



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 15.1.2001
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Proposal for a

COUNCIL REGULATION

amending Regulation (EC) No 1567/97 as regards the date of application of certain anti-dumping measures applicable to imports of leather handbags originating in the People's Republic of China

(presented by the Commission)

EXPLANATORY MEMORANDUM

The attached proposal for a Council Regulation implements Article 1 of the operative part of the recent judgement of the Court of First Instance in the case Medici Grimm KG v Council of the European Union.

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amending Regulation (EC) No 1567/97 as regards the date of application of certain anti-dumping measures applicable to imports of leather handbags originating in the People's Republic of China

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 233 thereof,

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 Community¹, and in particular Articles 9 and 11 thereof,

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

Whereas:

- (1) By Judgment of 29 June 2000², the Court of First Instance annulled Article 2 of Council Regulation (EC) No 2380/98 amending Council Regulation (EC) No 1567/97 imposing a definitive anti-dumping duty on imports of leather handbags originating in the People's Republic of China³ in so far as it applied to leather handbags produced by Lucci Creation Ltd and imported by Medici Grimm KG.
- (2) Consequently, Council Regulation (EC) No 1567/97⁴ should be amended with a view to making it applicable as of 3 August 1997 as far as leather handbags produced by Lucci Creation Ltd and imported by Medici Grimm KG are concerned,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 3 of Regulation (EC) No 1567/97, the following paragraph is added:

“As far as leather handbags manufactured by Lucci Creation Ltd are imported by Medici Grimm KG (Germany) (TARIC additional code A211), the rate of duty of 0,0% shall be applicable as of 3 August 1997”.

¹ OJ L 56, 6.3.1996, p. 1, as last amended by Regulation (EC) No 2238/2000 (OJ L 257, 11.10.2000, p. 2).

² Case T-7/99, *Medici Grimm v Council*.

³ OJ L 296, 5.11.1998, p. 1.

⁴ OJ L 208, 2.8.1997, p. 31.

Article 2

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 Brussels,

*For the Council
The President*