



COMMISSION OF THE EUROPEAN COMMUNITIES

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COM(95) 129 final

Proposal for a

COUNCIL REGULATION (EC)

**amending Council Regulation (EC) No 2819/94 imposing a definitive anti-dumping duty
on imports of potassium permanganate originating in the People's Republic of China**

(presented by the Commission)

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EXPLANATORY MEMORANDUM

1. The Commission, in accordance with Article 15 of Regulation (EEC) No 2423/88, conducted a sunset review of the anti-dumping measures imposed by Council Regulation (EEC) No 1531/88 on imports of potassium permanganate originating in the People's Republic of China.
2. As a result of that review, the Council adopted Regulation (EC) No 2819/94 imposing a definitive anti-dumping duty on imports of potassium permanganate from China. Although implicitly intended to replace Regulation (EEC) 1531/88, Regulation (EC) No 2819/94 does not expressly repeal (EEC) No 1531/88. It appears necessary to clarify that Regulation (EC) No 2819/94 replaces Regulation (EEC) No 1531/88.
3. The Commission, in accordance with Articles 12, 14 and 15 of Regulation (EEC) No 2423/88, is now proposing to amend Regulation (EC) No 2819/94 accordingly.

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COUNCIL REGULATION (EC) No /
of

amending Council Regulation (EC) No 2819/94 imposing a definitive anti-dumping duty on imports of potassium permanganate originating in the People's Republic of China

THE COUNCIL OF THE EUROPEAN UNION

Having regard to the Treaty establishing the European 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 Community ⁽¹⁾, as last amended by Regulation (EC) No. 522/94 ⁽²⁾, and in particular Articles 12, 14 and 15 thereof,

Having regard to the proposal from the Commission submitted after consultation within the Advisory Committee,

- (1) Whereas the Council, by Regulation (EEC) No. 1531/88 ⁽³⁾, imposed a definitive anti-dumping duty on imports of potassium permanganate originating in the People's Republic of China. The amount of the duty imposed was equal to either the amount by which the free-at-Community-frontier-price per kilogram net, before duty, was less than ECU 2.25 or 20% of that price per kilogram net, free-at-Community-frontier, before duty, whichever was the higher;
- (2) Whereas, following a review of the measures, the Council adopted Regulation 2819/94 ⁽⁴⁾, imposing a definitive anti-dumping duty on imports of potassium permanganate originating in the People's Republic of China. The amount of duty imposed is ECU 1.26 per kilogram. The Regulation entered into force on 20 November 1994;
- (3) Whereas, however, Regulation (EC) No. 2819/94 does not specifically provide for the repeal or amendment of Regulation (EEC) No. 1531/88, and it is therefore appropriate to clarify that Regulation (EEC) 1531/81 is repealed and is replaced by Regulation (EC) No 2819/94. Regulation (EC) No 2819/94 should therefore be amended accordingly;

(1) O. J. No. L 209, 2.8.1988, p.1
(2) O. J. No. L 66, 10.3.1994, p.10
(3) O. J. No. L 138, 3.6.1988, p.1
(4) O. J. No. L 298, 19.11.1994, p.32

HAS ADOPTED THIS REGULATION

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Article 1

Council Regulation (EC) No. 2819/94 shall be amended as follows:

1. A new Paragraph 3 shall be inserted into *Article 1* of Regulation (EC) No 2819/94:
3. **Regulation (EC) No 1531/88 is hereby repealed.**
2. Paragraph 3 of *Article 1* of Regulation (EC) 2891/94 shall be renumbered as Paragraph 4.

Article 2

This Regulation shall take effect as of 20 November 1994.

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