

statement made by the Council that it is '... necessary to increase implementation within the framework programme of activities currently being carried out on the basis of the ECSC Treaty which expires in 2002' (1). The ECSC Consultative Committee also welcomes the fact that the research and technological development activities of a generic nature by

developing new and improved materials and production technologies in the steel field have been maintained in full. Moreover, the ECSC Consultative Committee recommends that, in particular as part of the key action relating to an economic and efficient energy supply for a competitive Europe, the point referring to improved exploration, extraction and production efficiency of energy vectors should not be restricted to hydrocarbons, as indicated in the Council's common position, but should apply to all fossil fuels.

(1) Doc. 6108/1/98, 24 March 1998.

### Notice of initiation of anti-dumping proceedings concerning imports of steel stranded ropes and cables originating in the People's Republic of China, India, the Republic of Korea, South Africa and the Ukraine

(98/C 155/05)

The Commission has received a complaint pursuant to Article 5 of Council Regulation (EC) No 384/96 (1) (hereafter referred to as 'the Basic Regulation'), alleging that imports of steel stranded ropes and cables originating in the People's Republic of China, India, the Republic of Korea, South Africa and the Ukraine are being dumped and are thereby causing material injury to the Community industry.

#### 1. Complaint

The complaint was lodged on 8 April 1998 by the Liaison Committee of European Union Wire Rope Industries (EWRIS) on behalf of producers representing a major proportion of the total community steel stranded ropes and cables production.

#### 2. Product

The product allegedly being dumped is steel stranded ropes and cables (including locked coil ropes), with a maximum cross-sectional dimension exceeding 3 mm.

These products are currently classifiable within CN codes 7312 10 82, 7312 10 84, 7312 10 86, 7312 10 88, 7312 10 99. These CN codes are given for information only.

(1) OJ L 56, 6.3.1996, p. 1, as amended by Regulation (EC) No 2331/96 (OJ L 317, 6.12.1996, p. 1).

#### 3. Allegation of dumping

##### (a) *India, South Africa and the Republic of Korea*

The allegation of dumping is based on a comparison of normal value established on the basis of domestic prices in these countries with the respective export prices of the product concerned to the Community. On this basis the dumping margins calculated are substantial for all the exporting countries concerned.

##### (b) *People's Republic of China and the Ukraine*

In view of the fact that the People's Republic of China and the Ukraine are considered to be non-market economy countries, the complainant has proposed that normal value be established on the basis of the price in a market economy third country.

The allegation of dumping is based on a comparison of normal value established on the basis of domestic prices in Norway with the respective export prices of the product concerned to the Community. On this basis, the dumping margins calculated are substantial.

#### 4. Allegation of injury

The complainant alleges and has provided evidence that imports from the People's Republic of China, India, the Republic of Korea, South Africa and the Ukraine have increased significantly in absolute terms and in terms of market share.

It is further alleged that the volume and prices of the imported products have, among other consequences, had a negative impact on the quantities sold, the market share and the level of the prices charged by the Community producers, resulting in a substantial adverse effect on the financial situation of the Community industry.

## 5. Procedure for determination of dumping and injury

Having determined, after consultation within the Advisory Committee, that the complaint has been lodged by or on behalf of the Community industry and that there is sufficient evidence to justify the initiation of a proceeding, the Commission has commenced an investigation pursuant to Article 5 of the Basic Regulation.

### (a) *Sampling*

In view of the large number of Community producers involved in this proceeding and in accordance with Article 17 of the Basic Regulation, the Commission intends to investigate injury to the Community industry by applying sampling techniques. The selection of the sample will be made on the basis of the largest representative volume of production and sales of the Community industry which can reasonably be investigated within the time available.

In order to obtain the information which the Commission deems necessary for the selection of the sample of Community producers, the Commission will contact associations of Community producers and/or individual Community producers.

The Commission may also decide to select a sample of exporters and/or importers if necessary.

### (b) *Final selection of the sample*

Interested parties who wish to submit comments on the above approach or to be consulted on the final selection of the sample, are requested to make themselves known by contacting the Commission and to submit all relevant information within the specific time limit for sampling as set out in paragraph 7(c) of the present notice.

The Commission intends to make the final selection of the sample after having consulted the parties concerned that have expressed a willingness to be included in the sample.

Companies included in the sample must reply to a questionnaire and cooperate with any verification visit.

If sufficient cooperation of the parties selected for the sample is not forthcoming, the provisions of Article 17(4) of the Basic Regulation may be applied.

### (c) *Questionnaires*

In order to obtain the information it deems necessary for its investigation the Commission will send questionnaires to the exporters and importers named in the complaint and the Community producers in the sample. At the same time a copy of the questionnaire will be sent to any known representative association of exporters or importers. The authorities of the exporting countries will be notified of the exporters named in the complaint and provided with a copy of the questionnaire sent to them.

Exporters, importers and other interested parties are invited to contact the Commission forthwith in order to find out whether or not they are listed in the complaint. In the latter case they should, as soon as possible, but not later than 15 days after publication of this notice in the *Official Journal of the European Communities*, request a copy of the questionnaire from the Commission as all the questionnaires have to be completed within the general time limit set out in paragraph 7(a) of this notice. Any request for questionnaires must be made in writing to the address mentioned below and should indicate the name, address, telephone, fax and/or telex numbers of the interested party.

### (d) *Collection of information and holding of hearings*

All interested parties, provided they can show that they are likely to be affected by the results of the investigation, are hereby invited to make their views known in writing and to provide supporting evidence.

Furthermore, the Commission may hear the interested parties, provided that they make a request in writing and show that there are particular reasons why they should be heard.

### (e) *Selection of the market economy third country*

On the basis of the information provided by the complainant, Norway is envisaged as an appropriate market economy non-member country for the purpose of establishing normal value for the People's Republic of China and the Ukraine in accordance with Article 2(7) of the Basic Regulation. Parties to the investigation are hereby invited to comment on the appropriateness of this choice within the specific time limit set in paragraph 7(b).

## 6. Community interest

In accordance with Article 21 of the Basic Regulation, and in order that an informed decision may be reached

as to whether the adoption of anti-dumping measures would be in the Community interest should the allegations of dumping and injury be substantiated, the Community producers, importers and their representative associations as well as representative users may, within the time limit specified in paragraph 7(a), make themselves known and provide the Commission with information. It should be noted that any information submitted under this Article will only be taken into account if supported by factual evidence at the time of submission.

## 7. Time limits

### (a) General time limits

If their representations are to be taken into account during the investigation, interested parties must make themselves known, present their views in writing and submit information within 40 days of the date of the publication of this notice. Interested parties may also apply to be heard by the Commission within the same time limit. This time limit also applies to all other interested parties, including the parties not named in the complaint, and it is consequently in the interest of these parties to contact the Commission without delay at the address indicated below.

### (b) Specific time limit for selection of the market economy non-member country

Parties to the investigation who wish to comment on the appropriateness of Norway as a market economy

non-member country for the purposes of establishing normal value for the Ukraine and the People's Republic of China should submit their comments within 10 days of the publication of this notice of initiation.

### (c) Specific time limit in respect of sampling

All information relevant for the selection of the sample should be submitted to the Commission within 21 days of the publication of this notice.

### (d) Commission address for correspondence

European Commission,  
Directorate-General I,  
External Relations: Commercial Policy and Relations  
with North America, the Far East, Australia and  
New Zealand,  
Directorates C and E  
(DM 24 8/38)  
Rue de la Loi/Wetstraat 200,  
B-1049 Brussels.  
Fax: (32-2) 295 65 05,  
Telex: COMEU B 21877.

## 8. Non-cooperation

In cases where an interested party refuses access to, or otherwise does not provide necessary information within the time limits, or significantly impedes the investigation, provisional or final findings, affirmative or negative, may be made in accordance with Article 18 of the Basic Regulation, on the basis of the facts available.