COMMISSION REGULATION (EC) No 2034/2003

of 19 November 2003

initiating a 'new exporter' review of Council Regulation (EC) No 2605/2000 imposing definitive anti-dumping duties on imports of certain electronic weighing scales (REWS) originating, *inter alia*, in Taiwan, repealing the duty with regard to imports from one exporter in this country and making these imports subject to registration

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 [1] of 22 December 1995 on protection against dumped imports from countries not members of the European Community (the basic Regulation), and in particular Article 11(4),

After consulting the Advisory Committee,

Whereas:

A. REQUEST FOR A REVIEW

(1) The Commission has received an application for a 'new exporter' review pursuant to Article 11(4) of the basic Regulation. The application was lodged by Charder Electronic Co., Ltd. (the applicant), an exporting producer in Taiwan (the country concerned).

B. PRODUCT

(2) The product under review is electronic weighing scales having a maximum weighing capacity not exceeding 30 kg, for use in the retail trade which incorporate a digital display of the weight, unit price and price to be paid (whether or not including a means of printing this data) originating in Taiwan (the product concerned), normally declared within CN code ex 8423 81 50 (TARIC code 8423 81 50 10). This CN code is given only for information.

C. EXISTING MEASURES

(3) The measures currently in force are definitive anti-dumping duties imposed by Council Regulation (EC) No 2605/2000 [2] under which imports into the Community of the product concerned originating in Taiwan, and produced by the applicant, are subject to definitive anti-dumping duties of 13,4 % with the exception of several companies expressly mentioned which are subject to individual duty rates.

D. GROUNDS FOR THE REVIEW

(4) The applicant alleges that it did not export the product concerned to the Community during the period of investigation on which the anti-dumping measures were based, i.e. the period from 1 September 1998 to 31 August 1999 (the original investigation period), and that it is not related to any of the exporting producers of the product concerned which are subject to the abovementioned anti-dumping measures.

(5) The applicant further alleges that it has begun exporting the product concerned to the Community after the end of the original investigation period.

E. PROCEDURE

(6) Community producers known to be concerned have been informed of the above application and have been given an opportunity to comment. No comments have been received.

(7) Having examined the evidence available, the Commission concludes that there is sufficient evidence to justify the initiation of a 'new exporter' review, pursuant to Article 11(4) of the basic Regulation, with a view to determine the applicant's individual margin of dumping and, should dumping be found, the level of the duty to which its imports of the product concerned into the Community should be subject.

(a) *Questionnaires*

(8) In order to obtain the information it deems necessary for its investigation, the Commission will send a questionnaire to the applicant.

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

(9) All interested parties are hereby invited to make their views known in writing and to provide supporting evidence.

(10) Furthermore, the Commission may hear interested parties, provided that they make a request in writing showing that there are particular reasons why they should be heard.

[1] OJ L 56, 6.3.1996, p. 1, as last amended by Regulation (EC) No 1972/2002 (OJ L 305, 7.11.2002, p. 1).
[2] OJ L 301, 30.11.2000, p. 42.