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TO THE EUROPEAN PARLIAMENT**

**ON THE COMMUNITY'S ANTI-DUMPING, ANTI-SUBSIDY AND SAFEGUARD
ACTIVITIES (2003)**

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EXECUTIVE SUMMARY

This report is submitted to the European Parliament following its resolution of 16 December 1981 on the Community's anti-dumping activities¹, and the report of the European Parliament's Committee on industry, external trade, research and energy².

This 2003 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. In order to underline their growing importance, these activities will now be dealt with in a separate report, which is submitted to the European Parliament at the same time as the current 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 Commission and submission to the Council in 2003 of a proposal amending the anti-dumping and anti-subsidy basic Regulations. The initial proposal was submitted to the Council in June 2003 and covered solely the need for a change in the decision-making process. However, subsequent discussions in the Council have led the Commission to submit, in December 2003, a modified proposal, which 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 modified proposal was adopted by the Council on 8 March 2004. The report will underline 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).

Furthermore, as already mentioned in last year's report, the Council adopted on 3 March 2003 the Transitional Product-Specific Safeguard Mechanism (TPSSM) for imports originating in the People's Republic of China. It also adopted on 6 March 2003 a Regulation on measures that the Community may take in relation to the combined effect of anti-dumping or anti-subsidy measures with safeguard measures.

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 2003.

As regards the 2003 activities, a total of 26 new investigations were concluded, of which 5 by the imposition of definitive anti-dumping or countervailing measures and 21 by termination. It should be noted that the terminations include 8 cases for which the 15-month deadline for the Council to impose definitive measures expired (hot-rolled coils and carbon black cases), despite the Commission having made a proposal for the imposition of definitive measures. In a further 10 investigations, provisional measures were imposed.

¹ OJ C 11, 18.1.1982, p. 37.

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

As regards the expiry review investigations, 5 investigations were initiated and 5 terminated. In 4 cases, the investigations were concluded with confirmation of the duty. As for the interim review investigations, 9 were initiated, 18 terminated and 11 concluded with confirmation or amendment of the duty.

As regards safeguard activities, the Commission initiated in 2003 two safeguard investigations on imports of citrus fruits, one based on the WTO general *erga omnes* rules for which provisional measures were imposed in November 2003 and one based on the TPSSM Regulation (China). The latter one was terminated in December 2003. Also in December, the safeguard measures on steel products, imposed in September 2002, were repealed.

As in previous years, this issue continues to provide an overview on the Court cases relating to the trade policy instruments. During 2003, two Judgments were rendered by the Court of First Instance and three by the Court of Justice. One Judgment is of particular importance to the decision-making process and can be considered a landmark case in trade defence matters. Indeed, in the “Eurocoton” Judgment, the Court states that the Council must give reasoning when it rejects a Commission proposal. The Judgment is, therefore, regarded as a further step to “judicialisation”, and hence “de-politisation” of the trade defence instruments.

Also worth mentioning under the 2003 activities is the publication in the Official Journal of the European Union of a notice on the consequences of the Severe Acute Respiratory Syndrome (SARS) on anti-dumping and anti-subsidy investigations³. This notice sets out the approach to be taken in situations where it is impossible to carry out the necessary verification visits in the third countries subject to an investigation. In short, it reads that in such cases, the Commission will have to base its findings on the verified or other proven facts on the record of the investigation.

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 2002 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

³ OJ C 191, 13.8.2003, p. 2.

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 Community⁴
- Council Regulation (EC) No 2026/97 of 6 October 1997 on protection against subsidized imports from countries not members of the European Community⁵.

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.

⁴ 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).

⁵ 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).

The Community interest test is a public interest clause and states that measures can only be taken if they are not contrary to the overall interest of the Community. This requires an analysis of all the economic interests involved, including those of the 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 2003

Experience in 2003, during which two proposals of the Commission for the imposition of definitive anti-dumping measures⁶ 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 Commission adopted and submitted to the Council on 26 June 2003⁷ a proposal for a Council Regulation amending the basic Regulations. This proposal covered the decision-making process only.

Subsequent discussions in the Council led the Commission to adopt and submit to the Council on 15 December 2003⁸ a modified proposal. This modified proposal envisaged the following amendments :

- It clarified 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.

⁶ Hot-rolled coils and rubber-grade carbon blacks (see chapter 7.1.4.2, points 1 and 2 respectively)

⁷ COM(2003) 380 final.

⁸ COM(2003) 799 final.

- It introduced 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.
- It provided 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), it 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.

The above-mentioned amended proposal was adopted by the Council on 8 March 2004.

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 3285/94⁹ on the common rules of imports and repealing Regulation (EC) No 518/94
- Council Regulation (EC) No 519/94¹⁰ on common rules for imports from certain third countries and repealing Regulations (EEC) Nos 1765/82, 1766/82 and 3420/83
- Council Regulation (EC) No 517/94¹¹ 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)".

1.2.2.2. The Transitional Product-Specific Safeguard Mechanism for imports originating in the People’s Republic of China (TPSSM)

Last year’s report mentioned the submission by the Commission of a proposal for a Council Regulation on a transitional product-specific safeguard mechanism for imports originating in the People’s Republic of China and amending Council Regulation (EC) No 519/94 on common rules for imports from certain third countries¹². On 3 March 2003, the Council adopted this Regulation.

The regulation is an exact transposition into Community law of provisions contained in the Accession Protocol of the People's Republic of China to the WTO. It has two main pillars :

- The first pillar provides for rules to establish a Transitional Product-Specific Safeguard Mechanism (TPSSM) for imports from the People's Republic of China. Under this mechanism, the Community is allowed to impose specific measures, *inter alia*, duties, if imports from the People's Republic of China into

⁹ 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).

¹⁰ 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)

¹¹ 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).

¹² OJ L 65, 8.3.2003, p. 1.

the Community increase rapidly so as to cause market disruption to the Community industry. Measures can only be imposed if the Community interest calls for intervention. The high procedural standards contained in the Community's existing trade defence instruments are also applicable to this specific instrument. No measures can be imposed beyond 11 December 2013, when the TPSSM will cease to exist according to the provisions of the Accession Protocol.

- The second pillar foresees the gradual phasing-out of certain non-textile quotas (footwear, tableware and ceramics) until the total abolition of quotas in 2005.

At the same time, the regulation ensures that Council Regulation (EC) No 519/94 is no longer applicable to the People's Republic of China.

In November 2003, the second pillar of Regulation was amended, thereby increasing the quotas in view of the enlargement of the European Community on 1 May 2004¹³.

1.2.3. *Council Regulation on measures that the Community may take in relation to the combined effect of anti-dumping or anti-subsidy measures with safeguard measures*

Following a proposal by the Commission, the Council adopted and published in March 2003¹⁴ the so-called “double protection” Regulation.

The Regulation specifies that where the Commission considers that a combination of anti-dumping or anti-subsidy measures with safeguard tariff measures on imports of the same product could lead to effects greater than is desirable in terms of the Community's trade defence policy, it may propose to the Council to adopt the following measures as it deems appropriate :

- Measures to amend, suspend or repeal existing anti-dumping and/or anti-subsidy measures;
- Measures to exempt imports in whole or part from anti-dumping or countervailing duties which would otherwise be payable;
- Any other special measures considered appropriate in the circumstances.

The amendment, suspension or exemption should, however, be limited in time and will apply only when the relevant safeguard measures are in force.

In applying for the first time this “double protection” Regulation, the Council adopted on 6 May 2003 an amendment to the Regulations imposing definitive measures on hot-rolled coils and tube and pipe fittings¹⁵.

¹³ OJ L 295, 13.11.2003, p. 43.

¹⁴ OJ L 69, 13.3.2003, p. 8.

¹⁵ OJ L 114, 8.5.2003, p. 1.

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

In March 2002, the Commission adopted its proposal for a trade defence instrument concerning the supply of airline service from non-EC Countries¹⁶. The proposal 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 proposal for a 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 created increasing difficulties for the Community carriers which had to compete with third country airlines benefiting from generous subsidies, while they were subject to strict rules on government aid.

The proposal draws from existing instruments in the area of trade in goods, in particular the basic anti-subsidy Regulation. It foresees the imposition of measures on two tracks : first, if subsidised airline services supplied by non-Community carriers cause material injury, or, as a second track, if such state-controlled carriers benefit from non-commercial advantages and charge injurious fares below the normal fare rate.

The first reading of the Parliament took place in January 2003, following which an amended proposal was adopted by the Commission in May 2003 taking into account some modifications suggested by the Parliament.

The Common Position was adopted by the Council in December 2003. The second reading at the Parliament took place in March 2004 and was followed shortly by the approval of the Council. The Regulation was adopted on 21 April 2004 and entered into force on 20 May 2004¹⁷.

The main amendments to the original proposal concern :

- The articulation between the Regulation and the application of the bilateral agreement between the Member States and the third country concerned (Member States can implement their bilateral agreements but it should not delay the application of the regulation);
- The extension of the scope of the Regulation for the second track on non-commercial advantages to all non-Community carriers (and not only state-controlled carriers);
- As to the decision-making procedure, the advisory procedure was substituted by a regulatory procedure for the imposition and the review of measures. This

¹⁶ Proposal for a Regulation of the European Parliament and of the Council concerning protection against subsidisation from countries not members of the European Community (COM(2002) 110 final of 12.3.2002).

¹⁷ OJ L 162, 30.4.2004, p. 1.

means that the Commission takes definitive measures unless a qualified majority of Member States objects to it.

1.4. Notice on the consequences of the Severe Acute Respiratory Syndrome ('SARS')

In view of the significant threat of SARS transmission, the Commission decided in May 2003 not to conduct any verification visits by Commission officials to areas with local transmission of SARS.

Information provided by exporting producers located in the affected SARS areas could consequently not be subject to verification on spot. In view of the requirement of transparency and in order to cover for on-going cases for which no verifications could be carried out and for the situation of re-emerging of the disease, the Commission decided to publish a notice in the Official Journal¹⁸.

The notice outlined on how the Commission would proceed in the above-mentioned cases and gave interested parties the opportunity to comment on the proposed approach. Indeed, it was decided to stay within the mandatory deadlines of the investigations and to base the findings on the verified or other proven facts on the record of the investigation.

It should be noted, however, that only one case was directly affected by the SARS disease, i.e. sodium cyclamate originating in Indonesia and China, for which provisional measures were imposed based on the findings as outlined in the notice. However, verification visits took place when the SARS threat had subsided, i.e. prior to the imposition of the definitive measures.

The Commission will apply the same general principle of using the facts on the record also in other circumstances of *force majeure*.

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).

¹⁸ OJ C 191, 13.8.2003, p. 2.

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. Those procedures are initiated normally only on the basis of substantiated evidence and will normally not exceed 12 months in length.

The *expiry review* is intended to determine if the expiry of the measures would lead to continuation or recurrence of dumping and injury. During the five year 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. Finally, the basic Regulations provide that a review shall be carried out to determine individual margins for new exporters in the exporting country concerned.

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 legislation¹⁹ 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 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.

¹⁹ Council Regulation (EC) No 3285/94 on common rules for imports.

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 mentioned in the 2002 report to the European Parliament, the TDI services undertook, in October 2002, to no longer initiate investigations vis-à-vis the acceding countries. This engagement took account of the time period necessary to conduct investigations.

Furthermore, they identified the specific challenges posed by enlargement in the field of trade defence. These consisted in an important information need on the side of numerous economic operators and administrations, the sheer number of acceding countries, the resulting concerns of our trade partners in third countries, as well as strong demand by economic operators, both within and outside the Community, to update existing trade defence measures.

As such, the TDI services proceeded with the implementation of an “action plan”, which was elaborated to ensure smooth operation of the trade defence tool after enlargement, i.e. 1 May 2004. They continued to assist the acceding countries to develop the necessary capacities 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.

In this framework, a network of contact points responsible for trade defence in the acceding countries was initially set up and those officials, in line with the general Commission policy, were as from June 2003 invited to participate as active observers in the work of the Anti-dumping and Anti-subsidy Advisory Committees.

Furthermore, a series of seminars was organised in Brussels and in the acceding countries involving the TDI services and the administrations and economic operators of both the acceding countries and the current Member States. Meetings were also held with several exporting third countries in order to discuss and explain the consequences of enlargement on the Community trade defence activities.

With the aim of reaching a wider audience and providing a readily available and up-to-date reference on the subject, the TDI services also created a website entitled “Enlargement – Impact on Trade Defence” (address for consultation : see link http://europa.eu.int/comm/trade/issues/respectrules/tdi_enlarg/index_en.htm). In this context, a special help desk was also set up in order to deal with the growing number of questions on the impact of enlargement on trade defence. (See link http://europa.eu.int/comm/trade/issues/respectrules/tdi_enlarg/contacts.htm for more information on the contact points).

Furthermore, in November 2003, all third countries subject to significant trade defence measures were informed about the setting up of a TDI “Enlargement Task Force”, in order to examine whether the extension of trade defence measures to the enlarged Community would cause, in individual cases, an “economic hardship” to their industries. To this end, governments and exporters of the exporting countries concerned, as well as the economic operators and administrations of the new Member States, were urged to identify such cases and meetings were held with them, which resulted in about 50 submissions of this kind.

Most importantly, it should be noted that, from the day of enlargement, any trade defence measures taken by the acceding countries will lapse and the Community’s measures will be automatically extended to cover the EU-25. Any necessary corrections to existing measures, which are thus extended, will be carried out through specific “enlargement reviews” on the basis of a notice to be published around 1 May 2004.

On the basis of the experience gained, the TDI services will start during 2005 the pre-enlargement activity related to the second wave of countries foreseen to join the Community in 2007.

4. COUNTRY-WIDE MARKET ECONOMY STATUS (MES)

The country-wide MES criteria for anti-dumping investigations are inspired from those applicable to individual companies set out in Article 2(7) of the basic Regulation, which has been amended by Council Regulation (EC) No 905/98²⁰. 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 data, rather than using also data from analogue country producers, as can happen for economic operators located in countries of the two other categories.

Significant work has been done in this respect during 2003. In particular, the request received in March 2002 from Ukraine was assessed and the Commission sent its preliminary findings to the Ukrainian authorities. Further follow-up during 2004 led to the Commission's conclusion of not yet granting MES to this country 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 law are still cause of concern.

As concerns the People's Republic of China, a request was received in September 2003. An extensive analysis was carried out by the Commission throughout the remainder of 2003 and the first half of 2004. This analysis is still on-going with preliminary results having been handed to the Chinese authorities in June 2004. In these preliminary results, shortcomings were identified in four areas, namely state influence, corporate governance, property and bankruptcy law and financial sector. Also here, work is on-going to assess any progress made.

For both Ukraine and China, country-wide MES will be granted as soon as the outstanding issues are tackled.

During 2004, further requests were received from Kazakhstan, Vietnam and Mongolia.

²⁰ OJ L 128, 30.4.1998, p. 18.

5. 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.

6. GENERAL OVERVIEW OF ANTI-DUMPING AND ANTI-SUBSIDY INVESTIGATIONS AND MEASURES

6.1. New investigations

At the end of 2003, the Community had 156 anti-dumping measures²¹ and 17 countervailing measures in force. The anti-dumping measures covered 56 products and 34 countries (see Annex O); the countervailing measures covered 13 products and 7 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 2003 (both anti-dumping and anti-subsidy), 32 concerned China, 21 India, 12 Taiwan, 12 Russia, 10 the Republic of Korea, 9 Thailand, 6 Indonesia, 6 Japan and 14 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. Twenty-nine measures were against imports originating in one or more of the acceding Member States, as well as Bulgaria and Romania (the former CEECs).

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 2003, only 0,3%²² of total imports into the Community was affected by anti-dumping or anti-subsidy measures.

²¹ The measures are counted per product and country concerned.

²² Source Comext.

Table 1 below provides statistical information on the new investigations for the years 1999 – 2003. One notices a decrease in the number of investigations initiated and in the number of provisional and definitive measures imposed during 2003 in comparison to the previous years. A number of factors are behind this sharp fall. First, the stabilisation of the steel market following the imposition in 2002 of the safeguard measures. Second, no further investigations were initiated on imports from the 10 countries acceding to the EU. And third, the submission of complaints by the Community industry and the consequent initiation of investigations have always shown to be of a cyclic character.

TABLE 1

**Anti-dumping and anti-subsidy new investigations
during the period 1 January 1999 - 31 December 2003²³**

	1999	2000	2001	2002	2003
Investigations in progress at the beginning of the period	44	87	34	43	33
Investigations initiated during the period	86	31	33	23	8
Investigations in progress during the period	130	118	67	66	41
Investigations concluded :					
- imposition of definitive duty or acceptance of undertakings	21	52	12	28	5
- terminations ²⁴	22	32	12	5	21
Total investigations concluded during the period	43	84	24	33	26
Investigations in progress at the end of period	87	34	43	33	15
Provisional measures imposed during the period	17	48	18	17	10

²³ The initiation of a case concerning several countries is accounted as separate investigations/proceedings per country involved.

²⁴ Investigations might be terminated for reasons such as the withdrawal of the complaint, *de minimis* dumping or injury, etc.

6.2. 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 1999 to 2003, a total of 187 review investigations were initiated. These review investigations represented almost 51% of all investigations initiated.

In 2003, 26 reviews were initiated. Of these, 5 were expiry reviews, 9 interim reviews, 3 newcomer reviews, 4 accelerated reviews, 1 anti-absorption investigation and 4 circumvention investigations.

An overview of the review investigations in 2003 can be found in Annexes F to K. Table 2 provides statistical information for the years 1999 - 2003.

TABLE 2
Reviews of anti-dumping and anti-subsidy investigations
during the period 1 January 1999 - 31 December 2003²⁵

	1999	2000	2001	2002	2003
Reviews in progress at the beginning of the period	48	61	53	58	67
Reviews initiated during the period	40	37	29	55	26
Reviews in progress during the period	88	97	82	113	93
Total reviews concluded during the period	27	44 ²⁶	24 ²³	46 ²³	40
Reviews in progress at the end of the period	61	53	58	67	53

Details on the conclusions can be found under heading 6.2.

²⁵ The initiation of a case concerning several countries is accounted as separate investigations/proceedings per country involved.

²⁶ 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.

7. OVERVIEW OF ACTIVITIES IN 2003

7.1. New investigations

7.1.1. Initiations

In 2003, 8 investigations were initiated. One of them concerned an anti-subsidy investigation. They involved 4 different products from 4 different countries. Details of these investigations are given in Annex A. Most affected countries are China with 3 investigations and India with 2 investigations, followed by Australia, Pakistan and Saudi Arabia 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 1999 to 2003, 181 investigations were initiated on imports from 41 countries. The main sectors concerned by the investigations were chemical and allied with 58 investigations, iron and steel with 53 investigations, electronics with 22 investigations and textiles and allied with 20 investigations. A breakdown of the product sectors is given in Annex B(A).

The main countries concerned during the period from 1999 to 2003 were the People's Republic of China with 26 investigations, India with 23 investigations, Korea and Taiwan with 13 investigations each and Indonesia and Thailand with 9 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 2003 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.

Product/type of investigation²⁷	Originating from	Complainant
Graphite electrode systems (AD)	India	European Carbon and Graphite Association (ECGA)
Graphite electrode systems (AS)	India	European Carbon and Graphite Association (ECGA)
Okoumé plywood (AD)	P.R. China	European Federation of the Plywood Industry (FEIC)
Polyester staple fibres (AD)	P.R. China Saudi Arabia	Comité International de la Rayonne et des Fibres Synthétiques (CIRFS)

²⁷ AD = anti-dumping investigation; AS = anti-subsidy investigation, AD + AS = parallel anti-dumping and anti-subsidy investigation.

Polyethylene terephthalate (PET) (AD)	Australia P.R. China Pakistan	Association of Plastic Manufacturers in Europe (APME)
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7.1.2. Provisional measures

In 2003, provisional duties were imposed in 10 proceedings, one of which concerned anti-subsidy proceeding. They involved imports from 8 different countries. As shown in Table 1 (see point 6.1), this figure compares to 17 in 2002 and 18 in 2001.

The alphabetical list of cases where provisional measures were imposed during 2003 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

Product	Originating from	Type ²⁸ and level of measure
Cold-rolled flat products	USA	AD : 20,6-25%
DRAMs	Korea (Rep. of)	CVD : 0-33%
Furfuryl alcohol	P.R. China	AD : 21-181 EUR/tonne
Hollow sections	Turkey	AD : 4,2-14,7%
Large rainbow trout	Norway Faeroe Islands	AD : 21,4% AD : 16,8-49,1%
Paracresol	P.R. China	AD : 9,4-40,7%
Silicon metal	Russia	AD : 24-25,2%
Sodium cyclamate	P.R. China Indonesia	AD : 5,8-29,5% AD : 25,5%

7.1.3. Definitive measures

7.1.3.1. Overview

During 2003, definitive duties were imposed in 5 cases, two of which concerned anti-subsidy proceedings. They involved imports from 4 different countries and covered 5 products. The People's Republic of China featured with 2 investigations, India, Russia and Korea with 1 investigation each.

²⁸ AD = anti-dumping duty, CVD = countervailing duty, UT = undertaking.

The alphabetical list of cases where definitive measures were imposed during 2003 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	Type²⁹ and level of measure
DRAMs	Korea (Rep. of)	CVD : 0-34,8%
Furfuryl alcohol	P.R. China	AD : 84-250 EUR/tonne
Paracresol	P.R. China	AD : 10,8-40,7%
Recordable compact disks (CD-Rs)	India	CVD : 7,3%
Silicon metal	Russia	AD : 22,7-23,6%

7.1.3.2. Details on individual cases (in alphabetical order)

1. Dynamic random access memories (DRAMs) originating in the Republic of Korea

The anti-subsidy investigation was initiated on 25 July 2002 following a complaint lodged by the German producer Infineon Technologies AG. The complaint was supported by the only other Community producer located in Italy, Micron. Total Community consumption amount to almost 69 billion Mbits during the investigation period (1 January – 31 December 2001), compared to 46 billion Mbits during the year 2000. A provisional countervailing duty of 33% was imposed on the imports of DRAMs on 24 April 2003.

On 22 August 2003, the Council imposed a definitive countervailing duty of 34,8% on imports of DRAMs originating in Korea and produced by Hynix Semiconductor Inc. The total amount of subsidies found was approximately € 4,9 billion. The investigation showed that Hynix was being heavily subsidised via government-owned or controlled Korean banks to the detriment of the European DRAM industry, which suffered severe losses. The subsidies for the other Korean DRAM producer, Samsung Electronics Co. Ltd, were found to be *de minimis* and therefore were not countervailed.

It is worth noting that the US also imposed a 44,7% countervailing duty on Hynix's DRAMs in 2003.

²⁹ AD = anti-dumping duty, CVD = countervailing duty, UT = undertaking.

Subsidies

Subsidies provided to two Korean producers were investigated. The subsidies given to Samsung were found to be below the *de minimis* threshold for imposing a countervailing duty. As regards Hynix, subsidies were given through four types of measures. The first is the refinancing of bonds provided through a programme set up by the Korean government together with the Korean Development Bank. This programme was found to be specific for Hynix since it had been designed to help Hynix in its liquidity problems. The second measure was a guarantee provided for the export financing of Hynix following instructions from the Government. The third measure was a government-directed purchase of Hynix bonds by the creditor banks. The fourth measure was financing provided by a group of Korean banks in October 2001. The banks were found to have been influenced by the Korean Government when providing the financing in question. The financing provided was found not to have been granted under market conditions, considering both the financial situation of Hynix and the situation of the DRAM market at the time of the measures. The total amount of the subsidies during the investigation period was found *at valorem* 34,8%.

Injury and causation of injury

The investigation showed that due to technological developments in the DRAM industry, demand in Mbit-terms had risen each year during the period under consideration (1998-2001) as the user industry changed over to higher density DRAMs to increase system performance. This growth of demand in Mbit-terms explains why the Community industry benefited from the favourable evolution of the Community consumption of DRAMs in terms of sales volume and market share.

It should be noted that almost half of the increase in sales volume and market share of the Community industry was the result of the fact that Micron Technology, after having acquired a production plant in Italy in 1998, replaced gradually its share of imports from the US with its own production.

However, Korean imports of DRAMs have also benefited from this favourable situation. In fact, they have increased faster than Community consumption. It was also found that the volume of Hynix's subsidised imports and their market share during the investigation period were sufficiently important in themselves to adversely affect the Community market and in particular the prices of the Community industry. It is also believed that Hynix was kept alive only through debt-restructuring programs and as such was maintaining artificially oversupply on the market, which led to a fall in prices.

Indeed, the sales prices of the Community industry fell by 77% during the investigation period and this dramatic fall had immediate and very serious consequences for the Community industry. The impact of the massive fall in prices during the investigation period was quickly reflected in negative effects on cash flow, profitability and return on investment of the Community industry and hence its ability to raise capital and to maintain its investments at appropriate levels. The Community industry therefore suffered material injury.

The fall in prices can, to a certain extent, be explained by the slowdown in market growth, but it was established that during the investigation period, Korean DRAM prices were undercutting the prices of the Community industry on a substantial proportion of its transactions. Korean prices have thus contributed significantly to the fall in prices of the Community producers during the investigation period.

Other factors were addressed during the investigation, in particular the development of imports other than the subsidised imports, the general economic downturn during the investigation period, the world-wide overcapacity in the DRAM market and the export performance of the Community industry. However, it was concluded that their injurious effect, both individually and collectively, while of some importance, was insufficient to undermine the material injury attributable to the subsidised Korean imports.

Community interest

The investigation revealed that not imposing measures would further jeopardize the Community industry as its financial situation would further deteriorate, possibly leading producers to exit the market. The disappearance of a technologically strategic industry would adversely affect the level of competition and have a negative impact on employment. Furthermore, only 3 of the 37 users cooperated with the investigation, leading to the conclusion that the imposition of measures would not have a significant impact on their situation. As such, no further compelling reasons of Community interest were found to exist, which would overturn the need to impose measures.

Challenge of countervailing measures

The measures imposed in August 2003 were challenged by Hynix before the Court of First Instance in Luxembourg and by the Government of Korea under the WTO Dispute Settlement Understanding in Geneva.

2. Furfuryl alcohol originating in the People's Republic of China

Furfuryl alcohol ('FA') is a chemical product. It is a mobile, colourless to pale yellow liquid that is soluble in many common organic solvents. The raw material for the production of FA, furfural, is obtained from agricultural waste such as from corncobs, sugar cane or rice hulls. From a commercial point of view, FA is a commodity product. The principal use of FA is in the production of foundry resins, which are used to make metal castings for industrial purposes.

On 9 August 2002, the Commission initiated the proceeding following a complaint lodged by the International Furan Chemicals BV, located in the Netherlands, on behalf of its related Belgian company Transfurans Chemicals BVBA, representing 100% of the Community production of FA. Provisional measures were imposed in May 2003.

In October 2003, the Council adopted the regulation imposing definitive measures, in which special provisions were foreseen to ensure the proper application of the anti-dumping duties in order to minimise the risks of circumvention. These special provisions include the presentation to the customs authorities of the Member States of a valid commercial invoice issued by the exporters concerned.

Furthermore, the exporting producers were invited to submit regular reports to the Commission in order to ensure a proper follow up of their sales of FA to the Community.

Total Community consumption of the product concerned during the investigation period (1 July 2001 – 30 June 2002) amounted to around € 39 million in value, equivalent to over 41.000 tonnes in volume. The volume of imports concerned amounted to 10.362 metric tonnes over the same period.

Dumping

The four Chinese producers co-operating in the proceeding, all requested both market economy treatment and individual treatment. Following verification of the information provided, all claims for market economy status were refused, but all claims for individual treatment were granted. As a result, normal value was calculated on the basis of profitable domestic sales of FA in the USA, which was selected as the analogue country.

In all cases, the dumping margin was established on the basis of a comparison between weighted average normal value and weighted average export prices of the producers concerned. The dumping margins so obtained ranged between 80% and 112%.

Injury and Causation

During the period under consideration, dumped imports from the People's Republic of China significantly increased on the Community market and the main relevant injury indicators pertaining to the Community industry showed a negative development, in particular as from 2000 until the end of the investigation period.

The investigation showed that during that period, Community consumption increased slightly by 5% but the volume of dumped imports increased by 46% and the prices of the exporting producers decreased. This allowed the Chinese exporting producers to gain a significant additional share of the Community market of 7 percentage points (or 39%), mainly at the expense of the Community industry. During the same period, the situation of the Community industry deteriorated in terms of sales volume (-12%), market share (-16%), stocks (+81%) and profitability worsened particularly in this period by 69%. It also showed that dumped imports from the People's Republic of China were undercutting the Community industry's prices by over 10% and that sales prices of the Community industry were depressed.

The main factor of the injurious situation of the Community industry was the price pressure leading to a deteriorated financial situation, which can mainly be attributed to the dumped imports in particular as from 2000 until the end of the investigation period.

Community interest

There were no compelling reasons against the imposition of measures on imports of FA originating in the People's Republic of China. On the contrary, the Community industry is the sole producer of the product concerned in the Community and it was considered that the non-imposition of measures could lead in the medium-term to the disappearance of the Community industry. This would result in a reduced competition and choice for users on the Community market.

The definitive measures imposed, which consisted of specific duties based on the injury margins, ranged between 84 and 250 €/tonne (i.e. between 8,9 and 32,1%).

3. Para-cresol originating in the People's Republic of China

Para-cresol is an intermediary chemical used in the production of, *inter alia*, sun screens and UV stabilisers.

On 27 June 2002, the Commission initiated the proceeding following a complaint lodged by the sole Community producer, located in the United Kingdom. The users are large chemical companies mainly located in Germany and France. Provisional measures were imposed in March 2003. In September 2003, the Council adopted the regulation imposing definitive measures.

The total Community consumption of para-cresol in the investigation period (1 April 2001 – 31 March 2002) amounted to 12.770 tonnes. The volume of imports concerned amounted to 4.035 tonnes during the same period.

Dumping

In anti-dumping proceedings, the People's Republic of China is still regarded as an economy in transition. Individual producers can apply for market economy treatment if they can prove that their business and costs are not influenced by the State, but based on commercial decisions. This status was granted to two exporting producers and consequently, domestic prices and costs of those companies were used to calculate the dumping margin. The dumping margins established were 10,8% and 12,3% for the two co-operating producers and 40,7% for all remaining producers.

Injury and causation of injury

The situation of the Community industry deteriorated considerably, although the total consumption in the Community was growing. The increasing demand was satisfied mainly by soaring imports from the People's Republic of China. They rose from a mere 40 tonnes in 1998 to more than 4.000 tonnes in the investigation period. The Chinese imports were so successful on the Community market because the prices were around 30% lower than the prices of the Community producer.

Community interest

Users participated actively in this investigation and most of them were opposed to the imposition of duties. As the Community producer also uses para-cresol internally in order to produce fine chemicals, they are direct competitors on the Community market.

One user claimed that para-cresol was in short supply after the imposition of provisional measures. The Commission investigated this issue and found that the Community industry had indeed encountered some difficulties to satisfy the demand for para-cresol. However, the shortage of supply had most likely been due to temporary circumstances because of the coincidence of technical and management problems, both in the Community and in the People's Republic of China. Consequently, there was no reason to conclude that this shortage was due to the anti-dumping duties or that this situation was likely to persist. In fact, the supply problem was over before the imposition of definitive measures. In addition, the Community industry has increased its production capacity in the year 2002 and should now even be able to meet almost the entire demand in the Community on its own.

Given the moderate duties imposed, the users will still be able to source their products from the People's Republic of China. On the other hand, the Community producer will be able to regain at least part of its lost market share and thereby improve its profitability.

Taking all factors into account, definitive measures were imposed on the basis of the dumping margins found, as they were lower than the injury margins.

Court challenge

One of the Chinese exporters has challenged the imposition of the duties claiming that for the calculation of the normal value, the Commission should have deducted from its total cost of production the production cost of two by-products. The claim had been rejected by the Council, as it was submitted late and had not been substantiated. The case is still pending before the Court of First Instance.

4. Recordable compact disks (CD-Rs) originating in India

Following a complaint lodged by the European Manufacturers' Association (CECMA), the Commission initiated in May 2002 an anti-dumping and an anti-subsidy investigation into the imports of CD-Rs originating in India.

As for the anti-dumping investigation, it was established that there was no dumping in the investigation period for the sole Indian exporting producer and the proceeding was consequently terminated in May 2003 without the imposition of measures.

As for the anti-subsidy investigation, the Council imposed a definitive countervailing duty of 7,3% in June 2003.

CD-Rs are relatively recent high-tech products which became generally available to the public only around 1997/1998. In that period, the start-up of the first production facilities in the Community took place. The production of CD-Rs forms part of the recording media production sector, which covers a wide range of high-tech products.

Community consumption of CD-Rs has boomed from 160 million units in 1997 to around 2,2 billion units during the investigation period ((1 April 2001 – 31 March 2002). Equally, the total volume of imports of CD-Rs from India into the Community increased drastically from 1,1 million units in 1998 to 196 million units during the investigation period. India became the second most important exporter to the Community (after Taiwan). There has been an anti-dumping duty in force on imports of CD-Rs originating in Taiwan since June 2002.

Investigation of subsidies and injury

The investigation showed that during the investigation period, the Indian exporting producer received countervailable subsidies of 7,3% in the form of exemptions from duties on imports of capital goods used in the production of CD-Rs. In the same period, the company sold its CD-Rs on the Community market at substantially lower prices than the Community industry.

The subsidised exports from India have contributed to an unfair competition situation in the Community market, where the average CD-R price has decreased by 59% between 2000 and the end of the investigation period. In the same period, the Indian market share has gone up from 1% to 9%.

Under these circumstances, despite the expansion of Community consumption of CD-Rs and costs reductions, the Community industry suffered financial losses. In addition, it had to postpone or cancel planned investment decisions.

Causation and Community Interest

Other factors were addressed during the investigation, in particular imports from Taiwan, but it was concluded that these other factors as such did not reverse the fact that the increasing low priced subsidised imports from India contributed to the material injury suffered by the Community industry.

The production of data storage media is an area of technological importance for the Community as a whole. The production technology and know-how gained by the Community industry in CD-Rs production provides a basis for further innovation in the manufacture of other related data storage media products. For the Community industry, remaining viable in the CD-Rs business is the economic basis for participating in the growing market of other storage media.

Court challenge

It should be noted that, as was the case with the anti-dumping duty against Taiwanese CD-Rs, the countervailing duty imposed against India has been challenged in Luxemburg by the sole Indian exporting producer. Therefore, two cases concerning CD-Rs are now pending before the Court of First Instance.

5. Silicon originating in Russia

Following a complaint lodged by the Community industry (Euroalliages), the Commission initiated in October 2002 an investigation into imports of silicon originating in Russia. Provisional measures were imposed in July 2003 and definitive measures in December 2003.

Silicon is produced in submerged electric arc furnaces and is derived from quartz as the key raw material. It is used by two separate and distinct industries for two widely different applications. In the chemical industry, silicon is used for the production of silicones, which are themselves used in many walks of life from sealants to hair conditioner. In the aluminium industry, silicon is used in the production of aluminium where it improves flow ability.

As well as the economic importance - the Community market for silicon was valued at € 430 million during the investigation period (1 October 2001 – 30 September 2002) – the case is noteworthy in that the investigation was initiated just before Russia was granted country-wide market economy status.

Undertakings

Following definitive disclosure, the main Russian exporting producer came forward and made an acceptable offer for a price undertaking. Given that this offer was made at a late stage of the procedure, its publication had to be made after publication of the regulation imposing the definitive measures.

Dumping

Three known exporting producers, two of them being part of the same group, claimed and were granted market economy treatment as they fulfilled the required criteria. Therefore, normal value was based on domestic prices in Russia. However, the investigation showed that electricity costs did not sufficiently reflect market value and were very low, even when compared to other suppliers of electricity generated by hydro-electric power stations in the analogue country Norway and also in Canada. Consequently, costs were adjusted using the electricity prices of another Russian supplier as they were closer to the market price. This price was found to be in line with the lowest price of representative electricity producers found in the Community.

The dumping margins found ranged from 23,6% to 24,8%.

Injury and Community interest

The analysis of injury required careful consideration. Whilst it was observed that some economic indicators, such as production, production capacity, sales volume, market share and stocks showed positive developments within the period under consideration (1998 to the end of the investigation period), it was seen that the situation of the Community deteriorated between 2000 and the investigation period. This deterioration was co-temporaneous with increasing volumes of low-priced dumped imports from Russia. During this latter period, all economic indicators either rose only slightly, remained stagnant, or indeed fell. It was also noted that profitability decreased sharply (by almost 15 percentage points) and that sales prices fell significantly over the period under consideration. These findings led to the conclusion that the Community industry suffered material injury. The differential (price undercutting) between Community industry prices and low-priced silicon from Russia was found to be up to 15%.

The investigation revealed that dumped imports increased during the period under consideration, especially between 2000 and the investigation period, whilst their market share rose from 1,9% up to 4,8%. On this basis, and after analysing the impact of other factors, such as the imports from other third countries, it was concluded that the dumped imports caused this injury and that the other factors were not such as to break this causal link.

Cooperation from users was patchy. Following the imposition of provisional duties, interested parties were actively encouraged to come forward and to co-operate in the proceeding. As a result, five new users and one new users' association made comments on the provisional findings. However, no information was submitted by the interested parties that were such as to change the conclusion that the imposition of anti-dumping measures is not against Community interest.

In light of the above, definitive anti-dumping duties were imposed at the level of the dumping margin for one exporter (23,6%) and at the level of the injury margin, which was lower, for the other exporter (22,7%).

7.1.4. Investigations terminated without measures

7.1.4.1. 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 2003, 21 new anti-dumping proceedings (0 anti-subsidy proceedings) were concluded without measures, compared to 5 in 2002 and 12 in 2001.

The alphabetical list of cases which were terminated without the imposition of measures during 2003 can be found below. More information can be obtained from the Official Journal to which reference is given in Annex E.

Product (type of investigation³⁰)	Originating from	Main reason for termination
Compact disk recordables (CD-Rs) (AD)	India	No dumping found with the sole exporting producer
Filament yarns of cellulose acetate (AD)	Lithuania USA	Withdrawal of the complaint
Flat-rolled products of iron or non-alloy steel (hot-rolled coils) (AD)	Egypt Hungary Iran Libya Slovakia Turkey	15-month deadline to impose definitive measures expired before the Council
Grain-oriented electrical sheets and strips (AD)	Poland Russia	Withdrawal of the complaint
Hollow sections (AD)	Russia Turkey	Withdrawal of the complaint
Lighters (disposable gas-fuelled) (AD)	P.R. China Indonesia Malaysia Vietnam	Withdrawal of the complaint
Rubber-grade carbon blacks (AD)	Egypt Russia	15-month deadline to impose definitive measures expired before the Council
Salmon (AD)	Chile Faeroe Islands	No dumping

7.1.4.2. Details on some individual cases (in chronological order)

1. Flat-rolled products of iron or non-alloy steel (hot-rolled coils) originating in Egypt, Hungary, Iran, Libya, Slovakia and Turkey

Following a complaint lodged by the Community industry (Eurofer), the Commission initiated in December 2001 an investigation into imports of hot rolled coils (HRC) originating in Egypt, Hungary, Iran, Libya, Slovakia and Turkey. For reasons of administrative efficiency, the proceeding was combined with the interim review of the definitive anti-dumping measures imposed on imports of the same product originating in Bulgaria and South Africa initiated on the same date. As regards the former proceeding, no measures were proposed at the provisional stage.

³⁰ AD = anti-dumping investigation; AS = anti-subsidy investigation, AD + AS = parallel anti-dumping and anti-subsidy investigation.

Total Community consumption of the product concerned amounted to 22 million tonnes during the investigation period. The volume of imports originating in Egypt, Slovakia, Turkey, South Africa and Bulgaria amounted to 2,2 million tonnes over the same period.

Termination

Imports originating in Iran and Libya were found to be *de minimis*, i.e. below the 1% threshold foreseen in the basic Regulation. It was also found that Hungarian imports did not have a material impact on the situation of the Community industry within the meaning of Article 3(6) of the basic Regulation during the investigation period (1 January 2001 – 31 December 2001).

Consequently, it was proposed to terminate the proceeding concerning imports of the product concerned originating in Iran, Libya and Hungary.

Dumping

Significant dumping was found for all exporting producers in the other countries under the new investigation, i.e. Egypt (34,4%), Slovakia (25,8%) and Turkey (11,5%).

Regarding the interim review, the sole Bulgarian exporting producer was found to be still dumping despite the undertaking in place. It was therefore concluded that the measures in place for this exporter were not sufficient to counteract the injurious dumping. Exports were made at prices at the minimum price level of the undertaking i.e. including the dumping margin found during the original investigation. Therefore, the new dumping found reflected a situation of “additional dumping”. Consequently, the new duty rate was calculated by adding to the original dumping margin the one found during the interim review. Otherwise, in case of breach or withdrawal of the undertaking, i.e. where the minimum price would not be applicable anymore, the elimination of the injurious effect of the total dumping practiced would not be guaranteed.

In the case of South Africa, one company for which an undertaking was in place did not export during the investigation period. For this exporting producer, it was established that, should measures be repealed, exports would very likely resume at dumped prices. Therefore, it was proposed to maintain the original anti-dumping duty at the same level.

For the other South African exporting producer, significant dumping was found. It was also established that the change in circumstances had a lasting effect and that the anti-dumping duty should therefore be set at the level found during the current investigation.

Injury, causation and Community interest

Over the period 1998-2001, the volume of imports from Bulgaria, Egypt, Slovakia, South Africa and Turkey increased by 64%, their market share increased from 5,9% to 9,8% and their average import prices were reduced by 2%. The gain in market share, the increase of import volumes and the decline of the sales price were particularly pronounced between 2000 and the investigation period. Import volumes during that period almost doubled, market share increased from 5% to 9,8% and import prices decreased by 12%. In addition, it was found that prices charged by the Community industry for HRC sold on the free market were undercut by the exporting producers concerned by margins exceeding 10%, depending on the type of HRC, and that such undercutting exerted a downward price pressure on all types of HRC.

The Community industry's production declined by 8%, the rate of capacity utilisation fell from 86,5% to 79%, the free market sales volume in the Community decreased by 10%, corresponding average sales prices by 6%, market share decreased from 52,1% to 47,6%, cost of production increased by 15%, profitability fell from 10,6% to -9%, employment was reduced by 9% and cash flow was negative during the investigation period. It was considered that the Community industry has suffered material injury.

It was found that the evolution of the volume and market shares of low-priced dumped imports from Bulgaria, Egypt, Slovakia, South Africa and Turkey and their price-depressing effect had material negative consequences for the Community industry. Other factors were investigated and the development of consumption and the cyclical nature of the HRC business were found to have also contributed to the material injury suffered by the Community industry, but not so as to break the genuine and substantial causal link between the injury and the dumped imports.

The introduction of anti-dumping measures on imports from Egypt, Slovakia and Turkey and the continuation of anti-dumping measures on imports from Bulgaria and South Africa would likely cause some financial losses at the level of certain Community traders and users if they either do not change their purchase strategy or raise sales prices. However, on balance, these likely costs for certain traders and users were not considered to constitute compelling reasons against the imposition of anti-dumping measures.

Likelihood of continuation/recurrence of injurious dumping

Referring to the findings of higher dumping margins than in the investigation that led to the imposition of the measures currently in force against Bulgaria and South Africa, it was concluded that the injurious situation of the Community industry would be worsened if the measures were allowed to lapse or were continued in their current form.

Proposed anti-dumping measures and non-imposition of measures

In accordance with the above findings, the Commission proposed to the Council to impose definitive measures on imports of hot rolled coils originating in Egypt, Slovakia and Turkey. It also proposed to continue the existing undertaking with one South African exporting producer, which did not export during the investigation period, and to increase the measures in place against the other South African and the Bulgarian exporting producer.

However, the very interesting feature of this case was that, on the basis of the Commission proposal, no majority was found in the Council. The deadline for the imposition of definitive anti-dumping measures in the new proceeding thus lapsed on 19 March 2003.

It should be noted that this case came too early to benefit from the Court of Justice's Judgment in the Eurocoton case (see point 10.4.1). In this judgment, the Court ruled that the non-adoption of a Commission proposal to impose definitive anti-dumping measures is an attackable act, and that the Council should provide an adequate statement of reasons which shows clearly and unambiguously why, in the light of the provisions of the basic Regulation, there is no need to adopt the proposal.

Proposal for termination of existing measures on hot-rolled coils

Since the Council failed to adopt the above-mentioned definitive measures on 19 March 2003, the Commission proposed to the Council in December 2003 to terminate, for reasons of non-discrimination, all other pending measures on imports of the same product originating in Bulgaria, India, Taiwan, Serbia and Montenegro and South Africa. The fundamental principle of non-discrimination is laid out in Article 9(5) of the basic Regulation and implies that no measures should remain in force given the failure to adopt measures, in this case against imports originating in Egypt, Slovakia and Turkey. By the end of May 2004, however, the proposal was still pending in the Council.

2. Rubber-grade carbon blacks originating in Egypt and Russia

The proceeding was initiated on 21 December 2001, following a complaint lodged by the Community industry (CEFIC). At provisional stage, no measures were imposed as the Commission decided to continue the investigation in order to further examine certain aspects of causation and Community interest.

Rubber-grade carbon black is a carbon-based chemical used as functional filler in rubber products due to its reinforcing properties. It is a principal ingredient in the manufacturing of tyres. Total Community consumption of the product concerned during the investigation period amounted to around € 630 million, equivalent to 1.130.000 tonnes.

The Commission proposal was based on the following findings.

Dumping

A dumping margin of 6,6% was established in the case of Egypt, while in the case of Russia, dumping margins ranged between 20,5% and 54,8%.

Injury and causation

Imports from Egypt and Russia increased in real terms by 332% over the period considered (1997 to the investigation period). As a result, the market share of these imports increased by 6,6 percentage points from 2,1% to 8,7% over the same period. During the investigation period, undercutting of the Community industry's prices ranged from 5,7% to 31,2%.

Between 1997 and the investigation period, while total consumption of the product concerned rose by 6%, the Community industry lost 6,9 percentage points of market share, i.e. almost exactly the market share gained by the countries concerned. Over the same period, sales volumes declined by 2,7%, employment dropped by 13% and production units were closed. Between 1997 and the investigation period, profitability fell from 9,7% in 1997 to 0,4%. The Commission services have, therefore, concluded that the Community industry suffered material injury.

The symmetry between, on the one hand, the market share gain enjoyed by dumped imports and, on the other hand, the market share loss experienced by the Community industry (7 percentage points in both cases between 1997 and the investigation period), together with the permanent and sizeable undercutting of Community industry's prices by dumped imports prices shows a strong causal link. It was therefore concluded that imports from the countries concerned have caused material injury to the Community industry.

Community interest

The interests of the Community industry, of importers and of users were considered, as well as the effect on competition on the Community market and any trade distorting effects of the proposed measures. In particular, it was established that, as consumption of the product concerned and like product accounted for 4% of the total costs of production of the users, the economic impact of the proposed measures on the users' industry was likely not to be significant. Towards the end of the investigation, the Commission (DG COMP) initiated an anti-trust proceeding against the three Community producers of carbon black. In the absence of definitive findings in this latter respect, and after having properly assessed all Community interest aspects, the Commission concluded that no compelling reasons were found which would indicate that the proposed measures would be against the Community interest.

Proposed anti-dumping measures and non-imposition of measures

In accordance with the above findings, the Commission proposed to the Council to impose definitive measures, based on the dumping margins which were, for all companies, found to be lower than the injury margins.

However, again, no majority was found in the Council based on the Commission proposal. The deadline for the imposition of definitive anti-dumping measures in this proceeding thus lapsed on 21 March 2003.

As in the hot-rolled coils case (see point 1 above), this case also came too early to benefit from the Court of Justice's Judgment in the Eurocoton case (see point 10.4.1).

3. Farmed Atlantic salmon originating in Norway, Chile and Faeroe Islands

This case concerned only farmed Atlantic salmon (*salmo salar*) and not wild salmon and fish products obtained from farmed Atlantic salmon, such as smoked salmon, etc.

Measures were originally imposed on this product against Norway in 1997 in the form of anti-dumping and countervailing duties. In addition, individual price undertakings were accepted by the Commission from 190 companies in Norway. However, for various reasons, including disturbances on the Community market and indications that the original dumping margins had substantially changed, an interim review of the anti-dumping and countervailing measures was initiated in February 2002.

As the measures were due to expire whilst the interim review investigation was in progress, the interim review also covered aspects which, under normal circumstances, are dealt with within the scope of an expiry review.

In July 2002, following a complaint lodged by the Community industry concerned, a new anti-dumping investigation concerning imports originating in Chile and the Faeroe Islands was initiated.

The salmon cases were of special importance because of the large volumes of imports and production concerned and because the Community production was concentrated in remote areas with limited alternative economic activity.

Dumping and subsidisation

On 26 May 2003, the Council concluded that all investigations concerning salmon should be terminated.

Regarding Norway, the dumping review investigation was terminated on the grounds that dumping had ceased and, on the basis of the information then available, it appeared highly unlikely that exports to the Community at dumped prices would recur. The subsidy review investigation was terminated on the grounds that the rate of subsidisation likely to prevail in the foreseeable future would be below the 1% *de minimis* threshold.

The investigation regarding the Faeroe Islands was also terminated because no dumping was found. However, in the case of Chile, dumping was established, but for the reasons set out below, the investigation against this country was also terminated without the imposition of measures.

Injury and causation of injury

In view of the above findings concerning dumping (and recurrence of dumping in the case of Norway), the examination of injury and causation of injury was limited to the effects of imports originating in Chile. In this regard, it was established that the Community industry had suffered material injury due to price depression, falling profitability and insufficient returns on investments.

It was, however, found that the state of the Community industry was caused by factors other than dumped imports from Chile, and thus a causal link between the two could not be concluded with the necessary certainty.

Community Interest

It was also found that any anti-dumping measures on Chilean exports would result in a transfer of wealth to exporters in countries not subject to measures. It was considered that this would outweigh the benefit accruing to the Community industry.

In view this and the doubts concerning the causal link between dumping and injury, no measures were imposed against Chile.

7.2. Review investigations

7.2.1. 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 2003, 21 measures were allowed to expire automatically. The references for these measures are set out in Annex N.

Since the expiry (or "sunset") provision of the basic Regulations came into force in 1985, a total of 348 measures have been allowed to expire automatically.

7.2.1.1. Initiations

During 2003, 5 expiry review investigations were initiated.

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.

Product (type of investigation³¹)	Originating from	Complainant
Antibiotics (broad spectrum) (AS)*	India	Sandoz GmbH and Sandoz Industrial Products S.A.
Furfuraldehyde (AD)	P.R. China	Furfural Español SA
Glyphosate* (AD)	P.R. China	European Glyphosate Association (EGA)
Synthetic fibre ropes (AD)	India	Eurocord
Tungsten carbide and fused tungsten carbide (AD)	P.R. China	Eurométaux

7.2.1.2. Reviews concluded with confirmation of duty(ies)

During 2003, 4 expiry reviews were concluded with confirmation of duty.

The alphabetical list of the cases which were concluded with confirmation of duty during 2003, 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.

Product	Originating from	Result of the investigation/ Type³² and level of measure
Grain-oriented electrical sheets	Russia	Confirmation of AD duty : 40,1%
Tube or pipe fittings, of iron or steel	P.R. China	Confirmation of AD duty : 58,6%
	Thailand	Confirmation of AD duty : 0-58,9%
	Taiwan	Confirmation of extension of Chinese AD duty : 0-58,6%

³¹ AD = anti-dumping investigation; AS = anti-subsidy investigation, AD + AS = parallel anti-dumping and anti-subsidy investigation.

* Parallel interim review.

³² AD = anti-dumping duty, CVD = countervailing duty, UT = undertaking.

Details on some individual cases (in chronological order)

1. Grain-oriented electrical sheets (GOES) originating in Russia

In 1996, the Commission imposed a definitive anti-dumping duty of 40,1% on imports of certain grain oriented cold-rolled sheets and strips of silicon-electrical steel ('GOES') originating in Russia. The undertaking offered by the Russian authorities, in conjunction with the Russian exporters was also accepted.

In 2000 (the investigation period), the Community consumption of GOES amounted to 187.000 tonnes. The volume of imports concerned originating in Russia amounted to 3.750 tonnes during the same period.

The expiry review was initiated in February 2001 following a request lodged by the Community industry (Eurofer) and was combined with an ex-officio interim review limited to the form of the measures.

The investigation revealed that imports of GOES continued to be made at considerably dumped prices. In addition, due to the significant spare capacity in Russia, a strong likelihood of continuation of dumping at increased export levels was anticipated if measures were allowed to lapse. In fact, this could have gone well beyond the significant levels already found in the original investigation.

As to the Community industry, its situation initially improved after the 1996 measures. However, due in part to the downward pressure of prices of imports from Russia and in the wake of the general instability on the world steel market, the Community industry's prices decreased by around 8% between 1997 and 1998. Community producer's prices dropped again between 1998 and 2000 and resulted in a steady decline in profitability despite significant restructuring and gains in both productivity and sales volumes. The review showed that users/importers were not negatively impacted by the measure and a strategic requirement was identified for the supply of a product of consistent quality (with no substitution for the majority of applications) on a market with a sensitive infrastructure for certain outlets. In terms of employment, the Community industry had 1.400 employees working on GOES in 2000 (slight decrease compared to previous years).

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

The investigation regarding the form of the measures remained however on-going since no final conclusion could be reached in that respect within the same time-frame as the expiry review.

2. Tube or pipe fittings, of iron or steel, originating in the People's Republic of China, Thailand and Taiwan

The original measures concerning Thailand and the People's Republic of China were imposed in 1996. Following an anti-circumvention proceeding, the measures concerning the People's Republic of China were extended to Taiwan in 2000.

The expiry review was initiated in April 2001 at the request of the Community industry (Defence Committee of EU Steel Butt-welding Fittings Industry), and was combined with an ex-officio interim review on imports from Thailand in order to examine the appropriateness of the form of the measures – a purely quantitative limitation in this case.

The Community consumption amounted to 50.800 tonnes during the investigation period (1 April 2000 to 31 March 2001). The volume of imports from the countries concerned amounted to around 2.700 tonnes during the same period.

The investigation revealed that, although the quantities imported from both countries into the Community were rather limited, these imports continued to be made at considerably dumped prices. In addition, it was established that both countries had sufficient spare capacities to significantly increase their exports to the Community and would do so should the measures be repealed. In view of the continuous dumping practices of the countries concerned on the Community market, it was concluded that these exports would then be likely to resume at significantly dumped prices in the absence of anti-dumping measures.

The export behaviour of the countries concerned on other third country markets was also analysed. In that respect, it was found that anti-dumping measures against imports of an almost identical product originating in those two countries had been in place for several years in the US, another important market for tube and pipe fittings. Those measures were recently renewed (in 1999) due to likely recurrence of dumping practices. This confirmed the above findings of likely recurrence of injurious dumping, in significant quantities, on the Community market.

Subsequently to the imposition of the measures in 1996, the Community industry could recover from its precarious economic situation. It however deteriorated again following an increase of dumped imports from five other countries.

In view of the above findings, it was therefore concluded that the measures should be maintained, also in order to allow the Community industry to fully recover from its precarious situation.

The investigation regarding the form of measures concerning Thailand remained however on-going since no final conclusion could be reached in that respect within the same time-frame as the expiry review.

7.2.1.3. Reviews concluded by termination

During 2003, 5 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 2003, 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.

Product (type of investigation³³)	Originating from	Main reason for termination
Cotton-type bed linen* (AD)	India	No dumping, no injury
Polyester textured filament yarn* (AD)	Taiwan	Withdrawal of the complaint
Polyester textured filament yarn* (AD)	Indonesia Thailand	Withdrawal of the complaint
Polyester textured filament yarn (AD)	India	Withdrawal of the complaint

Details on some individual cases (in chronological order)

1. Cotton-type bed linen originating in India

This product had been subject to different proceedings in the past.

Eventually, in November 1997, definitive anti-dumping duties were imposed on imports of cotton-type bed linen originating in, *inter alia*, India. India has challenged these duties under the WTO dispute settlement system. In 2001, after the final decision of the WTO Appellate Body, the Council amended and suspended the anti-dumping measures in force.

Following requests by the Community Industry, a partial interim review limited to dumping and an expiry review of the suspended anti-dumping measures was initiated in February and December 2002. Both reviews were therefore partially carried out in parallel, as the expiry review was very much dependent on the outcome of the partial interim review.

The latter concluded that no anti-dumping measures were warranted anymore and was terminated without the imposition of measures. The expiry review was consequently left with no measures in force to be reviewed, and was also terminated.

³³ AD = anti-dumping investigation; AS = anti-subsidy investigation, AD + AS = parallel anti-dumping and anti-subsidy investigation.

* Parallel interim review.

In this context, it is worth noting that, in December 2002, an anti-subsidy investigation concerning imports of bed linen originating in India was initiated, and definitive countervailing duties ranging from 4,4 to 10,4% were imposed in January 2004.

7.2.2. 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 2003, a total of 9 interim reviews were initiated. Eleven interim reviews were concluded with confirmation or amendment of duty and 18 investigations were terminated. The alphabetical list of cases which were concluded during 2003, together with the result of the investigation, can be found below. The asterisk refers to parallel interim and expiry reviews. More information can be obtained from the Official Journal to which reference is given in Annex G.

Product	Originating from	Result of the investigation/ Type³⁴ and level of measure
Cotton-type bed linen*	India	Termination : <i>de minimis</i> dumping margin
Coumarin	P.R. China	Amendment of AD duty : “Damaged goods” clause**
Ethanolamines	USA	Amendment of AD duty : “Damaged goods” clause**
Ferro-silico-manganese	P.R. China Ukraine	Amendment of AD duty : “Damaged goods” clause**
Fluorspar	P.R. China	Confirmation of AD duty
Footwear with uppers of leather or plastics	P.R. China Indonesia Thailand	Automatic termination following expiry of the measures

³⁴ AD = anti-dumping duty, CVD = countervailing duty, UT = undertaking.

** In cases where goods have been damaged before the entry into free circulation and, therefore the price actually paid or payable is apportioned for the determination of the customs value pursuant to Article 145 of Commission Regulation (EEC) No 2454/93, the amount of the anti-dumping duty, calculated on the basis of the amounts set above, shall be reduced by a percentage which corresponds to the apportioning of the price actually paid or payable.

Gas-fuelled, non-refillable pocket flint lighters	P.R. China Taiwan	Amendment of AD duty : “Damaged goods” clause**
Lighters (gas-fuelled, non refillable and refillable)	P.R. China Taiwan	Confirmation of AD duty
Magnesium (deadburned)	P.R. China	Amendment of AD duty : change of form of duty + “damaged goods” clause**
Magnesium (unwrought, unalloyed)	P.R. China	Termination : measures repealed (sole Community producer had ceased production)
Magnesium oxide	P.R. China	Amendment of AD duty + “damaged goods” clause**
Malleable cast-iron tube or pipe fittings	Brazil P.R. China Czech Rep. Japan Korea (Rep. of) Thailand	Confirmation of AD duty
Polyester textured filament yarn*	Indonesia	Automatic termination as measures repealed following withdrawal of 11(2) complaint
Polyester textured filament yarn*	Taiwan	Automatic termination as measures repealed following withdrawal of 11(2) complaint
Potassium permanganate	P.R. China	Amendment of AD duty : “Damaged goods” clause**
Powdered activated carbon	P.R. China	Amendment of AD duty : “Damaged goods” clause**
Salmon (AD/AS)	Norway	Termination : measures repealed (no dumping, <i>de minimis</i> subsidy)

* Parallel expiry review.

Urea	Russia	Confirmation of AD duty
Urea and ammonium nitrate solutions	Lithuania	Amendment : acceptance of an undertaking

7.2.3. “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 2003.

They more specifically concern :

- Name changes of companies benefiting from individual anti-dumping duties (filament yarns of cellulose acetate, salmon)
- New exporters requests (salmon)
- Acceptance, voluntary withdrawal or breach of undertakings (salmon, steel ropes and cables)
- Amendment of duty rate following Judgment of Court of First Instance (stainless steel fasteners);
- Amendment of duty rate applicable when safeguard additional duty is payable (hot-rolled coils, tube and pipe fittings)
- Request for exemption following circumvention investigation (malleable cast-iron tube or pipe fittings).

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

7.2.4. 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 2003, 3 new exporter review and 4 accelerated reviews were initiated. Since the Commission carried out the first reviews of this type in 1990, a total of 43 investigations have been initiated. No investigations were concluded during 2003.

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

7.2.5. *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 2003, one anti-absorption investigation was initiated. It concerned imports of sulphanic acid originating in the People's Republic of China. No investigations were concluded during 2003.

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

7.2.6. *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 2003, four investigations were initiated and two were concluded with extension of the duty. More information can be obtained from the Official Journal to which reference is given in Annex K.

7.3. Safeguard investigations

As a matter of principle, the Commission considers that safeguard measures should only be used as an exceptional tool in emergency situations. The Commission followed this line rigorously over the last decade. At WTO level, this position was shared by the Dispute Settlement Body on several occasions.

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.

During 2003, the Commission has terminated the safeguard measures imposed in 2002 on steel products and has initiated a safeguard investigation on citrus fruits (satsumas). Details of these cases can be found below.

7.3.1. Safeguard on steel products

Last year's report made reference to the exceptional circumstances which arose in March 2002 and which led the Commission to apply safeguard measures for the first time since the entry into force of the 1994 WTO Agreement. Definitive safeguard measures in the form of tariff quotas, beyond which safeguard duties of between 17,5% and 26,0% became payable, were adopted in relation to 7 steel products on 27 September 2002.

For three other products (tin mill products, quarto plates, rebars) which had been subject to the initial investigation, the Commission received new information concerning recent imports and their impact on the Community producers. Following completion of the investigation, the Commission concluded that the conditions for taking safeguard measures were not met for these three products and the investigation was therefore terminated without measures.

Nevertheless, in light of the uncertain situation of the international steel markets, the Commission had also established a system of retrospective surveillance for the 14 steel products in respect of which a safeguard investigation had been commenced but was subsequently terminated without measures. In this way, the Commission put in place a safety net for these products without resorting to market barriers.

Double protection

In relation to the US steel safeguard measures, the Commission had identified that, given the simultaneous application of anti-dumping/countervailing measures and safeguard measures, there was a danger of an excessive level of protection (so called “double protection”) being given to US steel producers. In order to avoid the possibility of such a situation arising in the Community, the Commission gave careful consideration to the effect of the simultaneous application of the steel safeguard measures and anti-dumping/countervailing measures in relation to those products covered by both measures.

The Commission noted that the generous tariff quotas established by the safeguard measures minimised the risk of double protection (as safeguard duty only became payable beyond the level of the tariff quotas). Nevertheless, as both anti-dumping/countervailing measures and safeguard duty may become applicable to imports of certain products from certain origins beyond the level of the safeguard tariff quotas, the Commission decided to take action to prevent any so called double protection.

In determining the appropriate action, the Commission also had regard to the need to protect the Community industry from unfair competition in the form of dumped or subsidised imports. The solution was to reduce the rate of anti-dumping/countervailing duties when the safeguard duty is also payable, so that the total duty amount payable in such a situation is equal to whichever is the higher of the safeguard duty and the anti-dumping/countervailing duties. The same principle was also applied to price undertakings.

The solution was implemented in two phases. First, an enabling regulation confirming the powers of the Commission to deal with this type of case under Article 133 of the Treaty. Second, an implementing regulation setting out the particular products and product origins affected in the steel case and the rates of anti-dumping/countervailing duty that would apply when safeguard duties were chargeable.

On 6 March 2003, the Commission adopted the ‘enabling regulation’ setting out the measures that may be taken by the Community with a view to ensuring that a combination of safeguard measures and anti-dumping/anti-subsidy measures on the same import do not result in those measures having an effect greater than that intended in terms of the Community’s trade defence policy and objectives.

On 6 May 2003, the Commission adopted the ‘implementing regulation’ which was designed to resolve the issue of double protection in relation to the 2 products in respect of which the issue had arisen. These were hot rolled coils originating in Bulgaria, South Africa and Serbia and Montenegro and tube and pipe fittings originating in Thailand, Chinese Taipei, the Czech Republic, Malaysia, the Republic of Korea, Russia and Slovakia.

Termination

The Commission decision to open safeguard proceedings and subsequently adopt definitive measures in relation to 7 steel products was taken against the backdrop of a series of increasingly protectionist measures taken by the US in relation to steel products culminating in the US imposition of safeguard measures on a wide range of steel products on 20 March 2002.³⁵

Following the imposition of the US measures, the Community initiated a dispute settlement procedure against these measures in the World Trade Organisation (WTO). In that proceeding, both the Panel and the Appellate Body found that all the US measures were incompatible with WTO rules on a number of grounds. These reports were adopted by the WTO Dispute Settlement Body in early December 2003. In light of these developments, the US lifted the US steel safeguard measures as of midnight (US time) on 4 December.

The Commission had always made clear that it would immediately re-examine the need for the Community steel safeguard measures in the event that the US measures were lifted. Following re-examination, it was concluded that the market for the 7 products covered by these measures had evolved and tariff rate quotas have been utilised to a lesser degree than expected. Given the definitive termination of all the US safeguard measures concerning these products, it was most unlikely that imports would increase again. Therefore, the Commission concluded that the measures were no longer necessary and a decision to repeal them was taken on 5 December 2003.

7.3.2. *Safeguard on certain prepared or preserved citrus fruits (satsumas)*

In June 2003, Spain lodged a request with the Commission in which it highlighted that imports of certain prepared or preserved citrus fruits (“canned mandarins”) had more than doubled in a single year and were continuing at a high level, causing serious injury to the Community producers (located in Valencia and Murcia, Spain). Having carefully examined the complaint, the Commission initiated on 11 July 2003 a safeguard investigation concerning imports of canned mandarins. 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.

A preliminary investigation indicated that the conditions for the imposition of provisional measures were fully met under the general safeguard regulation. Imports (the majority from China) had increased dramatically from 16.347 tonnes in 1998/99 to 20.335 tonnes in 2000/2001, before more than doubling to 44.804 tonnes in 2001/2002. Imports in 2002/2003 were estimated at around 38.000 tonnes (but were subsequently found to be even higher). As a result of the increased imports, the

³⁵ Proclamation No. 7529 of 5 March 2002, “To Facilitate Positive Adjustment to Competition from Imports of Certain Steel Products”, US Federal Register, Vol. 67, No. 45, 7 March 2002, p. 10553; Memorandum for the Secretary of Treasury, the Secretary of Commerce and the USTR of 5 March 2002 on the “Action Under Section 203 of the Trade Act of 1974 Concerning Certain Steel Products by the President of the United States of America”, Federal Register Vol. 67, No. 45 of 7 March 2002, p. 10593.

Community industry, located exclusively in Spain, was found to be in a situation that could reasonably be described as critical. They had lost over 40% of their market share in the Community in a two year period, and prices were depressed. This had resulted in a fall in sales revenue of nearly 45% over a two year period, 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 provisional safeguard measures were justified, albeit those measures should clearly take account of the interests of other interested parties such as importers and users of the product concerned.

With this in mind, the Commission adopted provisional measures in the form of a tariff quota for China and a tariff quota for all other countries. To ensure access to the Community market, those tariff quotas were based on imports in the three canning seasons 1999/2000, 2000/2001 and 2001/2002. This enabled duty free access for a quantity corresponding to around 27.000 tonnes per annum. In addition, the tariff quota for all other countries was increased to 3% of Community 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 were administered by means of a traditional system of licences. These were made available to traditional importers and other importers in rough proportion to the structure of imports. This system ensured that traditional importers and other importers had guaranteed volumes that they may import duty free. Beyond the level of the tariff quotas, a specific duty of €155/tonne was imposed.

The provisional measures were put in place for a period of 154 days, and the Commission services are currently continuing the investigation in order to reach a final determination.

8. MONITORING OF UNDERTAKINGS

Undertakings are a form of anti-dumping or countervailing measures. They are accepted by the Commission if it is satisfied that they can effectively eliminate the injurious effects of dumping or subsidisation. To achieve this goal, exporters normally pledge to raise their prices. The necessary price increase stems from the findings of the investigation and directly depends on the level of dumping or subsidisation found, or on the injury elimination level, whichever is the lower.

In order 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.

At the beginning of 2003, there were undertakings in force accepted from 195 companies, covering 20 products originating in 21 different countries.

During 2003, the following changes to the portfolio of undertakings took place :

Definitive anti-dumping and/or countervailing duties were imposed on 4 companies following withdrawal of acceptance of their undertakings :

- 3 companies breached their undertaking (steel wire ropes originating in Poland – 1 company; steel wire ropes originating in Turkey – 1 company; steel wire ropes originating in Ukraine – 1 company).
- 1 company voluntarily withdrew its undertaking (salmon originating in Norway).

Undertakings of 119 companies came to an end for reasons other than withdrawal:

- The undertakings of 117 companies expired due to the expiry of measures (salmon originating in Norway – 115 companies; ferrosilicon manganese originating in Ukraine – 2 companies).
- The measures (and thereby the undertakings) applicable to 2 companies have been annulled by a Judgment of the Court of Justice (seamless steel tubes originating in Romania).

In addition, 4 offers for undertakings have been accepted:

- In the proceeding concerning salmon originating in Norway, undertakings from 3 new exporters were accepted before the measures expired.
- Following an interim review limited to the form of measures, 1 undertaking has been accepted from a Lithuanian company in the framework of the proceeding concerning urea ammonium nitrate solutions.

This brings the total number of undertakings in force at the end of 2003 to 76, covering 18 products originating in 19 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).

Once undertakings are accepted, continued contacts with the Community industry remain 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.

Furthermore, a number of initiatives designed in 2002 were put into practice in 2003. Noteworthy are the steps taken to enhance the co-operation with Member States' Customs Authorities and the implementation of a first phase of a new automated and monitoring system.

9. REFUNDS

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

Six new refund requests were lodged during the year. As usual, the Commission seeks to structure the various investigations in such a way as to best utilise its resources. During the year 2003, 2 decisions were adopted rejecting refund requests whilst 5 other requests were withdrawn. It is anticipated that of the 7 ongoing cases the majority should be finalised shortly.

Further details on refunds can be found in Annex T.

10. JUDICIAL REVIEW : DECISIONS GIVEN BY THE COURT OF JUSTICE / COURT OF FIRST INSTANCE

10.1. Overview of the judicial reviews in 2003

In 2003, two Judgments relating to anti-dumping or anti-subsidy were rendered by the Court of First Instance (CFI) and three by the Court of Justice (CoJ). One CoJ Judgment is of particular importance and can be regarded as a landmark Judgment in trade defence matters : the Judgment in the Eurocoton case (see 9.4.1).

10.2. 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 2003 is given in Annex S (11 before the CFI and 1 before the Court of Justice).

10.3. New cases

Four new cases were lodged in 2003 (compared to 5 in 2002 and 6 in 2001), all before the CFI.

They concern in particular the following issues :

- Misuse of discretion to initiate the partial interim review which led to altering the nature of the duties, lack of evidence, alleged illegal differentiation between related and unrelated parties and between direct and indirect sales, infringement of the lesser duty rule and recourse to outdated findings³⁶;
- Alleged manifest error in the determination of the margin of subsidy due to the wrong assessment of the period and the method of depreciation of fixed assets, and manifest error in the determination of the injury and in the analysis of other factors (causality)³⁷;
- Application for compensation in the form of interest on the amounts of import duty which were initially paid but later refunded³⁸;
- Determination and calculation of a benefit to the recipient, determination of specificity of a subsidy programme, finding of injury to the Community industry, calculation of the countervailing duty and application of the provisions on non-cooperation³⁹.

10.4. Judgments rendered by the Court of Justice

The following summaries only mention some of the most important points of the Judgments and do not deal with all questions raised in these Judgments, nor with their specific facts.

10.4.1. Unbleached cotton fabrics originating in the People's Republic of China, Egypt, India, Indonesia, Pakistan and Turkey (the "Eurocoton" case)

- Case C-76/01P – Eurocoton v. Council : Judgment of 30 September 2003 (not yet published)

This case was brought to the CFI in 1997 by the complaining Community industry (Eurocoton) against the non-adoption by the Council of a Commission proposal to impose definitive measures on import of unbleached cotton fabrics originating in the People's Republic of China, Egypt, India, Indonesia, Pakistan and Turkey. In fact, the Council did not achieve the simple majority necessary to adopt the Commission's proposal and, consequently, the deadline of 15 months to impose definitive measures expired and no measures were imposed.

³⁶ T-278 & 280/03, Van Mannekus & Co. BV v. Council, OJ C 251, 18.10.2003, p. 16 and OJ C 264, 1.11.2003, p. 31.

³⁷ T-300/03, Moser Baer India Ltd. v. Council, OJ C 264, 1.11.2003, p. 35.

³⁸ T-364/03, Medici Grimm KG v. Council, OJ C 21, 24.1.2004, p. 36.

³⁹ T-383/03, Hynix Semiconductor Inc. v. Council, OJ C 21, 24.1.2004, p. 43.

In 2000, the CFI concluded that neither the fact that the Council did not reach a simple majority in favour of the Commission's proposal to impose duties, nor the expiry of the 15-month period imposed on anti-dumping investigations by Article 6(9) of the basic Regulation could constitute an act reviewable under Article 230 of the EC Treaty. The CFI justified its conclusions by the argument that if a positive vote is the legal means by which the Commission's proposal is adopted, a negative vote merely indicates the absence of any decision. As a consequence, the CFI also considered that the Council was under no obligation to state reasons for not adopting the proposed definitive regulation. Therefore, the CFI dismissed the application as inadmissible.

Eurocoton appealed against the CFI Judgment and requested the CoJ to set aside that Judgment because it infringed the EC Treaty in holding that the Council's failure to adopt definitive measures was not a reviewable act.

The CoJ, in its Judgment of 2003, agreed to the Appellant's approach.

Indeed, according to the Court, at the end of the voting procedure combined together with the expiry of the 15-month period, the Council adopted a position on the Commission's proposal which definitely determined its own position on how the complete anti-dumping procedure should be concluded. The CoJ added that anti-dumping proceedings are of a hybrid nature and although it is a legislative act, it is also similar in several respects to administrative procedures. Therefore, albeit a failure to adopt a purely legislative act should not be open to review, failure to adopt anti-dumping measures is, in CoJ view, clearly a challengeable act. Furthermore, as Article 9(4) of the basic Regulation states that the Council shall impose a duty if all the constitutive elements required are established (i.e. dumping and injury caused thereby, Community interest), the CoJ concluded that the Council is also obliged to state adequate reasons to show clearly and unambiguously that one of these conditions is not fulfilled if it decides not to impose definitive measures. If the Council has the intention to reject the Commission's proposal, it must justify it in accordance with the provisions of the basic Regulation.

This Judgment at hand is of particular importance to the decision-making process in trade defence matters. Indeed, this Judgment has to be regarded as a further important step towards "judicialisation" and hence a "de-politisation" of the anti-dumping and anti-subsidy instruments since, from now on, the Council will be required to give a reasoning based on the basic Regulation for rejecting the Commission's proposal. It thus confirms the rules of law in the decision-making process in TDI proceeding and makes it impossible to take decisions which are not based on conditions laid down in the basic Regulation.

10.4.2. *Seamless pipes and tubes originating, inter alia, in Romania*

- Case C-76/00P – Petrotub S.A. and Republica S.A. v. Council : Judgment of 9 January 2003 (ECR 2003 Page I-00079)

In 1999, in Joint Cases T-33/98 and T-34/98, the CFI dismissed the applications brought by Petrotub S.A. and Republica S.A. for the annulment of the Council Regulation imposing definitive anti-dumping duties on imports of certain seamless pipes and tubes of iron or non-alloy steel originating, *inter alia*, in Romania.

In 2000, a Joint Appeal was lodged by the above-mentioned companies before the CoJ. The CoJ set aside the CFI Judgment and ruled as follows:

- Petrotub S.A. claimed that an explanation should have been given on why the different pattern of export prices could not be reflected in an average-to-average or in a transaction-to-transaction comparison when calculating the dumping margin. This statement of reasons is required under Article 2.4.2 of the WTO Anti-dumping Agreement, but it is not expressly specified in Article 2(11) of the basic Regulation.

The CoJ ruled that the principle of a WTO consistent interpretation should have been applied and, consequently, that the Community institutions should have provided a statement of reasons on the matter.

- Republica's application claimed that an explanation should have been given on why its sales using a compensatory arrangement were considered to have been made in the ordinary course of trade.

The CoJ ruled that the requirement for a statement of reasons under Article 253 of the EC Treaty should have been fulfilled and that the reasoning followed by the Community institutions should have been disclosed to the interested parties in a clear and unequivocal way.

Consequently, the Council Regulation imposing definitive anti-dumping duties on imports of seamless pipes and tubes was annulled in so far as it concerned imports into the European Community manufactured by the companies Petrotub SA and Republica SA located in Romania. The Commission published in February 2003 a notice announcing that both companies are no longer subject to the anti-dumping duties and that the duties paid should be reimbursed.

Furthermore, the Commission, in so complying with the Judgment, re-assessed the aspects of the contested Regulation which led to its annulment, while leaving unchanged the uncontested parts which are not affected by the Judgment. A Regulation imposing anti-dumping duties on imports manufactured by the two Romanian exporters and accepting undertakings was subsequently published in February 2004.

10.4.3. *Farmed Atlantic salmon originating in Norway*

- Case C-472/00P – Fresh Marine v. Commission : Judgment of 10 July 2003 (ECR 2003 Page I-07541)

In 2000, in Case T-178/98, the CFI ordered the Commission to make good the damage to Fresh Marine in respect of the loss of profits it had suffered following withdrawal by the Commission of its undertaking, the subsequent imposition of provisional measures and the reinstatement of its undertaking.

The Commission appealed against this Judgment stating that the CFI erred in law by holding that :

- The damage arose from the allegedly unlawful conduct of the Commission;
- A mere infringement of Community law is sufficient to lead to liability of the Community;
- The Commission committed an error which it would have avoided if it had exercised ordinary care and diligence;
- Fresh Marine had shown reasonable diligence in mitigating the extent of the damage it claimed to have suffered;
- The Commission unjustifiably delayed the adoption of the necessary measures to restore Fresh Marine's undertaking.

The present Judgment deals with the legal issue related to the extra-contractual liability of the Commission (Article 288 § 2 EC). The CoJ dismissed the appeal in its entirety stating, *inter alia*, that the Commission's conduct in this matter should be regarded as a sufficiently serious breach of a rule of Community law because, in deciding to withdraw the undertaking and to impose provisional measures, it

- relied exclusively on the analysis of the report which gave reason to believe that Fresh Marine had complied with its undertaking but which the Commission had amended on its own initiative;
- did not take the precaution to check with Fresh Marine what the impact of the amendment might have on the reliability of the information provided by the company; and
- consequently, clearly did not comply with its obligation to only impose provisional measures where there is reason to believe that the undertaking had been breached.

In line with the Judgment, the Commission will thus have to make good the damage to Fresh Marine.

10.5. Judgments rendered by the Court of First Instance

The following summaries only mention some of the most important points of the Judgments and do not deal with all questions raised in these Judgments, nor with their specific facts.

10.5.1. *Ferro-silicon originating in Brazil, the People's Republic of China, Kazakhstan, Russia, Ukraine and Venezuela*

- T-132/01 – Euroalliages v. Commission : Judgment of 8 July 2003 (not yet published)

Since the 80's, anti-dumping measures were in force on imports of ferro-silicon from the above-mentioned countries. The expiry review which was initiated in December 1998 was terminated in March 2001, without renewal of the duty, as it was considered that the Community interest condition was not fulfilled.

The Applicant, i.e. the Community industry, lodged an application requesting the CFI to annul the Commission decision terminating the proceeding on the basis of the fact that, *inter alia*,

- there was no need to examine the Community interest factor during an expiry review;
- its request for a confrontation hearing with the users was rejected by the Commission;
- there was an allegedly manifest error of appreciation of the Community industry and of the impact of measures on users.

The CFI dismissed the application in its entirety.

It firstly considered that the condition of the Community interest must be fully taken into account in an expiry review even though Article 11(2) of the basic Regulation does not explicitly mention this. The factual basis for the Community interest test can change during the application of the measures, notably due to the effect of the measures themselves.

Secondly, the CFI confirmed that the provisions concerning confrontation hearings foreseen under Article 6(6) of the basic Regulation are applicable only in the context of dumping and injury analysis, i.e. they cannot apply when assessing Community interest.

Thirdly, even though the CFI admitted that different interpretations on the situation of the Community industry and on the impact of the measures on users could be given, it considered that the applicants did not prove the manifest error of appreciation committed by the Commission.

10.5.2. *Integrated electronic compact fluorescent lamps (CFL-i) originating in the People's Republic of China*

- T-255/01 – Changzhou Hailong Electronics & Zhejiang Yankon v. Council : Judgment of 23 October 2003 (not yet published)

During the investigation leading in 2001 to the imposition of definitive measures on imports of CFL-i originating in the People's Republic of China, the Commission granted market economy treatment ('MET') to 2 Chinese exporters and rejected the Applicant's claims for such treatment.

The Applicants sought annulment of the definitive measures claiming that the determination of their dumping margins should have been based on the normal values established for the individual companies which were granted MET in the People's Republic of China, and not on the normal value determined on the basis of a market economy third country (in this case, Mexico). Furthermore, they claimed that the principle of equal treatment was infringed insofar as the choice of an analogue country led to normal values higher than the value set for at least one of the two Chinese producers who was granted MET.

The CFI ruled in favour of the Commission's approach. It clearly stated that the method of determining normal value by granting MET should be strictly interpreted and must be confined to specific individual cases, in which the producers concerned have made a properly substantiated claim for MET. The Applicants, however, did not show that market economy conditions prevailed to them.

The CFI also considered that the Commission did not discriminate between Chinese producers. In this case, the Applicants, which did not operate in market economy conditions, were not in the same situation as the two Chinese producers which did operate in those conditions and which had submitted properly substantiated claims in that connection.

11. ACTIVITIES IN THE FRAMEWORK OF THE WORLD TRADE ORGANIZATION (WTO)

11.1. Dispute settlement in the field of anti-dumping, anti-subsidy and safeguards

11.1.1. 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 75 panel and Appellate Body reports adopted between 1 January 1995 and 31 December 2003, 31 cases refer to the aforementioned areas.

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

11.1.2.1. India – anti-dumping duties on imports of cotton-type bed linen

By Council Regulation (EC) No 2398/97⁴⁰, the Community imposed anti-dumping measures on cotton-type bed linen originating, *inter alia*, from India. Subsequent developments, including the findings of a WTO panel established upon request by India and of the WTO Appellate Body and the implementation of the WTO Dispute Settlement Body recommendations by the Community, were summarised in the 2000, 2001 and 2002 Reports to the European Parliament.

After the adoption of the reports by the WTO Dispute Settlement Body, the Commission implemented the reports by suspending the application of the anti-dumping measures against India by Council Regulation (EC) No 1644/2001⁴¹. Following a request by the Community industry, a partial interim review, limited to the examination of the dumping aspects, was initiated in February 2002. The anti-dumping measures on imports from India remained suspended during the review.

Despite the suspension of the application of the measures, India claimed that the Commission had not implemented correctly the previous panel and Appellate Body findings. India therefore requested the establishment of an implementation panel. In its report of November 2002, the panel rejected all the eight claims brought forward by India and fully confirmed the consistency of the Commission’s implementation with the previous panel and Appellate Body recommendations. India appealed the findings of the implementation panel. The Appellate Body report circulated on 8 April 2003 confirmed the Commission’s implementation in all but one point.

There was no specific follow-up of the Appellate Body report since, on 17 December 2003, the partial interim review was terminated without the imposition of measures⁴² for reasons unconnected with the result of the WTO dispute settlement case.

⁴⁰ OJ L 332, 4.12.1997, p. 1. Regulation as last amended by Regulation (EC) No 554/2000 (OJ L 68, 16.3.2000, p. 1).

⁴¹ OJ L 219, 14.08.2001, p. 1.

⁴² OJ L 333, 20.12.2003, p. 3.

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

By Council Regulation (EC) No 1748/2000⁴³, the Community imposed definitive anti-dumping duties on imports of certain malleable cast iron tube or pipe fittings originating, *inter alia*, in Brazil. After consultations, a panel was established on 26 July 2001 following a request by Brazil.

The panel and Appellate Body report issued on 7 March 2003 and 22 July 2003 respectively rejected the vast majority of the more than 40 original claims made by Brazil. The Community's measures were thus largely confirmed. The claims accepted by the panel and Appellate Body (zeroing in the dumping calculation and disclosure and public notice of certain injury factors deemed to be insignificant) relate to methodologies not used any more in current anti-dumping investigations. They were only of minor practical relevance for the case at hand and led to a reduction of the anti-dumping duty from 34,8 to 32%. In line with the Community's general policy of swift implementation of WTO panel and Appellate Body reports, a short implementation period of 7 months as of adoption of the reports was agreed with Brazil. This period of time was necessary to give interested parties, including the Community industry and the Brazilian exporter, sufficient time to comment on the proposed amendments to the original regulation. The implementation was concluded in time with Council Regulation 436/2004⁴⁴.

11.2. Other WTO activities

The year 2003 saw the continuation of the first phase of the negotiations on the WTO Anti-dumping and Subsidies Agreements, as agreed at the 4th Ministerial Conference in Doha. The Commission has continued to play an active role in the Negotiating Group on Rules - the forum of the negotiations - by submitting negotiating proposals both on anti-dumping and subsidies⁴⁵.

Concerning anti-dumping, the situation can be described as follows : a critical mass of proposals by most major players is on the table and most issues have been identified by Members for negotiation. Positions expressed so far range from objection to any changes in substance to a wholesale re-negotiation of the Anti-dumping Agreement. In its negotiating submissions, the Commission expressed its openness to a broad negotiation covering topics such as introduction of lesser-duty rules, public interest test and rules on circumvention, swift initiation panels and proposals for reducing costs of initiations. On two topics, i.e. swift initiation panels and cost saving, the Commission clarified its proposals in two further papers, the one on cost saving was co-sponsored by Japan.

⁴³ OJ L 208, 18.08.2000, p. 8.

⁴⁴ OJ L 72, 11.3.2004, p. 15.

⁴⁵ EC submissions on anti-dumping: WTO document **TN/RL/W/67** of 7 March 2003 and TN/RL/W/138 of 17 July 2003; EC submission on fisheries subsidies: WTO document **TN/RL/W/82** of 23 April 2003

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

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.

12. CONCLUSION

Although the year 2003 distinguishes itself in comparison with the previous years by a decrease in the number of investigations initiated and measures imposed, it has been "rich" in a number of other aspects, such as the safeguards on steel and citrus fruits, the 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.

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Summary

On 31 December 2003, there were 156 anti-dumping and 17 countervailing measures in force. This compares to 174 anti-dumping and 19 countervailing measures in force at the end of 2002.

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

1. Initiations

A total of 36 investigations were initiated, split up as follows :

- 8 new investigations, of which 1 anti-subsidy (see Annex A)
- 5 expiry reviews, of which 1 anti-subsidy (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)
- 9 interim reviews, of which 1 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)
- 7 new exporter reviews (2 anti-dumping and 4 accelerated) (see Annex I)
- 1 anti-absorption investigation (see Annex J)
- 4 anti-circumvention investigations (see Annex K)
- 2 safeguard investigations (see Annex L)

2. Measures

- 10 provisional measures were imposed (of which 1 anti-subsidy), involving imports from 8 countries and covering 8 products (see Annex C)
- 5 definitive measures were imposed (of which 2 anti-subsidy), involving imports from 4 countries and covering 5 products (see Annex D)
- the Commission accepted undertakings offered by exporters in 2 cases; in 3 cases, undertakings were repealed with imposition of definitive measures; in another case, the undertakings expired (see Annex M)
- of the expiry reviews, 4 reviews were concluded with confirmation of duty (see Annex F)
- of the interim reviews, 11 reviews were concluded with confirmation/ amendment of duty (see Annex G)

- of the other reviews, 20 investigations were concluded confirming/ amending the measures (see Annex H)
- of the anti-circumvention investigations, 2 were concluded with extension of duty (see Annex K)

3. Terminations

- 21 new investigations (of which 0 anti-subsidy) were terminated without the imposition of measures (see Annex E)
- of the expiry reviews, 5 were concluded by termination (see Annex F)
- of the interim reviews, 18 investigations were concluded by termination (see Annex G)
- 21 measures (of which 3 anti-subsidy) expired automatically after their 5-year period of imposition
- the safeguard investigation re 3 steel products was concluded by termination. The safeguard measures imposed on steel products were repealed. The safeguard investigation on citrus fruits originating in China was terminated.

Further information can be found on the Court cases (up till 31.12.2003) (Annex S), on all definitive anti-dumping measures in force on 31.12.2003 (Annex O), on all definitive anti-subsidy measures in force on 31.12.2003 (Annex P), on undertakings in force on 31.12.2003 (Annex Q), on investigations pending on 31.12.2003 (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.

ANNEX A

New investigations initiated

during the period 1 January – 31 December 2003

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

Product	Country of origin	OJ Reference
Polyethylene terephthalate (PET)	Australia P.R. China Pakistan	C 120 22.05.2003, p. 9
Okoumé plywood	P.R. China	C 195 19.08.2003, p. 3
Graphite electrode systems	India	C 197 21.08.2003, p. 2
Polyester staple fibres	P.R. China Saudi Arabia	C 309 19.12.2003, p. 6

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

Product	Country of origin	OJ Reference
Graphite electrode systems	India	C 197 21.08.2003, p. 5

ANNEX B

A) New investigations initiated by product sector during the period 1999 – 2003 (31 December)

Product	1999	2000	2001	2002	2003
Chemical and allied	28	17	5	5	3
Textiles and allied	11	-	5	2	2
Wood and paper	-	-	-	-	1
Electronics	12	2	3	3	2
Other mechanical engineering	5	1	4	4	-
Iron and Steel	25	7	16	5	-
Others metal	-	2	-	-	-
Other	5	2	-	4	-
	86	31	33	23	8
Of which anti-dumping	66	31	27	20	7
anti-subsidy	20	0	6	3	1

B) New investigations initiated by country of export during the period 1999 – 2003 (31 December)

Country of origin	1999	2000	2001	2002	2003
Algeria	1	-	-	-	-
Australia	2	-	-	-	1
Belarus	1	1	-	-	-
Brazil	1	-	-	-	-
Bulgaria	1	1	-	-	-
Chile	-	-	-	1	-
China (People's Republic of)	12	6	1	4	3
Croatia	1	1	-	-	-
Czech Republic	1	1	2	-	-
Egypt	-	1	2	-	-
Estonia	-	1	-	-	-
Faeroe Islands	-	-	-	2	-
Hong Kong	1	-	-	-	-
Hungary	-	-	1	-	-
India	7	3	8	3	2
Indonesia	4	-	3	2	-
Iran	1	-	1	-	-
Japan	4	1	-	-	-
Korea (Rep. of)	9	2	1	1	-
Libya	-	1	1	-	-
Lithuania	3	1	1	-	-
Malaysia	4	1	1	1	-
Mexico	-	-	-	-	-
Norway	-	-	-	1	-
Pakistan	-	-	-	1	1
Philippines	1	-	-	-	-
Poland	1	1	1	1	-
Romania	1	1	-	-	-
Russia	1	2	2	3	-
Saudi Arabia	-	-	-	-	1
Singapore	1	-	-	-	-
Slovakia	1	-	2	-	-
Slovenia	-	-	-	-	-
South Africa	2	-	-	-	-
Taiwan	12	-	1	-	-
Thailand	7	1	1	-	-
Turkey	1	3	2	1	-
Ukraine	2	1	1	-	-
USA	1	1	1	1	-
Vietnam	-	-	-	1	-
Yugoslavia (F.R.)	2	-	-	-	-
	86	31	33	23	8

ANNEX C

New investigations concluded by the imposition of provisional duties

during the period 1 January – 31 December 2003

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

Product	Country of origin	Regulation N°	OJ Reference
Paracresol	P.R. China	Commission Reg. (EC) No 510/2003 20.03.2003	L 75 21.03.2003 p. 12
Furfuryl alcohol	P.R. China	Commission Reg. (EC) No 781/2003 07.05.2003	L 114 08.05.2003 p. 16
Silicon metal	Russia	Commission Reg. (EC) No 1235/2003 10.07.2003	L 173 11.07.2003 p. 14
Hollow sections	Turkey	Commission Reg. (EC) No 1251/2003 14.07.2003	L 175 15.07.2003 p. 3
Cold-rolled flat products	USA	Commission Reg. (EC) No 1611/2003 15.09.2003	L 230 16.09.2003 p. 9
Large rainbow trout	Norway Faeroe Islands	Commission Reg. (EC) No 1628/2003 17.09.2003	L 232 18.09.2003 p. 29
Sodium cyclamate	P.R. China Indonesia	Commission Reg. (EC) No 1627/2003 17.09.2003	L 232 18.09.2003 p. 12

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

Product	Country of origin	Regulation N°	OJ Reference
DRAMs	Korea (Rep. of)	Commission Reg. (EC) No 708/2003 23.04.2003	L 102 24.04.2003 p. 7

ANNEX D

New investigations concluded by the imposition of definitive duties

during the period 1 January – 31 December 2003

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

Product	Country of origin	Regulation N°	OJ Reference	Investigation period (IP)	Community consumption during IP	Total imports from countries concerned during IP
Para-cresol	P.R. China	Council Reg. (EC) No 1656/2003 11.09.2003	L 234 20.09.2003 p. 1	1.4.2001-31.3.2002	12.770 tonnes	4.035 tonnes
Furfuryl alcohol	P.R. China	Council Reg. (EC) No 1905/2003 27.10.2003	L 283 31.10.2003 p. 1	1.7.2001-30.6.2002	confidential	10.352 metric tonnes
Silicon metal	Russia	Council Reg. (EC) No 2229/2003 22.12.2003	L 339 24.12.2003 p. 3	1.10.2001- 30.9.2002	371.540 tonnes	18.006 tonnes

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

Product	Country of origin	Regulation N°	OJ Reference	Investigation period (IP)	Community consumption during IP	Total imports from countries concerned during IP
Recordable compact disks (CD-Rs)	India	Council Reg. (EC) No 960/2003 02.06.2003	L 138 05.06.2003 p. 1	1.4.2001- 31.3.2002	2.218.563.000 units	196.091.000 units
DRAMs	Korea (Rep. of)	Council Reg. (EC) No 1480/2003 11.08.2003	L 212 22.08.2003 p. 1	1.1.2001- 31.12.2001	416 (index)	319 (index)

ANNEX E

New investigations terminated without the imposition of measures

during the period 1 January – 31 December 2003

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

Product	Country of origin	Regulation N°	OJ Reference
Grain-oriented electrical sheets and strips	Poland Russia	Com. Decision No 2003/84/EC 07.02.2003	L 33 08.02.2003 p. 41
Filament yarns of cellulose acetate	Lithuania USA	Com. Decision No 2003/167/EC 11.03.2003	L 67 12.03.2003 p. 20
Flat-rolled products of iron or non-alloy steel (hot-rolled coils)	Egypt Hungary Iran Libya Slovakia Turkey	15 month deadline to impose definitive measures expired	
Rubber-grade carbon blacks	Egypt Russia	15 month deadline to impose definitive measures expired	
Compact disk recordables	India	Com. Decision No 2003/371/EC 22.05.2003	L 127 23.05.2003 p. 60
Salmon	Chile Faeroe Islands	Council Reg. (EC) No 930/2003 26.05.2003	L 133 29.05.2003 p. 1
Lighters (disposable gas-fuelled)	P.R. China Indonesia Malaysia Vietnam	Commission Dec. No 2003/645/EC 11.09.2003	L 228 12.09.2003 p. 35
Hollow sections	Russia Turkey	Commission Dec. No 2003/808/EC 15.12.2003	L 327 16.12.2003 p. 46

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

Product	Country of origin	Regulation N°	OJ Reference
NONE			

ANNEX F

Expiry reviews initiated or concluded
during the period 1 January – 31 December 2003
(chronological by date of publication)

Initiated		
Product	Country of origin	OJ Reference
Glyphosate*	P.R. China	C 36 15.02.2003 p. 18
Tungsten carbide and fused tungsten carbide	P.R. China	C 84 08.04.2003 p. 2
Synthetic fibre ropes	India	C 149 26.06.2003 p. 12
Antibiotics (broad spectrum) (AS)*	India	C 241 08.10.2003 p. 7
Furfuraldehyde	P.R. China	C 308 18.12.2003 p. 2

Concluded : confirmation of duty			
Product	Country of origin	Regulation/ Decision No	OJ Reference
Grain oriented electrical sheets	Russia	Council Reg. (EC) No 151/2003 27.01.2003	L 25 30.01.2003 p. 7
Tube or pipe fittings, of iron or steel	P.R. China Thailand Taiwan	Council Reg. (EC) No 964/2003 02.06.2003	L 139 06.06.2003 p. 1

* Parallel interim review (see Annex G).

Concluded : termination			
Product	Country of origin	Regulation/ Decision No	OJ Reference
Polyester textured filament yarn*	Taiwan	Council Reg. (EC) No 1671/2003 22.09.2003	L 237 24.09.2003 p. 1
Polyester textured filament yarn*	Indonesia Thailand	Council Reg. (EC) No 1671/2003 22.09.2003	L 237 24.09.2003 p. 1
Polyester textured filament yarn	Malaysia	Council Reg. (EC) No 1671/2003 22.09.2003	L 237 24.09.2003 p. 1
Cotton-type bedlinen*	India	Council Reg. (EC) No 2239/2003 17.12.2003	L 333 20.12.2003 p. 3

* Parallel interim review (see Annex G).

ANNEX G

Interim reviews initiated or concluded
during the period 1 January – 31 December 2003
(chronological by date of publication)

Initiated		
Product	Country of origin	OJ Reference
Tube or pipe fittings, of iron or steel	Thailand	C 17 24.01.2003 p. 2
Glyphosate*	P.R. China	C 36 15.02.2003 p. 18
Polyethylene terephthalate (PET)	Korea (Rep. of) Taiwan	C 120 22.05.2003 p. 13
Steel ropes and cables	Czech Rep.	C 162 11.07.2003 p. 6
Antibiotics (broad spectrum) (AS)*	India	C 241 08.10.2003 p. 7
PET film	India	C 281 22.11.2003 p. 4
Polyester staple fibres	Korea (Rep. of) Taiwan	C 309 19.12.2003 p. 2

Concluded : confirmation/amendment of duty			
Product	Country of origin	Regulation/ Decision No	OJ Reference
Potassium permanganate	P.R. China	Council Reg. (EC) No 152/2003 27.01.2003	L 25 30.01.2003 p. 21

* Parallel expiry review (see Annex F).

Ethanolamines	USA	Council Reg. (EC) No 153/2003 27.01.2003	L 25 30.01.2003 p. 23
Ferro-silico-manganese	P.R. China Ukraine	Council Reg. (EC) No 154/2003 27.01.2003	L 25 30.01.2003 p. 25
Gas-fuelled, non-refillable pocket flint lighters	P.R. China Taiwan	Council Reg. (EC) No 155/2003 27.01.2003	L 25 30.01.2003 p. 27
Malleable cast-iron tube or pipe fittings **	Brazil P.R. China Czech Rep. Japan Korea (Rep. of) Thailand	Council Reg. (EC) No 320/2003 18.02.2003	L 47 21.02.2003 p. 1
Powdered activated carbon	P.R. China	Council Reg. (EC) No 931/2003 26.05.2003	L 133 29.05.2003 p. 36
Magnesium oxide	P.R. China	Council Reg. (EC) No 985/2003 05.06.2003	L 143 11.06.2003 p. 1
Magnesia (deadburned)	P.R. China	Council Reg. (EC) No 986/2003 05.06.2003	L 143 11.06.2003 p. 5
Lighters (gas-fuelled, non- refillable and refillable)	P.R. China Taiwan	Commission Dec. No 2003/645/EC 11.09.2003	L 228 12.09.2003 p. 35
Urea and ammonium nitrate solutions	Lithuania	Council Reg. (EC) No 1675/2003 22.09.2003	L 238 25.09.2003 p. 4
Coumarin	P.R. China	Council Reg. (EC) No 1854/2003 20.10.2003	L 272 23.10.2003 p. 1
Fluorspar	P.R. China	Council Reg. (EC) No 2070/2003 24.11.2003	L 311 27.11.2003 p. 1
Urea	Russia	Council Reg. (EC) No 2228/2003 22.12.2003	L 339 24.12.2003 p. 1

** Investigation carried out pursuant to Article 2 of Council Reg. (EC) No 1515/2001 (OJ L 201, 26.7.2001, p. 10).

Concluded : termination			
Product	Country of origin	Regulation/ Decision No	OJ Reference
Footwear with uppers of leather or plastics	P.R. China Indonesia Thailand	Automatic termination following expiry of the measures	C 46 26.02.2003 p. 7
Magnesium (unwrought, unalloyed)	P.R. China	Council Reg. (EC) No 579/2003 27.03.2003	L 83 01.04.2003 p. 32
Salmon (AD/AS)	Norway	Council Reg. (EC) No 930/2003 26.05.2003	L 133 29.05.2003 p. 1
Polyester textured filament yarn*	Indonesia	Council Reg. (EC) No 1671/2003 22.09.2003	L 237 24.09.2003 p. 1
Polyester textured filament yarn*	Taiwan	Council Reg. (EC) No 1671/2003 22.09.2003	L 237 24.09.2003 p. 1
Cotton-type bedlinen*	India	Council Reg. (EC) No 2239/2003 17.12.2003	L 333 20.12.2003 p. 3

* Parallel expiry review (see Annex F).

ANNEX H

Other reviews concluded

during the period 1 January – 31 December 2003

(chronological by date of publication)

Concluded : confirmation/amendment of duty			
Product	Country of origin	Regulation/ Decision No	OJ Reference
Filament yarns of cellulose acetate	Lithuania USA	Commission Reg. (EC) No 158/2003 29.01.2003	L 25 30.01.2003 p. 35
Salmon (AD/AS)	Norway	Council Reg. (EC) No 321/2003 18.02.2003	L 47 21.02.2003 p. 3
Stainless steel fasteners	India	Council Reg. (EC) No 695/2003 14.04.2003	L 99 17.04.2003 p. 22
Flat rolled products of iron or non-alloy steel (hot rolled coils)	Bulgaria South Africa Yugoslavia (F.R.)	Council Reg. (EC) No 778/2003 06.05.2003	L 114 08.05.2003 p. 1
Tube and pipe fittings, of iron or steel	Thailand	Council Reg. (EC) No 778/2003 06.05.2003	L 114 08.05.2003 p. 1
Tube and pipe fittings, of iron or steel	Taiwan	Council Reg. (EC) No 778/2003 06.05.2003	L 114 08.05.2003 p. 1
Tube and pipe fittings, of iron or steel	Czech Rep. Malaysia Korea (Rep. of) Russia Slovakia	Council Reg. (EC) No 778/2003 06.05.2003	L 114 08.05.2003 p. 1
Malleable cast iron tube or pipe fittings	Brazil	Commission Reg. (EC) No 909/2003 23.05.2003	L 128 24.05.2003 p. 7
Steel ropes and cables	Turkey	Council Reg. (EC) No 1268/2003 15.07.2003	L 180 18.07.2003 p. 23

Steel ropes and cables	Poland Ukraine	Council Reg. (EC) No 1674/2003 22.09.2003	L 238 25.09.2003 p. 1
Tube or pipe fittings, or iron or steel	P.R. China Thailand Taiwan	Council Reg. (EC) No 2212/2003 17.12.2003	L 332 19.12.2003 p. 3

ANNEX I

New exporter reviews initiated or concluded
during the period 1 January – 31 December 2003
(chronological by date of publication)

A. Anti-dumping investigations

Initiated			
Product	Country of origin	Regulation/Decision No	OJ Reference
Stainless steel wires (diameter 1 mm or more)	India	Commission Reg. (EC) No 1225/2003 09.07.2003	L 172 10.07.2003 p. 6
Polyethylene terephthalate (PET)	Thailand	Commission Reg. (EC) No 1292/2003 18.07.2003	L 181 19.07.2003 p. 20
Electronic weighing scales	Taiwan	Commission Reg. (EC) No 2034/2003 19.11.2003	L 302 20.11.2003 p. 3

Concluded : imposition/amendment of duty			
Product	Country of origin	Regulation/ Decision No	OJ Reference
NONE			

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

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

Initiated		
Product	Country of origin	OJ Reference
Broad spectrum antibiotics	India	C 102 29.04.2003 p. 6
Stainless steel wires (diameter < 1 mm)	India	C 161 10.07.2003 p. 3
Stainless steel wires (diameter 1 mm or more)	India	C 161 10.07.2003 p. 2
Polyethylene terephthalate (PET)	Thailand	C 170 19.07.2003 p. 2

Concluded : imposition/amendment of duty			
Product	Country of origin	Regulation/ Decision No	OJ Reference
NONE			

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

ANNEX J

Anti-absorption investigations initiated or concluded

during the period 1 January – 31 December 2003

(chronological by date of publication)

Initiated		
Product	Country of origin	OJ Reference
Sulphanilic acid	P.R. China	C 149 26.06.2003 p. 14

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

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

ANNEX K

Anti-circumvention investigations initiated or concluded

during the period 1 January – 31 December 2003

(chronological by date of publication)

Initiated			
Product	Country of origin	Regulation/ Decision No	OJ Reference
Seamless pipes and tubes of iron or non-alloy steel	Russia Ukraine	Commission Reg. (EC) No 1264/2003 16.07.2003	L 178 17.07.2003 p. 9
Steel ropes and cables	Ukraine	Commission Reg. (EC) No 1347/2003 29.07.2003	L 190 30.07.2003 p. 3
Ring binder mechanisms	P.R. China	Commission Reg. (EC) No 1733/2003 30.09.2003	L 249 01.10.2003 p. 24

Concluded with extension of duty			
Product	Country of origin and/or consignment	Regulation/ Decision No	OJ Reference
Malleable cast iron tube or pipe fittings	Brazil	Council Reg. (EC) No 1023/2003 13.06.2003	L 149 17.06.2003 p. 1
Zinc oxides (extended to zinc oxides from Vietnam and to zinc oxides mixed with silica)	P.R. China	Council Reg. (EC) No 1623/2003 18.09.2003	L 232 18.09.2003 p. 1

Suspension of extension			
Product	Country of origin and/or consignment	Regulation/ Decision No	OJ Reference
Malleable cast iron tube or pipe fittings	Argentina	Commission Dec. No 2003/434/EC 16.06.2003	L 149 17.06.2003 p. 30

Update of list of parties under examination re exemptions			
Product	Country of origin and/or consignment	Regulation/ Decision No	OJ Reference
Bicycle parts	P.R. China	n.a.	C 35 14.02.2003 p. 3
Bicycle parts	P.R. China	n.a.	C 43 22.02.2003 p. 5

Exemptions revoked			
Product	Country of origin and/or consignment	Regulation/ Decision No	OJ Reference
Bicycle parts	P.R. China	n.a.	L 190 30.07.2003 p. 10

Exemptions granted and suspension lifted			
Product	Country of origin and/or consignment	Regulation/ Decision No	OJ Reference
Bicycle parts	P.R. China	Commission Dec. No 2003/899/EC 28.11.2003	L 336 23.12.2003 p. 101

ANNEX L

Safeguard investigations initiated and concluded

during the period 1 January – 31 December 2003

(chronological by date of publication)

Initiated		
Product	Country of origin	OJ Reference
Citrus fruits	P.R. China	C 162 11.07.2003 p. 2
Citrus fruits	Erga omnes	C 162 11.07.2003 p. 2

Reviews concluded by termination			
Product	Country of origin	Regulation/ Decision No	OJ Reference
Steel products (3 types)	Erga omnes	Commission Reg. (EC) No 142/2003 27.01.2003	L 23 28.01.2003 p. 9

Reviews concluded			
Product	Country of origin	Regulation/ Decision No	OJ Reference
Steel products : - flat-rolled products of iron or non-alloy steel - tube and pipe fittings, of iron or steel	Bulgaria South Africa Yugoslavia (F.R.) India Thailand Taiwan P.R. China Czech Rep. Malaysia Korea (Rep. of) Russia Slovakia	Council Reg. (EC) No 778/2003 06.05.2003 (Examination of double protection)	L 114 08.05.2003 p. 1

Provisional measures imposed			
Product	Country of origin	Regulation/ Decision No	OJ Reference
Citrus fruits	Erga omnes	Commission Reg. (EC) No 1964/2003 07.11.2003	L 290 08.11.2003 p. 3

Safeguard measures terminated			
Product	Country of origin	Regulation/ Decision No	OJ Reference
Steel products (7 types)	Erga omnes	Commission Reg. (EC) No 2142/2003 05.12.2003	L 321 06.12.2003 p. 11
Citrus fruits	P.R. China	Commission Dec. No 2003/855/EC 09.12.2003	L 323 10.12.2003 p. 11

ANNEX M

Undertakings accepted or repealed
during the period 1 January – 31 December 2003
(chronological by date of publication)

Undertakings accepted			
Product	Country of origin	Regulation N°	OJ Reference
Salmon (AD/AS)	Norway	Com. Decision No 2003/119/EC 22.01.2003	L 47 21.02.2003 p. 46
Solutions of urea and ammonium nitrate	Lithuania	Com. Decision No 2003/671/EC 27.08.2003	L 238 25.09.2003 p. 35

Undertakings repealed with imposition of definitive measures			
Product	Country of origin	Regulation N°	OJ Reference
Steel ropes and cables	Turkey	Commission Reg. (EC) No 1274/2003 11.06.2003	L 180 18.07.2003 p. 34
Steel ropes and cables	Poland Ukraine	Commission Reg. (EC) No 1678/2003 26.08.2003	L 238 25.09.2003 p. 13

Undertakings withdrawn			
Product	Country of origin	Regulation N°	OJ Reference
Salmon (AD/AS)	Norway	Com. Decision No 2003/119/EC 22.01.2003	L 47 21.02.2003 p. 46

Undertakings which expired			
Product	Country of origin	Original measure(s) & OJ Reference	OJ Reference
Ferro-silico-manganese	Ukraine	Decision 95/418/EC (OJ L 248, 14.10.1995)	C 50 04.03.2003 p. 5

ANNEX N

Measures which expired

during the period 1 January – 31 December 2003

(chronological by date of publication)

Product	Country of origin	Original measure & OJ Reference	Publication
Stainless steel fasteners and parts thereof	P.R. China India Korea (Rep. of) Malaysia Taiwan Thailand	Council Reg. (EC) No 393/98 (OJ L 50, 20.2.1998)	C 40 19.02.2003 p. 11
Stainless steel fasteners and parts thereof (AS)	Malaysia Philippines	Council Reg. (EC) No 1523/2000 (OJ L 175, 14.7.2000)	C 40 19.02.2003 p. 11
Footwear with uppers of leather or plastic	P.R. China Indonesia Thailand	Council Reg. (EC) No 467/98 (OJ L 60, 28.02.1998)	C 46 26.02.2003 p. 7
Ferro-silico-manganese	P.R. China Ukraine	Council Reg. (EC) No 495/98 (OJ L 62, 03.03.1998) Council Reg. (EC) No 2413/95 (OJ L 248, 14.10.1995)	C 50 04.03.2003 p. 5
Potassium permanganate	India Ukraine	Council Reg. (EC) No 1507/98 (OJ L 200, 16.07.1998)	C 162 11.07.2003 p. 7
Magnetic disks (3,5" microdisks)	Indonesia	Council Reg. (EC) No 1821/98 (OJ L 236, 22.08.1998)	C 187 07.08.2003 p. 8
Monosodium glutamate	Brazil Korea (Rep. of) Taiwan Vietnam	Council Reg. (EC) No 2051/98 (OJ L 264, 29.09.1998)	C 222 18.09.2003 p. 4

Stainless steel bars (AS)	India	Council Reg. (EC) No 2450/98 (OJ L 304, 14.11.1998)	C 266 05.11.2003 p. 11
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ANNEX O

Definitive anti-dumping measures in force on 31 December 2003

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	L 134 17.05.2001 p. 1
	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	L 102 18.04.2002 p. 1
	Poland Ukraine	Duties	Council Reg. (EC) No 132/2001 22.01.2001	L 23 25.01.2001 p. 1
Bicycles	P.R. China	Duties	Council Reg. (EC) No 1524/2000 10.07.2000 and extended to bicycle parts by Council Reg. (EC) No 71/97 10.01.97 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
	Taiwan	Duties	Council Reg. (EC) No 397/99 22.02.99 as last amended by Council Reg. (EC) No 1340/2002 22.07.2002	L 49 25.02.99 p. 1 L 196 25.07.2002 p. 19
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

Product	Origin	Measure	Regulation N°	Publication
Binder or baler twine (polypropylene)	Poland Czech Rep. Hungary	Duties	Council Reg. (EC) No 603/99 15.03.99 as last amended by Council Reg. (EC) No 2011/2002 11.11.2002	L 75 20.03.99 p. 1 L 311 14.11.2002 p. 1
	Czech Rep. Hungary	Undertakings	Commission Dec. No 1999/215/EC 16.03.99 as last amended by Commission Dec. No 2002/890/EC 21.10.2002	L 75 20.03.99 p. 34 L 311 14.11.2002 p. 20
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	Commission Dec. No 2730/2000/ECSC 14.12.2000	L 316 15.12.2000 p. 30
Colour television picture tubes (cathode-ray)	India Korea (Rep. of)	Duties	Council Reg. (EC) No 2313/2000 17.10.2000	L 267 20.10.2000 p. 1
Colour televisions receivers	P.R. China Korea (Rep. of) Malaysia Thailand	Duties	Council Reg. (EC) No 1531/2002 14.08.2002	L 231 29.08.2002 p. 1
	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
Coumarin	P.R. China	Duties	Council Reg. (EC) No 769/2002 07.05.2002 as last amended by Council Reg. (EC) No 1854/2003 20.10.2003	L 123 09.05.2002 p. 1 L 272 23.10.2003 p. 1

Product	Origin	Measure	Regulation N°	Publication
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
Flat rolled products of iron or non-alloy steel (hot rolled coils)	Bulgaria India South Africa Taiwan Yugoslavia (F.R.)	Duties	Commission Dec. No 283/2000/ECSC 04.02.2000 (corrected by Dec. No 2009/2000/ECSC 22.09.2000)	L 31 05.02.2000 p. 15 (L 240 23.09.2000 p. 12)
	Bulgaria India South Africa	Undertakings	as last amended by Council Reg. (EC) No 778/2003 06.05.2003	L 114 08.05.2003 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

Product	Origin	Measure	Regulation N°	Publication
Glyphosate	P.R. China Malaysia Taiwan	Duties	Council Reg. (EC) No 368/98 16.02.98 as last amended by Council Reg. (EC) No 1086/2000 22.05.2000 and extended to such imports consigned from Malaysia & Taiwan by Council Reg. (EC) No 163/2002 28.01.2002	L 47 18.02.98 p. 1 L 124 25.05.2000 p. 1 L 30 31.01.2002 p. 1
Grain-oriented electrical steel sheets	Russia	Duties Undertakings	Council Reg. (EC) No 151/2003 27.01.2003	L 25 30.01.2003 p. 7
Hardboard	Bulgaria Estonia Latvia Lithuania Poland Russia Bulgaria Estonia Lithuania Poland	Duties	Council Reg. (EC) No 194/99 25.01.99 as last amended by Council Reg. (EC) No 1899/2001 27.09.2001	L 22 29.01.99 p. 16 L 261 29.09.2001 p. 1
		Undertakings	Commission Dec. No 1999/71/EC 06.01.99 as last amended by Commission Dec. No 2001/707/EC 21.08.2001	L 22 29.01.99 p. 71 L 261 29.09.2001 p. 65
Hot-rolled flat products of non-alloy steel (quarto plates)	P.R. China India Romania India	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
		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

Product	Origin	Measure	Regulation N°	Publication
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
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
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 496/2002 18.03.2002	L 301 30.11.2000 p. 21 L 78 21.03.2002 p. 4
	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

Product	Origin	Measure	Regulation N°	Publication
PET (polyethylene terephthalate) film	India Korea (Rep. of)	Duties	Council Reg. (EC) No 1676/2001 13.08.2001	L 227 23.08.2001 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	L 112 11.05.2000 p. 4
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

Product	Origin	Measure	Regulation N°	Publication
Ring binder mechanisms	P.R. China	Duties	Council Reg. (EC) No 119/97 20.01.97 as last amended by Council Reg. (EC) No 2100/2000 29.09.2000	L 22 24.01.97 p. 1 L 250 05.10.2000 p. 1
	Indonesia	Duties	Council Reg. (EC) No 976/2002 04.06.2002	L 150 08.06.2002 p. 1
Sacks and bags (polyethylene/polypropylene)	India Indonesia Thailand	Duties	Council Reg. (EC) No 1950/97 06.10.97 as last amended by Council Reg. (EC) No 1763/2002 30.09.2002	L 276 09.10.97 p. 1 L 267 04.10.2002 p. 1
	P.R. China	Duties	Council Reg. (EC) No 2003/97 13.10.97	L 284 16.10.97 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

Product	Origin	Measure	Regulation N°	Publication
	Czech Republic Poland Romania Russia Slovak Republik	Duties	Council Reg. (EC) No 2320/97 17.11.97 as last amended by Council Reg. (EC) No 190/2000 24.01.2000	L 322 25.11.97 p. 1 L 23 28.01.2000 p. 1
	Czech Republic Poland Romania Slovak Republik	Undertakings	Commission Dec. No 97/790/EC 24.10.97	L 322 25.11.97 p. 63
	Russia	Undertakings	Commission Dec. No 2000/70/EC 22.12.1999	L 23 28.01.2000 p. 78
Silicon carbide	P.R. China Russia Ukraine	Duties	Council Reg. (EC) No 1100/2000 22.05.2000	L 125 26.05.2000 p. 3
	Russia	Undertakings	Commission Dec. No 94/202/EC 09.03.94 prolonged by above Council Reg.	L 94 13.04.94 p. 32
Silicon metal	P.R. China	Duties	Council Reg. (EC) No 2496/97 11.12.97	L 345 16.12.97 p. 1
	Russia	Duties	Council Reg. (EC) No 2229/2003 22.12.2003	L 339 24.12.2003 p. 3
Stainless steel wires (= or > 1 mm diameter) (AD)	India	Duties	Council Reg. (EC) No 1600/99 12.07.99	L 189 22.07.99 p. 19

Product	Origin	Measure	Regulation N°	Publication
Steel ropes and cables	P.R. China Hungary India Mexico Poland South Africa Ukraine	Duties	Council Reg. (EC) No 1796/99 12.08.99	L 217 17.08.99 p. 1
			as last amended by Council Reg. (EC) No 1674/2003 22.09.2003	L 238 25.09.2003 p. 1
			Hungary Poland	Undertakings
	as last amended by Commission Reg. (EC) No 1678/2003 26.08.2003	L 238 25.09.2003 p. 13		
	India Mexico South Africa	Undertakings	Commission Dec. No 1999/572/EC 13.08.99	L 217 17.08.99 p. 63
			as last amended by Commission Reg. (EC) No 1678/2003 26.08.2003	L 238 25.09.2003 p. 13
	Czech Rep. Russia Thailand Turkey	Duties	Council Reg. (EC) No 1601/2001 02.08.2001	L 211 04.08.2001 p. 1
			as last amended by Council Reg. (EC) No 1268/2003 18.07.2003	L 180 18.07.2003 p. 23
			Czech Rep. Turkey	Undertakings
as last amended by Commission Reg. (EC) No 1274/2003 11.06.2003	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	
Styrene-butadiene-styrene thermosplastic rubber	Taiwan	Duties	Council Reg. (EC) No 1993/2000 18.09.2000	L 238 22.09.2000 p. 4

Product	Origin	Measure	Regulation N°	Publication
Sulphanilic acid	P.R. China India	Duties	Council Reg. (EC) No 1339/2002 22.07.2002	L 196 25.07.2002 p. 11
	India	Undertakings	Commission Dec. No 2002/611/EC 12.07.2002	L 196 25.07.2002 p. 36
Synthetic fibre ropes	India	Duties	Council Reg. (EC) No 1312/98 24.06.98	L 183 26.06.98 p. 1
Television camera systems	Japan	Duties	Council Reg. (EC) No 2042/2000 26.09.2000 as last amended by Council Reg. (EC) No 1696/2002 23.09.2002	L 244 29.09.2000 p. 38 L 259 27.09.2002 p. 1
Tube and pipe fitting, of iron or steel	P.R. China Thailand Taiwan	Duties	Council Reg. (EC) No 964/2003 02.06.2003 extended as concerns China to such imports from Taiwan as last amended by Council Reg. (EC) No 2212/2003 17.12.2003	L 139 06.06.2003 p. 1 L 332 19.12.2003 p. 3
		Undertakings		
	Czech Rep. Korea (Rep. of) Malaysia Russia Slovakia	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
		Undertakings	Commission Reg. (EC) No 358/2002 26.02.2002	L 56 27.02.2002 p. 4
		Undertakings	Commission Dec. No 2002/675/EC 23.08.2002	L 228 24.08.2002 p. 34
	Slovakia	Undertakings		
Czech Rep.	Undertakings			

Product	Origin	Measure	Regulation N°	Publication
Tube or pipe fittings (malleable cast iron)	Brazil Czech Rep. Japan P.R. China Korea (Rep. of) Thailand Argentina	Duties (suspended re Argentina)	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 and suspended by Commission Dec. No 2003/434/EC 16.06.2003	L 208 18.08.2000 p. 8 L 149 17.06.2003 p. 1 L 149 17.06.2003 p. 30
	Czech Rep.	Undertakings	Commission Reg. (EC) No 449/2000 28.02.2000	L 55 29.02.2000 p. 3
	Korea (Rep. of) Thailand	Undertakings	Commission Dec. No 2000/523/EC 10.08.2000	L 208 18.08.2000 p. 53
Tungsten carbide and fused tungsten carbide	P.R. China	Duties	Council Reg. (EC) No 771/98 07.04.98	L 111 09.04.98 p. 1
Urea	Russia	Duties	Council Reg. (EC) No 901/2001 07.05.2001	L 127 09.05.2001 p. 11
	Belarus Bulgaria Croatia Estonia Libya Lithuania 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 L 168 27.06.2002 p. 1
	Bulgaria	Undertakings	Commission Reg. (EC) No 1497/2001 20.07.2001	L 197 21.07.2001 p. 4
	Lithuania	Undertakings	Commission Dec. No 2002/498/EC 05.06.2002	L 168 27.06.2002 p. 51

Product	Origin	Measure	Regulation N°	Publication
Urea and ammonium nitrate solutions	Algeria Belarus Lithuania 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
	Lithuania	Undertakings	Commission Dec. No 2003/671/EC 27.08.2003	L 238 25.09.2003 p. 35
	Poland	Duties	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 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 p. 1	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 p. 1	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 (suspended)	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 and suspended by Commission Dec. No 2003/434/EC 16.06.2003	L 149 17.06.2003 p. 1 L 149 17.06.2003 p. 1 L 149 17.06.2003 p. 30
Australia	Polyester staple fibres	Duties	Council Reg. (EC) No 1522/2000 10.07.2000	L 175 14.07.2000 p. 10
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
	Potassium chloride	Duties	Council Reg. (EC) No 969/2000 08.05.2000	L 112 11.05.2000 p. 4
	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

Origin	Product	Measure	Regulation N°	Publication
	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	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	L 208 18.08.2000 p. 8 L 149 17.06.2003 p. 1
Bulgaria	Flat rolled products of iron or non-alloy steel (hot rolled coils)	Duties Undertakings	Commission Dec. No 283/2000/ECSC 04.02.2000 (corrected by Dec. No 2009/2000/ECSC 22.09.2000) as last amended by Council Reg. (EC) No 778/2003 06.05.2003	L 31 05.02.2000 p. 15 (L 240 23.09.2000 p. 12) L 114 08.05.2003 p. 1
	Hardboard	Duties Undertakings	Council Reg. (EC) No 194/99 25.01.99 as last amended by Council Reg. (EC) No 1899/2001 27.9.2001 Commission Dec. No 1999/71/EC 06.01.99 as last amended by Commission Dec. No 2001/707/EC 21.08.2001	L 22 29.01.99 p. 16 L 261 29.09.2001 p. 1 L 22 29.01.99 p. 71 L 261 29.09.2001 p. 65

Origin	Product	Measure	Regulation N°	Publication
	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
		Undertaking	Commission Reg. (EC) No 1497/2001 20.07.2001	L 197 21.07.2001 p. 4
P.R. China	Aluminium foil	Duties	Council Reg. (EC) No 950/2001 14.05.2001	L 134 17.05.2001 p. 1
	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	Commission Dec. No 2730/2000/ECSC 14.12.2000	L 316 15.12.2000 p. 30
	Colour television receivers	Duties	Council Reg. (EC) No 1531/2002 14.08.2002	L 231 29.08.2002 p. 1
		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	L 123 09.05.2002 p. 1 L 272 23.10.2003 p. 1
	Electronic weighing scales	Duties	Council Reg. (EC) No 2605/2000 27.11.2000	L 301 30.11.2000 p. 42

Origin	Product	Measure	Regulation N°	Publication
	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 368/98 16.02.98 as last amended by Council Reg. (EC) No 1086/2000 22.05.2000 and extended to such imports consigned from Malaysia & Taiwan by Council Reg. (EC) No 163/2002 28.01.2002	L 47 18.02.98 p. 1 L 124 25.05.2000 p. 1 L 30 31.01.2002 p. 1
	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

Origin	Product	Measure	Regulation N°	Publication
	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
	Para-cresol	Duties	Council Reg. (EC) No 1656/2003 11.09.2003	L 234 20.09.2003 p. 1
	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 119/97 20.01.97 as last amended by Council Reg. (EC) No 2100/2000 29.09.2000	L 22 24.01.97 p. 1 L 250 05.10.2000 p. 1
	Sacks and bags (polyethylene/polypropylene)	Duties	Council Reg. (EC) No 2003/97 13.10.97	L 284 16.10.97 p. 1
	Silicon carbide	Duties	Council Reg. (EC) No 1100/2000 22.05.2000	L 125 26.05.2000 p. 3
	Silicon metal	Duties	Council Reg. (EC) No 2496/97 11.12.97	L 345 16.12.97 p. 1
	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	L 217 17.08.99 p. 1 L 238 25.09.2003 p. 1

Origin	Product	Measure	Regulation N°	Publication
	Sulphanilic acid	Duties	Council Reg. (EC) No 1339/2002 22.07.2002	L 196 25.07.2002 p. 11
	Tube or pipe fittings (malleable cast iron)	Duties	Council Reg. (EC) No 1784/2000 11.08.2000	L 208 18.08.2000 p. 8
	Tube and pipe fitting, of iron or steel	Duties	Council Reg. (EC) No 964/2003 02.06.2003 extended as concerns China to such imports from Taiwan as last amended by Council Reg. (EC) No 2212/2003 17.12.2003	L 139 06.06.2003 p. 1 L 332 19.12.2003 p. 3
	Tungsten carbide and fused tungsten carbide	Duties	Council Reg. (EC) No 771/98 07.04.98	L 111 09.04.98 p. 1
	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
Croatia	Seamless pipes and tubes of non-alloy steel	Duties Undertakings	Council Reg. (EC) No 348/2000 14.02.2000 as last amended by Council Reg. (EC) No 1515/2002 16.08.2002 Commission Dec. No 2000/137/EC 17.02.2000 as last amended by Commission Dec. No 2002/669/EC 05.08.2002	L 45 17.02.2000 p. 1 L 228 24.08.2002 p. 8 L 46 18.02.2000 p. 34 L 228 24.08.2002 p. 20

Origin	Product	Measure	Regulation N°	Publication
	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
Czech Republic	Binder or baler twine (polypropylene)	Duties	Council Reg. (EC) No 603/99 15.03.99 as last amended by Council Reg. (EC) No 2011/2002 11.11.2002	L 75 20.03.99 p. 1 L 311 14.11.2002 p. 1
		Undertakings	Commission Dec. No 1999/215/EC 16.03.99 as last amended by Commission Dec. No 2002/890/EC 21.10.2002	L 75 20.03.99 p. 34 L 311 14.11.2002 p. 20
	Seamless steel pipes and tubes	Duties	Council Reg. (EC) No 2320/97 17.11.97 as last amended by Council Reg. (EC) No 190/2000 24.01.2000	L 322 25.11.97 p. 1 L 23 28.01.2000 p. 1
		Undertakings	Commission Dec. No 97/790/EC 24.10.97	L 322 25.11.97 p. 63
	Steel ropes and cables	Duties	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

Origin	Product	Measure	Regulation N°	Publication
	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
		Undertakings	Commission Dec. No 2002/675/EC 23.08.2002	L 228 24.08.2002 p. 34
	Tube or pipe fittings (malleable cast iron)	Duties	Council Reg. (EC) No 1784/2000 11.08.2000	L 208 18.08.2000 p. 8
		Undertakings	Commission Reg. (EC) No 449/2000 28.02.2000	L 55 29.02.2000 p. 3
	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
Estonia	Hardboard	Duties	Council Reg. (EC) No 194/99 25.01.99 as last amended by Council Reg. (EC) No 1899/2001 27.9.2001	L 22 29.01.99 p. 16 L 261 29.09.2001 p. 1
		Undertakings	Commission Dec. No 1999/71/EC 06.01.99 as last amended by Commission Dec. No 2001/707/EC 21.08.2001	L 22 29.01.99 p. 71 L 261 29.09.2001 p. 65
	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
Hong Kong	Magnetic disks (3,5” microdisks)	Duties	Council Reg. (EC) No 311/2002 18.02.2002	L 50 21.02.2002 p. 13

Origin	Product	Measure	Regulation N°	Publication
Hungary	Binder or baler twine (polypropylene)	Duties	Council Reg. (EC) No 603/99 15.03.99 as last amended by Council Reg. (EC) No 2011/2002 11.11.2002	L 75 20.03.99 p. 1 L 311 14.11.2002 p. 1
		Undertakings	Commission Dec. No 1999/215/EC 16.03.99 as last amended by Commission Dec. No 2002/890/EC 21.10.2002	L 75 20.03.99 p. 34 L 311 14.11.2002 p. 20
	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	L 217 17.08.99 p. 1 L 238 25.09.2003 p. 1
		Undertakings	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
India	Colour television picture tubes (cathode-ray)	Duties	Council Reg. (EC) No 2313/2000 17.10.2000	L 267 20.10.2000 p. 1
	Flat rolled products of iron or non-alloy steel (hot rolled coils)	Duties	Commission Dec. No 283/2000/ECSC 04.02.2000 (corrected by Dec. No 2009/2000/ECSC 22.09.2000) as last amended by Council Reg. (EC) No 778/2003 06.05.2003	L 31 05.02.2000 p. 15 (L 240 23.09.2000 p. 12) L 114 08.05.2003 p. 1
	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

Origin	Product	Measure	Regulation N°	Publication
	PET (polyethylene terephthalate)	Duties	Council Reg. (EC) No 2604/2000 27.11.2000 as last amended by Council Reg. (EC) No 496/2002 18.03.2002	L 301 30.11.2000 p. 21 L 78 21.03.2002 p. 4
		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) film	Duties	Council Reg. (EC) No 1676/2001 13.08.2001	L 227 23.08.2001 p. 1
		Undertakings	Commission Dec. No 2001/645/EC 22.08.2001	L 227 23.08.2001 p. 56
	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
	Sacks and bags (polyethylene/polypropylene)	Duties	Council Reg. (EC) No 1950/97 06.10.97 as last amended by Council Reg. (EC) No 1763/2002 30.09.2002	L 276 09.10.97 p. 1 L 267 04.10.2002 p. 1
	Stainless steel wires (= or > 1 mm diameter) (AD)	Duties	Council Reg. (EC) No 1600/99 12.07.99	L 189 22.07.99 p. 19

Origin	Product	Measure	Regulation N°	Publication
	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	L 217 17.08.99 p. 1 L 238 25.09.2003 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	L 196 25.07.2002 p. 11
		Undertakings	Commission Dec. No 2002/611/EC 12.07.2002	L 196 25.07.2002 p. 36
	Synthetic fibre ropes	Duties	Council Reg. (EC) No 1312/98 24.06.98	L 183 26.06.98 p. 1
Indonesia	PET (polyethylene terephthalate)	Duties	Council Reg. (EC) No 2604/2000 27.11.2000 as last amended by Council Reg. (EC) No 496/2002 18.03.2002	L 301 30.11.2000 p. 21 L 78 21.03.2002 p. 4
		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
	Sacks and bags (polyethylene/polypropylene)	Duties	Council Reg. (EC) No 1950/97 06.10.97 as last amended by Council Reg. (EC) No 1763/2002 30.09.2002	L 276 09.10.97 p. 1 L 267 04.10.2002 p. 1

Origin	Product	Measure	Regulation N°	Publication
	Polyester staple fibres	Duties	Council Reg. (EC) No 1522/2000 10.07.2000	L 175 14.07.2000 p. 10
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 1696/2002 23.09.2002	L 244 29.09.2000 p. 38 L 259 27.09.2002 p. 1
	Tube or pipe fittings (malleable cast iron)	Duties	Council Reg. (EC) No 1784/2000 11.08.2000	L 208 18.08.2000 p. 8
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
	Colour television receivers	Duties	Council Reg. (EC) No 1531/2002 14.08.2002	L 231 29.08.2002 p. 1
	Electronic weighing scales	Duties	Council Reg. (EC) No 2605/2000 27.11.2000	L 301 30.11.2000 p. 42
	Magnetic disks (3,5" microdisks)	Duties	Council Reg. (EC) No 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 496/2002 18.03.2002	L 301 30.11.2000 p. 21 L 78 21.03.2002 p. 4
	PET (polyethylene terephthalate) film	Duties	Council Reg. (EC) No 1676/2001 13.08.2001	L 227 23.08.2001 p. 1
	Polyester staple fibres	Duties	Council Reg. (EC) No 2852/2000 22.12.2000	L 332 28.12.2000 p. 17

Origin	Product	Measure	Regulation N°	Publication
	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
	Tube or pipe fittings (malleable cast iron)	Duties	Council Reg. (EC) No 1784/2000 11.08.2000	L 208 18.08.2000 p. 8
		Undertakings	Commission Dec. No 2000/523/EC 10.08.2000	L 208 18.08.2000 p. 53
Latvia	Hardboard	Duties	Council Reg. (EC) No 194/99 25.01.99 as last amended by Council Reg. (EC) No 1899/2001 27.9.2001	L 22 29.01.99 p. 16 L 261 29.09.2001 p. 1
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
Lithuania	Hardboard	Duties	Council Reg. (EC) No 194/99 25.01.99 as last amended by Council Reg. (EC) No 1899/2001 27.9.2001	L 22 29.01.99 p. 16 L 261 29.09.2001 p. 1
		Undertakings	Commission Dec. No 1999/71/EC 06.01.99 as last amended by Commission Dec. No 2001/707/EC 21.08.2001	L 22 29.01.99 p. 71 L 261 29.09.2001 p. 65

Origin	Product	Measure	Regulation N°	Publication
	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 Dec. No 2003/671/EC 27.08.2003	L 238 25.09.2003 p. 35
	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
		Undertakings	Commission Dec. No 2002/498/EC 05.06.2002	L 168 27.06.2002 p. 51
Malaysia	Colour television receivers	Duties	Council Reg. (EC) No 1531/2002 14.08.2002	L 231 29.08.2002 p. 1
	Glyphosate	Duties	Council Reg. (EC) No 368/98 16.02.98 as last amended by Council Reg. (EC) No 1086/2000 22.05.2000 and extended to such imports consigned from Malaysia & Taiwan by Council Reg. (EC) No 163/2002 28.01.2002	L 47 18.02.98 p. 1 L 124 25.05.2000 p. 1 L 30 31.01.2002 p. 1
	PET (polyethylene terephthalate)	Duties	Council Reg. (EC) No 2604/2000 27.11.2000 as last amended by Council Reg. (EC) No 496/2002 18.03.2002	L 301 30.11.2000 p. 21 L 78 21.03.2002 p. 4

Origin	Product	Measure	Regulation N°	Publication
	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
Mexico	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	L 217 17.08.99 p. 1 L 238 25.09.2003 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
Poland	Ammonium nitrate	Duties	Council Reg. (EC) No 132/2001 22.01.2001	L 23 25.01.2001 p. 1
	Binder or baler twine (polypropylene)	Duties	Council Reg. (EC) No 603/99 15.03.99 as last amended by Council Reg. (EC) No 2011/2002 11.11.2002	L 75 20.03.99 p. 1 L 311 14.11.2002 p. 1
	Hardboard	Duties	Council Reg. (EC) No 194/99 25.01.99 as last amended by Council Reg. (EC) No 1899/2001 27.9.2001	L 22 29.01.99 p. 16 L 261 29.09.2001 p. 1
		Undertakings	Commission Dec. No 1999/71/EC 06.01.99 as last amended by Commission Dec. No 2001/707/EC 21.08.2001	L 22 29.01.99 p. 71 L 261 29.09.2001 p. 65

Origin	Product	Measure	Regulation N°	Publication
	Seamless steel pipes and tubes	Duties	Council Reg. (EC) No 2320/97 17.11.97 as last amended by Council Reg. (EC) No 190/2000 24.01.2000	L 322 25.11.97 p. 1 L 23 28.01.2000 p. 1
		Undertakings	Commission Dec. No 97/790/EC 24.10.97	L 322 25.11.97 p. 63
	Steel ropes and cables	Duties	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
		Undertakings	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
	Urea ammonium nitrate solutions	Duties	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	Duties	Council Reg. (EC) No 1697/2002 23.09.2002	L 259 27.09.2002 p. 8
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

Origin	Product	Measure	Regulation N°	Publication
	Seamless steel pipes and tubes	Duties	Council Reg. (EC) No 2320/97 17.11.97 as last amended by Council Reg. (EC) No 190/2000 24.01.2000	L 322 25.11.97 p. 1 L 23 28.01.2000 p. 1
		Undertakings	Commission Dec. No 97/790/EC 24.10.97	L 322 25.11.97 p. 63
	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	L 134 17.05.2001 p. 1
		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	L 102 18.04.2002 p. 1
	Grain-oriented electrical steel sheets	Duties Undertakings	Council Reg. (EC) No 151/2003 27.01.2003	L 25 30.01.2003 p. 7
	Hardboard	Duties	Council Reg. (EC) No 194/99 25.01.99 as last amended by Council Reg. (EC) No 1899/2001 27.09.2001	L 22 29.01.99 p. 16 L 261 29.09.2001 p. 1
	Potassium chloride	Duties	Council Reg. (EC) No 969/2000 08.05.2000	L 112 11.05.2000 p. 4

Origin	Product	Measure	Regulation N°	Publication
	Seamless steel pipes and tubes	Duties	Council Reg. (EC) No 2320/97 17.11.97 as last amended by Council Reg. (EC) No 190/2000 24.01.2000	L 322 25.11.97 p. 1 L 23 28.01.2000 p. 1
		Undertakings	Commission Dec. No 2000/70/EC 22.12.1999	L 23 28.01.2000 p. 78
	Silicon carbide	Duties	Council Reg. (EC) No 1100/2000 22.05.2000	L 125 26.05.2000 p. 3
		Undertaking	Commission Dec. No 94/202/EC 09.03.94 prolonged by above Council Reg.	L 94 13.04.94 p. 32
	Silicon metal	Duties	Council Reg. (EC) No 2229/2003 22.12.2003	L 339 24.12.2003 p. 3
	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	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 18.02.2003 p. 23
		Undertaking	Commission Dec. No 2001/602/EC 26.07.2001	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

Origin	Product	Measure	Regulation N°	Publication
	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
Slovak Republic	Seamless steel pipes and tubes	Duties	Council Reg. (EC) No 2320/97 17.11.97 as last amended by Council Reg. (EC) No 190/2000 24.01.2000	L 322 25.11.97 p. 1 L 23 28.01.2000 p. 1
		Undertakings	Commission Dec. No 97/790/EC 24.10.97	L 322 25.11.97 p. 63
	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
		Undertakings	Commission Reg. (EC) No 358/2002 26.02.2002	L 56 27.02.2002 p. 4
South Africa	Flat rolled products of iron or non-alloy steel (hot rolled coils)	Duties Undertakings	Commission Dec. No 283/2000/ECSC 04.02.2000 (corrected by Dec. No 2009/2000/ECSC 22.09.2000) as last amended by Council Reg. (EC) No 778/2003 06.05.2003	L 31 05.02.2000 p. 15 (L 240 23.09.2000 p. 12) L 114 08.05.2003 p. 1

Origin	Product	Measure	Regulation N°	Publication
	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	L 217 17.08.99 p. 1 L 238 25.09.2003 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
Taiwan	Bicycles	Duties	Council Reg. (EC) No 397/99 22.02.99 as last amended by Council Reg. (EC) No 1340/2002 22.07.2002	L 49 25.02.99 p. 1 L 196 25.07.2002 p. 19
	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
	Flat rolled products of iron or non-alloy steel (hot rolled coils)	Duties	Commission Dec. No 283/2000/ECSC 04.02.2000 (corrected by Dec. No 2009/2000/ECSC 22.09.2000) as last amended by Council Reg. (EC) No 778/2003 06.05.2003	L 31 05.02.2000 p. 15 (L 240 23.09.2000 p. 12) L 114 08.05.2003 p. 1

Origin	Product	Measure	Regulation N°	Publication
	Glyphosate	Duties	Council Reg. (EC) No 368/98 16.02.98 as last amended by Council Reg. (EC) No 1086/2000 22.05.2000 and extended to such imports consigned from Malaysia & Taiwan by Council Reg. (EC) No 163/2002 28.01.2002	L 47 18.02.98 p. 1 L 124 25.05.2000 p. 1 L 30 31.01.2002 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 496/2002 18.03.2002	L 301 30.11.2000 p. 21 L 78 21.03.2002 p. 4
	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
	Tube and pipe fitting, of iron or steel	Duties	Council Reg. (EC) No 964/2003 02.06.2003 extended as concerns China to such imports from Taiwan as last amended by Council Reg. (EC) No 2212/2003 17.12.2003	L 139 06.06.2003 p. 1 L 332 19.12.2003 p. 3
Thailand	Colour television receivers	Duties	Council Reg. (EC) No 1531/2002 14.08.2002	L 231 29.08.2002 p. 1

Origin	Product	Measure	Regulation N°	Publication
	PET (polyethylene terephthalate)	Duties	Council Reg. (EC) No 2604/2000 27.11.2000 as last amended by Council Reg. (EC) No 496/2002 18.03.2002	L 301 30.11.2000 p. 21 L 78 21.03.2002 p. 4
	Sacks and bags (polyethylene/polypropylene)	Duties	Council Reg. (EC) No 1950/97 06.10.97 as last amended by Council Reg. (EC) No 1763/2002 30.09.2002	L 276 09.10.97 p. 1 L 267 04.10.2002 p. 1
	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
		Undertaking	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	L 208 18.08.2000 p. 8
		Undertakings	Commission Dec. No 2000/523/EC 10.08.2000	L 208 18.08.2000 p. 53
	Tube and pipe fitting, of iron or steel	Duties	Council Reg. (EC) No 964/2003 02.06.2003 extended as concerns China to such imports from Taiwan as last amended by Council Reg. (EC) No 2212/2003 17.12.2003	L 139 06.06.2003 p. 1 L 332 19.12.2003 p/ 3
	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

Origin	Product	Measure	Regulation N°	Publication
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
Ukraine	Ammonium nitrate	Duties	Council Reg. (EC) No 132/2001 22.01.2001	L 23 25.01.2001 p. 1
	Potassium chloride	Duties	Council Reg. (EC) No 969/2000 08.05.2000	L 112 11.05.2000 p. 4
	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	L 125 26.05.2000 p. 3
	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	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

Origin	Product	Measure	Regulation N°	Publication
	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
Vietnam	Zinc oxides (extension from zinc oxides China)	Duties	Council Reg. (EC) No 1623/2003 11.09.2003	L 232 18.09.2003 p. 1
Yugoslavia (F.R.)	Flat rolled products of iron or non-alloy steel (hot rolled coils)	Duties	Commission Dec. No 283/2000/ECSC 04.02.2000 (corrected by Dec. No 2009/2000/ECSC 22.09.2000) as last amended by Council Reg. (EC) No 778/2003 06.05.2003	L 31 05.02.2000 p. 15 (L 240 23.09.2000 p. 12) L 114 08.05.2003 p. 1

ANNEX P

Definitive anti-subsidy measures in force on 31 December 2003

A. Ranked by product (alphabetical)

Product	Origin	Measure	Regulation N°	Publication
Antibiotics (broad spectrum) (AS)	India	Duties	Council Reg. (EC) No 2164/98 05.10.98	L 273 09.10.98 p. 1
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
PET (polyethylene terephthalate) (AS)	India Malaysia Thailand	Duties	Council Reg. (EC) No 2603/2000 27.11.2000	L 301 30.11.2000 p. 1
	India	Undertakings	Commission Dec. No 2000/745/EC 29.11.2000	L 301 30.11.2000 p. 88
PET film (polyethylene terephthalate) (AS)	India	Duties	Council Reg. (EC) No 2597/99 06.12.99	L 316 10.12.99 p. 1
Polyester staple fibres (AS)	Australia	Duties	Council Reg. (EC) No 978/2000 08.05.2000	L 113 12.05.2000 p. 1
	Indonesia		as last amended by Council Reg. (EC) No 902/2001 07.05.2001	L 127 09.05.2001 p. 20
Polyester textured filament yarn (PTY)	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

Product	Origin	Measure	Regulation N°	Publication
Stainless steel wire (= or > 1 mm diameter) (AS)	India	Duties	Council Reg. (EC) No 1599/99 12.07.99 as last amended by Council Reg. (EC) No 164/2002 28.01.2002	L 189 22.07.99 p. 1 L 30 31.01.2002 p. 9
Stainless steel wires (< 1 mm diameter) (AS)	India	Duties	Council Reg. (EC) No 1601/99 12.07.99	L 189 22.07.99 p. 26
Styrene-butadiene-styrene 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	L 196 25.07.2002 p. 1
		Undertakings	Commission Dec. No 2002/611/EC 12.07.2002	L 196 25.07.2002 p. 36

B. Ranked by country (alphabetical)

Origin	Product	Measure	Regulation N°	Publication
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
India	Antibiotics (broad spectrum) (AS)	Duties	Council Reg. (EC) No 2164/98 05.10.98	L 273 09.10.98 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

Origin	Product	Measure	Regulation N°	Publication
	PET (polyethylene terephthalate) (AS)	Duties	Council Reg. (EC) No 2603/2000 27.11.2000	L 301 30.11.2000 p. 1
		Undertakings	Commission Dec. No 2000/745/EC 29.11.2000	L 301 30.11.2000 p. 88
	PET film (polyethylene terephthalate) (AS)	Duties	Council Reg. (EC) No. 2597/99 06.12.99	L 316 10.12.99 p. 1
	Polyester textured filament yarn (PTY)	Duties	Council Reg. (EC) No 2094/2002 26.11.2002	L 323 28.11.2002 p. 21
	Stainless steel wire (= or > 1 mm diameter) (AS)	Duties	Council Reg. (EC) No 1599/99 12.07.99 as last amended by Council Reg. (EC) No 164/2002 28.01.2002	L 189 22.07.99 p. 1 L 30 31.01.2002 p. 9
	Stainless steel wires (< 1 mm diameter) (AS)	Duties	Council Reg. (EC) No 1601/99 12.07.99	L 189 22.07.99 p. 26
	Sulphanilic acid (AS)	Duties	Council Reg. (EC) No 1338/2002 22.07.2002	L 196 25.07.2002 p. 1
		Undertakings	Commission Dec. No 2002/611/EC 12.07.2002	L 196 25.07.2002 p. 36
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
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	L 301 30.11.2000 p. 1

Origin	Product	Measure	Regulation N°	Publication
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	L 301 30.11.2000 p. 1

ANNEX Q

Undertakings in force on 31 December 2003

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
Binder or baler twine (polypropylene)	Czech Rep. Hungary	Undertakings	Commission Dec. No 1999/215/EC 16.03.99 as last amended by Commission Dec. No 2002/890/EC 31.10.2002	L 75 20.03.99 p. 34 L 311 14.11.2002 p. 20
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)	Bulgaria India South Africa	Undertaking	Commission Dec. No 283/2000/ECSC 04.02.2000 (corrected by Dec. No 2009/2000/ECSC 22.09.2000) as last amended by Commission Dec. No 1043/2002/ECSC 14.06.2002	L 31 05.02.2000 p. 15 (L 240 23.09.2000 p. 12) L 157 15.06.2002 p. 45
Flat rolled products of iron or non-alloy steel (hot rolled coils) (AS)	India	Undertaking	Commission Dec. No 284/2000/ECSC 04.02.2000 corrected by Commission Dec. No 2071/2000/ECSC 29.09.2000 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	Council Reg. (EC) No 151/2003 27.01.2003	L 25 30.01.2003 p. 7
Hardboard	Bulgaria Estonia Lithuania Poland	Undertakings	Commission Dec. No 1999/71/EC 06.01.99 as last amended by Commission Dec. No 2001/707/EC 21.08.2001	L 22 29.01.99 p. 71 L 261 29.09.2001 p. 65

Product	Origin	Measure	Regulation N°	Publication
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
PET (polyethylene terephthalate) (AS)	India	Undertakings	Commission Dec. No 2000/745/EC 29.11.2000	L 301 30.11.2000 p. 88
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
Seamless steel pipes and tubes	Czech Republic Poland Romania Slovak Republik	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
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

Product	Origin	Measure	Regulation N°	Publication
Steel ropes and cables	Hungary Poland	Undertakings	Commission Reg. 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
	India Mexico 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
	Czech Rep. 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	Undertaking	Commission Dec. No 2001/602/EC 26.07.2001	L 211 04.08.2001 p. 47
Sulphanilic acid (AD)	India	Undertakings	Commission Dec. No 2002/611/EC 12.07.2002	L 196 25.07.2002 p. 36
Sulphanilic acid (AS)	India	Undertakings	Commission Dec. No 2002/611/EC 12.07.2002	L 196 25.07.2002 p. 36
Tube and pipe fitting, of iron or steel	Thailand	Undertakings	Council Reg. (EC) No 964/2003 02.06.2003	L 139 06.06.2003 p. 1
	Slovakia	Undertakings	Commission Reg. (EC) No 358/2002 26.02.2002	L 56 27.02.2002 p. 4
	Czech Rep.	Undertakings	Commission Dec. No 2002/675/EC 23.08.2002	L 228 24.08.2002 p. 34
Tube or pipe fittings (malleable cast iron)	Czech Rep.	Undertakings	Commission Reg. (EC) No 449/2000 28.02.2000	L 55 29.02.2000 p. 3
	Korea (Rep. of) Thailand	Undertakings	Commission Dec. No 2000/523/EC 10.08.2000	L 208 18.08.2000 p. 53

Product	Origin	Measure	Regulation N°	Publication
Urea	Bulgaria	Undertakings	Commission Reg. (EC) No 1497/2001 20.07.2001	L 197 21.07.2001 p. 4
	Lithuania	Undertakings	Commission Dec. No 2002/498/EC 05.06.2002	L 168 27.08.2002 p. 51
Urea and ammonium nitrate solutions	Algeria	Undertakings	Commission Reg. (EC) No 617/2000 16.03.2000	L 75 24.03.2000 p. 3
	Lithuania	Undertakings	Commission Dec. No 2003/671/EC 27.08.2003	L 238 25.09.2003 p. 35

B. Ranked by country (alphabetical)

Origin	Product	Measure	Regulation N°	Publication
Algeria	Urea and ammonium nitrate solutions	Undertakings	Commission Reg. (EC) No 617/2000 16.03.2000	L 75 24.03.2000 p. 3
Bulgaria	Flat rolled products of iron or non-alloy steel (hot rolled coils)	Undertakings	Commission Dec. No 283/2000/ECSC 04.02.2000 (corrected by Dec. No 2009/2000/ECSC 22.09.2000) as last amended by Commission Dec. No 1043/2002/ECSC 14.06.2002	L 31 05.02.2000 p. 15 (L 240 23.09.2000 p. 12) L 157 15.06.2002 p. 45
	Hardboard	Undertakings	Commission Dec. No 1999/71/EC 06.01.99 as last amended by Commission Dec. No 2001/707/EC 21.08.2001	L 22 29.01.99 p. 71 L 261 29.09.2001 p. 65
	Urea	Undertakings	Commission Reg. (EC) No 1497/2001 20.07.2001	L 197 21.07.2001 p. 4
P.R. China	Colour television receivers	Undertakings	Commission Dec. No 2002/683/EC 29.07.2002	L 231 29.08.2002 p. 42

Origin	Product	Measure	Regulation N°	Publication
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
Czech Republic	Binder or baler twine (polypropylene)	Undertakings	Commission Dec. No 1999/215/EC 16.03.99 as last amended by Commission Dec. No 2002/890/EC 21.10.2002	L 75 20.03.99 p. 34 L 311 14.11.2002 p. 20
	Seamless steel pipes and tubes	Undertakings	Commission Dec. No 97/790/EC 24.10.97	L 322 25.11.97 p. 63
	Steel ropes and cables	Undertakings	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 fittings, of iron or steel	Undertakings	Commission Dec. No 2002/675/EC 23.08.2002	L 228 24.08.2002 p. 34
	Tube or pipe fittings (malleable cast iron)	Undertakings	Commission Reg. (EC) No 449/2000 28.02.2000	L 55 29.02.2000 p. 3
Estonia	Hardboard	Undertakings	Commission Dec. No 1999/71/EC 06.01.99 as last amended by Commission Dec. No 2001/707/EC 21.08.2001	L 22 29.01.99 p. 71 L 261 29.09.2001 p. 65
Hungary	Binder or baler twine (polypropylene)	Undertakings	Commission Dec. No 1999/215/EC 16.03.99 as last amended by Commission Dec. No 2002/890/EC 21.10.2002	L 75 20.03.99 p. 34 L 311 14.11.2002 p. 20

Origin	Product	Measure	Regulation N°	Publication
	Steel ropes and cables	Undertakings	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
India	Flat rolled products of iron or non-alloy steel (hot rolled coils)	Undertakings	Commission Dec. No 283/2000/ECSC 04.02.2000 (corrected by Dec. No 2009/2000/ECSC 22.09.2000) as last amended by Commission Dec. No 1043/2002/ECSC 14.06.2002	L 31 05.02.2000 p. 15 (L 240 23.09.2000 p. 12) L 157 15.06.2002 p. 45
	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

Origin	Product	Measure	Regulation N°	Publication
	Polyester staple fibres	Undertakings	Commission Dec. No 2000/818/EC 19.12.2000	L 332 28.12.2000 p. 116
	Steel ropes and cables	Undertakings	Commission Dec. No 1999/572/EC 13.08.99 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 (AD)	Undertakings	Commission Dec. No 2002/611/EC 12.07.2002	L 196 25.07.2002 p. 36
	Sulphanilic acid (AS)	Undertakings	Commission Dec. No 2002/611/EC 12.07.2002	L 196 25.07.2002 p. 36
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
Lithuania	Hardboard	Undertakings	Commission Dec. No 1999/71/EC 06.01.99 as last amended by Commission Dec. No 2001/707/EC 21.08.2001	L 22 29.01.99 p. 71 L 261 29.09.2001 p. 65
	Urea	Undertakings	Commission Dec. No 2002/498/EC 05.06.2002	L 168 27.06.2002 p. 51
	Urea and ammonium nitrate solutions	Undertakings	Commission Dec. No 2003/671/EC 27.08.2003	L 238 25.09.2003 p. 35
Mexico	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

Origin	Product	Measure	Regulation N°	Publication
Poland	Hardboard	Undertakings	Commission Dec. No 1999/71/EC 06.01.99 as last amended by Commission Dec. No 2001/707/EC 21.08.2001	L 22 29.01.99 p. 71 L 261 29.09.2001 p. 65
	Seamless steel pipes and tubes	Undertakings	Commission Dec. No 97/790/EC 24.10.97	L 322 25.11.97 p. 63
	Steel ropes and cables	Undertakings	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
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
	Grain-oriented electrical steel sheets	Undertakings	Council Reg. (EC) No 151/2003 27.01.2003	L 25 30.01.2003 p. 7
	Seamless pipes and tubes of iron or non-alloy steel	Undertakings	Commission Dec. No 2000/70/EC 22.12.1999	L 23 28.01.2000 p. 78
	Silicon carbide	Undertakings	Commission Dec. No 94/202/EC 09.03.94 prolonged by Council Reg. (EC) No 1100/2000 22.05.2000	L 94 13.04.94 p. 32 L 125 26.05.2000 p. 3
	Steel ropes and cables	Undertaking	Commission Dec. No 2001/602/EC 26.07.2001	L 211 04.08.2001 p. 47
Slovak Republic	Seamless steel pipes and tubes	Undertakings	Commission Dec. No 97/790/EC 24.10.97	L 322 25.11.97 p. 63
	Tube and pipe fittings, of iron or steel	Undertakings	Commission Reg. (EC) No 358/2002 26.02.2002	L 56 27.02.2002 p. 4

Origin	Product	Measure	Regulation N°	Publication
South Africa	Flat rolled products of iron or non-alloy steel (hot rolled coils)	Undertakings	Commission Dec. No 283/2000/ECSC 04.02.2000 (corrected by Dec. No 2009/2000/ECSC 22.09.2000) as last amended by Commission Dec. No 1043/2002/ECSC 14.06.2002	L 31 05.02.2000 p. 15 (L 240 23.09.2000 p. 12) L 157 15.06.2002 p. 45
	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	Undertaking	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
	Tube and pipe fitting, of iron or steel	Undertakings	Council Reg. (EC) No 964/2003 02.06.2003	L 139 06.06.2003 p. 1
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

ANNEX R

Anti-dumping & anti-subsidy investigations pending

on 31 December 2003

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

Product	Origin	Type	Publication
Bed linen (cotton-type)	Pakistan	Initiation	C 316 18.12.2002, p. 6
Bed linen (cotton-type) (AS)	India	Initiation	C 316 18.12.2002, p. 10
Cold-rolled flat products	USA	Initiation	C 314 17.12.2002, p. 3
		Prov. duty	L 230 16.09.2003, p. 9
Graphite electrode systems (AS)	India	Initiation	C 197 21.08.2003, p. 5
Graphite electrode systems (AD)	India	Initiation	C 197 21.08.2003, p. 2
Okoumé plywood	P.R. China	Initiation	C 195 19.08.2003
Polyester staple fibres	P.R. China Saudi Arabia	Initiation	C 309 19.12.2003, p. 6
Polyethylene terephthalate (PET)	Australia P.R. China Pakistan	Initiation	C 120 22.05.2003, p. 9
Sodium cyclamate	P.R. China Indonesia	Initiation	C 318 19.12.2002, p. 7
		Prov. duty	L 232 18.09.2003, p. 12
Trout (large rainbow trout)	Faroe Islands Norway	Initiation	C 318 19.12.2002, p. 2
		Prov. duty	L 232 18.09.2003, p. 29

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

Product	Origin	Type of review	Publication
Antibiotics (broad spectrum) (AS)	India	Accelerated review	C 102 29.04.2003, p. 6
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
Coke	P.R. China	Interim review	C 308 11.12.2002, p. 2
Electronic weighing scales	Taiwan	Newcomer review	L 302 20.11.2003, p. 3
Flat rolled products of iron or non-alloy steel (hot rolled coils)	Bulgaria South Africa	Interim review	C 364 20.12.2001, p. 8
Furfuraldehyde	P.R. China	Expiry review	C 308 18.12.2003, p. 2
Glyphosate	P.R. China	Expiry review	C 36 15.02.2003, p. 18
Glyphosate	P.R. China	Interim review	C 36 15.02.2003, p. 18
Grain oriented electrical sheets	Russia	Interim review	C 53 20.02.2001, p. 13
Grain oriented electrical sheets	Russia	Partial interim review	C 186 06.08.2002, p. 15
Grain oriented electrical sheets	Russia	Partial interim review	C 242 08.10.2002, p. 16
Lamps (integrated electronic compact fluorescent)	P.R. China	Absorption investigation	C 244 10.10.2002, 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) (AS)	Thailand	Accelerated review	C 170 19.07.2003, p. 2
Polyethylene terephthalate (PET)	Thailand	Newcomer review	L 181 19.07.2003, p. 20
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
Ring binder mechanisms	P.R. China	Expiry review	C 21 24.01.2002, p. 25
Ring binder mechanisms	P.R. China	Anti-circumvention investigation	L 249 01.10.2003, p. 24
Sacks and bags (polyethylene or polypropylene)	P.R. China India Indonesia Thailand	Expiry review	C 243 09.10.2002, p. 10

Product	Origin	Type of review	Publication
Seamless pipes and tubes, of iron or non-alloy steel	Czech Rep. Poland Romania Russia Slovak Rep.	Expiry review	C 288 23.11.2002, p. 2
Seamless pipes and tubes, of iron or non-alloy steel	Czech Rep. Poland Romania Russia Slovak Rep.	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
Seamless pipes and tubes, of iron or non-alloy steel	Russia Ukraine	Anti-circumvention investigation	L 178 17.07.2003, p. 9
Silicon metal	P.R. China	Expiry review	C 246 12.10.2002, p. 9
Stainless steel wires (diameter 1 mm or more)	India	Newcomer review	L 172 10.07.2003, p. 6
Stainless steel wires (diameter < 1 mm)	India	Accelerated review	C 161 10.07.2003, p. 3
Stainless steel wires (diameter 1 mm or more)	India	Accelerated review	C 161 10.07.2003, p. 2
Steel ropes and cables	Czech Rep.	Partial interim review	C 162 11.07.2003, p. 6
Steel ropes and cables	Ukraine	Anti-circumvention investigation	L 190 30.07.2003, p. 3
Sulphanilic acid	P.R. China	Absorption investigation	C 149 26.06.2003, p. 14
Synthetic fibre ropes	India	Expiry review	C 149 26.06.2003, p. 12
Tube or pipe fittings, of iron or steel	Thailand	Interim review	C 103 03.04.2001, p. 5
Tube or pipe fittings, of iron or steel	Thailand	Partial interim review	C 17 24.01.2003, p. 2
Tungsten carbide and fused tungsten carbide	P.R. China	Expiry review	C 84 08.04.2003, p. 2

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

Origin	Product	Type	Publication
Australia	Polyethylene terephthalate (PET)	New investigation	C 120 22.05.2003, p. 9
Bulgaria	Flat rolled products of iron or non-alloy steel (hot rolled coils)	Interim review	C 364 20.12.2001, p. 8
P.R. China	Furfuraldehyde	Expiry review	C 308 18.12.2003, p. 2
	Glyphosate	Expiry review	C 36 15.02.2003, p. 18
	Glyphosate	Interim review	C 36 15.02.2003, p. 18
	Lamps (integrated electronic compact fluorescent)	Absorption investigation	C 244 10.10.2002, p. 2
	Okoumé plywood	New investigation	C 195 19.08.2003, p. 3
	Polyester staple fibres	New investigation	C 309 19.12.2003, p. 6
	Polyethylene terephthalate (PET)	New investigation	C 120 22.05.2003, p. 9
	Ring binder mechanisms	Expiry review	C 21 24.01.2002, p. 25
	Ring binder mechanisms	Anti-circumvention investigation	L 249 01.10.2003, p. 24
	Sacks and bags (polyethylene or polypropylene)	Expiry review	C 243 09.10.2002, p. 10
	Silicon metal	Expiry review	C 246 12.10.2002, p. 9
	Sodium cyclamate	New investigation Prov. duty	C 318 19.12.2002, p. 7 L 232 18.09.2003, p. 12
	Sulphanilic acid	Aborption investigation	C 149 26.06.2003, p. 14
	Tungsten carbide and fused tungsten carbide	Expiry review	C 84 08.04.2003, p. 2
Croatia	Seamless pipes and tubes, of iron or non-alloy steel	Interim review	C 288 23.11.2002, p. 11
Czech Rep.	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 162 11.07.2003, p. 6
Faeroe Islands	Trout (large rainbow trout)	New investigation Prov. duty	C 318 19.12.2002, p. 2 L 232 18.09.2003, p. 29

Origin	Product	Type	Publication
India	Antibiotics (broad spectrum) (AS)	Accelerated review	C 102 29.04.2003, p. 6
	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
	Bed linen (cotton-type) (AS)	New investigation	C 316 18.12.2002, p. 10
	Coke	Interim review	C 308 11.12.2002, p. 2
	Graphite electrode systems (AS)	New investigation	C 197 21.08.2003, p. 5
	Graphite electrode systems (AD)	New investigation	C 197 21.08.2003, p. 2
	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
	Sacks and bags (polyethylene or polypropylene)	Expiry review	C 243 09.10.2002, p. 10
	Stainless steel wires (diameter 1 mm or more)	Newcomer review	L 172 10.07.2003, p. 6
	Stainless steel wires (diameter < 1 mm)	Accelerated review	C 161 10.07.2003, p. 3
	Stainless steel wires (diameter 1 mm or more)	Accelerated review	C 161 10.07.2003, p. 2
	Synthetic fibre ropes	Expiry review	C 149 26.06.2003, p. 12
Indonesia	Sacks and bags (polyethylene or polypropylene)	Expiry review	C 243 09.10.2002, p. 10
	Sodium cyclamate	New investigation	C 318 19.12.2002, p. 7
		Prov. duty	L 232 18.09.2003, p. 12
Korea (Rep. of)	Polyester staple fibres	Interim review	C 309 19.12.2003, p. 2
	Polyethylene terephthalate (PET)	Interim review	C 120 22.05.2003, p. 13
Norway	Trout (large rainbow trout)	New investigation	C 318 19.12.2002, p. 2
		Prov. duty	L 232 18.09.2003, p. 29
Pakistan	Bed linen (cotton-type)	New investigation	C 316 18.12.2002, p. 6
	Polyethylene terephthalate (PET)	New investigation	C 120 22.05.2003, p. 9

Origin	Product	Type	Publication
Poland	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
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	Grain oriented electrical sheets	Interim review	C 53 20.02.2001, P. 13
	Grain oriented electrical sheets	Partial interim review	C 186 06.08.2002, p. 15
	Grain oriented electrical sheets	Partial interim review	C 242 08.10.2002, p. 16
	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
	Seamless pipes and tubes, of iron or non-alloy steel	Anti-circumvention investigation	L 178 17.07.2003, p. 9
Saudi Arabia	Polyester staple fibres	New investigation	C 309 19.12.2003, p. 6
Slovakia	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
South Africa	Flat rolled products of iron or non-alloy steel (hot rolled coils)	Interim review	C 364 20.12.2001, p. 8
Taiwan	Electronic weighing scales	Newcomer review	L 302 20.11.2003, p. 3
	Polyester staple fibres	Interim review	C 309 19.12.2003, p. 2
	Polyethylene terephthalate (PET)	Interim review	C 120 22.05.2003, p. 13
Thailand	Polyethylene terephthalate (PET) (AS)	Accelerated review	C 170 19.07.2003, p. 2
	Polyethylene terephthalate (PET)	Newcomer review	L 181 19.07.2003, p. 20
	Sacks and bags (polyethylene or polypropylene)	Expiry review	C 243 09.10.2002, p. 10
	Tube or pipe fittings, of iron or steel	Interim review	C 103 03.04.2001, p. 5
	Tube or pipe fittings, of iron or steel	Partial interim review	C 17 24.01.2003, p. 2
Ukraine	Seamless pipes and tubes, of iron or non-alloy steel	Interim review	C 288 23.11.2002, p. 11

Origin	Product	Type	Publication
	Seamless pipes and tubes, of iron or non-alloy steel	Anti-circumvention investigation	L 178 17.07.2003, p. 9
	Steel ropes and cables	Anti-circumvention investigation	L 190 30.07.2003, p. 3
USA	Cold-rolled flat products	New investigation	C 314 17.12.2002, p. 3
		Prov. duty	L 230 16.09.2003, p. 9

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 2003

Court of Justice	
Case C-422/02	Europe Chemi-Con GmbH v. Council
Court of First Instance	
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-35/01	Shanghai Teraoka 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

B. Judgments, orders and other decisions rendered by the Court of Justice and the Court of First Instance of the European Communities during 2003

Court of Justice	
Case C-76/00P	Petrotub and Republic & Council (Appeal T-33 & 34/98)
Case C-472/00P	Fresh Marine v. Commission (Appeal T-178/98)
Case C-76/01P	Eurocoton & Council (Appeal T-213/97)
Court of First Instance	
Case T-132/01	Euroalliages v. Commission
Case T-255/01	Changzhou Hailong Electronics & Yankon v. Council

ANNEX T

Refunds during the period 1 January - 31 December 2003

LODGED		
PRODUCT	ORIGIN	REFERENCE
Steel Wire Ropes	Czech Republic	R 25/01
Steel Wire Ropes	Czech Republic	R 25/02
Stainless Steel Fasteners	Taiwan	R 26/01
Tube and Pipe Fittings	Russia	R 27/01
Tube and Pipe Fittings	Russia	R 27/02
Magnesium	PRC	R 28/01

ONGOING ANALYSES		
PRODUCT	ORIGIN	REFERENCE
Artificial Corundum (previously suspended)	China	R 7/01
Wooden Pallets	Poland	R 15/03
Wooden Pallets	Poland	R 15/04
Leather Handbags	P.R. China	R 17/05
CFL –I Lamps	China	R 23/01
Polyester Textured Filament Yarn (PTY)	Indonesia	R 24/01
Tube and Pipe Fittings	Russia	R 27/01

INVESTIGATION SUSPENDED		
Bed Linen	Pakistan	R16/02

DECISIONS ADOPTED			
PRODUCT	ORIGIN	DECISION	REFERENCE
Iron & steel sheets	FYROM	No refund	R1/01
Wooden pallets	Poland	No refund	R15/01-1
Wooden pallets	Poland	Withdrawn	R15/01-2
Leather handbags	P.R. China	Withdrawn	R17/06
Malleable tube and pipe fittings	Japan	Withdrawn	R 22/01
Stainless Steel Fasteners	Taiwan	Withdrawn	R 26/01
Tube and Pipe Fittings	Russia	Withdrawn	R 27/02