Protection against dumped imports from countries not members of the European Community, Uruguay Round

1994/0230(CNS) - 05/10/1994 - Legislative proposal

This proposal for a regulation sought to implement the new anti-dumping agreement concluded within the framework of the Uruguay Round negotiations and to enable the Community to protect itself from imports which were subject to dumping by countries which were not members of the European Union. This regulation transposed into Community legislation the new agreement, which contained new detailed rules on all aspects of anti-dumping. The main changes comprised clarifications and amendments to the following: - start-up costs (exporter undergoing production start-up); - the normal value to be taken into consideration for countries which had no market economy (exporters were given 10 days to submit comments on the choice of a similar country); - fair comparison; - the closing of investigations (within 12 months); - the breach or termination of undertakings (institution of a definitive duty in case of breach of undertakings, through importers' rights were preserved); - negligible import volumes (threshold below which the Community could not take measures); - retroactivity (to provide for those cases where an importer would import a substantial quantity of products before duties were imposed); - the restoration of anti-dumping duties (application of the principle of "duty as a cost"); - the undertaking to accept responsibility for anti-dumping duties (new calculation of dumping margins); - the means of circumvention, conventional or not; - the suspension of anti-dumping measures; - the suspension of the customs assessment process for the registration of imports (mechanism by which imports were registered by customs up until the moment when a decision was taken concerning the suspension of measures relating to the said imports); - the Community interest (which was to be taken into account in a more structured context).