Malta-EU Steering & Action Committee

COMPETITIVENESS AND CONSUMER AFFAIRS

14.08.09

Anti-dumping duties

COM(2009) 426 - Proposal for a Council Regulation amending Regulation (EC) No 1659/2005 imposing a definitive anti-dumping duty on imports of certain magnesia bricks originating in the People's Republic of China

This proposal concerns the application of Council Regulation (EC) No 384/96 on protection against dumped imports from countries not members of the European Community in the proceeding concerning imports of certain magnesia bricks originating in the People's Republic of China.

In 2008, the Commission received a request for a partial interim review. The request, limited in scope to the examination of dumping, was lodged by a Chinese exporting producer, Dashiqiao Sanqiang Refractory Materials Company Limited (DSRM). The rate of the definitive anti-dumping duty applicable to products manufactured by DSRM is 27.7%.
In its request for the interim review the applicant claimed that the circumstances on the basis of which the measure was imposed had changed and that these changes were of a lasting nature.

The Commission subsequently initiated a partial interim review of the anti-dumping measures applicable to imports of certain magnesia bricks originating in the People's Republic of China (PRC). The investigation was limited in scope to the examination of dumping of DSRM. The investigation confirmed that the applicant met the requisite market economy treatment ('MET') criteria. Therefore the calculation of its individual dumping margin was based on its own data. On this basis the dumping margin found was 17.2%. It was also concluded that the circumstances found during the current investigation period were of a lasting nature.

Hence the Commission is suggesting that the Council adopts the proposed Regulation in order to amend the anti-dumping duty applicable to imports of certain magnesia bricks from the applicant to 14.4%.

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This is similar to the one above but here the applicant requesting the interim review was Bayuquan Refractories Company Limited. This exporting producer is currently subject to the country-wide anti-dumping duty of 39,9%.

The investigation in this case confirmed that the applicant is eligible for an individual dumping margin calculation as there were no grounds to refuse individual treatment to the company. However, as the company was found not to meet the market economy treatment criteria, the calculation of the individual dumping margin was based on the normal value obtained from the analogue country – the United States of America.
The investigation showed that no dumping took place during the investigation period.
It was also concluded that the circumstances found during the current investigation period were of a lasting nature.

Hence the Commission is suggesting that the Council adopt the proposed Regulation in order to amend the anti-dumping duty applicable to imports of certain magnesia bricks from the applicant to 0%.

Review of national aid schemes introduced during the financial crisis

The Directorate-General for Competition has issued a review of the aid schemes introduced by Member States and approved by the Commission during the financial crisis. The review addresses the effectiveness of the schemes implemented to date and analyses issues raised by Member States in this context. Furthermore, the review consolidates the requirements common to all approved guarantee and recapitalisation schemes in order to provide additional transparency on the general standard for all such schemes. Finally, the review gives an overview per Member State of the public resources involved as a percentage of GDP.

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