dumping duty, of almost all its sales on the Community market, representing approximately one-third of its production, fails to establish the imminence of that danger if it admits that its business has remained profitable and that demand for the products which it sells on the world market is increasing.

2. When it concerns the main proceedings and not the proceedings in an application for interim measures, a measure of inquiry such as the appointment of an expert falls within the jurisdiction of the Court under Article 45 of the Rules of Procedure and not within that of the President ruling on the application for interim measures.

ORDER OF THE PRESIDENT OF THE COURT
14 February 1990 *

In Case C-358/89 R

Extramet Industrie SA, a company governed by French law, whose registered office is at Annemasse (France), represented by Chantal Momège, of the Paris Bar, with an address for service in Luxembourg at the Chambers of Aloyse May, 31 Grand-Rue,

applicant,

v

Council of the European Communities, represented by Yves Crétien and Erik Stein, Legal Advisers, acting as Agents, with an address for service in Luxembourg at the office of Jörg Käser, Manager of the Legal Directorate of the European Investment Bank, 100 boulevard Konrad-Adenauer,

defendant,

supported by

Commission of the European Communities, represented by Eric White, a member of its Legal Department, acting as Agent, assisted by Reinhard Wagner, a national

* Language of the case: French.

official on secondment, with an address for service in Luxembourg at the office of Georgios Kremlis, a member of the Commission's Legal Department, Wagner Centre, Kirchberg,

intervener,

APPLICATION primarily for an order suspending the operation of Council Regulation (EEC) No 2808/89 of 18 September 1989 imposing a definitive anti-dumping duty on imports of calcium metal originating in the People's Republic of China and the Soviet Union and definitively collecting the provisional anti-dumping duty imposed on such imports,

THE PRESIDENT OF THE COURT OF JUSTICE
OF THE EUROPEAN COMMUNITIES

(the grounds of the order are not reproduced)

hereby orders as follows:

(1) The application for interim measures is dismissed.

(2) Costs, including those of the intervener, are reserved.