Commission Implementing Regulation (EU) 2020/1165 of 6 August 2020 amending Implementing Regulation (EU) 2020/353 imposing a definitive anti-dumping duty and definitively collecting the provisional duty imposed on imports of steel road wheels originating in the People's Republic of China

COMMISSION IMPLEMENTING REGULATION (EU) 2020/1165

of 6 August 2020

amending Implementing Regulation (EU) 2020/353 imposing a definitive anti-dumping duty and definitively collecting the provisional duty imposed on imports of steel road wheels originating in the People's Republic of China

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union[(1)], and in particular Article 9(4) thereof,

Whereas:

(1) By Commission Implementing Regulation (EU) 2020/353[(2)], definitive anti-dumping duties were imposed and provisional duties were definitively collected on imports of steel road wheels originating in the People's Republic of China.

(2) Article 4 of Implementing Regulation (EU) 2020/353 mentions: 'Where a declaration for release for free circulation is presented in respect of the products referred to in Article 1, the number of pieces of the products imported shall be entered in the relevant field of that declaration'. The Commission services received comments from Member States and traders concerning the origin of the products imported.

(3) It should be clarified that the number of pieces should be declared for imports of steel road wheels, irrespective their origin, and that Member States should inform the Commission of the number of pieces imported.

(4) In this respect, the Commission has decided to amend Article 4 of Implementing Regulation (EU) 2020/353.

(5) The term 'pieces' is replaced by 'items' for consistency with the supplementary unit 'number of items', defined in the Combined Nomenclature[(3)].

(6) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 15(1) of Regulation (EU) 2016/1036,

HAS ADOPTED THIS REGULATION:

Article 1

Recital (88) of Implementing Regulation (EU) 2020/353 is replaced by the following:

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2020/1165. (See end of Document for details)*

(88) Statistics of SRW are frequently expressed in number of items. However, there is no such supplementary unit for SRW specified in the Combined Nomenclature laid down in Annex I to Council Regulation (EEC) No 2658/87 ([11]). It is therefore necessary to provide that not only the weight in kg or tonnes but also the number of items for the imports of the product concerned must be entered in the declaration for release for free circulation. Items should be indicated for TARIC codes 8708 70 10 80, 8708 70 10 85, 8708 70 99 20, 8708 70 99 80, 8716 90 90 95 and 8716 90 90 97.

Article 2

Article 1(3) of Implementing Regulation (EU) 2020/353 is replaced by the following:

3. The application of the individual duty rates specified for the companies mentioned in paragraph 2 shall be conditional upon presentation to the Member States' customs authorities of a valid commercial invoice, on which shall appear a declaration dated and signed by an official of the entity issuing such invoice, identified by name and function, drafted as follows: 'I, the undersigned, certify that the (number of items) (product concerned) sold for export to the European Union covered by this invoice was manufactured by (company name and address) (TARIC additional code) in [country concerned]. I declare that the information provided in this invoice is complete and correct.' If no such invoice is presented, the duty applicable to all other companies shall apply.

Article 3

Article 4 of Commission Implementing Regulation (EU) 2020/353 is replaced by the following:

Article 4

Where a declaration for release for free circulation is presented in respect of the products referred to in Article 1(1), irrespective of their origin, the number of items of the products imported shall be entered in the relevant field of that declaration.

Member States shall, on a monthly basis, inform the Commission of the number of items imported under TARIC codes 8708 70 10 80, 8708 70 10 85, 8708 70 99 20, 8708 70 99 80, 8716 90 90 95 and 8716 90 90 97, and of their origin.

Article 4

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

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

Done at Brussels, 6 August 2020.

For the Commission

The President

Ursula VON DER LEYEN