

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(81) 702 final

Brussels, 13 November 1981

Proposal for a
COUNCIL REGULATION (EEC)

amending Regulation (EEC) No 2940/81 imposing a definitive anti-dumping duty on p-xylene (paraxylene) originating in Puerto Rico, the United States of America and the United States Virgin Islands

(submitted to the Council by the Commission)

COM(81) 702 final

EXPLANATORY MEMORANDUM

=====

In June 1981 the Commission imposed a provisional anti-dumping duty of 14.7 % on imports of p-xylene (paraxylene) originating in Puerto Rico, the United States of America and the US Virgin Islands. The Council confirmed this duty as definitive in Regulation (EEC) 2940/81 of 15 October 1981.

During the investigation, but at a time when the Commission's proposal for the confirmation of the provisional duty as definitive was already before the Council, Exxon Chemical International Supply SA offered to respect the normal value (27 cents per lb FOB US port) established during the reference period and offered an undertaking in this respect. It is therefore proposed that this be accepted by the Council and that Exxon should consequently be excluded from the application of the definitive duty.

COUNCIL REGULATION (EEC)

amending Regulation (EEC) No 2940/81 imposing a definitive anti-dumping duty on p-xylene (paraxylene) originating in Puerto Rico, the United States of America and the United States Virgin Islands

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3017/79 of 20 December 1979 on protection against dumped or subsidized imports from countries not members of the European Economic Community (1), and in particular Article 12 thereof,

Having regard to the proposal submitted by the Commission after consultation with the Advisory Committee set up under the said Regulation,

Whereas the Commission, by Regulation (EEC) No 1591/81 (2), imposed a provisional anti-dumping duty of 14.7 % on imports of p-xylene originating in Puerto Rico, the United States of America and the United States Virgin Islands; whereas the Council, by Regulation (EEC) No 2940/81 (3), confirmed this duty as definitive,

Whereas Exxon Chemical International Supply S.A. has voluntarily undertaken to respect the normal values established during the investigation; whereas this undertaking was received during the investigation but at a stage too late to be taken account of in Regulation (EEC) No 2940/81;

Whereas the Council considers this undertaking to be acceptable; whereas it is consequently appropriate to exclude the imports of the p-xylene exported by this company from the application of the duty; whereas Article 1 (2) of Regulation (EEC) No 2940/81 should therefore be amended to take account of these facts,

HAS ADOPTED THIS REGULATION:

(1) OJ No L 339, 31.12.1979, p. 1

(2) OJ No L 158, 16.06.1981, p. 7

(3) OJ No L 296, 15.10.1981, p. 1

L 296/1 15.10.81

Article 1

Article 1 (2) of Regulation (EEC) No 2940/81 is hereby replaced by the following:

This duty shall not apply to p-xylene exported by:

- Amoco Chemicals Corporation
- Arco Chemical Company
- Exxon Chemical International Supply S.A.
- Phillips Paraxylene Inc. and International Petroleum Sales Inc., Panama, members of the Phillips Petroleum Group
- Tenneco Oil Company
- Sunoco Overseas Inc. and Sun International Inc. "

Article 2

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

It shall apply with effect from 15 October 1981.

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

Done at Brussels,

For the Council