

**ARCHIVES HISTORIQUES
DE LA COMMISSION**

**COLLECTION RELIEE DES
DOCUMENTS "COM"**

COM (81)702

Vol. 1981/0205

Historical Archives of the European Commission

Disclaimer

Conformément au règlement (CEE, Euratom) n° 354/83 du Conseil du 1er février 1983 concernant l'ouverture au public des archives historiques de la Communauté économique européenne et de la Communauté européenne de l'énergie atomique (JO L 43 du 15.2.1983, p. 1), tel que modifié par le règlement (CE, Euratom) n° 1700/2003 du 22 septembre 2003 (JO L 243 du 27.9.2003, p. 1), ce dossier est ouvert au public. Le cas échéant, les documents classifiés présents dans ce dossier ont été déclassifiés conformément à l'article 5 dudit règlement.

In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 of 22 September 2003 (OJ L 243, 27.9.2003, p. 1), this file is open to the public. Where necessary, classified documents in this file have been declassified in conformity with Article 5 of the aforementioned regulation.

In Übereinstimmung mit der Verordnung (EWG, Euratom) Nr. 354/83 des Rates vom 1. Februar 1983 über die Freigabe der historischen Archive der Europäischen Wirtschaftsgemeinschaft und der Europäischen Atomgemeinschaft (ABl. L 43 vom 15.2.1983, S. 1), geändert durch die Verordnung (EG, Euratom) Nr. 1700/2003 vom 22. September 2003 (ABl. L 243 vom 27.9.2003, S. 1), ist diese Datei der Öffentlichkeit zugänglich. Soweit erforderlich, wurden die Verschlussachen in dieser Datei in Übereinstimmung mit Artikel 5 der genannten Verordnung freigegeben.

COMMISSION OF THE EUROPEAN COMMUNITIES

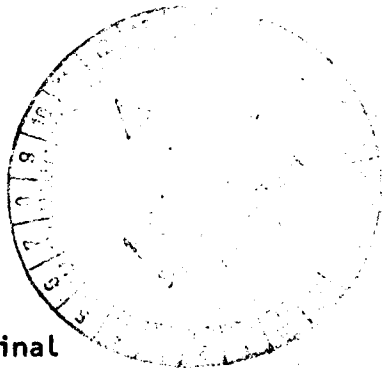
COM(81) 702 final

Brussels, 13 November 1981

Proposal for a
COUNCIL REGULATION (EEC)

amending Regulation (EEC) No 2940/81 imposing a definitive anti-dumping duty on p-xylene (paraxylene) originating in Puerto Rico, the United States of America and the United States Virgin Islands

(submitted to the Council by the Commission)



COM(81) 702 final

Com 702

EXPLANATORY MEMORANDUM
=====

In June 1981 the Commission imposed a provisional anti-dumping duty of 14.7 % on imports of p-xylene (paraxylene) originating in Puerto Rico, the United States of America and the US Virgin Islands. The Council confirmed this duty as definitive in Regulation (EEC) 2940/81 of 15 October 1981.

During the investigation, but at a time when the Commission's proposal for the confirmation of the provisional duty as definitive was already before the Council, Exxon Chemical International Supply SA offered to respect the normal value (27 cents per lb FOB US port) established during the reference period and offered an undertaking in this respect. It is therefore proposed that this be accepted by the Council and that Exxon should consequently be excluded from the application of the definitive duty.

COUNCIL REGULATION (EEC)

amending Regulation (EEC) No 2940/81 imposing a definitive anti-dumping duty on p-xylene (paraxylene) originating in Puerto Rico, the United States of America and the United States Virgin Islands

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3017/79 of 20 December 1979 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 submitted by the Commission after consultation with the Advisory Committee set up under the said Regulation,

Whereas the Commission, by Regulation (EEC) No 1591/81⁽²⁾, imposed a provisional anti-dumping duty of 14.7 % on imports of p-xylene originating in Puerto Rico, the United States of America and the United States Virgin Islands; whereas the Council, by Regulation (EEC) No 2940/81⁽³⁾, confirmed this duty as definitive,

Whereas Exxon Chemical International Supply S.A. has voluntarily undertaken to respect the normal values established during the investigation; whereas this undertaking was received during the investigation but at a stage too late to be taken account of in Regulation (EEC) No 2940/81;

Whereas the Council considers this undertaking to be acceptable; whereas it is consequently appropriate to exclude the imports of the p-xylene exported by this company from the application of the duty; whereas Article 1⁽²⁾ of Regulation (EEC) No 2940/81 should therefore be amended to take account of these facts,

HAS ADOPTED THIS REGULATION:

(1) OJ No L 339, 31.12.1979, p. 1

(2) OJ No L 158, 16.06.1981, p. 7

(3) OJ No L 296, 15.10.1981, p. 1

L 296/1 15.10.81

Article 1

Article 1 (2) of Regulation (EEC) No 2940/81 is hereby replaced by the following:

This duty shall not apply to p-xylene exported by:

- Amoco Chemicals Corporation
- Arco Chemical Company
- Exxon Chemical International Supply S.A.
- Phillips Paraxylene Inc. and International Petroleum Sales Inc., Panama, members of the Phillips Petroleum Group
- Tenneco Oil Company
- Sunoco Overseas Inc. and Sun International Inc. "

Article 2

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

It shall apply with effect from 15 October 1981.

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

Done at Brussels,

For the Council