COMMISSION REGULATION (EC) No 2385/2002

of 30 December 2002

continuing and amending prior Community surveillance of imports of certain iron and steel products originating in certain third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3285/94 [1] of 22 December 1994 on common rules for imports and repealing Regulation (EC) No 518/94, as last amended by Regulation (EC) No 2474/2000 [2], and in particular Article 11 thereof,

Having regard to Council Regulation (EC) No 519/94 [3] of 7 March 1994 on common rules for imports from certain third countries and repealing Regulations (EEC) No 1765/82, (EEC) No 1766/82 and (EEC) No 3420/83, as last amended by Regulation (EC) No 1138/98 [4], and in particular Article 9 thereof,

After consultations with the Advisory Committees,

Whereas:

(1) By Regulation (EC) No 76/2002 [5] of 17 January 2002, the Commission introduced prior Community surveillance of imports of certain iron and steel products originating in third countries. That Regulation was amended by Commission Regulation (EC) No 1337/2002 [6] of 24 July 2002 so as to extend the scope of the surveillance.

(2) On 6 March 2002, certain Member States informed the Commission that trends in imports of certain steel products appeared to call for safeguard measures; submitted information containing the evidence available as determined on the basis of Article 10 of Regulation (EC) No 3285/94 and Article 8 of Regulation (EC) No 519/94; and requested the Commission to impose provisional safeguard measures and to open a safeguard investigation.

(3) On 20 March 2002, the United States of America imposed definitive safeguard measures against a broad range of imported steel products in the form of tariff quotas and additional duties ranging from 8 % to 30 % *ad valorem*.

(4) On 28 March 2002, the Commission initiated an investigation relating to serious injury or threat thereof to the Community producers of products like or directly competing with 21 imported steel products.

(5) On the same day, on the basis of information gathered and verified prior to the initiation, provisional measures were imposed on 15 of the steel products covered by the investigation.

(6) By Regulation (EC) No 1694/2002 of 27 September 2002 [7], the Commission, having established that increased imports of the seven products specified in Annex 1(a) were causing serious injury to the Community producers, imposed definitive safeguard measures against those products in the form of additional duties payable on imports in excess of the relevant tariff quotas. Utilisation of these tariff quotas can be monitored on a daily basis.

(7) By Regulation (EC) No 1695/2002 of 27 September 2002 [8], the Commission, having established that increased imports of the 14 products specified in Annex 1(b) were threatening to cause injury to the Community producers, and that it was in the interests of the Community to do so, imposed a system of retrospective surveillance in relation to those 14 products.

(8) The aforementioned systems of monitoring of the safeguard tariff quotas and retrospective surveillance provide information as to the origin of only some of the imports entering the Community market, and do not provide information as to the prices of those imports. Nor do they provide information as to the structure of future trade flows.

(9) The Community's external trade statistics are not available within the periods established by Commission Regulation (EC) No 1917/2000 [9], as amended by Regulation (EC) No 1669/2001 [10].

[1] OJ L 319, 31.12.1994, p. 53.
[2] OJ L 286, 11.11.2000, p. 1.
[3] OJ L 67, 10.3.1994, p. 89.
[4] OJ L 159, 3.6.1998, p. 1.
[5] OJ L 16, 18.1.2002, p. 3.
[6] OJ L 195, 24.7.2002, p. 25.
[7] OJ L 261, 28.9.2002, p. 1.
[8] OJ L 261, 28.9.2002, p. 124.
[9] OJ L 229, 9.9.2000, p. 14.
[10] OJ L 224, 21.8.2001, p. 3.