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**TO THE EUROPEAN PARLIAMENT**

**ON THE COMMUNITY'S ANTI-DUMPING, ANTI-SUBSIDY**

**AND SAFEGUARD ACTIVITIES**

**(2007)**

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## EXECUTIVE SUMMARY

This report is submitted to the European Parliament following its resolution of 16 December 1981 on the Community's anti-dumping activities<sup>1</sup>, and the report of the European Parliament's Committee on industry, external trade, research and energy<sup>2</sup>.

This report, as in previous years, gives an overview of the Community legislation in force with regard to trade defence instruments, including safeguards.

The report also summarises the developments in general policy. As in previous years, the report no longer contains a commentary on each individual case. It gives an overview of all investigations together with the most essential information, such as for instance the rate of individual duty imposed. In turn, cases which merit some special attention are treated in more detail. Consequently, the report is more factual and condensed and covers the essential facts of the year. The detailed annexes which cover all cases ensure that the factual content of the report remains meaningful and sufficient to provide a full overview of the activity in 2007.

This report also addresses the work on the 'Green Paper' process which had been launched in 2006. Many stakeholders including producers, consumers and users, exporters, importers, the legal community and academics became involved in that process throughout 2007.

2007 saw some lower levels of activity than previous years in some areas, i.e. initiation of new cases (9) and the number of new investigations concluded (22). However, for other activities 2007 was average. Definitive anti-dumping or countervailing measures were imposed in 12 cases with provisional measures being imposed in 12 cases.

As regards expiry review investigations, 11 investigations were initiated. In 13 expiry reviews, the investigations were concluded with confirmation of the duty and in 3 cases, the investigations were concluded by termination of the measures. Regarding interim review investigations, 24 were initiated, 8 were concluded by terminating the measures and 11 were concluded with confirmation or amendment of the duty.

The European Parliament's INTA Committee was regularly informed about developments in the EU's trade defence activities.

There was no new activity in the area of safeguards. The only safeguard measure which had been in place at the start of 2007 i.e. on certain prepared or preserved citrus fruits (Satsumas), expired in November 2007.

As in previous years, this report continues to provide an overview on the Court cases relating to the trade policy instruments. During 2007, 1 Judgment was rendered by the Court of First Instance and 1 by the Court of Justice.

The relevant activities in the framework of the World Trade Organisation (WTO) are also reported including dispute settlement procedures initiated against the Community. The report also addresses the continuation of the negotiations on the Anti-dumping and Subsidies Agreements, in which the Commission continued to play an active role.

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<sup>1</sup> OJ C 11, 18.1.1982, p. 37.

<sup>2</sup> PE 141.178/fin of 30.11.1990, reporter Mr Gijs DE VRIES.

The annexes to this report provide easy access to the activities in table form.

This report is also available to the general public.

Internet Website

[http://europa.eu.int/comm/trade/issues/respectrules/anti\\_dumping/legis/index\\_en.htm](http://europa.eu.int/comm/trade/issues/respectrules/anti_dumping/legis/index_en.htm)

## 1. OVERVIEW OF THE LEGISLATION

### 1.1. Anti-dumping and anti-subsidy

#### 1.1.1. *The international framework*

On an international level, unfair trading practices such as dumping and the granting of subsidies were identified as a threat to open markets as early as 1947, when the first GATT agreement was signed. The agreement contained specific provisions allowing GATT members to take action against these practices if they caused material injury to the domestic industry of a GATT member. Even though, the beginning of the disciplines dates back quite some time, world trade is currently still distorted by unfair practices, making the instruments still relevant.

Since the beginning, considerable efforts have been made to harmonise the rules relating to trade instruments. During the last GATT round (the « Uruguay Round ») which led to the creation of the WTO and the detailed Anti-Dumping and Anti-Subsidy Agreements, much of the attention was focused on the procedural and material conditions to be fulfilled before measures can be adopted. The Community played an active role in the negotiation of these relevant criteria which are reflected in its own legislation. The Community's role is the more so important today as a number of new users take action without the necessary rigor and restraint, affecting negatively also EU operators. The role the Community plays as a prudent user has therefore also an exemplary function at WTO level.

#### 1.1.2. *The Community legislation*

The Community's anti-dumping and anti-subsidy legislation was first enacted in 1968 and has since been modified several times. The current basic texts, which form the legal basis of anti-dumping and anti-subsidy investigations in the Community, entered into force in March 1996 and October 1997 respectively. These are in line with the Anti-Dumping and Anti-Subsidy Agreements adopted during the GATT/WTO negotiations. The basic texts are:

- Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community<sup>3</sup>
- Council Regulation (EC) No 2026/97 of 6 October 1997 on protection against subsidized imports from countries not members of the European Community<sup>4</sup>.

These regulations will overall be referred to as the "basic Regulation(s)".

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<sup>3</sup> OJ L 56, 6.3.1996, p. 1, as last amended by Council Regulation (EC) No 2117/2005 (OJ L 340, 23.12.2005, p. 17).

<sup>4</sup> OJ L 288, 21.10.1997, p. 1, as last amended by Council Regulation (EC) No 461/2004 (OJ L 77, 13.3.2004, p. 12).

The Community legislation contains a number of provisions aimed at ensuring a balanced application of the Community's Anti-Dumping and Anti-Subsidy rules on all interested parties. These provisions include the "Community interest test" and the "lesser duty rule", which go beyond the WTO obligations.

The Community interest test is a public interest clause and provides that measures can only be taken if they are not contrary to the overall interest of the Community. This requires an analysis of all the economic interests involved, including those of the Community industry, users, consumers and traders of the product concerned. The Community interest test does not involve wider aspects such as foreign or development policy considerations.

The lesser duty rule requires the measures imposed by the Community to be lower than the dumping or subsidy margin, if such lower duty rate is sufficient to remove the injury suffered by the Community industry. Such a "no-injury" rate is determined by using the cost of production of the Community industry and a reasonable profit margin; it reduces the anti-dumping measures for individual exporting companies in almost half of the cases and is applied, on a world-wide level, only by the Community on a regular basis.

## **1.2. Safeguards**

### *1.2.1. The international framework*

The principle of liberalisation of imports was set under the GATT 1947 and strengthened under the 1994 WTO Agreements. As safeguard measures consist of the unilateral withdrawal or suspension of a tariff concession or of other trade liberalisation obligations formerly agreed, they have to be considered as an exception to this principle. Article XIX GATT 1994 and the WTO Agreement on Safeguards do not only impose strict conditions for the application of this "escape clause", but also put in place a multilateral control mechanism under the WTO Committee on Safeguards.

Under WTO rules, safeguard action has to be viewed as a temporary defence measure that applies to all imports of the product covered by a measure, irrespective of origin. As regards non-WTO members, safeguard measures may be selective and apply to products originating in a specific country. WTO Accession Protocols may also provide for such selective safeguard mechanisms (e.g. the People's Republic of China's Protocol of Accession).

WTO safeguards should only be adopted after a comprehensive investigation which provides evidence of the existence of a) unforeseen developments leading to b) increased imports, c) the existence of a serious injury for Community producers and d) a causal link between the imports and the injury. WTO Accession Protocols may provide for specific requirements.



### 1.2.2. *The Community legislation*

The above-mentioned principles are all reflected in the relevant Community regulations, except for the “unforeseen development requirement” (which is not in the Community law but has been confirmed as a self-standing condition by WTO jurisprudence). Additionally, the adoption of measures in the Community requires an analysis of all interests concerned, i.e. the impact of the measures on producers, users and consumers. In other words, safeguard action can only be taken when it is in the Community’s interest to do so. The current Community safeguard instruments are covered by the following regulations:

- Council Regulation (EC) No 3285/94<sup>5</sup> on the common rules of imports and repealing Regulation (EC) No 518/94;
- Council Regulation (EC) No 519/94<sup>6</sup> on common rules for imports from certain third countries and repealing Regulations (EEC) Nos 1765/82, 1766/82 and 3420/83. This Regulation was amended in 2003 when a Transitional Product-Specific Safeguard Mechanism for imports originating in the People’s Republic of China was adopted<sup>7</sup>. This Regulation ensures that Council Regulation (EC) No 519/94 is no longer applicable to the People’s Republic of China;
- Council Regulation (EC) No 517/94<sup>8</sup> on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Community import rules.

These regulations will overall be referred to as the "basic safeguard Regulation(s)".

### 1.3. **Anti-subsidy and unfair pricing instrument for airline services**

Regulation No 868/2004<sup>9</sup> dealing with the effect of subsidisation and unfair pricing for air services from third countries which was adopted by the EP and the Council in 2004 requested the Commission to prepare a methodology to assess unfair pricing practices. This complex work, involving different services of the Commission as well as external experts, is on-going. The resulting methodology should be both derived from the significant EU experience in trade in goods and adapted to the highly specific sector of the air-services.

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<sup>5</sup> OJ L 349, 31.12.94, p. 53, as last amended by Regulation (EC) No 2200/2004 (OJ L 374, 22.12.2004, p. 1).

<sup>6</sup> OJ L 67, 10.3.94, p. 89, as last amended by Regulation (EC) No 427/2003 (OJ L 65, 8.3.2003, p. 1)

<sup>7</sup> Council Regulation (EC) No 427/2003 (OJ L 65, 8.3.2003, p. 1), as last amended by Regulation (EC) No 1985/2003 (OJ L 295, 13.11.2003, p. 43)

<sup>8</sup> OJ L 67, 10.3.94, p. 1, as last amended by Regulation (EC) No 1786/2006 (OJ L 337, 5.12.2006, p. 12).

<sup>9</sup> OJ L 162, 30.4.2004, p. 1

## **2. BASIC CONCEPTS**

### **2.1. Anti-dumping and anti-subsidy**

#### *2.1.1. What is dumping and what are countervailable subsidies - the material conditions for the imposition of duties?*

##### 2.1.1.1. Dumping and subsidies

Dumping is traditionally defined as price discrimination between national markets, or as selling below cost of production, plus profit. The Community's anti-dumping legislation defines anti-dumping as selling a product in the Community at a price below its "normal value". This "normal value" is usually the actual sales price on the domestic market of the exporting country. Therefore, a country is selling at dumped prices if the prices in its home market are higher than its export prices (i.e. price discrimination).

Where sales in the domestic market are not representative, for instance because they have only been made in small quantities, the normal value may then be established on another basis, such as the sales prices of other producers on the domestic market or the cost of production, plus profit. In the latter case, a company is selling at dumped prices if its export prices are below the cost of production, plus profit.

A certain segregation of the market, triggered by a variety of distortions, exists in the majority of the cases where dumping occurs on a more than incidental basis. That segregation may be caused, amongst other reasons, by government intervention. As a result, exporters are shielded, at least to a certain degree, from international competition on their domestic market.

Subsidies can have similar effects to sales at dumped prices in that they allow exporters to operate from a distorted home base. Subsidies involve a direct support from a government or a government-directed private body which has the effect of conferring a benefit to producers or exporters (e.g. grants, tax and duty exemptions, preferential loans at below commercial rates, export promotion schemes, etc.), all aimed at allowing the exporters to sell at low prices in the Community. Only subsidies which are "specific", i.e. targeted at individual companies or certain sectors of the economy, can be subject to trade defence measures.

Both anti-dumping and anti-subsidy measures are thus only second-best solutions in the absence of internationally agreed and enforced competition rules.

##### 2.1.1.2. Material injury and causation

For measures to be taken against these unfair trading practices, it is not sufficient that companies are exporting their products to the Community at dumped or subsidised prices. Measures can only be taken if these exports cause material injury to Community producers.

Typical indicators of injury are that the dumped and/or subsidised import volumes increase over a certain period and import prices undercut the sales prices of the Community industry. As a consequence, the latter is forced to decrease production volumes and sales prices thus losing market shares, making losses or having to make employees redundant. In extreme cases, exporters may try to eliminate viable Community producers by using a predatory, below cost, pricing strategy. In any event, the injury analysis requires that all relevant factors be taken into account before deciding whether the Community industry is in fact suffering “material injury”.

A further condition for the imposition of measures is the need for “a causal link”: the injury must be *caused* by the dumping or the subsidy. This condition is often fulfilled when the injury to the Community industry coincides with the increase in dumped and subsidised imports. It is important to note that the dumped or subsidised imports do not have to be the only cause of the injury.

#### 2.1.1.3. Community interest

Finally, it has to be established whether there are compelling reasons according to which measures would be contrary to the overall interest of the Community. In this respect, the interests of all relevant economic operators which might be affected by the outcome of the investigation must be taken into account. These interests typically include those of the Community industry, users, consumers and traders of the product concerned and the analysis assesses the positive impact measures will have on some operators as opposed to the negative impact on others. Measures should not be imposed only if it can be clearly concluded that their negative impact would be disproportionate,.

#### 2.1.2. *Procedure*

Investigations are carried out in accordance with the procedural rules laid down in the basic Regulations. These rules guarantee a transparent, fair and objective proceeding by granting significant procedural rights to interested parties. In addition, the results of an investigation are published in the Official Journal, and the Community is obliged to justify its decisions in this publication. Finally, it is ensured that each case is decided on its merits and the Commission does not hesitate to terminate a case if the conditions to impose measures are not met.

Whereas each investigation is different depending on the products and countries involved, all cases follow the same procedural rules. However, certain preferential rules apply to the candidate countries. The rules relating to a new case are summarised below.

### *Initiation*

A case normally starts with a sufficiently substantiated complaint from the Community industry manufacturing the same or a similar product to the one referred to in the complaint. Then, the Commission assesses whether the complaint contains sufficient evidence to allow for the initiation of the case. A case is opened by a notice of initiation published in the Official Journal. In this notice, all interested parties, including users, exporting country authorities in anti-subsidy investigations in particular and, where appropriate, consumer organisations, are invited to participate and co-operate in the proceedings. Detailed questionnaires are sent to producers in the exporting countries, in anti-subsidy investigations also to the exporting country authorities, and in the Community, to the Community producers, traders (in particular importers) and other interested parties, such as users. These questionnaires cover all different conditions to be fulfilled, i.e. dumping/subsidy, injury, causation and Community interest. The parties are also informed that they can request a hearing and ask for access to the non-confidential files which will help them defend their case.

### *The investigation up to the provisional measures*

Following receipt of the replies to the questionnaire, investigations are carried out by Commission officials at the premises of the co-operating parties.

The main purpose of these visits is to verify whether the information given in the questionnaires is reliable. The verified information is subsequently used to calculate or determine the dumping margin and the injury factors, in particular the price undercutting margin and injury elimination level, as well as for the Community interest analysis. The respective calculations and analysis often involve the processing of thousands of transactions, the complex examination of production costs and the assessment of the economic situation of numerous economic operators.

The results of the calculations and other findings are summarised in a working document, on the basis of which it is decided - after consultation of the Member States in the Advisory Committee - whether to impose provisional measures, whether to continue the investigation without proposing duties or whether to terminate the proceedings. In either eventuality, at this stage the decision is the Commission's responsibility.

### *The investigation up to the definitive stage*

Following the publication in the Official Journal of a Commission regulation imposing provisional duties, interested parties which so request receive a full disclosure which allows them to verify the Commission's findings and to submit comments. Comments can also be made at a hearing. These provisional submissions and comments are taken into account when a second, definitive, working document is prepared by the Commission.

After final disclosure, assessment of comments of interested parties and consultation of the Member States on the basis of the second working document, the Commission makes a proposal to the Council whether or not to impose definitive measures. Another possibility is that the Commission accepts undertakings offered by exporters, which undertake to respect minimum prices. In the latter case, no duties are generally imposed on the companies from which undertakings are accepted.

As set out above, throughout the process and at various specific steps, the procedure - consisting e.g. of requests for information, hearings, access to the file and disclosure – ensures that the rights of defence of interested parties are fully respected in this quasi-judicial process.

Unless the Council decides by a simple majority not to adopt the Commission proposal for definitive measures, such measures are imposed. The regulation imposing definitive duties, and deciding on the collection of the provisional duties, is published in the Official Journal.

In view of the findings made, it may also be decided to terminate a case without the imposition of measures. The same procedure (disclosure, comments, hearing, working document) as described above applies. The termination of the case would generally be made by a Commission Decision after consultation of the Member States.

#### *Timing*

The procedure described above is subject to strict statutory time limits. A decision to impose provisional duties must be taken within nine months of the initiation and the total duration of an investigation is limited to fifteen months in anti-dumping cases and to thirteen months in anti-subsidy cases. This leads to significant time constraints, taking into account, *inter alia*, internal consultations and the necessity to publish regulations and decisions in all Community languages at the same time.

Anti-dumping or countervailing measures will normally remain in force for five years, and may consist of duties or undertakings concluded with exporters. Measures are taken on a countrywide basis, but individual treatment, i.e. the application of a company-specific duty, can be granted to exporters which have co-operated throughout the investigation. During the five-year period, interested parties may, under certain conditions, request a review of measures or the refund of anti-dumping duties paid. Measures may also be suspended for a certain period, subject to given criteria.

### 2.1.3. *Review of measures*

The basic Regulations provide for administrative reviews and distinguish between interim reviews, newcomer reviews and expiry reviews.

The *expiry review* is initiated at the end of the five year life-time of the measures. Initiation of such a review requires a request by the Community industry evidencing that the expiry of the measures would lead to continuation or recurrence of dumping and injury. Since the amendment to the basic Regulations, expiry reviews initiated after 20 March 2004 are subject to strict deadlines, i.e. they shall normally be concluded within 12 months of the date of initiation of the review, but in all cases be concluded within 15 months.

During the five year life-time of measures, the Commission may perform an *interim review*. Under the latter procedure, the Commission will consider whether the circumstances with regard to subsidy/dumping and injury have changed significantly or whether existing measures are achieving the intended results in removing the injury. Since 20 March 2006, the deadline for concluding an interim review is set at 12 months, but no later than 15 months.

Finally, the basic Regulations provide that a review shall be carried out to determine individual margins for new exporters in the exporting country concerned. Since 20 March 2006, the deadline for conclusion of *newcomer reviews* is nine months.

During these reviews, the main procedural rules outlined in chapter 2.1.2 are also applicable.

### 2.1.4. *Judicial reviews*

The procedural rights of the parties, including hearings and access to non-confidential files, are respected in the course of the proceeding, and a system of judicial review is in place to ensure their correct implementation. The competence to review anti-dumping and anti-subsidy cases lies with the Court of First Instance and the Court of Justice in Luxembourg. Furthermore, WTO members may recourse to the WTO dispute settlement mechanism .

## 2.2. **Safeguards**

### 2.2.1. *What are safeguard measures?*

Safeguard measures allow temporary protection against the adverse effects of import surges. Under the Community legislation<sup>10</sup> implementing the WTO Safeguards Agreement, they can be applied under the following conditions: safeguard measures may be imposed if, as a result of unforeseen developments, a product is being imported into the Community in such increased quantities and/or on such terms and conditions as to cause, or threaten to cause, serious injury to Community producers of like or directly competitive products. Safeguard measures may only be imposed to the extent and for such time as may be necessary to prevent or remedy the injury.

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<sup>10</sup> Council Regulation (EC) No 3285/94 on common rules for imports.

### 2.2.2. *Procedure*

Investigations are carried out in accordance with the procedural rules laid down in the basic safeguard Regulations. These rules guarantee a transparent, fair and objective proceeding. In addition, the results of safeguard investigations are published in the Official Journal, and the Community is obliged to justify its decisions in this publication.

#### *Initiation*

The Commission is informed by one or more Member States should trends in imports of a certain product appear to call for safeguard measures. This information must contain evidence available, of the following criteria : a) the volume of imports, b) the price of imports, c) trends in certain economic factors such as production, capacity utilisation, stocks, sales, market share, prices, profits, employment, etc.. Where there is a threat of serious injury, the Commission must also examine whether it is clearly foreseeable that a particular situation is likely to develop into actual injury.

This information is immediately passed on by the Commission to all other Member States, at which stage consultations are held within the Advisory Safeguard Committee. If there is sufficient evidence to justify an investigation, the Commission publishes a notice of initiation in the Official Journal within one month of receipt of the information and commences the investigation, acting in co-operation with the Member States.

#### *Provisional measures*

Provisional measures may be imposed at any stage of the investigation. They shall be applied in critical circumstances where delay would cause damage which would be difficult to repair, making immediate action necessary, and where a preliminary determination provides clear evidence that increased imports have caused, or are threatening to cause, serious injury.

The duration of the provisional measures can, however, not exceed 200 days (i.e. six months).

#### *Definitive measures*

If, at the end of the investigation, the Commission considers that definitive safeguard measures are necessary, it will take the necessary decisions no later than nine months from the initiation of the investigation, at which stage the results of the investigation are being published in the Official Journal. In exceptional circumstances, this time limit may be extended by a further maximum period of two months, provided a notice is published in the Official Journal specifying the duration of the extension and a summary of its reasons.

Safeguard measures shall be applied only to the extent to prevent or remedy serious injury, thereby maintaining as far as possible traditional trade flows. As to the form of the measures, the Community will choose the measures most suitable in order to achieve these objectives. These measures could consist of quantitative quotas, tariff quotas, duties, etc.

#### *Duration and review of the measures*

The duration of safeguard measures must be limited to the period of time necessary to prevent or remedy serious injury and to facilitate adjustments on the part of the Community producers, but should not exceed four years, including the duration of the provisional measures, if any. Under certain circumstances, extensions may be necessary but the total period of application of safeguard measures should not exceed eight years.

If the duration of the measures exceeds one year, the measures must be progressively liberalised at regular intervals during the period of application. If the duration exceeds three years, the Commission should seek consultations with the Advisory Safeguard Committee in order to examine the effects of the measures, to determine the appropriateness of further liberalisation and to ascertain that the application of the measures is still necessary. Depending on the consultations, the measures may be revoked or amended.

### **3. CONTINUATION OF THE TDI REVIEW PROCESS**

2007 saw the continuation of the review process of the Trade Defence Instruments (TDI). This review had been launched at the end of 2006 when the Commission and the Council agreed on the need for a review of these instruments. The aim of the review was to ensure that the European Union continued to have a means of defending itself, as effectively as possible, against unfair trade. This was particularly important as developments occurred both in the European and global economy.

In March 2007, a wide ranging public consultation was organised and the Commission received more than 540 responses from a diverse range of stakeholders, including manufacturers, retailer and import organisations, consumer groups and trade unions.

Almost all Member States submitted responses. There were also 34 submissions from third countries, eight of which came from third country governments.

In addition, the Commission organised a public hearing on the Green Paper on 13 March 2007 in Brussels..

The full set of responses was posted online as well as the *verbatim* record of the public hearing.

The responses and the public consultation were carefully analysed and in November 2007 the Commission published its evaluation of the results of the TDI consultation process. The subsequent discussions with Member States and stakeholders revealed that there was not yet sufficient consensus for the adoption of a package on TDI review.



The European Parliament has also shown a close interest in the TDI review process and was up-dated regularly by the Commission .

#### 4. Country-wide market economy status (MES)

There are five criteria to determine whether a country can be considered a full market economy for the purpose of anti-dumping investigations (according to Article 2 (7) of the basis antidumping Regulation). These criteria are:

- i. a low degree of government influence over the allocation of resources and decisions of enterprises, whether directly or indirectly (e.g. public bodies), for example through the use of state-fixed prices, or discrimination in the tax, trade or currency regimes;
- ii. an absence of state-induced distortions in the operation of enterprises linked to privatisation and the use of non-market trading or compensation system;
- iii. the existence and implementation of a transparent and non-discriminatory company law which ensures adequate corporate governance (application of international accounting standards, protection of shareholders, public availability of accurate company information);
- iv. the existence and implementation of a coherent, effective and transparent set of laws which ensure the respect of property rights and the operation of a functioning bankruptcy regime;
- v. the existence of a genuine financial sector which operates independently from the state and which in law and practice is subject to sufficient guarantee provisions and adequate supervision.

To obtain Market Economy Status for trade defence investigations all five criteria must be met.

In 2007, five requests for country-wide MES were evaluated by the Commission (China, Vietnam, Armenia, Kazakhstan and Mongolia).

The levels of preparedness of these files differ substantially and so does the degree of progress made by respective applicant countries to date to comply with the five relevant criteria.

Companies from these applicant countries have the possibility to request market economy treatment on an individual basis in the context of anti-dumping investigations.

#### 4.1 China

China is undoubtedly the most important MES applicant country.

The first preliminary assessment was prepared in 2004 which concluded at that time that China fulfilled only one of the five MES criteria.

Following a request from the Chinese, in the summer of 2007 an update assessment report was prepared by the Commission to evaluate their progress towards fulfilling the four outstanding criteria. While fully recognizing the important progress made by China in the preceding years, the report concluded that further specific steps are needed in the legislation and particularly concerning the effective implementation of laws to ensure that China complies with all the four outstanding criteria. The report was discussed with EU Member States and it was foreseen that a more

comprehensive evaluation would be prepared twelve months later. In July 2007 the seventh meeting of the EU-China MES Working Group was held (Namur, Belgium) where the findings of the progress report were discussed.

#### **4.2 Vietnam**

The first meeting of the EU-Vietnam MES working group took place in Hanoi in March 2007. During this meeting, Vietnam submitted comments and supplementary information following the second assessment report of Vietnam's progress which had been prepared in 2006. Further information was provided in the course of 2007. Commission officials visited Hanoi in October 2007 to discuss this information and results achieved so far. Further assessment of Vietnam's progress is ongoing.

#### **4.3 Armenia**

During 2007 a number of bilateral contacts, as well as a specific mission by Commission services to Armenia to examine the MES issue took place. These contacts provided a significant amount of relevant information which was further supplemented by a written submission from the Armenian authorities in autumn 2007. A preliminary assessment will be made on the basis of the information provided.

#### **4.4 Kazakhstan**

In February 2007 the Commission conducted a specific MES mission to Kazakhstan in order to discuss a number of questions regarding their progress in relevant areas. The Kazakh authorities sent only partial replies to these questions in April 2007 while agreeing to continue to work on the preparation of the outstanding information.

#### **4.5 Mongolia**

During 2007, the work on the MES request received from Mongolia continued. The Commission analysed information which the Mongolian authorities had submitted as well as information from external sources. In order to supplement this information the Commission services considered that a further verification mission to Mongolia was needed. Contacts with the relevant authorities regarding a visit (foreseen for 2008) took place at the end of 2007.

### **5. INFORMATION AND COMMUNICATION ACTIVITIES / BILATERAL CONTACTS**

#### **5.1. Small and medium sized enterprises (SMEs)**

In 2007 the Trade Defence Helpdesk for SMEs, which was set up in December 2004, continued to address specific SME questions/problems regarding TDIs, both of a general nature or case-specific. The helpdesk is accessible through a direct link from a TDI SME website.. The aim of the help desk is to ensure proper access to the TDI proceedings, especially for companies and sectors which could otherwise have technical difficulties due to their small size or their, fragmentation.

#### **5.2. Seminars**

Information and training seminars for third country government representatives and for economic operators, both within and outside the EU continued to be an important part of the activities of the TDI Services during 2007. Seminars have been held for the following third country beneficiaries: China, India, Russia, Turkey, Ukraine,

Vietnam. Furthermore, a number of ad hoc meetings on TDI matters took place with specific third country TDI services and a number of economic operators, both at individual company level as well as representative associations.

## **6. THE TRADE DEFENCE INSTRUMENTS' SERVICES**

As part of an overall restructuring of DG Trade, the Trade Defence Services were re-organised with effect from 1 January 2007. The Directorate responsible for trade defence instruments was renamed H and a sixth unit was created within the directorate. Unit 1 is in charge of policy aspects related to anti-dumping and anti-subsidy (including WTO and complaints office). Units 2 to 6 all deal with investigations covering dumping/subsidization, injury and Community interest aspects. In addition to case-handling work, Unit 2 handles relations with industry and with Member States including the Anti-dumping Committee, Unit 4 is responsible for following up and controlling the efficiency of measures and for policy matters concerning circumvention/absorption, Unit 5 monitors the activity of third countries on anti-dumping, anti-subsidy and safeguards, policy aspects related to safeguards, as well as bilateral issues concerning TDI while Unit 6 deals with administrative matters.

## **7. THE HEARING OFFICER**

The function of the Hearing Officer for External Trade was created in January 2007 and became operational in April 2007. The Hearing Officer, who has experience in the field of trade defence, is administratively attached to the Director General of DG Trade but acts independently. He reports to the Director General. It is expected that, after some experience is gathered, his mandate is formalised and published.

The Hearing Officer's main role is to be a guardian of the right of parties to due process in trade proceedings. This covers essentially a guarantee of non-discriminatory and impartial treatment and the right to be heard. These rights include (i) the right of the parties to make known their views on the correctness and relevance of the facts and circumstances on the basis of which the Commission makes its findings in trade proceedings and the obligation of the Commission investigation services to take account of these views and (ii) the right of the parties to have access to non-confidential information and to have their business secrets protected. The Hearing Officer also advises the Director General of DG Trade on any issues arising out of trade proceedings, where appropriate. The Hearing Officer was requested to intervene in ten proceedings between April and December 2007.

Most of his interventions were related to timing of the disclosures to the interested parties and, to a lesser extent, the predictability and transparency of the trade proceedings. Although the Hearing Officer identified a number of issues where improvements to the current practice in trade defence proceedings are possible, he concluded that, in general, the rights of defence of the interested parties were respected in these proceedings.

In the context of his interventions the Hearing Officer organised and chaired hearings which aimed at ensuring that the rights of interested parties to be heard are fully

respected. In general, his interventions, including hearings which he organised, contributed to a better understanding of the parties' arguments by the Commission investigation services. Following the interventions of the Hearing Officer, the Commission investigation services were in a position to refine their conclusions in some of the cases. Where requested and justified, the parties could obtain more detailed explanations by the Commission investigation services on the facts and circumstances on the basis of which the Commission made its findings.

The Hearing Officer also advised the Director General of DG Trade on a number of due process issues for consideration of possible improvements of the exercise of the rights of defence in trade proceedings.

## **8. GENERAL OVERVIEW OF ANTI-DUMPING AND ANTI-SUBSIDY INVESTIGATIONS AND MEASURES**

While 2007 saw a significant drop in the number of new investigations initiated as compared to previous years, the number of measures imposed, both provisional and definitive, remained average. Below are details on new investigations and review investigations.

### **8.1. New investigations**

At the end of 2007, the Community had 127 anti-dumping measures and 9 countervailing measures in force<sup>11</sup>. The anti-dumping measures covered 59 products and 29 countries (see Annex O); the countervailing measures covered 7 products and 4 countries (see Annex P). Of the measures, the large majority was in the form of duties; however, in a number of cases, undertakings were accepted.

Of the 127 anti-dumping measures in force at the end of 2007 the main countries affected were China 44, Russia 8, India, Thailand and Ukraine – 7 each, Taiwan 6, Vietnam, Korea and Indonesia – 5 each and Malaysia and the USA – 4 each. Of the 9 anti-subsidy measures in place the majority concern imports from India – 6 in total, with 1 each for Korea, Brazil and Israel.

Regarding the of anti-dumping measures one has to look at the trade volume of the products concerned, which varies considerably depending on the sector concerned. The largest trade volumes are often generated by high technology, such as electronics, which are high-value products. It should be noted that in 2007, only 0,73%<sup>12</sup> of total imports into the Community was affected by anti-dumping or anti-subsidy measures.

Table 1 below provides statistical information on the new investigations for the years 2003 – 2007.

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<sup>11</sup> The measures are counted per product and country concerned.

<sup>12</sup> Source Comext.

**TABLE 1**

**Anti-dumping and anti-subsidy new investigations  
during the period 1 January 2003 - 31 December 2007<sup>13</sup>**

	2003	2004	2005	2006	2007
Investigations in progress at the beginning of the period	33	15	31	28	33
Investigations initiated during the period	8	29	26	36	9
Investigations in progress during the period	41	44	57	64	42
Investigations concluded :					
- imposition of definitive duty or acceptance of undertakings	5	11	19	13	12
- terminations <sup>14</sup>	21	2	10	18	10
Total investigations concluded during the period	26	13	29	31	22
Investigations in progress at the end of period	15	31	28	33	20
Provisional measures imposed during the period	10	6	15	13	12

Details on the conclusions can be found under heading 9.1.

## 8.2. Review investigations

Anti-dumping measures, including price undertakings, may be subject, under the basic Regulation, to five different types of reviews: expiry reviews (Article 11(2)), interim reviews (Article 11(3)), newcomer investigations (Article 11(4)), absorption investigations (Article 12) and circumvention investigations (Article 13).

<sup>13</sup> The initiation of a case concerning several countries is accounted as separate investigations/proceedings per country involved.

<sup>14</sup> Investigations might be terminated for reasons such as the withdrawal of the complaint, *de minimis* dumping or injury, etc.

Also anti-subsidy measures may be subject, under the basic Regulation, to five different types of reviews: expiry reviews (Article 18), interim reviews (Article 19), absorption investigations (Article 19(3)), accelerated reviews (Article 20) and circumvention investigations (Article 23).

These reviews continue to represent a major part of the work of the Commission's TDI services. In the period from 2003 to 2007, a total of 202 review investigations were initiated. These review investigations represented 65% of all investigations initiated in that period.

In 2007, 41 reviews were initiated. Of these, 11 were expiry reviews, 24 interim reviews, 2 newcomer reviews and 4 circumvention investigations.

An overview of the review investigations in 2007 can be found in Annexes F to K. Table 2 provides statistical information for the years 2003 - 2007.

**TABLE 2**  
**Reviews of anti-dumping and anti-subsidy investigations**  
**during the period 1 January 2003 - 31 December 2007<sup>15</sup>**

	2003	2004	2005	2006	2007
Reviews in progress at the beginning of the period	67	53	42	63	52
Reviews initiated during the period	26	43	57	35	41
Reviews in progress during the period	93	96	99	98	93
Total reviews concluded during the period <sup>16</sup>	40	54 <sup>17</sup>	36	46	47
Reviews in progress at the end of the period	53	42	63	52	46

Details on the conclusions can be found under heading 9.2.

<sup>15</sup> The initiation of a case concerning several countries is accounted as separate investigations/proceedings per country involved.

<sup>16</sup> Investigations which were conducted and concluded under the specific provisions of the Regulation imposing the original measures are not counted as there was no publication of the initiation.

<sup>17</sup> Including 7 reviews concerning acceding countries which were automatically terminated.

## 9. OVERVIEW OF ACTIVITIES IN 2007

### 9.1. New investigations

#### 9.1.1. Initiations

##### 9.1.1.1. Overview

In 2007, 9 new anti-dumping investigations were initiated. There were no new anti-subsidy investigations initiated in the period. The anti-dumping investigations involved 6 different products from 4 different countries. Details of these investigations are given in Annex A. the country most affected is China with 6 investigations. The remaining 3 investigations concern Russia, Belarus and Bosnia & Herzegovina. The main sector concerned by these new cases is steel.

In the five-year period from 2003 to 2007, 107 investigations were initiated on imports from 28 countries. The main sectors concerned by the investigations were chemical and allied with 29 investigations, iron and steel with 23 investigations and electronics with 14 investigations. A breakdown of the product sectors is given in Annex B(A).

The main countries concerned during the period from 2003 to 2007 were the People's Republic of China with 38 investigations, Russia and Taiwan with 7 investigations each, Malaysia with 6 investigations, Thailand, Korea and India with 5 investigations each and USA and Vietnam with 4 investigations each. A table showing all the investigations initiated over the last five years broken down by country of export is at Annex B(B).

The alphabetical list of cases initiated in 2007 can be found below, together with the name of the complainant. More information can be obtained from the Official Journal to which reference is given in Annex A.

<b>Product/type of investigation</b>	<b>Originating from</b>	<b>Complainant</b>
Citric Acid	P.R. China	European Chemical Industry Council (CEFIC)
Citrus Fruits	P.R. China	Spanish National Federation of Associations of Processed Fruit and Vegetables (FNACV)
Flat-rolled products (hot-dipped metallic-coated iron or steel)	P.R. China	EUROFER
Iron or steel fasteners	P.R. China	European Industrial Fasteners Institute
Monosodium Glutamate	P.R. China	Ajinomoto Foods Europe

Welded tubes and pipes, of iron or non-alloy steel	Belarus Bosnia & Herzegovina P.R. China Russia	Defence Committee of the Welded Steel Tubes Industry of the EU
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### 9.1.2. *Provisional measures*

In 2007, provisional duties were imposed in 12 anti-dumping proceedings. They involved imports of 6 products from 9 different countries. As shown in Table 1 (see point 8.1), this figure compares to 13 in 2006 and 15 in 2005.

The alphabetical list of cases where provisional measures were imposed during 2007 can be found below, together with the measure(s) imposed. More information can be obtained from the Official Journal to which reference is given in Annex C.

<b>Product</b>	<b>Originating from</b>	<b>Type<sup>18</sup> and level of measure</b>
Coke (+80mm)	P.R. China	AD : Minimum Import Price €27 per tonne
Dihydromyrcenol	India	AD : 3.3% - 7.5%
Ferro-silicon	P.R. China	AD : 2.8% - 33.7%
	Egypt	AD: 18% - 20.4%
	Kazakhstan	AD: 33.9%
	Former Yugoslav Republic of Macedonia	AD: 5.4%
	Russia	AD: 18.8% - 25.5%
Manganese Dioxides	South Africa	AD : 14.9%
Peroxisulphates	P.R. China	AD : 0 % - 67.4%
	Taiwan	AD: 22.6%
	USA	AD: 10.6% - 39%
Polyvinyl alcohol	P.R. China	AD : 10%

<sup>18</sup> AD = anti-dumping duty, CVD = countervailing duty, UT = undertaking.



### 9.1.3. Definitive measures

#### 9.1.3.1. Overview

During 2007, definitive duties were imposed in 12 anti-dumping cases. They involved imports from 6 different countries and covered 8 products. The People's Republic of China featured with 7 measures, followed by Ukraine, Thailand, Taiwan, USA, and Kazakhstan with one measure each.

The alphabetical list of cases where definitive measures were imposed during 2007 can be found below, together with the measure(s) imposed. More information can be obtained from the Official Journal to which reference is given in Annex D. Annex D also gives some additional information on import and consumption volumes.

Product	Originating from	Type <sup>19</sup> and level of measure
Dicyandiamide	P.R. China	AD : 49,1%
Frozen strawberries	P.R. China	AD: Fixed duty 62,6 – 204,5 EUR/Tonne
Ironing boards	P.R. China Ukraine	AD : 0% - 38,1% AD: 9,9%
Peroxosulphates	P.R. China Taiwan USA	AD : 0% - 71,8% AD: 22,6% AD: 10,6% - 39%
Saddles	P.R. China	AD : 0-29,6%
Silico-manganese	P.R. China Kazakhstan	AD : 8,2% AD6,5%
Sweet corn (prepared or preserved in kernels)	Thailand	AD : 3,1% - 12,9%
Tungsten electrodes	P.R. China	AD: 17% - 63,5%

#### 9.1.3.2. Details on individual cases (in alphabetical order)

##### 1. Frozen strawberries originating in P.R. China

The proceeding was initiated on 19<sup>th</sup> January 2006, following a complaint lodged by the Polish Freezing Industry Union on behalf of Community producers representing more than 25% of the total Community production of frozen strawberries. The investigation period ran from 1<sup>st</sup> January – 31<sup>st</sup> December 2005 and injury was considered over a three-year period, from 1<sup>st</sup> January 2002 – 31<sup>st</sup> December 2005.

Provisional *ad valorem* anti-dumping measures were imposed on 17<sup>th</sup> October 2006. Definitive measures were imposed on 16<sup>th</sup> April 2007; however, the form of

<sup>19</sup> AD = anti-dumping duty, CVD = countervailing duty, UT = undertaking.

measures was changed to a dual system, comprising a Minimum Import Price and a fixed duty.

### Dumping

Although sampling had been envisaged, only a small number of Chinese exporters replied to the Commission's questionnaire. Of the cooperating exporters, 5 applied for Market Economy Treatment, but only 1 was successful. 1 other producer was granted individual treatment.

As the PRC is an economy in transition, an appropriate analogue country had to be used in order to establish normal value for exporting producers who had not been granted MET. Despite the original suggestion of the USA, Turkey was eventually chosen, as it was a competitive market with a number of domestic producers producing similar product types as in the PRC.

For the company granted MET, the comparison of the weighted average normal value of the product concerned with the weighted average export price yielded a duty margin of 0%, while the duty margin of the producer granted IT was set at 31%. As co-operation with the investigation was low, the countrywide dumping margin applicable to all other exporters in the PRC was calculated at 66.9%, on the basis of the weighted average of the export price data provided by the exporters and export price data provided by Eurostat.

### Injury

The Polish Freezing Industry Union, which represented 25 Community producers, and one other Community producer together represented 29% of the total production of the like product in the Community. Given the large number of Community producers, a sample of 8 producers was selected, representing 14% of the total Community production.

The investigation found clear evidence of injury to the Community industry: most injury indicators, including sales prices and quantities, profitability and market share showed a negative trend. The volume of dumped imports had increased by over 300%, while sales prices of those imports decreased sharply (-38%), undercutting the Community industry significantly.

### Causation

The investigation found that the injury to the Community industry had been caused by the dumped imports, as the decreasing prices and market share of the Community industry coincided with the massive increase in Chinese imports. Other factors that could be responsible for the injury were examined, but were found not to be the cause of the injury suffered. Imports from other countries were found to be priced higher than Community industry production and a drop in export performance could not be considered as causally significant, as exports correspond to less than 10% of Community consumption. An argument that injury was caused by poor harvests during the period under consideration was dismissed, as such harvests were accompanied by a fall in prices, rather than the increase usually associated with product scarcity.

### Community Interest

The possible impact of measures on the Community industry, importers and users was examined in detail prior to the imposition of measures. It was found that measures would not only benefit the Community industry, but also around 80,000 farmers whose livelihood depends on strawberries. However, the user industry demonstrated that the impact of the measures on users would also be significant, resulting in considerable loss of profitability, if not in losses. Nevertheless, it was found that users would eventually be able to pass on the cost increase to the retail sector, once the existing fixed-price contracts into which they had entered lapse. It was, therefore, concluded that there were no compelling reasons against the imposition of measures.

### Anti-Dumping Duties

Following the imposition of provisional *ad valorem* duties, upon further investigation, it was considered more appropriate to impose a Minimum Import Price ("MIP"). This would ensure that the cyclical nature of the pricing of the product did not impose a disproportionate burden on users at times when prices were high. However, as a duty system involving a MIP can be more difficult to enforce, a double system of measures was considered appropriate, comprising a MIP and a fixed duty. The MIP was established at the non-injurious price and the fixed duty was calculated on the basis of the weighted average injury margin, as this was found to be lower than the weighted average dumping margin. As the product concerned was imported under three different CN codes, distinct MIP were calculated per CN code, ranging from 496.80EUR/tonne to 598EUR/tonne. The fixed duty correspondingly ranged between 169.90EUR/tonne to 204EUR/tonne.

## 2. Ironing boards originating in the People's Republic of China and Ukraine

The proceeding was initiated on 4 February 2006 following a complaint lodged on 23 December 2005 by three Community producers representing more than 40% of the total Community production of ironing boards. The complainants and another fully cooperating Community producer requested that their identities be kept confidential as disclosure of their identity could lead to significant adverse effects. These Community producers supply customers in the Community that also source their products from the People's Republic of China (PRC) and Ukraine. The Community producers feared retaliation, including possible termination of their business relationships by their suppliers and customers for their role in lodging or supporting the complaint in question. The request was duly substantiated and granted.

The product concerned is all existing types of ironing boards (whether or not free-standing, with various tops, of different construction and size and varying construction materials and accessories) and essential parts thereof.

### Dumping

8 Chinese companies claimed Market Economy Treatment (MET), or failing that, Individual Treatment (IT), but two of which then ceased to cooperate with the investigation. The sole Ukrainian exporting company claimed that since Ukraine had been removed from the list of non-market economy countries it should automatically be granted MET. However, as the complaint had been lodged before 30 December

2005, the company still had to show that it fulfilled all the criteria in order to be granted MET.

One Chinese exporting producer and the sole Ukrainian exporting producer showed that they fulfilled the criteria and were granted MET. Four Chinese producers were granted IT. For companies not granted MET an appropriate analogue country had to be used in order to establish normal value. Turkey was selected as an appropriate analogue country.

The definitive dumping margins found were between 0% and 36,5% for the examined companies in the PRC. As co-operation was below 80%, the dumping margin for all other companies was set at the level corresponding to the weighted average dumping margin of the most sold product types of the co-operating exporting producers with the highest dumping margins. The definitive dumping margin for all other companies was thus set at 38,1%. The definitive dumping margin for the sole Ukrainian exporting producer and for all other companies in Ukraine was 9,9%.

#### Injury and causation

The conditions of cumulation were found to be met and it was concluded that the effects of the dumped imports originating in the countries concerned should be assessed jointly for the purpose of the injury analysis.

Between 2002 and the investigation period (IP) the volume of the dumped imports of the product concerned increased significantly by 850% and their share of the Community market increased from 6% to almost half of the market (48%). The average prices of the dumped imports increased throughout the period considered, but this increase was explained by a number of factors such as a move by the PRC exporters towards the mid to high end of the market. In any case, the prices remained significantly below the average prices of the Community industry. Undercutting of Community industry's prices by Chinese prices was between 29,2% and 44,2% and by the Ukrainian prices was 6,6% in the IP.

The deterioration of the situation of the Community industry was evident with almost all injury indicators showing a negative trend e.g. the profit margin in the IP was 69% lower than in 2002.

The material injury suffered by the Community industry coincided with, and was caused by, the dumped imports from the countries concerned. The examination of other factors revealed that these did not cause any injury to the Community industry. For some factors, in particular the non-dumped imports from the PRC, their impact was not such as to break the causal link between the dumped imports and the injurious situation of the Community industry.

#### Community interest

The Commission examined whether compelling reasons existed that could lead to the conclusion that it would not be in the Community interest to adopt measures. The analysis showed that even if in certain cases the burden could be fully passed on to consumers, any negative financial impact on them would be negligible. On the other hand, if no measures were imposed the consumers' choice could be negatively affected since Community ironing boards could disappear from the market. With regard to importers, it was found that any adverse impact on some of them would not be decisive for their business. The distributors and retailers would not be

significantly affected by measures given their high margins. On balance, it was found that the potential adverse effects that the measures could have on certain other economic operators in the Community were not disproportionate when compared to the beneficial effects of the measures for the Community industry.

### Measures

Provisional duties were imposed on 1 November 2006 and definitive duties on 27 April 2007. Definitive duties ranged from 0% to 38,1% for the PRC and were set at 9,9% for all companies in Ukraine. Duties were based on the dumping margins found, which were in all cases lower than the injury elimination levels.

Offers of undertakings by the Ukrainian exporting producer and certain Chinese exporting producers were rejected. It was considered that the nature of the product and its complex marketing would make it virtually impossible to establish meaningful minimum import prices for each product type, which could be properly monitored by the Commission without serious risk of circumvention.

### 3. Peroxosulphates (persulphates) originating in the USA, the People's Republic of China (PRC) and Taiwan

The proceeding was initiated on 13<sup>th</sup> July 2006, following a complaint lodged by CEFIC, on behalf of producers representing 100% of the total Community production of persulphates. The investigation period was 1<sup>st</sup> July 2005 to 30<sup>th</sup> June 2006 while injury was examined over the period 1<sup>st</sup> January 2003 to 30<sup>th</sup> June 2006.

Persulphates are white, crystalline, odourless salts, used as initiators or as oxidising agents in a number of applications. Their uses include acting as an etching agent in the production of printed circuit boards, in paper manufacturing and in dental cleansing. A producer in the USA claimed that one of the persulphates included in the investigation, KPMS, should be excluded from the scope of the product concerned, as its end-uses and characteristics were different. However, none of the grounds put forward were sufficient to distinguish KPMS as a different product concerned.

Provisional measures were imposed on 11<sup>th</sup> April 2007. Definitive measures were imposed on 9<sup>th</sup> October 2007 on imports from the USA (ranging from 10.6% to 39%), the PRC (24.5% to 71.8%) and Taiwan (22.6%).

### Dumping

#### USA

Two exporting producers cooperated with the investigation. The comparison of the normal value and export prices on an ex-works basis yielded duty margins of 10.6% and 39% for the two producers. Given the high level of cooperation, the residual margin applicable to all other US exporters was set at 39%.

#### PRC

Although sampling had been envisaged, only a small number of Chinese exporters replied to the Commission's questionnaire. Of the cooperating exporters, 6 applied for Market Economy Treatment, but only two were successful. None of the remaining four companies was granted individual treatment.

As the PRC is an economy in transition, an appropriate analogue country had to be used in order to establish normal value for exporting producers who had not been

granted MET. Turkey was chosen, as it was an open market with a low import duty and significant imports from third countries.

For the companies granted MET, the comparison of the weighted average normal value of the product concerned with the weighted average export price yielded margins of 0% and 24.5%. As co-operation with the investigation was high, the countrywide dumping margin applicable to all other exporters in the PRC was calculated at 71.8%. This was based on a comparison between the weighted average export price of the four cooperating exporters who were not granted MET and the normal value from the analogue country.

### **Taiwan**

One exporting producer cooperated with the investigation. The comparison of the normal value and export prices on an ex-works basis yielded a duty margin of 22.6%. Given the high level of cooperation, the residual margin applicable to all other Taiwanese exporters was set at the same level.

### **Injury and Causation**

The complaint was lodged on behalf of the two Community producers, which represent the entirety of the Community production of persulphates. One US producer claimed that one of the Community producers should be excluded, as it imported the product concerned from the PRC. However, it was found that imports represented a very small portion of the producer's total sales and that the imports appeared to be an act of self-defence.

In order to ascertain the existence of material injury to the Community industry, the effects of the imports from the three countries were assessed cumulatively, as it was found that the imported persulphates and those produced in the Community were sold through comparable sales channels under similar commercial conditions and that the imports followed similar trends during the period considered.

The investigation found clear evidence of injury to the Community industry, with the relevant indicators all showing a negative trend. It was found that the volume of dumped imports increased significantly during the period considered, as did their market share. At the same time, prices of these imports decreased, undercutting considerably the prices of the Community industry.

The coincidence in time between the increase in dumped imports and the deterioration in the situation of the Community industry was found to be a clear indication that the injury was caused by the dumped imports. The effect of other factors was examined, such as the allegedly uncompetitive behaviour of the Community industry, its efficiency and expected profitability. However these factors were not found to be a cause of the injury suffered by the Community industry.

### **Community Interest**

Two importers responded to the Commission's questionnaire, representing 19% of total imports into the Community and opposing the imposition of duties. However, it was concluded that the impact of anti-dumping duties would have a negligible effect on the overall turnover of these importers, which in any event could be passed on to consumers. Two users submitted comments, but they did not submit evidence that the imposition of the duties would have a significant impact on their interests. It was, therefore, concluded that there were no compelling reasons against the imposition of measures.

4. Silico-manganese ("SiMn") originating in the People's Republic of China ("PRC"), Kazakhstan and Ukraine

The proceeding was initiated on 6<sup>th</sup> September 2006, following a complaint lodged by the Comité de Liaison des Industries de Ferro-Alliages (EUROALLIAGES) on behalf of producers representing more than 50% of the total Community production of SiMn. The investigation period ("IP") ran from 1<sup>st</sup> July 2005 to 30<sup>th</sup> June 2006. Injury was examined over the period running from 1<sup>st</sup> January 2002 to 30<sup>th</sup> June 2006.

SiMn is used in the steel industry as an alloy and for deoxidisation. It is mainly produced from manganese ore and silicon, which are mixed together and brought to fusion temperatures in a furnace.

**Dumping**

**PRC**

As the PRC is an economy in transition, an appropriate analogue country had to be used in order to establish normal value for exporting producers who had not been granted Market Economy Treatment ("MET"). Despite the original suggestion of Brazil, the USA was eventually chosen, as it is an open market with significant imports from third countries.

Four groups of Chinese exporting producers applied for MET or Individual Treatment ("IT"), but none were successful.

Given that no Chinese producers were granted MET/IT, a single countrywide dumping margin (60.1%) was calculated on the basis of the normal value established in the analogue country and the collective export prices of the Chinese producers.

**Kazakhstan**

The sole co-operating Kazakh exporting producer claimed, and was granted, MET. Exports by this producer were made to the Community via a related trader in a third country. Adjustments were therefore made for transport costs, selling and general administrative expenses and the trader's profit. The producer claimed, however, that it formed a 'single economic entity' with its Swiss trader and that no adjustments should be made. The analysis of the producer's relationship with its trader showed that in fact they were two distinct legal entities, acting as buyer and seller and that the 'single economic entity' claim was not valid. The dumping margin for this producer was calculated at 6.5%. As it appeared that this producer was the only producer of SiMn in Kazakhstan, the margin for any other companies was set at the same level.

**Ukraine**

Three exporting producers cooperated with the investigation. The comparison of the normal value and export prices on an ex-works basis yielded duty margins of 39.1%, 53.4% and 56.7%. Given the high level of cooperation, the residual margin applicable to all other Ukrainian exporters was set at the same level as the highest dumping margin established for a cooperating producer, i.e., 56.7%.

**Injury**

In order to ascertain the existence of material injury to the Community industry, the effects of the imports from PRC and Kazakhstan were assessed cumulatively, as it

was found that the imported SiMn and those produced in the Community were sold through comparable sales channels, under similar commercial conditions and that the imports followed similar trends during the period considered. However, as there was no undercutting by imports from Ukraine, the effect of these imports was assessed separately.

The investigation found clear evidence of injury to the Community industry. It was found that the volume of dumped imports increased significantly during the period considered, as did their market share, although there was a drop in both during the IP. Although prices of the imports increased during the period considered, SiMn originating in the PRC and Kazakhstan still undercut the prices of the Community industry. In order to ensure that the undercutting calculation prices were compared at the same level of trade, ex-works prices of the Community industry were compared with the ex-works prices of imported goods as they entered the physical territory of the Community. This was disputed by the Kazakh producer, who claimed that the cif price at the point of customs clearance should be used instead. However, this claim was rejected, as this price included a considerable amount of transportation costs.

The analysis of the injury indicators shows a significant deterioration in the condition of the Community industry: production, capacity utilisation and the number of employees all declined. Although some injury indicators showed positive trends, the overall analysis demonstrated that the sustainability of the Community industry was in peril.

The coincidence in time between the increase in dumped imports and the deterioration in the situation of the Community industry was found to be a clear indication that the injury was caused by the dumped imports. However, it was considered that imports from the Ukraine did not contribute to the injury of the Community industry. The effect of other factors was examined, such as imports from South Africa, but they were not found to be a cause of the injury suffered by the Community industry.

### **Community Interest**

Two importers responded to the Commission's questionnaire, opposing the imposition of duties and expressing concern about the impact of measures on supply within the Community and on the cost of the product concerned. With regard to supply, it was noted that the Community industry has unused capacity and also that any reduction in exports from the countries concerned could be compensated by increased exports from other third countries. With regard to the overall cost of the product concerned, it was concluded that the impact of anti-dumping duties could be passed on to consumers.

Ten users and the European Confederation of Iron and Steel Industries submitted comments, expressing concern about the effect of measures on supply and on costs to end-users, namely the steel industry. On the basis of data submitted, it was calculated that an increase of 20% on the price of SiMn would reduce the profitability of steel producers by only around 0.2%. While some negative effects were expected to occur in the form of price increases for users, arising out of the need to arrange new or alternative sources of supplies, it was considered that such effects would be minor and it was concluded that there were no compelling reasons against the imposition of measures.

### **Definitive Measures and Suspension**



Definitive anti-dumping duties were imposed on 4<sup>th</sup> December 2007, based on the injury elimination level, at a rate of 6.5% on imports from Kazakhstan and 8.2% on imports from the PRC. The investigation was terminated in respect of imports of SiMn originating in Ukraine.

However, a sharp increase in world prices for SiMn was observed, indicating a change in the market situation following the end of the IP. The Commission carried out a further investigation to assess this change and its impact on the injury suffered by the Community industry from the end of the IP to the end of the third quarter of 2007. It was established that prices had increased by 69%, that Community consumption had increased by 20% and that imports from the PRC and Kazakhstan had increased by 9.8%. The situation of the Community industry had improved considerably, although its market share had decreased by an additional 1.1%. Therefore, considering that the Community industry was no longer suffering injury due to the change in market conditions and the imposition of measures was considered to have some negative effects for users, it was concluded that the suspension of the measures was in the Community interest, in accordance with Article 14(4) of the basic Regulation. As a result, the measures were suspended on 4<sup>th</sup> December 2007 for 9 months.

#### 9.1.4. Investigations terminated without measures

##### 9.1.4.1. Overview

In accordance with the provisions of the respective basic Regulations, investigations may be terminated without the imposition of measures if a complaint is withdrawn or if measures are unnecessary (i.e. no dumping/no subsidies, no injury resulting therefrom, measures not in the interest of the Community).

In 2007, 10 new anti-dumping proceedings (including 1 anti-subsidy proceeding) were concluded without measures, compared to 18 in 2006 and 10 in 2005.

The alphabetical list of cases which were terminated without the imposition of measures during 2007 can be found below. More information can be obtained from the Official Journal to which reference is given in Annex E.

<b>Product (type of investigation<sup>20</sup>)</b>	<b>Originating from</b>	<b>Main reason for termination</b>
Camera systems (AD)	Japan	Withdrawal of the complaint
Dihydromyrcenol (AS)	India	Withdrawal of the complaint
Pentaerythritol (AD)	P.R. China Russia Turkey Ukraine USA	No causal link between dumping and injury
Polyester staple fibres (AD)	Malaysia Taiwan	Against community interest
Silico-manganese (AD)	Ukraine	No causal link between dumping and injury

##### 9.1.4.2. Details on some individual cases

1. Pentaerythritol originating in P.R. China, Russia, Turkey, Ukraine and USA

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<sup>20</sup> AD = anti-dumping investigation; AS = anti-subsidy investigation, AD + AS = parallel anti-dumping and anti-subsidy investigation.

The proceeding was initiated in January 2006 based on a complaint lodged in December 2005 by CEFIC (European Chemical Industry Council) on behalf of producers representing more than 50% of the Community production of pentaerythritol.

The product concerned is pentaerythritol (penta) - an odourless, white, crystalline, solid compound, produced from formaldehyde and acetaldehyde, and the most widely used polyol for production of alkyd resins around the world. Its applications include alkyd resins, used mainly in coatings, synthetic lubricants for refrigeration compressors, rosin esters used in adhesives as tackifiers and pentaerythritol tetranitrate (PETN).

### Dumping

#### *Turkey*

The sole known exporting producer in Turkey cooperated. The domestic prices varied significantly according to the month of sale. It was considered appropriate to determine a monthly weighted average normal value and to compare this with a monthly weighted average export price. The dumping margin found was *de minimis*. Given that the cooperating exporting producer appeared to account for all Turkish exports, it was considered that the proceeding should be terminated with regard to Turkey.

#### *People's Republic of China (PRC) and Ukraine*

The exporting producer in the PRC that requested Market Economy Treatment (MET) or Individual Treatment (IT) did not fulfil the necessary criteria. The sole cooperating exporting producer in Ukraine requested only IT. Since there was no other known producer of penta in Ukraine, it was not necessary to make an IT determination since a single country-wide duty would be imposed in any event. Japan was initially envisaged as the analogue country, but there was no cooperation from there. As the investigation revealed that no dumping was practiced by the cooperating Turkish exporting producer, Turkey was regarded as a reasonable analogue country for the proceeding. The dumping margins determined for the PRC and Ukraine were 18,7% and 10,3% respectively.

#### *Russia and the United States of America (USA)*

There was no cooperation from the exporting producers in these countries and the dumping margins were therefore established on the basis of facts available – in this case data derived from the complaint. The dumping margins were 25% for Russia and 54% for the USA.

### Injury

The Community industry comprised of three fully cooperating Community producers representing 94% of the like product produced in the Community.

The conditions of cumulation were found to be met with regard to the PRC, Russia and Ukraine and it was concluded that the effects of the dumped imports originating in these countries should be assessed jointly for the purpose of the injury analysis. The conditions were not found to be met for the USA, as the imports from there did not undercut the Community industry prices and due to the different pricing behaviour of the US exporters.

The situation of the Community industry deteriorated significantly after 2002 and reached its lowest point in 2005 (which was the investigation period) when the industry made a loss of 11,5%. Sales on the Community market decreased by 16% in volume and 25% in value in the period considered. The Community industry market share went down from 78% in 2002 to 75% in the IP. The average unit price went down by 11%, not reflecting the increase in raw material costs. Most other injury indicators confirmed the negative situation and it was therefore concluded that the Community industry suffered material injury.

#### Causation

The investigation found that, even with a low market share, the dumped imports from the PRC, Russia, and Ukraine had exerted price pressure on the Community industry's prices. However, a more detailed analysis did not establish a causal link between the evolution of the dumped imports and the deterioration of the Community industry's financial situation.

The significant drop in the Community industry's profitability and the worsening of its overall financial situation occurred between 2004 and the IP, when the volume of the dumped imports increased by only 8 % compared to an increase of 285 % over the previous three years, when the Community industry was still making profits. Moreover the drop in the demand of penta on the Community market coincided with the deterioration of the Community industry's financial situation. It also appears that the price increase of the main raw material methanol was far less marked in the IP compared to the previous years and therefore did not explain the sudden and dramatic drop in profitability in the IP.

The fact that the Community industry exported almost half of its production at prices below cost, had to be seen as a factor which had further contributed to the overall negative situation of the Community industry, even if it did not directly affect the profitability on the Community market.

As to imports from the USA, their market share increased from 0,2% in 2002 to 1,9% in the IP. However, given that the average import price was significantly higher than the price charged by the Community industry on the Community market, with an undercutting of -19,5%, and the comparison of the import prices from the USA with the non-injurious price of the Community industry showed a *de minimis* underselling, it was concluded that the US imports did not contribute to the injury suffered by the Community industry.

Overall it could therefore not be concluded that the dumped imports taken in isolation caused material injury. Indeed, the examination of other factors revealed that the injury could be attributed also to the decrease in consumption, the export performance of the Community industry as well as imports from other third countries.

#### Termination of the proceeding

In the absence of a causal link between the dumped imports and the injury suffered by the Community industry the proceeding was terminated in April 2007.

## 2. Polyester staple fibres originating in the Malaysia and Taiwan

In April 2006, the Commission initiated an anti-dumping proceeding on imports into the Community of synthetic staple fibres of polyesters (PSF) not carded, combed or

otherwise processed for spinning, originating in Malaysia and Taiwan. The proceeding was initiated as a result of a complaint lodged by the Comité International de la Rayonne et des Fibres Synthétiques on behalf of Community producers representing more than 50% of the total Community production of PSF.

The product concerned is a basic material used at various stages of the manufacturing process of textile products.

#### Provisional measures

At the provisional stage, anti-dumping duties in the form of ad valorem duties ranging between 12,4 % and 23 % for Malaysia and 14,7 % and 29,5 % for Taiwan were imposed. Following the publication of the provisional Regulation, the Commission continued to seek all information it deemed necessary for the purpose of its definitive findings. Based on the findings it arrived at the conclusion that compelling reasons existed on Community interest not to impose anti-dumping measures on imports of PSF from the countries concerned.

#### Withdrawal of the complaint and termination of the proceeding

In the meantime, the complainant formally withdrew the complaint concerning the imports of PSF originating in Malaysia and Taiwan. In accordance with Article 9(1) of the basic Regulation, the proceeding may be terminated where the complaint is withdrawn unless such termination would not be in the Community interest.

#### Analysis of the Community interest

The analysis of the Community interest focused on the potential impact of the measures on importers and users. The main factors which were analysed and which led the Commission to conclude that the imposition of the measures would impact significantly on the Community users were:

1. Shortages of supply which would be further aggravated by the imposition of the measures;
2. Price increase for PSF: The fact that the demand has increased compared to available sources of supply not subject to anti-dumping measures also led to increase of the price of PSF on the Community market;
3. Cost impact of the proposed measures: imposition of measures would increase cost of PSF users which already have very low profit margins (in particular bedding industry) and would further weaken their competitiveness;
4. Price increase for downstream products and
5. Consequences for employment in the Community market.

Impact of the measures on the Community industry and on suppliers of raw materials as well as impact on the environment was also analysed. However, it was concluded that that the overall advantages to be gained by the Community industry did not outweigh the probable disadvantages, in particular for users and, to some extent for consumers. Therefore, it was decided that the proceeding should be terminated.

## 9.2. Review investigations

### 9.2.1. Expiry reviews

Article 11(2) and Article 18 of the basic Regulations provide for the expiry of measures after five years, unless an expiry review demonstrates that they should be maintained in their original form.

In 2007, 18 anti-dumping measures were allowed to expire automatically. The references for these measures are set out in Annex N.

Since the expiry (or "sunset") provision of the basic Regulations came into force in 1985, a total of 432 measures have been allowed to expire automatically.

#### 9.2.1.1. Initiations

During 2007, 11 expiry review investigations were initiated. It should be noted that investigations initiated after 20 March 2004 are under deadline, i.e. conclusions should be reached within 12 months but not later than 15 months from the date of initiation.

The alphabetical list of these cases can be found below, together with the name of the complainant. It should be noted that some expiry reviews may be carried out in parallel with interim reviews, which allow the amendment of the duty rates. In such case, these reviews are marked with an asterisk. More information can be obtained from the Official Journal to which reference is given in Annex F.

Product (type of investigation <sup>21</sup> )	Originating from	Complainant
Ammonium nitrate	Russia	European Fertilizer Manufacturers Association (EFMA)
Coumarin	P.R. China	European Chemical Industry Council (CEFIC)
Powdered activated carbon (PAC)	P.R. China	European Chemical Industry Council (CEFIC)
Sulphanilic acid (AS)	India	Ex-officio
Sulphanilic acid	P.R. China India	Community Producers
Tube and pipe fittings, of iron or steel	Korea (Rep. of) Malaysia	Defence Committee of the Steel Butt-Welding Fittings

<sup>21</sup> A = anti-dumping investigation; AS = anti-subsidy investigation, AD + AS = parallel anti-dumping and anti-subsidy investigation.

Welded tubes and pipes, of iron or non-alloy steel	Thailand Turkey Ukraine	Industry of the EU  Defence Committee of the Welded Steel Tubes Industry of the EU
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#### 9.2.1.2. Reviews concluded with confirmation of duties

During 2007, 13 expiry reviews concluded that there was a need for the duties to continue for a further five years.

The alphabetical list of the cases which were concluded with confirmation of duty during 2007, together with the result of the investigation, can be found below. More information can be obtained from the Official Journal to which reference is given in Annex F.

Product	Originating from	Result of the investigation/ Type <sup>22</sup> and level of measure
Ammonium nitrate	Ukraine	Confirmation of AD duty : 33,25€/tonne
Lamps (integrated electronic compact fluorescent)	P.R. China	Confirmation of AD duty : Ranging from 0% to 66,1%
Lighters	P.R. China Taiwan	Confirmation of AD duty : 0,65€/per lighter
PET film	India	Confirmation of AD duty : Ranging from 0% to 18%
Polyethylene terphthalate (PET)	India Indonesia Korea (Rep. of) Malaysia Taiwan Thailand	Confirmation of AD duties –  88,9 – 181,7 €/tonne 92,1 – 187,7 €/tonne 0 – 148,3 €/tonne 36 – 160,1 €/tonne 36,3 – 143,4 €/tonne 83,2 €/tonne
Polyethylene terphthalate (PET) (AS)	India	Confirmation of AS duty : Ranging from 0 to 106,5 €/tonne
Steel ropes and cables	Russia	Confirmation of AD duty : 9,7% - 50.7%

Details on some individual cases

#### 1. Polyethylene terephthalate (PET) film originating in India

<sup>22</sup> AD = anti-dumping duty, CVD = countervailing duty, UT = undertaking.

The expiry review was initiated in August 2006 almost simultaneously with a partial interim review limited to the examination of dumping by an Indian exporting producer, Jindal Poly Films Limited (Jindal).

The product concerned is Polyethylene terephthalate (PET) film originating in India.

### Dumping

Sampling was applied and three out of six exporting producers, accounting for around 97% of the total export volume from India to the EC during the IP, were selected for the sample in accordance with Article 17 of the basic regulation.

The biggest exporting producer, Jindal, which alone accounted for around 90 % of the total export volume from India to the EC during the IP, was found to have a negative dumping margin. Therefore, the partial interim review limited to Jindal was terminated.

The dumping margin established for the two remaining sampled producers ranged from 15% to 25%.

Given the relative levels of prices (which were found to be 20% to 30% lower in third countries than in the Community), the spare capacities (which represented during the RIP approximately 30 % of the total import volume of the product concerned from India into the Community and 3 % of Community consumption) and the incentives to redirect sales volumes to the Community, it was concluded that there is likelihood: (i) of a continuation of dumping, (ii) of an increase of the quantities exported to the Community, should anti-dumping measures in force be lifted.

### Situation on the Community market and likelihood of continuation of injury

The investigation revealed that the Community industry has not been able to recover from past dumping after the imposition of anti-dumping measures in 2001. This was because of circumvention (against which measures were adopted only by the end of 2004) and inappropriate undertakings which were repealed only in March 2006. By illustration, prior to the imposition of anti-circumvention duties and the repeal of the undertakings, the level of imports from Indian companies found to be dumping was more than three times higher than during the review IP.

Consequently, the economic situation in the Community industry worsened with respect of most injury factors: production, production capacity and capacity utilisation (– 4 %), sales volume (– 2 %) and value (– 5 %), market share (– 2 %), cash flow and profitability, investment activity and return on investment.

Having regard to the above, it was considered that the situation of the Community industry was still precarious and any increase of dumped imports would in all likelihood aggravate this situation. Therefore, it was concluded the repeal of the measures against India would, in all likelihood, result in a recurrence of injury to the Community industry.

### Community interest



It was established that the continuation of the anti-dumping measures would be in the interest of the Community industry and that it would have no major impact on importers and users.

In light of the above, it was concluded that the anti-dumping measures applicable to imports of PET film from India should be maintained.

2. Lamps (integrated electronic compact fluorescent) originating in P.R. China and extending to imports consigned from Vietnam, Pakistan and the Philippines

The expiry review was initiated on 19 July 2006. The request for the expiry review was lodged by the Community Federation of Lighting Industry of Compact Fluorescent Lamps Integrated (CFL-i) on behalf of more than 25% of the total Community production of CFL-i.

A partial interim review limited to the level of dumping with regard to one exporting producer was initiated a few months later and was still on-going at the time of completion of the expiry review.

The product concerned is electronic compact fluorescent discharge lamps functioning on alternating current (including electronic compact fluorescent discharge lamps functioning on both alternating and direct current), with one or more glass tubes, with all lighting elements and electronic components fixed to the lamp foot, or integrated in the lamp foot.

Dumping

In view of the large number of Chinese exporting producers sampling was applied for the determination of dumping. The investigation was based on information from two exporting producers which had originally received Individual Treatment (IT) and a third exporting producer that had received neither Market Economy Treatment (MET) nor IT. It was noted that none of the companies that had been granted MET in the original investigation cooperated in the expiry review. The three exporting producers investigated represented more than 30% of the total exported quantities to the Community from the PRC, and more than 40 % of the quantities excluding the Chinese exporter subject to 0 % duty.

Korea was chosen as the most appropriate analogue country.

The investigation showed the existence, during the IP, of dumping of above 50% for the two companies that had originally received IT and dumping of at least that level for the companies that had not received MET or IT. There was thus strong evidence of continued dumping at significant levels.

Likelihood of continuation of dumping

Dumping at significant levels was found to occur during the period under review, with measures in place. It was concluded that dumping would be likely to continue if measures were to lapse and export volumes were to increase. The Community market was found to be a very attractive market for PRC exports given its size and the ever increasing demand for the product concerned. In addition, the fact that the price level on the Community market was substantially above the levels in the PRC, added to the attractiveness. Furthermore, the finding that the existing measures had been circumvented was further indication of the attractiveness of the Community market. It was also found that new assembly-lines could be established relatively quickly

depending on the evolution of the market and the Chinese producers would be likely to expand their capacity to take advantage of a new market situation, should measures be repealed.

#### Likelihood of continuation or recurrence of injury

The analysis of the Community producers conducted during the investigation showed a complex picture. The structure of the sector appeared to be in flux and views were mixed, with the largest producer, in terms of production volumes, being in favour and the rest being opposed to the continuation of measures. The largest producer accounted for around 48% of Community production thereby constituting a major proportion of Community production.

The investigation showed that it could not be concluded that the supporting producer had fully recovered from the effects of past dumping. Almost all injury indicators showed negative trends. For example undercutting ranged from 48,2% to 61,5%. During the period considered imports from the PRC increased by 235%, which was partly at the expense of the supporter's financial performance as concerns Community-produced CFL-i lamps. Sales volumes and sales values of the supporter decreased and profitability went down to a level where the supporter was making losses during the period under review.

As was outlined above, it was considered that the Chinese exports would be likely to increase. The significant levels of dumping and undercutting observed and the low level of prices of Chinese exports to third countries indicated that the export volumes to the Community would be made at dumped prices, which would lie below the prices and costs of the supporter. This would be likely to lead to a deterioration of the supporter's situation. The investigation did not identify any factor that would be such as to break the causal link between the dumped Chinese imports and the injury. This conclusion also applied to the imports of the supporter – these imports were needed by the supporter to complete the product range. They represented only a relatively small portion of the total sales volumes on the Community market.

It was therefore concluded that there was a likelihood of continuation and recurrence of injurious dumping should anti-dumping measures on imports of CFL-i originating in the PRC be allowed to lapse.

#### Community interest

It was examined whether compelling reasons existed to show that it was not in the Community interest to maintain measures in this case.

It was concluded that it would be in the interest of the supporting producer if measures were maintained. With regard to other manufacturers in the Community, it was thought that given their import activity, the existence of duties had a negative impact on their overall activity – also because it prevented them from optimising their production mix. Given their mix of production and importing from the PRC it was concluded that the re-imposition of measures would either not be in their interest (for one company) or that it could at least not be ruled out that the measures would be contrary to their interests (for two companies).

Almost all suppliers had expressed concerns about losing business should the existence of the CFL-i manufacturing in the Community be at stake. It was therefore concluded that measures would be in the interest of suppliers'.

The impact on the importers and retailers appeared to be mixed. Whilst they mostly expressed opposition to measures, it was also acknowledged that repeal of measures could mean that B-grade lamps that are central to the business of the importers may have difficulties in competing.

In the Community interest context, opposing arguments were submitted on the issues of coherence with the Community energy saving policies. Some parties argued that measures suppress the sales of energy saving lamps and are therefore contrary to such Community policies, while another party argued that the Chinese-produced lamps contain more mercury and as a result have a greater negative effect on the environment. In this context, it was noted that anti-dumping measures are aimed at addressing unfair competitive advantages resulting from practices of dumping of imports to the Community. The existence of other Community policies, as such, would therefore not preclude the imposition and continuation of duties should these be needed. Nonetheless, the investigation showed that there had been an increase in demand by European consumers – probably due to their interest in reducing their energy expenditure and contributing to sustainable development. Given that the measures in force had a significant impact on the retail prices of the product in the Community, some consumers may not have been able to make the switch from incandescent lamps to the product concerned. The background fact of the Community policies that aim to foster the use of energy saving lamps reinforced these arguments. It was therefore considered that continuation of the measures would pose a significant burden on consumers in the medium and long term. Furthermore, although the measures in place had not been detrimental to imports, it was considered that in the medium term, the impact on supply from a continuation of measures may be more significant.

Overall, the interest of the one producer (representing a substantial proportion of Community production) had to be balanced against substantial considerations that led to the conclusion that it was in the Community interest to discontinue the measures. The Community industry was itself heavily reliant on imports from the PRC to meet demand, which is expanding rapidly. Some Community producers themselves did not favour a continuation of the measures, and the measures had been shown to have a significant impact on consumer prices and hence on the choices made by consumers as to whether to buy CFL(i) or less efficient incandescent lamps.

It was therefore concluded that the overall balance of the relevant interests lay in discontinuing the measures. However, in light of the considerations noted above regarding the interests of the producer who was supporting continuation, when weighing them against the interests at stake and in particular those of the other producers in the Community, it was in the short term interest of the Community to continue the measures for a further adjustment period. It was therefore appropriate that the measures be maintained only for one year before they lapse. After this the likely negative effects on consumers and other operators would be disproportionate to the benefits which Community manufacturers would derive from the measures.

#### Measures

The measures previously in force, ranging from 0% to 66,1% were therefore maintained for a further year.

### 9.2.1.3. Reviews concluded by termination

During 2007, 3 expiry reviews were concluded by termination. It should be noted that some expiry reviews may be carried out in parallel with interim reviews. These reviews are marked with an asterisk.

The alphabetical list of cases which were concluded by termination during 2007, together with the result of the investigation, can be found below. More information can be obtained from the Official Journal to which reference is given in Annex F.

<b>Product (type of investigation<sup>23</sup>)</b>	<b>Originating from</b>	<b>Main reason for termination</b>
Steel Ropes and cables* (AD)	Thailand* Turkey*	No risk of recurrence of dumping
Urea (AD)	Russia	No likelihood of recurrence of injury

Details on the cases (in chronological order)

#### 1. Urea originating in Russia

The expiry review was initiated in May 2006 following a request lodged by the European Fertiliser Manufacturers Association (EFMA) on behalf of producers representing a major proportion, in this case more than 50 %, of the total Community production of urea.

The product concerned, i.e. urea originating in Russia, is produced mainly from ammonia, which in turn is produced from natural gas. It can be used for agricultural and industrial purposes.

#### Dumping

From five Russian exporting producers which cooperated in the investigation a sample of four exporting producers was selected in accordance with Article 17 of the basic Regulation. They represented 48 % of exports of urea originating in Russia to the Community during the IP of the review.

The investigation showed that dumping took place during the review IP mostly at a lower level than in the previous expiry review investigation. The dumping margins, expressed as a percentage of the CIF Community frontier price, duty unpaid, are nevertheless substantial, i.e. in the range of 6 % to 23 %.

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<sup>23</sup> AD = anti-dumping investigation; AS = anti-subsidy investigation; AD + AS = parallel anti-dumping and anti-subsidy investigation

### Likelihood of Continuation of Dumping

The investigation revealed that since 2003, Russian export prices of urea to the Community, albeit dumped, have been significantly above the MIP of EUR 115 per tonne which was in force during the review. Moreover, during the review IP, average Russian export prices have been 68 % above the MIP.

This led to the conclusion that the measures in force had no impact on either prices or quantities of exports of urea originating in Russia which have remained at a relatively stable level over the period considered. As a consequence, it was considered unlikely that there would be an impact on prices or quantities of exports of urea originating in Russia should measures be repealed.

Examination of other factors such as, the possible effects of existing Russian spare capacity and possible new capacity as well as the likelihood of redirection of other sales to the Community did not affect the above conclusion.

### Situation on the Community market and likelihood of recurrence of injury

From nine cooperating Community producers, accounting for around 60% of the total Community production during the RIP, a sample consisting of four companies was selected.

Between 2002 and the IP of the review, the market share of the Community industry decreased slightly, as did its sales volume on the Community market. However, the overall financial situation of the Community industry has overwhelmingly improved during the period considered. Most of the indicators examined showed significant improvement: profitability of the sampled producers increased considerably, exceeding significantly the level of profitability set as a target profit in the original investigation. In addition return on investment and cash-flow increased. Production volume of the Community industry remained stable. Sales prices of the sampled producers evolved positively over the whole period considered. Wages developed moderately and the Community industry continued to invest.

Besides, it was established that imports from Russia were not undercutting the prices of the Community industry and that consequently, the impact on the Community industry of the magnitude of the actual dumping margin of dumping found in the review IP was not significant.

Therefore, it was concluded that there was no continuation of material injury to the Community industry and that there is no likelihood of recurrence of injury should the measures be removed.

The review was terminated by repealing the anti-dumping duty on imports of urea originating in Russia.

## 2. Steel ropes and cables originating in Thailand and Turkey

The expiry review was initiated in August 2006, following a request lodged by the Liaison Committee of EU Wire Ropes Industries (EWRIS), on behalf of producers representing more than 50 %, of the total Community production of certain iron and

steel ropes and cables. The review was combined with several partial interim reviews and it covered also other countries which are not subject of this presentation.

The product concerned is ropes and cables (SWR), including locked coil ropes, of iron or steel but not stainless steel, with a maximum cross-sectional dimension exceeding 3 mm, with attached fittings or not, originating in the countries concerned.

### Dumping

#### *Thailand*

Out of the three known producers of SWR in Thailand, one company, representing almost 100 % of Thailand's total exports to the Community during the review IP cooperated in the investigation. Exports by the cooperating company to the Community were at a very low level during the review IP and were subject to a price undertaking.

The comparison of the weighted average normal value with the weighted average export prices, at the same level of trade, for this company showed the existence of relatively low dumping during the IP, compared to the original investigation. The weighted average dumping margin expressed as a percentage of the CIF value at the Community frontier was 7,6 %.

#### *Turkey*

Both known exporting producers of SWR in Turkey cooperated in the expiry review investigation, accounting for 100 % of EU exports from Turkey.

The comparison of the average export price with the normal value for each type of the product concerned showed the existence of dumping for only one exporter in Turkey, and a de minimis margin for the other. The dumping margin expressed as a percentage of the CIF value at the Community frontier was 33,6 % for the said exporter.

### Likelihood of Continuation of Dumping

It was concluded that there was no likelihood of recurrence or continuation of dumping for imports of SWR originating in Thailand and Turkey even if measures were repealed.

In the case of *Turkey*, the main argument which contributed to the above conclusion was that the share of dumped imports from Turkey on the Community market was less than 0,5 % of which 10% were not even in competition with Community production, because it concerned product types not manufactured by the Community industry.

In the case of *Thailand*, the investigation showed that the sales volumes of the cooperating exporting producer were extremely low, since it focuses on several export markets other than the Community. Therefore, it was considered unlikely that the cooperating exporting producer in Thailand would export large quantities to the Community market, even if measures were repealed. It was also noted that the

exporting producer respected the price undertaking and that it sold at prices above the agreed minimum prices on many occasions.

#### Situation on the Community market and likelihood of recurrence of injury

A sample of 5 companies was selected from 22 cooperating Community producers accounting together for 87% of the total Community production of SWR.

A price undercutting of 24% was found for dumped imports from Turkey, whereas the level of undercutting of imports originating in Thailand was found to be around 1%.

The investigation showed that since the imposition of anti-dumping measures on SWR the Community industry managed to improve its economic situation. Most injury factors such as sales volume, production and production capacity, productivity increased. However, although the situation of the Community industry improved as compared to the period preceding the imposition of measures, it was still found to be fragile.

The investigation also revealed that imports from countries not subject to anti-dumping measures as well as from other countries subject to anti-dumping measures increased significantly compared to the imports from Thailand and Turkey which remained more or less stable.

#### Termination of the review and repeal of the measures

In light of the findings as regards Thailand and Turkey, and the absence of any indications of risk for recurrence of dumping in the future, anti-dumping measures against imports of SWR originating in these countries were repealed.

#### 9.2.2. *Interim reviews*

Article 11(3) and Article 19 of the basic Regulations provide for the review of measures during their period of validity on the initiative of the Commission, at the request of a Member State or, provided that at least one year has elapsed since the imposition of the definitive measure, following a request containing sufficient evidence by an exporter, an importer or by the Community producers. In carrying out the investigations, it is being considered, *inter alia*, whether the circumstances with regard to dumping/subsidization and injury have changed significantly. Reviews can be limited to dumping/subsidization or injury aspects.

During 2007, a total of 24 interim reviews were initiated. 11 interim reviews were concluded with confirmation or amendment of duty and 7 investigations were concluded by terminating the measures. The alphabetical list of cases which were concluded during 2007 by confirming or amending the duties, together with the result of the investigation, can be found below. It should be noted that some interim reviews may be carried out in parallel with expiry reviews, which allow the amendment of the duty rates. In such case, these reviews are marked with an asterisk. More information can be obtained from the Official Journal to which reference is given in Annex G.

<b>Product</b>	<b>Originating from</b>	<b>Result of the investigation/ Type<sup>24</sup> and level of measure</b>
Hand pallet trucks and their essential parts	P.R. China	Termination of the AD review with no change to the duties
Lamps	P.R. China	Termination of the AD review with no change to the duties
PET film	India	Termination of the AD review with no change to the duties
Polyester staple fibres	Belarus P.R. China Saudi Arabia Korea (Rep. of)	Termination of the AD review with no change to the duties
Polyethylene terephthalate (PET)	Korea (Rep. of)  Taiwan	Reduction of the AD duties for 1 company. Remainder unchanged Reduction of AD duty for 2 companies – increase of all others rate
Polyethylene terephthalate (PET) film (AS)	India	Amendment of the AS duties for individual companies as well as 'all others' rate
Steel ropes and cables	Russia	Reduction of the AD duties for two individual companies - 'all others' rate unchanged

### 9.2.3. “Other” interim reviews

A series of other reviews, not falling under Article 11(3) or Article 19 of the basic Regulations or for which no notice of initiation was published in the Official Journal, were concluded during 2007.

A list of the cases concerned is given in Annex H which shows, in footnotes, the main issues concerned. More information can be obtained from the Official Journal to which reference is given in the Annex .

### 9.2.4. New exporter reviews

As far as anti-dumping measures are concerned, Article 11(4) of the basic Regulation allows for a review ("newcomer" review) to be carried out in order to determine individual margins of dumping for new exporters located in the exporting country in question which did not export the product during the investigation period.

Such parties have to show that they are genuine new exporters, i.e. that they are not related to any of the exporters or producers in the exporting country, which are

<sup>24</sup> AD = anti-dumping, AS = anti-subsidy, UT = undertaking.



subject to the anti-dumping measures, and that they have actually started to export to the Community following the investigation period, or that they have entered into an irrevocable contractual obligation to export a significant quantity to the Community.

When a review for a new exporter is initiated, the duties are repealed with regard to that exporter, though its imports are made subject to registration under Article 14(5) of the basic Regulation in order to ensure that, should the review result in a determination of dumping in respect of such an exporter, anti-dumping duties may be levied retroactively to the date of the initiation of the review.

As far as anti-subsidy measures are concerned, Article 20 of the basic Regulation allows for a review ("accelerated" review) to be carried out in order to establish promptly an individual countervailing duty. Any exporter whose exports are subject to a definitive countervailing duty but who was not individually investigated during the original investigation for reasons other than a refusal to co-operate with the Commission can request such review.

In 2007, 2 new exporter reviews were initiated. Since the Commission carried out the first reviews of this type in 1990, a total of 53 investigations have been initiated. There were no new exporter reviews concluded during 2007.

More information can be obtained from the Official Journal to which reference is given in Annex I.

#### 9.2.5. *Absorption investigations*

Where there is sufficient information showing that, after the original investigation period and prior to or following the imposition of measures, export prices have decreased or that there has been no or insufficient movement in the resale prices or subsequent selling prices of the imported product in the Community, an "absorption" review may be opened to examine whether the measure has had effects on the above-mentioned prices. Dumping margins may as such be recalculated and the duty increased to take account of such lower export prices. The possibility of "absorption" reviews is included in Articles 12 and 19(3) of basic Regulations.

In 2007, there were no anti-absorption investigations initiated. 1 such investigation was concluded with an increase of the duty.

More information can be obtained from the Official Journal to which reference is given in Annex J.

#### 9.2.6. *Circumvention investigations*

The possibility of investigations being re-opened in circumstances where evidence is brought to show that measures are being circumvented was introduced by Article 13 and Article 23 of the basic Regulations.

Circumvention is defined as a change in the pattern of trade between third countries and the Community which stems from a practice, process or work for which there is insufficient due cause or economic justification other than the imposition of the duty. The duties may be extended to imports from third countries of like products, or parts thereof, if circumvention is taking place.

In 2007, 4 anti-circumvention investigations were initiated. 3 such investigations were concluded, 1 with an extension of the duty and 2 without. More information can be obtained from the Official Journal to which reference is given in Annex K.

### **9.3. Safeguard investigations**

Safeguard measures have always been and remain an exceptional instrument which the Commission would only apply in truly exceptional circumstances. Indeed, they are only used where it is clear that, applying the highest standards, such measures are necessary and justified because, due to unforeseen circumstances, there has been a surge in imports and this has caused or threatens to cause serious damage to the Community industry.

The Commission expects the Community's commercial partners to follow a similarly strict approach. However, more and more countries are adopting safeguard measures, often in circumstances which do not appear to be entirely in line with Article XIX of the GATT 1994, the WTO Agreement on Safeguards and other WTO rules. Consequently, the activities of the Commission in relation to safeguards is more and more driven towards the defence of the export interests of Community producers, if necessary at WTO level.

As regards conventional trade regimes, the Commission has agreed within the various bilateral agreements to which it is a party (Europe Agreements, Agreements with Mediterranean countries, Free Trade Agreements with South Africa, Mexico, Chili, etc.) to introduce special safeguard clauses, which apply to cases, which arise between the partners. These clauses normally entail rights and obligations additional to those arising under WTO safeguard rules (in particular special notification and consultation procedures). In this regard, the Commission carefully monitors any cases, which are initiated by partners with which it has a preferential trade agreement.

At the start of 2007 only one safeguard measure was in place concerning imports of certain prepared or preserved citrus fruits (Satsuma's). This measure expired in November 2007 so that at the end of the year the European Community had no safeguard measures in place.

#### *9.3.2. Safeguard measures on certain prepared or preserved citrus fruits (satsumas)*

Definitive safeguard measures on imports of satsumas in the form of a tariff quotas, which had originally been imposed in 2004, expired in November 2007.

## **10. ENFORCEMENT OF ANTI-DUMPING/COUNTERVAILING MEASURES**

Globalisation of trade led to greater possibilities for circumventing or otherwise reducing the effectiveness of anti-dumping and countervailing measures. To address this problem, throughout 2007 the TDI services continued their follow-up activities aimed at ensuring that measures were effectively enforced. In the framework of an integrated approach measures were considered in all their forms - duties and undertakings – and synergy was sought between the TDI services and enforcement-oriented services (OLAF, DG Taxud and customs authorities in Member States).

## 10.1. Follow-up of measures

The follow-up activities concerning measures in force are centred on four main areas: (1) to pre-empt fraud, by defining risk-related areas, alerting customs authorities and assessing the feedback from customs and economic operators; (2) to monitor trade flows and market developments; (3) to improve the effectiveness with the appropriate instruments (new investigation, interim review, newcomer review, contact with national administrations) and (4) to react to irregular practices by enhancing the co-operation with enforcement-related services (OLAF and national customs) and by initiating anti-absorption or anti-circumvention investigations.

## 10.2. Monitoring of undertakings

Monitoring of undertakings forms part of the enforcement activities, since undertakings are a form of anti-dumping or countervailing measure. They are accepted by the Commission if it is established that they can effectively eliminate the injurious effects of dumping or subsidisation. To achieve this goal, exporters normally pledge to raise their prices. The necessary price increase stems from the findings of the investigation and directly depends on the level of dumping or subsidisation found, or on the injury elimination level, whichever is the lower.

In order to allow the Commission to monitor whether or not the undertakings are being respected, the parties concerned have to submit regular sales reports, normally every quarter. They also have to provide the Commission with any other information that is considered necessary, and to allow verification of such data and any other relevant information at their premises, even at short notice.

In addition, continued contacts with the Community industry are essential to ensure that the necessary feedback is received on the effects of the undertakings on the market. In this way, the Commission can focus its monitoring activities more effectively.

At the beginning of 2007, there were undertakings in force accepted from 43 companies, covering 12 products originating in 11 different countries.

During 2007, the following changes took place:

Undertakings of 8 companies came to an end:

- two companies were found to breach their undertakings and therefore the Commission withdrew the acceptance of their undertakings and the applicable anti-dumping duties became payable (steel wire ropes originating in South Africa – 1 company; magnesia bricks originating in the People's Republic of China – 1 company);
- the acceptance of one company' undertaking was withdrawn because the undertaking was no longer appropriate to counteract the injurious effect of dumping (steel wire ropes originating in Russia – 1 company);
- the undertaking of one company was repealed since the measures concerning that country were repealed as a result of a interim review (steel wire ropes originating in Thailand – 1 company);

- the undertaking of one company was repealed since the measures for that company were repealed as a consequence of a judgement of the Court of First Instance of the European Communities (silicon originating in Russia – 1 company)
- undertakings of three companies expired due to the enlargement of the EU on 1 January 2007 (seamless pipes and tubes originating in Romania – 3 companies).

In addition, 3 offers for undertakings have been accepted:

- in two new proceedings, undertakings of 3 companies were accepted (sweet corn originating in Thailand – 2 companies; ferrosilicon originating in the former Yugoslav Republic of Macedonia – 1 company);

This brings the total number of undertakings in force at the end of 2007 to 38, covering 12 products originating in 10 different countries. Details concerning the above can be found in Annex M and an overview of all undertakings in force can be found in Annex Q.

As undertakings have to provide the same remedial effect as the alternative duties would do, the examination, adaptation and drafting of undertaking offers have to be based on a double assessment of risk and effectiveness. This has led to situations in which undertakings were not considered to be acceptable, notably where the trading patterns of the company allow too much scope for cross-compensation (i.e. the price increase charged for products subject to the undertaking being compensated through the granting of rebates on products not subject to the undertaking, if sold to the same customer in the Community) or where the product concerned was not suitable for a price undertaking (i.e. high price fluctuations of the product concerned which cannot be explained by the fluctuation in the price of the raw material and thus does not allow to index the minimum import prices) .

## **11. REFUNDS**

Article 11(8) of the basic anti-dumping Regulation and Article 21 of the basic anti-subsidy Regulation allow importers to request the reimbursement of collected duties where it is shown that the dumping or subsidy margin, on the basis of which duties were paid, has been eliminated, or reduced to a level below that of the duty in force.

Eight new refund requests were lodged during 2007. During the year five cases were closed; no full or partial refund was granted and 3 refund requests were rejected by decision. 2 other requests were withdrawn. Further details on refunds can be found in Annex U.

## **12. JUDICIAL REVIEW: DECISIONS GIVEN BY THE COURT OF JUSTICE / COURT OF FIRST INSTANCE**

### **12.1. Overview of the judicial reviews in 2007**

In 2007, the Court of Justice (COJ) and the Court of First Instance (CFI) rendered 1 judgment each relating to the areas of anti-dumping or anti-subsidy. The COJ also issued 1 order removing a case from the register and the CFI issued 3 orders removing cases from the register.

### **12.2. Cases pending**

A list of the anti-dumping/anti-subsidy cases before the CFI and the Court of Justice still pending at the end of 2007 is given in Annex S ( 34 before the CFI and 7 before the CoJ).

### **12.3. New cases**

10 new cases (aside from applications for leave to intervene or appeals against not being allowed to intervene) were lodged in 2007 (compared to 19 in 2006 and around 5 or 6 in the preceding years), all before the CFI.

### **12.4. Judgments rendered by the Court of First Instance**

One judgment relating to the anti-dumping or anti-subsidy areas was rendered by the Court of First Instance (CFI). The CFI also issued three orders removing cases from the register for reasons of inadmissibility or because the proceedings were discontinued by the applicant or the application withdrawn.

#### *12.4.1. Silicon originating in Russia – T-107/04 – Aluminium Silicon Mill Products GmbH v Council of the European Union: Judgment of 14<sup>th</sup> March 2007 (OJ C 95 of 28.04.2007, p.37)*

The applicant was a Swiss company importing silicon from two Russian producers. It challenged Council Regulation (EC) No 2229/2003 which imposed a definitive duty on imports of silicon originating in Russia on several grounds. In particular, it alleged that the institutions committed a manifest error of assessment in (i) finding material injury; and (ii) finding a causal link between the dumped imports and the material injury found.

The Court concentrated its analysis on the two grounds set out above and agreed with the applicant that the institutions did indeed commit manifest errors of assessment. With regard to material injury, the Court found that the Council erroneously assessed the development of the Community industry's market share during the period under consideration and thus based its finding of the existence of injury on an incorrect premise. Further, the Court found that the Council committed a manifest error of assessment in its analysis of causation. According to the Court, the Council disregarded the effect of the impact of contraction in demand from chemical industry users on the average price charged by the Community industry; that it disregarded the increase in the Community industry's market share and its sales volume during part of the period under consideration; and that it failed to consider the change in its sales structure during the same time.

As a result, the Court annulled the contested Regulation in so far as it imposes an anti-dumping duty on the applicant.

## 12.5. Judgments rendered by the Court of Justice

In 2007, the Court of Justice (COJ) rendered 1 judgment relating to the anti-dumping or anti-subsidy areas and issued 1 order removing a case from the register after the referring court discontinued the proceeding.

### 12.5.1 *Bed Linen originating in Egypt, India and Pakistan – C-351/04 – Ikea Wholesale Ltd. v. Commissioners of Customs & Excise [reference for a preliminary ruling]: Judgment of 27 September 2007 (C 283, 24.11.2007, p.2)*

This case concerns a reference for a preliminary ruling by the UK Commissioners of Customs & Excise regarding the validity of Council Regulation (EC) N° 2398/97 imposing a definitive anti-dumping duty on imports of bed linen originating in Egypt, India and Pakistan ("the Bed Linen Regulation") and the possibility for an importer to rely on the invalidity of such regulation in order to obtain repayment of duties paid in accordance with the relevant provisions of the Community Customs Code.

The Court's analysis regarding the validity of the "Bed Linen Regulation" was twofold.

The Court first held that the validity of the "Bed Linen Regulation" could not be reviewed in the light of the WTO Anti-Dumping Agreement as subsequently interpreted by the DSB's recommendations. Indeed, it was clear from the subsequent regulations adopted to implement the DSB's recommendations that such implementation was prospective only and excluded any repayment of duties paid under the "Bed Linen Regulation".

Second, the Court held that the "Bed Linen Regulation" was incompatible with the Basic Anti-Dumping Regulation in that it applied "zeroing" per model type for the calculation of the margin of dumping.

Conversely, the Court held that the determination of the Selling, General and Administrative expenses and profit pursuant to Article 2(6)(a) of the Basic AD Regulation may be carried out on the basis of data from a *single* enterprise in spite of the use of the plural in the expression 'other exporters or producers' in Article 2(6)(a). Furthermore, the Court held that in evaluating, for the purpose of the examination of the impact of the dumped imports, only the relevant factors having a bearing on the state of the Community industry as opposed to all the factors listed in Article 3(5) of the Basic AD Regulation, the Community institutions did not exceed the margin of assessment which they are acknowledged to have in the evaluation of complex economic situations<sup>25</sup>.

Lastly, the Court held that an importer which has brought an action before a national court against the decisions by which the collection of anti-dumping duties is claimed from it under a regulation declared invalid is, in principle, entitled to rely on that invalidity in order to obtain repayment of those duties in accordance with Article 236(1) of the Community Customs Code.

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<sup>25</sup> It should be noted that, by contrast, the WTO Appellate Body considered these two practices to be inconsistent with the relevant provisions of the WTO AD Agreement, notably in *European Communities – Anti-Dumping Duties On Imports Of Cotton-Type Bed Linen From India* (WT/DS141/AB/R of 1 March 2001)

### **13. ACTIVITIES IN THE FRAMEWORK OF THE WORLD TRADE ORGANIZATION (WTO)**

#### **13.1. Dispute settlement in the field of anti-dumping, anti-subsidy and safeguards**

##### *13.1.1. Overview of the WTO dispute settlement procedure*

The WTO provides for a rigorous procedure for the settlement of disputes between WTO Members concerning the application of the WTO agreements. The procedure is divided into two main stages. The first stage, at the level of the WTO Members concerned, consists of a bilateral consultation. Upon failure of the consultation, the second stage can be opened by requesting the WTO Dispute Settlement Body to establish a panel. WTO Members, other than the complaining and defending party, with an interest in a given case, can intervene as "third parties" before the panel. The panel issues a report, which can be appealed before the Appellate Body (AB) (each appeal being heard by three members of a permanent seven-member body set up by the Dispute Settlement Understanding). Both the panel report and the report by the Appellate Body are adopted by the Dispute Settlement Body (DSB) unless the latter rejects the report by unanimity.

The findings of a panel or Appellate Body report have to be implemented by the WTO Member whose measures have been found to be inconsistent with the relevant WTO Agreements. If the complaining WTO Member is not satisfied with the way the reports are implemented, it can ask for the establishment of a so-called "implementation panel". Here too, appeal against the findings of the panel is possible.

It should be noted that the anti-dumping, anti-subsidy and safeguards measures are among the most popular subject matters in WTO dispute settlement.

##### *13.1.2. Dispute settlement procedures initiated by third countries against the Community*

###### *13.1.2.2. Norway – farmed salmon*

Anti-dumping measures on farmed salmon from Norway were imposed by the EC in January 2006 in the form of a Minimum Import Price (MIP) of €2,80/kg. A WTO panel proceeding, initiated by Norway in 2006, continued throughout 2007 and culminated in the panel issuing its report, first to the parties, and then on 16 November 2007 to the public.

Norway had challenged the EU measure in extraordinarily numerous claims pertaining to all aspects of the investigation and covering most of the provisions of the Anti-Dumping Agreement. The results of the panel report are a 'mixed bag'.

The EC won on a number of points that are important for its anti-dumping policy and practice – including, for example, the confirmation that sampling is permissible in the context of the injury analysis. A further significant victory for the EC was the panel's rejection of Norway's request for the EC to withdraw the measures. In contrast, most of the points on which the EC lost are of a technical nature or specific to certain Norwegian companies, although certain minor changes regarding the methodology for calculating dumping, for example, may be required.

## **13.2. Other WTO activities**

In 2007, the DDA Negotiating Group on rules continued to meet regularly on an informal basis to discuss the various textual proposals submitted by Members in the three negotiating areas, i.e. anti-dumping, industrial subsidies and fisheries subsidies.

On anti-dumping, proposals relating to affiliated parties, access to information and foreign exchange rates were discussed. In the summer, a proposal submitted by the US and aiming for the reversal of Appellate Body reports prohibiting zeroing was discussed at length, as was a subsequent Egyptian proposal on the same subject submitted in the autumn. The reaction of the vast majority of Members to the US proposal was negative and was a precursor of the strong statements made following the release of the Chair's text in November. In parallel to these meetings, work continued in the subgroup on technical issues, with strong participation of investigating authorities from traditional and new users.

On subsidies to fisheries, the Community continued to advocate a “middle ground” position and a strong enforcement and transparency mechanism that would ensure that any new disciplines are actually implemented. In fact, the issue of enforcement became one of the main discussion topics. At the same time, some major Developing countries expressed increasing concerns about obtaining proper exemption from any new disciplines.

On industrial subsidies, the discussions focused to a large extent on the subsidisation practices addressed by the EU in its textual proposal of April 2006 (i.e. subsidies in the form of below cost financing and discrimination in favour of domestic industries). An increasing number of WTO members showed interest in improving disciplines in these areas.

In November 2007, the Chair of the Negotiating Group issued his first draft text covering anti-dumping, general subsidies and fisheries subsidies. A vast majority of the WTO membership, including the EU, felt that the draft was seriously unbalanced and only reflected the views of a handful of members. This was particularly the case of the anti-dumping and fisheries subsidies draft texts. This led many WTO members, including the EU, to call upon the Chair to produce a revised draft at the earliest possible time.

In parallel to these activities, participation by the Commission services in the regular work of the Anti-dumping, Subsidies and Countervailing and Safeguards Committees continued.

## **14. CONCLUSION**

2007 saw a significant drop in the number of new cases initiated as well as the number of investigations terminated without the imposition of measures. However, the number of measures imposed, both definitive and provisional, remained at a level close to that of 2006. Regarding reviews, there were more initiations in 2007 than in the previous year.



The TDI review process provoked lively debate and generated many submissions from stakeholders during the year. This underlined the need for trade defence instruments to be used in a fair and transparent way while fully respecting the rule of law.

The services continued to carry out investigations rigorously and professionally throughout the year. In this context the creation of an independent Hearing Officer in DG Trade further endorsed the services ongoing commitment to transparency and the rights of interested parties in the process.

## **15. LIST OF ANNEXES**

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# STATISTICS COVERING THE FULL YEAR 2007

## Executive summary

The attached statistics covering the full year 2007 will also be part of the 2007 Annual Report, which will be submitted by the Commission to the European Parliament later this year.

The statistics have not been subject to a detailed analysis but rather give an indication of the evolution of the anti-dumping, anti-subsidy and safeguard activities.

On 31 December 2007, there were 127 anti-dumping and 9 countervailing measures in force. Furthermore, there are undertakings in force from 9 countries covering 10 products. At the end of December, 68 investigations were on-going.

The general trends for 2007 are the following :

### 1. Initiations

A total of 50 investigations were initiated, split up as follows :

- 9 new investigations, of which 0 anti-subsidy (see Annex A)
- 11 expiry reviews (when a measure is about to expire, a review can be initiated on the request by the Community producers. The measure remains in force pending the outcome of such a review.) (see Annex F)
- 24 interim reviews, of which 8 anti-subsidy (the need for the continued imposition of measures may be reviewed on the initiative of the Commission, at the request of a Member State or upon request by any exporter or importer or Community producer, when circumstances have substantially changed) (see Annex G)
- 0 other reviews (see Annex H)
- 2 new exporter review, of which 0 accelerated (see Annex I)
- 0 anti-absorption investigations (see Annex J)
- 4 anti-circumvention investigations (see Annex K)
- 0 safeguard investigations were initiated (see Annex L)

### 2. Measures

- 12 provisional measures were imposed (of which 0 anti-subsidy), involving imports from 3 countries and covering 1 product (see Annex C);
- 12 definitive measures were imposed (of which 0 anti-subsidy), involving imports from 3 countries and covering 5 products (see Annex D);
- the Commission accepted undertakings offered by exporters in 1 case (see Annex M)

- of the expiry reviews, 13 reviews (of which 1 anti-subsidy) were concluded with confirmation of duty (see Annex F)
- of the interim reviews, 11 reviews were concluded with confirmation/ amendment of duty (see Annex G)
- of the other reviews, 8 investigations were concluded confirming/ amending the measures (see Annex H)
- of the new exporter reviews, 0 (of which 0 anti-subsidy) were concluded with imposition/amendment of the duty (see Annex I)
- of the anti-absorption investigations, 1 was concluded with increase of duty (see Annex J)
- of the anti-circumvention investigations, 1 was concluded with extension of duty (see Annex K);
- No definitive safeguard measures were imposed (see Annex L).

### 3. Terminations

- 10 new investigations (of which 1 anti-subsidy) were terminated without the imposition of measures (see Annex E)
- of the expiry reviews, 3 were concluded by termination (see Annex F)
- of the interim reviews, 8 investigations were concluded by termination (see Annex G)
- of the other reviews, 0 were concluded by termination (see Annex H)
- of the new exporter reviews, 0 were concluded by termination (see Annex I)
- of the anti-absorption reinvestigations, 0 were concluded by termination (see Annex J)
- of the anti-circumvention investigations, 2 were concluded without extension of duty/by termination (see Annex K);
- 18 measures (of which 2 anti-subsidy) lapsed (15 measures expired automatically after their 5-year period of imposition and 3 measures lapsed following the enlargement on 1.1.2007) (see Annex N);
- in 1 case, the undertakings expired, lapsed or were repealed together with the measures; in 4 cases, the undertakings were withdrawn or repealed (see Annex M);
- the safeguard measures on citrus fruits expired (see Annex L).

Further information can be found on the Court cases (up till 31.12.2007) (Annex S), on all definitive anti-dumping measures in force on 31.12.2007 (Annex O), on all definitive anti-subsidy measures in force on 31.12.2007 (Annex P), on undertakings in force on 31.12.2007 (Annex Q) and on investigations pending on 31.12.2007 (Annex R).

Please note that those statistics are also available on the following Internet Website :  
[http://europa.eu.int/comm/trade/issues/respectrules/anti\\_dumping/stats.htm](http://europa.eu.int/comm/trade/issues/respectrules/anti_dumping/stats.htm).

## ANNEX A

### New investigations initiated

during the period 1 January – 31 December 2007

#### A. Anti-dumping investigations (chronological by date of publication)

<b>Product</b>	<b>Country of origin</b>	<b>OJ Reference</b>
Citric acid	P.R. China	C 205 04.09.2007, p. 14
Monosodium glutamate	P.R. China	C 206 05.09.2007, p. 20
Welded tubes and pipes, of iron or non-alloy steel	Belarus Bosnia & Herzegovina P.R. China Russia	C 226 26.09.2007, p. 7 corrected by C 294 06.12.2007, p. 21
Citrus fruits	P.R. China	C 246 20.10.2007, p. 15
Iron or steel fasteners	P.R. China	C 267 09.11.2007, p. 31
Flat-rolled products (hot-dipped metallic-coated iron or steel)	P.R. China	C 302 14.12.2007, p. 24

#### B. Anti-subsidy investigations (chronological by date of publication)

<b>Product</b>	<b>Country of origin</b>	<b>OJ Reference</b>
None	-	-



**ANNEX B**

A) New investigations initiated by product sector during the period 2003 – 2007  
(31 December)

<b>Product</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>
Chemical and allied	3	8	3	13	2
Textiles and allied	2	4	1	2	
Wood and paper	1				
Electronics	2		7	5	
Other mechanical engineering	-	2	2	2	
Iron and Steel	-	13	4		6
Others metal	-			9	
Other	-	2	9	5	1
	<b>8</b>	<b>29</b>	<b>26</b>	<b>36</b>	<b>9</b>
Of which anti-dumping	7	29	24	35	9
anti-subsidy	1	0	2	1	0

B) New investigations initiated by country of export during the period 2003 – 2007 (31 December)

Country of origin	2003	2004	2005	2006	2007
Australia	1	-	-	-	
Belarus	-	1	-	-	1
Bosnia & Herzegovina	-	-	-	-	1
China (People's Republic of)	3	9	8	12	6
Croatia	-	-	1	-	
Egypt	-	-	-	1	
Guatemala	-	-	1	-	
Hong Kong	-	-	2	-	
India	2	-	1	2	
Indonesia	-	1	-	-	
Japan	-	-	-	1	
Kazakhstan	-	-	-	2	
Korea (Rep. of)	-	3	1	1	
Macedonia (FYR)	-	-	-	1	
Malaysia	-	1	3	2	
Norway	-	1	-	-	
Pakistan	1	-	1	-	
Philippines	-	1	-	-	
Romania	-	-	2	-	
Russia	-	3	1	2	1
Saudi Arabia	1	-	-	-	
South Africa	-	-	-	1	
Taiwan	-	3	1	3	
Thailand	-	1	2	2	
Turkey	-	-	-	1	
Ukraine	-	-	-	3	
USA	-	2	-	2	
Vietnam	-	3	1	-	
	8	29	26	36	9

## ANNEX C

New investigations concluded by the imposition of provisional duties

during the period 1 January – 31 December 2007

A. Anti-dumping investigations (chronological by date of publication)

<b>Product</b>	<b>Country of origin</b>	<b>Regulation N°</b>	<b>OJ Reference</b>
Peroxosulphates	P.R. China Taiwan USA	Commission Reg. (EC) No 390/2007 11.04.2007	L 97 12.04.2007 p. 6
Dihydromyrcenol	India	Commission Reg. (EC) No 896/2007 27.07.2007	L 196 28.07.2007 p. 3
Ferro-silicon	P.R. China Egypt Kazakhstan Former Yugoslav Republic of Macedonia Russia	Commission Reg. (EC) No 994/2007 28.08.2007	L 223 29.08.2007 p. 1
Polyvinyl alcohol	P.R. China	Commission Reg. (EC) No 1069/2007 17.09.2007	L 243 18.09.2007 p. 23
Manganese dioxides	South Africa	Commission Reg. (EC) No 1066/2007 17.09.2007	L 243 18.09.2007 p. 7
Coke (+ 80 mm)	P.R. China	Commission Reg. (EC) No 1071/2007 18.09.2007	L 244 19.09.2007 p. 3

B. Anti-subsidy investigations (chronological by date of publication)

<b>Product</b>	<b>Country of origin</b>	<b>Regulation N°</b>	<b>OJ Reference</b>
None	-	-	-

## ANNEX D

New investigations concluded by the imposition of definitive duties

during the period 1 January – 31 December 2007

A. Anti-dumping investigations (chronological by date of publication)

<b>Product</b>	<b>Country of origin</b>	<b>Regulation N°</b>	<b>OJ Reference</b>
Tungsten electrodes	P.R. China	Council Reg. (EC) No 260/2007 09.03.2007	L 72 13.03.2007 p. 1
Frozen strawberries	P.R. China	Council Reg. (EC) No 407/2007 16.04.2007	L 100 17.04.2007 p. 1
Ironing boards	P.R. China Ukraine	Council Reg. (EC) No 452/2007 23.04.2007	L 109 26.04.2007 p. 12
Sweet corn (prepared or preserved in kernels)	Thailand	Council Reg. (EC) No 682/2007 18.06.2007	L 159 20.06.2007 p. 14
Saddles	P.R. China	Council Reg. (EC) No 691/2007 18.06.2007	L 160 21.06.2007 p. 1
Peroxosulphates	P.R. China Taiwan USA	Council Reg. (EC) No 1184/2007 09.10.2007	L 265 11.10.2007 p. 1
Dicyandiamide	P.R. China	Council Reg. (EC) No 1331/2007 13.11.2007	L 296 15.11.2007 p. 1
Silico-manganese	P.R. China Kazakhstan	Council Reg. (EC) No 1420/2007 04.12.2007	L 317 05.12.2007 p. 5

B. Anti-subsidy investigations (chronological by date of publication)

<b>Product</b>	<b>Country of origin</b>	<b>Regulation N°</b>	<b>OJ Reference</b>
None	-	-	-

## ANNEX E

New investigations terminated without the imposition of measures

during the period 1 January – 31 December 2007

A. Anti-dumping investigations (chronological by date of publication)

<b>Product</b>	<b>Country of origin</b>	<b>Decision N°</b>	<b>OJ Reference</b>
Pentaerythritol	P.R. China Russia Turkey Ukraine USA	Commission Dec. No 2007/214/EC 03.04.2007	L 94 04.04.2007 p. 55
Polyester staple fibres	Malaysia Taiwan	Commission Dec. No 2007/430/EC 19.06.2007	L 160 21.06.2007 p. 30
Camera systems	Japan	Commission Dec. No 2007/539/EC 04.07.2007	L 198 31.07.2007 p. 32
Silico-manganese	Ukraine	Council Reg. (EC) No 1420/2007 04.12.2007	L 317 05.12.2007 p. 5

B. Anti-subsidy investigations (chronological by date of publication)

<b>Product</b>	<b>Country of origin</b>	<b>Decision N°</b>	<b>OJ Reference</b>
Dihydromyrcenol	India	Commission Dec. No 2007/535/EC 27.07.2007	L 196 28.07.2007 p. 45

## **ANNEX F**

Expiry reviews initiated or concluded  
during the period 1 January – 31 December 2007  
(chronological by date of publication)

<b>Initiated</b>		
<b>Product</b>	<b>Country of origin</b>	<b>OJ Reference</b>
Ammonium nitrate	Russia	C 81 14.04.2007 p. 2
Coumarin	P.R. China	C 103 08.05.2007 p. 15
Powdered activated carbon (PAC)	P.R. China	C 131 13.06.2007 p. 14
Sulphanilic acid (AS)	India	C 171 24.07.2007 p. 14
Sulphanilic acid	P.R. China India	C 171 24.07.2007 p. 18
Tube and pipe fittings, of iron or steel	Korea (Rep. of) Malaysia	C 192 18.08.2007 p. 15
Welded tubes and pipes, of iron or non-alloy steel	Thailand Turkey Ukraine	C 226 26.09.2007 p. 12

<b>Concluded : confirmation of duty</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision No</b>	<b>OJ Reference</b>
Polyethylene terphthalate (PET)	India Indonesia Korea (Rep. of) Malaysia Taiwan Thailand	Council Reg. (EC) No 192/2007 22.02.2007	L 59 27.02.2007 p. 1

Polyethylene terphthalate (PET) (AS)	India	Council Reg. (EC) No 193/2007 22.02.2007	L 59 27.02.2007 p. 34
Ammonium nitrate	Ukraine	Council Reg. (EC) No 442/2007 19.04.2007	L 106 24.04.2007 p. 1
Lamps (integrated electronic compact fluorescent)	P.R. China	Council Reg. (EC) No 1205/2007 15.10.2007	L 272 17.10.2007 p. 1
Steel ropes and cables	Russia	Council Reg. (EC) No 1279/2007 30.10.2007	L 285 31.10.2007 p. 1
PET film	India	Council Reg. (EC) No 1292/2007 30.10.2007	L 288 06.11.2007 p. 1
Lighters	P.R. China Taiwan	Council Reg. (EC) No 1458/2007 10.12.2007	L 326 12.12.2007 p. 1

**Concluded : termination and repeal of the measures**

<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision No</b>	<b>OJ Reference</b>
Urea	Russia	Council Reg. (EC) No 907/2007 23.07.2007	L 198 31.07.2007 p. 4
Steel ropes and cables	Thailand Turkey	Council Reg. (EC) No 1279/2007 30.10.2007	L 285 31.10.2007 p. 1

## **ANNEX G**

Interim reviews initiated or concluded  
during the period 1 January – 31 December 2007  
(chronological by date of publication)

<b>Initiated</b>		
<b>Product</b>	<b>Country of origin</b>	<b>OJ Reference</b>
Urea	Russia	C 23 01.02.2007 p. 8
Grain oriented flat-rolled products of silicon-electrical steel (GOES)	Russia	C 39 23.02.2007 p. 26
Plastic sacks and bags	P.R. China	C 54 09.03.2007 p. 5
Tartaric acid	P.R. China	C 63 17.03.2007 p. 2
CD-Rs (recordable compact disks) (AD)	Taiwan	C 66 22.03.2007 p. 16
CD-Rs (recordable compact disks) (AS)	India	C 66 22.03.2007 p. 16
Steel ropes and cables	Thailand	C 66 22.03.2007 p. 14
Salmon	Norway	C 88 21.04.2007 p. 26
Trout	Norway	C 109 15.05.2007 p. 23
Seamless pipes and tubes	Russia	C 138 22.06.2007 p. 37
Hand pallet trucks and their essential parts	P.R. China	C 184 07.08.2007 p. 11



Polyester staple fibres	Belarus P.R. China Korea (Rep. of) Saudi Arabia	C 202 30.08.2007 p. 4
Polyester textured filament yarn (AS)	India	C 210 08.09.2007 p. 5
Antibiotics (AS)	India	C 212 11.09.2007 p. 10
Welded tubes and pipes, of iron or non-alloy steel	Turkey	C 226 26.09.2007 p. 12
PET (AS)	India	C 227 27.09.2007 p. 16
Sulphanilic acid (AS)	India	C 229 29.09.2007 p. 9
Bed linen (AS)	India	C 230 02.10.2007 p. 5
Graphite electrode systems (AS)	India	C 230 02.10.2007 p. 9
PET film (AS)	India	C 240 12.10.2007 p. 6
Hand pallet trucks	P.R. China	C 308 19.12.2007 p. 15

<b>Concluded : confirmation/amendment of duty</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision No</b>	<b>OJ Reference</b>
Polyethylene terephthalate (PET)	Korea (Rep. of) Taiwan	Council Reg. (EC) No 192/2007 22.02.2007	L 59 27.02.2007 p. 1
Polyethylene terephthalate (PET) film (AS)	India	Council Reg. (EC) No 1124/2007 28.09.2007	L 255 29.09.2007 p. 1

Steel ropes and cables	Russia	Council Reg. (EC) No 1279/2007 30.10.2007	L 285 31.10.2007 p. 1
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<b>Concluded by termination of review/confirmation of duty</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision No</b>	<b>OJ Reference</b>
Polyester staple fibres	Belarus P.R. China Saudi Arabia Korea (Rep. of)	Council Reg. (EC) No 383/2007 04.04.2007	L 96 11.04.2007 p. 1
Hand pallet trucks and their essential parts	P.R. China	Council Reg. (EC) No 452/2007 23.04.2007	L 109 26.04.2007 p. 8
PET film	India	Council Reg. (EC) No 1292/2007 30.10.2007	L 288 06.11.2007 p. 1
Lamps	P.R. China	Council Reg. (EC) No 1419/2007 29.11.2007	L 317 05.12.2007 p. 1

<b>Concluded : termination of measures</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision No</b>	<b>OJ Reference</b>
Urea (2 reviews)	Russia	Council Reg. (EC) No 907/2007 23.07.2007	L 198 31.07.2007 p. 4
Television camera systems	Japan	Council Reg. (EC) No 906/2007 23.07.2007	L 198 31.07.2007 p. 1
Steel ropes and cables	Turkey	Council Reg. (EC) No 1279/2007 30.10.2007	L 285 31.10.2007 p. 1
Steel ropes and cables	Thailand	Council Reg. (EC) No 1279/2007 30.10.2007	L 285 31.10.2007 p. 1
Compact disk recordables	Taiwan	Council Reg. (EC) No 1293/2007 30.10.2007	L 288 06.11.2007 p. 17
Compact disk recordables (AS)	India	Council Reg. (EC) No 1293/2007	L 288 06.11.2007

		30.10.2007	p. 17
Polyester textured filament yarn (PTY) (AS)	India	Termination of review together with the expiry of the measures	C 280 23.11.2007 p. 18

## ANNEX H

Other reviews concluded

during the period 1 January – 31 December 2007

(chronological by date of publication)

<b>Concluded : confirmation/amendment of duty</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision No</b>	<b>OJ Reference</b>
Ferro molybdenum <sup>26</sup>	P.R. China	Council Regulation (EC) No 856/2007 16.07.2007	L 190 21.07.2007 p. 1
Cotton-type bed linen <sup>27</sup>	Pakistan	Council Regulation (EC) No 925/2007 23.07.2007	L 202 03.08.2007 p. 1
Silicon <sup>28</sup>	Russia	Commission Notice	C 188 11.08.2007 p. 5
Plastic sacks and bags <sup>29</sup>	P.R. China Thailand	Council Regulation (EC) No 1356/2007 19.11.2007	L 304 22.11.2007 p. 5
Silico-manganese <sup>30</sup>	China Kazakhstan	Commission Decision No 2007/789/EC 04.12.2007	L 317 05.12.2007 p. 79
Steel ropes and cables <sup>31</sup>	South Africa	Council Reg. (EC) No 1459/2007 10.12.2007	L 326 12.12.2007 p. 18

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<sup>26</sup> Extension of the suspension of the measures

<sup>27</sup> New exporter request in sampling case

<sup>28</sup> Notice following Judgment of the Court of First Instance of the European Communities thereby making certain companies no longer subject to the anti-dumping measures nor bound to the undertaking

<sup>29</sup> New exporter request in sampling case

<sup>30</sup> Suspension of the definitive measures

<sup>31</sup> Amendment following breach of undertaking

## ANNEX I

New exporter reviews initiated or concluded  
during the period 1 January – 31 December 2007  
(chronological by date of publication)

### A. Anti-dumping investigations

<b>Initiated</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/Decision No</b>	<b>OJ Reference</b>
Tartaric acid	P.R. China	Commission Reg. (EC) No 1406/2007 29.11.2007	L 312 30.11.2007 p. 12
Magnesia bricks	P.R. China	Commission Reg. (EC) No 1536/2007 20.12.2007	L 337 21.12.2007 p. 42

<b>Concluded : imposition/amendment of duty</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision No</b>	<b>OJ Reference</b>
None	-	-	-

<b>Concluded : termination of the review / confirmation of duty</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision No</b>	<b>OJ Reference</b>
None	-	-	-

B. Anti-subsidy investigations ("accelerated" investigations)

<b>Initiated</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/Decision No (if applicable)</b>	<b>OJ Reference</b>
None	-	-	-

<b>Concluded : imposition/amendment of duty</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision No</b>	<b>OJ Reference</b>
None	-	-	-

<b>Concluded : termination</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision No</b>	<b>OJ Reference</b>
None	-	-	-

## **ANNEX J**

Anti-absorption investigations initiated or concluded

during the period 1 January – 31 December 2007

(chronological by date of publication)

<b>Initiated</b>		
<b>Product</b>	<b>Country of origin</b>	<b>OJ Reference</b>
None	-	-

<b>Concluded with increase of duty</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision No</b>	<b>OJ Reference</b>
Finished polyester filament fabrics	P.R. China	Council Reg. (EC) No 1087/2007 18.09.2007	L 246 21.09.2007 p. 1

<b>Concluded without increase of duty / termination</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision No</b>	<b>OJ Reference</b>
None	-	-	-

## **ANNEX K**

Anti-circumvention investigations initiated or concluded

during the period 1 January – 31 December 2007

(chronological by date of publication)

<b>Initiated</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision No</b>	<b>OJ Reference</b>
Graphite electrode systems (AD)	India (artificial graphite from India)	Commission Reg. (EC) No 216/2007 28.02.2007	L 62 01.03.2007 p. 16
Graphite electrode systems (AS)	India (artificial graphite from India)	Commission Reg. (EC) No 217/2007 28.02.2007	L 62 01.03.2007 p. 19
Footwear with uppers of leather	P.R. China (Macau SAR)	Commission Reg. (EC) No 1028/2007 05.09.2007	L 234 06.09.2007 p. 3
Ring binder mechanisms	P.R. China (Thailand + slightly modified RBMs from China)	Commission Reg. (EC) No 1434/2007 05.12.2007	L 320 06.12.2007 p. 23

<b>Concluded with extension of duty</b>			
<b>Product</b>	<b>Country of consignment</b>	<b>Regulation No</b>	<b>OJ Reference</b>
Silicon	P.R. China (Rep. of Korea)	Council Reg. (EC) No 42/2007 15.01.2007	L 13 19.01.2007 p. 1



<b>Concluded without extension of duty / termination</b>			
<b>Product</b>	<b>Country of consignment</b>	<b>Regulation No</b>	<b>OJ Reference</b>
Graphite electrode systems (AS)	India	Commission Reg. (EC) No 1228/2007 19.10.2007	L 277 20.10.2007 p. 15
Graphite electrode systems	India	Commission Reg. (EC) No 1229/2007 19.10.2007	L 277 20.10.2007 p. 18

<b>Exemptions granted and/or rejected</b>			
<b>Product</b>	<b>Country of consignment</b>	<b>Regulation No</b>	<b>OJ Reference</b>
None	-	-	-

## ANNEX L

Safeguard investigations initiated and concluded

during the period 1 January – 31 December 2007

(chronological by date of publication)

<b>New investigations initiated</b>		
<b>Product</b>	<b>Country of origin</b>	<b>OJ Reference</b>
None	-	-

<b>New investigations terminated without imposition of measures</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision No</b>	<b>OJ Reference</b>
None	-	-	-

<b>Issue of licences</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision No</b>	<b>OJ Reference</b>
Citrus fruits	P.R. China	Commission Reg. (EC) No 269/2007 14.03.2007	L 75 15.03.2007 p. 6

<b>Safeguard measures which expired</b>		
<b>Product</b>	<b>Country of origin</b>	<b>Date of expiry</b>
Citrus fruits	P.R. China	08.11.2007

## ANNEX M

Undertakings accepted or repealed

during the period 1 January – 31 December 2007

(chronological by date of publication)

<b>Undertakings accepted</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation N°</b>	<b>OJ Reference</b>
Sweet corn (prepared or preserved in kernels)	Thailand	Commission Dec. No 2007/424/EC 18.06.2007	L 159 20.06.2007 p. 42
Ferro-silicon	Former Yugoslav Republic of Macedonia	Commission Reg. (EC) No 994/2007 28.08.2007	L 223 29.08.2007 p. 1

<b>Undertakings withdrawn or repealed</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation N°</b>	<b>OJ Reference</b>
Magnesia bricks	P.R. China	Commission Dec. No 2007/440/EC 25.06.2007	L 164 26.06.2007 p. 32
Steel ropes and cables	Russia Thailand	Commission Dec. No 2007/704/EC 30.10.2007	L 285 31.10.2007 p. 52
Silicon	Russia	Notice No 2007/C 188/05	C 188 11.8.2007 p. 52
Steel ropes and cables	South Africa	Commission Dec. No 2007/814/EC 13.11.2007	L 326 12.12.2007 p. 25

<b>Undertakings which expired/lapsed</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Original measure(s) &amp; OJ Reference</b>	<b>OJ Reference</b>

Seamless pipes and tubes of iron or steel	Romania	Commission Dec. No 2006/441/EC 23.06.2006 corrected by L 242, 05.09.2006, p. 5	Automatic expiry following enlargement on 01.01.2007
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## ANNEX N

Measures which expired / lapsed

during the period 1 January – 31 December 2007

(chronological by date of publication)

### A. Anti-dumping investigations (chronological by date of publication)

<b>Product</b>	<b>Country of origin</b>	<b>Original measure &amp; OJ Reference</b>	<b>Publication</b>
Urea	Bulgaria Romania	Council Reg. (EC) No 92/2002 17.01.2002	Automatic expiry following enlargement on 01.01.2007
Seamless pipes and tubes of iron or steel	Romania	Council Reg. (EC) No 954/2006 27.06.2006	Automatic expiry following enlargement on 01.01.2007
Zinc oxides	P.R. China Vietnam	Council Reg. (EC) No 408/2002 (OJ L 62, 05.03.2002, p. 7) extended to imports of zinc oxides originating in Vietnam and to imports of zinc oxides mixed with silica originating in P.R. China	C 47 01.03.2007 p. 12
Zinc oxides mixed with silica	P.R. China	See above	
Ring binder mechanisms	Indonesia	Council Reg. (EC) No 976/2002 (OJ L 150, 08.06.2002, p. 1)	C 123 05.06.2007 p. 6
Compact disk recordables (CD-Rs)	Taiwan	Council Reg. (EC) No 1050/2002 (OJ L 160, 18.06.2002, p. 2)	C 130 12.06.2007 p. 17

Tube and pipe fittings, of iron or steel	Russia	Council Reg. (EC) No 1514/2002 (OJ L 228, 24.08.2002, p. 1)	C 190 15.08.2007 p. 8
Colour television receivers	P.R. China Korea (Rep. of) Malaysia Thailand	Council Reg. (EC) No 1531/2002 (OJ L 231, 29.08.2002, p. 1)	C 201 29.08.2007 p. 20
Polyester staple fibres	Belarus	Council Reg. (EC) No 1799/2002 (OJ L 274, 11.10.2002, p. 1)	C 238 10.10.2007 p. 21
Polyester filament tow	Belarus	See above	
Polyester textured filament yarn (PTY)	India	Council Reg. (EC) 2093/2002 (OJ L 323, 28.11.2002, p. 1)	C 280 23.11.2007 p. 18

B. Anti-subsidy investigations (chronological by date of publication)

<b>Product</b>	<b>Country of origin</b>	<b>Original measure &amp; OJ Reference</b>	<b>Publication</b>
Ring binder mechanisms	Indonesia	Council Reg. (EC) No 977/2002 (OJ L 150, 08.06.2002, p. 17)	C 123 05.06.2007 p. 6
Polyester textured filament yarn (PTY)	India	Council Reg. (EC) 2094/2002 (OJ L 323, 28.11.2002, p. 21)	C 280 23.11.2007 p. 18

## ANNEX O

Definitive anti-dumping measures in force on 31 December 2007

### A. Ranked by product (alphabetical)

<b>Product</b>	<b>Origin</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
Ammonium nitrate	Russia	Duties	Council Reg. (EC) No 658/2002 15.04.2002 as last amended by Council Reg. (EC) No 945/2005 21.06.2005	L 102 18.04.2002 p. 1  L 160 23.06.2005 p. 1
	Ukraine	Duties (2 years)	Council Reg. (EC) No 442/2007 19.04.2007	L 106 24.04.2007 p. 1
Barium carbonate	P.R. China	Duties	Council Reg. (EC) No 1175/2005 18.07.2005 corrected by L 181, 04.07.2006, p. 111	L 189 21.07.2005 p. 15
Bed linen (cotton-type)	Pakistan	Duties	Council Reg. (EC) No 397/2004 02.03.2004 as last amended by Council Reg. (EC) No 925/2007 03.08.2007	L 66 04.03.2004 p. 1  L 202 03.08.2007 p. 1
Bicycles	P.R. China	Duties	Council Reg. (EC) No 1524/2000 10.07.2000 and extended to bicycle parts by Council Reg. (EC) No 71/97 10.01.97 as last amended by Council Reg. (EC) No 1095/2005 12.07.2005	L 175 14.07.2000 p. 39  L 16 18.01.97 p. 1  L 183 14.07.2005 p. 1
	Vietnam	Duties	Council Reg. (EC) No 1095/2005 12.07.2005	L 183 14.07.2005 p. 1
Bicycle parts (extension to bicycles)	P.R. China	Duties	Council Reg. (EC) No 71/97 10.01.97	L 16 18.01.97 p. 1



Castings	P.R. China	Duties	Council Reg. (EC) No 1212/2005 25.07.2005 as last amended by Council Reg. (EC) No 268/2006 14.02.2006	L 199 29.07.2005 p. 1  L 47 17.02.2006 p. 3
		Undertakings	Commission Dec. No 2006/109/EC 19.01.2006 corrected by L 95, 04.04.2006, p. 12	L 47 17.02.2006 p. 59
Chamois leather	P.R. China	Duties	Council Reg. (EC) No 1338/2006 08.09.2006	L 251 14.09.2006 p. 1
Coumarin	P.R. China India (ext.) Thailand (ext.) Indonesia (ext.) Malaysia (ext.)	Duties	Council Reg. (EC) No 769/2002 07.05.2002 as last amended by Council Reg. (EC) No 1854/2003 20.10.2003 and extended as concerns China to imports consigned from India and Thailand by Council Reg. (EC) No 2272/2004 22.12.2004 and extended as concerns China to imports consigned from Indonesia and Malaysia by Council Reg. (EC) No 1650/2006 07.11.2006	L 123 09.05.2002 p. 1  L 272 23.10.2003 p. 1  L 396 31.12.2004 p. 18
		Undertaking	Commission Dec. No 2005/3/EC 03.01.2005	L 311 10.11.2006 p. 1  L 1 04.01.2005 p. 15
Dicyandiamide	P.R. China	Duties	Council Reg. (EC) No 1331/2007 13.11.2007	L 296 15.11.2007 p. 1
Ethanolamines	USA	Duties (2 years)	Council Reg. (EC) No 1583/2006 23.10.2006	L 294 25.10.2006 p. 2
Ferro molybdenum	P.R. China	Duties (suspended until	Council Reg. (EC) No 215/2002 28.01.2002	L 35 06.02.2002 p. 1

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Footwear with uppers of leather	P.R. China Vietnam	Duties (2 years)	Council Reg. (EC) No 1472/2006 05.10.2006	L 275 06.10.2006 p. 1
Furfuraldehyde	P.R. China	Duties	Council Reg. (EC) No 639/2005 25.04.2005	L 107 28.04.2005 p. 1
Furfuryl alcohol	P.R. China	Duties	Council Reg. (EC) No 1905/2003 27.10.2003	L 283 31.10.2003 p. 1
Glyphosate	P.R. China Malaysia (ext) Taiwan (ext)	Duties	Council Reg. (EC) No 1683/2004 24.09.2004 extended to such imports consigned from Malaysia & Taiwan	L 303 30.09.2004 p. 1
Grain oriented flat-rolled products of silicon-electrical steel (small + big)	Russia USA	Duties	Council Reg. (EC) No 1371/2005 19.07.2005	L 223 27.08.2005 p. 1
	Russia USA	Undertakings	Commission Dec. No 2005/622/EC 05.08.2005	L 223 27.08.2005 p. 42
Granular polytetrafluoro- ethylene (PTFE)	P.R. China Russia	Duties	Council Reg. (EC) No 1987/2005 02.12.2005	L 320 08.12.2005 p. 1
Graphite electrode systems	India	Duties	Council Reg. (EC) No 1629/2004 13.09.2004	L 295 18.09.2004 p. 10
Hand pallet trucks and their essential parts	P.R. China	Duties	Council Reg. (EC) No 1174/2005 18.07.2005	L 189 21.07.2005 p. 1
Ironing boards	P.R. China Ukraine	Duties	Council Reg. (EC) No 452/2007 23.04.2007	L 109 26.04.2007 p. 12
Lamps (integrated electronic compact fluorescent)	P.R. China Pakistan (ext.) Philippines (ext.) Vietnam (ext.)	Duties (1 year)	Council Reg. (EC) No 1205/2007 15.10.2007	L 272 17.10.2007 p. 1
Lever arch mechanisms	P.R. China	Duties	Council Reg. (EC) No 1136/2006 24.07.2006	L 205 27.07.2006 p. 1
Lighters (non-refillable and refillable)	P.R. China Taiwan	Duties	Council Reg. (EC) No 1458/2007 12.12.2007	L 326 12.12.2007 p. 1
Magnesia (deadburned)	P.R. China	Duties	Council Reg. (EC) No 716/2006 05.05.2006	L 125 12.05.2006 p. 1
Magnesia bricks	P.R. China	Duties	Council Reg. (EC) No 1659/2005 06.10.2005	L 267 12.10.2005 p. 1
Magnesium oxide (caustic	P.R. China	Duties	Council Reg.	L 131

magnesite)			(EC) No 778/2005 25.05.2005	25.05.2005 p. 1
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Okoumé plywood	P.R. China	Duties	Council Reg. (EC) No 1942/2004 02.11.2004	L 336 12.11.2004 p. 4
Para-cresol	P.R. China	Duties	Council Reg. (EC) No 1656/2003 11.09.2003	L 234 20.09.2003 p. 1
Peroxosulphates	P.R. China Taiwan USA	Duties	Council Reg. (EC) No 1184/2007 09.10.2007	L 265 11.10.2007 p. 1
Plastic sacks and bags	P.R. China Thailand	Duties	Council Reg. (EC) No 1425/2006 25.09.2006 corrected by L 49, 18.02.2007, p. 36 and by L 233, 05.09.2007, p. 7 as last amended by Council Regulation (EC) No 1356/2007 19.11.2007	L 270 29.09.2006 p. 4  L 304 22.11.2007 p. 5
Polyester filament fabrics (finished)	P.R. China	Duties	Council Reg. (EC) No 1487/2005 12.09.2005 as last amended by Council Reg. (EC) No 1087/2007 18.09.2007	L 240 16.09.2005 p. 1  L 246 21.09.2007 p. 1
PET (polyethylene terephthalate)	India Indonesia Korea (Rep. of) Malaysia Taiwan Thailand  India Indonesia	Duties  Undertakings	Council Reg. (EC) No 192/2007 22.02.2007 corrected by L 215, 18.08.2007, p. 27	L 59 27.02.2007 p. 1
	Australia P.R. China  Australia	Duties  Undertakings	Council Reg. (EC) No 1467/2004 13.08.2004 as last amended by Council Reg. (EC) No 2167/2005 20.12.2005  Commission Dec. No 2004/600/EC 04.08.2004	L 271 19.08.2004 p. 1  L 345 28.12.2005 p. 11  L 271 19.08.2004 p. 38

PET (polyethylene terephthalate) film	India Brazil (ext.) Israel (ext.)	Duties	Council Reg. (EC) No 1292/2007 30.10.2007 and extended to imports consigned from Brazil and from Israel by the same Regulation	L 288 06.11.2007 p. 1
Polyester staple fibres	Korea (Rep. of)	Duties	Council Reg. (EC) No 2852/2000 22.12.2000 as last amended by Council Reg. (EC) No 428/2005 17.03.2005	L 332 28.12.2000 p. 17  L 71 17.03.2005 p. 1
	P.R. China Saudi Arabia	Duties	Council Reg. (EC) No 428/2005 10.03.2005 as last amended by Council Reg. (EC) No 1333/2005 09.08.2005	L 71 17.03.2005 p. 1  L 211 13.08.2005 p. 1
Potassium chloride	Belarus Russia  Russia	Duties  Undertakings	Council Reg. (EC) No 1050/2006 11.07.2006  Commission Dec. No 2005/802/EC 17.10.2005 as last amended by Commission Dec. No 2006/557/EC 08.08.2006	L 191 12.07.2006 p. 1  L 302 19.11.2005 p. 79  L 218 09.08.2006 p. 22
Powdered activated carbon	P.R. China	Duties	Council Reg. (EC) No 1011/2002 10.06.2002 as last amended by Council Reg. (EC) No 931/2003 26.05.2003	L 155 14.06.2002 p. 1  L 133 29.05.2003 p. 36
Refrigerators (side-by-side)	Korea (Rep. of)	Duties	Council Reg. (EC) No 1289/2006 25.08.2006	L 236 31.08.2006 p. 11
Ring binder mechanisms	P.R. China Vietnam (ext.) Laos (ext.)	Duties (4 years)	Council Reg. (EC) No 2074/2004 29.11.2004 extended to imports from Vietnam by Council Reg. (EC) No 1208/2004 28.06.2004 and extended to	L 359 04.12.2004 p. 11  L 232 01.07.2004 p. 1

			imports from Laos by Council Reg. (EC) No 33/2006 09.01.2006	L 7 12.01.2006 p. 1
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Saddles	P.R. China	Duties	Council Reg. (EC) No 691/2007 18.06.2007	L 160 21.06.2007 p. 1
Salmon	Norway	Duties	Council Reg. (EC) No 85/2006 17.01.2006	L 15 20.01.2006 p. 1
Seamless pipes and tubes of iron or steel	Croatia Russia Ukraine	Duties	Council Reg. (EC) No 954/2006 27.06.2006	L 175 29.06.2006 p. 4
Silico-manganese	P.R. China Kazakhstan	Duties (suspended until 06.09.2008)	Council Reg. (EC) No 1420/2007 04.12.2007	L 317 05.12.2007 p. 5
Silicon carbide	P.R. China	Duties	Council Reg. (EC) No 1264/2006 21.08.2006	L 232 25.08.2006 p. 1
Silicon	P.R. China Korea (Rep. of) (ext.)	Duties	Council Reg. (EC) No 398/2004 02.03.2004 extended to imports of silicon consigned from the Republic of Korea by Council Reg. (EC) No 42/2007 15.01.2007	L 66 04.03.2004 p. 15  L 13 19.01.2007 p. 1
	Russia	Duties  Undertakings	Council Reg. (EC) No 2229/2003 22.12.2003 as last amended by Council Reg. (EC) No 821/2004 26.04.2004 which has been subject to a corrigendum  Commission Dec. No 2004/445/EC 13.04.2004	L 339 24.12.2003 p. 3  L 127 29.04.2004 p. 1  L 361 08.12.2004 p. 54  L 127 29.04.2004 p. 114
Sodium cyclamate	P.R. China Indonesia	Duties	Council Reg. (EC) No 435/2004 08.03.2004	L 72 11.03.2004 p. 1
Stainless steel fasteners and parts thereof	P.R. China Indonesia Taiwan Thailand Vietnam	Duties	Council Reg. (EC) No 1890/2005 14.11.2005 corrected by L 256, 02.10.2007, p. 31	L 302 19.11.2005 p. 1



Steel ropes and cables	P.R. China India South Africa Ukraine Moldova (ext.) Morocco (ext.)	Duties	Council Reg. (EC) No 1858/2005 08.11.2005 as last amended by Council Reg. (EC) No 1459/2007 10.12.2007 extended as concerns Ukraine to such imports consigned from Moldova by Council Reg. (EC) No 760/2004 22.04.2004 and extended as concerns China to such imports consigned from Morocco by Council Reg. (EC) No 1886/2004 25.10.2004	L 299 16.11.2005 p. 1  L 326 12.12.2007 p. 18  L 120 24.04.2004 p. 1  L 328 30.10.2004 p. 1
	Russia	Duties	Council Reg. (EC) No 1279/2007 30.10.2007	L 285 31.10.2007 p. 1
Strawberries (frozen)	P.R. China	Duties	Council Reg. (EC) No 407/2007 16.04.2007	L 100 17.04.2007 p. 1
Sulphanilic acid	P.R. China India	Duties	Council Reg. (EC) No 1339/2002 22.07.2002 as last amended by Council Reg. (EC) No 123/2006 23.01.2006	L 196 25.07.2002 p. 11  L 22 26.01.2006 p. 5
	India	Undertakings	Commission Dec. No 2006/37/EC 05.12.2005	L 22 26.01.2006 p. 52
Sweet corn (prepared or preserved, in kernels)	Thailand	Duties	Council Reg. (EC) No 682/3007 18.06.2007 corrected by L 252 of 27.09.2007, p. 7	L 159 20.06.2007 p. 14
		Undertakings	Commission Dec. No 2007/424/EC 18.06.2007	L 159 20.06.2007 p. 42
Synthetic fibre ropes	India	Duties	Council Reg. (EC) No 1736/2004 08.10.2004	L 311 08.10.2004 p. 1

Tartaric acid	P.R. China	Duties	Council Reg. (EC) No 130/2006 23.01.2006	L 23 27.01.2006 p. 1		
Trichloroisocyanuric acid	P.R. China USA	Duties	Council Reg. (EC) No 1631/2005 03.10.2005	L 261 07.10.2005 p. 1		
Trout (large rainbow)	Norway Faeroe Islands	Duties	Council Reg. (EC) No 437/2004 08.03.2004	L 72 11.03.2004 p. 23		
	Faeroe Islands	Undertakings	Commission Reg. (EC) No 117/2004 23.01.2004	L 17 24.01.2004 p. 4		
Tube and pipe fitting, of iron or steel	P.R. China Thailand Taiwan (ext.) Indonesia (ext.) Sri Lanka (ext.) Philippines (ext.)	Duties	Council Reg. (EC) No 964/2003 02.06.2003 as last amended by Council Reg. (EC) No 1496/2004 18.08.2004 and extended as concerns China to imports consigned from Indonesia by Council Reg. (EC) 2052/2004 22.11.2004 and to imports consigned from Sri Lanka by Council Reg. (EC) No 2053/2004 22.11.2004 and to imports consigned from the Philippines by Council Reg. (EC) No 655/2006 27.04.2006	L 139 06.06.2003 p. 1  L 275 25.08.2004 p. 1  L 355 01.12.2004 p. 4  L 355 01.12.2004 p. 9  L 116 29.04.2006 p. 1		
			Korea (Rep. of) Malaysia	Duties	Council Reg. (EC) No 1514/2002 19.08.2002 as last amended by Council Reg. (EC) No 778/2003 06.05.2003	L 228 24.08.2002 p. 1  L 114 08.05.2003 p. 1
			Tungsten carbide and fused tungsten carbide	P.R. China	Duties	Council Reg. (EC) No 2268/2004 22.12.2004 as last amended by Council Reg. (EC) No 1275/2005

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Tungsten electrodes	P.R. China	Duties	Council Reg. (EC) No 260/2007 09.03.2007	L 72 13.03.2007 p. 1
Urea	Belarus Croatia Libya Ukraine	Duties	Council Reg. (EC) No 92/2002 17.01.2002 as last amended by Council Reg. (EC) No 73/2006 13.01.2006	L 17 19.01.2002 p. 1  L 12 18.01.2006 p. 1
Urea and ammonium nitrate solutions	Algeria Belarus Russia Ukraine  Algeria	Duties  Undertakings	Council Reg. (EC) No 1911/2006 19.12.2006  Commission Reg. (EC) No 617/2000 16.03.2000	L 365 21.12.2006 p. 26  L 75 24.03.2000 p. 3
Welded tubes and pipes, of iron or non-alloy steel	Thailand Turkey Ukraine	Duties	Council Reg. (EC) No 1697/2002 23.09.2002	L 259 27.09.2002 p. 8

#### B. Ranked by country (alphabetical)

Origin	Product	Measure	Regulation N°	Publication
Algeria	Urea and ammonium nitrate solutions	Duties  Undertakings	Council Reg. (EC) No 1911/2006 19.12.2006  Commission Reg. (EC) No 617/2000 16.03.2000	L 365 21.12.2006 p. 26  L 75 24.03.2000 p. 3
Australia	Polyethylene terephthalate	Duties  Undertakings	Council Reg. (EC) No 1467/2004 13.08.2004 as last amended by Council Reg. (EC) No 2167/2005 20.12.2005  Commission Dec. No 2004/600/EC 04.08.2004	L 271 19.08.2004 p. 1  L 345 28.12.2005 p. 11  L 271 19.08.2004 p. 38
Belarus	Potassium chloride	Duties	Council Reg. (EC) No 1050/2006 11.07.2006	L 191 12.07.2006 p. 1
	Urea and ammonium nitrate solutions	Duties	Council Reg. (EC) No 1911/2006 19.12.2006	L 365 21.12.2006 p. 26

	Urea	Duties	Council Reg. (EC) No 92/2002 17.01.2002 as last amended by Council Reg. (EC) No 73/2006 13.01.2006	L 17 19.01.2002 p. 1  L 12 18.01.2006 p. 1
Brazil	PET (polyethylene terephthalate) film (ext.)	Duties	Council Reg. (EC) No 1292/2007 30.10.2007 and extended to imports consigned from Brazil and from Israel by the same Regulation	L 288 06.11.2007 p. 1
P.R. China	Barium carbonate	Duties	Council Reg. (EC) No 1175/2005 18.07.2005 corrected by L 181, 04.07.2006, p. 111	L 189 21.07.2005 p. 15
	Bicycles	Duties	Council Reg. (EC) No 1524/2000 10.07.2000 and extended to bicycle parts by Council Reg. (EC) No 71/97 10.01.97 as last amended by Council Reg. (EC) No 1095/2005 12.07.2005	L 175 14.07.2000 p. 39  L 16 18.01.97 p. 1  L 183 14.07.2005 p. 1
	Bicycle parts	Duties	Council Reg. (EC) No 71/97 10.01.97	L 16 18.01.97 p. 1
	Castings	Duties	Council Reg. (EC) No 1212/2005 25.07.2005 as last amended by Council Reg. (EC) No 268/2006 14.02.2006	L 199 29.07.2005 p. 1  L 47 17.02.2006 p. 3
		Undertakings	Commission Dec. No 2006/109/EC 19.01.2006 corrected by L 95, 04.04.2006, p. 12	L 47 17.02.2006 p. 59

	Chamois leather	Duties	Council Reg. (EC) No 1338/2006 08.09.2006	L 251 14.09.2006 p. 1
	Coumarin	Duties	Council Reg. (EC) No 769/2002 07.05.2002 as last amended by Council Reg. (EC) No 1854/2003 20.10.2003 and extended as concerns China to imports consigned from India and Thailand by Council Reg. (EC) No 2272/2004 22.12.2004 and extended as concerns China to imports consigned from Indonesia and Malaysia by Council Reg. (EC) No 1650/2006 07.11.2006	L 123 09.05.2002 p. 1  L 272 23.10.2003 p. 1  L 396 31.12.2004 p. 18  L 311 10.11.2006 p. 1
	Dicyandiamide	Duties	Council Reg. (EC) No 1331/2007 13.11.2007	L 296 15.11.2007 p. 1
	Ferro molybdenum	Duties (suspended until 31.01.2008)	Council Reg. (EC) No 215/2002 28.01.2002	L 35 06.02.2002 p. 1
	Footwear with uppers of leather	Duties (2 years)	Council Reg. (EC) No 1472/2006 05.10.2006	L 275 06.10.2006 p. 1
	Furfuraldehyde	Duties	Council Reg. (EC) No 639/2005 25.04.2005	L 107 28.04.2005 p. 1
	Furfuryl alcohol	Duties	Council Reg. (EC) No 1905/2003 27.10.2003	L 283 31.10.2003 p. 1
	Glyphosate	Duties	Council Reg. (EC) No 1683/2004 24.09.2004 extended to such imports consigned from Malaysia & Taiwan	L 303 30.09.2004 p. 1
	Granular polytetrafluoro- ethylene (PTFE)	Duties	Council Reg. (EC) No 1987/2005 02.12.2005	L 320 08.12.2005 p. 1

	Hand pallet trucks and their essential parts	Duties	Council Reg. (EC) No 1174/2005 18.07.2005	L 189 21.07.2005 p. 1
	Ironing boards	Duties	Council Reg. (EC) No 452/2007 23.04.2007	L 109 26.04.2007 p. 12
	Lamps (integrated electronic compact fluorescent)	Duties (1 year)	Council Reg. (EC) No 1205/2007 15.10.2007	L 272 17.10.2007 p. 1
	Lever arch mechanisms	Duties	Council Reg. (EC) No 1136/2006 24.07.2006	L 205 27.07.2006 p. 1
	Lighters (non-refillable and refillable)	Duties	Council Reg. (EC) No 1458/2007 12.12.2007	L 326 12.12.2007 p. 1
	Magnesia (deadburned)	Duties	Council Reg. (EC) No 716/2006 05.05.2006	L 125 12.05.2006 p. 1
	Magnesia bricks	Duties	Council Reg. (EC) No 1659/2005 06.10.2005	L 267 12.10.2005 p. 1
	Magnesium oxide (caustic magnesite)	Duties	Council Reg. (EC) No 778/2005 25.05.2005	L 131 25.05.2005 p. 1
	Okoumé plywood	Duties	Council Reg. (EC) No 1942/2004 02.11.2004	L 336 12.11.2004 p. 4
	Para-cresol	Duties	Council Reg. (EC) No 1656/2003 11.09.2003	L 234 20.09.2003 p. 1
	Peroxosulphates	Duties	Council Reg. (EC) No 1184/2007 09.10.2007	L 265 11.10.2007 p. 1
	Plastic sacks and bags	Duties	Council Reg. (EC) No 1425/2006 25.09.2006 corrected by L 49, 18.02.2007, p. 36 and by L 233, 05.09.2007, p. 7 as last amended by Council Regulation (EC) No 1356/2007 19.11.2007	L 270 29.09.2006 p. 4  L 304 22.11.2007 p. 5
	Polyester filament fabrics (finished)	Duties	Council Reg. (EC) No 1487/2005 12.09.2005 as last amended by Council Reg. (EC) No 1087/2007	L 240 16.09.2005 p. 1  L 246 21.09.2007

			18.09.2007	p. 1
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	Polyester staple fibres	Duties	Council Reg. (EC) No 428/2005 10.03.2005 as last amended by Council Reg. (EC) No 1333/2005 09.08.2005	L 71 17.03.2005 p. 1  L 211 13.08.2005 p. 1
	Polyethylene terephthalate	Duties	Council Reg. (EC) No 1467/2004 13.08.2004 as last amended by Council Reg. (EC) No 2167/2005 20.12.2005	L 271 19.08.2004 p. 1  L 345 28.12.2005 p. 11
	Powdered activated carbon	Duties	Council Reg. (EC) No 1011/2002 10.06.2002 as last amended by Council Reg. (EC) No 931/2003 26.05.2003	L 155 14.06.2002 p. 1  L 133 29.05.2003 p. 36
	Ring binder mechanisms	Duties (4 years)	Council Reg. (EC) No 2074/2004 29.11.2004 extended to imports from Vietnam by Council Reg. (EC) No 1208/2004 28.06.2004 and extended to imports from Laos by Council Reg. (EC) No 33/2006 09.01.2006	L 359 04.12.2004 p. 11  L 232 01.07.2004 p. 1  L 7 12.01.2006 p. 1
	Saddles	Duties	Council Reg. (EC) No 691/2007 18.06.2007	L 160 21.06.2007 p. 1
	Silico-manganese	Duties (suspended until 06.09.2008)	Council Reg. (EC) No 1420/2007 04.12.2007	L 317 05.12.2007 p. 5
	Silicon carbide	Duties	Council Reg. (EC) No 1264/2006 21.08.2006	L 232 25.08.2006 p. 1
	Silicon	Duties	Council Reg. (EC) No 398/2004 02.03.2004 extended to imports of silicon consigned from the Republic of Korea by Council Reg.	L 66 04.03.2004 p. 15  L 13

			(EC) No 42/2007 15.01.2007	19.01.2007 p. 1
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	Sodium cyclamate	Duties	Council Reg. (EC) No 435/2004 08.03.2004	L 72 11.03.2004 p. 1
	Stainless steel fasteners and parts thereof	Duties	Council Reg. (EC) No 1890/2005 14.11.2005 corrected by L 256, 02.10.2007, p. 31	L 302 19.11.2005 p. 1
	Steel ropes and cables	Duties	Council Reg. (EC) No 1858/2005 08.11.2005 as last amended by Council Reg. (EC) No 1459/2007 10.12.2007 extended as concerns Ukraine to such imports consigned from Moldova by Council Reg. (EC) No 760/2004 22.04.2004 and extended as concerns China to such imports consigned from Morocco by Council Reg. (EC) No 1886/2004 25.10.2004	L 299 16.11.2005 p. 1  L 326 12.12.2007 p. 18  L 120 24.04.2004 p. 1  L 328 30.10.2004 p. 1
	Strawberries (frozen)	Duties	Council Reg. (EC) No 407/2007 16.04.2007	L 100 17.04.2007 p. 1
	Sulphanilic acid	Duties	Council Reg. (EC) No 1339/2002 22.07.2002 as last amended by Council Reg. (EC) No 123/2006 23.01.2006	L 196 25.07.2002 p. 11  L 22 26.01.2006 p. 5
	Tartaric acid	Duties	Council Reg. (EC) No 130/2006 23.01.2006	L 23 27.01.2006 p. 1
	Trichloroisocyanuric acid	Duties	Council Reg. (EC) No 1631/2005 03.10.2005	L 261 07.10.2005 p. 1

	Tube and pipe fitting, of iron or steel	Duties	Council Reg. (EC) No 964/2003 02.06.2003 as last amended by Council Reg. (EC) No 1496/2004 18.08.2004 and extended as concerns China to imports consigned from Indonesia by Council Reg. (EC) 2052/2004 22.11.2004 and to imports consigned from Sri Lanka by Council Reg. (EC) No 2053/2004 22.11.2004 and to imports consigned from the Philippines by Council Reg. (EC) No 655/2006 27.04.2006	L 139 06.06.2003 p. 1  L 275 25.08.2004 p. 1  L 355 01.12.2004 p. 4  L 355 01.12.2004 p. 9  L 116 29.04.2006 p. 1
	Tungsten carbide and fused tungsten carbide	Duties	Council Reg. (EC) No 2268/2004 22.12.2004 as last amended by Council Reg. (EC) No 1275/2005 25.07.2005	L 395 31.12.2004 p. 56  L 202 03.08.2005 p. 1
	Tungsten electrodes	Duties	Council Reg. (EC) No 260/2007 09.03.2007	L 72 13.03.2007 p. 1
Croatia	Seamless pipes and tubes of iron or steel	Duties	Council Reg. (EC) No 954/2006 27.06.2006	L 175 29.06.2006 p. 4
	Urea	Duties	Council Reg. (EC) No 92/2002 17.01.2002 as last amended by Council Reg. (EC) No 73/2006 13.01.2006	L 17 19.01.2002 p. 1  L 12 18.01.2006 p. 1
Faeroe Islands	Trout (large rainbow)	Duties	Council Reg. (EC) No 437/2004 08.03.2004	L 72 11.03.2004 p. 23
		Undertakings	Commission Reg. (EC) No 117/2004	L 17 24.01.2004

			23.01.2004	p. 4
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India	Coumarin (ext.)	Duties	Council Reg. (EC) No 769/2002 07.05.2002 as last amended by Council Reg. (EC) No 1854/2003 20.10.2003 and extended as concerns China to imports consigned from India and Thailand by Council Reg. (EC) No 2272/2004 22.12.2004 and extended as concerns China to imports consigned from Indonesia and Malaysia by Council Reg. (EC) No 1650/2006 07.11.2006	L 123 09.05.2002 p. 1  L 272 23.10.2003 p. 1  L 396 31.12.2004 p. 18  L 311 10.11.2006 p. 1
		Undertaking	Commission Dec. No 2005/3/EC 03.01.2005	L 1 04.01.2005 p. 15
	Graphite electrode systems	Duties	Council Reg. (EC) No 1629/2004 13.09.2004	L 295 18.09.2004 p. 10
	PET (polyethylene terephthalate)	Duties	Council Reg. (EC) No 192/2007 22.02.2007	L 59 27.02.2007 p. 1
		Undertakings	corrected by L 215, 18.08.2007, p. 27	
	PET (polyethylene terephthalate) film	Duties	Council Reg. (EC) No 1292/2007 30.10.2007 and extended to imports consigned from Brazil and from Israel by the same Regulation	L 288 06.11.2007 p. 1

	Steel ropes and cables	Duties	Council Reg. (EC) No 1858/2005 08.11.2005 as last amended by Council Reg. (EC) No 1459/2007 10.12.2007 extended as concerns Ukraine to such imports consigned from Moldova by Council Reg. (EC) No 760/2004 22.04.2004 and extended as concerns China to such imports consigned from Morocco by Council Reg. (EC) No 1886/2004 25.10.2004	L 299 16.11.2005 p. 1  L 326 12.12.2007 p. 18  L 120 24.04.2004 p. 1  L 328 30.10.2004 p. 1
	Sulphanilic acid	Duties	Council Reg. (EC) No 1339/2002 22.07.2002 as last amended by Council Reg. (EC) No 123/2006 23.01.2006	L 196 25.07.2002 p. 11  L 22 26.01.2006 p. 5
		Undertakings	Commission Dec. No 2006/37/EC 05.12.2005	L 22 26.01.2006 p. 52
	Synthetic fibre ropes	Duties	Council Reg. (EC) No 1736/2004 04.10.2004	L 311 08.10.2004 p. 1
Indonesia	Coumarin (ext.)	Duties	Council Reg. (EC) No 769/2002 07.05.2002 as last amended by Council Reg. (EC) No 1854/2003 20.10.2003 and extended as concerns China to imports consigned from India and Thailand by Council Reg. (EC) No 2272/2004 22.12.2004 and extended as	L 123 09.05.2002 p. 1  L 272 23.10.2003 p. 1  L 396 31.12.2004 p. 18

			concerns China to imports consigned from Indonesia and Malaysia by Council Reg. (EC) No 1650/2006 07.11.2006	L 311 10.11.2006 p. 1
	PET (polyethylene terephthalate)	Duties  Undertakings	Council Reg. (EC) No 192/2007 22.02.2007 corrected by L 215, 18.08.2007, p. 27	L 59 27.02.2007 p. 1
	Sodium cyclamate	Duties	Council Reg. (EC) No 435/2004 08.03.2004	L 72 11.03.2004 p. 1
	Stainless steel fasteners and parts thereof	Duties	Council Reg. (EC) No 1890/2005 14.11.2005 corrected by L 256, 02.10.2007, p. 31	L 302 19.11.2005 p. 1
	Tube and pipe fitting, of iron or steel	Duties (ext.)	Council Reg. (EC) No 964/2003 02.06.2003 as last amended by Council Reg. (EC) No 1496/2004 18.08.2004 and extended as concerns China to imports consigned from Indonesia by Council Reg. (EC) 2052/2004 22.11.2004 and to imports consigned from Sri Lanka by Council Reg. (EC) No 2053/2004 22.11.2004 and to imports consigned from the Philippines by Council Reg. (EC) No 655/2006 27.04.2006	L 139 06.06.2003 p. 1  L 275 25.08.2004 p. 1  L 355 01.12.2004 p. 4  L 355 01.12.2004 p. 9  L 116 29.04.2006 p. 1
Israel	PET (polyethylene terephthalate) film (ext.)	Duties	Council Reg. (EC) No 1292/2007 30.10.2007 and extended to imports consigned from Brazil and from Israel by the same	L 288 06.11.2007 p. 1



			<b>Regulation</b>	
Kazakhstan	Silico-manganese	Duties (suspended until 06.09.2008)	Council Reg. (EC) No 1420/2007 04.12.2007	L 317 05.12.2007 p. 5

Korea (Rep. of)	PET (polyethylene terephthalate)	Duties	Council Reg. (EC) No 192/2007 22.02.2007 corrected by L 215, 18.08.2007, p. 27	L 59 27.02.2007 p. 1
	Polyester staple fibres	Duties	Council Reg. (EC) No 2852/2000 22.12.2000 as last amended by Council Reg. (EC) No 428/2005 10.03.2005	L 332 28.12.2000 p. 17  L 71 17.03.2005 p. 1
	Refrigerators (side-by-side)	Duties	Council Reg. (EC) No 1289/2006 25.08.2006	L 236 31.08.2006 p. 11
	Silicon	Duties (ext.)	Council Reg. (EC) No 398/2004 02.03.2004 extended to imports of silicon consigned from the Republic of Korea by Council Reg. (EC) No 42/2007 15.01.2007	L 66 04.03.2004 p. 15  L 13 19.01.2007 p. 1
	Tube and pipe fittings, of iron or steel	Duties	Council Reg. (EC) No 1514/2002 19.08.2002 as last amended by Council Reg. (EC) No 778/2003 06.05.2003	L 228 24.08.2002 p. 1  L 114 08.05.2003 p. 1
Laos	Ring binder mechanisms (extension from same imports from China)	Duties (4 years)	Council Reg. (EC) No 2074/2004 29.11.2004 extended to imports from Vietnam by Council Reg. (EC) No 1208/2004 28.06.2004 and extended to imports from Laos by Council Reg. (EC) No 33/2006 09.01.2006	L 359 04.12.2004 p. 11  L 232 01.07.2004 p. 1  L 7 12.01.2006 p. 1
Libya	Urea	Duties	Council Reg. (EC) No 92/2002 17.01.2002 as last amended by Council Reg. (EC) No 73/2006	L 17 19.01.2002 p. 1  L 12 18.01.2006

			13.01.2006	p. 1
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Malaysia	Coumarin (ext.)	Duties	Council Reg. (EC) No 769/2002 07.05.2002 as last amended by Council Reg. (EC) No 1854/2003 20.10.2003 and extended as concerns China to imports consigned from India and Thailand by Council Reg. (EC) No 2272/2004 22.12.2004 and extended as concerns China to imports consigned from Indonesia and Malaysia by Council Reg. (EC) No 1650/2006 07.11.2006	L 123 09.05.2002 p. 1  L 272 23.10.2003 p. 1  L 396 31.12.2004 p. 18  L 311 10.11.2006 p. 1
	Glyphosate	Duties	Council Reg. (EC) No 1683/2004 24.09.2004 extended to such imports consigned from Malaysia & Taiwan	L 303 30.09.2004 p. 1
	PET (polyethylene terephthalate)	Duties	Council Reg. (EC) No 192/2007 22.02.2007 corrected by L 215, 18.08.2007, p. 27	L 59 27.02.2007 p. 1
	Tube and pipe fittings, of iron or steel	Duties	Council Reg. (EC) No 1514/2002 19.08.2002 as last amended by Council Reg. (EC) No 778/2003 06.05.2003	L 228 24.08.2002 p. 1  L 114 08.05.2003 p. 1

Moldova	Steel ropes and cables	Duties (ext.)	Council Reg. (EC) No 1858/2005 08.11.2005 as last amended by Council Reg. (EC) No 1459/2007 10.12.2007 extended as concerns Ukraine to such imports consigned from Moldova by Council Reg. (EC) No 760/2004 22.04.2004 and extended as concerns China to such imports consigned from Morocco by Council Reg. (EC) No 1886/2004 25.10.2004	L 299 16.11.2005 p. 1  L 326 12.12.2007 p. 18  L 120 24.04.2004 p. 1  L 328 30.10.2004 p. 1
Morocco	Steel ropes and cables	Duties (ext.)	Council Reg. (EC) No 1858/2005 08.11.2005 as last amended by Council Reg. (EC) No 1459/2007 10.12.2007 extended as concerns Ukraine to such imports consigned from Moldova by Council Reg. (EC) No 760/2004 22.04.2004 and extended as concerns China to such imports consigned from Morocco by Council Reg. (EC) No 1886/2004 25.10.2004	L 299 16.11.2005 p. 1  L 326 12.12.2007 p. 18  L 120 24.04.2004 p. 1  L 328 30.10.2004 p. 1
Norway	Salmon (farmed)	Duties	Council Reg. (EC) No 85/2006 17.01.2006	L 15 20.01.2006 p. 1
	Trout (large rainbow)	Duties	Council Reg. (EC) No 437/2004 08.03.2004	L 72 11.03.2004 p. 23

Pakistan	Bed linen (cotton-type)	Duties	Council Reg. (EC) No 397/2004 02.03.2004 as last amended by Council Reg. (EC) No 925/2007 03.08.2007	L 66 04.03.2004 p. 1  L 202 03.08.2007 p. 1
	Lamps (integrated electronic compact fluorescent)	Duties (1 year)	Council Reg. (EC) No 1205/2007 15.10.2007	L 272 17.10.2007 p. 1
Philippines	Lamps (integrated electronic compact fluorescent)	Duties (1 year)	Council Reg. (EC) No 1205/2007 15.10.2007	L 272 17.10.2007 p. 1
	Tube or pipe fittings, of iron or steel	Duties (ext.)	Council Reg. (EC) No 964/2003 02.06.2003 as last amended by Council Reg. (EC) No 1496/2004 18.08.2004 and extended as concerns China to imports consigned from Indonesia by Council Reg. (EC) 2052/2004 22.11.2004 and to imports consigned from Sri Lanka by Council Reg. (EC) No 2053/2004 22.11.2004 and to imports consigned from the Philippines by Council Reg. (EC) No 655/2006 27.04.2006	L 139 06.06.2003 p. 1  L 275 25.08.2004 p. 1  L 355 01.12.2004 p. 4  L 355 01.12.2004 p. 9  L 116 29.04.2006 p. 1
Russia	Ammonium nitrate	Duties	Council Reg. (EC) No 658/2002 15.04.2002 as last amended by Council Reg. (EC) No 945/2005 21.06.2005	L 102 18.04.2002 p. 1  L 160 23.06.2005 p. 1
	Grain oriented flat-rolled products of silicon-electrical steel (small + big)	Duties  Undertakings	Council Reg. (EC) No 1371/2005 19.07.2005  Commission Dec. No 2005/622/EC	L 223 27.08.2005 p. 1  L 223 27.08.2005

			05.08.2005	p. 42
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	Granular polytetrafluoroethylene (PTFE)	Duties	Council Reg. (EC) No 1987/2005 02.12.2005	L 320 08.12.2005 p. 1
	Potassium chloride	Duties	Council Reg. (EC) No 1050/2006 11.07.2006	L 191 12.07.2006 p. 1
		Undertakings	Commission Dec. No 2005/802/EC 17.10.2005 as last amended by Commission Dec. No 2006/557/EC 08.08.2006	L 302 19.11.2005 p. 79  L 218 09.08.2006 p. 22
	Seamless pipes and tubes of iron or steel	Duties	Council Reg. (EC) No 954/2006 27.06.2006	L 175 29.06.2006 p. 4
	Silicon	Duties	Council Reg. (EC) No 2229/2003 22.12.2003 as last amended by Council Reg. (EC) No 821/2004 26.04.2004 which has been subject to a corrigendum	L 339 24.12.2003 p. 3  L 127 29.04.2004 p. 1  L 361 08.12.2004 p. 54
		Undertakings	Commission Dec. No 2004/445/EC 13.04.2004	L 127 29.04.2004 p. 114
	Steel ropes and cables	Duties	Council Reg. (EC) No 1279/2007 30.10.2007	L 285 31.10.2007 p. 1
	Urea and ammonium nitrate solutions	Duties	Council Reg. (EC) No 1911/2006 19.12.2006	L 365 21.12.2006 p. 26
Saudi Arabia	Polyester staple fibres	Duties	Council Reg. (EC) No 428/2005 10.03.2005 as last amended by Council Reg. (EC) No 1333/2005 09.08.2005	L 71 17.03.2005 p. 1  L 211 13.08.2005 p. 1



South Africa	Steel ropes and cables	Duties	<p>Council Reg. (EC) No 1858/2005 08.11.2005 as last amended by Council Reg. (EC) No 1459/2007 10.12.2007 extended as concerns Ukraine to such imports consigned from Moldova by Council Reg. (EC) No 760/2004 22.04.2004 and extended as concerns China to such imports consigned from Morocco by Council Reg. (EC) No 1886/2004 25.10.2004</p>	<p>L 299 16.11.2005 p. 1</p> <p>L 326 12.12.2007 p. 18</p> <p>L 120 24.04.2004 p. 1</p> <p>L 328 30.10.2004 p. 1</p>
Sri Lanka	Tube and pipe fitting, of iron or steel	Duties (ext.)	<p>Council Reg. (EC) No 964/2003 02.06.2003 as last amended by Council Reg. (EC) No 1496/2004 18.08.2004 and extended as concerns China to imports consigned from Indonesia by Council Reg. (EC) 2052/2004 22.11.2004 and to imports consigned from Sri Lanka by Council Reg. (EC) No 2053/2004 22.11.2004 and to imports consigned from the Philippines by Council Reg. (EC) No 655/2006 27.04.2006</p>	<p>L 139 06.06.2003 p. 1</p> <p>L 275 25.08.2004 p. 1</p> <p>L 355 01.12.2004 p. 4</p> <p>L 355 01.12.2004 p. 9</p> <p>L 116 29.04.2006 p. 1</p>
Taiwan	Glyphosate	Duties	<p>Council Reg. (EC) No 1683/2004 24.09.2004 extended to such imports consigned from</p>	<p>L 303 30.09.2004 p. 1</p>

			Malaysia & Taiwan	
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	Lighters (non-refillable and refillable)	Duties	Council Reg. (EC) No 1458/2007 12.12.2007	L 326 12.12.2007 p. 1
	Peroxosulphates	Duties	Council Reg. (EC) No 1184/2007 09.10.2007	L 265 11.10.2007 p. 1
	PET (polyethylene terephthalate)	Duties	Council Reg. (EC) No 192/2007 22.02.2007 corrected by L 215, 18.08.2007, p. 27	L 59 27.02.2007 p. 1
	Stainless steel fasteners and parts thereof	Duties	Council Reg. (EC) No 1890/2005 14.11.2005 corrected by L 256, 02.10.2007, p. 31	L 302 19.11.2005 p. 1
	Tube and pipe fitting, of iron or steel	Duties	Council Reg. (EC) No 964/2003 02.06.2003 as last amended by Council Reg. (EC) No 1496/2004 18.08.2004 and extended as concerns China to imports consigned from Indonesia by Council Reg. (EC) 2052/2004 22.11.2004 and to imports consigned from Sri Lanka by Council Reg. (EC) No 2053/2004 22.11.2004 and to imports consigned from the Philippines by Council Reg. (EC) No 655/2006 27.04.2006	L 139 06.06.2003 p. 1  L 275 25.08.2004 p. 1  L 355 01.12.2004 p. 4  L 355 01.12.2004 p. 9  L 116 29.04.2006 p. 1

Thailand	Coumarin (ext.)	Duties	Council Reg. (EC) No 769/2002 07.05.2002 as last amended by Council Reg. (EC) No 1854/2003 20.10.2003 and extended as concerns China to imports consigned from India and Thailand by Council Reg. (EC) No 2272/2004 22.12.2004 and extended as concerns China to imports consigned from Indonesia and Malaysia by Council Reg. (EC) No 1650/2006 07.11.2006	L 123 09.05.2002 p. 1  L 272 23.10.2003 p. 1  L 396 31.12.2004 p. 18  L 311 10.11.2006 p. 1
	Plastic sacks and bags	Duties	Council Reg. (EC) No 1425/2006 25.09.2006 corrected by L 49, 18.02.2007, p. 36 and by L 233, 05.09.2007, p. 7 as last amended by Council Regulation (EC) No 1356/2007 19.11.2007	L 270 29.09.2006 p. 4  L 304 22.11.2007 p. 5
	PET (polyethylene terephthalate)	Duties	Council Reg. (EC) No 192/2007 22.02.2007 corrected by L 215, 18.08.2007, p. 27	L 59 27.02.2007 p. 1
	Stainless steel fasteners and parts thereof	Duties	Council Reg. (EC) No 1890/2005 14.11.2005 corrected by L 256, 02.10.2007, p. 31	L 302 19.11.2005 p. 1
	Sweet corn (prepared or preserved, in kernels)	Duties	Council Reg. (EC) No 682/3007 18.06.2007 corrected by L 252 of 27.09.2007, p. 7	L 159 20.06.2007 p. 14

		Undertakings	Commission Dec. No 2007/424/EC 18.06.2007	L 159 20.06.2007 p. 42
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	Tube and pipe fitting, of iron or steel	Duties	Council Reg. (EC) No 964/2003 02.06.2003 as last amended by Council Reg. (EC) No 1496/2004 18.08.2004 and extended as concerns China to imports consigned from Indonesia by Council Reg. (EC) 2052/2004 22.11.2004 and to imports consigned from Sri Lanka by Council Reg. (EC) No 2053/2004 22.11.2004 and to imports consigned from the Philippines by Council Reg. (EC) No 655/2006 27.04.2006	L 139 06.06.2003 p. 1  L 275 25.08.2004 p. 1  L 355 01.12.2004 p. 4  L 355 01.12.2004 p. 9  L 116 29.04.2006 p. 1
	Welded tubes and pipes, of iron or non-alloy steel	Duties	Council Reg. (EC) No 1697/2002 23.09.2002	L 259 27.09.2002 p. 8
Turkey	Welded tubes and pipes, of iron or non-alloy steel	Duties	Council Reg. (EC) No 1697/2002 23.09.2002	L 259 27.09.2002 p. 8
Ukraine	Ammonium nitrate	Duties (2 years)	Council Reg. (EC) No 442/2007 19.04.2007	L 106 24.04.2007 p. 1
	Ironing boards	Duties	Council Reg. (EC) No 452/2007 23.04.2007	L 109 26.04.2007 p. 12
	Seamless pipes and tubes of iron or steel	Duties	Council Reg. (EC) No 954/2006 27.06.2006	L 175 29.06.2006 p. 4

	Steel ropes and cables	Duties	Council Reg. (EC) No 1858/2005 08.11.2005 as last amended by Council Reg. (EC) No 1459/2007 10.12.2007 extended as concerns Ukraine to such imports consigned from Moldova by Council Reg. (EC) No 760/2004 22.04.2004 and extended as concerns China to such imports consigned from Morocco by Council Reg. (EC) No 1886/2004 25.10.2004	L 299 16.11.2005 p. 1  L 326 12.12.2007 p. 18  L 120 24.04.2004 p. 1  L 328 30.10.2004 p. 1
	Urea and ammonium nitrate solutions	Duties	Council Reg. (EC) No 1911/2006 19.12.2006	L 365 21.12.2006 p. 26
	Urea	Duties	Council Reg. (EC) No 92/2002 17.01.2002 as last amended by Council Reg. (EC) No 73/2006 13.01.2006	L 17 19.01.2002 p. 1  L 12 18.01.2006 p. 1
	Welded tubes and pipes, of iron or non-alloy steel	Duties	Council Reg. (EC) No 1697/2002 23.09.2002	L 259 27.09.2002 p. 8
USA	Ethanolamines	Duties (2 years)	Council Reg. (EC) No 1583/2006 23.10.2006	L 294 25.10.2006 p. 2
	Grain oriented flat-rolled products of silicon-electrical steel (small + big)	Duties  Undertakings	Council Reg. (EC) No 1371/2005 19.07.2005  Commission Dec. No 2005/622/EC 05.08.2005	L 223 27.08.2005 p. 1  L 223 27.08.2005 p. 42
	Peroxosulphates	Duties	Council Reg. (EC) No 1184/2007 09.10.2007	L 265 11.10.2007 p. 1
	Trichloroisocyanuric acid	Duties	Council Reg. (EC) No 1631/2005 03.10.2005	L 261 07.10.2005 p. 1

Vietnam	Bicycles	Duties	Council Reg. (EC) No 1095/2005 12.07.2005	L 183 14.07.2005 p. 1
	Footwear with uppers of leather	Duties (2 years)	Council Reg. (EC) No 1472/2006 05.10.2006	L 275 06.10.2006 p. 1
	Lamps (integrated electronic compact fluorescent)	Duties (1 year)	Council Reg. (EC) No 1205/2007 15.10.2007	L 272 17.10.2007 p. 1
	Ring binder mechanisms (extension from same imports from China)	Duties (4 years)	Council Reg. (EC) No 2074/2004 29.11.2004 extended to imports from Vietnam by Council Reg. (EC) No 1208/2004 28.06.2004 and extended to imports from Laos by Council Reg. (EC) No 33/2006 09.01.2006	L 359 04.12.2004 p. 11  L 232 01.07.2004 p. 1  L 7 12.01.2006 p. 1
	Stainless steel fasteners and parts thereof	Duties	Council Reg. (EC) No 1890/2005 14.11.2005 corrected by L 256, 02.10.2007, p. 31	L 302 19.11.2005 p. 1



## ANNEX P

Definitive anti-subsidy measures in force on 31 December 2007

### A. Ranked by product (alphabetical)

<b>Product</b>	<b>Origin</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
Antibiotics (broad spectrum) (AS)	India	Duties	Council Reg. (EC) No 713/2005 10.05.2005	L 121 13.05.2005 p. 1
Bed linen (cotton-type) (AS)	India	Duties	Council Reg. (EC) No 74/2004 13.01.2004 as last amended by Council Reg. (EC) No 1840/2006 11.12.2006	L 12 17.01.2004 p. 1  L 355 15.12.2006 p. 4
DRAMs (AS)	Korea (Rep. of)	Duties	Council Reg. (EC) No 1480/2003 11.08.2003 as last amended by Council Reg. (EC) No 584/2006 10.04.2006	L 212 22.08.2003 p. 1  L 103 12.04.2006 p. 1
Graphite electrode systems (AS)	India	Duties	Council Reg. (EC) No 1628/2004 13.09.2004	L 295 18.09.2004 p. 4
PET (polyethylene terephthalate) (AS)	India	Duties  Undertakings	Council Reg. (EC) No 193/2007 22.02.2007	L 59 27.02.2007 p. 34
PET film (polyethylene terephthalate) (AS)	India Brazil (ext.) Israel (ext.)	Duties	Council Reg. (EC) No 367/2006 27.02.2005 as last amended by Council Reg. (EC) No 1124/2007 28.09.2007 and extended to imports consigned from Brazil and from Israel by Council Reg. (EC) No 1976/2004 15.11.2004 as last amended by Council Reg. (EC) No 101/2006 20.01.2006	L 68 08.03.2006 p. 15  L 255 29.09.2007 p. 1  L 342 18.11.2004 p. 8  L 17 21.01.2006 p. 1

Sulphanilic acid (AS)	India	Duties	Council Reg. (EC) No 1338/2002 22.07.2002 as last amended by Council Reg. (EC) No 123/2006 23.01.2006	L 196 25.07.2002 p. 1  L 22 26.01.2006 p. 5
		Undertakings	Commission Dec. No 2006/37/EC 05.12.2005	L 22 26.01.2006 p. 52

B. Ranked by country (alphabetical)

Origin	Product	Measure	Regulation N°	Publication
Brazil	PET film (polyethylene terephthalate) (AS) (ext.)	Duties	Council Reg. (EC) No 367/2006 27.02.2005 as last amended by Council Reg. (EC) No 1124/2007 28.09.2007 and extended to imports consigned from Brazil and from Israel by Council Reg. (EC) No 1976/2004 15.11.2004 as last amended by Council Reg. (EC) No 101/2006 20.01.2006	L 68 08.03.2006 p. 15  L 255 29.09.2007 p. 1  L 342 18.11.2004 p. 8  L 17 21.01.2006 p. 1
India	Antibiotics (broad spectrum) (AS)	Duties	Council Reg. (EC) No 713/2005 10.05.2005	L 121 13.05.2005 p. 1
	Bedlinen (cotton-type) (AS)	Duties	Council Reg. (EC) No 74/2004 13.01.2004 as last amended by Council Reg. (EC) No 1840/2006 11.12.2006	L 12 17.01.2004 p. 1  L 355 15.12.2006 p. 4
	Graphite electrode systems (AS)	Duties	Council Reg. (EC) No 1628/2004 13.09.2004	L 295 18.09.2004 p. 4
	PET (polyethylene terephthalate) (AS)	Duties  Undertakings	Council Reg. (EC) No 193/2007 22.02.2007	L 59 27.02.2007 p. 34

	PET film (polyethylene terephthalate) (AS)	Duties	Council Reg. (EC) No 367/2006 27.02.2005 as last amended by Council Reg. (EC) No 1124/2007 28.09.2007 and extended to imports consigned from Brazil and from Israel by Council Reg. (EC) No 1976/2004 15.11.2004 as last amended by Council Reg. (EC) No 101/2006 20.01.2006	L 68 08.03.2006 p. 15 L 255 29.09.2007 p. 1 L 342 18.11.2004 p. 8 L 17 21.01.2006 p. 1
	Sulphanilic acid (AS)	Duties	Council Reg. (EC) No 1339/2002 22.07.2002 as last amended by Council Reg. (EC) No 123/2006 23.01.2006	L 196 25.07.2002 p. 11 L 22 26.01.2006 p. 5
		Undertakings	Commission Dec. No 2006/37/EC 05.12.2005	L 22 26.01.2006 p. 52
Israel	PET film (polyethylene terephthalate) (AS) (ext.)	Duties	Council Reg. (EC) No 367/2006 27.02.2005 as last amended by Council Reg. (EC) No 1124/2007 28.09.2007 and extended to imports consigned from Brazil and from Israel by Council Reg. (EC) No 1976/2004 15.11.2004 as last amended by Council Reg. (EC) No 101/2006 20.01.2006	L 68 08.03.2006 p. 15 L 255 29.09.2007 p. 1 L 342 18.11.2004 p. 8 L 17 21.01.2006 p. 1
Korea (Rep. of)	DRAMs (AS)	Duties	Council Reg. (EC) No 1480/2003 11.08.2003 as last amended by Council Reg.	L 212 22.08.2003 p. 1 L 103

			(EC) No 584/2006 10.04.2006	12.04.2006 p. 1
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## ANNEX Q

Undertakings in force on 31 December 2007

### A. Ranked by product (alphabetical)

<b>Product</b>	<b>Origin</b>	<b>Measure</b>	<b>Regulation N°</b>	<b>Publication</b>
Castings	P.R. China	Undertakings	Commission Dec. No 2006/109/EC 19.01.2006 and corrected by L 95, 04.04.2006, p. 12	L 47 17.02.2006 p. 59
Coumarin	India	Undertakings	Commission Dec. No 2005/3/EC 03.01.2005	L 1 04.01.2005 p. 15
Ferro-silicon	Former Yugoslav Republic of Macedonia	Undertakings	Commission Reg. (EC) No 994/2007 28.08.2007	L 223 29.08.2007 p. 1
Grain oriented flat-rolled products of silicon-electrical steel (small + big)	Russia USA	Undertakings	Commission Dec. No 2005/622/EC 05.08.2005	L 223 27.08.2005 p. 42
PET (polyethylene terephthalate)	India Indonesia	Undertakings	Council Reg. (EC) No 192/2007 22.02.2007	L 59 27.02.2007 p. 1
	Australia	Undertakings	Commission Dec. No 2004/600/EC 04.08.2004	L 271 19.08.2004 p. 38
PET (polyethylene terephthalate) (AS)	India	Undertakings	Council Reg. (EC) No 193/2007 22.02.2007	L 59 27.02.2007 p. 34
Potassium chloride	Russia	Undertakings	Commission Dec. No 2005/802/EC 17.10.2005 as last amendec by Commission Dec. No 2006/557/EC 08.08.2006	L 302 19.11.2005 p. 79  L 218 09.08.2006 p. 22
Silicon	Russia	Undertakings	Commission Dec. No 2004/445/EC 13.04.2004	L 127 29.04.2004 p. 114
Sulphanilic acid (AD + AS)	India	Undertakings	Commission Dec. No 2006/37/EC 05.12.2006	L 22 26.01.2006 p. 52
Sweet corn (prepared or preserved, in kernels)	Thailand	Undertakings	Commission Dec. No 2007/424/EC 18.06.2007	L 159 20.06.2007 p. 42
Trout (large rainbow)	Faeroe Islands	Undertakings	Commission Reg. (EC) No 117/2004 23.01.2004	L 17 24.01.2004 p. 4
Urea and ammonium nitrate solutions	Algeria	Undertakings	Commission Reg. (EC) No 617/2000 16.03.2000	L 75 24.03.2000 p. 3



B. Ranked by country (alphabetical)

Origin	Product	Measure	Regulation N°	Publication
Algeria	Urea and ammonium nitrate solutions	Undertakings	Commission Reg. (EC) No 617/2000 16.03.2000	L 75 24.03.2000 p. 3
Australia	PET (polyethylene terephthalate)	Undertakings	Commission Dec. No 2004/600/EC 04.08.2004	L 271 19.08.2004 p. 38
P.R. China	Castings	Undertakings	Commission Dec. No 2006/109/EC 19.01.2006 and corrected by L 95, 04.04.2006, p. 12	L 47 17.02.2006 p. 59
Faeroe Islands	Trout (large rainbow)	Undertakings	Commission Reg. (EC) No 117/2004 23.01.2004	L 17 24.01.2004 p. 4
Former Yugoslav Republic of Macedonia	Ferro-silicon	Undertakings	Commission Reg. (EC) No 994/2007 28.08.2007	L 223 29.08.2007 p. 1
India	Coumarin	Undertakings	Commission Dec. No 2005/3/EC 03.01.2005	L 1 04.01.2005 p. 15
	PET (polyethylene terephthalate)	Undertakings	Council Reg. (EC) No 192/2007 22.02.2007	L 59 27.02.2007 p. 1
	PET (polyethylene terephthalate) (AS)	Undertakings	Council Reg. (EC) No 193/2007 22.02.2007	L 59 27.02.2007 p. 34
	Sulphanilic acid (AD + AS)	Undertakings	Commission Dec. No 2006/37/EC 05.12.2006	L 22 26.01.2006 p. 52
Indonesia	PET (polyethylene terephthalate)	Undertakings	Council Reg. (EC) No 192/2007 22.02.2007	L 59 27.02.2007 p. 1
Russia	Grain oriented flat-rolled products of silicon-electrical steel (small + big)	Undertakings	Commission Dec. No 2005/622/EC 05.08.2005	L 223 27.08.2005 p. 42
	Potassium chloride	Undertakings	Commission Dec. No 2005/802/EC 17.10.2005 as last amended by Commission Dec. No 2006/557/EC 08.08.2006	L 302 19.11.2005 p. 79  L 218 09.08.2006 p. 22
	Silicon	Undertakings	Commission Dec. No 2004/445/EC 13.04.2004	L 127 29.04.2004 p. 114
Thailand	Sweet corn (prepared or preserved, in kernels)	Undertakings	Commission Dec. No 2007/424/EC 18.06.2007	L 159 20.06.2007 p. 42
USA	Grain oriented flat-rolled	Undertakings	Commission Dec.	L 223

	products of silicon-electrical steel (small + big)		No 2005/622/EC 05.08.2005	27.08.2005 p. 42
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## **ANNEX R**

### Anti-dumping & anti-subsidy investigations pending

on 31 December 2007

#### A. New investigations (ranked by product - in alphabetical order)

<b>Product</b>	<b>AD/AS</b>	<b>Origin</b>	<b>Type</b>	<b>Publication</b>
Citric acid	AD.522	P.R. China	Initiation	C 205 04.09.2007, p. 14
Citrus fruits	AD.524	P.R. China	Initiation	C 246 20.10.2007, p. 15
Coke of coal in pieces with a diameter of more than 80 mm	AD.518	P.R. China	Initiation  Prov. duty	C 313 20.12.2006, p. 15  L 244 19.09.2007, p. 3
Compressors	AD.519	P.R. China	Initiation	C 314 21.12.2006, p. 2
Dihydromyrcenol	AD.514	India	Initiation  Prov. duty	C 275 11.11.2006, p. 25  L 196 28.07.2007, p. 3
Fasteners, iron or steel	AD.525	P.R. China	Initiation	C 267 09.11.2007, p. 31
Ferro-silicon	AD.516	P.R. China Egypt Kazakhstan Macedonia Russia	Initiation  Prov. duty	C 291 30.11.2006, p. 34  L 223 29.08.2007, p. 1
Flat-rolled products (hot-dipped metallic-coated iron or steel)	AD.526	P.R. China	Initiation	C 302 14.12.2007, p. 24
Manganese dioxides	AD.520	South Africa	Initiation  Prov. duty	C 314 21.12.2006, p. 78  L 243 18.09.2007, p. 7
Monosodium glutamate	AD.521	P.R. China	Initiation	C 206 05.09.2007, p. 20
Polyvinyl alcohol	AD.517	P.R. China Taiwan	Initiation  Prov. duty	C 311 19.12.2006, p. 47  L 243 18.09.2007, p. 23
Welded tubes and pipes, of iron or non-alloy steel	AD.523	Belarus Bosnia & Herzegovina P.R. China Russia	Initiation	C 226 26.09.2007, p. 7

B. Review investigations (ranked by product - in alphabetical order)

Product	R. No	Origin	Type of review	Publication
Ammonium nitrate	R.382	Russia	Partial interim review	C 300 30.11.2005, p. 8
Ammonium nitrate	R.410	Russia	Partial interim review	C 311 19.12.2006, p. 55
Ammonium nitrate	R.411	Ukraine	Partial interim review	C 311 19.12.2006, p. 57
Ammonium nitrate	R.422	Russia	Expiry review	C 81 14.04.2007, p. 2
Antibiotics (AS)	R.436	India	Partial interim review	C 212 11.09.2007, p. 10
Bed linen (AS)	R.432	India	Partial interim review	C 230 02.10.2007, p. 5
Bicycle parts	R.407	P.R. China	Interim review	C 289 28.11.2006, p. 15
Coumarin	R.425	P.R. China	Expiry review	C 103 08.05.2007, p. 15
DRAMs (AS)	R.389	Korea (Rep. of)	Partial interim review	C 67 18.03.2006, p. 16
Ferro molybdenum	R.406	P.R. China	Interim review	C 262 31.10.2006, p. 28
Footwear with leather uppers	R.434	P.R. China	Anti-circumvention investigation	L 234 06.09.2007, p. 3
Grain oriented flat-rolled products of silicon-electrical steel (GOES)	R.405	Russia USA	Partial interim review	C 254 20.10.2006, p. 10
Grain oriented flat-rolled products of silicon-electrical steel (GOES)	R.418	Russia	Partial interim review	C 39 23.02.2007, p. 26
Graphite electrode systems (AS)	R.437	India	Partial interim review	C 230 02.10.2007, p. 9
Hand pallet trucks and their essential parts	R.431	P.R. China	Partial interim review	C 184 07.08.2007, p. 11
Hand pallet trucks and their essential parts	R.444	P.R. China	Partial interim review	C 308 19.12.2007, p. 15
Magnesia bricks	R.445	P.R. China	New exporter review	L 337 21.12.2007, p. 42
Okoumé plywood	R.408	P.R. China	Partial interim review	C 291 30.11.2006, p. 19
Plastic sacks and bags	R.415	P.R. China	Partial interim review	C 54 09.03.2007, p. 5
Polyester staple fibres	R.428	Belarus P.R. China Korea (Rep. of) Saudi Arabia	Partial interim review	C 202 30.08.2007, p. 4
Polyethylene terephthalate (PET) (AS)	R.438	India	Partial interim review	C 227 27.09.2007, p. 16
Polyethylene terephthalate (PET) film (AS)	R.441	India	Partial interim review	C 240 12.10.2007, p. 6
Powdered activated carbon	R.427	P.R. China	Expiry review	C 131

(PAC)				13.06.2007, p. 14
Ring binder mechanisms	R.442	P.R. China	Anti-circumvention investigation	L 320 06.12.2007, p. 23

Salmon	R.423	Norway	Partial interim review	C 88 21.04.2007, p. 26
Seamless pipes and tubes	R.426	Russia	Partial interim review	C 138 22.06.2007, p. 37
Sulphanilic acid	R.429	P.R. China India	Expiry review	C 171 24.07.2007, p. 18
Sulphanilic acid (AS)	R.430	India	Expiry review	C 171 24.07.2007, p. 14
Sulphanilic acid (AS)	R.440	India	Partial interim review	C 229 29.09.2007, p. 9
Tartaric acid	R.419	P.R. China	Partial interim review	C 63 17.03.2007, p. 2
Tartaric acid	R.443	P.R. China	New exporter review	L 312 30.11.2007, p. 12
Trout	R.424	Norway	Partial interim review	C 109 15.05.2007, p. 23
Tube and pipe fittings, of iron or steel	R. 433	Korea (Rep. of) Malaysia	Expiry review	C 192 18.08.2007, p. 15
Urea	R.412	Belarus Croatia Libya Ukraine	Expiry review	C 316 22.12.2006, p. 13
Urea and ammonium nitrate solutions	R.409	Russia	Partial interim review	C 311 19.12.2006, p. 51
Welded tubes and pipes, of iron or non-alloy steel	R.439	Thailand Turkey Ukraine	Expiry review	C 226 26.09.2007, p. 12
Welded tubes and pipes, of iron or non-alloy steel	R.439	Turkey	Interim review	C 226 26.09.2007, p. 12

C. Ranked by country (new and review investigations) (alphabetical)

Origin	Product	Type	Publication
Belarus	Polyester staple fibres	Partial interim review	C 202 30.08.2007, p. 4
	Urea	Expiry review	C 316 22.12.2006, p. 13
	Welded tubes and pipes, of iron or non-alloy steel	New investigation	C 226 26.09.2007, p. 7
Bosnia & Herzegovina	Welded tubes and pipes, of iron or non-alloy steel	New investigation	C 226 26.09.2007, p. 7
P.R. China	Bicycle parts	Interim review	C 289 28.11.2006, p. 15
	Citric acid	New investigation	C 205 04.09.2007, p. 14
	Citrus fruits	New investigation	C 246 20.10.2007, p. 15

	Coke of coal in pieces with a diameter of more than 80 mm	New investigation  Prov. duty	C 313 20.12.2006, p. 15  L 244 19.09.2007, p. 3
	Compressors	New investigation	C 314 21.12.2006, p. 2
	Coumarin	Expiry review	C 103 08.05.2007, p. 15
	Fasteners, iron or steel	New investigation	C 267 09.11.2007, p. 31
	Ferro molybdenum	Interim review	C 262 31.10.2006, p. 28
	Ferro-silicon	New investigation  Prov. duty	C 291 30.11.2006, p. 34  L 223 29.08.2007, p. 1
	Flat-rolled products (hot-dipped metallic-coated iron or steel)	New investigation	C 302 14.12.2007, p. 24
	Footwear with leather uppers	Anti-circumvention investigation	L 234 06.09.2007, p. 3
	Hand pallet trucks and their essential parts	Partial interim review	C 184 07.08.2007, p. 11
	Hand pallet trucks and their essential parts	Partial interim review	C 308 19.12.2007, p. 15
	Magnesia bricks	New exporter review	L 337 21.12.2007, p. 42
	Monosodium glutamate	New investigation	C 206 05.09.2007, p. 20
	Okoumé plywood	Partial interim review	C 291 30.11.2006, p. 19
	Plastic sacks and bags	Partial interim review	C 54 09.03.2007, p. 5
	Polyester staple fibres	Partial interim review	C 202 30.08.2007, p. 4
	Polyvinyl alcohol	New investigation  Prov. duty	C 311 19.12.2006, p. 47  L 243 18.09.2007, p. 23
	Powdered activated carbon (PAC)	Expiry review	C 131 13.06.2007, p. 14
	Ring binder mechanisms	Anti-circumvention investigation	L 320 06.12.2007, p. 23
	Sulphanilic acid	Expiry review	C 171 24.07.2007, p. 18
	Tartaric acid	Partial interim review	C 63 17.03.2007, p. 2
	Tartaric acid	New exporter review	L 312 30.11.2007, p. 12

	Welded tubes and pipes, of iron or non-alloy steel	New investigation	C 226 26.09.2007, p. 7
Croatia	Urea	Expiry review	C 316 22.12.2006, p. 13

Egypt	Ferro-silicon	New investigation  Prov. duty	C 291 30.11.2006, p. 34  L 223 29.08.2007, p. 1
India	Antibiotics (AS)	Partial interim review	C 212 11.09.2007, p. 10
	Bed linen (AS)	Partial interim review	C 230 02.10.2007, p. 5
	Dihydromyrcenol	New investigation  Prov. duty	C 275 11.11.2006, p. 25  L 196 28.07.2007, p. 3
	Graphite electrode systems (AS)	Partial interim review	C 230 02.10.2007, p. 9
	Polyethylene terephthalate (PET) (AS)	Partial interim review	C 227 27.09.2007, p. 16
	Polyethylene terephthalate (PET) film (AS)	Partial interim review	C 240 12.10.2007, p. 6
	Sulphanilic acid (AS)	Expiry review	C 171 24.07.2007, p. 14
	Sulphanilic acid	Expiry review	C 171 24.07.2007, p. 18
	Sulphanilic acid (AS)	Partial interim review	C 229 29.09.2007, p. 9
Kazakhstan	Ferro-silicon	New investigation  Prov. duty	C 291 30.11.2006, p. 34  L 223 29.08.2007, p. 1
Korea (Rep. of)	DRAMs (AS)	Partial interim review	C 67 18.03.2006, p. 16
	Polyester staple fibres	Partial interim review	C 202 30.08.2007, p. 4
	Tube and pipe fittings, of iron or steel	Expiry review	C 192 18.08.2007, p. 15
Libya	Urea	Expiry review	C 316 22.12.2006, p. 13
Macedonia (FYR)	Ferro-silicon	New investigation  Prov. duty	C 291 30.11.2006, p. 34  L 223 29.08.2007, p. 1
Malaysia	Tube and pipe fittings, of iron or steel	Expiry review	C 192 18.08.2007, p. 15

Norway	Salmon	Partial interim review	C 88 21.04.2007, p. 26
	Trout	Partial interim review	C 109 15.05.2007, p. 23
Russia	Ammonium nitrate	Partial interim review	C 300 30.11.2005, p. 8
	Ammonium nitrate	Partial interim review	C 311 19.12.2006, p. 55
	Ammonium nitrate	Expiry review	C 81 14.04.2007, p. 2
	Ferro-silicon	New investigation	C 291 30.11.2006, p. 34
		Prov. duty	L 223 29.08.2007, p. 1
	Grain oriented flat-rolled products of silicon-electrical steel (GOES)	Partial interim review	C 254 20.10.2006, p. 10
	Grain oriented flat-rolled products of silicon-electrical steel (GOES)	Partial interim review	C 39 23.02.2007, p. 26
	Seamless pipes and tubes	Partial interim review	C 138 22.06.2007, p. 37
	Urea and ammonium nitrate solutions	Partial interim review	C 311 19.12.2006, p. 51
	Welded tubes and pipes, of iron or non-alloy steel	New investigation	C 226 26.09.2007, p. 7
Saudi Arabia	Polyester staple fibres	Partial interim review	C 202 30.08.2007, p. 4
South Africa	Manganese dioxides	New investigation	C 314 21.12.2006, p. 78
		Prov. duty	L 243 18.09.2007, p. 7
Taiwan	Polyvinyl alcohol	New investigation	C 311 19.12.2006, p. 47
Thailand	Welded tubes and pipes, or iron or non-alloy steel	Expiry review	C 226 26.09.2007, p. 12
Turkey	Welded tubes and pipes, or iron or non-alloy steel	Expiry review	C 226 26.09.2007, p. 12
	Welded tubes and pipes, or iron or non-alloy steel	Interim review	C 226 26.09.2007, p. 12
Ukraine	Ammonium nitrate	Partial interim review	C 311 19.12.2006, p. 57
	Urea	Expiry review	C 316 22.12.2006, p. 13
	Welded tubes and pipes, or iron or non-alloy steel	Expiry review	C 226 26.09.2007, p. 12
USA	Grain oriented flat-rolled products of silicon-electrical steel (GOES)	Partial interim review	C 254 20.10.2006, p. 10



## ANNEX S

### Court cases

#### A. Court cases pending before the Court of Justice and the Court of First Instance of the European Communities on 31 December 2007

<b>Court of Justice</b>	
Case C-398/05	AGST Draht- und Biegetechnik
Case C-263/06	Carboni e Derivati
Case C-535/06	Moser Baer
Case C-461/07 P(I) <sup>32</sup>	Provincia di Ascoli Piceno, Comune di Monte Urano, (Sun Sang Kong Yuen Shoes Factory (Hui Yang) Corp., Ltd, Council of the European Union)
Case C-462/07 P(I) <sup>32</sup>	Provincia di Ascoli Piceno, Comune di Monte Urano, (Zhejiang Aokang Shoes Co., Ltd, Council of the European Union)
Case C-463/07 P(I) <sup>32</sup>	Provincia di Ascoli Piceno, Comune di Monte Urano, (Wenzhou Taima Shoes Co., Ltd, Council of the European Union)
Case C-464/07 P(I) <sup>32</sup>	Provincia di Ascoli Piceno, Comune di Monte Urano, (Apache Footwear Ltd, Apache II Footwear Ltd, Council of the European Union)
<b>Court of First Instance</b>	
Case T-383/03	Hynix v. Council
Case T-199/04	Gul Ahmed Textile Mills Ltd. v. Council
Case T-429/04	Trubowest Handel and Makarov v. Council
Case T-462/04	Heg Ltd. and Graphite India Ltd. v. Council
Case T-498/04	Zhejiang Chemical v. Council
Case T-221/05	Huvis Corporation v. Council
Case T-299/05	Shangai Excel & Shanghai Adeptech v. Council
Case T-348/05	JSC Kirovo-Chepetsky v. Council
Case T-45/06	Reliance Industries Ltd. v. Council
Case T-113/06	Fjord Seafood Norway AS et al v. Council
Case T-115/06	Fiskeri og Havbruksnaeringens et al v. Council

<sup>32</sup> appeal against Court of First Instance order dismissing right to intervene

Case T-119/06	Usha Martin Ltd. v. Council and Commission
Case T-143/06	MTZ Polyfilms Ltd. v. Council
Case T-151/06	Aluminium Silicon Mill Products GmbH v. Commission
Case T-249/06	Niko Tube & Nyzhniodniprovskiy v. Council
Case T-301/06	Lemaître Sécurité SAS v. Commission
Case T-314/06	Whirlpool v. Council
Case T-296/06	Dongguan Nanzha Leco Stationery Mfg. v. Council
Case T-364/06	Xinhui Alida Polythene Ltd. v. Council
Case T-401/06	Brossman Footwear (HK) and others v. Council
Case T-407/06	Zhejiang Aokang Shoes Ltd. v. Council
Case T-408/06	Wenzhou Taima Shoes Co. Ltd. v. Council
Case T-409/06	Sun Sang Kong Yuen Shoes Factory v. Council
Case T-410/06	Foshan City Nanhai Golden Step Industrial Co. Ltd. v. Council
Case T-1/07	Apache Footwear Ltd. & Apache II Footwear Ltd. v. Council
Case T-84/07	Eurochem v. Council
Case T-167/07	Far Eastern Textile Ltd. v. Council
Case T-206/07	Foshan Shunde Yongjian Housewares & Hardware v. Council
Case T-225/07	Thomson Sales Europe v. Commission
Case T-274/07	Zhejiang Harmonic Hardware Products v. Council
Case T-330/07	Kuiburi v. Council
Case T-459/07	Hanzhou Duralamp Electronics Co., Ltd v. Council
Case T-466/07	Osram v. Council
Case T-469/07	Philips Lighting Poland SA and Philips Lighting BV v. Council

B. Judgments, orders and other decisions rendered by the Court of Justice and the Court of First Instance of the European Communities during 2007

<b>Court of Justice</b>	
Case C-351/04	Ikea Wholesale Ltd. v. Commissioners of Customs & Excise [judgment on preliminary ruling]
Case C-245/05	Metro International GmbH

	[order removing the case from the register – the referring court discontinued the proceeding]
<b>Court of First Instance</b>	
Case T-91/05	Sinara Handel v. Council & Commission [order dismissing the action as inadmissible]
Case T-174/04	Mittal Steel Roman SA (formerly Petrotub SA) v. Council [order removing the case from the register – applicant discontinued the proceeding]
Case T-163/06	BA.LA di Lanciotti v. Commission [order removing the case from the register – application withdrawn by applicant]
Case T-107/04	Aluminium Silicon Mill Products GmbH v. Council [judgment]

## **ANNEX T**

Safeguard and surveillance measures in force on 31 December 2007

### A. Safeguard measures

<b>List of safeguard measures in force</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision No</b>	<b>OJ Reference</b>
-	-	-	-

### B. Surveillance measures

<b>List of surveillance measures in force</b>			
<b>Product</b>	<b>Country of origin</b>	<b>Regulation/ Decision No</b>	<b>OJ Reference</b>
Footwear products (surveillance)	P.R. China	Commission Reg. (EC) No 117/2005 26.01.2005	L 24 27.01.2005 p. 8
Steel products (surveillance)	Erga omnes	Commission Reg. (EC) No 469/2005 23.03.2005	L 78 24.03.2005 p. 12

**ANNEX U**

Refunds during the period 1 January - 31 December 2007

<b>LODGED</b>			
<b>PRODUCT</b>	<b>ORIGIN</b>	<b>REFERENCE</b>	
Hand pallet Trucks	PR China	RF 37/04	
Hand pallet Trucks	PR China	RF 37/05	
Apparel Fabrics	PR China	RF 41/03	
Shoes	PR China	RF 47/03	
Shoes	PR China	RF 47/04	
Plastic sacks & bags	PR China	RF 49/01	
Plastic sacks & bags	PR China	RF 49/02	
Tungsten electrodes	PR China	RF 50/01	
<b>ONGOING ANALYSES</b>			
<b>PRODUCT</b>	<b>ORIGIN</b>	<b>REFERENCE</b>	
Bed linen	Pakistan	RF 33/07	
Bed linen	Pakistan	RF 33/08	
Bed linen	Pakistan	RF 33/09	
DRAMs	South Korea	RF 40/01	
DRAMs	South Korea	RF 40/02	
Shoes	PR China	RF 47/03	
<b>INVESTIGATION SUSPENDED</b>			
PET Film	India	RF 39/01	
<b>DECISIONS ADOPTED</b>			
<b>PRODUCT</b>	<b>ORIGIN</b>	<b>DECISION</b>	<b>REFERENCE</b>
Bed linen	Pakistan	Withdrawn	RF 33/01
Bed linen	Pakistan	Withdrawn	RF 33/02
Hand-pallet trucks	PR China	Rejected (partial period) – No refund	RF 37/02
Hand-pallet trucks	PR China	Rejected – No refund	RF 37/03
Aluminium foil	Russia	Rejected – No refund	RF 43/01

