in the airline sector at the end of 2001 which led some third-country governments to subsidise their airlines. This crisis showed the negative effect of government support and the lack of an appropriate instrument to deal with such situations at Community level. This was all the more relevant as Community carriers had to compete with third country airlines benefiting from generous subsidies, while they themselves were subject to strict rules on government aid.

The European Parliament actively participated in the drafting of the Regulation and most of its amendments clarifying the text and its implementation on several aspects were taken on board.

While no investigations under this new instrument were initiated in 2004, intensive work within the Commission services continued on developing a detailed

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<sup>6</sup> OJ L 349, 31.12.94, p. 53, as last amended by Regulation (EC) No 2474/2000 (OJ L 286, 11.11.2000, p. 1).

<sup>7</sup> OJ L 67, 10.3.94, p. 89, as last amended by Regulation (EC) No 427/2003 (OJ L 65, 8.3.2003, p. 1)

<sup>8</sup> OJ L 65, 8.3.2003, p. 1

<sup>9</sup> OJ L 67, 10.3.94, p. 1, as last amended by Regulation (EC) No 2309/2003 (OJ L 342, 30.12.2003, p. 21).

<sup>10</sup> OJ L 162, 30.4.2004, p.1

methodology for determining the unfair pricing practices, i.e. the second track of this instrument, as foreseen by Article 5(3) of this Regulation. Adoption of this methodology is expected in the course of 2005.

## **2. BASIC CONCEPTS**

### **2.1. Anti-dumping and anti-subsidy**

#### *2.1.1. What is dumping and what are countervailable subsidies - the material conditions for the imposition of duties?*

##### 2.1.1.1. 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. As a result, exporters are shielded, at least to a certain degree, from international competition on their domestic market.

Subsidies can have similar effects to sales at dumped prices in that they allow exporters to operate from a distorted home base. Subsidies involve a direct support from a government or a government-directed private body 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. Only subsidies which are "specific", i.e. targeted at individual companies or certain sectors of the economy, can be subject to trade defence measures.

##### 2.1.1.2. 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.

#### 2.1.1.3. 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. These interests typically include those of the Community industry, users, consumers and traders of the product concerned and the analysis assesses the positive impact measures will have on some operators as opposed to the negative impact on others. Only if it can be clearly concluded that the negative impact would be disproportional, measures should not be imposed.

#### 2.1.2. *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 the candidate countries. 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, in anti-subsidy investigations in particular exporting country authorities 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, in anti-subsidy investigations also to the exporting country authorities, and in the Community, traders (in particular importers) and other interested parties, such as users. These

questionnaires cover all different conditions to be fulfilled, i.e. dumping/subsidy, injury, causation and Community interest. The 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, as well as the Community interest analysis. The respective calculations and analysis often involve the processing of thousands of transactions, the complex examination of production costs and the assessment of the economic situation of numerous economic operators.

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, whether to continue the investigation without proposing duties or whether 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, assessment of comments of interested parties 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 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.

As set out above, throughout the process and at various specific steps, the procedure - consisting e.g. of requests for information, hearings, access to the file and disclosure - ensures that the rights of defence of interested parties are fully respected in this quasi-judicial process.

The Council decides on the adoption of the Commission proposal by simple majority vote. 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 in anti-dumping cases and to 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.

#### 2.1.3. *Review of measures*

The basic Regulations provide for administrative reviews and distinguish between interim reviews, newcomer reviews and expiry reviews.

The *expiry review* is initiated at the end of the five year life-time of the measures. Initiation is based on a request by the Community industry evidencing that the expiry of the measures would lead to continuation or recurrence of dumping and injury. Since the amendment to the basic Regulations, expiry reviews initiated after 20 March 2004 are subject to strict deadlines, i.e. they shall normally be concluded within 12 months of the date of initiation of the review, but in all cases be concluded within 15 months.

During the five year life-time of measures, 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. Under the new provisions of the basic Regulations, the deadline for concluding an interim review is set at 12 months, but no later than 15 months for reviews initiated after 20 March 2006.

Finally, the basic Regulations provide that a review shall be carried out to determine individual margins for new exporters in the exporting country concerned. As of 20 March 2006, the deadline for conclusion of *newcomer reviews* shall be 9 months.

During these reviews, the main procedural rules outlined in chapter 2.1.2 are also applicable.

#### 2.1.4. *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.

## 2.2. **Safeguards**

### 2.2.1. *What are safeguard measures?*

Safeguard measures allow temporary protection against the adverse effects of import surges. Under the Community legislation<sup>11</sup> implementing the WTO Safeguards Agreement, they can be applied under the following conditions: safeguard measures may be imposed if, as a result of unforeseen developments, a product is being imported into the Community in such increased quantities and/or on such terms and conditions as to cause, or threaten to cause, serious injury to Community producers of like or directly competitive products. Safeguard measures may only be imposed to the extent and for such time as may be necessary to prevent or remedy the injury.

### 2.2.2. *Procedure*

Investigations are carried out in accordance with the procedural rules laid down in the basic safeguard Regulations. These rules guarantee a transparent, fair and objective proceeding. In addition, the results of safeguard investigations are published in the Official Journal, and the Community is obliged to justify its decisions in this publication.

#### *Initiation*

The Commission is informed by one or more Member States should trends in imports of a certain product appear to call for safeguard measures. This information must contain evidence available, of the following criteria : a) the volume of imports, b) the price of imports, c) trends in certain economic factors such as production, capacity utilisation, stocks, sales, market share, prices, profits, employment, etc. and d) facts other than trends. Where there is a threat of serious injury, the Commission must also examine whether it is clearly foreseeable that a particular situation is likely to develop into actual injury.

This information is immediately passed on by the Commission to all other Member States, at which stage consultations are held within the Advisory Safeguard Committee. If there is sufficient evidence to justify an investigation, the Commission publishes a notice of initiation in the Official Journal within one month of receipt of

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<sup>11</sup> Council Regulation (EC) No 3285/94 on common rules for imports.

the information and commences the investigation, acting in co-operation with the Member States.

#### *Provisional measures*

Provisional measures may be imposed at any stage of the investigation. They shall be applied in critical circumstances where delay would cause damage which would be difficult to repair, making immediate action necessary, and where a preliminary determination provides clear evidence that increased imports have caused, or are threatening to cause, serious injury.

The duration of the provisional measures can, however, not exceed 200 days (i.e. 6 months).

#### *Definitive measures*

If, at the end of the investigation, the Commission considers that definitive safeguard measures are necessary, it will take the necessary decisions no later than nine months from the initiation of the investigation, at which stage the results of the investigation are being published in the Official Journal. In exceptional circumstances, this time limit may be extended by a further maximum period of two months, provided a notice is published in the Official Journal specifying the duration of the extension and a summary of its reasons.

Safeguard measures shall be applied only to the extent to prevent or remedy serious injury, thereby maintaining as far as possible traditional trade flows. As to the form of the measures, the Community will choose the measures most suitable in order to achieve these objectives. These measures could consist of quantitative quotas, tariff quotas, duties, etc.

#### *Duration and review of the measures*

The duration of safeguard measures must be limited to the period of time necessary to prevent or remedy serious injury and to facilitate adjustments on the part of the Community producers, but should not exceed four years, including the duration of the provisional measures, if any. Under certain circumstances, extensions may be necessary but the total period of application of safeguard measures should not exceed eight years.

If the duration of the measures exceeds one year, the measures must be progressively liberalised at regular intervals during the period of application. If the duration exceeds three years, the Commission should seek consultations with the Advisory Safeguard Committee in order to examine the effects of the measures, to determine the appropriateness of further liberalisation and to ascertain that the application of the measures is still necessary. Depending on the consultations, the measures may be revoked or amended.



### 3. ENLARGEMENT

As for the Union in general, also in the area of TDI, enlargement triggered numerous activities. These activities concentrated on accompanying the administrations concerned in order to allow their smooth integration into the working of the EU, and on ensuring that economic operators could fully take up their new role.

This was the more so important, because, as from 1 May 2004, all trade defence investigations and measures taken by the acceding countries before their accession to the EU lapsed and the Community's measures were automatically applied to the EU-25.

In response to the important information needs on the part of numerous economic operators and administrations, including our trade partners in third countries, the TDI services continued with the implementation of an action plan aimed at ensuring smooth operation of the trade defence instruments after enlargement.

In particular, the TDI services assisted the acceding countries' administrations and economic operators to develop the necessary capacity to take full advantage of their rights and to meet their obligations under the Community law in the area of trade defence as of the first day of their accession. The assistance was provided through a programme of seminars, followed up with bilateral meetings, operation of a help desk and publication of information on a special website.

As for all Commission Committees, prior to enlargement, the representatives of the acceding countries were involved as active observers in the work of the Anti-dumping and Anti-subsidy Advisory Committees. During the first months after enlargement, the Commission continued to assist the new Member States through e.g. the organization of a specific training seminar.

To explain the consequences of enlargement for the Community trade defence activities and to address concerns expressed by third countries regarding the application of the EU-15 trade defence measures to the new EU Member States as of 1 May 2004, meetings with several exporting third countries continued in 2004.

Furthermore, in March 2004, at the initiative of the Commission, partial interim reviews were launched in order to examine whether the extension of trade defence measures on EU10 users and consumers would result in economic hardship/shock. As a result of the investigation carried out by the TDI "Enlargement Task Force", special transitional measures were introduced in May 2004 for 4 products subject to anti-dumping measures: potassium chloride (Belarus and Russia), ammonium nitrate (Russia and Ukraine), GOES (Russia) and silicon carbide (Ukraine). The transitional measures took the form of price and/or quantitative undertakings limited to the traditional export flows to the new Member States for a limited period (for details see chapter 8.1 – monitoring of undertakings).

Finally, in April 2004, the Commission also published a Notice in the Official Journal regarding the application of anti-dumping and anti-subsidy measures in force in the Community following enlargement. The Notice, inter alia, reiterated the readiness of the TDI services to review anti-dumping and anti-subsidy measures in

force, if interested parties submitted a request for a review backed by evidence that measures would have been significantly different if they were based on information including the new Member States.

The overall experience gained with and the feedback received on the action plan was very positive. The new Member States' administrations have fully taken up their role and the economic operators concerned are actively participating in the investigations carried out.

On the basis of this positive experience, the TDI services will start an action plan aimed at working towards a further enlargement of the Community in 2007.

#### **4. COUNTRY-WIDE MARKET ECONOMY STATUS (MES)**

The work on the country-wide market economy requests has continued in 2004 and is now encompassing ever more countries.

Conceptually, the country-wide criteria for determining whether a country can be considered a full market economy for the purpose of anti-dumping investigations are inspired from those applicable to individual companies located in economies in transition to a market economy, which are set out in Article 2(7) of the basic Regulation. These criteria are :

- Degree of government influence
- Absence of State-induced distortions in the operation of enterprises
- Existence and implementation of a transparent and non-discriminatory company law
- Existence and implementation of a coherent, effective and transparent set of laws
- Existence of a genuine financial sector

These criteria are used to analyse whether countries classified as non-market economies or as economies in transition should be graduated to full market economy countries. As a consequence of such graduation, the behaviour of economic operators would be analysed on the basis of their specific cost and prices, rather than using data from analogue country producers. It should be noted that the MES analysis is not a judgment on a country's overall economic development. Rather, the issue is whether costs and prices can automatically be used for the purpose of TDI investigations.

Significant work has been done in this respect during 2004. In particular, the request received in March 2002 from Ukraine was assessed and the Commission sent its definitive findings to the Ukrainian authorities in May. The conclusion reached was not to grant MES to this country at that stage as certain criteria were not met. In particular, a number of issues related to government influence in the Ukrainian economy, as well as the existing bankruptcy procedures were still a cause of concern. In order to address these concerns, Ukraine was asked to 1) eliminate distorting state interference in the pricing of goods, especially in the metalworking sector, and 2)

provide information on the number, size and activities of companies exempted from normal bankruptcy procedures.

The People's Republic of China's request was received in September 2003. An extensive analysis was carried out by the Commission, leading to a preliminary and substantive assessment delivered to the Chinese authorities in June 2004. In this assessment, certain shortcomings were identified in four areas, namely state influence, corporate governance, property and bankruptcy law and the financial sector. The Commission concluded that, in order to obtain MES, China should 1) ensure equal treatment of all companies by reducing state interference, 2) increase the level of compliance with the existing Accounting Law, 3) ensure equal treatment of all companies in bankruptcy procedures, and 4) bring the banking sector under market rules in order to ensure a rational allocation of capital. In order to reflect the importance of the matter and in order to push forward the necessary developments, a bilateral working group was set up and met for the first time in November 2004.

For both Ukraine and China, country-wide MES will be granted as soon as the outstanding issues are satisfactorily addressed. The issue of MES will be discussed further with both countries in more detail in the months to come.

During 2004 and early 2005, further requests were received from Kazakhstan, Vietnam, Mongolia and Armenia. In all three cases, the Commission requested further information from the applicant countries in order to be able to assess their requests. This information was still pending at the end of 2004.

## **5. INFORMATION AND COMMUNICATION ACTIVITIES / BILATERAL CONTACTS**

### **5.1. Small and medium sized enterprises (SMEs)**

A Trade Defence Helpdesk for SMEs was set up in December 2004 to address specific SME questions/problems regarding TDIs, whether general or case-specific. This helpdesk is accessible through a direct link from a TDI SME website, which has been launched at the same time. This indicates that the Commission is working towards ensuring proper access to the TDI instruments, especially for companies and sectors which could otherwise meet technical difficulties using these instruments because of their small size, their fragmentation and/or their high number.

### **5.2. Seminars**

The TDI services continued to organise and participate in information and training seminars for third country government representatives and for economic operators, both within and outside the EU. All in all, 11 seminars have been held for the following beneficiaries: Argentina, China, Korea, Romania, Russia, Slovakia, Turkey, Ukraine and Vietnam. Furthermore, a number of ad hoc meetings on TDI matters were organised with specific third country TDI services.

## **6. THE TRADE DEFENCE INSTRUMENTS' SERVICES**

Within DG Trade, Directorate B is responsible for trade defence instruments. The directorate consists of 5 Units. Unit 1 is in charge of policy aspects related to anti-

dumping and anti-subsidy (including WTO and complaints office). Units 2 to 5 deal with investigations covering dumping/subsidization, injury and Community interest aspects. On top, Unit 2 monitors the activity of third countries on anti-dumping, anti-subsidy and safeguards, as well as policy aspects related to safeguards. Unit 4 is also responsible for following up and controlling the efficiency of measures and for policy matters concerning circumvention/absorption.

## **7. GENERAL OVERVIEW OF ANTI-DUMPING AND ANTI-SUBSIDY INVESTIGATIONS AND MEASURES**

### **7.1. New investigations**

At the end of 2004, the Community had 137 anti-dumping measures<sup>12</sup> and 19 countervailing measures in force. The anti-dumping measures covered 56 products and 32 countries (see Annex O); the countervailing measures covered 13 products and 9 countries (see Annex P). Of the measures, the large majority was in the form of duties; however, in a number of cases, undertakings were accepted.

Of the measures in force at the end of 2004 (both anti-dumping and anti-subsidy), 34 concerned China, 20 India, 10 Taiwan, 11 Russia, 10 the Republic of Korea, 9 Thailand, 7 Indonesia, 6 Japan and 16 measures (excluding China) applied to countries with economies in transition or to non-market-economy countries, including Ukraine with 8 measures and Belarus with 5 measures. Sixteen measures lapsed on 1 May 2004 following accession of 10 new countries. Six measures were still applicable against imports originating in the candidate countries Bulgaria, Romania and Turkey.

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 2004, only 0,3%<sup>13</sup> of total imports into the Community was affected by anti-dumping or anti-subsidy measures.

Table 1 below provides statistical information on the new investigations for the years 2000 – 2004.

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<sup>12</sup> The measures are counted per product and country concerned.

<sup>13</sup> Source Comext.

**TABLE 1**

**Anti-dumping and anti-subsidy new investigations  
during the period 1 January 2000 - 31 December 2004<sup>14</sup>**

	2000	2001	2002	2003	2004
Investigations in progress at the beginning of the period	87	34	43	33	15
Investigations initiated during the period	31	33	23	8	29
Investigations in progress during the period	118	67	66	41	44
Investigations concluded :					
- imposition of definitive duty or acceptance of undertakings	52	12	28	5	11
- terminations <sup>15</sup>	32	12	5	21	2
Total investigations concluded during the period	84	24	33	26	13
Investigations in progress at the end of period	34	43	33	15	31
Provisional measures imposed during the period	48	18	17	10	6

## 7.2. Review investigations

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 TDI services. In the period from 2000 to 2004, a total of 189 review investigations were initiated. These review investigations represented more than 60% of all investigations initiated.

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

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

In 2004, 42 reviews were initiated. Of these, 6 were expiry reviews, 26 interim reviews, 2 newcomer reviews, and 8 circumvention investigations.

An overview of the review investigations in 2004 can be found in Annexes F to K. Table 2 provides statistical information for the years 2000 - 2004.

**TABLE 2**  
**Reviews of anti-dumping and anti-subsidy investigations**  
**during the period 1 January 2000 - 31 December 2004<sup>16</sup>**

	2000	2001	2002	2003	2004
Reviews in progress at the beginning of the period	61	53	58	67	53
Reviews initiated during the period	37	29	55	26	42
Reviews in progress during the period	97	82	113	93	95
Total reviews concluded during the period <sup>17</sup>	44	24	46	40	54 <sup>18</sup>
Reviews in progress at the end of the period	53	58	67	53	41

Details on the conclusions can be found under heading 8.2.

## 8. OVERVIEW OF ACTIVITIES IN 2004

### 8.1. New investigations

#### 8.1.1. Initiations

In 2004, 29 investigations were initiated. They involved 14 different products from 12 different countries. Details of these investigations are given in Annex A. Most affected countries are China with 9 investigations, Korea, Russia, Taiwan and Vietnam with 3 investigations each and USA with 2 investigations, followed by Thailand, Philippines, Norway, Malaysia, Indonesia and Belarus with 1 investigation each. As to the products, the most affected is the iron and steel sector and the chemical and allied sector.

In the five-year period from 2000 to 2004, 124 investigations were initiated on imports from 33 countries. The main sectors concerned by the investigations were iron and steel with 41 investigations, chemical and allied with 38 investigations and textiles and allied with 13 investigations. A breakdown of the product sectors is given in Annex B(A).

<sup>16</sup> The initiation of a case concerning several countries is accounted as separate investigations/proceedings per country involved.

<sup>17</sup> 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.

<sup>18</sup> Including 7 reviews concerning acceding countries which were automatically terminated.

The main countries concerned during the period from 2000 to 2004 were the People's Republic of China with 23 investigations, India with 16 investigations, Russia with 10 investigations, Korea with 7 investigations and Indonesia and Turkey with 6 investigations each. The investigations initiated over the last five years are broken down by country of export in Annex B(B).

The alphabetical list of cases initiated in 2004 can be found below, together with the name of the complainant. More information can be obtained from the Official Journal to which reference is given in Annex A.

<b>Product/type of investigation<sup>19</sup></b>	<b>Originating from</b>	<b>Complainant</b>
Barium carbonate (AD)	P.R. China	Solvay Barium Strontium GmbH
Bicycles (AD)	Vietnam	European Bicycles Manufacturers' Association (EBMA)
Castings (AD)	P.R. China	Eurofonte
Grain-oriented electrical sheets (small + big) (AD)	Russia USA	European Confederation of Iron and Steel Industries (Eurofer)
Granular polytetrafluoroethylene (PTFE) resin (AD)	P.R. China Russia	European Chemical Industry Council (Cefic)
Hand pallet trucks and their essential parts (AD)	P.R. China	Four Community producers
Magnesia bricks (AD)	P.R. China	European Refractories Producers Federation
Polyester filament apparel fabrics (AD)	P.R. China	AIUFFASS
Polyester high tenacity filament yarn (AD)	Belarus Korea (Rep. of) Taiwan	Comité International de la Rayonne et des Fibres Synthétiques
Salmon (AD)	Norway	EU Salmon Producers Group
Stainless steel fasteners and parts thereof (AD)	P.R. China Indonesia Malaysia Philippines	European Industrial Fastener Institute (EiFi)

<sup>19</sup> AD = anti-dumping investigation; AS = anti-subsidy investigation, AD + AS = parallel anti-dumping and anti-subsidy investigation.

	Taiwan Thailand Vietnam	
Steel ropes and cables (AD)	Korea (Rep. of)	Liaison Committee of European Wire Rope Industries (EWRIS)
Styrene-butadiene-styrene thermoplastic rubber (AD)	Korea (Rep. of) Russia	European Chemical Industry Council (Cefic)
Tartaric acid (AD)	P.R. China	Five Community producers
Trichloroisocyanuric acid (TCCA) (AD)	P.R. China	European Chemical Industry Council (Cefic)
Trichloroisocyanuric acid (TCCA) (AD)	USA	European Chemical Industry Council (Cefic)
Tube or pipe fittings (AD)	Taiwan Vietnam	Defence Committee of the Steel Butt-Weldings Fittings Industry of the EU

#### 8.1.2. *Provisional measures*

In 2004, provisional duties were imposed in 6 proceedings, one of which concerned an anti-subsidy proceeding. They involved imports from 4 different countries. As shown in Table 1 (see point 7.1), this figure compares to 10 in 2003 and 17 in 2002.

The alphabetical list of cases where provisional measures were imposed during 2004 can be found below, together with the measure(s) imposed. More information can be obtained from the Official Journal to which reference is given in Annex C.

<b>Product</b>	<b>Originating from</b>	<b>Type<sup>20</sup> and level of measure</b>
Graphite electrode systems	India	AD : 0-5,7%
Graphite electrode systems	India	AS : 12,8-14,6%
Okoumé plywood	P.R. China	AD : 8,5-48,5%
Polyethylene terephthalate (PET)	Australia P.R. China Pakistan	AD : 72-141 EUR/t AD : 106-230 EUR/t AD : 128 EUR/t

<sup>20</sup> AD = anti-dumping duty, CVD = countervailing duty, UT = undertaking.



### 8.1.3. Definitive measures

#### 8.1.3.1. Overview

During 2004, definitive duties were imposed in 11 cases, two of which concerned anti-subsidy proceedings. They involved imports from 7 different countries and covered 6 products. The People's Republic of China and India featured with 3 investigations each, Pakistan, Indonesia, Norway, Faeroe Islands and Australia with 1 investigation each.

The alphabetical list of cases where definitive measures were imposed during 2004 can be found below, together with the measure(s) imposed. More information can be obtained from the Official Journal to which reference is given in Annex D. Annex D also gives some additional information on import and consumption volumes.

Product	Originating from	Type <sup>21</sup> and level of measure
Cotton-type bed linen	Pakistan	AD : 13,1%
Cotton-type bed linen	India	CVD : 4,4-10,4%
Graphite electrode systems	India	AD : 0% CVD : 7-15,7%
Okoumé plywood	P.R. China	AD : 6,5-66,7%
Polyethylene terephthalate (PET)	Australia P.R. China	AD : 66-128 EUR/t AD : 0-184 EUR/t
Sodium cyclamate	P.R. China Indonesia	AD : 0-0,26 EUR per kilo AD : 0,24-0,27 EUR per kilo
Trout	Norway Faeroe Islands	AD : 19,9 % AD : 30-54,4%

#### 8.1.3.2. Details on individual cases (in alphabetical order)

##### 1. Cotton-type bed linen originating in Pakistan

The product covered by this investigation was bed linen of cotton fibres, pure or mixed with man-made fibres or flax (flax not being the dominant fibre), bleached, dyed or printed originating in Pakistan. Bed linen includes bed sheets (fitted or flat), duvet covers and pillow covers, packaged for sale either separately or in sets.

The investigation was initiated on 18 December 2002. Due to the high number of parties, the Commission had to resort to sampling techniques for its examination, resulting in the selection of six Pakistani exporters and five Community producers.

<sup>21</sup> AD = anti-dumping duty, CVD = countervailing duty, UT = undertaking.

During the verification of one of the Pakistani exporters selected in the sample, the Commission received an anonymous letter containing life threats addressed personally to the officials carrying out the verifications. The verification visits had therefore to be interrupted. Another Pakistani company – who had been fully verified before this incident - was found to have supplied false information and, in the impossibility to verify the remaining sampled companies, a determination had to be made on the basis of the facts available, in accordance with Article 18 of the basic Regulation. In this respect, resort was made to all verified information submitted by all interested parties.

Given the need to further examine certain aspects of dumping, injury, causality and Community interest, no provisional anti-dumping measures were imposed. The investigation, however, continued and revealed the existence of injurious dumping at definitive stage.

On 4 March 2004 the Council imposed definitive anti-dumping duties at the level of 13,1%, based on the dumping margin found, since the injury elimination level was higher (lesser duty rule).

One Pakistani exporting producer has filed a complaint with the Court of First Instance on the grounds that the initiation of the investigation, the normal value calculation, the determination of material injury and the existence of a causal link between dumped imports and the injury found, were inconsistent with the basic Regulation and in breach of the WTO AD Agreement.

## 2. Cotton-type bed linen originating in India (anti-subsidy investigation)

The Commission initiated an anti-subsidy investigation on imports into the Community of cotton-type bed linen originating in India on 18 December 2002. The complaint was lodged by Eurocoton on behalf of the Community industry (actually 45% of the total Community production of cotton-type bed linen).

The anti-subsidy proceeding was preceded by anti-dumping investigations on the same product and already had a complex history involving two WTO panels. These circumstances necessitated a very thorough investigation.

Given the need to further examine certain aspects of subsidisation and injury resulting therefrom, no provisional measures were imposed. The investigation eventually revealed the existence of injurious subsidisation and definitive measures were imposed on 17 January 2004. These ranged from 4,4 to 10,4%, i.e. at the levels of the subsidy margins.

### Large number of co-operating parties

As more than eighty companies, representing more than 90% of total exports of bed linen from India to the Community, were willing to co-operate, a sample of representative Indian companies had to be chosen. In consultation with the companies, the industry association (Texprocil) and the Government of India eight exporting producers were selected. This sample represented 55% of Indian exports of the product concerned to the Community

## Subsidies

On the basis of the information contained in the complaint and the replies to the Commission's questionnaire, six schemes allegedly involving the granting of export subsidies were investigated. These were: the Duty Entitlement Passbook (DEPB) Scheme, the Duty Free Replenishment Certificate (DFRC), the Export Promotion Capital Goods (EPCG) Scheme, the Advance Licence Scheme (ALS), the Export Processing Zones/Export Processing Units (EPZ/EOU), and the Income Tax Exemption.

The investigation confirmed the existence of countervailable subsidies for five of the above schemes and for all the companies included in the sample.

## Injury and causation of injury

Injury to the Community industry was caused by the following factors: the market share of the Community industry declined from 20,8% to 18,9% between 1999 and the investigation period, i.e. by almost 10%; the profitability and return on investment of the sampled Community producers decreased considerably; investments dropped by 60% and cash flow decreased by one third over the period considered. Prices of the subsidized imports undercut those of the Community producers by 26% to 77%. With a market share of 7,2% in the investigation period the subsidised imports originating in India contributed materially to the injury suffered by the Community industry.

## Community interest

The main issue with regard to Community interest was the claim that cheap imports of bed linen were necessary for the individual consumer as well as for institutional users such as hotels and hospitals as products at the cheaper end of the range were no longer produced by the Community producers. However, the investigation showed that the Community producers still produce these products and that there was no technical reason why the production of these products in the Community could not be increased. It was therefore considered to be in the Community interest to impose measures.

### 3. Graphite electrode systems originating in India (anti-dumping and anti-subsidy investigation)

On 21 August 2003, following complaints lodged by the European Carbon and Graphite Association (ECGA), the Commission initiated an anti-dumping and an anti-subsidy investigation on imports of certain graphite electrode systems originating in India. Graphite electrodes are used mainly by steel producers in electric arc furnaces to carry electric current, in order to melt recycled scrap and produce steel. Total Community consumption amounted to 130.000 tonnes during the investigation period (1 April 2002 – 31 March 2003), valued at around € 295 million. Indian imports represented around 8% of the Community market.

There were two producing exporters of the product concerned in India, Graphite India Ltd (GIL) and Hindustan Electro Graphite Ltd (HEG). Both companies co-operated in the investigations. Provisional anti-dumping duties and provisional

countervailing duties were imposed on graphite electrodes on 19 May 2004. On 13 September 2004, the Council imposed definitive measures. Definitive countervailing duties were set at 7% (HEG) and 15,7% (GIL and residual) and definitive anti-dumping duties at 0%.

With regard to the 0% anti-dumping duty which was imposed, it should be noted that no product shall be subject to both anti-dumping and countervailing duties for the purpose of dealing with one and the same situation arising from dumping or export subsidisation. In these investigations, it was established that the subsidy amounts and the dumping margins had partly arisen from the same export subsidies. Therefore, the anti-dumping duty calculated was the lesser of the dumping margin and the injury margin found in the anti-dumping proceeding minus the countervailing duty, thus offsetting the effect of the export subsidies. As a result, the anti-dumping duty imposed was 0%.

### Dumping

For both exporting producers dumping margins were established on the basis of a comparison between their weighted average normal values and weighted average export prices. The dumping margins so obtained were 22,4% (HEG) and 33,1% (GIL).

### Subsidies

Both companies were found to have received export subsidies from the Government of India. The majority of these subsidies were provided via the Duty Entitlement Pass Book Scheme, which rewards companies by way of an *ad valorem* grant on the basis of the value of export sales. Countervailable benefits were also found in respect of duty remissions on imported capital goods and raw materials, both schemes being contingent upon export performance.

The *ad valorem* subsidy margins were definitively assessed at 16,7% for GIL, and 14,9% for HEG.

### Injury and causation of injury

A clear deterioration of the situation of the Community industry had been found between 1999 and the investigation period. Virtually all injury indicators developed negatively: production, production capacity and sales volumes of the Community industry declined, the latter resulting in a loss of 6,4 percentage points of market share. Community industry's profitability, employment and investment also declined substantially.

Conversely, the two Indian producers gained 3,5 percentage points of market share between 1999 and the IP, whilst the average prices of dumped imports from India were consistently lower than those of the Community industry during the period considered. These findings hinted at a strong causal link between dumped/subsidised imports from India and the injury suffered by the Community industry.

Indian exporters claimed that any objective assessment of the situation of the Community industry was impossible because the picture would be blurred by the fact

that the two Community producers had practised a cartel between May 1992 and March 1998, and had been fined for this. The investigation found that the period relevant for the analysis of injury was free from any effect of the cartel on prices.

#### Community interest

The principal user industry, accounting for around 80% of the total Community consumption of graphite electrodes, was the electric steel industry. The investigation showed that consumption of graphite electrodes represented on average 1% of total costs of production of co-operating users. Given the low duties proposed, the simulation has shown that users' costs of production would be increased at most by 0,1%.

Users also objected to the imposition of countervailing measures on the ground that this would raise an obstacle to a competitive market, and *de facto* help re-instate the cartel found in 2001 by the Commission. It was considered that the fact that the Community industry practised a cartel in the years 1992-98 for which it had been fined should not deprive it from the right to obtain relief under the anti-dumping and anti-subsidy regulations against unfair trade practises, as long as the consequences of the cartel had been properly addressed and isolated.

#### Form of the measure

Both exporting producers in India, offered price undertakings in the framework of the anti-subsidy investigation. However, the price of graphite electrodes is very volatile due, in turn, to the volatility of raw material prices. Therefore, any undertaking would have required the indexation of the minimum prices to the prices of the raw materials. However, this was impossible, since there was no publicly available and independent source for prices of raw materials. In addition, one of the exporting producers, subsequent to its undertaking offer, acquired a graphite electrode production company situated in the Community which raised the risk of circumvention of its undertaking offer. In view of two elements, it was not possible to accept undertakings.

#### Court challenge

Both the definitive anti-subsidy Regulation and the definitive anti-dumping Regulation are currently challenged before the Court of First Instance by the two Indian exporting producers.

4. Polyethylene terephthalate originating in Australia, the People's Republic of China (PRC) and Pakistan

Polyethylene terephthalate ('PET') is a chemical normally used in the plastic industry for the production of PET-bottles for mineral water, soft drinks, and plastic sheets. Given that the cost of the PET bottle represents a significant proportion of the overall sale price (80% in the case of bottled water), it is understandable that this case has elicited widespread interest from users.

This case presented a particular challenge in terms of the application of the Community interest test, partly because of the high degree of cooperation of users

and partly because of the positions taken by users (manufacturers of PET bottles etc., which will be explained in more detail below). The Community interest test demands that the interests of all operators on the EU market be taken into account before a conclusion is reached on the imposition of anti-dumping measures, even where it is clear that dumped imports are injuring Community industry.

The Commission initiated proceedings on 22 May 2003, following a complaint lodged by the Association of Plastic Manufacturers in Europe (APME). The Commission imposed provisional measures in February 2004, and definitive measures were imposed in August 2004 by the Council. The duties imposed range from 0 % up to 22,9 %, and consist of a fixed amount per tonne.

### Dumping

#### **The People's Republic of China (PRC)**

Eight exporters, representing close to 100% of imports from the PRC, co-operated with this proceeding. The PRC is considered to be an economy in transition for the purpose of anti-dumping investigations and it is therefore recognised that the costs of companies operating therein are not necessarily reliable, *inter alia* because of remaining state influence on the market (see explanations to terminology used). Nevertheless under the special rules applicable to such economies, companies may obtain their own dumping margins (if any) if they can prove that their costs and prices are market-driven. All of the cooperating exporters in this case requested market economy treatment (MET) or individual treatment (IT). However only four were successful – (two were granted MET and two others IT). The rejection of MET for the remaining companies was mainly due to the apparent state influence in business decisions. For example the majority of the Board of Directors was appointed by the state, the majority of the shares were held by the state or there were no restrictions in voting power for the state. Moreover, questions were raised concerning the reliability of the accounts. Where MET was refused, the dumping margins were calculated on the basis of verified cost data in a third country, the so-called analogue country (here the United States of America). The United States of America was chosen as the analogue country because it is comparable in size to China and has an open and competitive market.

For the two companies granted MET, the dumping margins found were 0% and 2,6% respectively, and for the remaining companies between 18,4% and 22,9 %

#### **Australia**

For the two Australian cooperating exporters, representing almost 100% of Australian exports to the Community, the definitive dumping margins are 7,8% and 15,9%. The dumping margins were calculated on the basis of the actual prices charged by the Australian companies on their home market.

Moreover, the main Australian exporter accepted a price-undertaking. This means that as long as a certain export price is respected, no anti-dumping duty will apply.

## **Pakistan**

The proceeding against Pakistan was terminated. The conclusions are set out in more detail under the section “Investigations terminated without measures”.

### Injury and Causation

Eleven out of the 12 Community producers, representing close to 100% of total Community production, actively cooperated with the proceedings.

A clear increase in the volume of imports from the PRC and Australia was registered during 2002 and during the first quarter of 2003. The prices of these imports were considerably below those of the Community industry, with a level of price undercutting ranging from 10% to 17%. The price comparison, as is usual practice for the Community institutions, was carried out at the same level of trade and during the same time period. The situation of the Community industry (i.e. the 11 producers combined) deteriorated from 2002 onwards, particularly with regards to its profitability. This trend coincided with the increase in imports and this, together with the fact that in principle PET is an interchangeable commodity product, clearly indicates that imports had taken over part of the former sales of the Community industry, overriding all other possible causes that could have had an impact on the situation of the Community industry.

### Community interest

One of the more interesting aspects of this case was the question of whether it would be in the Community interest to impose these anti-dumping measures. In order to assess this interest, a significant number of suppliers, importers and users were contacted. Cooperation was also received from users representing an unusually high percentage of Community consumption.

The two main points were :

- Should measures be introduced, and given the expected growth in demand for PET (especially for PET used for mineral waters), is the Community industry’s production capacity sufficient to meet this expected demand?
- If measures were introduced and if the effect of their introduction would be higher prices of PET, what would be the effect of these price increases on the downstream industry (bottlers, mineral water producers, soft drink producers, retailers etc.) and at the level of the end-consumer?

It is worth noting that in this particular case, the majority of the users (expressed in volumes of PET purchased) supported the introduction of measures. They were concerned about a possible interruption to their supply of high-quality PET, and underlined the necessity of having access to a continuous supply. As this demand could not be met by imports it was therefore essential that the Community industry commit to investing in new capacity within the Community. However, given that several of the Community producers were already planning such investments, no shortage of PET was actually envisaged.

An assumed 10% increase of the price of PET would at the maximum entail an increase of 0,3 cents (0,6%) per bottle of mineral water at the level of the end-consumer. Thus, it was not unreasonable to assume that the downstream industry could either absorb such an increase or pass it on to the end-consumer.

In conclusion there were no compelling reasons against the imposition of anti-dumping measures on dumped imports originating in Australia and the PRC.

#### 5. Okoumé plywood originating in the People's Republic of China

Okoumé plywood is made with okoumé, a tropical wood of excellent quality, grown in West Africa.

The Commission initiated the proceeding on 19 August 2003 following a complaint lodged by the European Federation of the Plywood Industry (FEIC) on behalf of producers representing more than 50% of the Community production of okoumé plywood. Provisional measures were imposed in May 2004.

In November 2004 the Council adopted the Regulation imposing definitive measures. This included special provisions to ensure the proper application of the anti-dumping duty so as to minimise the risk of circumvention.

#### Dumping

The eight co-operating Chinese producers requested market economy treatment and individual treatment. Only four of them fulfilled the conditions for the granting of market economy status.

Turkey was chosen as analogue country for the purpose of establishing a normal value applicable to all non-cooperating exporters and for those which were not granted market economy treatment.

In all cases the dumping margin was established on the basis of a comparison of the weighted average normal value with the weighted average export price during the investigation period (July 2002 – June 2003). The dumping margins thus obtained ranged from 6,5% to 66,7%.

#### Injury and causation

The injury caused to the Community producers during the period January 1999 – June 2003 was characterized by a decrease of about 10% in the turnover of the Community industry within the context of a 14% increase in consumption of okoumé plywood on the Community market and a sharp decline in the Community industry's market share from 72,9% in 2001 to 57,1% during the same period.

Profitability and return on investment decreased considerably and investments fell sharply.

With a substantial market share of almost 25%, the dumped imports originating in China were made at low prices which undercut those of the Community industry by more than 20% on average. It was therefore concluded that these imports had caused the material injury suffered by the Community industry



### Community interest

Two importers claimed that imposing measures would be against the Community interest but did not provide any evidence to substantiate their claim. There was therefore no reason on the grounds of Community interest not to impose anti-dumping duties.

### Measures adopted

The definitive measures imposed, in the form of *ad valorem* duties ranging from 6,5% to 66,7%, were based on the dumping margins, all of which were lower than the injury margins.

#### 8.1.4. *Investigations terminated without measures*

##### 8.1.4.1. 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 measures are unnecessary (i.e. no dumping/no subsidies, no injury resulting therefrom, measures not in the interest of the Community).

In 2004, 2 new anti-dumping proceedings (0 anti-subsidy proceedings) were concluded without measures, compared to 21 in 2003 and 5 in 2002.

The alphabetical list of cases which were terminated without the imposition of measures during 2004 can be found below. More information can be obtained from the Official Journal to which reference is given in Annex E.

<b>Product (type of investigation<sup>22</sup>)</b>	<b>Originating from</b>	<b>Main reason for termination</b>
Polyethylene terephthalate (PET) (AD)	Pakistan	Dumping below the <i>de minimis</i> threshold of 2%
Stainless steel cold-rolled flat products (AD)	USA	Withdrawal of the complaint

##### 8.1.4.2. Details on individual cases (in chronological order)

###### 1. Polyethylene terephthalate (PET) originating in, *inter alia*, Pakistan

The background of the case has already been described above under the section “Definitive measures”.

In February 2004, the Commission imposed provisional measures on imports originating in, *inter alia*, Pakistan. However, following submissions by interested parties, the methodology applied for the dumping calculations was revised, leading to

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<sup>22</sup> AD = anti-dumping investigation; AS = anti-subsidy investigation, AD + AS = parallel anti-dumping and anti-subsidy investigation.

a dumping margin below 2% (i.e. below the so called “*de minimis*” threshold). Therefore, the proceedings had to be terminated.

At the provisional stage, it was considered that despite certain financial links, the two cooperating Pakistani producers could be considered as two separate entities. However the subsequent comments necessitated a reassessment of this relationship. This reassessment found that very specific connections existed between the producers at issue, notwithstanding the fact that they each had different cost structures and were set up in the form of two different legal entities. For example, there was a substantial level of integration in key sectors of their organisation such as management, marketing and production.

As a result of these findings the producers were treated as one single company in the definitive stage of the proceedings. This has had a considerable influence on the dumping margin which was eventually found to be “*de minimis*”, meaning below 2%. In accordance with WTO and Community law, the proceedings were therefore terminated.

## 2. Stainless steel cold-rolled flat products originating in the USA

The product covered was certain stainless steel cold-rolled flat products, i.e. chromium-ferritic stainless steel, mainly used in the automotive exhaust systems. Other typical applications include petrochemical, heat exchangers, furnaces, appliances and food equipment.

The investigation was initiated on 17 December 2002. On 16 September 2003, the Commission imposed a provisional anti dumping duty amounting to 20,6% for the sole co-operating exporting producer and to 25,0% for the non co-operating companies in the US. The calculation of the injury margin was based on a method taking into consideration “meeting points”, i.e. it was considered that the unfair competition took place in particular where the Community industry and the exporting producer in question had common customers. The determination of the injury margin was therefore based on limited transactions.

After disclosure of provisional findings, the Community industry (EUROFER) withdrew its complaint. An anti-dumping proceeding may be terminated where the complaint is withdrawn unless such termination would not be in the Community interest. It was considered that a termination of the investigation would indeed not be against the Community interest and none of the interested parties objected to this conclusion.

The Commission therefore terminated the anti-dumping investigation in March 2004 without imposition of definitive duties. The amount secured by way of the provisional anti-dumping duty was released.

## 8.2. Review investigations

### 8.2.1. 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 2004, 14 measures were allowed to expire automatically. Furthermore, 16 measures which were in force against imports originating in one or more of the 10 acceding countries lapsed automatically on the day of the enlargement. 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 378 measures have been allowed to expire automatically.

#### 8.2.1.1. Initiations

During 2004, 6 expiry review investigations were initiated. It should be noted that investigations initiated after 20 March 2004 are now under deadline, i.e. conclusions should be reached within 12 months but not later than 15 months from the date of initiation.

The alphabetical list of these cases can be found below, together with the name of the complainant. It should be noted that some expiry reviews may be carried out in parallel with interim reviews, which allow the amendment of the duty rates. In such case, these reviews are marked with an asterisk. More information can be obtained from the Official Journal to which reference is given in Annex F.

<b>Product (type of investigation<sup>23</sup>)</b>	<b>Originating from</b>	<b>Complainant</b>
Magnesium oxide (AD)	P.R. China	Eurométaux
Polyethylene terephthalate (PET) film (AS)	India	Four Community producers
Steel ropes and cables	P.R. China India South Africa Ukraine	Liaison Committee of European Union Wire Rope Industries (EWRIS)

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<sup>23</sup> AD = anti-dumping investigation; AS = anti-subsidy investigation, AD + AS = parallel anti-dumping and anti-subsidy investigation.

### 8.2.1.2. Reviews concluded with confirmation of duty(ies)

During 2004, 5 expiry reviews were concluded with confirmation of duty.

The alphabetical list of the cases which were concluded with confirmation of duty during 2004, together with the result of the investigation, can be found below. More information can be obtained from the Official Journal to which reference is given in Annex F.

<b>Product</b>	<b>Originating from</b>	<b>Result of the investigation/ Type<sup>24</sup> and level of measure</b>
Glyphosate (combined with an interim review)	P.R. China	Confirmation and lowering of AD duty : 29,9%
	Malaysia	Confirmation of extension of Chinese AD duty : 29,9%
	Taiwan	Confirmation of extension of Chinese AD duty : 29,9%
Ring binder mechanisms	P.R. China	Confirmation of AD duty : depending on mechanism - difference between the minimum import price of EUR 325 per 1000 pieces and the net free-at-Community frontier price - between 51,2 and 78,8%
Silicon	P.R. China	Confirmation of AD duty : 49%
Synthetic fibre ropes	India	Confirmation of AD duty : 53-82%
Tungsten carbide and fused tungsten carbide	P.R. China	Confirmation of AD duty : 33%

Details on some individual cases (in chronological order)

#### 1. Synthetic fibre ropes originating in India

The original measures concerning imports of synthetic fibre ropes ('SFR') originating in India were imposed in June 1998.

During the investigation period Community consumption of SFR amounted to 36.093 tonnes. The volume of imports from India during the same period was negligible.

<sup>24</sup> AD = anti-dumping duty, CVD = countervailing duty, UT = undertaking.

The expiry review was initiated in June 2003 at the request of the Liaison Committee of EU Twine, Cordage and Netting industries (EUROCORD).

Contrary to the original investigation in 1997-1998, there was no cooperation from Indian exporting producers in the expiry review. In the absence of significant exports from India to the Community market, it was examined how imports of SFR from India would develop should the measures be allowed to expire.

The investigation revealed that that the Community market remains strategically interesting for Indian producers and that their total production capacity represented almost three times the level of Community consumption. Consequently, it was concluded that the existence of large excess capacity indicates a likelihood of a resumption of exports to the Community should measures lapse.

In addition, as quantities of SFR exports from India to the Community market were negligible, the export behaviour of India to other third markets was analysed. The investigation revealed that exports from India to third countries were still made at dumped prices, with dumping margins at higher levels than those found in the original investigation. In other words, dumping behaviour of Indian exporters had not ceased after 1997 but it had been accentuated on third country markets. It was therefore concluded that the expiry of measures was likely to lead to a recurrence of dumped exports.

The analysis of the Community industry showed that it was structurally viable, however, still in a difficult situation, in particular as regards its profitability. It was therefore concluded that if measures were not maintained the Community industry would be put at further risk, creating a decline in its market shares, depressing its prices and lowering its profitability.

In view of the above findings, it was therefore concluded that the measures should be maintained.

2. Tungsten carbide and fused tungsten carbide originating in the People's Republic of China (PRC)

Tungsten carbide is a carbonised metal powder made from tungsten ore. It is used by the hard metal industry to make drill heads and wear components for machinery. This case is of interest in that it prolongs an anti-dumping duty already in place for 14 years on imports from the Peoples Republic of China (PRC). The continued refusal of the PRC to grant access to Community producers to their supplies of the raw materials for tungsten carbide is at the root of this duty and justifies its length.

The PRC holds approximately 40 % of the raw materials for tungsten carbide, the exports of which are still controlled by the Chinese government. This supply control allows the PRC to influence prices further down the production chain. Community producers on the other hand are largely dependent on access to these raw materials.

Dumping

When the present duties were imposed in 1990, the PRC was considered to be a non-market economy. The level of State influence meant that company costs were not

reliable and a country-wide margin was calculated instead of individual dumping margins.

The PRC is currently considered to be an “economy in transition”. Under the special rules applicable to such economies, companies may request so-called “market economy treatment”, provided they can prove that their costs and prices are market-driven (see explanations to terminology used). However no such application was made by any Chinese exporter in the current review proceeding. Therefore the original methodology (no individual dumping margins) was maintained, in accordance with the legal provisions in force.

In order to determine the so-called “normal value”, i.e. what would be a “normal” price to be charged under market economy conditions, cost data were verified with a cooperating producer in the so-called analogue country, in this case the United States of America. The United States of America was chosen as it is comparable in size to China and has an open and competitive market. It was on this basis that continued dumping was found.

#### Likelihood of continuation of dumping

The comparatively high prices in the Community market make it an attractive destination for Chinese producers of tungsten carbide. Moreover these producers were found to have considerable unused capacity. In such circumstances there is a strong likelihood of continued dumping.

#### Injury

Three producers, representing 90% of the total Community production, fully cooperated in the investigation. Notwithstanding the existing measures, it was apparent that the ability of the Community industry (i.e. the 3 producers combined) to operate profitably remained under pressure from Chinese imports. This is often the case with commodity products, where even small volumes at low prices can have a large impact on the overall market terms. In fact since 2002, the Community industry’s rate of use of the production lines and its profitability had declined.

#### Likelihood of continuation of injury

As mentioned above, there is substantial unused production capacity available in China. In addition, Chinese prices had constantly been much lower than those of the Community industry. Although the quantities currently imported from the PRC were relatively small, a price-depressive effect was observed nonetheless, with resulting negative consequences for the Community industry. As this industry remained vulnerable, an increase in the volume of imports would have inevitably impacted negatively on its situation.

If the existing measures had been repealed, the Community industry would (once again) face increasing unfair competition from Chinese exporters of the product concerned. This would have led to continued and aggravated injury. In light of this likelihood the extension of the anti-dumping duty was considered necessary.

### Community interest

A number of importers/traders and users were contacted when evaluating whether there were any compelling reasons against extending the measures. No replies were received from any importers or traders and only one user co-operated. The latter, who represented a very small market share in the Community, expressed some fear that prolonging the measures would strengthen the position of the Community industry at his expense. However, given the risk to the Community industry and the very low level of cooperation from the users and other related industries, the extension of the existing anti-dumping measures was considered justified.

#### 8.2.1.3. Reviews concluded by termination

During 2004, 4 expiry reviews were concluded by termination. It should be noted that some expiry reviews may be carried out in parallel with interim reviews. These reviews are marked with an asterisk.

The alphabetical list of the cases which were concluded by termination during 2004, together with the result of the investigation, can be found below. More information can be obtained from the Official Journal to which reference is given in Annex F.

<b>Product (type of investigation<sup>25</sup>)</b>	<b>Originating from</b>	<b>Main reason for termination</b>
Sacks and bags of polyethylene or polypropylene	P.R. China India Indonesia Thailand	Withdrawal of the request

Details on the individual case (in chronological order)

1. Sacks and bags of polyethylene or polypropylene originating in the People's Republic of China, India, Indonesia and Thailand

Definitive anti-dumping duties on sacks and bags were imposed in October 1997. The measure against India was reviewed and amended in October 2002. Subsequently, upon request of the Community industry an expiry review was initiated in October 2002.

The aim of the review was to determine whether the expiry of the measures would be likely, or unlikely, to lead to a continuation or recurrence of dumping and injury.

Exporting producers in India and Indonesia as well as the Community producers co-operated and submitted a reply to the questionnaire. However, in October 2003, the Community industry decided to withdraw its complaint.

An anti-dumping proceeding may be terminated where the request for a review is withdrawn unless such termination would not be in the Community interest. It was

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<sup>25</sup> AD = anti-dumping investigation; AS = anti-subsidy investigation, AD + AS = parallel anti-dumping and anti-subsidy investigation.

considered that a termination of the investigation would indeed not be against the Community interest and none of the interested parties objected to this conclusion.

Therefore, in February 2004, the investigation was terminated and the definitive anti-dumping duty in force repealed.

### 8.2.2. *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.

During 2004, a total of 26 interim reviews were initiated, 10 of which were the so-called “enlargement reviews” (see point 3). Sixteen interim reviews were concluded with confirmation or amendment of duty and 2 investigations were terminated. The alphabetical list of cases which were concluded during 2004, together with the result of the investigation, can be found below. The asterisk refers to the enlargement reviews. More information can be obtained from the Official Journal to which reference is given in Annex G.

<b>Product</b>	<b>Originating from</b>	<b>Result of the investigation/ Type<sup>26</sup> and level of measure</b>
Aluminium foil*	Russia	Amendment of the AD regulation imposing the measures in order to cover for the possibility of change to existing undertakings
Ammonium nitrate*	Russia	Amendment of the AD regulation imposing the measures in order to cover for the possibility of undertakings
Ammonium nitrate*	Ukraine	Amendment of the AD regulation imposing the measures in order to cover for the possibility of undertakings
Coke	P.R. China	Amendment of the AD duty

<sup>26</sup> AD = anti-dumping duty, CVD = countervailing duty, UT = undertaking.



Colour television receivers*	P.R. China	Amendment of the AD regulation imposing the measures in order to cover for the possibility of change to existing undertakings
Flat-rolled products of iron or non-alloy steel (hot-rolled coils)	Bulgaria South Africa	Termination on the basis of Article 9(5) of the basic regulation (non-discriminatory principle)
Glyphosate (combined with expiry review)	P.R. China	Lowering of AD duty
Grain-oriented electrical sheets (3 reviews)	Russia	Amendment of AD duty + withdrawal of undertaking
Grain-oriented electrical sheets*	Russia	Amendment of the AD regulation imposing the measures in order to cover for the possibility of undertakings
Potassium chloride*	Russia Belarus	Amendment of the AD regulation imposing the measures in order to cover for the possibility of undertakings
Silicon carbide*	Russia Ukraine	Amendment of the AD regulation imposing the measures in order to cover for the possibility of change to existing undertakings or acceptance of new undertakings
Tube and pipe fittings (2 reviews)	Thailand	Amendment of the AD duty

### 8.2.3. “Other” interim reviews

A series of other reviews, not falling under Article 11(3) or Article 19 of the basic Regulations or for which no notice of initiation was published in the Official Journal, were concluded during 2004.

They more specifically concern :

- Re-imposition of duty rate following Judgment of Court of First Instance (seamless pipes and tubes)

- Amendment of duty rate following reports adopted by the Dispute Settlement Body of WTO (malleable tube and pipe fittings)
- Acceptance, voluntary withdrawal or breach of undertakings (sulphanilic acid, silicon, malleable tube and pipe fittings)
- Suspension of the measures (coke, seamless pipes and tubes)
- Amendment of the annex of the regulation in order to include new models (television camera systems)
- New exporters requests (cotton-type bed linen)

More information can be obtained from the Official Journal to which reference is given in Annex H.

#### 8.2.4. *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.

In 2004, 2 new exporter review (no accelerated reviews) were initiated. Since the Commission carried out the first reviews of this type in 1990, a total of 45 investigations have been initiated. Five investigations, of which 3 accelerated reviews, were concluded during 2004. Two investigations were terminated thereby maintaining the original level of duty.

More information can be obtained from the Official Journal to which reference is given in Annex I.

#### 8.2.5. *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 2004, one anti-absorption investigation concerning imports of sulphanilic acid originating in the People's Republic of China was concluded with an increase of the duty. The investigation concerning imports of lamps originating in the People's Republic of China was terminated without an increase of the duty.

More information can be obtained from the Official Journal to which reference is given in Annex J.

#### 8.2.6. *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.

In 2004, 8 investigations were initiated and 8 were concluded with extension of the duty. A further 3 investigations were concluded without the extension of duty. More information can be obtained from the Official Journal to which reference is given in Annex K.

### **8.3. Safeguard investigations**

Safeguard measures have always been and remain an exceptional instrument which the Commission would only apply in truly exceptional circumstances. Indeed, they are only used where it is clear that, applying the highest standards, such measures are necessary and justified because, due to unforeseen circumstances, there has been a surge in imports and this has caused or threatens to cause serious damage to the Community industry.

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 of the GATT 1994, the WTO Agreement on Safeguards and other WTO rules. 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 to which it is a party (Europe Agreements, Agreements with Mediterranean countries, Free Trade Agreements with South Africa, Mexico,

Chili, 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 (in particular 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.

In 2004, there were only two safeguard measures in place - one on satsumas (canned mandarins) and one on salmon (provisional measures). Details on these cases can be found below.

The steel safeguard cases which were previously in force to avoid that the EU market was flooded with steel products after the US protected their steel industry were terminated literally the day after the US terminated their measures.

#### 8.3.1. *Safeguard measures on certain prepared or preserved citrus fruits (satsumas)*

Last year's report made reference to the safeguard investigation concerning imports of certain prepared or preserved citrus fruits ("canned mandarins") which was initiated on 11 July 2003. The investigation was opened under both the general *erga omnes* safeguards regime and under the transitional product specific safeguard mechanism (TPSSM) which is a temporary mechanism providing for safeguard measures directed at increased imports originating in China.

The preliminary investigation indicated that the conditions for the imposition of provisional measures were fully met under the general safeguard regulation, and provisional measures in the form of tariff quota for China and a tariff quota for all other countries were adopted on 7 November 2003<sup>27</sup> under the general safeguard regulation. The TPSSM investigation was accordingly closed as the safeguard measures appeared to be sufficient to eliminate the serious injury caused to the Community industry.

The Commission services subsequently continued the investigation in order to reach a final determination. This confirmed that imports (the majority from China) had more than doubled from 16.347 tonnes in 1998/1999 to 44.813 tonnes in 2002/2003. As a result of the increased imports, the Community industry, located exclusively in Spain, was found to be in a very difficult situation. Their production had halved from 81.869 tonnes in 1998/1999 to 39.600 tonnes in 2002/2003, their market share in the Community had fallen from 79% to 38%, and prices were depressed. This had resulted in a large fall in sales revenues, the insolvency of two producers, and strong deterioration in the financial results of most other producers (losses of 4% in 2002/2003).

It was therefore concluded that definitive safeguard measures were necessary, albeit they should clearly take account of the interests of other interested parties such as importers and users of the product concerned.

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<sup>27</sup> Commission Regulation (EC) No 1964/2003 of 7 November 2003 (OJ L 290, 8.11.2003, p.3.)

The Commission therefore adopted definitive safeguard measures on 8 April 2004, in the form of a tariff quota for China and a tariff quota for all other countries. (A tariff quota provides for a quota within which no extra duty is paid. Only when the quota amount is reached, does an extra duty apply). As the measures were adopted immediately before enlargement and to ensure access to the Community market, the tariff quotas were based on imports to the EU-25 in the three canning seasons 1999/2000, 2000/2001 and 2001/2002. This enabled duty free access for a quantity corresponding to around 32.000 tonnes per annum. In addition, the tariff quota for all other countries was increased to 3% of EU consumption in order to maintain market access and encourage competition from these sources.

In order to ensure that the system could operate efficiently, the quotas are administered by means of a traditional system of licences. These were made available to traditional importers and other importers in the proportion 75:25, which meant that a slightly higher proportion of licences was available to non-traditional importers than in the provisional measures. This system ensured that traditional importers had guaranteed volumes that they may import duty free, and encouraged competition by ensuring that the market remains open to new competitors. Beyond the level of the tariff quotas, a specific duty of € 301/tonne – reflecting the difference between the target price determined for the Community producers and the average import price during the latter part of 2003 - was imposed.

#### 8.3.2. *Safeguard measures on salmon*

Farmed salmon has been a disputed issue for many years and this has led to trade defence measures on and off since 1996, particularly against Norwegian imports which constitute the largest chunk of EU imports with a market share of around 60%. Norway in fact decided in the early 1990s that, like oil, farmed fish is of strategic economic importance to them, and so this sector appeared to receive considerable financial, organisational, political and research support. Other large exporters are Chile and to a lesser extent the Faroes.

The Community salmon farming industry is mainly based in the UK and Ireland and provides much needed employment in remote de-favored areas. In February 2004, the UK and Ireland requested the Commission to open a safeguard investigation because of the losses suffered by their salmon growing industries.

As the conditions for initiation were clearly met, the Commission opened a safeguard investigation on 6 March 2004. Following a preliminary investigation, it was found that imports of farmed salmon had increased by 15% between 2002 and 2003 (compared to around 3% in previous years) and at the same time prices had fallen dramatically. It appeared that, in consequence, the Community salmon farmers had lost sales in the Community, market share which had fallen by 11% in a single year, and were suffering serious financial losses (-17%). Based on these preliminary findings and after careful consideration of the Community interest (including the interests of the processing industry) it was concluded that provisional safeguard measures were justified and necessary. Provisional measures in the form of a generous tariff quota based on EU-25 imports from 2001 to 2003 plus 10% beyond which a duty of €469/tonne were imposed by the Commission in August 2004. However, these lapsed on 6 December 2004, after they had been referred to the Council in the absence of a qualified majority in favour of maintaining the measures.

The Commission subsequently continued its investigation into the need for definitive safeguards measures. A final decision on the case is expected for the year 2005.

## **9. ENFORCEMENT OF ANTI-DUMPING/COUNTERVAILING MEASURES**

Internationalisation of trading led to greater possibilities for circumventing or otherwise reducing the effectiveness of anti-dumping and countervailing measures. To address this problem, throughout 2004 the TDI services increased activities aimed at ensuring that pending measures were effectively enforced. In this respect, an integrated approach was developed: not only measures were considered in all their forms - duties and undertakings - but also greater synergy was sought between the TDI services and enforcement-oriented services (OLAF, DG Taxud and customs authorities in Member States). In addition, the TDI services expanded their active monitoring activities (previously concentrated on monitoring of undertakings), in order to cover all measures, namely duties and undertakings.

### **9.1. Enforcement-related changes to the Community anti-dumping and anti-subsidy legislation in 2004**

By Council Regulation (EC) No 461/2004 of 8 March 2004<sup>28</sup>, several Articles of the basic Regulations were amended to provide a sounder legal basis for enforcement-related activities.

Specific provisions were introduced to allow the Commission to request the assistance of the competent authorities of the Member States outside the framework of an investigation in order to monitor efficiently the application of measures, undertakings included<sup>29</sup>.

Anti-absorption and anti-circumvention provisions were amended<sup>30</sup> to better address specific problems faced in the past and to strengthen the legal framework of those investigations.

The legal procedure for withdrawal of acceptance of undertakings was simplified, clarifying that the Commission is the Institution responsible for accepting and withdrawing acceptance of undertakings<sup>31</sup>.

Finally, the possibility to use information received in the context of one investigation to initiate other investigations within the same proceeding in relation to the product concerned was foreseen *expressis verbis*<sup>32</sup>.

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<sup>28</sup> OJ L 77, 13.3.2004.

<sup>29</sup> Articles 8(9) and 14(7) of the basic AD Regulation, and Articles 13(9) and 24(7) of the basic AS Regulation.

<sup>30</sup> Articles 12(1), 12(2), 12(3), 12(4), 13(1), 13(3), 13(4) of the basic AD Regulation, and Articles, 23(1), 23(2), 23(3) of the basic AS Regulation.

<sup>31</sup> Articles 8(1) and 8(9) of the basic AD Regulation, and Articles 13(1) and 13(9) of the basic AS Regulation.

<sup>32</sup> Article 19(6) of the basic AD Regulation and Article 29(6) of the basic AS Regulation.

## **9.2. Follow-up of measures**

The follow-up activities concerning measures in force were centred on four main areas: (1) to pre-empt fraud, by defining risk-related areas, alerting customs authorities and assessing the feedback from customs and economic operators; (2) to monitor trade flows and market developments; (3) to improve the effectiveness with the appropriate instruments (new investigation, interim review, newcomer review, contact with national administrations) and (4) to react to irregular practices by enhancing the co-operation with enforcement-related services (OLAF and national customs) and by initiating anti-absorption or anti-circumvention investigations. These activities enabled the TDI services to be more pro-active rather than simply reactive in the enforcement field.

## **9.3. Monitoring of undertakings**

Monitoring of undertakings forms part of the enforcement activities, since 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 to allow the Commission to 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 any other relevant information at their premises, even at short notice.

In addition, continued contacts with the Community industry are essential to ensure that the necessary feedback is received on the effects of the undertakings on the market. In this way, the Commission can focus its monitoring activities more effectively.

The Commission has devoted significant resources and effort to the monitoring and enforcement of undertakings. In 2004, special regard has also been given to the “Enlargement Undertakings” since not only the companies offering undertakings, but also their traditional customers in the EU have been subject to rigorous on-spot verifications, which ensured compliance.

At the beginning of 2004, there were undertakings in force accepted from 76 companies, covering 18 products originating in 19 different countries.

During 2004, the following changes to the portfolio of undertakings took place :

Definitive anti-dumping and/or countervailing duties were imposed on 7 companies following withdrawal of acceptance of their undertakings :

- 1 company breached its undertaking (MTF – Malleable fittings originating in the Czech Republic).

- 1 company voluntarily withdrew its undertaking (sulphanilic acid originating in India)
- undertakings of 5 companies were found to be no longer appropriate and were therefore repealed (grain-oriented electrical sheets originating in Russia, - 3 companies; tube and pipe fittings originating in Thailand – 2 companies).

Undertakings of 30 companies came to an end for reasons other than withdrawal:

- The undertakings of 17 companies expired due to the expiry of measures (hardboard originating in Bulgaria, Estonia, Lithuania and Poland – 10 companies; binder and baler twine originating in the Czech Republic and Hungary – 4 companies; steel wire ropes originating in Mexico – 1 company; hot rolled coils originating in Bulgaria and South Africa – 2 companies).
- undertakings of 13 companies expired due to the enlargement of the EU on 1 May 2004 (seamless steel tubes originating in the Czech Republic, Poland and Slovakia – 6 companies; steel wire ropes originating in Hungary, Poland and the Czech Republic – 3 companies; urea ammonium nitrate originating in Lithuania – 1 company; urea originating in Lithuania – 1 company; tube and pipe fittings originating in Slovakia and the Czech Republic – 2 companies).
- undertakings of 7 companies were suspended pending the outcome of an ongoing review: seamless steel tubes originating in Russia (3 companies) and Romania (4 companies).

In addition, 15 offers for undertakings have been accepted:

- in 3 new proceedings, undertakings of 4 companies were accepted (silicon metal originating in Russia - 1 company; trout originating in Faeroe Islands – 2 companies; polyethylene terephthalate originating in Australia – 1 company);
- the measures, and thereby the undertakings, which have been annulled with regard to 2 companies by a Judgement of the Court of Justice in 2003 have been re-accepted in February 2004 after modification: seamless steel tubes originating in Romania (the measures concerning Russia and Romania have been suspended in July 2004 – see above);
- furthermore, undertakings from 9 companies were accepted as a result of the enlargement (potash originating in Russia and Belarus – 3 companies; ammonium nitrate originating in Russia and the Ukraine – 3 companies; grain oriented electrical sheets originating in Russia – 2 companies; silicon carbide originating in the Ukraine – 1 company). It should be noted that these undertakings were intended to be a transitional measure and were designed so that a sudden and excessively negative economic impact on importers and users in the EU10 caused by the levying of anti-dumping duties was avoided following the Enlargement of the Community on 1 May 2004 (see chapter 3).

This brings the total number of undertakings in force at the end of 2004 to 47, covering 18 products originating in 14 different countries. Details concerning the



above can be found in Annex M and an overview of all undertakings in force can be found in Annex Q.

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 the trading patterns of the company allow too much scope for cross-compensation (i.e. the price increase charged for products subject to the undertaking being compensated through the granting of rebates on products not subject to the undertaking, if sold to the same customer in the Community).

## **10. REFUNDS**

Articles 11(8) and 21(1) of the basic Regulations allow importers to request the reimbursement of anti-dumping and countervailing duties collected where it is shown that the dumping/subsidy margin, on the basis of which duties were paid, has been eliminated, or reduced to a level below the duty in force.

Ten new refund requests were lodged during the year. During the year 2004, 3 decisions were adopted rejecting refund requests whilst 6 other requests were withdrawn. One importer obtained a refund of all duties paid, whilst 2 others obtained partial refunds. Two of the on-going cases should be finalised shortly.

Further details on refunds can be found in Annex T.

## **11. JUDICIAL REVIEW : DECISIONS GIVEN BY THE COURT OF JUSTICE / COURT OF FIRST INSTANCE**

### **11.1. Overview of the judicial reviews in 2003**

In 2004, one Judgment relating to anti-dumping or anti-subsidy was rendered by the Court of First Instance (CFI) and none by the Court of Justice (CoJ).

### **11.2. Cases pending**

A list of the anti-dumping/anti-subsidy cases before the CFI and the Court of Justice still pending at the end of 2004 is given in Annex S (19 before the CFI and 1 before the Court of Justice).

### **11.3. New cases**

Nine new cases were lodged in 2004 (compared to 5 in 2003 and 5 in 2002), all before the CFI.

They concern in particular the following issues :

- Manifest error of assessment in the determination of the product definition, failure to state reasons in connection with the determination of the export price, the findings regarding certain injury indicators, the causal link analysis and the

use of underselling as the methodology for calculating injury elimination level<sup>33</sup>;

- Relationship between the applicant and its trader in the British Virgin Islands, denial of the right to a fair hearing by not conducting an additional verification visit, rejection of evidence submitted by the applicant, failure to make a proper disclosure and violation of Article 2 paragraphs 5 and 7 (b and c) in the dumping determination<sup>34</sup>;
- Applicant seeks annulment of the Regulation adopted by the Council in an effort to comply with the judgment of the CoJ of 9 January 2003 in case C-76/00P (Petrotub). The applicant submits that the Council exceeded its discretionary power by implementing the judgment in a way that infringes Articles 6(1) and (9) and 2(11) of Regulation (EC) No 384/96<sup>35</sup>;
- Insufficient complaint for initiating the investigation, manifest error of assessment as regards calculation of normal value, wrong comparison of normal value and export price in connection with the drawback adjustment and manifest error of assessment in the determination of the existence of material injury and in the establishment of the causal link<sup>36</sup>;
- Unlawful rejection of prices paid by an exporter for certain raw materials, incorrect addition of financing costs to the cost of production and erroneous deduction of credit costs from the export price<sup>37</sup>;
- Failure to take account anti-competitive conduct within the meaning of Article 81 EC when determining injury<sup>38</sup>;
- Failure to investigate other obvious sources of injury (and as such violation of the principle of non-discrimination and of fundamental procedural requirements), infringement of fundamental procedural requirements by imposing measures on 25 MS while investigation was initiated and conducted on the basis of 15 MS, incorrect investigation of DEPB subsidy scheme, incorrect determination of injury and causality<sup>39</sup>;
- Applicants seek annulment of Regulation imposing AD duties following an expiry review because of alleged lack of material injury. They also question the definition of the product concerned and submit that their market share is negligible<sup>40</sup>;

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<sup>33</sup> T-107/04, Aluminium Silicon Mill Products v. Council (OJ C 106, 30.4.2004, p. 85)

<sup>34</sup> T-111/04, Bratsk Aluminium Plant v. Council (OJ C 106, 30.4.2004, p. 87)

<sup>35</sup> T-174/04, SC Petrotub v. Council (C 179, 10.7.2004, p. 16)

<sup>36</sup> T-199/04, Gul Ahmed Textile Mills v. Council (C 217, 28.8.2004, p. 24)

<sup>37</sup> T-335/04, Viz Stal & Duferco Commerciale v. Council (C 273, 6.11.2004, p. 34)

<sup>38</sup> T-429/04, Trubowest Handel & Mr. Makarov v. Council (C 31, 5.2.2005, p. 24)

<sup>39</sup> T-462/04, Heg Ltd & Graphite India Ltd v. Council (C 69, 19.3.2005, p. 17)

<sup>40</sup> T-480/04, CMT and A&C v. Council (C 57, 5.3.2005, p. 29)

- Market economy treatment criteria : error of assessment in the application of Article 2(7)(c) first indent (State interference in the applicant's business decisions).<sup>41</sup>

#### **11.4. Judgments rendered by the Court of First Instance**

The following summary only mentions some of the most important points of the Judgment and does not deal with all questions raised in this Judgment, nor with their specific facts.

##### *11.4.1. Electronic weighing scales originating in the People's Republic of China*

- T-35/01 – Shanghai Teraoka Electronic Co. Ltd. V. Council of the European Union: Judgment of 28 October 2004 (not yet published)

In 2004, the good track-record of the Community in court proceedings was confirmed. The judgment in this case was particularly noteworthy as it confirmed, among other things, that the burden of proof lies with an exporting producer wishing to avail itself of market economy status, and, in order for a regulation to be annulled, any error committed by the institutions in its injury assessment must also have had an impact on the determination of whether there is injury and thus on the content of the regulation itself.

This case concerned anti-dumping measures which were imposed by the Council on imports of certain electronic weighing scales (REWS) from the People's Republic of China in 2000. Among the exporters subject to the measures was Shanghai Teraoka Electronic Co. Ltd. (Shanghai Teraoka) which is subject to an anti-dumping duty of 12,8%.

Shanghai Teraoka lodged a case in the Court of First Instance raising four pleas. Regarding the first plea of an error in the assessment of the applicant's claim for the grant of market economy status, the CFI concluded that the Community institutions did not commit a manifest error. The Court noted that market economy status can only be granted to an exporter if it is shown, in accordance with the provisions of the basic anti-dumping legislation, "that market economy conditions prevail for this producer or producers". The Court went on to confirm, as stated above, that the burden of proof lies with the exporting producer wishing to avail itself of market economy status, something that the applicant did not do in this case.

The CFI also rejected the second plea of a manifest error of assessment in the determination of injury. The Court noted in particular that, in the injury determination, the Community institutions should have excluded imports of another exporter found not to have been dumping<sup>42</sup>. However, the Court added that for the contested regulation to be annulled, it is not sufficient that the Council committed an error. As stated above in the introduction, such an error must also have had an impact on the determination of whether there is injury and thus on the content of the

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<sup>41</sup> T-498/04, Zhejiang Chemical v. Council (C 57, 5.3.2005, p. 35)

<sup>42</sup> The Court noted that this interpretation is consistent with that given in the context of the WTO dispute settlement decision on bed linen (European Communities – Anti-Dumping Duties on Imports of Cotton-Type Bed Linen from India (Report of the Appellate Body AB-2000-13)).

regulation itself. In this regard, the CFI found that the error committed by the institutions could not be regarded as having had a decisive impact on the Council's conclusion that there was injury. Regarding the evaluation of injury factors, the Court confirmed that the institutions were entitled to disregard the effects (which had been positive) of the introduction of the euro when assessing the Community industry's profitability.

The applicant also claimed that the institutions committed a manifest error of assessment when examining the causal link (third plea) and claimed infringements of procedural rules laid down in the basic anti-dumping legislation (fourth plea). The CFI rejected both of these pleas.

## **12. ACTIVITIES IN THE FRAMEWORK OF THE WORLD TRADE ORGANIZATION (WTO)**

### **12.1. Dispute settlement in the field of anti-dumping, anti-subsidy and safeguards**

#### *12.1.1. Overview of the WTO dispute settlement procedure*

The WTO provides for a rigorous procedure for the settlement of disputes between WTO Members concerning the application of the WTO agreements. The procedure is divided into two main stages. The first stage, at the level of the WTO Members concerned, consists of a bilateral consultation. Upon failure of the consultation, the second stage can be opened by requesting the WTO Dispute Settlement Body to establish a panel. WTO Members, other than the complaining and defending party, with an interest in a given case, can intervene as "third parties" before the panel. The panel issues a report, which can be appealed before the Appellate Body (AB) (each appeal being heard by three members of a permanent seven-member body set up by the Dispute Settlement Understanding). Both the panel report and the report by the Appellate Body are adopted by the Dispute Settlement Body (DSB) unless the latter rejects the report by unanimity.

The findings of a panel or Appellate Body report have to be implemented by the WTO Member whose measures have been found to be inconsistent with the relevant WTO Agreements. If the complaining WTO Member is not satisfied with the way the reports are implemented, it can ask for the establishment of a so-called "implementation panel". Here too, appeal against the findings of the panel is possible.

Anti-dumping, anti-subsidy and safeguards measures are among the most popular subject matters in WTO dispute settlement. Out of the 83 panel and Appellate Body reports adopted between 1 January 1995 and 31 December 2004, 36 cases refer to the aforementioned areas.

## 12.1.2. *Dispute settlement procedures initiated by third countries against the Community*

### 12.1.2.1. Brazil – anti-dumping duties on malleable cast iron tube or pipe fittings

As already discussed in last year's report, the EC implemented the panel report as modified by the Appellate Body report with Council Regulation 436/2004<sup>43</sup>. The implementation was reported to the WTO Dispute Settlement Body and figured on the agenda of the Dispute Settlement Body of 20 April 2004.<sup>44</sup> The WTO case can therefore be considered as closed.

### 12.1.2.2. Korea – countervailing duties on dynamic access memory chips (DRAMs)

By Council Regulation (EC) No 1480/2003, the Community imposed definitive countervailing duties on imports of certain electronic microcircuits known as DRAMs (dynamic random access memories) originating in the Republic of Korea<sup>45</sup>. After consultations, a panel was established on 23 January 2004 following a request by Korea. Korea challenges the Council Regulation on various grounds, namely existence of a subsidy, injury, causation, the calculation of the duty and the use of facts available.<sup>46</sup> Korea also requested the establishment of a panel against the US who have imposed similar measures.

The hearings in the case against the EC took place on 3/4 November and 9 December 2004. It is expected that the panel will issue its public report in the first half of 2005 following which both parties will have the opportunity to appeal.

## 12.2. **Other WTO activities**

The year 2004 saw a noticeable change in the way the Doha Development Agenda negotiations on the WTO Anti-dumping and Subsidies Agreements proceeded. The Commission has continued to play an active role in the Negotiating Group on Rules - the forum of the negotiations – by actively participating in discussions which increasingly focus on technical matters.

Concerning anti-dumping, the situation can be described as follows : a large number of proposals have been tabled in the so-called “issue-identification” phase before the 5<sup>th</sup> Ministerial Conference in Cancun, many of them aiming at a wholesale re-negotiation of the agreements. Following the resumption of the Rules Group negotiations in March 2004, discussions have now shifted to a more substantive and technical stage which in turn will prepare the “solution-seeking” phase to follow thereafter. The EC continued to push for strengthening the rules on recourse to trade defence instruments in order to limit as much as possible the abuse of trade defence instruments by third countries.

With regard to subsidies, also in 2004, the discussions continued to focus on the issue of subsidies to fisheries, which is specifically mentioned in the negotiating

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<sup>43</sup> OJ L 72, 11.3.2004, p. 15.

<sup>44</sup> WT/DS/219/13.

<sup>45</sup> OJ L 212, 22.8.2003, p. 1.

<sup>46</sup> It should be noted that the Korean exporter lodged an application to the Court of First Instance on very similar grounds as the WTO case (T-383/03)

mandate on Rules. The "Friends of Fish", a group of countries led by Australia, New Zealand, Iceland and the USA, presented their ideas of a "special" status for fisheries subsidies, an approach rejected by Japan and Korea. The Commission significantly contributed to the negotiations with its own submission after the finalisation of the internal reform of the Common Fisheries Policy in December 2002. In this submission, the Commission proposed the prohibition of capacity enhancing subsidies which are considered an important cause for overfishing, and the creation of a non-actionable category of subsidies which are necessary to reduce fishing capacity and which mitigate against the negative social and economic consequences of the restructuring of the fisheries sector. While most of 2004 was taken up by discussions amongst WTO Members about the way negotiations should proceed in the future, a consensus started to emerge around the "middle ground" proposals tabled by the Community.

In parallel to these activities, the regular work of the Anti-dumping, Subsidies and Countervailing Committees was on-going. The Committees met twice in regular sessions (in spring and autumn) to review notifications and to raise issues of special interest, including the "Transitional Review Mechanism" as provided for in the WTO Accession Protocol of the People's Republic of China.

### **13. CONCLUSION**

The year 2004 can be described as an average year in terms of initiations of proceedings and imposition of measures. It has been "eventful" in a number of other aspects, such as the enlargement of the EU, the safeguards on citrus fruits and salmon and the adoption of the Commission proposal on changing of the decision-making process and the introduction of deadlines in reviews.

As in previous years also this year's report shows that the EC is a cautious user of TDI. When applied, TDI are subject to the highest level of discipline and restraint while providing effective guarantees against unfair trade practices. Transparency in the use of TDI is regarded as essential, and this high standard has been further increased through changes to the legislative framework in 2004. The COM is determined to continue to pursue this line of policy in the future.

## LIST OF ANNEXES

### ANNEXES : SUMMARY

- ANNEX A** New investigations initiated during the period 1 January - 31 December 2004  
A. Anti-dumping investigations  
B. Anti-subsidy investigations
- ANNEX B** New investigations initiated  
A. by product sector during the period 2000 – 2004 (31 December)  
B. by country of export during the period 2000 – 2004 (31 December)
- ANNEX C** New investigations concluded by the imposition of provisional duties during the period 1 January - 31 December 2004  
A. Anti-dumping investigations  
B. Anti-subsidy investigations
- ANNEX D** New investigations concluded by the imposition of definitive duties during the period 1 January - 31 December 2004  
A. Anti-dumping investigations  
B. Anti-subsidy investigations
- ANNEX E** New investigations terminated without imposition of measures during the period 1 January - 31 December 2004  
A. Anti-dumping investigations  
B. Anti-subsidy investigations
- ANNEX F** Expiry reviews initiated or concluded during the period 1 January – 31 December 2004
- ANNEX G** Interim reviews initiated or concluded during the period 1 January – 31 December 2004
- ANNEX H** Other reviews concluded during the period 1 January - 31 December 2004
- ANNEX I** New exporter reviews initiated or concluded during the period 1 January – 31 December 2004  
A. Anti-dumping investigations  
B. Anti-subsidy investigations
- ANNEX J** Anti-absorption investigations initiated or concluded during the period 1 January - 31 December 2004
- ANNEX K** Anti-circumvention investigations initiated or concluded during the period 1 January - 31 December 2004
- ANNEX L** Safeguard investigations initiated or concluded during the period 1 January - 31 December 2004
- ANNEX M** Undertakings accepted or repealed during the period 1 January – 31 December 2004
- ANNEX N** Measures which expired during the period 1 January - 31 December 2004
- ANNEX O** Definitive anti-dumping measures in force on 31 December 2004  
A. Ranked by product  
B. Ranked by country

- ANNEX P** Definitive anti-subsidy measures in force on 31 December 2004  
A. Ranked by product  
B. Ranked by country
- ANNEX Q** Undertakings in force on 31 December 2004  
A. Ranked by product  
B. Ranked by country
- ANNEX R** Anti-dumping & anti-subsidy investigations pending on 31 December 2004 :  
A. New investigations (ranked by product)  
B. Review investigations (ranked by product)  
C. Ranked by country (new & review investigations)
- ANNEX S** Court cases  
A. Court cases pending before the Court of Justice and the Court of First Instance of the European Communities on 31 December 2004  
B. Judgments, orders and other decisions rendered by the Court of Justice and the Court of First Instance of the European Communities during 2004
- ANNEX T** Refunds during the period 1 January – 31 December 2004



## Summary

On 31 December 2004, there were 137 anti-dumping and 19 countervailing measures in force. This compares to 156 anti-dumping and 17 countervailing measures in force at the end of 2003.

The following gives a breakdown of all initiations, measures imposed and terminations for both new investigations and review investigations.

### 1. INITIATIONS

A total of 73 investigations were initiated, split up as follows :

- 29 new investigations, of which 0 anti-subsidy (see Annex A)
- 6 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 F)
- 26 interim reviews, of which 0 anti-subsidy (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 G)
- 1 other review (see Annex H)
- 2 new exporter review (see Annex I)
- 0 anti-absorption investigations (see Annex J)
- 8 anti-circumvention investigations (see Annex K)
- 1 safeguard investigation (see Annex L)

### 2. MEASURES

- 6 provisional measures were imposed (of which 1 anti-subsidy), involving imports from 4 countries and covering 3 products (see Annex C); Furthermore, provisional safeguard measures were imposed on salmon (see Annex L);
- 11 definitive measures were imposed (of which 2 anti-subsidy), involving imports from 7 countries and covering 6 products (see Annex D); Furthermore, definitive safeguard measures were imposed on citrus fruits (see Annex L);
- the Commission accepted undertakings offered by exporters in 10 cases; in another 4 cases, the undertakings were repealed and definitive measures imposed (see Annex M)
- of the expiry reviews, 5 reviews were concluded with confirmation of duty (see Annex F)
- of the interim reviews, 16 reviews were concluded with confirmation/ amendment of duty (see Annex G)

- of the other reviews, 12 investigations were concluded confirming/ amending the measures (see Annex H)
- of the new exporter reviews, 5 (of which 3 anti-subsidy) were concluded with imposition/amendment of the duty (see Annex I)
- of the anti-absorption investigations, 1 was concluded with increase of duty (see Annex J)
- of the anti-circumvention investigations, 8 were concluded with extension of duty (see Annex K)

### **3. TERMINATIONS**

- 2 new investigations (of which 0 anti-subsidy) were terminated without the imposition of measures (see Annex E)
- of the expiry reviews, 4 were concluded by termination (see Annex F)
- of the interim reviews, 2 investigations were concluded by termination (see Annex G)
- of the other reviews, 3 were concluded by termination (see Annex H)
- of the new exporter reviews, 2 were concluded by termination (see Annex I)
- of the anti-absorption reinvestigations, 1 was concluded by termination (see Annex J)
- of the anti-circumvention investigations, 3 were concluded by termination (see Annex K);
- 14 measures (of which 2 anti-subsidy) expired automatically after their 5-year period of imposition; furthermore, 16 measures lapsed automatically following enlargement (see Annex N);
- in 10 cases, the undertakings expired or lapsed together with the measures (see Annex M).

Further information can be found on the Court cases (up till 31.12.2004) (Annex S), on all definitive anti-dumping measures in force on 31.12.2004 (Annex O), on all definitive anti-subsidy measures in force on 31.12.2004 (Annex P), on undertakings in force on 31.12.2004 (Annex Q), on investigations pending on 31.12.2004 (Annex R) and on refunds (Annex T).

Please note that those statistics are also available on the following Internet Website :  
[http://europa.eu.int/comm/trade/issues/respectrules/anti\\_dumping/stats.htm](http://europa.eu.int/comm/trade/issues/respectrules/anti_dumping/stats.htm).

## ANNEX A

### New investigations initiated

during the period 1 January – 31 December 2004

#### A. Anti-dumping investigations (chronological by date of publication)

Product	Country of origin	OJ Reference
Polyester high tenacity filament yarn	Belarus Korea (Rep. of) Taiwan	C 24 28.01.2004, p. 20
Bicycles	Vietnam	C 103 29.04.2004, p. 76
Hand pallet trucks and their essential parts	P.R. China	C 103 29.04.2004, p. 85
Barium carbonate	P.R. China	C 104 30.04.2004, p. 58
Castings	P.R. China	C 104 30.04.2004, p. 62
Grain-oriented electrical sheets (big + small)	Russia USA	C 144 28.05.2004, p. 2
Styrene-butadiene-styrene thermoplastic rubber	Korea (Rep. of) Russia	C 144 28.05.2004, p. 5
Polyester filament apparel fabrics (finished)	P.R. China	C 160 17.06.2004, p. 5
Trichloroisocyanuric acid (TCCA)	P.R. China	C 178 10.07.2004, p. 2
Magnesia bricks	P.R. China	C 180 13.07.2004, p. 2
Tube or pipe fittings	Taiwan Vietnam	C 203 11.08.2004, p. 5
Stainless steel fasteners and parts thereof	P.R. China Indonesia Malaysia Philippines Taiwan Thailand Vietnam	C 212 24.08.2004, p. 2
Granular polytetrafluoroethylene (PTFE) resin	P.R. China Russia	C 225 09.09.2004, p. 18
Trichloroisocyanuric acid (TCCA)	USA	C 253 13.10.2004, p. 6

<b>Product</b>	<b>Country of origin</b>	<b>OJ Reference</b>
Salmon	Norway	C 261 23.10.2004, p. 8
Tartaric acid	P.R. China	C 267 30.10.2004, p. 4
Steel ropes and cables	Korea (Rep. of)	C 283 20.11.2004, p. 6

B. Anti-subsidy investigations (chronological by date of publication)

<b>Product</b>	<b>Country of origin</b>	<b>OJ Reference</b>
NONE		

## ANNEX B

A) New investigations initiated by product sector during the period 2000 – 2004  
(31 December)

Product	2000	2001	2002	2003	2004
Chemical and allied	17	5	5	3	8
Textiles and allied	-	5	2	2	4
Wood and paper	-	-	-	1	
Electronics	2	3	3	2	
Other mechanical engineering	1	4	4	-	2
Iron and Steel	7	16	5	-	13
Others metal	2	-	-	-	
Other	2	-	4	-	2
	<b>31</b>	<b>33</b>	<b>23</b>	<b>8</b>	<b>29</b>
Of which anti-dumping	31	27	20	7	29
anti-subsidy	0	6	3	1	0

B) New investigations initiated by country of export during the period 2000 – 2004 (31 December)

Country of origin	2000	2001	2002	2003	
Algeria	-	-	-	-	
Australia	-	-	-	1	
Belarus	1	-	-	-	1
Bulgaria	1	-	-	-	
Chile	-	-	1	-	
China (People's Republic of)	6	1	4	3	9
Croatia	1	-	-	-	
Czech Republic	1	2	-	-	
Egypt	1	2	-	-	
Estonia	1	-	-	-	
Faeroe Islands	-	-	2	-	
Hungary	-	1	-	-	
India	3	8	3	2	
Indonesia	-	3	2	-	1
Iran	-	1	-	-	
Japan	1	-	-	-	
Korea (Rep. of)	2	1	1	-	3
Libya	1	1	-	-	
Lithuania	1	1	-	-	
Malaysia	1	1	1	-	1
Norway	-	-	1	-	1
Pakistan	-	-	1	1	
Philippines	-	-	-	-	1
Poland	1	1	1	-	
Romania	1	-	-	-	
Russia	2	2	3	-	3
Saudi Arabia	-	-	-	1	
Slovakia	-	2	-	-	
Taiwan	-	1	-	-	3
Thailand	1	1	-	-	1
Turkey	3	2	1	-	
Ukraine	1	1	-	-	
USA	1	1	1	-	2
Vietnam	-	-	1	-	3
	31	33	23	8	29

## ANNEX C

New investigations concluded by the imposition of provisional duties

during the period 1 January – 31 December 2004

### A. Anti-dumping investigations (chronological by date of publication)

<b>Product</b>	<b>Country of origin</b>	<b>Regulation N°</b>	<b>OJ Reference</b>
Polyethylene terephthalate (PET)	Australia P.R. China Pakistan	Commission Reg. (EC) No 306/2004 19.02.2004	L 52 21.02.2004 p. 5
Okoumé plywood	P.R. China	Commission Reg. (EC) No 988/2004 17.05.2004	L 181 18.05.2004 p. 5
Graphite electrode systems	India	Commission Reg. (EC) No 1009/2004 19.05.2004	L 183 20.05.2004 p. 61

### B. Anti-subsidy investigations (chronological by date of publication)

<b>Product</b>	<b>Country of origin</b>	<b>Regulation N°</b>	<b>OJ Reference</b>
Graphite electrode systems	India	Commission Reg. (EC) No 1008/2004 19.05.2004	L 183 20.05.2004 p. 35

## ANNEX D

New investigations concluded by the imposition of definitive duties

during the period 1 January – 31 December 2004

### A. Anti-dumping investigations (chronological by date of publication)

<b>Product</b>	<b>Country of origin</b>	<b>Regulation N<sup>o</sup></b>	<b>OJ Reference</b>	<b>Investigation period (IP)</b>	<b>Community consumption during IP</b>	<b>Total imports from countries concerned during IP</b>
Bed linen (cotton-type)	Pakistan	Council Reg. (EC) No 397/2004 02.03.2004	L 66 04.03.2004 p. 1	1.10.2001 – 30.9.2002	199.881 tonnes	49.300 tonnes
Sodium cyclamate	P.R. China Indonesia	Council Reg. (EC) No 435/2004 08.03.2004	L 72 11.03.2004 p. 1	1.10.2001 – 30.9.2002	Index 150	Index 315
Trout (large rainbow)	Norway Faeroe Islands	Council Reg. (EC) No 437/2004 08.03.2004	L 72 11.03.2004 p. 23	1.10.2001 – 30.9.2002	55.565 tonnes	9.279 tonnes
Polyethylene terephthalate (PET)	Australia P.R. China	Council Reg. (EC) No 1467/2004 13.08.2004	L 271 19.08.2004 p. 1	1.4.2002 – 31.3.2003	1.845.962 tonnes	145.491 tonnes
Graphite electrode systems	India	Council Reg. (EC) No 1629/2004 13.09.2004	L 295 18.09.2004 p. 10	1.4.2002 – 31.3.2003	Index 109	Index 176
Okoumé plywood	P.R. China	Council Reg. (EC) No 1942/2004 02.11.2004	L 336 12.11.2004 p. 4	1.7.2002 – 30.6.2003	447.979 m <sup>3</sup>	83.606 m <sup>3</sup>



B. Anti-subsidy investigations (chronological by date of publication)

<b>Product</b>	<b>Country of origin</b>	<b>Regulation N°</b>	<b>OJ Reference</b>	<b>Investigation period (IP)</b>	<b>Community consumption during IP</b>	<b>Total imports from countries concerned during IP</b>
Cotton-type bedlinen	India	Council Reg. (EC) No 74/2004 13.01.2004	L 12 17.01.2004 p. 1	1.10.2001 – 30.9.2002	199.881 tonnes	14.300 tonnes
Graphite electrode systems	India	Council Reg. (EC) No 1628/2004 13.09.2004	L 295 18.09.2004 p. 4	1.4.2002 – 31.3.2003	Index 109	Index 176

## ANNEX E

New investigations terminated without the imposition of measures

during the period 1 January – 31 December 2004

### A. Anti-dumping investigations (chronological by date of publication)

<b>Product</b>	<b>Country of origin</b>	<b>Regulation N°</b>	<b>OJ Reference</b>
Stainless steel cold-rolled flat products	USA	Commission Dec. No 2004/231/EC 08.03.2004	L 70 09.03.2004 p. 43
Polyethylene terephthalate (PET)	Pakistan	Council Reg. (EC) No 1467/2004 13.08.2004	L 271 19.08.2004 p. 1

### B. Anti-subsidy investigations (chronological by date of publication)

<b>Product</b>	<b>Country of origin</b>	<b>Regulation N°</b>	<b>OJ Reference</b>
NONE			

## ANNEX F

Expiry reviews initiated or concluded

during the period 1 January – 31 December 2004

(chronological by date of publication)

<b>Initiated</b>		
<b>Product</b>	<b>Country of origin</b>	<b>OJ Reference</b>
Magnesium oxide	P.R. China	C 138 18.05.2004 p. 2
Steel ropes and cables	P.R. China India South Africa Ukraine	C 207 17.08.2004 p. 2
Polyethylene terephthalate (PET) film (AS)	India	C 306 10.12.2004 p. 2

<b>Concluded : confirmation of duty</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision No</b>	<b>OJ Reference</b>
Silicon	P.R. China	Council Reg. (EC) No 398/2004 02.03.2004	L 66 04.03.2004 p. 15
Glyphosate	P.R. China	Council Reg. (EC) No 1683/2004 30.09.2004	L 303 30.09.2004 p. 1
Synthetic fibre ropes	India	Council Reg. (EC) No 1736/2004 04.10.2004	L 311 08.10.2004 p. 1
Ring binder mechanisms	P.R. China	Council Reg. (EC) No 2074/2004 29.11.2004	L 359 04.12.2004 p. 11
Tungsten carbide and fused tungsten carbide	P.R. China	Council Reg. (EC) No 2268/2004 22.12.2004	L 395 31.12.2004 p. 56

<b>Concluded : termination</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision No</b>	<b>OJ Reference</b>
Sacks and bags of polyethylene or polypropylene	P.R. China India Indonesia Thailand	Council Reg. (EC) No 237/2004 10.02.2004	L 40 12.02.2004 p. 21

## ANNEX G

Interim reviews initiated or concluded  
during the period 1 January – 31 December 2004  
(chronological by date of publication)

<b>Initiated</b>		
<b>Product</b>	<b>Country of origin</b>	<b>OJ Reference</b>
Silicon carbide	Ukraine	C 3 07.01.2004 p. 4
Polyethylene terephthalate (PET) film	India	C 43 19.02.2004 p. 14
Steel ropes and cables	Turkey	C 67 17.03.2004 p. 5
Colour television receivers	P.R. China	C 70 20.03.2004 p. 15
Potassium chloride	Russia Belarus	C 70 20.03.2004 p. 15
Silicon carbide	Russia Ukraine	C 70 20.03.2004 p. 15
Aluminium foil	Russia	C 70 20.03.2004 p. 15
Ammonium nitrate	Russia	C 70 20.03.2004 p. 15
Ammonium nitrate	Ukraine	C 70 20.03.2004 p. 15
Grain oriented electrical steel sheets	Russia	C 70 20.03.2004 p. 15
Silicon	P.R. China	C 70 20.03.2004 p. 15

<b>Product</b>	<b>Country of origin</b>	<b>OJ Reference</b>
Tungsten carbide and fused tungsten carbide	P.R. China	C 81 31.03.2004 p. 8
Potassium chloride	Russia	C 93 17.04.2004 p. 2
Potassium chloride	Russia	C 93 17.04.2004 p. 3
Tube or pipe fittings, of iron or steel	Thailand	C 96 21.04.2004 p. 38
Bicycles	P.R. China	C 103 29.04.2004 p. 80
Styrene-butadiene-styrene thermoplastic rubber	Taiwan	C 144 28.05.2004 p. 9
Grain-oriented electrical sheets (big)	Russia	C 144 28.05.2004 p. 2
Ammonium nitrate	Russia Ukraine	C 172 02.07.2004 p. 2
Cotton-type bed linen	Pakistan	C 196 03.08.2004 p. 2
Steel ropes and cables	Russia	C 202 10.08.2004 p. 12
Aluminium foil	Russia	C 285 23.11.2004 p. 3
Lamps (integrated electronic compact fluorescent)	P.R. China	C 301 07.12.2004 p. 2

<b>Concluded : confirmation/amendment of duty</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision No</b>	<b>OJ Reference</b>
Grain-oriented electrical sheets	Russia	Council Reg. (EC) No 989/2004 17.05.2004	L 182 19.05.2004 p. 1
Grain-oriented electrical sheets (3 reviews)	Russia (x 3)	Council Reg. (EC) No 990/2004 17.05.2004	L 182 19.05.2004 p. 5
Silicon carbide	Russia Ukraine	Council Reg. (EC) No 991/2004 17.05.2004	L 182 19.05.2004 p. 18
Potassium chloride	Russia Belarus	Council Reg. (EC) No 992/2004 17.05.2004	L 182 19.05.2004 p. 23
Ammonium nitrate	Russia	Council Reg. (EC) No 993/2004 17.05.2004	L 182 19.05.2004 p. 28
Ammonium nitrate	Ukraine	Council Reg. (EC) No 993/2004 17.05.2004	L 182 19.05.2004 p. 28
Coke	P.R. China	Council Reg. (EC) No 997/2004 17.05.2004	L 183 20.05.2004 p. 1
Aluminium foil	Russia	Council Reg. (EC) No 998/2004 17.05.2004	L 183 20.05.2004 p. 4
Colour television receivers	P.R. China	Council Reg. (EC) No 999/2004 17.05.2004	L 183 20.05.2004 p. 7
Tube and pipe fittings (2 reviews)	Thailand (x 2)	Council Reg. (EC) No 1496/2004 18.08.2004	L 275 25.08.2004 p. 1
Glyphosate	P.R. China	Council Reg. (EC) No 1683/2004 30.09.2004	L 303 30.09.2004 p. 1

<b>Concluded : termination</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision No</b>	<b>OJ Reference</b>
Flat-rolled products of iron or non-alloy steel (hot rolled coils)	Bulgaria South Africa	Council Reg. (EC) No 1616/2004 13.09.2004	L 294 17.09.2004 p. 3



## ANNEX H

Other reviews concluded

during the period 1 January – 31 December 2004

(chronological by date of publication)

<b>Initiated</b>		
<b>Product</b>	<b>Country of origin</b>	<b>OJ Reference</b>
Potassium permanganate	P.R. China	C 209 19.08.2004 p. 2

<b>Concluded : confirmation/amendment of duty</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision No</b>	<b>OJ Reference</b>
Seamless pipes and tubes	Romania	Council Reg. (EC) No 235/2004 10.02.2004	L 40 12.02.2004 p. 11
Malleable cast iron tube or pipe fittings <sup>47</sup>	Brazil	Council Reg. (EC) No 436/2004 08.03.2004	L 72 11.03.2004 p. 15
Sulphanilic acid (AD/AS)	India	Council Reg. (EC) No 492/2004 08.03.2004	L 80 18.03.2004 p. 6
Coke <sup>48</sup>	P.R. China	Commission Dec. No 2004/264/EC 18.03.2004	L 81 19.03.2004 p. 89
Silicon	Russia	Council Reg. (EC) No 821/2004 26.04.2004	L 127 29.04.2004 p. 1
Malleable cast iron tube or pipe fittings	Czech Rep.	Council Reg. (EC) No 824/2004 26.04.2004	L 127 29.04.2004 p. 10

<sup>47</sup> Amendment following reports adopted by the Dispute Settlement Body of WTO

<sup>48</sup> Suspension of the measures

<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision No</b>	<b>OJ Reference</b>
Television camera systems	Japan	Council Reg. (EC) No 825/2004 26.04.2004	L 127 29.04.2004 p. 12
Seamless pipes and tubes <sup>5</sup>	Romania Russia	Council Reg. (EC) No 1322/2004 16.07.2004	L 246 20.07.2004 p. 10
Television camera systems	Japan	Council Reg. (EC) No 1754/2004 04.10.2004	L 313 12.10.2004 p. 1
Coke <sup>49</sup>	P.R. China	Council Reg. (EC) No 2117/2004 07.12.2004	L 367 14.12.2004 p. 3
Cotton-type bed linen (AS) <sup>50</sup>	India	Council Reg. (EC) No 2143/2004 13.12.2004	L 370 17.12.2004 p. 1

**Concluded : termination**

<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision No</b>	<b>OJ Reference</b>
Flat-rolled products of iron or non-alloy steel (hot rolled coils)	India Taiwan Serbia & Montenegro	Council Reg. (EC) No 1615/2004 13.09.2004	L 294 17.09.2004 p. 1

<sup>49</sup> Extension of the suspension of the measures

<sup>50</sup> Giving newcomer status

## ANNEX I

New exporter reviews initiated or concluded  
during the period 1 January – 31 December 2004  
(chronological by date of publication)

### A. Anti-dumping investigations

<b>Initiated</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/Decision No</b>	<b>OJ Reference</b>
Electronic weighing scales	P.R. China	Commission Reg. (EC) No 1408/2004 02.08.2004	L 256 03.08.2004 p. 8
Solutions of urea and ammonium nitrate	Algeria	Commission Reg. (EC) No 1795/2004 15.10.2004	L 317 16.10.2004 p. 20

<b>Concluded : imposition/amendment of duty</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision No</b>	<b>OJ Reference</b>
Polyethylene terephthalate	Thailand	Council Reg. (EC) No 823/2004 26.04.2004	L 127 29.04.2004 p. 7
Stainless steel wire (diameter 1 mm or >)	India	Council Reg. (EC) No 1294/2004 12.07.2004	L 244 16.07.2004 p. 1

<b>Concluded : termination</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision No</b>	<b>OJ Reference</b>
Electronic weighing scales	Taiwan	Council Reg. (EC) No 1941/2004 02.11.2004	L 336 12.11.2004 p. 1

B. Anti-subsidy investigations ("accelerated" investigations)

<b>Initiated</b>		
<b>Product</b>	<b>Country of origin</b>	<b>OJ Reference</b>

<b>Concluded : imposition/amendment of duty</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision No</b>	<b>OJ Reference</b>
Polyethylene terephthalate (AS)	Thailand	Council Reg. (EC) No 822/2004 26.04.2004	L 127 29.04.2004 p. 3
Stainless steel wire (diameter 1 mm or >)	India	Council Reg. (EC) No 1295/2004 12.07.2004	L 244 16.07.2004 p. 5
Stainless steel wire (diameter less than 1 mm)	India	Council Reg. (EC) No 1323/2004 19.07.2004	L 246 20.07.2004 p. 14

<b>Concluded : termination</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision No</b>	<b>OJ Reference</b>
Antibiotics	India	Commission Dec. No 2004/830/EC 18.10.2004	L 359 04.12.2004 p. 55

## ANNEX J

Anti-absorption investigations initiated or concluded

during the period 1 January – 31 December 2004

(chronological by date of publication)

<b>Initiated</b>		
<b>Product</b>	<b>Country of origin</b>	<b>OJ Reference</b>

<b>Concluded with increase of duty</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision No</b>	<b>OJ Reference</b>
Sulphanilic acid	P.R. China	Council Reg. (EC) No 236/2004 10.02.2004	L 40 12.02.2004 p. 17

<b>Concluded without increase of duty / termination</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision No</b>	<b>OJ Reference</b>
Lamps (integrated electronic compact fluorescent)	P.R. China	Commission Dec. No 2004/234/EC 09.03.2004	L 71 10.03.2004 p. 35

## ANNEX K

Anti-circumvention investigations initiated or concluded

during the period 1 January – 31 December 2004

(chronological by date of publication)

<b>Initiated</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision No</b>	<b>OJ Reference</b>
Steel ropes and cables	P.R. China (Morocco)	Commission Reg. (EC) No 275/2004 17.02.2004 as last amended by Commission Reg. (EC) No 1699/2004 30.09.2004	L 47 18.02.2004 p. 13  L 305 01.10.2004 p. 25
Polyethylene terephthalate (PET) film (AS)	India (Brazil, Israel)	Commission Reg. (EC) No 283/2004 18.02.2004 as last amended by Commission Reg. (EC) No 1830/2004 21.10.2004	L 49 19.02.2004 p. 25  L 321 22.10.2004 p. 26
Polyethylene terephthalate (PET) film	India (Brazil, Israel)	Commission Reg. (EC) No 284/2004 18.02.2004 as last amended by Commission Reg. (EC) No 1830/2004 21.10.2004	L 49 19.02.2004 p. 28  L 321 22.10.2004 p. 26
Tube or pipe fittings, of iron or steel	P.R. China (Sri Lanka)	Commission Reg. (EC) No 395/2004 02.03.2004	L 65 03.03.2004 p. 7
Tube or pipe fittings, of iron or steel	P.R. China (Indonesia)	Commission Reg. (EC) No 396/2004 02.03.2004	L 65 03.03.2004 p. 10
Coumarin	P.R. China (India, Thailand)	Commission Reg. (EC) No 661/2004 07.04.2004	L 104 08.04.2004 p. 99

<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision No</b>	<b>OJ Reference</b>
Ring binder mechanisms	P.R. China (Thailand)	Commission Reg. (EC) No 844/2004 28.04.2004	L 127 29.04.2004 p. 67
Integrated electronic compact fluorescent lamps	P.R. China (Vietnam, Pakistan, Philippines)	Commission Reg. (EC) No 1582/2004 08.09.2004	L 289 10.09.2004 p. 54

<b>Concluded with extension of duty</b>			
<b>Product</b>	<b>Country of consignment</b>	<b>Regulation No</b>	<b>OJ Reference</b>
Steel ropes and cables	Ukraine (Moldova)	Council Reg. (EC) No 760/2004 22.04.2004	L 120 24.04.2004 p. 1
Ring binder mechanisms	P.R. China (Vietnam)	Council Reg. (EC) No 1208/2004 28.06.2004	L 232 01.07.2004 p. 1
Steel ropes and cables	P.R. China (Morocco)	Council Reg. (EC) No 1886/2004 25.10.2004	L 328 30.10.2004 p. 1
Polyethylene terephthalate (PET) film	India (Brazil, Israel)	Council Reg. (EC) No 1975/2004 15.11.2004	L 342 18.11.2004 p. 1
Polyethylene terephthalate (PET) film (AS)	India (Brazil, Israel)	Council Reg. (EC) No 1976/2004 15.11.2004	L 342 18.11.2004 p. 8
Tube or pipe fittings, of iron or steel	P.R. China (Indonesia)	Council Reg. (EC) No 2052/2004 22.11.2004	L 355 01.12.2004 p. 4
Tube or pipe fittings, of iron or steel	P.R. China (Sri Lanka)	Council Reg. (EC) No 2053/2004 22.11.2004	L 355 01.12.2004 p. 9

<b>Product</b>	<b>Country of consignment</b>	<b>Regulation No</b>	<b>OJ Reference</b>
Coumarin	P.R. China (India, Thailand)	Council Reg. (EC) No 2272/2004 22.12.20004	L 396 31.12.2004 p. 18

<b>Concluded without extension of duty / termination</b>			
<b>Product</b>	<b>Country of consignment</b>	<b>Regulation No</b>	<b>OJ Reference</b>
Seamless pipes and tubes of iron or non-alloy steel	Russia Ukraine	Commission Dec. No 2004/316/EC 05.04.2004	L 100 06.04.2004 p. 45
Ring binder mechanisms	P.R. China (Thailand)	Commission Reg. (EC) No 2231/2004 23.12.2004	L 379 24.12.2004 p. 68

<b>Extension of the suspension of the extended duty</b>			
<b>Product</b>	<b>Country of consignment</b>	<b>Regulation No</b>	<b>OJ Reference</b>
Malleable cast-iron tube or pipe fittings	Argentina	Council Reg. (EC) No 438/2004 08.03.2004	L 72 11.03.2004 p. 42

<b>Exemptions granted</b>			
<b>Product</b>	<b>Country of consignment</b>	<b>Regulation No</b>	<b>OJ Reference</b>
Bicycle parts	P.R. China	Commission Dec. No 2004/776/EC 18.11.2004	L 343 19.11.2004 p. 23



## ANNEX L

Safeguard investigations initiated and concluded

during the period 1 January – 31 December 2004

(chronological by date of publication)

<b>Initiated</b>		
<b>Product</b>	<b>Country of origin</b>	<b>OJ Reference</b>
Farmed salmon	Erga omnes	C 58 06.03.2004 p. 7

<b>Provisional measures imposed</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision No</b>	<b>OJ Reference</b>
Salmon	Erga omnes	Commission Reg. (EC) No 1447/2004 13.08.2004 with corrigendum (L 270, 18.08.2004, p. 17)	L 267 14.08.2004 p. 3

<b>Definitive measures imposed</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision No</b>	<b>OJ Reference</b>
Citrus fruits	Erga omnes	Commission Reg. (EC) No 658/2004 07.04.2004	L 104 08.04.2004 p. 67

## ANNEX M

Undertakings accepted or repealed

during the period 1 January – 31 December 2004

(chronological by date of publication)

<b>Undertakings accepted</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation N°</b>	<b>OJ Reference</b>
Large rainbow trout	Faeroe Islands	Commission Reg. (EC) No 117/2004 23.01.2004	L 17 24.01.2004 p. 4
Silicon	Russia	Commission Dec. No 2004/445/EC 13.04.2004	L 127 29.04.2004 p. 114
Silicon carbide	Ukraine	Commission Dec. No 2004/498/EC 18.05.2004	L 183 20.05.2004 p. 88
Potassium chloride	Belarus Russia	Commission Reg. (EC) No 1002/2004 18.05.2004	L 183 20.05.2004 p. 16
Grain-oriented electrical sheets	Russia	Commission Reg. (EC) No 1000/2004 18.05.2004	L 183 20.05.2004 p. 10
Ammonium nitrate	Russia Ukraine	Commission Reg. (EC) No 1001/2004 18.05.2004	L 183 20.05.2004 p. 13
Polyethylene terephthalate (PET)	Australia	Commission Dec. No 2004/600/EC 04.08.2004	L 271 19.08.2004 p. 38 <sup>2</sup>
Silicon carbide	Ukraine	Commission Dec. No 2004/782/EC 19.11.2004	L 344 20.11.2004 p. 37
Ammonium nitrate	Russia Ukraine	Commission Reg. (EC) No 1996/2004 19.11.2004	L 344 20.11.2004 p. 24

<b>Product</b>	<b>Country of origin</b>	<b>Regulation N°</b>	<b>OJ Reference</b>
Grain-oriented electrical sheets	Russia	Commission Reg. (EC) No 1995/2004 19.11.2004	L 344 20.11.2004 p. 21

<b>Undertakings repealed with imposition of definitive measures</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation N°</b>	<b>OJ Reference</b>
Sulphanilic acid (AD/AS)	India	Commission Dec. No 2004/255/EC 17.03.2004	L 80 18.03.2004 p. 29
Malleable cast iron tube or pipe fittings	Czech Rep.	Commission Reg. (EC) No 833/2004 26.03.2004	L 127 29.04.2004 p. 37
Grain-oriented electrical sheets	Russia	Commission Dec. No 2004/497/EC 17.05.2004	L 183 20.05.2004 p. 86
Tube or pipe fittings	Thailand	Commission Dec. No 2004/612/EC 28.07.2004	L 275 25.08.2004 p. 15

<b>Undertakings which expired/lapsed</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Original measure(s) &amp; OJ Reference</b>	<b>OJ Reference</b>
Hardboard	Bulgaria Estonia Lithuania Poland	Commission Dec. No 1999/71/EC (OJ L 22, 29.01.1999)	C 24 28.01.2004 p. 19
Polypropylene binder or baler twine	Hungary Czech Rep.	Commission Dec. No 1999/215/EC (OJ L 75, 20.03.1999)	C 67 17.03.2004 p. 5
Steel ropes and cables	Mexico	Commission Dec. No 1999/572/EC (OJ L 217, 17.8.1999)	C 203 11.08.2004 p. 4

<b>Product</b>	<b>Country of origin</b>	<b>Original measure(s) &amp; OJ Reference</b>	<b>OJ Reference</b>
Flat-rolled products of iron or non-alloy steel (hot rolled coils)	Bulgaria South Africa	Council Reg. (EC) No 1616/2004 13.09.2004	L 294 17.09.2004 p. 3
Flat-rolled products of iron or non-alloy steel (hot rolled coils)	India	Council Reg. (EC) No 1615/2004 13.09.2004	L 294 17.09.2004 p. 1

<b>Undertakings which lapsed following enlargement<sup>51</sup></b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation</b>	<b>OJ Reference</b>
Seamless pipes and tubes of non-alloy steel	Czech Republic Poland Slovak Republik	Commission Dec. No 97/790/EC 24.10.97	L 322 25.11.97 p. 63
Steel ropes and cables	Hungary Poland	Commission Reg. (EC) No 362/99 18.02.99 as last amended by Commission Reg. (EC) No 1678/2003 26.08.2003	L 45 19.02.99 p. 8  L 238 25.09.2003 p. 13
	Czech Rep.	Commission Reg. (EC) No 230/2001 02.02.2001 as last amended by Commission Reg. (EC) No 1274/2003 11.06.2003	L 34 03.02.2001 p. 4  L 180 18.07.2003 p. 34
Tube and pipe fitting, of iron or steel	Slovakia	Commission Reg. (EC) No 358/2002 26.02.2002	L 56 27.02.2002 p. 4
	Czech Rep.	Commission Dec. No 2002/675/EC 23.08.2002	L 228 24.08.2002 p. 34

<sup>51</sup> The lapsing of these measures was automatic and was therefore not subject to the publication of a legal act.

<b>Product</b>	<b>Country of origin</b>	<b>Regulation</b>	<b>OJ Reference</b>
Urea	Lithuania	Commission Dec. No 2002/498/EC 05.06.2002	L 168 27.06.2002 p. 51
Urea and ammonium nitrate solutions	Lithuania	Commission Dec. No 2003/671/EC 27.08.2003	L 238 25.09.2003 p. 35

## ANNEX N

### Measures which expired

during the period 1 January – 31 December 2004

(chronological by date of publication)

#### A. Measures which expired after their 5-year application

Product	Country of origin	Original measure & OJ Reference	Publication
Hardboard	Bulgaria Estonia Latvia Lithuania Poland Russia	Council Reg. (EC) No 194/1999 (OJ L 22, 29.01.1999)	C 24 28.01.2004 p. 19
Bicycles	Taiwan	Council Reg. (EC) No 397/1999 (OJ L 49, 25.02.1999)	C 46 21.02.2004 p. 26
Polypropylene binder or baler twine	Poland Hungary Czech Rep.	Council Reg. (EC) No 603/1999 (OJ L 75, 20.03.1999)	C 67 17.03.2004 p. 5
Stainless steel wire with a diameter of 1 mm or more	India	Council Reg. (EC) No 1600/1999 (O L 189, 22.07.1999)	C 199 06.08.2004 p. 4
Stainless steel wire with a diameter of 1 mm or more (AS)	India	Council Reg. (EC) No 1599/1999 (O L 189, 22.07.1999)	C 199 06.08.2004 p. 4
Stainless steel wire with a diameter of less than 1 mm (AS)	India	Council Reg. (EC) No 1601/1999 (O L 189, 22.07.1999)	C 199 06.08.2004 p. 4
Steel ropes and cables	Mexico	Council Reg. (EC) No 1796/1999 (OJ L 217, 17.08.1999)	C 203 11.08.2004 p. 4

B. Measures which lapsed following enlargement (1 May 2004)<sup>52</sup>

<b>Product</b>	<b>Country of origin</b>	<b>Original measure</b>	<b>OJ Reference</b>
Ammonium nitrate	Poland	Council Reg. (EC) No 132/2001 22.01.2001	L 23 25.01.2001 p. 1
Seamless pipes and tubes of non-alloy steel	Czech Republic Poland Slovak Republik	Council Reg. (EC) No 2320/97 17.11.97 as last amended by Council Reg. (EC) No 235/2004 10.02.2004	L 322 25.11.97 p. 1  L 40 12.02.2004 p. 11
Steel ropes and cables	Hungary Poland	Council Reg. (EC) No 1796/99 12.08.99 as last amended by Council Reg. (EC) No 1674/2003 22.09.2003	L 217 17.08.99 p. 1  L 238 25.09.2003 p. 1
	Czech Rep.	Council Reg. (EC) No 1601/2001 02.08.2001 as last amended by Council Reg. (EC) No 1268/2003 18.07.2003	L 211 04.08.2001 p. 1  L 180 18.07.2003 p. 23
Tube and pipe fitting, of iron or steel	Czech Rep. Slovakia	Council Reg. (EC) No 1514/2002 19.08.2002 as last amended by Council Reg. (EC) No 778/2003 06.05.2003	L 228 24.08.2002 p. 1  L 114 08.05.2003 p. 1
Tube or pipe fittings (malleable cast iron)	Czech Rep.	Council Reg. (EC) No 1784/2000 11.08.2000 as last amended by Council Reg. (EC) No 824/2004 26.04.2004	L 208 18.08.2000 p. 8  L 127 29.04.2004 p. 10

<sup>52</sup> The lapsing of these measures was automatic and was therefore not subject to the publication of a legal act.

<b>Product</b>	<b>Country of origin</b>	<b>Original measure</b>	<b>OJ Reference</b>
Urea	Estonia Lithuania	Council Reg. (EC) No 92/2002 17.01.2002 as last amended by Council Reg. (EC) No 1107/2002 25.06.2002	L 17 19.01.2002 p. 1  L 168 27.06.2002 p. 1
Urea and ammonium nitrate solutions	Lithuania	Council Reg. (EC) No 1995/2000 18.09.2000 as last amended by Council Reg. (EC) No 1675/2003 22.09.2003	L 238 22.09.2000 p. 15  L 238 25.09.2003 p. 4
	Poland	Council Reg. (EC) No 900/2001 07.05.2001 as last amended by Council Reg. (EC) No 1841/2002 14.10.2002	L 127 09.05.2001 p. 1  L 279 17.10.2002 p. 3
Welded tubes and pipes, of iron or non-alloy steel	Czech Rep. Poland	Council Reg. (EC) No 1697/2002 23.09.2002	L 259 27.09.2002 p. 8



## ANNEX O

Definitive anti-dumping measures in force on 31 December 2004

### A. Ranked by product (alphabetical)

Product	Origin	Measure	Regulation N°	Publication
Aluminium foil	P.R. China Russia	Duties	Council Reg. (EC) No 950/2001 14.05.2001 as last amended by Council Reg. (EC) No 998/2004 17.05.2004	L 134 17.05.2001 p. 1  L 183 20.05.2004 p. 4
	Russia	Undertakings	Commission Dec. No 2001/381/EC 16.05.2001	L 134 17.05.2001 p. 67
Ammonium nitrate	Russia	Duties	Council Reg. (EC) No 658/2002 15.04.2002 as last amended by Council Reg. (EC) No 993/2004 17.05.2004	L 102 18.04.2002 p. 1  L 182 19.05.2004 p. 28
		Undertakings	Commission Reg. (EC) No 1996/2004 19.11.2004	L 344 20.11.2004 p. 24
	Ukraine	Duties	Council Reg. (EC) No 132/2001 22.01.2001 as last amended by Council Reg. (EC) No 993/2004 17.05.2004	L 23 25.01.2001 p. 1  L 182 19.05.2004 p. 28
		Undertakings	Commission Reg. (EC) No 1996/2004 19.11.2004	L 344 20.11.2004 p. 24
Bed linen (cotton-type)	Pakistan	Duties	Council Reg. (EC) No 397/2004 02.03.2004	L 66 04.03.2004 p. 1

<b>Product</b>	<b>Origin</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
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 as last amended by Commission Dec. No 2002/134/EC 11.02.2002	L 175 14.07.2000 p. 39  L 16 18.01.97 p. 1  L 47 19.02.2002 p. 43
Bicycle parts (extension to bicycles)	P.R. China	Duties	Council Reg. (EC) No 71/97 10.01.97	L 16 18.01.97 p. 1
Black colorformers (ODB-1 + ODB-2)	Japan	Duties	Council Reg. (EC) No 2263/2000 09.10.2000	L 259 13.10.2000 p. 1
Coke of coal in pieces with a diameter of more than 80 mm	P.R. China	Duties (suspended)	Commission Dec. No 2730/2000/ECSC 14.12.2000 (suspension extended by Council Reg. (EC) No 2117/2004 07.12.2004) as last amended by Council Reg. (EC) No 997/2004 17.05.2004	L 316 15.12.2000 p. 30  L 367 14.12.2004 p. 3  L 183 20.05.2004 p. 1
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
Colour televisions receivers	P.R. China Korea (Rep. of) Malaysia Thailand	Duties	Council Reg. (EC) No 1531/2002 14.08.2002 as last amended by Council Reg. (EC) No 999/2004 17.05.2004	L 231 29.08.2002 p. 1  L 183 20.05.2004 p. 7
	P.R. China	Undertakings	Commission Dec. No 2002/683/EC 29.07.2002	L 231 29.08.2002 p. 42
Compact disk recordables (CD-Rs)	Taiwan	Duties	Council Reg. (EC) No 1050/2002 13.06.2002	L 160 18.06.2002 p. 2

<b>Product</b>	<b>Origin</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
Coumarin	P.R. China India (ext.) Thailand (ext.)	Duties	Council Reg. (EC) No 769/2002 07.05.2002 as last amended by Council Reg. (EC) No 1854/2003 20.10.2003 and extended to imports consigned from India and Thailand by Council Reg. (EC) No 2272/2004 22.12.2004	L 123 09.05.2002 p. 1  L 272 23.10.2003 p. 1  L 396 31.12.2004 p. 18
Electronic weighing scales	Japan	Duties	Council Reg. (EC) No 468/2001 06.03.2001	L 67 09.03.2001 p. 24
	Singapore	Duties	Council Reg. (EC) No 469/2001 06.03.2001	L 67 09.03.2001 p. 37
	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 as last amended by Council Reg. (EC) No 153/2003 27.01.2003	L 185 25.07.2000 p. 1  L 25 30.01.2003 p. 23
Ferro molybdenum	P.R. China	Duties	Council Reg. (EC) No 215/2002 28.01.2002	L 35 06.02.2002 p. 1
Fluorspar	P.R. China	Duties	Council Reg. (EC) No 2011/2000 18.09.2000	L 241 26.09.2000 p. 5
Furfuraldehyde	P.R. China	Duties	Council Reg. (EC) No 2722/99 17.12.99	L 328 22.12.99 p. 1
Furfuryl alcohol	P.R. China	Duties	Council Reg. (EC) No 1905/2003 27.10.2003	L 283 31.10.2003 p. 1

<b>Product</b>	<b>Origin</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
Glyphosate	P.R. China Malaysia (ext) Taiwan (ext)	Duties	Council Reg. (EC) No 1683/2004 24.09.2004 extended to such imports consigned from Malaysia & Taiwan	L 303 30.09.2004 p. 1
Grain-oriented electrical steel sheets	Russia	Duties	Council Reg. (EC) No 151/2003 27.01.2003 as last amended by Council Reg. (EC) No 989/2004 17.05.2004	L 25 30.01.2003 p. 7  L 182 19.05.2004 p. 1
		Undertakings	Commission Reg. (EC) No 1995/2004 19.11.2004	L 344 20.11.2004 p. 21
Graphite electrode systems	India	Duties	Council Reg. (EC) No 1629/2004 13.09.2004	L 295 18.09.2004 p. 10
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 as last amended by Commission Dec. No 979/2002/ECSC 03.06.2002	L 202 10.08.2000 p. 21  L 150 08.06.2002 p. 36
	India	Undertakings		
Internal gear hubs for bicycles	Japan	Duties	Council Reg. (EC) No 2080/2001 23.10.2001	L 282 26.10.2001 p. 1
Lamps (integrated electronic compact fluorescent)	P.R. China	Duties	Council Reg. (EC) No 1470/2001 16.07.2001	L 195 19.07.2001 p. 8
Lighters (non-refillable and refillable)	P.R. China Taiwan	Duties	Council Reg. (EC) No 1824/2001 12.09.2001 as last amended by Council Reg. (EC) No 155/2003 27.01.2003	L 248 18.09.2001 p. 1  L 25 30.01.2003 p. 27
Magnesia (deadburned)	P.R. China	Duties	Council Reg. (EC) No 360/2000 14.02.2000 as last amended by Council Reg. (EC) No 986/2003 05.06.2003	L 46 18.02.2000 p. 1  L 143 11.06.2003 p. 5

<b>Product</b>	<b>Origin</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
Magnesium oxide (caustic magnesite)	P.R. China	Duties	Council Reg. (EC) No 1334/99 21.06.99 as last amended by Council Reg. (EC) No 985/2003 05.06.2003	L 159 25.06.99 p. 1  L 143 11.06.2003 p. 1
Magnetic disks (3,5" microdisks)	P.R. China Japan	Duties	Council Reg. (EC) No 312/2002 18.02.2002	L 50 21.02.2002 p. 24
	Hong Kong Korea (Rep. of)	Duties	Council Reg. (EC) No 311/2002 18.02.2002	L 50 21.02.2002 p. 13
Okoumé plywood	P.R. China	Duties	Council Reg. (EC) No 1942/2004 02.11.2004	L 336 12.11.2004 p. 4
Para-cresol	P.R. China	Duties	Council Reg. (EC) No 1656/2003 11.09.2003	L 234 20.09.2003 p. 1
PET (polyethylene terephthalate)	India Indonesia Korea (Rep. of) Malaysia Taiwan Thailand	Duties	Council Reg. (EC) No 2604/2000 27.11.2000 as last amended by Council Reg. (EC) No 823/2004 26.04.2004	L 301 30.11.2000 p. 21  L 127 29.04.2004 p. 7
	India Indonesia	Undertakings	Commission Dec. No 2000/745/EC 29.11.2000 as last amended by Commission Dec. No 2002/232/EC 27.02.2002	L 301 30.11.2000 p. 88  L 78 21.03.2002 p. 12
	Australia P.R. China	Duties	Council Reg. (EC) No 1467/2004 13.08.2004	L 271 19.08.2004 p. 1
	Australia	Undertakings	Commission Dec. No 2004/600/EC 04.08.2004	L 271 19.08.2004 p. 38

<b>Product</b>	<b>Origin</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
PET (polyethylene terephthalate) film	India Korea (Rep. of) Brazil (ext.) Israel (ext.)	Duties	Council Reg. (EC) No 1676/2001 13.08.2001 extended as concerns India to imports consigned from Brazil and from Israel by Council Reg. (EC) No 1975/2004 15.11.2004	L 227 23.08.2001 p. 1  L 342 18.11.2004 p. 1
	India	Undertakings	Commission Dec. No 2001/645/EC 22.08.2001	L 227 23.08.2001 p. 56
Polyester filament tow (extension of polyester staple fibre)	Belarus	Duties	Council Reg. (EC) No 1799/2002 08.10.2002	L 274 11.10.2002 p. 1
Polyester staple fibres	Taiwan	Duties	Council Reg. (EC) No 1728/99 04.08.99	L 204 04.08.99 p. 3
	Australia Indonesia Thailand	Duties	Council Reg. (EC) No 1522/2000 10.07.2000	L 175 14.07.2000 p. 10
	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
	Belarus	Duties	Council Reg. (EC) No 1799/2002 08.10.2002 extended to polyester filament tow	L 274 11.10.2002 p. 1
Polyester textured filament yarns (PTY)	India	Duties	Council Reg. (EC) No 2093/2002 26.11.2002	L 323 28.11.2002 p. 1
Potassium chloride	Belarus Russia Ukraine	Duties	Council Reg. (EC) No 969/2000 08.05.2000 as last amended by Council Reg. (EC) No 992/2004 17.05.2004	L 112 11.05.2000 p. 4  L 182 19.05.2004 p. 23
	Belarus Russia	Undertakings	Commission Reg. (EC) No 1002/2004 18.05.2004	L 183 20.05.2004 p. 16

<b>Product</b>	<b>Origin</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
Potassium permanganate	P.R. China	Duties	Council Reg. (EC) No 299/2001 12.11.2001 as last amended by Council Reg. (EC) No 152/2003 27.01.2003	L 44 15.02.2001 p. 4  L 25 30.01.2003 p. 21
Powdered activated carbon	P.R. China	Duties	Council Reg. (EC) No 1011/2002 10.06.2002 as last amended by Council Reg. (EC) No 931/2003 26.05.2003	L 155 14.06.2002 p. 1  L 133 29.05.2003 p. 36
Ring binder mechanisms	P.R. China Vietnam (ext.)	Duties	Council Reg. (EC) No 2074/2004 29.11.2004 extended to imports from Vietnam by Council Reg. (EC) No 1208/2004 28.06.2004	L 359 04.12.2004 p. 11  L 232 01.07.2004 p. 1
	Indonesia	Duties	Council Reg. (EC) No 976/2002 04.06.2002	L 150 08.06.2002 p. 1
Seamless pipes and tubes of non-alloy steel	Croatia Ukraine	Duties	Council Reg. (EC) No 348/2000 14.02.2000 as last amended by Council Reg. (EC) No 1515/2002 16.08.2002	L 45 17.02.2000 p. 1  L 228 24.08.2002 p. 8
	Croatia	Undertakings	Commission Dec. No 2000/137/EC 17.02.2000 as last amended by Commission Dec. No 2002/669/EC 05.08.2002	L 46 18.02.2000 p. 34  L 228 24.08.2002 p. 20

<b>Product</b>	<b>Origin</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
	Romania Russia	Duties (suspended)	Council Reg. (EC) No 2320/97 17.11.97 as last amended by Council Reg. (EC) No 1322/2004 16.07.2004	L 322 25.11.97 p. 1  L 246 20.07.2004 p. 10
	Romania	Undertakings (suspended)	Commission Dec. No 97/790/EC 24.10.97	L 322 25.11.97 p. 63
	Russia	Undertakings (suspended)	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 as last amended by Council Reg. (EC) No 991/2004 17.05.2004	L 125 26.05.2000 p. 3  L 182 19.05.2004 p. 18
	Russia	Undertakings	Commission Dec. No 94/202/EC 09.03.94 prolonged by above Council Reg.	L 94 13.04.94 p. 32
	Ukraine	Undertakings	Commission Dec. No 2004/782/EC 19.11.2004	L 344 20.11.2004 p. 37



<b>Product</b>	<b>Origin</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
Silicon	P.R. China	Duties	Council Reg. (EC) No 398/2004 02.03.2004	L 66 04.03.2004 p. 15
	Russia	Duties	Council Reg. (EC) No 2229/2003 22.12.2003 as last amended by Council Reg. (EC) No 821/2004 26.04.2004 which has been subject to a corrigendum	L 339 24.12.2003 p. 3  L 127 29.04.2004 p. 1  L 361 08.12.2004 p. 54
		Undertakings	Commission Dec. No 2004/445/EC 13.04.2004	L 127 29.04.2004 p. 114
Sodium cyclamate	P.R. China Indonesia	Duties	Council Reg. (EC) No 435/2004 08.03.2004	L 72 11.03.2004 p. 1

<b>Product</b>	<b>Origin</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>		
Steel ropes and cables	P.R. China India South Africa Ukraine Moldova (ext.) Morocco (ext.)	Duties	Council Reg. (EC) No 1796/99 12.08.99 as last amended by Council Reg. (EC) No 1674/2003 22.09.2003 extended as concerns Ukraine to such imports consigned from Moldova by Council Reg. (EC) No 760/2004 22.04.2004 and extended as concerns China to such imports consigned from Morocco by Council Reg. (EC) No 1886/2004 25.10.2004	L 217 17.08.99 p. 1  L 238 25.09.2003 p. 1  L 120 24.04.2004 p. 1  L 328 30.10.2004 p. 1		
			India South Africa	Undertakings	Commission Dec. No 1999/572/EC 13.08.99 as last amended by Commission Reg. (EC) No 1678/2003 26.08.2003	L 217 17.08.99 p. 63  L 238 25.09.2003 p. 13
					Russia Thailand Turkey	Duties
	Turkey	Undertakings	Commission Reg. (EC) No 230/2001 02.02.2001 as last amended by Commission Reg. (EC) No 1274/2003 11.06.2003	L 34 03.02.2001 p. 4  L 180 18.07.2003 p. 34		
			Russia Thailand	Undertakings	Commission Dec. No 2001/602/EC 26.07.2001	L 211 04.08.2001 p. 48

<b>Product</b>	<b>Origin</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
Styrene-butadiene-styrene thermosplastic rubber	Taiwan	Duties	Council Reg. (EC) No 1993/2000 18.09.2000	L 238 22.09.2000 p. 4
Sulphanilic acid	P.R. China India	Duties	Council Reg. (EC) No 1339/2002 22.07.2002 as last amended by Council Reg. (EC) No 492/2004 08.03.2004	L 196 25.07.2002 p. 11  L 80 18.03.2004 p. 6
Synthetic fibre ropes	India	Duties	Council Reg. (EC) No 1736/2004 08.10.2004	L 311 08.10.2004 p. 1
Television camera systems	Japan	Duties	Council Reg. (EC) No 2042/2000 26.09.2000 as last amended by Council Reg. (EC) No 1754/2004 04.10.2004	L 244 29.09.2000 p. 38  L 313 12.10.2004 p. 1
Trout (large rainbow)	Norway Faeroe Islands	Duties	Council Reg. (EC) No 437/2004 08.03.2004	L 72 11.03.2004 p. 23
	Faeroe Islands	Undertakings	Commission Reg. (EC) No 117/2004 23.01.2004	L 17 24.01.2004 p. 4
Tube and pipe fitting, of iron or steel	P.R. China Thailand Taiwan (ext.) Indonesia (ext.) Sri Lanka (ext.)	Duties	Council Reg. (EC) No 964/2003 02.06.2003 as last amended by Council Reg. (EC) No 1496/2004 18.08.2004 and extended as concerns China to imports consigned from Indonesia by Council Reg. (EC) 2052/2004 22.11.2004 and to imports consigned from Sri Lanka by Council Reg. (EC) No 2053/2004 22.11.2004	L 139 06.06.2003 p. 1  L 275 25.08.2004 p. 1  L 355 01.12.2004 p. 4  L 355 01.12.2004 p. 9

<b>Product</b>	<b>Origin</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
	Korea (Rep. of) Malaysia Russia	Duties	Council Reg. (EC) No 1514/2002 19.08.2002 as last amended by Council Reg. (EC) No 778/2003 06.05.2003	L 228 24.08.2002 p. 1  L 114 08.05.2003 p. 1
Tube or pipe fittings (malleable cast iron)	Brazil Japan P.R. China Korea (Rep. of) Thailand Argentina (Ext.)	Duties	Council Reg. (EC) No 1784/2000 11.08.2000 (extended as concerns Brazil to imports consigned from Argentina by Council Reg. (EC) No 1023/2003 13.06.2003) as last amended by Council Reg. (EC) No 824/2004 26.04.2004	L 208 18.08.2000 p. 8     L 149 17.06.2003 p. 1  L 127 29.04.2004 p. 10
	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 2268/2004 22.12.2004	L 395 31.12.2004 p. 56
Urea	Russia	Duties	Council Reg. (EC) No 901/2001 07.05.2001	L 127 09.05.2001 p. 11
	Belarus Bulgaria Croatia Libya Romania Ukraine	Duties	Council Reg. (EC) No 92/2002 17.01.2002 as last amended by Council Reg. (EC) No 1107/2002 25.06.2002	L 17 19.01.2002 p. 1  M 168 27.06.2002 p. 1
	Bulgaria	Undertakings	Commission Reg. (EC) No 1497/2001 20.07.2001	L 197 21.07.2001 p. 4

<b>Product</b>	<b>Origin</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
Urea and ammonium nitrate solutions	Algeria Belarus Russia Ukraine	Duties	Council Reg. (EC) No 1995/2000 18.09.2000 as last amended by Council Reg. (EC) No 1675/2003 22.09.2003	L 238 22.09.2000 p. 15  L 238 25.09.2003 p. 4
	Algeria	Undertakings	Commission Reg. (EC) No 617/2000 16.03.2000	L 75 24.03.2000 p. 3
Welded tubes and pipes, of iron or non-alloy steel	Thailand Turkey Ukraine	Duties	Council Reg. (EC) No 1697/2002 23.09.2002	L 259 27.09.2002 p. 8
Zinc oxides	P.R. China Vietnam	Duties	Council Reg. (EC) No 408/2002 28.02.2002 extended to imports consigned from Vietnam, whether declared as originating in Vietnam or not by Council Reg. (EC) No 1623/2003 11.09.2003	L 62 05.03.2002 p. 7  L 232 18.09.2003 p. 1
Zinc oxides mixed with silica (extension to zinc oxides)	P.R. China	Duties	Council Reg. (EC) No 1623/2003 11.09.2003	L 232 18.09.2003 p. 1

B. Ranked by country (alphabetical)

Origin	Product	Measure	Regulation N°	Publication
Algeria	Urea and ammonium nitrate solutions	Duties	Council Reg. (EC) No 1995/2000 18.09.2000 as last amended by Council Reg. (EC) No 1675/2003 22.09.2003	L 238 22.09.2000 p. 15  L 238 25.09.2003 p. 4
		Undertakings	Commission Reg. (EC) No 617/2000 16.03.2000	L 75 24.03.2000 p. 3
Argentina	Tube or pipe fittings (malleable cast iron)	Duties	Council Reg. (EC) No 1784/2000 11.08.2000 (extended as concerns Brazil to imports consigned from Argentina by Council Reg. (EC) No 1023/2003 13.06.2003) as last amended by Council Reg. (EC) No 824/2004 26.04.2004	L 149 17.06.2003 p. 1  L 149 17.06.2003 p. 1  L 127 29.04.2004 p. 10
Australia	Polyester staple fibres	Duties	Council Reg. (EC) No 1522/2000 10.07.2000	L 175 14.07.2000 p. 10
	Polyethylene terephthalate	Duties	Council Reg. (EC) No 1467/2004 13.08.2004	L 271 19.08.2004 p. 1
		Undertakings	Commission Dec. No 2004/600/EC 04.08.2004	L 271 19.08.2004 p. 38
Belarus	Polyester filament tow (extension of polyester staple fibre)	Duties	Council Reg. (EC) No 1799/2002 08.10.2002	L 274 11.10.2002 p. 1
	Polyester staple fibres	Duties	Council Reg. (EC) No 1799/2002 08.10.2002 extended to polyester filament tow	L 274 11.10.2002 p. 1

Origin	Product	Measure	Regulation N°	Publication
	Potassium chloride	Duties	Council Reg. (EC) No 969/2000 08.05.2000 as last amended by Council Reg. (EC) No 992/2004 17.05.2004	L 112 11.05.2000 p. 4  L 182 19.05.2004 p. 23
		Undertakings	Commission Reg. (EC) No 1002/2004 18.05.2004	L 183 20.05.2004 p. 16
	Urea and ammonium nitrate solutions	Duties	Council Reg. (EC) No 1995/2000 18.09.2000 as last amended by Council Reg. (EC) No 1675/2003 22.09.2003	L 238 22.09.2000 p. 15  L 238 25.09.2003 p. 4
	Urea	Duties	Council Reg. (EC) No 92/2002 17.01.2002 as last amended by Council Reg. (EC) No 1107/2002 25.06.2002	L 17 19.01.2002 p. 1  L 168 27.06.2002 p. 1
Brazil	PET (polyethylene terephthalate) film (ext.)	Duties	Council Reg. (EC) No 1676/2001 13.08.2001 extended as concerns India to imports consigned from Brazil and from Israel by Council Reg. (EC) No 1975/2004 15.11.2004	L 227 23.08.2001 p. 1  L 342 18.11.2004 p. 1
	Tube or pipe fittings (malleable cast iron)	Duties	Council Reg. (EC) No 1784/2000 11.08.2000 (extended as concerns Brazil to imports consigned from Argentina by Council Reg. (EC) No 1023/2003 13.06.2003) as last amended by Council Reg. (EC) No 824/2004 26.04.2004	L 208 18.08.2000 p. 8  L 149 17.06.2003 p. 1  L 127 29.04.2004 p. 10

<b>Origin</b>	<b>Product</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
Bulgaria	Urea	Duties  Undertaking	Council Reg. (EC) No 92/2002 17.01.2002 as last amended by Council Reg. (EC) No 1107/2002 25.06.2002  Commission Reg. (EC) No 1497/2001 20.07.2001	L 17 19.01.2002 p. 1  L 168 27.06.2002 p. 1  L 197 21.07.2001 p. 4
P.R. China	Aluminium foil	Duties	Council Reg. (EC) No 950/2001 14.05.2001 as last amended by Council Reg. (EC) No 998/2004 17.05.2004	L 134 17.05.2001 p. 1  L 183 20.05.2004 p. 4
	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 as last amended by Commission Dec. No 2002/134/EC 11.02.2002	L 175 14.07.2000 p. 39  L 16 18.01.97 p. 1  L 47 19.02.2002 p. 43
	Bicycle parts	Duties	Council Reg. (EC) No 71/97 10.01.97	L 16 18.01.97 p. 1
	Coke of coal in pieces with a diameter of more than 80 mm	Duties (suspended)	Commission Dec. No 2730/2000/ECSC 14.12.2000 (suspension extended by Council Reg. (EC) No 2117/2004 07.12.2004) as last amended by Council Reg. (EC) No 997/2004 17.05.2004	L 316 15.12.2000 p. 30  L 367 14.12.2004 p. 3  L 183 20.05.2004 p. 1



Origin	Product	Measure	Regulation N°	Publication
	Colour television receivers	Duties	Council Reg. (EC) No 1531/2002 14.08.2002 as last amended by Council Reg. (EC) No 999/2004 17.05.2004	L 231 29.08.2002 p. 1  L 183 20.05.2004 p. 7
		Undertakings	Commission Dec. No 2002/683/EC 29.07.2002	L 231 29.08.2002 p. 42
	Coumarin	Duties	Council Reg. (EC) No 769/2002 07.05.2002 as last amended by Council Reg. (EC) No 1854/2003 20.10.2003 and extended to imports consigned from India and Thailand by Council Reg. (EC) No 2272/2004 22.12.2004	L 123 09.05.2002 p. 1  L 272 23.10.2003 p. 1  L 396 31.12.2004 p. 18
	Electronic weighing scales	Duties	Council Reg. (EC) No 2605/2000 27.11.2000	L 301 30.11.2000 p. 42
	Ferro molybdenum	Duties	Council Reg. (EC) No 215/2002 28.01.2002	L 35 06.02.2002 p. 1
	Fluorspar	Duties	Council Reg. (EC) No 2011/2000 18.09.2000	L 241 26.09.2000 p. 5
	Furfuraldehyde	Duties	Council Reg. (EC) No 2722/99 17.12.99	L 328 22.12.99 p. 1
	Furfuryl alcohol	Duties	Council Reg. (EC) No 1905/2003 27.10.2003	L 283 31.10.2003 p. 1
	Glyphosate	Duties	Council Reg. (EC) No 1683/2004 24.09.2004 extended to such imports consigned from Malaysia & Taiwan	L 303 30.09.2004 p. 1

Origin	Product	Measure	Regulation N°	Publication
	Hot-rolled flat products of non-alloy steel (quarto plates)	Duties	Commission Dec. No 1758/2000/ECSC 09.08.2000 as last amended by Commission Dec. No 979/2002/ECSC 03.06.2002	L 202 10.08.2000 p. 21  L 150 08.06.2002 p. 36
	Lamps (integrated electronic compact fluorescent)	Duties	Council Reg. (EC) No 1470/2001 16.07.2001	L 195 19.07.2001 p. 8
	Lighters (non-refillable and refillable)	Duties	Council Reg. (EC) No 1824/2001 12.09.2001 as last amended by Council Reg. (EC) No 155/2003 27.01.2003	L 248 18.09.2001 p. 1  L 25 30.01.2003 p. 27
	Magnesia (deadburned)	Duties	Council Reg. (EC) No 360/2000 14.02.2000 as last amended by Council Reg. (EC) No 986/2003 05.06.2003	L 46 18.02.2000 p. 1  L 143 11.06.2003 p. 5
	Magnesium oxide (caustic magnesite)	Duties	Council Reg. (EC) No 1334/99 21.06.99 as last amended by Council Reg. (EC) No 985/2003 05.06.2003	L 159 25.06.99 p. 1  L 143 11.06.2003 p. 1
	Magnetic disks (3,5" microdisks)	Duties	Council Reg. (EC) No 312/2002 18.02.2002	L 50 21.02.2002 p. 24
	Okoumé plywood	Duties	Council Reg. (EC) No 1942/2004 02.11.2004	L 336 12.11.2004 p. 4
	Para-cresol	Duties	Council Reg. (EC) No 1656/2003 11.09.2003	L 234 20.09.2003 p. 1
	Polyethylene terephthalate	Duties	Council Reg. (EC) No 1467/2004 13.08.2004	L 271 19.08.2004 p. 1

<b>Origin</b>	<b>Product</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
	Potassium permanganate	Duties	Council Reg. (EC) No 299/2001 12.11.2001 as last amended by Council Reg. (EC) No 152/2003 27.01.2003	L 44 15.02.2001 p. 4  L 25 30.01.2003 p. 21
	Powdered activated carbon	Duties	Council Reg. (EC) No 1011/2002 10.06.2002 as last amended by Council Reg. (EC) No 931/2003 26.05.2003	L 155 14.06.2002 p. 1  L 133 29.05.2003 p. 36
	Ring binder mechanisms	Duties	Council Reg. (EC) No 2074/2004 29.11.2004 extended to imports from Vietnam by Council Reg. (EC) No 1208/2004 28.06.2004	L 359 04.12.2004 p. 11  L 232 01.07.2004 p. 1
	Silicon carbide	Duties	Council Reg. (EC) No 1100/2000 22.05.2000 as last amended by Council Reg. (EC) No 991/2004 17.05.2004	L 125 26.05.2000 p. 3  L 182 19.05.2004 p. 18
	Silicon	Duties	Council Reg. (EC) No 398/2004 02.03.2004	L 66 04.03.2004 p. 15
	Sodium cyclamate	Duties	Council Reg. (EC) No 435/2004 08.03.2004	L 72 11.03.2004 p. 1

<b>Origin</b>	<b>Product</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
	Steel ropes and cables	Duties	Council Reg. (EC) No 1796/99 12.08.99 as last amended by Council Reg. (EC) No 1674/2003 22.09.2003 extended as concerns Ukraine to such imports consigned from Moldova by Council Reg. (EC) No 760/2004 22.04.2004 and extended as concerns China to such imports consigned from Morocco by Council Reg. (EC) No 1886/2004 25.10.2004	L 217 17.08.99 p. 1  L 238 25.09.2003 p. 1  L 120 24.04.2004 p. 1  L 328 30.10.2004 p. 1
	Sulphanilic acid	Duties	Council Reg. (EC) No 1339/2002 22.07.2002 as last amended by Council Reg. (EC) No 492/2004 08.03.2004	L 196 25.07.2002 p. 11  L 80 18.03.2004 p. 6
	Tube or pipe fittings (malleable cast iron)	Duties	Council Reg. (EC) No 1784/2000 11.08.2000 (extended as concerns Brazil to imports consigned from Argentina by Council Reg. (EC) No 1023/2003 13.06.2003) as last amended by Council Reg. (EC) No 824/2004 26.04.2004	L 208 18.08.2000 p. 8  L 149 17.06.2003 p. 1  L 127 29.04.2004 p. 10

<b>Origin</b>	<b>Product</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
	Tube and pipe fitting, of iron or steel	Duties	Council Reg. (EC) No 964/2003 02.06.2003 as last amended by Council Reg. (EC) No 1496/2004 18.08.2004 and extended as concerns China to imports consigned from Indonesia by Council Reg. (EC) 2052/2004 22.11.2004 and to imports consigned from Sri Lanka by Council Reg. (EC) No 2053/2004 22.11.2004	L 139 06.06.2003 p. 1  L 275 25.08.2004 p. 1  L 355 01.12.2004 p. 4  L 355 01.12.2004 p. 9
	Tungsten carbide and fused tungsten carbide	Duties	Council Reg. (EC) No 2268/2004 22.12.2004	L 395 31.12.2004 p. 56
	Zinc oxides	Duties	Council Reg. (EC) No 408/2002 28.02.2002 extended to imports consigned from Vietnam, whether declared as originating in Vietnam or not by Council Reg. (EC) No 1623/2003 11.09.2003	L 62 05.03.2002 p. 7  L 232 18.09.2003 p. 1
	Zinc oxides mixed with silica (extension to zinc oxides)	Duties	Council Reg. (EC) No 1623/2003 11.09.2003	L 232 18.09.2003 p. 1

<b>Origin</b>	<b>Product</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
Croatia	Seamless pipes and tubes of non-alloy steel	Duties	Council Reg. (EC) No 348/2000 14.02.2000 as last amended by Council Reg. (EC) No 1515/2002 16.08.2002	L 45 17.02.2000 p. 1  L 228 24.08.2002 p. 8
		Undertakings	Commission Dec. No 2000/137/EC 17.02.2000 as last amended by Commission Dec. No 2002/669/EC 05.08.2002	L 46 18.02.2000 p. 34  L 228 24.08.2002 p. 20
	Urea	Duties	Council Reg. (EC) No 92/2002 17.01.2002 as last amended by Council Reg. (EC) No 1107/2002 25.06.2002	L 17 19.01.2002 p. 1  L 168 27.06.2002 p. 1
Faeroe Islands	Trout (large rainbow)	Duties	Council Reg. (EC) No 437/2004 08.03.2004	L 72 11.03.2004 p. 23
		Undertakings	Commission Reg. (EC) No 117/2004 23.01.2004	L 17 24.01.2004 p. 4
Hong Kong	Magnetic disks (3,5" microdisks)	Duties	Council Reg. (EC) No 311/2002 18.02.2002	L 50 21.02.2002 p. 13
India	Colour television picture tubes (cathode-ray)	Duties	Council Reg. (EC) No 2313/2000 17.10.2000	L 267 20.10.2000 p. 1
	Coumarin (ext.)	Duties	Council Reg. (EC) No 769/2002 07.05.2002 as last amended by Council Reg. (EC) No 1854/2003 20.10.2003 and extended to imports consigned from India and Thailand by Council Reg. (EC) No 2272/2004 22.12.2004	L 123 09.05.2002 p. 1  L 272 23.10.2003 p. 1  L 396 31.12.2004 p. 18

<b>Origin</b>	<b>Product</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
	Graphite electrode systems	Duties	Council Reg. (EC) No 1629/2004 13.09.2004	L 295 18.09.2004 p. 10
	Hot-rolled flat products of non-alloy steel (quarto plates)	Duties  Undertakings	Commission Dec. No 1758/2000/ECSC 09.08.2000 as last amended by Commission Dec. No 979/2002/ECSC 03.06.2002	L 202 10.08.2000 p. 21  L 150 08.06.2002 p. 36
	PET (polyethylene terephthalate)	Duties  Undertakings	Council Reg. (EC) No 2604/2000 27.11.2000 as last amended by Council Reg. (EC) No 823/2004 26.04.2004  Commission Dec. No 2000/745/EC 29.11.2000 as last amended by Commission Dec. No 2002/232/EC 27.02.2002	L 301 30.11.2000 p. 21  L 127 29.04.2004 p. 7  L 301 30.11.2000 p. 88  L 78 21.03.2002 p. 12
	PET (polyethylene terephthalate) film	Duties  Undertakings	Council Reg. (EC) No 1676/2001 13.08.2001 extended as concerns India to imports consigned from Brazil and from Israel by Council Reg. (EC) No 1975/2004 15.11.2004  Commission Dec. No 2001/645/EC 22.08.2001	L 227 23.08.2001 p. 1  L 342 18.11.2004 p. 1  L 227 23.08.2001 p. 56

<b>Origin</b>	<b>Product</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
	Polyester staple fibres	Duties	Council Reg. (EC) No 2852/2000 22.12.2000	L 332 28.12.2000 p. 17
		Undertakings	Commission Dec. No 2000/818/EC 19.12.2000	L 332 28.12.2000 p. 116
	Polyester textured filament yarn (PTY)	Duties	Council Reg. (EC) No 2093/2002 26.11.2002	L 323 28.11.2002 p. 1
	Steel ropes and cables	Duties	Council Reg. (EC) No 1796/99 12.08.99 as last amended by Council Reg. (EC) No 1674/2003 22.09.2003 extended as concerns Ukraine to such imports consigned from Moldova by Council Reg. (EC) No 760/2004 22.04.2004 and extended as concerns China to such imports consigned from Morocco by Council Reg. (EC) No 1886/2004 25.10.2004	L 217 17.08.99 p. 1  L 238 25.09.2003 p. 1  L 120 24.04.2004 p. 1  L 328 30.10.2004 p. 1
		Undertakings	Commission Dec. No 1999/572/EC 13.08.99 as last amended by Commission Reg. (EC) No 1678/2003 26.08.2003	L 217 17.08.99 p. 63  L 238 25.09.2003 p. 13
	Sulphanilic acid	Duties	Council Reg. (EC) No 1339/2002 22.07.2002 as last amended by Council Reg. (EC) No 492/2004 08.03.2004	L 196 25.07.2002 p. 11  L 80 18.03.2004 p. 6



Origin	Product	Measure	Regulation N°	Publication
	Synthetic fibre ropes	Duties	Council Reg. (EC) No 1736/2004 04.10.2004	L 311 08.10.2004 p. 1
Indonesia	PET (polyethylene terephthalate)	Duties	Council Reg. (EC) No 2604/2000 27.11.2000 as last amended by Council Reg. (EC) No 823/2004 26.04.2004	L 301 30.11.2000 p. 21  L 127 29.04.2004 p. 7
		Undertakings	Commission Dec. No 2000/745/EC 29.11.2000 as last amended by Commission Dec. No 2002/232/EC 27.02.2002	L 301 30.11.2000 p. 88  L 78 21.03.2002 p. 12
	Ring binder mechanisms	Duties	Council Reg. (EC) No 976/2002 04.06.2002	L 150 08.06.2002 p. 1
	Polyester staple fibres	Duties	Council Reg. (EC) No 1522/2000 10.07.2000	L 175 14.07.2000 p. 10
	Sodium cyclamate	Duties	Council Reg. (EC) No 435/2004 08.03.2004	L 72 11.03.2004 p. 1
	Tube and pipe fitting, of iron or steel	Duties	Council Reg. (EC) No 964/2003 02.06.2003 as last amended by Council Reg. (EC) No 1496/2004 18.08.2004 and extended as concerns China to imports consigned from Indonesia by Council Reg. (EC) 2052/2004 22.11.2004 and to imports consigned from Sri Lanka by Council Reg. (EC) No 2053/2004 22.11.2004	L 139 06.06.2003 p. 1  L 275 25.08.2004 p. 1  L 355 01.12.2004 p. 4  L 355 01.12.2004 p. 9

<b>Origin</b>	<b>Product</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
Israel	PET (polyethylene terephthalate) film (ext.)	Duties	Council Reg. (EC) No 1676/2001 13.08.2001 extended as concerns India to imports consigned from Brazil and from Israel by Council Reg. (EC) No 1975/2004 15.11.2004	L 227 23.08.2001 p. 1  L 342 18.11.2004 p. 1
Japan	Black colorformers (ODB-1 + ODB-2)	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 468/2001 06.03.2001	L 67 09.03.2001 p. 24
	Internal gear hubs for bicycles	Duties	Council Reg. (EC) No 2080/2001 23.10.2001	L 282 26.10.2001 p. 1
	Magnetic disks (3,5" microdisks)	Duties	Council Reg. (EC) No 312/2002 18.02.2002	L 50 21.02.2002 p. 24
	Television camera systems	Duties	Council Reg. (EC) No 2042/2000 26.09.2000 as last amended by Council Reg. (EC) No 1754/2004 04.10.2004	L 244 29.09.2000 p. 38  L 313 12.10.2004 p. 1
	Tube or pipe fittings (malleable cast iron)	Duties	Council Reg. (EC) No 1784/2000 11.08.2000 (extended as concerns Brazil to imports consigned from Argentina by Council Reg. (EC) No 1023/2003 13.06.2003) as last amended by Council Reg. (EC) No 824/2004 26.04.2004	L 208 18.08.2000 p. 8  L 149 17.06.2003 p. 1  L 127 29.04.2004 p. 10
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

<b>Origin</b>	<b>Product</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
	Colour television receivers	Duties	Council Reg. (EC) No 1531/2002 14.08.2002 as last amended by Council Reg. (EC) No 999/2004 17.05.2004	L 231 29.08.2002 p. 1  L 183 20.05.2004 p. 7
	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 311/2002 18.02.2002	L 50 21.02.2002 p. 13
	PET (polyethylene terephthalate)	Duties	Council Reg. (EC) No 2604/2000 27.11.2000 as last amended by Council Reg. (EC) No 823/2004 26.04.2004	L 301 30.11.2000 p. 21  L 127 29.04.2004 p. 7
	PET (polyethylene terephthalate) film	Duties	Council Reg. (EC) No 1676/2001 13.08.2001 extended as concerns India to imports consigned from Brazil and from Israel by Council Reg. (EC) No 1975/2004 15.11.2004	L 227 23.08.2001 p. 1  L 342 18.11.2004 p. 1
	Polyester staple fibres	Duties	Council Reg. (EC) No 2852/2000 22.12.2000	L 332 28.12.2000 p. 17
	Tube and pipe fittings, of iron or steel	Duties	Council Reg. (EC) No 1514/2002 19.08.2002 as last amended by Council Reg. (EC) No 778/2003 06.05.2003	L 228 24.08.2002 p. 1  L 114 08.05.2003 p. 1

Origin	Product	Measure	Regulation N°	Publication
	Tube or pipe fittings (malleable cast iron)	Duties	Council Reg. (EC) No 1784/2000 11.08.2000 (extended as concerns Brazil to imports consigned from Argentina by Council Reg. (EC) No 1023/2003 13.06.2003) as last amended by Council Reg. (EC) No 824/2004 26.04.2004	L 208 18.08.2000 p. 8  L 149 17.06.2003 p. 1  L 127 29.04.2004 p. 10
		Undertakings	Commission Dec. No 2000/523/EC 10.08.2000	L 208 18.08.2000 p. 53
Libya	Urea	Duties	Council Reg. (EC) No 92/2002 17.01.2002 as last amended by Council Reg. (EC) No 1107/2002 25.06.2002	L 17 19.01.2002 p. 1  L 168 27.06.2002 p. 1
Malaysia	Colour television receivers	Duties	Council Reg. (EC) No 1531/2002 14.08.2002 as last amended by Council Reg. (EC) No 999/2004 17.05.2004	L 231 29.08.2002 p. 1  L 183 20.05.2004 p. 7
	Glyphosate	Duties	Council Reg. (EC) No 1683/2004 24.09.2004 extended to such imports consigned from Malaysia & Taiwan	L 303 30.09.2004 p. 1
	PET (polyethylene terephthalate)	Duties	Council Reg. (EC) No 2604/2000 27.11.2000 as last amended by Council Reg. (EC) No 823/2004 26.04.2004	L 301 30.11.2000 p. 21  L 127 29.04.2004 p. 7

<b>Origin</b>	<b>Product</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
	Tube and pipe fittings, of iron or steel	Duties	Council Reg. (EC) No 1514/2002 19.08.2002 as last amended by Council Reg. (EC) No 778/2003 06.05.2003	L 228 24.08.2002 p. 1  L 114 08.05.2003 p. 1
Moldova	Steel ropes and cables	Duties (ext.)	Council Reg. (EC) No 1796/99 12.08.99 as last amended by Council Reg. (EC) No 1674/2003 22.09.2003 extended as concerns Ukraine to such imports consigned from Moldova by Council Reg. (EC) No 760/2004 22.04.2004 and extended as concerns China to such imports consigned from Morocco by Council Reg. (EC) No 1886/2004 25.10.2004	L 217 17.08.99 p. 1  L 238 25.09.2003 p. 1  L 120 24.04.2004 p. 1  L 328 30.10.2004 p. 1

Origin	Product	Measure	Regulation N°	Publication
Morocco	Steel ropes and cables	Duties (ext.)	Council Reg. (EC) No 1796/99 12.08.99 as last amended by Council Reg. (EC) No 1674/2003 22.09.2003 extended as concerns Ukraine to such imports consigned from Moldova by Council Reg. (EC) No 760/2004 22.04.2004 and extended as concerns China to such imports consigned from Morocco by Council Reg. (EC) No 1886/2004 25.10.2004	L 217 17.08.99 p. 1  L 238 25.09.2003 p. 1  L 120 24.04.2004 p. 1  L 328 30.10.2004 p. 1
Norway	Trout (large rainbow)	Duties	Council Reg. (EC) No 437/2004 08.03.2004	L 72 11.03.2004 p. 23
Pakistan	Bed linen (cotton-type)	Duties	Council Reg. (EC) No 397/2004 02.03.2004	L 66 04.03.2004 p. 1
Romania	Hot-rolled flat products of non-alloy steel (quarto plates)	Duties	Commission Dec. No 1758/2000/ECSC 09.08.2000 as last amended by Commission Dec. No 979/2002/ECSC 03.06.2002	L 202 10.08.2000 p. 21  L 150 08.06.2002 p. 36
	Seamless steel pipes and tubes	Duties (suspended)  Undertakings (suspended)	Council Reg. (EC) No 2320/97 17.11.97 as last amended by Council Reg. (EC) No 1322/2004 16.07.2004  Commission Dec. No 97/790/EC 24.10.97	L 322 25.11.97 p. 1  L 246 20.07.2004 p. 10  L 322 25.11.97 p. 63

<b>Origin</b>	<b>Product</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
	Urea	Duties	Council Reg. (EC) No 92/2002 17.01.2002 as last amended by Council Reg. (EC) No 1107/2002 25.06.2002	L 17 19.01.2002 p. 1  L 168 27.06.2002 p. 1
Russia	Aluminium foil	Duties	Council Reg. (EC) No 950/2001 14.05.2001 as last amended by Council Reg. (EC) No 998/2004 17.05.2004	L 134 17.05.2001 p. 1  L 183 20.05.2004 p. 4
		Undertakings	Commission Dec. No 2001/381/EC 16.05.2001	L 134 17.05.2001 p. 67
	Ammonium nitrate	Duties	Council Reg. (EC) No 658/2002 15.04.2002 as last amended by Council Reg. (EC) No 993/2004 17.05.2004	L 102 18.04.2002 p. 1  L 182 19.05.2004 p. 28
		Undertakings	Commission Reg. (EC) No 1996/2004 19.11.2004	L 344 20.11.2004 p. 24
	Grain-oriented electrical steel sheets	Duties	Council Reg. (EC) No 151/2003 27.01.2003 as last amended by Council Reg. (EC) No 989/2004 17.05.2004	L 25 30.01.2003 p. 7  L 182 19.05.2004 p. 1
		Undertakings	Commission Reg. (EC) No 1995/2004 19.11.2004	L 344 20.11.2004 p. 21

Origin	Product	Measure	Regulation N°	Publication
	Potassium chloride	Duties	Council Reg. (EC) No 969/2000 08.05.2000 as last amended by Council Reg. (EC) No 992/2004 17.05.2004	L 112 11.05.2000 p. 4  L 182 19.05.2004 p. 23
		Undertakings	Commission Reg. (EC) No 1002/2004 18.05.2004	L 183 20.05.2004 p. 16
	Seamless steel pipes and tubes	Duties (suspended)	Council Reg. (EC) No 2320/97 17.11.97 as last amended by Council Reg. (EC) No 1322/2004 16.07.2004	L 322 25.11.97 p. 1  L 246 20.07.2004 p. 10
		Undertakings (suspended)	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 as last amended by Council Reg. (EC) No 991/2004 17.05.2004	L 125 26.05.2000 p. 3  L 182 19.05.2004 p. 18
		Undertakings	Commission Dec. No 94/202/EC 09.03.94 prolonged by above Council Reg.	L 94 13.04.94 p. 32
	Silicon	Duties	Council Reg. (EC) No 2229/2003 22.12.2003 as last amended by Council Reg. (EC) No 821/2004 26.04.2004 which has been subject to a corrigendum	L 339 24.12.2003 p. 3  L 127 29.04.2004 p. 1  L 361 08.12.2004 p. 54
		Undertakings	Commission Dec. No 2004/445/EC 13.04.2004	L 127 29.04.2004 p. 114



<b>Origin</b>	<b>Product</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
	Urea and ammonium nitrate solutions	Duties	Council Reg. (EC) No 1995/2000 18.09.2000 as last amended by Council Reg. (EC) No 1675/2003 22.09.2003	L 238 22.09.2000 p. 15  L 238 25.09.2003 p. 4
	Steel ropes and cables	Duties   Undertakings	Council Reg. (EC) No 1601/2001 02.08.2001 as last amended by Council Reg. (EC) No 1268/2003 15.07.2003  Commission Dec. No 2001/602/EC 26.07.2001	L 211 04.08.2001 p. 1  L 180 18.02.2003 p. 23  L 211 04.08.2001 p. 47
	Tube and pipe fittings, of iron or steel	Duties	Council Reg. (EC) No 1514/2002 19.08.2002 as last amended by Council Reg. (EC) No 778/2003 06.05.2003	L 228 24.08.2002 p. 1  L 114 08.05.2003 p. 1
	Urea	Duties	Council Reg. (EC) No 901/2001 07.05.2001	L 127 09.05.2001 p. 11
Singapore	Electronic weighing scales	Duties	Council Reg. (EC) No 469/2001 06.03.2001	L 67 09.03.2001 p. 37

Origin	Product	Measure	Regulation N°	Publication
South Africa	Steel ropes and cables	Duties	Council Reg. (EC) No 1796/99 12.08.99 as last amended by Council Reg. (EC) No 1674/2003 22.09.2003 extended as concerns Ukraine to such imports consigned from Moldova by Council Reg. (EC) No 760/2004 22.04.2004 and extended as concerns China to such imports consigned from Morocco by Council Reg. (EC) No 1886/2004 25.10.2004	L 217 17.08.99 p. 1  L 238 25.09.2003 p. 1  L 120 24.04.2004 p. 1  L 328 30.10.2004 p. 1
		Undertakings	Commission Dec. No 1999/572/EC 13.08.99 as last amended by Commission Reg. (EC) No 1678/2003 26.08.2003	L 217 17.08.99 p. 63  L 238 25.09.2003 p. 13
Sri Lanka	Tube and pipe fitting, of iron or steel	Duties	Council Reg. (EC) No 964/2003 02.06.2003 as last amended by Council Reg. (EC) No 1496/2004 18.08.2004 and extended as concerns China to imports consigned from Indonesia by Council Reg. (EC) 2052/2004 22.11.2004 and to imports consigned from Sri Lanka by Council Reg. (EC) No 2053/2004 22.11.2004	L 139 06.06.2003 p. 1  L 275 25.08.2004 p. 1  L 355 01.12.2004 p. 4  L 355 01.12.2004 p. 9

<b>Origin</b>	<b>Product</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
Taiwan	Compact disk recordables (CD-Rs)	Duties	Council Reg. (EC) No 1050/2002 13.06.2002	L 160 18.06.2002 p. 2
	Electronic weighing scales	Duties	Council Reg. (EC) No 2605/2000 27.11.2000	L 301 30.11.2000 p. 42
	Glyphosate	Duties	Council Reg. (EC) No 1683/2004 24.09.2004 extended to such imports consigned from Malaysia & Taiwan	L 303 30.09.2004 p. 1
	Lighters (non-refillable and refillable)	Duties	Council Reg. (EC) No 1824/2001 12.09.2001 as last amended by Council Reg. (EC) No 155/2003 27.01.2003	L 248 18.09.2001 p. 1  L 25 30.01.2003 p. 27
	PET (polyethylene terephthalate)	Duties	Council Reg. (EC) No 2604/2000 27.11.2000 as last amended by Council Reg. (EC) No 823/2004 26.04.2004	L 301 30.11.2000 p. 21  L 127 29.04.2004 p. 7
	Styrene-butadiene-styrene thermosplastic rubber	Duties	Council Reg. (EC) No 1993/2000 18.09.2000	L 238 22.09.2000 p. 4
	Polyester staple fibres	Duties	Council Reg. (EC) No 1728/99 29.07.99	L 204 04.08.99 p. 3

<b>Origin</b>	<b>Product</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
	Tube and pipe fitting, of iron or steel	Duties	Council Reg. (EC) No 964/2003 02.06.2003 as last amended by Council Reg. (EC) No 1496/2004 18.08.2004 and extended as concerns China to imports consigned from Indonesia by Council Reg. (EC) 2052/2004 22.11.2004 and to imports consigned from Sri Lanka by Council Reg. (EC) No 2053/2004 22.11.2004	L 139 06.06.2003 p. 1  L 275 25.08.2004 p. 1  L 355 01.12.2004 p. 4  L 355 01.12.2004 p. 9
Thailand	Colour television receivers	Duties	Council Reg. (EC) No 1531/2002 14.08.2002 as last amended by Council Reg. (EC) No 999/2004 17.05.2004	L 231 29.08.2002 p. 1  L 183 20.05.2004 p. 7
	Coumarin (ext.)	Duties	Council Reg. (EC) No 769/2002 07.05.2002 as last amended by Council Reg. (EC) No 1854/2003 20.10.2003 and extended to imports consigned from India and Thailand by Council Reg. (EC) No 2272/2004 22.12.2004	L 123 09.05.2002 p. 1  L 272 23.10.2003 p. 1  L 396 31.12.2004 p. 18
	PET (polyethylene terephthalate)	Duties	Council Reg. (EC) No 2604/2000 27.11.2000 as last amended by Council Reg. (EC) No 823/2004 26.04.2004	L 301 30.11.2000 p. 21  L 127 29.04.2004 p. 7

<b>Origin</b>	<b>Product</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
	Steel ropes and cables	Duties	Council Reg. (EC) No 1601/2001 02.08.2001 as last amended by Council Reg. (EC) No 1268/2003 15.07.2003	L 211 04.08.2001 p. 1  L 180 18.07.2003 p. 23
		Undertakings	Commission Dec. No 2001/602/EC 26.07.2001	L 211 04.08.2001 p. 47
	Polyester staple fibres	Duties	Council Reg. (EC) No 1522/2000 10.07.2000	L 175 14.07.2000 p. 10
	Tube or pipe fittings (malleable cast iron)	Duties	Council Reg. (EC) No 1784/2000 11.08.2000 (extended as concerns Brazil to imports consigned from Argentina by Council Reg. (EC) No 1023/2003 13.06.2003) as last amended by Council Reg. (EC) No 824/2004 26.04.2004	L 208 18.08.2000 p. 8  L 149 17.06.2003 p. 1  L 127 29.04.2004 p. 10
		Undertakings	Commission Dec. No 2000/523/EC 10.08.2000	L 208 18.08.2000 p. 53

<b>Origin</b>	<b>Product</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
	Tube and pipe fitting, of iron or steel	Duties	Council Reg. (EC) No 964/2003 02.06.2003 as last amended by Council Reg. (EC) No 1496/2004 18.08.2004 and extended as concerns China to imports consigned from Indonesia by Council Reg. (EC) 2052/2004 22.11.2004 and to imports consigned from Sri Lanka by Council Reg. (EC) No 2053/2004 22.11.2004	L 139 06.06.2003 p. 1  L 275 25.08.2004 p. 1  L 355 01.12.2004 p. 4  L 355 01.12.2004 p. 9
	Welded tubes and pipes, of iron or non-alloy steel	Duties	Council Reg. (EC) No 1697/2002 23.09.2002	L 259 27.09.2002 p. 8
Turkey	Steel ropes and cables	Duties	Council Reg. (EC) No 1601/2001 02.08.2001 as last amended by Council Reg. (EC) No 1268/2003 15.07.2003	L 211 04.08.2001 p. 1  L 180 18.07.2003 p. 23
		Undertakings	Commission Reg. (EC) No 230/2001 02.02.2001 as last amended by Commission Reg. (EC) No 1274/2003 11.06.2003	L 34 03.02.2001 p. 4  L 180 18.07.2003 p. 34
	Welded tubes and pipes, of iron or non-alloy steel	Duties	Council Reg. (EC) No 1697/2002 23.09.2002	L 259 27.09.2002 p. 8

<b>Origin</b>	<b>Product</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
Ukraine	Ammonium nitrate	Duties	Council Reg. (EC) No 132/2001 22.01.2001 as last amended by Council Reg. (EC) No 993/2004 17.05.2004	L 23 25.01.2001 p. 1  L 182 19.05.2004 p. 28
		Undertakings	Commission Reg. (EC) No 1996/2004 19.11.2004	L 344 20.11.2004 p. 24
	Potassium chloride	Duties	Council Reg. (EC) No 969/2000 08.05.2000 as last amended by Council Reg. (EC) No 992/2004 17.05.2004	L 112 11.05.2000 p. 4  L 182 19.05.2004 p. 23
	Seamless pipes and tubes of non-alloy steel	Duties	Council Reg. (EC) No 348/2000 14.02.2000 as last amended by Council Reg. (EC) No 1515/2002 16.08.2002	L 45 17.02.2000 p. 1  L 228 24.08.2002 p. 8
	Silicon carbide	Duties	Council Reg. (EC) No 1100/2000 22.05.2000 as last amended by Council Reg. (EC) No 991/2004 17.05.2004	L 125 26.05.2000 p. 3  L 182 19.05.2004 p. 18
		Undertakings	Commission Dec. No 2004/782/EC 19.11.2004	L 344 20.11.2004 p. 37

<b>Origin</b>	<b>Product</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
	Steel ropes and cables	Duties	Council Reg. (EC) No 1796/99 12.08.99 as last amended by Council Reg. (EC) No 1674/2003 22.09.2003 extended as concerns Ukraine to such imports consigned from Moldova by Council Reg. (EC) No 760/2004 22.04.2004 and extended as concerns China to such imports consigned from Morocco by Council Reg. (EC) No 1886/2004 25.10.2004	L 217 17.08.99 p. 1  L 238 25.09.2003 p. 1  L 120 24.04.2004 p. 1  L 328 30.10.2004 p. 1
	Urea and ammonium nitrate solutions	Duties	Council Reg. (EC) No 1995/2000 18.09.2000 as last amended by Council Reg. (EC) No 1675/2003 22.09.2003	L 238 22.09.2000 p. 15  L 238 25.09.2003 p. 4
	Urea	Duties	Council Reg. (EC) No 92/2002 17.01.2002 as last amended by Council Reg. (EC) No 1107/2002 25.06.2002	L 17 19.01.2002 p. 1  L 168 27.06.2002 p. 1
	Welded tubes and pipes, of iron or non-alloy steel	Duties	Council Reg. (EC) No 1697/2002 23.09.2002	L 259 27.09.2002 p. 8
USA	Ethanolamines	Duties	Council Reg. (EC) No 1603/2000 20.07.2000 as last amended by Council Reg. (EC) No 153/2003 27.01.2003	L 185 25.07.2000 p. 1  L 25 30.01.2003 p. 23



<b>Origin</b>	<b>Product</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
Vietnam	Zinc oxides (extension from zinc oxides China)	Duties	Council Reg. (EC) No 408/2002 28.02.2002 extended to imports consigned from Vietnam, whether declared as originating in Vietnam or not by Council Reg. (EC) No 1623/2003 11.09.2003	L 62 05.03.2002 p. 7  L 232 18.09.2003 p. 1
	Ring binder mechanisms (extension from same imports from China)	Duties	Council Reg. (EC) No 2074/2004 29.11.2004 extended to imports from Vietnam by Council Reg. (EC) No 1208/2004 28.06.2004	L 359 04.12.2004 p. 11  L 232 01.07.2004 p. 1

## ANNEX P

Definitive anti-subsidy measures in force on 31 December 2004

### A. Ranked by product (alphabetical)

<b>Product</b>	<b>Origin</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
Antibiotics (broad spectrum) (AS)	India	Duties	Council Reg. (EC) No 2164/98 05.10.98	L 273 09.10.98 p. 1
Bedlinen (cotton-type) (AS)	India	Duties	Council Reg. (EC) No 74/2004 13.01.2004	L 12 17.01.2004 p. 1
Compact disk recordables (CD-Rs) (AS)	India	Duties	Council Reg. (EC) No 960/2003 02.06.2003	L 138 05.06.2003 p. 1
DRAMs (AS)	Korea (Rep. of)	Duties	Council Reg. (EC) No 1480/2003 11.08.2003	L 212 22.08.2003 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 and last amended by Commission Dec. No 1043/2002/ECSC 14.06.2002	L 246 30.09.2000 p. 32  L 157 15.06.2002 p. 45
Graphite electrode systems (AS)	India	Duties	Council Reg. (EC) No 1628/2004 13.09.2004	L 295 18.09.2004 p. 4
PET (polyethylene terephthalate) (AS)	India Malaysia Thailand	Duties	Council Reg. (EC) No 2603/2000 27.11.2000 as last amended by Council Reg. (EC) No 822/2004 26.04.2004	L 301 30.11.2000 p. 1  L 127 29.04.2004 p. 3
	India	Undertakings	Commission Dec. No 2000/745/EC 29.11.2000	L 301 30.11.2000 p. 88

<b>Product</b>	<b>Origin</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
PET film (polyethylene terephthalate) (AS)	India Brazil (ext.) Israel (ext.)	Duties	Council Reg. (EC) No 2597/99 06.12.99 extended to imports consigned from Brazil and from Israel by Council Reg. (EC) No 1976/2004 15.11.2004	L 316 10.12.99 p. 1  L 342 18.11.2004 p. 8
Polyester staple fibres (AS)	Australia Indonesia	Duties	Council Reg. (EC) No 978/2000 08.05.2000 as last amended by Council Reg. (EC) No 902/2001 07.05.2001	L 113 12.05.2000 p. 1  L 127 09.05.2001 p. 20
Polyester textured filament yarn (PTY) (AS)	India	Duties	Council Reg. (EC) No 2094/2002 26.11.2002	L 323 28.11.2002 p. 21
Ring binder mechanisms (AS)	Indonesia	Duties	Council Reg. (EC) No 977/2002 04.06.2002	L 150 08.06.2002 p. 17
Styrene-butadiene-styrene thermosplastic rubber (AS)	Taiwan	Duties	Council Reg. (EC) No 1994/2000 18.09.2000	L 238 22.09.2000 p. 8
Sulphanilic acid (AS)	India	Duties	Council Reg. (EC) No 1338/2002 22.07.2002 as last amended by Council Reg. (EC) No 492/2004 08.03.2004	L 196 25.07.2002 p. 1  L 80 18.03.2004 p. 6

B. Ranked by country (alphabetical)

<b>Origin</b>	<b>Product</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
Australia	Polyester staple fibres (AS)	Duties	Council Reg. (EC) No 978/2000 08.05.2000 as last amended by Council Reg. (EC) No 902/2001 07.05.2001	L 113 12.05.2000 p. 1  L 127 09.05.2001 p. 20

Origin	Product	Measure	Regulation N°	Publication
Brazil	PET film (polyethylene terephthalate) (AS) (ext.)	Duties	Council Reg. (EC) No 2597/99 06.12.99 extended to imports consigned from Brazil and from Israel by Council Reg. (EC) No 1976/2004 15.11.2004	L 316 10.12.99 p. 1  L 342 18.11.2004 p. 8
India	Antibiotics (broad spectrum) (AS)	Duties	Council Reg. (EC) No 2164/98 05.10.98	L 273 09.10.98 p. 1
	Bedlinen (cotton-type) (AS)	Duties	Council Reg. (EC) No 74/2004 13.01.2004	L 12 17.01.2004 p. 1
	Compact disk reordables (CD-Rs) (AS)	Duties	Council Reg. (EC) No 960/2003 02.06.2003	L 138 05.06.2003 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 and last amended by Commission Dec. No 1043/2002/ECSC 14.06.2002	L 31 05.02.2000 p. 44  L 246 30.09.2000 p. 32  L 157 15.06.2002 p. 45
	Graphite electrode systems (AS)	Duties	Council Reg. (EC) No 1628/2004 13.09.2004	L 295 18.09.2004 p. 4
	PET (polyethylene terephthalate) (AS)	Duties  Undertakings	Council Reg. (EC) No 2603/2000 27.11.2000 as last amended by Council Reg. (EC) No 822/2004 26.04.2004  Commission Dec. No 2000/745/EC 29.11.2000	L 301 30.11.2000 p. 1  L 127 29.04.2004 p. 3  L 301 30.11.2000 p. 88

Origin	Product	Measure	Regulation N°	Publication
	PET film (polyethylene terephthalate) (AS)	Duties	Council Reg. (EC) No 2597/99 06.12.99 extended to imports consigned from Brazil and from Israel by Council Reg. (EC) No 1976/2004 15.11.2004	L 316 10.12.99 p. 1  L 342 18.11.2004 p. 8
	Polyester textured filament yarn (PTY) (AS)	Duties	Council Reg. (EC) No 2094/2002 26.11.2002	L 323 28.11.2002 p. 21
	Sulphanilic acid (AS)	Duties	Council Reg. (EC) No 1338/2002 22.07.2002 as last amended by Council Reg. (EC) No 492/2004 08.03.2004	L 196 25.07.2002 p. 1  L 80 18.03.2004 p. 6
Indonesia	Polyester staple fibres (AS)	Duties	Council Reg. (EC) No 978/2000 08.05.2000 as last amended by Council Reg. (EC) No 902/2001 07.05.2001	L 113 12.05.2000 p. 1
	Ring binder mechanisms (AS)	Duties	Council Reg. (EC) No 977/2002 04.06.2002	L 150 08.06.2002 p. 17
Israel	PET film (polyethylene terephthalate) (AS) (ext.)	Duties	Council Reg. (EC) No 2597/99 06.12.99 extended to imports consigned from Brazil and from Israel by Council Reg. (EC) No 1976/2004 15.11.2004	L 316 10.12.99 p. 1  L 342 18.11.2004 p. 8
Korea (Rep. of)	DRAMs (AS)	Duties	Council Reg. (EC) No 1480/2003 11.08.2003	L 212 22.08.2003 p. 1
Malaysia	PET (polyethylene terephthalate) (AS)	Duties	Council Reg. (EC) No 2603/2000 27.11.2000 as last amended by Council Reg. (EC) No 822/2004 26.04.2004	L 301 30.11.2000 p. 1  L 127 29.04.2004 p. 3

<b>Origin</b>	<b>Product</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
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 and last amended by Commission Dec. No 1043/2002/ECSC 14.06.2002	L 31 05.02.2000 p. 44  L 246 30.09.2000 p. 32  L 157 15.06.2002 p. 45
	Styrene-butadiene-styrene thermosplastic rubber (AS)	Duties	Council Reg. (EC) No 1994/2000 18.09.2000	L 238 22.09.2000 p. 8
Thailand	PET (polyethylene terephthalate) (AS)	Duties	Council Reg. (EC) No 2603/2000 27.11.2000 as last amended by Council Reg. (EC) No 822/2004 26.04.2004	L 301 30.11.2000 p. 1  L 127 29.04.2004 p. 3

## ANNEX Q

Undertakings in force on 31 December 2004

### A. Ranked by product (alphabetical)

Product	Origin	Measure	Regulation N°	Publication
Aluminium foil	Russia	Undertakings	Commission Dec. No 2001/381/EC 16.05.2001	L 134 17.05.2001 p. 67
Ammonium nitrate	Russia Ukraine	Undertakings	Commission Reg. (EC) No 1996/2004 19.11.2004	L 344 20.11.2004 p. 24
Colour television receivers	P.R. China	Undertakings	Commission Dec. No 2002/683/EC 29.07.2002	L 231 29.08.2002 p. 42
Flat rolled products of iron or non-alloy steel (hot rolled coils) (AS)	India	Undertakings	Commission Dec. No 284/2000/ECSC 04.02.2000 corrected by Commission Dec. No 2071/2000/ECSC 29.09.2000 and last amended by Commission Dec. No 1043/2002/ECSC 14.06.2002	L 31 05.02.2000 p. 44  L 246 30.09.2000 p. 32  L 157 15.06.2002 p. 45
Grain-oriented electrical steel sheets	Russia	Undertakings	Commission Reg. (EC) No 1995/2004 19.11.2004	L 344 20.11.2004 p. 21
Hot-rolled flat products of non-alloy steel (quarto plates)	India	Undertakings	Commission Dec. No 1758/2000/ECSC 09.08.2000 as last amended by Commission Dec. No 979/2002/ECSC 03.06.2002	L 202 10.08.2000 p. 21  L 150 08.06.2002 p. 36
PET (polyethylene terephthalate)	India Indonesia	Undertakings	Commission Dec. No 2000/745/EC 29.11.2000 as last amended by Commission Dec. No 2002/232/EC 27.02.2002	L 301 30.11.2000 p. 88  L 78 21.03.2002 p. 12
	Australia	Undertakings	Commission Dec. No 2004/600/EC 04.08.2004	L 271 19.08.2004 p. 38
PET (polyethylene terephthalate) (AS)	India	Undertakings	Commission Dec. No 2000/745/EC 29.11.2000	L 301 30.11.2000 p. 88

<b>Product</b>	<b>Origin</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
PET (polyethylene terephthalate) film	India	Undertakings	Commission Dec. No 2001/645/EC 22.08.2001	L 227 23.08.2001 p. 56
Polyester staple fibres	India	Undertakings	Commission Dec. No 2000/818/EC 19.12.2000	L 332 28.12.2000 p. 116
Potassium chloride	Belarus Russia	Undertakings	Commission Reg. (EC) No 1002/2004 18.05.2004	L 183 20.05.2004 p. 16
Seamless steel pipes and tubes	Romania	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	Undertakings	Commission Dec. No 2000/137/EC 17.02.2000 as last amended by Commission Dec. No 2002/669/EC 05.08.2002	L 46 18.02.2000 p. 34  L 228 24.08.2002 p. 20
			Commission Dec. No 2004/445/EC 13.04.2004	L 127 29.04.2004 p. 114
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
	Ukraine	Undertakings	Commission Dec. No 2004/782/EC 19.11.2004	L 344 20.11.2004 p. 37



<b>Product</b>	<b>Origin</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
Steel ropes and cables	India South Africa	Undertakings	Commission Dec. No 1999/572/EC 13.08.99 as last amended by Commission Reg. (EC) No 1678/2003 26.08.2003	L 217 17.08.99 p. 63  L 238 25.09.2003 p. 13
	Turkey	Undertakings	Commission Reg. (EC) No 230/2001 02.02.2001 as last amended by Commission Reg. (EC) No 1274/2003 11.06.2003	L 34 03.02.2001 p. 4  L 180 18.07.2003 p. 34
	Russia Thailand	Undertakings	Commission Dec. No 2001/602/EC 26.07.2001	L 211 04.08.2001 p. 47
Trout (large rainbow)	Faeroe Islands	Undertakings	Commission Reg. (EC) No 117/2004 23.01.2004	L 17 24.01.2004 p. 4
Tube or pipe fittings (malleable cast iron)	Korea (Rep. of) Thailand	Undertakings	Commission Dec. No 2000/523/EC 10.08.2000	L 208 18.08.2000 p. 53
Urea	Bulgaria	Undertakings	Commission Reg. (EC) No 1497/2001 20.07.2001	L 197 21.07.2001 p. 4
Urea and ammonium nitrate solutions	Algeria	Undertakings	Commission Reg. (EC) No 617/2000 16.03.2000	L 75 24.03.2000 p. 3

#### B. Ranked by country (alphabetical)

<b>Origin</b>	<b>Product</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
Algeria	Urea and ammonium nitrate solutions	Undertakings	Commission Reg. (EC) No 617/2000 16.03.2000	L 75 24.03.2000 p. 3
Australia	Polyethylene terephthalate	Undertakings	Commission Dec. No 2004/600/EC 04.08.2004	L 271 19.08.2004 p. 38
Belarus	Potassium chloride	Undertakings	Commission Reg. (EC) No 1002/2004 18.05.2004	L 183 20.05.2004 p. 16
Bulgaria	Urea	Undertakings	Commission Reg. (EC) No 1497/2001 20.07.2001	L 197 21.07.2001 p. 4

<b>Origin</b>	<b>Product</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
P.R. China	Colour television receivers	Undertakings	Commission Dec. No 2002/683/EC 29.07.2002	L 231 29.08.2002 p. 42
Croatia	Seamless pipes and tubes of iron or non-alloy steel	Undertakings	Commission Dec. No 2000/137/EC 17.02.2000 as last amended by Commission Dec. No 2002/669/EC 05.08.2002	L 46 18.02.2000 p. 34  L 228 05.08.2002 p. 20
Faeroe Islands	Trout (large rainbow)	Undertakings	Commission Reg. (EC) No 117/2004 23.01.2004	L 17 24.01.2004 p. 4
India	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 and last amended by Commission Dec. No 1043/2002/ECSC 14.06.2002	L 31 05.02.2000 p. 44  L 246 30.09.2000 p. 32  L 157 15.06.2002 p. 45
	Hot-rolled flat products of non-alloy steel (quarto plates)	Undertakings	Commission Dec. No 1758/2000/ECSC 09.08.2000 as last amended by Commission Dec. No 979/2002/ECSC 03.06.2002	L 202 10.08.2000 p. 21  L 150 08.06.2002 p. 36
	PET (polyethylene terephthalate)	Undertakings	Commission Dec. No 2000/745/EC 29.11.2000 as last amended by Commission Dec. No 2002/232/EC 27.02.2002	L 301 30.11.2000 p. 88  L 78 21.03.2002 p. 12
	PET (polyethylene terephthalate) (AS)	Undertakings	Commission Dec. No 2000/745/EC 29.11.2000	L 301 30.11.2000 p. 88
	PET (polyethylene terephthalate) film	Undertakings	Commission Dec. No 2001/645/EC 22.08.2001	L 227 23.08.2001 p. 56
	Polyester staple fibres	Undertakings	Commission Dec. No 2000/818/EC 19.12.2000	L 332 28.12.2000 p. 116

Origin	Product	Measure	Regulation N°	Publication
	Steel ropes and cables	Undertakings	Commission Dec. No 1999/572/EC 13.08.99 as last amended by Commission Reg. (EC) No 1678/2003 26.08.2003	L 217 17.08.99 p. 63  L 238 25.09.2003 p. 13
Indonesia	PET (polyethylene terephthalate)	Undertakings	Commission Dec. No 2000/745/EC 29.11.2000 as last amended by Commission Dec. No 2002/232/EC 27.02.2002	L 301 30.11.2000 p. 88  L 78 21.03.2002 p. 12
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
Romania	Seamless steel pipes and tubes	Undertakings	Commission Dec. No 97/790/EC 24.10.97	L 322 25.11.97 p. 63
Russia	Aluminium foil	Undertakings	Commission Dec. No 2001/381/EC 16.05.2001	L 134 17.05.2001 p. 67
	Ammonium nitrate	Undertakings	Commission Reg. (EC) No 1996/2004 19.11.2004	L 344 20.11.2004 p. 24
	Grain-oriented electrical steel sheets	Undertakings	Commission Reg. (EC) No 1995/2004 19.11.2004	L 344 20.11.2004 p. 21
	Potassium chloride	Undertakings	Commission Reg. (EC) No 1002/2004 18.05.2004	L 183 20.05.2004 p. 16
	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	Undertakings	Commission Dec. No 2004/445/EC 13.04.2004	L 127 29.04.2004 p. 114
	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
	Steel ropes and cables	Undertakings	Commission Dec. No 2001/602/EC 26.07.2001	L 211 04.08.2001 p. 47

<b>Origin</b>	<b>Product</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
South Africa	Steel ropes and cables	Undertakings	Commission Dec. No 1999/572/EC 13.08.99 as last amended by Commission Reg. (EC) No 1678/2003 26.08.2003	L 217 17.08.99 p. 63  L 238 25.09.2003 p. 13
Thailand	Steel ropes and cables	Undertakings	Commission Dec. No 2001/602/EC 26.07.2001	L 211 04.08.2001 p. 47
	Tube or pipe fittings (malleable cast iron)	Undertakings	Commission Dec. No 2000/523/EC 10.08.2000	L 208 18.08.2000 p. 53
Turkey	Steel ropes and cables	Undertakings	Commission Reg. (EC) No 230/2001 02.02.2001 as last amended by Commission Reg. (EC) No 1274/2003 11.06.2003	L 34 03.02.2001 p. 4  L 180 18.07.2003 p. 34
Ukraine	Ammonium nitrate	Undertakings	Commission Reg. (EC) No 1996/2004 19.11.2004	L 344 20.11.2004 p. 24
	Silicon carbide	Undertakings	Commission Dec. No 2004/782/EC 19.11.2004	L 344 20.11.2004 p. 37

## ANNEX R

### Anti-dumping & anti-subsidy investigations pending

on 31 December 2004

#### A. New investigations (ranked by product - in alphabetical order)

Product	Origin	Type	Publication
Barium carbonate	P.R. China	Initiation	C 104 30.04.2004, p. 58
Bicycles	Vietnam	Initiation	C 103 29.04.2004, p. 76
Castings	P.R. China	Initiation	C 104 30.04.2004, p. 62
Grain-oriented electrical sheets (big + small)	Russia USA	Initiation	C 144 28.05.2004, p. 2
Granular polytetrafluoroethylene (PTFE) resin	P.R. China Russia	Initiation	C 225 09.09.2004, p. 18
Hand pallet trucks and their essential parts	P.R. China	Initiation	C 103 29.04.2004, p. 85
Magnesia bricks	P.R. China	Initiation	C 180 13.07.2004, p. 2
Polyester filament apparel fabrics (finished)	P.R. China	Initiation	C 160 17.06.2004, p. 5
Polyester high tenacity filament yarn	Belarus Korea (Rep. of) Taiwan	Initiation	C 24 28.01.2004, p. 20
Polyester staple fibres	P.R. China Saudi Arabia	Initiation	C 309 19.12.2003, p. 6
Salmon	Norway	Initiation	C 261 23.10.2004, p. 8
Stainless steel fasteners and parts thereof	P.R. China Indonesia Malaysia Philippines Taiwan Thailand Vietnam	Initiation	C 212 24.08.2004, p. 2
Steel ropes and cables	Korea (Rep. of)	Initiation	C 283 20.11.2004, p. 6
Styrene-butadiene-styrene thermoplastic rubber	Korea (Rep. of) Russia	Initiation	C 144 28.05.2004, p. 5
Tartaric acid	P.R. China	Initiation	C 267 30.10.2004, p. 4
Trichloroisocyanuric acid (TCCA)	P.R. China	Initiation	C 178 20.07.2004, p. 2
Trichloroisocyanuric acid (TCCA)	USA	Initiation	C 253 13.10.2004, p. 6

Product	Origin	Type	Publication
Tube or pipe fittings	Taiwan Vietnam	Initiation	C 203 11.08.2004, p. 5

B. Review investigations (ranked by product - in alphabetical order)

Product	Origin	Type of review	Publication
Aluminium foil	Russia	Partial interim review	C 285 23.11.2004, p. 3
Ammonium nitrate	Russia Ukraine	Partial interim review	C 172 02.07.2004, p. 2
Antibiotics (broad spectrum) (AS)	India	Expiry review	C 241 08.10.2003, p. 7
Antibiotics (broad spectrum) (AS)	India	Interim review	C 241 08.10.2003, p. 7
Bed linen (cotton-type)	Pakistan	Partial interim review	C 196 03.08.2004, p. 2
Bicycles	P.R. China	Interim review	C 103 29.04.2004, p. 80
Electronic weighing scales	P.R. China	New exporter investigation	L 256 03.08.2004, p. 8
Furfuraldehyde	P.R. China	Expiry review	C 308 18.12.2003, p. 2
Grain-oriented electrical sheets	Russia	Interim review	C 144 28.05.2004, p. 2
Lamps (integrated electronic compact fluorescent lamps)	P.R. China	Anti-circumvention investigation	L 289 10.09.2004, p. 54
Lamps (integrated electronic compact fluorescent lamps)	P.R. China	Partial interim review	C 301 07.12.2004, p. 2
Magnesium oxide	P.R. China	Expiry review	C 138 18.05.2004, p. 2
Polyester staple fibres	Korea (Rep. of) Taiwan	Interim review	C 309 19.12.2003, p. 2
Polyethylene terephthalate (PET)	Korea (Rep. of) Taiwan	Interim review	C 120 22.05.2003, p. 13
Polyethylene terephthalate (PET) film (AS)	India	Partial interim review	C 154 28.06.2002, p. 2
Polyethylene terephthalate (PET) film	India	Partial interim review	C 281 22.11.2003, p. 4
Polyethylene terephthalate (PET) film	India	Partial interim review	C 43 19.02.2004, p. 14
Polyethylene terephthalate (PET) film (AS)	India	Expiry review	C 306 10.12.2004, p. 2
Potassium chloride	Russia	Partial interim review	C 93 17.04.2004, p. 2

<b>Product</b>	<b>Origin</b>	<b>Type of review</b>	<b>Publication</b>
Potassium chloride	Russia	Partial interim review	C 93 17.04.2004, p. 3
Potassium permanganate	P.R. China	Notice	C 209 19.08.2004, p. 2
Seamless pipes and tubes, of iron or non-alloy steel	Romania Russia	Expiry review	C 288 23.11.2002, p. 2
Seamless pipes and tubes, of iron or non-alloy steel	Romania Russia	Interim review	C 288 23.11.2002, p. 2
Seamless pipes and tubes, of iron or non-alloy steel	Croatia Ukraine	Interim review	C 288 23.11.2002, p. 11
Silicon	P.R. China	Partial interim review	C 70 20.03.2004, p. 15
Silicon carbide	Ukraine	Partial interim review	C 3 07.01.2004, p. 4
Steel ropes and cables	Turkey	Partial interim review	C 67 17.03.2004, p. 5
Steel ropes and cables	Russia	Partial interim review	C 202 10.08.2004, p. 12
Steel ropes and cables	P.R. China India South Africa Ukraine	Expiry review	C 207 17.08.2004, p. 2
Styrene-butadiene-styrene thermoplastic rubber	Taiwan	Interim review	C 144 28.05.2004, p. 9
Tube or pipe fittings, of iron or steel	Thailand	Partial interim review	C 96 21.04.2004, p. 38
Tungsten carbide and fused tungsten carbide	P.R. China	Partial interim review	C 81 31.03.2004, p. 8
Urea and ammonium nitrate solutions	Algeria	Newcomer review	L 317 16.10.2004, p. 20

C. Ranked by country (new and review investigations) (alphabetical)

<b>Origin</b>	<b>Product</b>	<b>Type</b>	<b>Publication</b>
Algeria	Urea and ammonium nitrate solutions	Newcomer investigation	L 317 16.10.2004, p. 20
Belarus	Polyester high tenacity filament yarn	New investigation	C 24 28.01.2004, p. 20
P.R. China	Barium carbonate	New investigation	C 104 30.04.2004, p. 58
	Bicycles	Interim review	C 103 29.04.2004, p. 80
	Castings	New investigation	C 104 30.04.2004, p. 62

<b>Origin</b>	<b>Product</b>	<b>Type</b>	<b>Publication</b>
	Electronic weighing scales	New exporter investigation	L 256 03.08.2004, p. 8
	Furfuraldehyde	Expiry review	C 308 18.12.2003, p. 2
	Granular polytetrafluoroethylene (PTFE) resin	New investigation	C 225 09.09.2004, p. 18
	Hand pallet trucks and their essential parts	New investigation	C 103 29.04.2004, p. 85
	Lamps (integrated electronic compact fluorescent lamps)	Anti-circumvention investigation	L 289 10.09.2004, p. 54
	Lamps (integrated electronic compact fluorescent lamps)	Partial interim review	C 301 07.12.2004, p.2
	Magnesia bricks	New investigation	C 180 13.07.2004, p. 2
	Magnesium oxide	Expiry review	C 138 18.05.2004, p. 2
	Polyester filament apparel fabrics (finished)	New investigation	C 160 17.06.2004, p. 5
	Polyester staple fibres	New investigation	C 309 19.12.2003, p. 6
	Potassium permanganate	Notice	C 209 19.08.2004, p. 2
	Silicon	Partial interim review	C70 20.03.2004, p. 15
	Stainless steel fasteners and parts thereof	New investigation	C 212 24.08.2004, p. 2
	Steel ropes and cables	Expiry review	C 207 17.08.2004, p. 2
	Tartaric acid	New investigation	C 267 30.10.2004, p. 4
	Trichloroisocyanuric acid (TCCA)	New investigation	C 178 10.07.2004, p. 2
	Tungsten carbide and fused tungsten carbide	Partial interim review	C 81 31.03.2004, p. 8
Croatia	Seamless pipes and tubes, of iron or non-alloy steel	Interim review	C 288 23.11.2002, p. 11
India	Antibiotics (broad spectrum) (AS)	Expiry review	C 241 08.10.2003, p. 7
	Antibiotics (broad spectrum) (AS)	Interim review	C 241 08.10.2003, p. 7
	Polyethylene terephthalate (PET) film (AS)	Partial interim review	C 154 28.06.2002, p. 2
	Polyethylene terephthalate (PET) film	Partial interim review	C 281 22.11.2003, p. 4
	Polyethylene terephthalate (PET) film	Partial interim review	C 43 19.02.2004, p. 14
	Polyethylene terephthalate (PET) film (AS)	Expiry review	C 306 10.12.2004, p. 2



<b>Origin</b>	<b>Product</b>	<b>Type</b>	<b>Publication</b>
	Steel ropes and cables	Expiry review	C 207 17.08.2004, p. 2
Indonesia	Stainless steel fasteners and parts thereof	New investigation	C 212 24.08.2004, p. 2
Korea (Rep. of)	Polyester high tenacity filament yarn	New investigation	C 24 28.01.2004, p. 20
	Polyester staple fibres	Interim review	C 309 19.12.2003, p. 2
	Polyethylene terephthalate (PET)	Interim review	C 120 22.05.2003, p. 13
	Steel ropes and cables	New investigation	C 283 20.11.2004, p. 6
	Styrene-butadiene-styrene thermoplastic rubber	New investigation	C 144 28.05.2004, p. 5
Malaysia	Stainless steel fasteners and parts thereof	New investigation	C 212 24.08.2004, p. 2
Norway	Salmon	New investigation	C 261 23.10.2004, p. 8
Pakistan	Bed linen (cotton-type)	Partial interim review	C 196 03.08.2004, p. 2
Philippines	Stainless steel fasteners and parts thereof	New investigation	C 212 24.08.2004, p. 2
Romania	Seamless pipes and tubes, of iron or non-alloy steel	Expiry review	C 288 23.11.2002, p. 2
	Seamless pipes and tubes, of iron or non-alloy steel	Interim review	C 288 23.11.2002, p. 2
Russia	Aluminium foil	Partial interim review	C 285 23.11.2004, p. 3
	Ammonium nitrate	Partial interim review	C 172 02.07.2004, p. 2
	Grain-oriented electrical sheets (big + small)	New investigation	C 144 28.05.2004, p. 2
	Grain-oriented electrical sheets	Interim review	C 144 28.05.2004, p. 2
	Granular polytetrafluoroethylene (PTFE) resin	New investigation	C 225 09.09.2004, p. 18
	Potassium chloride	Partial interim review	C 93 17.04.2004, p. 2
	Potassium chloride	Partial interim review	C 93 17.04.2004, p. 3
	Seamless pipes and tubes, of iron or non-alloy steel	Expiry review	C 288 23.11.2002, p. 2
	Seamless pipes and tubes, of iron or non-alloy steel	Interim review	C 288 23.11.2002, p. 2
	Steel ropes and cables	Partial interim review	C 202 10.08.2004, p. 12
	Styrene-butadiene-styrene thermoplastic rubber	New investigation	C 144 28.05.2004, p. 5

<b>Origin</b>	<b>Product</b>	<b>Type</b>	<b>Publication</b>
Saudi Arabia	Polyester staple fibres	New investigation	C 309 19.12.2003, p. 6
South Africa	Steel ropes and cables	Expiry review	C 207 17.08.2004, p. 2
Taiwan	Polyester high tenacity filament yarn	New investigation	C 24 28.01.2004, p. 20
	Polyester staple fibres	Interim review	C 309 19.12.2003, p. 2
	Polyethylene terephthalate (PET)	Interim review	C 120 22.05.2003, p. 13
	Stainless steel fasteners and parts thereof	New investigation	C 212 24.08.2004, p. 2
	Styrene-butadiene-styrene thermoplastic rubber	Interim review	C 144 28.05.2004, p. 9
	Tube or pipe fittings	New investigation	C 203 11.08.2004, p. 5
Thailand	Stainless steel fasteners and parts thereof	New investigation	C 212 24.08.2004, p. 2
	Tube or pipe fittings, of iron or steel	Partial interim review	C 96 21.04.2004, p. 38
Turkey	Steel ropes and cables	Partial interim review	C 67 17.03.2004, p. 5
Ukraine	Ammonium nitrate	Partial interim review	C 172 02.07.2004, p. 2
	Silicon carbide	Partial interim review	C 3 07.01.2004, p. 4
	Seamless pipes and tubes, of iron or non-alloy steel	Interim review	C 288 23.11.2002, p. 11
	Steel ropes and cables	Expiry review	C 207 17.08.2004, p. 2
USA	Grain-oriented electrical sheets (big + small)	New investigation	C 144 28.05.2004, p. 2
	Trichloroisocyanuric acid (TCCA)	New investigations	C 253 13.10.2004, p. 6
Vietnam	Bicycles	New investigation	C 103 29.04.2004, p. 76
	Stainless steel fasteners and parts thereof	New investigation	C 212 24.08.2004, p. 2
	Tube or pipe fittings	New investigation	C 203 11.08.2004, p. 5

## ANNEX S

### Court cases

#### A. Court cases pending before the Court of Justice and the Court of First Instance of the European Communities on 31 December 2004

<b>Court of Justice</b>	
Case C-422/02	Europe Chemi-Con GmbH v. Council
<b>Court of First Instance</b>	
Case T-192/98	EUROCOTON v. Council
Case T-195/98	Ettlin Spinnerei AG v. Council
Case T-177/00	Philips v. Council
Case T-138/02	Nanjing Metalink v. Council
Case T-274/02	Ritek Corp. & Prodisc Tech Inc. v. Council
Case T-350/02	Ikegami v. Council
Case T-278 & 280/03	Van Manekus & Co v. Council
Case T-300/03	Moser Bear v. Council
Case T-364/03	Medici Grimm KG v. Council
Case T-383/03	Hynix v. Council
Case T-413/03	Shandong v. Council
Case T-107/04	Aluminium Silicon Mill Products GmbH v. Council
Case T-111/04	OJSC Brask Aluminium Plant v. Council
Case T-174/04	SC Petrotub SA v. Council
Case T-199/04	Gul Ahmed Textile Mills Ltd. v. Council
Case T-335/04	Viz Stal and Duferco Commerciale SpA v. Council
Case T-429/04	Trubowest Handel and Makarov v. Council
Case T-462/04	Heg Ltd. and Graphite India Ltd. v. Council

Case T-480/04	CMT and A&C v. Council
Case T-498/04	Zhejiang Chemical 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 2004

<b>Court of Justice</b>	
<b>Court of First Instance</b>	
Case T-35/01	Shanghai Teraoka v. Council
Case T-104/02	Gondrand Frères SA v. Commission

## ANNEX T

Refunds during the period 1 January – 31 December 2004

<b>LODGED</b>		
<b>PRODUCT</b>	<b>ORIGIN</b>	<b>REFERENCE</b>
Silicon metal	Russia	R 29/01
Silicon metal	Russia	R 29/02
Steel wire ropes	Turkey	R 30/01
Stainless steel fasteners	Taiwan	R 31/01
Tube and pipe fittings	Czech Republic	R 32/01
Bed linen	Pakistan	R 33/01
Bed linen	Pakistan	R 33/02
Bicycles	PR China	R 34/01
Bicycles	PR China	R 34/02
Hot rolled strips	Ukraine	R 35/01

<b>ONGOING ANALYSES</b>		
<b>PRODUCT</b>	<b>ORIGIN</b>	<b>REFERENCE</b>
Artificial Corundum (previously suspended)	China	R 7/01
Tube and Pipe Fittings	Russia	R 27/01
Silicon metal	Russia	R 29/01
Silicon metal	Russia	R 29/02

<b>INVESTIGATION SUSPENDED</b>		
Bed Linen	Pakistan	R 16/02

<b>DECISIONS ADOPTED</b>			
<b>PRODUCT</b>	<b>ORIGIN</b>	<b>DECISION</b>	<b>REFERENCE</b>
Wooden pallets	Poland	No refund	R 15/03
Wooden pallets	Poland	No refund	R 15/04
Leather handbags	P.R. China	Partial refund	R 17/05
CFL –I Lamps	China	Full refund	R 23/01
Polyester Textured Filament Yarn (PTY)	Indonesia	Partial refund	R 24/01
Steel wire ropes	Czech Rep.	Withdrawn	R 25/01
Steel wire ropes	Czech Rep.	Withdrawn	R 25/02
Stainless steel fasteners	Taiwan	Withdrawn	R 26/01
Magnesium	PR China	No refund	R 28/01
Steel wire ropes	Turkey	Withdrawn	R 30/01
Stainless steel fasteners	Taiwan	Withdrawn	R 31/01
Tube and pipe fittings	Czech Rep.	Withdrawn	R 32/01