

**Proposal for a Council Regulation amending Council Regulation (EC) No 92/2002 imposing a definitive anti-dumping duty on imports of urea originating in Belarus, Bulgaria, Croatia, Estonia, Libya, Lithuania, Romania, and the Ukraine**

(2002/C 227 E/22)

COM(2002) 294 final

(Submitted by the Commission on 11 June 2002)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/1996 <sup>(1)</sup> of 22 December 1995 on protection against dumped imports from countries not members of the European Community, and in particular Articles 8 and 9 thereof,

Having regard to the proposal submitted by the Commission after consulting the Advisory Committee,

Whereas:

**A. PROCEDURE**

- (1) The Council, by Regulation (EC) No 92/2002 <sup>(2)</sup>, imposed definitive anti-dumping duties on imports of urea originating in Belarus, Bulgaria, Croatia, Estonia, Libya, Lithuania, Romania, and the Ukraine and exempted a Bulgarian exporting producer from the said duties as an undertaking had been accepted by the Commission from the company concerned.
- (2) Joint Stock Company Achema, in connection with the anti-dumping proceeding concerning imports of urea originating, *inter alia*, in Lithuania offered an acceptable undertaking prior to the publication of the definitive findings but at a stage when it was administratively impossible to include its acceptance in the definitive Regulation.
- (3) The Commission, by Decision . . ., accepted the undertaking offer by Joint Stock Company Achema. The reasons for accepting this undertaking are set out in this Decision. The Council recognises that the revisions introduced to the undertaking offer to eliminate the injurious effect of dumping and seriously limit any risk of circumvention in the form of cross-compensation with other products.
- (4) In view of the acceptance of the undertaking offer it is necessary to amend Council Regulation (EC) 92/2002 accordingly,

HAS ADOPTED THIS REGULATION:

*Article 1*

In Article 1(2) of Regulation (EC) No 92/2002, the row concerning Lithuania is replaced as follows:

Country of origin	Produced by	Definitive anti-dumping duty (euro per ton)	TARIC additional code
Lithuania	All companies	10,05	A999

<sup>(1)</sup> OJ L 56, 6.3.1996, p. 1, as last amended by Council Regulation (EC) No 2238/2000 (OJ L 257, 11.10.2000, p. 2).

<sup>(2)</sup> OJ L 17, 19.1.2002, p. 1.

*Article 2*

In Council Regulation (EC) No 92/2002, the table in Article 2(1) is replaced by the following:

Country	Company	TARIC additional code
Bulgaria	Chimco AD, Shose az Mezdra, 3037 Vratza	A272
Lithuania	Joint Stock Company Achema, Taurostos 26, 5005 Jonava	A375

*Article 3*

This Regulation shall enter into force the day following that of 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.

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