

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(80) 686 final

Brussels, 31 October 1980

Proposal for a  
COUNCIL REGULATION (EEC)  
prolonging the provisional anti-dumping duty on certain chemical fertilizer  
originating in the United States of America

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(submitted to the Council by the Commission)

COM(80) 686 final



## EXPLANATORY MEMORANDUM

By Regulation (EEC) N° 2182/80 of 15 August 1980 the Commission imposed a provisional anti-dumping duty on certain chemical fertilizers originating in the United States of America. The maximum period of validity of this measure is four months and the Community's Anti-dumping Regulation (EEC) N° 3017/79 requires the Commission to submit a proposal, either for definitive measures or for an extension of the duty, to the Council not later than one month before the expiry of the provisional measure.

Since the imposition of the duty the Commission's services have continued their examination of this matter. Due to the complexity of this investigation and to the fact that certain American producers have only recently expressed their willingness to cooperate with the Commission's services in the investigation, it has not been possible to complete it and thus to submit a proposal for definitive measures based on the full facts of the case.

The Commission has notified therefore the exporters known to be concerned of the intention to extend the provisional duty for a further period of two months and the exporters representing the quasi-totality of the trade did not object.

In these circumstances, the Commission submits the attached proposal for a Council Regulation extending the provisional anti-dumping duty on certain chemical fertilizers originating in the United States of America for a further period not exceeding two months.

COUNCIL REGULATION (EEC)

prolonging the provisional anti-dumping duty on certain chemical fertilizer originating in the United States of America

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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) N° 3017/79 of 20 December 1979 on protection against dumped or subsidized imports from countries which are not members of the European Economic Community<sup>1</sup>, and in particular Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas, by Regulation (EEC) N° 2182/80<sup>2</sup>, the Commission imposed a provisional anti-dumping duty on certain chemical fertilizer originating in the United States of America;

Whereas the examination of the facts is not yet complete; whereas the Commission notified the exporters known to be concerned of its intention to extend the provisional duty for a further period of two months; whereas exporters representing almost the whole trade did not object;

HAS ADOPTED THIS REGULATION:

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

<sup>2</sup> OJ N° L 212, 15.08.1980, p. 43

Article 1

The provisional anti-dumping duty on certain chemical fertilizer originating in the United States of America, imposed by Regulation (EEC) N° 2182/80, is hereby extended for a period not exceeding two months.

Article 2

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

Without prejudice to Article 11 of Regulation (EEC) N° 3017/79 and to any different decision taken by the Council, it shall apply until the entry into force of an act of the Council adopting definitive measures or, at the latest, until the expiry of a period of two months beginning on 15 December 1980.

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

Done at Brussels,

For the Council

