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**REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT**

**30th Annual Report from the Commission to the European Parliament on the EU's  
Anti-Dumping, Anti-Subsidy and Safeguard activities (2011)**

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## EXECUTIVE SUMMARY

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

This report, as in previous years, gives an overview of the EU legislation in force with regard to trade defence instruments, including safeguards.

The report also 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 duties 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 2011.

2011 saw a slight increase in the number of new cases initiated when compared to the previous year, 21 as compared to 18 in 2010. Regarding other activities, 2011 saw a decrease in the number of provisional measures imposed, 10 compared to 13 the previous year while the number of investigations terminated without measures increased slightly from 10 in 2010 to 11 in 2011. There was an increase in the number of definitive measures imposed up from 9 in 2010 to 13 in 2011.

As regards review investigations initiated, there was a drop from 31 in 2010 to 24 in 2011. These included 8 expiry reviews, 9 interim reviews, 2 new exporter reviews, 3 anti-circumvention investigations as well as 2 other reviews. In the period, 8 expiry reviews were concluded with confirmation of the measures and 4 interim reviews were concluded with the measures being confirmed and/or amended.

There was no new safeguard investigation opened nor safeguard measures imposed during 2011.

As in previous years, this report continues to provide an overview on the Court cases relating to the trade policy instruments. In 2011, the Court of Justice (COJ) and the General Court (GC) rendered 9 judgments in total relating to the areas of anti-dumping or anti-subsidy.

2011 was the fourth full year of activity for the Hearing Officer in DG Trade, who became operational in April 2007. The main task of the Hearing Officer is to guarantee the full exercise of rights of defence in trade proceedings before the European Commission. In doing so the Hearing Officer also contributed to improved transparency in TDI activities.

With the aim of improving the efficiency and effectiveness of the EU's trade defence instruments, in 2011 DG Trade and launched a debate for the Modernisation of the trade defence instruments in October 2011. 2011 also saw the continued focus on the role of SMEs in trade defence investigations and how the particular problems they incur might be

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

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

addressed. A paper was published in 2011 setting out concrete actions which could be taken to help overcome certain difficulties facing SMEs in the TDI process.

The European Parliament's INTA Committee continued to be informed about developments in the EU's trade defence activities.

The relevant activities in the framework of the World Trade Organisation (WTO) are also reported including dispute settlement procedures initiated against the EU. As regards WTO activity the report also updates the situation regarding the trade negotiations on the Anti-dumping and Subsidies Agreements.

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

This report is also available to the general public with the following link.

Internet Website : <http://ec.europa.eu/trade/tackling-unfair-trade/trade-defence/anti-dumping/>

## 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. Even though, the beginning of the disciplines dates back quite some time, world trade is currently still distorted by unfair practices, making the instruments still relevant.

Since the beginning, 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 measures can be adopted. The EU played an active role in the negotiation of these relevant criteria which are reflected in its own legislation. The EU's role is the more so important today as a number of new users take action without the necessary rigor and restraint, affecting negatively also EU operators. The role the EU plays as a prudent user has therefore also an exemplary function at WTO level.

#### 1.1.2. *The EU legislation*

The EU'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 EU, entered into force in March 1996 and October 1997 respectively. 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 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Union – Codified Version<sup>3</sup>
- Council Regulation (EC) No 597/2009 of 11 June 2009 on protection against subsidized imports from countries not members of the European Union – Codified Version<sup>4</sup>.

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

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

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<sup>3</sup> OJ L 343, 22.12.2009, p.51 Codified version

<sup>4</sup> OJ L 188, 18.07.2009, p. 93 Codified Version

The EU interest test is a public interest clause and provides that measures can only be taken if they are not contrary to the overall interest of the EU. This requires an analysis of all the economic interests involved, including those of the EU industry, users, consumers and traders of the product concerned. The EU interest test does not involve wider aspects such as foreign or development policy considerations.

The lesser duty rule requires the measures imposed by the EU to be lower than the dumping or subsidy margin, if such lower duty rate is sufficient to remove the injury suffered by the EU industry. Such a “no-injury” rate is determined by using the cost of production of the EU 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 EU on a regular basis.

## **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 as is the case in the People's Republic of China's Protocol of Accession.

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 EU producers and d) a causal link between the imports and the injury.

### *1.2.2. The EU legislation*

The above-mentioned principles are all reflected in the relevant EU regulations, except for the “unforeseen development requirement” (which is not in the EU law but has been confirmed as a self-standing condition by WTO jurisprudence). Additionally, the adoption of measures in the EU 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 EU's interest to do so. The current EU safeguard instruments are covered by the following regulations:

- Council Regulation (EC) No 260/2009<sup>5</sup> on the common rules of imports – Codified Version

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<sup>5</sup> OJ L 349, 31.12.94, p. 53, as last amended by Regulation (EC) No 2200/2004 (OJ L 374, 22.12.2004, p. 1).



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

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

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

Regulation No 868/2004<sup>9</sup> dealing with the effect of subsidisation and unfair pricing for air services from third countries which was adopted by the EP and the Council in 2004 requested the Commission to prepare a methodology to assess unfair pricing practices. This complex work, involving different services of the Commission as well as external experts, is on-going. The resulting methodology should be both derived from the significant EU experience in trade in goods and adapted to the highly specific sector of the air-services.

## **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, plus profit. The EU’s anti-dumping legislation defines anti-dumping as selling a product in the EU at a price below its “normal value”. This “normal value” is usually the actual sales price on the domestic market of the exporting country. Therefore, a country is selling at dumped prices if the prices in its home market are higher than its export prices (i.e. price discrimination).

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

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<sup>6</sup> OJ L 67, 10.3.94, p. 89, as last amended by Regulation (EC) No 427/2003 (OJ L 65, 8.3.2003, p. 1)

<sup>7</sup> Council Regulation (EC) No 427/2003 (OJ L 65, 8.3.2003, p. 1), as last amended by Regulation (EC) No 1985/2003 (OJ L 295, 13.11.2003, p. 43)

<sup>8</sup> OJ L 67, 10.3.94, p. 1, as last amended by Regulation (EC) No 1786/2006 (OJ L 337, 5.12.2006, p. 12).

<sup>9</sup> OJ L 162, 30.4.2004, p. 1

A certain segregation of the market, triggered by a variety of distortions, 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 intervention. 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 EU. Only subsidies which are “specific”, i.e. targeted at individual companies or certain sectors of the economy, can be subject to trade defence measures.

Both anti-dumping and anti-subsidy measures are thus only second-best solutions in the absence of internationally agreed and enforced competition rules.

#### 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 EU at dumped or subsidised prices. Measures can only be taken if these exports cause material injury to EU producers.

Typical indicators of injury are that the dumped and/or subsidised import volumes increase over a certain period and import prices undercut the sales prices of the EU 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 EU producers by using a predatory, below cost, pricing strategy. In any event, the injury analysis requires that all relevant factors be taken into account before deciding whether the EU industry is in fact suffering “material injury”.

A further condition for the imposition of measures is the need for “a causal link”: the injury must be *caused* by the dumping or the subsidy. This condition is often fulfilled when the injury to the EU 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. EU interest

Finally, it has to be established whether there are compelling reasons according to which measures would be contrary to the overall interest of the EU. 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 EU 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. Measures should not be imposed only if it can be clearly concluded that their negative impact would be disproportionate.,

#### 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 EU 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 any candidate countries. The rules relating to a new case are summarised below.

#### *Initiation*

A case normally starts with a sufficiently substantiated complaint from the EU industry manufacturing the same or a similar product to the one referred to in the complaint. Then, 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, exporting country authorities in anti-subsidy investigations in particular 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 EU to the producers, 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 EU 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 for the EU 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 findings 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.

Unless the Council decides by a simple majority not to adopt the Commission proposal for definitive measures, such measures are imposed. 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. 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 thirteen 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 EU languages at the same time.

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

#### *2.1.3. Review of measures*

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

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

During the five year life-time of measures, the Commission may perform an *interim review*. Under the latter procedure, the Commission will consider whether the circumstances with regard to subsidy/dumping and injury have changed significantly or whether existing

measures are achieving the intended results in removing the injury. Since 20 March 2006, the deadline for concluding an interim review is set at 12 months, but no later than 15 months.

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

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

#### *2.1.4. Judicial reviews*

The procedural rights of the parties, including hearings and access to non-confidential files, are respected in the course of the proceeding, and a system of judicial review is in place to ensure their correct implementation. The competence to review anti-dumping and anti-subsidy cases lies with the General Court and the Court of Justice in Luxembourg. Furthermore, WTO members may recourse to the WTO dispute settlement mechanism.

## **2.2. Safeguards**

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

Safeguard measures allow temporary protection against the adverse effects of import surges. Under the EU legislation<sup>10</sup> implementing the WTO Safeguards Agreement, they can be applied under the following conditions: safeguard measures may be imposed if, as a result of unforeseen developments, a product is being imported into the EU in such increased quantities and/or on such terms and conditions as to cause, or threaten to cause, serious injury to EU 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 EU 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.. 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

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<sup>10</sup> Council Regulation (EC) No 260/2009 on common rules for imports (Codified version).

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.

The duration of the provisional measures can, however, not exceed 200 days (i.e. six 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 EU 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 EU 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. TDI MODERNISATION**

The Trade Commissioner's portfolio includes the mission of updating and modernising the current system of the EU's trade defence instruments (TDI).

The last substantial revision of these mechanisms was adopted in 1995, following the Uruguay Round of negotiations, and the Commission's services felt a need for an examination of their efficiency and effectiveness. Therefore DG Trade has started looking into the subject and launched a debate for the Modernisation of the trade defence instruments in October 2011.

In the first phase, when preparing the public consultation, the Commission services were inter alia drawing on the results of an evaluation study on the EU's trade defence (conducted by an external contractor and published in March 2012) but also on a number of interviews with experts in the field. Both those initiatives, jointly with DG Trade's experience in the daily administration of the instruments, allowed a broader comprehension of the practical issues and served as a basis for the preparation of the public consultation document. The public consultation, published in Spring 2012, aims at involving all stakeholders including producers, importers, exporters, business organisations, Member States in the process.

The ideas identified and put forward in the public consultation have been grouped around 6 broader themes which are:

1. Further increase of transparency and predictability: Transparency and predictability are, for all stakeholders, of the utmost importance, not least because this will facilitate their planning and decision making. Therefore, improved transparency and predictability are top of the list of priorities in the modernisation process.
2. Fight against retaliation: Fear of retaliation is a serious and increasing obstacle to an effective use of trade defence instruments by EU industry. For example, authorities of

exporting countries exercise undue pressure on European companies in order to prevent them from lodging anti-dumping or anti-subsidy complaints. Addressing this issue is of primary importance for the operation of the instruments.

3. Effectiveness and enforcement: TDIs are essentially directed against unfair trade while at the same time taking into account the interests of users. A number of investigation practices and rules could be further strengthened to improve the effectiveness of the instruments.

4. Facilitate cooperation: good quality investigations usually depend on the cooperation of interested parties. However, cooperation, in particular in the area of Union interest, is often very weak. DG Trade has already streamlined the information requirements and has screened procedural rules and the investigation schedule, in order to identify changes that could facilitate the cooperation of interested parties without compromising on the overall duration and quality of investigations.

5. Optimizing review practice: the review practice has been screened and a number of aspects have been identified which could be fine-tuned in order to better meet the objectives and purpose of reviews.

6. Codification: in order to make the EU legislation more clear or to make necessary amendments following ECJ or WTO jurisprudence some technical changes are also suggested.

After gathering the questionnaires submitted through the public consultation, the Commission will carry out an impact assessment. In this manner, it will address all significant impacts on all stakeholders involved. Moreover, this would also explain if and why the EU needs a legislative proposal to modernise its trade defence instruments. Any Commission proposal will not be adopted before November/December 2012.

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

A normal anti-dumping investigation can only be conducted if costs and prices are reliable and the result of market forces. There are five criteria to determine whether a country can be considered a full market economy for the purpose of anti-dumping investigations (according to Article 2 (7) of the basis antidumping Regulation). These criteria are:

- i. a low degree of government influence over the allocation of resources and decisions of enterprises, whether directly or indirectly (e.g. public bodies), for example through the use of state-fixed prices, or discrimination in the tax, trade or currency regimes;
- ii. an absence of state-induced distortions in the operation of enterprises linked to privatisation and the use of non-market trading or compensation system;
- iii. the existence and implementation of a transparent and non-discriminatory company law which ensures adequate corporate governance (application of international accounting standards, protection of shareholders, public availability of accurate company information);
- iv. the existence and implementation of a coherent, effective and transparent set of laws which ensure the respect of property rights and the operation of a functioning bankruptcy regime;



v. the existence of a genuine financial sector which operates independently from the state and which in law and practice is subject to sufficient guarantee provisions and adequate supervision.

To obtain Market Economy Status for trade defence investigations all five criteria must be met.

2011 saw the continued evaluation of four of the six requests for country-wide MES from China, Vietnam, Armenia, Kazakhstan, Mongolia and Belarus. All countries, except Belarus and Armenia, continued to provide additional information in support of their claims throughout the year and their requests are at various stages of progress. In 2010 the consultations with the authorities of the Republic of Belarus were put on hold due to the political situation in the country and the situation remained unchanged in 2011. In June 2010 additional questions on further developments in their progress towards MES were sent to Armenia. However, by the end of 2011 still no new information had been sent to the Commission by the Armenian authorities.

Companies from these applicant countries have the possibility to request market economy treatment on an individual basis in the context of anti-dumping investigations.

#### **4.1. China**

China is undoubtedly the most important MES applicant country and the first of the six countries to have requested this status.

The first preliminary assessment was prepared in 2004 which concluded, at that time, that China fulfilled only one of the five MES criteria i.e. the second criteria outlined above.

At the working group meeting in Brussels in November 2011, both parties discussed China's progress in the area of Intellectual Property Rights and Anti-monopoly law. In 2011 the study on the accounting practices in the People's Republic of China was finalised. As a result of the lack of cooperation by the Chinese authorities for this jointly agreed study, the results of the study were unfortunately only partial and insufficient to make sound conclusions on China's progress in this field.

The Commission will continue their evaluation in close cooperation with relevant Chinese's authorities.

#### **4.2. Vietnam**

The EU-Vietnam MES working group meeting took place in Brussels in December 2011. The Vietnamese authorities provided additional information to the Commission on the outstanding four criteria (Vietnam were considered to have fulfilled the first criteria above in 2010). Vietnam agreed to send additional information on issues raised during the meeting. However, by the end of 2011 no further information had been sent to the Commission by Vietnam. A third assessment report is expected in 2012.

#### **4.3. Armenia**

There was no progress on Armenia's MES request during 2011. The first assessment report on Armenia's MES request was transmitted to the Armenian authorities early in 2010. The report had concluded that Armenia made good progress in certain areas fulfilling two of the five

criteria for MES, nos. i and v above. The Commission services followed this with a series of questions to the Armenian authorities in June 2010 in order to have information on further developments in their progress towards becoming a fully fledged market economy. However, by the end of 2011 no new information had been sent to the Commission from Armenia.

#### **4.4. Kazakhstan**

As a follow-up of DG Trade's assessment of Kazakhstan's progress towards fulfilling the market economy status criteria in 2010, a Note Verbale was sent to the Kazakhstan authorities setting out the main problems regarding the 5 MES criteria. Since then no reaction was received from the Kazakstani authorities. While it was agreed already in 2010 to jointly develop a road map setting out the next steps to be taken on MES, no progress on such a map was made in 2011. The Commission remains committed to developing such a road map once the Kazakhstan authorities consider it timely to do so.

#### **4.5. Mongolia**

At the end of 2010 the Commission sent questions to the Mongolian authorities, in order to make further progress on the MES assessment report. Information was submitted by the Mongolian authorities in Spring 2011 and a working group meeting took place in Ulan-Bator in September 2011 to verify the replies received and clarify outstanding issues. Work continued on this file during 2011 including the ongoing collection and analysis of data.

#### **4.6. Belarus**

In 2011 no progress was made on the MES file. The Commission had decided already in 2010 to put the consultations with the authorities of the Republic of Belarus on hold due to the political situation in the country. As soon as the situation in Belarus changes the Commission is ready to continue the MES analysis.

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

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

In 2011, the Commission published the "Paper on Actions to Address the Difficulties Encountered by SMEs Involved in Trade Defence Instruments". It contains a number of concrete actions which could be easily implemented to better assist SMEs in all areas of trade defence and on which a certain degree of convergence could be achieved with Member States. This paper, which was based on the results of the study carried out by an independent contractor in 2010, was discussed with, and approved by, the Member States in 2011. The objective of the study was to identify the needs of SMEs in the 27 EU Member States when submitting a complaint or participating in trade defence investigations as an importer or user or as an exporter in investigations initiated by third countries. The study had been launched by the Commission given the important role that SMEs have in the EU's economy and the difficulties they face in participating in trade defence investigations.

The Trade Defence Helpdesk for SMEs was set up in December 2004 in view of the complexity of TDI proceedings, especially for SME's, because of their small size and their fragmentation. Its role is to address specific SME questions and problems regarding TDIs, both of a general nature or case-specific. A part of the TDI website is dedicated to SMEs, and refers to the Trade Defence Helpdesk contact points.

In 2011 these contact points received many requests for information, from importers, exporters and potential complainants/applicants. The number of queries remained overall stable in comparison to the previous year. These requests, which were all dealt with promptly, concerned both the procedures and substance of TDI proceedings.

## **5.2. Bilateral contacts/information activities – industry and third countries**

Explaining the legislation and practice of the EU's trade defence activity is an important part of the work of the TDI services.

There were several meetings with key stakeholder associations and companies in 2011, including with Business Europe and Eurocommerce.

A seminar on trade defence for officials from third countries took place in 2011. In addition, there were a number of bilateral contacts dedicated to discussing various trade defence related topics with a number of third countries including China, Korea, Turkey and Australia held in 2011.

## **6. THE HEARING OFFICER**

The principal task of the Hearing Officer is to safeguard the effective exercise of rights in trade proceedings before the European Commission. The rights of defence include not only the right to be heard and to have access to the file but comprises a wider set of rights described in the EU Charter of Fundamental Rights as follows: the right of every person (i) "to be heard, before any individual measure which would affect him or her adversely is taken", (ii) "to have his or her affairs handled impartially, fairly and within a reasonable time" and (iii) "to have access to his or her file, while respecting the legitimate interests of confidentiality and of professional and business secrecy". The Hearing Officer shall advise the member of the Commission responsible for trade policy and where appropriate the Director General concerning the follow-up of his recommendations and, when necessary, on possible remedies.

The Hearing Officer acts independently and is now attached, for administrative purposes, to the Commissioner for Trade. In 2011, the Hearing Officer was attached to the Director General of DG Trade.

The formal mandate of the Hearing Officer was published early in 2012<sup>11</sup>.

In 2011 the Hearing Officer had 81 interventions in 35 trade defence cases and held 26 hearings out of which 4 were joint hearings of parties with similar interests. The interventions were requested by exporting producers in third countries, by the Union industry, by users and importers as well as by Governments of third countries. He intervened on issues covering all stages of the investigation and made a number of recommendations to the Commission services with the aim of strengthening the rights of defence. The recommendations of the Hearing Officer were largely followed in 2011.

The main issues that the Hearing Officer faced in 2011 can be grouped in three categories (i) content and quality of disclosure (ii) access to files and quality of non-confidential files and (iii) disagreement with determinations, findings and conclusions.

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<sup>11</sup> OJ L 107, 19.04.2012, p.5

### *Content and quality of disclosures*

The content and quality of disclosure remains one of the major subjects of intervention requests. The Hearing Officer continued to recommend that the Services provide, as detailed and as early as possible, disclosure documents in order to enable the parties to exercise effectively their rights of defence. Where parties complained about insufficient analysis of arguments and submissions, the Hearing Officer ensured that the matter was addressed in detail in an additional disclosure or in the relevant Regulation. Interventions relating to requests for additional disclosure of specific data and figures are usually complex and aim at finding an adequate balance between the obligation of the Commission not to divulge business secrets and the right to information of interested parties. In cases where the risk of breaching confidentiality rules by disclosing more was considered too high, the Hearing Officer ensured that the methodology used to arrive at the findings was explained in detail. In some cases, the Hearing Officer reviewed the confidential information and calculations in order to give the party additional assurance regarding the findings.

### *Access to files – Quality of non-confidential files*

In principle, all interested parties involved in an investigation are allowed access to the non-confidential file. In some cases, parties questioned the meaningfulness and completeness of the non-confidential file and requested the Hearing Officer's intervention. The requests mainly related to the quality of non-confidential summaries of complaints or questionnaire replies and to the need to apply consistent rules to all parties. The Hearing Officer observed improvements in the overall quality of the files after his interventions.

Another matter of concern was the requests for confidential treatment regarding the identities of interested parties. These requests were based on to fears of commercial retaliation and subsequent complaints by other parties alleging infringement of their rights of defence due to insufficient evidence of retaliation. Such requests decrease transparency and may prevent other interested parties from submitting arguments in their defence, which they would have otherwise submitted. However, the Hearing Officer recognizes that alleged retaliation is of such nature that compelling evidence of its existence may not be obtainable. A recent WTO Appellate Body Report concluded that this issue has to be assessed on a case by case basis regarding the kind of supporting evidence which can be considered sufficient for treating the complainants' identity confidential. The Report also confirmed the consistency of the EU practice with WTO rules in that particular case. The Hearing Officer therefore recommended the Commission Services in a particular case to encourage parties to explain and substantiate their claim for confidential treatment of their identity in detail and to address the issue comprehensively in the disclosure document and in the Regulation.

### *Disagreement with determinations, findings and conclusions*

In a number of cases parties disagreed either with certain determinations, e.g. the initiation of a case; objected the Commission's findings and conclusions, such as the selection of a sample, MET-decisions declaring parties as non-cooperating or the definition of the Union industry. The Hearing Officer organised hearings, ensured that parties were fully informed about procedural rules and that comments and arguments of the parties were heard and replied to in the disclosure document and the Regulation. Some cases were terminated or findings were modified as a result of the arguments put forward.

### *SME Policy*

As a result of a study carried out in 2010 on how to assist SMEs in – *inter alia* - trade defence investigations a set of concrete measures was identified. One of these measures was to include in the Hearing Officer's report a section describing the problems related to SMEs for which his intervention was requested and the solutions that were eventually found.

In 2011, SME related problems appeared in one case in which numerous SMEs were affected as users and downstream users of the product under investigation. Many of these companies did not register in time as interested parties since they became aware of the proceeding only when provisional measures were imposed. It was argued that this is a particular problem of SMEs since these companies often do not have the adequate resources and capabilities to actively follow TDI issues and therefore fail to make themselves known in time and cooperate in the proceeding. The Hearing Officer agreed to hear all the companies that came forward and conducted two joint hearings. All parties were satisfied with the open approach but the fundamental problem described by the companies remained unsolved. The nature of the problem requires identifying SMEs as early as possible in the proceeding. The Hearing Officer therefore considers two of the other measures which have been identified as crucial, (i) the readiness of the Commission Services to endeavour identifying SMEs involved in TDI investigations and (ii) the intention to foster the role of Member States as 'interface' by an increased focus on SMEs within the ministerial departments dealing with TDI.

In addition, the Hearing Officer encourages all parties to identify themselves as SMEs when contacting the Hearing Office or the investigation services.

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

The number of new investigations initiated in 2011 increased in comparison to the previous year, 21 compared to 18. The number of definitive measures imposed increased by more than one third while the number of provisional measures imposed in 2011 decreased by almost a quarter compared to 2010. Below are details on new investigations and review investigations.

### **7.1. New investigations**

At the end of 2011, the EU had 117 anti-dumping measures and 10 countervailing measures in force<sup>12</sup>. The anti-dumping measures covered 62 products and 27 countries (see Annex O); the countervailing measures covered 6 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 117 anti-dumping measures in force at the end of 2011 the main countries affected were China (53), India and Thailand (7 each), Ukraine Russia and Taiwan (5 each), Indonesia, Korea and Malaysia, (4 each) and Belarus, and USA (3 each). Of the 10 anti-subsidy measures in place the majority concern imports from India – 5 in total, with imports from China, Iran, Pakistan, United Arab Emirates, USA and Canada (1 each).

Regarding the anti-dumping measures one has to look at the trade volume of the products concerned, which varies considerably depending on the sector concerned. The largest trade volumes are often generated by high technology, such as electronics, which are high-value

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

products. It should be noted that in 2011, only 0.25%<sup>13</sup> of total imports into the EU was affected by anti-dumping or anti-subsidy measures. Table 1 below provides statistical information on the new investigations for the years 2007 – 2011.

**TABLE 1**  
**Anti-dumping and anti-subsidy new investigations**  
**during the period 1 January 2007 - 31 December 2011<sup>14</sup>**

	2007	2008	2009	2010	2011
Investigations in progress at the beginning of the period	33	20	26	25	24
Investigations initiated during the period	9	20	21	18	21
Investigations in progress during the period	42	42	47	43	45
Investigations concluded :					
- imposition of definitive duty or acceptance of undertakings	12	16	11	9	13
- terminations <sup>15</sup>	10	3	11	10	11
Total investigations concluded during the period	22	19	22	19	24
Investigations in progress at the end of period	20	26	25	24	21
Provisional measures imposed during the period	12	5	10	13	10

## 7.2. Review investigations

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

<sup>13</sup> Source Comext.

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

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

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 2007 to 2011, a total of 153 review investigations were initiated. These review investigations represented 63% of all investigations initiated in that period.

In 2011, 24 reviews were initiated. Of these, 8 were expiry reviews, 9 interim reviews, 2 newcomer reviews, 2 other reviews and 3 circumvention investigations.

An overview of the review investigations in 2011 can be found in Annexes F to K. Table 2 provides statistical information for the years 2007 – 2011.

**TABLE 2**  
**Reviews of anti-dumping and anti-subsidy investigations**  
**during the period 1 January 2007 - 31 December 2011<sup>16</sup>**

	2007	2008	2009	2010	2011
Reviews in progress at the beginning of the period	52	46	32	33	34
Reviews initiated during the period	41	23	34	31	24
Reviews in progress during the period	93	69	66	64	58
Total reviews concluded during the period <sup>17</sup>	47	37	33	30	37
Reviews in progress at the end of the period	46	32	33	34	21

## 8. OVERVIEW OF ACTIVITIES IN 2011

### 8.1. New investigations

#### 8.1.1. Initiations

In 2011, 17 new anti-dumping investigations, 4 new anti-subsidy investigations and no safeguard investigations were initiated in the period. The anti-dumping investigations involved 14 different products from 9 different countries. The anti-subsidy investigations involve 3 products from 4 different countries. Details of these investigations are given in Annex A. The country most affected by the anti-dumping investigations is China with 8 investigations, India 2 investigations and 1 investigation each opened concerning Belarus,

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

<sup>17</sup> Investigations which were conducted and concluded under the specific provisions of the Regulation imposing the original measures are not counted as there was no publication of the initiation.

Kazakhstan, Oman, Russia, Saudi Arabia, Turkey and U.S.A.. The main sector concerned by these new cases is chemicals.

In the five-year period from 2007 to 2011, 89 investigations were initiated on imports from 22 countries. The main sectors concerned by the investigations included iron and steel – 30 investigations, chemical and allied - 29 investigations, , other metals – 6 investigations and electronics - 3 investigations, wood and paper – 2 investigations, other mechanical engineering – 2 investigations. A breakdown of the product sectors is given in Annex B(A).

The main countries concerned during the period from 2007 to 2011 include the People's Republic of China with 37 investigations, India 8, USA 7, Thailand 4, Belarus, Turkey and Malaysia with 3 each, Bosnia & Herzegovina, Iran, Korea, Oman, Pakistan, Russia, Saudi Arabia, Taiwan and U.A.E. with 2 each Armenia, Brazil, Indonesia, Kazakhstan, Moldova and Ukraine with 1 each. A table showing all the investigations initiated over the last five years broken down by country of export is at Annex B(B).

The list of cases initiated in 2011 can be found below, together with the name of the complainant. More information can be obtained from the Official Journal to which reference is given in Annex A.

<b>Product</b>	<b>Country of origin</b>	<b>Complainant</b>
Oxalic acid	India P.R. China	European Chemical Industry Council (CEFIC)
Polyethylene terephthalate (PET)	Oman Saudi Arabia	Committee of Polyethylene Terephthalate (PET) Manufacturers in Europe (CPME)
Sodium cyclamate	P.R. China	Productos Aditivos SA
Soy protein products (certain concentrated)	P.R. China	Solae Europe S.A.
Stainless steel fasteners	India	European Industrial Fasteners Institute (EIFI)
Seamless pipes and tubes of iron or steel (certain)	Belarus	Defence Committee of the seamless steel tubes industry of the EU
Woven and/or stitched glass fibre fabrics	P.R. China	Glass Fibre Fabrics Defence Coalition (GFFDC)
Tartaric acid	P.R. China	Distillerie Bonollo SpA, Industria Chimica Valenzana SpA, Distillerie Mazzari SpA, Caviro Distillerie S.r.l. and Comercial Quimica Sarasa s.l.
Aluminium radiators	P.R. China	International Association of Aluminium Radiator



		Manufacturers Limited Liability Consortium (AIRAL S.c.r.l)
Tube and pipe fittings of iron or steel	Russia Turkey	Defence Committee of the Steel Butt-Welding Fittings Industry of the European Union
Bioethanol	U.S.A.	ePure
White phosphorous	Kazakhstan	Thermphos International BV
Aluminium foil	P.R. China	Eurometaux
Organic coated steel products	P.R. China	Eurofer
Polyethylene terephthalate (PET) (AS)	Oman Saudi Arabia	Committee of Polyethylene Terephthalate (PET) Manufacturers in Europe (CPME)
Stainless steel fasteners (AS)	India	European Industrial Fasteners Institute (EIFI)
Bioethanol (AS)	U.S.A.	ePure

### 8.1.2. Provisional measures

In 2011, provisional duties were imposed in 10 anti-dumping proceedings. There were no provisional anti-subsidy measures imposed. The AD measures involved imports of 7 products and covering 6 countries. As shown in Table 1 (see point 7.1), this figure compares to 13 provisional measures imposed in 2010 and 10 in 2009.

The list of cases where provisional measures were imposed during 2011 can be found below, together with the measure(s) imposed. More information can be obtained from the Official Journal to which reference is given in Annex C.

<b>Product</b>	<b>Originating from</b>	<b>Type<sup>18</sup> and level of measure</b>
Ring binder mechanisms	Thailand	Ad Duty of 17.2%
Glass fibres (certain open mesh fabrics)	P.R. China	AD duties ranging from 48.4% – 62.9% All others rate 62.9%
Ceramic tiles	P.R. China	AD Duties ranging from 26.2% - 36.6% Co-operating companies not in sample 32.3% All others rate 73%
Fatty alcohols and their blends	India	AD Duties ranging from 4.8% -

<sup>18</sup> AD = anti-dumping duty, CVD = countervailing duty, UT = undertaking.

	Indonesia  Malaysia	9.3%  AD Duties ranging from 4.3% - 6.3% Other rate 7.6%  AD Duties ranging from 5 - 5.3% Other rate 13.8%
Seamless pipes and tubes of stainless steel	P.R. China	Ad Duties ranging 48% - 71.5%  Co-operating companies not in sample 56.6%  All others 71.5%
Vinyl acetate	U.S.A.	AD Duties ranging from 12.1% - 13.8%  All others 13.8%
Oxalic acid	India  P.R. China	AD Duties 22.8% others rate 43.6%  AD Duties ranging from 14.6% - 37.7%; All others rate 52.2%

### 8.1.3. Definitive measures

During 2011, definitive duties were imposed in 11 anti-dumping investigations and 2 anti-subsidy cases. They involved imports from 6 different countries and covered 10 products. The People's Republic of China featured with 6 anti-dumping measures and 1 anti-subsidy measure, with Bosnia and Herzegovina, Thailand, Indonesia, and Malaysia with 1 anti-dumping measure each and India with 1 anti-dumping and 1 anti-subsidy measure.

The list of cases where definitive measures were imposed during 2011 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.

Product	Originating from	Type <sup>19</sup> and level of measure
Continuous filament glass fibre products	P.R. China	AD – Duty of 7.3% - All others rate 13.8%
Melamine	P.R. China	AD duty: Minimum import price. All others rate: EUR 415/tonne
Zeolite A powder	Bosnia and Herzegovina	AD duty of 28,1%
Coated fine paper	P.R. China	AD/CVD duties of 20%-39,1%

<sup>19</sup> AD = anti-dumping duty, CVD = countervailing duty, UT = undertaking.

		All other companies 39,1%
Glass fibres (certain open mesh fabrics)	P.R. China	AD duty of 48,4%-62,9% All other companies 62,9%
Ring binder mechanisms	Thailand	AD duty of 16,3%
Ceramic tiles	P.R. China	AD duty of 26,3%-36,% All other companies 69,7%
Fatty alcohols and their blends	India Indonesia Malaysia	AD duty of 35,19%-61,01% All other companies 61,01%-86,99%
Stainless steel bars	India	CVD duty of 3,3%-4,3% All other companies 4,3%
Seamless pipes and tubes of stainless steel	P.R. China	AD duty of 48,3%-71,9% All other companies 71,9%

#### 8.1.4. Details on individual cases

##### Zeolite A powder originating in Bosnia and Herzegovina

The investigation was initiated in February 2010 following a complaint lodged by Industrias Quimicas del Ebro SA, MAL Magyar Aluminium, PQ Silicas BV, Silkem d.o.o. and Zeolite Mira srl Unipersonale representing the EU industry. The investigation period ('IP') ran from 1 January 2009 to 31 December 2009 and injury was considered over the period 1 January 2005 to the end of the IP. The product concerned was zeolite A powder, also referred to as zeolite NaA powder or zeolite 4A powder. Provisional anti-dumping duties were imposed in November 2010.

##### Dumping

In the absence of representative domestic sales the normal value was constructed. To construct the normal value, the selling, general and administrative (SG&A) expenses incurred and the weighted average profit realised by each of the cooperating exporting producers on domestic sales of the like product, in the ordinary course of trade, during the investigation period, was added to their own average cost of production during the investigation period. Since all exports to the Union were made via a related importer, the export price was also constructed. This was done on the basis of the resale price to independent customers. In the absence of cooperation by unrelated importers in the investigation, a reasonable profit margin of 5 % was used, based on information obtained from users who also imported the product concerned in the IP. The comparison between normal value and export prices was made on an ex-works level with allowances being made for certain costs including transport, freight and

insurance costs, bank charges, packing costs and credit costs. This resulted in a dumping margin of 28,1%.

## Injury

Sampling was applied to the EU producers with the five largest companies being selected for the sample. Imports of Zeolite A increased by 359 % between 2005 and the IP, resulting in an increase in market share from below 5% to between 10-15% in the same period. The prices of the dumped imports were found to undercut the European producers by between 20-25%.

During the period used to assess injury, all indicators on the situation of the EU industry decreased, such as production (-14%), capacity utilisation (-14%), sales volume (-18%), market share (-11%) and productivity (-14%). Profitability, cash flow, and return on investment all deteriorated over the period 2005-2008. 2008 was a particularly serious year for the industry mainly because the companies lost more than 20 % of their sales volume. In 2009 the market situation eased and prices increased enabling an improved profitability situation but it was temporary and unlikely to be repeated. In 2009 the profitability rate did not reach the 5,9% deemed as a normal profit for this industry. It was therefore concluded that there was evidence of injury to the EU industry.

## Causation

The coincidence in time between the surge of dumped imports and the deterioration in the situation of the EU industry was found to be a clear indication that the injury was caused by dumped imports. A number of factors other than the dumped imports were examined but none of these could explain the serious losses in market share, production and sales volume which occurred in 2008 and 2009.

## EU Interest

The Commission carefully examined the interests of EU producers, importers and consumers in order to determine whether it was in the interest of the EU to impose measures. It was expected that the Union industry would clearly be in a position to benefit from measures since they could benefit from increased economies of scale because of a higher capacity utilization due to an increase in production and sales. In addition, it would not affect the Union users significantly so overall it was considered to be in the Union interest.

## Measures

Definitive measures were imposed on 11 May 2011, based on the level of the dumping found. In the course of the investigation, the exporting producers offered a price undertaking which the Commission accepted.

## Coated fine paper originating in the People's Republic of China (AD)

The proceeding was initiated in February 2010 following a complaint lodged by CEPIFINE, the European association of fine paper manufacturers representing the EU industry. The investigation period ('IP') ran from 1 January 2009 to 31 December 2009 and injury was considered over the period 1 January 2006 to the end of the IP. The product concerned was coated fine paper ('CFP') which is paper or paperboard coated on one or both sides (excluding kraft paper or kraft paperboard), in either sheets or rolls, and with a weight of 70 g/m<sup>2</sup> or more but not exceeding 400 g/m<sup>2</sup> and brightness of more than 84 (measured according to ISO

2470-1), originating in the People's Republic of China ('PRC'). Provisional anti-dumping duties were imposed in November 2010.

### Dumping

Since the two exporting groups that came forward represented the total exports of the product concerned from the PRC to the Union, sampling was not necessary. Only one exporting producer group requested market economy treatment (MET) and both exporting producer groups claimed individual treatment (IT). MET was not granted but both groups were granted IT.

Given that none of the groups had been granted MET, the normal value was established on the basis of an analogue country, the USA. Where export sales to the Union were made through related trading companies outside the Union, the export price was established on the basis of the prices of the product when sold by the related trading companies to the Union, i.e. to an independent buyer. Where export sales to the Union were made through the one related trading company inside the Union, export prices were constructed on the basis of the prices at which the imported product was first resold to independent customers in the Union. The comparison between normal value and export price was made on an ex-works basis with adjustments made to take account of costs such as transport and insurance costs, credit costs, year-end rebates, commissions, quality claims and bank handling charges. This resulted in margins ranging from 43,5% to 63% for the companies granted individual treatment.

### Injury

Given that only four Union producers came forward, representing 61% of total production, sampling was not necessary. The volume of total imports from the PRC increased dramatically, almost tripling over the period considered. As a result, their market share increased significantly from approx. 1 % in 2006 to over 4 % in the IP. This, against the background of decreasing consumption which dropped by 14 % during the same period. During the IP, the dumped product undercut the Union producers' sales prices on average by 7,6 %.

The investigation has shown that most of the injury indicators such as production volume (– 20 %), capacity utilisation (– 10 %), sales volume to unrelated customers on the Union market (– 19 %), market share (– 5 percentage points) deteriorated during the period considered. In addition, the injury indicators related to the financial performance of the cooperating Union producers such as return on investment and profitability were seriously affected until 2008. While there was a sudden increase of the profitability in the IP, this was due purely to the temporary and exceptional drop of world pulp prices in the IP. It is noted that even during the IP the profitability rate was very low and was not considered to be altering the conclusion that the cooperating Union producers were in a very weak financial position. It was therefore concluded that there was evidence of injury to the EU industry.

### Causation

The increase in volume and market share of the low-priced dumped imports from the PRC coincided with an overall decrease of the demand on the Union market and also with the negative development in the market share of the Union producers during the period between 2006 and the IP. At the same time a negative development in the main indicators of the economic and financial situation of the Union industry was observed. The effect of other factors was not found to be a cause of the injury suffered by the EU industry.

## EU Interest

The Commission carefully examined the interests of EU producers, importers and traders, and users in order to determine whether it was in the interest of the EU to impose measures. It was expected that the imposition of provisional anti-dumping duties would restore effective and fair trade conditions on the Union market which would enable the Union industry to regain at least part of the market share lost. Imports, including imports from the PRC represented only a limited share of the importers' total business and any negative impact of the proposed measures was thus likely to be negligible. Even if some of the users were likely to be negatively impacted by the measures on imports from the PRC, the impact on the users in the two distinctive sectors (printers and publishers) appeared to be limited overall. It was therefore concluded that there were no compelling reasons against the imposition of measures on imports of CFP originating in the PRC.

## Definitive Measures

Definitive anti-dumping measures ranging from 8% to 39,1% were imposed on 15 May 2011. They were based on the injury elimination levels as these were lower than the dumping margins found.

### Ceramic tiles originating in the People's Republic of China

The proceeding was initiated in June 2010 following a complaint lodged by the European ceramic tiles manufacturer's Association (CET) representing more than 30% of the total Union production of ceramic tiles. The investigation period ('IP') ran from 1 April 2009 to 31 March 2010 and injury was considered over the period 1 January 2007 to the end of the IP. The product concerned was glazed and unglazed ceramic flags and paving, hearth or wall tiles; glazed and unglazed ceramic mosaic cubes and the like, whether or not on a backing. Provisional anti-dumping duties were imposed in March 2011.

## Dumping

Due to the large number of Chinese exporters that came forward (105), sampling was applied. Three groups representing ten individual producers were selected accounting for 14,4% of exports from cooperating producers. Two groups of exporting producers in China requested market economy treatment ('MET') which was denied. The two groups that requested MET also requested Individual Treatment (IT) together with two other groups. Three of the four groups were granted IT. Eight producers also requested Individual Examination (IE) which was carried out for one exporting producer who also received IT.

Given that none of the groups had been granted MET, the normal value was established on the basis of an analogue country, the USA. The export prices of the sampled Chinese exporters were based on the export prices actually paid or payable, to the first independent customer. Where sales were made via a related importer in the Union, prices were constructed. The normal value and export prices were compared on an ex-works basis. Adjustments had been made to take into account differences in characteristics, for the lower cost of non-porcelain tiles, ocean freight, insurance, handling and ancillary costs, packing, credit, bank charges and commissions. This resulted in margins ranging between 26,3% and 67,7% for individual companies and 69,7% for all others.

## Injury

Sampling was also applied to EU producers with ten companies being selected for the sample. Imports of ceramic tiles decreased by 3% over the period considered but the market share of Chinese imports increased by 35%. The level of undercutting ranged from 44 % to 57 %. During the period used to assess injury, all injury indicators such as production volume, capacity utilization, sales to unrelated customers and employment deteriorated. In addition, the injury indicators related to the financial performance of the Union producers – such as profitability, return on investments and cash-flow were seriously negatively affected during the period considered. Overall, the profitability deteriorated over the period considered. In fact, the segment of small companies which constituted half of the Union industry was loss making. Hence, it was concluded that there was evidence of injury to the EU industry.

#### Causation

The increasing market share of Chinese exporting producers over the period considered coincided in time with a decrease of the Union industry's profits and a substantial increase of its stocks. The economic crisis and imports from third countries other than China had an impact on the situation of the Union industry but it was not such as to break the causal link established between the dumped imports from China and the material injury suffered by the Union industry.

#### EU Interest

The Commission carefully examined the interests of EU producers, importers and users in order to determine whether it was in the interest of the EU to impose measures. It was expected that measures would likely prevent a further surge of dumped, low-priced imports. Without measures the effect of depression of sales prices exerted by the dumped imports from China would continue to compress Union producers' sales prices and profits. The financial situation and profitability of the Union industry was not strong enough to withstand further price pressure which would lead to the progressive demise of a large number of Union producers. It was expected that measures would, in all likelihood, have an impact on the importers' business but the investigation revealed that it was possible for importers and users to switch to products sourced from third countries or from within the Union. No consumer groups participated. It was concluded that there were no compelling reasons against the imposition of definitive measures on imports of the product concerned originating in the PRC.

#### Measures

Definitive measures, imposed on 15 September 2011 ranged from 26,3% to 36,5% for participating company groups, 10,6% for separate companies listed in Annex I of the Regulation and 69,7% for all other companies.

#### Certain seamless pipes and tubes of stainless steel originating in the People's Republic of China

The proceeding was initiated in September 2010 following a complaint lodged by the Defence Committee of the Seamless Stainless Steel Tubes Industry of the European Union representing more than 50% of the total Union production. The investigation period (IP) ran from 1 July 2009 to 30 June 2010 and injury was considered over the period 1 January 2006 to the end of the IP. The product concerned was certain seamless pipes and tubes of stainless steel, other than with attached fittings suitable for conducting gases or liquids for use in civil aircraft. Provisional anti-dumping duties were imposed in June 2010.

## Dumping

Due to the large amount of Chinese exporting producers who came forward (31) sampling was applied. Three groups were selected representing 25% of the total imports. All three sampled groups of exporting producers requested market economy treatment ('MET') or Individual treatment ('IT'). None of the groups were granted MET but they were all granted IT.

Given that none of the groups had been granted MET, normal value for the case was established based on prices actually paid or payable in the Union for the like product duly adjusted if necessary. In all cases the product concerned was exported to independent customers in the Union, and therefore, the export price was established on the basis of export prices actually paid or payable. The normal value and export prices were compared on an ex-works basis. Adjustments had been made to take into account indirect taxes, ocean freight and insurance, freight in the exporting country, warranty expenses, commissions, credit costs, bank charges, level of trade and quality perception. This resulted in margins ranging between 62,6% and 83,7% for individual companies and 71,1 % for all others.

## Injury

Sampling was also applied to the EU producers with two groups representing five EU producers being selected for the sample. Imports of seamless pipes and tubes increased by 76% between 2006 and the IP resulting in an increase in market share from 10.5% to 18.4%. During the period used to assess injury, all injury indicators developed negatively. This was particularly noticeable for the indicators concerning profitability, production volumes, capacity utilisation, sales volumes and market share that have all showed a clearly deteriorating trend. At the same time, the imports from the PRC were undercutting Union industry prices by up to 32 % during the IP. It was therefore concluded that there was evidence of injury to the EU industry.

## Causation

Imports from the PRC have increased in terms of quantities and gained substantial market share over the period considered. However, while the Union industry had been able to offset the negative effects of this pressure for a certain period thanks to the exceptionally positive market conditions in the years of 2007 and 2008, this was no longer possible when the economic crisis substantially reduced the level of demand. A number of factors other than the dumped imports were examined but none of these could explain the serious losses in market share, production and sales volume which occurred in 2008 and 2009 which coincided with the increases in volumes of dumped imports.

## EU Interest

The Commission carefully examined the interests of EU producers, importers and users in order to determine whether it was in the interest of the EU to impose measures. It was expected that the Union industry would have the opportunity to improve its situation through increased sales volumes, sales prices and market share. Although some negative effects could occur in the form of cost increases for certain users, they were likely to be outweighed by the expected benefits for the producers and their suppliers. On balance, there were no compelling reasons against the imposition of definitive measures on imports of the product concerned originating in the PRC.



## Measures

Definitive measures ranging from 48,3% to 71,9% were imposed on 20 December 2011. They were based on the injury elimination levels as these were lower than the dumping margins found. In order to minimise the risks of circumvention due to the high difference in the duty rates, it was considered that special measures were needed in this case to ensure the proper application of anti-dumping duties.

### Coated fine paper originating in the People's Republic of China (AS)

An anti-subsidy investigation was initiated on imports of coated fine paper originating in the People's Republic of China (the 'PRC') in April 2010 on the basis of a complaint lodged by CEPIFINE, the European association of fine paper manufacturers on behalf of the producers representing over 25% of the total EU production of coated fine paper. This was the first anti-subsidy investigation initiated against imports of a product from the PRC. The product concerned was defined as coated fine paper which is paper or paperboard coated on one or both sides (excluding kraft paper or kraft paperboard), in either sheets or rolls, and with a weight of 70 g/m<sup>2</sup> or more but not exceeding 400 g/m<sup>2</sup> and brightness of more than 84. An anti-dumping proceeding on the same product originating in the PRC was opened in February 2010.

Prior to the initiation of the case, consultations were held between the Commission Services and the Chinese authorities in accordance with the Basic Regulation. However, no mutually agreed solution was reached. The investigation period (IP) was from 1 January 2009 to 31 December 2009 with injury analysis covering the period from 1 January 2006 to the end of the IP.

### Subsidisation

Only two exporting producers groups in the PRC consisting of 6 related exporting producers came forward. 23 Government subsidy schemes were investigated.

The Preferential lending scheme to the coated paper industry was found to be countervailable. All three Income tax programmes: Preferential tax policies for companies that are recognised as high or new technology enterprises; policies for Research & Development and dividend exemption between qualified resident enterprises were also found to be countervailable. All three Indirect tax and Import tariff programmes were also found to be countervailable. These were: VAT and Tariff exemption on imported equipment; VAT rebates on domestically produced equipment and City maintenance and Construction Taxes and education surcharges for Foreign Invested Enterprises. Of the 13 Grant programmes, seven were considered to be countervailable: Famous Brands; Special Funds for Encouraging Foreign Investment Projects; Anti-dumping Respondent Assistance; Shouguang Technology Renovation Grant; Suzhou Industrial Parc Intellectual Property Right Fund; Subsidy of High Tech Industrial Development Fund and the Award received from Suzhou Industrial Park for maintaining growth. The other four involved such small amounts of benefits that it was not considered necessary to pursue the investigation. These were: the Special fund for water pollution treatment of Taihu lake of Jiangsu province; Special funds for energy saving of Suzhou Industrial park; Special fund for reduction of total emissions of major pollutants at municipal level of Suzhou municipality; Subsidy for water-saving and emission reduction; Environmental Protection award received from Suzhou Environmental Protection Bureau and Energy saving award in Ahouguang. Lastly, of the three schemes on Government provision of

goods and services for less than adequate remuneration, only one was found to be countervailable: the provisions of land-use rights. The other two were not assessed mainly because the cooperating exporting producers did not benefit from these schemes during the IP. These were the Provision of electricity and of paper-making chemicals.

The amount of the countervailable subsidies expressed ad valorem for the investigated companies ranges between 4,06% and 12,04%. Given the fact that the level of cooperation was considered high, it was considered appropriate to set the subsidy level for the non-cooperating exporting producers at 12,04%

### Injury

The volume of total imports of the product concerned from the PRC increased dramatically, almost tripling over the period considered. As a result, their market share increased significantly from approx. 1% in 2006 to over 4% in the IP. This has to be seen against the background of a decreasing consumption which dropped by 14% during the same period. The price of these imports were found to undercut the EU prices on average by 7,6%

Only four Union producers came forward so it was decided that sampling was not necessary. Most of the injury indicators such as production volume (-20%), capacity utilisation (-10%), sales volume to unrelated customers on the Union market (-19%), market share (-5 percentage points) deteriorated during the period considered. In addition, the injury indicators related to the financial performance of the four representative Union producers such as return on investment and profitability were seriously affected until 2008. It was therefore concluded that the EU industry had suffered material injury.

### Causality

Subsidised imports from the PRC increased dramatically (+183%) over the period considered while Union consumption decreased by about 14%. Other factors were examined in the context of the causation analysis including the economic crisis, prices of raw material, export performance of the representative union producers, imports from other third countries and structural overcapacity. It was concluded that these factors did not break the causal link between the subsidised imports and the injury suffered.

### EU interest

It was considered that the imposition of countervailing duties on imports of coated fine paper from the PRC would allow the Union industry to regain at least part of the market share lost during the period considered, with a further positive impact on its economic situation and profitability. Regarding the importers and traders it was concluded that the imposition of measures should overall not have a significant impact. It was also concluded that, since price increases would impact on all economic players, it would have a neutral effect on the publishers. The direct impact on the printers was considered to be negligible since most printers had no or very limited direct purchases of Chinese paper in the IP and the amount of Chinese paper used by printers was low in general.

### Anti-subsidy measures

Definitive anti-subsidy measures were imposed on imports of coated fine paper from the PRC ranging from a duty of 4% to 12% for individual exporting producers and 12% for all other producers.

### 8.1.5. Investigations terminated without measures

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 there from, measures not in the interest of the EU).

In 2011, 11 new proceedings (7 anti-dumping and 4 anti-subsidy) were terminated without measures, compared to 10 in 2010 and 11 in 2009.

The alphabetical list of cases which were terminated without the imposition of measures during 2011 can be found below. More information can be obtained from the Official Journal to which reference is given in Annex E.

<b>Product (type of investigation<sup>20</sup>)</b>	<b>Originating from</b>	<b>Main reason for termination</b>
Purified terephthalic acid and its salts AD	Thailand	De minimis dumping
Wireless wide area networking (WWAN) modems AD	P.R. China	Complaint withdrawn
Stainless steel bars	India	Complaint withdrawn
Tris (2-chloro-1-methyl-ethyl) phosphate AD	P.R. China	Complaint withdrawn
Graphite electrode system (certain)AD	P.R. China	Complaint withdrawn
Polyethylene terephthalate (PET) AD	Oman Saudi Arabia	Complaint withdrawn
Purified terephthalic acid and its salts (AS)	Thailand	AS duties – De minimis
Wireless wide area networking (WWAN) modems (AS)	P.R. China	Complaint withdrawn
Polyethylene terephthalate (PET) AS	Oman Saudi Arabia	Complaint withdrawn

### 8.1.6. Details on some individual cases

#### Wireless wide area networking (WWAN) modems originating in the People's Republic of China

On 30 June 2010 the Commission initiated an anti-dumping proceeding concerning imports of wireless wide area networking (WWAN) modems originating in the People's Republic of China ('the PRC') after receiving a complaint. On 16 September 2010 the Commission initiated an anti-subsidy proceeding concerning WWAN modems originating in the PRC after receiving a complaint. Both complaints were lodged by Option NV.

<sup>20</sup> AD = anti-dumping investigation; AS = anti-subsidy investigation, AD + AS = parallel anti-dumping and anti-subsidy investigation.

On 26 October 2010 Option NV withdrew its anti-dumping and anti-subsidy complaints because it had entered into a cooperation agreement with an exporting producer in the PRC. Consequently, the Commission informed interested parties that it considered terminating the proceedings since the investigations had not brought to light any considerations showing that a termination would not be in the Union interest.

Subsequent to the withdrawal one company contacted the Commission claiming that it was a Union producer of WWAN and that the proceedings should be continued. However, the company only came forward after the procedural deadlines in both proceedings had passed. In addition, the allegations and information put forward by the company were not such as to lead the Commission to conclude that it would be in the Union interest to pursue the proceedings.

The Commission concluded that it would be disproportionate to continue with the investigation and impose measures following the withdrawal of the complaints. The proceedings were terminated in March 2011.

### Polyethylene terephthalate (PET) originating in Oman and Saudi Arabia

On 16 February 2011 the Commission initiated an anti-dumping proceeding concerning imports of certain polyethylene terephthalate (PET) originating in Oman and Saudi Arabia, following a complaint lodged by the Committee of Polyethylene Terephthalate Manufacturers in Europe (CPME). On the same day the Commission initiated an anti-subsidy proceeding concerning imports of PET originating in the countries concerned.

By a letter of 12 October 2011, the CPME formally withdrew its complaint. Since the Commission did not identify any reason to indicate that termination would not be in the Union interest, it was decided to terminate the proceedings. Interested parties requested a disclosure of the findings of the investigation, but the Commission noted that it was not in the position to disclose data gathered prior to the withdrawal of the complaint because it did not reach a conclusion on its findings.

## **8.2. Review investigations**

### *8.2.1. Expiry reviews*

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

In 2011, 18 anti-dumping measures and 3 anti-subsidy measure expired automatically. The references for these measures are set out in Annex N.

Since the expiry provision of the basic Regulations came into force in 1985, a total of 473 measures have been allowed to expire automatically.

#### 8.2.1.1. Initiations

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

Journal to which reference is given in Annex F.

<b>Product (type of investigation<sup>21</sup>)</b>	<b>Originating from</b>	<b>Complainant</b>
Tartaric acid *	P.R. China	Distillerie Bonollo SpA, Industria Chimica Valenzana SpA, Distillerie Mazzari SpA, Caviro Distillerie S.r.l. and Comercial Quimica Sarasa s.l.
Seamless pipes and tubes of iron or steel*	Croatia Russia Ukraine	Defence Committee of the seamless steel tubes industry of the EU
Lever arch mechanisms	P.R. China	Interkov spol.s.r.o, IML Industria Meccanica Lombardia S.r.l and Niko metalurgical company d.d. Zelezniki
Chamois leather	P.R. China	British Leather Confederation
Plastic sacks and bags	P.R. China Thailand	33 Union Producers

#### 8.2.1.2. Reviews concluded with confirmation of duties

During 2011, 8 expiry reviews were concluded with confirmation of the duties for a further five years.

The alphabetical list of the cases which were concluded with confirmation of duty during 2011, together with the result of the investigation, can be found below. More information can be obtained from the Official Journal to which reference is given in Annex F.

<b>Product</b>	<b>Originating from</b>	<b>Result of the investigation/ Type<sup>22</sup> and level of measure</b>
Okoumé plywood	P.R. China	Confirmation of duty AD duty of 6,5%-23,5% All other companies 66,7%
Tungsten carbide and fused tungsten carbide	P.R. China	Confirmation of duty AD duty of 33%

<sup>22</sup> AD = anti-dumping duty, CVD = countervailing duty, UT = undertaking.

Furfuraldehyde	P.R. China	Confirmation of duty AD duty of EUR 352 per tonne
Barium carbonate	P.R. China	Confirmation of duty AD duty of 6,3%-8,1% All other companies 56,4%
Bicycles	P.R. China	Confirmation of duty AD duty of 48,5%
Hand pallet trucks and their essential parts	P.R. China Thailand (ext.)	Confirmation of duty AD duty of 7,6%-39,9% All other companies 46,7%
Trichloroisocyanuric acid (TCCA)	P.R. China	Confirmation of duty AD duty of 3,2%-40,5% All other companies 42,6%

### 8.2.1.3. Details on some individual cases concluded by confirmation of duty

#### Bicycles

In September 1993 the Council imposed a definitive anti-dumping duty of 30,6% on imports of bicycles originating in the People's Republic of China (the 'PRC'). Following an anti-circumvention investigation, this duty was extended to imports of certain bicycle parts originating in the PRC. In addition, it was decided to create an 'exemption scheme' for imports of parts not constituting circumvention. Following an expiry review, it was decided in July 2000 that the measures should be maintained. Following an interim review, it was decided in July 2005 to increase the anti-dumping duty in force to 48,5%.

In July 2010 following a request from the European Bicycles Manufacturers Associations (EBMA), the EU initiated an expiry review.

The investigation of dumping and injury covered the period from 1 April 2009 to 31 March 2010 ('review investigation period' or 'RIP'). The examination of trends in the context of the analysis of injury covered the period from January 2007 to the end of the RIP.

Owing to the large number of EU producers willing to cooperate, sampling was used for EU producers. Eight Union producers were selected for the sample. Only seven Chinese producers and four importers cooperated in the investigation, therefore it was decided not to apply further sampling.

Recurrence of dumping

It was proposed to use Mexico as an analogue country to establish the normal value for the PRC. One party objected and proposed India as an alternative, yet the objection was not substantiated and therefore rejected. The average normal value was established based on domestic sales. The export price was established on the basis of Eurostat data. Even though the prices found in Eurostat were inconclusive, the Commission considered them to be a reasonable source for the purpose of the investigation due to the low cooperation from the Chinese exporters. Because of the limitations, the data only served as an indicator of price trends. The weighted average normal value from Mexico was compared to the weighted average Chinese export price on an ex-works basis. For the purpose of ensuring a fair comparison, the price derived from Eurostat was adjusted for the average cost of sea freight per transaction. A conservative comparison using Eurostat figures indicated a dumping margin of more than 20% although it was noted that it was more likely to reach levels of more than 100%. In view of the fact that even considering the measures in force, a dumping margin of more than 20% existed during the RIP, it was considered very likely that dumping would continue in the absence of measures.

#### Injury and likelihood of continuation of injury

The investigation found that the existing anti-dumping measures had clearly had an effect on the situation of the Union industry. It had managed, to some extent, to benefit from the existence of the measures maintaining a stable market share. However, the Union production decreased and profit margin remained insufficient. Any possibility for further growth and profits had been undermined by the price and volume pressure of dumped imports.

The industry was clearly in a fragile situation, as it made a loss. Almost all injury indicators relating to the financial performance of the Union producers – such as profitability, return on investments and cash flow – deteriorated during the period considered. Consequently, it could not be concluded that the situation of the Union industry was secure. On this basis, it was concluded that the Union industry, as a whole, remained in a vulnerable economic situation and continued to suffer material injury.

In the context of the likelihood of recurrence of injury, it was found that the Union industry had been suffering from the effects of the Chinese dumped imports for several years. It only managed to recover thanks to the anti-dumping measures in force. Exposing the Union industry to increased volumes of dumped low-priced imports from the PRC, would likely result in a further deterioration of its sales, market share and sales prices, as well as a further deterioration of its financial situation. It was also found that the undercutting of sales prices of Chinese producers by 53 % appeared to indicate that in the absence of measures, Chinese exporting producers would export the product concerned to the Union market at prices considerably lower than those of the Union industry.

In view of the findings made during the investigation, namely the spare capacity in the PRC, the export oriented characteristic of the Chinese industry and the past behaviour of the Chinese exporters on foreign markets, any repeal of the measures would point to a likelihood of continuation of injury. The circumvention of the measures strongly underpinned this conclusion. It constituted clear evidence of the attractiveness of the Union market for the Chinese producers.

#### Union interest

As regards the Union industry it was considered that maintaining the measures would allow it to grow and improve its situation in a restored fair competitive environment. It would also be in the interest of consumers for whom Europe is the most important market for modern cycling products with high standards in quality and safety. An inflow of products from the PRC would lessen those standards. Furthermore, the importers would not be substantially affected since fairly priced bicycles would still be available in the market. By contrast, if measures were not imposed, Union producers of bicycles would likely go out of business, thus also threatening the existence of Union suppliers of bicycle parts.

There were no compelling reasons not to impose anti-dumping duties against imports of bicycles originating in the PRC therefore the anti-dumping measures on bicycles were maintained.

### Trichloroisocyanuric acid (TCCA)

In October 2005 the Council imposed definitive anti-dumping measures consisting of individual duties ranging from 7,3% to 40,5% on imports of trichloroisocyanuric acid ('TCCA') originating in the People's Republic of China ('the PRC'). In September 2010 the Council lowered the individual duty applied to one company from 14,1% to 3,2%.

In October 2010, following a request from the European Chemical Industry Council (CEFIC), the EU initiated an expiry review of these measures. The request was based on the grounds that the expiry of the measures would be likely to result in a continuation or recurrence of dumping and injury to the Union industry.

The review investigation period (RIP) lasted from 1 July 2009 to 30 June 2010. The likelihood of continuation or recurrence of injury aspects was analysed during the period from 1 January 2007 to the end of the RIP.

#### Recurrence of dumping

Since none of the exporting producers in the PRC cooperated, data submitted by the cooperating exporting producer in the analogue country, Japan, were used to determine the normal value. Since all sales on the domestic market were considered to have been sold at a profit, normal value was based on the actual weighted average domestic price during the RIP. In the absence of any cooperation from exporting producers in the PRC, the export price was established on the basis of Eurostat data. The weighed average normal value was compared with the weighed average export price. Consequently, the dumping margin was established to amount to 75%. In addition the likelihood of the continuation of dumping was investigated. From the investigation it could be concluded that exports from the PRC were still being dumped despite the measures in place and that it was likely that dumping would continue on the Union market if these measures were removed. Taking into account the huge amount of spare capacity in the PRC and the attractiveness of the Union market, based on a comparison between export prices to the EU and those to third countries, it was likely that the volume of dumped PRC exports into the Union would increase substantially if measures were allowed to lapse.

#### Injury and likelihood of continuation of injury

The continued dumping of imports from the PRC along with the economic crisis altered the recovery process and accentuated the difficulties of the Union industry. Although other factors contributed to the deterioration in the performance of the Union industry, none of



them proved to be sufficient to break the causal link between dumped imports from the PRC and the injury suffered by the Union industry. On these grounds, it was concluded that dumped imports from the PRC caused material injury to the Union industry.

In the context of the likelihood of continuation of injury the investigation revealed that the Union industry had been suffering from the effects of PRC dumped imports for several years and was still in a precarious economic situation. The injurious situation of the Union industry had continued throughout the period considered which is in itself a strong indicator that the injury was likely to continue in the future, which suggested that the measures had to be maintained. Given the spare capacity available in the PRC and the attractiveness of the Union market, if the measures were lifted the growing trend whereby large imports from the PRC at dumped prices significantly undercut Union producers' prices was likely to continue. If the measures in force were not extended, the situation of the Union industry would deteriorate and its very existence would be jeopardised. Therefore, it was concluded that there was a clear likelihood of continuation of injury to the Union industry, should existing measures be removed.

#### Union interest

The continuation of measures was expected to assist the Union industry, with consequent beneficial effects on the competitive conditions on the Union market and the consolidation of the sector after the economic crisis and the restructuring. Furthermore, the continuation of the measures was also expected to benefit users and importers by maintaining a wide range of suppliers in the Union market. There were no compelling reasons against the continuation of the measures in question.

The anti-dumping measures applicable to imports of TCCA originating in the PRC were therefore maintained.

#### 8.2.1.4. Reviews concluded by termination

During 2011, 4 expiry reviews were concluded by termination.

<b>Product</b>	<b>Originating from</b>	<b>Reason for termination</b>
Polyester staple fibres	P.R. China	Request withdrawn
Magnesia bricks (certain)	P.R. China	EU Company producing over 50% of EU production opposed the review.
Broad spectrum antibiotics (AS)	India	No likelihood of recurrence of injury
Castings (certain)	P.R. China	Request withdrawn

Details of some individual cases

#### Certain magnesia bricks

In October 2005, the EC imposed definitive anti-dumping duties on imports of certain magnesia bricks originating in the People's Republic of China ('the PRC'). Following the

imposition of these measures, two interim reviews requested by Chinese exporting producers resulted in a lowering of the duties which now range from 0% to 39,9%.

In October 2010, following a request from the Magnesia Bricks Production Defence Coalition ('MBPDC'), the EU initiated an expiry review of the measures on certain magnesia bricks from the PRC. The request was based on evidence showing that the expiry of the measures would be likely to result in a continuation or recurrence of dumping and injury to the Union industry.

In addition, in September 2010 the Commission initiated a 'new exporter' review, following an application lodged by TRL China Ltd ('TRL'), an exporting producer in the PRC. TRL claimed it operated under market economy conditions and that it did not export the product concerned to the Union during the period of investigation on which the anti-dumping measures were based.

The investigation period (IP) for the expiry review covered the period from 1 July 2009 to 30 June 2010 while the investigation period for the 'new exporter' review was examined over the period from 1 July 2009 to 30 June 2010.

#### Investigation for the expiry review

The applicant claimed that an Austrian-based company, RHI AG ('RHI'), had to be excluded from the definition of the Union industry on the grounds that it had shifted its core business activities to the PRC, where it had a related company producing the product concerned, and increased its business activities relating to the product concerned in the PRC.

In the original investigation initiated in July 2004, RHI was one of the complainant Union producers. At that time RHI was also importing the product concerned from its related company in the PRC. It was also examined whether the company should be excluded from the definition of the Union industry but it was found that the company's core business was situated in the Union as regards the product concerned.

In the present review it was concluded that RHI should not be excluded from the definition of the Union industry because the company's situation had not changed substantially since the original investigation. The findings confirmed that the company still had its core business activities (headquarters, research and development centre and main production sites) in the EU. The increase in the production capacity of the plant in the PRC in the period 2005 to the end of the IP could not be considered as a shift of the company's core activities to the PRC. Therefore the applicant's argument that RHI should be excluded on the basis that it has a related company in the PRC producing the product concerned and increasing business activities in the PRC was rejected.

By including RHI's production volume in the total Union production figure, the applicant's output constituted less than 50% of the total Union production. RHI, however, produced over 50% of total Union production within the meaning of Article 5(4). In addition, RHI was opposed to the expiry review. In the light of these facts, it was decided to terminate the proceedings.

In view of the termination of the expiry review and given the fact that TRL did not export the product concerned between the date of the entry into force of the anti-dumping measures, it was also decided to terminate the 'new exporter' review.

## Broad spectrum antibiotics

In May 2005, the Council imposed a definitive countervailing duty on imports of certain broad spectrum antibiotics originating in India. The measures took the form of an ad valorem duty ranging from 17,3% to 32%. Following a partial interim review, the countervailing duty rate applicable to one Indian exporter was amended.

In May 2010, following a request from two union producers DSM and Sandoz, the EU initiated an expiry review. The investigation of continuation or recurrence of subsidisation covered the period from 1 April 2009 to 31 March 2010 (the 'review investigation period' or 'RIP'). The examination of the trends relevant for the assessment of the likelihood of a continuation or recurrence of injury covered the period from 1 January 2007 to the end of the review investigation period (the period considered).

Three Union producers, three Indian exporting producers and the Government of India ('GOI') cooperated in the review.

### Recurrence of Subsidisation

During the expiry review 10 schemes, which allegedly involved the granting of subsidies, were investigated. Of these schemes, four - The Punjab Industrial Incentive Scheme, the Gujarat Industrial Incentive Scheme, the Duty Free Import Authorisation and Export Oriented Units (EOU)/Export Processing Zones (EPZ)/Special Economic Zones (SEZ) - did not grant any benefits to producers. It was therefore not necessary to further analyse these schemes in this investigation. The Advance Authorisation Scheme (AAS) was found to be countervailable for physical exports. The subsidy rate established in respect to this scheme during the RIP amounted to 12,3%. The subsidy rate for the Duty entitlement Passbook Scheme (DEPBS) amounted to 6,9%. The subsidy rate established for the Export Promotion Capital Goods scheme (EPCGS) amounted to 0,1%-0,5% during the RIP. The subsidy rate for the Focus Market Scheme (FMS) amounted to <0,1% while the subsidy rate of the Export Credit Scheme (ECS) was found to be negligible.

It was concluded that subsidisation by the Indian authorities continued during the RIP with an amount of countervailable subsidies that ranged between 7,5% and 12,4%.

The investigation found that during the RIP, the cooperating exporting producers continued to benefit from countervailable subsidisation by the Indian government. The subsidy schemes analysed were also found to give recurring benefits with no indications that the programmes would be phased out or modified in the foreseeable future or that the cooperating exporting producers would stop obtaining benefits under these schemes. As regards the other known exporting producers in India, according to the review request, they continued to benefit from the subsidy schemes investigated in the review. There was no information available which would indicate that this was not the case and so it was concluded that the subsidisation at country-wide level also continued. It was concluded that subsidisation continued during the RIP and would therefore be likely to continue in the future.

### Injury and likelihood of recurrence of injury

The investigation showed that between 2007 and the RIP, the volume of subsidised imports of the product concerned was negligible. With the exception of certain injury indicators such as market share, production volume and return on investment, most injury indicators including profitability (+ 153 %), sales price (+ 4 %), sales volume (+ 14 %), employment (+ 10 %) and

investments (+ 29 %) developed positively during the period considered. The profit levels achieved in the Union market were, with the exception of year 2007, above the target profit margin established in the previous expiry review investigation; i.e. 10 %. The positive trend shown by the vast majority of indicators was mainly due to the reliability of the Union industry and the long standing customer relationship that it had developed over the past years, but also to the price level that it managed to achieve on the market. In view of the positive development of the indicators pertaining to the Union industry, it was considered that the Union industry did not suffer material injury during the period considered.

Given the low volumes of the product concerned that were imported in the Union over the period considered, the subsidised imports did not adversely affect the performance of the Union industry. It was therefore concluded that, should measures be allowed to lapse, subsidised imports from India were not likely to cause material injury to the Union industry as most injury indicators developed positively over the period considered in spite of significant and increasing imports from other countries priced similarly to Indian exports to other countries. Consequently, material injury was not likely to recur, should measures be allowed to lapse.

It was considered appropriate to repeal the countervailing duty on imports of certain broad spectrum antibiotics originating in India.

#### 8.2.2. Interim reviews

Article 11(3) and Article 19 of the basic Regulations provide for the review of measures during their period of validity on the initiative of the Commission, at the request of a Member State or, provided that at least one year has elapsed since the imposition of the definitive measure, following a request containing sufficient evidence by an exporter, an importer or by the EU producers. In carrying out the investigations, it is being considered, *inter alia*, whether the circumstances with regard to dumping/subsidization and injury have changed significantly. Reviews can be limited to dumping/subsidization or injury aspects.

During 2011, a total of 9 interim reviews were initiated (8 anti-dumping and 1 anti-subsidy). 7 interim reviews were concluded with confirmation or amendment of duty and 5 were concluded by terminating the measures. The list of cases which were concluded during 2011 by confirming or amending the duties, together with the result of the investigation, can be found below. It should be noted that some interim reviews may be carried out in parallel with expiry 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 G.

<b>Product</b>	<b>Originating from</b>	<b>Result of the investigation/ Type<sup>23</sup></b>
Polyethylene terephthalate (PET) film	India	Reduction of anti-dumping duty for Garware Polyester Ltd. to 0% - AD
Polyethylene terephthalate (PET) film	India	Reduction of anti-dumping duty for Vacmet India Ltd. to

<sup>23</sup> AD = anti-dumping, AS = anti-subsidy, UT = undertaking.

		0% - AD
Polyethylene terephthalate (PET) film (AS)	India	Amendment of anti-subsidy duty for Vacmet India Ltd. to 11% - AS
Polyethylene terephthalate (PET) (AS)	India	Measures remain unchanged for Reliance Industries Ltd - AS
Okoumé plywood*	P.R. China	Measures continue unchanged - AD
Polyethylene terephthalate (PET)	Korea (Rep. of)	Terminated with no change to dumping margins for KP Chemical Group AD
Polyethylene terephthalate (certain) (PET)	India	Terminated with no change to dumping margins for Reliance Industries Ltd. AD

#### 8.2.2.1. Details on individual cases

##### Polyethylene terephthalate (PET) film originating in India

In August 2001 the Council imposed a definitive anti-dumping duty on imports of polyethylene terephthalate (PET) film originating, inter alia, in India. The measures consisted of an ad valorem anti-dumping duty ranging between 0% and 62,6%. In March 2006 following the expiry review, the anti-dumping duty was amended to range between 0% and 18%. In November 2007, following another expiry review the Council imposed another definitive anti-dumping duty. In January 2009, following a partial interim review initiated by the Commission on its own initiative, the Council amended the anti-dumping duty for five Indian PET film producers and extended the measures to Brazil and Israel. The last amendment was made in September 2010 when one Israeli exporter of PET film was granted an exemption of the measures imposed.

In August 2009, following a request by Vacmet India Limited, the Commission initiated a partial interim review, limited to the examination of dumping in respect of the applicant, to assess the need to amend the rate of duty applicable till then. The applicant claimed that the circumstances on the basis of which measures were imposed have changed and that these changes were of a lasting nature.

The investigation of the level of dumping covered the period from 1 January to 31 December 2009 ('review investigation period' or 'RIP').

##### Findings of the investigation

Investigation showed that the calculated indicative dumping margin of the applicant to third countries in the RIP was negative. After comparing the weighed average normal value with the weighed average export price, no evidence was found of dumping. It was also found that the applicant had made significant investments as from 2007 to improve its production process and to produce the basic raw material necessary for the production of the product

concerned. These changes resulted in a reduction of costs which explained the direct impact on the company's dumping margin.

It was therefore concluded that the circumstances that led to the initiation of the interim review were unlikely to change in the foreseeable future in a manner that would affect the findings. The changed circumstances were of a lasting nature therefore the application of the anti-dumping measure at the then current level was no longer justified.

As a result of these findings it was decided to amend the anti-dumping duty applicable to imports of the product concerned from the applicant to 0%.

### Okoumé plywood

In November 2004 the EU imposed a definitive anti-dumping duty on imports of okoumé plywood originating in the People's Republic of China (the PRC). The duty levels imposed ranged from 6,5% to 23,5% for four producers and 66,7% for all other producers.

In January 2011 the Commission initiated an expiry review and, in parallel, an ex officio partial interim review. The request for the expiry review was lodged by the European Federation of the Plywood Industry (FEIC) following the publication of a notice of impending expiry. The request was based on the grounds that the expiry of the measures would be likely to result in a continuation or recurrence of dumping and a recurrence of injury to the Union industry. The partial interim review was initiated following a French court proceeding into anti-competitive behaviour of a number of French producers of okoumé plywood. Because their behaviour could have distorted the injury assessment in the original investigation, a re-examination of the injury situation of the Union was deemed appropriate.

The investigation of the likelihood of continuation or recurrence of dumping covered the period from 1 October 2008 to 30 September 2009 ('the review investigation period' or 'RIP'). The examination of the trends relevant for the assessment of the likelihood of a continuation or a recurrence of injury covered the period from 1 January 2006 to the end of the RIP (the 'period considered').

#### Likelihood of continuation or recurrence of dumping

It was examined whether dumping was likely to continue or recur upon a possible expiry of the measures in force against the PRC. The investigation showed that the product concerned was still sold on the Union market at dumped prices, with a dumping margin of 34,2%, and in not insignificant volumes. Moreover, the information available indicated that the production volumes in the PRC were very high and that the share of its exports to the Union was restrained due to the measures in place. In this respect, it could be expected that okoumé plywood exported to other countries at lower prices would be redirected to the Union market should, measures be repealed. In addition, Chinese producers of plywood were expected to increase their production of okoumé plywood if measures would lapse, as the Union market of okoumé plywood is relatively lucrative.

It was therefore concluded that there was a likelihood of continuation of dumping if the anti-dumping measures were allowed to lapse.

#### Likelihood of recurrence of injury

Although the Union industry seemed to have stabilised and recovered from the effects of the dumped imports from the PRC, the industry as a whole was still somewhat fragile. A number of elements were found to support the likelihood of a recurrence of injury, if measures were allowed to lapse. Firstly, the Union industry would not be in a position to maintain the current price level given the undercutting levels for imports from the PRC and assuming the low level of import prices would continue or be reinforced to gain lost market share. Secondly, it was likely that dumped imports would increase at low price levels in view of the considerable production capacity of the Chinese exporting producers.

It was therefore concluded that the expiry of the measures would be likely to result in a recurrence of injury to the Union industry caused by dumped imports of the product concerned from the PRC.

Interim review limited to the injury aspects in view of the decision of the French Conseil de la Concurrence.

A number of French producers were fined because of anti-competitive behaviour. It was thus considered appropriate to re-examine the injury situation of the Union industry in particular in comparison to the situation which prevailed in the investigation period of the original investigation. Consequently, the data of the fined French companies was removed from the injury calculation. It was found that the findings of the original investigation would not change significantly without the data from the fined French companies.

It was therefore concluded that the anti-competitive behaviour of French producers did not affect the injury situation of the Union industry in particular in comparison to the situation which prevailed in the investigation period of the original investigation.

As a result of these findings it was concluded that the anti-dumping measures applicable to imports of okoumé plywood originating in the PRC should be maintained while the partial interim review should be terminated.

### Coumarin

In July 2008, the EU imposed a definitive anti-dumping duty on imports of coumarin originating in the People's Republic of China. These measures were later extended to imports of coumarin consigned from India, Thailand, Indonesia and Malaysia, whether declared as originating in these countries or not.

In November 2010, the Commission initiated a partial interim review limited to the injury aspects of the anti-dumping measures applicable, after it was informed that the sole producer of coumarin in the Union decided to discontinue its production within the Union at the end of August 2010.

The investigation confirmed that the only Union producer of coumarin had permanently closed its production facility in August 2010. Since there was no evidence to indicate that termination of the anti-dumping measures would not be in the Union interest, the measures were terminated in June 2011.

#### 8.2.3. “Other” reviews

A number of other reviews, not falling under Article 11(3) or Article 19 of the basic Regulations were concluded during 2011.

A list of the cases concerned is given in Annex H which shows, in footnotes, the main issues concerned. More information can be obtained from the Official Journal to which reference is given in the Annex .

#### *8.2.4. New exporter reviews*

As far as 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 EU following the investigation period, or that they have entered into an irrevocable contractual obligation to export a significant quantity to the EU.

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 2011, 2 new exporter review were initiated. Since the Commission carried out the first reviews of this type in 1990, a total of 65 such investigations have been initiated. 1 new exporter review was terminated during 2011 without amendment of the duty.

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

#### *8.2.5. Absorption investigations*

Where there is sufficient information showing that, after the original investigation period and prior to or following the imposition of measures, export prices have decreased or that there has been no or insufficient movement in the resale prices or subsequent selling prices of the imported product in the EU, an "absorption" review may be opened to examine whether the measure has had effects on the above-mentioned prices. Dumping margins may as such be recalculated and the duty increased to take account of such lower export prices. The possibility of "absorption" reviews is included in Articles 12 and 19(3) of basic Regulations.

In 2011, there were no anti-absorption investigations initiated or concluded. – Annex J.



### 8.2.6. *Circumvention investigations*

The possibility of investigations being re-opened in circumstances where evidence is brought to show that measures are being circumvented was introduced by Article 13 and Article 23 of the basic Regulations.

Circumvention is defined as a change in the pattern of trade between third countries and the EU 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 2011, 3 anti-circumvention investigations were initiated. 4 such investigations were concluded with an extension of the duty and 2 were terminated without extending the duty. More information can be obtained from the Official Journal to which reference is given in Annex K.

#### Biodiesel

In July 2009 the Council imposed definitive anti-dumping duties on imports of biodiesel originating in the United States of America. Following the imposition of these measures it was found that they were being circumvented by means of transshipment via Canada and by exports of biodiesel originating from the USA in a blend containing by weight 20% or less of biodiesel ('B20 and below'). The measures were consequently extended to cover imports of both products concerned. On the basis of a request from the European Biodiesel Board (EBB), the Commission initiated an anti-circumvention investigation in August 2010. The request was based on allegations of a significant change in pattern of trade in the product concerned from the USA, Canada and Singapore. The request further alleged that exports of biodiesel blends containing 20% or less of biodiesel originating from the USA had begun to arrive in the Union after the imposition of the definitive anti-dumping measures.

The investigation period (the 'IP') covered the period from 1 April 2009 to 30 June 2010. Data was collected for the period from 2008 up to the end of the IP to investigate the alleged change in the pattern of trade.

#### Circumvention

Trade statistics showed a significant increase in imports of biodiesel and certain biodiesel blends from Canada between 2008 and the IP, where their share of total imports into the EU of the products increased from 0,10% to 9,28% respectively. This significant increase contrasted with the small production volumes by the Canadian exporters since Canadian biodiesel producers could not have produced the volume exported from Canada into the Union. It also contrasted with the significant increases in exports of the product from the USA to Canada at the time. While imports from Singapore also increased in the period under consideration, the majority of these imports were of genuine Singaporean origin. Those imports not considered to be of genuine Singaporean origin were found to be extremely low. At the same time imports from the USA dropped by more than 83% to 0% between 2008 and the IP. It was concluded that, in the absence of any information to the contrary, the change in pattern in trade particularly since 2008 when both Canadian and Singaporean exporters increased their volumes while the American exports to the EU dropped, was as a result of the imposition of the anti-dumping measures on biodiesel imports from the USA. Concerning the exports of B20 blends originating from the USA, a significant amount of the product was

found to be exported to the Union. Since no other economic justification was found for the export other than the subsidization of the USA on the one hand, and the avoidance of paying any anti-dumping duties when importing into the Union on the other hand, it was found to be a result of the imposition of the anti-dumping measures.

A dumping test was carried out regarding the exports from Canada and the USA and it was found that, compared to the normal value from the original investigation, dumping existed. It was also found that the imports from Canada and the USA undermined the remedial effects of the original measures owing to significantly increased quantities and dumped prices significantly below the injury elimination level established in the original investigation.

#### Extension of the measure

The investigation concluded that there was clear circumvention of the measures on the product concerned from the USA both via transshipment via Canada and by imports into the Union of biodiesel in a B20 blend. On the other hand the investigation concluded that exports to the EU of the products concerned from Singapore were of genuine Singaporean origin. As a result the anti-dumping measures imposed by the original definitive Regulation on imports of the product concerned originating from the USA were extended in May 2011 to the same product consigned from Canada, whether declared as originating from Canada or not. In addition, the measures in force on imports of the product concerned originating in the USA were also extended to imports of B20 and below. At the same time the investigation regarding Singapore was terminated without extending the measures to imports from that country.

### **8.3. Safeguard investigations**

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

The Commission expects the EU'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 EU 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.

At the start of 2011 there were no safeguard measures in place or investigations ongoing. During 2011 no safeguard investigation was initiated – Annex L. 1 safeguard investigation on Wireless wide area network (WWAN) modems which had been initiated in 2010 was terminated in 2011 without the imposition of measures.

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

Globalisation of trade led to greater possibilities for circumventing or otherwise reducing the effectiveness of anti-dumping and countervailing measures. To address this problem, throughout 2011 the TDI services continued their follow-up activities aimed at ensuring that measures were effectively enforced. In the framework of an integrated approach measures were considered in all their forms - duties and undertakings – and synergy was sought between the TDI services and enforcement-oriented services (OLAF, DG Taxud and customs authorities in Member States).

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

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

### **9.2. Monitoring of undertakings**

Monitoring of undertakings forms part of the enforcement activities, given that undertakings are a form of AD or CVD measures. They are accepted by the Commission if it is satisfied that they can effectively eliminate the injurious effects of dumping or subsidisation.

At the beginning of 2011, there were 22 undertakings in force. During 2011, the following changes to the portfolio of undertakings took place: undertakings of 5 companies came to an end due to the expiry/repeal of measures and an undertaking of one company was accepted. This brings the total number of undertakings in force at the end of 2011 to 18..

## **10. REFUNDS**

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

During 2011, 26 new refund requests were submitted. At the end of 2011, 12 investigations were on-going, covering 18 requests. In 2011, 24 Commission Decisions were adopted: 12 granting partial refund and 12 rejecting the refund requests. 7 requests were withdrawn.

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

### **11.1. Overview of the judicial reviews in 2011.**

In 2011, the General Court and the Court of Justice rendered 9 judgments in total relating to the areas of anti-dumping or anti-subsidy. In addition there were also 4 orders.

## 11.2. Cases pending

A list of the anti-dumping/anti-subsidy cases before the General Court and the Court of Justice still pending at the end of 2011 is given in Annex S (37 before the General Court and 12 before the Court of Justice).

## 11.3. New cases

16 new cases were lodged in 2011 (compared to 13 in 2010, 17 in 2009, 16 in 2008 and 10 in 2007). 12 of these were lodged before the General Court and 4 before the Court of Justice.

## 11.4. Judgments rendered by the General Court

In 2011, the General Court rendered 8 judgments relating to the areas of anti-dumping or anti-subsidy. The General Court additionally terminated 1 case by issuing an order. Details of some of the cases are set out below.

*11.4.1. Certain polyethylene terephthalate originating in India, Indonesia, Malaysia, the Republic of Korea, Thailand and Taiwan – T-167/07 – Far Eastern New Century Corp. v Council of the European Union – Judgment of 13 April 2011 (OJ 160, 28.5.2011, p. 15)*

The applicant, Far Eastern New Century Corp., sought the annulment of Regulation (EC) No 192/2007 imposing a definitive anti-dumping duty on imports of certain polyethylene terephthalate originating in India, Indonesia, Malaysia, the Republic of Korea, Thailand and Taiwan following an expiry review and a partial interim review, applying to the applicant a duty of EUR 36.3 per tonne polyethylene terephthalate. The applicant put forward two main claims in support of its action. The first one concerns the method for the calculation of the dumping margin and the second one the use of zeroing technique. The main findings are set out below.

First, the applicant contested the choice of the asymmetrical method for the calculation of the dumping margin made by the institutions pursuant to Article 2(11) of the basic Anti-dumping Regulation.

The Court upheld the institutions' choice as it found that the two conditions for the application of the asymmetrical method were well established, namely the existence of a significant difference in the pattern of export prices as between the different purchasers, regions or time periods and that the symmetrical methods would not reflect the full degree of dumping practiced. In particular as regards the first condition, the Court clarified that the existence of any one of the three differences in the pattern of export prices, the different purchasers, regions or time periods, referred to in Article 2(11) of the Basic Regulation is sufficient for the first condition laid down in that provision to be satisfied. Also, it indicated that the existence of a pattern of export prices which differs significantly by time period must be assessed solely on the basis of an objective analysis of the development of those prices over time, no account being taken of how they compare with domestic prices or of the reasons for the different export prices.

Second, as regards the use of zeroing technique, the applicant claimed that the negative dumping margins should not have been zeroed when its dumping margin was calculated in accordance with the asymmetrical method and instead other calculations should have been employed.

The Court held that the need to use the zeroing technique in the context of applying the asymmetrical method results directly from Article 2(11) of the basic Anti-dumping Regulation and from Article 2.4.2 of the 1994 Anti-dumping Code, which defines the asymmetrical method as an alternative to the symmetrical methods. The Court indicated that the zeroing technique is commonly used by importing countries and customs unions, including the European Union. Furthermore, the Court held that it is neither contrary to Article 2.4.2 of the 1994 Anti-dumping Code or Article 2(11) of the Basic Regulation, nor unfair for the purposes of Article 2(10) of that regulation, to employ the zeroing technique in the context of the asymmetrical method, where the two conditions for applying that method are satisfied. It was clarified that the zeroing technique has proved to be mathematically necessary in order to distinguish, in terms of its results, the asymmetrical method from the first symmetrical method. In the absence of that reduction, the asymmetrical method will always yield the same result as the first symmetrical method.

In the light of the above findings the Court dismissed the action.

The judgment has not been appealed.

*11.4.2. Cotton-type bed linen originating in Pakistan – T-199/04 – Gul Ahmed Textile Mills v Council of the European Union – Judgment of 27 September 2011 (OJ C 331, 12.11.2011, p. 15)*

The applicant, a Pakistani company engaged in the export sales and marketing of bed linen, sought an annulment of Regulation (EC) No 397/2004, which imposed a definitive anti-dumping duty on imports of cotton-type bed linen originating in Pakistan. The applicant was subject to a duty of 13.1% which was later lowered to 5.6%

The main claim put forward by the applicant in support of his action concerned the establishment of a causal link between the dumped imports and the injury allegedly suffered by the Union industry. The applicant argued, in essence, that the Council made an error of law by failing to examine whether the abolition of the previous anti-dumping duties on bed linen from Pakistan, and the implementation of a scheme of generalised tariff preferences in favour of Pakistan at the start of 2002 had the effect of breaking the causal link between the injury suffered by the Union industry and the dumped imports from Pakistan.

The Court concluded that the EU institutions did not correctly carry out the determination of the said causal link.

Since the exporting producers of Pakistani bed linen drew the attention of the EU institutions to what they believed to be the origin of the injury allegedly suffered by the Union industry, the EU institutions were placed in a position to assess the effects which both the abolition of previous anti-dumping duties and the implementation of a scheme of generalised tariff preferences were capable of producing on the Union industry and, consequently, on the causal link. Because these legislative changes were known factors, in the context of the Basic Regulation, the EU institutions had to take them into account, as the causal link formed the subject matter of the anti-dumping investigation.

If the injurious effects of the dumped imports are not correctly separated and distinguished from the injurious effects of other factors such as the abolition of the previous anti-dumping duties, the EU institutions will not be in a position to conclude that the injury which they attribute to the dumped imports has actually been caused by the latter, rather than by other

factors. The institutions would thus have no rational basis to conclude that the dumped imports are indeed causing the injury which justifies the imposition of anti-dumping duties.

In the light of the above findings the Court ruled that the contested regulation had to be annulled. The Council appealed the judgment and the appeal case is pending before the Court of Justice.

*11.4.3. Ironing boards originating in the People's Republic of China and Ukraine – T-274/07 – Zhejiang Harmonic Hardware Products v Council of the European Union – Judgment of 8 November 2011 (OJ C 370, 17.12.2011, p. 22)*

The applicant, a Chinese manufacturer of ironing boards, sought the annulment of Council Regulation (EC) No 452/2007, which imposed a definitive anti-dumping duty and collected the provisional duty on imports of ironing boards originating in, inter alia, China. The applicant was subject to a duty of 26.5%. The applicant put forward four main claims in support of its action.

Firstly, the applicant argued that the Commission failed to justify its reassessment of the question of market economy treatment with new information which differed from that on which the previous assessment was based.

The Court dismissed this plea as unfounded because, having regard to the very nature of the disclosure documents in the general scheme of the Basic Regulation (purely informative), the Commission was not required to justify by new data or information the evolution of its position. In the present case, it was sufficient for the Commission to give reasons for its final position, confirming its initial decision, in relation to all the relevant matters of fact and law, for the purpose of determining whether to grant market economy treatment.

Secondly, the applicant claimed that, by conferring anonymity on the intervening companies and thus protecting the identity of the companies, it was impossible for the applicant to analyse properly much of the key data in the complaint and to respond effectively to it in the earlier stages of the investigation, thus breaking the applicant's right of defence.

The Court dismissed this plea and held that the Commission did not commit an error of law in deciding that the alleged risk of pressure being applied to the intervening companies justified agreeing to their request for confidentiality.

Thirdly, the applicant argued that it had no opportunity to defend its interests effectively because the Commission, contrary to the Basic Regulation, allowed the applicant a period of less than ten days in which to submit comments.

The Court upheld this plea. By failing to comply with the ten-day period the applicant's right of defence was affected. Since it could not be ruled out that the Commission would have reconsidered its assessment for market economy treatment again, in the absence of procedural irregularities, a further period might have enabled the applicant to develop substantive arguments thus allowing the applicant to defend himself more effectively. In addition, an answer from the applicant to the procedural arguments could have influenced the content of the proposal for definitive measures. If the Commission had fulfilled its procedural obligations to the applicant, the administrative procedure could have produced a different result.

Lastly, the applicant pleaded an infringement of its rights as exporter to offer undertakings.

The Court also upheld this plea. By failing to comply with the ten-day period, the Commission infringed the applicant's rights to offer undertakings up until the expiry of that period.

Therefore, the contested regulation was annulled, in so far as it imposed a definitive anti-dumping duty and collected definitively the provisional duty on ironing boards manufactured by the applicant.

*11.4.4. Certain magnesia bricks originating from the People's Republic of China – T-423/09 – Dashiqiao v Council of the European Union – Judgment of 16 December 2011 (OJ C 32, 4.2.2012, p. 21)*

The applicant, a company established in China, sought the annulment of Council Regulation (EC) No 826/2009 amending Regulation (EC) No 1659/2005. The regulation imposed a definitive anti-dumping duty on imports of certain magnesia bricks originating from China, in so far as the anti-dumping duty that it set exceeded that which would be applicable if that duty had been determined on the basis of the method applied in the original investigation in order to take account of the fact that Chinese export VAT was not refunded. The applicant was subject to a duty of 14, 4%.

The applicant put forward two pleas in support of its action.

Firstly, the applicant argued that the method used by the Commission in the review, to deal with the fact that export VAT was not refunded, infringed the principle of fair comparison between the export price and the normal value as laid down in the Basic Regulation.

The Court found that the export price or the normal value should only be corrected in order to take into account the different factors that are of influence on the prices so as to make the prices comparable. The aim of the correction is thus to restore the symmetry between the normal value and the export price of a product. In light of the definitions given in the Basic Regulation, the Council could consider the comparison of the normal value with the export price on a VAT-inclusive basis, as a fair method of comparison.

Since the applicant did not provide any arguments demonstrating that this comparative method is unsuitable, the Court dismissed the plea and held that the Council did not commit an error in judgement by comparing the export price with the normal value on a VAT-inclusive basis and consequently did not infringe the principle of fair comparison.

Second, the applicant argued that the calculation method differed radically from that applied in the original investigation without any valid justification.

The Court also dismissed this plea. The circumstances during the original and the new investigation had changed. During the original investigation, the Chinese VAT was partially refunded for the products under consideration while, during the new investigation, VAT was not refunded at all. While in the original investigation it was found necessary to correct the situation, considering the changed circumstances, the Council was allowed to cease the correction of the normal value and the export price, since this value and price could fairly be compared on a VAT-inclusive basis.

The Court thus dismissed the action for annulment.

## **11.5. Judgments rendered by the Court of Justice**

In 2011, the Court of Justice rendered 1 judgment relating to the area of anti-dumping regarding an appeal against the judgment of the General Court. In addition the Court of Justice rendered two orders which concern a leave to intervene on appeal.

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

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

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

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

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

It should be noted that the anti-dumping, anti-subsidy and safeguards measures are among the most popular subject matters in WTO dispute settlement.

#### *12.1.2. Dispute settlement procedures against the Union*

##### **China-Certain Footwear**

By Council Regulation (EC) No 1472/2006 and Council Implementing Regulation (EU) No 1294/2009, the Council imposed anti-dumping measures on certain leather footwear originating in the People's Republic of China. In February 2010, China requested consultations with the European Union concerning the above Regulations. Consultations were held in March 2010. Subsequently, in April 2010, China requested the establishment of a panel. The panel was established in May 2010 and its members were elected in July 2010. The panel report was issued in October 2011

The panel concluded that, in the great majority of the issues examined, the EU acted in full compliance with WTO rules. However, the Panel found that Article 9(5) of the Basic Regulation was inconsistent with the European Union's obligations under Articles 6.10, 9.2 and 18.4 of the AD Agreement, Article I: 1 of the GATT 1994, and Article XVI: 4 of the WTO Agreement, and that the application of Article 9(5) of the Basic Regulation in the



footwear original investigation was inconsistent with Articles 6.10 and 9.2 of the AD Agreement.

In addition, the Panel found that the EU had acted inconsistently with the AD Agreement with respect to the determination of the amounts for SG&A and profit for one producer-exporter in the original investigation. Moreover it found that the European Union acted inconsistently with its obligations under Articles 6.5 and 6.5.1 of the AD Agreement with respect to the confidential treatment, or the non-confidential summarization, of certain information in the original investigation and the expiry review.

The Panel rejected the majority of China's claims with respect to individual treatment requests; market economy treatment; dumping determination; selection of countries for expiry review and investigation; scope of the product under consideration, or the like product; sample for the injury analysis and determination; cumulative assessment; evaluation of injury indicators; causation; the amount of time provided for comments and responses; questionnaire responses; confidential treatment of information; non-confidential summarization of information; not applying available facts; and imposition and collection of anti-dumping duties.

Lastly, the Panel concluded that, since Article 17.6(i) of the AD Agreement does not impose any obligations on the investigating authorities of WTO Members in anti-dumping investigations that could be the subject of a finding of violation, China's claims of violation of Article 17.6(i) had to be dismissed. Further, it applied judicial economy with respect to some of China's claims regarding all three measures.

Since the Review and Definitive Regulations expired as of 31 March 2011, the Panel concluded that there was no basis for a recommendation to “bring the [expired] measure[s] into conformity” under Article 19.1 of the DSU. With respect to Article 9(5) of the Basic Regulation, the Panel recommended that the European Union bring this measure into conformity with its obligations under the WTO Agreements. The Panel declined to make a suggestion on how the DSB recommendations and rulings may be implemented by the European Union.

#### China – Fasteners

In July 2011 the WTO Appellate Body issued a report on the dispute settlement case taken by China against the EU on anti-dumping measures on imports of certain iron or steel fasteners originating in China. This was the first WTO challenge launched by China against the EU since it joined the WTO in 2001. China challenged the WTO-consistency of Article 9.5 of the EU basic AD regulation (the provision on "individual treatment" of exporters from non-market economies) and of the EU regulation imposing a definitive anti-dumping duty on imports of certain iron or steel fasteners from China.

The panel had circulated its report to WTO Members in December 2010 and in March 2011 the EU appealed certain aspects of the panel report. The Appellate Body issued its report in July 2011 and at its meeting on 28 July 2011 the Dispute Settlement Body (DSB) adopted the Report. While the large majority of China's claims with respect to the fasteners regulation were rejected by the Panel and by the Appellate Body, certain aspects of that regulation were considered to be in breach of WTO law. The Appellate Body upheld the Panel's findings that Article 9(5) of the European Union's Basic Anti-Dumping Regulation was WTO-inconsistent in and of itself ("as such") because it conditions the determination of individual dumping

margins, and the imposition of individual anti-dumping duties, on the fulfilment of an "Individual Treatment" test.

In September 2011, the European Union informed the WTO DSB that it intends to implement the recommendations and rulings of the DSB in this dispute in a manner that respects its WTO obligations. In February 2012, the Commission proposed to the European Parliament and the Council an amendment to the Basic Anti-Dumping Regulation to take account of the DSB Ruling<sup>24</sup>. The amendment was published in September 2012<sup>25</sup>.

## **12.2. Other WTO activities**

In 2011, the Chair of the DDA Negotiating Group on rules launched a process of informal plurilateral consultations on various topics where it was felt that the gaps remaining among Members should be further worked on. This resulted in the circulation of a new text on anti-dumping disciplines highlighting areas of convergence and outstanding problematic issues, whereas progress on subsidies and fisheries subsidies negotiations was treated in a report (WTO Document TN/RL/W/254 of 21 April 2011). While these documents accurately reflected the state of the negotiations in those areas, it did not prove possible to take the latter forward in 2011 partly because of the overall dynamics of the DDA negotiations. Following resignation by the Chair Francis, a consensus among Members was found to appoint Ambassador McCook (Jamaica) as Chairman of the Negotiating Group on Rules. His appointment was confirmed at a formal meeting held in February 2012. Subsequently, the Technical Group, a subgroup of the negotiating group, was convened twice (in February and April 2012).

In parallel to these activities, participation by the Commission services in the regular work of the Anti-dumping, Subsidies and Countervailing and Safeguards Committees continued. The Committees met twice in regular sessions to review notifications and raise issues of special interest.

## **13. CONCLUSION**

Overall the level of activity in 2011 over 2010 increased when based on the initiation of new cases – 21 as compared to 18. This represented an increase in both anti-dumping and anti-subsidy cases initiated compared to the previous year. There was a slight increase in the number of cases terminated without the imposition of measures up 1 to 11 in 2011. 2011 saw the number of reviews initiated drop from 31 in 2010 to 24 in 2011. There were no safeguard cases initiated unlike the previous year where the first case in many years had been initiated.

2011 also saw the launch of a debate for the modernisation of the trade defence instruments. In launching the exercise the Commission services drew on an evaluation study on the EU's trade defence instruments (commissioned in 2010 and continued throughout 2011) by an independent contractor and also on a number of interviews with experts in the field. The modernisation exercise and the evaluation study are designed to improve the EU's application of Trade Defence instruments.

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<sup>24</sup> COM (2012) 41 Final

<sup>25</sup> O.J. L237, 03.09.2012

In 2011, the Commission continued to focus on the needs of SMEs in the context of trade defence investigations publishing the "Paper on Actions to Address the Difficulties Encountered by SMEs Involved in Trade Defence Instruments". This was a follow on from the results of the study carried out by an independent contractor in 2010 launched by the Commission in recognition of the important role that SMEs have in the EU's economy and the difficulties they face in participating in trade defence investigations. The paper published in 2011 contains a number of actions designed to assist SMEs when participating in trade defence investigations.

The TDI services also continued their information role through organising seminars aimed at third country officials and held a number of bilateral contacts with industry.

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ANNEX A

New investigations initiated

During the period 1 January – 31 December 2011

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

<b>Product</b>	<b>Country of origin</b>	<b>OJ Reference</b>
Oxalic acid	India P.R. China	C 24 26.01.2011 p. 8
Polyethylene terephthalate (PET)	Oman Saudi Arabia	C 49 16.02.2011 p. 16
Sodium cyclamate	P.R. China	C 50 17.02.2011 p. 9
Soy protein products (certain concentrated)	P.R. China	C 121 19.04.2011 p. 71
Stainless steel fasteners	India	C 142 13.05.2011 p. 30
Seamless pipes and tubes of iron or steel (certain)	Belarus	C 187 28.06.2011 p. 22
Woven and/or stitched glass fibre fabrics	P.R. China	C 222 28.07.2011 p. 12
Tartaric acid	P.R. China	C 223 29.07.2011 p. 11
Aluminium radiators	P.R. China	C 236  12.08.2011  p. 18
Tube and pipe fittings of iron or steel	Russia Turkey	C 320  01.11.2011  p. 4
Bioethanol	U.S.A.	C 345

		25.11.2011 p. 7
White phosphorous	Kazakhstan	C 369 17.12.2011 p. 19
Aluminium foil	P.R. China	C 371 20.12.2011 p. 4
Organic coated steel products	P.R. China	C 373 21.12.2011 p. 16

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

Product	Country of origin	OJ Reference
Polyethylene terephthalate (PET) (AS)	Oman Saudi Arabia	C 49 16.02.2011 p. 21
Stainless steel fasteners (AS)	India	C 142 13.05.2011 p. 36
Bioethanol	U.S.A.	C 345 25.11.2011 p. 13

*ANNEX B*

A. New investigations initiated by product sector during the period 2007 – 2011  
(31 December)

Product	2007	2008	2009	2010	2011
Chemical and allied	2	2	9	7	9
Textiles and allied	-	-	3	-	-
Wood and paper	-	-	-	2	-
Electronics	-	-	1	2	-
Other mechanical engineering	-	1	-	1	-
Iron and Steel	6	11	4	3	6
Others metal	-	3	1	-	2
Other	1	3	3	3	4
	<b>9</b>	<b>20</b>	<b>21</b>	<b>18</b>	<b>21</b>
Of which anti-dumping	9	18	15	15	17
anti-subsidy	0	2	6	3	4



B. New investigations initiated by country of export during the period 2007 – 2011 (31 December)

Country of origin	2007	2008	2009	2010	2011
Armenia	-	1	-	-	-
Belarus	1	1	-	-	1
Bosnia & Herzegovina	1	-	-	1	-
Brazil	-	1	-	-	-
China (People's Republic of)	6	6	7	10	8
India	-	-	2	3	3
Indonesia	-	-	-	1	-
Iran	-	-	2	-	-
Kazakhstan	-	-	-	-	1
Korea (Rep. of)	-	1	1	-	-
Malaysia	-	-	2	1	-
Moldova (Rep. of)	-	1	-	-	-
Oman	-	-	-	-	2
Pakistan	-	-	2	-	-
Russia	1	-	-	-	1
Saudi Arabia	-	-	-	-	2
Taiwan	-	1	1	-	-
Thailand	-	1	2	1	-
Turkey	-	2	-	-	1
Ukraine	-	1	-	-	-
U.A.E.	-	-	2	-	-
U.S.A.	-	4	-	1	2
	9	20	21	18	21

ANNEX C

New investigations concluded by the imposition of provisional duties

During the period 1 January – 31 December 2011

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

<b>Product</b>	<b>Country of origin</b>	<b>Regulation N°</b>	<b>OJ Reference</b>
Rind binder mechanisms	Thailand	Commission Reg. (EU) No 118/2011 10.02.2011	L 37 11.02.2011 p. 2
Glass fibres (certain open mesh fabrics)	P.R. China	Commission Reg. (EU) No 138/2011 16.02.2011	L 43 17.02.2011 p. 9
Ceramic tiles	P.R. China	Commission Reg. (EU) No 258/2011 16.03.2011	L 70 17.03.2011 p. 5
Fatty alcohols and their blends	India Indonesia Malaysia	Commission Reg. (EU) No 446/2011 10.05.2011	L 122 11.05.2011 p. 47
Seamless pipes and tubes of stainless steel	P.R. China	Commission Reg. (EU) No 627/2011 27.06.2011	L 169 29.06.2011 p. 1
Vinyl acetate	U.S.A.	Commission Reg. (EU) No 821/2011 16.08.2011	L 209 17.08.2011 p. 24
Oxalic acid	India P.R. China	Commission Reg. (EU) No 1043/2011 19.10.2011	L 275 20.10.2011 p. 1

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

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

ANNEX D

New investigations concluded by the imposition of definitive duties

During the period 1 January – 31 December 2011

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

<b>Product</b>	<b>Country of</b>	<b>Regulation N°</b>	<b>OJ Reference</b>
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	<b>origin</b>		
Continuous filament glass fibre products	P.R. China	Council Impl. Reg. (EU) No 248/2011 09.03.2011	L 67 15.03.2011 p. 1
Melamine	P.R. China	Council Impl. Reg. (EU) No 457/2011 10.05.2011	L 124 13.05.2011 p. 2
Zeolite A powder	Bosnia and Herzegovina	Council Impl. Reg. (EU) No 464/2011 11.05.2011	L 125 14.05.2011 p. 1
Coated fine paper	P.R. China	Council Impl. Reg. (EU) No 451/2011 06.05.2011	L 128 14.05.2011 p. 1
Glass fibres (certain open mesh fabrics)	P.R. China	Council Impl. Reg. (EU) No 791/2011 03.08.2011	L 204 09.08.2011 p. 1
Ring binder mechanisms	Thailand	Council Impl. Reg. (EU) No 792/2011 05.08.2011	L 204 09.08.2011 p. 11
Ceramic tiles	P.R. China	Council Impl. Reg. (EU) No 917/2011 12.09.2011	L 238 15.09.2011 p. 1
Fatty alcohols and their blends	India Indonesia Malaysia	Council Impl. Reg. (EU) No 1138/2011 08.11.2011	L 293 11.11.2011 p. 1
Seamless pipes and tubes of stainless steel	P.R. China	Council Impl. Reg. (EU) No 1331/2011 14.12.2011	L 336 20.12.2011 p. 6

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

<b>Product</b>	<b>Country of origin</b>	<b>Regulation N°</b>	<b>OJ Reference</b>
Stainless steel bars and rods (AS)	India	Council Impl. Reg. (EU) No 405/2011 19.04.2011	L 108 28.04.2011 p. 3
Coated fine paper (AS)	P.R. China	Council Impl. Reg. (EU) No 452/2011 06.05.2011	L 128 14.05.2011 p. 18

ANNEX E

New investigations terminated without the imposition of measures

During the period 1 January – 31 December 2011

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

<b>Product</b>	<b>Country of origin</b>	<b>Decision N°</b>	<b>OJ Reference</b>
Purified terephthalic acid and its salts	Thailand	Commission Dec. No 2011/32/EU 20.01.2011	L 15 20.01.2011 p. 22
Wireless wide area networking (WWAN) modems	P.R. China	Commission Reg. (EU) No 209/2011 02.03.2011	L 58 03.03.2011 p. 36
Stainless steel bars	India	Commission Dec. No 2011/154/EU 09.03.2011	L 63 10.03.2011 p. 21
Tris (2-chloro-1-methyl-ethyl) phosphate	P.R. China	Commission Dec. No 2011/498/EU 09.09.2011	L 205 10.08.2011 p. 35
Graphite electrode system (certain)	P.R. China	Commission Dec. No 2011/642/EU 29.09.2011	L 254 30.09.2011 p. 20
Polyethylene terephthalate (PET)	Oman Saudi Arabia	Commission Dec. No 2011/835/EU 13.12.2011	L 330 14.12.2011 p. 45

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

<b>Product</b>	<b>Country of origin</b>	<b>Decision N°</b>	<b>OJ Reference</b>
Purified terephthalic acid and its salts (AS)	Thailand	Commission Dec. No 2011/31/EU 20.01.2011	L 15 20.01.2011 p. 17
Wireless wide area networking (WWAN) modems (AS)	P.R. China	Commission Reg. (EU) No 209/2011 02.03.2011	L 58 03.03.2011 p. 36
Polyethylene terephthalate (PET)	Oman Saudi Arabia	Commission Dec. No 2011/834/EU 13.12.2011	L 330 14.12.2011 p. 43

ANNEX F

Expiry reviews initiated or concluded

During the period 1 January – 31 December 2011

(Chronological by date of publication)

<b>Initiated</b>		
<b>Product</b>	<b>Country of origin</b>	<b>OJ Reference</b>
Tartaric acid	P.R. China	C 24 26.01.2011 p. 14
Seamless pipes and tubes of iron or steel	Croatia Russia Ukraine	C 187 28.06.2011 p. 16
Lever arch mechanisms	P.R. China	C 217 23.07.2011 p. 35
Chamois leather	P.R. China	C 270 13.09.2011 p. 6
Plastic sacks and bags	P.R. China Thailand	C 283 27.09.2011 p. 11

<b>Concluded : confirmation of duty</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/Decision N°</b>	<b>OJ Reference</b>
Okoumé plywood	P.R. China	Council Impl. Reg. (EU) No 82/2011 31.01.2011	L 28 02.02.2011 p. 1
Tungsten carbide and fused tungsten carbide	P.R. China	Council Impl. Reg. (EU) No 287/2011 21.03.2011	L 78 24.03.2011 p. 1
Furfuraldehyde	P.R. China	Council Impl. Reg. (EU) No 453/2011 04.05.2011	L 123 12.05.2011 p. 1
Barium carbonate	P.R. China	Council Impl. Reg. (EU) No 831/2011	L 214 19.08.2011

		16.08.2011	p. 1
Bicycles	P.R. China	Council Impl. Reg. (EU) No 990/2011 03.10.2011	L 261 06.10.2011 p. 2
Hand pallet trucks and their essential parts	P.R. China Thailand (ext.)	Council Impl. Reg. (EU) No 1008/2011 10.10.2011	L 268 13.10.2011 p. 1
Trichloroisocyanuric acid (TCCA)	P.R. China	Council Impl. Reg. (EU) No 1389/2011 19.12.2011	L 346 30.12.2011 p. 6

<b>Concluded : termination and repeal of the measures</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision N°</b>	<b>OJ Reference</b>
Polyester staple fibres	P.R. China	Council Impl. Reg. (EU) No 554/2011 30.05.2011	L 150 09.06.2011 p. 1
Magnesia bricks (certain)	P.R. China	Council Impl. Reg. (EU) No 616/2011 21.06.2011	L 166 25.06.2011 p. 1
Broad spectrum antibiotics (AS)	India	Council Impl. Reg. (EU) No 803/2011 04.08.2011	L 206 11.08.2011 p. 1
Castings (certain)	P.R. China	Council Impl. Reg. (EU) No 871/2011 26.08.2011	L 227 02.09.2011 p. 1

ANNEX G

Interim reviews initiated or concluded  
during the period 1 January – 31 December 2011  
(chronological by date of publication)

<b>Initiated</b>		
<b>Product</b>	<b>Country of origin</b>	<b>OJ Reference</b>
Sodium cyclamate	P.R. China	C 50 17.02.2011 p. 6
Polyethylene terephthalate (PET) (AS)	India	C 102 02.04.2011 p. 15
Polyethylene terephthalate (PET)	India	C 102 02.04.2011 p. 18
Potassium chloride	Russia	C 170 10.06.2011 p. 10
Furfuraldehyde	P.R. China	C 196 05.07.2011 p. 9
Tartaric acid	P.R. China	C 223 29.07.2011 p. 16
Seamless pipes and tubes of iron or steel	Ukraine	C 223 29.07.2011 p. 8
PSC wires and strands	P.R. China	C 291 04.10.2011 p. 6
Seamless pipes and tubes of iron or steel	Russia	C 303 14.10.2011 p. 11

<b>Concluded : confirmation/amendment of duty</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/Decision N°</b>	<b>OJ Reference</b>
Polyethylene terephthalate (PET) film	India	Council Impl. Reg. (EU) No 38/2011	L 15 20.01.2011

		20.01.2011	p. 1
Polyethylene terephthalate (PET) film	India	Council Impl. Reg. (EU) No 205/2011 28.02.2011	L 58 03.03.2011 p. 14
Polyethylene terephthalate (PET) film (AS)	India	Council Impl. Reg. (EU) No 206/2011 28.02.2011	L 58 03.03.2011 p. 18
Polyethylene terephthalate (PET) (AS)	India	Council Impl. Reg. (EU) No 906/2011 02.09.2011	L 232 09.09.2011 p. 19

<b>Concluded by termination of review/confirmation of duty</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/Decision N°</b>	<b>OJ Reference</b>
Okoumé plywood	P.R. China	Council Impl. Reg. (EU) No 82/2011 31.01.2011	L 28 02.02.2011 p. 1
Polyethylene terephthalate (PET)	Korea (Rep. of)	Council Impl. Reg. (EU) No 167/2011 21.02.2011	L 49 24.02.2011 p. 1
Polyethylene terephthalate (certain) (PET)	India	Council Impl. Reg. (EU) No 905/2011 01.09.2011	L 232 09.09.2011 p. 14

<b>Concluded : termination and repeal of measures</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision N°</b>	<b>OJ Reference</b>
Coumarin	P.R. China	Council Impl. Reg. (EU) No 655/2011 28.06.2011	L 180 08.07.2011 p. 1
Castings (certain)	P.R. China	Council Impl. Reg. (EU) No 871/2011 26.08.2011	L 227 02.09.2011 p. 1
Potassium chloride	Belarus	Notice of the expiry of certain anti-dumping measures (2011/C 206/10)	C 206 12.07.2011 p.18



Potassium chloride	Russia	Notice of the expiry of certain anti-dumping measures (2011/C 206/10)	C 206 12.07.2011 p.18
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## ANNEX H

Other reviews initiated or concluded

during the period 1 January – 31 December 2011

(chronological by date of publication)

<b>Initiated</b>		
<b>Product</b>	<b>Country of origin</b>	<b>OJ Reference</b>
Compressors <sup>26</sup>	P.R. China	C 98 30.03.2011 p. 22
Citrus fruits <sup>27</sup>	P.R. China	C 353 03.12.2011 p. 15

<b>Concluded : confirmation/amendment of duty</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/Decision N°</b>	<b>OJ Reference</b>
Polyethylene terephthalate (PET) film <sup>28</sup>	India	Council Impl. Reg. (EU) No 469/2011 13.05.2011	L 129 17.05.2011 p. 1
Plastic sacks and bags <sup>29</sup>	P.R. China	Council Impl. Reg. (EU) No 475/2011 13.05.2011	L 131 18.05.2011 p. 10
Bicycle parts (extension to bicycles) <sup>30</sup>	P.R. China	Commission Decision 2011/304/EU 23.05.2011	L 136 24.05.2011 p. 99
Polyethylene terephthalate (PET) film <sup>31</sup>	India	Council Impl. Reg. (EU) No 824/2011 12.08.2011	L 211 18.08.2011 p. 1
High tenacity yarns of polyesters <sup>32</sup>	P.R. China	Council Impl. Reg. (EU) No 907/2011 06.09.2011	L 232 09.09.2011 p. 29

<sup>26</sup> Partial reopening of the anti-dumping investigation

<sup>27</sup> Partial reopening of the anti-dumping investigation

<sup>28</sup> Adjustment of the anti-dumping duty rates following the expiry of the countervailing duty

<sup>29</sup> New Exporting Producer Treatment.

<sup>30</sup> Decision updating the list of parties under examination for exemption from extended duties

<sup>31</sup> Termination of the partial reopening of the anti-dumping interim review investigation

Compressors <sup>33</sup>	P.R. China	Council Impl. Reg. (EU) No 1306/2011 12.12.2011	L 332 15.12.2011 p. 1
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<sup>32</sup> New Exporting Producer Treatment.

<sup>33</sup> Clarifying the scope of the definitive anti-dumping duties

ANNEX I

New exporter reviews initiated or concluded  
during the period 1 January – 31 December 2011  
(chronological by date of publication)

A. Anti-dumping investigations

<b>Initiated</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/Decision N°</b>	<b>OJ Reference</b>
Iron or steel fasteners	Malaysia	Commission Reg. (EU) No 1164/2011 15.11.2011	L 297 16.11.2011 p. 53
Steel ropes and cables	Korea (Rep. of)	Commission Reg. (EU) No 969/2011 29.09.2011	L 254 30.9.2011 p.7

<b>Concluded: imposition/amendment of duty</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/Decision N°</b>	<b>OJ Reference</b>
None	-	-	-

<b>Concluded: termination</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/Decision N°</b>	<b>OJ Reference</b>
Magnesia bricks (certain)	P.R. China	Council Impl. Reg. (EU) No 616/2011 21.06.2011	L 166 25.06.2011 p. 1

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

<b>Initiated</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/Decision N° (if applicable)</b>	<b>OJ Reference</b>
None	-	-	-
<b>Concluded : imposition/amendment of duty</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/Decision</b>	<b>OJ Reference</b>

		N°	
None	-	-	-

<b>Concluded: termination</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/Decision N°</b>	<b>OJ Reference</b>
None	-	-	-

ANNEX J

Anti-absorption investigations initiated or concluded

during the period 1 January – 31 December 2011

(chronological by date of publication)

<b>Initiated</b>		
<b>Product</b>	<b>Country of origin</b>	<b>OJ Reference</b>
None	-	-

<b>Concluded with increase of duty</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/Decision N°</b>	<b>OJ Reference</b>
None	-	-	-

<b>Concluded without increase of duty / termination</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/Decision N°</b>	<b>OJ Reference</b>
None	-	-	-

**ANNEX K**

Anti-circumvention investigations initiated or concluded  
during the period 1 January – 31 December 2011  
(chronological by date of publication)

<b>Initiated</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/Decision N°</b>	<b>OJ Reference</b>
Molybdenum wires	P.R. China (Malaysia, Switzerland)	Commission Reg. (EU) No 477/2011 17.05.2011	L 131 18.05.2011 p. 14
Glass fibres (certain open mesh fabrics)	P.R. China (Malaysia)	Commission Reg. (EU) No 1135/2011 09.11.2011	L 292 10.11.2011 p. 4

<b>Concluded with extension of duty</b>			
<b>Product</b>	<b>Country of consignment</b>	<b>Regulation N°</b>	<b>OJ Reference</b>
Biodiesel	Canada	Council Impl. Reg. (EU) No 444/2011 05.05.2011	L 122 11.05.2011 p. 12
Biodiesel (AS)	Canada	Council Impl. Reg. (EU) No 443/2011 05.05.2011	L 122 11.05.2011 p. 1
Plastic sacks and bags	P.R. China	Council Impl. Reg. (EU) No 474/2011 03.05.2011	L 131 18.05.2011 p. 2
Iron or steel fasteners	Malaysia	Council Impl. Reg. (EU) No 723/2011 18.07.2011	L 194 26.07.2011 p. 6

<b>Concluded without extension of duty / termination</b>			
<b>Product</b>	<b>Country of consignment</b>	<b>Regulation N°</b>	<b>OJ Reference</b>
Biodiesel	Singapore	Council Impl. Reg. (EU) No 444/2011 05.05.2011	L 122 11.05.2011 p. 12
Biodiesel (AS)	Singapore	Council Impl. Reg. (EU) No 443/2011 05.05.2011	L 122 11.05.2011 p. 1

<b>Exemptions granted and/or rejected</b>			
<b>Product</b>	<b>Country of consignment</b>	<b>Regulation N°</b>	<b>OJ Reference</b>
None	-	-	-



*ANNEX L*

Safeguard investigations initiated and concluded

during the period 1 January – 31 December 2011

(chronological by date of publication)

<b>New investigations initiated</b>		
<b>Product</b>	<b>Country of origin</b>	<b>OJ Reference</b>
None	-	-

<b>New investigations terminated without imposition of measures</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/Decision N°</b>	<b>OJ Reference</b>
Wireless wide area networking modems	P.R. China	Notice 2011/C 24/09 26.01.2011	C 24 26.01.2011, p. 19

<b>Issue of licences</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/Decision N°</b>	<b>OJ Reference</b>
None	-	-	-

<b>Safeguard measures which expired</b>		
<b>Product</b>	<b>Country of origin</b>	<b>Date of expiry</b>
None	-	-

ANNEX M

Undertakings accepted or repealed

during the period 1 January – 31 December 2011

(chronological by date of publication)

<b>Undertakings accepted</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation N°</b>	<b>OJ Reference</b>
Zeolite A powder	Bosnia and Herzegovina	Commission Dec. No 2011/279/EU 13 May 2011	L 125,14.5.2011, p. 26

<b>Undertakings withdrawn or repealed</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation N°</b>	<b>OJ Reference</b>
none			

<b>Undertakings which expired/lapsed</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Original measure(s) &amp; OJ Reference</b>	<b>OJ Reference</b>
Coumarin	India	Commission Dec. No 2005/3/EC 03.01.2005	L 180, 8.7.2011, p.1.
Potassium chloride	Russia	Commission Dec. No 2005/802/EC 17.10.2005 as last amended by Commission Dec. No 2006/557/EC 08.08.2006	C 206, 12.7.2011, p. 18.
Urea and ammonium nitrate solutions	Algeria	Commission Reg. (EC) No 617/2000 16.03.2000	C 373, 21.12.2011, p. 23.
Urea and ammonium nitrate solutions	Russia	Commission Dec. No 2008/649/EC	C 373, 21.12.2011, p. 23.

		03.07.2008	
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*ANNEX N*

Measures which expired / lapsed  
during the period 1 January – 31 December 2011  
(chronological by date of publication)

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

<b>Product</b>	<b>Country of origin</b>	<b>Original measure &amp; OJ Reference</b>	<b>Publication</b>
Footwear with uppers of leather	P.R. China Macau (SAR) (ext.) Vietnam	Council Reg. (EC) No 1472/2006 05.10.2006 (OJ L275, 06.10.2006, p. 1)  and extended as concerns China to imports consigned from Macau (SAR) by Council Reg. (EC) No 388/2008 29.04.2008  (OJ L117, 01.05.2008, p. 1)  and maintained by Council Impl.Reg. (EU) No 1294/2009 22.12.2009  (OJ L352, 30.12.2009, p. 1)	C 82 16.03.2011 p. 4
Magnesia (deadburned)	P.R. China	Council Reg. (EC) No 716/2006 05.05.2006  (OJ L 125, 12.05.2006, p. 1)	C 146 17.05.2011 p. 12
Magnesia bricks	P.R. China	Council Reg. (EC) No 1659/2005 06.10.2005  (OJ L 267, 12.10.2005, p. 1)	L 166 25.06.2011 p. 1
Coumarin	P.R. China  India (ext.)	Council Reg. (EC) No 769/2002 07.05.2002	L 180 08.07.2011 p. 1

	Thailand (ext.) Indonesia (ext.) Malaysia (ext.)	(OJ L 123, 09.05.2002, p. 1)  as last amended by Council Reg. (EC) No 1854/2003 20.10.2003  (OJ L 272, 23.10.2003, p. 1)  and extended to imports consigned from India and Thailand by Council Reg. (EC) No 2272/2004 22.12.2004  (OJ L 396, 31.12.2004, p. 18) and extended to imports consigned from Indonesia and Malaysia by Council Reg. (EC) No 1650/2006 07.11.2006  (OJ L 311, 10.11.2006, p. 1)  and maintained by Council Reg. (EC) No 654/2008 29.04.2008  (OJ L 183, 11.07.2008, p. 1)	
Potassium chloride	Belarus  Russia	Council Reg. (EC) No 1050/2006 21.08.2006  (OJ L 191, 12.07.2006, p. 1)	C 206 12.07.2011 p. 18
Silicon carbide	P.R. China	Council Reg. (EC) No 1264/2006 11.07.2006  (OJ L 232, 25.08.2006, p. 1)	C 247 25.08.2011 p. 10
Side-by-side refrigerators (certain)	Korea (Rep. of)	Council Reg. (EC) No 1289/2006 25.08.2006  (OJ L 236, 31.08.2006, p. 11)	C 255 31.08.2011 p. 6

Urea and ammonium nitrate solutions	Algeria Belarus Russia Ukraine	Council Reg. (EC) No 1911/2006 19.12.2006  (OJ L 365, 21.12.2006, p. 26)  as last amended by Council Reg. (EC) No 789/2008 24.07.2008  (OJ L 213, 08.08.2008, p. 14) and Council Impl. Reg. (EU) No 1251/2009 18.12.2009 (OJ L 338, 19.12.2009, p. 5)	C 373 21.12.2011 p. 23

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

Product	Country of origin	Original measure & OJ Reference	Publication
PET film (polyethylene terephthalate)	India Brazil (ext.) Israel (ext.)	Council Reg. (EC) No 367/2006 27.02.2005 (OJ L68, 08.03.2006, p. 15) as last amended by Council Impl. Reg. (EU) No 806/2010 15.09.2010 (OJ L242, 15.09.2010, p. 6) and Council Impl. Reg. (EU) No 206/2011 28.02.2011 (OJ L58, 03.03.2011, p. 18)	C 68 03.03.2011 p. 6

ANNEX O

Definitive anti-dumping measures in force on 31 December 2011

A. Ranked by product (alphabetical)

<b>Product</b>	<b>Origin</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
Aluminium foil	Armenia	Duties	Council Reg. (EC) No 925/2009 24.09.2009	L 262 06.10.2009 p. 1
	Brazil  P.R. China	Undertakings	Commission Dec. No 2009/736/EC 05.10.2009	L 262 06.10.2009 p. 50
Aluminium road wheels	P.R. China	Duties	Council Impl. Reg. (EU) No 964/2010 25.10.2010	L 282 28.10.2010 p. 1
Ammonium nitrate	Russia	Duties	Council Reg. (EC) No 658/2002 15.04.2002 as last amended by Council Reg. (EC) No 945/2005 21.06.2005	L 102 18.04.2002 p. 1  L 160 23.06.2005 p. 1
			and maintained by Council Reg. (EC) No 661/2008 08.07.2008  corrected by L 339, 22.12.2009, p. 59  as last amended by Council Reg. (EC) No 989/2009 19.10.2009  Commission Dec. No 2008/577/EC 04.07.2008	L 185 12.07.2008 p. 1         L 278 23.10.2009 p. 1   L 185 12.07.2007

		Undertakings	corrected by L 339, 22.12.2009, p. 59	p. 43
	Ukraine	Duties (2 years)	Council Reg. (EC) No 442/2007 19.04.2007  and maintained by Council Impl. Reg. (EU) No 512/2010 14.06.2010  Commission Dec. No 2008/577/EC 04.07.2008  corrected by L 339, 22.12.2009, p. 59	L 106 24.04.2007 p. 1  L 150 18.06.2010 p. 24  L 185 12.07.2007 p. 43
		Undertakings		
Barium carbonate	P.R. China	Duties	Council Reg. (EC) No 1175/2005 18.07.2005 corrected by L 181, 04.07.2006, p. 111	L 189 21.07.2005 p. 15
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 Council Reg. (EC) No 1095/2005 12.07.2005 and maintained by Council Reg. (EC) No 171/2008 25.02.2008 and	L 175 14.07.2000 p. 39  L 16 18.01.97 p. 1  L 183 14.07.2005 p. 1  L 55 28.02.2008 p. 1



			maintained by Council Impl. Reg. (EC) No 990/2011 03.10.2011	L 261 06.10.2011 p.2
Bicycle parts (extension to bicycles)	P.R. China	Duties	Council Reg. (EC) No 71/97 10.01.97 as last amended by Council Reg. (EC) No 1095/2005 12.07.2005 and maintained by Council Reg. (EC) No 171/2008 25.02.2008	L 16 18.01.97 p. 1  L 183 14.07.05 p. 1  L 55 28.02.08 p. 1
Biodiesel	U.S.A.  Canada (ext.)	Duties	Council Reg. (EC) No 599/2009 07.07.2009  and extended to imports consigned from Canada by Council Impl. Reg. (EU) No 444/2011 05.05.2011	L 179 10.07.2009 p. 26  L 122 11.05.2011 p. 12
Candles, tapers and the like	P.R. China	Duties	Council Reg. (EC) No 393/2009 11.05.2009	L 119 14.05.2009 p. 1
Cargo scanning systems	P.R. China	Duties	Council Impl. Reg. (EU) No 510/2010 14.06.2010	L 150 16.06.2010 p. 1
Ceramic tiles	P.R. China	Duties	Council Impl. Reg. (EU) No 917/2011 12.09.2011	L 238 15.09.2011 p. 1
Chamois leather	P.R. China	Duties	Council Reg. (EC) No 1338/2006 08.09.2006	L 251 14.09.2006 p. 1
Citric acid	P.R. China	Duties	Council Reg. (EC) No 1193/2008 01.12.2008, corrected	L 323 03.12.2008 p. 1

		Undertakings	by C 346, 26.11.2011, p. 7 and 8	
Citrus fruits	P.R. China	Duties	Commission Reg. (EC) No 1355/2008 18.12.2008	L 350 30.12.2008 p. 35
Coated fine paper	P.R. China	Duties	Council Impl. Reg. (EU) No 451/2011 06.05.2011	L 128 14.05.2011 p. 1
Coke of coal in pieces with a diameter of more than 80 mm	P.R. China	Duties	Council Reg. (EC) No 239/2008 17.03.2008	L 75 18.03.2008 p. 22
Dicyandiamide	P.R. China	Duties	Council Reg. (EC) No 1331/2007 13.11.2007	L 296 15.11.2007 p. 1
Dihydromyrcenol	India	Duties	Council Reg. (EC) No 63/2008 21.01.2008	L 23 26.01.2008 p. 1
Ethanolamines	U.S.A.	Duties (2 years)	Council Impl. Reg. (EU) No 54/2010 19.01.2010	L 17 22.01.2010 p. 1
Fasteners (iron or steel)	P.R. China Malaysia (ext.)	Duties	Council Reg. (EC) No 91/2009 26.01.2009  and extended to such imports consigned from Malaysia  by Council Impl. Reg. (EC) No 723/2011 18.07.2011	L 29 31.01.2009 p. 1     L 194 26.07.2011 p. 6
Fatty alcohols and their blends	India Indonesia Malaysia	Duties	Council Impl. Reg. (EU) No 1138/2011 08.11.2011	L 293 11.11.2011 p. 1
Ferro-silicon	P.R. China Egypt Kazakhstan F.Y.R.O.M. Russia	Duties	Council Reg. (EC) No 172/2008 25.02.2008	L 55 28.02.2008 p. 6

Furfuraldehyde	P.R. China	Duties	Council Reg. (EC) No 639/2005 25.04.2005 and maintained by Council Impl. Reg. (EU) No 453/2011 04.05.2011	L 107 28.04.2005 p. 1  L 123 12.05.2011 p. 1
Glass fibres (certain open mesh fabrics)	P.R. China	Duties	Council Impl. Reg. (EU) No 791/2011 03.08.2011	L 204 09.08.2011 p. 1
Glass fibre products (continuous filament)	P.R. China	Duties	Council Impl. Reg. (EU) No 248/2011 09.03.2011	L 67 15.03.2011 p. 1
Graphite electrode systems	India	Duties	Council Reg. (EC) No 1629/2004 13.09.2004  as last amended by Council Reg. (EC) No 1354/2008 18.12.2008  and maintained by Council Impl. Reg. (EU) No 1186/2010  13.12.2010	L 295 18.09.2004 p. 10  L 350 30.12.2008 p. 24  L 332 16.12.2010 p. 17
Hand pallet trucks and their essential parts	P.R. China Thailand (ext)	Duties	Council Reg. (EC) No 1174/2005 18.07.2005  as last amended by Council Reg. (EC) No 684/2008 17.07.2008 and extended to such imports consigned from Thailand  by Council Reg. (EC) No 499/2009 11.06.2009 and maintained by Council Impl. Reg. (EU) No 1008/2011  10.10.2011	L 189 21.07.2005 p. 1  L 192 19.07.2008 p. 1  L 151 16.06.2009 p. 1

				L 268 13.10.2011 p.1
Ironing boards	P.R. China Ukraine	Duties	Council Reg. (EC) No 452/2007 23.04.2007, as last amended by Council Impl. Reg. (EU) No 77/2010 19.01.2010 and  Council Impl. Reg. (EU) No 270/2010 29.03.2010 and  Council Impl. Reg. (EU) No 580/2010 29.06.2010, and  Council Impl. Reg. (EU) No 1241/2010 20.12.2010	L 109 26.04.2007 p. 12  L 24 28.01.2010 p. 1  L 84 31.03.2010 p. 13  L 168 02.07.2010 p. 12  L 338 22.12.2010 p. 8
	P.R. China (Since Hardware)	Duties	Council Impl. Reg. (EU) No 1243/2010 20.12.2010	L 338 22.12.2010 p. 22
Lever arch mechanisms	P.R. China	Duties	Council Reg. (EC) No 1136/2006 24.07.2006	L 205 27.07.2006 p. 1
Lighters (non-refillable and refillable)	P.R. China Taiwan	Duties	Council Reg. (EC) No 1458/2007 12.12.2007	L 326 12.12.2007 p. 1
Manganese dioxides	South Africa	Duties	Council Reg. (EC) No 221/2008 10.03.2008	L 69 13.03.2008 p. 1
Melamine	P.R. China	Duties	Council Impl. Reg. (EU) No 457/2011 10.05.2011	L 124 13.05.2011 p. 2
Molybdenum wires	P.R. China	Duties	Council Impl. Reg. (EU) No 511/2010 14.06.2010	L 150 16.06.2010 p. 17
Monosodium glutamate	P.R. China	Duties	Council Reg. (EC) No 1187/2008 27.11.2008	L 322 02.12.2008 p. 1

Okoumé plywood	P.R. China	Duties	Council Reg. (EC) No 1942/2004 02.11.2004  and maintained by Council Impl. Reg. (EU) No 82/2011 31.01.2011	L 336 12.11.2004 p. 4  L 28 02.02.2011 p. 1
Peroxosulphates	P.R. China Taiwan U.S.A.	Duties	Council Reg. (EC) No 1184/2007 09.10.2007	L 265 11.10.2007 p. 1
Plastic sacks and bags	P.R. China Thailand	Duties	Council Reg. (EC) No 1425/2006 25.09.2006 corrected by L 49, 18.02.2007, p. 36 and by L 233, 05.09.2007, p. 7 as last amended by Council Regulation (EC) No 249/2008 17.03.2008  and Council Regulation (EC) No 189/2009 09.03.2009  as last amended by Council Impl. Reg. (EU) No 474/2011 03.05.2011	L 270 29.09.2006 p. 4  L 76 19.03.2008 p. 8  L 67 12.03.2009 p. 5  L 131 18.05.2011 p. 2
Polyester yarn (high tenacity)	P.R. China	Duties	Council Impl. Reg. (EU) No 1105/2010 29.11.2010	L 315 01.12.2010 p. 1
Polyethylene terephthalate (PET)	India Indonesia Korea (Rep. of) Malaysia Taiwan Thailand	Duties	Council Reg. (EC) No 192/2007 22.02.2007 corrected by L 215, 18.08.2007, p. 27 and amended by Council Impl. Reg. (EU) No 906/2011 02.09.2011	L 59 27.02.2007 p. 1  L 232 09.09.2011

	India Indonesia	Undertakings	Commission Dec. (EC) No 745/2000  29.11.2000	p. 19   L 301 30.11.2000  p. 88
	P.R. China	Duties	Council Reg. (EC) No 1467/2004 13.08.2004 as last amended by Council Reg. (EC) No 2167/2005 20.12.2005  and maintained by Council Impl. Reg. (EU) No 1030/2010 17.11.2010	L 271 19.08.2004 p. 1  L 345 28.12.2005 p. 11  L 300 17.11.2010 p. 1
Polyethylene terephthalate (PET) film	India Brazil (ext.) Israel (ext.)	Duties	Council Reg. (EC) No 1292/2007 30.10.2007 and extended to imports consigned from Brazil and from Israel by the same Regulation  as last amended by Council Reg. (EC) No 15/2009 08.01.2009 and  Council Impl. Reg. (EU) No 806/2010 13.09.2010  and  Council Impl. Reg. (EU) No 205/2011 28.02.2011  as last amended by Council Impl. Reg. (EU) No 469/2011 13.05.2011	L 288 06.11.2007 p. 1      L 6 10.01.2009 p. 1   L 242 15.09.2010 p. 6   L 58 03.03.2011

				p. 14  L 129 17.05.2011 p. 1	
Powdered activated carbon (PAC)	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  and maintained by Council Reg. (EC) No 649/2008 08.07.2008	L 155 14.06.2002 p. 1  L 133 29.05.2003 p. 36  L 181 10.07.2008 p. 1	
PSC wires and strands	P.R. China	Duties	Council Reg. (EC) No 383/2009 05.05.2009	L 118 13.05.2009 p. 1	
Ring binders	Thailand	Duties	Council Impl. Reg. (EU) No 792/2011 05.08.2011	L 204  09.08.2011  p.11	
Ring binders	P.R. Vietnam Laos (ext.)	China (ext.)	Duties	Council Reg. (EC) No 2074/2004 29.11.2004 extended to imports from Vietnam by Council Reg. (EC) No 1208/2004 28.06.2004 and extended to imports from Laos by Council Reg. (EC) No 33/2006 09.01.2006  as last amended by Council Reg. (EC) No 818/2008 13.08.2008  and maintained by Council Impl. Reg. (EU) No 157/2010 22.02.2010	L 359 04.12.2004 p. 11  L 232 01.07.2004 p. 1  L 7 12.01.2006 p. 1  L 221 19.08.2008 p. 1  L 49 26.02.2010

				p. 1
Saddles (certain)	P.R. China	Duties	Council Reg. (EC) No 691/2007 18.06.2007	L 160 21.06.2007 p. 1
Seamless pipes and tubes of iron or steel	Croatia Russia Ukraine	Duties	Council Reg. (EC) No 954/2006 27.06.2006  as last amended by Council Reg. (EC) No 812/2008 11.08.2008	L 175 29.06.2006 p. 4  L 220 15.08.2008 p. 1
Seamless pipes and tubes of iron or steel	P.R. China	Duties	Council Reg. (EC) No 926/2009 24.09.2009	L 262 06.10.2009 p. 19
Seamless pipes and tubes of stainless steel	P.R. China	Duties	Council Impl. Reg. (EU) No 1331/2011 14.12.2011	L 336 20.12.2011 p. 6
Silico-manganese	P.R. China Kazakhstan	Duties	Council Reg. (EC) No 1420/2007 04.12.2007  as last amended by Council Reg. (EC) No 865/2008 27.08.2008	L 317 05.12.2007 p. 5
Silicon metal	P.R. China Korea (Rep. of) (ext.)	Duties	Council Reg. (EC) No 398/2004 02.03.2004 extended to imports of silicon consigned from the Republic of Korea by Council Reg. (EC) No 42/2007 15.01.2007  and maintained by Council Impl. Reg. (EU) No 467/2010 25.05.2010	L 66 04.03.2004 p. 15  L 13 19.01.2007 p. 1  L 131 29.05.2010 p. 1
Sodium cyclamate	P.R. China Indonesia	Duties	Council Reg. (EC) No 435/2004 08.03.2004	L 72 11.03.2004 p. 1
Sodium gluconate	P.R. China	Duties	Council Impl. Reg.	L 282



			(EU) No 965/2010 25.10.2010	28.10.2010 p. 24
Stainless steel fasteners and parts thereof	P.R. China Taiwan	Duties	Council Reg. (EC) No 1890/2005 14.11.2005 corrected by L 256, 02.10.2007, p. 31	L 302 19.11.2005 p. 1
Steel ropes and cables	P.R. China South Africa Ukraine  Korea (Rep. of)  (ext.) Moldova (Rep. of) (ext.) Morocco (ext.)	Duties	Council Reg. (EC) No 1858/2005 08.11.2005 as last amended by Council Reg. (EC) No 1459/2007 10.12.2007 extended as concerns Ukraine to such imports consigned from Moldova (Rep. of) by Council Reg. (EC) No 760/2004 22.04.2004 and extended as concerns China to such imports consigned from Morocco by Council Reg. (EC) No 1886/2004 25.10.2004  and extended as concerns China to such imports consigned from Korea (Rep. of) by Council Impl. Reg. (EU) No 400/2010 26.04.2010  corrected by L 332, 15.12.2011	L 299 16.11.2005 p. 1  L 326 12.12.2007 p. 18  L 120 24.04.2004 p. 1  L 328 30.10.2004 p. 1  L 117 11.05.2010 p. 1
	Russia	Duties	Council Reg. (EC) No 1279/2007 30.10.2007  corrected by L 96, 15.04.2009, p. 39	L 285 31.10.2007 p. 1
Strawberries (frozen)	P.R. China	Duties	Council Reg. (EC) No 407/2007 16.04.2007	L 100 17.04.2007 p. 1

Sulphanilic acid	P.R. India	China	Duties	Council Reg. (EC) No 1339/2002 22.07.2002 as last amended by Council Reg. (EC) No 123/2006 23.01.2006 and maintained by Council Reg. (EC) No 1000/2008 13.10.2008	L 196 25.07.2002 p. 11  L 22 26.01.2006 p. 5  L 275 16.10.2008 p. 1
	India		Undertakings	Commission Dec. No 2006/37/EC 05.12.2005	L 22 26.01.2006 p. 52
Sweet corn (prepared or preserved, in kernels)	Thailand		Duties	Council Reg. (EC) No 682/3007 18.06.2007 corrected by L 252 of 27.09.2007, p. 7  as last amended by Council Reg. (EC) No 954/2008 25.09.2008  and by  Council Reg. (EC) No 847/2009 15.09.2009	L 159 20.06.2007 p. 14  L 260 30.09.2008 p. 1  L 246 18.09.2009 p. 1
Synthetic fibre ropes	India		Duties  (3 years)	Council Reg. (EC) No 1736/2004 08.10.2004  and maintained by Council Impl. Reg. (EU) No 1242/2010 20.12.2010	L 311 08.10.2004 p. 1  L 338 22.12.2010 p. 10
Tartaric acid	P.R. China		Duties	Council Reg. (EC) No 130/2006 23.01.2006	L 23 27.01.2006 p. 1

			as last amended by Council Reg. (EC) No 150/2008 18.02.2008	L 48 22.02.2008 p. 1
Trichloroisocyanuric acid (TCCA)	P.R. China	Duties	Council Reg. (EC) No 1631/2005 03.10.2005  and maintained by  Council Impl. Reg. (EU) No 1389/2011	L 261 07.10.2005 p. 1  L 346 30.12.2011  p. 6
Tube and pipe fitting, of iron or steel	P.R. China Thailand Taiwan (ext.) Indonesia (ext.) Sri Lanka (ext.) Philippines (ext.)	Duties	Council Reg. (EC) No 964/2003 02.06.2003 as last amended by Council Reg. (EC) No 1496/2004 18.08.2004 and extended as concerns China to imports consigned from Indonesia by Council Reg. (EC) 2052/2004 22.11.2004 and to imports consigned from Sri Lanka by Council Reg. (EC) No 2053/2004 22.11.2004 and to imports consigned from the Philippines by Council Reg. (EC) No 655/2006 27.04.2006 and  maintained by Council Reg. (EC) No 803/2009 27.08.2009	L 139 06.06.2003 p. 1  L 275 25.08.2004 p. 1  L 355 01.12.2004 p. 4  L 355 01.12.2004 p. 9  L 116 29.04.2006 p. 1  L 233 04.09.2009 p. 1
	Korea (Rep. of) Malaysia	Duties	Council Reg. (EC) No 1514/2002 19.08.2002 as last amended by Council Reg.	L 228 24.08.2002 p. 1  L 114

			(EC) No 778/2003 06.05.2003  and maintained by Council Reg. (EC) No 1001/2008 13.10.2008  as last amended by Council Impl. Reg. (EU) No 363/2010 26.04.2010	08.05.2003 p. 1  L 275 16.10.2008 p. 18  L 107 29.04.2010 p. 1
Tungsten carbide and fused tungsten carbide	P.R. China	Duties	Council Reg. (EC) No 2268/2004 22.12.2004 as last amended by Council Reg. (EC) No 1275/2005 25.07.2005  and maintained by Council Impl. Reg. (EC) No 287/2011 21.03.2011	L 395 31.12.2004 p. 56  L 202 03.08.2005 p. 1  L 78 24.03.2011 p. 1
Tungsten electrodes	P.R. China	Duties	Council Reg. (EC) No 260/2007 09.03.2007	L 72 13.03.2007 p. 1
Welded tubes and pipes, of iron or non-alloy steel	Thailand Ukraine	Duties	Council Reg. (EC) No 1697/2002 23.09.2002  and maintained by Council Reg. (EC) No 1256/2008 19.12.2008	L 259 27.09.2002 p. 8  L 343 19.12.2008 p. 1
Welded tubes and pipes, of iron or non-alloy steel	Belarus P.R. China Russia	Duties	Council Reg. (EC) No 1256/2008 16.12.2008	L 343 19.12.2008 p. 1
Wire rod	P.R. China	Duties	Council Reg. (EC) No 703/2009 27.07.2009	L 203 05.08.2009 p. 1
Zeolite A powder	Bosnia and Herzegovina	Duties	Council Impl. Reg. (EU) No 464/2011 11.05.2011	L 125 14.05.2011 p. 1

		Undertakings	Commission Dec. No 2011/279/EU 13.05.2011	L 125 14.05.2011 p. 26
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B. Ranked by country (alphabetical)

Origin	Product	Measure	Regulation N°	Publication
Armenia	Aluminium foil	Duties	Council Reg. (EC) No 925/2009 24.09.2009	L 262 06.10.2009 p. 1
Belarus	Welded tubes and pipes, of iron or non-alloy steel	Duties	Council Reg. (EC) No 1256/2008 16.12.2008	L 343 19.12.2008 p. 1
Bosnia and Herzegovina	Zeolite A powder	Duties	Council Impl. Reg. (EU) No 464/2011 11.05.2011	L 125 14.05.2011 p. 1
		Undertakings	Commission Dec. No 2011/279/EU 13.05.2011	L 125 14.05.2011 p. 26
Brazil	Aluminium foil	Duties	Council Reg. (EC) No 925/2009 24.09.2009  Commission Dec. No 2009/736/EC 05.10.2009	L 262 06.10.2009 p. 1
		Undertakings		L 262 06.10.2009 p. 50
	PET (polyethylene terephthalate) film (ext.)	Duties (ext.)	Council Reg. (EC) No 1292/2007 30.10.2007 and extended to imports consigned from Brazil and from Israel by the same Regulation  as last amended by Council Reg. (EC) No 15/2009 08.01.2009 and  Council Impl. Reg (EU) No 806/2010 13.09.2010  and  Council Impl. Reg	L 288 06.11.2007 p. 1          L 6 10.01.2009 p. 1

			(EU) No 205/2011 28.02.2011  as last amended by Council Impl. Reg. (EU) No 469/2011 13.05.2011	L 242 15.09.2010 p. 6  L 58 03.03.2011 p. 14  L 129 17.05.2011 p. 1
Canada	Biodiesel (ext.)	Duties (ext.)	Council Reg. (EC) No 599/2009 07.07.2009  and extended to imports consigned from Canada by Council Impl. Reg. (EU) No 444/2011 05.05.2011	L 179 10.07.2009 p. 26  L 122 11.05.2011 p. 12
P.R. China	Aluminium foil	Duties  Undertakings	Council Reg. (EC) No 925/2009 24.09.2009  Commission Dec. No 2009/736/EC 05.10.2009	L 262 06.10.2009 p. 1  L 262 06.10.2009 p. 50
	Aluminium road wheels	Duties	Council Impl. Reg. (EU) No 964/2010 25.10.2010	L 282 28.10.2010 p. 1
	Barium carbonate	Duties	Council Reg. (EC) No 831/2011 16.08.2011	L 214 19.08.2011 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	L 175 14.07.2000 p. 39  L 16 18.01.97 p. 1

			Council Reg. (EC) No 1095/2005 12.07.2005 and maintained by Council Reg. (EC) No 171/2008 25.02.2008 and maintained by Council Impl. Reg. (EC) No 990/2011 03.10.2011	L 183 14.07.2005 p. 1  L 55 28.02.2008 p. 1  L 261 06.10.2011 p.2
	Bicycle parts	Duties	Council Reg. (EC) No 71/97 10.01.97 as last amended by Council Reg. (EC) No 1095/2005 12.07.2005 and maintained by Council Reg. (EC) No 171/2008 25.02.2008	L 16 18.01.97 p. 1
	Candles, tapers and the like	Duties	Council Reg. (EC) No 393/2009 11.05.2009	L 119 14.05.2009 p. 1
	Cargo scanning systems	Duties	Council Impl. Reg. (EU) No 510/2010 14.06.2010	L 150 16.06.2010 p. 1
	Ceramic tiles	Duties	Council Impl. Reg. (EU) No 917/2011 12.09.2011	L 238 15.09.2011 p. 1
	Chamois leather	Duties	Council Reg. (EC) No 1338/2006 08.09.2006	L 251 14.09.2006 p. 1
	Citric acid	Duties Undertakings	Council Reg. (EC) No 1193/2008 01.12.2008	L 323 03.12.2008 p. 1
	Citrus fruits	Duties	Commission Reg. (EC) No 1355/2008 18.12.2008	L 350 30.12.2008 p. 35
	Coated fine paper	Duties	Council Impl. Reg. (EU) No 451/2011	L 128 14.05.2011



			06.05.2011	p. 1
	Coke of coal in pieces with a diameter of more than 80 mm	Duties	Council Reg. (EC) No 239/2008 17.03.2008	L 75 18.03.2008 p. 22
	Dicyandiamide	Duties	Council Reg. (EC) No 1331/2007 13.11.2007	L 296 15.11.2007 p. 1
	Ferro-silicon	Duties	Council Reg. (EC) No 172/2008 25.02.2008	L 55 28.02.2008 p. 6
	Furfuraldehyde	Duties	Council Reg. (EC) No 639/2005 25.04.2005  and maintained by Council Impl. Reg. (EU) No 453/2011 04.05.2011	L 107 28.04.2005 p. 1  L 123 12.05.2011 p. 1
	Glass fibre products (continuous filament)	Duties	Council Impl. Reg. (EU) No 248/2011 09.03.2011	L 67 15.03.2011 p. 1
	Glass fibres (certain open mesh fabrics)	Duties	Council Impl. Reg. (EU) No 791/2011 03.08.2011	L 204 09.08.2011 p. 1
	Hand pallet trucks and their essential parts	Duties	Council Reg. (EC) No 1174/2005 18.07.2005  as last amended by Council Reg. (EC) No 684/2008 17.07.2008 and maintained by Council Impl. Reg. (EU) No 1008/2011  10.10.2011	L 189 21.07.2005 p. 1  L 192 19.07.2005 p. 1  L 268 13.10.2011 p.1
	Ironing boards	Duties	Council Reg. (EC) No 452/2007 23.04.2007  as last amended by Council Impl. Reg.	L 109 26.04.2007 p. 12  L 24 28.01.2010

			(EU) No 77/2010 19.01.2010  and Council Impl. Reg. (EU) No 270/2010 29.03.2010  and Council Impl. Reg. (EU) No 580/2010 29.06.2010  and Council Impl. Reg. (EU) No 1241/2010 20.12.2010	p. 1  L 84 31.03.2010 p. 13  L 168 02.07.2010 p. 12 L 338 22.12.2010 p. 8
	Ironing boards (Since Hardware)	Duties	Council Impl. Reg. (EU) No 1243/2010 20.12.2010	L 338 22.12.2010 p. 22
	Lever arch mechanisms	Duties	Council Reg. (EC) No 1136/2006 24.07.2006	L 205 27.07.2006 p. 1
	Lighters (non-refillable and refillable)	Duties	Council Reg. (EC) No 1458/2007 12.12.2007	L 326 12.12.2007 p. 1
	Melamine	Duties	Council Impl. Reg. (EU) No 457/2011 10.05.2011	L 124 13.05.2011 p. 2
	Molybdenum wires	Duties	Council Impl. Reg. (EU) No 511/2010 14.06.2010	L 150 16.06.2010 p. 17
	Monosodium glutamate	Duties	Council Reg. (EC) No 1187/2008 27.11.2008	L 322 02.12.2008 p. 1
	Okoumé plywood	Duties	Council Reg. (EC) No 1942/2004 02.11.2004  and maintained by Council Impl. Reg. (EU) No 82/2011 31.01.2011	L 336 12.11.2004 p. 4  L 28 02.02.2011

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	Peroxosulphates	Duties	Council Reg. (EC) No 1184/2007 09.10.2007	L 265 11.10.2007 p. 1
	Plastic sacks and bags	Duties	Council Reg. (EC) No 1425/2006 25.09.2006 corrected by L 49, 18.02.2007, p. 36 and by L 233, 05.09.2007, p. 7 as last amended by Council Regulation (EC) No 249/2008 17.03.2008  and Council Regulation (EC) No 189/2009 09.03.2009  as last amended by Council Impl. Reg. (EU) No 474/2011 03.05.2011	L 270 29.09.2006 p. 4  L 76 19.03.2008 p. 8  L 67 12.03.2009 p. 5  L 131 18.05.2011 p. 2
	Polyester yarn (high tenacity)	Duties	Council Impl. Reg. (EU) No 1105/2010 29.11.2010	L 315 01.12.2010 p. 1
	Polyethylene terephthalate (PET)	Duties	Council Reg. (EC) No 1467/2004 13.08.2004 as last amended by Council Reg. (EC) No 2167/2005 20.12.2005  and maintained by Council Impl. Reg. (EU) No 1030/2010 17.11.2010	L 271 19.08.2004 p. 1  L 345 28.12.2005 p. 11  L 300 17.11.2010 p. 1
	Powdered activated carbon (PAC)	Duties	Council Reg. (EC) No 1011/2002 10.06.2002 as last amended by Council Reg. (EC) No 931/2003	L 155 14.06.2002 p. 1  L 133 29.05.2003

			26.05.2003 and maintained by Council Reg. (EC) No 649/2008 08.07.2008	p. 36  L 181 10.07.2008 p. 1
	PSC wires and strands	Duties	Council Reg. (EC) No 383/2009 05.05.2009	L 118 13.05.2009 p. 1
	Ring binders	Duties	Council Reg. (EC) No 2074/2004 29.11.2004 extended to imports from Vietnam by Council Reg. (EC) No 1208/2004 28.06.2004 and extended to imports from Laos by Council Reg. (EC) No 33/2006 09.01.2006  as last amended by Council Reg. (EC) No 818/2008 13.08.2008  and maintained by Council Impl. Reg. (EU) No 157/2010 22.02.2010	L 359 04.12.2004 p. 11  L 232 01.07.2004 p. 1  L 7 12.01.2006 p. 1  L 221 19.08.2008 p. 1  L 49 26.02.2010 p. 1
	Saddles	Duties	Council Reg. (EC) No 691/2007 18.06.2007	L 160 21.06.2007 p. 1
	Seamless pipes and tubes of iron or steel	Duties	Council Reg. (EC) No 926/2009 24.09.2009	L 262 06.10.2009 p. 19
	Seamless pipes and tubes of stainless steel	Duties	Council Impl. Reg. (EU) No 1331/2011 14.12.2011	L 336 20.12.2011 p. 6
	Silico-manganese	Duties	Council Reg. (EC) No 1420/2007 04.12.2007  as last amended by Council Reg.	L 317 05.12.2007 p. 5

			(EC) No 865/2008 27.08.2008	
	Silicon metal	Duties	Council Reg. (EC) No 398/2004 02.03.2004 extended to imports of silicon consigned from the Republic of Korea by Council Reg. (EC) No 42/2007 15.01.2007  and maintained by Council Impl. Reg. (EU) No 467/2010 25.05.2010	L 66 04.03.2004 p. 15  L 13 19.01.2007 p. 1  L 131 29.05.2010 p. 1
	Sodium cyclamate	Duties	Council Reg. (EC) No 435/2004 08.03.2004  and maintained by Council Impl. Reg. (EU) No 492/2010 03.06.2010	L 72 11.03.2004 p. 1  L 140 08.06.2010 p. 2
	Sodium gluconate	Duties	Council Impl. Reg. (EU) No 965/2010 25.10.2010	L 282 28.10.2010 p. 24
	Stainless steel fasteners and parts thereof	Duties	Council Reg. (EC) No 1890/2005 14.11.2005 corrected by L 256, 02.10.2007, p. 31	L 302 19.11.2005 p. 1
	Steel fasteners (iron or steel)	Duties	Council Reg. (EC) No 91/2009 26.01.2009  and extended to such imports consigned from Malaysia  by Council Impl. Reg. (EC) No 723/2011 18.07.2011	L 29 31.01.2009 p. 1  L 194 26.07.2011 p. 6

	Steel ropes and cables	Duties	<p>Council Reg. (EC) No 1858/2005 08.11.2005 as last amended by Council Reg. (EC) No 1459/2007 10.12.2007 extended as concerns Ukraine to such imports consigned from Moldova (Rep. of) by Council Reg. (EC) No 760/2004 22.04.2004 and extended as concerns China to such imports consigned from Morocco by Council Reg. (EC) No 1886/2004 25.10.2004</p> <p>and extended as concerns China to such imports consigned from Korea (Rep. of) by Council Impl. Reg. (EU) No 400/2010 26.04.2010</p> <p>corrected by L 332, 15.12.2011, p. 26</p>	<p>L 299 16.11.2005 p. 1</p> <p>L 326 12.12.2007 p. 18</p> <p>L 120 24.04.2004 p. 1</p> <p>L 328 30.10.2004 p. 1</p> <p>L 117 11.05.2010 p. 1</p>
	Strawberries (frozen)	Duties	<p>Council Reg. (EC) No 407/2007 16.04.2007</p>	<p>L 100 17.04.2007 p. 1</p>
	Sulphanilic acid	Duties	<p>Council Reg. (EC) No 1339/2002 22.07.2002 as last amended by Council Reg. (EC) No 123/2006 23.01.2006</p> <p>and maintained by Council Reg. (EC) No 1000/2008 13.10.2008</p>	<p>L 196 25.07.2002 p. 11</p> <p>L 22 26.01.2006 p. 5</p> <p>L 275 16.10.2008 p. 1</p>
	Tartaric acid	Duties	<p>Council Reg. (EC) No 130/2006</p>	<p>L 23 27.01.2006</p>

			23.01.2006 as last amended by Council Reg. (EC) No 150/2008 18.02.2008	p. 1  L 48 22.02.2008 p. 1
	Trichloroisocyanuric acid	Duties	Council Reg. (EC) No 1631/2005 03.10.2005  and maintained by  Council Impl. Reg. (EU) No 1389/2011	L 261 07.10.2005 p. 1   L 346 30.12.2011  p. 6
	Tube and pipe fitting, of iron or steel	Duties	Council Reg. (EC) No 964/2003 02.06.2003 as last amended by Council Reg. (EC) No 1496/2004 18.08.2004 and extended as concerns China to imports consigned from Indonesia by Council Reg. (EC) 2052/2004 22.11.2004 and to imports consigned from Sri Lanka by Council Reg. (EC) No 2053/2004 22.11.2004 and to imports consigned from the Philippines by Council Reg. (EC) No 655/2006 27.04.2006  and  maintained by Council Reg. (EC) No 803/2009 27.08.2009	L 139 06.06.2003 p. 1  L 275 25.08.2004 p. 1   L 355 01.12.2004 p. 4   L 355 01.12.2004 p. 9   L 116 29.04.2006 p. 1   L 233 04.09.2009 p. 1
	Tungsten carbide and fused tungsten carbide	Duties	Council Reg. (EC) No 2268/2004 22.12.2004	L 395 31.12.2004 p. 56

			as last amended by Council Reg. (EC) No 1275/2005 25.07.2005  and maintained by Council Impl. Reg. (EC) No 287/2011 21.03.2011	L 202 03.08.2005 p. 1  L 78 24.03.2011 p. 1
	Tungsten electrodes	Duties	Council Reg. (EC) No 260/2007 09.03.2007	L 72 13.03.2007 p. 1
	Welded tubes and pipes, of iron or non-alloy steel	Duties	Council Reg. (EC) No 1256/2008 16.12.2008	L 343 19.12.2008 p. 1
	Wire rod	Duties	Council Reg. (EC) No 703/2009 27.07.2009	L 203 05.08.2009 p. 1
Croatia	Seamless pipes and tubes of iron or steel	Duties	Council Reg. (EC) No 954/2006 27.06.2006	L 175 29.06.2006 p. 4
Egypt	Ferro-silicon	Duties	Council Reg. (EC) No 172/2008 25.02.2008	L 55 28.02.2008 p. 6
India	Dihydromyrcenol	Duties	Council Reg. (EC) No 63/2008 21.01.2008	L 23 26.01.2008 p. 1
	Fatty alcohols and their blends	Duties	Council Impl. Reg. (EU) No 1138/2011 08.11.2011	L 293 11.11.2011 p. 1
	Graphite electrode systems	Duties	Council Reg. (EC) No 1629/2004 13.09.2004  as last amended by Council Reg. (EC) No 1354/2008 18.12.2008  and maintained by Council Impl. Reg. (EU) No 1186/2010	L 295 18.09.2004 p. 10  L 350 30.12.2008 p. 24  L 332 16.12.2010



			13.12.2010	p. 17
	Polyethylene terephthalate (PET)	Duties Undertakings	Council Reg. (EC) No 192/2007 22.02.2007 corrected by L 215, 18.08.2007, p. 27	L 59 27.02.2007 p. 1
	Polyethylene terephthalate (PET) film	Duties	Council Reg. (EC) No 1292/2007 30.10.2007 and extended to imports consigned from Brazil and from Israel by the same Regulation  as last amended by Council Reg. (EC) No 15/2009 08.01.2009  and  Council Impl. Reg (EU) No 806/2010 13.09.2010  and  Council Impl. Reg (EU) No 205/2011 28.02.2011  as last amended by Council Impl. Reg. (EU) No 469/2011 13.05.2011	L 288 06.11.2007 p. 1          L 6 10.01.2009 p. 1          L 242 15.09.2010 p. 6          L 58 03.03.2011 p. 14          L 129 17.05.2011 p. 1
	Sulphanilic acid	Duties	Council Reg. (EC) No 1339/2002 22.07.2002 as last amended by Council Reg. (EC) No 123/2006 23.01.2006	L 196 25.07.2002 p. 11          L 22 26.01.2006 p. 5

		Undertakings	and maintained by Council Reg. (EC) No 1000/2008 13.10.2008 Commission Dec. No 2006/37/EC 05.12.2005	L 275 16.10.2008 p. 1 L 22 26.01.2006 p. 52
	Synthetic fibre ropes	Duties  (3 years)	Council Reg. (EC) No 1736/2004 08.10.2004  and maintained by Council Impl. Reg. (EU) No 1242/2010 20.12.2010	L 311 08.10.2004 p. 1  L 338 22.12.2010 p. 10
Indonesia	Fatty alcohols and their blends	Duties	Council Impl. Reg. (EU) No 1138/2011 08.11.2011	L 293 11.11.2011 p. 1
	Polyethylene terephthalate (PET)	Duties  Undertakings	Council Reg. (EC) No 192/2007 22.02.2007 corrected by L 215, 18.08.2007, p. 27	L 59 27.02.2007 p. 1
	Sodium cyclamate	Duties	Council Reg. (EC) No 435/2004 08.03.2004  and maintained by Council Impl. Reg. (EU) No 492/2010 03.06.2010	L 72 11.03.2004 p. 1  L 140 08.06.2010 p. 2
	Tube and pipe fitting, of iron or steel (ext.)	Duties (ext.)	Council Reg. (EC) No 964/2003 02.06.2003 as last amended by Council Reg. (EC) No 1496/2004 18.08.2004 and extended as concerns China to imports consigned from Indonesia by Council Reg. (EC) 2052/2004 22.11.2004	L 139 06.06.2003 p. 1  L 275 25.08.2004 p. 1  L 355 01.12.2004 p. 4

			<p>and to imports consigned from Sri Lanka by Council Reg. (EC) No 2053/2004 22.11.2004</p> <p>and to imports consigned from the Philippines by Council Reg. (EC) No 655/2006 27.04.2006</p> <p>and</p> <p>maintained by Council Reg. (EC) No 803/2009 27.08.2009</p>	<p>L 355 01.12.2004 p. 9</p> <p>L 116 29.04.2006 p. 1</p> <p>L 233 04.09.2009 p. 1</p>
Israel	Polyethylene terephthalate (PET) film (ext.)	Duties (ext.)	<p>Council Reg. (EC) No 1292/2007 30.10.2007</p> <p>and extended to imports consigned from Brazil and from Israel by the same Regulation</p> <p>as last amended by Council Reg. (EC) No 15/2009 08.01.2009</p> <p>and</p> <p>Council Impl. Reg (EU) No 806/2010 13.09.2010</p> <p>and</p> <p>Council Impl. Reg (EU) No 205/2011 28.02.2011</p> <p>as last amended by Council Impl. Reg. (EU) No 469/2011 13.05.2011</p>	<p>L 288 06.11.2007 p. 1</p> <p>L 6 10.01.2009 p. 1</p> <p>L 242 15.09.2010 p. 6</p> <p>L 58 03.03.2011 p. 14</p> <p>L 129 17.05.2011</p>

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Kazakhstan	Ferro-silicon	Duties	Council Reg. (EC) No 172/2008 25.02.2008	L 55 28.02.2008 p. 6
	Silico-manganese	Duties	Council Reg. (EC) No 1420/2007 04.12.2007  as last amended by Council Reg. (EC) No 865/2008 27.08.2008	L 317 05.12.2007 p. 5
Korea (Rep. of)	Polyethylene terephthalate (PET)	Duties	Council Reg. (EC) No 192/2007 22.02.2007 corrected by L 215, 18.08.2007,  p. 27	L 59 27.02.2007 p. 1
	Silicon metal (ext.)	Duties (ext.)	Council Reg. (EC) No 398/2004 02.03.2004 extended to imports of silicon consigned from the Republic of Korea by Council Reg. (EC) No 42/2007 15.01.2007	L 66 04.03.2004 p. 15  L 13 19.01.2007 p. 1
	Steel ropes and cables (ext.)	Duties (ext.)	Council Reg. (EC) No 1858/2005 08.11.2005 as last amended by Council Reg. (EC) No 1459/2007 10.12.2007 extended as concerns Ukraine to such imports consigned from Moldova (Rep. of) by Council Reg. (EC) No 760/2004 22.04.2004 and extended as concerns China to such imports consigned from Morocco by	L 299 16.11.2005 p. 1  L 326 12.12.2007 p. 18  L 120 24.04.2004 p. 1  L 328

			<p>Council Reg. (EC) No 1886/2004 25.10.2004</p> <p>and extended as concerns China to such imports consigned from Korea (Rep. of) by Council Impl. Reg. (EU) No 400/2010 26.04.2010</p> <p>corrected by L 332, 15.12.2011, p. 26</p>	<p>30.10.2004 p. 1</p> <p>L 117 11.05.2010 p. 1</p>
	Tube and pipe fittings, of iron or steel	Duties	<p>Council Reg. (EC) No 1514/2002 19.08.2002 as last amended by Council Reg. (EC) No 778/2003 06.05.2003</p> <p>and maintained by Council Reg. (EC) No 1001/2008 13.10.2008</p>	<p>L 228 24.08.2002 p. 1</p> <p>L 114 08.05.2003 p. 1</p> <p>L 275 16.10.2008 p. 18</p>
Laos	Ring binders (ext.)	Duties (ext.)	<p>Council Reg. (EC) No 2074/2004 29.11.2004 extended to imports from Vietnam by Council Reg. (EC) No 1208/2004 28.06.2004 and extended to imports from Laos by Council Reg. (EC) No 33/2006 09.01.2006</p> <p>and maintained by Council Impl.Reg. (EU) No 157/2010 22.02.2010</p>	<p>L 359 04.12.2004 p. 11</p> <p>L 232 01.07.2004 p. 1</p> <p>L 7 12.01.2006 p. 1</p> <p>L 49 26.02.2010 p. 1</p>
F.Y.R.O.M	Ferro-silicon	Duties	<p>Council Reg. (EC) No 172/2008</p>	<p>L 55 28.02.2008</p>

			25.02.2008	p. 6
Malaysia	Fasteners (iron or steel)	Duties	Council Reg. (EC) No 91/2009 26.01.2009  and extended to such imports consigned from Malaysia  by Council Impl. Reg. (EC) No 723/2011 18.07.2011	L 29 31.01.2009 p. 1     L 194 26.07.2011 p. 6
	Fatty alcohols and their blends	Duties	Council Impl. Reg. (EU) No 1138/2011 08.11.2011	L 293 11.11.2011 p. 1
	Polyethylene terephthalate (PET)	Duties	Council Reg. (EC) No 192/2007 22.02.2007 corrected by L 215, 18.08.2007,  p. 27	L 59 27.02.2007 p. 1
	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  and maintained by Council Reg. (EC) No 1001/2008 13.10.2008  as last amended by Council Impl. Reg. (EU) No 363/2010 26.04.2010	L 228 24.08.2002 p. 1  L 114 08.05.2003 p. 1  L 275 16.10.2008 p. 18  L 107 29.04.2010 p. 1
Moldova (Rep. of)	Steel ropes and cables (ext.)	Duties (ext.)	Council Reg. (EC) No 1858/2005 08.11.2005 as last amended by	L 299 16.11.2005 p. 1

			<p>Council Reg. (EC) No 1459/2007 10.12.2007 extended as concerns Ukraine to such imports consigned from Moldova (Rep. of) by Council Reg. (EC) No 760/2004 22.04.2004 and extended as concerns China to such imports consigned from Morocco by Council Reg. (EC) No 1886/2004 25.10.2004</p> <p>corrected by L 332, 15.12.2011, p. 26</p>	<p>L 326 12.12.2007 p. 18</p> <p>L 120 24.04.2004 p. 1</p> <p>L 328 30.10.2004 p. 1</p>
Morocco	Steel ropes and cables (ext.)	Duties (ext.)	<p>Council Reg. (EC) No 1858/2005 08.11.2005 as last amended by Council Reg. (EC) No 1459/2007 10.12.2007 extended as concerns Ukraine to such imports consigned from Moldova (Rep. of) by Council Reg. (EC) No 760/2004 22.04.2004 and</p> <p>extended as concerns China to such imports consigned from Morocco by Council Reg. (EC) No 1886/2004 25.10.2004 and</p> <p>extended as concerns China to such imports consigned from Korea (Rep. of) by Council Impl. Reg. (EU) No 400/2010 26.04.2010</p> <p>corrected by L 332, 15.12.2011, p. 26</p>	<p>L 299 16.11.2005 p. 1</p> <p>L 326 12.12.2007 p. 18</p> <p>L 120 24.04.2004 p. 1</p> <p>L 328 30.10.2004 p. 1</p> <p>L 117 11.05.2010 p. 1</p>

Philippines	Tube or pipe fittings, of iron or steel (ext.)	Duties (ext.)	<p>Council Reg. (EC) No 964/2003 02.06.2003 as last amended by Council Reg. (EC) No 1496/2004 18.08.2004 and</p> <p>extended as concerns China to imports consigned from Indonesia by Council Reg. (EC) 2052/2004 22.11.2004 and</p> <p>to imports consigned from Sri Lanka by Council Reg. (EC) No 2053/2004 22.11.2004 and</p> <p>to imports consigned from the Philippines by Council Reg. (EC) No 655/2006 27.04.2006 and</p> <p>maintained by Council Reg. (EC) No 803/2009 27.08.2009</p>	<p>L 139 06.06.2003 p. 1</p> <p>L 275 25.08.2004 p. 1</p> <p>L 355 01.12.2004 p. 4</p> <p>L 355 01.12.2004 p. 9</p> <p>L 116 29.04.2006 p. 1</p> <p>L 233 04.09.2009 p. 1</p>
Russia	Ammonium nitrate	Duties	<p>Council Reg. (EC) No 658/2002 15.04.2002 as last amended by Council Reg. (EC) No 945/2005 21.06.2005 and</p> <p>maintained by Council Reg. (EC) No 661/2008 08.07.2008,</p> <p>corrected by</p> <p>L 339, 22.12.2009, p. 59, as last amended by Council Reg. (EC) No 989/2009 19.10.2009</p>	<p>L 102 18.04.2002 p. 1</p> <p>L 160 23.06.2005 p. 1</p> <p>L 185 12.07.2008 p. 1</p> <p>L 278 23.10.2009</p>



		Undertakings	Commission Dec. No 2008/577/EC 04.07.2008  corrected by L 339, 22.12.2009, p. 59	p. 1  L 185 12.07.2007 p. 43
	Ferro-silicon	Duties	Council Reg. (EC) No 172/2008 25.02.2008	L 55 28.02.2008 p. 6
	Seamless pipes and tubes of iron or steel	Duties	Council Reg. (EC) No 954/2006 27.06.2006  as last amended by Council Reg. (EC) No 812/2008 11.08.2008	L 175 29.06.2006 p. 4  L 220 15.08.2008 p. 1
	Steel ropes and cables	Duties	Council Reg. (EC) No 1279/2007 30.10.2007  corrected by L 96, 15.04.2009, p. 39	L 285 31.10.2007 p. 1
	Welded tubes and pipes, of iron or non-alloy steel	Duties	Council Reg. (EC) No 1256/2008 16.12.2008	L 343 19.12.2008 p. 1
South Africa	Manganese dioxides	Duties	Council Reg. (EC) No 221/2008 10.03.2008	L 69 13.03.2008 p. 1
	Steel ropes and cables	Duties	Council Reg. (EC) No 1858/2005 08.11.2005 as last amended by Council Reg. (EC) No 1459/2007 10.12.2007 extended as concerns	L 299 16.11.2005 p. 1  L 326 12.12.2007 p. 18

			<p>Ukraine to such imports consigned from Moldova (Rep. of) by Council Reg. (EC) No 760/2004 22.04.2004 and extended as concerns China to such imports consigned from Morocco by Council Reg. (EC) No 1886/2004 25.10.2004 and</p> <p>extended as concerns China to such imports consigned from Korea (Rep. of) by Council Impl. Reg. (EU) No 400/2010 26.04.2010</p> <p>corrected by L 332, 15.12.2011, p. 26</p>	<p>L 120 24.04.2004 p. 1</p> <p>L 328 30.10.2004 p. 1</p>
Sri Lanka	Tube and pipe fitting, of iron or steel (ext.)	Duties (ext.)	<p>Council Reg. (EC) No 964/2003 02.06.2003 as last amended by Council Reg. (EC) No 1496/2004 18.08.2004 and extended as concerns China to imports consigned from Indonesia by Council Reg. (EC) 2052/2004 22.11.2004 and to imports consigned from Sri Lanka by Council Reg. (EC) No 2053/2004 22.11.2004 and to imports consigned from the Philippines by Council Reg. (EC) No 655/2006 27.04.2006 and</p> <p>maintained by</p>	<p>L 139 06.06.2003 p. 1</p> <p>L 275 25.08.2004 p. 1</p> <p>L 355 01.12.2004 p. 4</p> <p>L 355 01.12.2004 p. 9</p> <p>L 116 29.04.2006 p. 1</p>

			Council Reg. (EC) No 803/2009 27.08.2009	L 233 04.09.2009 p. 1
Taiwan	Lighters (non-refillable and refillable)	Duties	Council Reg. (EC) No 1458/2007 12.12.2007	L 326 12.12.2007 p. 1
	Peroxosulphates	Duties	Council Reg. (EC) No 1184/2007 09.10.2007	L 265 11.10.2007 p. 1
	Polyethylene terephthalate (PET)	Duties	Council Reg. (EC) No 192/2007 22.02.2007 corrected by L 215, 18.08.2007, p. 27	L 59 27.02.2007 p. 1
	Stainless steel fasteners and parts thereof	Duties	Council Reg. (EC) No 1890/2005 14.11.2005 corrected by L 256, 02.10.2007, p. 31	L 302 19.11.2005 p. 1
	Tube and pipe fitting, of iron or steel (ext.)	Duties (ext.)	Council Reg. (EC) No 964/2003 02.06.2003 as last amended by Council Reg. (EC) No 1496/2004 18.08.2004 and extended as concerns China to imports consigned from Indonesia by Council Reg. (EC) 2052/2004 22.11.2004 and to imports consigned from Sri Lanka by Council Reg. (EC) No 2053/2004 22.11.2004 and to imports consigned from the Philippines by Council Reg. (EC) No 655/2006 27.04.2006  and maintained by Council Reg. (EC) No 803/2009	L 139 06.06.2003 p. 1  L 275 25.08.2004 p. 1  L 355 01.12.2004 p. 4  L 355 01.12.2004 p. 9  L 116 29.04.2006 p. 1  L 233 04.09.2009

			27.08.2009	p. 1
Thailand	Hand pallet trucks and their essential parts (ext.)	Duties (ext.)	<p>Council Reg. (EC) No 1174/2005 18.07.2005</p> <p>as last amended by Council Reg. (EC) No 684/2008 17.07.2008 extended to such imports consigned from Thailand</p> <p>by Council Reg. (EC) No 499/2009 11.06.2009 and maintained by Council Impl. Reg. (EU) No 1008/2011 10.10.2011</p>	<p>L 189 21.07.2005 p. 1</p> <p>L 192 19.07.2008 p. 1</p> <p>L 151 16.06.2009 p. 1</p> <p>L 268 13.10.2011 p.1</p>
	Plastic sacks and bags	Duties	<p>Council Reg. (EC) No 1425/2006 25.09.2006 corrected by L 49, 18.02.2007, p. 36 and by L 233, 05.09.2007, p. 7, as last amended by Council Regulation (EC) No 249/2008 17.03.2008 and Council Regulation (EC) No 189/2009 09.03.2009, as last amended by Council Impl. Reg. (EU) No 474/2011 03.05.2011</p>	<p>L 270 29.09.2006 p. 4</p> <p>L 76 19.03.2008 p. 8</p> <p>L 67 12.03.2009 p. 5</p> <p>L 131 18.05.2011 p. 2</p>
	Polyethylene terephthalate	Duties	Council Reg. (EC) No 192/2007	L 59 27.02.2007

	(PET)		22.02.2007, corrected by L 215, 18.08.2007, p. 27	p. 1
	Ring binders	Duties	Council Impl. Reg. (EU) No 792/2011 05.08.2011	L 204 09.08.2011 p. 1
	Sweet corn (prepared or preserved, in kernels)	Duties	Council Reg. (EC) No 682/3007 18.06.2007 corrected by L 252 of 27.09.2007, p. 7, as last amended by Council Reg. (EC) No 954/2008 25.09.2008 and by Council Reg. (EC) No 847/2009 15.09.2009	L 159 20.06.2007 p. 14  L 260 30.09.2008 p. 1 L 246 18.09.2009 p. 1
	Tube and pipe fitting, of iron or steel	Duties	Council Reg. (EC) No 964/2003 02.06.2003 as last amended by Council Reg. (EC) No 1496/2004 18.08.2004 and extended as concerns China to imports consigned from Indonesia by Council Reg. (EC) 2052/2004 22.11.2004 and to imports consigned from Sri Lanka by Council Reg. (EC) No 2053/2004 22.11.2004 and to imports consigned from the Philippines by Council Reg. (EC) No 655/2006 27.04.2006 and maintained by Council Reg.	L 139 06.06.2003 p. 1  L 275 25.08.2004 p. 1  L 355 01.12.2004 p. 4  L 355 01.12.2004 p. 9  L 116 29.04.2006 p. 1

			(EC) No 803/2009 27.08.2009	L 233 04.09.2009 p. 1
	Welded tubes and pipes, of iron or non-alloy steel	Duties	Council Reg. (EC) No 1697/2002 23.09.2002  and maintained by Council Reg. (EC) No 1256/2008 19.12.2008	L 259 27.09.2002 p. 8  L 343 19.12.2008 p. 1
Ukraine	Ammonium nitrate	Duties (2 years)      Undertakings	Council Reg. (EC) No 442/2007 19.04.2007  and maintained by Council Impl. Reg. (EU) No 512/2010 14.06.2010  Commission Dec. No 2008/577/EC 04.07.2008  corrected by  L 339, 22.12.2009, p. 59	L 106 24.04.2007 p. 1  L 150 18.06.2010 p. 24  L 185 12.07.2007 p. 43
	Ironing boards	Duties	Council Reg. (EC) No 452/2007 23.04.2007  as last amended by Council Impl. Reg. (EU) No 77/2010 19.01.2010 and  Council Impl. Reg. (EU) No 270/2010 29.03.2010 and  Council Impl. Reg. (EU) No 580/2010 29.06.2010 and  Council Impl. Reg. (EU) No 1241/2010 20.12.2010	L 109 26.04.2007 p. 12  L 24 28.01.2010 p. 1  L 84 31.03.2010 p. 13  L 168 02.07.2010 p. 12  L 338 22.12.2010

				p. 8
	Seamless pipes and tubes of iron or steel	Duties	Council Reg. (EC) No 954/2006 27.06.2006	L 175 29.06.2006 p. 4
	Steel ropes and cables	Duties	Council Reg. (EC) No 1858/2005 08.11.2005 as last amended by Council Reg. (EC) No 1459/2007 10.12.2007 extended as concerns Ukraine to such imports consigned from Moldova (Rep. of) by Council Reg. (EC) No 760/2004 22.04.2004 and extended as concerns China to such imports consigned from Morocco by Council Reg. (EC) No 1886/2004 25.10.2004 and extended as concerns China to such imports consigned from Korea (Rep. of) by Council Impl. Reg. (EU) No 400/2010 26.04.2010 corrected by L 332, 15.12.2011, p. 26	L 299 16.11.2005 p. 1 L 326 12.12.2007 p. 18  L 120 24.04.2004 p. 1  L 328 30.10.2004 p. 1
	Welded tubes and pipes, of iron or non-alloy steel	Duties	Council Reg. (EC) No 1697/2002 23.09.2002  and maintained by Council Reg. (EC) No 1256/2008 16.12.2008	L 259 27.09.2002 p. 8  L 343 19.12.2008 p. 1
U.S.A.	Biodiesel	Duties	Council Reg. (EC) No 599/2009 07.07.2009  and extended to imports consigned from Canada by	L 179 10.07.2009 p. 26

			Council Impl. Reg. (EU) No 444/2011 05.05.2011	L 122 11.05.2011 p. 12
	Ethanolamines	Duties (2 years)	Council Impl. Reg. (EU) No 54/2010 19.01.2010	L 17 22.01.2010 p. 1
	Peroxosulphates	Duties	Council Reg. (EC) No 1184/2007 09.10.2007	L 265 11.10.2007 p. 1
Vietnam	Ring binders (ext.)	Duties (ext.)	Council Reg. (EC) No 2074/2004 29.11.2004 extended to imports from Vietnam by Council Reg. (EC) No 1208/2004 28.06.2004 and extended to imports from Laos by Council Reg. (EC) No 33/2006 09.01.2006  and maintained by Council Impl.Reg. (EU) No 157/2010 22.02.2010	L 359 04.12.2004 p. 11  L 232 01.07.2004 p. 1  L 7 12.01.2006 p. 1  L 49 26.02.2010 p. 1



ANNEX P

Definitive anti-subsidy measures in force on 31 December 2011

A. Ranked by product (alphabetical)

Product	Origin	Measure	Regulation N°	Publication
Biodiesel (AS)	U.S.A. Canada (ext.)	Duties	Council Reg. (EC) No 598/2009 07.07.2009  and extended to imports consigned from Canada Council Impl. Reg. (EU) No 443/2011 05.05.2011	L 179 10.07.2009 p. 1  L 122 11.05.2011 p. 1
Coated fine paper (AS)	P.R. China	Duties	Council Impl. Reg. (EU) No 452/2011 06.05.2011	L 128 14.05.2011 p. 18
Graphite electrode systems (AS)	India	Duties	Council Reg. (EC) No 1628/2004 13.09.2004  as last amended by Council Reg. (EC) No 1354/2008 18.12.2008  and maintained by  Council Impl. Reg. (EU) No 1185/2010 13.12.2010	L 295 18.09.2004 p. 4  L 350 30.12.2008 p. 24  L 332 16.12.2010 p. 1
Polyethylene terephthalate (PET) (AS)	India	Duties  Undertakings	Council Reg. (EC) No 193/2007 22.02.2007  as last amended by Council Reg. (EC) No 1286/2008 16.12.2008  Council Reg. (EC) No 193/2007 22.02.2007  corrected by L 215,	L 59 27.02.2007 p. 34  L 340 19.12.2008 p. 1  L 59 27.02.2007 p. 34

			18.08.2007, p. 27	
	Iran Pakistan U.A.E.	Duties	Council Impl. Reg. (EU) No 857/2010 27.09.2010	L 254 29.09.2010 p. 10
Stainless steel bars and rods (AS)	India	Duties	Council Impl. Reg. (EU) No 405/2011 19.04.2011	L 108 28.04.2011 p. 3
Sulphanilic acid (AS)	India	Duties	Council Reg. (EC) No 1338/2002 22.07.2002 as last amended by Council Reg. (EC) No 123/2006 23.01.2006  and maintained by  Council Reg. (EC) No 1010/2008 13.10.2008  Commission Dec. No 2006/37/EC 05.12.2005	L 196 25.07.2002 p. 1  L 22 26.01.2006 p. 5  L 276 17.10.2008 p. 3  L 22 26.01.2006 p. 52
		Undertakings		

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

Origin	Product	Measure	Regulation N°	Publication
Canada	Biodiesel (AS) (ext.)	Duties (ext.)	Council Reg. (EC) No 598/2009 07.07.2009  and extended to imports consigned from Canada Council Impl. Reg. (EU) No 443/2011 05.05.2011	L 179 10.07.2009 p. 1  L 122 11.05.2011 p. 1
P.R. China	Coated fine paper (AS)	Duties	Council Impl. Reg. (EU) No 452/2011 06.05.2011	L 128 14.05.2011 p. 18
India	Graphite electrode systems (AS)	Duties	Council Reg. (EC) No 1628/2004 13.09.2004	L 295 18.09.2004 p. 4

			as last amended by Council Reg. (EC) No 1354/2008 18.12.2008  and maintained by  Council Impl. Reg. (EU) No 1185/2010 13.12.2010	L 350 30.12.2008 p. 24  L 332 16.12.2010 p. 1
	Polyethylene terephthalate (PET) (AS)	Duties    Undertakings	Council Reg. (EC) No 193/2007 22.02.2007  as last amended by Council Reg. (EC) No 1286/2008 19.12.2008  Council Reg. (EC) No 193/2007 22.02.2007  corrected by L 215, 18.08.2007, p. 27	L 59 27.02.2007 p. 34  L 340 19.12.2008 p. 1  L 59 27.02.2007 p. 34
	Stainless steel bars and rods (AS)	Duties	Council Impl. Reg. (EU) No 405/2011 19.04.2011	L 108 28.04.2011 p. 3
	Sulphanilic acid (AS)	Duties    Undertakings	Council Reg. (EC) No 1339/2002 22.07.2002 as last amended by Council Reg. (EC) No 123/2006 23.01.2006  and maintained by  Council Reg. (EC) No 1010/2008 13.10.2008  Commission Dec. No 2006/37/EC 05.12.2005	L 196 25.07.2002 p. 11  L 22 26.01.2006 p. 5  L 276 17.10.2008 p. 3  L 22 26.01.2006 p. 52
Iran	Polyethylene terephthalate (PET) (AS)	Duties	Council Reg. (EC) No 1289/2006	L 254 29.09.2010

			277.08.2006	p. 10
Pakistan	Polyethylene terephthalate (PET) (AS)	Duties	Council Reg. (EC) No 1289/2006 277.08.2006	L 254 29.09.2010 p. 10
U.A.E.	Polyethylene terephthalate (PET) (AS)	Duties	Council Reg. (EC) No 1289/2006 277.08.2006	L 254 29.09.2010 p. 10
U.S.A.	Biodiesel (AS)	Duties	Council Reg. (EC) No 598/2009 07.07.2009  and extended to imports consigned from Canada Council Impl. Reg. (EU) No 443/2011 05.05.2011	L 179 10.07.2009 p. 1   L 122 11.05.2011 p. 1

ANNEX Q

Undertakings in force on 31 December 2011

A. Ranked by product (alphabetical)

<b>Product</b>	<b>Origin</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
Aluminium foil	Brazil	Undertakings	Commission Dec. No 2009/736/EC 05.10.2009	L 262 06.10.2009 p. 50
Ammonium nitrate	Russia Ukraine	Undertakings	Commission Dec. No 2008/577/EC 04.07.2008 corrected by L 339, 22.12.2009, p. 59	L 185 12.07.2008 p. 43
Citric acid	P.R. China	Undertakings	Commission Dec. No 2008/899/EC 02.12.2008 corrected by C 346, 26.11.2011, p. 8	L 323 03.12.2008 p. 62
Polyethylene terephthalate (PET)	India Indonesia	Undertakings	Council Reg. (EC) No 192/2007 22.02.2007	L 59 27.02.2007 p. 1
Polyethylene terephthalate (PET) (AS)	India	Undertakings	Council Reg. (EC) No 193/2007 22.02.2007 corrected by L 215, 18.08.2007, p. 27	L 59 27.02.2007 p. 34
Sulphanilic acid (AD + AS)	India	Undertakings	Commission Dec. No 2006/37/EC 05.12.2006	L 22 26.01.2006 p. 52
Zeolite A powder	Bosnia and Herzegovina	Undertakings	Commission Dec. No 2011/279/EU 13.05.2011	L 125 14.05.2011 p. 26

B. Ranked by country (alphabetical)

Origin	Product	Measure	Regulation N°	Publication
Bosnia and Herzegovina	Zeolite A powder	Undertakings	Commission Dec. No 2011/279/EU 13.05.2011	L 125 14.05.2011 p. 26
Brazil	Aluminium foil	Undertakings	Commission Dec. No 2009/736/EC 05.10.2009	L 262 06.10.2009 p. 50
P.R. China	Citric acid	Undertakings	Commission Dec. No 2008/899/EC 02.12.2008  corrected by C 346, 26.11.2011, p. 8	L 323 03.12.2008 p. 62
India	Polyethylene terephthalate (PET)	Undertakings	Council Reg. (EC) No 192/2007 22.02.2007	L 59 27.02.2007 p. 1
	Polyethylene terephthalate (PET) (AS)	Undertakings	Council Reg. (EC) No 193/2007 22.02.2007  corrected by L 215, 18.08.2007, p. 27	L 59 27.02.2007 p. 34
	Sulphanilic acid (AD + AS)	Undertakings	Commission Dec. No 2006/37/EC 05.12.2006	L 22 26.01.2006 p. 52
Indonesia	Polyethylene terephthalate (PET)	Undertakings	Council Reg. (EC) No 192/2007 22.02.2007	L 59 27.02.2007 p. 1
Russia	Ammonium nitrate	Undertakings	Commission Dec. No 2008/577/EC 04.07.2008  corrected by L 339, 22.12.2009, p. 59	L 185 12.07.2008 p. 43
Ukraine	Ammonium nitrate	Undertakings	Commission Dec. No 2008/577/EC 04.07.2008  corrected by L 339, 22.12.2009, p. 59	L 185 12.07.2008 p. 43

*ANNEX R*

Anti-dumping & anti-subsidy investigations pending

on 31 December 2011

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

<b>Product</b>	<b>AD/AS</b>	<b>Origin</b>	<b>Type</b>	<b>Publication</b>
Aluminium foil	AD.582	P.R. China	Initiation	C 371 20.12.2011, p. 4
Aluminium radiators	AD.578	P.R. China	Initiation	C 236 12.08.2011, p. 18
Bioethanol	AD.580	U.S.A.	Initiation	C 345 25.11.2011, p. 7
Bioethanol (AS)	AS.581	U.S.A.	Initiation	C 345 25.11.2011, p. 13
Citrus fruits	AD.524a	P.R. China	Initiation	C 353 03.12.2011, p. 15
Organic coated steel products	AD.584	P.R. China	Initiation	C 373 21.12.2011, p. 16
Oxalic acid	AD.568	India P.R. China	Initiation  Prov. Duty	C 24 26.01.2011, p. 8  L275 20.10.2011, p. 1
Seamless pipes and tubes of iron or steel (certain)	AD.575	Belarus	Initiation	C 187 28.06.2011, p. 22
Sodium Cyclamate	AD.571	P.R. China	Initiation	C 50 17.02.2011, p. 9

Soy protein products (certain concentrated)	AD.572	P.R. China	Initiation	C 121 19.04.2011, p. 71
Stainless steel fasteners	AD.573	India	Initiation	C 142 13.05.2011, p. 30
Stainless steel fasteners (AS)	AS.574	India	Initiation	C 142 13.05.2011, p. 36
Tartaric acid	AD.577	P.R. China	Initiation	C 223 29.07.2011, p. 11
Tube and pipe fittings of iron or steel	AD.579	Russia Turkey	Initiation	C 320 01.11.2011, p. 4
Vinyl acetate	AD.566	U.S.A.	Initiation	C 327 04.12.2010, p. 23
White phosphorous	AD.583	Kazakhstan	Initiation	C 369 17.12.2011, p. 19
Woven and/or stitched glass fibre fabrics	AD.576	P.R. China	Initiation	C 222 28.07.2010, p. 12



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

<b>Product</b>	<b>R. No</b>	<b>Origin</b>	<b>Type of review</b>	<b>Publication</b>
Chamois leather	R.532	P.R. China	Expiry review	C 270 13.09.2011, p. 6
Ferro-silicon	R.514	Russia	Partial interim review	C 290 27.10.2010, p. 15
Furfuraldehyde	R.526	P.R. China	Full interim review	C 196 05.07.2011, p. 9
Glass fibres (certain open mesh fabrics)	R.539	P.R. China	Circumvention review	L 204 09.08.2011, p. 1
Iron or steel fasteners	R.540	Malaysia	New exporter review	L 297 16.11.2011, p. 53
Lever arch mechanisms	R.530	P.R. China	Expiry review	C 217 23.07.2011, p. 35
Molybdenum wires	R.525	P.R. China	Circumvention review	L 131 18.05.2011, p. 14
Plastic sacs and bags (certain)	R.510	P.R. China	Partial interim review	C 253 21.09.2010, p. 2
Plastic sacs and bags (certain)	R.536	P.R. China Thailand	Expiry review	C 283 27.09.2011, p. 11
Polyethylene terephthalate (PET)	R.523	India	Partial interim review	C 102 02.04.2011, p. 18
Polyethylene terephthalate (PET) (AS)	R.524	India	Partial interim review	C 102 02.04.2011, p. 15
Polyethylene terephthalate (PET) film	R.513	India	Partial interim review	C 294 29.10.2010, p. 10
PSC wires and strands	R.534	P.R. China	Partial interim review	C 291 04.10.2011, p. 6
Seamless pipes and tubes of iron or steel	R.528	Croatia Russia Ukraine	Expiry review	C 187 28.06.2011, p. 16
Seamless pipes and tubes of iron	R.537	Russia	Partial interim review	C 303

or steel			review	14.10.2011, p. 11
Seamless pipes and tubes of iron or steel	R.531	Ukraine	Partial interim review	C 223 29.07.2011, p. 8
Sodium cyclamate	R.522	P.R. China	Partial interim review	C 50 17.02.2011, p. 6
Stainless steel fasteners and parts thereof	R.518	P.R. China Taiwan	Expiry review	C 315 19.11.2010, p. 7
Steel ropes and cables	R.517	P.R. China South Africa Ukraine	Expiry review	C 309 13.11.2010, p. 6
Steel wire ropes and cables (SWR)	R.533	Korea (Rep. of)	New exporter review	L 254 30.09.2011, p. 7
Tartaric acid	R.521	P.R. China	Expiry review	C 24 26.01.2011, p. 14
Tartaric acid	R.529	P.R. China	Partial interim review	C 223 29.07.2011, p. 16

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

<b>Origin</b>	<b>Product</b>	<b>Type</b>	<b>Publication</b>
Belarus	Seamless pipes and tubes of iron or steel (certain)	New investigation	C 187 28.06.2011, p. 22
P.R. China	Aluminium foil	New investigation	C 371 20.12.2011, p. 4
	Aluminium radiators	New investigation	C 236 12.08.2011, p. 18
	Chamois leather	Expiry review	C 270 13.09.2011, p. 6
	Citrus fruits	New investigation	C 353 03.12.2011, p. 15
	Furfuraldehyde	Full interim review	C 196 05.07.2011, p. 9
	Glass fibres (certain open mesh fabrics)	Circumvention review	L 204 09.08.2011, p. 1
	Lever arch mechanisms	Expiry review	C 217 23.07.2011, p. 35
	Molybdenum wires	Circumvention review	L 131 18.05.2011, p. 14
	Organic coated steel products	New investigation	C 373 21.12.2011, p. 16
	Oxalic acid	New investigation	C 24 26.01.2011, p. 8
	Plastic sacs and bags (certain)	Partial interim review	C 253 21.09.2010, p. 2
	Plastic sacs and bags (certain)	Expiry review	C 283 27.09.2011, p. 11
	PSC wires and strands	Partial interim review	C 291 04.10.2011, p. 6
	Sodium cyclamate	New investigation	C 50

			17.02.2011, p. 9
	Sodium cyclamate	Partial interim review	C 50 17.02.2011, p. 6
	Soy protein products (certain concentrated)	New investigation	C 121 19.04.2011, p. 71
	Steel ropes and cables	Expiry review	C 309 13.11.2010, p. 6
	Stainless steel fasteners and parts thereof	Expiry review	C 315 19.11.2010, p. 7
	Tartaric acid	New investigation	C 223 29.07.2011, p. 11
	Tartaric acid	Partial interim review	C 223 29.07.2011, p. 16
	Tartaric acid	Expiry review	C 24 26.01.2011, p. 14
	Woven and/or stiched glass fibre fabrics	New investigation	C 222 28.07.2010, p. 12
Croatia	Seamless pipes and tubes of iron or steel	Expiry review	C 187 28.06.2011, p. 16
India	Oxalic acid	New investigation	C 24 26.01.2011, p. 8
	Polyethylene terephthalate (PET)	Partial interim review	C 102 02.04.2011, p. 18
	Polyethylene terephthalate (PET) (AS)	Partial interim review	C 102 02.04.2011, p. 15
	Polyethylene terephthalate (PET) film	Partial interim review	C 294 29.10.2010, p. 10
	Stainless steel fasteners	New investigation	C 142 13.05.2011, p. 30
	Stainless steel fasteners (AS)	New investigation	C 142 13.05.2011, p. 36

Kazakhstan	White phosphorous	New investigation	C 369 17.12.2011, p. 19
Korea (Rep. of)	Steel wire ropes and cables	New exporter review	L 254 30.09.2011, p. 7
Malaysia	Iron or steel fasteners	New exporter review	L 297 16.11.2011, p. 53
Russia	Ferro-silicon	Partial interim review	C 290 27.10.2010, p. 15
	Seamless pipes and tubes of iron or steel	Expiry review	C 187 28.06.2011, p. 16
	Seamless pipes and tubes of iron or steel	Partial interim review	C 303 14.10.2011, p. 11
	Tube and pipe fittings of iron or steel	New investigation	C 320 01.11.2011, p. 4
South Africa	Steel ropes and cables	Expiry review	C 309 13.11.2010, p. 6
Taiwan	Stainless steel fasteners and parts thereof	Expiry review	C 315 19.11.2010, p. 7
Thailand	Plastic sacs and bags (certain)	Expiry review	C 283 27.09.2011, p. 11
Turkey	Tube and pipe fittings of iron or steel	New investigation	C 320 01.11.2011, p. 4
Ukraine	Seamless pipes and tubes of iron or steel	Expiry review	C 187 28.06.2011, p. 16
	Seamless pipes and tubes of iron or steel	Partial interim review	C 223 29.07.2011, p. 8
	Steel ropes and cables	Expiry review	C 309 13.11.2010, p. 6
U.S.A.	Bioethanol	New investigation	C 345 25.11.2011, p. 7
	Bioethanol (AS)	New investigation	C 345

			25.11.2011, p. 13
	Vinyl acetate	New investigation	C 327 04.12.2010, p. 23

ANNEX S

Court cases

A. Court cases pending before the Court of Justice of the European Union and the General Court on 31 December 2011

<b>Court of Justice</b>	
Case C-191/09 P	Council v. Interpipe Niko. Tube & Interpipe NTRP (appeal against judgement in case T-249/06)
Case C-200/09 P	Commission v. Interpipe Niko. Tube & Interpipe NTRP (appeal against judgement in case T-249/06)
Case C-337/09 P	Council v. Zhejiang Chemical (appeal against judgement in case T-498/04)
Case C-247/10 P	Zhejiang Aokang Shoes Ltd. v. Council (appeal against judgment in case T-407/06)
Case C-249/10 P	Brossman Footwear (HK) and others v. Council (appeal against judgment in case T-401/06)
Case C-338/10	GLS Grünwald Logistik Service GmbH (Reference for a preliminary ruling)
Case C-552/10P	Usha Martin Ltd. v. Council and Commission (appeal against judgement in case T-119/06)
Case C-533/10	CIVAD S.A. (Reference for a preliminary ruling)
Case C-195/11 P	Commission v. Zhejiang Xinshiji Foods and Hubei Xinshiji Foods (appeal against judgement in case T-122/09)
Case C-348/11	Thomson Sales Europe (Reference for a preliminary ruling)
Case C-638/11 P	Council v. Gul Ahmed Textile Mills (appeal against judgement in case T-199/04)
<b>General Court</b>	
Case T-113/06	Fjord Seafood Norway AS et al v. Council
Case T-115/06	Fiskeri og Havbruksnaeringens et al v. Council
Case T-84/07	Eurochem v. Council
Case T-469/07	Philips Lighting Poland SA and Philips Lighting BV v Council
Case T-459/07	Hangzhou Duralamp Electronics Co., Ltd v Council
Case T-234/08	EuroChem Mineral and Chemical Company OAO (EuroChem MCC) v. Council

Case T-235/08	Acron OAO and Dorogobuzh OAO v. Council
Case T-459/08	EuroChem Mineral and Chemical Company OAO (EuroChem MCC) v. Council
Case T-536/08	Huvis v. Council
Case T-537/08	Cixi Jiangnan Chemical Fiber and others v. Council
Case T-150/09	Ningbo Yonghong Fasteners v. Council
Case T-162/09	Würth and Fasteners (Shenyang) v. Council
Case T-170/09	Shanghai Biaowu High-Tensile Fastener and Shanghai Prime Machinery v. Council
Case T-172/09	Gem-Year and Jinn-Well Auto-Parts (Zhejiang) v. Council
Case T-512/09	Rusal Armenal v. Council
Case T-528/09	Hubei Xinyegang v. Council
Case T-118/10	Acron OAO v. Council
Case T-134/10	FESI v. Council
Case T-153/10	Schneider Espana de Informatica SA v. Commission
Case T-158/10	The Dow Chemical Company v. Council
Case T-191/10	Greenwood Houseware (Zhuhai) Ltd and Others v. Council
Case T-269/10	LIS GmbH Licht Impex Service GmbH v. Commission
Case T-555/10	JBF RAK v. Council
Case T-556/10	Novatex Ltd, Karachi v. Council
Case T-582/10	Acron OAO and Dorogobuzh v. Council
Case T-156/11	Since Hardware (Guangzhou) CO., LTD, v. Council
Case T-304/11	Alumina d.o.o. v. Council
Case T-385/11	BP Products North America, v. Council
Case T-407/11	SRF Ltd. V. Council
Case T-443/11	Gold East Paper (Jiangsu) and Gold Huasheng Paper (Suzhou Industrial Park) / Council
Case T-444/11	Gold East Paper (Jiangsu) and Gold Huasheng Paper (Suzhou Industrial Park) / Council
Case T-445/11	Charron Inox and Almet v. Commission



Case T-551/11	BSI v. Council
Case T-557/11	Elsid and others v. Commission
Case T-596/11	Bricmate AB v. Council
Case T-633/11	Guangdong Kito Ceramics and others v. Council
Case T-643/11	Crown Equipment (Suzhou) and Crown Gabelstapler v. Council

B. Judgments, orders or other decisions rendered in 2011.

<b>Court of Justice</b>	
Case C-511/09 P	Dongguan Nanzha Leco Stationery Mfg. (v. Council) (appeal against judgement in case T-296/06)
Case C-2/11 (PI)	Gesamtverband der deutschen Textil- und Modeindustrie and others / Council
Case C-3/11 (PI)	Gesamtverband der deutschen Textil- und Modeindustrie and others / Council
<b>General Court</b>	
Case T-122/09	Zhejiang Xinshiji Foods and Hubei Xinshiji Foods v. Council
Case T-167/07	Far Eastern Textile Ltd. v. Council
Case T-259/08	Global Digital Disc GmbH & Co. KG v. Commission
Case T-199/04	Gul Ahmed Textile Mills Ltd. v. Council
Case T-190/08	Chelyabinskij electrometalurgicheskij kombinat and Kuznetskie Ferrosplavy v. Council and Commission
Case T-192/08	TNK Kazchrome and ENRC Marketing v. Council
Case T-274/07	Zhejiang Harmonic Hardware Products v. Council
Case T-297/10	DBV – Deutscher Brennstoffvertrieb Würzburg GmbH v. Commission
Case T-107/08	TNC Kazchrome and ENRC Marketing AG v Council and Commission
Case T-423/09	Dashiqiao Sanqiang Refractory Materials v. Council

ANNEX T

Safeguard and surveillance measures in force on 31 December 2011

A. Safeguard measures

<b>List of safeguard measures in force</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/Decision N°</b>	<b>OJ Reference</b>
None	-	-	-

B. Surveillance measures

<b>List of surveillance measures in force</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/Decision N°</b>	<b>OJ Reference</b>
Steel products (surveillance)	Erga omnes	Commission Reg. (EC) No 76/2002 17.01.2002  as last amended by Commission Reg. (EU) No 1241/2009 16.12.2009	L 16 18.01.2002 p. 3  L 332 17.12.2009 p. 54