

# COMMISSION OF THE EUROPEAN COMMUNITIES

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## FOURTH ANNUAL REPORT OF THE COMMISSION TO THE EUROPEAN PARLIAMENT

on the Community's anti-dumping and anti-subsidy activities

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Com 178

FOURTH ANNUAL REPORT<sup>1</sup> OF THE COMMISSION ON  
THE COMMUNITY'S ANTI-DUMPING AND ANTI-SUBSIDY ACTIVITIES

INTRODUCTION

1. This report is submitted to the European Parliament following its Resolution of 16 December 1981 on the Community's anti-dumping activities<sup>2</sup>. Although the report concentrates mainly on the Community's anti-dumping and anti-subsidy activities during 1985, for the purposes of comparison details are also included of the number of investigations and reviews initiated and concluded in 1983 and 1984. The Community's basic legislation on anti-dumping and anti-subsidization in 1985 was Council Regulation (EEC) No 2176/84<sup>3</sup> and Commission Decision No 2177/84/ECSC<sup>4</sup>. This legislation is in accord with the GATT Codes on Anti-Dumping and Subsidies and Countervailing Duties to which the Community is a Party.<sup>5</sup>

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<sup>1</sup>Previous reports were given in COM(83)519 final/2, COM(84)721 final and COM(86)308 final.

<sup>2</sup>OJ No C 11, 18.01.1982, p. 37.

<sup>3</sup>OJ No L 201, 30.07.1984, p. 1.

<sup>4</sup>OJ No L 201, 30.07.1984, p. 17.

<sup>5</sup>OJ No L 71, 17.03.1980, pp. 72 and 90.

T A B L E 1

Anti-dumping and anti-subsidy investigations in the  
period 1 January 1983 to 31 December 1985

	1983	1984	1985
Investigations in progress at the beginning of the period	53	33	40
Investigations initiated during the period	38	49	36
Investigations in progress during the period	91	82	76
Investigations concluded by:			
- imposition of definitive duty	20	5	8
- acceptance of price undertaking	27	27	4
- determination of no dumping	-	6	2
- determination of no subsidization	-	-	1
- determination of no injury	8	-	15
- other reasons	3	4	2
Total investigations concluded during the period	58	42	32
Investigations in progress at the end of the period	33	40	44
Provisional duties imposed during the period	22	11	9

ANTI-DUMPING AND ANTI-SUBSIDY INVESTIGATIONS

2. The anti-dumping and anti-subsidy investigations initiated and concluded by the Community in the years 1983 to 1985 are summarised in Table 1 above, and details of the individual actions taken in 1985 are set out in the annexes to this report. The Commission strives to obtain as great a degree of transparency as possible in its procedures and a recommendation to this effect has now been adopted by the GATT Committee on Anti-Dumping Practices<sup>1</sup>. It is the Commission's practice, therefore, to publish full details of the dumping or subsidization and injury alleged in the complaint leading to the initiation of an investigation. These details are included in the notices of initiation which are published in the Official Journal. In addition, the Decisions, Regulations and Recommendations which conclude the investigations and apply provisional or definitive anti-dumping or countervailing measures, where appropriate, set out the issues of fact and law which were considered to be material in the investigation and give reasons for the action taken, as well as the reasons for the acceptance or rejection of relevant arguments or claims made by the interested parties. These instruments are also published in the Official Journal.
  
3. It will be seen from Table 1 that 36 investigations were initiated by the Commission in 1985. This represents a decrease compared with the number of investigations initiated in 1984, though the number was comparable with the number opened in 1983. Moreover, it was found in 1985 that the ability to open investigations in the year was limited by the lack of resources available to the Commission for this work, allied to the need to carry out other duties

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<sup>1</sup>Recommendation ADP/17 adopted by the GATT Committee on Anti-Dumping Practices on 15 November 1983.

such as the review of existing measures, safeguard investigations, the assessment of refund claims and work connected with cases before the Court of Justice. The Parliament is well aware of this problem and the Commission notes its views, reiterated in paragraph 19 of its Resolution of 16 October 1986<sup>1</sup> concerning the need to reinforce the personnel in this sector. Details of the investigations initiated in 1985 are given in Annex A.

4. Table 1 also shows that 32 investigations were concluded in 1985. This also represents a decrease compared with the number of investigations concluded in the previous year, the number being more in line with the number of investigations concluded in 1981 (31 investigations).

#### IMPOSITION OF PROVISIONAL DUTIES

5. Once a preliminary determination has been made that dumping or subsidization has caused injury to a Community industry, it is the Commission's practice to impose a provisional duty unless a price undertaking has been accepted from the exporter concerned or, in the case of subsidization, from the government of the country of origin or export. 9 provisional duties were imposed during investigations in 1985 compared with 11 in 1984 and 22 in 1983. Annex B.

#### IMPOSITION OF DEFINITIVE DUTIES

6. Table 1 shows that 8 definitive duties were imposed in 1985 compared with 5 in 1984 and 20 in 1983. A feature of the investigations concluded in 1985 is that for the first time the number of definitive duties imposed exceeded the number of price undertakings accepted in the year. Details of the investigations concluded by the imposition of definitive duties are given in Annex C.

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<sup>1</sup> Doc A2-73/86

ACCEPTANCE OF PRICE UNDERTAKINGS

7. Only 4 investigations were concluded by the acceptance of price undertakings in 1985 compared with 27 in each of the two previous years. One of the 4 undertakings concerned plasterboard. In this instance, injury was assessed on a regional basis, the region being Ireland, i.e. the Republic of Ireland and Northern Ireland, and this was the first occasion on which the regional criteria were applied in Community investigations. In accordance with the GATT Anti-Dumping Code, Community legislation provides for injury to be assessed on a regional basis only in exceptional circumstances and on the basis of strict criteria which require that the producers in the region concerned sell all, or almost all, of their production in the region, that the demand in the regional market is not supplied by other Community producers to any substantial degree and that the dumped imports are concentrated on the regional market. If dumping and injury is established on a regional basis then the Commission has an obligation to give the exporters an opportunity to offer a price undertaking and a duty may only be imposed if the undertaking is not given promptly or is not fulfilled.

INVESTIGATIONS CONCLUDED WITHOUT THE APPLICATION OF PROTECTIVE MEASURES

8. The number of investigations which were concluded without the imposition of anti-dumping or countervailing measures during the years 1983 to 1985 are also shown in Table 1. These are the investigations in which it was determined that the imports were not dumped or subsidized, or had not caused or threatened to cause material injury to a Community industry, or that because of special circumstances it was not in the Community's interest to continue the investigation or to apply protective measures.

9. 20 investigations were terminated without the application of anti-dumping or countervailing measures in 1985, the increase being due mainly to an exceptionally high number of no injury determinations during the year. Of the 20 investigations concluded in 1985, 2 were terminated following a determination of no dumping, 1 was terminated on a finding of no subsidization and 15 were terminated on a finding of no injury. Details of the investigations terminated on these grounds during 1985 are given in Annexes E, F and G respectively. In addition 2 investigations were concluded without the application of protective measures for other reasons and details of these are given in Annex H. These investigations concerned miniature ball bearings from Thailand and soya meal from Brazil. In the former case, it was found that the operations carried out on the products in question in Thailand were insufficient to confer Thai origin on them and the investigation was closed in the absence of imports of ball bearings originating in that country. In the case of soya meal from Brazil, it was considered that it was not in the Community's interest to apply countervailing measures, even though it had been established that during the investigation period the exports had been subsidised and that the Community industry had been injured as a result. This was because the Brazilian Government had formally ceased to grant concessionary financing on exports of soya meal during the investigation period and this grant had accounted for virtually the whole of the subsidy in question.

BREAKDOWN OF INVESTIGATIONS BY COUNTRY OF EXPORT AND BY PRODUCT

10. The number of investigations initiated in the years 1983 to 1985 are broken down by country of export in Annex I. The 36 investigations initiated in 1985 concerned exports from 25 countries. For 17 of the countries only one investigation was initiated in the year and for 7 others only 2 investigations were initiated, the exception being Yugoslavia, whose exports were subject to 5 investigations. The 123 investigations initiated during the three year period from 1983 to 1985 concerned exports from 32 countries, of which 10 were subject to only one investigation. The highest number of investigations initiated in respect of exports from individual countries in the three year period concerned exports from Spain (14 investigations, though only 1 in 1985), Yugoslavia (12), Japan (10), Czechoslovakia (8) and the USSR (8).
  
11. The number of investigations initiated in the years 1983 to 1985 are broken down in Annex J by product sector. The main feature in 1985 is that no investigations concerning products in the chemicals and allied sector were initiated in the year, although the investigations on these products accounted for almost half of the total initiated in the previous year. For the other product sectors, there was an increase in the number of investigations initiated in respect of products in the iron and steel and textiles sectors while the number of investigations in the mechanical engineering sector remained relatively high and there was a decline in the number of investigations concerning products in the wood and paper sector. The other products involved in investigations initiated in 1985 were glass, cement and clogs.

#### LENGTH OF INVESTIGATIONS

12. The average time taken to complete the normal investigations in 1985 was 9.3 months, compared with 7.1 months in 1984 and 7.8 months in 1983. In addition, the average time taken to impose provisional duties in the investigations concluded in 1985 was 8.0 months, compared with 7.0 months in the previous year. These average times are within the ranges taken by the Community's major trading partners, in spite of the particular features of the Commission's decision making process in the anti-dumping and anti-subsidy field and the need to produce regulations and decisions in all Community languages before they enter into effect. Nevertheless, the increase in the average times in 1985 is a matter of concern. Although the increase was due, to some extent, to the complexity of the issues raised in the investigations, there can be little doubt that the main cause was the lack of resources available to the Commission which is referred to in paragraph 3 above.

#### REVIEWS

13. The Regulations and Decisions imposing anti-dumping or countervailing duties and the Decisions to accept price undertakings are subject to review, in whole or in part, where such action is warranted. The reviews are generally carried out at the request of an interested party on the grounds of changed circumstances though they may also be opened at the request of a Member State or on the Commission's own initiative. Normally, it is the practice to re-open the investigation when a review is carried out and notice of the re-opening is published in the Official Journal. Where there is no need to carry out extensive fact-finding, how-

ever, then the review may be carried out without re-opening the investigation, for example, where a duty is replaced by a price undertaking. The number of reviews opened, in progress and terminated in the years 1983 to 1985 are shown in Table 2 below.

14. Contrary to the trend in previous years there was an increase in the number of reviews opened in 1985, 30 review being opened in the year compared with 7 in 1984 and 10 in 1983. The increase had been expected for some time in view of the number of anti-dumping measures applied in recent years. Details of the reviews which led to the re-opening of the investigation are given in Annex K.
15. The number of reviews concluded in the years 1983 to 1985 are broken down in Table 2 according to their outcome and the number of provisional duties imposed in the course of these reviews is also given. 12 reviews were concluded in 1985 compared with 7 in the previous year and 32 in 1983. These resulted in the imposition of 1 definitive duty and the amendment of 3 definitive duties, 2 of which were amended twice in the year. In addition 3 definitive duties were suspended, 1 was replaced by a price undertaking and 2 were repealed. Details of the provisional duties imposed in 1985 are given in Annex L and details of these reviews concluded are given in Annexes M to Q.

T A B L E 2

Reviews of anti-dumping and anti-subsidy investigations in the period 1 January 1983 to 31 December 1985

	1983	1984	1985
Reviews in progress at the beginning of the period	24	2	2
Reviews opened during the period	10	7	30
Reviews in progress during the period	34	9	32
Reviews terminated by:			
- imposition of definitive duty in lieu of price undertaking	8	1	1
- amendment of definitive duty	11	2	5
- suspension of definitive duty	-	-	3
- acceptance of price undertaking in lieu of definitive duty	2	2	1
- amendment of price undertaking	8	1	-
- repeal of definitive duty	-	-	2
- repeal of price undertaking	3	-	-
- repeal of national anti-dumping duty	-	1	-
- no change of the measures in force	-	-	-
Total reviews terminated during the period	32	7	12
Reviews in progress at the end of the period	2	2	20
Provisional duties imposed during the reviews	3	3	2

EXPIRY OF MEASURES

16. A novel feature of the Community's anti-dumping and anti-subsidy activities during the year was the expiry of measures under the sunset provisions laid down in Article 15 of Regulation (EEC) No 2176/84 and Decision No 2177/84/ECSC. These Articles provide for the expiry of measures after a period of five years from the date on which they entered into force or were last modified or confirmed during an administrative review, the aim being to ensure that protective measures are not maintained by default merely because an interested party has not requested a review and the Commission has no particular reason to believe that it should carry out a review on its own initiative. The Community's provisions concerning the expiry of measures entered into force on 1 July 1985. They provide for the publication in the Official Journal of a notice of impending expiry of the measure within six months prior to the end of the relevant five year period and for the Community industry concerned to be informed of the impending expiry. Where an interested party subsequently shows that the expiry of the measure would lead again to injury or the threat of injury then the Commission carries out a review of the measure. In other cases it publishes notice of the expiry in the Official Journal. During the six month period from 1 July to 31 December 1985 notices of the impending expiry of 55 measures were published<sup>1</sup>. These led to the expiry of 8 definitive duties, 25 price undertakings and 10 national duties imposed during the transitional provisions of the Act of Accession of Denmark, Ireland and the United Kingdom. Details of the measures which expired in 1985 are shown in Annex R.

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<sup>1</sup>These notices were published in OJ Nos C 80, 20.03.1985, p. 3, C 106, 27.04.1985, p. 2, C 159, 29.06.1985, pp. 3 and 4 and C 338, 31.12.1985, p. 6.

CASES BEFORE THE COURT OF JUSTICE

17. A list of the anti-dumping and anti-subsidy cases before the Court of Justice in 1985 is given in Annex S. During the year 12 new cases were brought before the Court, 2 of which were later joined, judgements were given in 4 cases and 7 orders were made. 9 of the new cases concerned anti-dumping duties imposed on electronic typewriters, 2 related to anti-subsidy proceedings concerning soya meal and 1 concerned an anti-dumping duty imposed on ball and tapered roller bearings. The issues raised in the electronic typewriter cases include the methods of calculating the dumping margins and procedural matters. In the soya meal cases the issues raised include the determination of subsidies and the closure of a proceeding on grounds of Community interest while in the ball bearings case the issues concern the comparison of prices and justification of the rate of duty imposed.
18. 2 of the 4 judgements in 1985 were made following references for a preliminary ruling. These concerned the use of basic prices for the calculation of anti-dumping duties on certain iron and steel products. In one instance<sup>1</sup> the Court held that it was not necessary to give a ruling on the validity of revised basic prices and in the other case<sup>2</sup> the Court found that the provisions of an EEC Regulation were not applicable to products falling within the ambit of the ECSC Treaty and that the prolonged maintenance of fixed conversion rates for calculating the amount of an anti-dumping duty on ECSC products is not incompatible with Community law unless the resulting calculation conflicts with the requirements of the basic anti-dumping legislation in this area. The other judgements were given in *Timex Corporation v. Council and*

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<sup>1</sup>Case 172/84, *Celistiri and Co SpA v Ministry of Finance*, judgement dated 21.03.1985, OJ No C 99, 19.04.1985, p. 6.

<sup>2</sup>Case 239/84, *Gerlach and Co BV Internationale Expeditie v Minister for Economic Affairs*, judgement dated 24.10.1985, OJ No C 294, 16.11.1985, p. 6.

Commission<sup>3</sup> and Allied Corporation and Others v. Council<sup>4</sup>. In the Timex case the Court found that the Commission had a duty to disclose information relevant to the defence of the applicants' interests, as far as this was compatible with the obligation not to disclose business secrets and in the Allied case the Court found that the Council had failed to demonstrate that the level of duty imposed was necessary to eliminate the injury caused. 5 of the orders made by the Court dismissed applications for the adoption of interim measures<sup>5</sup> and the other 2 dismissed an application<sup>6</sup> and removed an application from the register<sup>7</sup>, as far as these were directed against the Commission.

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<sup>3</sup>Case 264/82 OJ No C 96, 17.04.1985, p. 4.

<sup>4</sup>Case 53/83 OJ No C 147, 15.06.1985, p. 4.

<sup>5</sup>Cases 250/85R 260/85R, 273/85R, 297/85 and joined case 277/85R and 300/85R, Orders made on 18.10.1985, OJ N°C 327, 17.12.1985, pp. 3 and 4.

<sup>6</sup>Case 256/84, Order made on 08.05.1985, OJ No C 191, 31.07.1985, p. 9.

<sup>7</sup>Case 260/84, Order made on 08.05.1985, OJ No C 216, 27.08.1985, p. 5.

LIST OF ANNEXES

- A. Anti-dumping and anti-subsidy investigations initiated during the period 1 January to 31 December 1985
- B. Provisional duties imposed during anti-dumping and anti-subsidy investigations in the period 1 January to 31 December 1985
- C. Investigations concluded by the imposition of definitive duties during the period 1 January to 31 December 1985
- D. Investigations concluded by the acceptance of price undertakings during the period 1 January to 31 December 1985
- E. Investigations concluded on a finding of no dumping during the period 1 January to 31 December 1985
- F. Investigations concluded on a finding of no subsidization during the period 1 January to 31 December 1985
- G. Investigations concluded on a finding of no injury during the period 1 January to 31 December 1985
- H. Investigations concluded for other reasons during the period 1 January to 31 December 1985
- I. Investigations initiated by country of export during the period 1 January to 31 December 1985
- J. Investigations initiated by product sector during the period 1 January to 31 December 1985
- K. Reviews of anti-dumping and anti-subsidy measures opened during the period 1 January to 31 December 1985
- L. Provisional duties imposed during reviews of anti-dumping or anti-subsidy measures in the period 1 January to 31 December 1985
- M. Review of anti-dumping and anti-subsidy measures terminated by the imposition of definitive duties during the period 1 January to 31 December 1985
- N. Reviews of anti-dumping and anti-subsidy measures terminated by the amendment of definitive duties during the period 1 January to 31 December 1985
- O. Reviews of anti-dumping and anti-subsidy measures concluded by the suspension of definitive duties during the period 1 January to 31 December 1985
- P. Reviews of anti-dumping and anti-subsidy measures terminated by the acceptance of a price undertaking in lieu of definitive duty during the period 1 January to 31 December 1985
- Q. Reviews of anti-dumping and anti-subsidy measures terminated by the repeal of definitive duties during the period 1 January to 31 December 1985
- R. Anti-dumping and anti-subsidy measures which expired during the period 1 July to 31 December 1985
- S. Anti-dumping and anti-subsidy cases before the European Court of Justice in 1985

ANNEX AANTI-DUMPING AND ANTI-SUBSIDY INVESTIGATIONS INITIATED DURING  
THE PERIOD 1 JANUARY TO 31 DECEMBER 1985

<u>Product</u>	<u>Country of origin</u>	<u>OJ reference</u>
Clogs	Sweden	C 47, 19.02.85, p. 2
Hardboard	Argentina	C 47, 19.02.85, p. 3
Hardboard	Portugal	C 47, 19.02.85, p. 3.
Hardboard	Switzerland	C 47, 19.02.85, p. 3
Hardboard	Yugoslavia	C 47, 19.02.85, p. 3
Wire rod	Brazil	C 48, 20.02.85, p. 2
Wire rod	Portugal	C 48, 20.02.85, p. 2
Wire rod	Trinidad and Tobago	C 48, 20.02.85, p. 2
Wire rod	Venezuela	C 48, 20.02.85, p. 2
Container corner fittings	Austria	C 56, 02.03.85, p. 2
Flat glass	Turkey	C 66, 14.03.85, p. 13
Tube and pipe fittings of malleable cast iron	Brazil	C 77, 23.03.85, p. 3
Tubes and pipe fittings of malleable cast iron	Japan	C 77, 23.03.85, p. 3
Tubes and pipe fittings of malleable cast iron	Taiwan	C 77, 23.03.85, p. 3
Tubes and pipe fittings of malleable cast iron	Yugoslavia	C 77, 23.03.85, p. 3
Portland cement	GDR	C 84, 02.04.85, p. 5
Portland cement	Poland	C 84, 02.04.85, p. 5
Portland cement	Spain	C 84, 02.04.85, p. 5
Portland cement	Yugoslavia	C 84, 02.04.85, p. 5
Ball bearings	Thailand	C 95, 16.04.85, p. 2
Hammers	China	C 96, 17.04.85, p. 3
Stainless steel cooking ware	Korea	C 126, 23.05.85, p. 23

ANNEX A (cont'd)

<u>Product</u>	<u>Country of origin</u>	<u>OJ reference</u>
Acrylic fibres	Israel	C 159, 29.06.85, p. 2
Acrylic fibres	Mexico	C 159, 29.06.85, p. 2
Acrylic fibres	Romania	C 159, 29.06.85, p. 2
Acrylic fibres	Turkey	C 159, 29.06.85, p. 2
Photocopiers	Japan	C 194, 02.08.85, p. 5
Flat glass	Bulgaria	C 200, 08.08.85, p. 3
Flat glass	CSSR	C 200, 08.08.85, p. 3
Flat glass	Hungary	C 200, 08.08.85, p. 3
Flat glass	Romania	C 200, 08.08.85, p. 3
Flat glass	Yugoslavia	C 200, 08.08.85, p. 3
Freezers	GDR	C 319, 11.12.85, p. 3
Freezers	USSR	C 319, 11.12.85, p. 3
Freezers	Yugoslavia	C 319, 11.12.85, p. 3
Electronic typewriters	Taiwan	C 338, 31.12.85, p. 6

ANNEX B

PROVISIONAL DUTIES IMPOSED DURING ANTI-DUMPING AND ANTI-SUBSIDY  
INVESTIGATIONS IN THE PERIOD 1 JANUARY TO 31 DECEMBER 1985

<u>Product</u>	<u>Country of origin</u>	<u>Document</u>	<u>OJ reference</u>
Glass mirrors	South Africa	Reg (EEC) No 328/85	L 36, 08.02.85, p. 10
Hydraulic excavators	Japan	Reg (EEC) No 595/85	L 68, 08.03.85, p. 13
Polystyrene sheets	Spain	Reg (EEC) No 909/85	L 97, 04.04.85, p. 30
Glycine	Japan	Reg (EEC) No 997/85	L 107, 19.04.85, p. 8
Basic chromium sulphate	Yugoslavia	Reg (EEC) No 2221/85	L 205, 03.08.85, p. 12
Cycle chains	China	Reg (EEC) No 2317/85	L 217, 14.08.85, p. 7
Cycle chains	USSR	Reg (EEC) No 2317/85	L 217, 14.08.85, p. 7
Clogs <sup>1</sup>	Sweden	Reg (EEC) No 2823/85	L 268, 10.10.85, p. 11
Electronic weighing scales	Japan	Reg (EEC) No 2865/85	L 275, 16.10.85, p. 5

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<sup>1</sup>Subsequently amended by Reg (EEC) No 3475/85, L 333, 11.12.85, p. 18.

ANNEX C

INVESTIGATIONS CONCLUDED BY THE IMPOSITION OF DEFINITIVE DUTIES  
DURING THE PERIOD 1 JANUARY TO 31 DECEMBER 1985

<u>Product</u>	<u>Country of origin</u>	<u>Document</u>	<u>OJ reference</u>
Pentaerythritol	Canada	Reg (EEC) No 96/85	L 13, 16.01.85, p. 1
Oxalic acid	Brazil	Reg (EEC) No 228/85	L 26, 31.01.85, p. 6
Glass mirrors	South Africa	Reg (EEC) No 1543/85	L 148, 07.06.85, p. 1
Electronic typewriters	Japan	Reg (EEC) No 1698/85	L 163, 22.06.85, p. 1
Hydraulic excavators	Japan	Reg (EEC) No 1877/85	L 176, 06.07.85, p. 1
Polystyrene sheets	Spain	Reg (EEC) No 2109/85	L 198, 30.07.85, p. 1
Glycine	Japan	Reg (EEC) No 2322/85	L 218, 15.08.85, p. 1
Basic chromium sulphate	Yugoslavia	Reg (EEC) No 3385/85	L 321, 30.11.85, p. 81

ANNEX D

INVESTIGATIONS CONCLUDED BY THE ACCEPTANCE OF PRICE UNDERTAKINGS  
DURING THE PERIOD 1 JANUARY TO 31 DECEMBER 1985

<u>Product</u>	<u>Country of origin</u>	<u>Document</u>	<u>OJ reference</u>
Copper sulphate	Poland	85/104/EEC	L 41, 12.02.85, p. 13
Plasterboard	Spain	85/209/EEC	L 89, 29.03.85, p. 65
Container corner fittings	Austria	85/443/EEC	L 256, 27.09.85, p. 44
Cycle chains	USSR	85/542/EEC	L 335, 13.12.85, p. 63

ANNEX E

INVESTIGATIONS CONCLUDED ON A FINDING OF NO DUMPING  
DURING THE PERIOD 1 JANUARY TO 31 DECEMBER 1985

<u>Product</u>	<u>Country of origin</u>	<u>Document</u>	<u>OJ reference</u>
Wire rod	Brazil	85/501/ECSC	L 299, 13.11.85, p. 18
Wire rod	Venezuela	85/501/ECSC	L 299, 13.11.85, p. 18

ANNEX F

INVESTIGATIONS CONCLUDED ON A FINDING OF NO SUBSIDIZATION  
DURING THE PERIOD 1 JANUARY TO 31 DECEMBER 1985

<u>Product</u>	<u>Country of origin</u>	<u>Document</u>	<u>OJ reference</u>
Soya meal	Argentina	85/239/EEC	L 108, 20.04.85, p. 28

ANNEX G

INVESTIGATIONS CONCLUDED ON A FINDING OF NO INJURY  
DURING THE PERIOD 1 JANUARY TO 31 DECEMBER 1985

<u>Product</u>	<u>Country of origin</u>	<u>Document</u>	<u>OJ reference</u>
Skates	CSSR	85/143/EEC	L 52, 22.02.85, p. 48
Skates	Hungary	85/143/EEC	L 52, 22.02.85, p. 48
Skates	Romania	85/143/EEC	L 52, 22.02.85, p. 48
Skates	Yugoslavia	85/143/EEC	L 52, 22.02.85, p. 48
Titanium mill products	Japan	85/252/EEC	L 113, 26.04.85, p. 30
Titanium mill products	USA	85/252/EEC	L 113, 26.04.85, p. 30
Wood particle board	Bulgaria	85/470/EEC	L 268, 10.10.85, p. 22
Wood particle board	CSSR	85/470/EEC	L 268, 10.10.85, p. 22
Wood particle board	Poland	85/470/EEC	L 268, 10.10.85, p. 22
Wood particle board	Romania	85/470/EEC	L 268, 10.10.85, p. 22
Wood particle board	Spain	85/470/EEC	L 268, 10.10.85, p. 22
Wood particle board	USSR	85/470/EEC	L 268, 10.10.85, p. 22
Wood particle board	Yugoslavia	85/470/EEC	L 268, 10.10.85, p. 22
Wire rod	Portugal	85.501/ECSC	L 299, 13.11.85, p. 18
Wire rod	Trinidad and Tobago	85/501/ECSC	L 299, 13.11.85, p. 18

ANNEX H

INVESTIGATIONS CONCLUDED FOR OTHER REASONS  
DURING THE PERIOD 1 JANUARY TO 31 DECEMBER 1985

<u>Product</u>	<u>Country of origin</u>	<u>Document</u>	<u>OJ reference</u>
Ball bearings	Thailand	85/158/EEC	L 59, 27.02.85, p. 30
Soya meal	Brazil	85/233/EEC	L 106, 18.04.85, p. 19

ANNEX I

INVESTIGATIONS INITIATED BY COUNTRY OF EXPORT  
DURING THE PERIOD 1 JANUARY 1983 TO 31 DECEMBER 1985

<u>Country of origin</u>	<u>1983</u>	<u>1984</u>	<u>1985</u>
Argentina	1	-	1
Austria	-	-	1
Brazil	1	2	2
Bulgaria	-	2	1
Canada	1	1	-
China	2	2	1
Czechoslovakia	3	4	1
Egypt	1	-	-
GDR	2	3	2
Hungary	1	4	1
Israel	-	-	1
Japan	4	4	2
Korea	-	-	1
Mexico	-	-	1
Norway	1	1	-
Poland	1	4	1
Portugal	-	-	2
Romania	3	2	2
Singapore	1	-	-
South Africa	1	1	-
Spain	5	8	1
Suriname	1	-	-
Sweden	-	1	1
Switzerland	-	-	1
Taiwan	1	-	2
Thailand	-	1	1
Trinidad and Tobago	-	-	1
Turkey	1	-	2
USA	1	1	-
USSR	3	4	1
Venezuela	-	-	1
Yugoslavia	3	4	5
<b>TOTAL</b>	<b>38</b>	<b>49</b>	<b>36</b>

ANNEX J

INVESTIGATIONS INITIATED BY PRODUCT SECTOR DURING THE  
PERIOD 1 JANUARY 1983 TO 31 DECEMBER 1985

<u>Product Sector</u>	<u>1983</u>	<u>1984</u>	<u>1985</u>
Chemical and allied	12	23	-
Textiles and allied	1	-	4
Wood and paper	1	8	4
Mechanical engineering	4	9	9
Iron and steel (EEC and ECSC)	4	1	8
Other metals	6	2	-
Other	10	6	11
<b>TOTAL</b>	<b>38</b>	<b>49</b>	<b>36</b>

ANNEX K

REVIEWS OF ANTI-DUMPING AND ANTI-SUBSIDY MEASURES OPENED DURING THE  
PERIOD 1 JANUARY TO 31 DECEMBER 1985

<u>Product</u>	<u>Country of origin</u>	<u>OJ reference</u>
Fibre building board	Finland	C 6, 09.01.85, p. 4
Fibre building board	Sweden	C 6, 09.01.85, p. 4
Ball bearings <sup>1</sup>	Poland	C 77, 23.03.85, p. 4
Ball bearings	Romania	C 77, 23.03.85, p. 4
Ball bearings	USSR	C 77, 23.03.85, p. 4
Housed bearing units	Japan	C 132, 31.05.85, p. 2
Electronic typewriters <sup>2</sup>	Japan	C 149, 19.06.85, p. 3
Mechanical wrist watches	USSR	C 284, 07.11.85, p. 3
Copper sulphate	Yugoslavia	C 284, 07.11.85, p. 3
Electric motors	Bulgaria	C 305, 26.11.85, p. 2
Electric motors	CSSR	C 305, 26.11.85, p. 2
Electric motors	GDR	C 305, 26.11.85, p. 2
Electric motors	Hungary	C 305, 26.11.85, p. 2
Electric motors	Poland	C 305, 26.11.85, p. 2
Electric motors	Romania	C 305, 26.11.85, p. 2
Electric motors	USSR	C 305, 26.11.85, p. 2
Outboard motors	Japan	C 305, 26.11.85, p. 3
Binder and baler twine	Brazil	C 315, 06.12.85, p. 2
Binder and baler twine	Mexico	C 315, 06.12.85, p. 2
Electronic typewriters <sup>2</sup>	Japan	C 338, 31.12.85, p. 6

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<sup>1</sup>For procedural reasons the notice of the opening of the review was later withdrawn and was republished subsequently, see OJ Nos C 183, 23.07.85, p. 9 and C 238, 19.09.85, p. 4.

<sup>2</sup>These reviews concerned imports from individual Japanese producers and exporters.

ANNEX L

PROVISIONAL DUTIES IMPOSED DURING REVIEWS OF ANTI-DUMPING OR ANTI-SUBSIDY MEASURES IN THE PERIOD 1 JANUARY TO 31 DECEMBER 1985

<u>Product</u>	<u>Country of origin</u>	<u>Document</u>	<u>OJ reference</u>
Electronic typewriters <sup>1</sup>	Japan	Reg (EEC) No 2812/85	L 266, 09.10.85, p. 5
Copper sulphate <sup>2</sup>	Yugoslavia	Reg (EEC) No 3106/85	L 296, 08.11.85, p. 26

ANNEX M

REVIEW OF ANTI-DUMPING AND ANTI-SUBSIDY MEASURES CONCLUDED BY THE IMPOSITION OF DEFINITIVE DUTY DURING THE PERIOD 1 JANUARY TO 31 DECEMBER 1985

<u>Product</u>	<u>Country of origin</u>	<u>Document</u>	<u>OJ reference</u>
Ball bearings	Japan	Reg (EEC) No 1739/85	L 167, 27.06.85, p. 3

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<sup>1</sup>Imposed on imports manufactured by one Japanese producer and exporter only.

<sup>2</sup>The provisional duty was imposed following the violation of a price undertaking.

ANNEX N

REVIEWS OF ANTI-DUMPING AND ANTI-SUBSIDY MEASURES CONCLUDED BY THE  
AMENDMENT OF DEFINITIVE DUTIES DURING THE PERIOD 1 JANUARY TO 31 DECEMBER 1985

<u>Product</u>	<u>Country of origin</u>	<u>Document</u>	<u>OJ reference</u>
Tube and pipe fittings of malleable cast iron	Spain	Reg (EEC) No 637/85	L 73, 14.03.85, p. 1
Seamless steel tubes	Spain	Reg (EEC) No 638/85	L 73, 14.03.85, p. 3
Polyester yarn	USA	Reg (EEC) No 2585/85	L 246, 13.09.85, p. 57
Tube and pipe fittings of malleable cast iron	Spain	Reg (EEC) No 2901/85	L 279, 19.10.85, p. 1
Seamless steel tubes	Spain	Reg (EEC) No 2902/85	L 279, 19.10.85, p. 3

ANNEX O

REVIEWS OF ANTI-DUMPING AND ANTI-SUBSIDY MEASURES CONCLUDED BY THE SUSPENSION OF  
DEFINITIVE DUTIES DURING THE PERIOD 1 JANUARY TO 31 DECEMBER 1985

<u>Product</u>	<u>Country of origin</u>	<u>Document</u>	<u>OJ reference</u>
Steel coils	Brazil	Dec 1957/85/ECSC	L 184, 17.07.85, p. 6
Steel plate	Brazil	Dec 1958/85/ECSC	L 184, 17.07.85, p. 7
Steel sheets	Brazil	Dec 1959/85/ECSC	L 184, 17.07.85, p. 8

ANNEX P

REVIEWS OF ANTI-DUMPING AND ANTI-SUBSIDY MEASURES CONCLUDED BY THE ACCEPTANCE  
OF A PRICE UNDERTAKING IN LIEU OF DEFINITIVE DUTY DURING THE PERIOD  
1 JANUARY TO 31 DECEMBER 1985

<u>Product</u>	<u>Country of origin</u>	<u>Document</u>	<u>OJ reference</u>
Upright pianos	USSR	Reg (EEC) No 227/85	L 26, 31.01.85, p. 5

ANNEX Q

REVIEWS OF ANTI-DUMPING AND ANTI-SUBSIDY MEASURES CONCLUDED BY THE REPEAL OF DEFINITIVE  
DUTIES DURING THE PERIOD 1 JANUARY TO 31 DECEMBER 1985

<u>Product</u>	<u>Country origin</u>	<u>Document</u>	<u>OJ reference</u>
Broad flanged beams	Spain	Dec 1718/85/ECSC	L 165, 25.06.85, p. 11
Concrete reinforcing bars	Spain	Dec 1719/85/ECSC	L 165, 25.06.85, p. 12

ANNEX R

ANTI-DUMPING AND ANTI-SUBSIDY MEASURES WHICH EXPIRED DURING  
THE PERIOD 1 JULY TO 31 DECEMBER 1985

<u>Product</u>	<u>Country of origin</u>	<u>Measure</u>	<u>OJ reference<sup>1</sup></u>
Sisal twine <sup>2</sup>	Cuba	undertaking	C 10, 04.02.71, p. 22
Explosives <sup>2</sup>	Yugoslavia	undertaking	C 77, 30.07.71, p. 2
Rubber boots <sup>2</sup>	CSSR	undertaking	C 79, 20.07.72, p. 2
Oxalic acid <sup>2</sup>	Japan	undertaking	C 79, 20.07.72, p. 2
Acrylic yarn <sup>2</sup>	Korea	undertaking	C 33, 23.05.73, p. 2
Acrylic yarn <sup>2</sup>	Taiwan	undertaking	C 17, 04.04.73, p. 10
Zip fasteners <sup>2</sup>	Japan	undertaking	C 63, 01.06.74, p. 1
Acrylic socks <sup>2</sup>	Taiwan	undertaking	C 73, 29.06.74, p. 3
Acrylic socks <sup>2</sup>	Korea	undertaking	C 73, 29.06.74, p. 3
Furazolidone <sup>2</sup>	Hungary	undertaking	C 183, 07.08.76, p. 3
Wood chipboard <sup>2</sup>	Sweden	undertaking	C 75, 29.03.78, p. 3
Steel coils for re-rolling <sup>2</sup>	Korea	duty	L 106, 20.04.78, p. 21
Steel coils for re-rolling <sup>2</sup>	Bulgaria	duty	L 120, 04.05.78, p. 22
Hole punching machines <sup>2</sup>	Japan	undertaking	C 112, 13.05.78, p. 4
Rosin <sup>2</sup>	Sweden	undertaking	C 112, 13.05.78, p. 4
Steel plates <sup>2</sup>	CSSR	duty	L 195, 20.07.78, p. 17
Steel plates <sup>2</sup>	Japan	duty	L 195, 20.07.78, p. 17
Steel plates <sup>2</sup>	Poland	duty	L 195, 20.07.78, p. 17

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<sup>1</sup>The OJ reference is to the imposition of the measure.

<sup>2</sup>Notice of expiry was published in OJ No C 209, 20.08.85, p. 3.

ANNEX R (cont'd)

<u>Product</u>	<u>Country of origin</u>	<u>Measure</u>	<u>OJ reference<sup>1</sup></u>
Galvanized steel sheets <sup>2</sup>	Japan	duty	L 198, 22.07.78, p. 1
Enamelled winding wire <sup>2</sup>	Spain	undertaking	C 56, 02.03.79, p. 2
Steel gas tubes <sup>2</sup>	Spain	undertaking	C 109, 02.05.79, p. 10
Steel angles, shapes and sections <sup>2</sup>	Spain	duty	L 117, 12.05.79, p. 16
Steel plates <sup>2</sup>	Spain	duty	L 135, 01.06.79, p. 54
Finished leather <sup>2</sup>	Brazil	undertaking	C 152, 19.06.79, p. 7
Fishing nets <sup>2</sup>	Norway	undertaking	C 161, 28.06.79, p. 11
Steel tube flanges <sup>2</sup>	Spain	undertaking	C 201, 10.08.79, p. 4
Acrylic fibre <sup>2</sup>	Spain	undertaking	C 2, 04.01.80, p. 6
Car tyres <sup>2</sup>	CSSR	undertaking	L 113, 01.05.80, p. 70
Car tyres <sup>2</sup>	GDR	undertaking	L 113, 01.05.80, p. 70
Car tyres <sup>2</sup>	Yugoslavia	undertaking	L 113, 01.05.80, p. 70
Acrylic fibre <sup>2</sup>	Japan	undertaking	L 118, 09.05.80, p. 60
Studded welded link chain <sup>3</sup>	Spain	undertaking	L 231, 02.09.80, p. 10
Studded welded link chain <sup>3</sup>	Sweden	undertaking	L 231, 02.09.80, p. 10
Bond printing paper <sup>4</sup>	Brazil	national duty	-
Footwear <sup>4</sup>	CSSR	national duty	-
Blouses and shirts	Korea	national duty	-

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<sup>1</sup>The OJ reference is to the imposition of the measure.

<sup>2</sup>Notice of expiry was published in OJ No C 209, 20.08.85, p. 3.

<sup>3</sup>Notice of expiry was published in OJ No C 280, 31.10.85, p. 11.

<sup>4</sup>Notice of expiry was published in OJ No C 289, 12.11.85, p. 2.

ANNEX R (cont'd)

<u>Product</u>	<u>Country of origin</u>	<u>Measure</u>	<u>OJ reference</u>
Steel reinforcing bars <sup>4</sup>	Spain	national duty	-
Steel angles <sup>4</sup>	Spain	national duty	-
Pencils <sup>4</sup>	China	national duty	-
Pencils <sup>4</sup>	CSSR	national duty	-
Pig iron <sup>4</sup>	GDR	national duty	-
Ladies raincoats <sup>4</sup>	Hong Kong	national duty	-
Men's mocassins and boots <sup>4</sup>	Brazil	national duty	-

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<sup>4</sup>Notice of expiry was published in OJ No C 289, 12.11.85, p. 2.

ANTI-DUMPING AND ANTI-SUBSIDY CASES BEFORE  
THE EUROPEAN COURT OF JUSTICE IN 1985

Case 264/82	Timex Corporation v Council and Commission
Case 53/83	Allied Corporation and Others v Council
Case 172/84	Celistiri and Co SpA v Ministry of Finance
Case 239/84	Gerlach and Co BV Internationale Expeditie Minister for Economic Affairs
Case 240/84	NTN Toyo Bearing Co Ltd and Others v Council
Case 255/84	Nachi Fujikoshi Corporation v Council
Case 256/84	Koyo Seiko Co Ltd v Council and Commission
Case 258/84	Nippon Seiko KK v Council
Case 260/84	Minebea Co Ltd v Council and Commission
Case 312/84	Continentale Produkten Gesellschaft Erhardt-Renken (GmbH and Co) v Commission
Case 56/85	Brother Industries Ltd and Others v Commission
Case 187/85	FEDIOL v Commission
Case 188/85	FEDIOL v Commission
Case 250/85	Brother Industries Ltd v Council and Commission
Case 260/85	Tokyo Electric Co Ltd (TEC) and Others v Council
Case 273/85	Silver Seiko Limited and Others v Council
Joined cases 277/85 and 300/85	Cannon Inc. and Others v Council
Case 297/85	Towa Sankiden Corporation v Council
Case 299/85	Tokyo Juki Industrial Co Ltd v Council and Commission
Case 301/85	Sharp Corporation v Council
Case 308/85	Nippon Seiko KK v Council