Council Regulation (EC) No 1909/2006 of 18 December 2006 amending the Annex to Regulation (EC) No 2042/2000 imposing a definitive anti-dumping duty on imports of television camera systems originating in Japan

COUNCIL REGULATION (EC) No 1909/2006

of 18 December 2006

amending the Annex to Regulation (EC) No 2042/2000 imposing a definitive anti-dumping duty on imports of television camera systems originating in Japan

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community[(1)], (the basic Regulation),

Having regard to the proposal submitted by the Commission after consulting the Advisory Committee,

Whereas:

A. PREVIOUS PROCEDURES

(1) The Council, by Regulation (EC) No 1015/94[(2)], imposed a definitive anti-dumping duty on imports of television camera systems (TCS) originating in Japan.

(2) In September 2000, the Council, by Regulation (EC) No 2042/2000[(3)] confirmed the definitive anti-dumping duties imposed by Regulation (EC) No 1015/94 (as subsequently amended) pursuant to Article 11(2) of the basic Regulation.

(3) In Article 1(3)(e) of Regulation (EC) No 2042/2000, the Council specifically excluded from the scope of the anti-dumping duty camera systems listed in the Annex to that Regulation (the Annex), representing high-end professional camera systems technically falling within the product definition under Article 1(2) of that Regulation, but which cannot be regarded as television camera systems.

(4) The Commission, by notice of 29 September 2005[(4)], initiated a review, pursuant to Article 11(2) of the basic Regulation, of Regulation (EC) No 2042/2000 which imposed the existing anti-dumping measures on imports of TCS originating in Japan.

(5) The Commission, by notice of 18 May 2006, initiated an anti-dumping proceeding concerning imports of certain camera systems originating in Japan pursuant to Article 5 of the basic Regulation. Given that the product scope of this proceeding includes the products subject to measures by Regulation (EC) No 2042/2000, the Commission also initiated by the notice of 18 May 2006, a review, under Article 11(3) of the basic Regulation, of the existing measures.

Changes to legislation: *There are currently no known outstanding effects for the Council Regulation (EC) No 1909/2006. (See end of Document for details)*

B. INVESTIGATION CONCERNING NEW MODELS OF PROFESSIONAL CAMERA SYSTEMS

1. Procedure

(6) One Japanese exporting producer, Hitachi Denshi (Europa) GmbH (Hitachi) informed the Commission that it intended to introduce a new model of professional camera systems into the Community market and requested the Commission to add this new model of professional camera systems to the Annex of Regulation (EC) No 2042/2000 and thus exempt it from the scope of the anti-dumping duties.

(7) The Commission informed the Community industry accordingly and commenced an investigation limited to the determination of whether the product under consideration falls within the scope of the anti-dumping duties and whether the operative part of Regulation (EC) No 2042/2000 should be amended accordingly.

2. Model under investigation

(8) The request for exemption was received for the following model of camera systems, supplied with the relevant technical information:

Hitachi:

— Camera head V-35W.

This model was presented as a successor model of the already exempted V-35 camera head.

3. Findings

(9) Camera head V-35W falls within the product description of Article 1(2)(a) of Regulation (EC) No 2042/2000. However, as with its predecessor model, it is mainly used for professional applications and it is not sold with the corresponding triax system or adaptor on the EC market.

(10) Therefore, it was found that it qualifies as a professional camera system within the meaning of Article 1(3)(e) of Regulation (EC) No 2042/2000. As a result, it should be excluded from the scope of the existing anti-dumping measures and added to the Annex of Regulation (EC) No 2042/2000.

(11) In accordance with the established Community institutions' practice, the new model should be exempted from the anti-dumping duty from the date of receipt by the Commission services of the relevant request for exemption. Therefore, all imports of the following camera model imported on or after 11 April 2006 should be exempted from the anti-dumping duty from that date:

Hitachi:

— Camera head V-35W.

4. Information of the interested parties and conclusions

***Changes to legislation:** There are currently no known outstanding effects for the Council Regulation (EC) No 1909/2006. (See end of Document for details)*

(12) The Commission informed the Community industry and the exporting producer of TCS concerned of its findings and provided them with an opportunity to present their views. None of the parties objected to the Commission's findings.

(13) In view of the above, it is proposed to amend the Annex of Regulation (EC) No 2042/2000 accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 2042/2000 shall be replaced by the Annex hereto.

Article 2

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

2 This Regulation shall apply to imports of the following model produced and exported to the Community by the following exporting producer:

Hitachi from 11 April 2006
— Camera head V-35W.

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

Done at Brussels, 18 December 2006.

For the Council

The President

J.-E. ENESTAM