Commission Implementing Regulation (EU) 2020/45 of 20 January 2020 amending Implementing Regulation (EU) 2019/1379 as regards the extension of the anti-dumping duty imposed on imports of bicycles originating in the People's Republic of China to imports of certain bicycle parts originating in the People's Republic of China by Council Regulation (EC) No 71/97

COMMISSION IMPLEMENTING REGULATION (EU) 2020/45

of 20 January 2020

amending Implementing Regulation (EU) 2019/1379 as regards the extension of the anti-dumping duty imposed on imports of bicycles originating in the People's Republic of China to imports of certain bicycle parts originating in the People's Republic of China by Council Regulation (EC) No 71/97

THE EUROPEAN COMMISSION,

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

Having regard to Council 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)] ('the basic Regulation'), and in particular Article 11(2) thereof,

Whereas:

(1) By Regulation (EEC) No 2474/93[(2)], the Council imposed a definitive anti-dumping duty on imports of bicycles originating in the People's Republic of China.

(2) Council Regulation (EC) No 71/97[(3)] extended the measures to imports of certain bicycle parts originating in the People's Republic of China, following an anti-circumvention investigation. Extensions of measures following an anti-circumvention investigation remain in force as long as the original measures remain in force.

(3) Commission Implementing Regulation (EU) 2019/1379[(4)] prolonged the measures on imports of bicycles originating in the People's Republic of China for another five years following an expiry review pursuant to Article 11(2) of Regulation (EU) 2016/1036. Since it did not explicitly mention the extension to certain bicycle parts, it should be clarified that the extension of measures is maintained also to imports of those bicycle parts originating in the People's Republic of China.

(4) Implementing Regulation (EU) 2019/1379 should be amended as well to clarify that the product under review falls under the CN codes indicated in that Regulation only at the moment it was published, and that changes in the CN have no impact on the measures.

(5) Therefore, Implementing Regulation (EU) 2019/1379 should be amended accordingly.

(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:

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2020/45. (See end of Document for details)*

Article 1

Implementing Regulation (EU) 2019/1379 is amended as follows:

(1) Recital (37) is replaced by the following:

(37) The product subject to this review is bicycles and other cycles (including delivery tricycles, but excluding unicycles), not motorised, currently falling under CN codes 8712 00 30 and ex 8712 00 70 (TARIC codes 8712007091, 8712007092 and 8712007099) ('the product under review' or 'bicycles')

(2) In Article 1, paragraph 1 is replaced by the following:

1. A definitive anti-dumping duty is hereby imposed on imports of bicycles and other cycles (including delivery tricycles, but excluding unicycles), not motorised, currently falling under CN codes 8712 00 30 and ex 8712 00 70 (TARIC codes 8712007091, 8712007092 and 8712007099), originating in the People's Republic of China.

(3) In Article 1, the following paragraph [4a] is inserted:

4a. The extension of the antidumping duty imposed on imports of bicycles originating in the People's Republic of China to imports of certain bicycle parts originating in the People's Republic of China by the Council Regulation (EC) No 71/97, is hereby maintained.

The definitive anti-dumping duty referred to in Article 2(1) of the Council Regulation (EC) No 71/97 shall be the 'all other companies'anti-dumping duty imposed by Article 1(2) herein.

Article 2

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, 20 January 2020.

For the Commission

The President

Ursula VON DER LEYEN