



Malta-EU Steering & Action Committee

COMPETITIVENESS AND CONSUMER AFFAIRS



26.06.09

Anti dumping

COM (2009) 289 Proposal for a Council Regulation Concluding the partial interim review pursuant to Article 11(3) of Council Regulation (EC) No. 384/96 of the anti-dumping duty on imports of certain graphite electrode systems originating in India

Following an investigation on the basis of Regulation (EC) No 1629/2004, the Council imposed a definitive anti-dumping duty on imports of certain graphite electrode systems originating in India.

On the request of Hindustan Electro Graphite Limited ('HEG'), an Indian exporting producer subject to the anti-dumping measures in force, a partial interim review of the above-mentioned Regulation was initiated. This partial interim review was initiated based on *prima facie* evidence provided by the company that as far as they were concerned, the circumstances on the basis of which measures were established had changed and that these changes were of a lasting nature.

HEG was found to be dumping at a *de minimis* level during the review investigation period. The Commission however noted that, while the dumping margin established for HEG in the original investigation was 22.4%, the anti-dumping duty presently in force against this company is 0%. This results from the fact that there are parallel countervailing duties in force on imports of the product concerned. In these circumstances, the finding of *de minimis* dumping has no immediate impact on the level of the measures currently in force.

Thus the Commission is proposing that Council adopt the Regulation in order to conclude the partial interim review without amending the level of the antidumping measure in force.

Interim agreement on trade and trade-related matters with Turkmenistan

COM(2009) 287 - Proposal for a Council Decision on the conclusion by the European Community of the interim agreement between the European Community, the European Coal and Steel Community and the European - Atomic Energy Community, of the one part, and Turkmenistan, of the other part, on trade and trade-related matters

The Interim Agreement between the European Community, the European Coal and Steel Community and the European – Atomic Energy Community, of the one part, and



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Turkmenistan, of the other part, on trade and trade-related matters, was signed on 10 November 1999. The Commission sent a proposal to the Council requesting the conclusion of the Agreement a few years back. However, due to human rights concerns, the Council decided to request also the opinion of the European Parliament.

The European Parliament endorsed the Agreement only in April this year. Since 1999, however, there have been 2 rounds of enlargement and several languages have been recognised as official EU languages. As a result, the original Commission proposal needed to be updated in order to take into consideration the new official languages of the Community. Thus, through this updated proposal the Commission is proposing that the Council conclude the Interim Agreement on behalf of the European Community and its Member States.

Mergers: Commission clears proposed takeover of SN Brussels Airlines by Lufthansa but subject to conditions

The European Commission has approved the proposed acquisition of SN Airholding (SNAH), the holding company of the Belgian commercial airline SN Brussels Airlines, by Deutsche Lufthansa AG of Germany. The decision is conditional upon the implementation of a set of remedies, offered by Lufthansa to alleviate the Commission's competition concerns.

In January 2009, the Commission opened an in-depth inquiry to further investigate the potential impact of the proposed transaction on passenger transport on a number of routes between Belgium and Germany and Belgium and Switzerland. The in-depth investigation confirmed that the transaction, as originally notified, would have raised competition concerns on the routes Brussels-Frankfurt, Brussels-Munich, Brussels-Hamburg and Brussels-Zürich. To address these concerns, Lufthansa submitted a set of remedies, offering an efficient and timely slot allocation mechanism that would allow new entrants to operate flights on each of the four routes where the Commission had concerns. In the light of the commitments, the Commission concluded that the proposed transaction would not significantly impede effective competition in the European Economic Area (EEA) or any substantial part of it.

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Council agrees on new rules for novel foods

This week the Council approved a political agreement on a draft regulation concerning novel foods. The main objective of the draft regulation is to stimulate the development and placing on the EU market of safe innovative foods and to ensure a high level of food safety and of human health protection.

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EU requests WTO consultations with China over export restrictions on raw materials

This week the European Union requested WTO consultations with China regarding China's export restrictions on a number of key raw materials, which it considers are in clear breach of international trade rules. The EU has raised the issue with China repeatedly over the past years without success, and now hopes to use the WTO consultation process to arrive at a mutually satisfactory solution with China. The United States has also today requested consultations with China on this issue.

Restrictions on raw materials give Chinese companies an unfair advantage, as downstream industries in China have access to cheaper materials than their competitors outside China. The chemical, steel and non-ferrous metal industries, as well as their downstream clients, are the main sectors concerned.

European industries have raised concerns for a number of years on export restrictions – quotas, export duties and minimum export prices – which China applies on key raw materials, such as yellow phosphorous, bauxite, coke, fluorspar, magnesium, manganese, silicon metal, silicon carbide and zinc. Some of these resources cannot be found elsewhere.

The consultations requested today focus on a first batch of measures and products. The EU concerns are not limited to these and work on others will continue, with the possibility of further action still open.

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European Enterprise Awards 2010

The European Commission Enterprise and Industry DG has raised the flag for the start of the 2010 European Enterprise Awards. These awards recognise and reward excellence in enterprise and entrepreneurship promotion especially at regional level. Key objectives are to showcase the best initiatives promoting enterprise and to raise awareness of the added value of entrepreneurship.

The European Enterprise Awards aim to raise awareness of partnership between local administrations and businesses, and highlight the role of entrepreneurial success in developing Europe's economy. Participation is open to national, regional or local authorities, or public-private partnerships, from anywhere in the EU, Iceland, Norway or Turkey. There are two stages; entrants can only be considered for the European Awards once they have completed initial selection at national level. The national competitions are being launched this week; each country is free in how it organises selection at national level. A high profile jury will choose the final winners, to be announced at a ceremony in May 2010.

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Council adopts internal energy market package

This week the Council unanimously adopted the package of legislative measures concerning the internal energy market. The texts of these legislative acts are set out in the following documents:

- [the directive concerning common rules for the internal market in electricity](#)
- [the regulation on conditions for access to the network for cross-border exchanges in electricity](#)
- [the regulation establishing an Agency for the Cooperation of Energy Regulators](#)
- [the directive concerning common rules for the internal market in natural gas](#)
- [the regulation on conditions for access to the natural gas transmission networks](#)

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COMMISSION CONSULTATION

Consultation on the adoption of International Standards on Auditing

The European Commission has launched a public consultation to determine whether International Standards on Auditing (ISAs) should be adopted in the EU. According to an independent study also published today, the benefits of adoption would outweigh the costs.

The questionnaire is available at:

http://ec.europa.eu/internal_market/consultations/2009/isa_en.htm

Responses should be sent at the latest on 15 September 2009 to European Commission, Auditing Unit-F4, SPA 2/JII - 01/112, BE-1049 Brussels, Belgium or to markt-consultation-isa@ec.europa.eu