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EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 2/2005**of 3 January 2005****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⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) 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.

- (2) 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 4 January 2005.

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

Done at Brussels, 3 January 2005.

For the Commission

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 337, 24.12.1994, p. 66. Regulation as last amended by Regulation (EC) No 1947/2002 (OJ L 299, 1.11.2002, p. 17).

ANNEX

to Commission Regulation of 3 January 2005 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	75,5
	204	45,0
	999	60,3
0709 90 70	204	72,0
	999	72,0
0805 10 10, 0805 10 30, 0805 10 50	052	52,3
	220	39,7
	448	28,9
	999	40,3
0805 20 10	204	73,0
	999	73,0
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	74,9
	204	47,8
	400	78,0
	624	96,4
	999	74,3
0805 50 10	052	46,9
	528	45,1
	999	46,0
0808 10 20, 0808 10 50, 0808 10 90	400	66,1
	720	51,3
	999	58,7
0808 20 50	400	82,4
	999	82,4

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 3/2005

of 3 January 2005

fixing Community producer and import prices for carnations and roses with a view to the application of the arrangements governing imports of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip⁽¹⁾, and in particular Article 5(2)(a) thereof,

Whereas:

Pursuant to Article 2(2) and Article 3 of abovementioned Regulation (EEC) No 4088/87, Community import and producer prices are fixed each fortnight for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses and apply for two-weekly periods. Pursuant to Article 1b of Commission Regulation (EEC) No 700/88 of 17 March 1988 laying down detailed rules for the application of the arrangements for the import into the Community of certain floricultural products originating in Cyprus, Israel, Jordan,

Morocco and the West Bank and the Gaza Strip⁽²⁾, those prices are determined for fortnightly periods on the basis of weighted prices provided by the Member States. Those prices should be fixed immediately so the customs duties applicable can be determined. To that end, provision should be made for this Regulation to enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

The Community producer and import prices for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses as referred to in Article 1b of Regulation (EEC) No 700/88 for a fortnightly period shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 4 January 2005.

It shall apply from 5 to 18 January 2005.

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

Done at Brussels, 3 January 2005.

For the Commission

J. M. SILVA RODRÍGUEZ

*Director-General for Agriculture
and Rural Development*

⁽¹⁾ OJ L 382, 31.12.1987, p. 22. Regulation as last amended by Regulation (EC) No 1300/97 (OJ L 177, 5.7.1997, p. 1).

⁽²⁾ OJ L 72, 18.3.1988, p. 16. Regulation as last amended by Regulation (EC) No 2062/97 (OJ L 289, 22.10.1997, p. 1).

ANNEX

to the Commission Regulation of 3 January 2005 fixing Community producer and import prices for carnations and roses with a view to the application of the arrangements governing imports of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip

(EUR/100 pieces)

Period: from 5 to 18 January 2005

Community producer price	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
	17,01	11,97	36,10	17,55
Community import prices	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
Israel	—	—	—	—
Morocco	—	—	—	—
Cyprus	—	—	—	—
Jordan	—	—	—	—
West Bank and Gaza Strip	15,17	—	—	—

COMMISSION REGULATION (EC) No 4/2005
of 3 January 2005
amending the import duties in the cereals sector applicable from 4 January 2005

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals⁽¹⁾,

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector⁽²⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) The import duties in the cereals sector are fixed by Commission Regulation (EC) No 2280/2004⁽³⁾.

- (2) Article 2(1) of Regulation (EC) No 1249/96 provides that if during the period of application, the average import duty calculated differs by EUR 5 per tonne from the duty fixed, a corresponding adjustment is to be made. Such a difference has arisen. It is therefore necessary to adjust the import duties fixed in Regulation (EC) No 2280/2004,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 2280/2004 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 4 January 2005.

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

Done at Brussels, 3 January 2005.

For the Commission
J. M. SILVA RODRÍGUEZ
*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 270, 29.9.2003, p. 78.

⁽²⁾ OJ L 161, 29.6.1996, p. 125. Regulation as last amended by Regulation (EC) No 1110/2003 (OJ L 158, 27.6.2003, p. 12).

⁽³⁾ OJ L 381, 31.12.2004, p. 42.

ANNEX I

**Import duties for the products covered by Article 10(2) of Regulation (EC) No 1784/2003 applicable from
4 January 2005**

CN code	Description	Import duty ⁽¹⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	0,00
	medium quality	8,57
	low quality	28,57
1001 90 91	Common wheat seed	0,00
ex 1001 90 99	Common high quality wheat other than for sowing	0,00
1002 00 00	Rye	40,05
1005 10 90	Maize seed other than hybrid	55,51
1005 90 00	Maize other than seed ⁽²⁾	55,51
1007 00 90	Grain sorghum other than hybrids for sowing	40,05

⁽¹⁾ For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal (Article 2(4) of Regulation (EC) No 1249/96), the importer may benefit from a reduction in the duty of:

- EUR 3/t, where the port of unloading is on the Mediterranean Sea, or
- EUR 2/t, where the port of unloading is in Ireland, the United Kingdom, Denmark, Estonia, Latvia, Lithuania, Poland, Finland, Sweden or the Atlantic coasts of the Iberian peninsula.

⁽²⁾ The importer may benefit from a flat-rate reduction of EUR 24/t, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties

30.12.2004

1. Averages over the reference period referred to in Article 2(2) of Regulation (EC) No 1249/96:

Exchange quotations	Minneapolis	Chicago	Minneapolis	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2 (14 %)	YC3	HAD2	Medium quality (*)	Low quality (**)	US barley 2
Quotation (EUR/t)	108,75 (***)	60,16	131,41	121,41	101,41	89,93
Gulf premium (EUR/t)	39,75	12,46	—			—
Great Lakes premium (EUR/t)	—	—	—			—

(*) A discount of 10 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

(**) A discount of 30 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

(***) Premium of 14 EUR/t incorporated (Article 4(3) of Regulation (EC) No 1249/96).

2. Averages over the reference period referred to in Article 2(2) of Regulation (EC) No 1249/96:

Freight/cost: Gulf of Mexico–Rotterdam: 29,18 EUR/t; Great Lakes–Rotterdam: — EUR/t.

3. Subsidy within the meaning of the third paragraph of Article 4(2) of Regulation (EC) No 1249/96: 0,00 EUR/t (HRW2)
0,00 EUR/t (SRW2).

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 27 December 2004

authorising methods for grading pig carcasses in the Czech Republic

(notified by number C(2004) 2566)

(Only the Czech text is authentic)

(2005/1/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3220/84 of 13 November 1984 determining the Community scale for grading pig carcasses ⁽¹⁾, and in particular Article 5(2) thereof,

Whereas:

(1) Article 2(3) of Regulation (EEC) No 3220/84 provides that the grading of pig carcasses must be determined by estimating the content of lean meat in accordance with statistically proven assessment methods based on the physical measurement of one or more anatomical parts of the pig carcass; the authorisation of grading methods is subject to compliance with a maximum tolerance for statistical error in assessment; this tolerance was defined in Article 3 of Commission Regulation (EEC) No 2967/85 of 24 October 1985 laying down detailed rules for the application of the Community scale for grading pig carcasses ⁽²⁾.

(2) The Government of the Czech Republic has requested the Commission to authorise four methods for grading pig carcasses and has submitted the results of its dissection trials which were executed before the day of accession, by presenting part two of the protocol provided for in Article 3 of Regulation (EEC) No 2967/85.

(3) The evaluation of this request has revealed that the conditions for authorising these grading methods are fulfilled.

(4) No modification of the apparatus or grading methods may be authorised except by means of a new Commission Decision adopted in the light of experience gained; for this reason, the present authorisation may be revoked.

(5) The measures provided for in this Decision are in accordance with the opinion of the Management Committee for Pigmeat,

HAS ADOPTED THIS DECISION:

Article 1

The use of the following methods is hereby authorised for grading pig carcasses pursuant to Regulation (EEC) No 3220/84 in the Czech Republic:

— the grading method known as 'Zwei-Punkte-Messverfahren (ZP)' and assessment methods related thereto, details of which are given in Part 1 of the Annex,

— the apparatus termed 'Fat-O-Meater (FOM)' and assessment methods related thereto, details of which are given in Part 2 of the Annex,

— the apparatus termed 'Hennessy Grading Probe (HGP 4)' and assessment methods related thereto, details of which are given in Part 3 of the Annex,

⁽¹⁾ OJ L 301, 20.11.1984, p. 1. Regulation last amended by Regulation (EC) No 3513/93 (OJ L 320, 22.12.1993, p. 5).

⁽²⁾ OJ L 285, 25.10.1985, p. 39. Regulation amended by Regulation (EC) No 3127/94 (OJ L 330, 21.12.1994, p. 43).

— the apparatus termed 'Ultra FOM 300' and assessment methods related thereto, details of which are given in Part 4 of the Annex.

The grading method 'Zwei-Punkte-Messverfahren (ZP)' may be applied only in slaughterhouses which do not exceed a weekly slaughtering of 200 pigs.

As regards the apparatus 'Ultra FOM 300' it is laid down that after the end of the measurement procedure it must be possible to verify on the carcass that the apparatus measured the values of measurement P_2 on the site provided for in the Annex, Part 4, point 3. The corresponding marking of the measurement site must be made at the same time as the measurement procedure.

Article 2

Modifications of the apparatus or the assessment methods shall not be authorised.

Article 3

This Decision is addressed to the Czech Republic.

Done at Brussels, 27 December 2004.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX

Methods for grading pig carcasses in the Czech Republic

PART 1

Zwei-Punkte-Messverfahren (ZP)

1. Grading of pig carcasses shall be carried out by use of the method termed 'Zwei-Punkte-Messverfahren (ZP)'.
2. The lean meat content of the carcase shall be calculated according to the following formula:

$$\hat{y} = 49,62542 - 0,63371 S (ZP) + 0,23525 M (ZP)$$

where:

\hat{y} = the estimated percentage of lean meat in the carcase,

S (ZP) = thickness of fat (including rind), measured by a slide rule in the point where the musculus gluteus medius (m.g.m.) is the most convex (mm),

M (ZP) = thickness of muscle measured by a slide rule at the shortest connection between the cranial end of the m.g.m. and the dorsal edge of the vertebral canal.

The formula shall be valid for carcasses weighing between 60 and 120 kilograms.

PART 2

Fat-O-Meater (FOM)

1. Grading of pig carcasses shall be carried out by means of the apparatus termed 'Fat-O-Meater (FOM)'.
2. The apparatus shall be equipped with a probe of six millimetres diameter containing a photodiode of the Siemens SFH 950/960 type and having an operating distance of between 3 and 103 millimetres. The results of the measurements are converted into estimated lean meat content by means of a computer.
3. The lean meat content of the carcase shall be calculated according to the following formula:

$$\hat{y} = 59,86131 - 0,72930 S (FOM) + 0,12853 M (FOM)$$

where:

\hat{y} = the estimated percentage of lean meat in the carcase,

S (FOM) = the thickness of back-fat (including rind) in millimetres, measured at 6,5 centimetres off the midline of the carcase, between the second and third last rib,

M (FOM) = the thickness of muscle in millimetres, measured at the same time and in the same place as S (FOM).

The formula shall be valid for carcasses weighing between 60 and 120 kilograms.

PART 3

Hennessy Grading Probe (HGP 4)

1. Grading of pig carcasses shall be carried out by means of the apparatus termed 'Hennessy Grading Probe (HGP 4)'.
2. The apparatus shall be equipped with a probe of 5,95 millimetres diameter (and of 6,3 millimetres at the blade on top of the probe) containing a photodiode (Siemens LED of the type LYU 260-EO) and photodetector of the type 58 MR and having an operating distance of between 0 and 120 millimetres. The results of the measurements shall be converted into estimated lean meat content by means of the HGP 4 itself or a computer linked to it.
3. The lean meat content of the carcase shall be calculated according to the following formula:

$$\hat{y} = 61,34154 - 0,81609 S (HGP) + 0,12901 M (HGP)$$

where:

\hat{y} = the estimated percentage of lean meat in the carcase,

S (HGP) = the thickness of back-fat (including rind) in millimetres, measured at 7,5 centimetres off the midline of the carcase, between the second and third last rib,

M (HGP) = the thickness of muscle in millimetres, measured at the same time and in the same place as S (HGP).

The formula shall be valid for carcasses weighing between 60 and 120 kilograms.

PART 4

ULTRA-FOM 300

1. Grading of pig carcasses shall be carried out by means of the apparatus termed 'Ultra-FOM 300'.
2. The apparatus shall be equipped with an ultrasonic probe at 3,5 MHz. The ultrasonic signal is digitised, stored and processed by a microprocessor.

The results of the measurements shall be converted into estimated lean meat content by means of the Ultra-FOM apparatus itself.

3. The lean meat content of the carcase shall be calculated according to the following formula:

$$\hat{y} = 64,64865 - 0,76656 S \text{ (UFOM)} + 0,06425 M \text{ (UFOM)}$$

where:

\hat{y} = the estimated percentage of lean meat in the carcase,

S (UFOM) = the thickness of back-fat (including rind) in millimetres, measured at 7 centimetres off the midline of the carcase between the second and third last rib (measurement known as 'P₂'),

M (UFOM) = the thickness of muscle in millimetres, measured at the same time and in the same place as S (UFOM).

The formula shall be valid for carcasses weighing between 60 and 120 kilograms.

COMMISSION DECISION

of 27 December 2004

setting out the arrangements for Community comparative trials and tests on propagating material of ornamental plants of certain species under Council Directive 98/56/EC for the years 2005 and 2006

(notified under document number C(2004) 5288)

(2005/2/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

officer of the Commission and the body responsible for carrying out of trials.

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 98/56/EC of 20 July 1998 on the marketing of propagating material of ornamental plants⁽¹⁾, and in particular Article 14(4), (5) and (6) thereof,

Whereas:

(1) Directive 98/56/EC provides for the necessary arrangements to be made by the Commission for Community comparative trials and tests of propagating material.

(2) The technical arrangements for the carrying out of the trials and tests have been made within the Standing Committee for Propagating Material of Ornamental Plants.

(3) A call for projects for the carrying out of those trials and tests was published on 21 June 2004 on the Internet site of the Community institutions⁽²⁾.

(4) The proposals have been assessed according to the selection and awarding criteria set out in the call for projects. The projects, the bodies responsible for the carrying out of tests and trials and the eligible costs as well as the maximum Community financial contribution corresponding to 80 % of the eligible costs should be established.

(5) Community comparative trials and tests should be carried out in the years 2005 and 2006 on propagating material harvested in 2004, and the details of such trials and tests, the eligible costs as well as the maximum Community financial contribution should also be set out yearly by an agreement signed by the authorising

(6) For Community comparative trials and tests lasting more than one year, the parts of the trials and tests following the first year should be authorised by the Commission without further reference to the Standing Committee on Propagating Material of Ornamental Plants, on condition that the necessary appropriations are available.

(7) Adequate representation of the samples included in the trials and tests should be ensured, at least for certain selected plants.

(8) Member States should participate in the Community comparative trials and tests, in so far as propagating material of the plants concerned are usually reproduced or marketed in their territories, in order to ensure that proper conclusions may be drawn there from.

(9) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee for Propagating Material of Ornamental Plants,

HAS DECIDED AS FOLLOWS:

Article 1

Community comparative trials and tests shall be carried out in the years 2005 and 2006 on propagating material of the plants listed in the Annex.

The eligible costs as well as the maximum Community financial contribution for the trials and tests for 2005 shall be as set out in the Annex.

The details of the trials and tests are set out in the Annex.

⁽¹⁾ OJ L 226, 13.8.1998, p. 16. Directive as last amended by Directive 2003/61/EC (OJ L 165, 3.7.2003, p. 23).

⁽²⁾ http://europa.eu.int/comm/food/plant/call2004/index_en.htm.

Article 2

In so far as propagating and planting material of the plants listed in the Annex is usually reproduced or marketed in their territories, the Member States shall take samples of this material and make them available to the Commission.

Article 3

Subject to budgetary availability, the Commission may decide to continue the trials and tests set out in the Annex in 2006.

The maximum Community financial contribution corresponding to 80% of the eligible costs of a trial or test

continued on this basis shall not exceed the amount specified in the Annex.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 27 December 2004.

For the Commission
Markos KYPRIANOU
Member of the Commission

ANNEX

Trials and tests to be carried out in 2005

Species	Responsible body	Conditions to be assessed	Number of samples	Eligible costs (EUR)	Maximum Community financial contribution (equivalent to 80 % of the eligible costs) (EUR)
Perennials (<i>Paeonia</i> spp. and <i>Geranium</i> spp.) (*)	NAKT Roelofarendsveen (NL)	Varietal identity and purity Plant health (field) Plant health (laboratory)	50 + 50	31 392	25 113
<i>Argyranthemum frutescens</i> (L.) Schultz-Bip. and <i>Calibrachoa</i> -hybrids	BSA Hannover (D)	Varietal identity and purity Plant health (field) Plant health (laboratory)	60 + 60	41 238	32 991
TOTAL COMMUNITY FINANCIAL CONTRIBUTION				58 104	

(*) Trial and tests lasting more than one year.

Trials and tests to be carried out in 2006

Species	Responsible body	Conditions to be assessed	Number of samples	Eligible costs (EUR)	Maximum Community financial contribution (equivalent to 80 % of the eligible costs) (EUR)
Perennials (<i>Paeonia</i> spp. and <i>Geranium</i> spp.) (*)	NAKT Roelofarendsveen (NL)	Varietal identity and purity Plant health (field) Plant health (laboratory)	50 + 50	33 267	26 613
TOTAL COMMUNITY FINANCIAL CONTRIBUTION				26 613	

(*) Trial and tests lasting more than one year.

COMMISSION DECISION

of 3 January 2005

accepting an undertaking offered in connection with the anti-circumvention investigation concerning anti-dumping measures imposed by Council Regulation (EC) No 769/2002 on imports of coumarin originating in the People's Republic of China by imports of coumarin consigned from India or Thailand, whether declared as originating in India or Thailand or not

(2005/3/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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⁽¹⁾ (the basic Regulation), and in particular Article 8 thereof,

After consulting the Advisory Committee,

Whereas:

A. PROCEDURE

- (1) Following an expiry review, by Regulation (EC) No 769/2002⁽²⁾ (the original Regulation), the Council imposed a definitive anti-dumping duty of EUR 3 479 per tonne on imports of coumarin, falling within CN code ex 2932 21 00 originating in the People's Republic of China (PRC).
- (2) On 24 February 2004, the Commission received a request pursuant to Article 13(3) of the basic Regulation to investigate the alleged circumvention of the anti-dumping measures imposed on imports of coumarin originating in the PRC (the request). The request was submitted by the European Chemical Industry Council (CEFIC) (the applicant) on behalf of the sole producer in the Community. The request contained sufficient *prima facie* evidence to warrant the initiation of an investigation.

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

⁽²⁾ OJ L 123, 9.5.2002, p. 1. Regulation as amended by Regulation (EC) No 1854/2003 (OJ L 272, 23.10.2003, p. 1).

- (3) The Commission initiated an investigation by Regulation (EC) No 661/2004⁽³⁾ (the initiating Regulation) into the alleged circumvention of the anti-dumping measures imposed on imports of coumarin originating in the PRC by imports of coumarin consigned from India or Thailand, whether declared as originating in India or Thailand or not.

- (4) As a result of the investigation, the Council, by Regulation (EC) No 2272/2004⁽⁴⁾, extended the anti-dumping duty imposed on imports of coumarin originating in the People's Republic of China to imports of coumarin consigned from India or Thailand, whether declared as originating in India or Thailand or not.

B. UNDERTAKING

- (5) Atlas Fine Chemicals Pvt. Ltd, a cooperating exporting producer in India, has offered an undertaking in accordance with Article 8(1) of the basic Regulation. In that undertaking, the exporting producer has offered to sell to the Community coumarin which it genuinely produces in India up to a quantitative ceiling corresponding to the quantity of coumarin genuinely produced in India and sold to the Community during the period between 1 April 2003 and 31 March 2004.
- (6) The company will also provide the Commission with regular and detailed information concerning its exports to the Community, meaning that the undertaking can be monitored effectively by the Commission. Furthermore, the sales structure of this company is such that the Commission considers the risk of circumventing the agreed undertaking is limited.
- (7) The undertaking offer ensures that only genuinely produced coumarin in India will be exported to the Community. In view of the above, the undertaking is considered to prevent circumvention and therefore it is acceptable.

⁽³⁾ OJ L 104, 8.4.2004, p. 99.

⁽⁴⁾ OJ L 396, 31.12.2004, p. 18.

- (8) In order to enable the Commission to monitor effectively the company's compliance with the undertaking, when the request for release for free circulation pursuant to the undertaking is presented to the relevant customs authority, exemption from the duty will be conditional upon the presentation of an invoice containing at least the items of information listed in the Annex to Regulation (EC) No 2272/2004. This level of information is also necessary to enable customs authorities to ascertain with sufficient precision that the shipment corresponds to the commercial documents. Where no such invoice is presented, or where it does not correspond to the product presented to customs, the appropriate rate of anti-dumping duty will instead be payable.
- (9) In the event of a breach or withdrawal of the undertaking, an anti-dumping duty may be imposed pursuant to Article 8(9) and (10) of the basic Regulation,

HAS ADOPTED THIS DECISION:

Article 1

The undertaking offered by the producer mentioned below, in connection with the investigation into the alleged circumvention of the anti-dumping measures on imports of coumarin originating in the People's Republic of China by

imports of coumarin consigned from India or Thailand is hereby accepted.

Country	Company	Taric additional code
India	Atlas Fine Chemicals Pvt. Ltd, Debhanu Mansion, Nasik-Pune Highway, Nasik Road, MS 422 101, India	A579

Article 2

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

Done at Brussels, 3 January 2005.

For the Commission
Peter MANDELSON
Member of the Commission