II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 18 February 1983

accepting undertakings given in connection with the anti-dumping proceeding concerning imports of fibre building board (hardboard) originating in Romania

(83/76/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3017/79 of 20 December 1979 on protection against dumped or subsidized imports from countries not members of the European Economic Community (1), as amended by Regulation (EEC) No 1580/82 (2), and in particular Article 10 thereof,

After consultation within the Advisory Committee as provided for under the above Regulation,

Whereas the Commission, by Regulation (EEC) No 1633/82 (3), imposed a provisional anti-dumping duty on hardboard originating in Romania ;

Whereas, following the imposition of the provisional anti-dumping duty, the sole exporter of hardboard from Romania requested, and was granted, an opportunity to be heard orally by the Commission ; whereas following that hearing the provisional anti-dumping duty was extended for a maximum period of two months, in order to allow the exporter to submit evidence in support of its claim for an allowance for a difference in physical characteristics between the hardboard exported from Romania and the product used for the establishment of normal value ; whereas no such evidence has been produced ;

Whereas the Commission therefore considers its findings on dumping as set out in Regulation (EEC) No 1633/82 to be definitive ;

Whereas no fresh evidence regarding the injury to Community industry has been submitted to the Commission since the imposition of the provisional duty ;

Whereas, however, the sole Romanian exporter (Exportlemn) has offered undertakings concerning its exports of hardboard to the Community ; whereas the effect of the said undertaking will be to increase import prices to the level necessary to eliminate the dumping ;

Whereas the Commission has, therefore, determined that it is not now necessary to take protective action in respect of imports of hardboard originating in Romania ;

Whereas, in these circumstances, the undertakings offered are considered acceptable and the proceeding may, therefore, be terminated without imposition of a definitive anti-dumping duty ;

Whereas no objection of this course was raised in the Advisory Committee,

HAS DECIDED AS FOLLOWS :

Article 1

The Commission hereby accepts the undertakings given by Exportlemn in connection with the anti-dumping proceeding concerning fibre building board (hardboard) falling within heading No ex 44.11 of the Common Customs Tariff and corresponding to NIMEXE codes 44.11-10 and 20, originating in Romania.

(1) OJ No L 339, 31. 12. 1979, p. 1.
(2) OJ No L 178, 22. 6. 1982, p. 9.
(3) OJ No L 181, 25. 6. 1982, p. 19.

Article 2

The anti-dumping proceeding concerning imports of fibre building board originating in Romania is hereby terminated.

Done at Brussels, 18 February 1983.

For the Commission

Wilhelm HAFERKAMP

Vice-President