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(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1798/90

of 27 June 1990

imposing a definitive anti-dumping duty on imports of monosodium glutamate originating in Indonesia, the Republic of Korea, Taiwan and Thailand and definitively collecting the provisional anti-dumping duty imposed on such imports

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community (1), and in particular Article 12 thereof,

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

Whereas :

A. Provisional measures

(1) The Commission, by Regulation (EEC) No 547/90 (2) imposed provisional anti-dumping duty on imports of monosodium glutamate (hereinafter referred to as 'KSG') originating in Indonesia, the Republic of Korea, Taiwan and Thailand, and accepted undertakings from all the exporters which cooperated in the investigation and terminated the investigation concerning those exporters.

B. Subsequent procedure

(2) Following the imposition of the provisional duty on interested party requested a hearing or made written submissions within the time limit with regard to the findings set out in Regulation (EEC) No 547/90. Only one exporter namely Cheil Sugar Co. Ltd, Seoul, whose undertaking had been accepted, informed the Commission that its company name had changed to Cheil Foods & Chemicals Inc., Seoul.

(3) After expiry of the time limit, the company Tesco Chemiehandel GmbH, Düsseldorf, which was listed in recital (3) (c) of Regulation (EEC) No 547/90 amongst 'importers in the Community', claimed that it should have not been mentioned in that Regulation, as it did not import WSG originating in the countries concerned.

C. Dumping

(4) No new evidence on dumping has been received since the imposition of the provisional duty and the Commission therefore considers its findings on dumping as set out in Regulation No 547/90 to be definitive.

Consequently, the preliminary determinations on dumping are confirmed by the Council.

D. Injury

(5) As no fresh evidence regarding injury to the Community industry was received, the Council also confirms the conclusions on injury reached in Regulation (EEC) 547/90.

E. Community interest

(6) No observations were received from any interested party within the time limit laid down in Article 4 of Regulation (EEC) No 547/90 and the Commission had no reason to change its conclusions set out in recital 23 of the said Regulation.

(7) The Council confirms that it is in the Community's interest that action be taken. In these circumstances, the Community's interest calls for the imposition of definitive anti-dumping duties on imports of monosodium glutamate originating in Indonesia, the Republic of Korea, Taiwan and Thailand.

F. Amount of definitive duty

(8) In the light of the above determination, the amounts of the definitive anti-dumping duty should be the same as the amounts of the provisional anti-dumping duty.

(1) OJ No L 209, 2. 8. 1988, p. 1.
(2) OJ No L 56, 3. 3. 1990, p. 23.

G. Collection of provisional duty

(9) In view of the size of the dumping margins found and the seriousness of the injury caused to Community producers, it is considered necessary that amounts secured by way of provisional anti-dumping duty should be collected in full,

HAS ADOPTED THIS REGULATION:

Article 1

1. A definitive anti-dumping duty is hereby imposed on imports of monosodium glutamate falling within CN code ex 2922 42 00 (Taric code 2922 42 00*10), originating in Indonesia, the Republic of Korea, Taiwan and Thailand.

2. The amount of duty shall be:

— ECU 0,510 per kilogram for imports originating in Indonesia (Taric additional code 8400).

Direct imports from P.T. Sasa, Jakarta shall be excluded from the duty (Taric additional code 8401),

— ECU 0,189 per kilogram for imports originating in the Republic of Korea (Taric additional code 8402).

Direct imports from Cheil Foods & Chemicals Inc., Seoul, and Seoul Wiwon Co. Ltd, Seoul, shall be excluded from the duty (Taric additional code 8403),

— ECU 0,653 per kilogram for imports originating in Taiwan (Taric additional code 8404).

Direct imports from Tung Ha Fermentation Industry Corporation, Taichung, and Ve Wong Corporation, Taipel, shall be excluded from the duty (Taric additional code 8405),

— ECU 0,407 per kilogram for imports originating in Thailand (Taric additional code 8406).

Direct imports from the Thai Fermentation Industry Co., Bangkok, and SCT Company Bangkok, shall be excluded from the duty (Taric additional code 8407).

3. The provisions in force concerning customs duties shall apply.

Article 2

The amounts included by way of provisional anti-dumping duty pursuant to Regulation No 547/90 shall be definitively collected at the rates set out in Article 1 (2).

Article 3

This Regulation shall enter into force on the 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.

Done at Luxembourg, 27 June 1990.

For the Council

The President

J. P. WILSON