

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(77) 9 final

Brussels, 25 January 1977

Proposal for a
Council Regulation (EEC)

concerning the application of an anti-dumping
duty on cycle chain originating in Taiwan

(submitted to the Council by the Commission)

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Explanatory Memorandum

1. As a result of an anti-dumping investigation carried out by its services in collaboration with the competent experts of the Member States, the Commission, by Regulation (EEC) No. 2757/76 of 12 November 1976 imposed a provisional anti-dumping duty on imports of cycle chain originating in Taiwan with the exception of shipments which arrived at prices which could be considered as normal, i.e. at a price equal to, or higher than, 1.39 units of account per kilogramme. The Commission subsequently adopted Regulation (EEC) No. 2888/76 defining the unit of account to be used for this purpose.
2. The Community's anti-dumping Regulation (EEC) No. 459/68 provides that provisional anti-dumping duties shall have a maximum period of validity of three months and under Article 17 it is for the Council to decide on the definitive collection of the duty and on the imposition of a definitive anti-dumping duty.
3. Since the facts as finally established show that there is dumping and resultant material injury and that the interests of the Community call for Community intervention, the Commission submits the attached proposal for a Council Regulation concerning the application of the anti-dumping duty.

Proposal for a Council Regulation (EEC)

concerning the application of an anti-dumping duty on
cycle chains originating in Taiwan

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 459/68 of 5 April 1968 on protection against dumping or the granting of bounties or subsidies, by countries which are not members of the European Economic Community⁽¹⁾, as amended by Regulation (EEC) No 2011/73⁽²⁾, and in particular Article 17 thereof,

Having regard to the Opinion of the Advisory Committee set up under the said Regulation,

Whereas by Regulation (EEC) No 2757/76 of 12 November 1976⁽³⁾, completed by Regulation (EEC) No 2888/76⁽⁴⁾, the Commission imposed a provisional anti-dumping duty on cycle chains originating in Taiwan;

Whereas the facts as finally established confirm that the factors which led to the Commission imposing the said measure still exist and whereas they show in particular that there is dumping and resultant material injury and that the interests of the Community call for Community intervention;

Whereas, therefore, it is necessary to impose definitively the anti-dumping duty already imposed provisionally and to decide to collect definitively the amounts secured by way of provisional duty;

(1) OJ No L 93, 17.4.1968, p. 1

(2) OJ No L 206, 27.7.1973, p. 3

(3) OJ No L 312, 13.11.1976, p. 41

(4) OJ No L 331, 30.11.1976, p. 26

Whereas, however, in order to ensure more equitable treatment of imports at different prices, the amount of the duty should be the difference between the declared value of the goods and their normal value;

HAS ADOPTED THIS REGULATION:

Article 1

A definitive anti-dumping duty is hereby imposed on articulated link roller chains for cycles and motor cycles, falling within Common Custom Tariff heading No. ex 73.29 and corresponding to Nimexe Code No. 73.29-11, originating in Taiwan. The provisions in force for the collection of customs duties shall apply for the collection of this duty.

The amount of such duty shall correspond to the difference between the value declared, per kilogramme net, in accordance with Regulation (EEC) No 375/69⁽¹⁾, and 1.39 European units of account, the conversion of which units into national currencies shall be carried out in accordance with the undermentioned rates :

<u>Currency amount for European unit of account</u>	
Belgian and Luxembourg franc	41.2146
German mark	2.68649
Dutch guilder	2.80929
Pound sterling	0.667941
Danish krone	6.56755
French franc	5.54892
Italian lira	959.873
Irish pound	0.667941
United States dollar	1.10971

Article 2

The amounts secured by way of provisional duty imposed by Regulation (EEC) No 2757/76 shall be definitively collected, to the extent to which they do not exceed the amount due under Article 1.

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