



COMMISSION OF THE EUROPEAN COMMUNITIES

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Proposal for a

COUNCIL REGULATION

amending the Annex to Council Regulation (EC) No 2042/2000 imposing a definitive anti-dumping duty on imports of television camera systems originating in Japan

(presented by the Commission)

EXPLANATORY MEMORANDUM

By Council Regulation (EC) No 1015/94 (as subsequently amended)¹ a definitive anti-dumping duty was imposed on imports of certain television camera systems originating in Japan. The Council specifically excluded from the scope of the anti-dumping duty the professional camera systems listed in the Annex to that Regulation, representing high-end professional camera systems technically falling within the product definition of the above mentioned Regulation, but which cannot be regarded as television camera systems.

In September 2000, the Council, by Regulation (EC) No 2042/2000², confirmed the above definitive anti-dumping duties imposed in accordance with Article 11(2) of Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community³.

Subsequently, the Commission received a request from a Japanese exporting producer of television camera systems to add certain models of professional camera systems to the Annex to Council Regulation 2042/2000 and thus exempt them from the application of the duty.

The attached Council Regulation contains more detailed information, showing that the models concerned are in fact mainly used in professional video sector and successor models of professional camera systems which have been previously exempted from the application of the duty and should therefore be included in the above mentioned Annex.

¹ OJ L 111, 30.4.1994, p. 106 as last amended by Regulation (EC) No 198/2001 (OJ L 30, 1.2.2001, p. 1)

² OJ L 244, 29.9.2000, p. 38

³ 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)

Proposal for a

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amending the Annex to Council Regulation (EC) No 2042/2000 imposing a definitive anti-dumping duty on imports of television camera systems originating in Japan

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 Community⁴,

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 1015/94⁵, imposed a definitive anti-dumping duty on imports of television camera systems (“TCS”) originating in Japan.
- (2) In Article 1(3)(e) of Regulation (EC) No 1015/94, the Council specifically excluded from the scope of the anti-dumping duty professional camera systems listed in the Annex to that Regulation (“the Annex”), representing high-end professional camera systems technically falling within the product definition under Article 1(2) of Regulation (EC) No 1015/94, but which cannot be regarded as television camera systems.
- (3) In October 1995, the Council, amended Regulation (EC) No 1015/94 by Regulation (EC) No 2474/95⁶, in particular as regards the like product definition and as regards certain models of professional camera systems which were explicitly exempted from the definitive anti-dumping duty.
- (4) In October 1997, the Council, by Regulation (EC) No 1952/97⁷, amended the rates of the definitive anti-dumping duty for two companies concerned, namely for Sony Corporation and Ikegami Tsushinki in accordance with Article 12 of Regulation (EC) No 384/96 (the “Basic Regulation”). Furthermore, the Council specifically excluded from the scope of the anti-dumping duty certain new models of professional camera systems by adding them to the Annex.

⁴ 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)

⁵ OJ L 111, 30.4.1994, p. 106 as last amended by Regulation (EC) No 198/2001 (OJ L 30, 1.2.2001, p.1)

⁶ OJ L 255, 25.10.1995, p. 11

⁷ OJ L 276, 9.10.1997, p. 20

- (5) In September 2000, the Council by Regulation (EC) No 2042/2000⁸, confirmed the definitive anti-dumping duties imposed by Regulation 1015/94 (as subsequently amended) in accordance with Article 11(2) of the Basic Regulation.
- (6) In January 2001, the Council by Regulation (EC) No 198/2001⁹, latest amended Regulation (EC) No 2042/2000 adding certain successor models of professional camera systems to the Annex and thus excluding those from the application of the definitive anti-dumping duty.

B. INVESTIGATION CONCERNING NEW MODELS OF PROFESSIONAL CAMERA SYSTEMS

1. Request

- (7) A Japanese exporting producer, namely Sony Corporation (“Sony”), informed the Commission that it intended to introduce new models of professional camera systems into the Community market and requested to add these new models of professional camera systems including their accessories to the Annex and thus exempt them from the scope of the anti-dumping duties.

2. Models under investigation

- (8) The application received concerned the following models, supplied with the relevant technical information:
- camera head DXC-D35PH
 - camera head DXC-D35PL
 - camera head DXC-D35PK
 - camera head DXC-D35WSPL
 - camera head DSR-135PL
 - viewfinder DXF-801CE
 - camera control unit CCU-M5AP

All above models were presented as being part of professional camera systems dedicated to the professional video market.

3. Investigation and findings

- (9) The Commission informed the Community industry of the request introduced by Sony and invited them to comment.
- (10) The Community industry claimed that the above mentioned models should not be exempted from the anti-dumping measures in force. In this regard, it was argued that

⁸ OJ L 244, 29.9.2000, p. 38

⁹ OJ L 30, 01.02.2001, p. 1.

the models under consideration could easily be connected to a triax unit or system and as such be used as broadcast cameras.

- (11) The Commission's investigation revealed that the models under consideration could indeed be connected to a triax adaptor and could thus in principle be used for a number of broadcast applications. However, the supplementary information provided by Sony on the request of the Commission showed that the vast majority of the users of the models under investigation were in the professional sector and the main applications of these models were in the professional video sector.
- (12) The Commission's investigation also confirmed that the models concerned were in fact up-dated models of predecessor models already listed in the Annex and found that they were largely identical.
- (13) Given the above, the Commission established that on an overall basis, the above mentioned camera models should be excluded from the scope of the existing anti-dumping measures, except in those cases where the corresponding triax system or triax adaptor is sold on the Community market.
- (14) The Commission informed the Community producers and the exporter of the TCS of its findings and provided them with an opportunity to present their views. One Community producer continued to object to the exclusion of the camera models concerned from the application of the anti-dumping duty but provided no new evidence in support of its claim that the camera series in question was sold on the Community market as a broadcast camera.
- (15) On this basis, all models and related equipment listed above in recital (8) should be exempted from the application of the anti-dumping duty imposed on TCS originating in Japan, and the Annex should be amended accordingly.
- (16) Given the complexity of this case, the evidence and information submitted and continuous consultations of the parties concerned, necessary due to the mainly technical aspects of the case, the Commission was not able to conclude the present investigation at an earlier stage. Under these circumstances, it was considered appropriate that the present Regulation should apply to the camera models listed in recital (8) with retroactive effect irrespective of the date of their importation.

HAS ADOPTED THIS REGULATION:

Article 1

The Annex of Council Regulation 2042/2000 shall be replaced by the Annex hereto. The following camera models are added to the Annex of Council Regulation (EC) No 2042/2000 :

- camera head DXC-D35PH
- camera head DXC-D35PL
- camera head DXC-D35PK
- camera head DXC-D35WSPL

- camera head DSR-135PL
- viewfinder DXF-801CE
- camera control unit CCU-M5AP

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities* and shall apply to camera models listed in Article 1 irrespective of the date of their importation.

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

Done at Brussels,

For the Council
The President

ANNEX

**List of professional camera systems not qualified as television camera systems
(broadcast camera systems) which are exempted from the measures**

Company name	Camera heads	Viewfinder	Camera control unit	Operational control unit	Master control unit (*)	Camera adapters
Sony	DXC-M7PK	DXF-3000CE	CCU-M3P	RM-M7G	—	CA-325P
	DXC-M7P	DXF-325CE	CCU-M5P			CA-325AP
	DXC-M7PH	DXF-501CE	CCU-M7P			CA-325B
	DXC-M7PK/1	DXF-M3CE	CCU-M5AP ⁽¹⁾			CA-327P
	DXC-M7P/1	DXF-M7CE				CA-537P
	DXC-M7PH/1	DXF-40CE				CA-511
	DXC-327PK	DXF-40ACE				CA-512P
	DXC-327PL	DXF-50CE				CA-513
	DXC-327PH	DXF-601CE				VCT-U14 ⁽¹⁾
	DXC-327APK	DXF-40BCE				
	DXC-327APL	DXF-50BCE				
	DXC-327AH	DXF-701CE				
	DXC-537PK	DXF-WSCE ⁽¹⁾				
	DXC-537PL	DXF-801CE ⁽¹⁾				
	DXC-537PH					
	DXC-537APK					
	DXC-537APL					
	DXC-537APH					
	EVW-537PK					
	EVW-327PK					
	DXC-637P					
	DXC-637PK					
	DXC-637PL					
	DXC-637PH					
	PVW-637PK					
	PVW-637PL					
	DXC-D30PF					
	DXC-D30PK					
	DXC-D30PL					
	DXC-D30PH					

Company name	Camera heads	Viewfinder	Camera control unit	Operational control unit	Master control unit (*)	Camera adapters
	DSR-130PF DSR-130PK DSR-130PL PVW-D30PF PVW-D30PK PVW-D30PL DXC-327BPF DXC-327BPK DXC-327BPL DXC-327BPH DXC-D30WSP ⁽¹⁾ DXC-D35PH ⁽¹⁾ DXC-D35PL ⁽¹⁾ DXC-D35PK ⁽¹⁾ DXC-D35WSPL ⁽¹⁾ DSR-135PL ⁽¹⁾					
Ikegami	HC-340 HC-300 HC-230 HC-240 HC-210 HC-390 LK-33 HDL-30MA HDL-37 HC-400 ⁽¹⁾ HC-400W ⁽¹⁾	VF15-21/22 VF-4523 VF15-39 VF15-46 ⁽¹⁾ VF5040 ⁽¹⁾ VF5040W ⁽¹⁾	MA-200/230 MA-200A ⁽¹⁾	RCU-240 RCU-390 ⁽¹⁾	—	CA-340 CA-300 CA-230 CA-390 CA-400 ⁽¹⁾
Hitachi	SK-H5 SK-H501 DK-7700 DK-7700SX HV-C10 HV-C11	GM-5 (A) GM-5-R2 (A) GM-5-R2 GM-50 GM-8A ⁽¹⁾ GM-9 ⁽¹⁾	RU-C1 (B) RU-C1 (D) RU-C1 RU-C1-S5 RU-C10 (B) RU-C10 (C)	—	—	CA-Z1 CA-Z2 CA-Z1SJ CA-Z1SP CA-Z1M CA-Z1M2

Company name	Camera heads	Viewfinder	Camera control unit	Operational control unit	Master control unit (*)	Camera adapters
	HV-C10F	GM-51 ⁽¹⁾	RC-C1			CA-Z1HB
	Z-ONE (L)		RC-C10			CA-C10
	Z-ONE (H)		RU-C10			CA-C10SP
	Z-ONE		RU-Z1 (B)			CA-C10SJA
	Z-ONE A (L)		RU-Z1 (C)			CA-C10M
	Z-ONE A (H)		RU-Z1			CA-C10B
	Z-ONE A (F)		RC-C11			CA-Z1A ⁽¹⁾
	Z-ONE A		RU-Z2			CA-Z31 ⁽¹⁾
	Z-ONE B (L)		RC-Z1			CA-Z32 ⁽¹⁾
	Z-ONE B (H)		RC-Z11			CA-ZD1 ⁽¹⁾
	Z-ONE B (F)		RC-Z2			
	Z-ONE B		RC-Z21			
	Z-ONE B (M)		RC-Z2A ⁽¹⁾			
	Z-ONE B (R)		RC-Z21A ⁽¹⁾			
	FP-C10 (B)		RU-Z3 ⁽¹⁾			
	FP-C10 (C)		RC-Z3 ⁽¹⁾			
	FP-C10 (D)					
	FP-C10 (G)					
	FP-C10 (L)					
	FP-C10 (R)					
	FP- C10 (S)					
	FP-C10 (V)					
	FP-C10 (F)					
	FP-C10					
	FP-C10 A					
	FP-C10 A (A)					
	FP-C10 A (B)					
	FP-C10 A (C)					
	FP-C10 A (D)					
	FP-C10 A (F)					
	FP-C10 A (G)					
	FP-C10 A (H)					
	FP-C10 A (L)					
	FP-C10 A (R)					

Company name	Camera heads	Viewfinder	Camera control unit	Operational control unit	Master control unit (*)	Camera adapters
	FP-C10 A (S) FP-C10 A (T) FP-C10 A (V) FP-C10 A (W) Z-ONE C (M) Z-ONE C (R) Z-ONE C (F) Z-ONE C HV-C20 HV-C20M Z-ONE-D Z-ONE-D (A) Z-ONE-D (B) Z-ONE-D (C) Z-ONE.DA ⁽¹⁾ V-21 ⁽¹⁾ V-21W ⁽¹⁾					
Matsushita	WV-F700 WV-F700A WV-F700SHE WV-F700ASHE WV-F700BHE WV-F700ABHE WV-F700MHE WV-F350 WV-F350HE WV-F350E WV-F350AE WV-F350DE WV-F350ADE WV-F500HE (*) WV-F-565HE	WV-VF65BE WV-VF40E WV-VF39E WV-VF65BE (*) WV-VF40E (*) WV-VF42E WV-VF65B AW-VF80	WV-RC700/B WV-RC700/G WV-RC700A/B WV-RC700A/G WV-RC36/B WV-RC36/G WV-RC37/B WV-RC37/G WV-CB700E WV-CB700AE WV-CB700E (*) WV-CB700AE (*) WV-RC700/B (*) WV-RC700/G (*) WV-RC700A/B (*)	—	—	WV-AD700SE WV-AD700ASE WV-AD700ME WV-AD250E WV-AD500E (*) AW-AD500AE AW-AD700BSE

Company name	Camera heads	Viewfinder	Camera control unit	Operational control unit	Master control unit (*)	Camera adapters
	AW-F575HE AW-E600 AW-E800 AW-E800A		WV-RC700A/G (*) WV-RC550/G WV-RC550/B WV-RC700A WV-CB700A WV-RC550 WV-CB550 AW-RP501 AW-RP505			
JVC	KY-35E KY-27ECH KY-19ECH KY-17FITECH KY-17BECH KY-F30FITE KY-F30BE KY-27CECH KH-100U KY-D29ECH KY-D29WECH ⁽¹⁾	VF-P315E VF-P550E VF-P10E VP-P115E VF-P400E VP-P550BE VF-P116 VF-P116WE ⁽¹⁾ VF-P550WE ⁽¹⁾	RM-P350EG RM-P200EG RM-P300EG RM-LP80E RM-LP821E RM-LP35U RM-LP37U RM-P270EG	—	—	KA-35E KA-B35U KA-M35U KA-P35U KA-27E KA-20E KA-P27U KA-P20U KA-B27E KA-B20E KA-M20E KA-M27E
Olympus	MAJ-387N MAJ-387I		OTV-SX 2 OTV-S5 OTV-S6			
	Camera OTV-SX					

(*)Also called master set up unit (MSU) or master control panel (MCP).

(1) Models exempted under the condition that the corresponding triax system or triax-adapter is not sold on the EC market.