

Furthermore, the Commission may hear the parties mentioned under (a) and other interested parties, provided that they make a request in writing and show that there are particular reasons why they should be heard.

5. Community interest

In accordance with Article 21 of Regulation (EC) No 384/96, and in order that an informed decision may be reached as to whether any amendment to the anti-dumping measures currently in force would be in the Community interest, the complainants, importers and their representative associations, representative users and representative consumer organizations may, within the time limit specified in this notice, make themselves known and provide the Commission with information. It should be noted that any information submitted under this Article will only be taken into account if supported by factual evidence at the time of submission.

6. Time limit

Interested parties, if their representations are to be taken into account during the investigation, must make themselves known, present their views in writing and submit information within 40 days from the date of the publi-

cation of this notice. Interested parties may also apply to be heard by the Commission within the same limit. This time limit also applies to all other interested parties and it is consequently in the interest of these parties to contact the Commission without delay at the following address:

European Commission,
Directorate-General I,
External Relations: Commercial Policy and Relations
with North America, the Far East, Australia and New
Zealand,
Directorates C and E,
(Cort 100 4/30),
Rue de la Loi/Wetstraat 200,
B-1049 Brussels;
(fax (32 2) 295 65 05; telex COMEU B 21877).

7. Non-cooperation

In cases in which any interested party refuses access to, or otherwise does not provide necessary information within the time limits, or significantly impedes the investigation, provisional or final findings, affirmative or negative, may be made in accordance with Article 18 of Regulation (EC) No 384/96, on the basis of the facts available.

Notice of initiation of an anti-dumping proceeding concerning imports of certain seamless pipes and tubes of iron or non-alloy steel originating in Russia, the Czech Republic, Romania and the Slovak Republic

(96/C 253/08)

The Commission has received a complaint pursuant to Article 5 of Council Regulation (EC) No 384/96⁽¹⁾, alleging that imports of certain seamless pipes and tubes of iron or non-alloy steel originating in Russia, the Czech Republic, Romania and the Slovak Republic are being dumped and are thereby causing material injury to the Community industry.

1. Complaint

The complaint was lodged on 19 July 1996 by the 'Defence Committee of the Seamless Steel Tube Industry of the European Union'.

2. Product

The products allegedly being dumped are

- (a) seamless pipes, of iron or non-alloy steel, of a kind used for oil or gas pipelines, of an external diameter not exceeding 406,4 mm,
- (b) seamless tubes of circular cross-section, of iron or non-alloy steel, cold-drawn or cold-rolled, other than precision tubes, and
- (c) other tubes of circular cross-section, of iron or non-alloy steel, other than threaded or threadable, of an external diameter not exceeding 406,4 mm,

⁽¹⁾ OJ No L 56, 6. 3. 1996, p. 1.

currently classifiable under the CN codes 7304 10 10, 7304 10 30, 7304 31 99, 7304 39 91 and 7304 39 93. These CN codes are only given for information and have no binding effect on the classification of the product.

3. Allegation of dumping

(a) *Czech Republic, Romania and Slovak Republic*

The allegation of dumping is based on a comparison of the constructed normal values in these countries with the export prices of the product concerned to the Community. On this basis, the dumping margins calculated are substantial for all three exporting countries.

(b) *Russia*

In view of the fact that Russia is a non-market economy country, the complainant has proposed that normal value be established on the basis of the constructed value in a market economy third country. The allegation of dumping is based on a comparison of the normal value in the Czech Republic, as set out above, with the export prices of the product concerned when sold for export to the Community. On this basis the dumping margin calculated is substantial.

4. Allegation of injury

The complainant alleges and has provided evidence that imports from Russia, the Czech Republic, Romania, and the Slovak Republic have increased significantly in absolute terms and in terms of market share.

It is further alleged that the volume and prices of the imported products have, among other consequences, had a negative impact on the quantities sold and the prices charged by the Community producers, resulting in substantial adverse effects on the performance of the Community industry.

5. Procedure for determination of dumping and injury

Having determined, after consulting the Advisory Committee, that the complaint has been lodged by or on behalf of the Community industry and that there is sufficient evidence to justify the initiation of a proceeding, the Commission has commenced an investigation pursuant to Article 5 of Regulation (EC) No 384/96.

(a) *Questionnaires*

In order to obtain the information it deems necessary for its investigation, the Commission will send ques-

tionnaires to the complainants, exporters and importers named in the complaint. At the same time a copy of the questionnaire will be sent to any known representative association of exporters or importers.

Exporters and importers are invited to contact the Commission forthwith in order to find out whether or not they are listed in the complaint. The authorities of the exporting countries will be notified of the exporters named in the complaint. The exporters and importers which are not named in the complaint, because they were not known, should request a copy of the questionnaire as soon as possible and not later than 15 days from the date of publication of this notice, as they are also subject to the general time limit set out in paragraph 7 below. Any request for questionnaires must be made in writing to the address mentioned below and should indicate the name, address, telephone, fax and/or telex numbers of the interested party.

(b) *Collection of information and holding of hearings*

All interested parties, provided that they can show that they are likely to be affected by the results of the investigation, are hereby invited to make their views known in writing and to provide supporting evidence.

Furthermore, the Commission may hear the parties mentioned under (a) and other interested parties, provided that they make a request in writing and show that there are particular reasons why they should be heard.

(c) *Selection of the market economy third country*

Based on the complaint, the Czech Republic is considered as an appropriate market economy third country for the purpose of establishing normal value for Russia, in accordance with Article 2 (7) of Council Regulation (EC) No 384/96. The complainant has based its proposal on the following arguments:

- the producers in the Czech Republic and Russia use the same production process for the manufacture of the product concerned,
- Czech producers like the vast majority of the Russian producers belong to steel groups with fully integrated steel plants and have, therefore, similar advantages for the supply of raw material,
- the Czech and the Russian producers cover the full size range of the product concerned,

- the Czech and the Russian producers have a much closer scale of production than other producers,

- the volumes of exports to the Community of the Czech Republic and Russia are quite similar.

In this context, the complainant has also argued that the Czech Republic is a much more appropriate market economy third country than Romania and the Slovak Republic since most producers in Romania are not integrated and producers in the Slovak Republic are too small and do not cover the full size range of the product concerned.

Parties to the investigation are hereby invited to comment on the appropriateness of the choice of the Czech Republic as market economy third country for the determination of the normal value for Russia within the specific time limit set out in paragraph 7 below. Any proposal for an alternative market economy third country should be duly justified and accompanied by a list giving the full name and address in including fax and telephone numbers of the producers of the product concerned in such country.

6. Community interest

In accordance with Article 21 of Regulation (EC) No 384/96, and in order that an informed decision may be reached as to whether, in the event that the allegations of dumping and injury are substantiated, the adoption of anti-dumping measures would be in the Community interest, the complainants, importers and their representative associations, representative users and representative consumer organisations may, within the general time limit specified in this notice, make themselves known and provide the Commission with information. It should be noted that any information submitted pursuant to this Article will only be taken into account if supported by factual evidence at the time of submission.

7. Time limits

(a) *General time limit*

All interested parties, if their representations are to be taken into account during the investigation, must make themselves known, present their views in writing and submit information, unless otherwise specified, within 40 days from the date of the publication of this notice. Interested parties may also apply to be heard by the Commission within the same time limit. This time limit also applies to all other interested parties, including the parties not named in the complaint, and it is consequently in the interest of these parties to contact the Commission without delay.

(b) *Specific time limit for the selection of the market economy third country*

Any comments and all information with respect to the selection of the market economy third country should be submitted to the Commission within 10 days from the publication of this notice in accordance with Article 2 (7) of Regulation (EC) No 384/96.

(c) *Commission address for correspondence:*

European Commission,
Directorate-General I,
External Relations: Commercial Policy and Relations
with North America, the Far East, Australia and
New Zealand,
Directorates C and E,
(Cort. 100 4/30)
Rue de la Loi/Wetstraat 200,
B-1049 Brussels;
fax (32 2) 295 65 05;
telex COMEU B 21877.

8. Non-cooperation

In cases in which any interested party refuses access to, or otherwise does not provide necessary information within the time limits, or significantly impedes the investigation, provisional or final findings, affirmative or negative, may be made in accordance with Article 18 of Regulation (EC) No 384/96, on the basis of the facts available.