

Notice of initiation of an interim review of the anti-dumping measures applicable to imports of bicycles originating in the People's Republic of China

(2000/C 278/06)

The Commission has received several requests for a partial interim review of the measures imposed by Council Regulation (EC) No 1524/2000 ⁽¹⁾, on imports of bicycles originating in the People's Republic of China.

1. REQUESTS FOR A REVIEW

The requests, pursuant to Article 11(3) of Regulation (EC) No 384/96 ⁽²⁾, as last amended by Regulation (EC) No 905/98 ⁽³⁾ (hereinafter referred to as 'the Basic Regulation'), were lodged by the following Chinese companies: Giant China Co. Ltd, Viva Guangzhou Bicycle Corporation Ltd, Merida Industry Co. Ltd, Kenton Bicycle Group Ltd (hereinafter referred to as 'the applicants'). The requests for an interim review are limited in scope to dumping as far as the applicants are concerned.

2. PRODUCT

The product concerned is bicycles and other cycles (including delivery tricycles), not motorised, currently classifiable under CN codes 8712 00 10, 8712 00 30 and 8712 00 80. These CN codes are only given for information.

3. EXISTING MEASURES

The measures currently in force are definitive anti-dumping duties imposed by Regulation (EEC) No 2474/93 ⁽⁴⁾ on bicycles originating in the People's Republic of China, as extended, pursuant to Article 13 of the Basic Regulation, by Regulation (EC) No 71/97 ⁽⁵⁾ to imports of certain bicycle parts from this country. They have been maintained by Regulation (EC) No 1524/2000 following an expiry review.

4. GROUNDS FOR THE REVIEW

The requests for interim review, which were received during the course of the expiry review referred to in paragraph 3 above, are based on duly substantiated prima-facie evidence that the applicants operate within market economy conditions in respect of the manufacture and sale of the product concerned, and that circumstances have changed significantly with regard to the dumping previously established, and that the existing measures are no longer necessary to offset dumping.

5. PROCEDURE FOR THE DETERMINATION OF DUMPING

Having determined, after consulting the Advisory Committee, that sufficient evidence exists for the initiation of an interim review, the Commission hereby initiates an investigation pursuant to Article 11(3) of the Basic Regulation, limited in scope to the examination of dumping as far as the applicants are concerned.

(a) Questionnaires

In order to obtain the information it deems necessary for its investigation, the Commission will send questionnaires to the applicants and the authorities of the People's Republic of China. These questionnaire replies should reach the Commission within the time limit set in paragraph 6(a) of this notice.

(b) Collection of information and holding of hearings

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

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. This request must be made within the time limit set in paragraph 6(b) below.

(c) Selection of the market economy country

In the event of information from an analogue country being required, it is envisaged, in accordance with Article 2(7)(a) of the Basic Regulation, to choose Mexico as an appropriate market economy country, since it was used in the most recent investigation with regard to imports of this product. Interested parties to the investigation are hereby invited to comment on the appropriateness of this choice within the specific time limit set in paragraph 6(c) below.

(d) Market economy status

For those applicants who claim and provide sufficient evidence that they operate under market economy conditions, i.e. that they meet the criteria laid down in Article 2(7)(c) of the Basic Regulation, normal value will be determined in accordance with Article 2(7)(b) of that Regulation. Applicants intending to submit duly substantiated claims must do so within the specific time limit set under paragraph 6(d) of this notice. The Commission will send claim forms to the applicants as well as to the authorities of the People's Republic of China.

⁽¹⁾ OJ L 175, 14.7.2000, p. 39.

⁽²⁾ OJ L 56, 6.3.1996, p. 1.

⁽³⁾ OJ L 128, 30.4.1998, p. 18.

⁽⁴⁾ OJ L 228, 9.9.1993, p. 1.

⁽⁵⁾ OJ L 16, 18.1.1997, p. 55.

6. TIME LIMITS

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

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

(b) *Hearings*

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

(c) *Specific time limit for the selection of the market economy country*

Parties to the investigation wishing to comment on the appropriateness of Mexico, as mentioned in paragraph 5(c) above, should file their comments within 10 days from the publication of this notice in the *Official Journal of the European Communities*.

(d) *Specific time limit for submission of claims for market economy status*

Duly substantiated claims for market economy status, as mentioned in paragraph 5(d) of this notice, must reach the Commission within 21 days of the date of publication of this notice in the *Official Journal of the European Communities*.

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, telephone and fax, e-mail and/or telex numbers of the interested party.

Commission address for correspondence:

European Commission
Directorate-General for Trade
Directorate C
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.