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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 695/2002
of 22 April 2002
terminating the anti-dumping proceeding concerning imports of peroxodisulphates originating in
the People's Republic of China**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community the ('basic Regulation') ⁽¹⁾, and in particular Articles 9 and 11(2) thereof,

Having regard to the proposal submitted by the Commission after consulting the Advisory Committee,

Whereas:

A. PROCEDURE

- (1) Following the publication of a notice of impending expiry of the anti-dumping measures in force on imports of peroxodisulphates originating in the People's Republic of China ('PRC') ⁽²⁾, the Commission received on 20 September 2000 a request to review these measures pursuant to Article 11(2) of the basic Regulation.
- (2) The request was lodged by the European Chemical Industry Council ('CEPIC') on behalf of Community producers representing the total Community production of peroxodisulphates.
- (3) The request contained prima facie evidence showing that there would be a continuation or recurrence of injurious dumping should measures be allowed to lapse, which was considered sufficient to justify the initiation of an expiry review.
- (4) Accordingly, the Commission, after consultation of the Advisory Committee, initiated by a notice published in the *Official Journal of the European Communities* ⁽³⁾ an expiry review concerning imports into the Community of peroxodisulphates, currently classifiable within CN code ex 2833 40 00 and originating in the PRC.
- (5) The Commission officially advised the exporting producers, importers known to be concerned, the representatives of the exporting country, the representative users and the Community producers. Interested parties were given the opportunity to make their views known in

writing and to request a hearing within the time limit set out in the notice of initiation.

B. WITHDRAWAL OF THE REQUEST AND TERMINATION OF THE PROCEEDING

- (6) By a letter of 25 January 2002 to the Commission, CEPIC formally withdrew its request concerning imports of peroxodisulphates originating in the PRC.
- (7) In accordance with Articles 9(1) and 11(2) of the basic Regulation, the proceeding may be terminated where the request is withdrawn, unless such termination would not be in the Community interest.
- (8) It was considered that the present proceeding should be terminated since the investigation had not brought to light any considerations showing that such termination would not be in the Community interest. Interested parties were informed accordingly and were given the opportunity to comment. However, no comments were received from any party. Consequently, there is no indication that the termination of the measures would not be in the Community interest.
- (9) It was therefore concluded that the anti-dumping proceeding concerning imports into the Community of peroxodisulphates originating in the PRC should be terminated and that the existing measures should be allowed to expire,

HAS ADOPTED THIS REGULATION:

Article 1

The anti-dumping measures concerning imports of peroxodisulphates, currently classifiable within CN code ex 2833 40 00 and originating in the People's Republic of China, are hereby repealed and the proceeding concerning these imports is terminated.

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Communities*.

⁽¹⁾ OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Regulation (EC) No 2238/2000 (OJ L 257, 11.10.2000, p. 2).

⁽²⁾ OJ C 167, 16.6.2000, p. 4.

⁽³⁾ OJ C 366, 20.12.2000, p. 5.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Luxembourg, 22 April 2002.

For the Council

The President

M. ARIAS CAÑETE

COUNCIL REGULATION (EC) No 696/2002**of 22 April 2002****confirming the definitive anti-dumping duty imposed on imports of cotton-type bed linen originating in India by Regulation (EC) No 2398/97, as amended and suspended by Council Regulation (EC) No 1644/2001**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995, on protection against dumped imports from countries not members of the European Community ⁽¹⁾ ('the basic Regulation'),

Having regard to the proposal made by the Commission after consultation of the Advisory Committee,

Whereas:

A. EXISTING MEASURES

- (1) The Council, by Regulation (EC) No 2398/97 ⁽²⁾ imposed a definitive anti-dumping duty on imports of cotton-type bed linen originating in Egypt, India and Pakistan ('definitive Regulation'). The definitive Regulation was preceded by Commission Regulation (EC) No 1069/97 ⁽³⁾ imposing a provisional anti-dumping duty on imports of bed linen originating in Egypt, India and Pakistan ('provisional Regulation').

On 12 March 2001, the Dispute Settlement Body of the World Trade Organisation ('WTO') adopted an Appellate Body report and a panel report as modified by the Appellate Body report on the case 'European Communities — anti-dumping duties on imports of cotton-type bed linen from India' ('reports') ⁽⁴⁾.

It is recalled that, following the adoption of these reports, the definitive Regulation was amended by Council Regulation (EC) No 1644/2001 ⁽⁵⁾, imposing a definitive anti-dumping duty on imports of bed linen originating in Egypt, India and Pakistan and suspending its application with regard to imports originating in India. The definitive Regulation was last amended by Council Regulation (EC) No 160/2002 ⁽⁶⁾, which suspended the application of the anti-dumping duty with regard to imports originating in Egypt and terminated the proceeding with regard to Pakistan. In accordance with Article 1(2) of Council Regulation (EC) No 160/2002, the anti-dumping duty on imports of bed linen originating in Egypt subsequently expired on 28 February 2002 since no review request was received by the Commission within the deadlines foreseen in that Regulation.

B. REASSESSMENT OF FINDINGS**1. Preliminary remark**

- (2) Further to a duly documented request submitted by the Committee of the Cotton and allied textile Industries of the European Communities (Eurocoton), the complainant in the original investigation, the Commission initiated a review concerning dumping only, in accordance with Article 11(3) of the basic Regulation. The notice of initiation was published on 13 February 2002 ⁽⁷⁾ and the application of the anti-dumping duty remains suspended pending the outcome of the review investigation pursuant to Article 2(2) of Regulation (EC) No 1644/2001.

⁽¹⁾ OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Regulation (EC) No 2238/2000 (OJ L 257, 11.10.2000, p. 2).

⁽²⁾ OJ L 332, 4.12.1997, p. 1.

⁽³⁾ OJ L 156, 13.6.1997, p. 11.

⁽⁴⁾ Document WT/DS141/9 of 22 March 2001.

⁽⁵⁾ OJ L 219, 14.8.2001, p. 1.

⁽⁶⁾ OJ L 26, 30.1.2002, p. 1.

⁽⁷⁾ OJ C 39, 13.2.2002, p. 17.

- (3) In view of the fact that the proceeding has been terminated with regard to imports originating in Pakistan and that measures concerning imports originating in Egypt expired on 28 February 2002, it is now considered appropriate to reassess the findings. The reassessment is limited to the determination of injury and causal link to the extent that this determination was previously based on an examination of the joint impact of imports from India, Egypt and Pakistan.
- (4) It is recalled that the investigation of dumping covered the period from 1 July 1995 to 30 June 1996 ('IP'). The investigation relating to the parameters relevant in the context of injury covered the period from 1 January 1992 up to the end of the IP (30 June 1996). This period will be referred to as 'the period considered'.

2. Injury

2.1. Volume, market share and prices of the imports from India

- (5) The table shows how imports from India, taken in isolation, developed during the period considered.

India	1992	1993	1994	1995	IP
Volume (tonnes)	11 845	12 424	13 113	17 998	18 428
Index	100	105	111	152	156
Market share	5,9 %	6,4 %	6,8 %	9,5 %	9,9 %
ECU/kg	5,53	6,05	6,57	5,10	4,94
Eurostat					
Index	100				
Index 1993 to the IP		106	119	92	89
Index 1994 to the IP		100	109	84	82
			100	78	75

- (6) Imports from India taken in isolation increased from 11 845 tonnes in 1992 to 18 428 tonnes during the IP, i.e. an increase of 56 % or of 6 583 tonnes during the period considered.
- (7) If the imports from exporters found not to have dumped are excluded, the increase in volume of dumped imports from India remains significant. In the case of such exclusion, the dumped imports rose from 10 232 tonnes in 1992 to 15 816 tonnes during the IP, namely an increase of 55 % or 5 584 tonnes. Their market share had increased by 66 % during the period considered and still represented 8,5 % of the Community market during the IP.
- (8) It is worth noting that imports from India grew most in the period from 1994 to the IP (+ 5 315 tonnes and + 3,1 percentage points market share growth; 5 058 tonnes and + 2,9 percentage points market share growth if the imports from Indian exporters found not to have dumped are excluded). This development of dumped imports coincided with a fall in consumption by 4 % or by 7 849 tonnes on the Community market.
- (9) Furthermore, the above table shows that prices of Indian bed linen had significantly decreased during the period considered. For instance, average prices decreased by 18 % in the period from 1993 to the IP and by 25 % between 1994 and the IP. The trends in sales prices are not significantly different if the imports from the Indian exporters found not to have dumped are excluded.

- (10) During the IP, the level of undercutting of the dumped imports originating in India ranged from 13,8 % to 40,8 %, expressed as percentages of the adjusted average prices of the Community industry. Undercutting also remains significant if imports from the exporters found not to have dumped are excluded (see recital 24 of Regulation (EC) No 1644/2001). The weighted average undercutting margin is around 19 %.

2.2. *Situation of the Community industry*

- (11) It is recalled that the situation of the Community industry was analysed in recitals 81 to 91 of the provisional Regulation as well as recitals 40 and 41 the definitive Regulation. As shown in recitals 25 to 47 of Regulation (EC) No 1644/2001 all factors listed in Article 3(5) of the basic Regulation were analysed.

2.2.1. *Growth*

- (12) The growth of the Community industry was particularly negative between 1994 and the IP in terms of sales volume (– 1 173 tonnes). The growth in market share was very limited in the same period (+ 0,2 percentage points) and was even negative between 1995 and the IP. At the same time, the growth of market share of low-priced imports from India remained always positive and was significant. Between 1994 and the IP, Indian imports increased by 40,5 % or 5 315 tonnes (47 % or 5 058 tonnes if imports from the Indian exporting producers found not to have dumped are excluded) and the growth in market share was as high as 3,1 percentage points (2,9 percentage points) during the same period.

2.2.2. *Factors affecting Community prices*

- (13) When evaluating factors affecting domestic prices the analysis focussed primarily on the contraction of demand and raw cotton prices.
- (14) The investigation clearly showed that the gap left by Community factory closures and the fall in imports from certain other third countries during the period considered was filled to an appreciated extent by imports from India, of which most were found to be dumped. Given that the prices of the dumped imports from India were amongst the lowest of all the operators selling bed linen on the Community market, it is concluded that the contraction of demand in itself did not have an overriding impact on prices, notably those of the Community industry.
- (15) The price of raw cotton, which can represent up to 15 % of the total cost of bed linen, increased significantly during the period considered. Normally, in fair market conditions, producers should have been able to pass on this cost increase to customers. The investigation has shown that the Community industry was not able to do so in this case.
- (16) It is also noted that as described in recitals 9 and 10 above the investigation also established that prices of the imports concerned decreased considerably and that there was significant price undercutting by Indian exporting producers. Indian prices declined by up to 18 % and undercutting margins ranging from 13,8 % to 40,8 % were found to exist.
- (17) Furthermore, between 1994 and the IP, the volume of imports from India increased the most: 5 315 tonnes (5 058 tonnes excluding the imports which were not made at dumped prices) and 3,1 percentage points growth in market share (2,9 percentage points). These imports represented 34 % of the Community industry's sales volume in 1994 and over 50 % during the IP.

2.2.3. Magnitude of the actual margin of dumping

- (18) As concerns the impact on the Community industry of the magnitude of the actual margin of dumping, given the volume and the prices of the imports originating in India, this impact cannot be considered as negligible. Indeed, as outlined in recital 8 above, Indian imports increased significantly in absolute and in relative terms. They represented 33 % of the Community industry's sales volume in 1992 and over 50 % during the IP (respectively 28 % and 43 % if the imports from Indian exporters found not to have dumped are excluded).
- (19) The Association of Indian Exporters argued that where the dumping margins are much lower than the undercutting or underselling margins, the injury suffered by the Community industry must be due to other factors. Whilst it is noted that individual dumping margins and the weighted average dumping margin found for India are lower than the undercutting margins. However, the dumping margins found are still distinctly above de minimis levels. Indeed, at least one third of the undercutting would have disappeared if the imports from India had not been dumped and this would have made products from India clearly less attractive.

2.3. Conclusion on injury

- (20) It follows from the reassessment carried out above that imports from India increased by 56 % or by 6 583 tonnes from 1992 to the IP, and their market share by 67 % (55 % or by 5 584 tonnes excluding the imports which were not made at dumped prices). If only dumped imports are taken into consideration, they increased by 3,4 percentage points in terms of market share and represented 8,5 % of the Community market during the IP. The increase in absolute and relative terms therefore remains significant, even if the imports from Indian exporters found not to have dumped are excluded. Moreover, average prices of Indian bed linen declined by up to 18 % during the period considered and undercutting by dumped imports was established on average at 19 % during the IP.
- (21) Based on the above, it is concluded that the Community has suffered material injury.

3. Causation

3.1. Introduction

- (22) Based on the above findings, the causal link analysis set out in recitals 54 to 58 of Regulation (EC) No 1644/2000 as well as in recitals 100 and 101 of the provisional Regulation should likewise be reassessed.

3.2. Effect of the dumped imports from India

- (23) As shown in recitals 5 to 8 above, imports from India significantly increased by 6 583 tonnes in absolute terms and by 56 % in percentage terms (if the imports from the Indian exporters found not to be dumping are excluded, the volume increase would be 5 584 tonnes, meaning a percentage increase of 55 %). The market share held by these imports increased during the period considered from 5,9 % to 9,9 %, namely by 4,0 percentage points (5,1 % to 8,5 %, namely 3,4 percentage points if the imports from the Indian exporting producers found not to have dumped are excluded). During the IP, the weighted average undercutting margin (excluding the imports from the non-dumping Indian exporters) was established at around 19 %.

- (24) During the period considered sales by the Community industry slightly increased by 348 tonnes and the Community industry's market share increased from 18,1 % to 19,7 %, namely by 1,6 percentage points. This has to be seen in the light of the fact that the Community industry managed to shift production and sales to higher value added products in order to maintain production and sales levels. Overall, this led to cost increases not covered by price increases. Indeed, the investigation showed that the Community industry's weighted average sales price remained by and large stable.
- (25) It is also recalled that the market for bed linen is characterised by transparency and a certain product substitutability (recital 97 of the provisional Regulation). Large Community purchasers of bed linen, whose orders can ensure a high level of production capacity utilisation and therefore some economy of scale, are very sensitive to prices. On this basis, it can be concluded that the low prices of the Indian exporting producers concerned, which were of the lowest available on the Community market, coupled with their substantial and increasing market share, have exercised continuous downward pressure on the prices on the Community market.
- (26) As stated in recital 17 above it should further be noted that during the period from 1994 to the IP the volume of imports from India increased the most, namely by 41 % or by 5 315 tonnes (47 % or 5 058 tonnes if the imports from the Indian exporting producers found not to have dumped are excluded). During that period, the market share of Indian imports increased by 3,1 percentage points (2,9 percentage points). It is recalled that the investigation showed that it was during that period that the financial situation of the Community industry deteriorated the most: in particular, profit fell by 1,4 percentage points and the return on investments by 7 percentage points.

As stated in recital 99 of the provisional Regulation, price suppression and consequent decreasing profitability (and the corresponding development of cash flow and return on investment) were the main indicators to conclude that the Community industry suffered material injury. In view of the coincidence in time between the significant increase in the low-priced dumped imports originating in India and the deterioration of the financial situation of the Community industry, it is confirmed that there was a direct link between these imports and the material injury found.

3.3. *Effects of other factors*

3.3.1. Preliminary remarks

- (27) It should be recalled that the analysis set out in Regulation (EC) No 1644/2001 of the effects of factors other than dumped imports on the state of the Community industry confirmed the causal link between dumped imports originating in India, Egypt and Pakistan and the material injury found (recital 69 of Regulation (EC) 1644/2001). This analysis included an analysis of imports from other third countries not subject to measures, which obviously did not cover imports from Egypt and Pakistan. Given the termination of the proceeding with regard to imports originating in Pakistan (recital 13 of Regulation (EC) No 160/2002) and the expiry of the measures with regard to Egypt, the reassessment of the effect of imports of bed linen from other third countries covers all imports other than Indian including those from Egypt and Pakistan.
- (28) In addition, it is important to ensure that the injurious effects of imports from third countries not concerned, including those from Egypt and Pakistan, are not attributed to Indian imports taken in isolation. Therefore, a separate assessment and a distinction between the injurious effects of those imports were carried out.
- (29) From the outset, the nature of the injury suffered by the Community industry, namely price suppression and declining and inadequate profitability which caused financial losses, should be underlined.

3.3.2. Effect of imports from third countries

- (30) Firstly, it should be recalled that the impact of imports of bed linen from third countries excluding India, Egypt and Pakistan was analysed in recitals 100 and 101 of the provisional Regulation. It was found that these imports originated from a wide range of third countries with very limited market shares. As shown in the table below, during the IP, market shares of the most relevant third countries were: Turkey (4 %), Poland (2,4 %), Thailand (1,5 %), China (1,1 %) and Romania (1,7 %). All the other third countries had a market share below 1 % of Community consumption.

Imports from third countries not originally concerned (Eurostat)	1992	1993	1994	1995	IP
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Turkey

Market share	4,2 %	3,6 %	3,1 %	3,6 %	4 %
Price ECU/kg	6,7	7,1	7,6	8,1	7,9

Poland

Market share	0,5 %	0,9 %	1,4 %	2,2 %	2,4 %
Price ECU/kg	7,2	7,2	7,5	8,3	8,4

Thailand

Market share	2,1 %	1,6 %	2,2 %	1,8 %	1,5 %
Price ECU/kg	5,0	5,4	4,9	5,1	5,3

China

Market share	0,9 %	1,2 %	1,4 %	1,3 %	1,1 %
Price ECU/kg	10,0	9,5	9,1	9,2	9,7

Romania

Market share	0,3 %	0,2 %	0,7 %	1,0 %	1,7 %
Price ECU/kg	6,7	4,9	5,1	5,6	5,8
Other third countries with low market share	12,9 %	9,8 %	7,7 %	4,5 %	4,4 %
Price ECU/kg	6,0	6,6	11,6	14,9	14,7

- (31) The analysis shows that Thailand, whose import price was 7 % higher than that of India, had the lowest level of prices of all the above third countries. However, the market share of Thailand (1,5 %) is just 15 % of the market share of India alone. All the other third country exporters sold their bed linen on the Community market at prices significantly above the prices of the Indian and Egyptian exporting producers. It follows from the foregoing that most of the above imports were undercut by imports from India, Egypt and even in some instances from Pakistan.

- (32) As stated in recital 101 of the provisional Regulation, the cheap imports from third countries other than Egypt and Pakistan, which undercut the Community industry prices, could also have contributed to the injury suffered by the Community industry. However, given their limited market share and the level of their sales price, the consequent impact on the Community market, if any, is considered to be negligible.
- (33) Secondly, imports attributable to Pakistani and Egyptian exporting producers were analysed in the context of the assessment of the impact of other imports into the Community originating in countries which were not under investigation. Overall, imports of bed linen from third countries including those from Egypt and Pakistan developed as follows:

Imports all other third countries	1992	1993	1994	1995	IP
Volume (tonnes)	63 694	65 094	67 552	65 473	64 078
Index	100	102	106	103	101
Price ECU/kg	6,0	6,1	6,3	6,5	6,7
Index	100	102	105	108	111
Market share	31,9 %	33,5 %	34,9 %	34,6 %	34,5 %
Index	100	105	109	109	108

- (34) As shown in the table above the volume of imports from all other third countries slightly increased by 1 % or by 384 tonnes over the period considered. Thus, as compared to the findings set out in the provisional Regulation, which showed an overall decreasing trend during the period considered, imports from these other countries increased by 6 % up to 1994 and subsequently decreased by 5 %. At the end of the period considered, their volume was roughly at the same level as at the beginning. The aforementioned change in findings is also reflected in the market share. Their market share increased by 8 % or by 2,6 percentage points during the same period.
- (35) It should be noted that in the most recent period prior to the IP, namely from 1994 up to the end of the IP, when the economic situation of the Community industry developed most negatively, imports from other third countries also followed a negative trend: their volume decreased by 5 % or by 3 474 tonnes and they also lost market share. The average price however continuously increased.
- (36) It should be noted that the findings made in recitals 100 and 101 of the provisional Regulation concerning the trends in volume and average import price of other third countries are not altered overall by the inclusion of imports from Egypt and Pakistan. It is recalled that Pakistan is by far the largest exporting country amongst those 'other third countries' and average import prices rose consistently during the period considered. Moreover, during the IP, prices of sampled Pakistani producers were in many instances higher than those of imports from sampled exporting producers from India.
- (37) Thirdly and for the sake of completeness, the information available on imports of bed linen originating in Egypt and Pakistan is given below and analysed separately in order to distinguish the injurious effects of these third countries' imports from the injurious effects of dumped imports from India:

Egypt	1992	1993	1994	1995	IP
Volume (tonnes)	1 759	2 428	4 319	5 974	6 714
Index	100	142	246	340	382
Market share	0,9 %	1,2 %	2,2 %	3,2 %	3,6 %
Index	100	142	253	359	410
ECU/kg	4,38	4,46	4,16	4,21	4,28
Eurostat					
Index	100	102	95	96	98
Index 1993 to the IP		100	93	94	96
Index 1994 to the IP			100	101	103

Pakistan	1992	1993	1994	1995	IP
Volume (tonnes)	20 221	21 874	18 925	21 438	21 514
Index	100	111	94	106	106
Market share	10,1 %	11,2 %	9,8 %	11,3 %	11,6 %
Index	100	111	97	112	114
ECU/kg	5,64	5,73	6,15	6,11	6,03
Eurostat					
Index	100	102	109	108	107
Index 1993 to the IP		100	107	107	105
Index 1994 to the IP			100	99	98

- (38) The evolution of imports from Egypt and Pakistan contrasts with imports from India, the development of which is shown in recitals 5 to 7 above. Their combined volume was always higher than the volume of imports from India alone. However, while the volume of imports from India increased significantly both in absolute and in relative terms during the period considered, the volume of imports from Pakistan remained by and large stable during that period. The volume of imports from Egypt increased both in absolute and in relative terms but at the end of the period considered it remained still far below the Indian levels.
- (39) As far as prices are concerned, according to Eurostat import statistics it emerged that whilst prices of Egyptian imports, which represented a fairly small market share as compared to Pakistan and India, had slightly decreased by 2 % during the period considered, Pakistani prices had risen (see recital 80) of the provisional Regulation). Moreover, Pakistani prices are on average higher than Indian prices. Furthermore, during the IP and based on data collected from sampled companies on similar types of bed linen it was found that in many instances and for large quantities, Pakistani products were sold at prices higher than those charged by Indian exporting producers.

- (40) Based on Eurostat import statistics it emerged that in 1994 Indian prices were on average 7 % higher than Pakistani prices, but the trend significantly reversed during the IP and Indian prices became on average 18 % lower. This also means that in the period from 1994 to the IP Pakistani prices had decreased by 2 % whereas Indian prices decreased by as much as 25 %. In the same period, Egyptian prices had increased by 3 % on average.
- (41) It is in the most recent part of the period considered, namely between 1994 and the IP, that Indian exporting producers gained most of the volume and market shares (see recitals 17 and 26 above). This period coincided with the deterioration of the financial situation of the Community industry.
- (42) Low-priced Indian imports represented overall more than 50 % of the Community industry's sales during the IP and price undercutting by exporting producers located in that country was significant (see recitals 10 and 18 above). Between 1993 to the IP, Indian prices, which were amongst the lowest of all the operators present on the price-sensitive Community market, had decreased by 18 %. Indian prices had decreased by 25 % in the period from 1994 to the IP when the financial situation of the Community industry developed most negatively.
- (43) When analysing the nature and extent of the injury caused by low-priced Indian imports on the Community market, it is necessary to take account of the dramatic increase of these imports as compared to Community industry's sales volume (see recital 18 above) and the negative trend in Indian sales prices during the period considered, as well as during the period from 1994 to the IP when, as mentioned, the deterioration of the situation of the Community was most marked. The impact of the increased volume and the trend in sales price described above on the state of the Community industry has also to be seen in the light of the transparency and the importance of prices in the bed linen market.
- (44) The separate analysis of the effects of the import volume from Egypt and Pakistan and the effect of these imports on prices in the Community market for bed linen, and the consequent effect on the Community industry, indicates that although these imports had a negative impact, the negative impact of the dumped imports from India taken in isolation were none the less substantial. This finding takes account of the nature of the material injury found and the increased volumes and the low level of prices offered on the Community market by Indian exporting producers.
- (45) As shown in recitals 5 to 10 above, imports from India continuously increased during the period considered. The table below shows the evolution of imports from Indian exporting producers not found to be dumping and their share in the total import of bed linen from India. The development of Indian imports thus remains significant even if imports made by Indian exporters found not to have dumped are excluded.

Non-dumped imports from India	1992	1993	1994	1995	IP
Volume (tonnes)	1 612	1 612	2 355	2 540	2 612
Index	100	100	146	158	168
% of Indian imports	16 %	15 %	22 %	16 %	17 %

- (46) Finally, as shown above, bed linen from Indian exporting producers found not to have dumped was imported in limited quantities onto the Community market. These imports increased from 1 612 tonnes in 1992 to 2 611 tonnes during the IP. The information available also showed that prices for these imports had increased during the period considered. Therefore, even if these imports were to be included in the above analysis it would not reverse the trends as found in recital 34 above.

Based on the above, the conclusion reached in recital 44 is not altered if imports from Indian exporting producers found not to have dumped were included in the overall analysis of imports of bed linen from other third countries.

3.4. Conclusion on causation

- (47) Based on the reasoning in recitals 52 to 70 of Regulation (EC) No 1644/2001 and the above reassessment of the findings it can clearly be seen that there is a direct link between the increase in volume and the price effect of dumped imports from India taken in isolation and the material injury suffered by the Community industry.
- (48) This link is demonstrated in particular by the degree of the increase in volume and market share of imports originating in India compared to other third country imports. This contributed to the suppression of sales prices and the deterioration of the Community industry's profitability from 3,6 % in 1992 to 1,6 % during the IP.
- (49) Furthermore, the analysis of the situation of the Community industry between 1994 and the IP and the imports of bed linen from India indicates a clear coincidence in time between the marked deterioration of the financial situation of the Community industry and the increase, in both relative and absolute terms, in low-priced and dumped imports originating in India.
- (50) Given the above analysis, it is considered that imports of bed linen originating in India had a significant negative impact on the situation of the Community industry and that the effect of other factors, notably imports from third countries including Pakistan and Egypt, was not such as to alter the finding of a genuine and substantial relationship of cause and effect between the dumped imports from India and the material injury suffered by the Community industry. Indeed, the injurious effect of Indian imports on the Community market was greater than any other factor towards the latter part of the period considered. During this period imports originating in India gained most of the volume and market shares, decreased in price by 25 %, and the financial situation of the Community industry worsened considerably. Consequently, there is a causal link between the dumped imports from India and the material injury suffered by the Community industry.

C. GENERAL CONCLUSION

- (51) As a result, the amended definitive duty introduced and suspended by Regulation (EC) No 1644/2001 as regards imports of bed linen originating in India should be confirmed.
- (52) The Indian authorities, the Indian exporters and their association, all interested parties in the Community, in particular the Community industry, importers and users, received disclosure of the reassessed findings and were given an opportunity to comment and be heard. The oral and written comments submitted by these parties were considered but have not altered the conclusions reached in this Regulation.
- (53) Notwithstanding its confirmatory nature, in the interests of transparency and legal certainty, this Regulation should enter into force as soon as possible,

HAS ADOPTED THIS REGULATION:

Article 1

The definitive anti-dumping duty imposed on imports of cotton-type bed linen originating in India by Article 1 of Regulation (EC) No 2398/97, as amended and suspended by Regulation (EC) No 1644/2001, is hereby confirmed.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Luxembourg, 22 April 2002.

For the Council
The President
M. ARIAS CAÑETE

COMMISSION REGULATION (EC) No 697/2002
of 24 April 2002
establishing the standard import values for determining the entry price of certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1498/98 ⁽²⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto.

- (2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 25 April 2002.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 24 April 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 24 April 2002 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	145,4
	204	115,1
	212	115,1
	999	125,2
0707 00 05	052	114,3
	628	159,2
	999	136,8
0709 90 70	052	103,8
	204	78,8
	999	91,3
0805 10 10, 0805 10 30, 0805 10 50	052	64,9
	204	44,2
	212	48,3
	220	54,2
	600	53,3
	624	79,1
	999	57,3
0805 50 10	052	48,9
	999	48,9
0808 10 20, 0808 10 50, 0808 10 90	060	35,7
	388	85,6
	400	116,9
	404	107,7
	508	82,9
	512	90,9
	524	85,9
	528	93,3
	720	157,0
	804	110,7
	999	96,7
0808 20 50	388	77,3
	512	72,3
	528	93,7
	999	81,1

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2020/2001 (OJ L 273, 16.10.2001, p. 6). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 698/2002**of 23 April 2002****establishing unit values for the determination of the customs value of certain perishable goods**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾, as last amended by Regulation (EC) No 2700/2000 of the European Parliament and of the Council ⁽²⁾,

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽³⁾, as last amended by Regulation (EC) No 444/2002 ⁽⁴⁾, and in particular Article 173(1) thereof,

Whereas:

- (1) Articles 173 to 177 of Regulation (EEC) No 2454/93 provide that the Commission shall periodically establish unit values for the products referred to in the classification in Annex 26 to that Regulation.

- (2) The result of applying the rules and criteria laid down in the abovementioned Articles to the elements communicated to the Commission in accordance with Article 173(2) of Regulation (EEC) No 2454/93 is that unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 173(1) of Regulation (EEC) No 2454/93 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 26 April 2002.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 23 April 2002.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 302, 19.10.1992, p. 1.

⁽²⁾ OJ L 311, 12.12.2000, p. 17.

⁽³⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁴⁾ OJ L 68, 12.3.2002, p. 11.

ANNEX

Code	Description	Amount of unit values per 100 kg			
	Species, varieties, CN code	EUR	DKK	SEK	GBP
1.10	New potatoes 0701 90 50	47,89	356,03	439,00	29,42
1.30	Onions (other than seed) 0703 10 19	44,69	332,21	409,64	27,46
1.40	Garlic 0703 20 00	176,39	1 311,37	1 617,01	108,38
1.50	Leeks ex 0703 90 00	76,51	568,81	701,37	47,01
1.60	Cauliflowers 0704 10 00	55,28	410,97	506,76	33,96
1.80	White cabbages and red cabbages 0704 90 10	76,21	566,60	698,66	46,83
1.90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> L. <i>convar. botrytis</i> (L.) <i>Alef</i> var. <i>italica</i> Plenck) ex 0704 90 90	61,43	456,70	563,13	37,74
1.100	Chinese cabbage ex 0704 90 90	67,41	501,14	617,94	41,42
1.110	Cabbage lettuce (head lettuce) 0705 11 00	90,36	671,77	828,34	55,52
1.130	Carrots ex 0706 10 00	70,31	522,71	644,54	43,20
1.140	Radishes ex 0706 90 90	132,46	984,76	1 214,27	81,38
1.160	Peas (<i>Pisum sativum</i>) 0708 10 00	492,34	3 660,25	4 513,33	302,49
1.170	Beans:				
1.170.1	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) ex 0708 20 00	161,70	1 202,12	1 482,29	99,35
1.170.2	Beans (<i>Phaseolus</i> spp., <i>vulgaris</i> var. <i>Compressus</i> Savi) ex 0708 20 00	83,75	622,63	767,74	51,46
1.180	Broad beans ex 0708 90 00	157,74	1 172,70	1 446,02	96,92
1.190	Globe artichokes 0709 10 00	—	—	—	—
1.200	Asparagus:				
1.200.1	— green ex 0709 20 00	489,19	3 636,87	4 484,50	300,56
1.200.2	— other ex 0709 20 00	427,55	3 178,58	3 919,39	262,69
1.210	Aubergines (eggplants) 0709 30 00	88,17	655,47	808,23	54,17

Code	Description	Amount of unit values per 100 kg			
	Species, varieties, CN code	EUR	DKK	SEK	GBP
1.220	Ribbed celery (<i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	99,24	737,77	909,71	60,97
1.230	Chantarelles 0709 51 30	744,83	5 537,36	6 827,93	457,62
1.240	Sweet peppers 0709 60 10	164,20	1 220,70	1 505,20	100,88
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	98,86	734,99	906,29	60,74
2.10	Chestnuts (<i>Castanea</i> spp.), fresh ex 0802 40 00	176,48	1 312,02	1 617,81	108,43
2.30	Pineapples, fresh ex 0804 30 00	78,85	586,20	722,82	48,45
2.40	Avocados, fresh ex 0804 40 00	105,55	784,70	967,59	64,85
2.50	Guavas and mangoes, fresh ex 0804 50 00	100,96	750,56	925,49	62,03
2.60	Sweet oranges, fresh:				
2.60.1	— Sanguines and semi-sanguines 0805 10 10	—	—	—	—
2.60.2	— Navels, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamoutis, ovalis, trovita and hamlins 0805 10 30	—	—	—	—
2.60.3	— Others 0805 10 50	—	—	—	—
2.70	Mandarins (including tangerines and satsumas), fresh; clementines, wilkings and similar citrus hybrids, fresh:				
2.70.1	— Clementines ex 0805 20 10	91,86	682,92	842,09	56,44
2.70.2	— Monreales and satsumas ex 0805 20 30	91,73	681,94	840,88	56,36
2.70.3	— Mandarines and wilkings ex 0805 20 50	99,90	742,71	915,81	61,38
2.70.4	— Tangerines and others ex 0805 20 70 ex 0805 20 90	71,40	530,83	654,55	43,87
2.85	Limes (<i>Citrus aurantifolia</i> , <i>Citrus latifolia</i>), fresh ex 0805 30 90 ex 0805 90 00	112,09	833,29	1 027,50	68,87
2.90	Grapefruit, fresh:				
2.90.1	— white ex 0805 40 00	63,15	469,50	578,92	38,80
2.90.2	— pink ex 0805 40 00	60,55	450,16	555,08	37,20

Code	Description	Amount of unit values per 100 kg			
	Species, varieties, CN code	EUR	DKK	SEK	GBP
2.100	Table grapes 0806 10 10	160,81	1 195,50	1 474,13	98,80
2.110	Water melons 0807 11 00	53,26	395,96	488,24	32,72
2.120	Melons (other than water melons):				
2.120.1	— Amarillo, cuper, honey dew (including cantalene), ontentente, piel de sapo (including verde liso), rochet, tendral, futuro ex 0807 19 00	110,66	822,66	1 014,39	67,99
2.120.2	— Other ex 0807 19 00	141,99	1 055,60	1 301,62	87,24
2.140	Pears				
2.140.1	Pears — nashi (<i>Pyrus pyrifolia</i>), Pears — Ya (<i>Pyrus bretschneideri</i>) ex 0808 20 50	102,91	765,07	943,39	63,23
2.140.2	Other ex 0808 20 50	102,91	765,07	943,39	63,23
2.150	Apricots ex 0809 10 00	406,68	3 023,42	3 728,08	249,86
2.160	Cherries 0809 20 95 0809 20 05	576,44	4 285,49	5 284,28	354,16
2.170	Peaches 0809 30 90	414,20	3 079,33	3 797,02	254,48
2.180	Nectarines ex 0809 30 10	148,31	1 102,60	1 359,58	91,12
2.190	Plums 0809 40 05	144,58	1 074,84	1 325,35	88,83
2.200	Strawberries 0810 10 00	131,51	977,70	1 205,57	80,80
2.205	Raspberries 0810 20 10	848,90	6 311,06	7 781,95	521,56
2.210	Fruit of the species <i>Vaccinium myrtillus</i> 0810 40 30	614,33	4 567,17	5 631,62	377,44
2.220	Kiwi fruit (<i>Actinidia chinensis</i> Planch.) 0810 50 00	118,25	879,12	1 084,01	72,65
2.230	Pomegranates ex 0810 90 85	335,12	2 491,42	3 072,08	205,90
2.240	Khakis (including sharon fruit) ex 0810 90 85	363,54	2 702,72	3 332,64	223,36
2.250	Lychees ex 0810 90 30	284,48	2 114,91	2 607,82	174,78

**COMMISSION REGULATION (EC) No 699/2002
of 24 April 2002**

**amending Regulation (EC) No 1608/2000 laying down transitional measures pending the definitive
measures implementing Council Regulation (EC) No 1493/1999 on the common organisation of the
market in wine**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine ⁽¹⁾, as last amended by Regulation (EC) No 2585/2001 ⁽²⁾, and in particular Article 80 thereof,

Whereas:

- (1) Commission Regulation (EC) No 1608/2000 of 24 July 2000 laying down transitional measures pending the definitive measures implementing Council Regulation (EC) No 1493/1999 on the common organisation of the market in wine ⁽³⁾, as last amended by Regulation (EC) No 363/2002 ⁽⁴⁾, extends the applicability of certain Council provisions repealed by Article 81 of Regulation (EC) No 1493/1999 until 30 April 2002, pending the finalisation and adoption of measures implementing that Regulation. The finalisation and adoption of those implementing measures will not be completed by 30 April 2002. Certain Council provisions repealed by Article 81 of Regulation (EC) No 1493/1999 should accordingly be allowed to stand for a short additional period.
- (2) The extra transitional period does not affect the implementation of the bulk of the reform of the common organisation of the market in wine on the date set by the Council since the main points concerning the areas covered by those Regulations have been settled in Regulation (EC) No 1493/1999 or in the implementing regulations already adopted.

- (3) Less progress has been made in adopting implementing measures in certain areas than in others, for example regarding the description, designation, presentation and protection of certain wine products, because of the complexity and sensitivity of the issues the Council has to deal with and the direct impact of any measures adopted on operators in the Community and in non-member countries. Provision should therefore be made for an extra transitional period in order to allow for the final adoption of those measures.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Wine,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1608/2000 is amended as follows:

1. In Article 1, the date '30 April 2002' is replaced by '31 May 2002'.
2. In Article 3, the date '30 April 2002' is replaced by '31 May 2002'.
3. In part B of the Annex, the date '30 April 2002' is replaced by '31 May 2002'.

Article 2

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

It shall apply from 1 May 2002.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 24 April 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 179, 14.7.1999, p. 1.

⁽²⁾ OJ L 345, 29.12.2001, p. 10.

⁽³⁾ OJ L 185, 25.7.2000, p. 24.

⁽⁴⁾ OJ L 58, 28.2.2002, p. 7.

COMMISSION REGULATION (EC) No 700/2002**of 24 April 2002****determining to what extent applications lodged in April 2002 for the right to import bulls, cows and heifers other than for slaughter of certain Alpine and mountain breeds can be met**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1081/1999 of 26 May 1999 opening and providing for the administration of tariff quotas for imports of bulls, cows and heifers other than for slaughter of certain Alpine and mountain breeds, repealing Regulation (EC) No 1012/98 and amending Regulation (EC) No 1143/98 ⁽¹⁾, as amended by Regulation (EC) No 1096/2001 ⁽²⁾, and in particular Article 5 thereof,

Whereas:

- (1) Article 9(1) of Regulation (EC) No 1081/1999 provides for a further allocation of quantities not covered by import licence applications at 15 March 2002.
- (2) Article 1 of Commission Regulation (EC) No 572/2002 of 3 April 2002 providing for a further allocation of import rights under Regulation (EC) No 1081/1999 for bulls, cows and heifers other than for slaughter of certain Alpine and mountain breeds ⁽³⁾ lays down the quantities of bulls, cows and heifers other than for slaughter of certain Alpine and mountain breeds that

may be imported under special conditions until 30 June 2002.

- (3) The quantities for which import rights have been requested exceed the quantities available. A uniform percentage reduction in the quantities applied for should therefore be set in accordance with Article 9(8) and Article 5(2) of Regulation (EC) No 1081/1999,

HAS ADOPTED THIS REGULATION:

Article 1

Each application for the right to import, lodged in accordance with Article 9 of Regulation (EC) No 1081/1999, shall be granted as follows:

- 19,6206 % of the quantity requested for serial number 09.0001,
- 11,1237 % of the quantity requested for serial number 09.0003.

Article 2

This Regulation shall enter into force on 25 April 2002.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 24 April 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 131, 27.5.1999, p. 15.

⁽²⁾ OJ L 150, 6.6.2001, p. 33.

⁽³⁾ OJ L 87, 4.4.2002, p. 4.

COMMISSION REGULATION (EC) No 701/2002
of 24 April 2002
fixing the import duties in the rice sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Commission Regulation (EC) No 411/2002 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1503/96 of 29 July 1996 laying down detailed rules for the application of Council Regulation (EC) No 3072/95 as regards import duties in the rice sector ⁽³⁾, as last amended by Regulation (EC) No 2831/98 ⁽⁴⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Article 11 of Regulation (EC) No 3072/95 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation. However, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by a certain percentage according to whether it is husked or milled rice, minus the cif import price provided that duty does not exceed the rate of the Common Customs Tariff duties.
- (2) Pursuant to Article 12(3) of Regulation (EC) No 3072/95, the cif import prices are calculated on the basis of the representative prices for the product in question on

the world market or on the Community import market for the product.

- (3) Regulation (EC) No 1503/96 lays down detailed rules for the application of Regulation (EC) No 3072/95 as regards import duties in the rice sector.
- (4) The import duties are applicable until new duties are fixed and enter into force. They also remain in force in cases where no quotation is available from the source referred to in Article 5 of Regulation (EC) No 1503/96 during the two weeks preceding the next periodical fixing.
- (5) In order to allow the import duty system to function normally, the market rates recorded during a reference period should be used for calculating the duties.
- (6) Application of Regulation (EC) No 1503/96 results in import duties being fixed as set out in the Annexes to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the rice sector referred to in Article 11(1) and (2) of Regulation (EC) No 3072/95 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 25 April 2002.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 24 April 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 62, 5.3.2002, p. 27.

⁽³⁾ OJ L 189, 30.7.1996, p. 71.

⁽⁴⁾ OJ L 351, 29.12.1998, p. 25.

ANNEX I

Import duties on rice and broken rice

(EUR/t)

CN code	Duties ⁽¹⁾				
	Third countries (except ACP and Bangladesh) ⁽²⁾	ACP ⁽¹⁾ ⁽²⁾ ⁽³⁾	Bangladesh ⁽⁴⁾	Basmati India and Pakistan ⁽⁵⁾	Egypt ⁽⁶⁾
1006 10 21	(7)	69,51	101,16		158,25
1006 10 23	(7)	69,51	101,16		158,25
1006 10 25	(7)	69,51	101,16		158,25
1006 10 27	(7)	69,51	101,16		158,25
1006 10 92	(7)	69,51	101,16		158,25
1006 10 94	(7)	69,51	101,16		158,25
1006 10 96	(7)	69,51	101,16		158,25
1006 10 98	(7)	69,51	101,16		158,25
1006 20 11	260,33	86,78	125,83		195,25
1006 20 13	260,33	86,78	125,83		195,25
1006 20 15	260,33	86,78	125,83		195,25
1006 20 17	264,00	88,06	127,66	14,00	198,00
1006 20 92	260,33	86,78	125,83		195,25
1006 20 94	260,33	86,78	125,83		195,25
1006 20 96	260,33	86,78	125,83		195,25
1006 20 98	264,00	88,06	127,66	14,00	198,00
1006 30 21	(7)	133,21	193,09		312,00
1006 30 23	(7)	133,21	193,09		312,00
1006 30 25	(7)	133,21	193,09		312,00
1006 30 27	(7)	133,21	193,09		312,00
1006 30 42	(7)	133,21	193,09		312,00
1006 30 44	(7)	133,21	193,09		312,00
1006 30 46	(7)	133,21	193,09		312,00
1006 30 48	(7)	133,21	193,09		312,00
1006 30 61	(7)	133,21	193,09		312,00
1006 30 63	(7)	133,21	193,09		312,00
1006 30 65	(7)	133,21	193,09		312,00
1006 30 67	(7)	133,21	193,09		312,00
1006 30 92	(7)	133,21	193,09		312,00
1006 30 94	(7)	133,21	193,09		312,00
1006 30 96	(7)	133,21	193,09		312,00
1006 30 98	(7)	133,21	193,09		312,00
1006 40 00	(7)	41,18	(7)		96,00

⁽¹⁾ The duty on imports of rice originating in the ACP States is applicable, under the arrangements laid down in Council Regulation (EC) No 1706/98 (OJ L 215, 1.8.1998, p. 12) and amended Commission Regulation (EC) No 2603/97 (OJ L 351, 23.12.1997, p. 22).

⁽²⁾ In accordance with Regulation (EC) No 1706/98, the duties are not applied to products originating in the African, Caribbean and Pacific States and imported directly into the overseas department of Réunion.

⁽³⁾ The import levy on rice entering the overseas department of Réunion is specified in Article 11(3) of Regulation (EC) No 3072/95.

⁽⁴⁾ The duty on imports of rice not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Council Regulation (EEC) No 3491/90 (OJ L 337, 4.12.1990, p. 1) and amended Commission Regulation (EEC) No 862/91 (OJ L 88, 9.4.1991, p. 7).

⁽⁵⁾ No import duty applies to products originating in the OCT pursuant to Article 101(1) of amended Council Decision 91/482/EEC (OJ L 263, 19.9.1991, p. 1).

⁽⁶⁾ For husked rice of the Basmati variety originating in India and Pakistan, a reduction of EUR/t 250 applies (Article 4a of amended Regulation (EC) No 1503/96).

⁽⁷⁾ Duties fixed in the Common Customs Tariff.

⁽⁸⁾ The duty on imports of rice originating in and coming from Egypt is applicable under the arrangements laid down in Council Regulation (EC) No 2184/96 (OJ L 292, 15.11.1996, p. 1) and Commission Regulation (EC) No 196/97 (OJ L 31, 1.2.1997, p. 53).

ANNEX II

Calculation of import duties for rice

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (EUR/tonne)	(¹)	264,00	416,00	260,33	416,00	(¹)
2. Elements of calculation:						
(a) Arag cif price (EUR/tonne)	—	242,66	259,77	304,33	294,72	—
(b) fob price (EUR/tonne)	—	—	—	270,52	260,91	—
(c) Sea freight (EUR/tonne)	—	—	—	33,81	33,81	—
(d) Source	—	USDA and operators	USDA and operators	Operators	Operators	—

(¹) Duties fixed in the Common Customs Tariff.

COMMISSION REGULATION (EC) No 702/2002**of 24 April 2002****fixing the production refund for olive oil used in the manufacture of certain preserved foods**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organisation of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EC) No 1513/2001 ⁽²⁾, and in particular Article 20a thereof,

Whereas:

- (1) Article 20a of Regulation No 136/66/EEC provides for the granting of a production refund for olive oil used in the preserving industry. Under paragraph 6 of that Article, and without prejudice to paragraph 3 thereof, the Commission shall fix this refund every two months.
- (2) By virtue of Article 20a(2) of the abovementioned Regulation, the production refund must be fixed on the basis of the gap between prices on the world market and on the Community market, taking account of the import

charge applicable to olive oil falling within CN subheading 1509 90 00 and the factors used for fixing the export refunds for those olive oils during the reference period. It is appropriate to take as a reference period the two-month period preceding the beginning of the term of validity of the production refund.

- (3) The application of the above criteria results in the refund being fixed as shown below,

HAS ADOPTED THIS REGULATION:

Article 1

For the months of May and June 2002, the amount of the production refund referred to in Article 20a(2) of Regulation No 136/66/EEC shall be EUR 44,00/100 kg.

Article 2

This Regulation shall enter into force on 1 May 2002.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 24 April 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ 172, 30.9.1966, p. 3025/66.

⁽²⁾ OJ L 201, 26.7.2001, p. 4.

COMMISSION REGULATION (EC) No 703/2002
of 24 April 2002
amending the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 13(8) thereof,

Whereas:

- (1) The corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EC) No 675/2002 ⁽³⁾.
- (2) On the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the market into account, the corrective amount at present applicable to the refund on cereals should be altered.

- (3) The corrective amount must be fixed according to the same procedure as the refund. It may be altered in the period between fixings,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 1(1)(a), (b) and (c) of Regulation (EEC) No 1766/92 which is applicable to the export refunds fixed in advance in respect of the products referred to, except for malt, is hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 25 April 2002.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 24 April 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 103, 19.4.2002, p. 22.

ANNEX

to the Commission Regulation of 24 April 2002 amending the corrective amount applicable to the refund on cereals

(EUR/t)

Product code	Destination	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8	5th period 9	6th period 10
1001 10 00 9200	—	—	—	—	—	—	—	—
1001 10 00 9400	—	—	—	—	—	—	—	—
1001 90 91 9000	—	—	—	—	—	—	—	—
1001 90 99 9000	C01	—	-0,93	-0,93	0,00	-0,93	—	—
1002 00 00 9000	C03	-10,00	-10,00	-10,00	-10,00	-10,00	—	—
	C04	-10,00	-10,00	-10,00	-40,00	-40,00	—	—
	A05	0,00	0,00	0,00	0,00	0,00	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	A00	—	-0,93	-0,93	0,00	-0,93	—	—
1004 00 00 9200	—	—	—	—	—	—	—	—
1004 00 00 9400	A00	0	-0,93	-0,93	0,00	-0,93	—	—
1005 10 90 9000	—	—	—	—	—	—	—	—
1005 90 00 9000	A00	0	-0,93	-1,86	-2,79	-3,72	—	—
1007 00 90 9000	—	—	—	—	—	—	—	—
1008 20 00 9000	—	—	—	—	—	—	—	—
1101 00 11 9000	—	—	—	—	—	—	—	—
1101 00 15 9100	C01	0	-1,27	-1,27	0,00	-1,27	—	—
1101 00 15 9130	C01	0	-1,19	-1,19	0,00	-1,19	—	—
1101 00 15 9150	C01	0	-1,10	-1,10	0,00	-1,10	—	—
1101 00 15 9170	C01	0	-1,01	-1,01	0,00	-1,01	—	—
1101 00 15 9180	C01	0	-0,95	-0,95	0,00	-0,95	—	—
1101 00 15 9190	—	—	—	—	—	—	—	—
1101 00 90 9000	—	—	—	—	—	—	—	—
1102 10 00 9500	C01	0	0,00	0,00	0,00	0,00	—	—
1102 10 00 9700	C01	0	0,00	0,00	0,00	0,00	—	—
1102 10 00 9900	—	—	—	—	—	—	—	—
1103 11 10 9200	A00	0	-1,40	-1,40	0,00	-1,40	—	—
1103 11 10 9400	A00	0	-1,25	-1,25	0,00	-1,25	—	—
1103 11 10 9900	—	—	—	—	—	—	—	—
1103 11 90 9200	A00	0	-1,27	-1,27	0,00	-1,27	—	—
1103 11 90 9800	—	—	—	—	—	—	—	—

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

The numeric destination codes are set out in Commission Regulation (EC) No 2020/2001 (OJ L 273, 16.10.2001, p. 6).

The other destinations are as follows:

C01 All destinations except for Poland,

C03 Poland, Czech Republic, Slovak Republic, Hungary, Norway, Faroe Islands, Iceland, Russia, Belarus, Bosnia and Herzegovina, Croatia, Slovenia, former Republic of Yugoslavia with the exception of Slovenia, Croatia and Bosnia and Herzegovina, Albania, Romania, Bulgaria, Armenia, Georgia, Azerbaijan, Moldova, Ukraine, Kazakhstan, Kyrgyzstan, Uzbekistan, Tajikistan, Turkmenistan, Morocco, Algeria, Tunisia, Libya, Egypt, Malta, Cyprus and Turkey,

C04 Estonia, Latvia, Lithuania,

A05 other non-member countries.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 24 April 2002

repealing Decision 1999/462/EC recognising in principle the completeness of the dossiers submitted for detailed examination in view of the possible inclusion of alanycarbe in Annex I to Council Directive 91/414/EEC concerning the placing of plant-protection products on the market

(notified under document number C(2002) 1522)

(Text with EEA relevance)

(2002/311/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant-protection products on the market ⁽¹⁾, as last amended by Commission Directive 2002/18/EC ⁽²⁾, and in particular Article 6(3) thereof,

Whereas:

(1) In accordance with Article 6(2) of Directive 91/414/EEC France received on 24 July 1995 an application from Otsuka Chemicals Co., United Kingdom, for the inclusion of the active substance alanycarbe in Annex I to Directive 91/414/EEC.

(2) By Commission Decision 1999/462/EC ⁽³⁾ it was confirmed that, on preliminary examination, the dossier was 'complete', that is it could be considered as satisfying, in principle, the data and information requirements of Annex II and Annex III to Directive 91/414/EEC.

(3) Member States were thereby given the possibility to grant provisional authorisations, for plant protection products containing alanycarbe, in accordance with Article 8(1) of Directive 91/414/EEC. No Member State has used this possibility.

(4) France has indicated to the Commission that a detailed examination of the dossier revealed that several significant items of data required under Annexes II and III of Directive 91/414/EEC were not present. These were mainly in relation to environmental fate and ecotoxicology. Therefore the dossier in respect of alanycarbe cannot be regarded as complete.

(5) Decision 1999/462/EC should be repealed.

(6) The measure provided for in this Decision is in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

Decision 1999/462/EC is repealed.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 24 April 2002.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 230, 19.8.1991, p. 1.

⁽²⁾ OJ L 55, 26.2.2002, p. 29.

⁽³⁾ OJ L 180, 15.7.1999, p. 49.