



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 05.08.2005  
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Proposal for a

**COUNCIL REGULATION**

**amending the Annex to Regulation (EC) No 2042/2000 imposing a definitive anti-dumping duty on imports of television camera systems originating in Japan**

(presented by the Commission)

## EXPLANATORY MEMORANDUM

<b>1) CONTEXT OF THE PROPOSAL</b>	
	<ul style="list-style-type: none"><li>• <b>Grounds for and objectives of the proposal</b></li></ul> <p><i>This proposal concerns the application of Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community, as last amended by Council Regulation (EC) No 461/2004 of 8 March 2004 ("the basic Regulation") and aims at including television camera systems in an Annex to Regulation 2042/2000. This annex contains a list of television camera systems which, although falling in the product description, cannot be regarded as broadcast camera systems and therefore have to be exempted from the anti-dumping duty.</i></p>
	<ul style="list-style-type: none"><li>• <b>General context</b></li></ul> <p>This proposal is made in the context of the implementation of the basic Regulation and is the result of an investigation which was carried out in line with the substantive and procedural requirements laid out in the basic Regulation.</p>
	<ul style="list-style-type: none"><li>• <b>Existing provisions in the area of the proposal</b></li></ul> <p>There are no existing provisions in the area of the proposal.</p>
	<ul style="list-style-type: none"><li>• <b>Consistency with other policies and objectives of the Union</b></li></ul> <p>Not applicable.</p>
<b>2) CONSULTATION OF INTERESTED PARTIES AND IMPACT ASSESSMENT</b>	
	<ul style="list-style-type: none"><li>• <b>Consultation of interested parties</b></li></ul>
	<p>Interested parties concerned by the proceeding have already had the possibility to defend their interests during the investigation, in line with the provisions of the basic Regulation.</p>
	<ul style="list-style-type: none"><li>• <b>Collection and use of expertise</b></li></ul>
	<p>There was no need for external expertise.</p>
	<ul style="list-style-type: none"><li>• <b>Impact assessment</b></li></ul> <p>This proposal is the result of the implementation of the basic regulation.</p> <p>The basic regulation does not foresee a general impact assessment but contains an exhaustive list of conditions that have to be assessed.</p>
<b>3) LEGAL ELEMENTS OF THE PROPOSAL</b>	
	<ul style="list-style-type: none"><li>• <b>Summary of the proposed action</b></li></ul>

	<p>The Commission received requests from three Japanese exporting producers of television camera systems to add certain models of professional camera systems to the Annex to Council Regulation 2042/2000 and thus exempt them from the application of the duty.</p> <p>All models concerned were considered as professional camera systems which should be exempted from the application of the duty. It is therefore proposed to exempt all models exported by Ikegami, Hitachi and Matsushita under Article 1(3)(e) and consequently add them to the Annex.</p> <p>It is therefore proposed that the Council adopt the attached proposal for a Regulation.</p>
	<ul style="list-style-type: none"> <li>• <b>Legal basis</b></li> </ul> <p>Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community, as last amended by Council Regulation (EC) No 461/2004 of 8 March 2004.</p>
	<ul style="list-style-type: none"> <li>• <b>Subsidiarity principle</b></li> </ul> <p>The proposal falls under the exclusive competence of the Community. The subsidiarity principle therefore does not apply.</p>
	<ul style="list-style-type: none"> <li>• <b>Proportionality principle</b></li> </ul> <p>The proposal complies with the proportionality principle for the following reason(s).</p>
	<p>The form of action is described in the above-mentioned basic regulation and leaves no scope for national decision.</p>
	<p>Indication of how financial and administrative burden falling upon the Community, national governments, regional and local authorities, economic operators and citizens is minimized and proportionate to the objective of the proposal is not applicable.</p>
	<ul style="list-style-type: none"> <li>• <b>Choice of instruments</b></li> </ul>
	<p>Proposed instruments: regulation.</p>
	<p>Other means would not be adequate for the following reason(s).</p> <p>The above-mentioned basic regulation does not foresee alternative options.</p>
<p><b>4) BUDGETARY IMPLICATION</b></p>	
	<p>The proposal has no implication for the Community budget.</p>

Proposal for a

## COUNCIL REGULATION

### **amending the Annex to Regulation (EC) No 2042/2000 imposing a definitive anti-dumping duty on imports of television camera systems originating in Japan**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community<sup>1</sup>, ('the basic Regulation'),

Having regard to the proposal submitted by the Commission after consulting the Advisory Committee,

Whereas:

#### **A. PREVIOUS PROCEDURES**

- (1) The Council, by Regulation (EC) No 1015/94<sup>2</sup>, imposed a definitive anti-dumping duty on imports of television camera systems ('TCS') originating in Japan.
- (2) In Article 1(3)(e) of Regulation No 1015/94, the Council specifically excluded from the scope of the anti-dumping duty camera systems listed in the Annex to that Regulation ('the Annex'), representing high-end professional camera systems technically falling within the product definition under Article 1(2) of Regulation (EC) No 1015/94, but which cannot be regarded as television camera systems.
- (3) In October 1995, the Council, by Regulation (EC) No 2474/95<sup>3</sup>, amended Council Regulation (EC) No 1015/94, in particular as regards the definition of the like product and as regards certain models of professional camera systems which were explicitly exempted from the definitive anti-dumping duty.
- (4) In October 1997, the Council, by Regulation (EC) No 1952/97<sup>4</sup>, amended the rates of the definitive anti-dumping duty for two companies concerned, namely for Sony Corporation and Ikegami Tsushinki Co. Ltd pursuant to Article 12 of Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped

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

<sup>2</sup> OJ L 111, 30.4.1994, p.106. Regulation as last amended by Council Regulation (EC) No 176/2000 (OJ L 22, 27.1.2000, p. 29).

<sup>3</sup> OJ L 255, 25.10.1995, p. 11.

<sup>4</sup> OJ L 276, 9.10.1997, p. 20.

imports from countries not members of the European Community<sup>5</sup> (the ‘basic Regulation’). Furthermore, the Council specifically excluded from the scope of the anti-dumping duty certain new models of professional camera systems by adding them to the Annex.

- (5) In January 1999 and January 2000, the Council, by Regulations (EC) No 193/1999<sup>6</sup> and (EC) No 176/2000<sup>7</sup>, amended Regulation (EC) No 1015/94 by adding certain successor models of professional camera systems to the Annex and thus excluding those from the application of the definitive anti-dumping duty.
- (6) In September 2000, the Council, by Regulation (EC) No 2042/2000<sup>8</sup>, confirmed the definitive anti-dumping duties imposed by Regulation (EC) No 1015/94 (as subsequently amended) pursuant to Article 11(2) of the basic Regulation.
- (7) In January 2001 and in May 2001, the Council, by Regulations (EC) No 198/2001<sup>9</sup> and (EC) No 951/2001<sup>10</sup>, amended Regulation (EC) No 2042/2000 by adding certain successor models of professional camera systems to the Annex of Council Regulation (EC) No 2042/2000 and thus excluding them from the application of the definitive anti-dumping duty.
- (8) In September 2001, further to an interim review pursuant to Article 11(3) of the basic Regulation, the Council, by Regulation (EC) No 1900/2001<sup>11</sup> confirmed the level of the definitive anti-dumping duty imposed by Council Regulation (EC) No 2042/2000 on imports of TCS from the exporting producer Hitachi Denshi Ltd.
- (9) In September 2002 and April 2004, the Council, by Regulations (EC) No 1696/2002<sup>12</sup> and EC (No) 825/2004<sup>13</sup>, amended Regulation (EC) No 2042/2000 by adding certain successor models of professional camera systems to the Annex of Council Regulation (EC) No 2042/2000 and thus excluding them from the application of the definitive anti-dumping duty.
- (10) In January 2005, the Council, by Regulation (EC) No 84/2005<sup>14</sup>, amended Regulation (EC) No 2042/2000 by adding two models of professional camera systems to the Annex of Council Regulation (EC) No 2042/2000 and thus excluding them from the application of the definitive anti-dumping duty.

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<sup>5</sup> OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Council Regulation (EC) No 461/2004 (OJ L 77, 13.3.2004, p. 12).

<sup>6</sup> OJ L 22, 29.1.1999, p. 10.

<sup>7</sup> OJ L 22, 27.1.2000, p. 29.

<sup>8</sup> OJ L 244, 29.9.2000, p. 38. Regulation as last amended by Council Regulation (EC) No 84/2005 (OJ L 19, 21.1.2005, p. 9).

<sup>9</sup> OJ L 30, 1.2.2001, p. 1.

<sup>10</sup> OJ L 134, 17.5.2001, p.18.

<sup>11</sup> OJ L 261, 29.9.2001, p.3.

<sup>12</sup> OJ L 259, 27.9.2002, p.1.

<sup>13</sup> OJ L 127, 29.4.2004, p. 12.

<sup>14</sup> OJ L 19, 21.1.2005, p. 9.

## **B. INVESTIGATION CONCERNING NEW MODELS OF PROFESSIONAL CAMERA SYSTEMS**

### **1. Procedure**

- (11) Three Japanese exporting producers, namely Ikegami Tsushinki Co., Ltd ('Ikegami') Hitachi Denshi (Europa) GmbH ('Hitachi') and Matsushita informed the Commission that they intended to introduce new models of professional camera systems into the Community market and requested the Commission to add these new models of professional camera systems, including their accessories, to the Annex of Council Regulation (EC) No 2042/2000 and thus exempt them from the scope of the anti-dumping duties.
- (12) The Commission informed the Community industry accordingly and commenced an investigation limited to the determination of whether the products under consideration fall within the scope of the anti-dumping duties and whether the operational part of Council Regulation (EC) No 2042/2000 should be amended accordingly.

### **2. Models under investigation**

- (13) The requests for exemption were received for the following models of camera systems, supplied with the relevant technical information:

*(i) Ikegami:*

- Camera heads HC-500 and HC-500W;

*(ii) Hitachi:*

- Camera head V-35;
- Camera control unit RU-Z35;
- Camera adaptor CA-Z35;
- Camera adaptor EA-Z35;

*(iii) Matsushita:*

- Camera head AW-E860L.

All models were presented as successors of models already excluded from the anti-dumping measures in force.

### **3. Findings**

#### **i) Camera head HC-500 and HC-500W**

- (14) As far as camera heads HC-500 and HC-500W are concerned, it was found that they fall under the product description of Article 1(2)(a) of Council Regulation (EC) No 2042/2000. However, these models are mainly used for professional applications. The Community industry claimed that the above camera heads could be used for broadcast

purposes in connection with the correspondent triax system and/or triax adaptor. Nevertheless, on the basis of the information available and as for its predecessor models, it was found the camera heads HC-500 and HC-500W are not sold with the corresponding triax system or adaptor on the EC market. Consequently, on the Community market, these models were not used as broadcast cameras within the meaning of Regulation (EC) No 2042/2000. Therefore, in accordance with the Community institution's prior practice, it was concluded that these cameras should be regarded as professional camera systems falling within the definition of Article 1(3)(e) of Council Regulation (EC) No 2042/2000. As a consequence, these models should be excluded from the scope of the existing anti-dumping measures and added to the Annex of Council Regulation (EC) No 2042/2000.

- (15) In accordance with the established Community Institutions' practice, these models should be exempted from the anti-dumping duty from the date of receipt by the Commission services of the relevant request for exemption. Therefore, all imports of the following cameras imported on or after 28th October 2004 should be exempted from the anti-dumping duty from this date:

Ikegami – Camera heads HC-500 and HC-500W;

**ii) Camera head V-35, camera control unit RU-Z35 and camera adaptors CA-Z35 and EA-Z35**

- (16) With regard to the camera head V-35, base station RU-Z35 and adaptors CA-Z35 and EA-Z35, it was found that they fall within the product description of Article 1(2)(a) of Council Regulation (EC) No 2042/2000. However, they are mainly used for professional applications and are not sold with the corresponding triax system or adaptor on the EC market. Therefore, it was concluded that they should be regarded as a professional camera system falling within the definition of Article 1(3)(e) of Council Regulation (EC) No 2042/2000. As a consequence, this system (head, base station and adaptors) and its accessories should be excluded from the scope of the existing anti-dumping measures and added to the Annex of Council Regulation (EC) No 2042/2000.

- (17) In accordance with the established Community Institutions' practice, this television camera system should be exempted from the anti-dumping duty from the date of receipt by the Commission services of the relevant request for exemption. Therefore, all imports of the following camera and its accessories imported on or after 27th January 2005 should be exempted from the anti-dumping duty from this date:

*Hitachi - colour camera head V-35,  
Camera control unit RU-Z35,  
Camera adaptors CA-Z35 and EA-Z35*

**iii) Camera head AW-E860L**

- (18) With regard to the camera head AW-E860L, it was found that it was almost identical to its predecessor models already listed in the Annex to Regulation (EC) No 2042/2000. The new model was merely a technical update with regard to new environmental requirements in the Community. Therefore, it was concluded that this model should be excluded from the scope of the existing anti-dumping measures.

- (19) In accordance with the established Community Institutions' practice, this television camera system should be exempted from the anti-dumping duty from the date of receipt by the Commission services of the relevant request for exemption. Therefore, all imports of the following camera imported on or after 10th May 2005 should be exempted from the anti-dumping duty from this date:

*Matsushita – Camera head AW-E860L.*

#### **4. Information of the interested parties and conclusions**

- (20) The Commission informed the Community industry and the exporters of the TCS of its findings and provided them with an opportunity to present their views. None of the parties objected to the Commission's findings.
- (21) On the basis of the above, Regulation (EC) No 2042/2000 should be amended accordingly,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

The Annex of Council Regulation (EC) No 2042/2000 shall be replaced by the Annex hereto.

#### *Article 2*

1. This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.
2. This Regulation shall apply to imports of the following models produced and exported to the Community by the following exporting producers:
  - (a) Ikegami Tsushinki Co., Ltd from 28th October 2004:
    - Camera head HC-500;
    - Camera head HC-500W.
  - (b) Hitachi Denshi (Europa) GmbH from 27<sup>th</sup> January 2005:
    - Camera head V-35;
    - Camera control unit RU-Z35;
    - Camera adaptor CA-Z35;
    - Camera adaptor EA-Z35.
  - (c) Matsushita from 10<sup>th</sup> May 2005
    - Camera head AW-E860L.



This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

*For the Council  
The President*

## ANNEX

List of professional camera systems not qualified as television camera systems (broadcast camera systems) which are exempted from the measures

Company name	Camera heads	Viewfinder	Camera control unit	Operational control unit	Master control unit	Camera adapters
Sony	DXC-M7PK	DXF-3000CE	CCU-M3P	RM-M7G	—	CA-325P
	DXC-M7P	DXF-325CE	CCU-M5P	RM-M7E(1)		CA-325AP
	DXC-M7PH	DXF-501CE	CCU-M7P		CA-325B	
	DXC-M7PK/1	DXF-M3CE	CCU-M5AP <sup>(1)</sup>		CA-327P	
	DXC-M7P/1	DXF-M7CE			CA-537P	
	DXC-M7PH/1	DXF-40CE			CA-511	
	DXC-327PK	DXF-40ACE			CA-512P	
	DXC-327PL	DXF-50CE			CA-513	
	DXC-327PH	DXF-601CE			VCT-U14 <sup>(1)</sup>	
	DXC-327APK	DXF-40BCE				
	DXC-327APL	DXF-50BCE				
	DXC-327AH	DXF-701CE				
	DXC-537PK	DXF-WSCE <sup>(1)</sup>				
	DXC-537PL	DXF-801CE <sup>(1)</sup>				
	DXC-537PH	HDVF-C30W				
	DXC-537APK					
	DXC-537APL					
	DXC-537APH					
	EVW-537PK					
	EVW-327PK					
	DXC-637P					
	DXC-637PK					
DXC-637PL						

	DXC-637PH					
	PVW-637PK					
	PVW-637PL					
	DXC-D30PF					
	DXC-D30PK					
	DXC-D30PL					
	DXC-D30PH					
	DSR-130PF					
	DSR-130PK					
	DSR-130PL					
	PVW-D30PF					
	PVW-D30PK					
	PVW-D30PL					
	DXC-327BPF					
	DXC-327BPK					
	DXC-327BPL					
	DXC-327BPH					
	DXC-D30WSP <sup>(1)</sup>					
	DXC-D35PH <sup>(1)</sup>					
	DXC-D35PL <sup>(1)</sup>					
	DXC-D35PK <sup>(1)</sup>					
	DXC-D35WSPL <sup>(1)</sup>					
	DSR-135PL <sup>(1)</sup>					
Ikegami	HC-340	VF15-21/22	MA-200/230	RCU-240	—	CA-340
	HC-300	VF-4523	MA-200A <sup>(1)</sup>	RCU-390 <sup>(1)</sup>		CA-300
	HC-230	VF15-39	MA-400 <sup>(1)</sup>	RCU-400 <sup>(1)</sup>		CA-230
	HC-240	VF15-46 <sup>(1)</sup>	CCU-37	RCU-240A		CA-390

	HC-210	VF5040 <sup>(1)</sup>	CCU-10			CA-400 <sup>(1)</sup>
	HC-390	VF5040W <sup>(1)</sup>				CA-450 <sup>(1)</sup>
	LK-33					
	HDL-30MA					
	HDL-37					
	HC-400 <sup>(1)</sup>					
	HC-400W <sup>(1)</sup>					
	HDL-37E					
	HDL-10					
	HDL-40					
	<b>HC-500<sup>(1)</sup></b>					
	<b>HC-500W<sup>(1)</sup></b>					
Hitachi	SK-H5	GM-5 (A)	RU-C1 (B)	—	—	CA-Z1
	SK-H501	GM-5-R2 (A)	RU-C1 (D)			CA-Z2
	DK-7700	GM-5-R2	RU-C1			CA-Z1SJ
	DK-7700SX	GM-50	RU-C1-S5			CA-Z1SP
	HV-C10	GM-8A <sup>(1)</sup>	RU-C10 (B)			CA-Z1M
	HV-C11	GM-9 <sup>(1)</sup>	RU-C10 (C)			CA-Z1M2
	HV-C10F	GM-51 <sup>(1)</sup>	RC-C1			CA-Z1HB
	Z-ONE (L)		RC-C10			CA-C10
	Z-ONE (H)		RU-C10			CA-C10SP
	Z-ONE		RU-Z1 (B)			CA-C10SJA
	Z-ONE A (L)		RU-Z1 (C)			CA-C10M
	Z-ONE A (H)		RU-Z1			CA-C10B
	Z-ONE A (F)		RC-C11			CA-Z1A <sup>(1)</sup>
	Z-ONE A		RU-Z2			CA-Z31 <sup>(1)</sup>
	Z-ONE B (L)		RC-Z1			CA-Z32 <sup>(1)</sup>

Z-ONE B (H)	RC-Z11	CA-ZD1 <sup>(1)</sup>
Z-ONE B (F)	RC-Z2	CA-Z35 <sup>(1)</sup>
Z-ONE B	RC-Z21	EA-Z35 <sup>(1)</sup>
Z-ONE B (M)	RC-Z2A <sup>(1)</sup>	
Z-ONE B (R)	RC-Z21A <sup>(1)</sup>	
FP-C10 (B)	RU-Z3 <sup>(1)</sup>	
FP-C10 (C)	RC-Z3 <sup>(1)</sup>	
FP-C10 (D)	<b>RU-Z35<sup>(1)</sup></b>	
FP-C10 (G)		
FP-C10 (L)		
FP-C10 (R)		
FP-C10 (S)		
FP-C10 (V)		
FP-C10 (F)		
FP-C10		
FP-C10 A		
FP-C10 A (A)		
FP-C10 A (B)		
FP-C10 A (C)		
FP-C10 A (D)		
FP-C10 A (F)		
FP-C10 A (G)		
FP-C10 A (H)		
FP-C10 A (L)		
FP-C10 A (R)		
FP-C10 A (S)		
FP-C10 A (T)		

	FP-C10 A (V)					
	FP-C10 A (W)					
	Z-ONE C (M)					
	Z-ONE C (R)					
	Z-ONE C (F)					
	Z-ONE C					
	HV-C20					
	HV-C20M					
	Z-ONE-D					
	Z-ONE-D (A)					
	Z-ONE-D (B)					
	Z-ONE-D (C)					
	Z-ONE.DA <sup>(1)</sup>					
	V-21 <sup>(1)</sup>					
	V-21W <sup>(1)</sup>					
	<b>V-35<sup>(1)</sup></b>					
Matsushita	WV-F700	WV-VF65BE	WV-RC700/B	—	—	WV-AD700SE
	WV-F700A	WV-VF40E	WV-RC700/G			WV-AD700ASE
	WV-F700SHE	WV-VF39E	WV-RC700A/B			WV-AD700ME
	WV-F700ASHE	WV-VF65BE (*)	WV-RC700A/G			WV-AD250E
	WV-F700BHE	WV-VF40E (*)	WV-RC36/B			WV-AD500E (*)
	WV-F700ABHE	WV-VF42E	WV-RC36/G			AW-AD500AE
	WV-F700MHE	WV-VF65B	WV-RC37/B			AW-AD700BSE
	WV-F350	AW-VF80	WV-RC37/G			
	WV-F350HE		WV-CB700E			
	WV-F350E		WV-CB700AE			

	WV-F350AE		WV-CB700E (*)			
	WV-F350DE		WV-CB700AE (*)			
	WV-F350ADE		WV-RC700/B (*)			
	WV-F500HE (*)		WV-RC700/G (*)			
	WV-F-565HE		WV-RC700A/B (*)			
	AW-F575HE		WV-RC700A/G (*)			
	AW-E600		WV-RC550/G			
	AW-E800		WV-RC550/B			
	AW-E800A		WV-RC700A			
	AW-E650		WV-CB700A			
	AW-E655		WV-RC550			
	AW-E750		WV-CB550			
	<b>AW-E860L</b>		AW-RP501			
			AW-RP505			
JVC	KY-35E	VF-P315E	RM-P350EG	—	—	KA-35E
	KY-27ECH	VF-P550E	RM-P200EG			KA-B35U
	KY-19ECH	VF-P10E	RM-P300EG			KA-M35U
	KY-17FITECH	VP-P115E	RM-LP80E			KA-P35U
	KY-17BECH	VF-P400E	RM-LP821E			KA-27E
	KY-F30FITE	VP-P550BE	RM-LP35U			KA-20E
	KY-F30BE	VF-P116E	RM-LP37U			KA-P27U
	KY-F560E	VF-P116WE <sup>(1)</sup>	RM-P270EG			KA-P20U
	KY-27CECH	VF-P550WE <sup>(1)</sup>	RM-P210E			KA-B27E
	KH-100U					KA-B20E
	KY-D29ECH					KA-M20E
	KY-D29WECH <sup>(1)</sup>					KA-M27E

Olympus	MAJ-387N		OTV-SX 2			
	MAJ-387I		OTV-S5 OTV-S6			
Camera OTV-SX						
<p>(*)Also called master set up unit (MSU) or master control panel (MCP).</p> <p>(1) Models exempted under the condition that the corresponding triax system or triax-adapter is not sold on the EC market.</p>						