Commission Implementing Decision (EU) 2020/290 of 28 February 2020 terminating the partial interim review of the countervailing duty applicable to imports of tubes and pipes of ductile cast iron originating in India without amending the measures in force

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2016/1037 of the European Parliament and of the Council of 8 June 2016 on protection against subsidised imports from countries not members of the European Union[(1)], and in particular Article 14(1) thereof,

After informing the Member States,

Whereas:

1. PROCEDURE

1.1. Measures in force

(1) By Implementing Regulation (EU) 2016/387[(2)] ('the original Regulation'), the European Commission ('the Commission') imposed a definitive countervailing duty on imports of tubes and pipes of ductile cast iron (also known as spheroidal graphite cast iron) ('DCIT'), originating in India ('the product under review').

(2) The product under review is also subject to a definitive anti-dumping duty imposed by Commission Implementing Regulation (EU) 2016/388[(3)] on imports of tubes and pipes of ductile cast iron (also known as spheroidal graphite cast iron) originating in India, as amended by Implementing Regulation (EU) 2016/1369[(4)].

1.2. Request for a review

(3) On 24 July 2018 the Commission received a request for a partial interim review of the countervailing duty in force pursuant to Article 19 of Regulation (EU) 2016/1037 ('the basic Regulation') lodged by the exporting producer Electrosteel Castings Limited ('ECL').

(4) In the original investigation, the Commission found a countervailing duty of 9,0 % for ECL.

1.3. Initiation of a partial interim review

(5) The Commission decided to initiate a partial interim review in accordance with Article 19 of the basic Regulation, limited in scope to the examination of subsidisation for ECL and its related companies in India. On 4 December 2018, the Commission published a notice of initiation in the *Official Journal of the European Union* ('the notice of initiation')[5].

(6) The review investigation period was 1 April 2017 – 31 March 2018.

1.4. **Interested parties**

(7) In the notice of initiation, the Commission invited interested parties to make their views known. In addition, the Commission specifically informed the authorities of the country concerned about the review and invited them to participate.

(8) Interested parties were given the opportunity to make their views known in writing and to request a hearing with the Commission and/or the Hearing Officer in trade proceedings.

(9) The Commission held two hearings with ECL representatives on 26 April 2019 and on 8 November 2019. Moreover, the Commission held two joint hearings at the request of Hydro-Mat (Belgium) and Vodoskok (Croatia), and Rekalde (Spain), Aquatubo (Spain), Duna Armatura (Romania), G.M. Tecnorappresentanze (Italy), Termocentro (Italy) and WAPPTech Environmental Technology (Hungary).

2. **WITHDRAWAL OF THE REQUEST**

(10) By e-mail dated 27 September 2019, ECL informed the Commission of the withdrawal of its request for an interim review.

(11) Pursuant to Article 14(1) of the basic Regulation, proceedings may be terminated where the request is withdrawn, unless such termination would not be in the Union interest.

(12) The investigation had not brought to light any considerations showing that a termination of the proceeding would not be in the Union interest.

3. **CONCLUSION**

(13) The Commission considered that the partial interim review proceeding should be terminated without a formal determination concerning any significant lasting changes and ECL's subsidisation practice.

(14) The Commission concluded that the partial interim review limited in scope to the examination of subsidisation as far as ECL is concerned should be terminated without amending the measures in force.

4. **DISCLOSURE**

(15) All interested parties were informed of the essential facts and considerations leading to the above conclusions and were granted a period to submit comments