COUNCIL REGULATION (EEC) No 113/86

of 20 January 1986

amending Regulation (EEC) No 1698/85 imposing a definitive anti-dumping duty on imports of electronic typewriters originating in Japan

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2176/84 of 23 July 1984 on protection against dumped or subsidized imports from countries not members of the European Economic Community (1), and in particular Articles 12 and 14 thereof,

Having regard to the proposal submitted by the Commission after consultation within the Advisory Committee as provided for under the above Regulation,

Whereas :

1. By Regulation (EEC) No 1698/85 (2) a definitive anti-dumping duty was imposed on imports of electronic typewriters originating in Japan.

2. Following the imposition of the definitive duty it has come to light that certain calculations had to be revised. These calculations do not concern the dumping margins but the level of duty necessary to eliminate injury :

   — in the case of Brother Industries Ltd, Silver Seiko Ltd, TEC Tokyo Electric Company Ltd, and Towa Sankiden Corporation, the comparison between their sales prices in the Community and the target prices described in Recital 36 of Regulation No 1698/85 had erroneously included some data concerning models of electronic typewriters manufactured by a Community producer outside the Community. These data should be excluded from the comparison ;

   — in the case of Silver Seiko Ltd, an arithmetical error had occurred in the model comparison ; this error should be corrected. This revision leads to the following results :

	Definitive duty	*Revised duty*
Brother Industries Ltd	21 %	No change
Silver Seiko Ltd	21 %	23 %
TEC Tokyo Electric Co. Ltd	21 %	24 %
Towa Sankiden Corporation	20 %	No change

3. In the case of Tokyo Juki Industrial Co. Ltd, a review has been initiated because of the completely changed circumstances in the special situation of Tokyo Juki. Moreover Regulation (EEC) No 1698/85 does not fully state the reasons why anti-dumping measures were taken with regard to Tokyo Juki, taking into account the special situation of Tokyo Juki during the investigation period from 1 April 1983 to 31 March 1984. Consequently it is appropriate not to apply the duty as far as Tokyo Juki is concerned.

4. The exporters concerned were informed of these facts and resulting consequences and were given the opportunity to comment. Their comments were taken into consideration.

5. It is appropriate to amend Regulation No 1698/85 accordingly.

HAS ADOPTED THIS REGULATION :

Article 1

1. In Article 1 (4) of Regulation (EEC) No 1698/85 the rates of duty applicable to Silver Seiko Ltd and TEC Tokyo Electric Co. Ltd, are hereby amended as follows :

— Silver Seiko Ltd : 23 %

— TEC Tokyo Electric Co. Ltd : 24 %

2. The other rates of duty shall remain unchanged.

Article 2

Articles 1 and 2 of Regulation (EEC) No 1698/85 shall not apply, as far as Tokyo Juki Industrial Co. Ltd is concerned, with effect from 23 June 1985.

Article 3

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

(1) OJ No L 201, 30. 7. 1984, p. 1.
(2) OJ No L 163, 22. 6. 1985, p. 1.

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

Done at Brussels, 20 January 1986.

For the Council

The President

G. BRAKS