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COUNCIL REGULATION (EC) No 1521/2000

of 10 July 2000

amending Regulation (EC) No 2334/97 imposing a definitive anti-dumping duty on certain imports of flat pallets of wood originating in the Republic of Poland

(OJ L 175, 14.7.2000, p. 1)

Corrected by:

►**C1** Corrigendum, OJ L 221, 1.9.2000, p. 27 (1521/2000)

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COUNCIL REGULATION (EC) No 1521/2000

of 10 July 2000

amending Regulation (EC) No 2334/97 imposing a definitive anti-dumping duty on certain imports of flat pallets of wood originating in the Republic of Poland

THE COUNCIL OF THE EUROPEAN UNION,

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], and in particular Article 9(4) thereof,

Having regard to Regulation (EC) No 2334/97 [2], and in particular Article 4(1) and (2) thereof,

Having regard to the proposal submitted by the Commission after consulting the Advisory Committee,

Whereas:

A. PREVIOUS PROCEDURE

(1) The Council, by Regulation (EC) No 2334/97, imposed definitive anti-dumping duties on certain imports of flat pallets of wood falling within CN code ex4415 20 20 originating in the Republic of Poland and accepted undertakings offered from certain producers in connection with these imports. Sampling was applied to Polish producers/exporters and individual duties ranging from 4,0 % to 10,6 % were imposed on the companies in the sample, while other cooperating companies not included in the sample received a weighted average duty of 6,3 %. A duty of 10,6 % was imposed on companies which either did not make themselves known or did not cooperate in the investigation. The producers from which undertakings were accepted were exempted from anti-dumping duties with regard to imports of one specific pallet type, the EUR-pallet, which is the only pallet type covered by the undertakings.

(2) Article 4(1) of Regulation (EC) No 2334/97 stipulates that any party which provides sufficient evidence to the Commission that:

— it did not export to the Community or produce wooden pallets described in Article 1(1) of that Regulation during the investigation period,

— it is not related to any of the producers or exporters in Poland which are subject to the anti-dumping duties imposed by that Regulation,

— it has actually exported to the Community the goods concerned after the investigation period, or it has entered into any irrevocable contractual obligation to export a significant quantity to the Community;

then that Regulation may be amended by granting that party the duty rate applicable to cooperating producers which were not in the sample, i.e. 6,3 %.

(3) Article 4(2) of Regulation (EC) No 2334/97 provides furthermore that any party which met the criteria set out in Article 4(1) thereof may also be exempted from the payment of the anti-dumping duty if an undertaking with regard to the so-called EUR-pallet is accepted from such party.

[1] OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Regulation (EC) No 905/98 (OJ L 128, 30.4.1998, p. 18).
[2] OJ L 324, 27.11.1997, p. 1. Regulation as last amended by Regulation (EC) No 2048/1999 (OJ L 255, 30.9.1999, p. 1).

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(4) The Council, by Regulations (EC) No 2079/98 [1] and (EC) No 2048/99 [2] amended Regulation (EC) No 2334/97 as regards its Annexes I and II.

B. NEW EXPORTERS' REQUEST

(5) Eight new Polish exporting producers having requested the same treatment as the companies which cooperated in the original investigation but were not included in the sample, have provided, on request, evidence showing that they meet the requirements set out in Article 4(1) of Regulation (EC) No 2334/97. The evidence provided by these applicant companies is considered sufficient to allow Regulation (EC) No 2334/97 to be amended by adding these eight exporting producers to Annex I of the said Regulation. Annex I specifies the exporting producers which are subject to the weighted average duty of 6,3 %.

(6) Six of the eight Polish exporting producers which will receive the weighted average duty of 6,3 %, have also offered undertakings with regard to the EUR-pallet which were accepted by Commission Decision 2000/437/EC [3]. Consequently, these six companies should be added to Annex II of Regulation (EC) No 2334/97 which contains a list of companies from which the Commission has accepted undertakings with regard to imports of the EUR-pallet and to which the duty does not, therefore, apply in this respect.

C. WITHDRAWAL OF UNDERTAKING

(7) Two Polish exporting producers, P.P.H. 'Pamadex' and P.H.U. 'Akropol', from which the Commission accepted an undertaking by 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. CHANGE OF ADDRESS

(8) A Polish exporting producer, Z.P.H. 'Palettenwerk' — K. Kozik Bystra Podhalanska which is subject to an individual anti-dumping duty pursuant to Article 1 of Regulation (EC) No 2334/97 has informed the Commission services that its address has changed. Hence, Article 1 of Regulation (EC) No 2334/97 must be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

The reference in Article 1 of Regulation (EC) No 2334/97 to the manufacturer Z.P.H. 'Palettenwerk' — K. Kozik, PL-34-789 Bystra Podhalanska, should be deleted and replaced by the following:

— Z.P.H. 'Pallettenwerk' — K. Kozik, PL-34-785 Jordanow.

Article 2

Annex I to Regulation (EC) No 2334/97 shall be replaced by Annex I to this Regulation.

Article 3

Annex II to Regulation (EC) No 2334/97 shall be replaced by Annex II to this Regulation.

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(1) OJ L 266, 1.10.1998, p. 1.
(2) OJ L 255, 30.9.1999, p. 1.
(3) See page 93 of this Official Journal.

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Article 4

This Regulation shall enter into force on the day following that of 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.

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ANNEX I

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Manufacturer

1	“Baumann Palety” Sp.zo.o., Barczewo
2	“DAST” GmbH, Poznan
3	Drew-Pol Export-Import, Wodarz Norbert, Murow
4	E. Dziurny — C. Nowak S.C., Snietnica
5	F.P.H. “Tina” S.C., Katowice
6	F.P.H. Tadeusz Fisher, Maly Gleboczek
7	F.P.U.H. “Rol-Mar”, Adam Piatek, Klodzko
8	Z.P.H.U. Miroslaw Przybyiek, Klonowa
9	Internationale Paletten Company Sp., Lebork
10	“Kross-Pol” Sp.zo.o., Kolobrzeg
11	P.P.U.H. “Drewmax” Sp.zo.o. (formerly P.P.H. “Drewnex”), Krakow
12	P.P.H. “GKT” S.C., Majdan Nowy
13	P.P.H. “Pamadex”, Ligota
14	P.P.H. “Unikat”, Aleksandrow IV 697
15	P.P.H.U. “Adapol” S.C., Wolomin
16	►C1 P.P.U.H. ◄ “Alwa” Sp.zo.o., Tychowo
17	►C1 P.P.U.H. ◄ “SMS” — St. Mrozowicz, Suleczyno
18	P.T.H. “Mirex”, Kolobrzeg
19	P.W. “Peteco” Sp.zo.o., Warszawa
20	Parafia Rzymsko-Katolicka, B. Niepokalaneg Dzialalnose Gospodaroza, Nowy Sacz
21	Produkcja Palet “A. Adamus”, Kuznia Grabowska
22	Produkcja Skup Palet Drewnanych, Stanislaw Lachowicz, Majdan Sieniawski 170
23	Przedsiebiorstwo “Amesko”, Andrzej Skora, Trzebnica
24	►C1 P.H.U. ◄ “Justyna”, Gubin
25	►C1 P.H.U. ◄ “Akropol”, Krakow
26	►C1 P.H.U. ◄ Produkcyjne “Lech”, Lech Szwez, Zary
27	Przedsiebiorstwo Obrobki Drewna “Palet-Pol” Sp.zo.o., Dabrowka WLKP
28	P.P.H. Zygmunt Skibinski, Kowal
29	P.P.H.U. “AWA” Sp.zo.o., Nowy Sacz
30	Przedsiebiorstwo Wielobranzowe, Zdziolaw Milocki, Ostroda
31	“Scanproduct” S.A., Czarny Dujanec
32	S.C. “Bed”, Dariusz Zuk, Krasienin
33	S.U.T.R. “Rol Trak”, Prochowice
34	Stolarstwo Export-Import, Tadeusz Swirski, Dlugopole Zdroj

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35	Torunskie Przedsiebiorstwo Przemyslu Drzewnego w Toruniu, Adam Wisniewski, Torun
36	“Transdrewneks” Sp.zo.o., Grudziadz-Owczarki
37	W.Z.P.U.M. “Euro-Tech”, Rakszawa
38	Wytwazanie Skrzyn i Opakowan Drewnianych, Malgorzata i Ryszard Nowak, Piaszyna
39	Zaklad Produkcyjno Bohuszko, Ryszard Bohuszko, Osno
40	►C1 Z.P.H. ◄ “Maw” S.C., Andrzej Kulej, Lubomierz
41	Zaklad Uslugowo-Handlowy “Rolmex”, E. Cackowski, Lipno
42	Zaklad Wielobranzowy Produkcyjno Uslugowy, Ryszard Potoniec, Muszyna
43	Zaklad Przerobu Drewna S.C., Drawsko Pomorskie
44	Z.P.H.U. “Drewex” SC., Agnieszka Pawlaczyk, Skwierzyna
45	Z.P.H.U. “Sek-Pol” Sp.zo.o., Tarnobrzeg
46	“Euro-Mega-Plus” Sp.zo.o., Kielce
47	“C.M.C.” Sp.zo.o., Andrychow, Inwald
48	Wyrob, Sprzedaz, Skup Palet, Josef Kolodziejczyk, Aleksandrow IV 704
49	Firma Produkcyjno Transportowa Marian Gerka, Brodnica
50	Z.P.H.U. “Drewnex” S.C., Zelazkow 45 b
51	Import-Export “Elko” Sp.zo.o., Kalisz
52	P.P.H.U. “Probox”, Import-Export, Kalisz
53	Drewpal S.C., Stawiszyn
54	Zaman S.C., Radom
55	“Marimpex”, Pulawy
56	“AVEN” Sp.zo.o., Kostrzyn
57	P.P.H.U. “Eurex” S.C., Godynice
58	P.H. “Drewex” S.C., Lebork
59	MACED Sklad Palet, J. Macionga, Miastko
60	ENKEL S.C., Pulawy
61	PAL-PACK Sp.zo.o., Wierzchowo
62	Produkcja Stolarska Posrednictwo Export-Import, W.i.T. HENSOLDT, Lebork
63	Biuro Uslugowo-Handlowe, Wieslaw Rzezniczek, Lebork
64	P.P.U.H. “DREWPOL”, Braszewice
65	PTN Kruklanki Sp.zo.o., Krulanki
66	WEDAM S.C., Stezyca
67	Import-Export Jan Sibinski, Czajkow
68	Zaklad Produkcyjny “Tarta”, Lubsko
69	Firma “Krausdrew”, Cewice
70	“Lidal” S.C., Miastko
71	Zaklad Przerobu Drewna Import-Export, Stanislaw Kociolek, Ladek Zdroj
72	P.P.H.U. “Alk”, Bierzwnik
73	“Empol” S.C., Jastrzebniki 37

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74	Zaklad Produkcji Drzewnej Nr. 1, Export-Import, Julian Bartkowski, Sanok
75	P.P.H. “Drewex”, Czarnkow
76	“ZAP” Przedsiebiorstwo Handlowe-Uslugowe Sp.C., Wschowa
77	P.P.H.U. “Opal”, Zygmunt Podgorski, Bukowsko 41
78	“Algepa-Pol” Sp.zo.o., Lubsko
79	P.P.H. “A-Produkt” S.C., Resko
80	P.P.H. “Paletex” Sibinski Jaroslaw, Czajkow
81	Euro-Handels Sp.zo.o., Szczecin
82	Firma “KIKO” S.C., Poznan
83	“Enkel” Waldemar Wnuk, Pulawy
84	Sliwka Lucyna, Klodzko
85	Firma Borkowski S.C. Export-Import, Grabow n. Prosna
86	Produkcja-Skup Elementow i Palet, Stanislaw Gorecki, Czajkow
87	“Prodpalet” Handel, Boleslawiec
88	Z.P.H.U. “Drexport” S.C., Olecko, Osiedle Lesk
89	“Bilusa” Sp.zo.o., Klodawa
90	Pawel Bilko “Pablo”, Klodawa
91	Z.P.W. “Gober” Sp.zo.o., Gorzow Wlkp.
92	Kisiel Malgorzata “Drew-Pal”, Dobra Now
93	P.W. “Remag”, Zlocieniec
94	P.P.U.H. PAL-POL S.C., Prabuty
95	Firma “A.C.S.” S.C., Kamien
96	Zaklad Drzewny “MARINO”, Kawcze
97	P.T.P.U.H. “ROB-POL”, Milkow
98	Z.H.U.P. Agromal, Sieradz
99	“SMT” Sp.zo.o., Miastko
100	Firma Transdrewneks Gadzala Antoni, Torun
101	Artur Rochmankowski, Trzcinsko-Zdroj
102	“Depo” Sp.zo.o., Ilowa
103	B.P.R. Sp.zo.o., Warszawa
104	“DREWNO” Sp.zo.o., Krzeszyce
105	P.P.H. “Astra” Sp.zo.o., Nowy Sacz
106	“D & M & D” Sp.zo.o., Blizanow
107	P.P.H. “Vector”, Kalisz
108	“Palko” Sp.zo.o., Sedziszow
109	P.P.H. Pol-Wood S.C., Rzekun
110	P.P.H. “YANSAM”, Zlocieniec
111	P.P.H.U. “ELMA” S.C., Sobieseki
112	P.P.H. SWENDEX S.C., Lublin

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113	P.P.H.U. ROMAX Import-Eksport, Wroclaw
114	Z.P.H.U. “BESTPOL” Sp.zo.o., Lututow
115	P.P.H.U. Zbigniew Marek, Andrichow
116	Pomorski Serwis Paletowy Sp.zo.o., Kobylnica
117	“EMI” S.C., Bilgoraj’

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ANNEX II

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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

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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’