

Judgment of the General Court of 10 October 2017 — Kolachi Raj Industrial v Commission(Case T-435/15) ⁽¹⁾

(Dumping — Import of bicycles consigned from Cambodia, Pakistan and the Philippines — Extension to those imports of the definitive anti-dumping duty imposed on imports of bicycles originating in China — Implementing Regulation (EU) 2015/776 — Article 13(2)(a) and (b) of Regulation (EC) No 1225/2009 — Assembly operations — Provenance and origin of bicycle parts — Certificates of origin — Insufficient evidentiary value — Manufacturing costs of bicycle parts)

(2017/C 402/29)

Language of the case: English

Parties

Applicant: Kolachi Raj Industrial (Private) Ltd (Karachi, Pakistan) (represented by: P. Bentley, QC)

Defendant: European Commission (represented by: J.-F. Brakeland, M. França and A. Demeneix, acting as Agents)

Intervener in support of the defendant: European Bicycle Manufacturers Association (EBMA) (represented by: L. Ruessmann, lawyer, and J. Beck, Solicitor)

Re:

Application pursuant to Article 263 TFEU seeking the annulment of Commission Implementing Regulation (EU) 2015/776 of 18 May 2015 extending the definitive anti-dumping duty imposed by Council Regulation (EU) No 502/2013 on imports of bicycles originating in the People's Republic of China to imports of bicycles consigned from Cambodia, Pakistan and the Philippines, whether declared as originating in Cambodia, Pakistan and the Philippines or not (OJ 2015, L 122, p. 4), to the extent that it applies to the applicant.

Operative part of the judgment

The Court:

1. Annuls Commission Implementing Regulation (EU) 2015/776 of 18 May 2015 extending the definitive anti-dumping duties imposed by Council Regulation (EU) No 502/2013 on imports of bicycles originating in the People's Republic of China to imports of bicycles consigned from Cambodia, Pakistan and the Philippines, whether declared as originating in Cambodia, Pakistan and the Philippines or not, to the extent that it applies to Kolachi Raj Industrial (Private) Ltd;
2. Orders the European Commission to bear its own costs and to pay those of Kolachi Raj Industrial (Private) Ltd;
3. Orders the European Bicycle Manufacturers Association (EBMA) to bear its own costs.

⁽¹⁾ OJ C 328, 5.10.2015.