COMMISSION IMPLEMENTING DECISION (EU) 2022/1263

of 19 July 2022

terminating the anti-subsidy proceeding concerning imports of graphite electrode systems originating in the People's Republic of China

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2016/1037 of the European Parliament and of the Council of 8 June 2016 on protection against subsidised imports from countries not members of the European Union ([1]) ('the basic Regulation'), and in particular Article 14(1) thereof,

Whereas:

1. PROCEDURE

1.1. Initiation of an anti-subsidy proceeding

(1) On 4 October 2021 the Commission received a complaint pursuant to Article 10 of the basic Regulation lodged by Graphite Cova GmbH, Showa Denko Carbon Holding GmbH and Tokai ErftCarbon GmbH ('the complainants').

(2) On 18 November 2021, after holding consultations with the Government of the People's Republic of China on 16 November 2021, the European Commission initiated an anti-subsidy proceeding regarding imports into the Union of graphite electrode systems originating in the People's Republic of China. It published a Notice of Initiation in the *Official Journal of the European Union* (the 'Notice of Initiation') ([2]).

(3) On 6 April 2022, the European Commission imposed definitive duties in a separate anti-dumping proceeding concerning imports of the same product originating in the People's Republic of China ([3]).

1.2. Investigation period and period considered

(4) The investigation period covered the period 1 January 2020 to 31 December 2020. The period considered covered the period 1 January 2017 to 31 December 2020.

1.3. Interested parties

(5) In the Notice of Initiation, interested parties were invited to contact the Commission in order to participate in the investigation. In addition, the Commission specifically informed the complainants, the known Union producers and associations, as well as the Government of the People's Republic of China about the initiation of the investigation and invited them to participate.

(6) Interested parties had an opportunity to comment on the initiation of the investigation and to request a hearing with the Commission and/or the Hearing Officer in trade proceedings.

2. PRODUCT UNDER INVESTIGATION

(7) The product subject to this investigation is graphite electrodes of a kind used for electric furnaces, with an apparent density of 1,5 g/cm^3 or more and an electrical resistance of 7,0 μ.Ω.m or less, whether or not equipped with nipples ('the product under investigation').

([1]) OJ L 176, 30.6.2016, p. 55.

([2]) Notice of initiation of an anti-subsidy proceeding concerning imports of certain graphite electrode systems originating in the People's Republic of China (OJ C 466, 18.11.2021, p. 6).

([3]) Commission Implementing Regulation (EU) 2022/558 of 6 April 2022 imposing a definitive anti-dumping duty and definitively collecting the provisional duty imposed on imports of certain graphite electrode systems originating in the People's Republic of China (OJ L 108, 7.4.2022, p. 20).

3. **WITHDRAWAL OF THE COMPLAINT**

(8) In its letter to the Commission of 9 May 2022 the complainants withdrew their complaint.

(9) In accordance with Article 14(1) of the basic Regulation, the proceeding may be terminated, unless such termination would not be in the Union interest.

(10) The investigation had not brought to light any considerations demonstrating that such termination would not be in the Union interest.

4. **CONCLUSION AND DISCLOSURE**

(11) The Commission therefore considered that the proceeding should be terminated.

(12) Interested parties were informed accordingly and were granted an opportunity to submit comments.

(13) The Commission received no comments which would lead to the conclusion that such termination would not be in the Union interest.

(14) This Decision is in accordance with the opinion of the Committee established by Article 25(1) of the basic Regulation,

HAS ADOPTED THIS DECISION:

Article 1

The anti-subsidy proceeding concerning imports of certain graphite electrode systems originating in the People's Republic of China is hereby terminated.

Article 2

This Decision shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

Done at Brussels, 19 July 2022.

For the Commission
The President
Ursula VON DER LEYEN