

Notice of initiation of a partial interim review of the anti-dumping measures applicable to imports of solutions of urea and ammonium nitrate (UAN) originating, *inter alia*, in Lithuania

(2002/C 314/02)

The Commission has received a request for a partial interim review pursuant to Article 11(3) of Council Regulation (EC) No 384/96⁽¹⁾, as last amended by Regulation (EC) No 1972/2002⁽²⁾ ('the Basic Regulation').

1. Request for review

The request was lodged by JSC Achema ('the applicant'), an exporter from Lithuania.

The request is limited in scope to the examination of the form of the measure and, in particular, to the examination of the acceptability of an undertaking offered by the applicant.

2. Product

The product under review is solutions of urea and ammonium nitrate, a liquid fertiliser commonly used in agriculture originating in Lithuania ('the product concerned'), currently classifiable within CN code 3102 80 00. This CN code is given only for information.

3. Existing measures

The measures currently in force are a definitive anti-dumping duty imposed by Council Regulation (EC) No 1995/2000⁽³⁾ on imports of solutions of urea and ammonium nitrate originating, *inter alia*, in Lithuania.

4. Grounds for the review

The applicant points out that it committed itself to a price discipline in respect of UAN within the framework of an anti-dumping proceeding concerning urea⁽⁴⁾ and presents evidence that it is ready to provide in the framework of the present proceeding an undertaking of a similar nature, which would remove the injurious effects of dumping and could be monitored.

5. Procedure

Having determined, after consulting the Advisory Committee, that sufficient evidence exists to justify the initiation of a partial interim review, the Commission hereby initiates a review in accordance with Article 11(3) of the Basic Regulation, limited in scope to the examination of the acceptability of an undertaking from the applicant.

All interested parties are hereby invited to make themselves known and provide the Commission with pertinent information together with supporting evidence. This information and supporting evidence must reach the Commission within 40 days of the date of publication of this notice in the *Official Journal of the European Communities*. Attention is drawn to the fact that the exercise of most procedural rights set out in the Basic Regulation depends on the party's making itself known within the aforementioned period.

Furthermore, the Commission may hear interested parties, provided that they make a request showing that there are particular reasons why they should be heard. This request must be made within the same 40-day time limit.

6. Written submissions and correspondence

All submissions and requests made by interested parties must be made in writing (not in electronic format, unless otherwise specified), and must indicate the name, address, e-mail address, telephone and fax, and/or telex numbers of the interested party.

Commission address for correspondence:

European Commission
Directorate-General for Trade
Directorate B
Office: J-79 5/16
B-1049 Brussels
Fax (32-2) 295 65 05
Telex: COMEU B 21877.

7. Non-cooperation

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

Where it is found that any interested party has supplied false or misleading information, the information shall be disregarded and use may be made of the facts available.

⁽¹⁾ OJ L 56, 6.3.1996, p. 1.

⁽²⁾ OJ L 305, 7.11.2002, p. 1.

⁽³⁾ OJ L 238, 22.9.2000, p. 15.

⁽⁴⁾ An undertaking was accepted by Commission Decision 2002/498/EC (OJ L 168, 27.6.2002, p. 51), concerning imports of urea originating, *inter alia*, in Lithuania, by which the applicant accepted, in order to avoid cross-compensation via exports of other fertilisers, a precise price level for, *inter alia*, UAN.