II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 27 June 2000

accepting undertakings in connection with the anti-dumping proceeding concerning imports of flat pallets of wood originating in the Republic of Poland

(notified under document number C(2000) 1668)

(2000/437/EC)

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], as last amended by Regulation (EC) No 905/98 [2], and in particular Article 8(1) thereof,

Having regard to Commission Regulation (EC) No 1023/97 of 6 June 1997 imposing a provisional anti-dumping duty on certain imports of flat pallets of wood originating in Poland and accepting undertakings offered from certain exporters in connection with those imports [3], as amended by Regulations (EC) No 1632/97 [4] and (EC) No 1633/97 [5], and in particular Article 2 thereof,

After consulting the Advisory Committee,

Whereas:

A. PREVIOUS PROCEDURE

(1) The Commission, by Regulation (EC) No 1023/97 (hereinafter referred to as 'the provisional Regulation'), imposed provisional anti-dumping duties on certain imports of flat pallets of wood falling within CN code ex 4415 20 20 originating in the Republic of Poland and accepted undertakings offered from certain exporting producers. These undertakings concerned only one pallet type, i. e. the EUR pallet.

(2) Since sampling was used in the investigation, requests for reviews under Article 11(4) of Regulation (EC) No 384/96 could not be accepted. However, in order to ensure equal treatment between new exporters and the cooperating companies not included in the sample during the original investigation, the provisional Regulation was amended. Article 2 of Regulation (EC) No 1632/97 stipulated that new Polish exporting producers could have undertakings accepted with regard to exports of EUR pallets, provided they satisfied the criteria set out therein.

(3) By Regulation (EC) No 2334/97 [6], as last amended by Regulation (EC) No 2048/1999 [7], the Council imposed a definitive anti-dumping duty on certain imports of flat pallets of wood originating in the Republic of Poland.

B. NEW EXPORTERS' REQUEST

(4) Following the adoption of Regulation (EC) No 2334/97, six further new Polish exporting producers have requested that Article 2 of Regulation (EC) No 1023/97 be applied to them and they offered undertakings with regard to the EUR pallets. They have also provided sufficient evidence pursuant to Article 2 of Regulation (EC) No 1023/97 showing that they are genuine new exporting producers. In application of Article 2 of Regulation (EC) No 1023/97, the undertakings offered by these six Polish exporting producers with regard to the EUR pallet should therefore be accepted.

[1] OJ L 56, 6.3.1996, p. 1.
[2] OJ L 128, 30.4.1998, p. 18.
[3] OJ L 150, 7.6.1997, p. 4.
[4] OJ L 225, 15.8.1997, p. 11.
[5] OJ L 225, 15.8.1997, p. 13.
[6] OJ L 324, 27.11.1997, p. 1.
[7] OJ L 255, 30.9.1999, p. 1.

C. **WITHDRAWAL OF UNDERTAKING**

(5) Two Polish exporting producers, P.P.H. 'Pamadex' and P.H.U. 'Akropol', from which the Commission accepted an undertaking under Regulation (EC) No 1023/97, have stated that they do not produce the product concerned any longer. Therefore, the Commission informed them that it is intended to remove them from the list of companies from which an undertaking was accepted. The two companies did not object to this course of action. It should also be noted that those two companies could again offer an undertaking should they decide to resume production and exports of the EUR pallets.

D. **COMPANIES SUBJECT TO THE UNDERTAKING**

(6) For the sake of clarity all the companies subject to the undertaking are listed in the Annex to this Decision,

HAS ADOPTED THIS DECISION:

Article 1

The undertakings offered with regard to the EUR pallet by:

— P.P.H.U. 'ELMA' S.C., Sobieseki,

— P.P.H SWENDEX S.C., Lublin,

— P.P.H.U. Zbigniew Marek, Andrichow,

— Pomorski Serwis Paletowy Sp. z o.o., Kobylnica,

— 'EMI' S.C., Bilgoraj,

— P.P.H.U ROMAX Import-Eksport, Wroclaw,

in connection with the anti-dumping proceeding concerning imports of flat pallets of wood originating in Poland and falling within CN code ex 4415 20 20 are hereby accepted.

Article 2

The undertakings accepted with regard to the EUR pallet by:

— P.P.H. 'Pamadex', Ligota,

— P.H.U. 'Akropol', Krakow,

in connection with the anti-dumping proceeding concerning imports of flat pallets of wood originating in Poland and falling within CN code ex 4415 20 20 lapse.

Article 3

Articles 1 and 2 shall take effect on the day following publication of this Decision in the *Official Journal of the European Communities*.

Done at Brussels, 27 June 2000.

For the Commission

Pascal LAMY

Member of the Commission

ANNEX

Manufacturer

		Taric additional code
1	'Baumann Palety' Sp.zo.o., Barczewo	8570
2	E. Dziurny — C. Nowak S.C., Snietnica	8571
3	F.P.H. 'Tina' S.C., Katowice	8572
4	Firma 'Sabelmar' S.C., Konczyce Male	8573
5	Z.P.H.U. Miroslaw Przybyiek, Klonowa	8574
6	Internationale Paletten Company Sp., Lebork	8575
7	'Kross-Pol' Sp.zo.o., Kolobrzeg	8576
8	P.P.U.H. 'Drewmax' Sp.zo.o. (formerly P.P.H. 'Drewnex'), Krakow	8577
9	P.P.H. 'GKT' S.C., Majdan Nowy	8584
10	P.P.H. 'Unikat', Aleksandrow IV 697	8586
11	P.P.H.U. 'Adapol' S.C., Wolomin	8587
12	P.P.H.U. 'Alpa' Sp.zo.o., Dobrzyca	8588
13	P.P.U.H. 'Alwa' Sp.zo.o., Tychowo	8589
14	P.P.H.U. 'Palimex' Sp.zo.o., Wloszakowice	8590
15	P.P.U.H. 'SMS' — St. Mrozowicz, Suleczyno	8591
16	P.T.H. 'Mirex', Kolobrzeg	8597
17	P.W. 'Intur-KFS' Sp.zo.o., Inowroclaw	8662
18	P.W. 'Peteco' Sp.zo.o., Warszawa	8690
19	'Paletex' Produkcja Palet, Roman Panasiuk, Warszawa	8691
20	Produkcja Palet 'A. Adamus', Kuznia Grabowska	8692
21	P.P.H. Zygmunt Skibinski, Kowal	8693
22	'Scanproduct' S.A., Czarny Dujanec	8715
23	S.U.T.R. 'Rol Trak', Prochowice	8714
24	'Transdrewneks' Sp.zo.o., Grudziadz-Owczarki	8716
25	W.Z.P.U.M. 'Euro-Tech', Rakszawa	8725
26	Z.P.H. 'Palettenwerk' — K. Kozik, Jordanow	8726
27	Zaklad Przerobu Drewna S.C., Drawsko Pomorskie	8745
28	Z.P.H.U. 'Sek-Pol' Sp.zo.o., Tarnobrzeg	8526
29	'Euro-Mega-Plus' Sp.zo.o., Kielce	8527

30	'C.M.C.' Sp.zo.o., Andrychow, Inwald	8528
31	Wyrob, Sprzedaz, Skup Palet, Josef Kolodziejczyk, Aleksandrow IV 704	8529
32	Firma Produkcyjno Transportowa Marian Gerka, Brodnica	8530
33	Z.P.H.U. 'Drewnex' S.C., Zelazkow 45 b	8531
34	Import-Export 'Elko' Sp.zo.o., Kalisz	8532
35	P.P.H.U. 'Probox', Import-Export, Kalisz	8533
36	Drewpal S.C., Stawiszyn	8534
37	Zaman S.C., Radom	8535
38	'Marimpex', Pulawy	8537
39	'AVEN' Sp.zo.o., Kostrzyn	8558
40	P.P.H.U. 'Eurex' S.C., Godynice	8538
41	MACED Sklad Palet, J. Macionga, Miastko	8539
42	ENKEL S.C., Pulawy	8540
43	Produkcja Stolarska Posrednictwo Export-Import, W.i.T. HENSOLDT, Lebork	8541
44	P.P.U.H. 'DREWPOL', Braszewice	8834
45	PTN Kruklanki Sp.zo.o., Krulanki	8556
46	WEDAM S.C., Stezyca	8557
47	Import-Export Jan Sibinski, Czajkow	8559
48	P.P.H.U. 'Alk', Bierzwnik	8561
49	'Empol' S.C., Jastrzebniki 37	8560
50	Euro-Handels Sp.zo.o., Szczecin	8440
51	P.P.H. 'Paletex' Sibinski Jaroslaw, Czajkow	8441
52	Firma 'KIKO' S.C., Poznan	8443
53	'Enkel' Waldemar Wnuk, Pulawy	8444
54	Sliwka Lucyna, Klodzko	8445
55	Firma Borkowski S.C. Export-Import, Grabow n. Prosna	8446
56	Produkcja-Skup Elementow i Palet, Stanislaw Gorecki, Czajkow	8483
57	'Bilusa' Sp.zo.o., Klodawa	8484
58	P.P.U.H. PAL-POL S.C., Prabuty	8485
59	Firma 'A.C.S.' S.C., Kamien	8486
60	'SMT' Sp.zo.o., Miastko	8562
61	Firma Transdrewneks Gadzala Antoni, Torun	8563
62	'Palko' Sp.zo.o., Sedziszow	8565
63	'D & M & D' Sp.zo.o., Blizanow	8566

64	P.P.H. 'Vector', Kalisz	8567
65	P.P.H.U. 'ELMA' S.C., Sobieseki	A109
66	P.P.H. SWENDEX S.C., Lublin	A110
67	P.P.H.U. Zbigniew Marek, Andrichow	A113
68	Pomorski Serwis Paletowy Sp.zo.o., Kobylnica	A114
69	'EMI' S.C., Bilgoraj	A124
70	P.P.H.U. ROMAX Import-Eksport, Wroclaw	A133