



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 22 November 2012

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**ANTIDUMPING 93
COMER 240
WTO 378**

COVER NOTE

from: Secretary-General of the European Commission,
signed by Mr Jordi AYET PUIGARNAU, Director

date of receipt: 20 November 2012

to: Mr Uwe CORSEPIUS, Secretary-General of the Council of the European
Union

No Cion doc.: COM(2012) 691 final

Subject: Report from the Commission to the Council announcing the termination of the
anti-subsidy proceeding concerning imports of bioethanol originating in the
United States of America and the termination of the registration of such
imports imposed by Regulation (EU) No 771/2012

Delegations will find attached Commission document COM(2012) 691 final.

Encl.: COM(2012) 691 final



Brussels, 20.11.2012
COM(2012) 691 final

REPORT FROM THE COMMISSION TO THE COUNCIL

announcing the termination of the anti-subsidy proceeding concerning imports of bioethanol originating in the United States of America and the termination of the registration of such imports imposed by Regulation (EU) No 771/2012

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This report is made pursuant to Article 14(2) of Council Regulation (EC) No 597/2009 of 11 June of 2009 on protection against subsidised imports from countries not members of the European Community (OJ L 188, 18.7.2009, p. 93).

Article 14 (2) of this Regulation stipulates the following:

Termination without measures

Where, after consultation, protective measures are unnecessary and there is no objection raised within the Advisory Committee, the investigation or proceedings shall be terminated. **In all other cases, the Commission shall submit to the Council forthwith a report on the results of the consultation, together with a proposal that the proceeding be terminated.** The proceeding shall be deemed terminated if, within one month, the Council, acting by a qualified majority, has not decided otherwise". (*emphasis added*).

After consultations on the proposal to terminate the proceeding, objections were raised in the Advisory Committee. The proposal to terminate the case and the details of the consultation are set out in the annexes.

Annexes:

- (1) Summary of the opinions provided during the meeting of the Advisory Committee (Limited document).
- (2) Draft Commission Decision setting the reasons for terminating the proceeding in question (transmitted in all languages).