

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(89) 280 final

Brussels, 6 June 1989

Proposal for a
COUNCIL REGULATION (EEC)
amending Regulation (EEC) No 1282/81 imposing a definitive
anti-dumping duty on imports of vinyl acetate monomer
originating in the United States of America

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. Under Regulation (EEC) No 2357/87, amending Regulation (EEC) No 1282/81 imposing a definitive anti-dumping duty on imports of vinyl acetate monomer originating in the United States of America, an anti-dumping duty of 5.9% was imposed in respect of US Industrial Chemicals Co.
2. US Industrial Chemicals Co. changed its business name and from 17 December 1987 became known as "Quantum Chemical Corporation, USI Division".
3. In order to avoid difficulties which might affect its uniform application, Regulation (EEC) No 2357/87 needs to be amended, in order to make the rate of anti-dumping duty previously applicable to US Industrial Chemicals Co. applicable to Quantum Chemical Corporation, USI Division.

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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community¹,

Having regard to the proposal from the Commission, presented following consultations within the advisory committee as required by that Regulation,

Whereas:

1. Council Regulation (EEC) No 1282/81², as amended by Regulation (EEC) No 2357/87³, imposed a definitive anti-dumping duty on imports of vinyl acetate monomer originating in the United States of America. According to Article 1(3) of the Regulation, "... the rate of the anti-dumping duty shall be:

- ...

- ...

- 5.9% for US Industrial Chemicals Co."

¹OJ No L 209, 2.8.1988, p. 1.

²OJ No L 129, 15.5.1981, p. 1.

³OJ No L 213, 4.8.1987, p. 32.

2. US Industrial Chemicals Co. has informed the Commission that it changed its business name with effect from 17 December 1987 and that it has subsequently exported under the name of "Quantum Chemical Corporation, USI Division".
3. Having examined the documents submitted by the applicant in support of its assertion, the Commission has verified the change of business name and the fact that there has been no other change in ownership or in the legal, production or marketing structures of the company in question. It therefore considers that the 5.9% rate of the anti-dumping duty is applicable to Quantum Chemical Corporation, USI Division.
4. The Council confirms the Commission's conclusion. Regulation (EEC) No 1282/81 must therefore be amended again in order to ensure its uniform application in all the Member States, with effect from 17 December 1987, so as to cover all consignments from the company in question under its new name,

HAS ADOPTED THIS REGULATION:

Article 1

The third indent of Article 1(3) of Regulation (EEC) No 1282/81 is hereby replaced by the following:

"- 5.9% for Quantum Chemical Corporation, USI Division."

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Communities*.

It shall be applicable with effect from 17 December 1987.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council

Commission of the European Communities

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6.6.1989

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