



Council of the  
European Union

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## INFORMATION NOTE

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From: General Secretariat of the Council  
To: Permanent Representatives Committee/Council  
Subject: Case before the Court of Justice of the European Union  
- C-232/14 *Portmeirion Group v. The Commissioners For Her Majesty's Revenue & Customs*, Reference for a preliminary ruling from the First Tier Tribunal (Tax Chamber) (United Kingdom)

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1. By decision of 29 April 2014, notified to the Council on 13 June 2014, the First Tier Tribunal (Tax Chamber) (United Kingdom), requested the Court of Justice to give a preliminary ruling pursuant to Article 267 of the TFEU on the validity and the interpretation of Council Regulation (EU) No 412/2013 (OJL 131, 15.5.2013,p.1) imposing a definitive antidumping duty and collecting definitively the provisional duty imposed on imports of ceramic tableware and kitchenware originating in the People's Republic of China.
2. The applicant in the national proceedings, Portmeirion Group UK limited, submits that the First Tier Tribunal (Tax Chamber) of the United Kingdom should cancel the anti-dumping duty which the UK authorities have imposed in respect of the applicant's import of ceramic tableware and kitchenware originating in the People's Republic of China, on the ground that the Council Regulation (EU) No 412/2013 which established the antidumping duty in question, is invalid.

3. The First-tier Tribunal (Tax Chamber) (United Kingdom) has put the following questions to the Court of Justice:

*"Is the contested Regulation incompatible with EU law in so far as it (i) is based on manifest errors of assessment with respect to the definition of the product concerned, thereby invalidating the conclusions of the anti-dumping investigation; and (ii) lacks adequate reasons as required under Article 296 TFEU?"*

4. The Council is, according to Article 23 of the Statute of the Court of Justice, entitled to submit observations within two months of receipt of the notification, in a case governed by Article 267 of the TFEU if the act, the validity or interpretation of which is in dispute, originates from the Council.
5. The Director-General of the Legal service of the Council has appointed Mrs Sonja BOELAERT, member of the Council Legal Service, as the Council's agent in this case. She is assisted by Mr Bernard O'CONNOR and Mr Sébastien GUBEL (NTCM O'CONNOR - Brussels).

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