

COMMISSION DECISION**of 5 September 1983****accepting undertakings given in connection with the anti-dumping proceeding
concerning imports of certain outboard motors originating in Japan****(83/452/EEC)**

THE COMMISSION 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 Community ⁽¹⁾, as amended
by Regulation (EEC) No 1580/82 ⁽²⁾, and in particular
Article 10 thereof,

After consultations within the Advisory Committee as
provided for under the above Regulation,

Whereas :

A. Provisional action

- (1) The Commission, by Regulation (EEC) No
1500/83 ⁽³⁾, imposed a provisional anti-dumping
duty on imports of outboard motors up to and
including 85 hp originating in Japan.

B. Undertakings

- (2) Following the imposition of the provisional anti-
dumping duty, undertakings were offered by
Tohatsu Corporation, Suzuki Motor Company Ltd,
Yamaha Motor Company Ltd and Marine Power
Europe Inc., acting on behalf of Yamaha Motor
Company Ltd pursuant to a power of attorney,
concerning their exports of Mariner outboard
motors to the Community.
- (3) The effect of the said undertakings is very likely to
increase export prices to the Community or, where

appropriate, resale prices in the Community either
to the level necessary to eliminate the dumping or
to the level which the Commission, having taken
into account, on the one hand, the selling prices
necessary to provide an adequate return to
Community producers and, on the other hand, the
purchase prices of the Community importers and
their costs and profit margins, considers necessary
to eliminate injury.

- (4) In these circumstances, the undertakings offered
are considered acceptable.
- (5) No objection to this course was raised in the Advi-
sory Committee,

HAS DECIDED AS FOLLOWS :

Sole Article

The Commission hereby accepts the undertakings
given by Tohatsu Corporation, Suzuki Motor Company
Ltd, Yamaha Motor Company Ltd and Marine Power
Europe Inc. in connection with the anti-dumping
proceeding concerning outboard motors up to and
including 85 hp, falling within Common Customs
Tariff subheading ex 84.06 B, corresponding to
NIMEXE codes 84.06-10 and ex 84.06-12 and origina-
ting in Japan.

Done at Brussels, 5 September 1983.

For the Commission

Étienne DAVIGNON

Vice-President

⁽¹⁾ OJ No L 339, 31. 12. 1979, p. 1.

⁽²⁾ OJ No L 178, 22. 6. 1982, p. 9.

⁽³⁾ OJ No L 152, 10. 6. 1983, p. 18.