

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(83) 186 final

Brussels, 29 March 1983

Proposal for a

COUNCIL REGULATION (EEC)

prolonging the provisional anti-dumping duty on imports of natural
magnesite, dead-burned (sintered), originating in the People's
Republic of China and in North Korea

(submitted to the Council by the Commission)

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EXPLANATORY MEMORANDUM

By Regulation (EEC) No 3542/82 of 22 December 1982 the Commission imposed provisional anti-dumping duties on natural magnesite, dead-burned (sintered) originating in the People's Republic of China and North ^{Korea.} The maximum period of validity of this measure is four months and the Community's anti-dumping Regulation (EEC) No 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 duties the Commission's services have continued their examination of this matter. It has not, however, been possible to submit a proposal for definitive measures based on the full facts of the case due to the fact that the Commission's services are awaiting the results of a study being made by an independent expert.

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

In these circumstances, the Commission submits the attached proposal for a Council Regulation extending the provisional anti-dumping duty on natural magnesite, dead-burned (sintered) originating in the People's Republic of China and North Korea for a further period not exceeding two months

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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) No 3017/79 of 20 December 1979 on protection against dumped or subsidized imports from countries not members of the European Economic Community¹, as amended by Regulation (EEC) No 1580/82², and in particular Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas, by Regulation (EEC) No 3542/82³, the Commission imposed a provisional anti-dumping duty on natural magnesite, dead-burned (sintered) with a MgO content between 85 and 92%, falling within Common Customs Tariff subheading 25.19 ex B and corresponding to NIMEXE Code 25.19-51, originating in the People's Republic of China and North Korea;

Whereas the examination of the facts is not yet complete; whereas the Commission notified the exporters known to be concerned of its intention to prolong the provisional duty for a further period of two months; whereas these exporters, who represented a significant percentage of the trade concerned, did not object,

HAS ADOPTED THIS REGULATION:

¹ OJ No L 339, 31.12.1979, p. 1.

² OJ No L 178, 22.06.1982, p. 9.

³ OJ No L 371, 30.12.1982, p. 25.

Article 1

The provisional anti-dumping duty on natural magnesite, dead-burned (sintered), with a MgO content between 85 and 92%, falling within Common Customs Tariff subheading 25.19 ex B and corresponding to NIMEXE Code 25.19-51, originating in the People's Republic of China and North Korea imposed by Regulation (EEC) No 3542/82, 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) No 3017/79 and to any other 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 1 May 1983.

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

Done at Brussels,

For the Council

