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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 301/96

of 19 February 1996

determining to what extent licence applications submitted during February 1996 for live bovine animals weighing between 160 and 300 kg as part of a tariff quota provided for pursuant to Regulation (EC) No 39/96

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 39/96 of 12 January 1996 laying down for the first half of 1996 certain detailed rules for the application of a tariff quota for live bovine animals weighing between 160 and 300 kilograms originating in certain third countries⁽¹⁾, and in particular Article 3 (4) thereof,

Whereas Article 1 (1) of Regulation (EC) No 39/96 lays down the number of head of live bovine animals weighing between 160 and 300 kg for fattening or slaughter originating in certain third countries which may be imported under special conditions during the first half of 1996;

Whereas the quantities for which import licence applications have been submitted exceed the quantities available;

whereas, pursuant to Article 3 (4) of Regulation (EC) No 39/96, a single percentage reduction in the quantities applied for should be fixed,

HAS ADOPTED THIS REGULATION:

Article 1

Applications submitted for the first half of 1996 under the import arrangements referred to in Regulation (EC) No 39/96 shall be reduced by 98,871 %.

Article 2

This Regulation shall enter into force on 20 February 1996.

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

Done at Brussels, 19 February 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 10, 13. 1. 1996, p. 1.

COMMISSION DECISION No 302/96/ECSC

of 19 February 1996

derogating from High Authority recommendation No 1/64 concerning an increase in the protective duty on iron and steel products at the external frontiers of the Community (162nd derogation)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular the third paragraph of Article 71 thereof,

Having regard to High Authority recommendation No 1/64 of 15 January 1964 to the Governments of the Member States concerning an increase in the protective duty on iron and steel products at the external frontiers of the Community ⁽¹⁾, as last amended by Commission recommendation 88/27/ECSC ⁽²⁾, and in particular Article 3 thereof,

Whereas certain iron and steel products indispensable to the manufacture of certain goods and having very special physical and chemical characteristics are not produced in the Community, or produced in insufficient quantities; whereas for a number of years insufficiency has been overcome by duty-free tariff quotas; whereas Community producers are still not in a position to comply with the present quality requirements put forward by the users; whereas duty-free tariff quotas at a level securing the supply of users is consequently required;

Whereas import of these products on preferential terms is not injurious to iron and steel undertakings in the Community which produce directly competing products;

Whereas these tariff quotas are unlikely to jeopardize the objectives of recommendation No 1/64, but will help to maintain existing trade flows between the Community and non-member countries;

Whereas these are special cases in the commercial policy field justifying the authorization of derogations pursuant to Article 3 of recommendation No 1/64;

Whereas it is necessary to make sure that the tariff quotas granted will have no other function than meeting the specific needs of certain transforming industries;

Whereas the Governments of the Member States have been consulted on the tariff quotas set out below,

HAS ADOPTED THIS DECISION:

Article 1

1. Member States are hereby authorized to derogate from the obligations arising pursuant to Article 1 of High Authority recommendation No 1/64 of the extent necessary to suspend at the levels indicated the customs duties on the products set out below, within the quantities of the tariff quotas set out below:

⁽¹⁾ OJ No 8, 22. 1. 1964, p. 99/64.

⁽²⁾ OJ No L 15, 20. 1. 1988, p. 13.

Order number	CN code	Taric code	Description	Amount quota (tonnes)	Quota duty (%)	End of quota period
09.2921	(a)		Flat-rolled products of iron or non-alloy steel, of a width of 600 mm or more, cold-rolled (cold-reduced) not clad, plated or coated:	50	0	31.12.1996
	ex 7209 16 90	* 10	of a thickness exceeding 1 mm but less than 3 mm			
	ex 7209 17 90	* 10	of a thickness of 0,5 mm or more but not exceeding 1 mm			
09.2922	(b)		Flat-rolled products of stainless steel, of a width of 600 mm or more not further worked than cold-rolled (cold-reduced):	200	0	31.12.1996
	ex 7219 33 10	* 10	of a thickness exceeding 1 mm but less than 3 mm containing by weight 2,5 % or more of nickel			
	ex 7219 34 10	* 10	of a thickness of 0,5 mm or more but not exceeding 1 mm, containing by weight 2,5 % or more of nickel			

2. The abovementioned products must, in addition, comply with the following physical specifications:

(a) Products with the CN codes ex 7209 16 90 and ex 7209 17 90:

high carbon steel with a carbon content of 0,64 % to 0,70 % for the production of process or transport belts with a permissible operating temperature of 400 °C. Tensile strength 1 200 N/mm² (± 10 %). Other elements or properties following special technical specification (HM 1708).

(b) Products falling within CN codes ex 7219 33 10 and ex 7219 34 10:

Stainless steel 'NICRO' for the production of process- or transport belts with a permissible operating temperature of 350 °C.

Type (i) tensile strength 1 050 N/mm² (± 10 %). Chemical composition: maximum carbon content 0,06 %; 13 % chromium content; 4 % nickel content.

Type (ii) tensile strength 1 200 N/mm² (± 15 %). Chemical composition: maximum carbon content 0,09 %; 15 % chromium content; 7 % nickel content.

Other elements or properties following special technical specification (HM 1708).

Article 2

1. Member States are hereby authorized to derogate from the obligations arising pursuant to Article 1 of High Authority recommendation No 1/64 to the extent necessary to suspend at the levels indicated the customs duties on the products set out below, within the quantities of the tariff quotas set out below:

Order number	CN code	Taric code	Description	Amount quota (tonnes)	Quota duty (%)	End of quota period
09.2923	(a) ex 7227 90 95	* 10	<p>Special wire rod for the manufacture of oil-tempered valve spring wire with a diameter of 5 mm or more but not exceeding 15 mm, of other alloy steel containing by weight:</p> <p>0,5 % or more but not more than 0,8 % of carbon</p> <p>0,1 % or more but not more than 1,7 % of silicon</p> <p>0,5 % or more but not more than 0,8 % of manganese</p> <p>0,03 % or less of sulphur</p> <p>0,03 % or less of phosphorus</p> <p>0,4 % or more but not more than 0,8 % of chrome</p> <p>0,1 % or more but not more than 0,3 % of vanadium</p>	10 000	0	31.12.1996
09.2924	(b) ex 7227 90 95 (chrome-vanadium grade)	* 20	<p>Special wire rod for the manufacture of oil-tempered valve spring wire with a diameter of 5 mm or more but not exceeding 15 mm, of other alloy steel containing by weight:</p> <p>0,63 % or more but not more than 0,72 % of carbon</p> <p>0,15 % or more but not more than 0,3 % of silicon</p> <p>0,5 % or more but not more than 0,9 % of manganese</p> <p>0,02 % or less of sulphur</p> <p>0,02 % or less of phosphorus</p> <p>0,4 % or more but not more than 0,6 % of chrome</p> <p>0,06 % or less of copper</p> <p>0,06 % or less of nickel</p> <p>0,1 % or more but not more than 0,2 % of vanadium</p>	500	0	31.12.1996
09.2925	(c) ex 7227 90 95 (chrome-silicon grade)	* 30	<p>Special wire rod for the manufacture of oil-tempered valve spring wire with a diameter of 5 mm or more but not exceeding 15 mm, of other alloy steel containing by weight:</p> <p>0,54 % or more but not more than 0,60 % of carbon</p> <p>1,30 % or more but not more than 1,60 % of silicon</p> <p>0,60 % or more but not more than 0,80 % of manganese</p> <p>0,02 % or less of sulphur</p> <p>0,02 % or less of phosphorus</p> <p>0,80 % or less of chrome</p> <p>0,06 % or less of copper</p> <p>0,08 % or less of nickel</p> <p>Special wire rod for the manufacture of oil-tempered valve spring wire with a diameter of 5 mm or more but not exceeding 15 mm, of other alloy steel containing by weight:</p>	450	0	31.12.1996

Order number	CN code	Taric code	Description	Amount quota (tonnes)	Quota duty (%)	End of quota period
09.2926	(d) ex 7213 91 70 (carbon steel grade)	* 11 * 91	0,65 % or more but not more than 0,70 % of carbon 0,15 % or more but not more than 0,30 % of silicon 0,60 % or more but not more than 0,90 % of manganese 0,02 % or less of sulphur 0,025 % or less of phosphorus 0,05 % or less of chrome 0,05 % or less of copper 0,06 % or less of nickel 0,012 % or less of aluminium	50	0	31. 12. 1996

2. The abovementioned products must, in addition, comply with the following physical specifications:

(a) decarburization:

depth of decarburization measured without defects: 0,05 mm maximum; surface condition: maximum depth of defects (tears, fissures or folds) measured perpendicular to the surface: 0,05 mm; non-metallic inclusions: examination to be carried out in accordance with the AFNOR standard (ref. A 04/106) of July 1972 and with Stahl-Eisen-Blatt 1570/71; typical maximum value figure 1 from the surface to two-thirds of the radius; typical maximum value figure 2 beyond two-thirds of the radius to the core. The values indicated are valid for any type of inclusion.

(b) surface defects:

length of defect (measured on a cross section) maximum 1,0 % of diameter; decarburization: maximum 1,0 % of diameter; diameter range: 5,50 mm to 9,0 mm.

(c) surface defects:

length of defect (measured on a cross section) maximum 1,0 % of diameter; decarburization: maximum 1,0 % of diameter; diameter range: 5,50 mm to 10,0 mm.

(d) surface defects:

length of defect (measured on a cross section) maximum 1,0 % of diameter; decarburization: maximum 0,7 % diameter; diameter range: 5,50 mm to 10,0 mm.

Article 3

The tariff quotas referred to in Articles 1 and 2 shall be managed by the Commission, which may take any appropriate administrative measures to ensure that they are managed efficiently.

Article 4

Where an importer presents a declaration covered by this Decision for release for free circulation in a Member State, applying to take advantage of the preferential arrangements, and the entry is accepted by the customs authorities, the Member State concerned shall, by notifying the Commission, draw an amount corresponding to its requirements from the appropriate quota volume.

Request for drawings, indicating the date on which the entries were accepted, must be sent to the Commission without delay.

Drawings shall be granted by the Commission in chronological order of the dates on which the customs authorities of the Member States concerned accepted the entries for release for free circulation to the extent that the available balance so permits.

If a Member State does not use a drawing in full it shall return any unused portion to the corresponding quota volume as soon as possible.

If the quantities requested are greater than the available balance of the quota volume, the balance shall be allocated among applicants pro rata. The Commission shall inform the Member States of the drawings made.

Article 5

Each Member State shall ensure that importers of the products in question have equal and continuous access to the quotas for as long as the balance of the relevant quota volume so permits.

Article 6

The Member States and the Commission shall cooperate closely to ensure that this Decision is complied with.

Article 7

This Decision shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

It shall apply from 1 January until 31 December 1996.

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

Done at Brussels, 19 February 1996.

For the Commission

Leon BRITTAN

Vice-President

**COMMISSION DECISION No 303/96/ECSC
of 19 February 1996**

imposing a definitive anti-dumping duty on imports into the Community of certain grain oriented electrical sheets originating in Russia, collecting definitively the provisional duty imposed and accepting an undertaking offered in connection with such imports

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to Commission Decision No 2424/88/ECSC of 29 July 1988 on protection against dumped or subsidized imports from countries not members of the European Coal and Steel Community⁽¹⁾, and in particular Articles 10 and 12 thereof,

After consulting the Advisory Committee,

Whereas:

A. PROVISIONAL MEASURES

- (1) The Commission, by Decision No 2450/95/ECSC⁽²⁾ (hereinafter referred to as 'the provisional duty Decision') imposed a provisional anti-dumping duty on imports into the Community of certain grain oriented electrical sheets originating in Russia and falling within CN codes 7225 10 91 (sheets of a width of 600 mm or more) and 7226 10 31 (sheets of a width of more than 500 mm but less than 600 mm). Those CN codes were changed respectively to 7225 11 00 and to 7226 11 10 by Commission Regulation (EC) No 3009/95⁽³⁾.

B. SUBSEQUENT PROCEDURE

- (2) Subsequent to the imposition of the provisional anti-dumping duty, the three Russian cooperating exporters and representatives of the Russian authorities were granted a hearing by the Commission further to a request on their part. The abovementioned exporters also made written submissions making known their views on the provisional findings.
- (3) Upon request, parties were informed of the essential facts and considerations on the basis of which

it was intended to recommend the imposition of a definitive duty and the definitive collection of the amounts secured by way of a provisional duty. They were also granted a period within which to make representations subsequent to the disclosure. Their oral and written comments were considered and, where appropriate, the Commission's findings were modified to take account of them.

C. PRODUCT UNDER CONSIDERATION AND LIKE PRODUCT

- (4) For the purpose of its preliminary findings, the Commission determined (see recitals (8), (9) and (10) of the provisional duty Decision) that the product concerned was grain-oriented cold-rolled sheets and strips of silicon-electrical steel used for electromagnetic appliances. Owing to the complexity of the manufacturing process, certain quantities of the final product have quality deficiencies and are therefore sold at a discount, as second choice-material. It was however considered that the first- and second-choice material constituted a single like product within the meaning of Decision No 2424/88/ECSC, since they both had the same basic physical characteristics and the same use.
- (5) Since no further arguments were presented in this respect, the provisional findings regarding the product under consideration and the like product are confirmed.

D. DUMPING

- (6) Russia being a non-market economy country, the Commission provisionally established normal value on the basis of domestic sales, which were found to be made in the ordinary course of trade to independent customers, in an analogue country, namely Brazil (see recitals (11), (12) and (13) of the provisional duty Decision).
- (7) At the preliminary stage, the export price was calculated as the weighted average selling price actually paid or payable for all export transactions to the Community during the investigation period

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 18.

⁽²⁾ OJ No L 252, 20. 10. 1995, p. 2.

⁽³⁾ OJ No L 319, 30. 12. 1995, at pp 571 and 572.

(January 1993 to April 1994), since all export transactions were dumped (see recital (14) of the provisional duty Decision).

- (8) The comparison between export price and the weighted average normal value in the analogue country showed the existence of dumping, the corresponding margin expressed as a percentage of the free-at-Community frontier price amounting to 73,46 % (see recitals (15) and (16) of the provisional duty Decision).
- (9) No observations were submitted on the methodology used by the Commission in its preliminary findings for determining dumping, and the findings, as set out in recitals (11) to (16) of the provisional duty Decision, are confirmed.

E. COMMUNITY INDUSTRY

- (10) The Commission determined (see recital (17) of the provisional duty Decision) that the Community industry was composed of three cooperating producers which represented 70 % of the Community production. No representation has been received concerning these findings, which are therefore confirmed.

F. INJURY

(a) Community consumption, volume and market share of the dumped imports

- (11) No comments were received with regard to the provisional findings on Community consumption, volume and market share of the dumped imports as set out in recitals (18), (19) and (20) of the provisional duty Decision. Accordingly those findings are confirmed.

(b) Prices of the dumped imports

- (12) The Russian exporters claimed that, in its provisional findings (see recitals (21) and (55) of the provisional duty Decision), the Commission, for the purpose of determining price undercutting and price underselling, did not clarify how it had adjusted the price of the Russian exporters in order to bring it to a free customer price comparable in

terms and conditions to the price offered by the Community producers. They claimed that price comparability should be assessed on the basis of 'customer perception' rather than on the basis of a merely theoretical comparability. They requested, in particular, adjustments for payment terms and conditions of supply. They did not, however, submit any supporting evidence in respect of this claim.

- (13) It should be recalled that for assessing the level of price undercutting or price underselling, the Russian export prices were adjusted upwards by an amount corresponding to the margin of a distributor. This margin was estimated on the basis of the information available from other steel products cases, since no importer cooperated with the present investigation. This margin includes financing and handling costs, together with a profit margin of 5 % on turnover.

The price comparison was therefore made at the same level of trade, and indeed on the basis of similar payment and delivery terms.

- (14) With regard to the argument concerning conditions of supply, it is noted that any additional costs which may result from such conditions are normally reflected in the costs incurred by the importer fulfilling the role of a distributor. Since the Commission, when making the comparison, has included the margin of a Community importer/distributor trading in Russian material, no additional adjustment for any costs resulting from these conditions of supply is warranted in the absence of any evidence to the contrary.

- (15) In those circumstances, the claim has to be rejected and consequently the level of price undercutting and price underselling, which was determined at the preliminary stage, confirmed.

(c) Situation of the Community industry

- (16) As set out in recitals (22) to (28) of the provisional duty Decision, it was provisionally concluded that, between 1990 and the end of the investigation period (end of April 1994), the Community industry suffered material injury which consisted mainly of a decline in deliveries with a resulting loss of market share as well as price depression, factors which together led to a decline in profits and, overall, financial losses.

- (17) Since no comments were made in this respect, these conclusions are confirmed.

G. CAUSATION

- (18) The Commission determined (see recitals (29) to (37) of the provisional duty Decision) that, notwithstanding the fact that other factors might also have negatively affected the Community industry's position, the dumped imports from Russia, taken in isolation, had caused material injury to the Community industry. In the absence of new arguments, those findings are confirmed.

H. COMMUNITY INTEREST

- (19) At the preliminary stage, the Commission found (see recitals (38) to (49) of the provisional duty Decision) that it was in the interest of the Community to impose protective anti-dumping measures in order to prevent further injury being caused by the dumped imports concerned. No representation having been received in this respect, those findings are confirmed.

I. DUTY

- (20) Provisional measures took the form of an ad valorem anti-dumping duty set at the injury elimination level found during the investigation, since it was lower than the dumping margin found (see recitals (50) to (57) of the provisional duty Decision).
- (21) In their submission, the Russian exporters argued that in the calculation of the target price for first-quality material, the Commission should have reduced the cost of production by the extra revenue resulting from the sales of second-choice material.
- (22) It has to be observed that first- and second-choice material result from the same production process with exactly the same inputs for raw materials, labour, energy and other costs. Consequently, different specific costs of production for first- and second-choice material do not exist. To credit the lower sales revenue of second-choice material to the total cost of production, as was suggested by the Russian exporters, would in fact artificially increase the cost of the remaining first-quality product. This

would be so because, in following this method suggested, the costs of producing the second-choice material would logically have to be attributed to the costs for first-choice material.

- (23) Therefore, the Commission has determined the target price for first choice material on the basis of the average cost of production (that for first- and second-choice material taken together) as applied by the Community producers in their accounting practices, plus a reasonable profit of 5 % on turnover.
- (24) With regard to the determination of the target price for second-choice material, it was further argued that the Commission should have used the normal discounts granted by the Community producers on the Community market for these products and not, as applied for the provisional determination, those found on the Brazilian market.
- (25) The Commission observes that the discounts applied by the Community producers cannot be considered an appropriate benchmark for correctly determining the price differential between first- and second-choice material, owing to the fact that Community producers' prices were subject to the downward pressure of dumped products from Russia, which were supplied in increasing volumes, undercutting Community producers' prices, thereby depressing those prices.
- (26) However, the Commission accepts that the discounts applied by the Russian exporters for their second-choice material on the Community market to reflect adequately the price reduction required for this product by the users in the Community in order to cope with its specific quality deficiencies and that those discounts are more appropriate than the discounts on the Brazilian market used by the Commission for its provisional findings.
- (27) In those circumstances and in the absence of any other reasonable indicator, in order to reach a target price for second-quality material, the target price calculated for first-choice material has been reduced by an amount representing the average price differential which was observed between Russian first- and second-choice material when imported into the Community.
- (28) On this basis, the average underselling margin amounts to 40,1 % when expressed as a percentage of the average Community frontier export price, duty unpaid.

- (29) Since the margin of dumping established is greater than the injury elimination level definitively determined, the rate of definitive duty to be imposed should correspond to the lower injury margin, namely 40,1 %.

J. COLLECTION OF THE PROVISIONAL DUTY

- (30) In view of the dumping margin found as well as the injury caused thereby to the Community industry, it is considered necessary that the amounts secured by way of the provisional anti-dumping duty should be definitively collected at the rate definitively imposed.

K. UNDERTAKING

(a) Offer of undertaking

- (31) The Russian authorities, in conjunction with the Russian exporters, offered an undertaking.
- (32) In substance, the Russian authorities proposed to operate an export licensing system for the duration of the undertaking in order to ensure that all imports into the Community covered by the proposed undertaking should be of Russian origin, be produced by the Russian producers concerned and be exported and invoiced directly by the three exporters concerned to buyers in the Community. They further proposed to ensure that the total Russian exports by the three exporters in question would not exceed an overall annual quantitative ceiling. Any intended exports of the product by the exporters subject to the undertaking from the territory of Russia to the Community which did not meet the above criteria would not receive an export licence.
- (33) In addition, the three exporters in question proposed to enter such an undertaking together, thereby ensuring that their exports of the product concerned would be made within the limits of the abovementioned ceiling. Furthermore, they would follow price levels prevailing in the Community market and set sales conditions for the product, taking into account any quality and other differences, which reflect normal competitive conditions.

(b) Merits

- (34) An undertaking combining a quantitative limitation and a pricing commitment would facilitate

effective monitoring of the product in question. The quantitative limitation offered represents a substantial reduction in the quantities exported during the investigation period. It is therefore considered that the terms of the undertaking are such that the injury caused to the Community industry would be eliminated.

- (35) It is also to be recalled that the product in question is an ECSC product. According to the Agreement between the European Coal and Steel Community and the Russian Federation on trade in certain steel products, approved by Commission Decision 96/8/ECSC⁽¹⁾, Russia has agreed to establish and maintain quantitative limits on exports to the Community of certain steel products. Despite the fact that the product subject to the current investigation has been excluded from the Agreement in progress, past experience has shown that measures consisting of quantitative restrictions may provide a satisfactory solution for the type of product in question.

(c) Conclusion

- (36) Taking into account the particular characteristics of the imports under consideration, when sold on the Community market, the Commission has come to the conclusion that the undertaking offered would remove the injury caused by dumping and would be an appropriate remedy in the present case. On this basis, the Commission is of the opinion that the undertaking offered, which could be effectively monitored, is acceptable. A residual duty at the rate indicated in recital (29) should nevertheless be imposed on imports of the product in question originating in Russia in order to underpin the undertaking by avoiding its circumvention,

HAS ADOPTED THIS DECISION:

Article 1

1. A definitive anti-dumping duty is hereby imposed on imports of grain oriented cold-rolled sheets and strips of silicon-electrical steel with a width or more than 500 mm originating in Russia and falling within CN codes 7225 11 00 (sheets of a width of 600 mm or more) and 7226 11 10 (sheets of a width or more than 500 mm but less than 600 mm).

⁽¹⁾ OJ No L 5, 8. 1. 1996, p. 24.

2. The rate of the definitive anti-dumping duty shall be 40,1 % of the net, free-at-Community frontier price, before duty (Taric additional code: 8877).

Taric
additional
code

3. Unless otherwise specified, the provisions in force concerning customs duty shall apply.

— Novolipetsk Iron and Steel Corp. (NLMK), Lipetsk	8878
— Verh-Isetsky Metallurgical Plant, Ekaterinburg	8878
— VO 'Promsyrimport', Moscow	8878.

Article 2

Notwithstanding Article 1, the duty shall not apply to imports of the products concerned exported and invoiced direct to buyers in the Community by the following companies, in respect of which an undertaking is hereby accepted:

Article 3

The amounts secured by way of the provisional anti-dumping duty pursuant to Decision No 2450/95/ECSC shall be definitively collected at the rate of duty definitively imposed.

Article 4

This Decision shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 19 February 1996.

For the Commission

Leon BRITTAN

Vice-President

COMMISSION REGULATION (EC) No 304/96
of 19 February 1996
establishing the standard import values for determining the entry price of
certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables⁽¹⁾, as last amended by Regulation (EC) No 2933/95⁽²⁾, and in particular Article 4 (1) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EC) No 150/95⁽⁴⁾, and in particular Article 3 (3) thereof,

Whereas Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third

countries, in respect of the products and periods stipulated in the Annex thereto;

Whereas, in compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 20 February 1996.

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

Done at Brussels, 19 February 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ No L 307, 20. 12. 1995, p. 21.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

ANNEX

to the Commission Regulation of 19 February 1996 establishing the standard import values for determining the entry price of certain fruit and vegetables

<i>(ECU/100 kg)</i>			<i>(ECU/100 kg)</i>			
CN code	Third country code ⁽¹⁾	Standard import value	CN code	Third country code ⁽¹⁾	Standard import value	
0702 00 15	052	43,7	0805 20 13, 0805 20 15, 0805 20 17, 0805 20 19	052	62,6	
	060	80,2		204	82,9	
	064	59,6		400	45,7	
	066	41,7		464	210,5	
	068	62,3		600	93,8	
	204	80,8		624	59,5	
	208	44,0		662	46,8	
	212	97,0		999	86,0	
	624	138,7		0805 30 20	052	70,4
	999	72,0			204	88,8
0707 00 10	052	118,4	220	74,6		
	053	196,5	388	67,5		
	060	61,0	400	85,8		
	066	53,8	512	54,8		
	068	78,2	520	66,5		
	204	144,3	524	100,8		
	624	182,1	528	100,4		
	999	119,2	600	80,5		
0709 10 10	220	365,3	0808 10 51, 0808 10 53, 0808 10 59	624	94,2	
	999	365,3		999	80,4	
0709 90 73	052	129,4	0808 10 51, 0808 10 53, 0808 10 59	052	64,0	
	204	77,5		064	78,6	
	412	54,2		388	39,2	
	624	241,6		400	76,7	
	999	125,7		404	68,7	
0805 10 01, 0805 10 05, 0805 10 09	052	37,5	0808 20 31	508	68,4	
		40,9		512	51,2	
		68,2		524	57,4	
		45,1		528	48,0	
		32,0		624	86,5	
		40,5		728	107,3	
		42,2		800	78,0	
		41,6		804	21,0	
		28,6		999	65,0	
		52,8		039	101,0	
		54,8		052	86,3	
		44,0		064	72,5	
		75,7		388	93,7	
		92,2		400	98,5	
		79,3		512	69,4	
82,4	528	77,6				
0805 20 11	052	75,7	624	79,0		
		92,2	728	115,4		
		79,3	800	55,8		
		82,4	804	112,9		
	999	87,5				

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 3079/94 (OJ No L 325, 17. 12. 1994, p. 17). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 305/96

of 19 February 1996

amending representative prices and additional duties for the import of certain products in the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EC) No 1101/95 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1423/95 of 23 June 1995 laying down detailed implementing rules for the import of products in the sugar sector other than molasses ⁽³⁾, as amended by Regulation (EC) No 2528/95 ⁽⁴⁾, and in particular the second subparagraph of Article 1 (2), and Article 3 (1) thereof,

Whereas the amounts of the representative prices and additional duties applicable to the import of white sugar, raw sugar and certain syrups are fixed by Commission Regulation (EC) No 1568/95 ⁽⁵⁾, as last amended by Regulation (EC) No 275/96 ⁽⁶⁾;

Whereas it follows from applying the general and detailed fixing rules contained in Regulation (EC) No 1423/95 to the information known to the Commission that the representative prices and additional duties at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties on imports of the products referred to in Article 1 of Regulation (EC) No 1423/95 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 20 February 1996.

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

Done at Brussels, 19 February 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 110, 17. 5. 1995, p. 1.

⁽³⁾ OJ No L 141, 24. 6. 1995, p. 16.

⁽⁴⁾ OJ No L 258, 28. 10. 1995, p. 50.

⁽⁵⁾ OJ No L 150, 1. 7. 1995, p. 36.

⁽⁶⁾ OJ No L 36, 14. 2. 1996, p. 22.

ANNEX

to the Commission Regulation of 19 February 1996 amending representative prices and the amounts of additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99

(ECU)

CN code	Amount of representative prices per 100 kg net of product concerned	Amount of additional duty per 100 kg net of product concerned
1701 11 10 ⁽¹⁾	24,80	3,90
1701 11 90 ⁽¹⁾	24,80	9,13
1701 12 10 ⁽¹⁾	24,80	3,71
1701 12 90 ⁽¹⁾	24,80	8,70
1701 91 00 ⁽²⁾	31,11	9,68
1701 99 10 ⁽²⁾	31,11	5,16
1701 99 90 ⁽²⁾	31,11	5,16
1702 90 99 ⁽³⁾	0,31	0,34

⁽¹⁾ For the standard quality as defined in Article 1 of amended Council Regulation (EEC) No 431/68 (OJ No L 89, 10. 4. 1968, p. 3).

⁽²⁾ For the standard quality as defined in Article 1 of Council Regulation (EEC) No 793/72 (OJ No L 94, 21. 4. 1972, p. 1).

⁽³⁾ By 1 % sucrose content.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 19 February 1996

terminating the anti-dumping proceeding concerning imports of cotton fabric originating in the People's Republic of China, India, Indonesia, Pakistan and Turkey

(96/167/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3283/94 of 22 December 1994 on protection against dumped imports from countries not members of the European Community⁽¹⁾, as last amended by Regulation (EC) No 1251/95⁽²⁾, and in particular Article 23 thereof,

Having regard to Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽³⁾, as last amended by Regulation (EC) No 522/94⁽⁴⁾, and in particular Articles 5 and 9 thereof,

After consulting the Advisory Committee,

Whereas:

the People's Republic of China, India, Indonesia, Pakistan and Turkey. The complaint was lodged on behalf of producers of the product in question allegedly representing a major proportion of total cotton fabric output in the Community. The complaint contained evidence of dumping and material injury resulting therefrom, which was considered sufficient to justify the initiation of a proceeding. The Commission accordingly announced, by a notice published in the *Official Journal of the European Communities*⁽⁵⁾, the initiation of an anti-dumping proceeding concerning imports into the Community of fabric composed either totally or partially (more than 50 %) of cotton and falling within CN codes 5208 11 10 to 5212 25 90.

(2) The Commission officially advised the exporters and importers known to be concerned; the representatives of the exporting country and the complainants and gave the parties directly concerned the opportunity to make their views known in writing and to request a hearing.

I. PROCEDURE

(1) In September 1993 the Commission received a complaint from the Committee of the Cotton and Allied Textile Industries of the EEC ('Eurocoton') concerning imports of cotton fabric originating in

(3) Owing to the volume of information gathered and the complexity of the investigation, the proceeding exceeded the normal duration of one year as provided for in Article 7 (9) of Regulation (EEC) No 2423/88.

⁽¹⁾ OJ No L 349, 31. 12. 1994, p. 1.

⁽²⁾ OJ No L 122, 2. 6. 1995, p. 1.

⁽³⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽⁴⁾ OJ No L 66, 10. 3. 1994, p. 10.

⁽⁵⁾ OJ No C 17, 20. 1. 1994, p. 3.

**II. WITHDRAWAL OF THE COMPLAINT AND
TERMINATION OF THE PROCEEDING**

- (4) The complainant Community producers formally withdrew the complaint concerning imports of cotton fabric originating in the People's Republic of China, India, Indonesia, Pakistan and Turkey. The Commission considered that a termination in this context would not be against the interest of the Community.
- (5) In these circumstances, the anti-dumping proceeding concerning imports of cotton fabric originating in the People's Republic of China, India, Indonesia, Pakistan and Turkey should be terminated without imposition of protective measures.
- (6) The Advisory Committee has been consulted and has raised no objection.
- (7) Interested parties were informed of the essential facts and considerations on the basis of which the Commission intended to terminate the proceeding and have been given the opportunity to comment,

HAS DECIDED AS FOLLOWS:

Sole Article

The anti-dumping proceeding concerning imports of cotton fabric originating in the People's Republic of China, India, Indonesia, Pakistan and Turkey is hereby terminated.

Done at Brussels, 19 February 1996.

For the Commission

Leon BRITTAN

Vice-President

COMMISSION DECISION

of 19 February 1996

terminating the anti-dumping proceeding concerning imports of synthetic staple fibre fabric originating in India, Indonesia, Pakistan and Thailand

(96/168/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3283/94 of 22 December 1994 on protection against dumped imports from countries not members of the European Community⁽¹⁾, as last amended by Regulation (EC) No 1251/95⁽²⁾, and in particular Article 23 thereof,

Having regard to Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽³⁾, as last amended by Regulation (EC) No 522/94⁽⁴⁾, and in particular Articles 5 and 9 thereof,

After consulting the Advisory Committee,

Whereas:

I. PROCEDURE

- (1) In September 1993 the Commission received a complaint from the Committee of the Cotton and Allied Textile Industries of the EEC ('Eurocoton') concerning imports of synthetic staple fibre fabric originating in India, Indonesia, Pakistan and Thailand. The complaint was lodged on behalf of producers of the product in question allegedly representing a major proportion of total synthetic staple fibre fabric output in the Community. The complaint contained evidence of dumping and material injury resulting therefrom, which was considered sufficient to justify the initiation of a proceeding. The Commission accordingly announced, by a notice published in the *Official*

Journal of the European Communities⁽⁵⁾, the initiation of an anti-dumping proceeding concerning imports into the Community of fabric composed either totally or partially (more than 50 %) of synthetic staple fibres and falling within CN codes 5512 11, 5512 19, 5513, 5514 and 5515 11.

- (2) The Commission officially advised the exporters and importers known to be concerned, the representatives of the exporting country and the complainants and gave the parties directly concerned the opportunity to make their views known in writing and to request a hearing.
- (3) Owing to the volume of information gathered and the complexity of the investigation, the proceeding exceeded the normal duration of one year as provided for in Article 7 (9) of Regulation (EEC) No 2423/88.

II. WITHDRAWAL OF THE COMPLAINT AND TERMINATION OF THE PROCEEDING

- (4) The complainant Community producers formally withdrew the complaint concerning imports of synthetic staple fibre fabric originating in India, Indonesia, Pakistan and Thailand. The Commission considered that a termination in this context would not be against the interest of the Community.
- (5) In these circumstances, the anti-dumping proceedings concerning imports of synthetic staple fibre fabric originating in India, Indonesia, Pakistan and Thailand should be terminated without imposition of protective measures.
- (6) The Advisory Committee has been consulted and has raised no objection.
- (7) Interested parties were informed of the essential facts and considerations on the basis of which the Commission intended to terminate the proceeding and have been given the opportunity to comment,

⁽¹⁾ OJ No L 349, 31. 12. 1994, p. 1.

⁽²⁾ OJ No L 122, 2. 6. 1995, p. 1.

⁽³⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽⁴⁾ OJ No L 66, 10. 3. 1994, p. 10.

⁽⁵⁾ OJ No C 17, 20. 1. 1994, p. 4.

HAS DECIDED AS FOLLOWS:

Sole Article

The anti-dumping proceeding concerning imports of synthetic staple fibre fabric originating in India, Indonesia, Pakistan and Thailand is hereby terminated.

Done at Brussels, 19 February 1996.

For the Commission

Leon BRITTAN

Vice-President
