

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(78) 357 final

Brussels, 12 September 1978

Proposal for a  
COUNCIL REGULATION (EEC)  
amending Regulation (EEC) No 316/77 concerning the application  
of an anti-dumping duty on chains, for cycles and motorcycles,  
originating in Taiwan

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(submitted to the Council by the Commission)

COM(78) 357 final

## EXPLANATORY MEMORANDUM

A definitive anti-dumping duty on chains for cycles and motorcycles originating in Taiwan was imposed by Regulation (EEC) No 316/77 on 27 February 1977. This duty corresponds to the difference between the declared value of these products and 1.39 European units of account converted into national currencies in accordance with the rates established in Regulation (EEC) No 2571/77 published on 27 November 1977. However, the rates of conversion of the European unit of account into the national currencies have a tendency to change because of monetary fluctuations. This threatens to cause distortions between the normal value of the products concerned, calculated in United States dollars and the anti-dumping duties actually collected. It is therefore appropriate to express the normal value in United States dollars.

In these circumstances, the Commission makes the attached proposal for a Council Regulation amending Regulation (EEC) No 316/77 concerning the application of an anti-dumping duty on chains for cycles and motorcycles originating in Taiwan.

## COUNCIL REGULATION (EEC)

amending Regulation (EEC) No 316/77 concerning the application of an anti-dumping duty on chains, for cycles and motorcycles, originating in Taiwan

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to Council Regulation (EEC) No 459/68 of 5 April 1968 on protection against dumping or the granting of bounties or subsidies by countries which are not members of the European Economic Community (1), as last amended by Regulation (EEC) No 1411/77 (2), and in particular Article 18 thereof,

Having regard to the proposal from the Commission, made after having heard the opinions expressed in the Advisory Committee set up under Regulation (EEC) No 459/68,

Whereas a definitive anti-dumping duty on chains, for cycles and motor cycles, originating in Taiwan was imposed by Regulation (EEC) No 316/77 (3);

Whereas the amount of that duty corresponds to the difference between the declared value of these products and 1.39 European units of account converted into national currencies in accordance with the rates established in Regulation (EEC) No 2571/77 (4);

Whereas the rates of conversion of the European unit of account into the national currencies have a tendency to change because of monetary fluctuations, which threatens to cause distortions between the normal value of the products concerned, calculated in US dollars and the anti-dumping duties actually collected; whereas it is therefore appropriate to express the normal value in US dollars,

HAS ADOPTED THIS REGULATION :

### Article 1

Article 1 of Council Regulation (EEC) No 316/77 is hereby amended to read as follows:

"A definitive anti-dumping duty is hereby imposed on articulated link roller chains, for cycles and motorcycles, falling within Common Customs Tariff

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- (1) OJ No L 93 , 17.4.1968, p. 1.
  - (2) OJ No L 160, 30.6.1977, p. 4.
  - (3) OJ No L 45 , 17.2.1977, p. 4.
  - (4) OJ No L 300, 24.11.1977, p. 2.

"heading No ex 73.29 and corresponding to Nimexe Code No 73.29-11,  
"originating in Taiwan. The provisions in force  
"for the collection of customs duties shall apply for the collection of  
"this duty.

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"The amount of such duty shall correspond to the difference between 1,54  
"United States dollars and the price free Community frontier, duty unpaid,  
"per kilogram net, to the first importer".

#### Article 2

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

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

Done at Brussels,

For the Council