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►**B** **COMMISSION REGULATION (EC) No 1337/2002**

of ►C2 23 July 2002 ◄

amending Regulation (EC) No 76/2002 introducing prior Community surveillance of imports of certain iron and steel products covered by the ECSC and EC Treaties originating in certain third countries

(OJ L 195, 24.7.2002, p. 25)

Corrected by:

►**C1** Corrigendum, OJ L 276, 12.10.2002, p. 68 (1337/2002)

►**C2** Corrigendum, OJ L 279, 17.10.2002, p. 55 (1337/2002)

►**C3** Corrigendum, OJ L 297, 31.10.2002, p. 7 (1337/2002)

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COMMISSION REGULATION (EC) No 1337/2002

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amending Regulation (EC) No 76/2002 introducing prior Community surveillance of imports of certain iron and steel products covered by the ECSC and EC Treaties 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 of 22 December 1994 on common rules for imports and repealing Regulation (EC) No 518/94 [1], 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 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 [3], as last amended by Regulation (EC) No 1138/98 [4], and in particular Article 9(1) thereof,

Consultations having taken place within the committees set up under the Regulations referred to above,

Whereas:

(1) On 20 March 2002, the United States of America introduced a 'Section 201' safeguard in the shape of tariff quotas and additional duties ranging from 8 % to 30 % *ad valorem* on various categories of steel products. These severe American restrictions threaten to deflect a large amount of such products away from the United States of America and onto the Community market and thus to harm Community producers.

(2) Commission Regulation (EC) No 560/2002 [5], as last amended by Regulation (EC) No 1287/2002 [6], imposed provisional safeguard measures against imports of fifteen categories of steel products, after the Commission had noted a considerable increase in these imports over the period 1998 to 2001 and had made a preliminary determination that there was clear evidence that this increase in imports, at low prices, threatened to damage Community producers. The Commission also concluded that the increased imports were being caused by trade deflection resulting from the increasingly protectionist stance of the United States of America. Furthermore, the Commission is currently conducting a 'safeguard' inquiry into the products covered by these provisional measures and six other categories of products.

(3) External trade statistics for the Community are not available within the time limits laid down by Commission Regulation (EC) No 1917/2000 of 7 September 2000 laying down certain provisions for the implementation of Council Regulation (EC) No 1172/95 as regards statistics on external trade [7], as amended by Regulation (EC) No 1669/2001 [8].

(4) Commission Regulation (EC) No 76/2002 [9] introduced prior Community surveillance of imports of certain iron and steel products covered by the ECSC and EC Treaties. The products covered by the Regulation do not correspond exactly to those covered by the United States of America safeguard measures.

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(1) OJ L 349, 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 85, 28.3.2002, p. 1.
(6) OJ L 187, 16.7.2002, p. 25.
(7) OJ L 229, 9.9.2000, p. 14.
(8) OJ L 244, 21.8.2001, p. 3.
(9) OJ L 16, 18.1.2002, p. 3.

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Furthermore, the Regulation does not apply to imports originating in countries belonging to the European Free Trade Association (EFTA), in countries party to the Agreement on the European Economic Area (EEA) or in Turkey. It is apparent that there is a need for statistics to enable rapid analysis of import trends for all iron and steel products liable to be deflected onto the Community market in the wake of the United States of America measures referred to above, irrespective of their geographic origin.

(5) The scope of prior surveillance must therefore be extended in terms of both the products covered and geographic origin.

(6) Regulation (EC) No 76/2002 must be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 76/2002 is amended as follows:

1. Article 1(1) is replaced by the following:

   '1. The release for free circulation in the Community of iron and steel products covered by the ECSC and the EC Treaties listed in Annex 1 shall be subject to prior Community surveillance in accordance with Articles 11 and 12 of Regulation (EC) No 3285/94 and Articles 9 and 10 of Regulation (EC) No 519/94. This applies to imports originating in all non-member countries. However, products which are subject to a double-checking agreement established between a non-member country and the Community shall be subject to the conditions established by that agreement and not to this Regulation.'

2. The Annex is replaced by the Annex to this Regulation.

Article 2

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

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

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ANNEX

'ANNEX

List of products subject to prior surveillance

7207 11 14
7208 10 00
7208 25 00
7208 26 00
7208 27 00
7208 36 00
7208 37 10
7208 37 90
7208 38 10
7208 38 90
7208 39 10
7208 39 90
7208 40 10
7208 40 90
7208 51 10
7208 51 30
7208 51 50
7208 51 91
7208 51 99
7208 52 10
7208 52 91
7208 52 99
7208 53 10
7208 53 90
7208 54 10
7208 54 90
7208 90 10
7208 90 90 (*)
7209 15 00
7209 16 10
7209 16 90
7209 17 10
7209 17 90
7209 18 10
7209 18 91
7209 18 99
7209 25 00
7209 26 10
7209 26 90
7209 27 10
7209 27 90
7209 28 10
7209 28 90
7209 90 10
7209 90 90

(*) Products regulated by the EC Treaty.

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7210 11 10
7210 11 90 (*)
7210 12 11
7210 12 19
7210 12 90 (*)
7210 20 10
7210 20 90 (*)
7210 30 10
7210 30 90 (*)
7210 41 10
7210 41 90 (*)
7210 49 10
7210 49 90 (*)
7210 50 10
7210 50 90 (*)
7210 61 10
7210 61 90 (*)
7210 69 10
7210 69 90 (*)
7210 70 31
7210 70 39
7210 70 90 (*)
7210 90 31
7210 90 33
7210 90 38
7210 90 90 (*)
7211 13 00
7211 14 10
7211 14 90
7211 19 20
7211 19 90
7211 23 10
7211 23 51
7211 23 91 (*)
7211 23 99 (*)
7211 29 20
7211 29 50 (*)
7211 29 90 (*)
7211 90 11
7211 90 19 (*)
7211 90 90 (*)
7212 10 10
7212 10 91
7212 10 93 (*)
7212 10 99 (*)
7212 20 11
7212 20 19 (*)
7212 20 90 (*)
7212 30 11
7212 30 19 (*)

(*) Products regulated by the EC Treaty.