COMMISSION IMPLEMENTING REGULATION (EU) 2022/469

of 23 March 2022

correcting Implementing Regulation (EU) 2022/72 imposing definitive countervailing duties on imports of optical fibre cables originating in the People's Republic of China and amending Implementing Regulation (EU) 2021/2011 imposing a definitive anti-dumping duty on imports of optical fibre cables originating in the People's Republic of China

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2016/1037 of the European Parliament and of the Council of 8 June 2016 on protection against subsidised imports from countries not members of the European Union ([1]), and in particular Article 15 and Article 24(1) thereof,

Whereas:

(1) By Commission Implementing Regulation (EU) 2022/72 ([2]), the Commission imposed definitive countervailing duties on imports of optical fibre cables originating in the People's Republic of China and amended Implementing Regulation (EU) 2021/2011 imposing a definitive anti-dumping duty on imports of optical fibre cables originating in the People's Republic of China ([3]).

(2) The definitive countervailing duty rates, expressed on the CIF Union border price, customs duty unpaid, were established as follows:

Company	Countervailing duty rate
FTT Group: — FiberHome Telecommunication Technologies Co., Ltd. — Nanjing Wasin Fujikura Optical Communication Ltd. — Hubei Fiberhome Boxin Electronic Co., Ltd.	10,3 %
ZTT Group: — Jiangsu Zhongtian Technology Co., Ltd. — Zhongtian Power Optical Cable Co., Ltd.	5,1 %
Other companies cooperating in both anti-subsidy and anti-dumping investigation listed in Annex I	7,8 %
Other companies cooperating in the anti-dumping investigation but not in the anti-subsidy investigation listed in Annex II	10,3 %
All other companies	10,3 %

(3) The countervailing duty rates indicated above are correct and have been disclosed to the parties in the course of the investigation. However, recitals (217) and (339) of Regulation (EU) 2022/72 included typographical errors as regards the subsidy rates of the FTT Group with respect to 'grants' and 'preferential financing: loans', respectively. The correct rates should be 1,88 % for 'grants' and 1,39 % for 'preferential financing: loans' instead of 1,79 % and 0,9 % respectively.

([1]) OJ L 176, 30.6.2016, p. 55.

([2]) Commission Implementing Regulation (EU) 2022/72 of 18 January 2022 imposing definitive countervailing duties on imports of optical fibre cables originating in the People's Republic of China and amending Implementing Regulation (EU) 2021/2011 imposing a definitive anti-dumping duty on imports of optical fibre cables originating in the People's Republic of China (OJ L 12, 19.1.2022, p. 34).

([3]) Commission Implementing Regulation (EU) 2021/2011 of 17 November 2021 imposing a definitive anti-dumping duty on imports of optical fibre cables originating in the People's Republic of China (OJ L 410, 18.11.2021, p. 51).

(4) Furthermore, Article 2(1) of Implementing Regulation (EU) 2022/72 included a typographical error regarding the TARIC additional code with respect to 'all other companies' in Commission Implementing Regulation (EU) 2021/2011, which should be C999 instead of C699.

(5) Therefore, the Commission has decided to correct recitals (217) and (339) as well as Article 2(1) of Implementing Regulation (EU) 2022/72, which amends Article 1(2) of Implementing Regulation (EU) 2021/2011 accordingly. This rectification takes place from the entry into force of Implementing Regulation (EU) 2022/72, namely 20 January 2022.

(6) The measures provided for in this Regulation are in accordance with the opinion of the Committee, established by Article 15(1) of Regulation (EU) 2016/1036 ([4]),

HAS ADOPTED THIS REGULATION:

Article 1

Implementing Regulation (EU) 2022/72 is corrected as follows:

(1) Recital (217) is replaced by the following:

'The subsidy rates established with regard to all grants during the investigation period for the sampled exporting producers were as follows:

Grants

Company name	Subsidy rate
FTT Group: — FiberHome Telecommunication Technologies Co., Ltd. — Nanjing Wasin Fujikura Optical Communication Ltd. — Hubei Fiberhome Boxin Electronic Co., Ltd.	1,88 %
ZTT Group: — Jiangsu Zhongtian Technology Co., Ltd. — Zhongtian Power Optical Cable Co., Ltd.	0,33 %'

(2) Recital (339) is replaced by the following:

'The subsidy rates established with regard to the preferential financing through loans during the investigation period for the sampled groups of companies amounted to:

Preferential financing: loans

Company name	Subsidy rate
FTT Group: — FiberHome Telecommunication Technologies Co., Ltd. — Nanjing Wasin Fujikura Optical Communication Ltd. — Hubei Fiberhome Boxin Electronic Co., Ltd.	1,39 %
ZTT Group: — Jiangsu Zhongtian Technology Co., Ltd. — Zhongtian Power Optical Cable Co., Ltd.	0,38 %'

([4]) Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union (OJ L 176, 30.6.2016, p. 21).

(3) Article 2(1) is replaced by the following:

'(1) Article 1(2) is replaced by the following:

"2. The rates of the definitive anti-dumping duty applicable to the net, free-at-Union-frontier price, before duty, of the product described in paragraph 1 and produced by the companies listed below shall be as follows:

Company	Definitive anti-dumping duty	TARIC additional code
FTT Group: — FiberHome Telecommunication Technologies Co., Ltd. — Nanjing Wasin Fujikura Optical Communication Ltd. — Hubei Fiberhome Boxin Electronic Co., Ltd.	33,7 %	C696
ZTT Group: — Jiangsu Zhongtian Technology Co., Ltd. — Zhongtian Power Optical Cable Co., Ltd.	14,6 %	C697
Other companies cooperating in both anti-subsidy and anti-dumping investigation listed in Annex I	23,4 %	
Other companies cooperating in the anti-dumping investigation but not in the anti-subsidy investigation listed in Annex II	20,9 %	
All other companies	33,7 %	C999" '

Article 2

This Regulation shall enter into force with retroactive effect as from 20 January 2022.

Done at Brussels, 23 March 2022.

For the Commission
The President
Ursula VON DER LEYEN