

Notice of initiation of a partial interim review of the anti-dumping measures applicable to imports of integrated electronic compact fluorescent lamps (CFL-i) originating in the People's Republic of China

(2004/C 301/02)

The Commission has received a request for a partial interim review pursuant to Article 11(3) of Council Regulation (EC) No 384/96 ⁽¹⁾ (the basic Regulation).

1. Request for review

The request was lodged by Steca Batterieladesysteme und Präzisionselektronik GmbH (the applicant). The request is limited to the examination of the product scope.

2. Product

The product under review is electronic compact fluorescent discharge lamps with one or more glass tubes, with all lighting elements and electronic components fixed to the lamp foot or integrated in the lamp foot, originating in the People's Republic of China (the product concerned), normally declared within CN code ex 8539 31 90. These CN codes are given only for information.

3. Existing measures

The measures currently in force are definitive anti-dumping duties imposed by Council Regulation (EC) No 1470/2001 ⁽²⁾ on imports of integrated electronic compact fluorescent lamps (CFL-i) originating in the People's Republic of China.

4. Grounds for the review

The product concerned includes both direct current voltage lamps and alternating current voltage lamps. The applicant alleges that direct current voltage lamps should be excluded from the product scope of the proceeding as they do not share the same basic characteristics as alternating current voltage lamps.

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 definition of the product concerned.

The investigation will assess the need for the amendment of the scope of the existing measures.

(a) Questionnaires

In order to obtain the information it deems necessary for its investigation, the Commission will send questionnaires to the applicant, to the Community Industry, to importers, to exporting producers in the People's Republic of China and to the Chinese authorities. This information and supporting evidence should reach the Commission within the time limit set in point 6(a) of this notice.

(b) Collection of information and holding of hearings

All interested parties are hereby invited to make their views known, submit information other than questionnaire replies and to provide supporting evidence. This information and supporting evidence must reach the Commission within the time limit set in paragraph 6(a) of this notice.

⁽¹⁾ OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Regulation (EC) No 461/2004, (OJ L 77, 13.3.2004, p. 12).

⁽²⁾ OJ L 195, 19.7.2001, p. 8.

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 time limit set in paragraph 6(b) of this notice.

6. Time limits

(a) *For parties to make themselves known, to submit questionnaire replies and any other information*

All interested parties, if their representations are to be taken into account during the investigation, must make themselves known by contacting the Commission, present their views and submit questionnaire replies or any other information within 40 days of the date of publication of this notice in the *Official Journal of the European Union*, unless otherwise specified. 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.

(b) *Hearings*

All interested parties may also apply to be heard by the Commission within the same 40-day time limit.

7. Written submissions, questionnaire replies 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. All written submissions, including the information requested in this notice, questionnaire replies and correspondence provided by interested parties on a confidential basis shall be labelled as 'Limited' ⁽¹⁾ and, in accordance with Article 19(2) of the basic Regulation, shall be accompanied by a non-confidential version, which will be labelled 'For inspection by interested parties'.

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
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8. 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, in accordance with Article 18 of the basic Regulation, of the facts available. If an interested party does not cooperate, or cooperates only partially, and use of the best facts available is made, the result may be less favourable to the party than if it had cooperated.

⁽¹⁾ This means that the document is for internal use only. It is protected pursuant to Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council (OJ L 145, 31.5.2001, p. 43). It is a confidential document pursuant to Article 19 of Council Regulation (EC) No 384/96 (OJ L 56, 6.3.1996, p. 1) and Article 6 of the WTO Agreement on Implementation of Article VI of the GATT 1994 (Anti-dumping Agreement).