COMMISSION REGULATION (EC) No 283/2008

of 27 March 2008

replacing Annex I to Council Regulation (EC) No 673/2005 establishing additional customs duties on imports of certain products originating in the United States of America

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 673/2005 of 25 April 2005 establishing additional customs duties on imports of certain products originating in the United States of America [1], and in particular Article 3 thereof,

Whereas:

(1) As a result of the United States' failure to bring the Continued Dumping and Subsidy Offset Act (CDSOA) in compliance with its obligations under the WTO agreements, Regulation (EC) No 673/2005 imposed a 15 % *ad valorem* additional customs duty on imports of certain products originating in the United States of America as from 1 May 2005. In conformity with the WTO authorisation to suspend the application of concessions to the United States, the Commission shall adjust the level of suspension annually to the level of nullification or impairment caused by the CDSOA to the Community at that time.

(2) The CDSOA disbursements for the most recent year for which data are available relate to the distribution of anti-dumping and countervailing duties collected during the Fiscal Year 2007 (1 October 2006 to 30 September 2007). On the basis of the data published by the United States' Customs and Border Protection, the level of nullification or impairment caused to the Community is calculated at USD 33,38 million.

(3) Since the level of nullification or impairment and consequently of suspension has decreased, the last 30 products of the list in Annex I to Regulation (EC) No 673/2005 should be removed from the list in Annex I to that Regulation.

(4) The effect of a 15 % *ad valorem* additional import duty on imports from the United States of the products in the amended Annex I represents, over one year, a value of trade that does not exceed USD 33,38 million.

(5) To make sure that there are no delays in the customs clearance of goods removed from the scope of the 15 % *ad valorem* additional import duty, this Regulation should enter into force on the day of its publication.

(6) The measures provided for in this Regulation are in accordance with the opinion of the Committee on trade retaliation,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 673/2005 is replaced by the Annex to this Regulation.

Article 2

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

It shall apply from 1 May 2008.

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

Done at Brussels, 27 March 2008.

For the Commission
Peter MANDELSON
Member of the Commission

[1] OJ L 110, 30.4.2005, p. 1. Regulation as last amended by Commission Regulation (EC) No 409/2007 (OJ L 100, 17.4.2007, p. 16).

ANNEX

'ANNEX I

The products on which additional duties are to apply are identified by their eight-digit CN codes. The description of products classified under these codes can be found in Annex I to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff [1] as amended by Regulation (EC) No 493/2005 [2].

0710 40 00	6204 63 11
4803 00 31	6204 63 18
4818 30 00	6204 63 90
4818 50 00	6204 69 18
4820 10 50	6204 69 90
4820 10 90	6301 30 10
4820 30 00	6301 30 90
4820 50 00	6301 40 10
4820 90 00	6301 40 90
6103 43 00	8467 21 99
6104 63 00	8705 10 00
6203 43 11	9003 19 30
6203 43 19	9009 11 00
6203 43 90	9009 12 00

[1] OJ L 256, 7.9.1987, p. 1.
[2] OJ L 82, 31.3.2005, p. 1.'