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PARLIAMENT**

on the community's anti-dumping, anti-subsidy and safeguard activities

(2005)

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EXECUTIVE SUMMARY

This report is submitted to the European Parliament following its resolution of 16 December 1981 on the Community's anti-dumping activities¹, and the report of the European Parliament's Committee on industry, external trade, research and energy².

This report, as in previous years, gives an overview of the Community legislation in force with regard to trade defence instruments, including safeguards. This chapter also covers the adoption by the Council late 2005 of a proposal amending the anti-dumping basic Regulation graduating Ukraine to a market economy country.

The report further summarises the developments in general policy. As in previous years, the report no longer contains a commentary on each individual case. It gives an overview of all investigations together with the most essential information, such as for instance the rate of individual duty imposed. In turn, cases which merit some special attention are treated in more detail. Consequently, the report is more factual and condensed and covers the essential facts of the year. The detailed annexes which cover all cases ensure that the factual content of the report remains meaningful and sufficient to provide a full overview of the activity in 2005.

As regards the 2005 activities, after a somewhat low activity overall in 2004, the year was characterized by a return to a normal average level. Indeed, a total of 29 new investigations were concluded, of which 19 by the imposition of definitive anti-dumping or countervailing measures and 10 by termination. In a further 15 investigations, provisional measures were imposed.

As regards the expiry review investigations, 23 investigations were initiated. In 7 cases, the investigations were concluded with confirmation of the duty. As for the interim review investigations, 22 were initiated, 3 terminated and 18 concluded with confirmation or amendment of the duty.

As regards safeguard activities, the Commission initiated in 2005 two safeguard investigations : one on imports of certain textile products originating in the People's Republic of China and one on frozen strawberries based on the WTO general *erga omnes* rules. The investigation on textile products was later terminated following a memorandum of understanding on agreed growth levels reached with the Chinese Government. The safeguard measures imposed in 2004 on citrus fruits were confirmed following a review. Definitive measures were imposed on farmed salmon but these measures were later revoked.

As in previous years, this issue continues to provide an overview on the Court cases relating to the trade policy instruments. During 2005, five Judgments were rendered by the Court of First Instance and one by the Court of Justice.

¹ OJ C 11, 18.1.1982, p. 37.

² PE 141.178/fin of 30.11.1990, reporter Mr Gijs DE VRIES.

The chapter in this report on activities in the framework of the World Trade Organisation (WTO) covers dispute settlement procedures initiated against the Community. Furthermore, it deals with other activities, such as the continuation of the negotiations on the Anti-dumping and Subsidies Agreements, in which the Commission continues to play an active role by submitting negotiating proposals.

The annexes to this report provide easy access to the activities in table form.

This report has to be seen against the general background of EU trade policy as set out more recently in the Commission's Communication on "Global Europe"³. In this context, the Commission adopted in December 2006 a "Green Paper" inviting a public reflection on how the EU can best use its trade defence instruments in a changing global economic context.

All stakeholders in the EU dealing with trade defence are invited to reply to the questions raised in the Green Paper. Besides the Member States, the European Parliament and the Economic and Social Committee, this includes for example producers, consumers and users, exporters, importers, the legal community, academics or any other person interested in this field. Third country governments are also invited to respond to this Green Paper. The results of this process will be reflected in future reports.

This report is also available to the general public. The 2004 version was released in more or less 500 copies.

(Internet Website

http://europa.eu.int/comm/trade/issues/respectrules/anti_dumping/legis/index_en.htm

³

http://ec.europa.eu/trade/issues/sectoral/competitiveness/global_europe_en.htm

1. OVERVIEW OF THE LEGISLATION

1.1. Anti-dumping and anti-subsidy

1.1.1. The international framework

On an international level, unfair trading practices such as dumping and the granting of subsidies, were identified as a threat to open markets as early as 1947, when the first GATT agreement was signed. The agreement contained specific provisions allowing GATT members to take action against these practices if they caused material injury to the domestic industry of a GATT member. Even though, the beginning of the framework dates back quite some time, world trade is currently still distorted by unfair practices, making the instrument still relevant.

Since the beginning, considerable efforts have been made to harmonise the rules relating to trade instruments. During the last GATT round (the « Uruguay Round ») which led to the creation of the WTO and the detailed Anti-Dumping and Anti-Subsidy Agreements, much of the attention was focused on the procedural and material conditions to be fulfilled before protective measures can be adopted. The Community played an active role in the negotiation of these relevant criteria which are reflected in its own legislation. This role is the more so important today as a number of new users take action without the necessary rigor and restraint, affecting negatively also EU operators. The role the Community plays as a prudent user has therefore also an exemplary function at WTO level.

1.1.2. The Community legislation

The Community's anti-dumping and anti-subsidy legislation was first enacted in 1968 and has since been modified several times. The current basic texts, which form the legal basis of anti-dumping and anti-subsidy investigations in the Community, entered into force in March 1996 and October 1997. These are in line with the Anti-Dumping and Anti-Subsidy Agreements adopted during the GATT/WTO negotiations. The basic texts are :

- Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community⁴
- Council Regulation (EC) No 2026/97 of 6 October 1997 on protection against subsidized imports from countries not members of the European Community⁵.

These regulations will overall be referred to as the "basic Regulation(s)".

⁴ OJ L 56, 6.3.1996, p. 1, as last amended by Council Regulation (EC) No 2117/2005 (OJ L 340, 23.12.2005, p. 17).

⁵ OJ L 288, 21.10.1997, p. 1, as last amended by Council Regulation (EC) No 461/2004 (OJ L 77, 13.3.2004, p. 12).

The Community legislation contains a number of provisions aimed at ensuring a balanced application of the Community's Anti-Dumping and Anti-Subsidy rules on all interested parties. These provisions include the "Community interest test" and the "lesser duty rule", which go beyond the WTO obligations.

The Community interest test is a public interest clause and states that measures can only be taken if they are not contrary to the overall interest of the Community. This requires an analysis of all the economic interests involved, including those of the Community industry, users, consumers and traders of the product concerned. The Community interest test does not involve wider aspects such as foreign or development policy considerations.

The lesser duty rule requires the measures imposed by the Community to be lower than the dumping or subsidy margin, if such lower duty rate is sufficient to remove the injury suffered by the Community industry. Such a "no-injury" rate is determined by using the cost of production of the Community industry and a reasonable profit margin; it reduces the anti-dumping measures for individual exporting companies in almost half of the cases and is applied, on a world-wide level, only by the Community on a regular basis.

1.1.3. Changes to the Community legislation in 2005

In view of the significant progress made by Ukraine towards the establishment of market economy conditions until the end of 2005, the Commission proposed to graduate this country to become a full market economy for anti-dumping investigations. This thus allows normal value for Ukrainian exporters and producers to be established on the basis of their prices and costs.

On 21 December 2005, the Council adopted the Commission proposal thereby amending the basic Regulation. Council Regulation (EC) No 2117/2005 entered into force on 30 December 2005.

1.2. Safeguards

1.2.1. The international framework

The principle of liberalisation of imports was set under the GATT 1947 and strengthened under the 1994 WTO Agreements. As safeguard measures consist of the unilateral withdrawal or suspension of a tariff concession or of other trade liberalisation obligations formerly agreed, they have to be considered as an exception to this principle. Article XIX GATT 1994 and the WTO Agreement on Safeguards do not only impose strict conditions for the application of this "escape clause", but also put in place a multilateral control mechanism under the WTO Committee on Safeguards.

Under WTO rules, safeguard action has to be viewed as a temporary defence measure that applies to all imports of the product covered by a measure, irrespective of origin. As regards non-WTO members, safeguard measures may be selective and apply to products originating in a specific country. WTO Accession Protocols may also provide for such selective safeguard mechanisms (e.g. the People's Republic of China's Protocol).

WTO safeguards should only be adopted after a comprehensive investigation which provides evidence of the existence of a) unforeseen developments leading to b) increased imports c) the existence of a serious injury for Community producers and d) a causal link between the imports and the injury. WTO Accession Protocols may provide for specific requirements.

1.2.2. The Community legislation

The above-mentioned principles are all reflected in the relevant Community regulations, except for the “unforeseen development requirement” (which is not in the Community law but has been confirmed as a self-standing condition by WTO jurisprudence). Additionally, the adoption of measures in the Community requires an analysis of all interests concerned, i.e. the impact of the measures on producers, users and consumers. In other words, safeguard action can only be taken when it is in the Community's interest to do so. The current Community safeguard instruments are covered by the following regulations :

1.2.2.1. The basic safeguard Regulations

The basic safeguard regulations consist of :

- Council Regulation (EC) No 3285/94⁶ on the common rules of imports and repealing Regulation (EC) No 518/94;
- Council Regulation (EC) No 519/94⁷ on common rules for imports from certain third countries and repealing Regulations (EEC) Nos 1765/82, 1766/82 and 3420/83. This Regulation was amended in 2003 when a Transitional Product-Specific Safeguard Mechanism for imports originating in the People's Republic of China was adopted⁸. This Regulation ensures that Council Regulation (EC) No 519/94 is no longer applicable to the People's Republic of China;

⁶ OJ L 349, 31.12.94, p. 53, as last amended by Regulation (EC) No 2200/2004 (OJ L 374, 22.12.2004, p. 1).

⁷ OJ L 67, 10.3.94, p. 89, as last amended by Regulation (EC) No 427/2003 (OJ L 65, 8.3.2003, p. 1)

⁸ Council Regulation (EC) No 427/2003 (OJ L 65, 8.3.2003, p. 1), as last amended by Regulation (EC) No 1985/2003 (OJ L 295, 13.11.2003, p. 43)

- Council Regulation (EC) No 517/94⁹ on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Community import rules.

These regulations will overall be referred to as the "basic safeguard Regulation(s)".

1.3. Anti-subsidy and unfair pricing instrument for airline services

Regulation No 868/2004¹⁰ dealing with the effect of subsidisation and unfair pricing for air services from third countries which was adopted by the EP and the Council in 2004 requested the Commission to prepare a methodology to assess unfair pricing practices. This complex work, involving different services of the Commission as well as external experts, is on-going. The resulting methodology should be both derived from the significant EU experience in trade in goods and adapted to the highly specific sector of the air-services.

2. BASIC CONCEPTS

2.1. Anti-dumping and anti-subsidy

2.1.1. What is dumping and what are countervailable subsidies - the material conditions for the imposition of duties?

2.1.1.1. Dumping and subsidies

Dumping is traditionally defined as price discrimination between national markets, or as selling below cost of production. The Community's anti-dumping legislation defines anti-dumping as selling a product in the Community at a price below its "normal value". This "normal value" is usually the actual sales price on the domestic market of the exporting country. Therefore, a country is selling at dumped prices if the prices in its home market are higher than its export prices (i.e. price discrimination).

Where sales in the domestic market are not representative, for instance because they have only been made in small quantities, the normal value may then be established on another basis, such as the sales prices of other producers on the domestic market or the cost of production. In the latter case, a company is selling at dumped prices if its export prices are below the cost of production.

A certain segregation of the market, triggered by a variety of distortions, exists in the majority of the cases where dumping occurs on a more than incidental basis. That segregation may be caused, amongst other reasons, by government regulation. As a result, exporters are shielded, at least to a certain degree, from international competition on their domestic market.

⁹ OJ L 67, 10.3.94, p. 1, as last amended by Regulation (EC) No 931/2005 (OJ L 162, 23.6.2005, p. 37).

¹⁰ OJ L 162, 30.4.2004, p. 1

Subsidies can have similar effects to sales at dumped prices in that they allow exporters to operate from a distorted home base. Subsidies involve a direct support from a government or a government-directed private body which has the effect of conferring a benefit to producers or exporters (e.g. grants, tax and duty exemptions, preferential loans at below commercial rates, export promotion schemes, etc.), all aimed at allowing the exporters to sell at low prices in the Community. Only subsidies which are “specific”, i.e. targeted at individual companies or certain sectors of the economy, can be subject to trade defence measures.

Both anti-dumping and anti-subsidy measures are thus only second-best solutions in the absence of internationally agreed and enforced competition rules.

2.1.1.2. Material injury and causation

For measures to be taken against these unfair trading practices, it is not sufficient that companies are exporting their products to the Community at dumped or subsidised prices. Measures can only be taken if these exports cause material injury to Community producers, who cannot be expected to compete on an equal footing with exporters.

Typical indicators of injury are that the dumped and/or subsidised import volumes increase over a certain period and import prices undercut the sales prices of the Community industry. As a consequence, the latter is forced to decrease production volumes and sales prices thus losing market shares, making losses or having to make employees redundant. In extreme cases, exporters may try to eliminate viable Community producers by using a predatory, below cost, pricing strategy. In any event, the injury analysis requires that all relevant factors be taken into account before deciding whether the Community industry is in fact suffering “material injury”.

A further condition for the imposition of measures is the need for “a causal link”: the injury must be *caused* by the dumping or the subsidy. This condition is often fulfilled when the injury to the Community industry coincides with the increase in dumped and subsidised imports. It is important to note that the dumped or subsidised imports do not have to be the only cause of the injury.

2.1.1.3. Community interest

Finally, it has to be established whether there are compelling reasons that the application of measures would not be contrary to the overall interest of the Community. In this respect, the interests of all relevant economic operators which might be affected by the outcome of the investigation must be taken into account. These interests typically include those of the Community industry, users, consumers and traders of the product concerned and the analysis assesses the positive impact measures will have on some operators as opposed to the negative impact on others. Only if it can be clearly concluded that the negative impact would be disproportional, measures should not be imposed.

2.1.2. *Procedure*

Investigations are carried out in accordance with the procedural rules laid down in the basic Regulations. These rules guarantee a transparent, fair and objective proceeding by granting significant procedural rights to interested parties. In addition, the results of an investigation are published in the Official Journal, and the Community is obliged to justify its decisions in this publication. Finally, it is ensured that each case is decided on its merits and the Commission does not hesitate to terminate a case if the conditions to impose measures are not met.

Whereas each investigation is different depending on the products and countries involved, all cases follow the same procedural rules. However, certain preferential rules apply to the candidate countries. The rules relating to a new case are summarised below.

Initiation

A case normally starts with a sufficiently substantiated complaint from the Community industry manufacturing the same or a similar product to the one referred to in the complaint. After receipt of this complaint, the Commission assesses whether the complaint contains sufficient evidence to allow for the initiation of the case. A case is opened by a notice of initiation published in the Official Journal. In this notice, all interested parties, including users, in anti-subsidy investigations in particular exporting country authorities and, where appropriate, consumer organisations, are invited to participate and co-operate in the proceedings. Detailed questionnaires are sent to producers in the exporting countries, in anti-subsidy investigations also to the exporting country authorities, and in the Community, traders (in particular importers) and other interested parties, such as users. These questionnaires cover all different conditions to be fulfilled, i.e. dumping/subsidy, injury, causation and Community interest. The parties are also informed that they can request a hearing and ask for access to the non-confidential files which will help them defend their case.

The investigation up to the provisional measures

Following receipt of the replies to the questionnaire, investigations are carried out by Commission officials at the premises of the co-operating parties.

The main purpose of these visits is to verify whether the information given in the questionnaires is reliable. The verified information is subsequently used to calculate or determine the dumping margin and the injury factors, in particular the price undercutting margin and injury elimination level, as well as the Community interest analysis. The respective calculations and analysis often involve the processing of thousands of transactions, the complex examination of production costs and the assessment of the economic situation of numerous economic operators.

The results of the calculations and other findings are summarised in a working document, on the basis of which it is decided - after consultation of the Member States in the Advisory Committee - whether to impose provisional measures, whether to continue the investigation without proposing duties or whether to terminate the proceedings. In either eventuality, at this stage the decision is the Commission's responsibility.

The investigation up to the definitive stage

Following the publication in the Official Journal of a Commission regulation imposing provisional duties, interested parties which so request receive a full disclosure which allows them to verify the Commission's calculations and to submit comments. Comments can also be made at a hearing. These provisional submissions and comments are taken into account when a second, definitive, working document is prepared by the Commission.

After final disclosure, assessment of comments of interested parties and consultation of the Member States on the basis of the second working document, the Commission makes a proposal to the Council whether or not to impose definitive measures. Another possibility is that the Commission accepts undertakings offered by exporters, which undertake to respect minimum prices. In the latter case, no duties are generally imposed on the companies from which undertakings are accepted.

As set out above, throughout the process and at various specific steps, the procedure - consisting e.g. of requests for information, hearings, access to the file and disclosure - ensures that the rights of defence of interested parties are fully respected in this quasi-judicial process.

Unless the Council decides by a simple majority not to adopt the Commission proposal for definitive measures, such measures are imposed. The regulation imposing definitive duties, and deciding on the collection of the provisional duties, is published in the Official Journal.

In view of the findings made, it may also be decided to terminate a case without the imposition of measures. The same procedure (disclosure, comments, hearing, working document) as described above applies. The termination of the case would generally be made by a Commission Decision after consultation of the Member States.

Timing

The procedure described above is subject to strict statutory time limits. Thus, a decision to impose provisional duties must be taken within nine months of the initiation and the total duration of an investigation is limited to fifteen months in anti-dumping cases and to thirteen months in anti-subsidy cases. This leads to significant time constraints, taking into account, *inter alia*, internal consultations and the necessity to publish regulations and decisions in all Community languages at the same time.

Anti-dumping or countervailing measures will normally remain in force for five years, and may consist of duties or undertakings concluded with exporters. Measures are taken on a countrywide basis, but individual treatment, i.e. the application of a company-specific duty, can be granted to exporters which have co-operated throughout the investigation. During the five-year period, interested parties may, under certain conditions, request a review of measures or the refund of anti-dumping duties paid. Measures may also be suspended for a certain period, subject to given criteria.

2.1.3. *Review of measures*

The basic Regulations provide for administrative reviews and distinguish between interim reviews, newcomer reviews and expiry reviews.

The *expiry review* is initiated at the end of the five year life-time of the measures. Initiation of such a review depends on the existence of a request by the Community industry evidencing that the expiry of the measures would lead to continuation or recurrence of dumping and injury. Since the amendment to the basic Regulations, expiry reviews initiated after 20 March 2004 are subject to strict deadlines, i.e. they shall normally be concluded within 12 months of the date of initiation of the review, but in all cases be concluded within 15 months.

During the five year life-time of measures, the Commission may perform an *interim review*. Under the latter procedure, the Commission will consider whether the circumstances with regard to subsidy/dumping and injury have changed significantly or whether existing measures are achieving the intended results in removing the injury. Under the new provisions of the basic Regulations, the deadline for concluding an interim review is set at 12 months, but no later than 15 months for reviews initiated after 20 March 2006.

Finally, the basic Regulations provide that a review shall be carried out to determine individual margins for new exporters in the exporting country concerned. As of 20 March 2006, the deadline for conclusion of *newcomer reviews* shall be 9 months.

During these reviews, the main procedural rules outlined in chapter 2.1.2 are also applicable.

2.1.4. *Judicial reviews*

The procedural rights of the parties, including hearings and access to non-confidential files, are respected in the course of the proceeding, and a system of judicial review is in place to ensure their correct implementation. The competence to review anti-dumping and anti-subsidy cases lies with the Court of First Instance and the Court of Justice in Luxembourg. Furthermore, the possibility of recourse to the WTO dispute settlement mechanism exists for WTO members.

2.2. Safeguards

2.2.1. What are safeguard measures?

Safeguard measures allow temporary protection against the adverse effects of import surges. Under the Community legislation¹¹ implementing the WTO Safeguards Agreement, they can be applied under the following conditions: safeguard measures may be imposed if, as a result of unforeseen developments, a product is being imported into the Community in such increased quantities and/or on such terms and conditions as to cause, or threaten to cause, serious injury to Community producers of like or directly competitive products. Safeguard measures may only be imposed to the extent and for such time as may be necessary to prevent or remedy the injury.

2.2.2. Procedure

Investigations are carried out in accordance with the procedural rules laid down in the basic safeguard Regulations. These rules guarantee a transparent, fair and objective proceeding. In addition, the results of safeguard investigations are published in the Official Journal, and the Community is obliged to justify its decisions in this publication.

Initiation

The Commission is informed by one or more Member States should trends in imports of a certain product appear to call for safeguard measures. This information must contain evidence available, of the following criteria : a) the volume of imports, b) the price of imports, c) trends in certain economic factors such as production, capacity utilisation, stocks, sales, market share, prices, profits, employment, etc. and d) facts other than trends. Where there is a threat of serious injury, the Commission must also examine whether it is clearly foreseeable that a particular situation is likely to develop into actual injury.

This information is immediately passed on by the Commission to all other Member States, at which stage consultations are held within the Advisory Safeguard Committee. If there is sufficient evidence to justify an investigation, the Commission publishes a notice of initiation in the Official Journal within one month of receipt of the information and commences the investigation, acting in co-operation with the Member States.

Provisional measures

Provisional measures may be imposed at any stage of the investigation. They shall be applied in critical circumstances where delay would cause damage which would be difficult to repair, making immediate action necessary, and where a preliminary determination provides clear evidence that increased imports have caused, or are threatening to cause, serious injury.

¹¹ Council Regulation (EC) No 3285/94 on common rules for imports.

The duration of the provisional measures can, however, not exceed 200 days (i.e. 6 months).

Definitive measures

If, at the end of the investigation, the Commission considers that definitive safeguard measures are necessary, it will take the necessary decisions no later than nine months from the initiation of the investigation, at which stage the results of the investigation are being published in the Official Journal. In exceptional circumstances, this time limit may be extended by a further maximum period of two months, provided a notice is published in the Official Journal specifying the duration of the extension and a summary of its reasons.

Safeguard measures shall be applied only to the extent to prevent or remedy serious injury, thereby maintaining as far as possible traditional trade flows. As to the form of the measures, the Community will choose the measures most suitable in order to achieve these objectives. These measures could consist of quantitative quotas, tariff quotas, duties, etc.

Duration and review of the measures

The duration of safeguard measures must be limited to the period of time necessary to prevent or remedy serious injury and to facilitate adjustments on the part of the Community producers, but should not exceed four years, including the duration of the provisional measures, if any. Under certain circumstances, extensions may be necessary but the total period of application of safeguard measures should not exceed eight years.

If the duration of the measures exceeds one year, the measures must be progressively liberalised at regular intervals during the period of application. If the duration exceeds three years, the Commission should seek consultations with the Advisory Safeguard Committee in order to examine the effects of the measures, to determine the appropriateness of further liberalisation and to ascertain that the application of the measures is still necessary. Depending on the consultations, the measures may be revoked or amended.

3. ENLARGEMENT

Following a range of activities that were carried out related to the 2004 enlargement exercise, the Commission, during 2005, continued its efforts in this respect aimed at ensuring a smooth integration of the administrations of the new Member States concerned in the area of trade defence. Apart from regular exchange of information, these efforts involved holding dedicated training and stocktaking seminars.

In 2005, the Commission also concluded the monitoring and application of the special transitional measures in the form of undertakings that were taken in respect to four cases (ammonium nitrate from Russia and Ukraine, grain oriented electrical sheets from Russia and silicon carbide from Ukraine) in order to avert economic hardship/shock to users and consumers in the new Member States after the 2004 enlargement.

On the basis of the positive experience with the 2004 enlargement, in 2005 the TDI services set up an Action Plan for the preparation in the area of trade defence for the accession of Bulgaria and Romania. In the framework of this Action Plan, a number of activities, such as creating channels for regular exchange of information and a training seminar, has already been carried out, while its further implementation is foreseen for 2006 and 2007. Its aim is to ensure, *inter alia*, that the administrations and industries of the new Member States would be able to fully take up their new roles from the very beginning of their EU membership and that the positive experience gained during the last enlargement is used also in this future one.

4. COUNTRY-WIDE MARKET ECONOMY STATUS (MES)

The work on the country-wide market economy requests has intensified during 2005.

Conceptually, the country-wide criteria for determining whether a country can be considered a full market economy for the purpose of anti-dumping investigations are inspired from those applicable to individual companies located in economies in transition to a market economy, which are set out in Article 2(7) of the basic Regulation. These criteria are :

- Degree of government influence
- Absence of State-induced distortions in the operation of enterprises
- Existence and implementation of a transparent and non-discriminatory company law
- Existence and implementation of a coherent, effective and transparent set of laws
- Existence of a genuine financial sector

These criteria are used to analyse whether countries classified as non-market economies or as economies in transition should be graduated to full market economy countries. As a consequence of such graduation, the behaviour of economic operators would be analysed on the basis of their specific cost and prices, rather than using data from analogue country producers. It should be noted that the MES analysis is not a judgment on a country's overall economic development. Rather, the issue is whether costs and prices can automatically be used for the purpose of TDI investigations.

Significant work has been done in this respect during 2005. In particular, the request received in March 2002 from Ukraine was assessed and the Commission reached the conclusion to propose granting MES to this country as all criteria were met. After discussion, the Council agreed in December 2005 to this Commission proposal and granted MES to Ukraine.

The People's Republic of China's request was received in September 2003 and a preliminary assessment was carried out by the Commission in June 2004. Following the assessment, a bilateral working group was set up to examine any progress made. This working group met twice during 2005. At the EU-China summit in September 2005, it was agreed to upgrade this working group, as "the two sides agreed to launch high-level dialogues to address outstanding issues with a view to achieving positive progress on the issue of MES".

During 2005, Vietnam, Mongolia and Armenia provided further information to complement their MES request. The Commission analysed the newly submitted information and followed up with questions on issues that had not been sufficiently addressed in the replies. The Commission also analysed external sources for all three countries. The Commission also requested further information from Kazakhstan, which was received in March 2006.

For all countries that are currently being examined, country-wide MES is conditional on the outstanding criteria being fulfilled.

5. INFORMATION AND COMMUNICATION ACTIVITIES / BILATERAL CONTACTS

5.1. Small and medium sized enterprises (SMEs)

The Trade Defence Helpdesk for SMEs, set up in December 2004, continued its activity in addressing specific SME questions/problems regarding TDIs, whether general or case-specific. This helpdesk is accessible through a direct link from a TDI SME website, which has been launched at the same time. All this is geared towards ensuring proper access to the TDI instruments, especially for companies and sectors which could otherwise meet technical difficulties using these instruments because of their small size, their fragmentation and/or their high number.

5.2. Stakeholder's process

5.2.1. Seminars

The TDI services continued to organise and participate in information and training seminars for third country government representatives and for economic operators, both within and outside the EU. All in all, 10 seminars have been held for the following third country beneficiaries: Bulgaria, China, Kyrgyz Republic, Mexico, Peru, Romania, Russia, Tunisia and UEMOA countries as well as the Western Balkan countries. Furthermore, a number of ad hoc meetings on TDI matters were organised with specific third country TDI services and economic operators. The Commission services continued their process of dialogue with stakeholders. This year the emphasis of the stakeholders' seminar was laid on canvassing opinions from importers, distributors, users and consumers, as well as their legal representatives, to identify possible areas of improvement in our application of the instruments. The opinions expressed at this seminar together with the "evaluation study" (see point 5.2.2), will serve as a basis for the reflection process to be launched in 2006.

5.2.2. Evaluation study

The Commission's Directorates-General and Services carry out regularly *ex post* evaluations of their activities and policies. In December 2005, DG TRADE received the results of an evaluation study of its trade defence instruments.

(http://ec.europa.eu/trade/issues/respectrules/anti_dumping/legis/index_en.htm)

The evaluation had three objectives :

- (1) to provide a broad description of the European Community's trade defence practice;
- (2) to identify and evaluate differences between the European Community and the United States; and,
- (3) to identify possible areas for improvement of the European Community's trade defence laws and practice.

The evaluation was based on a survey of stakeholders to EU trade defence activities, such as Member States, Community industry, exporters, importers and downstream users. The evaluators made a positive assessment of the general approach of the Community to trade defence investigations. While confirming the balanced nature of the EC system and the high standards applied, the evaluation also suggests reflecting on some specific issues and contains some interesting proposals for improvements. These proposals could contribute to improving certain aspects of our current system, in particular rights of parties and transparency.

6. THE TRADE DEFENCE INSTRUMENTS' SERVICES

Within DG Trade, Directorate B is responsible for trade defence instruments. The directorate consists of 5 Units. Unit 1 is in charge of policy aspects related to anti-dumping and anti-subsidy (including WTO and complaints office). Units 2 to 5 deal with investigations covering dumping/subsidization, injury and Community interest aspects. Moreover, Unit 2 monitors the activity of third countries on anti-dumping, anti-subsidy and safeguards, as well as policy aspects related to safeguards. Unit 4 is also responsible for following up and controlling the efficiency of measures and for policy matters concerning circumvention/absorption.

7. GENERAL OVERVIEW OF ANTI-DUMPING AND ANTI-SUBSIDY INVESTIGATIONS AND MEASURES

As regards the 2005 activities, after a somewhat lower activity overall in 2004, the year was characterized by a return to a normal average level. Below are details on both, new investigations and review investigations.

7.1. New investigations

At the end of 2005, the Community had 135 anti-dumping measures¹² and 12 countervailing measures in force. The anti-dumping measures covered 56 products and 32 countries (see Annex O); the countervailing measures covered 10 products and 5 countries (see Annex P). Of the measures, the large majority was in the form of duties; however, in a number of cases, undertakings were accepted.

Of the measures in force at the end of 2005 (both anti-dumping and anti-subsidy), 38 concerned China, 17 India, 12 Russia, 8 Thailand, 7 the Republic of Korea and Indonesia, 6 Taiwan, 3 Japan and 17 measures (excluding China) applied to countries with economies in transition or to non-market-economy countries, including Ukraine with 7 measures, Belarus with 5 measures and Vietnam with 5 measures. Five measures were still applicable against imports originating in the candidate countries Bulgaria, Romania and Turkey.

For a more realistic view of the impact of anti-dumping measures, however, one has to look at the trade volume of the products concerned, which varies considerably depending on the product sector. The biggest trade volumes are often generated by high technology, such as electronics, which are high-value products. It should be noted that in 2005, only 0,45%¹³ of total imports into the Community was affected by anti-dumping or anti-subsidy measures.

Table 1 below provides statistical information on the new investigations for the years 2001 – 2005.

¹² The measures are counted per product and country concerned.
¹³ Source Comext.

TABLE 1
Anti-dumping and anti-subsidy new investigations
during the period 1 January 2001 - 31 December 2005¹⁴

| | 2001 | 2002 | 2003 | 2004 | 2005 |
|---|------|------|------|------|------|
| Investigations in progress at the beginning of the period | 34 | 43 | 33 | 15 | 31 |
| Investigations initiated during the period | 33 | 23 | 8 | 29 | 26 |
| Investigations in progress during the period | 67 | 66 | 41 | 44 | 57 |
| Investigations concluded : | | | | | |
| - imposition of definitive duty or acceptance of undertakings | 12 | 28 | 5 | 11 | 19 |
| - terminations ¹⁵ | 12 | 5 | 21 | 2 | 10 |
| Total investigations concluded during the period | 24 | 33 | 26 | 13 | 29 |
| Investigations in progress at the end of period | 43 | 33 | 15 | 31 | 28 |
| Provisional measures imposed during the period | 18 | 17 | 10 | 6 | 15 |

7.2. Review investigations

Anti-dumping measures, including price undertakings, may be subject, under the basic Regulation, to five different types of reviews: expiry reviews (Article 11(2)), interim reviews (Article 11(3)), newcomer investigations (Article 11(4)), absorption investigations (Article 12) and circumvention investigations (Article 13).

Also anti-subsidy measures may be subject, under the basic Regulation, to five different types of reviews: expiry reviews (Article 18), interim reviews (Article 19), absorption investigations (Article 19(3)), accelerated reviews (Article 20) and circumvention investigations (Article 23).

¹⁴ The initiation of a case concerning several countries is accounted as separate investigations/proceedings per country involved.

¹⁵ Investigations might be terminated for reasons such as the withdrawal of the complaint, *de minimis* dumping or injury, etc.

These reviews continue to represent a major part of the work of the Commission's TDI services. In the period from 2001 to 2005, a total of 209 review investigations were initiated. These review investigations represented almost 64% of all investigations initiated.

In 2005, 54 reviews were initiated. Of these, 23 were expiry reviews, 22 interim reviews, 5 newcomer reviews, 1 anti-absorption investigation and 3 circumvention investigations.

An overview of the review investigations in 2005 can be found in Annexes F to K. Table 2 provides statistical information for the years 2001 - 2005.

TABLE 2
Reviews of anti-dumping and anti-subsidy investigations
during the period 1 January 2001 - 31 December 2005¹⁶

| | 2001 | 2002 | 2003 | 2004 | 2005 |
|---|------|------|------|------------------|------|
| Reviews in progress at the beginning of the period | 53 | 58 | 67 | 53 | 41 |
| Reviews initiated during the period | 29 | 55 | 26 | 42 | 54 |
| Reviews in progress during the period | 82 | 113 | 93 | 95 | 95 |
| Total reviews concluded during the period ¹⁷ | 24 | 46 | 40 | 54 ¹⁸ | 35 |
| Reviews in progress at the end of the period | 58 | 67 | 53 | 41 | 60 |

Details on the conclusions can be found under heading 8.2.

8. OVERVIEW OF ACTIVITIES IN 2005

8.1. New investigations

8.1.1. Initiations

8.1.1.1. Overview

In 2005, 26 investigations were initiated, two of which concerned anti-subsidy investigations. They involved 12 different products from 14 different countries. Details of these investigations are given in Annex A. Most affected countries are

¹⁶ The initiation of a case concerning several countries is accounted as separate investigations/proceedings per country involved.

¹⁷ Investigations which were conducted and concluded under the specific provisions of the Regulation imposing the original measures are not counted as there was no publication of the initiation.

¹⁸ Including 7 reviews concerning acceding countries which were automatically terminated.

China with 8 investigations, Malaysia with 3 investigations and Romania, Thailand and Hong Kong with 2 investigations each, followed by Croatia, Russia, Ukraine, Guatemala, Pakistan, Korea, India, Vietnam and Taiwan with 1 investigation each. As to the products, the most affected is the electronics sector, followed by the footwear sector, the iron and steel sector and the chemical and allied sector.

In the five-year period from 2001 to 2005, 119 investigations were initiated on imports from 32 countries. The main sectors concerned by the investigations were iron and steel with 37 investigations, chemical and allied with 24 investigations and electronics with 15 investigations. A breakdown of the product sectors is given in Annex B(A).

The main countries concerned during the period from 2001 to 2005 were the People's Republic of China with 25 investigations, India with 14 investigations, Russia with 9 investigations, Korea, Indonesia and Malaysia with 6 investigations and Vietnam and Taiwan with 5 investigations each. The investigations initiated over the last five years are broken down by country of export in Annex B(B).

The alphabetical list of cases initiated in 2005 can be found below, together with the name of the complainant. More information can be obtained from the Official Journal to which reference is given in Annex A.

| Product/type of investigation¹⁹ | Originating from | Complainant |
|---|------------------------------------|---|
| Chamois leather (AD) | P.R. China | British Leather Confederation |
| Ethyl alcohol (AD) | Guatemala Pakistan | Committee of Industrial Ethanol Producers of the EU (CIEP) |
| Footwear with protective toecap (AD) | P.R. China India | European Confederation of the Footwear Industry (CEC) |
| Footwear with uppers of leather (AD) | P.R. China Vietnam | European Confederation of the Footwear Industry (CEC) |
| Lever arch mechanisms (AD) | P.R. China | Interkov spol.s.r.o., MI.ME.CA. Srl and Nico Metallurgical company, d.d. Zelezniki |
| Plastic sacks and bags (AD) | P.R. China Malaysia Thailand | 30 European producers |

¹⁹ AD = anti-dumping investigation; AS = anti-subsidy investigation, AD + AS = parallel anti-dumping and anti-subsidy investigation.

| | | |
|---|---|--|
| Plastic sacks and bags (AS) | Malaysia Thailand | 30 European producers |
| Recordable compact disks (CD-Rs) (AD) | P.R. China Hong Kong Malaysia | CECMA |
| Recordable digital versatile discs (DVD+/-R) (AD) | P.R. China Hong Kong Taiwan | CECMA |
| Refrigerators (side-by-side) (AD) | Korea (rep. of) | Whirlpool |
| Seamless pipes and tubes (AD) | Croatia Romania Russia Ukraine | Defence Committee of the Seamless Steel Tubes Industry of the European Union |
| Silicon carbide (AD) | Romania | CEFIC |
| Tungsten electrodes (AD) | P.R. China | Eurométaux |

8.1.1.2. Details on individual cases (in alphabetical order)

1. Footwear with uppers of leather from the People's Republic of China and Vietnam

In July 2005, the Commission initiated an anti-dumping proceeding on imports into the Community of certain footwear with uppers of leather originating in the People's Republic of China (PRC) and Vietnam. The proceeding was initiated as a result of a complaint lodged by the European Confederation of the Footwear industry (CEC) on behalf of Community producers representing more than 40% of the total Community production of certain footwear with uppers of leather.

The product under investigation was footwear with uppers of leather or composition leather, other than: (i) footwear which is designed for a sporting activity and has, or has provision for the attachment of, spikes, sprigs, stops, clips, bars or the like; (ii) skating boots, ski-boots and cross-country ski footwear, snowboard boots, wrestling boots, boxing boots and cycling shoes; (iii) slippers and other indoor footwear and (iv) footwear with a protective toecap.

During the course of the investigation, exporting producers and importers claimed that certain footwear for use in sporting activities and involving a special technology called Special Technology Athletic Footwear (STAF) should also be excluded from the product scope. These parties provided evidence that STAF shoes should be excluded from the product scope because of differences of basic physical and technical characteristics, sales channels, end-use and consumer perception. The Community Industry and Member States were consulted on the possible exclusion of STAF shoes and provided their relevant contributions during 2005. The Community Industry and a number of Member States opposed the exclusion of STAF shoes from the product scope.

As both the PRC and Vietnam are economies in transition, an appropriate analogue country had to be used for the purpose of establishing normal value of exporting producers in the PRC and Vietnam that were not granted Market Economy Treatment (MET). Brazil was chosen as the appropriate analogue country in view of its representative domestic market. Data submitted by three Brazilian companies for the purposes of establishing normal value was verified at the Brazilian companies' premises during September 2005.

The People's Republic of China (PRC)

Following the initiation of the proceeding, 365 producers in the PRC came forward, out of which 163 exporting producers provided the requested information within the given deadline set in the notice of initiation. However, only 154 of them reported exports to the Community during the investigation period. Account taken of the aforesaid number of companies, the Commission decided to apply sampling in accordance with Article 17 of the basic Regulation. Consequently, a sample of 13 Chinese exporting producers was chosen, representing around 25% of the export volume to the Community of the Chinese companies cooperating with the proceeding. The Chinese authorities gave their full agreement to the sample chosen.

The Commission, during 2005, sought all information deemed necessary and verified all information submitted in the MET claim at the premises of the 12 Chinese companies selected in the sample. One Chinese exporting producer did not submit a questionnaire reply subsequent to having had its request for MET examined. The company's MET submission was consequently considered void and the company was excluded from the sample.

Vietnam

Following the initiation of the proceeding, 114 producers in Vietnam came forward, out of which 86 exporting producers provided the requested information within the given deadline set in the notice of initiation. However, only 81 of them reported exports to the Community during the investigation period. Account taken of the aforesaid number of companies, the Commission decided to apply sampling in accordance with Article 17 of the basic Regulation. Consequently, a sample of 8 Vietnamese exporting producers was chosen, representing around 22% of the export volume to the Community of the Vietnamese companies cooperating with the proceeding. The Vietnamese authorities gave their full agreement to the sample chosen.

The Commission, during 2005, sought all information deemed necessary and verified all information submitted in the MET claim at the premises of the 8 Vietnamese companies selected in the sample. The Commission conclude that none of the Vietnamese sampled companies fulfilled the conditions for granting MET. In particular, six companies failed to demonstrate that their business decisions were made in response to market signals and without significant State interference. Seven companies failed to prove that they had one clear set of basic accounting records which are independently audited in line with international accounting standards and applied for all purposes. Finally, all companies failed to demonstrate that there are no distortions carried over from the non-market economy system.

The Vietnamese companies were requested to provide their comments on the aforesaid conclusions but the arguments submitted did not challenge their validity.

Injury and causation of injury

As far as Community producers are concerned, the Commission selected a sample of 10 producers. The sample reflected the size and importance of the various producing companies, as well as the geographical spread of the industry in the Community. It represented around 10% of the production of the complaining Community producers. During 2005, the Commission sought all information deemed necessary and verified all information submitted at the premises of the 10 Community producers selected in the sample.

Community interest

Representations were received from importers/distributors/retailers or organisations of distributors/retailers which were in general against the imposition of any measures on the product under investigation. During 2005, the Commission sought all information deemed necessary and verified all information submitted at the premises of 6 unrelated importers in the Community.

8.1.2. *Provisional measures*

In 2005, provisional duties were imposed in 15 anti-dumping proceedings. They involved imports from 8 different countries. As shown in Table 1 (see point 7.1), this figure compares to 6 in 2004 and 10 in 2003.

The alphabetical list of cases where provisional measures were imposed during 2005 can be found below, together with the measure(s) imposed. More information can be obtained from the Official Journal to which reference is given in Annex C.

| Product | Originating from | Type²⁰ and level of measure |
|--|--|---|
| Barium carbonate | P.R. China | AD : 20,6-60,8% |
| Finished polyester filament apparel fabrics | P.R. China | AD : 20-85,30% |
| Granular polytetrafluoroethylene (PTFE) | P.R. China Russia | AD : 62,7% AD : 36,6% |
| Hand pallet trucks and their essential parts | P.R. China | AD : 29,7-49,6% |
| Magnesia bricks | P.R. China | AD : 11,2-66,1% |
| Salmon | Norway | AD : 6,8-24,5% |
| Stainless steel fasteners and parts thereof | P.R. China Indonesia Taiwan Thailand Vietnam | AD : 11,4-27,4% AD : 9,8-24,6% AD : 8,8-23,6% AD : 10,8-15,9% AD : 7,7% |
| Tartaric acid | P.R. China | AD : 2,4-34,9% |
| Trichloroisocyanuric acid | P.R. China USA | AD : 9,2-40,3% AD : 20,8-33,8% |

²⁰

AD = anti-dumping duty, CVD = countervailing duty, UT = undertaking.

8.1.3. Definitive measures

8.1.3.1. Overview

During 2005, definitive duties were imposed in 19 anti-dumping cases. They involved imports from 8 different countries and covered 11 products. The People's Republic of China featured with 9 investigations, followed by Russia, Vietnam and the USA with 2 investigations each and Saudi Arabia, Indonesia, Taiwan and Thailand with 1 investigation each.

The alphabetical list of cases where definitive measures were imposed during 2005 can be found below, together with the measure(s) imposed. More information can be obtained from the Official Journal to which reference is given in Annex D. Annex D also gives some additional information on import and consumption volumes.

| Product | Originating from | Type ²¹ and level of measure |
|---|--|---|
| Barium carbonate | P.R. China | AD : 6,3-56,4% |
| Bicycles | Vietnam | AD : 15,8-34,5% |
| Castings | P.R. China | AD : 0-47,8% |
| Finished polyester filament fabrics | P.R. China | AD : 14,1-56,2% |
| Grain oriented flat-rolled products of silicon-electrical steel | USA Russia | AD : 31,5-37,8% AD : 0-11,5% |
| Granular polytetrafluoroethylene (PTFE) | P.R. China Russia | AD : 55,5% AD : 36,6% |
| Hand pallet trucks and their essential parts | P.R. China | AD : 7,6-46,7% |
| Magnesia bricks | P.R. China | AD : 2,7-39,9% |
| Polyester staple fibres | P.R. China Saudi Arabia | AD : 4,9-49,7% AD : 20,9% |
| Stainless steel fasteners and parts thereof | P.R. China Indonesia Taiwan Thailand Vietnam | AD : 11,4-27,4% AD : 9,8-24,6% AD : 8,8-23,6% AD : 10,8-14,6% AD : 7,7% |
| Trichloroisocyanuric acid | P.R. China | AD : 7,3-42,6% |

²¹ AD = anti-dumping duty, CVD = countervailing duty, UT = undertaking.

8.1.3.2. Details on individual cases (in alphabetical order)

1. Hand pallet trucks and their essential parts from the People's Republic of China

In April 2004, the Commission initiated an anti-dumping proceeding on imports into the Community of hand pallet trucks (HPT), not self propelled, used for the handling of materials normally placed on pallets, and their essential parts, i.e. chassis and hydraulics, originating in the People's Republic of China (PRC). The proceeding was initiated as a result of a complaint lodged by four Community producers (the 'Community industry') representing more than 60% of the total Community production of HPT.

The Commission imposed provisional measures in January 2005 and definitive measures were imposed by the Council in July 2005. The rates of the definitive anti-dumping duty ranged from 7,6% to 46,7%.

Dumping

Since the PRC is an economy in transition, an appropriate analogue country had to be used in order to establish normal value for exporting producers not granted Market Economy Treatment (MET). Canada was chosen for that purpose.

Four Chinese exporting producers representing some 53% of HPT imports in the Community co-operated with the investigation. One of them was granted MET, the other three were rejected because they did not fulfil the criterion concerning accounting. However, all three were granted Individual Treatment (IT) since export prices and quantities were freely determined.

The dumping margins established for the four co-operating exporting producers ranged from 7,6% to 39,9%, whilst the rate for non-cooperating exporting producers was set to 46,7%.

Injury and causation of injury

Between 2000 and March 2004 (the end of the 12 months investigation period), all relevant injury indicators of the Community industry showed negative development. In particular negative was the development of production (33% drop), sales volume (24% drop), market share (34% drop) and profitability (losses of more than 2% incurred during the investigation period). All these coincided with a sharp increase of dumped imports (138%) during a period where consumption increased only by 17%. The market share of the dumped imports increased from 28% in 2000 to 57% in the investigation period.

No other factor than the dumped imports was found to contribute to the injury suffered by the Community industry. For example, during the period considered other imports decreased both in volume and market share, the latter dropped to 4% in the investigation period.

Community interest

No reasons which could justify the non-imposition of measures in the interest of the Community industry were established. In fact, the investigation established that importers/traders, which normally are more affected by the measures, enjoy a very high mark-up leading to net profits of up to 50% on turnover. Thus, the imposition of measures was not expected to affect their HPT operations. In addition, for many of them, HPT represent only a small part of their business. As to users, given the existing high mark-up of importers/traders, it was not expected that the effect of the measures would be passed on to them to any significant degree.

2. **Finished polyester filament fabrics from the People's Republic of China (PRC)**

The case was initiated on 17 June 2004 following a request lodged by AIUFFASS, an affiliate of Euratex, on behalf of seven individual producers.

This is a case in which the complainants requested and were granted anonymity. Indeed, some of the complainants purchase raw materials from Chinese suppliers and the request for anonymity was considered justified as the complainants could provide evidence that disclosure of their details would cause significant adverse effects and risk of retaliation. Nevertheless, access to files and the rights of defence were fully guaranteed.

There were a high number of exporting producers in the PRC and sampling was therefore employed. The eight largest exporting producers representing over 50% of the total export volume were selected in the final sample.

The case was however further complicated by the fact that an additional 41 exporting producers in the PRC requested market economy treatment (MET). A desk analysis was carried out with all of the producers but on the spot verifications had to be limited to the eight companies included in the sample.

Out of the eight companies subject to on the spot verifications, only three met the legal requirements necessary to obtain MET.

The investigation revealed a number of state-induced competitive distortions as regards the five companies that could not be granted MET. These mainly consisted of distortions carried over from the former non market economy system, limiting the freedom of the companies or conferring advantages on them as well as insufficient enforcement of the companies' adherence to internationally accepted accounting rules.

As regards the remaining 41 companies, 22 companies could successfully demonstrate that the MET criteria were met. The remaining companies were not granted MET, mainly because they were either found to be subject to the mentioned significant anti-competitive distortions, or they did not sufficiently co-operate in the investigation by submitting the necessary information to prove conformity with the legal requirements.

All exporting producers requesting MET did also request to be granted individual treatment (IT) in the event that their MET application would not be granted. An additional seven companies requested IT only. Out of the 19 companies for which MET was rejected, 13 could instead be granted IT as they could successfully demonstrate that their export prices were determined without state intervention. Out of the eleven companies only requesting IT, five were found to fulfil the criteria and were thus granted IT.

Definitive measures were imposed on 17 September 2005 with duties ranging between 14,1% and 56,2%. The country wide duty mainly applicable to the non-cooperating parties was established at 56,2%.

3. Trichloroisocyanuric acid (TCCA) from the People's Republic of China (PRC) and the USA

The proceeding concerning imports of TCCA originating in China was initiated on 10 July 2004. The case was extended in October 2004 to cover the same product originating in USA. The proceeding was based on a complaint lodged by CEFIC, an association representing a major share, namely more than 50% in this case, of the Community production of TCCA.

Six exporting producers in China and two in the USA cooperated with the investigation.

Three Chinese companies fulfilled all the criteria to be granted Market Economy Treatment (MET) whereas the MET claims made by the other 3 companies could not be accepted. The reason that MET could not be granted was based, for one company on the failure to fulfil the criterion which requires that business decisions are made in response to market signals, without significant state interference and where costs reflect market values. The second company also failed this criterion and was furthermore not able to demonstrate a clear set of independently audited accounting records, nor could they show that there were no distortions of production costs and financial situation carried over from former non-market economy system. The third company could not be granted MET as it could not demonstrate a clear set of

independently audited accounting records. Also with this company, the investigation revealed distortions of production costs and financial situation carried over from former non-market economy system.

One of the companies which were not granted MET however demonstrated that it fulfilled the criteria to be granted individual treatment (IT) as the verification established that there was no interference in the export price setting. For the companies not granted MET, Japan was selected as the analogue country because it was the only country producing the product concerned not involved in the proceeding.

The investigation showed the existence of competition-distorting dumping which caused injury to the Community industry and therefore the imposition of anti-dumping measures was warranted.

The injury margins were in all cases higher than the dumping margins for China and lower than the ones found for the USA. Provisional measures were imposed in April 2005.

Definitive measures were imposed on 3 October 2005. The final anti-dumping duty rates for the Chinese co-operating companies were set at the level of the injury margins, namely between 7,3 and 40,5%. The duty for all other companies was set at a level of 42,6%. For the USA, the final rates were 7,4% and 8,1% for the two co-operating companies and the country-wide duty, namely the duty for any other company, was set at 25%.

4. Stainless steel fasteners and parts thereof from the People's Republic of China, Indonesia, Taiwan, Thailand and Vietnam

In August 2004, the Commission initiated an anti-dumping proceeding on imports into the Community of certain stainless steel fasteners and parts thereof (SSF) originating in the People's Republic of China (PRC), Indonesia, Malaysia, the Philippines, Taiwan, Thailand and Vietnam. The proceeding was initiated as a result of a complaint lodged by the European Industrial Fasteners Institute (EIFI) on behalf of Community producers representing more than 50% of the total Community production of stainless steel fasteners and parts thereof.

Stainless steel fasteners and parts thereof are bolts, nuts and screws of stainless steel which are used to mechanically join two or more elements. During the course of the investigation, Community producers and importers provided evidence to warrant the exclusion of nuts from the product scope. Indeed, nuts and bolts are neither developed nor produced and sold together, whilst the Community industry did not keep the necessary machinery to produce nuts and did not intend to produce them in the future. Thus, nuts were excluded for the purposes of this proceeding from the definition of SSF, the product concerned.

As both the PRC and Vietnam are economies in transition, an appropriate analogue country had to be used for the purpose of establishing normal value of exporting producers in the PRC and Vietnam that were not granted Market Economy Treatment (MET). Taiwan was chosen as the appropriate analogue country as is one of the biggest worldwide producers of the product concerned and has a representative domestic market with a wide range of products and a significant level of competition.

The Commission imposed provisional measures in May 2005 and definitive measures were imposed in November 2005 by the Council. The definitive anti-dumping duty ranges from 11,4% to 27,4% for the PRC, 9,8% to 24,6% for Indonesia, 8,8% to 23,6% for Taiwan, 10,8% to 14,6% for Thailand and 7,7% for Vietnam. Certain duty rates were based on the injury elimination level which was found lower than the dumping margin. The proceeding was terminated for Malaysia (no dumping was found) and the Philippines (no exports to the EC of the product concerned following the exclusion of nuts).

The People's Republic of China (PRC)

Two Chinese co-operating exporting producers, representing around 85% of imports from the PRC, co-operated with the investigation. Both companies requested MET. One company was not granted MET due to significant accounting flows. The other company was in a start up phase and did not maintain any short of financial accounts. It was therefore not possible to conclude whether it fulfilled the requirements for granting MET.

Both companies requested and were granted Individual Treatment (IT) as they were able to prove that their export prices and quantities were freely determined. Therefore, dumping calculations were based on the companies' export prices actually paid or payable for the product concerned and on the normal value established on the basis of verified information received from the producers in Taiwan which was chosen as analogue country.

The dumping margins found were 21,5% and 12,2% respectively, and for all other companies 27,4%.

Indonesia

For the sole Indonesian co-operating exporting producer, representing around 60% of Indonesian exports to the Community, the definitive dumping margin was 9,8%. The dumping margin was calculated on the basis of constructed normal value and export prices actually paid or payable of the product concerned. For all other companies the dumping margin was set at 24,6%

Another Indonesian exporting producer had initially replied to the questionnaire sent by the commission but at a later stage of the proceeding stopped co-operating with the investigation as it terminated its business activities.

Taiwan

Sampling provisions were applied for exporting producers in Taiwan due to the large number of companies that co-operated with the investigation. Five companies were selected as a sample representing the largest representative volume of exports which could reasonably be investigated within the time available. For the five co-operating exporting producers, representing around 22% of Taiwanese exports to the Community, the dumping margins ranged between 11,4% and 18,8%. For one sampled exporting producer, the dumping margin was established by using partial facts available because of serious problems in the data reported in the domestic sales and costs. The dumping margin for non sampled co-operating exporting producers was set at 15,8% and for all other companies at 23,6%.

Thailand

For the four Thai co-operating exporting producers, representing 100% of Thai exports to the Community, the definitive dumping margins ranged from 10,8% to 14,6%. In view of the high level of co-operation, the dumping margin for all other companies was set at 14,6%. The dumping margins were calculated on the basis of constructed normal value and export prices actually paid or payable for the product concerned.

Vietnam

One Vietnamese exporting producer requested MET or IT in case that the former would not be granted. The Commission concluded that the company did not fulfil the conditions for granting MET. The company could not demonstrate that its business decisions and costs were made in response to market conditions without significant state interference. Furthermore, the company's financial accounts were not published in good time and were not properly audited. The company did not fulfil the requirements for IT either. Export sales quantities were not freely determined by the company but fixed by the State in the company's business license. Furthermore, the company could not prove that information on exports to the Community via a related Taiwanese company referred to products manufactured in Vietnam and exported to the Community.

Two other Vietnamese producers claimed IT but did not provide the requested information. They were therefore considered as non co-operators and they were not granted IT.

The dumping margin calculation for Vietnam was based on Eurostat import statistics and the normal value established on the basis of verified information received from the producers in Taiwan which was chosen as analogue country. The definitive dumping margin for all Vietnamese companies was 7,7%.

Injury and causation of injury

Injury to the Community industry was essentially caused by the following factors:

(i) Volume injury : dumped imports from the countries concerned (PRC, Indonesia, Taiwan, Thailand and Vietnam) grew strongly, i.e. by 96% over the injury analysis period (January 2001 till June 2004) as compared with just a 24% growth in Community consumption. This development mainly took place after the lapse of the previous anti-dumping measures in 2003. The Community industry suffered a significant loss of market share (14% decrease); this decline coincided in time with corresponding gains for the countries concerned.

(ii) Price injury : due to intense price pressure caused by the imports of the product concerned, the Community industry never reached, on average, adequate profitability levels. Although the profit margins of the Community industry improved in the IP, this was largely attributable to exceptional circumstances (steel price speculation). Their customers were ready to accept higher SSF prices anticipating further price increases of the main raw material. Production costs for the Community industry did not rise immediately (stocks of old steel), thus further improving profits. However, following the IP the costs increased and profits of the Community industry fell again.

Imports of the product concerned from the countries concerned were clearly identified as the essential cause of the injury sustained by the Community industry. Imports from other countries did not contribute to this negative situation. In fact, overall other third countries lost market share over the period considered (22% decrease).

Community interest

There were a number of importers/distributors around the Community, which in general had reservations about the imposition of measures. However, these companies were buying and selling SSF from different sources around the world, including the Community industry. Furthermore, the investigation established that they were significantly more profitable than the Community industry. Therefore, the imposition of any measures would not affect them much. Users and consumers were practically not affected by measures, because SSF did not contribute materially to their costs. Overall, it was therefore in the Community interest to redress unfair competition caused by dumping practices.

8.1.4. Investigations terminated without measures

8.1.4.1. Overview

In accordance with the provisions of the respective basic Regulations, investigations may be terminated without the imposition of measures if a complaint is withdrawn or if measures are unnecessary (i.e. no dumping/no subsidies, no injury resulting therefrom, measures not in the interest of the Community).

In 2005, 10 new anti-dumping proceedings (0 anti-subsidy proceedings) were concluded without measures, compared to 2 in 2004 and 21 in 2003.

The alphabetical list of cases which were terminated without the imposition of measures during 2005 can be found below. More information can be obtained from the Official Journal to which reference is given in Annex E.

| Product (type of investigation ²²) | Originating from | Main reason for termination |
|---|--------------------------------------|---|
| Polyester high tenacity filament yarn (AD) | Belarus Korea (Rep. of) Taiwan | - Zero dumping margin - Below <i>de minimis</i> dumping margin - Lack of causal link between dumping and injury |
| Stainless steel fasteners and parts thereof (AD) | Malaysia Philippines | - No dumping - No dumping |
| Steel ropes and cables (AD) | Korea (Rep. of) | Below <i>de minimis</i> dumping margin |
| Styrene-butadiene-styrene thermoplastic rubber (AD) | Korea (Rep. of) Russia | - Below <i>de minimis</i> dumping margin - Lack of causal link between dumping and injury |
| Tube or pipe fittings (AD) | Taiwan Vietnam | Withdrawal of the complaint |

8.1.4.2. Details on individual cases (in chronological order)

1. Styrene-butadiene-styrene thermoplastic rubber (SBS) from the Republic of Korea and Russia

The investigation was initiated in May 2004, in parallel with an interim review of the measures in force on imports of SBS originating in Taiwan, following a complaint and request lodged by the Community industry (CEFIC). In order to be able to fully assess the impact of allegedly dumped imports from the countries concerned on the situation of the Community industry, both proceedings were combined. As regards the new anti-dumping proceeding, no measures were proposed at the provisional stage as the Commission decided to continue the investigation to further examine certain aspects of injury, causation and Community interest.

SBS is a chemical product based mainly on styrene and butadiene which is used for the thermo modification of bitumen for asphalt and roofing membranes, for technical and footwear compounding, plastic modification and adhesives. The Community consumption was established at around 180.000 tonnes in 2004.

²² AD = anti-dumping investigation; AS = anti-subsidy investigation, AD + AS = parallel anti-dumping and anti-subsidy investigation.

Dumping

The investigation showed that imports from Russia were dumped (31,7%), whereas only *de minimis* dumping was found for Korea. As regards imports from Taiwan, the investigation revealed that one Taiwanese exporting producer continued to sell at dumped prices (16,2%). For the other Taiwanese cooperating producer, only *de minimis* dumping was established. It should be noted, however, that those two Taiwanese cooperating producers represented only around 30% of imports to the Community during the original investigation. Thus, the majority of Taiwanese producers were subject to the residual dumping margin of 20% and ceased exporting after the imposition of measures.

Injury and causation

In the context of an overall declining Community consumption (by 7%), the situation of the Community industry deteriorated during 2000 and 2004 showing a negative development for nearly all injury indicators: sales declined by 15%, market shares dropped from 89% to 82%, the profit level was only 1,2% in the IP, prices decreased slightly, production decreased by 4%, stocks rose by 60% and capacity utilisation fell to 75%. This overall deterioration was also reflected in the decreasing employment and in the very negative cash-flow situation during the IP.

It thus had to be assessed whether the material injury found was caused by the dumped imports from Russia and from one Taiwanese exporting producer found to dump. The market share of those dumped imports increased from 1,5% in 2000 to 5,3% in the IP and prices undercut those of the Community industry by around 15%. At first sight, there thus seemed to have been a significant impact of those dumped imports. However, a further examination showed that there was no clear coincidence in time between the deterioration of the Community industry's situation and the dumped imports as the development of some key injury indicators did not overlap with the developments of dumped imports. Even more important, it was found that non-dumped imports from Korea and the second cooperating Taiwanese company which was not found to dump increased considerably over the period considered and represented 2,4 times the volume of dumped imports during the IP, reaching a market share of 12,8% in the IP. At the same time, those non-dumped imports undercut Community industry's prices at a higher level than the dumped imports, thereby exerting an even stronger price pressure on the Community industry's prices. Moreover, it could not be excluded that the overall decline of consumption also contributed to the material injury suffered by the Community industry.

On this basis, it could not be considered that the dumped imports, taken in isolation, have caused material injury as it appeared that injury could indeed significantly be attributed to other factors, i.e. the effects of non-dumped imports and contraction in demand.

Lasting nature of the changed circumstances with regard to imports from Taiwan

Within the framework of the interim review concerning Taiwan, it was examined whether the changed circumstances could reasonably be considered to be of a lasting nature. The investigation showed that the Taiwanese exporting producers sold considerable quantities to their well developed domestic market as well as to third country markets. Prices were found to have increased steadily and thus, it was not expected that dumping was likely to recur after the measures were terminated. The changed circumstances found with regard to imports from Taiwan were consequently considered to be lasting.

Proposal for termination

In the light of the above findings, the two proceedings were terminated without the imposition of measures as regards imports from Korea and Russia and the existing anti-dumping measures on imports originating in Taiwan were repealed.

2. Stainless steel fasteners and parts thereof from Malaysia and the Philippines

In August 2004, the Commission initiated an anti-dumping proceeding on imports into the Community of certain stainless steel fasteners and parts thereof (SSF) originating in the People's Republic of China (PRC), Indonesia, Malaysia, the Philippines, Taiwan, Thailand and Vietnam. The proceeding was initiated as a result of a complaint lodged by the European Industrial Fasteners Institute (EIFI) on behalf of Community producers representing more than 50% of the total Community production of stainless steel fasteners and parts thereof. (see also 8.1.3.2 – point 4)

The Commission imposed provisional measures in May 2005 and definitive measures were imposed in November 2005 by the Council on the imports from the PRC, Indonesia, Taiwan, Thailand and Vietnam.

Malaysia

For the two Malaysian co-operating exporting producers, representing 100% of Malaysian exports to the Community, no dumping was found. Consequently, the proceeding was terminated for imports of the product concerned originating in Malaysia.

The Philippines

As all exports from the Philippines to the Community consisted of nuts, which were not regarded as part of the product concerned, no dumping margins could be calculated. Consequently, the proceeding was terminated for imports of the product concerned originating in the Philippines.

8.2. Review investigations

8.2.1. Expiry reviews

Article 11(2) and Article 18 of the basic Regulations provide for the expiry of measures after five years, unless an expiry review demonstrates that they should be maintained in their original form.

In 2005, 27 measures, of which 7 countervailing measures, were allowed to expire automatically. The references for these measures are set out in Annex N.

Since the expiry (or "sunset") provision of the basic Regulations came into force in 1985, a total of 405 measures have been allowed to expire automatically.

8.2.1.1. Initiations

During 2005, 23 expiry review investigations were initiated. It should be noted that investigations initiated after 20 March 2004 are now under deadline, i.e. conclusions should be reached within 12 months but not later than 15 months from the date of initiation.

The alphabetical list of these cases can be found below, together with the name of the complainant. It should be noted that some expiry reviews may be carried out in parallel with interim reviews, which allow the amendment of the duty rates. In such case, these reviews are marked with an asterisk. More information can be obtained from the Official Journal to which reference is given in Annex F.

| Product (type of investigation ²³) | Originating from | Complainant |
|--|------------------------------------|---|
| Deadburned (sintered) magnesia (AD) | P.R. China | Eurométaux |
| Ethanolamines (AD) | USA | European Chemical Industry Council (CEFIC) |
| Polyester staple fibres (AD) | Australia Indonesia Thailand | Comité International de la Rayonne et des Fibres Synthétiques (CIRFS) |
| Polyester staple fibres (AD) | India | Comité International de la Rayonne et des Fibres Synthétiques (CIRFS) |

²³ AD = anti-dumping investigation; AS = anti-subsidy investigation, AD + AS = parallel anti-dumping and anti-subsidy investigation.

| | | |
|--|---|--|
| Polyethylene terephthalate (PET) (AD)* | India Indonesia Korea (Rep. of) Malaysia Taiwan Thailand | PET Committee of PlasticsEurope |
| Polyethylene terephthalate (PET) (AS) | India | PET Committee of PlasticsEurope |
| Potassium chloride (AD)* | Belarus Russia | European Association of Potash Producers (APEP) |
| Silicon carbide (AD)* | P.R. China Russia Ukraine | European Chemical Industry Council (CEFIC) |
| Television camera systems (AD) | Japan | Grass Valley |
| Urea and ammonium nitrate solutions (AD) | Algeria Belarus Russia Ukraine | European Fertilizer Manufacturers Association (EFMA) |

8.2.1.2. Reviews concluded with confirmation of duty(ies)

During 2005, 7 expiry reviews concluded that there was a need for the duties to continue for a further 5 years.

The alphabetical list of the cases which were concluded with confirmation of duty during 2005, together with the result of the investigation, can be found below. More information can be obtained from the Official Journal to which reference is given in Annex F.

| Product | Originating from | Result of the investigation/ Type²⁴ and level of measure |
|-------------------|-------------------------|--|
| Antibiotics (AS)* | India | Confirmation and lowering of AS duty : 17,1-32% |
| Furfuraldehyde | P.R. China | Confirmation of AD duty : EUR 352 per tonne |

²⁴ AD = anti-dumping duty, CVD = countervailing duty, UT = undertaking.

| | | |
|------------------------|--------------|---|
| Magnesium oxide | P.R. China | Confirmation of AD duty : depending on mechanism - difference between the minimum import price of EUR 112 per tonne and the net free-at-Community frontier price - between 0-27,1% |
| Steel ropes and cables | P.R. China | Confirmation of AD duty : 60,4% |
| | India | Confirmation of AD duty : 23,8-30,8% |
| | South Africa | Confirmation of AD duty : 38,6% |
| | Ukraine | Confirmation of AD duty : 51,8% |

Details on some individual cases (in chronological order)

1. Antibiotics from India (anti-subsidy investigation)

In October 2003, the Commission initiated an interim and expiry review on imports into the Community of certain broad spectrum antibiotics (namely amoxicillin trihydrate, ampicillin trihydrate and cefalexin not put in measured doses or in forms or packings for retail) originating in India (the 'product concerned'). The review request was made by two major Community producers of certain broad spectrum antibiotics which accounted for a Community market share of over 40% (the 'Community industry').

The original definitive countervailing duty was in place since October 1998 at duty levels between 0% and 14,6%. This timing actually made this investigation the first one to conclude with the continuation of countervailing measures since the coming into force of the anti-subsidy basic Regulation in 1996.

The review investigation revealed the continuation of injurious subsidisation at a higher level. Therefore, definitive measures were prolonged in May 2005 at increased levels. The countervailing duty now ranges from 17,3% to 32%. Certain duty rates were based on the injury elimination level which was found lower than the subsidy rate.

Subsidisation

Various nationwide and regional Indian subsidy schemes were investigated. High subsidy rates have in particular been established for three EXIM-policy schemes (a major Indian tool to stimulate exports, since 2005 called 'Foreign Trade Policy'), namely the Advance License Scheme (ALS), which has been identified as countervailable for the first time, the Export Oriented Units Scheme (EOUS) and the Duty Entitlement Passbook Scheme (DEPBS). Those EXIM-policy schemes are not in line with WTO-obligations (no permitted duty drawback systems).

Some other countervailable subsidies, which were not examined in the original investigation, were identified as well, notably the Export Credit Scheme (ECS), which provide preferential export financing, income tax privileges in the form of the deduction of fictitious R&D expenses and regional subsidy schemes of the Gujarati and Punjabi governments (notably sales and purchase tax exemptions).

The new subsidy rates ranged from 25,3% to 35,1%.

Injury and causation of injury

Injury to the Community industry was essentially caused by the following factors:

(i) Price Injury : intense price pressure caused by the subsidised Indian imports prevented the Community Industry from achieving acceptable profitability levels. Indeed, despite the existence of measures, the Community industry had never been able to achieve non-injurious price levels over the injury analysis period (January 1999 to March 2003).

(ii) Volume injury : furthermore, imports from India grew at a much faster pace than the EC sales volume of the Community industry. India increased its EC market share over the period considered by 70% and this growth in market share continued to be very dynamic.

Subsidised imports of the product concerned from India were clearly identified as the essential cause of the injury sustained by the Community industry. In particular, imports from other countries did not contribute to this negative situation.

Community interest

Neither importers nor suppliers or users, which in any event showed only very little interest in this proceeding, put forward any facts which could have outweighed from an overall Community interest perspective the interest to redress unfair competition caused by State intervention in the form of countervailable subsidies.

2. Steel ropes and cables from the People's Republic of China, India, South Africa and Ukraine

Background

This review proceeding was initiated on 17 August 2004 following a request by the Liaison Committee of European Union Wires Rope Industries (EWRIS). Definitive measures had been imposed by Council Regulation (EC) No 1769/1999 of 12 August 1999. Measures are also in place concerning Russia, Thailand and Turkey since 2001. It was further found that circumvention of the original measures concerning the Ukraine and the People's Republic of China (PRC) took place via respectively Moldova and via Morocco. Consequently, the relevant anti-dumping duties were extended to these countries in 2004.

The reason why such a large number of countries is covered by measures has to do with the very nature of this industry (SMEs, highly fragmented, relatively low capital intensity), which facilitates legal industrial nomadism (moving one producing facility from one country to another country) and circumvention.

As far as the four countries under review are concerned, anti-dumping duties are as follows: 60,5 % for the PRC, between 23,8 and 30,8% for India, 38,6% for South Africa and 51,8% for Ukraine.

It should be noted that one producer in India and one producer in South Africa benefit from a price undertaking.

Results of the review investigation

Continuation or Recurrence of Dumping

During the review investigation period (RIP), imports of steel wire ropes from the four countries concerned altogether represented 4,4% of the Community market share. Specifically, India, China, South-Africa and Ukraine held a market share of respectively 2,2%, 1,1%, 0,1% and 1% of the Community market during the RIP. Continuation of significant dumping was found in all cases. It is noted that significant dumping was found for India and South Africa, although these exports have been made in the framework of the undertakings in force and although the minimum prices of these undertakings were respected during the RIP.

No cooperation could be obtained from exporting producers located in the Ukraine.

For the examination as to whether dumping would likely continue or recur should the anti-dumping measures be repealed, spare capacities and accumulated stocks as well as pricing and export strategies in different markets were analysed. This examination revealed that there were important spare capacities and accumulated stocks in all exporting countries concerned. It was further found that export prices to other third countries were generally of a significantly lower level than those to the Community market and that therefore the Community remained an attractive market for the exporting producers of all countries concerned. It was therefore concluded that imports from all countries would very likely be redirected to the Community should the access to the Community market be without restrictions.

An analysis of the pricing strategies of all countries concerned revealed furthermore that these exports would most likely be made at dumped prices. Indeed, given the substantial dumping margins found, even if export prices would increase after the repeal of measures, they would be most likely still at dumped levels. In the case of China and Ukraine, these conclusions were reinforced by the fact that for both countries circumvention of existing measures was found which indicated that exports from these countries were not able to compete in the Community market at fair prices. In the case of India and South Africa, any increase in export prices would even be unlikely given that exports during the RIP were made right at the level of the undertaking prices i.e. the measures directly influenced the pricing behaviour of the exporters concerned.

Considering the above, it was established for all countries concerned that dumping would likely continue or recur should measures be allowed to expire.

Likelihood of recurrence of injury

This industry is characterised by its high degree of fragmentation. It is composed of a multitude of Small and Medium Sized enterprises (at least 30 companies in the Community), spread over virtually all Member States.

During the four years covered by the review investigation, the respective market shares of the Community industry on the one hand and of the four countries concerned on the other hand showed very little movement. This means that the imposition of measures has achieved one of its goals, that is to put a halt to the deterioration in the market shares held by the Community industry, and that this later has not unduly benefited from the measures against the countries concerned.

As to injury indicators, some positive developments have been observed : capacity, inventories, unit sales price, profitability, cash-flow and unit labour costs increased. However, a number of negative developments were also observed : production and sales volume, capacity utilisation, employment and productivity declined. In addition, when one compares the trends evidenced in this review with the ones described in the earlier Regulations imposing provisional and definitive measures, it is clear that the introduction of the anti-dumping measures in 1999 concerning imports from India, the PRC, Ukraine and South Africa had a positive impact on the economic situation of the Community industry. Overall, if the situation of the Community industry has improved slightly, it is still far from being robust as evidenced in particular by its still negative profitability.

In conclusion and given also the findings on the recurrence of dumping, it is therefore legitimate to conclude that the repeal of the measures would in all likelihood result in the recurrence of the injury to the Community industry.

No co-operation was obtained neither from individual importers, nor from users. Therefore, no compelling reasons, in terms of Community interest, could be found against the continuation of the anti-dumping measures.

Outcome

Given the above findings, the measures in place concerning the four countries concerned and their extension to Morocco and Moldova have been confirmed at the same rate and under the same form for another five year term.

8.2.1.3. Reviews concluded by termination

During 2005, no expiry reviews were concluded by termination.

8.2.2. *Interim reviews*

Article 11(3) and Article 19 of the basic Regulations provide for the review of measures during their period of validity on the initiative of the Commission, at the request of a Member State or, provided that at least one year has elapsed since the imposition of the definitive measure, following a request containing sufficient evidence by an exporter, an importer or by the Community producers. In carrying out the investigations, it is being considered, *inter alia*, whether the circumstances with regard to dumping/subsidization and injury have changed significantly. Reviews can be limited to dumping/subsidization or injury aspects.

During 2005, a total of 22 interim reviews were initiated. Eighteen interim reviews were concluded with confirmation or amendment of duty and 3 investigations were concluded thereby terminating the measures. The alphabetical list of cases which were concluded during 2005, together with the result of the investigation, can be found below. It should be noted that some interim reviews may be carried out in parallel with expiry reviews, which allow the amendment of the duty rates. In such case, these reviews are marked with an asterisk. More information can be obtained from the Official Journal to which reference is given in Annex G.

| Product | Originating from | Result of the investigation/ Type ²⁵ and level of measure |
|-------------------|-------------------|--|
| Ammonium nitrate | Russia Ukraine | Amendment of the AD regulation imposing the measures in order to include new product types |
| Antibiotics (AS)* | India | Amendment of the AD duty |

8.2.3. *“Other” interim reviews*

A series of other reviews, not falling under Article 11(3) or Article 19 of the basic Regulations or for which no notice of initiation was published in the Official Journal, were concluded during 2005.

They more specifically concern :

- Acceptance, voluntary withdrawal or breach of undertakings (polyester staple fibres, urea)
- Suspension of the measures and extension of the suspension of the measures (seamless pipes and tubes)
- Amendment of the annex of the regulation in order to include new models (television camera systems)
- Clarification of the product description (DRAMs)

More information can be obtained from the Official Journal to which reference is given in Annex H.

8.2.4. *New exporter reviews*

As far as the anti-dumping measures are concerned, Article 11(4) of the basic Regulation allows for a review ("newcomer" review) to be carried out in order to determine individual margins of dumping for new exporters located in the exporting country in question which did not export the product during the investigation period.

Such parties have to show that they are genuine new exporters, i.e. that they are not related to any of the exporters or producers in the exporting country, which are subject to the anti-dumping measures, and that they have actually started to export to the Community following the investigation period, or that they have entered into an irrevocable contractual obligation to export a significant quantity to the Community.

²⁵ AD = anti-dumping duty, CVD = countervailing duty, UT = undertaking.

When a review for a new exporter is initiated, the duties are repealed with regard to that exporter, though its imports are made subject to registration under Article 14(5) of the basic Regulation in order to ensure that, should the review result in a determination of dumping in respect of such an exporter, anti-dumping duties may be levied retroactively to the date of the initiation of the review.

As far as anti-subsidy measures are concerned, Article 20 of the basic Regulation allows for a review ("accelerated" review) to be carried out in order to establish promptly an individual countervailing duty. Any exporter whose exports are subject to a definitive countervailing duty but who was not individually investigated during the original investigation for reasons other than a refusal to co-operate with the Commission can request such review.

In 2005, 5 new exporter review (of which 2 accelerated reviews) were initiated. Since the Commission carried out the first reviews of this type in 1990, a total of 50 investigations have been initiated. Four investigations, of which 1 accelerated review, were concluded during 2005. One investigation was terminated thereby maintaining the original level of duty.

More information can be obtained from the Official Journal to which reference is given in Annex I.

8.2.5. *Absorption investigations*

Where there is sufficient information showing that, after the original investigation period and prior to or following the imposition of measures, export prices have decreased or that there has been no or insufficient movement in the resale prices or subsequent selling prices of the imported product in the Community, an "absorption" review may be opened to examine whether the measure has had effects on the above-mentioned prices. Dumping margins may as such be recalculated and the duty increased to take account of such lower export prices. The possibility of "absorption" reviews is included in Articles 12 and 19(3) of basic Regulations.

In 2005, one anti-absorption investigation was initiated and one was concluded without an increase of the duty.

More information can be obtained from the Official Journal to which reference is given in Annex J.

8.2.6. *Circumvention investigations*

The possibility of investigations being re-opened in circumstances where evidence is brought to show that measures are being circumvented was introduced by Article 13 and Article 23 of the basic Regulations.

Circumvention is defined as a change in the pattern of trade between third countries and the Community which stems from a practice, process or work for which there is insufficient due cause or economic justification other than the imposition of the duty. The duties may be extended to imports from third countries of like products, or parts thereof, if circumvention is taking place.

In 2005, 3 investigations were initiated and one was concluded with extension of the duty. More information can be obtained from the Official Journal to which reference is given in Annex K.

8.3. Safeguard investigations

Safeguard measures have always been and remain an exceptional instrument which the Commission would only apply in truly exceptional circumstances. Indeed, they are only used where it is clear that, applying the highest standards, such measures are necessary and justified because, due to unforeseen circumstances, there has been a surge in imports and this has caused or threatens to cause serious damage to the Community industry.

The Commission expects the Community's commercial partners to follow a similarly strict approach. However, more and more countries are adopting safeguard measures, often in circumstances which do not appear to be entirely in line with Article XIX of the GATT 1994, the WTO Agreement on Safeguards and other WTO rules. Consequently, the activities of the Commission in relation to safeguards is more and more driven towards the defence of the export interests of Community producers, if necessary at WTO level.

As regards conventional trade regimes, the Commission has agreed within the various bilateral agreements to which it is a party (Europe Agreements, Agreements with Mediterranean countries, Free Trade Agreements with South Africa, Mexico, Chili, etc.) to introduce special safeguard clauses, which apply to cases, which arise between the partners. These clauses normally entail rights and obligations additional to those arising under WTO safeguard rules (in particular special notification and consultation procedures). In this regard, the Commission carefully monitors any cases, which are initiated by partners with which it has a preferential trade agreement.

During 2005, two safeguard investigations were initiated, one on textile products and one on frozen strawberries. The investigation on textile products was terminated later in the year. Definitive measures were imposed on farmed salmon but these measures were later revoked. At the end of 2005, only one safeguard measure was still in force. It concerned the one on imports of certain prepared or preserved citrus fruits (Satsuma's). Details on some of these cases can be found below.

8.3.1. *Safeguard measures on textile products*

In view of the complete liberalisation of textile quotas on 1 January 2005, the Commission introduced a surveillance system for the close monitoring of imports from third countries and in particular from China.

On 6 April, the Commission adopted guidelines for the implementation of the Textiles-Specific Safeguard clause contained in China's Protocol of Accession to the WTO.

On 26 April, on the basis of import data gathered by Member States pursuant to the surveillance system, the Commission initiated ex officio textile specific safeguard investigations for nine product categories. All interested parties were invited publicly to present their views, and some 500 contributions were received and taken into consideration before the adoption of a decision to urgently invoke the safeguard provision with China on 27 May for two product categories. The prospects of further safeguard action led to an intensification of the negotiations with China which led to the signature of a Memorandum of Understanding with the Chinese authorities in Shanghai on 10 June.

The Memorandum of Understanding provides for agreed transitional growth rates for ten product categories (out of the 25 liberalised in January 2005) between June 2005 and the end of 2007, followed by a further year during which both sides will monitor developments closely and consult on any further problems.

The agreement gave players on both sides clarity, certainty and predictability and provided for relief to developing countries' textile exports to the Community. The latter is especially important in our neighbouring Euro-med countries. The agreement enjoyed the overwhelming support of Member States, and the Community industry was also satisfied by the terms of the agreement in particular in terms of product scope.

8.3.2. *Safeguard measures on certain prepared or preserved citrus fruits (satsumas)*

Safeguard measures in the form of separate tariff quotas, one for China and one for all other countries, were imposed for the above case on a provisional basis, on 8 November 2003 and on a definitive basis, on 8 April 2004. The product concerned consists predominantly of canned mandarins of the Satsuma variety. It is mainly produced in the region of Valencia in Spain and in China. Measures were imposed for a total period of four years, starting on 8 November 2003.

The regulatory framework, as provided for in the basic safeguard regulation, requires that the Commission consult the Member states on the working of the measures no later than at the mid point of the duration of the measures. Such a mid-term review was initiated on 4 June 2005, thus leaving enough time to conduct an expeditious investigation allowing for consultations by the deadline in November 2005.

The purpose of the mid term review was to examine the effects of the safeguard measures, determine whether it would be appropriate to change the form or to accelerate the pace of liberalization, and to ascertain whether application of the measures were still necessary.

The investigation found that the situation of Community producers was gradually improving as a result of the measures and that a restructuring process in line with the expectations was ongoing. The fact that the established tariff quotas had been exceeded by actual imports throughout the period investigated demonstrated that the level of duty was not excessive and allowed for outsourcing of the European market. It was concluded that the pace of liberalization as stipulated in the regulation was appropriate and that it could not be accelerated without impeding the effectiveness of the measures

Following consultations with the advisory Committee, it was thus held that the measures were to remain in place in the present form.

8.3.3. *Safeguard measures on salmon*

This case was initiated in March 2004 upon a request from the United Kingdom and Ireland, where EU production of farmed salmon is concentrated. The largest third country producers are Norway and Chile. Provisional measures, in the form of tariff quotas, were put in place lasting from 15 August 2004 to 6 February 2005.

The Commission services continued the investigation into the need of definitive measures during 2005. The final results of the investigation led to the imposition of definitive measures at the beginning of February 2005. As a result of the deepened investigation conducted in the definitive stage, in particular in respect of costs and prices of the product concerned, it was considered appropriate to change the form of the measures in the definitive Regulation. The definitive measures took the form of a minimum import price expressed in Euro per kilo (whole fish equivalent) and differentiated between several presentations (whole fish, fillets etc). It should be noted that in parallel with the safeguard investigation, the Commission also conducted an anti-dumping investigation targeting only imports of the same product from Norway.

The definitive safeguard measures were terminated in April 2005 when the provisional results of the parallel anti-dumping investigation clearly led to the conclusion that provisional anti-dumping measures would be needed in this case. Having analyzed the particular situation pertaining to these parallel proceedings and in line with the principle against double protection, the safeguard measures were found to be no longer necessary.

8.3.4. *Safeguard measures on frozen strawberries*

Following a request by Poland, a safeguard investigation was initiated on 6 July 2005 in respect of imports of frozen strawberries. EU production is located mainly in Poland and to a far lesser extent in France, Hungary, Italy or Spain. Outside the EU, the largest producers with exports to the EU are China and Morocco and to a lesser degree, Turkey, Egypt or Chile. Frozen strawberries are mainly used for making jams, fruit preparations and fruit flavoured dairy products such as yoghurts.

In accordance with the regulatory framework, the Commission commenced an investigation procedure seeking to determine whether imports of frozen strawberries caused, or threatened to cause, serious injury to the Community producers concerned. As for all safeguard cases, information was sought from all interested parties including importers, traders, producers, users and exporters. An analysis of the data obtained was then commenced.

On 23 December 2005, during the course of the investigation, Poland withdrew its request for safeguard measures. The withdrawal of the request coincided with the lodging of an anti-dumping complaint on 5 December 2005, against imports of the same product originating only in China. The safeguard proceeding was subsequently terminated in 2006 and the anti-dumping investigation was initiated in the beginning of the same year.

9. ENFORCEMENT OF ANTI-DUMPING/COUNTERVAILING MEASURES

Internationalisation of trading led to greater possibilities for circumventing or otherwise reducing the effectiveness of anti-dumping and countervailing measures. To address this problem, throughout 2005 the TDI services increased activities aimed at ensuring that measures were effectively enforced. In the framework of an integrated approach, measures were considered in all their forms - duties and undertakings - and synergy was sought between the TDI services and enforcement-oriented services (OLAF, DG Taxud and customs authorities in Member States).

9.2. Follow-up of measures

The follow-up activities concerning measures in force were centred on four main areas: (1) to pre-empt fraud, by defining risk-related areas, alerting customs authorities and assessing the feedback from customs and economic operators; (2) to monitor trade flows and market developments; (3) to improve the effectiveness with the appropriate instruments (new investigation, interim review, newcomer review, contact with national administrations) and (4) to react to irregular practices by enhancing the co-operation with enforcement-related services (OLAF and national customs) and by initiating anti-absorption or anti-circumvention investigations. These activities enabled the TDI services to be more pro-active rather than simply reactive in the enforcement field.

9.3. Monitoring of undertakings

Monitoring of undertakings forms part of the enforcement activities, since undertakings are a form of anti-dumping or countervailing measure. They are accepted by the Commission if it is satisfied that they can effectively eliminate the injurious effects of dumping or subsidisation. To achieve this goal, exporters normally pledge to raise their prices. The necessary price increase stems from the findings of the investigation and directly depends on the level of dumping or subsidisation found, or on the injury elimination level, whichever is the lower.

In order to allow the Commission to monitor whether or not the undertakings are being respected, the parties concerned have to submit regular sales reports, normally every quarter. They also have to provide the Commission with any other information that is considered necessary, and to allow verification of such data and any other relevant information at their premises, even at short notice.

In addition, continued contacts with the Community industry are essential to ensure that the necessary feedback is received on the effects of the undertakings on the market. In this way, the Commission can focus its monitoring activities more effectively.

At the beginning of 2005, there were undertakings in force accepted from 47 companies, covering 18 products originating in 14 different countries.

During 2005, the following changes to the portfolio of undertakings took place :

Undertakings of 16 companies came to an end :

- 1 company breached its undertaking (urea originating in Bulgaria).
- undertakings of 8 companies expired due to the expiry of measures (hot rolled coils originating in India – 5 companies; malleable fittings originating in Korea and Thailand – 2 companies;. Quarto plates originating in India – 1 company) ;
- in addition, undertakings of 6 companies which were accepted as a result of the enlargement of the EU on 1 May 2004 and which were intended to be a transitional measure expired (ammonium nitrate originating in Russia and the Ukraine – 3 companies; grain oriented electrical sheets originating in Russia – 2 companies; silicon carbide originating in the Ukraine – 1 company).
- the undertaking of 1 company was repealed since the company had been liquidated (seamless steel tubes originating in Croatia)

In addition, 9 offers for undertakings have been accepted:

- in 5 new proceedings, undertakings of 7 companies were accepted (coumarin originating in India – 1 company; polyester staple fibres originating in Saudi Arabia – 1 company; grain oriented electrical sheets originating in Russia and the USA – 2 companies; magnesia bricks originating in China – 1 company; potash originating in Russia – 2 companies);
- an undertaking of 1 company was accepted as a result of a new comer review (polyethylene terephthalate – PET originating in India);

This brings the total number of undertakings in force at the end of 2005 to 40, covering 15 products originating in 13 different countries. Details concerning the above can be found in Annex M and an overview of all undertakings in force can be found in Annex Q.

As undertakings have to provide the same remedial effect as the alternative duties would do, the examination, adaptation and drafting of undertaking offers has to be based on a double assessment of risk and effectiveness. This has led to situations in which undertakings were not considered to be acceptable, notably where the trading patterns of the company allow too much scope for cross-compensation (i.e. the price increase charged for products subject to the undertaking being compensated through the granting of rebates on products not subject to the undertaking, if sold to the same customer in the Community).

10. REFUNDS

Article 11(8) of the basic anti-dumping Regulation and Article 21 of the basic anti-subsidy Regulation allow importers to request the reimbursement of the relevant collected duties where it is shown that the dumping/subsidy margin, on the basis of which duties were paid, has been eliminated, or reduced to a level below that of the duty in force.

Twelve new refund requests were lodged during the year. As usual, the Commission seeks to structure the various investigations in such a way as to best utilize its resources. During the year 2005, 4 decisions were adopted rejecting refund requests whilst one other request was withdrawn. For the first time, applications were submitted claiming refunds of countervailing duties (see cases R 40/01 and 40/02). Further details on refunds can be found in Annex T.

11. JUDICIAL REVIEW : DECISIONS GIVEN BY THE COURT OF JUSTICE / COURT OF FIRST INSTANCE

11.1. Overview of the judicial reviews in 2005

In 2005, five Judgments relating to anti-dumping or anti-subsidy were rendered by the Court of First Instance (CFI) and one by the Court of Justice (CoJ).

11.2. Cases pending

A list of the anti-dumping/anti-subsidy cases before the CFI and the Court of Justice still pending at the end of 2005 is given in Annex S (20 before the CFI and 2 before the Court of Justice).

11.3. New cases

Six new cases were lodged in 2005 (compared to 9 in 2004 and 5 in 2003), five before the CFI and one before the COJ.

They concern in particular the following issues :

- Anti-competitive conduct of the Community producers thereby affecting the injury and causality analysis of the anti-dumping proceeding; violation of the principle of legitimate expectations and proportionality²⁶;
- Methodology used to calculate the applicant's dumping margin is contrary to Article 2.4 of the WTO Anti-dumping Agreement;²⁷;
- Infringement of Article 2.7(c) para. (2) of the basic Regulation; manifest errors of assessment relating to the determination of whether the applicants operated under market economy conditions;²⁸;
- Violation of Articles 1(1), 1(2), 3(2), 4(1) and 5(4) of the basic Regulation in that the contested Regulation extends the measures to products which are allegedly not the product concerned; alleged breach of the applicant's right of defence and of its procedural rights (no hearing granted and no adequate disclosure);²⁹;
- Violation of Article 11(10) of the basic Regulation in that the contested Regulation rejects the applicant's claim for non-deduction of the duty from the constructed export price.³⁰;
- Reference for a preliminary ruling from the Finanzgericht (Customs Court) in Düsseldorf. The Finanzgericht asks whether Council Regulation (EC) No 2398/97 is invalid for lack of reasoning, since the application of the practice of 'zeroing', which the Community institutions used for the determination of the weighted average dumping margins, was referred to neither in the recitals to the Regulation imposing definitive measures (Council Regulation (EC) No 2398/97), nor in the recitals to the Regulation imposing provisional measures (Commission Regulation (EC) No 1069/97)³¹.

²⁶ T-91/05, *Sinara Handel GmbH v. Council and Commission* (OJ C 115, 14.05.2005, p. 25)

²⁷ T-221/05, *Huvis Corporation v. Council* (OJ C 193, 06.08.2005, p. 38)

²⁸ T-299/05, *Shanghai Excell M&E Enterprise and Shanghai Adepteck Precision v. Council* (OJ C 257, 15.10.2005, p. 14)

²⁹ T-348/05, *JSC Kirovo-Chapetsky Khimichesky Kombinat v. Council* (OJ C 281, 12.11.2005, p. 31)

³⁰ T-372/05, *Giant (China) Co. Ltd. v. Council* (OJ C 315, 10.12.2005, p. 17)

³¹ C-245/05, *Metro International GmbH v. Hauptzollamt Düsseldorf* (OJ C 205, 20.08.2005, p. 10)

11.4. Judgments rendered by the Court of First Instance

The following summary only mentions some of the most important points of the Judgment and does not deal with all questions raised in this Judgment, nor with their specific facts.

- 11.4.1. *Unbleached cotton fabrics originating in the People's Republic of China, Egypt, Indonesia, Pakistan, Turkey and India* - T-192/98 – Eurocoton v. Council of the European Union : Judgment of 17 March 2005 (OJ 132, 28.05.2005, p. 22)

Unbleached cotton fabrics originating in the People's Republic of China, Egypt, Indonesia, Pakistan, Turkey and India - T-195/98 – Ettlin Gesellschaft für Spinnerei und Weberei AG v. Council of the European Union : Judgment of 17 March 2005 (OJ 132, 28.05.2005, p. 22)

Certain parts of television cameras originating in Japan - T-177/00 – Philips v. Council of the European Union : Judgment of 17 March 2005 (OJ 132, 28.05.2005, p. 23)

In the above-mentioned three cases, the Court of First Instance confirmed the Eurocoton Judgment (C-76/01P – see 22nd Annual report covering the 2003 activities) and annulled the attacked Council's decisions to reject definitive anti-dumping measures proposed by the Commission. Mirroring the Eurocoton Judgment, the Court annulled the Council's non-adoption of definitive anti-dumping measures proposed by the Commission on the ground of lack of reasoning (the simple fact that no positive simple majority was reached amongst Member States is not considered as an adequate reasoning; any rejection of proposed measures should be justified along the lines of the basic Regulation's provisions).

The Court did not take any decision on the requests for damages made in two of the cases because the applicants withdrew such requests before the Judgments were given (damages were not granted in Eurocoton Judgment either, given that the annulment of Council's non-adoption of measures was based on lack of reasoning, which is not sufficient to engage the Community's liability).

- 11.4.2. *Broadcast camera systems originating in Japan* - T-350/02 – Ikegami v. Council of the European Union (case withdrawn by applicants)

The reviewable Act was Regulation N°1696/2002 concerning broadcast cameras systems from Japan. The grounds of Application were the non-retroactivity of the effects of the exclusion of certain types of the like product from the scope of anti-dumping measures.

The applicant withdrew the application and consequently the case was removed from the register on 15 February 2005.

11.4.3. Grain oriented electrical sheets (GOES) originating in Russia - T-335/04 – Viz Stal, Russia and Duferco Commerciale, Italy v. Council of the European Union (case withdrawn by applicants)

The applicants lodged an application before the CFI in August 2004 for the annulment of the Council Regulation imposing definitive anti-dumping duties on imports of GOES from Russia. The grounds for the application were that (i) the applicant was not related to one of its raw material suppliers and accordingly prices between these parties should not have been rejected by the Institutions and (ii) the calculation of normal value and export prices by the Institutions was flawed.

It is worth to be mentioned that the Council, in August 2005 ('the 2005 Regulation'), imposed anti-dumping measures on a broader range of types of GOES than that subject to the measures imposed in 2004.

In September 2005, the applicant informed the CFI that it wished to discontinue the proceedings and requested that its costs be borne by the defendant. The applicant claimed that this would be justified because the Council, in the 2005 Regulation, allegedly reversed its methodology and corrected the mistakes in the contested 2004 Regulation. In essence, the Applicant alleged that in the 2005 Regulation, the Council implicitly admitted that the grounds of application raised by the Applicant in this case were well founded. The Council had no objection to the removal of the case from the register. However, the Council argued that it did not correct any mistakes nor did it change its methodology in the 2005 Regulation, compared to that used in imposing measures in 2004.

By Order of the President of the Court in December 2005, the Court found no evidence on the case file of conduct on the part of the defendant which would justify an order that it bear the costs. The President therefore ordered that the case be removed from the register of the CFI and that the applicant bear its own costs and those of the defendant.

11.5. Judgments rendered by the Court of Justice

The following summary only mentions some of the most important points of the Judgment and does not deal with all questions raised in this Judgment, nor with their specific facts.

11.5.1. Capacitors originating in Japan, the Republic of Korea and Taiwan

- C-422/02 P – Europe Chemi-Con (Deutschland) v. Council of the European Union

The Court of Justice rejected the appeal brought by Chemi Con.

This case refers to an expiry review which was initiated on the last possible day (3 December 1997) for measures in place against large aluminium electrolytic capacitors ("LAECs") originating in Japan, the Republic of Korea and Taiwan.

Shortly before that date, a new Article 5 investigation had been initiated against the same product, but coming from the US and Thailand. The Article 5 investigation was terminated *de facto* on 28 February 1999 as the Council failed to adopt the Commission's proposal for imposition of the measures within the 15 months deadline to impose measures. The conclusions on dumping, injury, causation, and Community interest were similar in both the expiry review and the Article 5 investigation. In both cases, the Commission proposed to (re-)impose duties. Accordingly, and further to non-imposition of measures against the US and Thailand, the Council adopted the contested Regulation n°173/2000 terminating the review investigation and repealing, with retroactive effect as of 28 February (i.e. the day of non-adoption by the Council of the proposed US/Thailand measures) the original measures; indeed from 28 February 1999, it was considered that imposing duties on imports of LAECs from Japan, Korea and Taiwan, but not on those from the US and Thailand would have been discriminatory.

Chemi-Con sought to have the repeal of the original measures go even further back, namely to 4th December 1997, (i.e. immediately after the lapsing of the original five year period) arguing discrimination starting already from that date.

The Court of First Instance rejected Chemi-Con's arguments, essentially agreeing with the Institutions' line that the two measures were distinct, one being based on Article 11(2) and an existing finding of dumping, injury and CI, whilst the other was based on Article 5, and hence there was no discrimination before the 28th February.

In the appeal, Chemi-Con sought, again, and essentially for the same reasons, to obtain the retroactive annulment of the original measures going back to 4th December 1997.

12. ACTIVITIES IN THE FRAMEWORK OF THE WORLD TRADE ORGANIZATION (WTO)

12.1. Dispute settlement in the field of anti-dumping, anti-subsidy and safeguards

12.1.1. Overview of the WTO dispute settlement procedure

The WTO provides for a rigorous procedure for the settlement of disputes between WTO Members concerning the application of the WTO agreements. The procedure is divided into two main stages. The first stage, at the level of the WTO Members concerned, consists of a bilateral consultation. Upon failure of the consultation, the second stage can be opened by requesting the WTO Dispute Settlement Body to establish a panel. WTO Members, other than the complaining and defending party, with an interest in a given case, can intervene as "third parties" before the panel. The panel issues a report, which can be appealed before the Appellate Body (AB) (each appeal being heard by three members of a permanent seven-member body set up by the Dispute Settlement Understanding). Both the panel report and the report by the Appellate Body are adopted by the Dispute Settlement Body (DSB) unless the latter rejects the report by unanimity.

The findings of a panel or Appellate Body report have to be implemented by the WTO Member whose measures have been found to be inconsistent with the relevant WTO Agreements. If the complaining WTO Member is not satisfied with the way the reports are implemented, it can ask for the establishment of a so-called “implementation panel”. Here too, appeal against the findings of the panel is possible.

It should be noted that the anti-dumping, anti-subsidy and safeguards measures are among the most popular subject matters in WTO dispute settlement.

12.1.2. Dispute settlement procedures initiated by third countries against the Community

12.1.2.2. Korea – countervailing duties on dynamic access memory chips (DRAMs)

The panel findings are the latest development in a dispute which started when, in August 2003, the EC imposed 34,8% duties on imports of DRAMS from the Korean company Hynix following massive subsidisation by the Korean government. The EC’s investigation revealed that the Korean government directed a number of Korean banks to bail-out Hynix when the company was virtually bankrupt in 2001. This conferred an unjustified advantage to Hynix which in turn inflicted heavy losses on the European chip industry.

In the WTO panel proceeding, Korea contested several aspects of the EC’s findings. The central question was whether the Korean government had directed nominally private banks to bail-out Hynix and whether this action constituted a subsidy within the meaning of the WTO Subsidies Agreement. The panel confirmed that Korea had granted subsidies in this manner and broadly confirmed the findings of the EC investigation; it ruled that the EC had correctly found that four out of the five bail-out programmes investigated were subsidies conferring a specific benefit to Hynix and causing injury to the EC industry. The remaining programme, which the panel acknowledged conferred a benefit to Hynix but was not directed by the Korean government, involves only a very small amount of subsidy.

The Panel's only reservations were recommendations that the EC should fine-tune its methodology for calculating the benefit conferred to Hynix, re-evaluate one injury factor out of the 15 subject to investigation and refine some technical aspects of the analysis concerning the causal link between the subsidies and the injury.

12.2. Other WTO activities

In 2005, anti-dumping negotiations under the Doha Development Agenda have intensified and deepened with the discussion of proposals offering concrete legal texts for possible changes. Besides the plenary meetings, the Community has actively participated in bilateral and multilateral meetings aimed at discussing in more detail with other WTO Members the different proposals made. In this context, the Community continued to be committed to stronger rules on transparency and

enforcement, stricter rules on reviews, a mandatory "lesser duty rule"³² and public interest test, as well as reduced costs for parties to cooperate in investigations, and defended a number of proposals in this regard. In addition, the Community remained one of the most active members in the working group on questionnaires and verification outlines, which had been created on our initiative.

On subsidies to fisheries, a "middle ground" position as reflected in the proposals tabled by the Community gathered support from an increasing number of countries. The Community also advocated a strong enforcement and transparency mechanism that would ensure that any new disciplines are actually implemented by all. On industrial subsidies, the discussions gradually focused on a limited number of substantive issues. On procedure, the Community promoted improved rules on anti-subsidy investigations.

In parallel to these activities, the regular work of the Anti-dumping, Subsidies and Countervailing and Safeguards Committees was on-going.

In December 2005, Ministers agreed in Hong Kong to intensify and accelerate the negotiation process, on the basis of detailed textual proposals, and to complete the process of analysing proposals as soon as possible. In addition, Ministers mandated the Chair of the Group on Rules to prepare consolidated texts that shall be the basis for the final stage of the negotiations.

13. CONCLUSION

The year 2005 was the first full year of the new, enlarged Commission. It was an average year in trade defence activity in terms of the initiation of new cases and the number of measures imposed. However, the number of measures that expired during the year significantly increased, bringing the number of measures in force back to 147, compared to 156 in 2004 – reflecting the different stage of the economic cycle for the global economy compared to the end of the 1990s. It was "eventful" in a number of other aspects, such as the preparation for the further enlargement of the EU in 2007 and the safeguard cases on textile products and salmon.

This report shows the EC's moderate use of trade defence instruments, while confirming its practice of ensuring that investigations are rigorously and professionally carried out. At the same time, where proven, the Community is ready to take a tough stand against unfair trade practices. Transparency goes hand in hand with the rigorous application of the trade defence instruments, reflecting the changes made to the legislative framework in 2004 and 2005. The Commission is committed to pursuing such a line in the future.

³²

The lesser duty rule requires the measures imposed by the Community to be lower than the dumping or subsidy margin, if such lower duty rate is sufficient to remove the injury suffered by the Community industry.

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Summary

On 31 December 2005, there were 135 anti-dumping and 12 countervailing measures in force. Furthermore, there are undertakings in force from 15 countries covering 19 products. At the end of December, 91 investigations were on-going.

The following gives a breakdown of all initiations, measures imposed and terminations for both new investigations and review investigations.

1. INITIATIONS

A total of 85 investigations were initiated, split up as follows :

- 26 new investigations, of which 2 anti-subsidy (see Annex A)
- 23 expiry reviews (when a measure is about to expire, a review can be initiated on the request by the Community producers. The measure remains in force pending the outcome of such a review.) (see Annex F)
- 22 interim reviews, of which 2 anti-subsidy (the need for the continued imposition of measures may be reviewed on the initiative of the Commission, at the request of a Member State or upon request by any exporter or importer or Community producer, when circumstances have substantially changed) (see Annex G)
- 3 other reviews (see Annex H)
- 5 new exporter reviews, of which 2 accelerated (see Annex I)
- 1 anti-absorption investigation (see Annex J)
- 3 anti-circumvention investigations (see Annex K)
- 2 safeguard investigations were initiated, one on certain textile products and one on frozen strawberries (see Annex L)

2. MEASURES

- 15 provisional measures were imposed (of which 0 anti-subsidy), involving imports from 8 countries and covering 9 products (see Annex C);
- 19 definitive measures were imposed (of which 0 anti-subsidy), involving imports from 8 countries and covering 11 products (see Annex D);
- the Commission accepted undertakings offered by exporters in 8 cases; in 2 cases, the undertakings were repealed or withdrawn (see Annex M)
- of the expiry reviews, 7 reviews were concluded with confirmation of duty (see Annex F)
- of the interim reviews, 18 reviews were concluded with confirmation/ amendment of duty (see Annex G)

- of the other reviews, 10 investigations were concluded confirming/ amending the measures (see Annex H)

- of the new exporter reviews, 4 (of which 1 anti-subsidy) were concluded with imposition/amendment of the duty (see Annex I)
- of the anti-absorption investigations, 0 was concluded with increase of duty (see Annex J)
- of the anti-circumvention investigations, 1 was concluded with extension of duty (see Annex K);
- Definitive safeguard measures were imposed on farmed salmon (see Annex L); The measures on citrus fruits were confirmed.

3. TERMINATIONS

- 10 new investigations (of which 0 anti-subsidy) were terminated without the imposition of measures (see Annex E)
- of the expiry reviews, 0 were concluded by termination (see Annex F)
- of the interim reviews, 3 investigations were concluded by termination (see Annex G)
- of the other reviews, 0 were concluded by termination (see Annex H)
- of the new exporter reviews, 1 was concluded by termination (see Annex I)
- of the anti-absorption reinvestigations, 1 was concluded by termination (see Annex J)
- of the anti-circumvention investigations, 0 were concluded by termination (see Annex K);
- 27 measures (of which 7 anti-subsidy) expired automatically after their 5-year period of imposition; furthermore (see Annex N);
- in 4 cases, the undertaking expired or lapsed together with the measures (see Annex M);
- In the salmon safeguard case, the measures were revoked. The textile safeguard case was terminated without imposition of measures.

Further information can be found on the Court cases (up till 31.12.2005) (Annex S), on all definitive anti-dumping measures in force on 31.12.2005 (Annex O), on all definitive anti-subsidy measures in force on 31.12.2005 (Annex P), on undertakings in force on 30.12.2005 (Annex Q), on investigations pending on 31.12.2005 (Annex R) and on refunds (Annex T).

Please note that those statistics are also available on the following Internet Website :
http://europa.eu.int/comm/trade/issues/respectrules/anti_dumping/stats.htm.

ANNEX A

New investigations initiated

during the period 1 January – 31 December 2005

A. Anti-dumping investigations (chronological by date of publication)

| Product | Country of origin | OJ Reference |
|--|---|----------------------------|
| Seamless pipes and tubes | Croatia Romania Russia Ukraine | C 77 31.03.2005, p. 2 |
| Lever arch mechanisms | P.R. China | C 103 28.04.2005, p. 18 |
| Ethyl alcohol | Guatemala Pakistan | C 129 26.05.2005, p. 22 |
| Refrigerators (side-by-side) | Korea (Rep. of) | C 135 02.06.2005, p. 4 |
| Chamois leather | P.R. China | C 154 25.06.2005, p. 12 |
| Silicon carbide | Romania | C 159 30.06.2005, p. 4 |
| Footwear (with protective toecap) | P.R. China India | C 159 30.06.2005, p. 7 |
| Plastic sacks and bags | P.R. China Malaysia Thailand | C 159 30.06.2005, p. 19 |
| Footwear with uppers of leather | P.R. China Vietnam | C 166 07.07.2005, p. 14 |
| Recordable compact disks (CD-Rs) | P.R. China Hong Kong Malaysia | C 192 06.08.2005, p. 3 |
| Recordable digital versatile discs (DVD+/-R) | P.R. China Hong Kong Taiwan | C 192 06.08.2005, p. 12 |
| Tungsten electrodes | P.R. China | C 322 17.12.2005, p. 12 |

B. Anti-subsidy investigations (chronological by date of publication)

| Product | Country of origin | OJ Reference |
|------------------------|----------------------|----------------------------|
| Plastic sacks and bags | Malaysia Thailand | C 159 30.06.2005, p. 15 |

ANNEX B

A) New investigations initiated by product sector during the period 2001 – 2005 (31 December)

| Product | 2001 | 2002 | 2003 | 2004 | 2005 |
|------------------------------|-------------|-------------|-------------|-------------|-------------|
| Chemical and allied | 5 | 5 | 3 | 8 | 3 |
| Textiles and allied | 5 | 2 | 2 | 4 | 1 |
| Wood and paper | - | - | 1 | | |
| Electronics | 3 | 3 | 2 | | 7 |
| Other mechanical engineering | 4 | 4 | - | 2 | 2 |
| Iron and Steel | 16 | 5 | - | 13 | 4 |
| Others metal | - | - | - | | |
| Other | - | 4 | - | 2 | 9 |
| | 33 | 23 | 8 | 29 | 26 |
| Of which anti-dumping | 27 | 20 | 7 | 29 | 24 |
| anti-subsidy | 6 | 3 | 1 | 0 | 2 |

B) New investigations initiated by country of export during the period 2001 –2005 (31 December)

| Country of origin | 2001 | 2002 | 2003 | 2004 | 2005 |
|------------------------------|------|------|------|------|------|
| Australia | - | - | 1 | - | - |
| Belarus | - | - | - | 1 | - |
| Chile | - | 1 | - | - | - |
| China (People's Republic of) | 1 | 4 | 3 | 9 | 8 |
| Croatia | - | - | - | - | 1 |
| Czech Republic | 2 | - | - | - | - |
| Egypt | 2 | - | - | - | - |
| Faeroe Islands | - | 2 | - | - | - |
| Guatemala | - | - | - | - | 1 |
| Hong Kong | - | - | - | - | 2 |
| Hungary | 1 | - | - | - | - |
| India | 8 | 3 | 2 | - | 1 |
| Indonesia | 3 | 2 | - | 1 | - |
| Iran | 1 | - | - | - | - |
| Korea (Rep. of) | 1 | 1 | - | 3 | 1 |
| Libya | 1 | - | - | - | - |
| Lithuania | 1 | - | - | - | - |
| Malaysia | 1 | 1 | - | 1 | 3 |
| Norway | - | 1 | - | 1 | - |
| Pakistan | - | 1 | 1 | - | 1 |
| Philippines | - | - | - | 1 | - |
| Poland | 1 | 1 | - | - | - |
| Romania | - | - | - | - | 2 |
| Russia | 2 | 3 | - | 3 | 1 |
| Saudi Arabia | - | - | 1 | - | - |
| Slovakia | 2 | - | - | - | - |
| Taiwan | 1 | - | - | 3 | 1 |
| Thailand | 1 | - | - | 1 | 2 |
| Turkey | 2 | 1 | - | - | - |
| Ukraine | 1 | - | - | - | 1 |
| USA | 1 | 1 | - | 2 | - |
| Vietnam | - | 1 | - | 3 | 1 |
| | 33 | 23 | 8 | 29 | 26 |

ANNEX C

New investigations concluded by the imposition of provisional duties

during the period 1 January – 31 December 2005

A. Anti-dumping investigations (chronological by date of publication)

| Product | Country of origin | Regulation N° | OJ Reference |
|--|--|---|---|
| Hand pallet trucks and their essential parts | P.R. China | Commission Reg. (EC) No 128/2005 27.01.2005 | L 25 28.01.2005 p. 16 |
| Barium carbonate | P.R. China | Commission Reg. (EC) No 145/2005 28.01.2005 | L 27 29.01.2005 p. 4 |
| Finished polyester filament apparel fabrics | P.R. China | Commission Reg. (EC) No 426/2005 15.03.2005 and its corrigendum | L 69 16.03.2005 p. 6 L 106 27.04.2005 p. 37 |
| Trichloroisocyanuric acid | P.R. China USA | Commission Reg. (EC) No 538/2005 07.04.2005 | L 89 08.04.2005 p. 4 |
| Magnesia bricks | P.R. China | Commission Reg. (EC) No 552/2005 11.04.2005 | L 93 12.04.2005 p. 6 |
| Salmon | Norway | Commission Reg. (EC) No 628/2005 22.04.2005 amended by Commission Reg. (EC) No 1010/2005 30.06.2005 | L 104 23.04.2005 p. 5 L 170 01.07.2005 p. 32 |
| Stainless steel fasteners and parts thereof | P.R. China Indonesia Taiwan Thailand Vietnam | Commission Reg. (EC) No 771/2005 20.05.2005 | L 128 21.05.2005 p. 19 |
| Granular polytetrafluoroethylene (PTFE) | P.R. China Russia | Commission Reg. (EC) No 862/2005 07.06.2005 | L 144 08.06.2005 p. 11 |

| | | | |
|---------------|------------|--|------------------------------|
| Tartaric acid | P.R. China | Commission Reg. (EC) No 1259/2005 27.07.2005 | L 200 30.07.2005 p. 73 |
|---------------|------------|--|------------------------------|

B. Anti-subsidy investigations (chronological by date of publication)

| Product | Country of origin | Regulation N° | OJ Reference |
|---------|-------------------|---------------|--------------|
| NONE | | | |

ANNEX D

New investigations concluded by the imposition of definitive duties

during the period 1 January – 31 December 2005

A. Anti-dumping investigations (chronological by date of publication)

| Product | Country of origin | Regulation N° | OJ Reference | Investigation period (IP) | Community consumption during IP | Total imports from countries concerned during IP |
|--|----------------------------|---|------------------------------|----------------------------------|--|---|
| Polyester staple fibres | P.R. China Saudi Arabia | Council Reg. (EC) No 428/2005 10.03.2005 | L 71 17.03.2005 p. 1 | 01.01.2003- 31.12.2003 | 709.828 tonnes | 125.633 tonnes (including imports from Korea which were subject to an 11(3) review) |
| Bicycles | Vietnam | Council Reg. (EC) No 1095/2005 12.07.2005 | L 183 14.07.2005 p. 1 | 01.04.2003- 31.03.2004 | 18.037.000 units | 1.577.737 units |
| Hand pallet trucks and their essential parts | P.R. China | Council Reg. (EC) No 1174/2005 18.07.2005 | L 189 21.07.2005 p. 1 | 01.04.2003- 31.03.2004 | 492.814 units | 282.339 units |
| Barium carbonate | P.R. China | Council Reg. (EC) No 1175/2005 18.07.2005 | L 189 21.07.2005 p. 15 | 01.01.2003- 31.12.2003 | 136.722 tonnes | 63.742 tonnes |
| Castings | P.R. China | Council Reg. (EC) No 1212/2005 25.07.2005 | L 199 29.07.2005 p. 1 | 01.04.2003- 31.03.2004 | 578.750 tonnes | 171.946 tonnes |

| Product | Country of origin | Regulation N° | OJ Reference | Investigation period (IP) | Community consumption during IP | Total imports from countries concerned during IP |
|---|--|---|-----------------------------|----------------------------------|--|---|
| Grain oriented flat-rolled products of silicon-electrical steel (small + big) | USA Russia | Council Reg. (EC) No 1371/2005 19.07.2005 | L 223 27.08.2005 p. 1 | 01.04.2003- 31.03.2004 | Indexed | Indexed |
| Finished polyester filament fabrics | P.R. China | Council Reg. (EC) No 1487/2005 12.09.2005 | L 240 16.09.2005 p. 1 | 01.04.2003- 31.03.2004 | 732,34 million running metres | 287,74 million running metres |
| Trichloroisocyanuric acid | P.R. China USA | Council Reg. (EC) No 1631/2005 03.10.2005 | L 261 07.10.2005 p. 1 | 01.04.2003- 31.03.2004 | 86,93 million kg | 26,48 million kg |
| Magnesia bricks | P.R. China | Council Reg. (EC) No 1659/2005 06.10.2005 | L 267 12.10.2005 p. 1 | 01.04.2003- 31.03.2004 | 400.638 tonnes | 59.831 tonnes |
| Stainless steel fasteners and parts thereof | P.R. China Indonesia Taiwan Thailand Vietnam | Council Reg. (EC) No 1890/2005 14.11.2005 | L 302 19.11.2005 p. 1 | 01.07.2003- 30.06.2004 | 79.427.756 kg | 27.399.700 kg |
| Granular polytetrafluoroethylene (PTFE) | P.R. China Russia | Council Reg. (EC) No 1987/2005 02.12.2005 | L 320 08.12.2005 p. 1 | 01.07.2003- 30.06.2004 | 14.725 tonnes | 5.079 tonnes |

B. Anti-subsidy investigations (chronological by date of publication)

| Product | Country of origin | Regulation N° | OJ Reference | Investigation period (IP) | Community consumption during IP | Total imports from countries concerned during IP |
|---------|-------------------|---------------|--------------|---------------------------|---------------------------------|--|
| NONE | | | | | | |

ANNEX E

New investigations terminated without the imposition of measures

during the period 1 January – 31 December 2005

A. Anti-dumping investigations (chronological by date of publication)

| Product | Country of origin | Regulation N° | OJ Reference |
|--|--------------------------------------|---|------------------------------|
| Polyester high tenacity filament yarn | Belarus Korea (Rep. of) Taiwan | Commission Decision No 2005/289/EC 05.04.2005 | L 88 07.04.2005 p. 21 |
| Tube or pipe fittings | Taiwan Vietnam | Commission Decision No 2005/490/EC 07.07.2005 | L 175 08.07.2005 p. 21 |
| Styrene-butadiene-styrene thermoplastic rubber | Korea (Rep. of) Russia | Council Reg. (EC) No 1372/2005 19.08.2005 | L 223 27.08.2005 p. 27 |
| Steel ropes and cables | Korea (Rep. of) | Commission Decision No 2005/739/EC 20.10.2005 | L 276 21.10.2005 p. 62 |
| Stainless steel fasteners and parts thereof | Malaysia Philippines | Council Reg. (EC) No 1890/2005 14.11.2005 | L 302 19.11.2005 p. 1 |

B. Anti-subsidy investigations (chronological by date of publication)

| Product | Country of origin | Regulation N° | OJ Reference |
|----------------|--------------------------|----------------------|---------------------|
| NONE | | | |

ANNEX F

Expiry reviews initiated or concluded
during the period 1 January – 31 December 2005
(chronological by date of publication)

| Initiated | | |
|---------------------------------------|---|------------------------------|
| Product | Country of origin | OJ Reference |
| Deadburned (sintered) magnesia | P.R. China | C 38 15.02.2005 p. 2 |
| Potassium chloride* | Belarus Russia | C 89 13.04.2005 p. 3 |
| Silicon carbide* | P.R. China Russia Ukraine | C 129 26.05.2005 p. 17 |
| Polyester staple fibres | Australia Indonesia Thailand | C 174 14.07.2005 p. 15 |
| Ethanolamines | USA | C 183 26.07.2005 p. 13 |
| Urea and ammonium nitrate solutions | Algeria Belarus Russia Ukraine | C 233 22.09.2005 p. 14 |
| Television camera systems | Japan | C 239 29.09.2005 p. 9 |
| Polyethylene terephthalate (PET) (AS) | India | C 304 01.12.2005 p. 4 |
| Polyethylene terephthalate (PET)* | India Indonesia Korea (Rep. of) Malaysia Taiwan Thailand | C 304 01.12.2005 p. 9 |

* Parallel interim review (see Annex G)

| | | |
|-------------------------|-------|------------------------------|
| Polyester staple fibres | India | C 323 20.12.2005 p. 21 |
|-------------------------|-------|------------------------------|

| Concluded : confirmation of duty | | | |
|---|--|---|-----------------------------|
| Product | Country of origin | Regulation/ Decision No | OJ Reference |
| Furfuraldehyde | P.R. China | Council Reg. (EC) No 639/2005 25.04.2005 | L 107 28.04.2005 p. 1 |
| Antibiotics (broad spectrum) (AS)* | India | Council Reg. (EC) No 714/2005 10.05.2005 | L 121 13.05.2005 p. 1 |
| Magnesium oxide | P.R. China | Council Reg. (EC) No 778/2005 23.05.2005 | L 131 25.05.2005 p. 1 |
| Steel ropes and cables | P.R. China India South Africa Ukraine | Council Reg. (EC) No 1858/2005 08.11.2005 | L 299 16.11.2005 p. 1 |

ANNEX G

Interim reviews initiated or concluded
during the period 1 January – 31 December 2005
(chronological by date of publication)

| Initiated | | |
|---------------------------------------|---------------------------|------------------------------|
| Product | Country of origin | OJ Reference |
| Polyethylene terephthalate (PET) film | India | C 1 04.01.2005 p. 5 |
| Bicycles | P.R. China | C 44 19.02.2005 p. 24 |
| Seamless pipes and tubes | Russia Romania | C 77 31.03.2005 p. 2 |
| Seamless pipes and tubes | Croatia Ukraine | C 77 31.03.2005 p. 2 |
| Potassium chloride* | Belarus | C 89 13.04.2005 p. 7 |
| Sulphanilic acid (AD + AS) | India | C 101 27.04.2005 p. 34 |
| Silicon carbide | Russia | C 129 26.05.2005 p. 17 |
| PET film (AS) | India | C 172 12.07.2005 p. 5 |
| Ammonium nitrate | Russia | C 300 30.11.2005 p. 8 |
| Polyethylene terephthalate (PET)* | Korea (Rep. of) Taiwan | C 304 01.12.2005 p. 9 |

* Parallel expiry review (see Annex F)

| | | |
|-------------------------|---|------------------------------|
| Polyester staple fibres | Thailand | C 307 03.12.2005 p. 2 |
| Polyester staple fibres | Australia Belarus P.R. China India Indonesia Korea (Rep. of) Saudi Arabia Thailand | C 325 22.12.2005 p. 20 |

| Concluded : confirmation/amendment of duty | | | |
|---|--------------------------|--|------------------------------|
| Product | Country of origin | Regulation/ Decision No | OJ Reference |
| Polyethylene terephthalate (PET) | Korea Taiwan | Council Reg. (EC) No 83/2005 18.01.2005 | L 19 21.01.2005 p. 1 |
| Seamless pipes and tubes | Croatia Ukraine | Council Reg. (EC) No 258/2005 14.02.2005 | L 46 17.02.2005 p. 7 |
| Polyethylene terephthalate (PET) film | India | Council Reg. (EC) No 390/2005 07.03.2005 | L 63 10.03.2005 p. 1 |
| Polyester staple fibres | Korea (Rep. of) | Council Reg. (EC) No 428/2005 10.03.2005 | L 71 17.03.2005 p. 1 |
| Tube or pipe fittings, of iron or steel | Thailand | Council Reg. (EC) No 463/2005 16.03.2005 | L 77 23.03.2005 p. 1 |
| Steel ropes and cables | Turkey | Council Reg. (EC) No 564/2005 08.04.2005 | L 97 15.04.2005 p. 1 |
| Antibiotics (broad spectrum) (AS)* | India | Council Reg. (EC) No 714/2005 10.05.2005 | L 121 13.05.2005 p. 1 |
| Silicon carbide | Ukraine | Council Reg. (EC) No 779/2005 23.05.2005 | L 131 25.05.2005 p. 18 |
| Silicon | P.R. China | Council Reg. (EC) No 785/2005 23.05.2005 | L 132 26.05.2005 p. 1 |

| | | | |
|--|--------------------|---|------------------------------|
| Ammonium nitrate | Russia Ukraine | Council Reg. (EC) No 945/2005 21.06.2005 | L 160 23.06.2005 p. 1 |
| Bicycles | P.R. China | Council Reg. (EC) No 1095/2005 12.07.2005 | L 183 14.07.2005 p. 1 |
| Tungsten carbide and fused tungsten carbide | P.R. China | Council Reg. (EC) No 1275/2005 26.07.2005 | L 202 03.08.2005 p. 1 |
| Potassium chloride | Russia (2 reviews) | Council Reg. (EC) No 1891/2005 14.11.2005 | L 302 19.11.2005 p. 14 |
| Bicycles | P.R. China | Council Reg. (EC) No 1892/2005 14.11.2005 | L 302 19.11.2005 p. 22 |

| Concluded : termination of measures | | | |
|---|--------------------------|---|------------------------------|
| Product | Country of origin | Regulation/ Decision No | OJ Reference |
| Polyester staple fibres | Taiwan | Council Reg. (EC) No 428/2005 10.03.2005 | L 71 17.03.2005 p. 1 |
| Grain oriented electrical sheets | Russia | Council Reg. (EC) No 1371/2005 19.08.2005 | L 223 27.08.2005 p. 1 |
| Styrene-butadiene-styrene thermoplastic rubber | Taiwan | Council Reg. (EC) No 1372/2005 19.08.2005 | L 223 27.08.2005 p. 27 |

ANNEX H

Other reviews concluded

during the period 1 January – 31 December 2005

(chronological by date of publication)

| Initiated | | |
|------------------------|--------------------------|------------------------------|
| Product | Country of origin | OJ Reference |
| DRAMs | Korea (Rep. of) | C 70 22.03.2005 p. 2 |
| Potassium permanganate | P.R. China | C 110 05.05.2005 p. 13 |
| Glyphosate | Taiwan | C 200 17.08.2005 p. 3 |

| Concluded : confirmation/amendment of duty | | | |
|---|----------------------------|---|-----------------------------|
| Product | Country of origin | Regulation/ Decision No | OJ Reference |
| Television camera systems ³³ | Japan | Council Reg. (EC) No 84/2005 18.01.2005 | L 19 21.01.2005 p. 9 |
| Seamless pipes and tubes ³⁴ | Croatia Ukraine | Commission Dec. No 2005/133/EC 16.02.2005 | L 46 17.02.2005 p. 46 |
| Polyester staple fibres ³⁵ | P.R. China Saudi Arabia | Council Reg. (EC) No 1333/2005 09.08.2005 | L 211 13.08.2005 p. 1 |
| Television camera systems ¹ | Japan | Council Reg. (EC) No 1454/2005 02.09.2005 | L 231 08.09.2005 p. 1 |

³³ Amendment of the Annex to the Regulation imposing the definitive measures

³⁴ Partial suspension of measures

³⁵ Acceptance of an undertaking

| | | | |
|--|--------------------|--|------------------------------|
| Seamless pipes and tubes ³⁶ | Croatia Ukraine | Council Reg. (EC) No 1866/2005 08.11.2005 | L 300 17.11.2005 p. 1 |
| Urea ³⁷ | Bulgaria | Commission Reg. (EC) No 2082/2005 19.12.2005 | L 333 20.12.2005 p. 26 |
| DRAMs (AS) ³⁸ | Korea (Rep. of) | Council Reg. (EC) No 2116/2005 20.12.2005 | L 340 23.12.2005 p. 7 |

³⁶ Extension of the partial suspension of the measures
³⁷ Withdrawal of an undertaking
³⁸ Clarification of the product description

ANNEX I

New exporter reviews initiated or concluded
during the period 1 January – 31 December 2005
(chronological by date of publication)

A. Anti-dumping investigations

| Initiated | | | |
|---------------------------------------|--------------------------|---|-----------------------------|
| Product | Country of origin | Regulation/Decision No | OJ Reference |
| Polyethylene terephthalate (PET) | India | Commission Reg. (EC) No 33/2005 10.01.2005 | L 8 12.01.2005 p. 9 |
| Polyethylene terephthalate (PET) | P.R. China | Commission Reg. (EC) No 523/2005 01.04.2005 | L 84 02.04.2005 p. 9 |
| Polyethylene terephthalate (PET) film | Israel | Commission Reg. (EC) No 1370/2004 23.08.2005 | L 218 23.08.2005 p. 3 |

| Concluded : imposition/amendment of duty | | | |
|---|--------------------------|--|------------------------------|
| Product | Country of origin | Regulation/ Decision No | OJ Reference |
| Electronic weighing scales | P.R. China | Council Regulation (EC) No 692/2005 28.04.2005 | L 112 03.05.2005 p. 1 |
| Polyethylene terephthalate (PET) | India | Council Regulation (EC) No 1646/2005 06.10.2005 | L 266 11.10.2005 p. 10 |
| Polyethylene terephthalate (PET) | P.R. China | Council Regulation (EC) No 2167/2005 20.12.2005 | L 345 28.12.2005 p. 11 |

| Concluded : termination | | | |
|-------------------------------------|--------------------------|---|------------------------------|
| Product | Country of origin | Regulation/ Decision No | OJ Reference |
| Urea and ammonium nitrate solutions | Algeria | Council Reg. (EC) No 1113/2005 12.07.2005 | L 184 15.07.2005 p. 10 |

B. Anti-subsidy investigations ("accelerated" investigations)

| Initiated | | | |
|--|--------------------------|--|-----------------------------|
| Product | Country of origin | Regulation/Decision No (if applicable) | OJ Reference |
| Polyethylene terephthalate (PET) (AS) | India | n.a. | C 8 12.01.2005 p. 2 |
| Polyethylene terephthalate (PET) film (AS) | Israel | Commission Reg. (EC) No 1370/2004 23.08.2005 | L 218 23.08.2005 p. 3 |

| Concluded : imposition/amendment of duty | | | |
|---|--------------------------|---|-----------------------------|
| Product | Country of origin | Regulation/ Decision No | OJ Reference |
| Polyethylene terephthalate (PET) (AS) | India | Council Reg. (EC) No 1645/2005 06.10.2005 | L 266 11.10.2005 p. 1 |

| Concluded : termination | | | |
|--------------------------------|--------------------------|--------------------------------|---------------------|
| Product | Country of origin | Regulation/ Decision No | OJ Reference |
| NONE | | | |

ANNEX J

Anti-absorption investigations initiated or concluded

during the period 1 January – 31 December 2005

(chronological by date of publication)

| Initiated | | |
|------------------|--------------------------|------------------------------|
| Product | Country of origin | OJ Reference |
| Sodium cyclamate | P.R. China | C 101 27.04.2005 p. 26 |

| Concluded without increase of duty / termination | | | |
|---|--------------------------|--|------------------------------|
| Product | Country of origin | Regulation/ Decision No | OJ Reference |
| Sodium cyclamate | P.R. China | Comm. Decision No 2005/944/EC 19.12.2005 | L 342 24.12.2005 p. 96 |

ANNEX K

Anti-circumvention investigations initiated or concluded

during the period 1 January – 31 December 2005

(chronological by date of publication)

| Initiated | | | |
|------------------------|-----------------------------|--|-----------------------------|
| Product | Country of origin | Regulation/ Decision No | OJ Reference |
| Ring binder mechanisms | P.R. China (Laos) | Commission Reg. (EC) No 559/2005 12.04.2005 | L 94 13.04.2005 p. 26 |
| Zinc oxides | P.R. China (Kazakhstan) | Commission Reg. (EC) No 1289/2005 04.08.2005 | L 204 05.08.2005 p. 7 |
| Tube or pipe fittings | P.R. China (Philippines) | Commission Reg. (EC) No 1288/2005 04.08.2005 | L 204 05.08.2005 p. 3 |

| Concluded with extension of duty | | | |
|---|--|--|-----------------------------|
| Product | Country of consignment | Regulation No | OJ Reference |
| Lamps (integrated electronic compact fluorescent) | P.R. China (Pakistan, Philippines, Vietnam) | Council Reg. (EC) No 866/2005 06.06.2005 | L 145 09.06.2005 p. 1 |

ANNEX L

Safeguard investigations initiated and concluded

during the period 1 January – 31 December 2005 and list of measures in force

(chronological by date of publication)

| New investigations initiated | | |
|-------------------------------------|--------------------------|------------------------------|
| Product | Country of origin | OJ Reference |
| Certain textile products | P.R. China | C 104 29.04.2005 p. 21 |
| Frozen strawberries | Erga omnes | C 165 06.07.2005 p. 2 |

| Other reviews initiated | | |
|--------------------------------|--------------------------|------------------------------|
| Product | Country of origin | OJ Reference |
| Citrus fruits | Erga omnes | C 137 04.06.2005 p. 11 |

| Other reviews concluded with continuation measures | | |
|---|--------------------------|-----------------------------|
| Product | Country of origin | OJ Reference |
| Citrus fruits | Erga omnes | C 322 17.12.2995 p. 7 |

| Definitive measures imposed | | | |
|-----------------------------|-------------------|--|---|
| Product | Country of origin | Regulation/ Decision No | OJ Reference |
| Farmed salmon | Erga omnes | Commission Reg. (EC) No 206/2005 04.02.2005 as last amended by Commission Reg. (EC) No 580/2005 14.04.2005 | L 33 05.02.2005 p. 8 L 97 15.04.2005 p. 34 |

| New investigations terminated | | |
|-------------------------------|-------------------|-----------------------------|
| Product | Country of origin | OJ Reference |
| Certain textile products | P.R. China | C 170 09.07.2005 p. 9 |

| Surveillance measures introduced / extended | | | |
|---|-------------------|--|-----------------------------|
| Product | Country of origin | Regulation/ Decision No | OJ Reference |
| Footwear products | P.R. China | Commission Reg. (EC) No 117/2005 26.01.2005 | L 24 27.01.2005 p. 8 |
| Steel products (surveillance) | Erga omnes | Commission Reg. (EC) No 469/2005 23.03.2005 | L 78 24.03.2005 p. 12 |

| Information on the issue of licences | | | |
|--------------------------------------|-------------------|--|----------------------------|
| Product | Country of origin | Regulation/ Decision No | OJ Reference |
| Citrus fruits | Erga omnes | Commission Reg. (EC) No 421/2005 14.03.2005 | L 68 15.03.2005 p. 3 |

| List of safeguard measures and surveillance in force | | | |
|---|--------------------------|--|------------------------------|
| Product | Country of origin | Regulation/ Decision No | OJ Reference |
| Citrus fruits | Erga omnes | Commission Reg. (EC) No 658/2004 07.04.2004 | L 104 08.04.2004 p. 67 |
| Footwear products (surveillance) | P.R. China | Commission Reg. (EC) No 117/2005 26.01.2005 | L 24 27.01.2005 p. 8 |
| Steel products (surveillance) | Erga omnes | Commission Reg. (EC) No 469/2005 23.03.2005 | L 78 24.03.2005 p. 12 |

| List of safeguard measures revoked | | | |
|---|--------------------------|--|-----------------------------|
| Product | Country of origin | Regulation/ Decision No | OJ Reference |
| Farmed salmon | Erga omnes | Commission Reg. (EC) No 627/2005 22.04.2005 | L 104 23.04.2005 p. 4 |

ANNEX M

Undertakings accepted or repealed
during the period 1 January – 31 December 2005
(chronological by date of publication)

| Undertakings accepted | | | |
|---|--------------------------|---|------------------------------|
| Product | Country of origin | Regulation N° | OJ Reference |
| Coumarin | India | Commission Decision No 2005/3/EC 03.01.2005 | L 1 04.01.2005 p. 15 |
| Potassium chloride | Belarus Russia | Commission Reg. (EC) No 588/2005 15.04.2005 | L 98 16.04.2005 p. 11 |
| Potassium chloride | Belarus Russia | Commission Reg. (EC) No 858/2005 06.06.2005 | L 143 07.06.2005 p. 11 |
| Polyester staple fibres | Saudi Arabia | Commission Decision No 2005/613/EC 18.07.2005 | L 211 13.08.2005 p. 20 |
| Grain oriented flat-rolled products of silicon-electrical steel | Russia USA | Commission Decision No 2005/622/EC 05.08.2005 | L 223 27.08.2005 p. 42 |
| Polyethylene terephthalate (PET) (AD + AS) | India | Commission Decision No 2005/697/EC 12.09.2005 | L 266 11.10.2005 p. 62 |
| Magnesia bricks | P.R. China | Commission Decision No 2005/704/EC 11.10.2005 | L 267 12.10.2005 p. 27 |
| Potassium chloride | Russia | Commission Decision No 2005/802/EC 17.10.2005 | L 302 19.11.2005 p. 79 |

| Undertakings repealed | | | |
|--------------------------|-------------------|---|-----------------------------|
| Product | Country of origin | Regulation N° | OJ Reference |
| Seamless pipes and tubes | Croatia | Commission Dec. No 2005/132/EC 16.02.2005 | L 46 17.02.2005 p. 44 |

| Undertakings withdrawn | | | |
|------------------------|-------------------|--|------------------------------|
| Product | Country of origin | Regulation N° | OJ Reference |
| Urea | Bulgaria | Commission Reg. (EC) No 2082/2005 19.12.2005 | L 333 20.12.2005 p. 26 |

| Undertakings which expired/lapsed | | | |
|---|-----------------------------|---|-----------------------------|
| Product | Country of origin | Original measure(s) & OJ Reference | OJ Reference |
| Flat-rolled products of iron or non-alloy steel (hot-rolled coils) (AS) | India | Commission Decision No 284/2000/ECSC (OJ L 31, 05.02.2000, p. 44) | C 26 02.02.2005 p. 2 |
| Hot-rolled flat products of non-alloy steel | India | Council Decision No 1758/2000/ECSC (OJ L 202, 10.08.2000, p. 21) | C 192 06.08.2005 p. 2 |
| Malleable cast iron tube or pipe fittings | Korea (Rep. of) Thailand | Commission Decision No 2000/523/EC (OJ L 208, 18.08.2000, p. 53) | C 192 06.08.2005 p. 2 |

| EU enlargement undertakings which expired | | | |
|---|-------------------|---|-------------|
| Product | Country of origin | Original measure(s) & OJ Reference | Expiry date |
| Ammonium nitrate | Russia Ukraine | Commission Reg. (EC) No 1996/2004 (L 344, 20.11.2004, p. 24) | 20.05.2005 |
| Grain oriented electrical sheets | Russia | Commission Reg. (EC) No 1995/2004 (L 344, 20.11.2004, p. 21) | 20.05.2005 |
| Silicon carbide | Ukraine | Commission Dec. No 2004/782/EC (L 344, 20.11.2004, p. 37) | 20.05.2005 |

ANNEX N

Measures which expired

during the period 1 January – 31 December 2005

(chronological by date of publication)

A. Anti-dumping investigations (chronological by date of publication)

| Product | Country of origin | Original measure & OJ Reference | Publication |
|--|---|---|-----------------------------|
| Electronic weighing scales | Japan | Council Reg. (EC) No 468/2001 (OJ L 67, 09.03.2001, p. 24) | C 52 02.03.2005 p. 4 |
| Electronic weighing scales | Singapore | Council Reg. (EC) No 469/2001 (OJ L 67, 09.03.2001, p. 37) | C 52 02.03.2005 p. 4 |
| Potassium chloride | Ukraine | Council Reg. (EC) No 3068/92 (OJ L 308, 24.10.1992, p. 41) | C 89 13.04.2005 p. 2 |
| Hot-rolled flat products of non-alloy steel | P.R. China India Romania | Council Decision No 1758/2000/ECSC (OJ L 202, 10.08.2000, p. 21) | C 192 06.08.2005 p. 2 |
| Malleable cast iron tube or pipe fittings | Brazil Japan P.R. China Korea (Rep. of) Thailand Argentina | Council Regulation (EC) No 1784/2000 (OJ L 208, 18.08.2000, p. 81) | C 192 06.08.2005 p. 2 |
| Fluorspar | P.R. China | Council Regulation (EC) No 2011/2000 (OJ L 241, 26.09.2000, p. 5) | C 235 23.09.2005 p. 2 |
| Black colorformers | Japan | Council Regulation (EC) No 2263/2000 (OJ L 259, 13.10.2005, p. 1) | C 254 14.10.2005 p. 3 |

| | | | |
|---|---|---|------------------------------|
| Cathode-ray colour television picture tubes | India Korea (Rep. of) | Council Regulation (EC) No 2313/2000 (OJ L 267, 20.10.2000, p. 1) | C 258 18.10.2005 p. 9 |
| Electronic weighing scales | P.R. China Korea (Rep. of) Taiwan | Council Regulation (EC) No 2605/2000 (OJ L 301, 30.11.2000, p. 42) | C 270 29.10.2005 p. 37 |
| Coke of coal in pieces with a diameter of more than 80 mm | P.R. China | Commission Decision No 2730/2000/ECSC (OJ L 316, 15.12.2000, p. 30) | C 320 15.12.2005 p. 8 |

B. Anti-subsidy investigations (chronological by date of publication)

| Product | Country of origin | Original measure & OJ Reference | Publication |
|---|------------------------|---|------------------------------|
| Flat-rolled products of iron or non-alloy steel (hot-rolled coils) (AS) | India Taiwan | Commission Decision No 284/2000/ECSC (OJ L 31, 05.02.2000, p. 44) | C 26 02.02.2005 p. 2 |
| Synthetic fibres of polyester (AS) | Australia Indonesia | Council Reg. (EC) No 978/2000 (OJ L 113, 12.05.2000, p. 1) | C 110 05.05.2005 p. 21 |
| Styrene-butadiene-styrene thermoplastic rubber (AS) | Taiwan | Council Reg. (EC) No 1994/2000 (OJ L 238, 22.09.2000, p. 8) | C 232 21.09.2005 p. 2 |
| Polyethylene terephthalate (PET) (AS) | Malaysia Thailand | Council Reg. (EC) No 2603/2000 (OJ L 301, 30.11.2000, p. 1) | C 304 01.12.2005 p. 23 |

ANNEX O

Definitive anti-dumping measures in force on 31 December 2005

A. Ranked by product (alphabetical)

| Product | Origin | Measure | Regulation N° | Publication |
|-------------------------|----------------------|--------------|--|--|
| Aluminium foil | P.R. China Russia | Duties | Council Reg. (EC) No 950/2001 14.05.2001 as last amended by Council Reg. (EC) No 998/2004 17.05.2004 | L 134 17.05.2001 p. 1 L 183 20.05.2004 p. 4 |
| | Russia | Undertakings | Commission Dec. No 2001/381/EC 16.05.2001 | L 134 17.05.2001 p. 67 |
| Ammonium nitrate | Russia | Duties | Council Reg. (EC) No 658/2002 15.04.2002 as last amended by Council Reg. (EC) No 945/2005 21.06.2005 | L 102 18.04.2002 p. 1 L 160 23.06.2005 p. 1 |
| | Ukraine | Duties | Council Reg. (EC) No 132/2001 22.01.2001 as last amended by Council Reg. (EC) No 945/2005 21.06.2005 | L 23 25.01.2001 p. 1 L 160 23.06.2005 p. 1 |
| Barium carbonate | P.R. China | Duties | Council Reg. (EC) No 1175/2005 18.07.2005 | L 189 21.07.2005 p. 15 |
| Bed linen (cotton-type) | Pakistan | Duties | Council Reg. (EC) No 397/2004 02.03.2004 | L 66 04.03.2004 p. 1 |

| Product | Origin | Measure | Regulation N° | Publication |
|---------------------------------------|---|--------------|--|---|
| Bicycles | P.R. China | Duties | Council Reg. (EC) No 1524/2000 10.07.2000 and extended to bicycle parts by Council Reg. (EC) No 71/97 10.01.97 as last amended by Council Reg. (EC) No 1095/2005 12.07.2005 | L 175 14.07.2000 p. 39 L 16 18.01.97 p. 1 L 183 14.07.2005 p. 1 |
| | Vietnam | Duties | Council Reg. (EC) No 1095/2005 12.07.2005 | L 183 14.07.2005 p. 1 |
| Bicycle parts (extension to bicycles) | P.R. China | Duties | Council Reg. (EC) No 71/97 10.01.97 | L 16 18.01.97 p. 1 |
| Castings | P.R. China | Duties | Council Reg. (EC) No 1212/2005 25.07.2005 | L 199 29.07.2005 p. 1 |
| Colour televisions receivers | P.R. China Korea (Rep. of) Malaysia Thailand | Duties | Council Reg. (EC) No 1531/2002 14.08.2002 as last amended by Council Reg. (EC) No 999/2004 17.05.2004 | L 231 29.08.2002 p. 1 L 183 20.05.2004 p. 7 |
| | P.R. China | Undertakings | Commission Dec. No 2002/683/EC 29.07.2002 | L 231 29.08.2002 p. 42 |
| Compact disk recordables (CD-Rs) | Taiwan | Duties | Council Reg. (EC) No 1050/2002 13.06.2002 | L 160 18.06.2002 p. 2 |

| Product | Origin | Measure | Regulation N° | Publication |
|---|---|--------------|---|--|
| Coumarin | P.R. China India (ext.) Thailand (ext.) | Duties | Council Reg. (EC) No 769/2002 07.05.2002 as last amended by Council Reg. (EC) No 1854/2003 20.10.2003 and extended to imports consigned from India and Thailand by Council Reg. (EC) No 2272/2004 22.12.2004 | L 123 09.05.2002 p. 1 L 272 23.10.2003 p. 1 L 396 31.12.2004 p. 18 |
| | India | Undertaking | Commission Dec. No 2005/3/EC 03.01.2005 | L 1 04.01.2005 p. 15 |
| Ethanolamines | USA | Duties | Council Reg. (EC) No 1603/2000 20.07.2000 as last amended by Council Reg. (EC) No 153/2003 27.01.2003 | L 185 25.07.2000 p. 1 L 25 30.01.2003 p. 23 |
| Ferro molybdenum | P.R. China | Duties | Council Reg. (EC) No 215/2002 28.01.2002 | L 35 06.02.2002 p. 1 |
| Furfuraldehyde | P.R. China | Duties | Council Reg. (EC) No 639/2005 25.04.2005 | L 107 28.04.2005 p. 1 |
| Furfuryl alcohol | P.R. China | Duties | Council Reg. (EC) No 1905/2003 27.10.2003 | L 283 31.10.2003 p. 1 |
| Glyphosate | P.R. China Malaysia (ext) Taiwan (ext) | Duties | Council Reg. (EC) No 1683/2004 24.09.2004 extended to such imports consigned from Malaysia & Taiwan | L 303 30.09.2004 p. 1 |
| Grain oriented flat-rolled products of silicon-electrical steel (small + big) | Russia USA | Duties | Council Reg. (EC) No 1371/2005 19.07.2005 | L 223 27.08.2005 p. 1 |
| | Russia USA | Undertakings | Commission Dec. No 2005/622/EC 05.08.2005 | L 223 27.08.2005 p. 42 |

| Product | Origin | Measure | Regulation N° | Publication |
|---|---|---------------------------|---|---|
| Granular polytetrafluoroethylene (PTFE) | P.R. China Russia | Duties | Council Reg. (EC) No 1987/2005 02.12.2005 | L 320 08.12.2005 p. 1 |
| Graphite electrode systems | India | Duties | Council Reg. (EC) No 1629/2004 13.09.2004 | L 295 18.09.2004 p. 10 |
| Hand pallet trucks and their essential parts | P.R. China | Duties | Council Reg. (EC) No 1174/2005 18.07.2005 | L 189 21.07.2005 p. 1 |
| Internal gear hubs for bicycles | Japan | Duties | Council Reg. (EC) No 2080/2001 23.10.2001 | L 282 26.10.2001 p. 1 |
| Lamps (integrated electronic compact fluorescent) | P.R. China Pakistan (ext.) Philippines (ext.) Vietnam (ext.) | Duties | Council Reg. (EC) No 1470/2001 16.07.2001 extended to imports from Pakistan, Philippines and Vietnam by Council Reg. (EC) No 866/2005 06.06.2005 t | L 195 19.07.2001 p. 8 L 145 09.06.2005 p. 1 |
| Lighters (non-refillable and refillable) | P.R. China Taiwan | Duties | Council Reg. (EC) No 1824/2001 12.09.2001 as last amended by Council Reg. (EC) No 155/2003 27.01.2003 | L 248 18.09.2001 p. 1 L 25 30.01.2003 p. 27 |
| Magnesia (deadburned) | P.R. China | Duties | Council Reg. (EC) No 360/2000 14.02.2000 as last amended by Council Reg. (EC) No 986/2003 05.06.2003 | L 46 18.02.2000 p. 1 L 143 11.06.2003 p. 5 |
| Magnesia bricks | P.R. China | Duties Undertaking | Council Reg. (EC) No 1659/2005 06.10.2005 Commission Dec. No 2005/704/EC 11.10.2005 | L 267 12.10.2005 p. 1 L 267 12.10.2005 p. 27 |
| Magnesium oxide (caustic magnesite) | P.R. China | Duties | Council Reg. (EC) No 778/2005 25.05.2005 | L 131 25.05.2005 p. 1 |

| Product | Origin | Measure | Regulation N° | Publication |
|---------------------------------------|---|--------------|--|--|
| Magnetic disks (3,5" microdisks) | P.R. China Japan | Duties | Council Reg. (EC) No 312/2002 18.02.2002 | L 50 21.02.2002 p. 24 |
| | Hong Kong Korea (Rep. of) | Duties | Council Reg. (EC) No 311/2002 18.02.2002 | L 50 21.02.2002 p. 13 |
| Okoumé plywood | P.R. China | Duties | Council Reg. (EC) No 1942/2004 02.11.2004 | L 336 12.11.2004 p. 4 |
| Para-cresol | P.R. China | Duties | Council Reg. (EC) No 1656/2003 11.09.2003 | L 234 20.09.2003 p. 1 |
| Polyester filament fabrics (finished) | P.R. China | Duties | Council Reg. (EC) No 1487/2005 12.09.2005 | L 240 16.09.2005 p. 1 |
| PET (polyethylene terephthalate) | India Indonesia Korea (Rep. of) Malaysia Taiwan Thailand | Duties | Council Reg. (EC) No 2604/2000 27.11.2000 as last amended by Council Reg. (EC) No 1646/2005 06.10.2005 | L 301 30.11.2000 p. 21 L 266 11.10.2005 p. 10 |
| | India Indonesia | Undertakings | Commission Dec. No 2000/745/EC 29.11.2000 as last amended by Commission Dec. No 2005/697/EC 12.09.2005 | L 301 30.11.2000 p. 88 L 266 11.10.2005 p. 62 |
| | Australia P.R. China | Duties | Council Reg. (EC) No 1467/2004 13.08.2004 as last amended by Council Reg. (EC) No 2167/2005 20.12.2005 | L 271 19.08.2004 p. 1 L 345 28.12.2005 p. 11 |
| | Australia | Undertakings | Commission Dec. No 2004/600/EC 04.08.2004 | L 271 19.08.2004 p. 38 |

| Product | Origin | Measure | Regulation N° | Publication |
|---|--|--------------|---|--|
| PET (polyethylene terephthalate) film | India Korea (Rep. of) Brazil (ext.) Israel (ext.) | Duties | Council Reg. (EC) No 1676/2001 13.08.2001 extended as concerns India to imports consigned from Brazil and from Israel by Council Reg. (EC) No 1975/2004 15.11.2004 | L 227 23.08.2001 p. 1 L 342 18.11.2004 p. 1 |
| | India | Undertakings | Commission Dec. No 2001/645/EC 22.08.2001 | L 227 23.08.2001 p. 56 |
| Polyester filament tow (extension of polyester staple fibre) | Belarus | Duties | Council Reg. (EC) No 1799/2002 08.10.2002 | L 274 11.10.2002 p. 1 |
| Polyester staple fibres | Australia Indonesia Thailand | Duties | Council Reg. (EC) No 1522/2000 10.07.2000 | L 175 14.07.2000 p. 10 |
| | India | Duties | Council Reg. (EC) No 2852/2000 22.12.2000 as last amended by Council Reg. (EC) No 428/2005 10.03.2005 | L 332 28.12.2000 p. 17 L 71 17.03.2005 p. 1 |
| | India | Undertakings | Commission Dec. No 2000/818/EC 19.12.2000 | L 332 28.12.2000 p. 116 |
| | Korea (Rep. of) | Duties | Council Reg. (EC) No 2852/2000 22.12.2000 as last amended by Council Reg. (EC) No 428/2005 17.03.2005 | L 332 28.12.2000 p. 17 L 71 17.03.2005 p. 1 |
| | Belarus | Duties | Council Reg. (EC) No 1799/2002 08.10.2002 extended to polyester filament tow | L 274 11.10.2002 p. 1 |

| Product | Origin | Measure | Regulation N° | Publication |
|--|----------------------------|---|---|---|
| | P.R. China Saudi Arabia | Duties | Council Reg. (EC) No 428/2005 10.03.2005 as last amended by Council Reg. (EC) No 1333/2005 09.08.2005 | L 71 17.03.2005 p. 1 L 211 13.08.2005 p. 1 |
| | Saudi Arabia | Undertakings | Commission Dec. No 2005/613/EC 18.07.2005 | L 211 13.08.2005 p. 20 |
| Polyester textured filament yarns (PTY) | India | Duties | Council Reg. (EC) No 2093/2002 26.11.2002 | L 323 28.11.2002 p. 1 |
| Potassium chloride | Belarus Russia | Duties | Council Reg. (EC) No 969/2000 08.05.2000 as last amended by Council Reg. (EC) No 1891/2005 14.11.2005 | L 112 11.05.2000 p. 4 L 302 19.11.2005 p. 14 |
| | Belarus Russia | Undertakings (valid until 13.04.2006) | Commission Reg. (EC) No 858/2005 06.06.2005 | L 143 07.06.2005 p. 11 |
| | Russia | Undertakings | Commission Dec. No 2005/802/EC 17.10.2005 | L 302 19.11.2005 p. 79 |
| Potassium permanganate | P.R. China | Duties | Council Reg. (EC) No 299/2001 12.11.2001 as last amended by Council Reg. (EC) No 152/2003 27.01.2003 | L 44 15.02.2001 p. 4 L 25 30.01.2003 p. 21 |
| Powdered activated carbon | P.R. China | Duties | Council Reg. (EC) No 1011/2002 10.06.2002 as last amended by Council Reg. (EC) No 931/2003 26.05.2003 | L 155 14.06.2002 p. 1 L 133 29.05.2003 p. 36 |

| Product | Origin | Measure | Regulation N° | Publication |
|--|------------------------------|---|---|--|
| Ring binder mechanisms | P.R. China Vietnam (ext.) | Duties | Council Reg. (EC) No 2074/2004 29.11.2004 extended to imports from Vietnam by Council Reg. (EC) No 1208/2004 28.06.2004 | L 359 04.12.2004 p. 11 L 232 01.07.2004 p. 1 |
| | Indonesia | Duties | Council Reg. (EC) No 976/2002 04.06.2002 | L 150 08.06.2002 p. 1 |
| Seamless pipes and tubes of non-alloy steel | Croatia Ukraine | Duties (partially suspended until 18.11.2006) | Council Reg. (EC) No 348/2000 14.02.2000 as last amended by Council Reg. (EC) No 258/2005 14.02.2005, suspended by Commission Dec. No 2005/133/EC 16.02.2005 and suspension extended by Council Reg. (EC) No 1866/2005 08.11.2005 | L 45 17.02.2000 p. 1 L 46 17.02.2005 p. 7 L 46 17.02.2005 p. 46 L 300 17.11.2005 p. 1 |
| | Romania Russia | Duties (suspended) | Council Reg. (EC) No 2320/97 17.11.97 as last amended by Council Reg. (EC) No 1322/2004 16.07.2004 | L 322 25.11.97 p. 1 L 246 20.07.2004 p. 10 |
| | Romania | Undertakings (suspended) | Commission Dec. No 97/790/EC 24.10.97 | L 322 25.11.97 p. 63 |
| | Russia | Undertakings (suspended) | Commission Dec. No 2000/70/EC 22.12.1999 | L 23 28.01.2000 p. 78 |

| Product | Origin | Measure | Regulation N° | Publication |
|--|--|--------------|--|--|
| Silicon carbide | P.R. China Russia Ukraine | Duties | Council Reg. (EC) No 1100/2000 22.05.2000 as last amended by Council Reg. (EC) No 991/2004 17.05.2004 | L 125 26.05.2000 p. 3 L 182 19.05.2004 p. 18 |
| | Russia | Undertakings | Commission Dec. No 94/202/EC 09.03.94 prolonged by above Council Reg. | L 94 13.04.94 p. 32 |
| Silicon | P.R. China | Duties | Council Reg. (EC) No 398/2004 02.03.2004 | L 66 04.03.2004 p. 15 |
| | Russia | Duties | Council Reg. (EC) No 2229/2003 22.12.2003 as last amended by Council Reg. (EC) No 821/2004 26.04.2004 which has been subject to a corrigendum | L 339 24.12.2003 p. 3 L 127 29.04.2004 p. 1 L 361 08.12.2004 p. 54 |
| | | Undertakings | Commission Dec. No 2004/445/EC 13.04.2004 | L 127 29.04.2004 p. 114 |
| Sodium cyclamate | P.R. China Indonesia | Duties | Council Reg. (EC) No 435/2004 08.03.2004 | L 72 11.03.2004 p. 1 |
| Stainless steel fasteners and parts thereof | P.R. China Indonesia Taiwan Thailand Vietnam | Duties | Council Reg. (EC) No 1890/2005 14.11.2005 | L 302 19.11.2005 p. 1 |

| Product | Origin | Measure | Regulation N° | Publication |
|------------------------|--|---------|---|---|
| Steel ropes and cables | P.R. China India South Africa Ukraine Moldova (ext.) Morocco (ext.) | Duties | Council Reg. (EC) No 1858/2005 08.11.2005 extended as concerns Ukraine to such imports consigned from Moldova by Council Reg. (EC) No 760/2004 22.04.2004 and extended as concerns China to such imports consigned from Morocco by Council Reg. (EC) No 1886/2004 25.10.2004 | L 299 16.11.2005 p. 1 |

| Product | Origin | Measure | Regulation N° | Publication |
|--|---|--------------|--|--|
| Synthetic fibre ropes | India | Duties | Council Reg. (EC) No 1736/2004 08.10.2004 | L 311 08.10.2004 p. 1 |
| Television camera systems | Japan | Duties | Council Reg. (EC) No 2042/2000 26.09.2000 as last amended by Council Reg. (EC) No 1454/2005 02.09.2005 | L 244 29.09.2000 p. 38 L 231 08.09.2005 p. 1 |
| Trichloroisocyanuric acid | P.R. China USA | Duties | Council Reg. (EC) No 1631/2005 03.10.2005 | L 261 07.10.2005 p. 1 |
| Trout (large rainbow) | Norway Faeroe Islands | Duties | Council Reg. (EC) No 437/2004 08.03.2004 | L 72 11.03.2004 p. 23 |
| | Faeroe Islands | Undertakings | Commission Reg. (EC) No 117/2004 23.01.2004 | L 17 24.01.2004 p. 4 |
| Tube and pipe fitting, of iron or steel | P.R. China Thailand Taiwan (ext.) Indonesia (ext.) Sri Lanka (ext.) | Duties | Council Reg. (EC) No 964/2003 02.06.2003 as last amended by Council Reg. (EC) No 1496/2004 18.08.2004 and extended as concerns China to imports consigned from Indonesia by Council Reg. (EC) 2052/2004 22.11.2004 and to imports consigned from Sri Lanka by Council Reg. (EC) No 2053/2004 22.11.2004 | L 139 06.06.2003 p. 1 L 275 25.08.2004 p. 1 L 355 01.12.2004 p. 4 L 355 01.12.2004 p. 9 |
| | Korea (Rep. of) Malaysia Russia | Duties | Council Reg. (EC) No 1514/2002 19.08.2002 as last amended by Council Reg. (EC) No 778/2003 06.05.2003 | L 228 24.08.2002 p. 1 L 114 08.05.2003 p. 1 |

| Product | Origin | Measure | Regulation N° | Publication |
|--|---|--------------|--|---|
| Tungsten carbide and fused tungsten carbide | P.R. China | Duties | Council Reg. (EC) No 2268/2004 22.12.2004 as last amended by Council Reg. (EC) No 1275/2005 25.07.2005 | L 395 31.12.2004 p. 56 L 202 03.08.2005 p. 1 |
| Urea | Russia | Duties | Council Reg. (EC) No 901/2001 07.05.2001 | L 127 09.05.2001 p. 11 |
| | Belarus Bulgaria Croatia Libya Romania Ukraine | Duties | Council Reg. (EC) No 92/2002 17.01.2002 as last amended by Council Reg. (EC) No 1107/2002 25.06.2002 | L 17 19.01.2002 p. 1 M 168 27.06.2002 p. 1 |
| Urea and ammonium nitrate solutions | Algeria Belarus Russia Ukraine | Duties | Council Reg. (EC) No 1995/2000 18.09.2000 as last amended by Council Reg. (EC) No 1675/2003 22.09.2003 | L 238 22.09.2000 p. 15 L 238 25.09.2003 p. 4 |
| | Algeria | Undertakings | Commission Reg. (EC) No 617/2000 16.03.2000 | L 75 24.03.2000 p. 3 |
| Welded tubes and pipes, of iron or non-alloy steel | Thailand Turkey Ukraine | Duties | Council Reg. (EC) No 1697/2002 23.09.2002 | L 259 27.09.2002 p. 8 |
| Zinc oxides | P.R. China Vietnam | Duties | Council Reg. (EC) No 408/2002 28.02.2002 extended to imports consigned from Vietnam, whether declared as originating in Vietnam or not by Council Reg. (EC) No 1623/2003 11.09.2003 | L 62 05.03.2002 p. 7 L 232 18.09.2003 p. 1 |
| Zinc oxides mixed with silica (extension to zinc oxides) | P.R. China | Duties | Council Reg. (EC) No 1623/2003 11.09.2003 | L 232 18.09.2003 p. 1 |

B. Ranked by country (alphabetical)

| Origin | Product | Measure | Regulation N° | Publication |
|-----------|---|---|--|---|
| Algeria | Urea and ammonium nitrate solutions | Duties | Council Reg. (EC) No 1995/2000 18.09.2000 as last amended by Council Reg. (EC) No 1675/2003 22.09.2003 | L 238 22.09.2000 p. 15 L 238 25.09.2003 p. 4 |
| | | Undertakings | Commission Reg. (EC) No 617/2000 16.03.2000 | L 75 24.03.2000 p. 3 |
| Australia | Polyester staple fibres | Duties | Council Reg. (EC) No 1522/2000 10.07.2000 | L 175 14.07.2000 p. 10 |
| | Polyethylene terephthalate | Duties | Council Reg. (EC) No 1467/2004 13.08.2004 as last amended by Council Reg. (EC) No 2167/2005 20.12.2005 | L 271 19.08.2004 p. 1 L 345 28.12.2005 p. 11 |
| | | Undertakings | Commission Dec. No 2004/600/EC 04.08.2004 | L 271 19.08.2004 p. 38 |
| Belarus | Polyester filament tow (extension of polyester staple fibre) | Duties | Council Reg. (EC) No 1799/2002 08.10.2002 | L 274 11.10.2002 p. 1 |
| | Polyester staple fibres | Duties | Council Reg. (EC) No 1799/2002 08.10.2002 extended to polyester filament tow | L 274 11.10.2002 p. 1 |
| | Potassium chloride | Duties | Council Reg. (EC) No 969/2000 08.05.2000 as last amended by Council Reg. (EC) No 1891/2005 14.11.2005 | L 112 11.05.2000 p. 4 L 302 19.11.2005 p. 14 |
| | | Undertakings (valid until 13.04.2006) | Commission Reg. (EC) No 858/2005 06.06.2005 | L 143 07.06.2005 p. 11 |

| Origin | Product | Measure | Regulation N° | Publication |
|------------|--|---------|---|--|
| | Urea and ammonium nitrate solutions | Duties | Council Reg. (EC) No 1995/2000 18.09.2000 as last amended by Council Reg. (EC) No 1675/2003 22.09.2003 | L 238 22.09.2000 p. 15 L 238 25.09.2003 p. 4 |
| | Urea | Duties | Council Reg. (EC) No 92/2002 17.01.2002 as last amended by Council Reg. (EC) No 1107/2002 25.06.2002 | L 17 19.01.2002 p. 1 L 168 27.06.2002 p. 1 |
| Brazil | PET (polyethylene terephthalate) film (ext.) | Duties | Council Reg. (EC) No 1676/2001 13.08.2001 extended as concerns India to imports consigned from Brazil and from Israel by Council Reg. (EC) No 1975/2004 15.11.2004 | L 227 23.08.2001 p. 1 L 342 18.11.2004 p. 1 |
| Bulgaria | Urea | Duties | Council Reg. (EC) No 92/2002 17.01.2002 as last amended by Council Reg. (EC) No 1107/2002 25.06.2002 | L 17 19.01.2002 p. 1 L 168 27.06.2002 p. 1 |
| P.R. China | Aluminium foil | Duties | Council Reg. (EC) No 950/2001 14.05.2001 as last amended by Council Reg. (EC) No 998/2004 17.05.2004 | L 134 17.05.2001 p. 1 L 183 20.05.2004 p. 4 |
| | Barium carbonate | Duties | Council Reg. (EC) No 1175/2005 18.07.2005 | L 189 21.07.2005 p. 15 |

| Origin | Product | Measure | Regulation N° | Publication |
|--------|-----------------------------|--------------|---|--|
| | Bicycles | Duties | Council Reg. (EC) No 1524/2000 10.07.2000 and extended to bicycle parts by Council Reg. (EC) No 71/97 10.01.97 as last amended by Council Reg. (EC) No 1095/2005 12.07.2005 | L 175 14.07.2000 p. 39 L 16 18.01.97 p. 1 L 183 14.07.2005 p. 1 |
| | Bicycle parts | Duties | Council Reg. (EC) No 71/97 10.01.97 | L 16 18.01.97 p. 1 |
| | Castings | Duties | Council Reg. (EC) No 1212/2005 25.07.2005 | L 199 29.07.2005 p. 1 |
| | Colour television receivers | Duties | Council Reg. (EC) No 1531/2002 14.08.2002 as last amended by Council Reg. (EC) No 999/2004 17.05.2004 | L 231 29.08.2002 p. 1 L 183 20.05.2004 p. 7 |
| | | Undertakings | Commission Dec. No 2002/683/EC 29.07.2002 | L 231 29.08.2002 p. 42 |
| | Coumarin | Duties | Council Reg. (EC) No 769/2002 07.05.2002 as last amended by Council Reg. (EC) No 1854/2003 20.10.2003 and extended to imports consigned from India and Thailand by Council Reg. (EC) No 2272/2004 22.12.2004 | L 123 09.05.2002 p. 1 L 272 23.10.2003 p. 1 L 396 31.12.2004 p. 18 |
| | Ferro molybdenum | Duties | Council Reg. (EC) No 215/2002 28.01.2002 | L 35 06.02.2002 p. 1 |

| Origin | Product | Measure | Regulation N° | Publication |
|--------|--|-------------|---|--|
| | Furfuraldehyde | Duties | Council Reg. (EC) No 639/2005 25.04.2005 | L 107 28.04.2005 p. 1 |
| | Furfuryl alcohol | Duties | Council Reg. (EC) No 1905/2003 27.10.2003 | L 283 31.10.2003 p. 1 |
| | Glyphosate | Duties | Council Reg. (EC) No 1683/2004 24.09.2004 extended to such imports consigned from Malaysia & Taiwan | L 303 30.09.2004 p. 1 |
| | Granular polytetrafluoro- ethylene (PTFE) | Duties | Council Reg. (EC) No 1987/2005 02.12.2005 | L 320 08.12.2005 p. 1 |
| | Hand pallet trucks and their essential parts | Duties | Council Reg. (EC) No 1174/2005 18.07.2005 | L 189 21.07.2005 p. 1 |
| | Lamps (integrated electronic compact fluorescent) | Duties | Council Reg. (EC) No 1470/2001 16.07.2001 extended to imports from Pakistan, Philippines and Vietnam by Council Reg. (EC) No 866/2005 06.06.2005 t | L 195 19.07.2001 p. 8 L 145 09.06.2005 p. 1 |
| | Lighters (non-refillable and refillable) | Duties | Council Reg. (EC) No 1824/2001 12.09.2001 as last amended by Council Reg. (EC) No 155/2003 27.01.2003 | L 248 18.09.2001 p. 1 L 25 30.01.2003 p. 27 |
| | Magnesia (deadburned) | Duties | Council Reg. (EC) No 360/2000 14.02.2000 as last amended by Council Reg. (EC) No 986/2003 05.06.2003 | L 46 18.02.2000 p. 1 L 143 11.06.2003 p. 5 |
| | Magnesia bricks | Duties | Council Reg. (EC) No 1659/2005 06.10.2005 | L 267 12.10.2005 p. 1 |
| | | Undertaking | Commission Dec. No 2005/704/EC 11.10.2005 | L 267 12.10.2005 p. 27 |

| Origin | Product | Measure | Regulation N° | Publication |
|--------|---------------------------------------|---------|--|---|
| | Magnesium oxide (caustic magnesite) | Duties | Council Reg. (EC) No 778/2005 25.05.2005 | L 131 25.05.2005 p. 1 |
| | Magnetic disks (3,5" microdisks) | Duties | Council Reg. (EC) No 312/2002 18.02.2002 | L 50 21.02.2002 p. 24 |
| | Okoumé plywood | Duties | Council Reg. (EC) No 1942/2004 02.11.2004 | L 336 12.11.2004 p. 4 |
| | Para-cresol | Duties | Council Reg. (EC) No 1656/2003 11.09.2003 | L 234 20.09.2003 p. 1 |
| | Polyester filament fabrics (finished) | Duties | Council Reg. (EC) No 1487/2005 12.09.2005 | L 240 16.09.2005 p. 1 |
| | Polyester staple fibres | Duties | Council Reg. (EC) No 428/2005 10.03.2005 as last amended by Council Reg. (EC) No 1333/2005 09.08.2005 | L 71 17.03.2005 p. 1 L 211 13.08.2005 p. 1 |
| | Polyethylene terephthalate | Duties | Council Reg. (EC) No 1467/2004 13.08.2004 as last amended by Council Reg. (EC) No 2167/2005 20.12.2005 | L 271 19.08.2004 p. 1 L 345 28.12.2005 p. 11 |
| | Potassium permanganate | Duties | Council Reg. (EC) No 299/2001 12.11.2001 as last amended by Council Reg. (EC) No 152/2003 27.01.2003 | L 44 15.02.2001 p. 4 L 25 30.01.2003 p. 21 |
| | Powdered activated carbon | Duties | Council Reg. (EC) No 1011/2002 10.06.2002 as last amended by Council Reg. (EC) No 931/2003 26.05.2003 | L 155 14.06.2002 p. 1 L 133 29.05.2003 p. 36 |

| Origin | Product | Measure | Regulation N° | Publication |
|--------|--|---------|---|---|
| | Ring binder mechanisms | Duties | Council Reg. (EC) No 2074/2004 29.11.2004 extended to imports from Vietnam by Council Reg. (EC) No 1208/2004 28.06.2004 | L 359 04.12.2004 p. 11 L 232 01.07.2004 p. 1 |
| | Silicon carbide | Duties | Council Reg. (EC) No 1100/2000 22.05.2000 as last amended by Council Reg. (EC) No 991/2004 17.05.2004 | L 125 26.05.2000 p. 3 L 182 19.05.2004 p. 18 |
| | Silicon | Duties | Council Reg. (EC) No 398/2004 02.03.2004 | L 66 04.03.2004 p. 15 |
| | Sodium cyclamate | Duties | Council Reg. (EC) No 435/2004 08.03.2004 | L 72 11.03.2004 p. 1 |
| | Stainless steel fasteners and parts thereof | Duties | Council Reg. (EC) No 1890/2005 14.11.2005 | L 302 19.11.2005 p. 1 |
| | Steel ropes and cables | Duties | Council Reg. (EC) No 1858/2005 08.11.2005 extended as concerns Ukraine to such imports consigned from Moldova by Council Reg. (EC) No 760/2004 22.04.2004 and extended as concerns China to such imports consigned from Morocco by Council Reg. (EC) No 1886/2004 25.10.2004 | L 299 16.11.2005 p. 1 L 120 24.04.2004 p. 1 L 328 30.10.2004 p. 1 |
| | Sulphanilic acid | Duties | Council Reg. (EC) No 1339/2002 22.07.2002 as last amended by Council Reg. (EC) No 492/2004 08.03.2004 | L 196 25.07.2002 p. 11 L 80 18.03.2004 p. 6 |

| Origin | Product | Measure | Regulation N° | Publication |
|--------|---|---------|--|--|
| | Trichloroisocyanuric acid | Duties | Council Reg. (EC) No 1631/2005 03.10.2005 | L 261 07.10.2005 p. 1 |
| | Tube and pipe fitting, of iron or steel | Duties | Council Reg. (EC) No 964/2003 02.06.2003 as last amended by Council Reg. (EC) No 1496/2004 18.08.2004 and extended as concerns China to imports consigned from Indonesia by Council Reg. (EC) 2052/2004 22.11.2004 and to imports consigned from Sri Lanka by Council Reg. (EC) No 2053/2004 22.11.2004 | L 139 06.06.2003 p. 1 L 275 25.08.2004 p. 1 L 355 01.12.2004 p. 4 L 355 01.12.2004 p. 9 |
| | Tungsten carbide and fused tungsten carbide | Duties | Council Reg. (EC) No 2268/2004 22.12.2004 as last amended by Council Reg. (EC) No 1275/2005 25.07.2005 | L 395 31.12.2004 p. 56 L 202 03.08.2005 p. 1 |
| | Zinc oxides | Duties | Council Reg. (EC) No 408/2002 28.02.2002 extended to imports consigned from Vietnam, whether declared as originating in Vietnam or not by Council Reg. (EC) No 1623/2003 11.09.2003 | L 62 05.03.2002 p. 7 L 232 18.09.2003 p. 1 |
| | Zinc oxides mixed with silica (extension to zinc oxides) | Duties | Council Reg. (EC) No 1623/2003 11.09.2003 | L 232 18.09.2003 p. 1 |

| Origin | Product | Measure | Regulation N° | Publication |
|----------------|---|---|---|--|
| Croatia | Seamless pipes and tubes of non-alloy steel | Duties (partially suspended until 18.11.2006) | Council Reg. (EC) No 348/2000 14.02.2000 as last amended by Council Reg. (EC) No 258/2005 14.02.2005, suspended by Commission Dec. No 2005/133/EC 16.02.2005 and suspension extended by Council Reg. (EC) No 1866/2005 08.11.2005 | L 45 17.02.2000 p. 1 L 46 17.02.2005 p. 7 L 46 17.02.2005 p. 46 L 300 17.11.2005 p. 1 |
| | Urea | Duties | Council Reg. (EC) No 92/2002 17.01.2002 as last amended by Council Reg. (EC) No 1107/2002 25.06.2002 | L 17 19.01.2002 p. 1 L 168 27.06.2002 p. 1 |
| Faeroe Islands | Trout (large rainbow) | Duties Undertakings | Council Reg. (EC) No 437/2004 08.03.2004 Commission Reg. (EC) No 117/2004 23.01.2004 | L 72 11.03.2004 p. 23 L 17 24.01.2004 p. 4 |
| Hong Kong | Magnetic disks (3,5" microdisks) | Duties | Council Reg. (EC) No 311/2002 18.02.2002 | L 50 21.02.2002 p. 13 |
| India | Coumarin (ext.) | Duties Undertaking | Council Reg. (EC) No 769/2002 07.05.2002 as last amended by Council Reg. (EC) No 1854/2003 20.10.2003 and extended to imports consigned from India and Thailand by Council Reg. (EC) No 2272/2004 22.12.2004 Commission Dec. No 2005/3/EC 03.01.2005 | L 123 09.05.2002 p. 1 L 272 23.10.2003 p. 1 L 396 31.12.2004 p. 18 L 1 04.01.2005 p. 15 |

| Origin | Product | Measure | Regulation N° | Publication |
|--------|--|--------------|---|--|
| | Graphite electrode systems | Duties | Council Reg. (EC) No 1629/2004 13.09.2004 | L 295 18.09.2004 p. 10 |
| | PET (polyethylene terephthalate) | Duties | Council Reg. (EC) No 2604/2000 27.11.2000 as last amended by Council Reg. (EC) No 1646/2005 06.10.2005 | L 301 30.11.2000 p. 21 L 266 11.10.2005 p. 10 |
| | | Undertakings | Commission Dec. No 2000/745/EC 29.11.2000 as last amended by Commission Dec. No 2005/697/EC 12.09.2005 | L 301 30.11.2000 p. 88 L 266 11.10.2005 p. 62 |
| | PET (polyethylene terephthalate) film | Duties | Council Reg. (EC) No 1676/2001 13.08.2001 extended as concerns India to imports consigned from Brazil and from Israel by Council Reg. (EC) No 1975/2004 15.11.2004 | L 227 23.08.2001 p. 1 L 342 18.11.2004 p. 1 |
| | | Undertakings | Commission Dec. No 2001/645/EC 22.08.2001 | L 227 23.08.2001 p. 56 |
| | Polyester staple fibres | Duties | Council Reg. (EC) No 2852/2000 22.12.2000 | L 332 28.12.2000 p. 17 |
| | | Undertakings | Commission Dec. No 2000/818/EC 19.12.2000 | L 332 28.12.2000 p. 116 |
| | Polyester textured filament yarn (PTY) | Duties | Council Reg. (EC) No 2093/2002 26.11.2002 | L 323 28.11.2002 p. 1 |

| Origin | Product | Measure | Regulation N° | Publication |
|--------|------------------------|--------------|---|---|
| | Steel ropes and cables | Duties | Council Reg. (EC) No 1858/2005 08.11.2005 extended as concerns Ukraine to such imports consigned from Moldova by Council Reg. (EC) No 760/2004 22.04.2004 and extended as concerns China to such imports consigned from Morocco by Council Reg. (EC) No 1886/2004 25.10.2004 | L 299 16.11.2005 p. 1 L 120 24.04.2004 p. 1 L 328 30.10.2004 p. 1 |
| | | Undertakings | Commission Dec. No 1999/572/EC 13.08.99 as last amended by Commission Reg. (EC) No 1678/2003 26.08.2003 | L 217 17.08.99 p. 63 L 238 25.09.2003 p. 13 |
| | Sulphanilic acid | Duties | Council Reg. (EC) No 1339/2002 22.07.2002 as last amended by Council Reg. (EC) No 492/2004 08.03.2004 | L 196 25.07.2002 p. 11 L 80 18.03.2004 p. 6 |
| | Synthetic fibre ropes | Duties | Council Reg. (EC) No 1736/2004 04.10.2004 | L 311 08.10.2004 p. 1 |

| Origin | Product | Measure | Regulation N° | Publication |
|-----------|---|--------------|---|--|
| Indonesia | PET (polyethylene terephthalate) | Duties | Council Reg. (EC) No 2604/2000 27.11.2000 as last amended by Council Reg. (EC) No 1646/2005 06.10.2005 | L 301 30.11.2000 p. 21 L 266 11.10.2005 p. 10 |
| | | Undertakings | Commission Dec. No 2000/745/EC 29.11.2000 as last amended by Commission Dec. No 2005/697/EC 12.09.2005 | L 301 30.11.2000 p. 88 L 266 11.10.2005 p. 62 |
| | Ring binder mechanisms | Duties | Council Reg. (EC) No 976/2002 04.06.2002 | L 150 08.06.2002 p. 1 |
| | Polyester staple fibres | Duties | Council Reg. (EC) No 1522/2000 10.07.2000 | L 175 14.07.2000 p. 10 |
| | Sodium cyclamate | Duties | Council Reg. (EC) No 435/2004 08.03.2004 | L 72 11.03.2004 p. 1 |
| | Stainless steel fasteners and parts thereof | Duties | Council Reg. (EC) No 1890/2005 14.11.2005 | L 302 19.11.2005 p. 1 |
| | Tube and pipe fitting, of iron or steel | Duties | Council Reg. (EC) No 964/2003 02.06.2003 as last amended by Council Reg. (EC) No 1496/2004 18.08.2004 and extended as concerns China to imports consigned from Indonesia by Council Reg. (EC) 2052/2004 22.11.2004 and to imports consigned from Sri Lanka by Council Reg. (EC) No 2053/2004 22.11.2004 | L 139 06.06.2003 p. 1 L 275 25.08.2004 p. 1 L 355 01.12.2004 p. 4 L 355 01.12.2004 p. 9 |

| Origin | Product | Measure | Regulation N° | Publication |
|-----------------|--|---------|---|--|
| Israel | PET (polyethylene terephthalate) film (ext.) | Duties | Council Reg. (EC) No 1676/2001 13.08.2001 extended as concerns India to imports consigned from Brazil and from Israel by Council Reg. (EC) No 1975/2004 15.11.2004 | L 227 23.08.2001 p. 1 L 342 18.11.2004 p. 1 |
| Japan | Internal gear hubs for bicycles | Duties | Council Reg. (EC) No 2080/2001 23.10.2001 | L 282 26.10.2001 p. 1 |
| | Magnetic disks (3,5" microdisks) | Duties | Council Reg. (EC) No 312/2002 18.02.2002 | L 50 21.02.2002 p. 24 |
| | Television camera systems | Duties | Council Reg. (EC) No 2042/2000 26.09.2000 as last amended by Council Reg. (EC) No 1454/2005 02.09.2005 | L 244 29.09.2000 p. 38 L 231 08.09.2005 p. 1 |
| Korea (Rep. of) | Colour television receivers | Duties | Council Reg. (EC) No 1531/2002 14.08.2002 as last amended by Council Reg. (EC) No 999/2004 17.05.2004 | L 231 29.08.2002 p. 1 L 183 20.05.2004 p. 7 |
| | Magnetic disks (3,5" microdisks) | Duties | Council Reg. (EC) No 311/2002 18.02.2002 | L 50 21.02.2002 p. 13 |
| | PET (polyethylene terephthalate) | Duties | Council Reg. (EC) No 2604/2000 27.11.2000 as last amended by Council Reg. (EC) No 1646/2005 06.10.2005 | L 301 30.11.2000 p. 21 L 266 11.10.2005 p. 10 |
| | PET (polyethylene terephthalate) film | Duties | Council Reg. (EC) No 1676/2001 13.08.2001 extended as concerns India to imports consigned from Brazil and from Israel by Council Reg. (EC) No 1975/2004 15.11.2004 | L 227 23.08.2001 p. 1 L 342 18.11.2004 p. 1 |

| Origin | Product | Measure | Regulation N° | Publication |
|----------|---|---------|--|--|
| | Polyester staple fibres | Duties | Council Reg. (EC) No 2852/2000 22.12.2000 as last amended by Council Reg. (EC) No 428/2005 10.03.2005 | L 332 28.12.2000 p. 17 L 71 17.03.2005 p. 1 |
| | Tube and pipe fittings, of iron or steel | Duties | Council Reg. (EC) No 1514/2002 19.08.2002 as last amended by Council Reg. (EC) No 778/2003 06.05.2003 | L 228 24.08.2002 p. 1 L 114 08.05.2003 p. 1 |
| Libya | Urea | Duties | Council Reg. (EC) No 92/2002 17.01.2002 as last amended by Council Reg. (EC) No 1107/2002 25.06.2002 | L 17 19.01.2002 p. 1 L 168 27.06.2002 p. 1 |
| Malaysia | Colour television receivers | Duties | Council Reg. (EC) No 1531/2002 14.08.2002 as last amended by Council Reg. (EC) No 999/2004 17.05.2004 | L 231 29.08.2002 p. 1 L 183 20.05.2004 p. 7 |
| | Glyphosate | Duties | Council Reg. (EC) No 1683/2004 24.09.2004 extended to such imports consigned from Malaysia & Taiwan | L 303 30.09.2004 p. 1 |
| | PET (polyethylene terephthalate) | Duties | Council Reg. (EC) No 2604/2000 27.11.2000 as last amended by Council Reg. (EC) No 1646/2005 06.10.2005 | L 301 30.11.2000 p. 21 L 266 11.10.2005 p. 10 |
| | Tube and pipe fittings, of iron or steel | Duties | Council Reg. (EC) No 1514/2002 19.08.2002 as last amended by Council Reg. (EC) No 778/2003 06.05.2003 | L 228 24.08.2002 p. 1 L 114 08.05.2003 p. 1 |

| Origin | Product | Measure | Regulation N° | Publication |
|----------|-------------------------|---------------|---|---|
| Moldova | Steel ropes and cables | Duties (ext.) | Council Reg. (EC) No 1858/2005 08.11.2005 extended as concerns Ukraine to such imports consigned from Moldova by Council Reg. (EC) No 760/2004 22.04.2004 and extended as concerns China to such imports consigned from Morocco by Council Reg. (EC) No 1886/2004 25.10.2004 | L 299 16.11.2005 p. 1 L 120 24.04.2004 p. 1 L 328 30.10.2004 p. 1 |
| Morocco | Steel ropes and cables | Duties (ext.) | Council Reg. (EC) No 1858/2005 08.11.2005 extended as concerns Ukraine to such imports consigned from Moldova by Council Reg. (EC) No 760/2004 22.04.2004 and extended as concerns China to such imports consigned from Morocco by Council Reg. (EC) No 1886/2004 25.10.2004 | L 299 16.11.2005 p. 1 L 120 24.04.2004 p. 1 L 328 30.10.2004 p. 1 |
| Norway | Trout (large rainbow) | Duties | Council Reg. (EC) No 437/2004 08.03.2004 | L 72 11.03.2004 p. 23 |
| Pakistan | Bed linen (cotton-type) | Duties | Council Reg. (EC) No 397/2004 02.03.2004 | L 66 04.03.2004 p. 1 |

| Origin | Product | Measure | Regulation N° | Publication |
|-------------|---|-----------------------------|---|--|
| | Lamps (integrated electronic compact fluorescent) | Duties | Council Reg. (EC) No 1470/2001 16.07.2001 extended to imports from Pakistan, Philippines and Vietnam by Council Reg. (EC) No 866/2005 06.06.2005 t | L 195 19.07.2001 p. 8 L 145 09.06.2005 p. 1 |
| Philippines | Lamps (integrated electronic compact fluorescent) | Duties | Council Reg. (EC) No 1470/2001 16.07.2001 extended to imports from Pakistan, Philippines and Vietnam by Council Reg. (EC) No 866/2005 06.06.2005 t | L 195 19.07.2001 p. 8 L 145 09.06.2005 p. 1 |
| Romania | Seamless steel pipes and tubes | Duties (suspended) | Council Reg. (EC) No 2320/97 17.11.97 as last amended by Council Reg. (EC) No 1322/2004 16.07.2004 | L 322 25.11.97 p. 1 L 246 20.07.2004 p. 10 |
| | | Undertakings (suspended) | Commission Dec. No 97/790/EC 24.10.97 | L 322 25.11.97 p. 63 |
| | Urea | Duties | Council Reg. (EC) No 92/2002 17.01.2002 as last amended by Council Reg. (EC) No 1107/2002 25.06.2002 | L 17 19.01.2002 p. 1 L 168 27.06.2002 p. 1 |
| Russia | Aluminium foil | Duties | Council Reg. (EC) No 950/2001 14.05.2001 as last amended by Council Reg. (EC) No 998/2004 17.05.2004 | L 134 17.05.2001 p. 1 L 183 20.05.2004 p. 4 |
| | | Undertakings | Commission Dec. No 2001/381/EC 16.05.2001 | L 134 17.05.2001 p. 67 |

| Origin | Product | Measure | Regulation N° | Publication |
|--------|---|---|---|---|
| | Ammonium nitrate | Duties | Council Reg. (EC) No 658/2002 15.04.2002 as last amended by Council Reg. (EC) No 945/2005 21.06.2005 | L 102 18.04.2002 p. 1 L 160 23.06.2005 p. 1 |
| | Grain oriented flat-rolled products of silicon-electrical steel (small + big) | Duties | Council Reg. (EC) No 1371/2005 19.07.2005 | L 223 27.08.2005 p. 1 |
| | | Undertakings | Commission Dec. No 2005/622/EC 05.08.2005 | L 223 27.08.2005 p. 42 |
| | Granular polytetrafluoro- ethylene (PTFE) | Duties | Council Reg. (EC) No 1987/2005 02.12.2005 | L 320 08.12.2005 p. 1 |
| | Potassium chloride | Duties | Council Reg. (EC) No 969/2000 08.05.2000 as last amended by Council Reg. (EC) No 1891/2005 14.11.2005 | L 112 11.05.2000 p. 4 L 302 19.11.2005 p. 14 |
| | | Undertakings (valid until 13.04.2006) | Commission Reg. (EC) No 858/2005 06.06.2005 | L 143 07.06.2005 p. 11 |
| | | Undertakings | Commission Dec. No 2005/802/EC 17.10.2005 | L 302 19.11.2005 p. 79 |
| | Seamless steel pipes and tubes | Duties (suspended) | Council Reg. (EC) No 2320/97 17.11.97 as last amended by Council Reg. (EC) No 1322/2004 16.07.2004 | L 322 25.11.97 p. 1 L 246 20.07.2004 p. 10 |
| | | Undertakings (suspended) | Commission Dec. No 2000/70/EC 22.12.1999 | L 23 28.01.2000 p. 78 |

| Origin | Product | Measure | Regulation N° | Publication |
|--------|--|--------------|--|--|
| | Silicon carbide | Duties | Council Reg. (EC) No 1100/2000 22.05.2000 as last amended by Council Reg. (EC) No 991/2004 17.05.2004 | L 125 26.05.2000 p. 3 L 182 19.05.2004 p. 18 |
| | | Undertakings | Commission Dec. No 94/202/EC 09.03.94 prolonged by above Council Reg. | L 94 13.04.94 p. 32 |
| | Silicon | Duties | Council Reg. (EC) No 2229/2003 22.12.2003 as last amended by Council Reg. (EC) No 821/2004 26.04.2004 which has been subject to a corrigendum | L 339 24.12.2003 p. 3 L 127 29.04.2004 p. 1 L 361 08.12.2004 p. 54 |
| | | Undertakings | Commission Dec. No 2004/445/EC 13.04.2004 | L 127 29.04.2004 p. 114 |
| | Steel ropes and cables | Duties | Council Reg. (EC) No 1601/2001 02.08.2001 as last amended by Council Reg. (EC) No 564/2005 08.04.2005 | L 211 04.08.2001 p. 1 L 97 15.04.2005 p. 1 |
| | | Undertakings | Commission Dec. No 2001/602/EC 26.07.2001 | L 211 04.08.2001 p. 47 |
| | Urea and ammonium nitrate solutions | Duties | Council Reg. (EC) No 1995/2000 18.09.2000 as last amended by Council Reg. (EC) No 1675/2003 22.09.2003 | L 238 22.09.2000 p. 15 L 238 25.09.2003 p. 4 |

| Origin | Product | Measure | Regulation N° | Publication |
|--------------|--|--------------|---|---|
| | Tube and pipe fittings, of iron or steel | Duties | Council Reg. (EC) No 1514/2002 19.08.2002 as last amended by Council Reg. (EC) No 778/2003 06.05.2003 | L 228 24.08.2002 p. 1 L 114 08.05.2003 p. 1 |
| | Urea | Duties | Council Reg. (EC) No 901/2001 07.05.2001 | L 127 09.05.2001 p. 11 |
| Saudi Arabia | Polyester staple fibres | Duties | Council Reg. (EC) No 428/2005 10.03.2005 as last amended by Council Reg. (EC) No 1333/2005 09.08.2005 | L 71 17.03.2005 p. 1 L 211 13.08.2005 p. 1 |
| | | Undertakings | Commission Dec. No 2005/613/EC 18.07.2005 | L 211 13.08.2005 p. 20 |
| South Africa | Steel ropes and cables | Duties | Council Reg. (EC) No 1858/2005 08.11.2005 extended as concerns Ukraine to such imports consigned from Moldova by Council Reg. (EC) No 760/2004 22.04.2004 and extended as concerns China to such imports consigned from Morocco by Council Reg. (EC) No 1886/2004 25.10.2004 | L 299 16.11.2005 p. 1 L 120 24.04.2004 p. 1 |
| | | Undertakings | Commission Dec. No 1999/572/EC 13.08.99 as last amended by Commission Reg. (EC) No 1678/2003 26.08.2003 | L 328 30.10.2004 p. 1 L 217 17.08.99 p. 63 L 238 25.09.2003 p. 13 |

| Origin | Product | Measure | Regulation N° | Publication |
|-----------|---|---------|--|--|
| Sri Lanka | Tube and pipe fitting, of iron or steel | Duties | Council Reg. (EC) No 964/2003 02.06.2003 as last amended by Council Reg. (EC) No 1496/2004 18.08.2004 and extended as concerns China to imports consigned from Indonesia by Council Reg. (EC) 2052/2004 22.11.2004 and to imports consigned from Sri Lanka by Council Reg. (EC) No 2053/2004 22.11.2004 | L 139 06.06.2003 p. 1 L 275 25.08.2004 p. 1 L 355 01.12.2004 p. 4 L 355 01.12.2004 p. 9 |
| Taiwan | Compact disk recordables (CD-Rs) | Duties | Council Reg. (EC) No 1050/2002 13.06.2002 | L 160 18.06.2002 p. 2 |
| | Glyphosate | Duties | Council Reg. (EC) No 1683/2004 24.09.2004 extended to such imports consigned from Malaysia & Taiwan | L 303 30.09.2004 p. 1 |
| | Lighters (non-refillable and refillable) | Duties | Council Reg. (EC) No 1824/2001 12.09.2001 as last amended by Council Reg. (EC) No 155/2003 27.01.2003 | L 248 18.09.2001 p. 1 L 25 30.01.2003 p. 27 |
| | PET (polyethylene terephthalate) | Duties | Council Reg. (EC) No 2604/2000 27.11.2000 as last amended by Council Reg. (EC) No 1646/2005 06.10.2005 | L 301 30.11.2000 p. 21 L 266 11.10.2005 p. 10 |
| | Stainless steel fasteners and parts thereof | Duties | Council Reg. (EC) No 1890/2005 14.11.2005 | L 302 19.11.2005 p. 1 |

| Origin | Product | Measure | Regulation N° | Publication |
|----------|---|---------|--|--|
| | Tube and pipe fitting, of iron or steel | Duties | Council Reg. (EC) No 964/2003 02.06.2003 as last amended by Council Reg. (EC) No 1496/2004 18.08.2004 and extended as concerns China to imports consigned from Indonesia by Council Reg. (EC) 2052/2004 22.11.2004 and to imports consigned from Sri Lanka by Council Reg. (EC) No 2053/2004 22.11.2004 | L 139 06.06.2003 p. 1 L 275 25.08.2004 p. 1 L 355 01.12.2004 p. 4 L 355 01.12.2004 p. 9 |
| Thailand | Colour television receivers | Duties | Council Reg. (EC) No 1531/2002 14.08.2002 as last amended by Council Reg. (EC) No 999/2004 17.05.2004 | L 231 29.08.2002 p. 1 L 183 20.05.2004 p. 7 |
| | Coumarin (ext.) | Duties | Council Reg. (EC) No 769/2002 07.05.2002 as last amended by Council Reg. (EC) No 1854/2003 20.10.2003 and extended to imports consigned from India and Thailand by Council Reg. (EC) No 2272/2004 22.12.2004 | L 123 09.05.2002 p. 1 L 272 23.10.2003 p. 1 L 396 31.12.2004 p. 18 |
| | PET (polyethylene terephthalate) | Duties | Council Reg. (EC) No 2604/2000 27.11.2000 as last amended by Council Reg. (EC) No 1646/2005 06.10.2005 | L 301 30.11.2000 p. 21 L 266 11.10.2005 p. 10 |

| Origin | Product | Measure | Regulation N° | Publication |
|--------|--|--------------|--|--|
| | Stainless steel fasteners and parts thereof | Duties | Council Reg. (EC) No 1890/2005 14.11.2005 | L 302 19.11.2005 p. 1 |
| | Steel ropes and cables | Duties | Council Reg. (EC) No 1601/2001 02.08.2001 as last amended by Council Reg. (EC) No 564/2005 08.04.2005 | L 211 04.08.2001 p. 1 L 97 15.04.2005 p. 1 |
| | | Undertakings | Commission Dec. No 2001/602/EC 26.07.2001 | L 211 04.08.2001 p. 47 |
| | Polyester staple fibres | Duties | Council Reg. (EC) No 1522/2000 10.07.2000 | L 175 14.07.2000 p. 10 |
| | Tube and pipe fitting, of iron or steel | Duties | Council Reg. (EC) No 964/2003 02.06.2003 as last amended by Council Reg. (EC) No 1496/2004 18.08.2004 and extended as concerns China to imports consigned from Indonesia by Council Reg. (EC) 2052/2004 22.11.2004 and to imports consigned from Sri Lanka by Council Reg. (EC) No 2053/2004 22.11.2004 | L 139 06.06.2003 p. 1 L 275 25.08.2004 p. 1 L 355 01.12.2004 p. 4 L 355 01.12.2004 p. 9 |
| | Welded tubes and pipes, of iron or non-alloy steel | Duties | Council Reg. (EC) No 1697/2002 23.09.2002 | L 259 27.09.2002 p. 8 |
| Turkey | Steel ropes and cables | Duties | Council Reg. (EC) No 1601/2001 02.08.2001 as last amended by Council Reg. (EC) No 564/2005 08.04.2005 | L 211 04.08.2001 p. 1 L 97 15.04.2005 p. 1 |

| Origin | Product | Measure | Regulation N° | Publication |
|---------|--|---|---|--|
| | Welded tubes and pipes, of iron or non-alloy steel | Duties | Council Reg. (EC) No 1697/2002 23.09.2002 | L 259 27.09.2002 p. 8 |
| Ukraine | Ammonium nitrate | Duties | Council Reg. (EC) No 132/2001 22.01.2001 as last amended by Council Reg. (EC) No 945/2005 21.06.2005 | L 23 25.01.2001 p. 1 L 160 23.06.2005 p. 1 |
| | Seamless pipes and tubes of non-alloy steel | Duties (partially suspended until 18.11.2006) | Council Reg. (EC) No 348/2000 14.02.2000 as last amended by Council Reg. (EC) No 258/2005 14.02.2005, suspended by Commission Dec. No 2005/133/EC 16.02.2005 and suspension extended by Council Reg. (EC) No 1866/2005 08.11.2005 | L 45 17.02.2000 p. 1 L 46 17.02.2005 p. 7 L 46 17.02.2005 p. 46 L 300 17.11.2005 p. 1 |
| | Silicon carbide | Duties | Council Reg. (EC) No 1100/2000 22.05.2000 as last amended by Council Reg. (EC) No 991/2004 17.05.2004 | L 125 26.05.2000 p. 3 L 182 19.05.2004 p. 18 |
| | | Undertakings | Commission Dec. No 2004/782/EC 19.11.2004 | L 344 20.11.2004 p. 37 |

| Origin | Product | Measure | Regulation N° | Publication |
|--------|---|---------|---|---|
| | Steel ropes and cables | Duties | Council Reg. (EC) No 1858/2005 08.11.2005 extended as concerns Ukraine to such imports consigned from Moldova by Council Reg. (EC) No 760/2004 22.04.2004 and extended as concerns China to such imports consigned from Morocco by Council Reg. (EC) No 1886/2004 25.10.2004 | L 299 16.11.2005 p. 1 L 120 24.04.2004 p. 1 L 328 30.10.2004 p. 1 |
| | Urea and ammonium nitrate solutions | Duties | Council Reg. (EC) No 1995/2000 18.09.2000 as last amended by Council Reg. (EC) No 1675/2003 22.09.2003 | L 238 22.09.2000 p. 15 L 238 25.09.2003 p. 4 |
| | Urea | Duties | Council Reg. (EC) No 92/2002 17.01.2002 as last amended by Council Reg. (EC) No 1107/2002 25.06.2002 | L 17 19.01.2002 p. 1 L 168 27.06.2002 p. 1 |
| | Welded tubes and pipes, of iron or non-alloy steel | Duties | Council Reg. (EC) No 1697/2002 23.09.2002 | L 259 27.09.2002 p. 8 |
| USA | Ethanolamines | Duties | Council Reg. (EC) No 1603/2000 20.07.2000 as last amended by Council Reg. (EC) No 153/2003 27.01.2003 | L 185 25.07.2000 p. 1 L 25 30.01.2003 p. 23 |

| Origin | Product | Measure | Regulation N° | Publication |
|---------|---|--------------|--|---|
| | Grain oriented flat-rolled products of silicon-electrical steel (small + big) | Duties | Council Reg. (EC) No 1371/2005 19.07.2005 | L 223 27.08.2005 p. 1 |
| | | Undertakings | Commission Dec. No 2005/622/EC 05.08.2005 | L 223 27.08.2005 p. 42 |
| | Trichloroisocyanuric acid | Duties | Council Reg. (EC) No 1631/2005 03.10.2005 | L 261 07.10.2005 p. 1 |
| Vietnam | Bicycles | Duties | Council Reg. (EC) No 1095/2005 12.07.2005 | L 183 14.07.2005 p. 1 |
| | Lamps (integrated electronic compact fluorescent) | Duties | Council Reg. (EC) No 1470/2001 16.07.2001 extended to imports from Pakistan, Philippines and Vietnam by Council Reg. (EC) No 866/2005 06.06.2005 t | L 195 19.07.2001 p. 8 L 145 09.06.2005 p. 1 |
| | Stainless steel fasteners and parts thereof | Duties | Council Reg. (EC) No 1890/2005 14.11.2005 | L 302 19.11.2005 p. 1 |
| | Zinc oxides (extension from zinc oxides China) | Duties | Council Reg. (EC) No 408/2002 28.02.2002 extended to imports consigned from Vietnam, whether declared as originating in Vietnam or not by Council Reg. (EC) No 1623/2003 11.09.2003 | L 62 05.03.2002 p. 7 L 232 18.09.2003 p. 1 |
| | Ring binder mechanisms (extension from same imports from China) | Duties | Council Reg. (EC) No 2074/2004 29.11.2004 extended to imports from Vietnam by Council Reg. (EC) No 1208/2004 28.06.2004 | L 359 04.12.2004 p. 11 L 232 01.07.2004 p. 1 |

ANNEX P

Definitive anti-subsidy measures in force on 31 December 2005

A. Ranked by product (alphabetical)

| Product | Origin | Measure | Regulation N° | Publication |
|--|---|--------------|--|--|
| Antibiotics (broad spectrum) (AS) | India | Duties | Council Reg. (EC) No 713/2005 10.05.2005 | L 121 13.05.2005 p. 1 |
| Bedlinen (cotton-type) (AS) | India | Duties | Council Reg. (EC) No 74/2004 13.01.2004 | L 12 17.01.2004 p. 1 |
| Compact disk recordables (CD-Rs) (AS) | India | Duties | Council Reg. (EC) No 960/2003 02.06.2003 | L 138 05.06.2003 p. 1 |
| DRAMs (AS) | Korea (Rep. of) | Duties | Council Reg. (EC) No 1480/2003 11.08.2003 as last amended by Council Reg. (EC) No 2116/2005 20.12.2005 | L 212 22.08.2003 p. 1 L 340 23.12.2005 p. 7 |
| Graphite electrode systems (AS) | India | Duties | Council Reg. (EC) No 1628/2004 13.09.2004 | L 295 18.09.2004 p. 4 |
| PET (polyethylene terephthalate) (AS) | India | Duties | Council Reg. (EC) No 2603/2000 27.11.2000 as last amended by Council Reg. (EC) No 1645/2005 06.10.2005 | L 301 30.11.2000 p. 1 L 266 11.10.2005 p. 1 |
| | India | Undertakings | Commission Dec. No 2000/745/EC 29.11.2000 as last amended by Commission Dec. No 2005/697/EC 11.10.2005 | L 301 30.11.2000 p. 88 L 266 11.10.2005 p. 62 |
| PET film (polyethylene terephthalate) (AS) | India Brazil (ext.) Israel (ext.) | Duties | Council Reg. (EC) No 2597/99 06.12.99 extended to imports consigned from Brazil and from Israel by Council Reg. (EC) No 1976/2004 15.11.2004 | L 316 10.12.99 p. 1 L 342 18.11.2004 p. 8 |

| Product | Origin | Measure | Regulation N° | Publication |
|---|-----------|---------|---|---|
| Polyester textured filament yarn (PTY) (AS) | India | Duties | Council Reg. (EC) No 2094/2002 26.11.2002 | L 323 28.11.2002 p. 21 |
| Ring binder mechanisms (AS) | Indonesia | Duties | Council Reg. (EC) No 977/2002 04.06.2002 | L 150 08.06.2002 p. 17 |
| Sulphanilic acid (AS) | India | Duties | Council Reg. (EC) No 1338/2002 22.07.2002 as last amended by Council Reg. (EC) No 492/2004 08.03.2004 | L 196 25.07.2002 p. 1 L 80 18.03.2004 p. 6 |

B. Ranked by country (alphabetical)

| Origin | Product | Measure | Regulation N° | Publication | |
|--------|---------------------------------------|----------------|--|--|---------------|
| Brazil | Origin | Product | Measure | Regulation N° | Public |
| India | Antibiotics (broad spectrum) (AS) | Duties | Council Reg. (EC) No 713/2005 10.05.2005 | L 121 13.05.2005 p. 1 | |
| | Bedlinen (cotton-type) (AS) | Duties | Council Reg. (EC) No 74/2004 13.01.2004 | L 12 17.01.2004 p. 1 | |
| | Compact disk reordables (CD-Rs) (AS) | Duties | Council Reg. (EC) No 960/2003 02.06.2003 | L 138 05.06.2003 p. 1 | |
| | Graphite electrode systems (AS) | Duties | Council Reg. (EC) No 1628/2004 13.09.2004 | L 295 18.09.2004 p. 4 | |
| | PET (polyethylene terephthalate) (AS) | Duties | Council Reg. (EC) No 2603/2000 27.11.2000 as last amended by Council Reg. (EC) No 1645/2005 06.10.2005 | L 301 30.11.2000 p. 1 L 266 11.10.2005 p. 1 | |
| | | Undertakings | Commission Dec. No 2000/745/EC 29.11.2000 as last amended by Commission Dec. No 2005/697/EC 12.09.2005 | L 301 30.11.2000 p. 88 L 266 11.10.2005 p. 62 | |

| Origin | Product | Measure | Regulation N° | Publication |
|-----------------|---|---------|--|--|
| | PET film (polyethylene terephthalate) (AS) | Duties | Council Reg. (EC) No 2597/99 06.12.99 extended to imports consigned from Brazil and from Israel by Council Reg. (EC) No 1976/2004 15.11.2004 | L 316 10.12.99 p. 1 L 342 18.11.2004 p. 8 |
| | Polyester textured filament yarn (PTY) (AS) | Duties | Council Reg. (EC) No 2094/2002 26.11.2002 | L 323 28.11.2002 p. 21 |
| | Sulphanilic acid (AS) | Duties | Council Reg. (EC) No 1338/2002 22.07.2002 as last amended by Council Reg. (EC) No 492/2004 08.03.2004 | L 196 25.07.2002 p. 1 L 80 18.03.2004 p. 6 |
| Indonesia | Ring binder mechanisms (AS) | Duties | Council Reg. (EC) No 977/2002 04.06.2002 | L 150 08.06.2002 p. 17 |
| Israel | PET film (polyethylene terephthalate) (AS) (ext.) | Duties | Council Reg. (EC) No 2597/99 06.12.99 extended to imports consigned from Brazil and from Israel by Council Reg. (EC) No 1976/2004 15.11.2004 | L 316 10.12.99 p. 1 L 342 18.11.2004 p. 8 |
| Korea (Rep. of) | DRAMs (AS) | Duties | Council Reg. (EC) No 1480/2003 11.08.2003 as last amended by Council Reg. (EC) No 2116/2005 20.12.2005 | L 212 22.08.2003 p. 1 L 340 23.12.2005 p. 7 |

ANNEX Q

Undertakings in force on 31 December 2005

A. Ranked by product (alphabetical)

| Product | Origin | Measure | Regulation N° | Publication |
|---|--------------------|---|--|--|
| Aluminium foil | Russia | Undertakings | Commission Dec. No 2001/381/EC 16.05.2001 | L 134 17.05.2001 p. 67 |
| Colour television receivers | P.R. China | Undertakings | Commission Dec. No 2002/683/EC 29.07.2002 | L 231 29.08.2002 p. 42 |
| Coumarin | India | Undertakings | Commission Dec. No 2005/3/EC 03.01.2005 | L 1 04.01.2005 p. 15 |
| Grain oriented flat-rolled products of silicon-electrical steel (small + big) | Russia USA | Undertakings | Commission Dec. No 2005/622/EC 05.08.2005 | L 223 27.08.2005 p. 42 |
| Magnesia bricks | P.R. China | Undertakings | Commission Dec. No 2005/704/EC 11.10.2005 | L 267 12.10.2005 p. 27 |
| PET (polyethylene terephthalate) | India Indonesia | Undertakings | Commission Dec. No 2000/745/EC 29.11.2000 as last amended by Commission Dec. No 2005/697/EC 12.09.2005 | L 301 30.11.2000 p. 88 L 266 11.10.2005 p. 62 |
| | Australia | Undertakings | Commission Dec. No 2004/600/EC 04.08.2004 | L 271 19.08.2004 p. 38 |
| PET (polyethylene terephthalate) (AS) | India | Undertakings | Commission Dec. No 2000/745/EC 29.11.2000 | L 301 30.11.2000 p. 88 |
| PET (polyethylene terephthalate) film | India | Undertakings | Commission Dec. No 2001/645/EC 22.08.2001 | L 227 23.08.2001 p. 56 |
| Polyester staple fibres | India | Undertakings | Commission Dec. No 2000/818/EC 19.12.2000 | L 332 28.12.2000 p. 116 |
| | Saudi Arabia | Undertakings | Commission Dec. No 2005/613/EC 18.07.2005 | L 211 13.08.2005 p. 20 |
| Potassium chloride | Belarus Russia | Undertakings (valid until 13.04.2006) | Commission Reg. (EC) No 858/2005 06.06.2005 | L 143 07.06.2005 p. 11 |
| | Russia | Undertakings | Commission Dec. No 2005/802/EC 17.10.2005 | L 302 19.11.2005 p. 79 |

| Product | Origin | Measure | Regulation N° | Publication |
|--|-----------------------|-----------------------------|---|--|
| Seamless steel pipes and tubes | Romania | Undertakings (suspended) | Commission Dec. No 97/790/EC 24.10.97 | L 322 25.11.97 p. 63 |
| | Russia | Undertakings (suspended) | Commission Dec. No 2000/70/EC 22.12.1999 | L 23 28.01.2000 p. 78 |
| Silicon | Russia | Undertakings | Commission Dec. No 2004/445/EC 13.04.2004 | L 127 29.04.2004 p. 114 |
| Silicon carbide | Russia | Undertakings | Commission Dec. No 94/202/EC 09.03.94 prolonged by Council Reg. (EC) No 1100/2000 22.05.2000 | L 94 13.04.94 p. 32 L 125 26.05.2000 p. 3 |
| Steel ropes and cables | India South Africa | Undertakings | Commission Dec. No 1999/572/EC 13.08.99 as last amended by Commission Reg. (EC) No 1678/2003 26.08.2003 | L 217 17.08.99 p. 63 L 238 25.09.2003 p. 13 |
| | Russia Thailand | Undertakings | Commission Dec. No 2001/602/EC 26.07.2001 | L 211 04.08.2001 p. 47 |
| Trout (large rainbow) | Faeroe Islands | Undertakings | Commission Reg. (EC) No 117/2004 23.01.2004 | L 17 24.01.2004 p. 4 |
| Urea and ammonium nitrate solutions | Algeria | Undertakings | Commission Reg. (EC) No 617/2000 16.03.2000 | L 75 24.03.2000 p. 3 |

B. Ranked by country (alphabetical)

| Origin | Product | Measure | Regulation N° | Publication |
|-----------|--|---|---|------------------------------|
| Algeria | Urea and ammonium nitrate solutions | Undertakings | Commission Reg. (EC) No 617/2000 16.03.2000 | L 75 24.03.2000 p. 3 |
| Australia | Polyethylene terephthalate | Undertakings | Commission Dec. No 2004/600/EC 04.08.2004 | L 271 19.08.2004 p. 38 |
| Belarus | Potassium chloride | Undertakings (valid until 13.04.2006) | Commission Reg. (EC) No 858/2005 06.06.2005 | L 143 07.06.2005 p. 11 |

| Origin | Product | Measure | Regulation N° | Publication |
|----------------|---------------------------------------|--------------|---|--|
| P.R. China | Colour television receivers | Undertakings | Commission Dec. No 2002/683/EC 29.07.2002 | L 231 29.08.2002 p. 42 |
| | Magnesia bricks | Undertakings | Commission Dec. No 2005/704/EC 11.10.2005 | L 267 12.10.2005 p. 27 |
| Faeroe Islands | Trout (large rainbow) | Undertakings | Commission Reg. (EC) No 117/2004 23.01.2004 | L 17 24.01.2004 p. 4 |
| India | Coumarin | Undertakings | Commission Dec. No 2005/3/EC 03.01.2005 | L 1 04.01.2005 p. 15 |
| | PET (polyethylene terephthalate) | Undertakings | Commission Dec. No 2000/745/EC 29.11.2000 as last amended by Commission Dec. No 2005/697/EC 12.09.2005 | L 301 30.11.2000 p. 88 L 266 11.10.2005 p. 62 |
| | PET (polyethylene terephthalate) (AS) | Undertakings | Commission Dec. No 2000/745/EC 29.11.2000 as last amended by Commission Dec. No 2005/697/EC 12.09.2005 | L 301 30.11.2000 p. 88 L 266 11.10.2005 p. 62 |
| | PET (polyethylene terephthalate) film | Undertakings | Commission Dec. No 2001/645/EC 22.08.2001 | L 227 23.08.2001 p. 56 |
| | Polyester staple fibres | Undertakings | Commission Dec. No 2000/818/EC 19.12.2000 | L 332 28.12.2000 p. 116 |
| | Steel ropes and cables | Undertakings | Commission Dec. No 1999/572/EC 13.08.99 as last amended by Commission Reg. (EC) No 1678/2003 26.08.2003 | L 217 17.08.99 p. 63 L 238 25.09.2003 p. 13 |
| Indonesia | PET (polyethylene terephthalate) | Undertakings | Commission Dec. No 2000/745/EC 29.11.2000 as last amended by Commission Dec. No 2005/697/EC 12.09.2005 | L 301 30.11.2000 p. 88 L 266 11.10.2005 p. 62 |
| Romania | Seamless steel pipes and tubes | Undertakings | Commission Dec. No 97/790/EC 24.10.97 | L 322 25.11.97 p. 63 |

| Origin | Product | Measure | Regulation N° | Publication |
|--------------|---|---|---|--|
| Russia | Aluminium foil | Undertakings | Commission Dec. No 2001/381/EC 16.05.2001 | L 134 17.05.2001 p. 67 |
| | Grain oriented flat-rolled products of silicon-electrical steel (small + big) | Undertakings | Commission Dec. No 2005/622/EC 05.08.2005 | L 223 27.08.2005 p. 42 |
| | Potassium chloride | Undertakings (valid until 13.04.2006) | Commission Reg. (EC) No 858/2005 06.06.2005 | L 143 07.06.2005 p. 11 |
| | | Undertakings | Commission Dec. No 2005/802/EC 17.10.2005 | L 302 19.11.2005 p. 79 |
| | Seamless pipes and tubes of iron or non-alloy steel | Undertakings | Commission Dec. No 2000/70/EC 22.12.1999 | L 23 28.01.2000 p. 78 |
| | Silicon | Undertakings | Commission Dec. No 2004/445/EC 13.04.2004 | L 127 29.04.2004 p. 114 |
| | Silicon carbide | Undertakings | Commission Dec. No 94/202/EC 09.03.94 prolonged by Council Reg. (EC) No 1100/2000 22.05.2000 | L 94 13.04.94 p. 32 L 125 26.05.2000 p. 3 |
| | Steel ropes and cables | Undertakings | Commission Dec. No 2001/602/EC 26.07.2001 | L 211 04.08.2001 p. 47 |
| Saudi Arabia | Polyester staple fibres | Undertakings | Commission Dec. No 2005/613/EC 18.07.2005 | L 211 13.08.2005 p. 20 |
| South Africa | Steel ropes and cables | Undertakings | Commission Dec. No 1999/572/EC 13.08.99 as last amended by Commission Reg. (EC) No 1678/2003 26.08.2003 | L 217 17.08.99 p. 63 L 238 25.09.2003 p. 13 |
| Thailand | Steel ropes and cables | Undertakings | Commission Dec. No 2001/602/EC 26.07.2001 | L 211 04.08.2001 p. 47 |
| USA | Grain oriented flat-rolled products of silicon-electrical steel (small + big) | Undertakings | Commission Dec. No 2005/622/EC 05.08.2005 | L 223 27.08.2005 p. 42 |

ANNEX R

Anti-dumping & anti-subsidy investigations pending

on 31 December 2005

A. New investigations (ranked by product - in alphabetical order)

| Product | AD/AS | Origin | Type | Publication |
|-----------------------------------|--------------|---|------------------------------|---|
| CD-Rs | AD.500 | P.R. China Hong Kong Malaysia | Initiation | C 192 06.08.2005, p. 3 |
| Chamois leather | AD.496 | P.R. China | Initiation | C 154 25.06.2005, p. 12 |
| DVD+/-R | AD.501 | P.R. China Hong Kong Taiwan | Initiation | C 192 06.08.2005, p. 12 |
| Ethyl alcohol | AD.492 | Guatemala Pakistan | Initiation | C 129 26.05.2005, p. 22 |
| Footwear (with protective toecap) | AD.495 | P.R. China India | Initiation | C 159 30.06.2005, p. 7 |
| Footwear (with uppers of leather) | AD.499 | P.R. China Vietnam | Initiation | C 166 07.07.2005, p. 14 |
| Lever arch mechanisms | AD.491 | P.R. China | Initiation | C 103 28.04.2005, p. 18 |
| Plastic sacks and bags | AD.497 | P.R. China Malaysia Thailand | Initiation | C 159 30.06.2005, p. 19 |
| Plastic sacks and bags (AS) | AS.498 | Malaysia Thailand | Initiation | C 159 30.06.2005, p. 15 |
| Refrigerators (side-by-side) | AD.493 | Korea (Rep. of) | Initiation | C 135 02.06.2005, p. 4 |
| Salmon | AD.487 | Norway | Initiation Prov. duty | C 261 23.10.2004, p. 8 L 104 23.04.2005, p. 5 |
| Seamless pipes and tubes | AD.490 | Croatia Romania Russia Ukraine | Initiation | C 77 31.03.2005, p. 2 |
| Silicon carbide | AD.494 | Romania | Initiation | C 159 30.06.2005, p. 4 |
| Tartaric acid | AD.488 | P.R. China | Initiation Prov. | C 267 30.10.2004, p. 4 L 200 30.07.2005, p. 73 |
| Tungsten electrodes | AD.502 | P.R. China | Initiation | C 322 17.12.2005, p. 12 |

B. Review investigations (ranked by product - in alphabetical order)

| Product | R. No | Origin | Type of review | Publication |
|---|-------|---|------------------------|----------------------------|
| Aluminium foil | R.352 | Russia | Partial interim review | C 285 23.11.2004, p. 3 |
| Ammonium nitrate | R.382 | Russia | Partial interim review | C 300 30.11.2005, p. 8 |
| Bed linen (cotton-type) | R.345 | Pakistan | Partial interim review | C 196 03.08.2004, p. 2 |
| Ethanolamines | R.373 | USA | Expiry review | C 183 26.07.2005, p. 13 |
| Glyphosate | R.376 | Taiwan | Notice | C 200 17.08.2005, p. 3 |
| Lamps (integrated electronic compact fluorescent lamps) | R.353 | P.R. China | Partial interim review | C 301 07.12.2004, p. 2 |
| Magnesia (dead-burned, sintered) | R.358 | P.R. China | Expiry review | C 38 15.02.2005, p. 2 |
| Polyester staple fibres | R.372 | Australia Indonesia Thailand | Expiry review | C 174 14.07.2005, p. 15 |
| Polyester staple fibres | R.384 | Thailand | Partial interim review | C 307 03.12.2005, p. 2 |
| Polyester staple fibres | R.385 | Australia Belarus P.R. China India Indonesia Korea (Rep. of) Saudi Arabia Thailand | Partial interim review | C 325 22.12.2005, p. 20 |
| Polyester staple fibres | R.386 | India | Expiry review | C 323 20.12.2005, p. 21 |
| Polyethylene terephthalate (PET) film | R.316 | India | Partial interim review | C 281 22.11.2003, p. 4 |
| Polyethylene terephthalate (PET) film | R.355 | India | Partial interim review | C 1 04.01.2005, p. 5 |
| Polyethylene terephthalate (PET) film | R.377 | Israel | New exporter review | L 218 23.08.2005, p. 3 |
| Polyethylene terephthalate (PET) film (AS) | R.279 | India | Partial interim review | C 154 28.06.2002, p. 2 |
| Polyethylene terephthalate (PET) film (AS) | R.354 | India | Expiry review | C 306 10.12.2004, p. 2 |
| Polyethylene terephthalate (PET) film (AS) | R.371 | India | Partial interim review | C 172 12.07.2005, p. 5 |
| Polyethylene terephthalate (PET) film (AS) | R.377 | Israel | Accelerated review | L 218 23.08.2005, p. 3 |
| Polyethylene terephthalate (PET) | R.380 | India Indonesia Korea (Rep. of) Malaysia Taiwan Thailand | Expiry review | C 304 01.12.2005, p. 9 |

| Product | R. No | Origin | Type of review | Publication |
|---|-------|---|-------------------------------------|----------------------------|
| Polyethylene terephthalate (PET) | R.380 | Korea (Rep. of) Taiwan | Partial interim review | C 304 01.12.2005, p. 9 |
| Polyethylene terephthalate (PET) (AS) | R.381 | India | Expiry review | C 304 01.12.2005, p. 4 |
| Potassium chloride | R.365 | Belarus | Partial interim review | C 89 13.04.2005, p. 7 |
| Potassium chloride | R.366 | Belarus Russia | Expiry review | C 89 13.04.2005, p. 3 |
| Potassium permanganate | R.349 | P.R. China | Notice | C 209 19.08.2004, p. 2 |
| Ring binder mechanisms | R.364 | P.R. China | Anti-circumvention investigation | L 94 13.04.2005, p. 26 |
| Seamless pipes and tubes, of iron or non-alloy steel | R.292 | Romania Russia | Expiry review | C 288 23.11.2002, p. 2 |
| Seamless pipes and tubes, of iron or non-alloy steel | R.292 | Romania Russia | Interim review | C 288 23.11.2002, p. 2 |
| Seamless pipes and tubes, of iron or steel | R.362 | Croatia Ukraine | Interim review | C 77 31.03.2005, p. 2 |
| Seamless pipes and tubes, of iron or steel | R.363 | Russia Romania | Interim review | C 77 31.03.2005, p. 2 |
| Silicon carbide | R.369 | P.R. China Russia Ukraine | Expiry review | C 129 26.05.2005, p. 17 |
| Silicon carbide | R.370 | Russia | Interim review | C 129 26.05.2005, p. 17 |
| Steel ropes and cables | R.347 | Russia | Partial interim review | C 202 10.08.2004, p. 12 |
| Sulphanilic acid (AD + AS) | R.368 | India | Partial interim review | C 101 27.04.2005, p. 34 |
| Television camera systems | R.379 | Japan | Expiry review | C 239 29.09.2005, p. 9 |
| Tube or pipe fittings | R.374 | P.R. China | Anti-circumvention investigation | L 204 05.08.2005, p. 3 |
| Urea and ammonium nitrate solutions | R.378 | Algeria Belarus Russia Ukraine | Expiry review | C 233 22.09.2005, p. 14 |
| Zinc oxides | R.375 | P.R. China | Anti-circumvention investigation | L 204 05.08.2005, p. 7 |

C. Ranked by country (new and review investigations) (alphabetical)

| Origin | Product | Type | Publication |
|------------|---|----------------------------------|----------------------------|
| Algeria | Urea and ammonium nitrate solutions | Expiry review | C 233 22.09.2005, p. 14 |
| Australia | Polyester staple fibres | Expiry review | C 174 14.07.2005, p. 15 |
| | Polyester staple fibres | Partial interim review | C 325 22.12.2005, p. 20 |
| Belarus | Polyester staple fibres | Partial interim review | C 325 22.12.2005, p. 20 |
| | Potassium chloride | Partial interim review | C 89 13.04.2005, p. 7 |
| | Potassium chloride | Expiry review | C 89 13.04.2005, p. 3 |
| | Urea and ammonium nitrate solutions | Expiry review | C 233 22.09.2005, p. 14 |
| P.R. China | CD-Rs | New investigation | C 192 06.08.2005, p. 3 |
| | Chamois leather | New investigation | C 154 25.06.2005, p. 12 |
| | DVD+/-R | New investigation | C 192 06.08.2005, p. 12 |
| | Footwear (with protective toecap) | New investigation | C 159 30.06.2005, p. 7 |
| | Footwear (with uppers of leather) | New investigation | C 166 07.07.2005, p. 14 |
| | Lamps (integrated electronic compact fluorescent lamps) | Partial interim review | C 301 07.12.2004, p.2 |
| | Lever arch mechanisms | New investigation | C 103 28.04.2005, p. 18 |
| | Magnesia (dead-burned, sintered) | Expiry review | C 38 15.02.2005, p. 2 |
| | Plastic sacks and bags | New investigation | C 159 30.06.2005, p. 19 |
| | Polyester staple fibres | Partial interim review | C 325 22.12.2005, p. 20 |
| | Potassium permanganate | Notice | C 209 19.08.2004, p. 2 |
| | Potassium permanganate | Notice | C 110 05.05.2005, p. 13 |
| | Ring binder mechanisms | Anti-circumvention investigation | L 94 13.04.2005, p. 26 |
| | Silicon carbide | Expiry review | C 129 26.05.2005, p. 17 |
| | Tartaric acid | New investigation | C 267 30.10.2004, p. 4 |
| | | Prov. | L 200 30.07.2005, p. 73 |

| Origin | Product | Type | Publication |
|-----------|--|----------------------------------|----------------------------|
| | Tube or pipe fittings | Anti-circumvention investigation | L 204 05.08.2005, p. 3 |
| | Tungsten electrodes | New investigation | C 322 17.12.2005, p. 12 |
| | Zinc oxides | Anti-circumvention investigation | L 204 05.08.2005, p. 7 |
| Croatia | Seamless pipes and tubes | New investigation | C 77 31.03.2005, p. 2 |
| | Seamless pipes and tubes | Interim review | C 77 31.03.2005, p. 2 |
| Guatemala | Ethyl alcohol | New investigation | C 129 26.05.2005, p. 22 |
| Hong Kong | CD-Rs | New investigation | C 192 06.08.2005, p. 3 |
| | DVD+/-R | New investigation | C 192 06.08.2005, p. 12 |
| India | Footwear (with protective toecap) | New investigation | C 159 30.06.2005, p. 7 |
| | Polyester staple fibres | Expiry review | C 323 20.12.2005, p. 21 |
| | Polyester staple fibres | Partial interim review | C 325 22.12.2005, p. 20 |
| | Polyethylene terephthalate (PET) (AS) | Expiry review | C 304 01.12.2005, p. 4 |
| | Polyethylene terephthalate (PET) | Expiry review | C 304 01.12.2005, p. 9 |
| | Polyethylene terephthalate (PET) film (AS) | Partial interim review | C 154 28.06.2002, p. 2 |
| | Polyethylene terephthalate (PET) film | Partial interim review | C 281 22.11.2003, p. 4 |
| | Polyethylene terephthalate (PET) film (AS) | Expiry review | C 306 10.12.2004, p. 2 |
| | Polyethylene terephthalate (PET) film | Partial interim review | C 1 04.01.2005, p. 5 |
| | Polyethylene terephthalate (PET) film (AS) | Partial interim review | C 172 12.07.2005, p. 5 |
| | Sulphanilic acid (AD + AS) | Partial interim review | C 101 27.04.2005, p. 34 |
| Indonesia | Polyester staple fibres | Expiry review | C 174 14.07.2005, p. 15 |
| | Polyester staple fibres | Partial interim review | C 325 22.12.2005, p. 20 |
| | Polyethylene terephthalate (PET) | Expiry review | C 304 01.12.2005, p. 9 |
| Israel | Polyethylene terephthalate (PET) film (AS) | Accelerated review | L 218 23.08.2005, p. 3 |

| Origin | Product | Type | Publication |
|-----------------|--|------------------------|----------------------------|
| | Polyethylene terephthalate (PET) film | New exporter review | L 218 23.08.2005, p. 3 |
| Japan | Television camera systems | Expiry review | C 239 29.09.2005, p. 9 |
| Korea (Rep. of) | Polyester staple fibres | Partial interim review | C 325 22.12.2005, p. 20 |
| | Polyethylene terephthalate (PET) | Expiry review | C 304 01.12.2005, p. 9 |
| | Polyethylene terephthalate (PET) | Partial interim review | C 304 01.12.2005, p. 9 |
| | Refrigerators (side-by-side) | New investigation | C 135 02.06.2005, p. 4 |
| Malaysia | CD-Rs | New investigation | C 192 06.08.2005, p. 3 |
| | Plastic sacks and bags | New investigation | C 159 30.06.2005, p. 19 |
| | Plastic sacks and bags (AS) | New investigation | C 159 30.06.2005, p. 15 |
| | Polyethylene terephthalate (PET) | Expiry review | C 304 01.12.2005, p. 9 |
| Norway | Salmon | New investigation | C 261 23.10.2004, p. 8 |
| | | Prov. duty | L 104 23.04.2005, p. 5 |
| Pakistan | Bed linen (cotton-type) | Partial interim review | C 196 03.08.2004, p. 2 |
| | Ethyl alcohol | New investigation | C 129 26.05.2005, p. 22 |
| Romania | Seamless pipes and tubes, of iron or non-alloy steel | Expiry review | C 288 23.11.2002, p. 2 |
| | Seamless pipes and tubes, of iron or non-alloy steel | Interim review | C 288 23.11.2002, p. 2 |
| | Seamless pipes and tubes | New investigation | C 77 31.03.2005, p. 2 |
| | Seamless pipes and tubes | Interim review | C 77 31.03.2005, p. 2 |
| | Silicon carbide | New investigation | C 159 30.06.2005, p. 4 |
| Russia | Aluminium foil | Partial interim review | C 285 23.11.2004, p. 3 |
| | Ammonium nitrate | Partial interim review | C 300 30.11.2005, p. 8 |
| | Potassium chloride | Expiry review | C 89 13.04.2005, p. 3 |
| | Seamless pipes and tubes, of iron or non-alloy steel | Expiry review | C 288 23.11.2002, p. 2 |

| Origin | Product | Type | Publication |
|--------------|--|------------------------|----------------------------|
| | Seamless pipes and tubes, of iron or non-alloy steel | Interim review | C 288 23.11.2002, p. 2 |
| | Seamless pipes and tubes | New investigation | C 77 31.03.2005, p. 2 |
| | Seamless pipes and tubes | Interim review | C 77 31.03.2005, p. 2 |
| | Silicon carbide | Expiry review | C 129 26.05.2005, p. 17 |
| | Silicon carbide | Interim review | C 129 26.05.2005, p. 17 |
| | Steel ropes and cables | Partial interim review | C 202 10.08.2004, p. 12 |
| | Urea and ammonium nitrate solutions | Expiry review | C 233 22.09.2005, p. 14 |
| Saudi Arabia | Polyester staple fibres | Partial interim review | C 325 22.12.2005, p. 20 |
| Taiwan | DVD+/-R | New investigation | C 192 06.08.2005, p. 12 |
| | Glyphosate | Notice | C 200 17.08.2005, p. 3 |
| | Polyethylene terephthalate (PET) | Expiry review | C 304 01.12.2005, p. 9 |
| | Polyethylene terephthalate (PET) | Partial interim review | C 304 01.12.2005, p. 9 |
| Thailand | Plastic sacks and bags | New investigation | C 159 30.06.2005, p. 19 |
| | Plastic sacks and bags (AS) | New investigation | C 159 30.06.2005, p. 15 |
| | Polyester staple fibres | Expiry review | C 174 14.07.2005, p. 15 |
| | Polyester staple fibres | Partial interim review | C 307 03.12.2005, p. 2 |
| | Polyester staple fibres | Partial interim review | C 325 22.12.2005, p. 20 |
| | Polyethylene terephthalate (PET) | Expiry review | C 304 01.12.2005, p. 9 |
| Ukraine | Seamless pipes and tubes | New investigation | C 77 31.03.2005, p. 2 |
| | Seamless pipes and tubes | Interim review | C 77 31.03.2005, p. 2 |
| | Silicon carbide | Expiry review | C 129 26.05.2005, p. 17 |
| | Urea and ammonium nitrate solutions | Expiry review | C 233 22.09.2005, p. 14 |

| Origin | Product | Type | Publication |
|---------|-----------------------------------|-------------------|----------------------------|
| USA | Ethanolamines | Expiry review | C 183 26.07.2005, p. 13 |
| Vietnam | Footwear (with uppers of leather) | New investigation | C 166 07.07.2005, p. 14 |

ANNEX S

Court cases

A. Court cases pending before the Court of Justice and the Court of First Instance of the European Communities on 31 December 2005

| Court of Justice | |
|--------------------------------|---|
| Case C-351/04 | Ikea Wholesale Ltd. |
| Case C-245/05 | Metro International GmbH |
| Court of First Instance | |
| Case T-138/02 | Nanjing Metalink v. Council |
| Case T-274/02 | Ritek Corp. & Prodisc Tech Inc. v. Council |
| Case T-278 & 280/03 | Van Manekus & Co v. Council |
| Case T-300/03 | Moser Bear v. Council |
| Case T-364/03 | Medici Grimm KG v. Council |
| Case T-383/03 | Hynix v. Council |
| Case T-413/03 | Shandong v. Council |
| Case T-107/04 | Aluminium Silicon Mill Products GmbH v. Council |
| Case T-111/04 | OJSC Brask Aluminium Plant v. Council |
| Case T-174/04 | SC Petrotub SA v. Council |
| Case T-199/04 | Gul Ahmed Textile Mills Ltd. v. Council |
| Case T-429/04 | Trubowest Handel and Makarov v. Council |
| Case T-462/04 | Heg Ltd. and Graphite India Ltd. v. Council |
| Case T-480/04 | CMT and A&C v. Council |
| Case T-498/04 | Zhejiang Chemical v. Council |
| Case T-91/05 | Sinara Handel v. Council & Commission |
| Case T-221/05 | Huvis Corporation v. Council |
| Case T-299/05 | Shangai Excel & Shanghai Adeptech v. Council |
| Case T-348/05 | JSC Kirovo-Chepetsky v. Council |
| Case T-372/05 | Giant (China) Co. Ltd. v. Council |

B. Judgments, orders and other decisions rendered by the Court of Justice and the Court of First Instance of the European Communities during 2005

| Court of Justice | |
|--------------------------------|---|
| Case C-422/02 | Europe Chemi-Con GmbH v. Council |
| Court of First Instance | |
| Case T-192/98 | EUROCOTON v. Council |
| Case T-195/98 | Ettlin Spinnerei AG v. Council |
| Case T-177/00 | Philips v. Council |
| Case T-350/02 | Ikegami v. Council (removed from register) |
| Case T-335/04 | Viz Stal and Duferco Commerciale SpA v. Council |

ANNEX T

Refunds during the period 1 January – 31 December 2005

| LODGED | | |
|-----------------------------------|---------------|------------------|
| PRODUCT | ORIGIN | REFERENCE |
| Tube and Pipe Fittings | Russia | R 27/03 |
| Bed Linen | Pakistan | R 33/03 |
| Bed Linen | Pakistan | R 33/04 |
| Bed Linen | Pakistan | R 33/05 |
| Bed Linen | Pakistan | R 33/06 |
| Synthetic fibre rope | India | R 36/01 |
| Hand pallet trucks | PR China | R 37/01 |
| Retail electronic weighing scales | PR China | R 38/01 |
| PET film | India | R 39/01 |
| DRAMs | South Korea | R 40/01 |
| DRAMs | South Korea | R 40/02 |
| Polyester filament fabrics | PR China | R 41/01 |

| ONGOING ANALYSES | | |
|-----------------------------------|---------------|------------------|
| PRODUCT | ORIGIN | REFERENCE |
| Tube and Pipe Fittings | Russia | R 27/03 |
| Synthetic fibre rope | India | R 36/01 |
| Retail electronic weighing scales | PR China | R 38/01 |
| DRAMs | South Korea | R 40/01 |
| DRAMs | South Korea | R 40/02 |

| INVESTIGATION SUSPENDED | | |
|--------------------------------|----------|---------|
| Bed Linen | Pakistan | R 16/02 |

| DECISIONS ADOPTED | | | |
|------------------------|----------|-----------|-----------|
| PRODUCT | ORIGIN | DECISION | REFERENCE |
| Artificial Corundum | PR China | No refund | R 7/01 |
| Tube and Pipe Fittings | Russia | No refund | R 27/01 |
| Bicycles | PR China | Withdrawn | R 34/01 |
| Bicycles | PR China | No refund | R 34/02 |
| Hot rolled strips | Ukraine | No refund | R 35/01 |