

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(81) 119 final

Brussels, 19 March 1981

Proposal for a
COUNCIL REGULATION (EEC)

amending Regulation (EEC) No 2133/78 imposing a definitive anti-dumping
duty on kraft liner paper and board originating in the United States of
America

(submitted to the Council by the Commission)

COM(81) 119 final

EXPLANATORY MEMORANDUM

By Regulation (EEC) 2133/78 of 9 September 1978 the Council imposed a definitive antidumping duty on kraft liner paper and board originating in the United States of America.

This duty applied to imports of all types of kraft liner paper and was consequently based on Nimexe codes 48.01-15, 21, 27, and 31 which at the time of the adoption of Regulation 2133/78 covered all the products concerned, whether in one layer or not. However, in 1979 a new Nimexe code 48.01-14 was created for kraft liner paper composed of two or more layers of different types. This had previously been covered by Nimexe codes 48.01-15, 21, and 27 and it was, therefore, necessary to extend the application of Article 1 of Regulation (EEC) 2133/78 to include Nimexe code 48.01-14, so that the duty could not be evaded. This was done in Regulation (EEC) 572/79 of 26 March 1979.

On 22 December 1980, the Commission published its Regulation (EEC) 3285/80 amending certain Nimexe codes and, as a result, the codes referred to in Regulation 2133/78, as amended, were now covered by Nimexe codes 48.01-20, 22, 24, 30, 32, 34, 36, 38 and 39. Regulation (EEC) 2133/78 should now be amended to take account of these modifications.

COUNCIL REGULATION (EEC)

amending Regulation (EEC) No 2133/78 imposing a definitive anti-dumping duty on kraft liner paper and board originating in the United States of America

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to Council Regulation (EEC) No 3017/79 of 20 December 1979 on protection against dumped or subsidised imports from countries not members of the European Economic Community (1), and in particular Article 14 thereof, Having regard to the proposal from the Commission,

Whereas by Council Regulation (EEC) No 2133/78 (2) a definitive anti-dumping duty was imposed on kraft liner paper and board originating in the United States of America; whereas this duty applied to imports of all types of kraft liner paper corresponding to NIMEXE codes 48.01-15, 21, 27 and 31 which covered all the products concerned

Whereas by Council Regulation (EEC) No 572/79 (3), Article 1 of Regulation (EEC) No 2133/79 was extended to include a new NIMEXE code 48.01-14

Whereas by Commission Regulation (EEC) No 3285/80 (4) new NIMEXE codes 48.01-20, 22, 24, 30, 32, 34, 36, 38 and 39 were created for the kraft liner paper and board which were previously covered by NIMEXE codes 48.01-14, 15, 21, 27 and 31,

Whereas it is therefore necessary that these new NIMEXE codes be covered by Regulation (EEC) No 2133/78,

HAS ADOPTED THIS REGULATION:

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

(2) OJ No L 247, 09.09.1978, p. 22

(3) OJ No L 77, 29.03.1979, p. 1

(4) OJ No L 346, 22.12.1980, p. 1

Article 1

In Article 1 of Regulation (EEC) No 2133/78 NIMEXE codes 48.01-14, 15, 21, 27 and 31 are hereby replaced by codes 48.01-20, 22, ex 24, 30, 32, ex 34, 36, 38 and ex 39.

Article 2

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

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

Done at Brussels,

For the Council