

Notice of initiation of a review pursuant to Article 12 of Council Regulation (EC) No 384/96 of the anti-dumping measures applicable to certain imports of ring-binder mechanisms originating in the People's Republic of China

(1999/C 14/03)

The Commission has received a request pursuant to Article 12 of Council Regulation (EC) No 384/96⁽¹⁾ to investigate whether the anti-dumping measures imposed by Council Regulation (EC) No 119/97⁽²⁾ on imports of ring-binder mechanisms originating in the People's Republic of China have had an effect on resale prices or subsequent selling prices in the Community.

1. Complainant

The request was lodged on 7 December 1998 on behalf of Community producers whose collective output of ring-binder mechanisms constitutes a major proportion, as defined in Article 5(4) of Regulation (EC) No 384/96, of the total Community production of that product.

2. Product

The product under consideration is certain ring-binder mechanisms used as fittings for loose-leaf binders or files, but excluding lever-arch mechanisms, which consist of two or more round, arched or D-shaped sturdy metal rings and is currently classifiable within CN code ex 8305 10 00. This CN code is given for information only.

3. Information submitted

The request contains information showing that the resale and subsequent selling prices in the European Community of the product under consideration do not adequately reflect the level of the anti-dumping measures imposed. This information is based on price lists and other information obtained from the Chinese exporters and their resellers. It is also alleged that in major Community markets, exporters discounted their prices immediately after the imposition of measures by 15 % to 30 % compared to the prices prevailing during the period of the original investigation.

The insufficient movement in resale and subsequent selling prices in the Community is further supported by

a surge of Chinese imports to the Community which during the first semester of 1998 increased by more than 25 % as compared to imports in 1997.

It is further alleged that the insufficient movement of resale and subsequent selling prices after the imposition of measures has led to the continued erosion of prices obtained by the Community industry.

4. Procedure

Having determined, after consulting the Advisory Committee, that the request has been lodged on behalf of the Community industry and that there is sufficient information to justify the initiation of a review, the Commission hereby reopens the investigation pursuant to Article 12 of the Regulation (EC) No 384/96 in respect of imports of certain ring-binder mechanisms from the People's Republic of China.

(a) Questionnaires

In order to obtain the information it deems necessary for its investigation, the Commission will send questionnaires to the exporters and importers known to be concerned. The authorities of the exporting country will be notified of the initiation of the review investigation and provided with a copy of the request and a questionnaire. Information, where appropriate, will also be sought from Community producers.

All other exporters and importers are invited to contact the Commission forthwith in order to find out whether they are concerned by the investigation, in which case they should request a copy of the questionnaire as soon as possible, but not later than 15 days after publication of this notice in the *Official Journal of the European Communities*, as all questionnaires have to be completed within the time limit set out in paragraph 5. Any requests for questionnaires should be made in writing to the address mentioned below and should indicate the name, address, telephone, fax and/or telex numbers of the party making the request.

(b) Collection of information and holding of hearings

All interested parties are hereby invited to make their views known in writing and to provide supporting evidence. In particular, exporters, importers and Community producers may clarify the situation with regard to resale prices and subsequent selling prices of the product under investigation in the Community.

⁽¹⁾ OJ L 56, 6.3.1996, p. 1; Regulation as amended by Regulation (EC) No 2331/96 (OJ L 317, 6.12.1996, p. 1) and by Regulation (EC) No 905/98 (OJ L 128, 30.4.1998, p. 18).

⁽²⁾ OJ L 22, 24.1.1997, p. 1.

Furthermore, the Commission may hear interested parties, provided that they make a request in writing and show that there are particular reasons why they should be heard.

5. Time limit

Interested parties, if their representations are to be taken into account during the investigation, must make themselves known, present their views in writing, and submit information within 40 days from the date of the publication of this notice in the *Official Journal of the European Communities*. Interested parties may also apply to be heard by the Commission within the same time limit. This time limit also applies to interested parties unknown to the Commission and it is, consequently, in the interest of these parties to contact the Commission without delay at the following address:

European Commission,
Directorate-General I — External Relations:
Commercial Policy and Relations with North America,
the Far East, Australia and New Zealand,
Directorate I-C, Unit I-C-1,
DM 24, 8/38,
Rue de la Loi/Wetstraat 200,
B-1049 Brussels;
Fax (32-2) 295 65 05
Telex COMEU B 21877.

6. Non-cooperation

In cases in which any interested party does not provide, or otherwise refuses access to, the necessary information within the time limits, or significantly impedes the investigation, provisional or definitive findings, affirmative or negative, may be made in accordance with Article 18 of Council Regulation (EC) No 384/96, on the basis of the facts available.

**Commission notice pursuant to Article 4(1)(a) of Council Regulation (EEC) No 2408/92
Amendment by France of public service obligations in respect of scheduled air services serving
the island of Corsica**

(1999/C 14/04)

(Text with EEA relevance)

Following the Decision of the Council of State of 18 December 1998 annulling the election of the members of the Corsican Assembly, France has decided to suspend the public service obligations imposed on scheduled air services serving the island of Corsica, and the amendments thereto, as published in the *Official Journal of the European Communities* C 288 of 16 September 1998 (pages 6 to 18), in accordance with Article 4(1)(a) of Council Regulation (EEC) No 2408/92 of 23 July 1992 on access for Community air carriers to intra-Community air routes⁽¹⁾. Consequently, the public service obligations published in the *Official Journal of the European Communities* C 199 of 3 August 1995 remain in force from 1 January 1999.

⁽¹⁾ OJ L 240, 24.8.1992, p. 2.
