COMMISSION REGULATION (EC) No 1347/2003

of 29 July 2003

initiating an investigation concerning the alleged circumvention of anti-dumping measures imposed by Council Regulation (EC) No 1796/1999 on imports of steel ropes and cables originating in the Ukraine by imports of steel ropes and cables consigned from Moldova, whether declared as originating in Moldova or not, and making such 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 of 22 December 1995 on protection against dumped imports from countries not members of the European Community [1] (the 'basic Regulation'), as last amended by Council Regulation (EC) No 1972/2002 [2], and in particular Article 13(3) and Article 14(3) and (5) thereof,

After having consulted the Advisory Committee,

Whereas:

A. **REQUEST**

(1) The Commission has received a request pursuant to Article 13(3) of the basic Regulation to investigate the alleged circumvention of the anti-dumping measures imposed on imports of steel ropes and cables originating in the Ukraine.

(2) The request was lodged on 16 June 2003 by the Liaison Committee of European Union Wire Rope Industries (EWRIS) on behalf of producers representing a major proportion, i.e. more than 50 %, of the Community production of steel ropes and cables.

B. **PRODUCT**

(3) The product concerned by the allegation of circumvention is steel ropes and cables originating in the Ukraine (the product concerned) normally declared under CN codes ex 7312 10 82, ex 7312 10 84, ex 7312 10 86, ex 7312 10 88 and ex 7312 10 99.

(4) The product under investigation is steel ropes and cables consigned from Moldova (the product under investigation), normally declared under the same codes as the product concerned.

(5) The CN codes are given for information only.

C. **EXISTING MEASURES**

(6) The measures currently in force and allegedly being circumvented are anti-dumping measures imposed by Council Regulation (EC) No 1796/1999 [3].

D. **GROUNDS**

(7) The request contains sufficient prima facie evidence that the anti-dumping measures in force on imports of steel ropes and cables originating in the Ukraine are being circumvented by means of transhipment via Moldova of steel ropes and cables.

(8) The evidence submitted is as follows.

The request shows that a significant change in the pattern of trade involving exports from the Ukraine and Moldova to the Community has taken place following the imposition of measures on the product concerned, and that there is insufficient due cause or justification other than the imposition of the duty for such a change. This change in the pattern of trade appears to stem from the transhipment via Moldova of steel ropes and cables originating in the Ukraine.

(9) Furthermore, the request contains sufficient evidence that the remedial effects of the existing anti-dumping measures on the product concerned are being undermined both in terms of quantity and price. Significant volumes of imports of steel ropes and cables from Moldova appear to have replaced imports of the product concerned. In addition, there is sufficient evidence that this increase in imports is made at prices well below the non-injurious price established in the investigation that led to the existing measures.

(10) Finally, the request contains sufficient evidence that the prices of steel ropes and cables are dumped in relation to the normal value previously established for the product concerned.

[1] OJ L 56, 6.3.1996, p. 1.
[2] OJ L 305, 7.11.2002, p. 1.
[3] OJ L 217, 17.8.1999, p. 1.