



2024/2724

25.10.2024

COMMISSION IMPLEMENTING REGULATION (EU) 2024/2724
of 24 October 2024
making imports of optical fibre cables originating in India subject to registration

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 24(5) thereof,

After informing the Member States,

Whereas:

- (1) On 17 May 2024, the Commission announced, by a notice published in the *Official Journal of the European Union* ⁽²⁾, the initiation of an anti-subsidy proceeding with regard to imports into the Union of optical fibre cables, originating in India. This initiation followed a complaint lodged on 4 April 2024 by Europacable on behalf of producers representing more than 25 % of the total Union production of optical fibre cables.
- (2) Separately, on 16 November 2023, the Commission announced, by a notice published in the *Official Journal of the European Union* ⁽³⁾ the initiation of an anti-dumping proceeding with regard to imports into the Union of optical fibre cables, originating in India. On 13 July 2024, the Commission imposed provisional anti-dumping duties on imports of optical fibre cables originating in India ⁽⁴⁾.

1. PRODUCT SUBJECT TO REGISTRATION

- (3) The product subject to registration ('the product concerned') is single mode optical fibre cables, made up of one or more individually sheathed fibres, with protective casing, whether or not containing electric conductors, whether or not connectorized.

The following products are excluded:

- cables below 500 meters in length in which all the optical fibres are individually fitted with operational connectors at one or both extremities; and
 - cables for submarine use, plastic insulated, containing a copper or aluminium conductor, in which fibres are contained in metal module(s).
- (4) The product concerned is currently classified under CN code ex 8544 70 00 (TARIC codes 8544 70 00 10 and 8544 70 00 91). The CN and TARIC codes are given for information only and without prejudice to a subsequent change in the tariff classification.

2. REGISTRATION

- (5) Under Article 24(5) of the basic Regulation, imports of the product concerned may be made subject to registration for the purpose of ensuring that, if the investigation results in findings leading to the imposition of countervailing duties, those duties can, if the necessary conditions are fulfilled, be levied retroactively on the registered imports in accordance with the applicable legal provisions.

⁽¹⁾ OJ L 176, 30.6.2016, p. 55, ELI: <http://data.europa.eu/eli/reg/2016/1037/oj>.

⁽²⁾ OJ C, C/2024/3206, 17.5.2024, ELI: <http://data.europa.eu/eli/C/2024/3206/oj>.

⁽³⁾ OJ C, C/2023/891, 16.11.2023, ELI: <http://data.europa.eu/eli/C/2023/891/oj>.

⁽⁴⁾ OJ L, 2024/1943, 12.7.2024, ELI: http://data.europa.eu/eli/reg_impl/2024/1943/oj.

- (6) The Commission has decided to make imports of the product concerned subject to registration on its own initiative under to Article 24(5) of the basic Regulation. The conditions for retroactive collection of duties will be assessed in the regulation imposing definitive duties, if any.
- (7) Any future liability would emanate from the findings of the investigation.
- (8) At this stage of the investigation is not yet possible to estimate the amount of subsidisation. The complaint does not provide for an accurate estimation of the amount of subsidisation, which should normally be used as the basis to establish the countervailing duties. The complaint contains an estimate of the injury elimination level of 29 % for the product concerned from April 2022 to March 2023. In accordance with Article 15(1), fourth paragraph, of the basic Regulation, the injury elimination level would only be relevant in case a duty based on the amount of countervailable subsidies would be higher and the Commission clearly concludes that it is not in the Union's interest to impose this higher duty.

3. PROCESSING OF PERSONAL DATA

- (9) Any personal data collected in the context of this registration will be treated in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council ⁽⁹⁾,

HAS ADOPTED THIS REGULATION:

Article 1

1. The customs authorities are hereby directed, under Article 24(5) of Regulation (EU) 2016/1037, to take the appropriate steps to register imports into the Union of single mode optical fibre cables, made up of one or more individually sheathed fibres, with protective casing, whether or not containing electric conductors, whether or not connectorized, currently classified under CN code ex 8544 70 00 (TARIC codes 8544 70 00 10 and 8544 70 00 91), and originating in India.
2. The following products are excluded from the product described in Article 1(1):
 - cables below 500 meters in length in which all the optical fibres are individually fitted with operational connectors at one or both extremities; and
 - cables for submarine use, plastic insulated, containing a copper or aluminium conductor, in which fibres are contained in metal module(s).
3. Registration shall expire nine months following the date of entry into force of this Regulation.

Article 2

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

⁽⁹⁾ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39, ELI: <http://data.europa.eu/eli/reg/2018/1725/oj>).

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

Done at Brussels, 24 October 2024.

For the Commission
The President
Ursula VON DER LEYEN
