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signed by Mr Jordi AYET PUIGARNAU, Director

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TABLE OF CONTENTS

Executive summary	5
1. Overview of the legislation	7
1.1. Anti-dumping and anti-subsidy	7
1.1.1. The international framework.....	7
1.1.2. The EU legislation.....	7
1.2. Safeguards	8
1.2.1. The international framework.....	8
1.2.2. The EU legislation.....	8
1.3. Anti-subsidy and unfair pricing instrument for airline services.....	9
2. Basic concepts.....	9
2.1. Anti-dumping and anti-subsidy	9
2.1.1. What is dumping and what are countervailable subsidies - the material conditions for the imposition of duties?	9
2.1.2. Procedure	10
2.1.3. Review of measures	12
2.1.4. Judicial reviews.....	12
2.2. Safeguards	12
2.2.1. What are safeguard measures?	12
2.2.2. Procedure	13
3. TDI Modernisation.....	14
4. Country-wide market economy status (MES).....	15
4.1. China	16
4.2. Vietnam.....	16

4.3.	Armenia.....	16
4.4.	Kazakhstan	16
4.5.	Mongolia	16
4.6.	Belarus	16
5.	Information and Communication activities / Bilateral contacts.....	17
5.1.	Small and medium sized enterprises (SMEs)	17
5.2.	Bilateral contacts/information activities – industry and third countries	17
6.	The Hearing Officer	17
7.	General overview of anti-dumping and anti-subsidy investigations and measures ...	19
7.1.	Measures in place.....	19
7.2.	Review investigations	20
8.	Overview of activities in 2013	21
8.1.	New investigations	21
8.1.1.	Initiations	21
8.1.2.	Provisional measures.....	22
8.1.3.	Definitive measures.....	23
8.1.4.	Details on individual cases.....	24
8.1.5.	Investigations terminated without measures	35
8.1.6.	Details on some individual cases	35
8.2.	Review investigations	37
8.2.1.	Expiry reviews	37
8.2.2.	Interim reviews	41
8.2.3.	“Other” reviews.....	44
8.2.4.	New exporter reviews	45
8.2.5.	Absorption investigations	46
8.2.6.	Circumvention investigations	46
8.3.	Safeguard investigations	48
9.	Enforcement of anti-dumping/countervailing measures	48
9.1.	Follow-up of measures.....	48
9.2.	Monitoring of undertakings	48
10.	Refunds	49

11.	Judicial review: decisions given by the Court of Justice / Court of First Instance	49
11.1.	Overview of the judicial reviews in 2013.	49
11.2.	Cases pending	49
11.3.	New cases.....	49
11.4.	Judgments rendered by the General Court	49
11.4.1.	Solutions of urea and ammonium nitrate originating in Russia – T-84/07 and T-459/08,– T-235/08, T-118/10, - Judgments of 7 February 2013.....	49
11.4.2	Zeolite A powder originating in Bosnia and Herzegovina – T-304/11 – Judgment of 30 April 2013.	51
11.4.3	Integrated electronic compact fluorescent lamps (CFL-i) originating, inter alia, in China - T-459/07, and T-469/07,– Judgments of 11 July 2013.	52
11.4.4	Certain fatty alcohols and their blends originating, inter alia, in India – T-6/12 – Judgment of 6 September 2013.....	53
11.4.5	Polyester staple fibres originating, inter alia, in China and in South Korea, T-536/08 and T-537/09– Judgments of 13 September 2013.	54
11.4.6	Certain aluminium foil originating, inter alia, in Armenia – T-512/09– Judgment of 5 November 2013.....	55
11.5.	Judgments rendered by the Court of Justice	56
11.5.1	Cotton-type bed linen originating in Pakistan – C-638/11P– Judgment of 14 November 2013.....	56
11.5.2	Ferro-silicon originating, inter alia, in the Former Yugoslavian Republic of Macedonia (FYROM) and Russia – C-13/12P - Judgment of 28 November 2013. ..	56
11.5.3	Ferro-silicon originating, inter alia, in Kazakhstan – C-10/12P – Judgment of 19 December 2013.	57
12.	Activities in the framework of the World Trade Organization (WTO)	58
12.1.	Dispute settlement in the field of anti-dumping, anti-subsidy and safeguards	58
12.1.1.	Overview of the WTO dispute settlement procedure.....	58
12.1.2.	Dispute settlement procedures against the Union	58
12.2.	Other WTO activities	59
13.	Conclusion	60

EXECUTIVE SUMMARY

This report sets out the European Union's anti-dumping, anti-subsidy and safeguard activities during 2013.

The report, as in previous years, gives an overview of the EU legislation in force with regard to the trade defence instruments, including safeguards.

The report also 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 duties 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 2013.

2013 saw a decrease in the number of new cases initiated when compared to the previous year, 9 as compared to 19 in 2012. Regarding other activities, 2013 also saw a decrease in the number of provisional measures imposed, 6 compared to 9 the previous year while the number of investigations terminated without measures increased slightly from 9 in 2012 to 11 in 2013. There was significant increase in the number of definitive measures imposed, up from 3 in 2012 to 15 in 2013.

As regards review investigations initiated, there was a slight decrease from 37 in 2012 to 36 in 2013. These included 17 expiry reviews, 10 interim reviews, 2 new exporter review, 3 anti-circumvention investigations as well as 4 other reviews. In the period, 5 expiry reviews were concluded with confirmation of the measures and 3 interim reviews were concluded with the measures being confirmed or amended.

There was no new safeguard investigation opened nor safeguard measures imposed during 2013.

In 2013, with the aim of improving the efficiency and effectiveness of the EU's trade defence instruments, important progress was made during 2013 concerning the ongoing Modernisation of the trade defence instruments which had been launched in October 2011. A legislative proposal, a communication and draft guidelines on four subjects were adopted by the Commission in April 2013. The legislative proposal was then transmitted to Council and Parliament where it is following the ordinary legislative procedure.

As in previous years, this report provides an overview of the Court cases relating to the trade policy instruments. In 2013, the Court of Justice (COJ) and the General Court (GC) rendered 28 judgments in total relating to the areas of anti-dumping or anti-subsidy.

2013 was the sixth full year of activity for the Hearing Officer in DG Trade, who became operational in April 2007. During 2013 the Hearing Officer continued the work related to guaranteeing the rights of defence in trade proceedings before the European Commission. In addition the Hearing Officer also contributed to improved transparency in TDI activities.

The European Parliament's INTA Committee continued to be informed about developments in the EU's trade defence activities.

The relevant activities in the framework of the World Trade Organisation (WTO) are also reported, including dispute settlement procedures initiated against the EU.

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

This report is also available to the general public with the following link.

Internet Website : <http://ec.europa.eu/trade/tackling-unfair-trade/trade-defence/anti-dumping/>

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 disciplines dates back quite some time, world trade is currently still distorted by unfair practices, making the instruments 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 measures can be adopted. The EU played an active role in the negotiation of these relevant criteria which are reflected in its own legislation. The EU's 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 EU plays as a prudent user has therefore also an exemplary function at WTO level.

1.1.2. *The EU legislation*

The EU'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 EU, entered into force in March 1996 and October 1997 respectively. 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 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Union – Codified Version¹
- Council Regulation (EC) No 597/2009 of 11 June 2009 on protection against subsidized imports from countries not members of the European Union – Codified Version².

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

¹ OJ L 343, 22.12.2009, p.51 Codified version as last amended by Regulation (EU) No 37/2014 (OJ L 18, 21.01.2014, p. 1)

² OJ L 188, 18.07.2009, p. 93 Codified Version as last amended by Regulation (EU) No 37/2014 (OJ L 18 21.01.2014, p. 1)

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

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

The lesser duty rule requires the measures imposed by the EU to be lower than the dumping or subsidy margin, if such lower duty rate is sufficient to remove the injury suffered by the EU industry. Such a "no-injury" rate is determined by using the cost of production of the EU 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 EU on a regular basis.

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 as was the case in the People's Republic of China's Protocol of Accession.

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 EU producers and d) a causal link between the imports and the injury.

1.2.2. The EU legislation

The above-mentioned principles are all reflected in the relevant EU regulations, except for the "unforeseen development requirement" (which is not explicitly in the EU legislation but has been confirmed as a self-standing condition by WTO jurisprudence). Additionally, the adoption of measures in the EU 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 EU's interest to do so. The current EU safeguard instruments are covered by the following regulations:

- Council Regulation (EC) No 260/2009³ on the common rules of imports – Codified Version
- Council Regulation (EC) No 519/94⁴ on common rules for imports from certain third countries and repealing Regulations (EEC) Nos 1765/82, 1766/82 and 3420/83.
- Council Regulation (EC) No 517/94⁵ 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 EU 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 868/2004⁶ dealing with the effect of subsidisation and unfair pricing for air services from third countries, adopted by the EP and the Council in 2004, has never been used. In December 2012, the Council of the European Union concluded that the Regulation "has proven not to address adequately the specific characteristics of the aviation services sector" and supported the Commission's intention to analyse, in consultation with industry and Member States, possible options for a more effective instrument to safeguard open and fair competition and its intention, on that basis, to present a proposal for a revision or replacement of Regulation 868/2004. The review of the regulation, involving different services of the Commission as well as external experts, is on-going. In particular, a study has been undertaken for DG MOVE, the purpose of which was to analyse policy options to be envisaged in the context of the review.

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, plus profit. The EU's anti-dumping legislation defines anti-dumping as selling a product in the EU at a price below its "normal value". This "normal value" is usually the actual sales price on the domestic market of the exporting

³ OJ L 349, 31.12.94, p. 53, as last amended by Regulation (EU) No 37/2014 (OJ L 18, 21.01.2014, p. 1).

⁴ OJ L 67, 10.3.94, p. 89 as last amended by Regulation (EU) No 37/2014 (OJ L 18, 21.01.2014, p. 1).

⁵ OJ L 67, 10.3.94, p. 1, as last amended by Regulation (EU) No 37/2014 (OJ L 18, 21.01.2014, p. 1).

⁶ OJ L 162, 30.4.2004, p. 1 as last amended by Regulation (EC) No 596/2009 (OJ L 188, 18.7.2009, p14)

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, plus profit. In the latter case, a company is selling at dumped prices if its export prices are below the cost of production, plus profit.

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 intervention e.g. high customs duties. As a result, exporters are shielded, at least to a certain degree, from international competition on their domestic market.

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 EU. 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 EU at dumped or subsidised prices. Measures can only be taken if these exports cause material injury to EU producers.

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 EU 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 EU 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 EU 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 EU 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. EU interest

Finally, it has to be established whether there are compelling reasons according to which measures would be contrary to the overall interest of the EU. 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 EU 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. Measures should not be imposed only if it can be clearly concluded that their negative impact would be disproportionate.,.

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 EU 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 any candidate countries. The rules relating to a new case are summarised below.

Initiation

A case normally starts with a sufficiently substantiated complaint from the EU industry manufacturing the same or a similar product to the one referred to in the complaint. Then, 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, exporting country authorities in anti-subsidy investigations in particular 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 EU to the producers, 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 EU 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 for the EU 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 draft implementing act, on the basis of which it is decided whether to impose provisional measures, whether to continue the investigation without proposing duties or whether to terminate the proceedings. In either eventuality 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 findings 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, draft implementing act is prepared by the Commission.

After final disclosure, assessment of comments of interested parties and after receiving the opinion of the Member States via the Trade Defence Instruments Committee, the Commission decides whether or not to adopt definitive measures. At definitive stage, Member States can block the adoption of a draft implementing act by qualified majority. The Commission may also accept 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. The Commission regulation imposing definitive duties/accepting undertakings, and deciding on the collection of the provisional duties, is published in the Official Journal.

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.

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

Timing

The procedure described above is subject to strict statutory time limits. 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 EU 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 requires a request by the EU 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. Since 20 March 2006, the deadline for concluding an interim review is set at 12 months, but no later than 15 months.

Finally, the basic Regulations provide that a review shall be carried out to determine individual margins for new exporters in the exporting country concerned. Since 20 March 2006, the deadline for conclusion of *newcomer reviews* is nine 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 General Court and the Court of Justice in Luxembourg. Furthermore, WTO members may have recourse to the WTO dispute settlement mechanism.

2.2. Safeguards

2.2.1. *What are safeguard measures?*

Safeguard measures allow temporary protection against the adverse effects of import surges. Under the EU legislation⁷ 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 EU in such increased quantities and/or on such terms and conditions as to cause, or threaten to cause, serious injury to EU 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 EU 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. 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 passed on by the Commission to all other Member States. 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.

The duration of the provisional measures can, however, not exceed 200 days (i.e. slightly more than six months).

Definitive measures

⁷ Council Regulation (EC) No 260/2009 on common rules for imports (Codified version) as last amended by Regulation (EU) No 37/2014 (OJ L 18, 21.01.2014, p. 1).

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 published in the Official Journal. In exceptional circumstances, this time limit may be extended by a further maximum period of two months.

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 EU will choose the measures most suitable in order to achieve these objectives. These measures could consist of quantitative quotas, tariff quotas, duties, etc.

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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 EU 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 of the measures exceeds three years, the Commission will examine, mid way through their duration, the appropriateness of further liberalisation and necessity for their continued application. This will be done either on the Commission's own initiative or at the request of a Member State. Where the Commission considers that the application of the measure is still necessary, it shall inform the Member States accordingly. Where the Commission considers that any surveillance or safeguard measure should be revoked or amended, it shall do so after having received the approval of the Member States.

3. TDI MODERNISATION

Important progress was made on the ongoing modernisation project in 2013, launched in 2011, with the adoption of a legislative proposal, a Communication and draft guidelines on four subjects - Analogue Country, Injury margin, Expiry review and Union interest by the Commission in April 2013.

After adoption of the package in spring 2013, the legislative proposal is following the ordinary legislative procedure in the Council and Parliament. The draft guidelines were subject to a public consultation in 2013.

4. COUNTRY-WIDE MARKET ECONOMY STATUS (MES)

In an anti-dumping investigation, Commission services usually compare the export price of a product with its 'normal value', which is the price paid payable in the domestic market of the exporting country or a constructed normal value (Article 2 (1) of the basic anti-dumping regulation). However, this methodology can only be used if costs and prices in the exporting country are reliable and the result of supply and demand, i.e. not subject to significant distortions. There are five criteria to determine whether a former State trading country can be considered a market economy for the purpose of anti-dumping investigations (according to Article 2 (7) of the basic anti-dumping Regulation). These criteria are:

- i. a low degree of government influence over the allocation of resources and decisions of enterprises, whether directly or indirectly (e.g. public bodies), for example through the use of state-fixed prices, or discrimination in the tax, trade or currency regimes;
- ii. an absence of state-induced distortions in the operation of enterprises linked to privatisation and the use of non-market trading or compensation system;
- iii. the existence and implementation of a transparent and non-discriminatory company law which ensures adequate corporate governance (application of international accounting standards, protection of shareholders, public availability of accurate company information);
- iv. the existence and implementation of a coherent, effective and transparent set of laws which ensure the respect of property rights and the operation of a functioning bankruptcy regime;
- v. the existence of a genuine financial sector which operates independently from the state and which in law and practice is subject to sufficient guarantee provisions and adequate supervision.

Six countries requested country-wide MES: China, Vietnam, Armenia, Kazakhstan, Mongolia and Belarus. In 2013, Mongolia and Vietnam provided further information in support of their requests, which allowed services to continue updating reports assessing their respective economies. The remaining four countries, China, Armenia, Kazakhstan and Belarus, did not submit information that would have allowed a further analysis of their progress.

Companies from non-market economy countries which are members of the WTO have the possibility to request market economy treatment on an individual basis in the context of anti-dumping investigations.

4.1. China

China is undoubtedly the most important MES applicant country and the first of the six countries to have requested the status.

The first preliminary assessment was prepared in 2004 which concluded at that time that China fulfilled only one of the five MES criteria i.e. the second criteria outlined above.

At several working group meetings since then both parties discussed China's progress on the outstanding criteria. The last MES report was shared with the Chinese authorities in 2008. No consultations on MES took place in 2013. The Commission remains willing to discuss further progress made by China towards MES, but it is essential that the Chinese authorities deliver the necessary information for the MES analysis by the Commission.

4.2. Vietnam

Following an MES working group meeting in Vietnam in November 2012 work continued on updating the assessment report during 2013 to reflect developments in the Vietnamese economy. An updated report was finalised in May 2013 which was subsequently shared with the Vietnamese authorities. While the report indicated that there had been some good progress in the reform of the Vietnamese economy, this was not sufficient to justify granting any of the remaining four criteria (criterion one has been met). The Vietnamese continued to be very active in providing updated information on progress in their economy.

4.3. Armenia

The first assessment report on Armenia's MES was shared with the Armenian authorities early in 2010 following which the Commission services sent questions in order to have information on further developments in their economy. However, by the end of 2013 still no new information had been sent to the Commission from Armenia.

4.4. Kazakhstan

As a follow-up of DG Trade's assesment of Kazakhstan's progress towards fulfilling the market economy status criteria in 2010, a Note Verbale was sent to the Kazakhstan authorities setting out the main problems regarding the 5 MES criteria. By the end of 2013 no reaction had been received from the Kazakhstani authorities.

4.5. Mongolia

Information collected during a working group meeting in Ulan Bator in 2011 as well as additional information received in December 2012 was analysed allowing the Commission services to update the MES report in 2013.

4.6. Belarus

In 2013 no progress was made on the MES file. The Commission had decided already in 2010 to put the consultations with the authorities of the Republic of Belarus on hold due to the political situation in the country. As soon as the situation in Belarus changes the Commission is ready to continue the MES analysis.

5. INFORMATION AND COMMUNICATION ACTIVITIES / BILATERAL CONTACTS

5.1. Small and medium sized enterprises (SMEs)

Participating in Trade Defence investigations can pose certain challenges for SME's owing to their small size, resource limitations and their fragmentation. In order to help

SMEs deal with the complexity involved in TDI investigations the Helpdesk for SMEs was set up. In 2013, the helpdesk received many requests for information, which were all immediately addressed. These questions ranged from case-specific queries to more general trade defence issues addressing both the procedural and substance elements of proceedings. The TDI website also specifically highlights SME's role in TDI proceedings and offers practical advice and help.

5.2. Bilateral contacts/information activities – industry and third countries

Explaining the legislation and practice of the EU's trade defence activity is an important part of the work of the TDI services.

There were a number of bilateral contacts dedicated to discussing various trade defence related topics with a number of third countries during 2013. These included China, Korea, Morocco, Mexico, Philippines, Thailand and Vietnam Malaysia.

There were several meetings with key stakeholder associations and companies in 2013, including Business Europe and Eurocommerce. These contacts with the main stakeholders are regular events and designed to improve cooperation with parties affected by TDI. A significant part of these meetings was dedicated to the discussion of the ongoing modernisation project.

6. THE HEARING OFFICER

The primary role of the hearing officer is to guarantee the rights of defence of interested parties and thereby contribute to ensuring that the rules are implemented in an objective and transparent manner in trade proceedings.

Some ground rules of the rights of defence are laid down in the EU Charter of Fundamental Rights as follows: the right of every person (i) "to be heard, before any individual measure which would affect him or her adversely is taken", (ii) "to have his or her affairs handled impartially, fairly and within a reasonable time" and (iii) "to have access to his or her file, while respecting the legitimate interests of confidentiality and of professional and business secrecy".

More specific rules of parties involved in trade proceedings are contained in the basic Regulations dealing with the different types of trade defence instruments, such as the AD, AS, safeguards regulations, or in the trade barriers regulation.

Since 2012, the role and the powers of the Hearing Officer for DG Trade are set out in a formal mandate by a Decision of the President of the European Commission of 29 February 2012 on the function and terms of reference of the hearing officer in certain trade proceedings (OJ L 107/5, 19 April 2012), underpinning the Commission's commitment to guaranteeing due process in trade proceedings and to improve the impartiality of the function. The Hearing Officer is attached, for administrative purposes, to the Commissioner responsible for trade policy; however, he enjoys independence in performing his duties and shall not take instructions in fulfilling his tasks.

The terms of reference (ToR)⁸ also lay out detailed rules on hearings conducted by the Hearing Officer on all aspects of a trade proceeding and throughout all phases of the proceedings. Furthermore, the Hearing Officer has delegated decision-making powers on a number of procedural issues, such as access to file, extension of deadlines and the confidential nature of a document. At the request of an interested party the Hearing Officer can also examine information that is confidential by nature and cannot be disclosed to parties, and inform the party whether in his view the information has been correctly reflected in the findings of the Services.

The Hearing Officer is empowered to raise with the Commissioner responsible for trade policy and the Director General for Trade any concerns about the conduct or content of any trade investigation.

During the year 2013 the HO received 159 requests for-intervention which concerned 30 TDI-proceedings. In all, 42 hearings with 188 interested parties were held, out of which seven were multiparty hearings involving 151 interested parties with similar interests and 1 confrontational hearing involving three interested parties with conflicting interests.

The interventions were requested by exporting producers in third countries, by the Union industry, as well as by users and importers, or their associations. While the interventions focused on procedural rights they had in some cases also an impact on the substantial outcome of the proceeding or contributed to Policy changes.

The main issues brought before the Hearing Officer in 2013 can be grouped in three categories (i) right to be informed, (ii) right to access the files and (iii) disagreement with determinations, findings and conclusions.

Right to be informed: Content, quality and timing of disclosure

One main field of activity of the Hearing Officer is to ensure that interested parties are properly and timely informed of the main facts and considerations before the Services take decisions in order to enable the parties to effectively exercise their rights of defence.

Complaints about content and quality of disclosure were raised in a number of cases. In some cases the matter could be settled during a hearing, in other cases, the Hearing Officer ensured that the disclosure was subsequently improved and that the matter was addressed in detail in the legal act. In cases where the risk of breaching confidentiality rules by disclosing more detailed information was considered too high, the Hearing Officer ensured that the methodology used to arrive at the findings was explained in full detail. In certain cases the Hearing Officer examined, in accordance with the terms of reference, confidential information and informed the requesting interested parties whether the information withheld from the party was relevant for its rights of defence and, if so, whether the information was correctly reflected in the findings and conclusions.

⁸ The trade proceedings covered by the ToR include 10 basic Trade Regulations, as listed in Article 1 of the ToR (OJ L 107, 19.4.2012, p. 6). However, TDI-proceedings (anti-dumping and anti-subsidy) represent the majority of interventions. Out of the 160 intervention requests received in 2013, all but one related to TDI-proceedings.

Right to access the files – Quality of non-confidential files

Another main activity of the Hearing Officer is to ensure that interested parties get access to the file and that the non-confidential file is meaningful while respecting the legitimate interests of confidentiality and of professional and business secrecy.

Most of the intervention requests related to complaints about the completeness and meaningfulness of the non-confidential file, such as insufficient non-confidential summaries of complaints, questionnaire replies or undertaking offers. Wherever possible, the Hearing Officer recommended completing and improving non-confidential submissions. In cases where the request for access to a file or a specific document was not considered justified, the interested party was informed in writing about the reason and justification of the rejection.

Disagreement with determinations, findings and conclusions

The Hearing Officer also intervenes on request in order to ensure the right of any interested party to submit comments on determinations, findings and conclusions before any measure is taken and to observe that comments which are relevant to the case are properly taken into account.

Intervention requests in this regard were made in a number of cases where parties disagreed with certain determinations, e.g. the initiation or termination of a case, or objected the findings and conclusions on certain aspects, such as product scope, selection of a sample, dumping margin or the use of best facts available based on Article 18 of the basic AD Regulation. The Hearing Officer organised hearings, ensured that parties were fully informed about procedural rules and that comments and arguments of the parties were heard and replied to either in a hearing or in the disclosure document and the Regulation. In a number of cases, findings and conclusions were modified as a result of the intervention.

In a number of these cases, the Hearing Officer made recommendations to the Services at the appropriate level on issues relating to the rights of interested parties.

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

The number of new investigations initiated in 2013 decreased compared to the previous year, 9 compared to 19. The number of definitive measures imposed increased when compared to 2012 (15 as compared to 3) while the number of provisional measures imposed in 2013 decreased from 9 in 2012 to 6. Below are details on new investigations and review investigations.

7.1. Measures in place

At the end of 2013, the EU had 86 anti-dumping measures and 12 countervailing measures in force⁹. The anti-dumping measures covered 62 products and 24 countries (see Annex O); the countervailing measures covered 9 products and 7 countries (see

⁹ The measures are counted per product and country concerned.

Annex P). the large majority of measures was in the form of duties. However, in a number of cases, undertakings were accepted.

Of the 86 anti-dumping measures in force at the end of 2013 the main countries affected were China (51), India, Indonesia, Malaysia and Thailand (6 each), Russia (5), Taiwan (4), Ukraine and Korea (3 each) and USA and Philippines (2 each). Of the 12 anti-subsidy measures in place the majority concern imports from India – 5 in total, with imports from China subject to 2 measures and Canada, Iran, Pakistan, United Arab Emirates and USA all subject to 1 measure each.

Regarding the anti-dumping measures one has to look at the trade volume of the products concerned, which varies considerably depending on the sector concerned. The largest trade volumes are often generated by high technology, such as electronics, which are high-value products. It should be noted that in 2013, only 0.29%¹⁰ of total imports into the EU was affected by anti-dumping or anti-subsidy measures. Table 1 below provides statistical information on the new investigations for the years 2009 – 2013.

TABLE 1
Anti-dumping and anti-subsidy new investigations
during the period 1 January 2009 - 31 December 2013¹¹

	2009	2010	2011	2012	2013
Investigations in progress at the beginning of the period	26	25	24	21	28
Investigations initiated during the period	21	18	21	19	9
Investigations in progress during the period	47	43	45	40	37
Investigations concluded :					
- imposition of definitive duty or acceptance of undertakings	11	9	13	3	15
- terminations ¹²	11	10	11	9	11
Total investigations concluded during the period	22	19	24	12	26
Investigations in progress at the end of period	25	24	21	28	11

¹⁰ Source Comext.

¹¹ The initiation of a case concerning several countries is accounted as separate investigations/proceedings per country involved.

¹² Investigations might be terminated for reasons such as the withdrawal of the complaint, *de minimis* dumping or injury, etc.

Provisional measures imposed during the period	10	13	10	9	6
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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).

These reviews continue to represent a major part of the work of the Commission's TDI services. In the period from 2009 to 2013, a total of 162 review investigations were initiated. These review investigations represented 65% of all investigations initiated in that period.

In 2013, 36 reviews were initiated. Of these, 17 were expiry reviews, 10 interim reviews, 2 newcomer reviews, 4 other reviews and 3 circumvention investigations.

An overview of the review investigations in 2013 can be found in Annexes F to K. Table 2 provides statistical information for the years 2009 – 2013.

TABLE 2

**Reviews of anti-dumping and anti-subsidy investigations
during the period 1 January 2009 - 31 December 2013¹³**

	2009	2010	2011	2012	2013
Reviews in progress at the beginning of the period	32	33	34	21	26
Reviews initiated during the period	34	31	24	37	36
Reviews in progress during the period	66	64	58	58	62
Total reviews concluded during the period ¹⁴	33	30	37	32	39
Reviews in progress at the end of the period	33	34	21	26	23

¹³ The initiation of a case concerning several countries is accounted as separate investigations/proceedings per country involved.

¹⁴ 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.

8. OVERVIEW OF ACTIVITIES IN 2013

8.1. New investigations

8.1.1. Initiations

In 2013, 4 new anti-dumping investigations, 5 new anti-subsidy investigations and no safeguard investigations were initiated. The anti-dumping investigations involved 4 different products from 2 different countries. The anti-subsidy investigations involve 3 products from 3 different countries. Details of these investigations are given in Annex A. The country most affected by the anti-dumping investigations is China with 3 investigations for anti-subsidy investigations China also with with 3 investigations. The main sector concerned by these new cases is textiles and allied.

In the five-year period from 2009 to 2013, 99 investigations were initiated on imports from 22 countries. The main sectors concerned by the investigations included chemical and allied – 28 investigations, iron and steel – 25 investigations, other - 16 investigations, textiles and allied – 6 investigations electronics – 5 investigations and other mechanical engineering – 4 investigations. A breakdown of the product sectors is given in Annex B(A).

The countries concerned during the period from 2009 to 2013 include the People's Republic of China with 38 investigations, India 11, Indonesia 5, Thailand 4, Malaysia and USA 3 each, Argentina, Iran, Oman, Pakistan, Saudi Arabia, Taiwan, Turkey and U.A.E. 2 each and Belarus, Bosnia-Herzegovina, Kazakhstan, Korea, F.Y.R.O.M., Russia, Ukraine and Vietnam with 1 each. A table showing all the investigations initiated over the last five years broken down by country of export is at Annex B(B).

The list of cases initiated in 2013 can be found below, together with the names of the complainants. More information can be obtained from the Official Journal to which reference is given in Annex A.

Product – Type of investigation (AD or AS)	Country of origin	Complainant
Seamless pipes, of iron or steel, external diameter exceeding 406.4 mm AD	P.R. China	Defence Committee of the seamless pipes and tubes industry
Solar glass AD	P.R. China	EU Prosun Glass
Agglomerated stone AD	P.R. China	A.St.A Europe
Monosodium glutamate AD	Indonesia	Ajinomoto Foods Europe SAS
Solar glass AS	P.R. China	EU Prosun Glass
Filament glass fibre products AS	P.R. China	European Glass Fibre Producers Association

Polyester staple fibres AS	P.R. China India Vietnam	European Man-made Fibres Association (‘CIRFS’)
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8.1.2. *Provisional measures*

In 2013, provisional duties were imposed in 5 anti-dumping proceedings and in 1 anti-subsidy proceeding. As shown in Table 1 (see point 7.1), this figure compares to 9 provisional measures imposed in 2012 and 10 in 2011.

The list of cases where provisional measures were imposed during 2013 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	Type¹⁵ and level of measure
Stainless steel wires	India	Individual AD Duties ranging 12.9% - 24.4%; Residual duty 27.8%
Biodiesel	Argentina Indonesia	Individual AD Duty ranging from €65.24 to €104.92 tonne – Residual duty €104.92 Individual AD Duty ranging from €0 to €33.84 tonne – Residual duty €33.84
Solar panels (crystalline silicon photovoltaic modules and key components)	Consigned from P.R. China	From 06/06/2013 to 06/08/2013 11.8% From 06/08/2013: Undertaking - AD Duties ranging from 37.3% - 67.9% Co-operating not in sample 47.6% Residual duty 67.9%
Solar glass	P.R. China	Individual AD Duties ranging from 17.1% - 42.1% Co-

¹⁵ AD = anti-dumping duty, CVD = countervailing duty, UT = undertaking.

		operating not in sample 38.4% Residual duty 42.1%
Stainless steel wires	India	AS Duties ranging 0% - 4.3% Residual duty 4.3%

8.1.3. Definitive measures

During 2013, definitive duties were imposed in 12 anti-dumping investigations and in 3 anti-subsidy cases. They involved imports from the People's Republic of China with 7 measures, India 2 and Russia, Turkey, USA, Thailand, Argentina and Indonesia with 1 each.

The list of cases where definitive measures were imposed during 2013 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.

Product	Originating from	Type ¹⁶ and level of measure
Tube and pipe fittings, of iron or steel	Russia, Turkey	Russia: Residual AD Duty 23.8% Turkey: Individual AD Duties ranging from 2.9% to 12.1%: Residual duty 16.7%
Bioethanol	U.S.A.	Residual AD Fixed rate €2,3 per tonne
Certain aluminium foil	P.R. China	Individual AD Duties ranging from 14.2% to 15.6%: Residual duty 35.6%
Certain organic coated steel products	P.R. China	Individual AD Duties ranging from 0% to 26.1%: Residual duty 13.6%
Threaded tube or pipe cast fittings, of malleable cast iron	P.R. China Thailand	PR China: Individual AD Duties ranging from 24.6% to 57.8%: Residual duty 57.8% Thailand: Individual AD Duties ranging from 14.9% to 15.5%: Residual duty 15.5%
Ceramic tableware and kitchenware	P.R. China	Individual AD Duties ranging from 13.1% to 23.4%: Sampled companies 17.9% Residual duty 36.1%
Stainless steel wires	India	AD Duties ranging from 0% to 12.5%: Residual duty 12.5% Duty rate for cooperating companies not in sample 5%
Biodiesel	Argentina Indonesia	Argentina: Individual Fixed AD Duties ranging from €16.64 -

¹⁶ AD = anti-dumping duty, CVD = countervailing duty, UT = undertaking.

		€245.67 per tonne. Residual duty €245.67 Indonesia: Individual Fixed AD Duties ranging from €76.94 - €174.91. Residual duty €178.85 per tonne
Solar panels (crystalline silicon photovoltaic modules and key components)	Consigned from P.R. China	AD Duties and Undertakings Duties ranging from 44.7% to 64.9%. Duties sample 41.3% , Duties for those sampled also subject to AS duty 36.2% Residual duty 53.4%
Certain organic coated steel products	P.R. China	Individual AS Duties ranging from 13.7% to 29.7%: Residual duty 44.7%
Stainless steel wires	India	Individual AS Duties ranging from 0% to 3.7%: Residual duty 3.7% Duty rate for cooperating companies not in sample 3.4%
Solar panels (crystalline silicon photovoltaic modules and key components)	P.R. China	Individual AS Duties and Undertakings. Duties ranging from 0% to 11.5%: Sample 6.4% Residual duty 11.5%

8.1.4. Details on individual cases

Bioethanol originating in USA

In November 2011, the Commission initiated an anti-dumping investigation into imports of bioethanol originating in the United States on the basis of a complaint lodged by the European Producers Union of Renewable Ethanol Association (ePURE). The product concerned was bioethanol, sometimes referred to as ‘fuel ethanol’. The investigation period (IP) of dumping and injury covered the period from 1 October 2010 to 30 September 2011 and the examination of the trends relevant for the assessment of injury covered the period January 2008 to the end of the IP.

Sampling

In view of the large number of exporters/producers in the USA, the Commission applied sampling, selecting six US bioethanol producers. However in the course of the investigation, it was found that none of the sampled exporting producers exported bioethanol to the Union market. In fact they were selling domestically to unrelated traders/ blenders which then blended it with gasoline and resold it domestically and for export in particular to the Union. As a result it was considered necessary to use data of traders and blenders which were actually exporting the product concerned to the Union. These traders/blenders represent over 90 % of total exports of bioethanol to the Union. In addition, the Commission sampled six Union producers, based on production and sales volume of bioethanol during the IP and their geographical location.

Dumping

The structure of the bioethanol industry and the way the product concerned was produced and sold in the US market and exported to the Union, made it impracticable to establish individual dumping margins for US producers. Thus, it was decided that a countrywide dumping margin should be established.

Normal value was calculated on the basis of the prices paid or payable in the ordinary course of trade to the two cooperating traders, by independent customers in the USA. The Export price was calculated with the data provided by the cooperating traders/blenders. The dumping margin calculated was 9.5%.

Injury and Causation

The investigation showed that dumped imports had surged in 2010 and in particular, in the IP. Imports of the product concerned from the USA significantly increased in terms of volume (63,406 to 686,185 tonnes) and market share (1,9% to 15,7%) during the period considered for the injury analysis. In this period, the average prices of dumped imports were found to undercut Union producers' prices by 5,6% on average. The investigation showed that certain injury indicators relating to the economic situation of the Union industry, such as sales volume, production and capacity utilization, improved mainly because of new Union producers entering the market in that period. Yet, these improvements were not in line with the increase in consumption during the period considered and were thus not sufficient to allow the Union industry to develop its activities. Other indicators such as profitability, cash flow and return on investment deteriorated or remained far below the normal level. In light of this, it was considered that the Union industry suffered material injury during the IP.

As regards causation, it was found that the increase in volume and market share of the low- priced imports from the country concerned coincided with an overall and continuous increase of consumption in the Union and also with negative results of the Union industry during the period considered. The exporters from the USA increased their market share by undercutting Union producers' prices, while the Union industry was not able to reach sustained positive levels of profitability despite its increase in activity. The examination of the other known factors which could have caused injury to the Union industry revealed that these factors did not appear to be such as to break the causal link established between the dumped imports from the country concerned, and the injury suffered by the Union industry. Consequently, it was established that the dumped imports from the USA had caused material injury to the Union industry.

Union Interest

As regards Union interest it was considered that the imposition of measures would help the Union industry to increase its prices to reflect its cost of production as well as regain lost market share. On the basis of information provided by importers it was concluded that the imposition of measures would not impact on them negatively given the small percentage of their turnover accounted for by the imported product. As regards users it was found that any duties imposed would have a minimal impact on profit margin and could in any event be passed on to customers. On that basis it was concluded that the effect of anti-dumping measures against imports of the bioethanol from the USA would not have a significant negative impact on the Union and that that there were no compelling reasons against the imposition of definitive measures.

In view of the above conclusions, definitive anti-dumping measures of EUR 62,3 per tonne were imposed in February 2013.

Certain organic coated steel originating in P.R. China - AD investigation

In December 2011, the Commission initiated an anti-dumping investigation on imports of certain organic coated steel products ('OCS') originating in the People's Republic of China on the basis of a complaint lodged by EUROFER, representing more than 70% of the Union production of the product concerned. The product concerned was certain organic coated steel products ('OCS'). The investigation of dumping covered the period from 1 October 2010 to 30 September 2011 and the examination of the trends relevant for the assessment of injury covered the period from 1 January 2008 to the end of September 2011. A provisional anti-dumping duty was imposed in September 2012.

Sampling

Owing to the large number of Union producers and also exporting producers, sampling was used in the investigation. As regards the Union producers, the Commission selected a sample consisting of six Union producers which accounted for 46% of the Union production and 38% of the Union sales. The Commission decided to limit the sample of exporting producers to two companies which accounted for the highest export volume to the Union (around 30% of the total imports into the EU in the IP).

Dumping

Three Chinese exporting producers, one of which was part of the sample, requested market economy treatment (MET) or individual treatment (IT), should the investigation establish that they did not meet the conditions for MET. One of these three exporting producer subsequently withdrew its MET request.

As regards the remaining two cooperating exporting producers in the PRC having requested MET, it was decided to examine the claims of both companies, Zhangjiagang Panhua Steel Strip Co. Ltd and its related companies (part of the sample), and Union Steel China and its related company (non-sampled). Neither of the two were found to meet the criteria to be granted MET because the cost of the major raw material, hot-rolled steel coils, was significantly distorted due to State interference in the steel market in the PRC and therefore did not substantially reflect market values, as required by the first criteria for MET.

Given that none of the Chinese companies were granted MET, the normal value for all Chinese exporting producers was established on the basis of information received from the producer in the analogue country, in this case, Canada. The export prices were based

on the prices actually paid or payable for the product concerned by independent customers in the Union. The dumping margin found was 68.1%.

Injury and causation

The investigation showed that all injury indicators pertaining to the economic situation of the Union industry deteriorated or did not develop in line with consumption during the period considered. Over the period considered, in the context of decreasing consumption, the volume of imports from the PRC increased steadily and significantly. At the same time, the Union industry sales volume decreased overall by 13 % and its market share dropped from 59 % in 2008 to 56,7 % in the IP. Although consumption recovered by 20% from 2009 to the IP, after the year of economic crisis affecting demand, the Union industry market share was decreasing. The Union industry was unable to regain the lost market due to the growth of the dumped imports from the PRC in the EU market, which were constantly undercutting the prices of the Union industry. In addition, the injury indicators related to the financial performance of the Union industry, such as cash flow and profitability were seriously affected, meaning that the Union industry's ability to raise capital and investment was undermined. As a result it was concluded that the Union industry suffered material injury.

Regarding causation, the investigation showed a substantial increase in the volume and market share of the dumped imports originating in the PRC in the period considered, especially from 2009 to the IP. These imports were found to be constantly undercutting the prices charged by the Union industry in the EU and in particular during the IP. This increase coincided with the negative development in the economic situation of the Union industry, which worsened in the IP. Other known factors which could have caused injury to the Union industry were also examined. These included imports from other sources, the export performance of the EU industry, EU industry importing from the PRC itself, captive use and captive sales at lower prices to related companies, the economic crisis and structural overcapacity. This examination revealed that these factors were not such as to break the causal link established between the dumped imports from the PRC and the injury suffered by the Union industry.

Union interest

In the context of the Union interest test, the interests of the Union industry, importers and users was examined. As regards the situation of the Union producers, it was considered that their already injurious situation would be further exacerbated if measures would not be imposed. In the absence of measures it was considered likely that some of the producers would be forced to close. As regards interests of importers and users, it was argued that the Chinese imports were needed to ensure sufficient competition on the EU market. However, given there was no real evidence provided to substantiate this, coupled with the fact that there were already sixteen different groups of Union producers on the market and other import sources, the claim was rejected. Concerns regarding possible shortages of supply were also rejected on the grounds that there was unused capacity of Union producers. Profitability of importers or users was also considered not to be seriously threatened as a result of any measures being imposed as, on the one hand, imports from China represented a small percentage of their business and, on the other, there was the possibility to use alternative sources of supply. On the basis of the information available, the Commission concluded that there were no compelling reasons against the imposition of measures.

As a result, definitive anti-dumping duties ranging between 0% and 26.1% were imposed on organic coated steel originating in the People's Republic of China in March 2013.

Certain organic coated steel originating in P.R. China - AS investigation

An anti-subsidy investigation was also initiated on Certain organic coated steel originating in China in February 2012 also based on a complaint lodged by Eurofer.

The investigation of subsidisation covered the period from 1 October 2010 to 30 September 2011. The injury investigation period was from 1 January 2008 to the end of the IP.

Sampling

In view of the apparent high number of exporting producers, Union producers and unrelated importers, the Commission selected a sample consisting of 2 groups of exporting producers, accounting for the highest export volume to the Union, and six Union producers, accounting for 46% of the Union production and 38% of the Union sales.

Subsidy schemes investigated

Based on the information contained in the complaint, the Commission investigated more than 35 subsidy schemes, divided into the following categories: (i) Government Provision of Goods at Less than Adequate Remuneration ('LTAR'); (ii) Preferential loans and interest rates to the OCS industry; (iii) Equity programmes; (iv) Income and other direct taxes; (v) Indirect tax and Import Tariff Programmes; (vi) Grant programmes; (vii) Purchase of Goods by the Government for Higher than Adequate Remuneration; (viii) Other regional programmes; (ix) Ad hoc subsidies referred to in the complaint.

The highest subsidy rate (ranging from 23,02% to 32,4%) was established for the scheme concerning Government Provision of hot-rolled (HRS) and cold-rolled steel (CRS) at 'LTAR'. As regards this program, the EU institutions concluded that the Government of the PRC's (GOC)' export restrictions, government planning and the predominance of SOEs limited the freedom of private suppliers of HRS and CRS, obliging them to act in a non-commercial manner and to accept economically irrational (below- market) prices which they would not do in a free and open market. This confirmed that the government policy to supply HRS and CRS (including to the organic coated steel sector) extended to private suppliers. The EU institutions established that the evidence on file and other publicly available information led to the conclusion that private producers of HRS and CRS in China were entrusted and directed by the GOC to provide goods in the same way as steel State Owned Enterprises (SOEs).

The EU institutions calculated the amount of the countervailable subsidy for this programme by taking the sum of the differences between the actual purchase values and appropriate benchmark values of the HRS and CRS purchases. The resulting amount was then allocated over the total sales turnover of the cooperating exporting producer during the IP. The benchmark was selected by considering the figures in the biggest market for each relevant geographical region, i.e. Europe (EU), North America (USA),

Latin America (Brazil), Asia (Japan) and Middle East/North Africa (Turkey). These countries are amongst the largest steel producers worldwide and are all WTO members. In addition, their prices were not the highest in the IP. In light of this, the EU institutions considered it as a reasonable and justified benchmark. For all other countervailable subsidy schemes investigated, the subsidy rate established ranged between 0,01% and 1,36%.

Injury and causation – see under the Summary for the AD case on Organic coated steel above.

The definitive countervailing duties ranging from 13,7% to 44,7% were imposed on imports of OCS from China.

Biodiesel originating in Argentina and Indonesia

In August 2012 the Commission initiated an investigation into imports of biodiesel from Argentina and Indonesia on the basis of a complaint lodged by the European Biodiesel Board (EBB), representing more than 60% of the total Union production of the product concerned. The investigation period (IP) for dumping was from 1 July 2011 to 30 June 2012 and for the injury assessment covered the period from 1 January 2009 to the end of the IP. In May 2013, provisional measures were imposed.

Sampling

In view of the large amount of producers/exporters, the Commission selected a sample of three Argentinean and four Indonesian exporting producers or groups of exporting producers. These sampled exporters represented 86% and 99% of the total volume of exports to the Union from Argentina and Indonesia respectively. As regards the EU producers, the final sample consisted of eight companies covering 27 % of Union production.

Dumping

Regarding Argentina, the investigation showed that the Argentinean biodiesel market was heavily regulated. As a result it was considered that domestic sales were not made in the ordinary course of trade. For this reason, it was provisionally decided to construct normal value by adding to the company's own production costs during the investigation period, the selling, general and administrative expenses incurred ('SG&A') and a reasonable profit margin. The complainants had claimed that the Differential Export Tax ('DET') system in Argentina depressed the prices of soya beans, distorting the costs of biodiesel producers.

Further investigation demonstrated that the DET systems depressed the domestic prices of the main raw material input in both Argentina and Indonesia. It was concluded that the domestic prices of the main raw material used by biodiesel producers in Argentina were artificially lower than the international prices due to the distortion created by the Argentine export tax system and, consequently, the costs of the main raw material were not reasonably reflected in the records kept by the Argentinean producers. Thus, the Commission revised its findings as regards constructed normal value, disregarding the

costs borne by the exporting producers of the main raw material, *i.e.* soya bean, used in the production of biodiesel.

The Commission replaced the costs of production recorded by the exporters with the price at which those companies would have purchased the soya beans in the absence of such a distortion. In this case, the average of the reference prices of soya beans published by the Argentine Ministry of Agriculture for export FOB Argentina during the IP was used.

In the case of Indonesia, due to the lack of representative domestic sales of the product concerned, the Commission provisionally constructed normal value by adding to the company's own production costs during the investigation period, the selling, general and administrative expenses incurred ('SG&A') and a reasonable profit margin. However, these provisional findings were revised, as it was established that the DET system in Indonesia distorted the costs of production of biodiesel producers in that country, and therefore, the costs of production of exporting producers did not reasonably reflect the costs associated with the production and sale of the product concerned. Accordingly, the Commission replaced the costs of production recorded by the companies concerned by the reference export price for the main raw material, *i.e.* Crude Palm Oil (CPO), published by the Indonesian Authorities, which was in turn based on published international prices (Rotterdam, Malaysia and Indonesia).

For both Argentina and Indonesia, the normal value and the export price were compared on an ex-work basis, and due allowance was made in the form of adjustments, for differences affecting prices and price comparability. The dumping margins found ranged from 41.9% to 49.2% in the case of Argentina and from 20.1% to 23.3% in the case of Indonesia.

Injury and Causation

While during the IP some injury indicators showed a positive trend, *e.g.* production and sales, the Commission determined that the EU industry was not in a position to pass on cost increases during this period, resulting in a worsening of the industry's position (losses from 0,2% in 2011, to 2,5% in the IP). In addition, at a time of increasing consumption, the Union industry lost market share and profitability, while imports gained market share and undercut Union producer prices. Thus, it was established that the Union industry had suffered material injury.

As regards causation, the Commission established that the dumped imports from Argentina and Indonesia undercut the sales of the Union industry. Moreover, the significant increase in volume of dumped imports during the IP coincided with the deterioration of the economic situation of the Union industry. After separating and distinguishing the effects of all known factors, it was concluded that that the effect of other factors was not such as to break the causal link established between the dumped imports and the injury suffered by the Union industry.

Union interest

The Commission determined that not imposing measures would most likely lead to a continuation of the negative trend of the financial situation of the Union industry. Any further decline in performance would ultimately lead to cuts in production and more closures of production sites, which would therefore threaten employment and investments in the Union. It was thus concluded that the imposition of measures would thus restore fair competition on the market.

There was no evidence provided by importers and traders regarding any negative impact which the imposition of measures would have on their business. As regards cooperating users of biodiesel, they stated that biodiesel was a very small part of their overall business activity and, if there was a duty increase on the price of biodiesel this would be passed on automatically to their customers.

One association of suppliers of raw materials, FEDIOL (Federation representing the European Vegetable Oil and Proteinmeal Industry in Europe) stated that that imports from the countries concerned had reduced the demand for rapeseed oil across the Union, with demand falling by over 1 million tonnes between 2009 and 2011. As a result they welcomed any imposition of duties as they considered this would have a positive effect on the supplier industry in the EU as capacity utilisation will increase. Any increase in demand for rapeseed oil would then feed through to the compound feed sector – as this is the residue from rapeseed oil production and the farming sector in the EU as the producer of rapeseed.

It was therefore concluded that it was not against the interest of the Union to impose measures.

As a result, definitive anti-dumping duties, ranging from €216,64 to €245,67 per tonne (Argentina), and from €76,94 to €178,85 per tonne (Indonesia), were imposed in November 2013.

Solar panels originating in People's Republic of China (PRC)– AD investigation

In September 2012, the Commission initiated an anti-dumping investigation concerning the imports of solar panel crystalline silicon photovoltaic modules and key components (i.e. cells and wafers) from China, following a complaint lodged by EU ProSun on behalf of more than 25% of the total Union production. In the course of the investigation, it was concluded that, due to the different basic physical and technical characteristics, wafers should be excluded from the original definition of the product concerned, and therefore from the scope of the investigation. The investigation period of dumping was from 1 July 2011 to 30 June 2012 ('IP') while the assessment of injury covered the period from 2009 to the end of the investigation period. In March 2013, the Commission made the imports of the product under investigation subject to registration. Provisional measures were imposed in June 2013.

Sampling

In view of the extraordinarily large amount of Union producers and exporting producers known to the Commission (220 and 135 respectively), the Commission selected a sample of 8 Union producers on the basis of the largest representative volume of production and 7 groups of exporting producers, representing 80% of the total Chinese export value. The decision to keep the identities of the sampled EU producers confidential was contested by some parties, yet the Commission confirmed that due to risk of retaliation the decision was duly justified.

Dumping

The Commission rejected all Market Economy Treatment ('MET') requests by the sampled exporting producers, as they failed to meet at least 1 of the 5 cumulative criteria set out in the basic Regulation. 18 cooperating exporting producers or groups of exporting producers not selected in the sample, submitted claims for individual examination. However, the producers, in addition to the 7 groups of exporting producers included in the sample, would be unduly burdensome and would prevent completion of the investigation in good time. In addition, the Commission also rejected the argument made by several interested parties that the MET determination had been made out of time.

Since all MET claims were rejected, normal value was established using an analogue market economy third country (i.e. India). The export prices were established on the

basis of the prices actually paid or payable for the product concerned in accordance with Article 2(8) of the basic Regulation, where export sales to the Union were made directly to independent customers in the Union. Where export sales to the Union were made through related companies located in the Union, export prices were established on the basis of the first resale prices of these related companies to independent customers in the Union.

Normal value and export prices were compared on an ex-works basis. In order to ensure that the comparison was fair, due allowance in the form of adjustments was made for differences affecting prices and price comparability. Definitive dumping margins ranged from 53.8% to 111.5%.

Injury and causation

The analysis of the situation of the Union industry showed a clear downward trend of all the main injury indicators. Against a generally increasing consumption, overall production increased for modules and cells in the period considered. Although the volume of sales increased, the market share of the Union industry shrank in the IP due to the higher increase of the consumption during the period considered. Moreover, average sales price fell sharply throughout the period considered, negatively affecting financial performance indicators such as profitability, cash flow, return on investments and ability to raise capital.

Over the period considered, the overall Union industry's sales volume increased. However, the increase in sales volumes of the Union industry was accompanied by a tremendous decrease in average sales price. During the period considered, imports of the interested parties from the PRC increased in terms of volumes and market share. At the same time, import prices continuously decreased, undercutting significantly the Union industry's average price on the Union market.

The investigation concluded that, should dumped imports continue to enter the Union market, the losses of the Union industry would be likely to lead to the permanent discontinuation of any sizeable Union production of the like product. Consequently, the Commission determined that the Union industry suffered material injury.

Regarding causation, the Commission analysed the effects of all other known injury factors and identified four factors that may have contributed to injury, *i.e.* imports of the product concerned from Taiwan; reduction in the level of Feed in Tariffs (FIT); long-term polysilicon contracts of limited number of Union producers; and the financial and economic crisis. However, the Commission concluded that a collective assessment of all the factors that may have had an impact on the injurious situation of the Union industry failed to explain the material injury suffered by the Union industry, in particular in terms of low prices and financial losses due to the entry of low priced imports in significant quantities from the PRC.

Union Interest

Under the heading of Union interest and particularly as regards the Union industry, while it was argued by some interested parties that the Union industry would not be able to benefit from any measures because the measures would lower the demand for PV products in the Union, they were unable to provide any verifiable evidence of the existence of a direct link to support their argument. As regards claims that the Union industry would be not able to meet the demand of certain types of installations such as commercial rooftop and large ground-mounted installations, the investigation showed that the Union industry has the capacity to supply both the commercial and industrial installations. Claims that the Union industry was not 'bankable' were not substantiated by evidence and, in any event, it was considered that the imposition of measures would restore fair market conditions and thereby reassure investors, including from the banking sector, as to the ability of Union producers to develop viable projects. Arguments put forward that the imposition of duties on cells would de facto increase the cost of production of the Union producers of modules and make them less attractive for consumers were rejected on the grounds that publicly available sources indicated that the price trend of modules and cells was downward. It was also rejected that the Union industry would not benefit from any drop in imports from China as these would be replaced by imports from other sources. Indeed, the investigation did not confirm that there would be any increase in such imports from other countries and in any event there was no indication that the Union industry would not be able to compete if there were.

As regards importers it was argued that the imposition of measures would entail significant costs for them if they were to change sources. However it was found that only one in four importers relied exclusively on imports of the product from China and therefore the impact on importers would on average be limited. It was also found that, given the nature of the product, testing of new product including from a new supplier seems standard, therefore this aspect would not result in significant additional costs. The interests of both upstream and downstream operators were also considered under the Union interest test. As regards upstream operators it was concluded that the impact of any anti-dumping duties on the

machinery producers would not be significant given the situation of overcapacity in the Chinese market while the impact on the raw material supplier may be negative in the short term in view of the possible reduction of its sales to the PRC.

As regards the impact on downstream operators and particularly as regards installers of PV it was considered that while the imposition of measures may lead to an increase of prices in the Union possibly generating less PV installations in the short term, the PV related activity for at least some of the installers constituted only part of their business activities and is also seasonal. In addition, it was also considered that given the renewable and energy efficiency objectives agreed at the level of the EU are legally binding on Member States, it is expected that reduced demand for solar installations will translate into increased demand for other forms of renewable electricity and energy efficiency. In this context it was expected that many of those involved in the installations of PV would have the transferable skills necessary to facilitate working in these neighbouring sectors. It was also found that the downstream operators were profitable (11%) and would be able to absorb some of the price increase if measures were to be imposed. Taking this into consideration it was concluded that given that the proposed measures could be at least partly taken in by the supply chain it would not necessarily result in higher prices for consumers at the retail level.

As a result the Commission determined that the overall positive effects for the Union industry outweighed the likely negative impact on other operators on the PV market including importers/installers/consumers. In light of this, it was concluded that based on the information available concerning the Union interest, there were no compelling reasons against the imposition of definitive measures on imports of the product concerned originating in the PRC.

As a result, definitive anti-dumping duties ranging from 27,3% to 64,9% were imposed in December 2013. On the same date, in the context of a parallel anti-subsidy proceeding, the Commission published a regulation imposing definitive countervailing duties on the same product. Following the final disclosure, the Commission confirmed the acceptance of an undertaking offer in connection to the anti-dumping and anti-subsidy proceedings concerning the imports of the product concerned made by exporting producers together with the China Chamber of Commerce for Import and Export of Machinery and Electronic Products.

Solar panels originating in P.R. China – AS investigation

An anti-subsidy investigation was also initiated on Solar Panels originating in China in November 2012 also based on a complaint lodged by EU Prosun.

The investigation of subsidisation and injury covered the period from 1 July 2011 to 30 June 2012 (the ‘investigation period’ or ‘IP’). The examination of trends relevant for the assessment of injury covered the period from 1 January 2009 to the end of the IP (‘the

period considered'). In March 2013, imports of the product concerned originating in China were made subject to registration. The remainder of the test focuses on issues of subsidisation of solar panels. For injury and Union interest the issues are largely identical with those of the AD case.

Subsidisation

The Commission first observed that the PV industry in the PRC received preferential treatment in many areas. PV industry in China was included amongst the 'strategic' industries in the 12th Five-Year Plan, and the Government of China ('GOC') had also issued a specific plan for the PV industry, i.e. the 12th Five-year Plan for the Solar Photovoltaic Industry. Moreover, the Decision No. 40 of the State Council suggested that the GOC would actively support the development of the new energy industry and expedite the development of solar energy, e.g. by instructing all financial institutions to provide credit support only to encouraged projects

Schemes investigated

The Commission investigated more than 25 specific schemes which allegedly involved the granting of subsidies by the Governmental authority. The schemes were divided in 5 groups: (i) Preferential policy loans, other financing, guarantees and insurance; (ii) Grant Programmes; (iii) Direct Tax Exemption and Reduction Programmes; (iv) Indirect Tax and Import Tariff Programmes; (v) Government provision of goods and services for less than adequate remuneration.

As regards the lending schemes, the investigation showed that Chinese state owned banks are public bodies within the meaning of the anti-subsidy law, *i.e.* possess, exercise or are vested with governmental authority. The Commission established that state-owned commercial and policy banks performed government functions on behalf of the GOC. In addition, it was established that the banks are controlled by the government in the exercise of their public functions, and that the GOC exercises meaningful control over state-owned commercial and policy banks through the government's pervasive involvement in the financial sector and the requirement for state-owned banks to follow government policies. Moreover, the Commission found that even privately owned commercial banks were entrusted or directed by the GOC to provide preferential loans to exporting producers.

The Commission established that most of the investigated schemes were countervailable and calculated a definitive subsidy margin which ranged from *de minimis* to 11.5%.

Definitive measures

In December 2013 the EU institutions imposed definitive countervailing duties ranging from 0 to 11,5%. Following the final disclosure, the Commission confirmed the acceptance of an undertaking offer in connection to the anti-dumping and anti-subsidy proceedings concerning the imports of the product concerned made by exporting producers together with the China Chamber of Commerce for Import and Export of Machinery and Electronic Products.

8.1.5. Investigations terminated without measures

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 from dumped or subsidised imports, measures not in the interest of the Union). In 2013, 11 new proceedings (8 anti-dumping and 3 anti-subsidy) were terminated without measures, compared to 9 in 2012 and 11 in 2011.

The list of cases which were terminated without the imposition of measures during 2013 can be found in the following table. More information can be obtained from the Official Journal to which reference is given in Annex E.

Product (type of investigation¹⁷)	Originating from	Main reason for termination
Welded tubes, pipes and hollow profiles of square or rectangular cross-section, of iron other than cast iron or steel other than stainless	F.Y.R.O.M. Turkey Ukraine	Withdrawal of complaint
White phosphorus	Kazakhstan	Union interest
Threaded tube or pipe cast fittings, of malleable cast iron	Indonesia	Imports not causing material injury
Stainless steel tube and pipe butt-welding fittings	P.R. China Taiwan	Withdrawal of complaint
Seamless pipes, of iron or	P.R. China	Withdrawal of complaint

¹⁷ AD = anti-dumping investigation; AS = anti-subsidy investigation, AD + AS = parallel anti-dumping and anti-subsidy investigation.

steel, external diameter exceeding 406.4 mm		
Bicycles	P.R. China	Withdrawal of complaint
Biodiesel	Argentina Indonesia	Withdrawal of complaint

8.1.6. *Details on some individual cases*

White phosphorus originating in Kazakhstan

In December 2011 the Commission initiated an anti-dumping investigation into imports of white phosphorus originating in Kazakhstan, following a complaint lodged by the only Union producer, Thermphos International BV.

The product concerned was white phosphorus, falling within CN code ex 2804 70 00 ('white phosphorus' or 'the product concerned'). The investigation period was from 1 January 2011 to 31 December 2011 and the examination of trends relevant for the assessment of injury covered the period from 1 January 2008 to the end of the IP.

The sole exporting producer successfully requested market economy treatment ('MET'). Accordingly, normal value was calculated on the basis of Article 2(1) to (6) of the basic Regulation. Since the investigated company did not sell white phosphorus on the domestic market during the IP, normal value was constructed in accordance with Article 2(3) of the basic Regulation.

Despite the findings of injurious dumping caused by the dumped imports from Kazakhstan, the Commission concluded that on balance, the negative impact of measures on the users was more significant than the overall benefit to the Union industry. The Commission observed that white phosphorus was a resource which was, for almost all the users that came forward in the investigation regarded as a highly important raw material in their production process, and represented a considerable part of their total production costs.

The investigation showed that in particular, an anti-dumping duty could have a significant effect on users in the acid derivatives segment as they could not absorb the cost increase and continue to be competitive in the downstream market. The investigation determined that the imposition of measures may not provide sufficient relief to the Union industry, as imports from Kazakhstan, even when subject to duties, would have remained more competitive in terms of prices than the Union industry sales and would therefore not have guaranteed that the Union industry could have overcome its current fragile situation. Under these circumstances, it was considered that the likely

negative effect of any anti-dumping duty on the downstream industries outweighed the expected positive effects of the duty on the Union industry

Therefore, the Commission concluded that the imposition of measures was not in the Union interest and decided to terminate the investigation accordingly.

Biodiesel originating in Argentina and Indonesia

In September 2012, the Commission received a complaint alleging injurious subsidisation of production of biodiesel originating in Argentina and Indonesia. The complaint was lodged by the European Biodiesel Board ('EBB'), representing more than 25% of the Union production. The Commission initiated the investigation in November 2012.

In April 2013, the Commission made the imports of biodiesel from Argentina and Indonesia subject to registration. By a letter from October 2013, the complainant formally withdrew its complaint. The Basic AS Regulation provides that the proceeding may be terminated where the complaint is withdrawn, unless such termination would not be in the Union interest. After assessing the situation, the Commission established that the termination of the investigation was not against the Union interest, and therefore, concluded that the investigation should be terminated. Consequently, the registration of imports of biodiesel was discontinued.

In a parallel proceeding, the Commission imposed a definitive anti-dumping duty on the imports of biodiesel from Argentina and Indonesia in December 2013.

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 5 years, unless an expiry review demonstrates that they should be maintained in their original form.

In 2013, 6 anti-dumping measures and no anti-subsidy measure expired automatically. The references for these measures are set out in Annex N.

Since the expiry provision of the basic Regulations came into force in 1985, a total of 492 measures have expired automatically.

8.2.1.1. Initiations

The list of the expiry reviews initiated in 2013 can be found in the following table, 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 but no such combined reviews were initiated in 2013. More information can be obtained from the Official Journal to which reference is given in Annex F.

Product (type of investigation AD or AS)	Originating from	Complainant
Ferro-silicon AD	P.R. China Russia	Euroalliages
Manganese dioxides AD	South Africa	Cegasa Internacional SA and Tosoh Hellas A.I.C.
Powdered activated carbon AD	P.R. China	Cabot Norit Nederland BV and Cabot Norit (UK) Ltd
Ammonium nitrate AD	Russia	Fertilizers Europe
Tube and pipe fittings of iron or steel AD	Korea, Rep. of Malaysia	Defence Committee of the Steel Butt-Welding Fittings Industry of the European Union
Sulphanilic acid AD	P.R. China India	CUF — Químicos Industriais
Sulphanilic acid (AS)	India	CUF — Químicos Industriais
Citrus fruits AD	P.R. China	Federación Nacional de Asociaciones de Transformados Vegetales y Alimentos Procesados ('FENAVAL')
Monosodium glutamate AD	P.R. China	Ajinomoto Foods Europe SAS
Citric acid AD	P.R. China	Ex-officio
Welded tubes and pipes of iron or non-alloy steel AD	China Belarus Ukraine Russia	Defence Committee of the Steel Butt-Welding Fittings Industry of the European Union

8.2.1.2. Expiry reviews concluded with confirmation of duties

During 2013, 5 expiry reviews were concluded with confirmation of the duties for a further five years.

The list of the cases which were concluded with confirmation of duty during 2013, 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/ Type¹⁸ and level of measure
Polyethylene terephthalate (PET) (AS)	India	Confirmation of duty AS duty of €- €106.5 per tonne Residual duty €69.4
Tungsten electrodes	P.R. China	Confirmation of duty AD duty of 63.5%
Ironing boards	P.R. China	Amendment of duty AD duty of 18.1% - 39.6% Residual duty 42.3%
Sweet corn	Thailand	Confirmation of duty AD duty of 3.1% - 14.3%; Residual duty 14.3%
Peroxosulphates (Persulphates)	P.R. China	Confirmation of duty AD duty of 0% - 24.5% Residual duty 71.8%

8.2.1.3. Details on some individual cases concluded by confirmation of duty

Polyethylene terephthalate (PET) originating in India

In February 2007 definitive countervailing duties were imposed on imports of PET originating in India following an expiry review. In November 2011, the Committee of Polyethylene Terephthalate Manufacturers in Europe ('the applicant'), representing nearly 95% of the Union production, lodged a request for the initiation of an expiry review of the anti-subsidy measures (as subsequently amended by several interim reviews). The request was based on the grounds that the expiry of the measures would be likely to result in a continuation or recurrence of subsidisation and injury to the Union industry. The Commission, after examination of the request, initiated an expiry review in February 2012. In a parallel investigation, the Commission opened on the same date an expiry review of the anti-dumping measures in force for imports of PET originating in India, Indonesia, Malaysia, Taiwan and Thailand.

¹⁸ AD = anti-dumping duty, CVD = countervailing duty, UT = undertaking.

The investigation of the likelihood of a continuation or recurrence of subsidisation covered the period from 1 January 2011 to 31 December 2011 ('RIP') while the examination of the trends relevant for the assessment of the likelihood of a continuation or recurrence of injury covered the period from 1 January 2008 to the end of the RIP ('period considered').

The sample selected by the Commission was composed by four Union producers representing over 50% of the total Union production and sales in the RIP; and three exporting producers based on their volume of exports to the Union.

Likelihood of a continuation or recurrence of subsidisation

The Commission investigated 15 nationwide and regional schemes to assess the likelihood of a continuation or recurrence of subsidisation. In the investigation, it was found that 6 of these schemes conferred benefits upon the sampled exporting producers. The Commission established that the amount of countervailable subsidies in accordance with the provisions of the basic Regulation, expressed ad valorem, for the sampled exporting producers was 7,53 % and 8,17 %, respectively.

It was established that during the RIP Indian exporters of the product concerned continued to benefit from countervailable subsidisation by the Indian authorities. The subsidy schemes gave recurring benefits and there was no indication that these benefits would be phased out in the foreseeable future. Moreover, each exporter was eligible to several of the subsidy schemes. It was also examined whether exports to the Union would be made in significant volumes should the measures be lifted.

It was observed that India, a large producer of PET, had expansion plans to nearly double its production capacity by 2014. The result would be an excess of capacity over domestic demand of about 600 000-700 000 tonnes by that time, which would represent 21-25 % of the total Union consumption during the RIP. In light of this, Indian producers of the product concerned were considered to be heavily dependent on export sales and there was thus a likelihood that exports volumes to the Union, which were already significant during the RIP, would increase should the measures be repealed.

Likelihood of a continuation or recurrence of injury

As mentioned in the previous section, the Commission had established the likelihood that substantial volumes of subsidized imports from India would be redirected into the Union. Due to the continued subsidisation, the Commission established that the prices of the imports would most likely undercut the Union industry prices. Also, the prices of these imports were likely to decrease even further should the Indian exporting producers tried to increase their market shares. This would, in all likelihood, have had the effect of reinforcing the price pressure on the Union industry, with an expected negative impact on its situation.

During the period considered, the situation of the Union industry improved, in particular in terms of productivity and capacity utilisation, as well as profit margins that reached in the RIP a level close to the target profit established in the original investigation. The Union industry, albeit still in a fragile situation, did not suffer material injury during the RIP. However, given the likely substantial increase of subsidised imports from India, which were likely to undercut the Union industry's sales prices, it was concluded that the situation would very likely deteriorate and the material injury would recur, should measures be allowed to lapse.

Union Interest

The Commission further analysed whether maintaining the measures was against the Union interest. While the economic situation of some users had worsened specially by PET price increases, it was found that there was no link between the existing measures and the PET price increase. The Commission concluded that the extension of the measures would provide an opportunity to the Industry to improve and stabilise its economic situation following the investments and consolidation made in the recent years.

Definitive countervailing duties, ranging from 0 to 106,5 EUR/tonne, were thus imposed on the exporting producers of PET from India in May 2013.

8.2.1.4. Reviews concluded by termination

During 2013, 8 expiry reviews concerning 4 products were concluded by termination.

Product	Originating from	Reason for termination
Ethanolamines	U.S.A.	No likelihood of continuation or recurrence of injurious dumping
Polyethylene terephthalate (PET) AD	India Indonesia Malaysia Taiwan Thailand	No Union interest
Ironing boards	Ukraine	No likelihood of recurrence of injurious dumping
Iron or steel ropes and cables	Russia	No likelihood of recurrence of injurious dumping

Details of some individual cases

Polyethylene terephthalate (PET) originating in India, Indonesia, Malaysia, Taiwan and Thailand (AD)

In February 2012, the Commission initiated an expiry review on imports of certain PET originating in India, Indonesia, Malaysia, Taiwan and Thailand, following a request lodged by the Polyethylene Terephthalate Committee of Plastics Europe on behalf of Union producers representing more than 50 % of the Union production. On the same date, the Commission initiated an expiry review on countervailing measures of PET from India, which was ultimately maintained for five more years (see preceding section).

The Council found that important injury indicators, such as market share (over 70%), prices, profitability, return on investment, and cash flow figures were significantly improving for the Union industry. It was noted that these market developments could not be regarded as temporary. Likewise, the Council observed that the market share of imports of the countries concerned were not significant, representing less than 4% in the RIP, and that their level of prices were in line with those of the EU sales and the other imports. In fact, import prices were found to have been rising strongly (between 27% and 32%), resulting in findings of no price undercutting. The Council determined that it was not possible to conclude that the imports concerned were causing injury. Moreover, the Council noted that the complainant had failed to provide enough evidence on certain factors which seemed relevant to any assessment on recurrence of injurious dumping, *i.e.* (i) the existing overcapacity in the countries concerned was not likely to be directed to the EU as demand was growing in most of the major markets, (ii) demand trends in third countries, and (iii) transport costs and other factors affecting profitability. In view

of its assessment, the Council established that, should the measures lapse, material injury was unlikely to recur.

The Council also observed that 13 years had in this instance been enough to allow Union industry to adapt to the global competition and recover substantially. In addition, the Council noted that the main export markets for PET were growing and the global demand for PET-packaged products was likely to expand further as the world economy recovers.

As regards the Union interest, the Council determined that the accumulation of measures combined with the increasing integration of PET producers and PET-packaging companies in the EU created a situation in which there was a lack of a level playing field for independent PET-packaging companies. These companies were subject to PET at the highest prices worldwide, while their main competitors in third countries had access to PET at lower prices. Thus, PET users were found to have very limited sources of supply outside the EU, because measures were also in force against imports originating in other third countries.

The Council concluded that it was *clearly* not in the interest of the Union to extend the measures as the costs to importers, users and consumers were disproportionate to the benefits for the Union industry.

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 1 year has elapsed since the imposition of the definitive measure, following a request containing sufficient evidence by an exporter, an importer or by the EU producers. In carrying out the investigations, it is 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 2013, a total of 10 interim reviews were initiated (9 anti-dumping and 1 anti-subsidy). 3 interim reviews were concluded with amendment of duty, 1 was concluded without amending the duties and 2 were concluded by terminating the measures. The list of cases which were concluded during 2013 by amending the duties, 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, but this was not the case in 2013. 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 ¹⁹
Hand pallet trucks and their essential parts	P.R. China	Amendment of the duty for Zhejiang Noblelift Equipment Joint Stock Co. Ltd and all others to 70.8% - AD
Bicycles	P.R. China	Amending duties for co-operating companies to 0% - 20.9% Maintaining the duty for all others at 48.5%
Stainless steel bars and rods (AS)	India	Reduction of duties for co-operating companies and all others rate from 4.3% to 4%

8.2.2.1. Details on individual cases

Bicycles originating in China

In March 2012 the Commission initiated an *ex officio* interim review into imports of bicycles originating in China based on prima facie evidence at its disposal. The Commission observed a number of developments since the measures were last maintained substantiating the need to reassess the injury and dumping findings. These developments were: (i) abolition of the export quota system applying to bicycle producers in China, (ii) switch from the complete cycle of production to (partial) assembly operations using imported parts; (iii) change in the cost level due to the enlargement and setting up of new production facilities in Central and Eastern Europe; (iv) increasing change in the use of raw material from steel to alloy following consumer trends.

In parallel to this interim review, the Commission also conducted an anti-circumvention investigation, whereby it extended the measures originally imposed to China to other countries, and an anti-subsidy investigation, which was terminated without imposing measures.

¹⁹ AD = anti-dumping, AS = anti-subsidy, UT = undertaking.

The investigation of dumping and injury covered the period from 1 January 2011 to 31 December 2011 while the examination of trends in the context of the analysis of injury covered the period from January 2008 to the end of the RIP.

The Commission sampled eight Union producers representing around 25% of the total estimated Union production and sales during the RIP. The Commission considered that sampling was not necessary for exporting producers since only 4 of them had cooperated.

Dumping

All cooperating exporting producers requested market economy treatment, (MET) which were all rejected on the grounds that the Chinese steel market is distorted due to significant State intervention. All companies requesting MET, had also submitted claims for individual treatment (IT). The Commission established that these exporting producers met all the requirements for IT.

Given that all exporting producers failed the MET test, normal value was constructed using an analogue country, in this case, Mexico. The export price was established on the basis of export prices actually paid or payable provided that the product concerned was exported to independent customers in the Union. Normal value and export price were compared on an ex-works basis, making due allowance in the form of adjustments when necessary, resulting in dumping margins from 0% to 20,9%. Given the low level of cooperation from exporting companies, these findings concerning cooperating companies could not be considered representative for the country (China) as a whole. Therefore, the countrywide margin was maintained unchanged with respect to the existing measures, *i.e.* 48,5%.

Injury

The investigation showed that the majority of the macroeconomic injury indicators related to the performance of the Union industry deteriorated during the period considered, *i.e.* production volumes, production capacity, capacity utilization rate, employment. The state of the Union industry was fragile and any possibility to further grow was undermined by the price pressure exercised by dumped imports from China and by circumventing imports. In view of this situation, the investigation concluded that the Union industry continued to suffer material injury and remained in a vulnerable state.

Lasting nature of changes and likelihood of continuation of dumping and injury

The investigation showed that the circumstances with regard dumping and injury had changed significantly and that the change was of a lasting nature. The Commission further noted that Chinese bicycle industry was an export oriented industry with precedents of unfair pricing behaviour in several markets worldwide. Moreover, the findings in the anti-circumvention investigation confirmed the continued interest of the Chinese exporters in the Union market. In addition, this behaviour suggested that if the measures were repealed, the Union market would very likely be targeted by low priced Chinese imports with a view of taking over the domestic market. The Commission thus concluded that the continued imposition of the measures was still necessary to offset the dumping. In addition, given the fragile situation of the Union industry, it was also likely that the Union producers would not be able to resist the further price pressure that would be exerted by the Chinese dumped imports and, as a consequence, would be forced to exit the Union market with the consequence of a loss of employment, investments, technology and know-how. Therefore the investigation concluded that a continuation of injury was likely to occur should the measures be repealed.

Causation and Union interest

The Commission concluded that there was a causal link between the Chinese dumped imports (whether direct or through circumvention) and the material injury suffered by the Union industry. The Commission also examined other factors such as the economic crisis, non-dumped imports and the development of the electronic bicycles as a possible source of injury. However, none of these factors was found to be such as to break the established causal link between the dumped imports from China and the material injury suffered by the EU industry.

Lastly, the investigation determined that the continuation of measures on imports of bicycles originating in the PRC would clearly be in the interest of the Union industry and the Union suppliers of bicycle parts, as it would allow the Union industry to grow and improve its situation caused by the dumped imports.

In June 2013, the Commission imposed definitive anti-dumping duties to cooperating companies from 0% to 19,2% (based on the injury margin) and maintained a residual countrywide duty of 48,5%.

8.2.3. “Other” reviews

4 other reviews, not falling under Article 11(3) or Article 19 of the basic Regulations were initiated during 2013. In addition, 4 such reviews were concluded in the period.

A list of the cases concerned is given in Annex H which shows, in footnotes, the main issues concerned. More information can be obtained from the Official Journal to which reference is given in the Annex.

8.2.3.1. Details on individual cases

Prepared citrus fruits (namely mandarins) originating in China

In December 2008, the Commission imposed a definitive anti-dumping duty on imports of certain prepared or preserved citrus fruits (namely mandarins, etc.) originating in China. The investigation had been initiated following a complaint lodged by the Spanish National Federation of Associations of Processed Fruit and Vegetables ('FENAVAL'), representing 100% of the total Union production.

In February 2011 a judgment of the General Court (*case T-122/09*) annulled the original regulation in so far as the 2 applicants were concerned as it was found that the Commission had breached the right of defence of the applicants and that it had infringed its obligation to state reasons. Accordingly, in December 2011 the Commission carried out a first reopening of the investigation in order to implement the judgment. The Commission considered that the judgment of the General Court was implemented as it provided additional reasoning, information and explanation to the parties on the reopened point of the original investigation. The parties had an opportunity to comment and to be heard. The Commission concluded that the implementation of the judgment should take the form of re-imposition of the definitive anti-dumping duty for the applicants.

In March 2012, the Court of Justice (*case C-338/10*), declared the original Regulation invalid on the basis that the Commission had calculated normal value using the prices paid or payable in the EU (analogue country), without taking all due care to determine the normal value using data from a market economy third country. This infringed the requirements of Article 2(7)(a) of the basic Regulation. In June 2012, the Commission partially reopened the original investigation in order to implement the judgment. The Commission thereby informed parties that, in light of the judgment of the General Court, imports of the product concerned originating in the PRC were no longer subject to measures and duties paid should be repaid or remitted. This second reopening was limited in scope to the selection of an analogue country, if any, and the determination of the normal value accordingly.

In the second judgment, the Court had determined that there were significant imports into the Union from market economy third countries (e.g. Israel, Swaziland Thailand and Turkey). Thus, the Commission contacted the authorities of these countries, and subsequently, producers that were known to it in order to obtain cooperation for the investigation.

In light of the lack of cooperation from potential third country producers, in spite of significant efforts by the Commission services, it was concluded that a normal value on the basis of the price or constructed value in a market economy third country as prescribed by Article 2(7)(a) of the basic Regulation could not be determined. Therefore, the findings as regards normal value from the original investigation, *i.e.* using EU as analogue country, were confirmed.

The findings originally made as regards the existence of injurious dumping caused by the dumped imports from China, as well as the dumping and injury margins originally established, were also confirmed. The Commission established that the re-imposition of the measures, at a level eliminating injury, was in the Union interest. At a late stage of the investigation, some exporting producers offered a price undertaking. The Commission considered that the offer was not acceptable given the significant price volatility of this product.

Accordingly, in February 2013, the Commission re-imposed a definitive antidumping duty of €61,4 to €31,2 per tonne. The measures are to expire 5 years after the entry into force of the original Regulation.

8.2.4. *New exporter reviews*

As far as 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 EU following the investigation period, or that they have entered into an irrevocable contractual obligation to export a significant quantity to the EU.

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 2013, 2 new exporter reviews were initiated. Since the Commission carried out the first reviews of this type in 1990, a total of 68 such investigations have been initiated. 1 new exporter review was concluded during 2013 with an amendment/imposition of the 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 EU, 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 the basic Regulations.

In 2013, there were no anti-absorption investigations initiated or concluded. – 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 EU 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 2013, 3 anti-circumvention investigations were initiated. 12 such investigations were concluded with an extension of the duty and 3 were terminated without extending the duty. More information can be obtained from the Official Journal to which reference is given in Annex K.

8.2.6.1. Details on individual cases

Bicycles originating in China

In September 2012, the Commission initiated an investigation on the possible circumvention of the existing antidumping measures on imports of bicycles from China, following a complaint lodged by the European Bicycle Manufacturers Association (EBMA) on behalf of three Union producers. The request provided prima facie evidence that a significant change in the pattern of trade, without sufficient due cause or economic justification other than the increase of the duty, had occurred following the increase of the duty in 2005. This change appeared to stem from the transshipment of bicycles originating in the PRC via Indonesia, Malaysia, Sri Lanka and Tunisia to the Union, and from assembly operations in Indonesia, Sri Lanka and Tunisia.

The investigation period covered the period from 1 January 2004 to 31 August 2012 ('IP'). More detailed data were collected for the reporting period from 1 September 2011 to 31 August 2012 ('RP') in order to examine the possible undermining of the remedial effect of the measures in force and existence of dumping. The product concerned was bicycles and other cycles (including delivery tricycles, but excluding unicycles), not motorised, originating in the PRC, currently falling within CN codes 8712 00 30 and ex 8712 00 70 ('the product concerned'). The product under investigation was the same as defined above but consigned from Indonesia, Malaysia, Sri Lanka and Tunisia.

The Commission sought cooperation from all exporting producers, obtaining cooperation from several companies in Indonesia, Malaysia, Sri Lanka, and Tunisia. However, Chinese companies refused to cooperate in the investigation.

Since the increase of duties in July 2005, imports from China dropped from -38,2% in 2005 to -80% in the IP. At the same time a substantial increase in imports from Indonesia (+157%), Malaysia (+1623%), Sri Lanka (+282%) and Tunisia (+200.3%) was found in the RP as compared to 2004. On the other hand, exports from China to the above countries surged since 2005, i.e. exports to: Indonesia (+83.8%), Malaysia (+99.6%), Sri Lanka (+132.5%) and Tunisia (+6639%). The Commission established, in light of this data, that the evolution of imports into the Union from China and from the other countries after the increase of the duties in 2005, and the increase of exports from China to the above countries in the same period, constituted a change in the pattern of trade between the countries concerned.

The investigation did not bring to light any due cause or economic justification for the transshipment and assembly operations other than the avoidance of the existing measures on the product concerned. No elements were found, other than the duty, which could be considered as a compensation for the costs of transshipment and assembly operations in

particular regarding transport and reloading of bicycles originating in the PRC via Indonesia, Malaysia, Sri Lanka and Tunisia. Thus, the Commission concluded that the existing measures were being undermined in terms of quantities and prices. In addition, for all countries investigated, the comparison of the weighted average normal value and the weighted average export price as established showed dumping.

Given the above, the Commission reached the conclusion that the existing anti-dumping duty on imports of bicycles originating in the PRC was being circumvented by transshipment via Indonesia, Malaysia, Sri Lanka and assembly operations via Malaysia and Tunisia.

The Commission examined the submissions by investigated companies requesting exemption from the possible extended measures. Article 13(4) of the basic anti-dumping Regulation requires that companies must demonstrate that they were not engaged in the circumvention and they were not related to any of the companies found to circumvent nor to any of the Chinese producers/exporters of bicycles. On this basis, the Commission established that only three Indonesian and three Sri Lankan cooperating companies should obtain such an exemption.

In light of the above, in June 2013, the Commission extended the definitive antidumping duty applicable to 'all other companies', as imposed by Regulation 990/2011 (*i.e.* antidumping duty of 48.5%), to imports of the product under investigation consigned from Indonesia, Malaysia, Sri Lanka and Tunisia whether declared as originating in Indonesia, Malaysia, Sri Lanka and Tunisia or not.

Certain aluminium foils originating in China (termination)

In October 2009 the Commission imposed a definitive antidumping duty on imports of certain aluminium foils originating, inter alia, in China ('the existing measures'). In October 2012, the Commission initiated an anti-circumvention investigation of the existing measures following a request lodged by Symetal SA, Eurofoil Luxembourg SA, Alcomet and Hydro Aluminium Rolled Products GmbH (4 Union producers of aluminium foil), and made the imports of the product under investigation subject to registration.

The product under investigation was aluminium foil of a thickness of not less than 0,008 mm and not more than 0,018 mm, not backed, not further worked than rolled, in rolls which are not annealed, of a width exceeding 650 mm and of a weight exceeding 10 kg and currently falling within CN code ex 7607 11 19 (TARIC code 7607 11 19 20).

In April 2013, the 4 Union producers formally withdrew their request to investigate a possible circumvention of the existing measures. According to the basic Regulation, an investigation may be terminated where the request is withdrawn, unless such termination would not be in the Union interest. In the current case, it was established that the termination of the investigation was not against the Union interest. Therefore, the Commission concluded that the anti-circumvention investigation should be terminated and the registration of the product under investigation should be discontinued.

8.3. Safeguard investigations

Safeguard measures have always been and remain an 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 EU industry.

The Commission expects the EU'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 EU producers, if necessary at WTO level.

There was no safeguard activity by the EU in 2013 and no measures in place – Annex L.

9. ENFORCEMENT OF ANTI-DUMPING/COUNTERVAILING MEASURES

Globalisation of trade led to greater possibilities for circumventing or otherwise reducing the effectiveness of anti-dumping and countervailing measures. To address this problem, throughout 2013 the TDI services continued their follow-up 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).

9.1. Follow-up of measures

The follow-up activities concerning measures in force are 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.

9.2. Monitoring of undertakings

Monitoring of undertakings forms part of the enforcement activities, given that undertakings are a form of AD or CVD measures. They are accepted by the Commission if it is satisfied that they can effectively eliminate the injurious effects of dumping or subsidisation.

At the beginning of 2013, there were 15 undertakings in force. During 2013, the following changes to the portfolio of undertakings took place: The undertaking of 2 companies were withdrawn as it was established that breaches had occurred. In the 'Solar Panels case', undertakings from 121 companies/company groups were accepted. This brought the total number of undertakings in force at the end of 2013 to 134.

10. REFUNDS

Articles 11(8) and 21(1) of the basic Regulations 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.

During 2013, 28 new refund requests were submitted. At the end of 2013, 13 refund investigations were on-going, covering 36 requests. In 2013, 25 Commission Decisions were adopted: 5 granting a full refund, 18 granting a partial refund and 2 rejecting the refund requests. 1 request was withdrawn.

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

11.1. Overview of the judicial reviews in 2013.

In 2013, the General Court ('GC') and the Court of Justice (CoJ) rendered 28 judgments in total relating to the areas of anti-dumping or anti-subsidy. 4 of the judgments of the Court of Justice concerned appeals against the General Court.

There were 33 new cases lodged in 2013, 23 before the GC and 10 before the COJ.

11.2. Cases pending

A list of the anti-dumping/anti-subsidy cases before the GC and the CoJ still pending at the end of 2013 is given in Annex S (41 before the GC and 8 before the CoJ).

11.3. New cases

33 new cases were lodged in 2013 (compared to 23 in 2012, 16 in 2011, 13 in 2010, 17 in 2009 and 16 in 2008). 23 of these were lodged before the GC and 10 before the CoJ

11.4. Judgments rendered by the General Court

In 2013, the General Court rendered 22 judgments/orders relating to the area of anti-dumping or anti-subsidy policy. Details of some of the cases are set out below.

11.4.1. *Solutions of urea and ammonium nitrate originating in Russia – T-84/07 and T-459/08, – T-235/08, T-118/10, - Judgments of 7 February 2013.*

On 7 February 2013, the General Court delivered 4 judgments concerning several actions for annulment brought by Russian producers ('the applicants') seeking annulment of various regulations imposing anti-dumping duties on imports of solutions of urea and ammonium nitrate, and ammonium nitrate originating in Russia (Council Regulation (EC) No 1911/2006 of 19 December 2006 imposing a definitive anti-dumping duty on imports of solutions of urea and ammonium nitrate originating in Algeria, Belarus, Russia and Ukraine following an expiry review; Council Regulation (EC) No 661/2008 of 8 July 2008 imposing a definitive anti-dumping duty on imports of ammonium nitrate originating in Russia following an expiry review and a partial interim review; Council Regulation (EC) No 236/2008 of 10 March 2008 terminating the partial interim review; and Council Implementing Regulation (EU) No 1251/2009 of 18 December 2009 amending Regulation (EC) No 1911/2006 imposing a definitive anti-dumping duty on imports of solutions of urea and ammonium nitrate originating, inter alia, in Russia). The GC rejected all actions. Most of pleas in law are identical in all 4 cases and some are particular to each case.

The applicants first claimed that the institutions breached Article 2(5) of the basic Regulation by determining, for the purpose of establishing normal value, that the costs associated with the production and sales of the product concerned were not reasonably reflected in the applicants' accounts, and that therefore it was necessary to adjust the applicants' costs of production. The institutions first noted, and the applicants acknowledged, that gas was the main input for producing the products concerned. The institutions contended that, because the price of gas in Russia was regulated by the State and was considerably less than the prices of gas charged on non-regulated markets, it was artificially low. Thus, it did not reasonably reflect the costs associated to producing and selling the products concerned.

The Court observed in this regard that due to the existence of regulated gas prices in Russia, it could be presumed that a distortion affecting the cost of production existed, and that therefore, the cost of producing the products concerned was not the result of market forces. Consequently, the Court considered that, pursuant to the second sentence of the first subparagraph of Article 2(5) of the basic Regulation, the institutions were fully entitled to adjust the items which were not reasonably reflected in the exporters'

records and to have recourse to other sources to substitute the costs. In addition, the Court rejected the claims made by the applicants that only Article 2(7) of the basic Regulation, applicable to non-market economies, allows establishing normal value disregarding exporters' own data, and that the issue should have been examined following the rules on State Aid and not the basic anti-dumping Regulation.

Secondly, the applicants claimed that the application by the institutions of Article 2(5) of the basic Regulation was in breach of the *WTO Anti-Dumping Agreement (ADA)*. In support of this claim, the applicants held that the institutions are required to interpret the basic Regulation in accordance with the provisions of the ADA. The Court noted that the provisions of the second sentence of the first subparagraph of Article 2(5) of the basic Regulation are not mentioned in the ADA. For this reason, the Court concluded that an interpretation in light of the ADA could not be relied upon.

The third common plea in law concerned the methodology applied by the institutions when constructing normal value. In support of this plea, the applicants submitted that the institutions had made a manifest error of assessment by adjusting the gas prices on the basis of 'Waidhaus' price (Czech/German border) and by not deducting the export tax of 30% existing in Russia from the amount of adjustment.

The Court rejected the first claim as it considered that the price of gas negotiated at Waidhaus was the result of free market forces and that it reflected the price charged by Russian exporters to the EU customers. The Court also upheld the institutions practice of not deducting the 30% export tax from the price paid at Waidhaus. The Court noted that the applicants failed to explain how this export tax had an impact on the prices charged by Russian exporters at Waidhaus.

As regards the claims particular for each case, in cases *T-84/07* and *T-459/08*, the applicant (Eurochem MCC) also contested the application by the institutions of adjustments pursuant to Article 2(10)(i) of the basic Regulation. The Court upheld the adjustment carried out by the institutions concerning the commissions paid in respect of the sales of the product concerned by the applicants and concluded that there had not been a manifest error of assessment in the application of such adjustments. The Court likewise dismissed the applicant arguments as regards an infringement of Articles 11(1) and 11(3) of the basic Regulation.

Lastly, in *T-118/10*, the applicant (Acron OAO) submitted that the institutions had established an unreasonable profit margin when constructing normal value following a new exporter review, thus breaching Articles 2(3), 2(6) and 11(9) of the basic Regulation. The Court rejected this claim stating that the institutions were entitled to rely on data from other producers for profit calculation.

The General Court rejected the action.

11.4.2 Zeolite A powder originating in Bosnia and Herzegovina – T-304/11 – Judgment of 30 April 2013.

The applicant, Alumina, sought the annulment of Council Implementing Regulation (EU) No 464/2011 of 11 May 2011 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of Zeolite A powder originating in Bosnia and Herzegovina ('the contested regulation'). In support of its

action, the applicant put forward 2 pleas in law concerning the application by the institutions of Articles 2(3) and 2(6) of the basic Regulation when constructing normal value.

The GC began its analysis by examining, in the first place, the second plea in law put forward by the applicant. The plea was divided into 2 parts: in the first part the applicant claimed that sales which are not representative under Article 2(2) of the basic Regulation cannot be considered as being made in the ordinary course of trade. The applicant considered that the concepts of representativeness and ordinary course of trade were 'intrinsically linked'. In this regard, the applicant claimed that the Institutions had breached the first sentence of Article 2(6) of the basic Regulation. In the second part of the plea, the applicant held that in the course of the proceedings, it had provided to the Commission the information showing that the sales prices to *Dita DD Tuzla* (the sole purchaser in the domestic market) had incorporated a premium to cover risk of non-payment or late payment of 25% which resulted in (higher) prices not reflecting ordinary commercial transactions.

As regards the first part of the second plea, the GC made a distinction between representativeness (quantitative criterion) and sales made in the ordinary course of trade (qualitative criterion). The GC estimated that, regardless of domestic sales not reaching the threshold of 5%, as envisaged by Article 2(2) of the basic Regulation, nothing prevents them from being made in the ordinary course of trade.

After making this observation, the GC focused on the second part of the second plea. The GC noted that when calculating normal value, the institutions shall disregard all sales made outside the ordinary course of trade, whether at low or high prices, as otherwise, normal value would be distorted.

The GC argued that the institutions should have examined, during the administrative proceedings, the evidence presented to them by the applicant showing that domestic sales incorporated a risk premium of 25% and thus, they could not be considered as made in the ordinary course of trade. The GC went on to determine that the 25% premium is a compensation for the risk that the supplier takes by selling products to a particular client and by allowing the client certain time for paying.

Therefore, it is not part of the value of the product concerned and it is not related to its characteristics. On the contrary, the premium is exclusively linked to the client's identity, its financial capacity and its commercial relationship with the applicant.

For these reasons, the GC deemed that the inclusion of an element not related to the value of the product when calculating the profit margin resulted in an 'artificially boosted' normal value. The GC concluded that the normal value calculated by the institutions did no longer reflect 'as closely as possible' the domestic price that would have been if sales were made in the ordinary course of trade.

In the light of the above, with no need to examine the other pleas in law, the GC upheld the action and determined that the contested regulation be annulled. The judgment is currently under appeal.

11.4.3 Integrated electronic compact fluorescent lamps (CFL-i) originating, inter alia, in China - T-459/07, and T-469/07, – Judgments of 11 July 2013.

The applicants, a Chinese exporting producer on the one hand, and 2 Union producers on the other, lodged 2 separate actions before the General Court seeking the annulment of Council Regulation (EC) No 1205/2007 imposing a definitive anti-dumping duty on imports of CFL-i originating, inter alia, in China following an expiry review ('the contested regulation'). The applicants put forward several pleas in law in support of their action.

The first plea in law concerned the definition of the like product (case T-459/07). The applicant claimed that since Community producers manufactured mainly CFL-i with a long lifetime, as opposed to the Chinese producers, which mainly manufacture CFL-i with a shorter lifetime, the products could not be considered to be like products. The General Court noted that the applicant failed to prove that the institutions had made a manifest error of assessment in determining that the products possessed the same basic physical and technical characteristics, and had the same uses.

By the second plea, the applicant challenged the data used by the institutions to evaluate the likelihood of continuation or recurrence of injury, as most of the data was calculated on the basis of Eurostat data on imports within a CN code also covering products other than CFL-I (case T-459/07). The General Court dismissed this claim as it did not consider that the institutions had committed a manifest error of assessment when basing their findings on information reasonably available to them. The General Court highlighted that the institutions made a reasonable and proper use of the data, making the adequate adjustments as they were fully conscious of the fact that different products were covered within the same CN code. The General Court likewise rejected other claims within this plea concerning an alleged infringement of the rights of defence and obligation to state reasons by the institutions.

The applicant further complained about the choice of South Korea as an analogue country for the calculation of the normal value pursuant to Article 2(7)(a) of the basic Regulation, as Mexico had been used as the analogue country in the original regulation (case T-459/07). The General Court upheld the institutions' choice of South Korea stating first, that no cooperation was obtained from Mexico, since the production of CFL-i had been shut down and second, that the highest level of cooperation amongst the other countries contacted was obtained from South Korean companies. The General Court also rejected the plea in law concerning the Community interest stating that the institutions had balanced all of the relevant interests and they found that it was in the overall interest to continue the measures for 1 more year.

The plea in law concerning the definition of the Community industry was examined in both cases (cases T-459/07 and T-469/07). In the first part of this plea, the applicants contested the institutions decision to consider that the main Union producer (*Osram*) could constitute the Community industry within the meaning of Articles 4(1) and 5(4) of the basic Regulation. Secondly, the applicants argued that the institutions wrongly used Article 9(1) of the basic Regulation by analogy in this case.

The General Court started by observing that Article 5(4) does not place an obligation to terminate an investigation in progress if the support for the complaint falls below a minimum threshold, as that article only concerns the support required to initiate an

investigation. The General Court considered that the institutions were right in using Article 9(1) of the basic Regulation, noting that if the institutions are not obliged to terminate a procedure under Article 9(1) of the basic Regulation when a complaint is withdrawn, that must apply *a fortiori* when the degree of support merely falls in the course of the investigation. Accordingly, the General Court determined that the institutions were entitled to continue the investigation regardless of whether the 50% threshold laid down in Article 5(4) of the basic Regulation was no longer met. The General Court concluded that the institutions were likewise right in using *Osram's* data alone in the definition of Community industry for the purpose of injury analysis, as it amounted to 48% of the total Community production and certainly constituted a major proportion of Community industry.

The General Court dismissed both actions in their entirety. The judgment in case T-469/07 is currently under appeal before the Court of Justice.

11.4.4 Certain fatty alcohols and their blends originating, inter alia, in India – T-6/12 – Judgment of 6 September 2013.

The applicants, Godrej Industries Ltd. and VVF Ltd.,² Indian exporters, sought the annulment of Council Regulation (EC) No 1138/2011 ('the contested regulation') imposing a definitive anti-dumping duty on imports of certain fatty alcohols and their blends originating, inter alia, in India.

The applicants put forward three pleas in law supporting their action. The first plea was divided into 2 parts. In the first part, the applicants claimed that the institutions had infringed Article 2(10)(j) of the basic Regulation by not applying an adjustment for currency conversion to their sales made during the period January-June 2010. In addition, the applicants held that the institutions established an unreasonable burden of proof upon them. The GC determined that an adjustment pursuant to Article 2(10)(j) of the basic Regulation is not automatic and that an exporter would only be entitled for such an adjustment only if a sustained movement of exchange rates takes place within a period limited to sixty days. The GC noted that beyond this time-limit, an exchange rate fluctuation would no longer be deemed to create a distortion, as the exporter should have had enough time to adapt to that situation.

The GC went on to find that a significant part of the applicants' sales were negotiated within a timescale of less than 2 months, thus demonstrating the applicants were capable of adjusting prices in a sufficient short period of time. The GC further observed that the applicants had not been able to demonstrate that the increase of prices in raw materials and the economic recovery after the global financial crisis explained in full the increase of their export prices. Furthermore, the GC added that the applicants had not provided compelling evidence capable of explaining, other than by the appreciation of the rupee, the difference between the price increase in export prices and domestic prices.

The GC further noted that there was nothing unreasonable in placing on the applicants the burden of demonstrating that the increase in their export prices was not connected with the appreciation of the rupee against the euro and that they were not able to increase their prices to reflect that appreciation. The GC explained that it appeared from the evidence on the file that the Commission had repeatedly informed the applicants that the evidence before it was not enough for the granting of a currency conversion adjustment.

As regards the second plea, the applicants claimed that the institutions made an error in law by including in the injury analysis the sales made by the applicants to a Union producer (*Cognis*). The GC first pointed out that imports by a Union producer of dumped products originating in the country under investigation shall not automatically be excluded from the injury analysis. In this regard, the GC found no compelling reason for excluding the sales at issue from the injury analysis. Moreover, the GC found that the imports of the dumped products by the Union producer were attributable to a temporary closure of 1 of its production sites. The GC concluded that there were no compelling reasons to exclude the imports by the Union producer from the injury analysis.

By their third and last plea in law, the applicants claimed that the institutions infringed several provisions of the basic Regulation by including the sales made to Cognis for dumping margin calculation purposes, as it was a Union producer and the sales were not made at arm's length. The GC observed that the applicants did not put forward specific evidence supporting the claim that transactions between the applicants and Cognis did not reflect normal market conditions. The GC also explained that Article 9(4) of the basic Regulation cannot be read as to impose an obligation not to take certain sales into consideration, whether for injury margin or dumping margin calculations.

The GC rejected the action.

11.4.5 Polyester staple fibres originating, inter alia, in China and in South Korea, T-536/08 and T-537/09 – Judgments of 13 September 2013.

The applicants, several exporters of polyester staple fibres ('PSF') from China and South Korea respectively, lodged 2 separate actions before the General Court seeking annulment of Council Regulation (EC) No 893/2008 maintaining a definitive anti-dumping duty on imports of polyester staple fibres originating, inter alia, in China and South Korea following a partial interim review pursuant to Article 11(3) of the basic Regulation.

The applicants pleaded that the institutions had infringed the principle of non-discrimination, as the institutions treated differently imports of PSF originating in China and South Korea on one hand, and those originated in Taiwan and Malaysia on the other. In this regard, the General Court observed that the institutions had previously decided to terminate, after a withdrawal of the complaint by the domestic industry, an anti-dumping investigation concerning imports of PSF from Malaysia and Taiwan, as they did not find compelling reasons of Community interest to impose a definitive duty.

The General Court first noted that the investigations of the imports originating in China and South Korea, and the investigation of the imports originating in Malaysia and Taiwan, did not relate to the same period, were not initiated under the same procedure and did not arrive at the same conclusions. The General Court, relying on settled case-law, considered that there was an objective difference between the types of procedure followed in the 2 investigations (an ex-officio partial interim review pursuant to Article 11(3) and an initial investigation pursuant to Article 5 of the basic Regulation), justifying a different treatment to imports, as these imports were not in the same situation. In this regard, the General Court highlighted that the contested regulation had made clear such an objective difference. Consequently, the General Court rejected the first plea as unfounded.

In a second plea, the applicants held that the institutions had incurred in inconsistencies and contradictions in the analysis of the Community interest. The General Court restated that the different treatment accorded to the 2 investigations was justified objectively and substantively. The General Court concluded that the applicants could not prove that the institutions had made an error of assessment simply by comparing situations which are not comparable.

The General Court rejected the entire action. The judgment is currently under appeal before the Court of Justice.

11.4.6 Certain aluminium foil originating, inter alia, in Armenia – T-512/09– Judgment of 5 November 2013.

The applicant, Rusal Armenal ZAO (an Armenian exporter), sought annulment of Regulation (EC) No 925/2009 ('the contested regulation') imposing a definitive anti-dumping duty on imports of certain aluminium foil originating in Armenia. The applicant put forward five pleas in law in support of the action.

In the first plea the applicant claimed that, by applying to it the methodology laid down in Article 2(7) of the basic Regulation, the institutions infringed Articles 2(1) to (6) of the basic Regulation and Articles 2.1 and 2.2 of the WTO Anti-dumping Agreement (ADA). The applicant submitted that the application of Article 2(7) of the basic Regulation should be declared, for the case at issue, inapplicable under Article 277 TFEU. The applicant contended that there are only 2 exceptions available under WTO rules that allow departing from the general method of calculating normal value: First, the second supplementary provision to paragraph 1 of Article VI of the GATT, and second, a provision within a WTO member's accession instruments containing special rules on normal value calculation in that regard. The applicant held that, because it was a company based in Armenia, it did not fall within the scope of the second supplementary provision to paragraph 1 of Article VI of the GATT. Moreover, the applicant added that Armenia does not have specific rules in its protocol of accession to the WTO allowing for derogation from the general rules for normal value calculation laid down in Articles 2.1 and 2.2 of the ADA. Therefore, the applicant defended that none of the two exceptions were applicable to it, regardless of whether Armenia was included in the footnote accompanying Article 2(7) of the basic Regulation.

The General Court first observed, as regards the status of the ADA in the European Union legal order, that where the institutions intend to implement particular obligations assumed in the context of WTO law or where a Community measure refers explicitly to precise provisions of the WTO agreements, it is for the EU Courts to review the legality of the Community measure in question in the light of WTO rules. The General Court rejected the argument that there is a spectrum of situations between two extremes (market economy and State monopoly of trade), that would grant WTO members freedom to establish the rules they regard as appropriate for calculating normal value. The General Court added that, when investigating imports from another WTO member, an investigating authority of a WTO member would only be entitled to depart from the rules set out by Articles 2.1 and 2.2 of the ADA on the basis of two exceptions; namely, the second supplementary provision to paragraph 1 of Article VI of the GATT and the specific commitments in the accession protocols of a WTO member.

The General Court noted that in the contested regulation, the institutions had relied solely on the fact that Armenia was included in the list of countries within the footnote accompanying Article 2(7) of the basic Regulation to depart from the general rule for calculating normal value. The General Court determined that by calculating normal value on the basis of Article 2(7) of the basic Regulation, and absent a finding that Armenia satisfied the conditions laid down by any two exceptions, the institutions infringed Articles 2.1 and 2.2 of the ADA.

The General Court concluded that, after Armenia acceded to the WTO, its inclusion in the list of countries in the footnote of Article 2(7) of the basic Regulation was no longer compatible with Articles 2.1 and 2.2 of the ADA. The General Court held that the first plea was well founded and annulled the contested regulation accordingly with no need to examine the other pleas in law. The judgment is currently under appeal before the Court of Justice.

11.5. Judgments rendered by the Court of Justice

In 2013, the CoJ rendered 6 judgments relating to the area of anti-dumping. Four of those judgments concerned appeals against the judgments of the GC and two judgments were in reply to requests for a preliminary ruling. Details of some of the cases are set out below.

11.5.1 Cotton-type bed linen originating in Pakistan – C-638/11P– Judgment of 14 November 2013.

The Council of the European Union ('the appellant') asked the Court of Justice to set aside the judgment delivered by the General Court in case *T-199/04* of 27 September 2011, by which it annulled Council Regulation (EC) No 397/2004 of 2 March 2004 imposing a definitive anti-dumping duty on imports of cotton-type bed linen originating in Pakistan ('contested regulation'). The appellant successfully challenged the interpretation of the General Court regarding the notion of 'other factors of injury' of Article 3(7) of the Regulation 384/96 (basic Regulation).

By its single plea in law, the appellant argued that the GC had erred in law in considering 2 factors, namely the abolition of (i) the previous anti-dumping duties and (ii) the ordinary customs duties pursuant to the scheme of generalised system of preferences (GSP), as 'other known factors' within the meaning of Article 3(7) of the basic Regulation.

The GC had determined that the 2 factors were known factors and that accordingly, they should have been considered by the institutions when establishing the causal link between the imports from Pakistan and the injury suffered by the Community industry. The GC added that in the light of the analysis carried out by the institutions, it was not clear what injury would have existed absent the 2 factors at issue.

The CoJ first noted that the contested regulation imposed anti-dumping measures on all imports of the product concerned originating in Pakistan and that consequently, all products covered by the contested regulation constituted dumped imports. Moreover, the CoJ considered that the dumped imports and the legislative conditions under which they take place are inseparable. The CoJ added that the changes to the legislative

conditions under which dumped imports take place cannot be considered as causing injury as such, but rather, it is the dumped imports themselves that are causing injury.

As a result, the CoJ determined that the two factors at issue cannot be considered as 'other factors' within the meaning of Article 3(7) of the basic Regulation. The CoJ nevertheless noted that it did not prejudice whether the 2 factors at issue must be taken into account to determine the existence of injury under Articles 3(2), (3) and (5) of the basic Regulation.

The CoJ thus set aside the judgment under appeal and referred it back to the GC

11.5.2 Ferro-silicon originating, inter alia, in the Former Yugoslavian Republic of Macedonia (FYROM) and Russia – C-13/12P - Judgment of 28 November 2013.

The appellants, 2 ferro-silicon producers established in Russia, put forward 8 grounds in appeal seeking to set aside the GC judgment in case *T-190/08*. The CoJ rejected all grounds either as inadmissible or unfounded.

The first ground of appeal, concerning an error in the calculation of the export price, was rejected as inadmissible as the appellants presented new evidence which had not been previously raised in the proceeding before the GC. The appellants then contested the findings of the GC justifying a differential treatment to a company ('*Silmak*') by the Council. The appellants claimed that the Council disclosed, only to *Silmak*, the notification concerning the imposition of provisional duties 2 months before the imposition of the measures. Thus, allowing this company to offer a price undertaking.

In this regard the CoJ confirmed the GC's findings that the differential treatment was legally justified as it was consistent with the Stabilisation and Association Agreement (SAA), signed between the EU and the FYROM. This claim was thus dismissed as unfounded.

Thirdly, the CoJ upheld the GC's interpretation that Articles 6(7) and 8(4) of the basic Regulation (Regulation 384/96) do not impose any obligation on the institutions concerning a specific time where certain documents must be included in the non-confidential version of the file.

The CoJ also dismissed as unfounded the appellants' claim concerning a breach of the principles of sound administration and rights of defence by the Council. The CoJ noted that the appellants had not proved that their own offer for undertakings would have been different should they had access to *Silmak's* offer for price undertaking.

As regards the claims on the assessment of injury, the appellants claimed that the Council should have used a methodology that takes into consideration the individual situation of each company (company specific methodology). The CoJ confirmed the GC's finding that the institutions were right in evaluating the effect of dumped imports on the state of the Community industry as a whole. Moreover, the CoJ further supported the institutions analysis of causality, confirming that the institutions had duly taken into account known factors other than the dumped imports to determine injury. In particular, the special circumstances (electricity supply problems) of a Community producer ('*Huta*

Laziska') were found not to have an impact in the trends observed for the Community industry.

Lastly, the CoJ rejected the appellants claim directed against the grounds of the GC's contested judgment that were included for the sake of completion.

11.5.3 Ferro-silicon originating, inter alia, in Kazakhstan – C-10/12P, – Judgment of 19 December 2013.

The appellants, a Kazakh ferro-silicon producer and a Switzerland-based trader, sought to have set aside the judgment of the GC of 25 October 2011 in *Case T-192/08* ('the judgment under appeal'), whereby the GC had dismissed their action for a partial annulment of Council Regulation 172/2008 ('the contested regulation') imposing anti-dumping duties on imports of ferro-silicon originating, inter alia, in Kazakhstan.

The appellants presented 3 grounds of appeal. Firstly, the appellants claimed that the GC had erred in law by not annulling the contested regulation once it had concluded that the institutions had infringed Article 3(7) of the basic Regulation. The CoJ upheld the GC's finding that the institutions had breached Article 3(7) of the basic Regulation by failing to separate and distinguish the effects of external known factors from those of the dumped imports. However, the CoJ considered that such a breach was not sufficient to justify the annulment of the contested regulation. The CoJ, placing the burden of proof on the appellants, determined that the appellants had failed to put forward any sufficient argument that would be capable of invalidating the entire injury analysis carried out by the institutions.

As the second part of the first ground of appeal, the appellants contested the interpretation by the GC of Article 3 of the basic Regulation, as it imposed on the appellants the burden of proving that a correct non-attribution analysis would have led to a different conclusion regarding the causal link. The CoJ upheld the GC's interpretation, and concluded that it is for the appellants to show that the established breaches by the institutions cast doubt on the reliability of the determination of injury. The CoJ considered that the appellants were calling into question the finding of facts made by the GC. In this respect, the CoJ recalled that it has no jurisdiction to examine facts or evidence, save where the clear sense of evidence has been distorted.

By their second ground of appeal, the appellants claimed that the GC erred in law by not finding that the institutions should have conducted a collective analysis of the external injury factors other than the dumped imports. The CoJ confirmed that an in-depth collective analysis of the external injury factors is not automatically required in the context of a non-attributable analysis as long as the institutions are able to reasonably conclude that the injury attributed to the dumped imports is not caused by other known factors. The CoJ added that the appellants had failed to provide any evidence that would be capable of invalidating the GC's conclusion that a collective analysis of injury factors, other than the dumped imports, was not necessary for the institutions to fulfil their obligations not to attribute to the dumped imports the harm caused by other known factors.

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 (DSU)). 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 against the Union

European Union — Anti-Dumping Measures on Imports of Certain Fatty Alcohols from Indonesia (DS442)

On 27 July 2012, Indonesia requested consultations with the European Union with respect to the imposition of definitive and provisional anti-dumping measures by the European Union on the importation of fatty alcohols and with respect to certain aspects of the investigation underlying these measures.

In May 2013, Indonesia requested the establishment of a panel. At its meeting on 24 May 2013, the DSB deferred the establishment of a panel.

At its meeting on 25 June 2013, the DSB established a panel. India, Korea and the United States reserved their third party rights. Subsequently, Malaysia, Thailand and Turkey reserved their third party rights.

European Communities — Definitive Anti-Dumping Measures on Certain Iron or Steel Fasteners from China (DS397) - Compliance proceedings

On 30 October 2013, China requested consultations with the European Union pursuant to Articles 4 and 21.5 of the DSU. This is a follow-up to the dispute relating to EU definitive Anti-Dumping Measures on Certain Iron or Steel Fasteners from China. To recall, on 28 July 2011, the Dispute Settlement Body adopted its recommendations and rulings in this dispute. Certain elements of EU measures had been found inconsistent with WTO rules.

The European Union adopted the measures necessary to comply with those recommendations before the expiry of the reasonable period of time agreed with China (that expired on 12 October 2012). In particular, anti-dumping measures on fasteners from China were amended by the Implementing Regulation (EU) No 924/2012 of 4 October 2012 amending Regulation (EC) No 91/2009 imposing a definitive anti-dumping duty on imports of certain iron or steel fasteners originating in the People's Republic of China (OJ L 275, 10.10.2012, p. 1).

China's request for the establishment of a panel relates to this particular Regulation. China considers that this Regulation does not fully implement the recommendations and rulings of the DSB and that it is inconsistent with certain provisions of the WTO Anti-Dumping Agreement. On 5 December 2013, China requested the establishment of a compliance panel. At its meeting on 18 December 2013, the DSB agreed to refer the matter to the original panel if possible. Japan and the United States reserved their third-party rights.

European Union — Anti-Dumping Measures on Biodiesel from Argentina (DS473)

On 19 December 2013, Argentina requested consultations with the European Union regarding (a) provisional and definitive anti-dumping measures imposed on biodiesel originating in, inter alia, Argentina, as well as the investigation underlying the measures; and, (b) a provision in Council Regulation (EC) 1225/2009 of November 2009, which refers to the adjustment or establishment of costs associated with the production and sale of products under investigation in the determination of dumping margins.

European Union — Cost Adjustment Methodologies and Certain Anti-Dumping Measures on Imports from Russia (DS474)

On 23 December 2013, Russia requested consultations with the European Union regarding “cost adjustment” methodologies used by the EU for the calculation of dumping margins in used in several anti-dumping investigations and reviews concerning, among others, imports from Russia.

12.2. Other WTO activities

While there was no activity during 2013 for the Negotiating Group on Rules, the Technical Group, a subgroup of the negotiating group, was convened twice during the year. The group discussed a number of issues including; basic structure and timeline of anti-dumping investigations; the interaction of the authorities with the domestic industry prior to the filing of a complaint as well as the preparation, conduct and reporting relating to verification visits.

In parallel to these activities, participation by the Commission services in the regular work of the Anti-dumping, Subsidies and Countervailing and Safeguards Committees continued. The Committees met twice in regular sessions to review notifications and raise issues of special interest. The EU's New and full subsidy notification was made during 2013 and the review started in the second meeting of the Subsidies and Countervailing Committee in 2013. This involved addressing many questions raised by other WTO members on the substance of the notification, which covered all subsidies granted at EU level as well as by the EU's Member States. The informal technical group on Anti-dumping met a number of times during 2013.

13. CONCLUSION

The number of investigations dealt with and concluded during 2013 was in line with the average of previous years activities, with some indicators above average. The year was characterised by a shift to more activity in review investigations rather than new investigations, when compared to the previous year. Given that the process is complaint driven, this reflected the type (reviews or new cases), and number, of properly substantiated complaints received during the year. As with previous years, the activities centered on anti-dumping and anti-subsidy with no safeguard actions.

The Modernisation of the Trade Defence instruments exercise had been launched in the autumn of 2011. The Commission adopted a package on modernisation in April 2013. The package included a Commission Communication, a legislative proposal and draft guidelines on certain aspects of investigations. The legislative proposal is following the ordinary legislative procedure in the European Parliament and the Council.

The TDI services also continued their information role through organising seminars aimed at third country officials and held a number of bilateral contacts with industry.

ANNEXES	SUMMARY
ANNEX 1	New investigations initiated during the period 1 January - 31 December 2013
ANNEX 2	New investigations initiated
ANNEX 3	Imposition of provisional duties in the course of new investigations during the period 1 January - 31 December 2013
ANNEX 4	New investigations concluded by the imposition of definitive duties during the period 1 January - 31 December 2013
ANNEX 5	New investigations terminated without imposition of measures during the period 1 January - 31 December 2013
ANNEX 6	Expiry reviews initiated or concluded during the period 1 January - 31 December 2013
ANNEX 7	Interim reviews initiated or concluded during the period 1 January - 31 December 2013
ANNEX 8	Other reviews concluded during the period 1 January - 31 December 2013
ANNEX 9	New exporter reviews initiated or concluded during the period 1 January - 31 December 2013
ANNEX 10	Anti-absorption investigations initiated or concluded during the period 1 January - 31 December 2013
ANNEX 11	Anti-circumvention investigations initiated or concluded during the period 1 January - 31 December 2013
ANNEX 12	Safeguard investigations initiated or concluded during the period 1 January - 31 December 2013
ANNEX 13	Undertakings accepted or repealed during the period 1 January - 31 December 2013
ANNEX 14	Measures which expired during the period 1 January - 31 December 2013
ANNEX 15	Definitive anti-dumping measures in force on 31 December 2013
ANNEX 16	Definitive anti-subsidy measures in force on 31 December 2013
ANNEX 17	Undertakings in force on 31 December 2013
ANNEX 18	Anti-dumping & anti-subsidy investigations pending on 31 December 2013
ANNEX 19	Court cases
ANNEX 20	Safeguard and surveillance measures in force on 31 December 2013

1.1.1. ANNEX 1

**New investigations initiated
during the period 1 January – 31 December 2013**

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

Product	Country of origin	OJ Reference
Seamless pipes, of iron or steel, external diameter exceeding 406.4 mm	P.R. China	L 49, 22.02.2013, p. 10
Solar glass	P.R. China	C 58, 28.02.2013, p. 6
Agglomerated stone	P.R. China	C 183, 28.06.2013, p. 21
Monosodium glutamate	Indonesia	C 349, 29.11.2013, p. 5

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

Product	Country of origin	OJ Reference
Solar glass	P.R. China	C 122, 27.04.2013, p. 24
Filament glass fibre products	P.R. China	C 362, 12.12.2013, p. 66
Polyester staple fibres	P.R. China India Vietnam	C 372, 19.12.2013, p. 31

[Top](#)

[List of Annexes](#)

1.1.2. ANNEX B

A. New investigations initiated by product sector during the period 2009 – 2013

Product sector	2009	2010	2011	2012	2013
Chemical and allied	9	7	11	-	1
Textiles and allied	3	-	-	-	3
Wood and paper	-	2	-	-	-
Electronics	1	2	-	2	-
Other mechanical engineering	1	1	1	1	-
Iron and Steel	4	3	6	11	1
Other metals	1	-	1	-	-
Other	2	3	2	5	4
	21	18	21	19	-
Of which anti-dumping	15	15	17	13	4
anti-subsidy	6	3	4	6	5

[Top](#) [List of Annexes](#)

**2. New investigations initiated by country of export during the period
2009 – 2013**

Country of origin	2009	2010	2011	2012	2013
Argentina	0	0	0	2	-
Armenia	-	-	-	-	-
Australia	-	-	-	-	-
Belarus	-	-	1	-	-
Bosnia & Herzegovina	-	1	-	-	-
Brazil	-	-	-	-	-
P.R. China	7	10	8	7	6
Croatia	-	-	-	-	-
Egypt	-	-	-	-	-
Guatemala	-	-	-	-	-
Hong Kong	-	-	-	-	-
India	2	3	3	2	1
Indonesia	-	1	-	3	1
Iran	2	-	-	-	-
Japan	-	-	-	-	-
Kazakhstan	-	-	1	-	-
Korea (Rep. of)	1	-	-	-	-
F.Y.R.O.M.	-	-	-	1	-
Malaysia	2	1	-	-	-
Moldova (Rep. of)	-	-	-	-	-
Norway	-	-	-	-	-
Oman	-	-	2	-	-
Pakistan	2	-	-	-	-
Philippines	-	-	-	-	-
Russia	-	-	1	-	-
Saudi Arabia	-	-	2	-	-
South Africa	-	-	-	-	-

Country of origin	2009	2010	2011	2012	2013
Taiwan	1	-	-	1	-
Thailand	2	1	-	1	-
Turkey	-	-	1	1	-
Ukraine	-	-	-	1	-
U.A.E.	2	-	-	-	-
U.S.A.	-	1	2	-	-
Vietnam	-	-	-	-	1
Total	21	18	21	19	9

[Top](#)

[List of Annexes](#)

1.1.3. ANNEX 3

**Imposition of provisional duties in the course of new investigations
during the period 1 January - 31 December 2013**

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

Product	Country of origin	Regulation N°	OJ Reference
Stainless steel wires	India	Commission Regulation (EU) No 418/2013 03.05.2013	L 126 08.05.2013 p. 1
Biodiesel	Argentina, Indonesia	Commission Regulation (EU) No 490/2013 27.05.2013	L 141 28.05.2013 p. 6
Solar panels (crystalline silicon photovoltaic modules and key components)	P.R. China	Commission Regulation (EU) No 513/2013 04.06.2013	L 152 05.06.2013 p. 5
Solar glass	P.R. China	Commission Regulation (EU) No 1205/2013 26.11.2013	L 316 27.11.2013 p. 8

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

Product	Country of origin	Regulation N°	OJ Reference
Stainless steel wires	India	Commission Regulation (EU) No 419/2013 03.05.2013	L 126 08.05.2013 p. 19

[Top](#)

[List of Annexes](#)

1.1.4. ANNEX 4

New investigations concluded by the imposition of definitive duties during the period 1 January – 31 December 2013

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

Product	Country of origin	Regulation N°	OJ Reference
Tube and pipe fittings, of iron or steel	Russia, Turkey	Council Impl. Reg. (EU) No 78/2013 17.01.2013	L 27, 29.01.2013 p. 1
Bioethanol	U.S.A.	Council Impl. Reg. (EU) No 157/2013 18.02.2013	L 49, 22.02.2013 p. 10
Certain aluminium foil	P.R. China	Council Impl. Reg. (EU) No 217/2013 11.03.2013	L 69 13.03.2013 p. 11
Certain organic coated steel products	P.R. China	Council Impl. Reg. (EU) No 214/2013 11.03.2013	L 73 15.03.2013 p. 1
Threaded tube or pipe cast fittings, of malleable cast iron	P.R. China Thailand	Council Impl. Reg. (EU) No 430/2013 13.05.2013	L 129 14.05.2013 p. 1
Ceramic tableware and kitchenware	P.R. China	Council Impl. Reg. (EU) No 412/2013 13.05.2013	L 131 15.05.2013 p. 1
Stainless steel wires	India	Council Impl. Reg. (EU) No 1106/2013 05.11.2013	L 298 08.11.2013 p. 1
Biodiesel	Argentina Indonesia	Council Impl. Reg. (EU) No 1194/2013 19.11.2013	L 315 26.11.2013 p. 2
Solar panels (crystalline silicon photovoltaic modules and key components)	P.R. China	Council Impl. Reg. (EU) No 1238/2013 02.12.2013	L 325 05.12.2013 p. 1

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

Product	Country of origin	Regulation N°	OJ Reference
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Product	Country of origin	Regulation N°	OJ Reference
Certain organic coated steel products	P.R. China	Council Impl. Reg. (EU) No 215/2013 11.03.2013	L 73 15.03.2013 p. 16
Stainless steel wires	India	Council Impl. Reg. (EU) No 861/2013 02.09.2013	L 240 07.09.2013 p. 1
Solar panels (crystalline silicon photovoltaic modules and key components)	P.R. China	Council Impl. Reg. (EU) No 1239/2013 02.12.2013	L 325 05.12.2013 p. 66

Top

List of Annexes

1.1.5. ANNEX 5

New investigations terminated without the imposition of measures during the period 1 January - 31 December 2013

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

Product	Country of origin	Decision N°	OJ Reference
Welded tubes, pipes and hollow profiles of square or rectangular cross-section, of iron other than cast iron or steel other than stainless	F.Y.R.O.M. Turkey Ukraine	Commission Dec. No 2013/80/EU 13.02.2013	L 43 14.02.2013 36
White phosphorus	Kazakhstan	Commission Dec. No 2013/81/EU 13.02.2013	L 43 14.02.2013 p. 38
Threaded tube or pipe cast fittings, of malleable cast iron	Indonesia	Council Impl. Reg. (EU) No 430/2013 13.05.2013	L 129 14.05.2013 p. 1
Stainless steel tube and pipe butt-welding fittings	P.R. China Taiwan	Commission Dec. No 2013/440/EU 20.08.2013	L 223 21.08.2013 p. 13
Seamless pipes, of iron or steel, external diameter exceeding 406.4 mm	P.R. China	Commission Dec. No 2013/639/EU 06.11.2013	L 296 07.11.2013 p. 24

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

Product	Country of origin	Decision N°	OJ Reference
Bicycles	P.R. China	Commission Dec. No 2013/227/EU 22.05.2013	L 136 23.05.2013 p. 15
Biodiesel	Argentina Indonesia	Commission Reg. (EU) No 1198/2013 25.11.2013	L 315 26.11.2013 p. 67

[Top](#)

[List of Annexes](#)

1.1.6. ANNEX 6

**Expiry reviews initiated or concluded
during the period 1 January - 31 December 2013
(chronological by date of publication)**

Initiated		
Product	Country of origin	OJ Reference
Ferro-silicon	P.R. China Russia	C 58 28.02.2013 p. 15
Manganese dioxides	South Africa	C 72 12.03.2013 p. 8
Powdered activated carbon	P.R. China	C 195 06.07.2013 p. 4
Ammonium nitrate	Russia	C 200 12.07.2013 p. 12
Tube and pipe fittings of iron or steel	Korea, Rep. of Malaysia	C 299 15.10.2013 p. 4
Sulphanilic acid	P.R. China India	C 300 16.10.2013 p. 14
Sulphanilic acid (AS)	India	C 300 16.10.2013 p. 5
Citrus fruits	P.R. China	L 310 25.10.13 p. 9
Monosodium glutamate	P.R. China	C 349 29.11.2013 p. 14
Citric acid	P.R. China	C 351 30.11.2013 p. 27
Welded tubes and pipes of iron or non-alloy steel	China Belarus Ukraine Russia	C 372 19.12.2013 p. 21

Concluded: confirmation of duty			
Product	Country of origin	Regulation/Decision N°	OJ Reference
Polyethylene terephthalate (PET) (AS)	India	Council Impl. Reg. (EU) No 461/2013 21.05.2013	L 137, 23.05.2013 p. 1
Tungsten electrodes	P.R. China	Council Impl. Reg. (EU) No 508/2013 29.05.2013	L 150 04.06.2013 p. 1
Ironing boards	P.R. China	Council Impl. Reg. (EU) No 695/2013 15.07.2013	L 198 23.07.2013 p. 1
Sweet corn	Thailand	Council Impl. Reg. (EU) No 875/2013 02.09.2013	L 244 13.09.2013 p. 1
Peroxosulphates (Persulphates)	P.R. China	Council Impl. Reg. (EU) No 1343/2013 12.12.2013	L 338 17.12.2013 p. 11

Concluded: termination and repeal of the measures			
Product	Country of origin	Regulation/Decision N°	OJ Reference
Ethanolamines	U.S.A.	Council Impl. Reg. (EU) No 285/2013 21.03.2013	L 86 26.03.2013 p. 1
Polyethylene terephthalate (PET)	India Indonesia Malaysia Taiwan Thailand	Council Impl. Decision, 21.05.2013	L 16 23.05.2013 p. 12
Ironing boards	Ukraine	Council Impl. Reg. (EU) No 695/2013 15.07.2013	L 198 23.07.2013 p. 1
Iron or steel ropes and cables	Russia	Council Impl. Reg. (EU) No 1342/2013 12.12.2013	L 338 17.12.2013 p. 1

1.1.7. ANNEX 7

**Interim reviews initiated or concluded
during the period 1 January - 31 December 2013
(chronological by date of publication)**

Initiated		
Product	Country of origin	OJ Reference
Sweet corn	Thailand	C 42, 14.02.2013, p. 7
Biodiesel	U.S.A. (consigned from Canada)	C 124, 30.04.2013, p. 7
Biodiesel (AS)	U.S.A. (consigned from Canada)	C 124, 30.04.2013, p. 10
Iron or steel fasteners	P.R. China (consigned from Malaysia)	C 134, 14.05.2013, p. 34
Certain stainless steel fasteners and parts thereof	P.R. China Taiwan	C 160, 06.06.2013, p. 3
Steel ropes and cables	P.R. China (consigned from Korea, Rep. of)	C 246, 27.08.2013, p. 5
Citric acid ²⁰	P.R. China	C 351, 30.11.2013, p. 27
Citric acid ²¹	P.R. China	C 351, 30.11.2013, p. 27
Filament glass fibre products	P.R. China	C 371, 18.12.2013, p. 19

Concluded: amendment of duty			
Product	Country of origin	Regulation/Decision N°	OJ Reference
Hand pallet trucks and their essential parts	P.R. China	Council Impl. Reg. (EU) No 372/2013 22.04.2013	L 112 24.04.2013 p. 1
Bicycles	P.R. China	Council Impl. Reg. (EU) No 502/2013 29.05.2013	L 153 05.06.2013 p. 17
Stainless steel bars and rods (AS)	India	Council Impl. Reg. (EU) No 721/2013 22.07.2013	L 202 27.07.2013 p. 2

²⁰ limited in scope to the examination of dumping as far as Laiwu Taihe Biochemistry Co. Ltd ('Laiwu Taihe') is concerned

²¹ limited in scope to the examination of the form of the measure and of injury

Concluded: termination without amendment of duty			
Product	Country of origin	Regulation/Decision N°	OJ Reference
Iron or steel fasteners	P.R. China (consigned from Malaysia)	Council Impl. Reg. (EU) No 1026/2013 22.10.2013	L 283 25.10.2013 p. 7

Concluded: termination and repeal of measures			
Product	Country of origin	Regulation/Decision N°	OJ Reference
Ethanolamines	U.S.A.	Council Impl. Reg. (EU) No 285/2013 21.03.2013	L 86 26.03.2013 p. 1
Ironing boards	Ukraine	Council Impl. Reg. (EU) No 695/2013 15.07.2013	L 198 23.07.2013 p. 1

Top

List of Annexes

1.1.8. ANNEX 8

**Other reviews initiated or concluded
during the period 1 January - 31 December 2013
(chronological by date of publication)**

Initiated		
Product	Country of origin	OJ Reference
Fatty alcohols ²²	Indonesia Malaysia Egypt	C 58, 28.02.2013, p. 24
Polyethylene terephthalate (PET) (AS) ²³	Pakistan	C 138, 17.05.2013, p. 32

Concluded: confirmation/amendment of duty			
Product	Country of origin	Regulation/Decision N°	OJ Reference
Citrus fruits ²⁴	P.R. China	Council Impl. Reg. (EU) No 158/2013 18.02.2013	L 49 22.02.2013 p. 29
Citrus fruits ⁵	P.R. China	Council Impl. Reg. (EU) No 158/2013 18.02.2013	L 49 22.02.2013 p. 29
Polyethylene terephthalate (PET) (AS) ⁶	Pakistan	Council Impl. Reg. (EU) No 917/2013 23.09.2013	L 253 25.09.2013 p. 1

Concluded: termination and repeal of measures			
Product	Country of origin	Regulation/Decision N°	OJ Reference
Ethanolamines	U.S.A.	Council Impl. Reg. (EU) No 285/2013 21.03.2013	L 86 26.03.2013 p. 1

Top

List of Annexes

²²Partial reopening

²³Partial reopening (Case T-556/10, judgment of the General Court of the European Union of 11 October 2012)

²⁴Partial reopening (two cases: T-122/09, judgement of the General Court of the European Union of 17 February 2011 and C-338/10, judgement of the European Court of Justice of 22 March 2012)

1.1.9. ANNEX 9

**New exporter reviews initiated or concluded
during the period 1 January - 31 December 2013
(chronological by date of publication)**

A. Anti-dumping investigations

Initiated			
Product	Country of origin (consigned from)	Regulation/Decision N°	OJ Reference
Steel ropes and cables	P.R. China (consigned from Korea, Rep. of)	Commission Reg. (EU) No 806/2013 26.08.2013	L 228 27.08.2013 p. 1
Trichloroisocyanuric acid	P.R. China	Commission Reg. (EU) No 809/2013 27.08.2013	L 229 28.08.2013 p. 2

Concluded: imposition/amendment of duty			
Product	Country of origin (consigned from)	Regulation/Decision N°	OJ Reference
Polyethylene terephthalate	Taiwan	Council Impl. Reg. (EU) No 295/2013 21.03.2013	L 90 28.03.2013 p. 1

Concluded: termination			
Product	Country of origin (consigned from)	Regulation/Decision N°	OJ Reference
None			

[Top](#)

[List of Annexes](#)

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

Initiated			
Product	Country of origin (consigned from)	Regulation/Decision N°	OJ Reference
None			

Concluded: imposition/amendment of duty			
Product	Country of origin (consigned from)	Regulation/Decision N°	OJ Reference
None			

Concluded: termination			
Product	Country of origin (consigned from)	Regulation/Decision N°	OJ Reference
None			

[Top](#) [List of Annexes](#)

1.1.10. ANNEX 10

**Anti-absorption investigations initiated or concluded
during the period 1 January - 31 December 2013
(chronological by date of publication)**

Initiated			
Product	Country of origin	OJ Reference	
None			

Concluded with increase of duty			
Product	Country of origin	Regulation/Decision N°	OJ Reference
None			

Concluded without increase of duty / termination			
Product	Country of origin	Regulation/Decision N°	OJ Reference
None			

[Top](#)

[List of Annexes](#)

1.1.11. ANNEX 11

**Anti-circumvention investigations initiated or concluded
during the period 1 January - 31 December 2013
(chronological by date of publication)**

Initiated			
Product	Country of origin (consigned from)	Regulation/Decision N°	OJ Reference
Open mesh fabrics of glass fibres	P. R. China (India Indonesia)	Commission Reg. (EU) No 322/2013 09.04.2013	L 101 10.04.2013 p. 1
Open mesh fabrics of glass fibres	P. R. China	Commission Reg. (EU) No 1356/2013 17.12.2013	L 341 18.12.2013 p. 43

Concluded with extension of duty			
Product	Country of origin (consigned from)	Regulation/Decision N°	OJ Reference
Open mesh fabrics of glass fibres	P. R. China (Thailand Taiwan)	Council Impl. Reg. (EU) No 21/2013 10.01.2013	L 11 16.01.2013 p. 1
Stainless steel fasteners and parts thereof	P. R. China (Philippines)	Council Impl. Reg. (EU) No 205/2013 07.03.2013	L 68 12.03.2013 p. 1
Gas-fuelled, non-refillable pocket flint lighters ²⁵	P. R. China (Vietnam)	Council Impl. Reg. (EU) No 260/2013 18.03.2013	L 82 22.03.2013 p. 10
Silicon metal (silicon)	P. R. China (Taiwan)	Council Impl. Reg. (EU) No 311/2013 05.04.2013	L 95 05.04.2013 p. 1
Bicycles	P. R. China (Indonesia Malaysia Sri Lanka Tunisia)	Council Impl. Reg. (EU) No 501/2013 29.05.2013	L 153 05.06.2013 p. 1
Molybdenum wires	P. R. China	Council Impl. Reg. (EU) No 871/2013 02.09.2013	L 243 12.09.2013 p. 2

²⁵ Retroactive collection of duties for the period of 27 June 2012 until 13 December 2012.

Concluded with extension of duty			
Product	Country of origin (consigned from)	Regulation/Decision N°	OJ Reference
Open mesh fabrics of glass fibres	P. R. China (India Indonesia)	Council Impl.Reg. (EU) No 1371/2013 16.12.2013	L 346 20.12.2013 p. 20

Concluded without extension of duty / termination			
Product	Country of origin (consigned from)	Regulation/Decision N°	OJ Reference
Stainless steel fasteners and parts thereof	P. R. China (Malaysia, Thailand)	Council Impl. Reg. (EU) No 205/2013 07.03.2013	L 68 12.03.2013 p. 1
Certain aluminium foils	P. R. China	Council Reg. (EU) No 638/2013 02.07.2013	L 184 03.07.2013 p. 1

Exemptions granted and/or rejected			
Product	Country of origin (consigned from)	Regulation/Decision N°	OJ Reference
None			

[Top](#) [List of Annexes](#)

1.1.12. ANNEX 12

Safeguard investigations initiated and concluded during the period 1 January - 31 December 2013 (chronological by date of publication)

New investigations initiated		
Product	Country of origin	OJ Reference

None			
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New investigations terminated without imposition of measures

Product	Country of origin	Regulation/ Decision N°	OJ Reference
None			

Issue of licences

Product	Country of origin	Regulation/ Decision N°	OJ Reference
None			

New investigations initiated

Product	Country of origin	Date of expiry
None		

Top

List of Annexes

1.1.13. ANNEX 13

**Undertakings accepted or repealed
during the period 1 January - 31 December 2013
(chronological by date of publication)**

Undertakings accepted			
Product	Country of origin	Decision N°	OJ Reference
Solar panels (crystalline silicon photovoltaic modules and key components)	P.R. China	Commission Dec. No 2013/423/EU 02.08.2013	L 209 03.08.2013 p. 26
Solar panels (crystalline silicon photovoltaic modules and key components) (AD + AS)	P.R. China	Commission Dec. No 2013/707/EU 05.12.2013	L 325 05.12.2013 p. 214

Undertakings withdrawn or repealed			
Product	Country of origin	Decision N°	OJ Reference
None			

Undertakings which expired/lapsed			
Product	Country of origin	Original measure (s) & OJ Reference	OJ Reference
Polyethylene terephthalate (PET)	India Indonesia	Council Reg. (EC) No 192/2007 22.02.2007 L 59 27.02.2007 p. 1	L 16 23.05.2013 p. 12

[Top](#)

[List of Annexes](#)

1.1.14. ANNEX 14

**Measures which expired / lapsed
during the period 1 January - 31 December 2013
(chronological by date of publication)**

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

Product	Country of origin	Original measure & OJ Reference	OJ Reference
Dihydromyrcenol	India	Council Reg. (EC) No 63/2008 (OJ L 23, 26.1.2008, p. 1)	C 23 25.01.2013 p. 11
Ferro-silicon	Egypt Kazakhstan	Council Reg. (EC) No 172/2008 (OJ L 55, 28.2.2008, p. 6) as amended by Council Implementing Reg. (EU) No 1297/2009 (OJ L 351, 30.12.2009, p. 1)	C 58 28.02.2013 p. 5
Coke of coal in pieces with a diameter of more than 80 mm (coke 80+)	P.R. China	Council Regulation (EC) No 239/2008 (OJ L 75, 18.3.2008, p. 22)	C 77 15.03.2013 p. 18
Welded tubes and pipes of iron or non-alloy steel	Thailand	Council Regulation (EC) No 1256/2008 (OJ L 343, 19.12.2008, p. 1)	C 372 19.12.2013 p. 30
Synthetic fibre ropes	India	Council Implementing Regulation (EU) No 1242/2010 (OJ L 338, 22.12.2010, p. 10)	C 373 20.12.2013 p. 30

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

Product	Country of origin	Original measure & OJ Reference	OJ Reference
None			

[Top](#)

[List of Annexes](#)

1.1.15. ANNEX 15

Definitive anti-dumping measures in force on 31 December 2013

A. Ranked by product (alphabetical)

Product	Origin	Measure	Regulation N°	OJ Reference
Aluminium foil (in rolls of a weight exceeding 10 kg)	Armenia Brazil P.R. China	Duties	Council Reg. (EC) No 925/2009 24.09.2009	L 262 06.10.2009 p. 1
	Brazil	Undertakings	Commission Dec. No 2009/736/EC 05.10.2009	L 262 06.10.2009 p. 50
Aluminium foils (in rolls of a weight not exceeding 10 kg)	P.R. China	Duties	Council Impl. Reg. (EU) No 217/2013 11.03.2012	L 69 13.03.2013 p. 11
Aluminium radiators	P.R. China	Duties	Council Impl. Reg. (EU) No 1039/2012 29.10.2012	L 310 09.11.2012 p. 1
Aluminium road wheels	P.R. China	Duties	Council Impl. Reg. (EU) No 964/2010 25.10.2010	L 282 28.10.2010 p. 1
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 and maintained by Council Reg. (EC) No 661/2008 08.07.2008 corrected by L 339, 22.12.2009, p. 59 as last amended by Council Reg. (EC) No 662/2008 08.07.2008 as last amended by Council Reg. (EC) No 989/2009 19.10.2009	L 102 18.04.2002 p. 1 L 160 23.06.2005 p. 1 L 185 12.07.2008 p. 1 L 185 12.07.2008 p. 35 L 278 23.10.2009 p. 1
		Undertakings	Commission Dec. No 2008/577/EC 04.07.2008 corrected by L 339, 22.12.2009, p. 59	L 185 12.07.2008 p. 43
Barium carbonate	P.R. China	Duties	Council Reg. (EC) No 1175/2005	L 189 21.07.2005

Product	Origin	Measure	Regulation N°	OJ Reference
			18.07.2005 corrected by L 181, 04.07.2006, p. 111 as maintained by Council Impl. Reg. (EU) No 831/2011 16.08.2011	p. 15 L 214, 19.08.2011 p. 1
Bicycles	P.R. China Indonesia (ext.) Malaysia (ext.) Sri Lanka (ext.) Tunisia (ext.)	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 and maintained by Council Reg. (EC) No 171/2008 25.02.2008 and maintained by Council Impl. Reg. (EC) No 990/2011 03.10.2011 as last amended by Council Reg. (EC) No 502/2013 29.05.2013 and extended to imports consigned from Indonesia, Malaysia, Sri Lanka and Tunisia by Council Impl. Reg. (EU) No 444/2011 05.05.2011	L 175 14.07.2000 p. 39 L 16 18.01.97 p. 1 L 183 14.07.2005 p. 1 L 55 28.02.2008 p. 1 L 261 06.10.2011 p.2 L 153 05.06.2013 p. 17 L 153, 05.06.2013, p. 1
Bicycle parts (extension to bicycles)	P.R. China	Duties	Council Reg. (EC) No 71/97 10.01.97 as last amended by Council Reg. (EC) No 1095/2005 12.07.2005 and maintained by Council Reg. (EC) No 171/2008 25.02.2008	L 16 18.01.97 p. 1 L 183 14.07.05 p. 1 L 55 28.02.08 p. 1
Biodiesel	U.S.A. Canada (ext.)	Duties	Council Reg. (EC) No 599/2009 07.07.2009 and extended to imports consigned from Canada by Council Impl. Reg.	L 179 10.07.2009 p. 26 L 122

Product	Origin	Measure	Regulation N°	OJ Reference
	Argentina Indonesia	Duties	(EU) No 444/2011 05.05.2011 Council Impl. Reg. (EU) No 1194/2013 19.11.2013	11.05.2011 p. 12 L 315 26.11.2013 p. 2
Bioethanol	U.S.A.	Duties	Council Impl. Reg. (EU) No 157/2013 18.02.2013	L 49, 22.02.2013 p. 10
Candles, tapers and the like	P.R. China	Duties	Council Reg. (EC) No 393/2009 11.05.2009	L 119 14.05.2009 p. 1
Cargo scanning systems	P.R. China	Duties	Council Impl. Reg. (EU) No 510/2010 14.06.2010	L 150 16.06.2010 p. 1
Ceramic tableware and kitchenware	P.R. China	Duties	Council Impl. Reg. (EU) No 412/2013 13.05.2012	L 131, 15.05.2013, p. 1
Ceramic tiles	P.R. China	Duties	Council Impl. Reg. (EU) No 917/2011 12.09.2011 as last amended by Council Impl. Regulation (EU) No. 567/2012 26.06.2012	L 238 15.09.2011 p. 1 OJ L 169 29.06.2012 p. 11
Chamois leather	P.R. China	Duties	Council Reg. (EC) No 1338/2006 08.09.2006 and maintained by Council Impl. Reg. (EU) No 1153/2012 03.12.2012	L 251 14.09.2006 p. 1 L 334 06.12.2012 p. 31
Citric acid	P.R. China	Duties Undertakings	Council Reg. (EC) No 1193/2008 01.12.2008 Commission Dec. No 2008/899/EC 02.12.2008 corrected by C 346, 26.11.2011, p. 7 and 8, corrected by C 3, 06.01.2012, p. 10 and 11, corrected by C 64, 03.03.2012, p. 25, corrected by C 74, 13.03.2012, p. 16	L 323 03.12.2008 p. 1 L 323 03.12.2008 p. 62
Citrus fruits	P.R. China	Duties	Council Impl. Reg. (EU) No 158/2013 18.02.2013	L 49 22.02.2013 p. 29
Coated fine paper	P.R. China	Duties	Council Impl. Reg. (EU) No 451/2011	L 128 14.05.2011

Product	Origin	Measure	Regulation N°	OJ Reference
			06.05.2011	p. 1
Dicyandiamide	P.R. China	Duties	Council Reg. (EC) No 1331/2007 13.11.2007	L 296 15.11.2007 p. 1
Fasteners (iron or steel)	P.R. China Malaysia (ext.)	Duties	Council Reg. (EC) No 91/2009 26.01.2009 and extended to such imports consigned from Malaysia by Council Impl. Reg. (EC) No 723/2011 18.07.2011 as last amended by Council Impl. Reg. (EU) No 693/2012 25.07.2012 as last amended by Council Impl. Reg. (EU) No 924/2012 04.10.2012	L 29 31.01.2009 p. 1 L 194 26.07.2011 p. 6 L 203 31.07.2012 P. 23 L 275 10.10.2012, p. 1
Fatty alcohols and their blends	India Indonesia Malaysia	Duties	Council Impl. Reg. (EU) No 1138/2011 08.11.2011 as last amended by Council Impl. Reg. (EU) No 1241/2012 11.12.2012	L 293 11.11.2011 p. 1 L 352 21.12.2012 p. 1
Ferro-silicon	P.R. China Russia	Duties	Council Reg. (EC) No 172/2008 25.02.2008	L 55 28.02.2008 p. 6
Glass fibres (certain open mesh fabrics)	P.R. China Malaysia (ext) Taiwan (ext) Thailand (ext) India (ext) Indonesia (ext)	Duties	Council Impl. Reg. (EU) No 791/2011 03.08.2011 and extended to such imports consigned from Malaysia by Council Impl. Reg. (EC) No 672/2012 16.07.2012 and extended to such imports consigned from Taiwan and Thailand by Council Impl. Reg. (EC) No 21/2013 10.01.2013 extended to such imports consigned from India and Indonesia by Council Impl. Reg.	L 204 09.08.2011 p. 1 L 196 24.07.2012 p. 1 L 11 16.01.2013 p. 1 L 346,

Product	Origin	Measure	Regulation N°	OJ Reference
			(EU) No 1371/2013 16.12.2013	20.12.2013, p. 20
Glass fibre products (continuous filament)	P.R. China	Duties	Council Impl. Reg. (EU) No 248/2011 09.03.2011	L 67 15.03.2011 p. 1
Graphite electrode systems	India	Duties	Council Reg. (EC) No 1629/2004 13.09.2004 as last amended by Council Reg. (EC) No 1354/2008 18.12.2008 and maintained by Council Impl. Reg. (EU) No 1186/2010 13.12.2010	L 295 18.09.2004 p. 10 L 350 30.12.2008 p. 24 L 332 16.12.2010 p. 17
Hand pallet trucks and their essential parts	P.R. China Thailand (ext)	Duties	Council Reg. (EC) No 1174/2005 18.07.2005 as last amended by Council Reg. (EC) No 684/2008 17.07.2008 and extended to such imports consigned from Thailand by Council Reg. (EC) No 499/2009 11.06.2009 and maintained by Council Impl. Reg. (EU) No 1008/2011 10.10.2011 as last amended by Council Impl. Reg. (EU) No 372/2013 22.04.2013	L 189 21.07.2005 p. 1 L 192 19.07.2008 p. 1 L 151 16.06.2009 p. 1 L 268 13.10.2011 p.1 L 112 24.04.2013 p. 1
Ironing boards	P.R. China	Duties	Council Reg. (EC) No 452/2007 23.04.2007, as last amended by Council Impl. Reg. (EU) No 77/2010 19.01.2010 and Council Impl. Reg. (EU) No 270/2010 29.03.2010 and Council Impl. Reg. (EU) No 580/2010 29.06.2010, and Council Impl. Reg. (EU) No 1241/2010 20.12.2010 and Council Impl. Reg. (EU) No 987/2012 22.10.2012	L 109 26.04.2007 p. 12 L 24 28.01.2010 p. 1 L 84 31.03.2010 p. 13 L 168 02.07.2010 p. 12 L 338 22.12.2010 p. 8 L 297 26.10.2012 p. 5

Product	Origin	Measure	Regulation N°	OJ Reference
			and maintained by Council Impl. Reg. (EU) No 695/2013 15.07.2013	L 198, 23.07.2013, p. 1
	P.R. China (Since Hardware)	Duties	Council Impl. Reg. (EU) No 1243/2010 20.12.2010	L 338 22.12.2010 p. 22
Lever arch mechanisms	P.R. China	Duties	Council Reg. (EC) No 1136/2006 24.07.2006 and maintained by Council Impl. Reg. (EU) No 796/2012 30.08.2012	L 205 27.07.2006 p. 1 L 238 04.09.2012 p. 5
Lighters (non-refillable and refillable)	P.R. China Taiwan	Duties	Council Reg. (EC) No 1458/2007 12.12.2007	L 326 12.12.2007 p. 1
Manganese dioxides	South Africa	Duties	Council Reg. (EC) No 221/2008 10.03.2008	L 69 13.03.2008 p. 1
Melamine	P.R. China	Duties	Council Impl. Reg. (EU) No 457/2011 10.05.2011	L 124 13.05.2011 p. 2
Molybdenum wires	P.R. China Malaysia (ext.)	Duties	Council Impl. Reg. (EU) No 511/2010 14.06.2010 and extended by Council Impl. Reg. (EU) No 14/2012 12.01.2012 and extended by Council Impl. Reg. (EU) No 871/2013 02.09.2013	L 150 16.06.2010 p. 17 L 8 12.01.2012 p. 22 L 243 12.09.2013 p. 2
Monosodium glutamate	P.R. China	Duties	Council Reg. (EC) No 1187/2008 27.11.2008	L 322 02.12.2008 p. 1
Okoumé plywood	P.R. China	Duties	Council Reg. (EC) No 1942/2004 02.11.2004 and maintained by Council Impl. Reg. (EU) No 82/2011 31.01.2011	L 336 12.11.2004 p. 4 L 28 02.02.2011 p. 1
Organic coated steel products	P.R. China	Duties	Council Impl. Reg. (EU) No 214/2013 11.03.2013	L 73 15.03.2013 p. 1
Oxalic acid	P.R. China India	Duties	Council Impl. Reg. (EU) No 325/2012 12.04.2012	L 106 18.04.2012 p. 1
Peroxosulphates	P.R. China	Duties	Council Reg. (EC) No 1184/2007 09.10.2007	L 265 11.10.2007 p. 1

Product	Origin	Measure	Regulation N°	OJ Reference
			and maintained by Council Impl. Reg. (EU) No 1343/2013 12.12.2013	L 338 17.12.2013 p. 11
Polyester yarn (high tenacity)	P.R. China	Duties	Council Impl. Reg. (EU) No 1105/2010 29.11.2010	L 315 01.12.2010 p. 1
Polyethylene terephthalate (PET)	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 and maintained by Council Impl. Reg. (EU) No 1030/2010 17.11.2010	L 271 19.08.2004 p. 1 L 345 28.12.2005 p. 11 L 300 17.11.2010 p. 1
Powdered activated carbon (PAC)	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 and maintained by Council Reg. (EC) No 649/2008 08.07.2008	L 155 14.06.2002 p. 1 L 133 29.05.2003 p. 36 L 181 10.07.2008 p. 1
PSC wires and strands	P.R. China	Duties	Council Reg. (EC) No 383/2009 05.05.2009 as last amended by Council Impl. Reg. (EU) No 986/2011 22.10.2012	L 118 13.05.2009 p. 1 L 297 26.10.2012 p. 1
Ring binder mechanisms	Thailand	Duties	Council Impl. Reg. (EU) No 792/2011 05.08.2011	L 204 09.08.2011 p.11
	P.R. China Vietnam (ext.) Laos (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 and extended to imports from Laos by Council Reg. (EC) No 33/2006 09.01.2006 as last amended by Council Reg. (EC) No 818/2008 13.08.2008 and maintained by	L 359 04.12.2004 p. 11 L 232 01.07.2004 p. 1 L 7 12.01.2006 p. 1 L 221 19.08.2008 p. 1

Product	Origin	Measure	Regulation N°	OJ Reference
			Council Impl. Reg. (EU) No 157/2010 22.02.2010	L 49 26.02.2010 p. 1
Seamless pipes and tubes, of iron or steel	Russia Ukraine	Duties	Council Reg. (EC) No 954/2006 27.06.2006 as last amended by Council Reg. (EC) No 812/2008 11.08.2008 and Council Impl. Reg. (EC) No 540/2012 21.06.2012 and Council Impl. Reg. (EU) No 795/2012 28.08.2012 and Council Impl. Reg. (EU) No L 317, 5.12.2007, p. 5 21.12.2012 and maintained by Council Impl. Reg. (EU) No 585/2012 26.06.2012	L 175 29.06.2006 p. 4 L 220 15.08.2008 p. 1 L 165 26.06.2012 p. 1 L 238 04.09.2012 p. 1 L 357, 28.12.2012 p. 1 L 174 04.07.2012 p. 5
Seamless pipes and tubes, of iron or steel	P.R. China	Duties	Council Reg. (EC) No 926/2009 24.09.2009	L 262 06.10.2009 p. 19
Seamless pipes and tubes, of stainless steel	P.R. China	Duties	Council Impl. Reg. (EU) No 1331/2011 14.12.2011	L 336 20.12.2011 p. 6
Silicon metal	P.R. China Korea (Rep. of) (ext.) Taiwan (ext.)	Duties	Council Reg. (EC) No 398/2004 02.03.2004 extended to imports of silicon consigned from Korea (Rep. of) by Council Reg. (EC) No 42/2007 15.01.2007 and maintained by Council Impl. Reg. (EU) No 467/2010 25.05.2010 extended to imports of silicon consigned from Korea (Rep. of) by Council Impl. Reg. (EU) No 311/2013 05.04.2013	L 66 04.03.2004 p. 15 L 13 19.01.2007 p. 1 L 131 29.05.2010 p. 1 L 95 05.04.2013 p. 1
Sodium cyclamate	P.R. China Indonesia	Duties	Council Reg. (EC) No 435/2004 08.03.2004 and maintained by Council Impl. Reg. (EU) No 492/2010	L 72 11.03.2004 p. 1 L 140 08.06.2010

Product	Origin	Measure	Regulation N°	OJ Reference
			03.06.2010 and amended by Council Impl. Reg. (EU) No 398/2012 07.05.2012	p. 2 L 124 11.05.2012 p. 1
Sodium gluconate	P.R. China	Duties	Council Impl. Reg. (EU) No 965/2010 25.10.2010	L 282 28.10.2010 p. 24
Solar panels (crystalline silicon photovoltaic modules and key components)	P.R. China	Duties	Council Impl. Reg. (EU) No 1238/2013 02.12.2013	L 325 05.12.2013 p. 1
Stainless steel fasteners and parts thereof	P.R. China Taiwan Philippines (ext.)	Duties	Council Reg. (EC) No 1890/2005 14.11.2005 corrected by L 256, 02.10.2007, p. 31 and maintained by Council Impl. Reg. (EU) No 2/2012 04.01.2012 and extended as concerns China to such imports consigned from Philippines by Council Impl. Reg. (EC) No 205/2013 07.03.2013	L 302 19.11.2005 p. 1 L 5 07.01.2012 p. 1 L 68 12.03.2013 p. 1
Steel ropes and cables	P.R. China Ukraine Korea (Rep. of) (ext.) Moldova (Rep. of) (ext.) Morocco (ext.)	Duties	Council Reg. (EC) No 1858/2005 08.11.2005 as last amended by Council Reg. (EC) No 1459/2007 10.12.2007 extended as concerns Ukraine to such imports consigned from Moldova (Rep. of) 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 and extended as concerns China to such imports consigned from Korea (Rep. of) by	L 299 16.11.2005 p. 1 L 326 12.12.2007 p. 18 L 120 24.04.2004 p. 1 L 328 30.10.2004 p. 1 L 117

Product	Origin	Measure	Regulation N°	OJ Reference
			Council Impl. Reg. (EU) No 400/2010 26.04.2010 corrected by L 332, 15.12.2011 and corrected by L 140, 30.05.2012, p. 74 and maintained by Council Impl. Reg. (EC) No 102/2012 27.02.2012 as last amended by Council Impl. Reg. (EU) No 558/2012 26.06.2012	11.05.2010 p. 1 L 36 09.02.2012 p. 1 L 168 28.06.2012 p. 3
Sulphanilic acid	P.R. China India	Duties	Council Reg. (EC) No 1339/2002 22.07.2002 as last amended by Council Reg. (EC) No 123/2006 23.01.2006 and maintained by Council Reg. (EC) No 1000/2008 13.10.2008	L 196 25.07.2002 p. 11 L 22 26.01.2006 p. 5 L 275 16.10.2008 p. 1
	India	Undertakings	Commission Dec. No 2006/37/EC 05.12.2005	L 22 26.01.2006 p. 52
Stainless steel wires	India	Duties	Council Impl. Reg. (EU) No 1106/2013 05.11.2002	L 298 08.11.2013 p. 1
Sweet corn (prepared or preserved, in kernels)	Thailand	Duties	Council Reg. (EC) No 682/3007 18.06.2007 corrected by L 252 of 27.09.2007, p. 7 as last amended by Council Reg. (EC) No 954/2008 25.09.2008 and by Council Reg. (EC) No 847/2009 15.09.2009 and maintained by Council Impl. Reg. (EU) No 875/2013 02.09.2013	L 159 20.06.2007 p. 14 L 260 30.09.2008 p. 1 L 246 18.09.2009 p. 1 L 244 13.09.2013 p. 1
Tartaric acid	P.R. China	Duties	Council Reg. (EC) No 130/2006 23.01.2006 as last amended by Council Reg.	L 23 27.01.2006 p. 1 L 48

Product	Origin	Measure	Regulation N°	OJ Reference
			(EC) No 150/2008 18.02.2008 and by Council Impl. Reg. (EC) No 332/2012 13.04.2012 and maintained by Council Impl. Reg. (EC) No 349/2012 16.04.2012 as last amended by Council Impl. Reg. (EC) No 626/2012 26.06.2012	22.02.2008 p. 1 L 108 20.04.2012 p. 1 L 110 24.04.2012 p. 3 L 182 13.07.2012 p. 1
Threaded tube or pipe cast fittings, of malleable cast iron	P.R. China Thailand	Duties	Council Impl. Reg. (EC) No 430/2013 13.05.2012	L 129 14.05.2013 p. 1
Trichloroisocyanuric acid (TCCA)	P.R. China	Duties	Council Reg. (EC) No 1631/2005 03.10.2005 amended by Council Impl. Reg. (EU) No 855/2010 27.09.2010 and maintained by Council Impl. Reg. (EU) No 1389/2011	L 261 07.10.2005 p. 1 L 254 29.09.2010 p.1 L 346 30.12.2011 p. 6
Tube and pipe fittings, of iron or steel	P.R. China Thailand Taiwan (ext.) Indonesia (ext.) Sri Lanka (ext.) Philippines (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 and to imports consigned from the Philippines by Council Reg. (EC) No 655/2006 27.04.2006 and maintained by Council Reg. (EC) No 803/2009 27.08.2009	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 L 116 29.04.2006 p. 1 L 233 04.09.2009 p. 1
	Korea (Rep. of) Malaysia	Duties	Council Reg. (EC) No 1514/2002	L 228 24.08.2002

Product	Origin	Measure	Regulation N°	OJ Reference
			19.08.2002 as last amended by Council Reg. (EC) No 778/2003 06.05.2003 and maintained by Council Reg. (EC) No 1001/2008 13.10.2008 as last amended by Council Impl. Reg. (EU) No 363/2010 26.04.2010	p. 1 L 114 08.05.2003 p. 1 L 275 16.10.2008 p. 18 L 107 29.04.2010 p. 1
	Russia Turkey	Duties	Council Impl. Reg. (EC) No 78/2013 17.01.2013	L 27 29.01.2013 p. 1
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 and maintained by Council Impl. Reg. (EC) No 287/2011 21.03.2011	L 395 31.12.2004 p. 56 L 202 03.08.2005 p. 1 L 78 24.03.2011 p. 1
Tungsten electrodes	P.R. China	Duties	Council Reg. (EC) No 260/2007 09.03.2007 and maintained by Council Impl. Reg. (EC) No 508/2013 29.05.2013	L 72 13.03.2007 p. 1 L 150 04.06.2013 p. 1
Welded tubes and pipes, of iron or non-alloy steel	Ukraine	Duties	Council Reg. (EC) No 1697/2002 23.09.2002 and maintained by Council Reg. (EC) No 1256/2008 19.12.2008 corrected by L 352, 24.12.2013, p. 88	L 259 27.09.2002 p. 8 L 343 19.12.2008 p. 1
Welded tubes and pipes, of iron or non-alloy steel	Belarus P.R. China Russia	Duties	Council Reg. (EC) No 1256/2008 16.12.2008	L 343 19.12.2008 p. 1
Wire rod	P.R. China	Duties	Council Reg. (EC) No 703/2009 27.07.2009	L 203 05.08.2009 p. 1
Zeolite A powder	Bosnia and Herzegovina	Duties	Council Impl. Reg. (EU) No 464/2011 11.05.2011	L 125 14.05.2011 p. 1
		Undertakings	Commission Dec. No 2011/279/EU	L 125 14.05.2011

Product	Origin	Measure	Regulation N°	OJ Reference
			13.05.2011	p. 26

B. Ranked by country (alphabetical)

Origin	Product	Measure	Regulation N°	OJ Reference
Argentina	Biodiesel	Duties	Council Impl. Reg. (EU) No 1194/2013 19.11.2013	L 315 26.11.2013 p. 2
Armenia	Aluminium foil	Duties	Council Reg. (EC) No 925/2009 24.09.2009	L 262 06.10.2009 p. 1
Belarus	Welded tubes and pipes, of iron or non-alloy steel	Duties	Council Reg. (EC) No 1256/2008 16.12.2008	L 343 19.12.2008 p. 1
Bosnia and Herzegovina	Zeolite A powder	Duties	Council Impl. Reg. (EU) No 464/2011 11.05.2011	L 125 14.05.2011 p. 1
		Undertakings	Commission Dec. No 2011/279/EU 13.05.2011	L 125 14.05.2011 p. 26
Brazil	Aluminium foil	Duties	Council Reg. (EC) No 925/2009 24.09.2009	L 262 06.10.2009 p. 1
		Undertakings	Commission Dec. No 2009/736/EC 05.10.2009	L 262 06.10.2009 p. 50
Canada	Biodiesel (ext.)	Duties (ext.)	Council Reg. (EC) No 599/2009 07.07.2009 and extended to imports consigned from Canada by Council Impl. Reg. (EU) No 444/2011 05.05.2011	L 179 10.07.2009 p. 26
			L 122 11.05.2011 p. 12	
P.R. China	Aluminium foil (in rolls of a weight exceeding 10 kg)	Duties	Council Reg. (EC) No 925/2009 24.09.2009	L 262 06.10.2009 p. 1
		Undertakings	Commission Dec. No 2009/736/EC 05.10.2009	L 262 06.10.2009 p. 50
	Aluminium foils (in rolls of a weight not exceeding 10 kg)	Duties	Council Impl. Reg. (EU) No 1039/2012 29.10.2012	L 310 09.11.2012 p. 1
	Aluminium radiators	Duties	Council Impl. Reg. (EU) No 1039/2012 29.10.2012	L 310 09.11.2012 p. 1
	Aluminium road	Duties	Council Impl. Reg.	L 282

Origin	Product	Measure	Regulation N°	OJ Reference
	wheels		(EU) No 964/2010 25.10.2010	28.10.2010 p. 1
	Barium carbonate	Duties	Council Reg. (EC) No 1175/2005 18.07.2005 corrected by L 181, 04.07.2006, p. 111 as maintained by Council Impl. Reg. (EU) No 831/2011 16.08.2011	L 189 21.07.2005 p. 15 L 214, 19.08.2011 p. 1
	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 and maintained by Council Reg. (EC) No 171/2008 25.02.2008 and maintained by Council Impl. Reg. (EC) No 990/2011 03.10.2011 as last amended by Council Reg. (EC) No 502/2013 29.05.2013 and extended to imports consigned from Indonesia, Malaysia, Sri Lanka and Tunisia by Council Impl. Reg. (EU) No 444/2011 05.05.2011	L 175 14.07.2000 p. 39 L 16 18.01.97 p. 1 L 183 14.07.2005 p. 1 L 55 28.02.2008 p. 1 L 261 06.10.2011 p.2 L 153 05.06.2013 p. 17 L 153, 05.06.2013, p. 1
	Bicycle parts	Duties	Council Reg. (EC) No 71/97 10.01.97 as last amended by Council Reg. (EC) No 1095/2005 12.07.2005 and maintained by Council Reg. (EC) No 171/2008 25.02.2008	L 16 18.01.97 p. 1
	Candles, tapers and the like	Duties	Council Reg. (EC) No 393/2009 11.05.2009	L 119 14.05.2009 p. 1

Origin	Product	Measure	Regulation N°	OJ Reference
	Cargo scanning systems	Duties	Council Impl. Reg. (EU) No 510/2010 14.06.2010	L 150 16.06.2010 p. 1
	Ceramic tableware and kitchenware	Duties	Council Impl. Reg. (EU) No 412/2013 13.05.2012	L 131, 15.05.2013, p. 1
	Ceramic tiles	Duties	Council Impl. Reg. (EU) No 917/2011 12.09.2011	L 238 15.09.2011 p. 1
	Chamois leather	Duties	Council Reg. (EC) No 1338/2006 08.09.2006 and maintained by Council Impl. Reg. (EU) No 1153/2012 03.12.2012	L 251 14.09.2006 p. 1 L 334 06.12.2012 p. 31
	Citric acid	Duties	Council Reg. (EC) No 1193/2008 01.12.2008	L 323 03.12.2008 p. 1
		Undertakings	Commission Dec. No 2008/899/EC 02.12.2008 corrected by C 346, 26.11.2011, p. 7 and 8, corrected by C 3, 06.01.2012, p. 10 and 11, corrected by C 64, 03.03.2012, p. 25, corrected by C 74, 13.03.2012, p. 16	L 323 03.12.2008 p. 62
	Citrus fruits	Duties	Council Impl. Reg. (EU) No 158/2013 18.02.2013	L 49 22.02.2013 p. 29
	Coated fine paper	Duties	Council Impl. Reg. (EU) No 451/2011 06.05.2011	L 128 14.05.2011 p. 1
	Dicyandiamide	Duties	Council Reg. (EC) No 1331/2007 13.11.2007	L 296 15.11.2007 p. 1
	Fasteners (iron or steel)	Duties	Council Reg. (EC) No 91/2009 26.01.2009 and extended to such imports consigned from Malaysia by Council Impl. Reg. (EC) No 723/2011 18.07.2011	L 29 31.01.2009 p. 1 L 194 26.07.2011 p. 6
			as last amended by Council Impl. Reg.	L 203 31.07.2012 P. 23

Origin	Product	Measure	Regulation N°	OJ Reference
			(EU) No 693/2012 25.07.2012 as last amended by Council Impl. Reg. (EU) No 924/2012 04.10.2012	L 275 10.10.2012, p. 1
	Ferro-silicon	Duties	Council Reg. (EC) No 172/2008 25.02.2008	L 55 28.02.2008 p. 6
	Glass fibres (certain open mesh fabrics)	Duties	Council Impl. Reg. (EU) No 791/2011 03.08.2011 and extended to such imports consigned from Malaysia by Council Impl. Reg. (EC) No 672/2012 16.07.2012 and extended to such imports consigned from Taiwan and Thailand by Council Impl. Reg. (EC) No 21/2013 10.01.2013	L 204 09.08.2011 p. 1 L 196 24.07.2012 p. 1 L 11 16.01.2013 p. 1
	Glass fibre products (continuous filament)	Duties	Council Impl. Reg. (EU) No 248/2011 09.03.2011	L 67 15.03.2011 p. 1
	Hand pallet trucks and their essential parts	Duties	Council Reg. (EC) No 1174/2005 18.07.2005 as last amended by Council Reg. (EC) No 684/2008 17.07.2008 and extended to such imports consigned from Thailand by Council Reg. (EC) No 499/2009 11.06.2009 and maintained by Council Impl. Reg. (EU) No 1008/2011 10.10.2011 as last amended by Council Impl. Reg. (EU) No 372/2013 22.04.2013	L 189 21.07.2005 p. 1 L 192 19.07.2008 p. 1 L 151 16.06.2009 p. 1 L 268 13.10.2011 p.1 L 112 24.04.2013 p. 1
	Ironing boards	Duties	Council Reg. (EC) No 452/2007 23.04.2007, as last amended by	L 109 26.04.2007 p. 12 L 24

Origin	Product	Measure	Regulation N°	OJ Reference
			Council Impl. Reg. (EU) No 77/2010 19.01.2010 and Council Impl. Reg. (EU) No 270/2010 29.03.2010 and Council Impl. Reg. (EU) No 580/2010 29.06.2010, and Council Impl. Reg. (EU) No 1241/2010 20.12.2010 and Council Impl. Reg. (EU) No 987/2012 22.10.2012 and maintained by Council Impl. Reg. (EU) No 695/2013 15.07.2013	28.01.2010 p. 1 L 84 31.03.2010 p. 13 L 168 02.07.2010 p. 12 L 338 22.12.2010 p. 8 L 297 26.10.2012 p. 5 L 198, 23.07.2013, p. 1
	Ironing boards (Since Hardware)	Duties	Council Impl. Reg. (EU) No 1243/2010 20.12.2010	L 338 22.12.2010 p. 22
	Lever arch mechanisms	Duties	Council Reg. (EC) No 1136/2006 24.07.2006 and maintained by Council Impl. Reg. (EU) No 796/2012 30.08.2012	L 205 27.07.2006 p. 1 L 238 04.09.2012 p. 5
	Melamine	Duties	Council Impl. Reg. (EU) No 457/2011 10.05.2011	L 124 13.05.2011 p. 2
	Molybdenum wires	Duties	Council Impl. Reg. (EU) No 511/2010 14.06.2010 and extended by Council Impl. Reg. (EU) No 14/2012 12.01.2012 and extended by Council Impl. Reg. (EU) No 871/2013 02.09.2013	L 150 16.06.2010 p. 17 L 8 12.01.2012 p. 22 L 243 12.09.2013 p. 2
	Monosodium glutamate	Duties	Council Reg. (EC) No 1187/2008 27.11.2008	L 322 02.12.2008 p. 1
	Okoumé plywood	Duties	Council Reg. (EC) No 1942/2004 02.11.2004 and maintained by Council Impl. Reg. (EU) No 82/2011 31.01.2011	L 336 12.11.2004 p. 4 L 28 02.02.2011 p. 1
	Organic coated steel products	Duties	Council Impl. Reg. (EU) No 214/2013	L 73 15.03.2013

Origin	Product	Measure	Regulation N°	OJ Reference
			11.03.2013	p. 1
	Oxalic acid	Duties	Council Impl. Reg. (EU) No 325/2012 12 April 2012	L 106 18.04.2012 p. 1
	Peroxosulphates	Duties	Council Reg. (EC) No 1184/2007 09.10.2007 and maintained by Council Impl. Reg. (EU) No 1343/2013 12.12.2013	L 265 11.10.2007 p. 1 L 338 17.12.2013 p. 11
	Polyester yarn (high tenacity)	Duties	Council Impl. Reg. (EU) No 1105/2010 29.11.2010	L 315 01.12.2010 p. 1
	Polyethylene terephthalate (PET)	Duties	Council Reg. (EC) No 1467/2004 13.08.2004 as last amended by Council Reg. (EC) No 2167/2005 20.12.2005 and maintained by Council Impl. Reg. (EU) No 1030/2010 17.11.2010	L 271 19.08.2004 p. 1 L 345 28.12.2005 p. 11 L 300 17.11.2010 p. 1
	Powdered activated carbon (PAC)	Duties	Council Reg. (EC) No 1011/2002 10.06.2002 as last amended by Council Reg. (EC) No 931/2003 26.05.2003 and maintained by Council Reg. (EC) No 649/2008 08.07.2008	L 155 14.06.2002 p. 1 L 133 29.05.2003 p. 36 L 181 10.07.2008 p. 1
	PSC wires and strands	Duties	Council Reg. (EC) No 383/2009 05.05.2009 as last amended by Council Impl. Reg. (EU) No 986/2011 22.10.2012	L 118 13.05.2009 p. 1 L 297 26.10.2012 p.1
	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 and extended to imports from Laos by Council Reg. (EC) No 33/2006	L 359 04.12.2004 p. 11 L 232 01.07.2004 p. 1 L 7 12.01.2006

Origin	Product	Measure	Regulation N°	OJ Reference
	Stainless steel fasteners and parts thereof	Duties	Council Reg. (EC) No 1890/2005 14.11.2005 corrected by L 256, 02.10.2007, p. 31 and maintained by Council Impl. Reg. (EU) No 2/2012 07.01.2012	L 302 19.11.2005 p. 1 L 5 07.01.2012 p. 1
	Steel ropes and cables	Duties	Council Reg. (EC) No 1858/2005 08.11.2005 as last amended by Council Reg. (EC) No 1459/2007 10.12.2007 extended as concerns Ukraine to such imports consigned from Moldova (Rep. of) 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 and extended as concerns China to such imports consigned from Korea (Rep. of) by Council Impl. Reg. (EU) No 400/2010 26.04.2010 corrected by L 332, 15.12.2011 and corrected by L 140, 30.05.2012, p. 74 and maintained by Council Impl. Reg. (EC) No 102/2012 27.02.2012 as last amended by Council Impl. Reg. (EU) No 558/2012 26.06.2012	L 299 16.11.2005 p. 1 L 326 12.12.2007 p. 18 L 120 24.04.2004 p. 1 L 328 30.10.2004 p. 1 L 117 11.05.2010 p. 1 L 36 09.02.2012 p. 1 L 168 28.06.2012 p. 3
	Sulphanilic acid	Duties	Council Reg. (EC) No 1339/2002 22.07.2002 as last amended by Council Reg.	L 196 25.07.2002 p. 11 L 22

Origin	Product	Measure	Regulation N°	OJ Reference
			(EC) No 123/2006 23.01.2006 and maintained by Council Reg. (EC) No 1000/2008 13.10.2008	26.01.2006 p. 5 L 275 16.10.2008 p. 1
	Tartaric acid	Duties	Council Reg. (EC) No 130/2006 23.01.2006 as last amended by Council Reg. (EC) No 150/2008 18.02.2008 and by Council Impl. Reg. (EC) No 332/2012 13.04.2012 and maintained by Council Impl. Reg. (EC) No 349/2012 16.04.2012 as last amended by Council Impl. Reg. (EC) No 626/2012 26.06.2012	L 23 27.01.2006 p. 1 L 48 22.02.2008 p. 1 L 108 20.04.2012 p. 1 L 110 24.04.2012 p. 3 L 182 13.07.2012 p. 1
	Threaded tube or pipe cast fittings, of malleable cast iron	Duties	Council Impl. Reg. (EC) No 430/2013 13.05.2012	L 129 14.05.2013 p. 1
	Trichloroisocyanuric acid	Duties	Council Reg. (EC) No 1631/2005 03.10.2005 and maintained by Council Impl. Reg. (EU) No 1389/2011	L 261 07.10.2005 p. 1 L 346 30.12.2011 p. 6
	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 and to imports consigned from the Philippines by	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°	OJ Reference
			Council Reg. (EC) No 655/2006 27.04.2006 and maintained by Council Reg. (EC) No 803/2009 27.08.2009	L 116 29.04.2006 p. 1 L 233 04.09.2009 p. 1
	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 and maintained by Council Impl. Reg. (EC) No 287/2011 21.03.2011	L 395 31.12.2004 p. 56 L 202 03.08.2005 p. 1 L 78 24.03.2011 p. 1
	Tungsten electrodes	Duties	Council Reg. (EC) No 260/2007 09.03.2007 and maintained by Council Impl. Reg. (EC) No 508/2013 29.05.2013	L 72 13.03.2007 p. 1 L 150 04.06.2013 p. 1
	Welded tubes and pipes, of iron or non-alloy steel	Duties	Council Reg. (EC) No 1256/2008 16.12.2008	L 343 19.12.2008 p. 1
	Wire rod	Duties	Council Reg. (EC) No 703/2009 27.07.2009	L 203 05.08.2009 p. 1
India	Fatty alcohols and their blends	Duties	Council Impl. Reg. (EU) No 1138/2011 08.11.2011 as last amended by Council Impl. Reg. (EU) No 1241/2012 11.12.2012	L 293 11.11.2011 p. 1 L 352 21.12.2012 p. 1
	Glass fibres (certain open mesh fabrics)	Duties	Council Impl. Reg. (EU) No 791/2011 03.08.2011 and extended to such imports consigned from Malaysia by Council Impl. Reg. (EC) No 672/2012 16.07.2012 and extended to such imports consigned from Taiwan and Thailand by Council Impl. Reg. (EC) No 21/2013 10.01.2013	L 204 09.08.2011 p. 1 L 196 24.07.2012 p. 1 L 11 16.01.2013 p. 1

Origin	Product	Measure	Regulation N°	OJ Reference
			extended to such imports consigned from India and Indonesia by Council Impl.Reg. (EU) No 1371/2013 16.12.2013	L 346, 20.12.2013, p. 20
	Graphite electrode systems	Duties	Council Reg. (EC) No 1629/2004 13.09.2004 as last amended by Council Reg. (EC) No 1354/2008 18.12.2008 and maintained by Council Impl. Reg. (EU) No 1186/2010 13.12.2010	L 295 18.09.2004 p. 10 L 350 30.12.2008 p. 24 L 332 16.12.2010 p. 17
	Oxalic acid	Duties	Council Impl. Reg. (EU) No 325/2012	L 106 18.04.2012 p. 1
	Stainless steel wires	Duties	Council Impl. Reg. (EU) No 1106/2013 05.11.2002	L 298 08.11.2013 p. 1
	Sulphanilic acid	Duties	Council Reg. (EC) No 1339/2002 22.07.2002 as last amended by Council Reg. (EC) No 123/2006 23.01.2006 and maintained by Council Reg. (EC) No 1000/2008 13.10.2008 Commission Dec. No 2006/37/EC 05.12.2005	L 196 25.07.2002 p. 11 L 22 26.01.2006 p. 5 L 275 16.10.2008 p. 1 L 22 26.01.2006 p. 52
		Undertakings		
Indonesia	Bicycles (ext)	Duties	Council Impl. Reg. (EC) No 990/2011 03.10.2011 as last amended by Council Reg. (EC) No 502/2013 29.05.2013 and extended to imports consigned from Indonesia, Malaysia, Sri Lanka and Tunisia by Council Impl. Reg. (EU) No 444/2011 05.05.2011	L 261 06.10.2011 p.2 L 153 05.06.2013 p. 17 L 153, 05.06.2013, p. 1
	Biodiesel	Duties	Council Impl. Reg. (EU) No 1194/2013 19.11.2013	L 315 26.11.2013

Origin	Product	Measure	Regulation N°	OJ Reference
				p. 2
	Fatty alcohols and their blends	Duties	Council Impl. Reg. (EU) No 1138/2011 08.11.2011 as last amended by Council Impl. Reg. (EU) No 1241/2012 11.12.2012	L 293 11.11.2011 p. 1 L 352 21.12.2012 p. 1
	Glass fibres (certain open mesh fabrics)	Duties	Council Impl. Reg. (EU) No 791/2011 03.08.2011 and extended to such imports consigned from Malaysia by Council Impl. Reg. (EC) No 672/2012 16.07.2012 and extended to such imports consigned from Taiwan and Thailand by Council Impl. Reg. (EC) No 21/2013 10.01.2013 extended to such imports consigned from India and Indonesia by Council Impl. Reg. (EU) No 1371/2013 16.12.2013	L 204 09.08.2011 p. 1 L 196 24.07.2012 p. 1 L 11 16.01.2013 p. 1 L 346, 20.12.2013, p. 20
	Sodium cyclamate	Duties	Council Reg. (EC) No 435/2004 08.03.2004 and maintained by Council Impl. Reg. (EU) No 492/2010 03.06.2010 and amended by Council Impl. Reg. (EU) No 398/2012 07.05.2012	L 72 11.03.2004 p. 1 L 140 08.06.2010 p. 2 L 124 11.05.2012 p. 1
	Tube and pipe fitting, of iron or steel (ext.)	Duties (ext.)	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	L 139 06.06.2003 p. 1 L 275 25.08.2004 p. 1

Origin	Product	Measure	Regulation N°	OJ Reference
			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 and to imports consigned from the Philippines by Council Reg. (EC) No 655/2006 27.04.2006 and maintained by Council Reg. (EC) No 803/2009 27.08.2009	L 355 01.12.2004 p. 4 L 355 01.12.2004 p. 9 L 116 29.04.2006 p. 1 L 233 04.09.2009 p. 1
Korea (Rep. of)	Silicon metal (ext.)	Duties (ext.)	Council Reg. (EC) No 398/2004 02.03.2004 extended to imports of silicon consigned from Korea (Rep. of) by Council Reg. (EC) No 42/2007 15.01.2007	L 66 04.03.2004 p. 15 L 13 19.01.2007 p. 1
	Steel ropes and cables (ext.)	Duties (ext.)	Council Reg. (EC) No 1858/2005 08.11.2005 as last amended by Council Reg. (EC) No 1459/2007 10.12.2007 extended as concerns Ukraine to such imports consigned from Moldova (Rep. of) 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 and extended as concerns China to such imports consigned from Korea (Rep. of) by Council Impl. Reg. (EU) No 400/2010	L 299 16.11.2005 p. 1 L 326 12.12.2007 p. 18 L 120 24.04.2004 p. 1 L 328 30.10.2004 p. 1 L 117 11.05.2010 p. 1

Origin	Product	Measure	Regulation N°	OJ Reference
			26.04.2010 corrected by L 332, 15.12.2011 and corrected by L 140, 30.05.2012, p. 74 and maintained by Council Impl. Reg. (EC) No 102/2012 27.02.2012 as last amended by Council Impl. Reg. (EU) No 558/2012 26.06.2012	L 36 09.02.2012 p. 1 L 168 28.06.2012 p. 3
	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 and maintained by Council Reg. (EC) No 1001/2008 13.10.2008	L 228 24.08.2002 p. 1 L 114 08.05.2003 p. 1 L 275 16.10.2008 p. 18
Laos	Ring binder mechanisms (ext.)	Duties (ext.)	Council Reg. (EC) No 2074/2004 29.11.2004 extended to imports from Vietnam by Council Reg. (EC) No 1208/2004 28.06.2004 and extended to imports from Laos by Council Reg. (EC) No 33/2006 09.01.2006 and maintained by Council Impl.Reg. (EU) No 157/2010 22.02.2010	L 359 04.12.2004 p. 11 L 232 01.07.2004 p. 1 L 7 12.01.2006 p. 1 L 49 26.02.2010 p. 1
Malaysia	Bicycles (ext)	Duties	Council Impl. Reg. (EC) No 990/2011 03.10.2011 as last amended by Council Reg. (EC) No 502/2013 29.05.2013 and extended to imports consigned from Indonesia, Malaysia, Sri Lanka and Tunisia by Council Impl. Reg. (EU) No 444/2011 05.05.2011	L 261 06.10.2011 p.2 L 153 05.06.2013 p. 17 L 153, 05.06.2013, p. 1

Origin	Product	Measure	Regulation N°	OJ Reference
	Fasteners (iron or steel)	Duties (ext.)	Council Reg. (EC) No 91/2009 26.01.2009 and extended to such imports consigned from Malaysia by Council Impl. Reg. (EC) No 723/2011 18.07.2011 as last amended by Council Impl. Reg. (EU) No 693/2012 25.07.2012 as last amended by Council Impl. Reg. (EU) No 924/2012 04.10.2012	L 29 31.01.2009 p. 1 L 194 26.07.2011 p. 6 L 203 31.07.2012 P. 23 L 275 10.10.2012, p. 1
	Fatty alcohols and their blends	Duties	Council Impl. Reg. (EU) No 1138/2011 08.11.2011 as last amended by Council Impl. Reg. (EU) No 1241/2012 11.12.2012	L 293 11.11.2011 p. 1 L 352 21.12.2012 p. 1
	Glass fibres (certain open mesh fabrics)	Duties (ext.)	Council Impl. Reg. (EU) No 791/2011 03.08.2011 and extended to such imports consigned from Malaysia by Council Reg. (EC) No 672/2012 16.07.2012	L 204 09.08.2011 p. 1 L 196 24.07.2012 p. 1
	Molybdenum wires	Duties (ext.)	Council Impl. Reg. (EU) No 511/2010 14.06.2010 and extended by Council Impl. Reg. (EU) No 14/2012 12.01.2012 and extended by Council Impl. Reg. (EU) No 871/2013 02.09.2013	L 150 16.06.2010 p. 17 L 8 12.01.2012 p. 22 L 243 12.09.2013 p. 2
	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 and maintained by Council Reg.	L 228 24.08.2002 p. 1 L 114 08.05.2003 p. 1 L 275 16.10.2008

Origin	Product	Measure	Regulation N°	OJ Reference
			(EC) No 1001/2008 13.10.2008 as last amended by Council Impl. Reg. (EU) No 363/2010 26.04.2010	p. 18 L 107 29.04.2010 p. 1
Moldova (Rep. of)	Steel ropes and cables (ext.)	Duties (ext.)	Council Reg. (EC) No 1858/2005 08.11.2005 as last amended by Council Reg. (EC) No 1459/2007 10.12.2007 extended as concerns Ukraine to such imports consigned from Moldova (Rep. of) 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 and extended as concerns China to such imports consigned from Korea (Rep. of) by Council Impl. Reg. (EU) No 400/2010 26.04.2010 corrected by L 332, 15.12.2011 and corrected by L 140, 30.05.2012, p. 74 and maintained by Council Impl. Reg. (EC) No 102/2012 27.02.2012 as last amended by Council Impl. Reg. (EU) No 558/2012 26.06.2012	L 299 16.11.2005 p. 1 L 326 12.12.2007 p. 18 L 120 24.04.2004 p. 1 L 328 30.10.2004 p. 1 L 117 11.05.2010 p. 1 L 36 09.02.2012 p. 1 L 168 28.06.2012 p. 3
Morocco	Steel ropes and cables (ext.)	Duties (ext.)	Council Reg. (EC) No 1858/2005 08.11.2005 as last amended by Council Reg. (EC) No 1459/2007 10.12.2007 extended as concerns Ukraine to	L 299 16.11.2005 p. 1 L 326 12.12.2007 p. 18

Origin	Product	Measure	Regulation N°	OJ Reference
			such imports consigned from Moldova (Rep. of) 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 and extended as concerns China to such imports consigned from Korea (Rep. of) by Council Impl. Reg. (EU) No 400/2010 26.04.2010 corrected by L 332, 15.12.2011 and corrected by L 140, 30.05.2012, p. 74 and maintained by Council Impl. Reg. (EC) No 102/2012 27.02.2012 as last amended by Council Impl. Reg. (EU) No 558/2012 26.06.2012	L 120 24.04.2004 p. 1 L 328 30.10.2004 p. 1 L 117 11.05.2010 p. 1 L 36 09.02.2012 p. 1 L 168 28.06.2012 p. 3
Philippines	Stainless steel fasteners and parts thereof	Duties (ext.)	Council Reg. (EC) No 1890/2005 14.11.2005 corrected by L 256, 02.10.2007, p. 31 and maintained by Council Impl. Reg. (EU) No 2/2012 04.01.2012 and extended as concerns China to such imports consigned from Philippines by Council Impl. Reg. (EC) No 205/2013 07.03.2013	L 302 19.11.2005 p. 1 L 5 07.01.2012 p. 1 L 68 12.03.2013 p. 1
	Tube or pipe fittings, of iron or steel (ext.)	Duties (ext.)	Council Reg. (EC) No 964/2003 02.06.2003 as last amended by Council Reg. (EC) No 1496/2004 18.08.2004 and	L 139 06.06.2003 p. 1 L 275 25.08.2004 p. 1

Origin	Product	Measure	Regulation N°	OJ Reference
			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 and	L 355 01.12.2004 p. 4
			to imports consigned from the Philippines by Council Reg. (EC) No 655/2006 27.04.2006 and maintained by Council Reg. (EC) No 803/2009 27.08.2009	L 355 01.12.2004 p. 9
				L 116 29.04.2006 p. 1
				L 233 04.09.2009 p. 1
Russia	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 and maintained by Council Reg. (EC) No 661/2008 08.07.2008, corrected by L 339, 22.12.2009, p. 59, as last amended by Council Reg. (EC) No 989/2009 19.10.2009	L 102 18.04.2002 p. 1
		Undertakings	Commission Dec. No 2008/577/EC 04.07.2008 corrected by L 339, 22.12.2009, p. 59	L 160 23.06.2005 p. 1
				L 185 12.07.2008 p. 1
				L 278 23.10.2009 p. 1
				L 185 12.07.2007 p. 43
	Ferro-silicon	Duties	Council Reg. (EC) No 172/2008 25.02.2008 as last maintained by Council Impl. Reg. (EU) No 60/2012 16.01.2012	L 55 28.02.2008 p. 6
				L 22 25.01.2012 p. 1
	Seamless pipes and tubes of iron or steel	Duties	Council Reg. (EC) No 954/2006	L 175 29.06.2006

Origin	Product	Measure	Regulation N°	OJ Reference
			27.06.2006 as last amended by Council Reg. (EC) No 812/2008 11.08.2008 and Council Impl. Reg. (EC) No 540/2012 21.06.2012 and Council Impl. Reg. (EU) No 795/2012 28.08.2012 and Council Impl. Reg. (EU) No L 317, 5.12.2007, p. 5 21.12.2012 and maintained by Council Impl. Reg. (EU) No 585/2012 26.06.2012	p. 4 L 220 15.08.2008 p. 1 L 165 26.06.2012 p. 1 L 238 04.09.2012 p. 1 L 357, 28.12.2012 p. 1 L 174 04.07.2012 p. 5
	Tube and pipe fittings, of iron or steel	Duties	Council Impl. Reg. (EC) No 78/2013 17.01.2013	L 27 29.01.2013 p. 1
	Welded tubes and pipes, of iron or non-alloy steel	Duties	Council Reg. (EC) No 1256/2008 16.12.2008	L 343 19.12.2008 p. 1
South Africa	Manganese dioxides	Duties	Council Reg. (EC) No 221/2008 10.03.2008	L 69 13.03.2008 p. 1
Sri Lanka	Bicycles (ext)	Duties	Council Impl. Reg. (EC) No 990/2011 03.10.2011 as last amended by Council Reg. (EC) No 502/2013 29.05.2013 and extended to imports consigned from Indonesia, Malaysia, Sri Lanka and Tunisia by Council Impl. Reg. (EU) No 444/2011 05.05.2011	L 261 06.10.2011 p.2 L 153 05.06.2013 p. 17 L 153, 05.06.2013, p. 1
	Tube and pipe fitting, of iron or steel (ext.)	Duties (ext.)	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	L 139 06.06.2003 p. 1 L 275 25.08.2004 p. 1 L 355 01.12.2004 p. 4

Origin	Product	Measure	Regulation N°	OJ Reference
			and to imports consigned from Sri Lanka by Council Reg. (EC) No 2053/2004 22.11.2004 and to imports consigned from the Philippines by Council Reg. (EC) No 655/2006 27.04.2006 and maintained by Council Reg. (EC) No 803/2009 27.08.2009	L 355 01.12.2004 p. 9 L 116 29.04.2006 p. 1 L 233 04.09.2009 p. 1
Taiwan	Glass fibres (certain open mesh fabrics)	Duties	Council Impl. Reg. (EC) No 21/2013 10.01.2013	L 11 16.01.2013 p. 1
	Silicon metal	Duties (ext.)	Council Reg. (EC) No 398/2004 02.03.2004 extended to imports of silicon consigned from Korea (Rep. of) by Council Reg. (EC) No 42/2007 15.01.2007 and maintained by Council Impl. Reg. (EU) No 467/2010 25.05.2010 extended to imports of silicon consigned from Korea (Rep. of) by Council Impl. Reg. (EU) No 311/2013 05.04.2013	L 66 04.03.2004 p. 15 L 13 19.01.2007 p. 1 L 131 29.05.2010 p. 1 L 95 05.04.2013 p. 1
	Stainless steel fasteners and parts thereof	Duties	Council Reg. (EC) No 1890/2005 14.11.2005 corrected by L 256, 02.10.2007, p. 31 and maintained by Council Impl. Reg. (EU) No 2/2012 07.01.2012	L 302 19.11.2005 p. 1 L 5 07.01.2012 p.1
	Tube and pipe fitting, of iron or steel (ext.)	Duties (ext.)	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	L 139 06.06.2003 p. 1 L 275 25.08.2004 p. 1

Origin	Product	Measure	Regulation N°	OJ Reference
			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 and to imports consigned from the Philippines by Council Reg. (EC) No 655/2006 27.04.2006 and maintained by Council Reg. (EC) No 803/2009 27.08.2009	L 355 01.12.2004 p. 4 L 355 01.12.2004 p. 9 L 116 29.04.2006 p. 1 L 233 04.09.2009 p. 1
Thailand	Hand pallet trucks and their essential parts (ext.)	Duties (ext.)	Council Reg. (EC) No 1174/2005 18.07.2005 as last amended by Council Reg. (EC) No 684/2008 17.07.2008 and extended to such imports consigned from Thailand by Council Reg. (EC) No 499/2009 11.06.2009 and maintained by Council Impl. Reg. (EU) No 1008/2011 10.10.2011 as last amended by Council Impl. Reg. (EU) No 372/2013 22.04.2013	L 189 21.07.2005 p. 1 L 192 19.07.2008 p. 1 L 151 16.06.2009 p. 1 L 268 13.10.2011 p.1 L 112 24.04.2013 p. 1
	Glass fibres (certain open mesh fabrics)	Duties	Council Impl. Reg. (EC) No 21/2013 10.01.2013	L 11 16.01.2013 p. 1
	Ring binder mechanisms	Duties	Council Impl. Reg. (EU) No 792/2011 05.08.2011	L 204 09.08.2011 p. 1
	Sweet corn (prepared or preserved, in kernels)	Duties	Council Reg. (EC) No 682/3007 18.06.2007 corrected by L 252 of 27.09.2007, p. 7 as last amended by Council Reg. (EC) No 954/2008	L 159 20.06.2007 p. 14 L 260 30.09.2008

Origin	Product	Measure	Regulation N°	OJ Reference
			25.09.2008 and by Council Reg. (EC) No 847/2009 15.09.2009 and maintained by Council Impl. Reg. (EU) No 875/2013 02.09.2013	p. 1 L 246 18.09.2009 p. 1 L 244 13.09.2013 p. 1
	Threaded tube or pipe cast fittings, of malleable cast iron	Duties	Council Impl. Reg. (EC) No 430/2013 13.05.2012	L 129 14.05.2013 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 and to imports consigned from the Philippines by Council Reg. (EC) No 655/2006 27.04.2006 and maintained by Council Reg. (EC) No 803/2009 27.08.2009	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 L 116 29.04.2006 p. 1 L 233 04.09.2009 p. 1
Tunesia	Bicycles (ext)	Duties	Council Impl. Reg. (EC) No 990/2011 03.10.2011 as last amended by Council Reg. (EC) No 502/2013 29.05.2013 and extended to imports consigned from Indonesia, Malaysia, Sri Lanka and Tunisia by Council Impl. Reg. (EU) No 444/2011 05.05.2011	L 261 06.10.2011 p.2 L 153 05.06.2013 p. 17 L 153, 05.06.2013, p. 1
Turkey	Tube and pipe	Duties	Council Impl. Reg.	L 27

Origin	Product	Measure	Regulation N°	OJ Reference
	fittings, of iron or steel		(EC) No 78/2013 17.01.2013	29.01.2013 p. 1
Ukraine	Seamless pipes and tubes of iron or steel	Duties	Council Reg. (EC) No 954/2006 27.06.2006 as last amended by Council Reg. (EC) No 812/2008 11.08.2008 and Council Impl. Reg. (EC) No 540/2012 21.06.2012 and Council Impl. Reg. (EU) No 795/2012 28.08.2012 and Council Impl. Reg. (EU) No L 317, 5.12.2007, p. 5 21.12.2012 and maintained by Council Impl. Reg. (EU) No 585/2012 26.06.2012	L 175 29.06.2006 p. 4 L 220 15.08.2008 p. 1 L 165 26.06.2012 p. 1 L 238 04.09.2012 p. 1 L 357, 28.12.2012 p. 1 L 174 04.07.2012 p. 5
	Steel ropes and cables	Duties	Council Reg. (EC) No 1858/2005 08.11.2005 as last amended by Council Reg. (EC) No 1459/2007 10.12.2007 extended as concerns Ukraine to such imports consigned from Moldova (Rep. of) 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 and extended as concerns China to such imports consigned from Korea (Rep. of) by Council Impl. Reg. (EU) No 400/2010 26.04.2010 corrected by L 332, 15.12.2011 and corrected by L 140, 30.05.2012, p. 74 and	L 299 16.11.2005 p. 1 L 326 12.12.2007 p. 18 L 120 24.04.2004 p. 1 L 328 30.10.2004 p. 1 L 117 11.05.2010 p. 1

Origin	Product	Measure	Regulation N°	OJ Reference
			maintained by Council Impl. Reg. (EC) No 102/2012 27.02.2012 as last amended by Council Impl. Reg. (EU) No 558/2012 26.06.2012	L 36 09.02.2012 p. 1 L 168 28.06.2012 p. 3
	Welded tubes and pipes, of iron or non-alloy steel	Duties	Council Reg. (EC) No 1697/2002 23.09.2002 and maintained by Council Reg. (EC) No 1256/2008 16.12.2008 corrected by L 352, 24.12.2013, p. 88	L 259 27.09.2002 p. 8 L 343 19.12.2008 p. 1
U.S.A.	Biodiesel	Duties	Council Reg. (EC) No 599/2009 07.07.2009 and extended to imports consigned from Canada by Council Impl. Reg. (EU) No 444/2011 05.05.2011	L 179 10.07.2009 p. 26 L 122 11.05.2011 p. 12
	Bioethanol	Duties	Council Impl. Reg. (EU) No 157/2013 18.02.2013	L 49, 22.02.2013 p. 10
Vietnam	Ring binder mechanisms (ext.)	Duties (ext.)	Council Reg. (EC) No 2074/2004 29.11.2004 extended to imports from Vietnam by Council Reg. (EC) No 1208/2004 28.06.2004 and extended to imports from Laos by Council Reg. (EC) No 33/2006 09.01.2006 and maintained by Council Impl. Reg. (EU) No 157/2010 22.02.2010	L 359 04.12.2004 p. 11 L 232 01.07.2004 p. 1 L 7 12.01.2006 p. 1 L 49 26.02.2010 p. 1

[Top](#) [List of Annexes](#)

1.1.16. ANNEX 16

Definitive anti-subsidy measures in force on 31 December 2013

A. Ranked by product (alphabetical)

Product	Origin	Measure	Regulation N°	OJ Reference
Biodiesel (AS)	U.S.A. Canada (ext.)	Duties	Council Reg. (EC) No 598/2009 07.07.2009 and extended to imports consigned from Canada	L 179 10.07.2009 p. 1
			Council Impl. Reg. (EU) No 443/2011 05.05.2011	L 122 11.05.2011 p. 1
Coated fine paper (AS)	P.R. China	Duties	Council Impl. Reg. (EU) No 452/2011 06.05.2011	L 128 14.05.2011 p. 18
Graphite electrode systems (AS)	India	Duties	Council Reg. (EC) No 1628/2004 13.09.2004 as last amended by Council Reg. (EC) No 1354/2008 18.12.2008 and maintained by Council Impl. Reg. (EU) No 1185/2010 13.12.2010	L 295 18.09.2004 p. 4
				L 350 30.12.2008 p. 24
Organic coated steel products	P.R. China	Duties	Council Impl. Reg. (EU) No 215/2013 11.03.2013	L 73 15.03.2013 p. 16
Polyethylene terephthalate (PET) (AS)	India	Duties	Council Reg. (EC) No 193/2007 22.02.2007 as last amended by Council Reg. (EC) No 1286/2008 16.12.2008 and maintained by Council Impl. Reg. (EU) No 461/2013 21.05.2013 as last amended by Council Impl. Reg. (EU) No 917/2013 23.09.2013	L 59 27.02.2007 p. 34
				L 340 19.12.2008 p. 1
		Undertakings	Council Reg. (EC) No 193/2007 22.02.2007 corrected by L 215, 18.08.2007, p. 27	L 137 23.05.2013 p. 1
	Iran	Duties	Council Impl. Reg.	L 253 25.09.2013 p. 1
				L 59 27.02.2007 p. 34
				L 254

Product	Origin	Measure	Regulation N°	OJ Reference
	Pakistan U.A.E.		(EU) No 857/2010 27.09.2010	29.09.2010 p. 10
Solar panels (crystalline silicon photovoltaic modules and key components)	P.R. China	Duties	Council Impl. Reg. (EU) No 1239/2013 02.12.2013	L 325, 05.12.2013, p. 66
Stainless steel bars and rods (AS)	India	Duties	Council Impl. Reg. (EU) No 405/2011 19.04.2011 as last amended by Council Impl. Reg. (EU) No 721/2013 22.07.2013	L 108 28.04.2011 p. 3 L 202 27.07.2013 p. 2
Stainless steel wires	India	Duties	Council Impl. Reg. (EU) No 861/2013 02.09.2013	L 240 07.09.2013 p. 1
Sulphanilic acid (AS)	India	Duties	Council Reg. (EC) No 1338/2002 22.07.2002 as last amended by Council Reg. (EC) No 123/2006 23.01.2006 and maintained by Council Reg. (EC) No 1010/2008 13.10.2008	L 196 25.07.2002 p. 1 L 22 26.01.2006 p. 5 L 276 17.10.2008 p. 3
		Undertakings	Commission Dec. No 2006/37/EC 05.12.2005	L 22 26.01.2006 p. 52

B. Ranked by country (alphabetical)

Origin	Product	Measure	Regulation N°	OJ Reference
Canada	Biodiesel (AS) (ext.)	Duties (ext.)	Council Reg. (EC) No 598/2009 07.07.2009 and extended to imports consigned from Canada Council Impl. Reg. (EU) No 443/2011 05.05.2011	L 179 10.07.2009 p. 1 L 122 11.05.2011 p. 1
P.R. China	Coated fine paper (AS)	Duties	Council Impl. Reg. (EU) No 452/2011 06.05.2011	L 128 14.05.2011 p. 18
	Organic coated steel products	Duties	Council Impl. Reg. (EU) No 215/2013 11.03.2013	L 73 15.03.2013 p. 16
India	Graphite electrode systems (AS)	Duties	Council Reg. (EC) No 1628/2004 13.09.2004	L 295 18.09.2004 p. 4

Origin	Product	Measure	Regulation N°	OJ Reference
			as last amended by Council Reg. (EC) No 1354/2008 18.12.2008 and maintained by Council Impl. Reg. (EU) No 1185/2010 13.12.2010	L 350 30.12.2008 p. 24 L 332 16.12.2010 p. 1
	Polyethylene terephthalate (PET) (AS)	Duties	Council Reg. (EC) No 193/2007 22.02.2007 as last amended by Council Reg. (EC) No 1286/2008 19.12.2008 and maintained by Council Impl. Reg. (EU) No 461/2013 21.05.2013	L 59 27.02.2007 p. 34 L 340 19.12.2008 p. 1 L 137 23.05.2013 p. 1
		Undertakings	Council Reg. (EC) No 193/2007 22.02.2007 corrected by L 215, 18.08.2007, p. 27	L 59 27.02.2007 p. 34
	Stainless steel bars and rods (AS)	Duties	Council Impl. Reg. (EU) No 405/2011 19.04.2011 as last amended by Council Impl. Reg. (EU) No 721/2013 22.07.2013	L 108 28.04.2011 p. 3 L 202 27.07.2013 p. 2
	Stainless steel wires	Duties	Council Impl. Reg. (EU) No 861/2013 02.09.2013	L 240 07.09.2013 p. 1
	Sulphanilic acid (AS)	Duties	Council Reg. (EC) No 1339/2002 22.07.2002 as last amended by Council Reg. (EC) No 123/2006 23.01.2006 and maintained by Council Reg. (EC) No 1010/2008 13.10.2008	L 196 25.07.2002 p. 11 L 22 26.01.2006 p. 5 L 276 17.10.2008 p. 3
		Undertakings	Commission Dec. No 2006/37/EC 05.12.2005	L 22 26.01.2006 p. 52
Iran	Polyethylene terephthalate (PET) (AS)	Duties	Council Reg. (EC) No 1289/2006 27.08.2006	L 254 29.09.2010 p. 10
Pakistan	Polyethylene terephthalate (PET) (AS)	Duties	Council Reg. (EC) No 1289/2006 27.08.2006	L 254 29.09.2010 p. 10

Origin	Product	Measure	Regulation N°	OJ Reference
U.A.E.	Polyethylene terephthalate (PET) (AS)	Duties	Council Reg. (EC) No 1289/2006 27.08.2006	L 254 29.09.2010 p. 10
U.S.A.	Biodiesel (AS)	Duties	Council Reg. (EC) No 598/2009 07.07.2009 and extended to imports consigned from Canada Council Impl. Reg. (EU) No 443/2011 05.05.2011	L 179 10.07.2009 p. 1 L 122 11.05.2011 p. 1

Top

List of Annexes

1.1.17. ANNEX 17

Undertakings in force on 31 December 2013

A. Ranked by product (alphabetical)

Product	Origin	Measure	Regulation N°	OJ Reference
Aluminium foil	Brazil	Undertakings	Commission Dec. No 2009/736/EC 05.10.2009	L 262 06.10.2009 p. 50
Ammonium nitrate	Russia	Undertakings	Commission Dec. No 2008/577/EC 04.07.2008 corrected by L 339, 22.12.2009, p. 59 and amended by L 277, 11.10.2012, p. 8	L 185 12.07.2008 p. 43
Citric acid	P.R. China	Undertakings	Commission Dec. No 2008/899/EC 02.12.2008 corrected by C 346, 26.11.2011, p. 8 and by C 3, 06.01.2012, p. 11, corrected by C 64, 03.03.2012, p. 25, corrected by C 74, 13.03.2012, p. 16 amended by L 244, 08.09.2012, p. 27	L 323 03.12.2008 p. 62
Polyethylene terephthalate (PET) (AS)	India	Undertakings	Commission Dec. No 2000/745/EC 29.11.2000	L 301 30.11.2000 p. 88
Solar panels (crystalline silicon photovoltaic modules and key components) (AD + AS)	P.R. China	Undertakings	Commission Dec. No 2013/707/EU 05.12.2013	L 325 05.12.2013 p. 214
Sulphanilic acid (AD + AS)	India	Undertakings	Commission Dec. No 2006/37/EC 05.12.2006	L 22 26.01.2006 p. 52
Zeolite A powder	Bosnia and Herzegovina	Undertakings	Commission Dec. No 2011/279/EU 13.05.2011	L 125 14.05.2011 p. 26

B. Ranked by country (alphabetical)

Origin	Product	Measure	Regulation N°	Publication
Bosnia and Herzegovina	Zeolite A powder	Undertakings	Commission Dec. No 2011/279/EU 13.05.2011	L 125 14.05.2011 p. 26
Brazil	Aluminium foil	Undertakings	Commission Dec. No 2009/736/EC 05.10.2009	L 262 06.10.2009 p. 50
P.R. China	Citric acid	Undertakings	Commission Dec. No 2008/899/EC 02.12.2008 corrected by C 346, 26.11.2011, p. 8 and by C 3, 06.01.2012, p. 11, corrected by C 64, 03.03.2012, p. 25, corrected by C 74, 13.03.2012, p. 16	L 323 03.12.2008 p. 62
	Solar panels (crystalline silicon photovoltaic modules and key components) (AD + AS)	Undertakings	Commission Dec. No 2013/707/EU 05.12.2013	L 325 05.12.2013 p. 214
India	Polyethylene terephthalate (PET) (AS)	Undertakings	Commission Dec. No 2000/745/EC 29.11.2000	L 301 30.11.2000 p. 88
	Sulphanilic acid (AD + AS)	Undertakings	Commission Dec. No 2006/37/EC 05.12.2006	L 22 26.01.2006 p. 52
Russia	Ammonium nitrate	Undertakings	Commission Dec. No 2008/577/EC 04.07.2008 corrected by L 339, 22.12.2009, p. 59	L 185 12.07.2008 p. 43

[Top](#)

[List of Annexes](#)

1.1.18. ANNEX 18

Anti-dumping & anti-subsidy investigations pending on 31 December 2013

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

Product	AD/AS No	Origin	Type	OJ Reference
Agglomerated stone	AD600	P.R. China	Initiation	C 183 28.06.2013, p. 21
Filament glass fibre products	AS603	P.R. China	Initiation	C 362 12.12.2013, p. 66
Monosodium glutamate	AD602	Indonesia	Initiation	C 349 29.11.2013, p. 5
Polyester staple fibres	AS604	China India Vietnam	Initiation	C 372 19.12.2013, p. 31
Solar glass	AD598	P.R. China	Initiation	C 58 28.02.2013, p. 6 corr. by C 94, 03.04.2013, p. 11
			Prov. Duties	L 316 27.11.2013, p. 8
Solar glass (AS)	AS599	P.R. China	Initiation	C 122 27.04.2013, p. 24

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

Product	R. No	Origin (consigned from)	Type of review	OJ Reference
Ammonium nitrate	R569	Russia	Expiry review	C 200 12.07.2013 p. 12
Biodiesel	R573	U.S.A. (Canada)	Partial interim review	C 124 30.04.2013 p. 7
Biodiesel (AS)	R574	U.S.A. (Canada)	Partial interim review	C 124, 30.04.2013 p. 10
Certain stainless steel fasteners and parts thereof	R576	P.R. China Taiwan	Partial interim review	C 160 06.06.2013 p. 3
Citric acid	R584	P.R. China	Expiry review	C 351 30.11.2013 p. 27
Citric acid	R585	P.R. China	Partial interim	C 351

Product	R. No	Origin (consigned from)	Type of review	OJ Reference
			review ²⁶	30.11.2013 p. 27
Citric acid	R585	P.R. China	Partial interim review ²⁷	C 351 30.11.2013 p. 27
Citrus fruits	R583	P.R. China	Expiry review	L 310 25.10.13 p. 9
Dicyandiamide (DCD)	R564	P.R. China	Expiry review	C 349 15.11.2012 p. 10
Fatty alcohols	AD563b	India Indonesia Malaysia	Reopening	C 58 28.02.2013 p. 24
Ferro-silicon	R572	P.R. China Russia	Expiry review	C 58 28.02.2013 p. 15
Filament glass fibre products	R593	P.R. China	Partial interim review	C 371 18.12.2013 p. 19
Manganese dioxides	R561	South Africa	Expiry review	C 72 12.03.2013 p. 8
Monosodium glutamate	R592	P. R. China	Expiry review	C 349 29.11.2013 p. 14
Open mesh fabrics of glass fibres	R594	P. R. China	Anti-circumvention investigation	L 341 18.12.2013 p. 43
Powdered activated carbon	R577	P.R. China	Expiry review	C 195 06.07.2013 p. 4
Steel ropes and cables	R562	P.R. China (consigned from Korea, Rep. of)	New exporter review	L 228 27.08.2013 p. 1
Steel ropes and cables	R579	P.R. China (consigned from Korea, Rep. of)	Interim review	C 246 27.08.2013 p. 5
Sulphanilic acid	R.581	P.R. China India	Expiry review	C 300 16.10.2013 p. 14
Sulphanilic acid (AS)	R.582	India	Expiry review	C 300 16.10.2013 p. 5
Sweet corn	R567	Thailand	Interim review	C 42

²⁶ limited in scope to the examination of dumping as far as Laiwu Taihe Biochemistry Co. Ltd ('Laiwu Taihe') is concerned

²⁷ limited in scope to the examination of the form of the measure and of injury

Product	R. No	Origin (consigned from)	Type of review	OJ Reference
				14.02.2013 p. 7
Trichloroisocyanuric acid	R578	P.R. China	New exporter review	L 229 28.08.2013 p. 2
Tube and pipe fittings of iron or steel	R580	Korea, Rep. of Malaysia	Expiry review	C 299 15.10.2013 p. 4
Welded tubes and pipes of iron or non-alloy steel	R589	China Belarus Ukraine Russia	Expiry review	C 372 19.12.2013 p. 21

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

Origin (consigned from)	AD/AS/R No	Product	Type	OJ Reference
Belarus	R589	Welded tubes and pipes of iron or non-alloy steel	Expiry review	C 372 19.12.2013 p. 21
Canada	R573	Biodiesel	Partial interim review	C 124 30.04.2013 p. 7
Canada	R574	Biodiesel (AS)	Partial interim review	C 124, 30.04.2013 p. 10
P.R. China	AD600	Agglomerated stone	Initiation	C 183 28.06.2013, p. 21
	R576	Certain stainless steel fasteners and parts thereof	Partial interim review	C 160 06.06.2013 p. 3
	R584	Citric acid	Expiry review	C 351 30.11.2013 p. 27
	R585	Citric acid	Partial interim review ²⁸	C 351 30.11.2013 p. 27
	R585	Citric acid	Partial interim review ²⁹	C 351 30.11.2013 p. 27
	R583	Citrus fruits	Expiry review	L 310 25.10.13

²⁸ limited in scope to the examination of dumping as far as Laiwu Taihe Biochemistry Co. Ltd ('Laiwu Taihe') is concerned

²⁹ limited in scope to the examination of the form of the measure and of injury

Origin (consigned from)	AD/AS/R No	Product	Type	OJ Reference
				p. 9
	R564	Dicyandiamide (DCD)	Expiry review	C 349 15.11.2012 p. 10
	R572	Ferro-silicon	Expiry review	C 58 28.02.2013 p. 15
	AS603	Filament glass fibre products	Initiation	C 362 12.12.2013, p. 66
	R593	Filament glass fibre products	Partial interim review	C 371 18.12.2013 p. 19
	R592	Monosodium glutamate	Expiry review	C 349 29.11.2013 p. 14
	R594	Open mesh fabrics of glass fibres	Anti- circumvention investigation	L 341 18.12.2013 p. 43
	AS604	Polyester staple fibres	Initiation	C 372 19.12.2013, p. 31
	R577	Powdered activated carbon	Expiry review	C 195 06.07.2013 p. 4
	AD598	Solar glass	Initiation	C 58 28.02.2013 p. 6 corr. by C 94, 03.04.2013, p. 11
			Prov. Duties	L 316 27.11.2013, p. 8
	AS599	Solar glass	Initiation	C 122 27.04.2013, p. 24
	R581	Sulphanilic acid	Expiry review	C 300 16.10.2013 p. 14
	R578	Trichloroisocyanuric acid	New exporter review	L 229 28.08.2013 p. 2
	R589	Welded tubes and pipes of iron or non-alloy steel	Expiry review	C 372 19.12.2013 p. 21
India	AD563b	Fatty alcohols	Reopening	C 58 28.02.2013

Origin (consigned from)	AD/AS/R No	Product	Type	OJ Reference
				p. 24
	AS604	Polyester staple fibres	Initiation	C 372 19.12.2013, p. 31
	R581	Sulphanilic acid	Expiry review	C 300 16.10.2013 p. 14
	R582	Sulphanilic acid (AS)	Expiry review	C 300 16.10.2013 p. 5
Indonesia	AD563b	Fatty alcohols	Reopening	C 58 28.02.2013 p. 24
	AD602	Monosodium glutamate	Initiation	C 349 29.11.2013 p. 5
Korea, Rep. of	R562	Steel ropes and cables	New exporter review	L 228 27.08.2013 p. 1
	R579	Steel ropes and cables	Interim review	C 246 27.08.2013 p. 5
	R580	Tube and pipe fittings of iron or steel	Expiry review	C 299 15.10.2013 p. 4
Malaysia	AD563b	Fatty alcohols	Reopening	C 58 28.02.2013 p. 24
	R580	Tube and pipe fittings of iron or steel	Expiry review	C 299 15.10.2013 p. 4
Russia	R569	Ammonium nitrate	Expiry review	C 200 12.07.2013 p. 12
	R572	Ferro-silicon	Expiry review	C 58 28.02.2013 p. 15
	R589	Welded tubes and pipes of iron or non-alloy steel	Expiry review	C 372 19.12.2013 p. 21
South Africa	R561	Manganese dioxides	Expiry review	C 72 12.03.2013 p. 8
Taiwan	R576	Certain stainless steel fasteners and parts thereof	Partial interim review	C 160 06.06.2013 p. 3
Thailand	R567	Sweet corn	Interim review	C 42 14.02.2013 p. 7

Origin (consigned from)	AD/AS/R No	Product	Type	OJ Reference
Ukraine	R589	Welded tubes and pipes of iron or non-alloy steel	Expiry review	C 372 19.12.2013 p. 21
Vietnam	AS604	Polyester staple fibres	Initiation	C 372 19.12.2013, p. 31

Top

List of Annexes

1.1.19. ANNEX 19

Court cases

A. Court cases pending before the Court of Justice of the European Union and the General Court on 31 December 2013

Court of Justice	
C-374/12	Valimar v Nachalnik na Mitnitsa Varna (preliminary ruling)
C-601/12 P	Ningbo Yonghong Fasteners Co. Ltd v Council (appeal against judgment in T-150/09)
C-602/12 P	Gem-Year Industrial Co. Ltd v Council (appeal against judgment in T-172/09)
C-3/13	AS Baltic Agro (preliminary ruling)
C-21/13	Simon, Evers & Co (preliminary ruling)
C-74/13	GSV (preliminary ruling)
C-215/13 P	Acron OAO and Dorogobuzh OAO v Council
C-216/13 P	Acron OAO v Council
C-393/13 P	Council v Alumina (appeal against judgment in T-304/11)
C-511/13 P	Philips Lighting Poland SA and Philips Lighting BV v Council (appeal against judgment in T-469/07)

General Court	
T-528/09	Hubei Xinyegang v Council
T-134/10	FESI v Council
T-191/10	Greenwood Houseware (Zhuhai) Ltd and Others v Council
T-582/10	Acron OAO and Dorogobuzh v Council
T-385/11	BP Products North America v Council
T-443/11	Gold East Paper (Jiangsu) and Gold Huasheng Paper (Suzhou Industrial Park) v Council
T-444/11	Gold East Paper (Jiangsu) and Gold Huasheng Paper (Suzhou Industrial Park) v Council
T-557/11	Elsid and others v Commission
T-596/11	Bricmate AB v. Council
T-633/11	Guangdong Kito Ceramics and others v Council
T-643/11	Crown Equipment (Suzhou) and Crown Gabelstapler v Council
T-26/12	PT Musim Mas v Council

General Court

T-73/12	Einhell v Commission
T-74/12	Mecafer v Commission
T-75/12	NuAir Polska v Commission
T-76/12	NuAir Compressors and Tools v Commission
T-81/12	BECO v Commission
T-169/12	CHEMK and KF v Council
T-310/12	Yuanping Changyuan Chemicals v Council
T-431/12	Distillerie Bonollo SpA v Council
T-432/12	VTZ and others v Council
T-442/12	Changmao Biochemical Engineering v Council
T-466/12	RFA International v Commission
T-558/12	Changshu City Standard Parts Factory v Council
T-559/12	Ningbo Jinding Fastener Co., Ltd v Council
T-108/13	VTZ and others v Council
T-142/13	Jinko Solar v Parliament, Council and Commission
T-144/13	Hangzhou Zhejiang University Sunny v Commission
T-145/13	Ningbo Qixin Solar Electrical v Commission
T-146/13	Zhejiang Sunflower Light Energy Science & Technology v Commission
T-147/13	Zhejiang Yuhui Solar Energy Source v Commission
T-276/13	Growth Energy and Renewable fuels association v Council
T-277/13	Marquis Energy LLC v Council
T-351/13	Crown v Council
T-320/13	DelSolar v Commission
T-393/13	SolarWorld and Solsonica v Commission
T-394/13	Photo USA Electronic Graphic v Council
T-422/13	CPME and Others v Council
T-424/13	Jinan Meide Casting v Council
T-425/13	Giant China v Council
T-412/13	Chin Haur v Council
T-413/13	City Cycle v Council

General Court

T-507/13	SolarWorld and others v Commission
T-199/04 RENV-4	Gul Ahmed v Council

B. Judgments, orders or other decisions rendered in 2013

Court of Justice

C-595/11	Steinel Vertrieb GmbH (preliminary ruling)
C-667/11	Paltrade v Pristanishte Varna (preliminary ruling)
C-15/12 P	Dashiqiao Sanqiang Refractory Materials v Council and Commission (appeal against judgment in T-423/09)
C-638/11 P	Council v Gul Ahmed Textile Mills (appeal against judgment in T-199/04)
C-13/12 P	Chelyabinskij electrometalurgicheskij kombinat and Kuznetskie Ferrosplavy v Council (appeal against judgment in T-190/08)
C-10/12 P	ENRC Marketing AG and JSC TNC Kazchrome v Council (appeal against judgment in T-192/08)

General Court

T-445/11	Charron Inox and Almet v Commission
T-88/12	Charron Inox and Almet v Council
T-84/07	Eurochem v Council
T-235/08	Acron OAO and Dorogobuzh OAO v Council
T-459/08	EuroChem Mineral and Chemical Company OAO (EuroChem MCC) v Council
T-118/10	Acron OAO v Council
T-551/11	BSI v Council
T-304/11	Alumina d.o.o. v Council
T-28/12	PT Ecogreen Oleochemicals and others v Council
T-153/10	Schneider Espana de Informatica SA v Commission
T-469/07	Philips Lighting Poland SA and Philips Lighting BV v Council
T-459/07	Hangzhou Duralamp Electronics Co,. Ltd v Council
T-6/12	Godrej Industries Ltd and V V F Ltd v Council
T-536/08	Huvis v Council
T-537/08	Cixi Jiangnan Chemical Fiber and others v Council
T-143/13	Zhejiang Heda Solar Technology v Commission (removed)
T-512/09	Rusal Armenal v Council
T-234/08	EuroChem Mineral and Chemical Company OAO (EuroChem MCC) v

General Court

	Council (removed)
T-407/11	SRF Ltd. v Council
T-153/13	Et Solar Industry and Others v Commission
T-154/13	Jiangsu Jiasheng Photovoltaic Technology v Commission
T-136/13	Hanwha SolarOne and Others v Parliament, Council and Commission

[Top](#)

[List of Annexes](#)

1.1.20. ANNEX 20

Safeguard and surveillance measures in force on 31 December 2013

A. Safeguard measures

List of safeguard measures in force			
Product	Country of origin	Regulation/Decision N°	OJ Reference
None			

B. Surveillance measures

List of surveillance measures in force			
Product	Country of origin	Regulation/Decision N°	OJ Reference
None			

[Top](#) [List of Annexes](#)