

**Notice concerning the anti-dumping and countervailing measures applicable to imports of certain steel products originating in Bulgaria, South Africa, the Federal Republic of Yugoslavia, India, Thailand, Taiwan, the People's Republic of China and Romania**

(2002/C 206/06)

### 1. Existing anti-dumping and countervailing measures

The following steel products are presently subject to anti-dumping and/or countervailing duties pursuant to Council Regulation (EC) No 384/96<sup>(1)</sup>, as last amended by Council Regulation (EC) No 2238/2000<sup>(2)</sup>, Council Regulation (EC) No 2026/97<sup>(3)</sup>, Commission Decision No 2277/96/ECSC<sup>(4)</sup>, as last amended by Commission Decision No 435/2001/ECSC<sup>(5)</sup>, and Decision No 1889/98/ECSC<sup>(6)</sup>:

- certain flat rolled products of iron or non-alloy steel, of a width of 600 mm or more, not clad, plated or coated, in coils, not further worked than hot-rolled (currently classifiable under CN codes 7208 10 00, 7208 25 00, 7208 26 00, 7208 27 00, 7208 36 00, 7208 37 10, 7208 37 90, 7208 38 10, 7208 38 90, 7208 39 10, 7208 39 90), originating in Bulgaria, South Africa, the Federal Republic of Yugoslavia<sup>(7)</sup> and India<sup>(8)</sup>;
- certain flat products of non-alloy steel not clad, plated or coated, not in coils, not further worked than hot rolled, other than with patterns in relief of a width of 600 mm or more and a thickness exceeding 10 mm, currently classifiable under CN codes ex 7208 51 30 (TARIC code 7208 51 30 10), ex 7208 51 50 (TARIC code 7208 51 50 10), ex 7208 51 91 (TARIC code 7208 51 91 10), ex 7208 51 99 (TARIC code 7208 51 99 10), or of a width of 2 050 mm or more and a thickness of 4.75 mm or more but not exceeding

10 mm, currently classifiable under CN code ex 7208 52 91 (TARIC code 7208 52 91 10), originating in Romania<sup>(9)</sup>;

- certain stainless steel wires with a diameter of 1 millimetre or more, containing by weight 2,5 % or more of nickel, excluding wire containing by weight 28 % or more but no more than 31 % of nickel and 20 % or more but not more than 22 % of chromium, currently classifiable under CN code ex 7223 00 19 (TARIC code 7223 00 19 90), originating in India<sup>(10)</sup>;
- certain tube and pipe fittings (other than cast fittings, flanges and threaded fittings), of iron or steel (not including stainless steel), with a greatest external diameter not exceeding 609,6 mm, of a kind used for butt-welding or other purposes, currently classifiable under CN codes ex 7307 93 11 (TARIC code 7307 93 11 91), ex 7307 93 19 (TARIC code 7307 93 19 91), ex 7307 99 30 (TARIC code 7307 99 30 92) and ex 7307 99 90 (TARIC code 7307 99 90 92), originating in Thailand, the People's Republic of China and Taiwan<sup>(11)</sup>.

### 2. Safeguard measures — assessment of combination of measures

By Regulation (EC) No 560/2002 of 27 March 2002<sup>(12)</sup>, the European Commission imposed provisional safeguard measures against imports of certain steel products, including the above-mentioned products, in the form of additional duties payable on imports in excess of the relevant tariff quotas (hereinafter 'the additional duty'). The Commission indicated, in recital 69 of the aforementioned Regulation, that the combined effect of the safeguard measures and anti-dumping and/or countervailing measures could lead to the establishment of a level of protection higher than that which is necessary.

<sup>(1)</sup> OJ L 56, 6.3.1996, p. 1.

<sup>(2)</sup> OJ L 257, 11.10.2000, p. 2.

<sup>(3)</sup> OJ L 288, 21.10.1997, p. 1.

<sup>(4)</sup> OJ L 308, 29.11.1996, p. 11. Pursuant to Article 1(1) of Council Regulation (EC) No 963/2002, as amended by Regulation (EC) No 1310/2002 (OJ L 192, 20.7.2002), measures adopted under Decision No 2277/96/ECSC remain in force and are governed by Regulation (EC) No 384/96.

<sup>(5)</sup> OJ L 63, 3.3.2001, p. 14.

<sup>(6)</sup> OJ L 245, 4.9.1998, p. 3. Pursuant to Article 2(1) of Council Regulation (EC) No 963/2002, as amended by Regulation (EC) No 130/2002 (OJ L 192, 20.7.2002), measures adopted under Decision No 1889/98/ECSC remain in force and are governed by Regulation (EC) No 384/96.

<sup>(7)</sup> Commission Decision No 283/2000/ECSC of 4 February 2000 (OJ L 31, 5.2.2000, p. 15), last amended by Decision No 841/2002/ECSC (OJ L 134, 22.5.2002, p. 11).

<sup>(8)</sup> Commission Decision No 283/2000/ECSC of 4 February 2000 (OJ L 31, 5.2.2000, p. 15), last amended by Decision No 1043/2002/ECSC (OJ L 157, 15.6.2002, p. 45), and Commission Decision No 284/2000/ECSC of 4 February 2000 (OJ L 31, 5.2.2000, p. 44), last amended by Decision No 1043/2002/ECSC (OJ L 157, 15.6.2002, p. 45).

<sup>(9)</sup> Commission Decision No 1758/2000/ECSC of 9 August 2000 (OJ L 202, 10.8.2000, p. 21), last amended by Decision No 979/2002/ECSC (OJ L 150, 8.6.2002, p. 36).

<sup>(10)</sup> Council Regulation (EC) No 1599/1999 of 12 July 1999 (OJ L 189, 22.7.1999, p. 1), last amended by Council Regulation (EC) No 164/2002 of 28 January 2002 (OJ L 30, 31.1.2002, p. 9), and Council Regulation (EC) No 1600/1999 of 12 July 1999 (OJ L 189, 22.7.1999, p. 19).

<sup>(11)</sup> Council Regulation (EC) No 584/96 (OJ L 84, 3.4.1996, p. 1), extended by Regulation (EC) No 763/2000 (OJ L 94, 14.4.2000, p. 1) as amended by Regulation (EC) No 2314/2000 (OJ L 267, 20.10.2000, p. 15) and amended by Regulation (EC) No 1592/2000 (OJ L 182, 21.7.2000, p. 1).

<sup>(12)</sup> OJ L 85, 28.3.2002, p. 1, amended by Commission Regulation (EC) No 950/2002 of 3 June 2002 (OJ L 145, 4.6.2002, p. 12) and last amended by Commission Regulation (EC) No 1287/2002 (OJ L 187, 16.7.2002, p. 25).

In the event that definitive safeguard measures are adopted, the Commission may therefore consider it necessary to propose amendments to the level of these existing anti-dumping or countervailing duties, pursuant to the Treaty establishing the European Community, and, in particular, Article 133 thereof, having regard to Regulation (EC) No 384/96 and Regulation (EC) No 2026/97. In this respect, the Commission considers it appropriate to invite all interested parties to make known their views.

It is recalled that, for each of the products concerned, if the definitive safeguard measures are not imposed, any additional duty paid in relation to imports of that product will be refunded. Therefore, it is only in the event that definitive safeguard measures are adopted that it will become apparent to what extent any of the products concerned are subject to the combined effect of definitive safeguard measures and the anti-dumping and/or countervailing measures.

### 3. Procedure and time limits

In order to have all interested parties views on the above, the Commission will contact the Community industry, any association of producers in the Community, the exporters/producers in the countries concerned, any association of exporters/producers in the countries concerned, the importers, and any association of importers which cooperated in the investigation leading to the abovementioned anti-dumping and countervailing duty measures, and the relevant authorities of the countries concerned.

All interested parties are hereby invited to make their views known, submit information and provide supporting evidence within 40 days of the publication of this Notice in the *Official Journal of the European Communities*. Parties which make themselves known to the Commission within this time limit, will be granted a further period during which to make comments further to any Commission proposal for definitive safeguard measures.

### 4. Written submissions and correspondence

All relevant information is to be communicated to the Commission. All submissions and requests made by interested parties must be made in writing (not in electronic format unless otherwise specified) and must indicate the name, address, e-mail address, telephone and fax, and/or telex numbers of the interested party.

The Commission address for correspondence is:

European Commission  
Directorate-General for Trade  
Directorate B  
J-79 5/16  
B-1049 Brussels  
Fax (32-2) 295 65 05  
Telex: COMEU B 21877.

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### **Final report of the Hearing Officer in cases COMP/M.2498 — UPM-Kymmene/Haindl, and COMP/M.2499 — Norske Skog/Parenco/Walsum**

*(prepared under Article 15 of the Commission Decision of 23 May 2001 on the terms of reference of Hearing Officers in certain competition proceedings (OJ L 162, 19.6.2001, p. 21))*

(2002/C 206/07)

**(Text with EEA relevance)**

The draft Decision does not give rise to particular observations. The proceedings took a normal course. The rights of parties to be heard were fully respected.

Done at Brussels on 30 October 2001.

Luc GYSELEN

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