

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(82) 812 final

Brussels, 26 November 1982

Proposal for a  
COUNCIL REGULATION (EEC)  
imposing a definitive anti-dumping duty on fibre building board (hardboard)  
originating in Romania

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(submitted to the Council by the Commission)

COM(82) 812 final



EXPLANATORY MEMORANDUM

1. On 25 June 1982 the Commission, by Regulation (EEC) No 1633/82(1), imposed a provisional anti-dumping duty on hardboard originating in Romania.
2. Following the imposition of the provisional anti-dumping duty the sole exporter of hardboard from Romania requested, and was granted, an opportunity to be heard orally by the Commission. Following that hearing the provisional anti-dumping duty was extended for a maximum period of 2 months, in order to allow the exporter to submit evidence in support of its claim for an allowance for a difference in physical characteristics between the hardboard exported from Romania and the product used for the establishment of normal value. No such evidence has been produced.
3. The Commission, therefore, considers its findings on dumping as set out in Regulation (EEC) No 1633/82, to be definitive.

Moreover, no fresh evidence regarding the injury to Community industry has been submitted to the Commission since the imposition of the provisional duty. In these circumstances the Commission considers that protection of the Community's interests calls for the imposition of a definitive anti-dumping duty on imports of hardboard originating in Romania.

4. On the basis of these facts, the Commission therefore submits to the Council its proposal for a Council Regulation, imposing a definitive anti-dumping duty in the rate set out in the proposal on imports of hardboard originating in Romania. It is further proposed that the amounts secured by way of provisional duty should be collected definitively.

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(1) OJ No L 181, 25.6.1982, p. 19

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**Proposal for a  
COUNCIL REGULATION (EEC)**

imposing a definitive anti-dumping duty on fibre building board (hardboard)  
originating in Romania

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), as amended by Regulation (EEC) No 1580/82(2), and in particular Article 12 thereof,

Having regard to the proposal submitted by the Commission after consultation within the Advisory Committee as provided for under the above Regulation,

Whereas the Commission, by Regulation (EEC) No 1633/82(3), imposed a provisional anti-dumping duty on hardboard originating in Romania;

Whereas, following the imposition of the provisional anti-dumping duty the sole exporter of hardboard from Romania requested, and was granted, an opportunity to be heard orally by the Commission; whereas, following that hearing the provisional anti-dumping duty was extended for a maximum period of 2 months, in order to allow the exporter to submit evidence in support of its claim for an allowance for a difference in physical characteristics between the hardboard exported from Romania and the product used for the establishment of normal value; whereas no such evidence has been produced;

Whereas the Commission, therefore, considers its findings on dumping as set out in Regulation (EEC) No 1633/82, to be definitive;

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

(2) OJ No L 178, 22.6.1982, p. 9

(3) OJ No L 181, 25.6.1982, p. 19

Whereas no fresh evidence regarding the injury to Community industry has been submitted to the Commission since the imposition of the provisional duty;

Whereas, in these circumstances, protection of the Community's interests calls for the imposition of a definitive anti-dumping duty on imports of hardboard originating in Romania;

Whereas, the amount of the definitive anti-dumping duty should be the same as the amount of the provisional anti-dumping duty;

Whereas the amounts secured by way of provisional anti-dumping duties should be collected,

HAS ADOPTED THIS REGULATION:

Article 1

1. A definitive anti-dumping duty is hereby imposed on fibre building board weighing more than 0,8g/cm<sup>3</sup> (hardboard) falling within heading ex 44.11 of the Common Customs Tariff (NIMEXE codes 44.11.10 and 20) and originating in Romania.

2. The amount of the duty shall be equivalent to the difference between the net price per square metre, free at Community frontier, not cleared through customs and 0.79 ECU for hardboard having a thickness of 2.8 mm or more and less than 3.5 mm. For other thicknesses the following index will apply:

- 12 mm or less	0.86
- more than 2 mm but less than 2.8 mm	0.925
- 3.5 mm or more but less than 5 mm	1.45
- 5 mm or more but less than 7 mm	1.90
- 7 mm or more	2.40

3. The provisions in force with regard to customs duties shall apply to the said duty.

Article 2

The sums secured by way of provisional anti-dumping duty under Regulation (EEC) No 1633/82 shall be definitively collected.

Article 3

This Regulation shall enter into force on the third 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