

Notice of initiation of an anti-dumping proceeding concerning imports of One Dye Black 1 (ODB-1) originating in Japan

(1999/C 213/02)

The Commission has received a complaint pursuant to Article 5 of Council Regulation (EC) No 384/96 ⁽¹⁾, as last amended by Council Regulation (EC) No 905/98 ⁽²⁾ (hereinafter referred to as the 'basic Regulation'), alleging that imports of One Dye Black 1 (ODB-1), originating in Japan, are being dumped and are thereby causing material injury to the Community industry.

1. Complaint

The complaint was lodged on 14 June 1999 by CEFIC (hereinafter referred to as 'complainant') on behalf of the sole producer in the Community representing 100 % of the Community production of One Dye Black 1 (ODB-1) (hereinafter referred to as the 'product concerned').

2. Product

The product allegedly being dumped is a certain colorformer, generically known as One Dye Black 1 (ODB-1), whose chemical definition falls under Chemical Abstract, registry number 29512-49-0 (empirical formula $C_{31}H_{28}N_2O_3$). One Dye Black 1 (ODB-1) is mainly used in conjunction with other chemicals to coat paper for use as carbonless copying paper. The product is currently classifiable within CN code ex 2932 29 80. This CN code is only given for information.

3. Allegation of dumping

The allegation of dumping in respect of Japan is based on a comparison of normal value, established on the basis of domestic prices, with the export prices of the product concerned when sold for export to the Community.

On this basis, the dumping margin calculated is significant.

4. Allegation of injury

The complainant has provided evidence that imports of the product concerned from Japan have increased overall in absolute terms and in terms of market share.

It is alleged that the volumes and the prices of the imported product concerned have, among other consequences, had a negative impact on the market share, the quantities sold and the level of prices charged by the Community industry, resulting in substantial adverse effects on the overall performance and the financial situation of the Community industry.

5. Procedure for the determination of dumping and injury

Having determined, after consulting 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 hereby initiates an investigation pursuant to Article 5 of the basic Regulation.

(a) Questionnaires

In order to obtain the information it deems necessary for its investigation, the Commission will send questionnaires to the Community industry and to the representative association in the Community, to the exporting producers and importers, to any representative association of exporting producers and importers named in the complaint and to the authorities of Japan.

Exporting producers and importers 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, as all questionnaires have to be completed within the 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.

(b) Collection of information and holding of hearings

All interested parties are hereby invited to make their views known in writing and to provide supporting evidence.

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

6. Community interest

In accordance with Article 21 of the basic Regulation and in order that a decision may be reached as to whether, in the event that the allegations of dumping and injury caused thereby are substantiated, the adoption of anti-dumping measures would be in the Community interest, the complainant Community producer, importers, their representative associations and the representative users may, within the general time limit set in paragraph 7(a) of this notice, make themselves known and provide the Commission with information. It should be noted that any information submitted pursuant to this Article will only be taken into account if supported by factual evidence at the time submission.

⁽¹⁾ OJ L 56, 6.3.1996, p. 1.

⁽²⁾ OJ L 128, 30.4.1998, p. 18.

7. Time limits

(a) General time limit

Interested parties, if their representations are to be taken into account during the investigation, must make themselves known, present their views in writing and submit information, unless otherwise specified, within 40 days from the date of the publication of this notice in the *Official Journal of the European Communities*. Interested parties may also apply to be heard by the Commission within the same time limit. This time limit applies to all 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.

(b) 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 — 8/37,
Rue de la Loi/Wetstraat 200,
B-1049 Brussels;
Fax (32-2) 295 65 05,
Telex: COMEU B 21877.

8. Non-cooperation

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, 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.

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.

Notice of initiation of an anti-dumping proceeding concerning imports of One Dye Black 2 (ODB-2) originating in Japan

(1999/C 213/03)

The Commission has received a complaint pursuant to Article 5 of the Council Regulation (EC) No 384/96 ⁽¹⁾, as last amended by Council Regulation (EC) No 905/98 ⁽²⁾ (hereinafter referred to as the 'basic Regulation'), alleging that imports of One Dye Black 2 (ODB-2), originating in Japan, are being dumped and are thereby causing material injury to the Community industry.

1. Complaint

The complaint was lodged on 14 June 1999 by CEFIC (hereinafter referred to as 'complainant') on behalf of the sole producer in the Community representing 100 % of the Community production of One Dye Black 2 (ODB-2) (hereinafter referred to as the 'product concerned').

2. Product

The product allegedly being dumped is a certain colorformer, generically known as One Dye Black 2 (ODB-2), whose chemical definition falls under Chemical Abstract, registry Number 89331-94-2 (empirical formula $C_{35}H_{36}N_2O_3$). One Dye Black 2 (ODB-2) is mainly used in conjunction with other chemicals to coat paper for thermal image applications. The product is currently classifiable within CN code ex 2932 29 80. This CN code is only given for information.

3. Allegation of dumping

The allegation of dumping in respect of Japan is based on a comparison of normal value, established on the basis of domestic prices, with the export prices of the product concerned when sold for export to the Community.

On this basis, the dumping margin calculated is significant.

4. Allegation of injury

The complainant has provided evidence that imports of the product concerned from Japan have increased overall in absolute terms.

It is alleged that the volumes and the prices of the imported product concerned have, among other consequences, had negative impact on the quantities sold and the level of prices charged by the Community industry, resulting in substantial adverse effects on the overall performance and the financial situation of the Community industry.

5. Procedure for the determination of dumping and injury

Having determined, after consulting 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 hereby initiates an investigation pursuant to Article 5 of the basic Regulation.

⁽¹⁾ OJ L 56, 6.3.1996, p. 1.

⁽²⁾ OJ L 128, 30.4.1998, p. 18.