



2024/1900

12.7.2024

COMMISSION IMPLEMENTING DECISION (EU) 2024/1900

of 11 July 2024

**terminating the anti-subsidy investigation concerning imports of certain alkyl phosphate esters
originating in the People's Republic of China**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2016/1037 of the European Parliament and of the Council of 8 June 2016 on protection against subsidised imports from countries not members of the European Union ⁽¹⁾, and in particular Article 14(1) thereof,

Whereas:

1. PROCEDURE

- (1) The European Commission ('the Commission') received a complaint pursuant to Article 10 of Regulation (EU) 2016/1037 ('the basic Regulation'), alleging that imports of certain alkyl phosphate esters, originating in the People's Republic of China, are being subsidised and are thereby causing injury to the Union industry.
- (2) The complaint was lodged on 8 November 2023 by ICL Europe U.A., Lanxess Deutschland GmbH and PCC Rokita S.A ('the complainants'). The complaint was made on behalf of the Union industry of certain alkyl phosphate esters in the sense of Article 10(6) of the basic Regulation.
- (3) The Commission initiated an investigation under Article 10 of the basic Regulation on 21 December 2023.
- (4) On 11 August 2023 the Commission had initiated an anti-dumping investigation into imports of the same product from the People's Republic of China ⁽²⁾, and provisional measures on these imports were imposed as of 11 April 2024 ⁽³⁾.

2. WITHDRAWAL OF THE REQUEST

- (5) In an email to the Commission of 15 April 2024 the complainants withdrew their complaint.
- (6) In accordance with Article 14(1) of the basic Regulation, the proceeding may be terminated, unless such termination would not be in the Union interest.
- (7) The investigation had not brought to light any considerations demonstrating that such termination would not be in the Union interest.

3. CONCLUSION AND DISCLOSURE

- (8) The Commission therefore concluded that the proceeding should be terminated without a formal determination concerning the subsidisation practices of the Chinese exporting producers.
- (9) Interested parties were informed accordingly and were granted an opportunity to submit comments.
- (10) No comments were received.

⁽¹⁾ OJ L 176, 30.6.2016, p. 55.

⁽²⁾ Notice of initiation of an anti-dumping proceeding concerning imports of certain alkyl phosphate esters, originating in the People's Republic of China (OJ C 282, 11.8.2023, p. 4).

⁽³⁾ Commission Implementing Regulation (EU) 2024/1064 of 9 April 2024 imposing a provisional anti-dumping duty on imports of certain alkyl phosphate esters originating in the People's Republic of China (OJ L, 2024/1064, 10.4.2024, ELI: http://data.europa.eu/eli/reg_impl/2024/1064/oj).

(11) This Decision is in accordance with the opinion of the Committee established by Article 25(1) of the basic Regulation,

HAS ADOPTED THIS DECISION:

Article 1

The anti-subsidy investigation concerning imports of certain alkyl phosphate esters originating in the People's Republic of China currently classified under ex CN code 2919 90 00 (TARIC codes 2919 90 00 50 and 2919 90 00 65) and ex CN code 3824 99 92 (TARIC code 3824 99 92 38) is hereby terminated.

Article 2

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

Done at Brussels, 11 July 2024.

For the Commission
The President
Ursula VON DER LEYEN
