

Notice of initiation of a partial interim review of the anti-dumping measures applicable to imports of powdered activated carbon originating in the People's Republic of China

(2002/C 262/02)

The Commission has decided on its own initiative to initiate a partial interim review pursuant to Article 11(3) of Council Regulation (EC) No 384/96⁽¹⁾, as last amended by Council Regulation (EC) No 2238/2000⁽²⁾ (the basic Regulation), limited to the form of the existing measures.

1. Product

The product under review is powdered activated carbon originating in the People's Republic of China (the product concerned), currently classifiable within CN code ex 3802 10 00. This CN code is given only for information.

2. Existing measures

The measures currently in force are a definitive anti-dumping duty imposed by Council Regulation (EC) No 1011/2002⁽³⁾ on imports of powdered activated carbon originating in the People's Republic of China. The duty is in the form of a specific duty.

3. Grounds for the review

The Commission has decided on its own initiative to initiate a partial interim review pursuant to Article 11(3) of the basic Regulation in order to examine the appropriateness of the measures in force with regard to the following issue.

The current measures in the form of a specific anti-dumping duty do not cater for situations in which goods have been damaged before entry into free circulation into the Community. In this respect it should be noted that the measures should not go beyond what is necessary for the removal of injury.

4. Procedure for the determination of dumping

Having determined, after consulting the Advisory Committee, that there are sufficient grounds warranting the initiation of a partial interim review, the Commission hereby initiates a review pursuant to Article 11(3) of the basic Regulation limited to the aspect mentioned in point 3 of this notice.

(a) Collection of information

In order to have the interested parties view on the above, the Commission will contact the Community industry, any association of producers in the Community, the exporters/producers in the country concerned, any association of exporters/producers in the country concerned, the importers, and any association of importers which cooperated in the

investigation leading to the measures subject to the present review, and the relevant authorities of the countries concerned.

All interested parties provided that they are likely to be affected by the results of the examination of the form of the existing measures are hereby invited to make their views known, submit information and to provide supporting evidence. This information and supporting evidence must reach the Commission within the time limit set in point 5 of this notice.

(b) Holding of hearings

Furthermore, the Commission may hear interested parties, provided that they make a request showing that there are particular reasons why they should be heard. This request must be made within the time limit set in point 5 of this notice.

5. Time limits

All interested parties, if their representations are to be taken into account during the investigation, must make themselves known by contacting the Commission, present their views and submit information within 40 days of the date of publication of this notice in the *Official Journal of the European Communities*, unless otherwise specified.

Attention is drawn to the fact that the exercise of most procedural rights set out in the basic Regulation depends on the party making itself known within the aforementioned 40 days of publication.

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

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

Commission address for correspondence:

European Commission
Directorate-General for Trade
Directorate B
J-79 5/16
B-1049 Brussels
Fax (32-2) 295 65 05
Telex: COMEU B 21877.

⁽¹⁾ OJ L 56, 6.3.1996, p. 1.

⁽²⁾ OJ L 257, 11.10.2000, p. 2.

⁽³⁾ OJ L 155, 14.6.2002, p. 1.

7. Non-cooperation

In cases in which any interested party refuses access to or otherwise does not provide the necessary information within the time limits, or significantly impedes the investigation, 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.

Authorisation for State aid pursuant to Articles 87 and 88 of the EC Treaty

Cases where the Commission raises no objections

(2002/C 262/03)

(Text with EEA relevance)

Date of adoption of the decision: 7.5.2002

Member State: Spain

Aid No: N 3/02

Title: Shipbuilding — Development aid to Namibia

Objective: To support the development of the fishing sector in Namibia, via the purchase of a support vessel with a capacity of 1 400 grt. The support vessel is to be used to ensure the sustainable use of marine resources

Legal basis: Programa financiero bilateral entre España y la República de Namibia

Budget: Subsidised loan of EUR 6 056 500 with a repayment period of 30 years, a period of grace of 10 years and an interest rate of 0,35 % p.a.

Aid intensity or amount: 40,103 %

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at

http://europa.eu.int/comm/secretariat_general/sgb/state_aids

Date of adoption of the decision: 24.7.2002

Member State: Germany (Berlin)

Aid No: N 360/02

Title: Aid in favour of BAE Berliner Batteriefabrik GmbH and MODAC GmbH

Objective: Rescue aid

Legal basis: Konsolidierungsfonds I des Landes Berlin

Aid intensity or amount: EUR 1 022 000

Duration: Six to 12 months

Other information: Commitment by Germany to communicate to the Commission, within six months after authorisation of the rescue measure, a restructuring plan or a liquidation plan or proof that the loan has been reimbursed in full

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at

http://europa.eu.int/comm/secretariat_general/sgb/state_aids

Date of adoption of the decision: 11.9.2002

Member State: Spain

Aid No: N 456/02

Title: Temporary stopping of fishing for northern hake (Galicia)