

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(82) 82 final

Brussels, 22 February 1982

Proposal for a  
COUNCIL REGULATION (EEC)  
amending Regulation (EEC) No 3439/80 imposing a definitive anti-  
dumping duty on imports of certain polyester yarn originating in  
the United States of America

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(submitted to the Council by the Commission)

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COUNCIL REGULATION (EEC) N°  
of  
amending Regulation (EEC) N° 3439/80 imposing a definitive anti-dumping  
duty on certain polyester yarn originating in the United States of America

EXPLANATORY MEMORANDUM

The definitive anti-dumping on certain polyester yarn originating in the United States of America applied to those yarns falling under the nomenclature contained in Commission Regulation (EEC) N° 3285/80 which laid down the Nimexe codes applicable at the time that the anti-dumping duty came into force.

Commission Regulation (EEC) N° 3823/81 of 15 December 1981 amended the Nimexe codes relating to polyester yarn and the purpose of the present proposal is to amend the anti-dumping regulation so that the product codes to which the duty applies are brought into line with the new Nimexe codes.

COUNCIL REGULATION (EEC)

amending Regulation (EEC) N° 3439/80 imposing a definitive anti-dumping duty on imports of certain polyester yarn originating in the United States of America

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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) N° 3017/79 of 20 December 1979 on protection against dumped or subsidized imports from countries which are not members of the European Economic Community<sup>1</sup>,

Whereas by Council Regulation (EEC) No 3439/80<sup>2</sup>, as amended by Regulation (EEC) No 3198/81<sup>3</sup>, a definitive anti-dumping duty was imposed on imports of certain polyester yarn originating in the United States of America; whereas this duty applied to imports of polyester yarn falling under Nimexe codes 51.01-23, 25, 26 and 28 as defined in Commission Regulation (EEC) No 3285/80<sup>4</sup>; whereas the Commission, by Regulation (EEC) No 3823/81<sup>5</sup>, amended the Nimexe codes referring to the products to which the anti-dumping duty applies to Nos 51.01-06, 29, 30, 31, 33, 35 and 36;

Whereas it is therefore necessary to amend Regulation (EEC) N° 3439/80 to cover these new Nimexe codes,

HAS ADOPTED THIS REGULATION;

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<sup>1</sup> OJ N° L 339, 31.12.1979, p. 1

<sup>2</sup> OJ N° L 358, 31.12.1980, p. 91

<sup>3</sup> OJ N° L 322, 11.11.1981, p. 2

<sup>4</sup> OJ N° L 346, 22.12.1980, p. 251

<sup>5</sup> OJ N° L 387, 31.12.1981, p. 1

Article 1

In Article 1 of Regulation (EEC) No 3439/80 Nimexe code 51.01-23 is hereby replaced by Nimexe codes 51.01-29 and 30 and Nimexe codes 51.01-25, 26 and 28 are hereby replaced by Nimexe codes 51.01-06, 31, 33, 35 and 36.

Article 2

This Regulation shall enter into force on the third day following that of 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