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(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMMON
COMMERCIAL POLICY

COMMISSION

**Notice of initiation of a partial interim review of the antidumping measures applicable to imports
of tartaric acid originating in the People's Republic of China**

(2007/C 63/02)

The Commission has received a request for a partial interim review pursuant to Article 11(3) of Council Regulation (EC) No 384/96 on protection against dumped imports from countries not members of the European Community ⁽¹⁾ ('the basic Regulation').

1. Request for review

The request was lodged by CU Chemie Uetikon GmbH ('the applicant'), an importer from Germany. The review is limited to the examination of the product scope as regards the exclusion of the 'D' grade of tartaric acid.

2. Product

The product under review is tartaric acid originating in the People's Republic of China ('the product concerned'), currently classifiable within CN code 2918 12 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 130/2006 ⁽²⁾ on imports of tartaric acid originating in the People's Republic of China.

4. Grounds for the review

The applicant has provided *prima facie* evidence indicating that certain types of tartaric acid should not be subject to the above-mentioned measures. Indeed, it appears that the so-called 'D' grade is a distinct product from other types of tartaric acid, due to its specific molecular structure, which in turn determines specific chemical characteristics not shared by other types of the product concerned. These characteristics imply different uses for

'D' grade, for which there is no interchangeability with other types of tartaric acid.

It is therefore appropriate to review whether 'D'-grade tartaric acid should be regarded as falling within the scope of the product concerned.

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) *Collection of information and holding of hearings*

In order to obtain information and supporting evidence it deems necessary for its investigation, the Commission will contact the Community industry, the importers, the users, other known producers in the Community and exporting producers in the People's Republic of China.

All interested parties are hereby invited to make their views known, submit information and to provide supporting evidence. This information and supporting evidence must reach the Commission within the time limit set in point 6 (a).

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 point 6(b).

⁽¹⁾ OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Regulation (EC) No 2117/2005 (OJ L 340, 23.12.2005, p. 17).

⁽²⁾ OJ L 23, 27.01.2006, p. 1.

6. Time limits

(a) For parties to make themselves known, and submit 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 information and supporting evidence 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 numbers of the interested party. All written submissions, including the information requested in this notice, and correspondence provided by interested parties on a confidential basis shall be labeled 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 labeled 'FOR INSPECTION BY INTERESTED PARTIES'.

Commission address for correspondence:

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Directorate General for Trade
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8. Non-co-operation

In cases in which any interested party refuses access to or 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 facts available is made, the result may be less favorable to that party than if it had cooperated.

9. Schedule of the investigation

The investigation will be concluded, according to Article 11(5) of the basic Regulation within 15 months of the date of the publication of this notice in the *Official Journal of the European Union*.

⁽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 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43). It is a confidential document pursuant to Article 19 of the basic Regulation and Article 6 of the WTO Agreement on Implementation of Article VI of the GATT 1994 (Anti-dumping Agreement).