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II

(Non-legislative acts)

REGULATIONS

COUNCIL REGULATION (EU) No 1340/2014

of 15 December 2014

amending Regulation (EU) No 1388/2013 opening and providing for the management of autonomous tariff quotas of the Union for certain agricultural and industrial products

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 31 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) In order to ensure the sufficient and uninterrupted supply of certain goods insufficiently produced in the Union and to avoid any disturbances on the market for certain agricultural and industrial products, autonomous tariff quotas have been opened by Council Regulation (EU) No 1388/2013 ⁽¹⁾. Products falling within those tariff quotas can be imported into the Union at reduced or zero duty rates. For the reasons indicated, it is necessary to open, with effect from 1 January 2015, tariff quotas at zero duty rates for an appropriate volume as regards nine additional products.
- (2) In certain cases, the existing autonomous tariff quotas of the Union should be adapted. In the case of three products, it is necessary to amend the product description for clarification purposes and in order to take into account the most recent product developments. In the case of seven other products, the TARIC codes should be amended as a result of CN and classification changes. In the case of another product, the quota volume needs to be increased in the interest of economic operators of the Union. Also, for reasons of clarity one quota period should be specified and one order number should be changed.
- (3) In the case of one product, the autonomous tariff quota of the Union should be closed with effect from 1 January 2015 as it is not in the Union's interest to continue granting it as from that date.
- (4) Tariff quotas should be reviewed regularly with the possibility of deletion at the request of a party concerned.
- (5) Due to the number of amendments to be made in the Annex to Regulation (EU) No 1388/2013, in the interests of clarity that Annex should be replaced.
- (6) Regulation (EU) No 1388/2013 should therefore be amended accordingly.
- (7) As some of the amendments to the tariff quotas provided for in this Regulation should take effect from 1 January 2015, this Regulation should apply from that date and enter into force on the day of its publication in the *Official Journal of the European Union*,

⁽¹⁾ Council Regulation (EU) No 1388/2013 of 17 December 2013 opening and providing for the management of autonomous tariff quotas of the Union for certain agricultural and industrial products, and repealing Regulation (EU) No 7/2010 (OJ L 354, 28.12.2013, p. 319).

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EU) No 1388/2013 is replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.
It shall apply from 1 January 2015.

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

Done at Brussels, 15 December 2014.

For the Council
The President
M. MARTINA

ANNEX

Order number	CN code	TARIC	Description	Quota period	Quota volume	Quota duty (%)
09.2849	ex 0710 80 69	10	Mushrooms of the species <i>Auricularia polytricha</i> (uncooked or cooked by steaming or boiling), frozen, for the manufacture of prepared meals ⁽¹⁾ ⁽²⁾	1.1.-31.12.	700 tonnes	0
09.2663	ex 1104 29 17	10	Sorghum grains, processed using milling techniques, that have been at least hulled and de-germed for use in the manufacture of loose fill packaging products ⁽¹⁾	1.1.-31.12.	1 500 tonnes	0
09.2664	ex 2008 60 39	30	Sweet cherries containing added spirit, whether or not with a sugar content of 9 % by weight, of a diameter of not more than 19,9 mm, with stone, for use in chocolate products ⁽¹⁾	1.1.-31.12.	1 000 tonnes	10 ⁽³⁾
09.2913	ex 2401 10 35 ex 2401 10 70 ex 2401 10 95 ex 2401 10 95 ex 2401 10 95 ex 2401 20 35 ex 2401 20 70 ex 2401 20 95 ex 2401 20 95 ex 2401 20 95	91 10 11 21 91 91 10 11 21 91	Natural unmanufactured tobacco, whether or not cut in regular size, having a custom value of not less than EUR 450 per 100 kg net weight, for use as binder or wrapper for the manufacture of goods falling within subheading 2402 10 00 ⁽¹⁾	1.1.-31.12.	6 000 tonnes	0
09.2928	ex 2811 22 00	40	Silica filler in the form of granules, with a purity by weight of 97 % or more of silicon dioxide	1.1.-31.12.	1 700 tonnes	0
09.2703	ex 2825 30 00	10	Vanadium oxides and hydroxides exclusively for use in alloys ⁽¹⁾	1.1.-31.12.	13 000 tonnes	0
09.2806	ex 2825 90 40	30	Tungsten trioxide, including blue tungsten oxide (CAS RN 1314-35-8 or CAS RN 39318-18-8)	1.1.-31.12.	12 000 tonnes	0
09.2929	2903 22 00		Trichloroethylene (CAS RN 79-01-6)	1.1.-31.12.	10 000 tonnes	0
09.2837	ex 2903 79 90	10	Bromochloromethane (CAS RN 74-97-5)	1.1.-31.12.	600 tonnes	0
09.2933	ex 2903 99 90	30	1,3-Dichlorobenzene (CAS RN 541-73-1)	1.1.-31.12.	2 600 tonnes	0
09.2950	ex 2905 59 98	10	2-Chloroethanol, for the manufacture of liquid thioplasts of subheading 4002 99 90 (CAS RN 107-07-3) ⁽¹⁾	1.1.-31.12.	15 000 tonnes	0
(*) 09.2830	ex 2906 19 00	40	Cyclopropylmethanol (CAS RN 2516-33-8)	1.1.-31.12.	20 tonnes	0
09.2851	ex 2907 12 00	10	o-Cresol having a purity of not less than 98,5 % by weight (CAS RN 95-48-7)	1.1.-31.12.	20 000 tonnes	0

Order number	CN code	TARIC	Description	Quota period	Quota volume	Quota duty (%)
09.2624	2912 42 00		Ethylvanillin (3-ethoxy-4-hydroxybenzaldehyde) (CAS RN 121-32-4)	1.1.-31.12.	950 tonnes	0
09.2852	ex 2914 29 00	60	Cyclopropyl methyl ketone (CAS RN 765-43-5)	1.1.-31.12.	300 tonnes	0
09.2638	ex 2915 21 00	10	Acetic acid of a purity by weight of 99 % or more (CAS RN 64-19-7)	1.1.-31.12.	1 000 000 tonnes	0
09.2972	2915 24 00		Acetic anhydride (CAS RN 108-24-7)	1.1.-31.12.	20 000 tonnes	0
(*) 09.2679	2915 32 00		Vinyl acetate (CAS RN 108-05-4)	1.1.-31.12.	200 000 tonnes	0
09.2665	ex 2916 19 95	30	Potassium (E,E)-hexa-2,4-dienoate (CAS RN 24634-61-5)	1.1.-31.12.	8 000 tonnes	0
09.2769	ex 2917 13 90	10	Dimethyl sebacate (CAS RN 106-79-6)	1.1.-31.12.	1 000 tonnes	0
(*) 09.2680	ex 2917 19 90	25	n-Dodecylsuccinic acid anhydride (CAS RN 19780-11-1) with: — a Gardner colour index level of not more than 1, — a transmission at 500 nm of 98 % or more for a 10 % solution by weight in toluene, for use in the manufacture of automotive coatings ⁽¹⁾	1.1.-31.12.	80 tonnes	0
09.2634	ex 2917 19 90	40	Dodecanedioic acid, of a purity by weight of more than 98,5 % (CAS RN 693-23-2)	1.1.-31.12.	4 600 tonnes	0
09.2808	ex 2918 22 00	10	o-Acetylsalicylic acid (CAS RN 50-78-2)	1.1.-31.12.	120 tonnes	0
09.2975	ex 2918 30 00	10	Benzophenone-3,3',4,4'-tetracarboxylic dianhydride (CAS RN 2421-28-5)	1.1.-31.12.	1 000 tonnes	0
(*) 09.2682	ex 2921 41 00	10	Aniline with a purity by weight of 99 % or more (CAS RN 62-53-3)	1.1.-31.12.	50 000 tonnes	0
09.2602	ex 2921 51 19	10	o-Phenylenediamine (CAS RN 95-54-5)	1.1.-31.12.	1 800 tonnes	0
09.2977	2926 10 00		Acrylonitrile (CAS RN 107-13-1)	1.1.-31.12.	75 000 tonnes	0
09.2856	ex 2926 90 95	84	2-Nitro-4(trifluoromethyl)benzoxonitrile (CAS RN 778-94-9)	1.1.-31.12.	500 tonnes	0
09.2838	ex 2927 00 00	85	C,C'-Azodi(formamide) (CAS RN 123-77-3) with: — a pH of 6,5 or more but not more than 7,5, and — a semicarbazide (CAS RN 57-56-7) content of not more than 1 500 mg/kg as determined by liquid chromatography mass spectrometry (LC-MS), — decomposition temperature range of 195 °C-205 °C, — specific gravity 1,64-1,66, and — combustion heat 215-220 Kcal/mol	1.1.-31.12.	100 tonnes	0

Order number	CN code	TARIC	Description	Quota period	Quota volume	Quota duty (%)
09.2955	ex 2932 19 00	60	Flurtamone (ISO) (CAS RN 96525-23-4)	1.1.-31.12.	300 tonnes	0
09.2812	ex 2932 20 90	77	Hexan-6-olide (CAS RN 502-44-3)	1.1.-31.12.	4 000 tonnes	0
09.2858	2932 93 00		Piperonal (CAS RN 120-57-0)	1.1.-31.12.	220 tonnes	0
09.2831	ex 2932 99 00	40	1,3:2,4-Bis-O-(3,4-dimethylbenzylidene)-D-glucitol (CAS RN 135861-56-2)	1.1.-31.12.	500 tonnes	0
(*) 09.2673	ex 2933 39 99	43	2,2,6,6-tetramethylpiperidin-4-ol (CAS RN 2403-88-5)	1.1.-31.12.	1 000 tonnes	0
(*) 09.2674	ex 2933 39 99	44	Chlorpyrifos (ISO) (CAS RN 2921-88-2)	1.1.-31.12.	9 000 tonnes	0
(*) 09.2860	ex 2933 69 80	30	1,3,5-Tris[3-(dimethylamino)propyl]hexahydro-1,3,5-triazine (CAS RN 15875-13-5)	1.1.-31.12.	400 tonnes	0
09.2658	ex 2933 99 80	73	5-(Acetoacetylamino)benzimidazolone (CAS RN 26576-46-5)	1.1.-31.12.	200 tonnes	0
(*) 09.2675	ex 2935 00 90	79	4-[[[2-Methoxybenzoyl]amino]sulfonyl]benzoyl chloride (CAS RN 816431-72-8)	1.1.-31.12.	542 tonnes	0
09.2945	ex 2940 00 00	20	D-Xylose (CAS RN 58-86-6)	1.1.-31.12.	400 tonnes	0
(*) 09.2676	ex 3204 17 00	14	Preparations based on colourant C.I. Pigment Red 48:2 (CAS RN 7023-61-2) with a content thereof of 60 % or more by weight	1.1.-31.12.	50 tonnes	0
(*) 09.2677	ex 3204 17 00	45	Colourant C.I. Pigment Yellow 174 (CAS RN 4118-16-5), highly resinated pigment (approx. 35 % disproportionate resin), with a purity of 98 % by weight or more, in the form of extruded beads with a moisture content of not more than 1 % by weight	1.1.-31.12.	500 tonnes	0
(*) 09.2666	ex 3204 17 00	55	Colourant C.I. Pigment Red 169 (CAS RN 12237-63-7) and preparations based thereon with a colourant C.I. Pigment Red 169 content of 50 % or more by weight	1.1.-31.12.	40 tonnes	0
(*) 09.2678	ex 3204 17 00	67	Colourant C.I. Pigment Red 57:1 (CAS RN 5281-04-9) with a purity of 98 % by weight or more, in the form of extruded beads with a moisture content of max 1,5 % by weight	1.1.-31.12.	150 tonnes	0
09.2659	ex 3802 90 00	19	Soda flux calcinated diatomaceous earth	1.1.-31.12.	30 000 tonnes	0
09.2908	ex 3804 00 00	10	Sodium lignosulphonate	1.1.-31.12.	40 000 tonnes	0
09.2889	3805 10 90		Sulphate turpentine	1.1.-31.12.	25 000 tonnes	0
09.2935	ex 3806 10 00	10	Rosin and resin acids obtained from fresh oleoresins	1.1.-31.12.	280 000 tonnes	0

Order number	CN code	TARIC	Description	Quota period	Quota volume	Quota duty (%)
(*) 09.2832	ex 3808 92 90	40	Preparation containing 38 % or more but not more than 50 % by weight of pyrithione zinc (INN) (CAS RN 13463-41-7) in an aqueous dispersion	1.1.-31.12.	500 tonnes	0
(*) 09.2681	ex 3824 90 92	85	Mixture of bis [3-(triethoxysilyl)propyl] sulphides (CAS RN 211519-85-6)	1.1.-31.12.	9 000 tonnes	0
09.2814	ex 3815 90 90	76	Catalyst consisting of titanium dioxide and tungsten trioxide	1.1.-31.12.	3 000 tonnes	0
(*) 09.2644	ex 3824 90 92	77	Preparation containing by weight: — 55 % or more but not more than 78 % of dimethyl glutarate, — 10 % or more but not more than 30 % of dimethyl adipate, and — not more than 35 % of dimethyl succinate	1.1.-31.12.	10 000 tonnes	0
(*) 09.2140	ex 3824 90 92	79	Mixture of tertiary amines containing by weight: — 2,0-4,0 % of N,N-dimethyl-1-octanamine — 94 % minimum of N,N-dimethyl-1-decanamine — 2 % maximum of N,N-dimethyl-1-dodecanamine	1.1.-31.12.	4 500 tonnes	0
(*) 09.2829	ex 3824 90 93	43	Solid extract of the residual, insoluble in aliphatic solvents, obtained during the extraction of rosin from wood, having the following characteristics: — a resin acid content not exceeding 30 % by weight, — an acid number not exceeding 110, and — a melting point of 100 °C or more	1.1.-31.12.	1 600 tonnes	0
(*) 09.2907	ex 3824 90 93	67	Mixture of phytosterols, in the form of powder, containing by weight: — 75 % or more of sterols, — not more than 25 % of stanols, for use in the manufacture of stanols/sterols or stanol/sterol esters ⁽¹⁾	1.1.-31.12.	2 500 tonnes	0
(*) 09.2660	ex 3902 30 00	98	Amorphous polyalpha olefin adhesive for the manufacture of hygiene products ⁽¹⁾	1.1.-31.12.	500 tonnes	0
(*) 09.2639	3905 30 00		Poly(vinyl alcohol), whether or not containing unhydrolysed acetate groups	1.1.-31.12.2015	15 000 tonnes	0
09.2671	ex 3905 99 90	81	Poly(vinylbutyral)(CAS RN 63148-65-2): — containing by weight 17,5 % or more, but not more than 20 % of hydroxyl groups, and — with a median particle size (D50) more than 0,6 mm	1.1.-31.12.	11 000 tonnes	0

Order number	CN code	TARIC	Description	Quota period	Quota volume	Quota duty (%)
09.2616	ex 3910 00 00	30	Polydimethylsiloxane with a degree of polymerisation of 2 800 monomer units (± 100)	1.1.-31.12.	1 300 tonnes	0
09.2816	ex 3912 11 00	20	Cellulose acetate flakes	1.1.-31.12.	75 000 tonnes	0
09.2864	ex 3913 10 00	10	Sodium alginate, extracted from brown seaweed (CAS RN 9005-38-3)	1.1.-31.12.	1 000 tonnes	0
09.2641	ex 3913 90 00	87	Sodium hyaluronate, non-sterile, with: — a weight average molecular weight (M_w) of not more than 900 000, — an endotoxin level of not more than 0,008 endotoxin units (EU)/mg, — an ethanol content of not more than 1 % by weight, — an isopropanol content of not more than 0,5 % by weight	1.1.-31.12.	200 kg	0
09.2661	ex 3920 51 00	50	Sheets of polymethylmethacrylate conforming to standards: — EN 4364 (MIL-P-5425E) and DTD5592A, or — EN 4365 (MIL-P-8184) and DTD5592A	1.1.-31.12.	100 tonnes	0
09.2645	ex 3921 14 00	20	Cellular block of regenerated cellulose, impregnated with water containing magnesium chloride and quaternary ammonium compounds, measuring 100 cm (± 10 cm) \times 100 cm (± 10 cm) \times 40 cm (± 5 cm)	1.1.-31.12.	1 300 tonnes	0
09.2818	ex 6902 90 00	10	Refractory bricks with — an edge length of more than 300 mm, and — a TiO_2 content of not more than 1 % by weight, and — a Al_2O_3 content of not more than 0,4 % by weight, and — a change in volume of less than 9 % at 1 700 °C	1.1.-31.12.	225 tonnes	0
09.2628	ex 7019 52 00	10	Glass web woven from glass fibre coated in plastic, of a weight of 120 g/m ² (± 10 g/m ²), of a type used in rolling insect screens with fixed frames	1.1.-31.12.	3 000 000 m ²	0
09.2799	ex 7202 49 90	10	Ferro-chromium containing 1,5 % or more but not more than 4 % by weight of carbon and not more than 70 % of chromium	1.1.-31.12.	50 000 tonnes	0
(*) 09.2834	ex 7604 29 10	20	Aluminium alloy rods with a diameter of 200 mm or more, but not exceeding 300 mm	1.1.-31.12.	1 000 tonnes	0

Order number	CN code	TARIC	Description	Quota period	Quota volume	Quota duty (%)
(*) 09.2835	ex 7604 29 10	30	Aluminium alloy rods with a diameter of 300,1 mm or more, but not more than 533,4 mm	1.1.-31.12.	500 tonnes	0
09.2840	ex 8104 30 00	20	Magnesium powder: — of purity by weight of 98 % or more, but not more than 99,5 %, — with a particle size of 0,2 mm or more but not more than 0,8 mm	1.1.-31.12.	2 000 tonnes	0
(*) 09.2629	ex 8302 49 00	91	Aluminium telescopic handle for use in the manufacture of luggage ⁽¹⁾	1.1.-31.12.	800 000 pieces	0
09.2642	ex 8501 40 20 ex 8501 40 80	30 40	Assembly, consisting of — a single-phase electric AC commutator motor, with an output of 480 W or more, but not more than 1 400 W, an input power of more than 900 W but not more than 1 600 W, an external diameter of more than 119,8 mm but not more than 135,2 mm and a rated speed of more than 30 000 rpm but not more than 50 000 rpm, and — an air-inducting ventilator, for use in the manufacture of vacuum cleaners ⁽¹⁾	1.1.-31.12.	120 000 pieces	0
09.2763	ex 8501 40 80	30	Electric AC commutator motor, single-phase, with an output of more than 750 W, an input power of more than 1 600 W but not more than 2 700 W, an external diameter of more than 120 mm (\pm 0,2 mm) but not more than 135 mm (\pm 0,2 mm), a rated speed of more than 30 000 rpm but not more than 50 000 rpm, equipped with air-inducting ventilator, for use in the manufacture of vacuum cleaners ⁽¹⁾	1.1.-31.12.	2 000 000 pieces	0
09.2633	ex 8504 40 82	20	Electric rectifier, with a capacity of not more than 1 kVA, for use in the manufacture of appliances falling within subheading 8509 80 and heading 8510 ⁽¹⁾	1.1.-31.12.	4 500 000 pieces	0
09.2643	ex 8504 40 82	30	Power supply boards for use in the manufacture of goods falling under heading 8521 and 8528 ⁽¹⁾	1.1.-31.12.	1 038 000 pieces	0
09.2620	ex 8526 91 20	20	Assembly for GPS system having a position determination function, without display, and a weight of not more than 2 500 g	1.1.-31.12.	3 000 000 pieces	0
09.2672	ex 8529 90 92 ex 9405 40 39	75 70	Printed circuit board with LED diodes: — whether or not equipped with prisms/lens, and — whether or not fitted with connector(s), for the manufacture of backlight units for goods of heading 8528 ⁽¹⁾	1.1.-31.12.	115 000 000 pieces	0

Order number	CN code	TARIC	Description	Quota period	Quota volume	Quota duty (%)
09.2003	ex 8543 70 90	63	Voltage-controlled frequency generator, consisting of active and passive elements mounted on a printed circuit, contained in a housing with dimensions of not more than 30 mm × 30 mm	1.1.-31.12.	1 400 000 pieces	0
09.2668	ex 8714 91 10	21	Bicycle frame, constructed from carbon fibres and artificial resin, painted, lacquered and/or polished, for use in the manufacture of bicycles ⁽¹⁾	1.1.-31.12.	125 000 pieces	0
	ex 8714 91 10	31				
09.2669	ex 8714 91 30	21	Bicycle front fork, constructed from carbon fibres and artificial resin, painted, lacquered and/or polished, for use in the manufacture of bicycles ⁽¹⁾	1.1.-31.12.	97 000 pieces	0
	ex 8714 91 30	31				
09.2631	ex 9001 90 00	80	Unmounted glass lenses, prisms and cemented elements for use in the manufacture or repair of goods of CN codes 9002, 9005, 9013 10 and 9015 ⁽¹⁾	1.1.-31.12.	5 000 000 pieces	0
(*) 09.2836	ex 9003 11 00	10	Spectacle frames of plastic or base metal for use in the manufacture of corrective glasses ⁽¹⁾	1.1.-31.12.	5 800 000 pieces	0
	ex 9003 19 00	20				

⁽¹⁾ Suspension of duties is subject to Articles 291 to 300 of Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code (OJ L 253, 11.10.1993, p. 1).

⁽²⁾ However, the measure is not allowed where processing is carried out by retail or catering undertakings.

⁽³⁾ The specific duty shall apply.

(*) New or amended position.

COUNCIL REGULATION (EU) No 1341/2014**of 15 December 2014****amending Regulation (EU) No 1387/2013 suspending the autonomous Common Customs Tariff duties on certain agricultural and industrial products**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 31 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) It is in the interest of the Union to suspend totally the autonomous Common Customs Tariff duties on 135 products which are currently not listed in Annex I to Council Regulation (EU) No 1387/2013 ⁽¹⁾. Those products should, therefore, be inserted into that Annex.
- (2) It is no longer in the interest of the Union to maintain the suspension of autonomous Common Customs Tariff duties on 52 of the products that are currently listed in Annex I to Regulation (EU) No 1387/2013. Those products should, therefore, be deleted from that Annex.
- (3) It is necessary to modify the product descriptions of 29 suspensions included in Annex I to Regulation (EU) No 1387/2013 in order to take account of technical product developments, economic trends on the market or to carry out linguistic adaptations. Moreover, following upcoming changes in the Combined Nomenclature as of 1 January 2015, TARIC codes for 95 additional products should be amended. In addition, for one product, multiple classification is considered no longer necessary. The suspensions in respect of which modifications are necessary should be deleted from the list of suspensions in Annex I to Regulation (EU) No 1387/2013, and the modified suspensions should be reinserted into that list.
- (4) Tariff suspensions should be reviewed regularly with the possibility of deletion at the request of a party concerned. Where it is justified by the Union's interest, a tariff suspension is prolonged and a new review date is set.
- (5) For 184 products it is necessary, in the interest of the Union, to amend the date for their mandatory review in order to allow duty free imports beyond that date. Those products have been reviewed and have been given revised dates for their next mandatory review. Therefore, they should be deleted from the list of suspensions in Annex I to Regulation (EU) No 1387/2013, and the modified suspensions should be reinserted into that list.
- (6) It is necessary, in the interest of the Union, to shorten the period of mandatory review for four products. The suspensions relating to those products should therefore be deleted from the list of suspensions in Annex I to Regulation (EU) No 1387/2013, and the modified suspensions should be reinserted into that list. With a view to adequately ensuring the continuous applicability of the suspension (without any intermission), the suspension relating to products with TARIC codes ex 8501 32 00 50 and ex 8501 33 00 55 should apply from 1 January 2014.
- (7) In the interest of clarity, the modified entries should be marked with an asterisk.
- (8) In order to allow an appropriate statistical monitoring, Annex II to Regulation (EU) No 1387/2013 should be completed with supplementary units for some of the new products for which suspensions are granted. For reasons of consistency, the supplementary units assigned to the products deleted from Annex I to Regulation (EU) No 1387/2013 should also be deleted from Annex II to that Regulation.
- (9) Regulation (EU) No 1387/2013 should therefore be amended accordingly.
- (10) Since the amendments pursuant to this Regulation should take effect from 1 January 2015, this Regulation should apply from that date and enter into force on the day of its publication in the *Official Journal of the European Union*,

⁽¹⁾ Council Regulation (EU) No 1387/2013 of 17 December 2013 suspending the autonomous Common Customs Tariff duties on certain agricultural and industrial products and repealing Regulation (EU) No 1344/2011 (OJ L 354, 28.12.2013, p. 201).

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 1387/2013 is amended as follows:

(1) the table in Annex I is amended as follows:

(a) between the title and the table, the following note is inserted:

(*) Suspension relating to a product in this Annex with regard to which the CN or TARIC code or the product description or the mandatory review date has been amended by Council Regulation (EU) No 722/2014 of 24 June 2014 amending Regulation (EU) No 1387/2013 suspending the autonomous Common Customs Tariff duties on certain agricultural and industrial products (OJ L 192, 1.7.2014, p. 9) or by Council Regulation (EU) No 1341/2014 of 15 December 2014 amending Regulation (EU) No 1387/2013 suspending the autonomous Common Customs Tariff duties on certain agricultural and industrial products (OJ L 363, 18.12.2014, p. 10);

(b) between the title and the table, the following note is deleted:

(*) Suspension relating to a product in this Annex with regard to which the CN or TARIC code or the product description or the mandatory review date has been amended by Council Regulation (EU) No 722/2014 of 24 June 2014 amending Regulation (EU) No 1387/2013 suspending the autonomous Common Customs Tariff duties on certain agricultural and industrial products (OJ L 192, 1.7.2014, p. 9);

(c) the rows for the products listed in Annex I to this Regulation are inserted following the order of the CN codes indicated in the first column of the table in Annex I to Regulation (EU) No 1387/2013;

(d) the rows for the products for which the CN and TARIC codes are set out in Annex II to this Regulation are deleted;

(2) Annex II is amended as follows:

(a) the rows for the supplementary units for which the CN and TARIC codes are set out in Annex III to this Regulation are added;

(b) the rows for the supplementary units for which the CN and TARIC codes are set out in Annex IV to this Regulation are deleted.

Article 2

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

It shall apply from 1 January 2015.

However, for products with TARIC codes ex 8501 32 00 50 and ex 8501 33 00 55, it shall apply from 1 January 2014.

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

Done at Brussels, 15 December 2014.

For the Council
The President
M. MARTINA

ANNEX I

Tariff suspensions referred to in point (1)(c) of Article 1:

CN code	TARIC	Description	Rate of autonomous duty	Date foreseen for mandatory review
*ex 1511 90 19	10	Palm oil, coconut (copra) oil, palm kernel oil, for the manufacture of:	0 %	31.12.2015
ex 1511 90 91	10			
ex 1513 11 10	10	— industrial monocarboxylic fatty acids of subheading 3823 19 10,		
ex 1513 19 30	10	— methyl esters of fatty acids of heading 2915 or 2916,		
ex 1513 21 10	10	— fatty alcohols of subheadings 2905 17, 2905 19 and 3823 70 used for the manufacture of cosmetics, washing products or pharmaceutical products,		
ex 1513 29 30	10	— fatty alcohols of subheading 2905 16, pure or mixed, used for the manufacture of cosmetics, washing products or pharmaceutical products, — stearic acid of subheading 3823 11 00, — goods of heading 3401, or — fatty acids with high purity of heading 2915 for the manufacture of chemical products other than products of heading 3826 (!)		
*ex 1516 20 96	20	Joboba oil, hydrogenated and interesterified, without any further chemical modification and not subjected to any texturisation process	0 %	31.12.2019
*ex 1517 90 99	10	Vegetable oil, refined, containing by weight 25 % or more but not more than 50 % arachidonic acid or 12 % or more but not more than 65 % docosahexaenoic acid and standardised with high oleic sunflower oil (HOSO)	0 %	31.12.2016
*ex 2008 99 49	30	Seedless boysenberry puree not containing added spirit, whether or not containing added sugar	0 %	31.12.2019
ex 2008 99 99	40			
*ex 2009 49 30	91	Pineapple juice, other than in powder form: — with a Brix value of more than 20 but not more than 67, — a value of more than EUR 30 per 100 kg net weight, — containing added sugars used in the manufacture of products of food or drink industry (!)	0 %	31.12.2019
*ex 2009 81 31	10	Cranberry juice concentrate: — of a Brix value of 40 or more but not more than 66, — in immediate packings of a content of 50 litres or more	0 %	31.12.2019
ex 2009 89 73	11	Passion fruit juice and passion fruit juice concentrate, whether or not frozen:	0 %	31.12.2019
ex 2009 89 73	13	— with a Brix value of 13,7 or more but not more than 55, — of a value of more than EUR 30 per 100 kg net weight, — in immediate packings of a content of 50 litres or more, and — with added sugar for the use in the manufacture of products of food or drink industry (!)		

CN code	TARIC	Description	Rate of autonomous duty	Date foreseen for mandatory review
ex 2009 89 97 ex 2009 89 97	21 29	Passion fruit juice and passion fruit juice concentrate, whether or not frozen: — with a Brix value of 10 or more but not more than 13,7, — of a value of more than EUR 30 per 100 kg net weight, — in immediate packings of a content of 50 litres or more, and — without added sugar for the use in the manufacture of products of food or drink industry ⁽¹⁾	0 %	31.12.2019
*ex 2207 20 00 ex 2207 20 00 ex 3820 00 00	20 80 20	Feedstock consisting of by weight: — 88 % or more but not more than 92 % of Ethanol, — 2,2 % or more but not more than 2,7 % of Monoethylene glycol, — 1,0 % but not more than 1,3 % of Methyl ethyl ketone, — 0,36 % or more but not more than 0,40 % of anionic surfactant (ca. 30 % active), — 0,0293 % or more but not more than 0,0396 % of methyl isopropyl ketone, — 0,0195 % or more but not more than 0,0264 % of 5 methyl-3-heptanone, — 10 ppm or more but not more than 12 ppm of Denatonium Benzoate (Bitrex); — not more than 0,01 of Perfumes — 6,5 % or more but not more than 8,0 % of water. for use in the manufacture of screenwash concentrate and other de-icing preparations ⁽¹⁾	0 %	31.12.2018
ex 2707 50 00 ex 2707 99 80	20 10	Mixture of xylenol-isomers and ethyl phenol-isomers, with a total xylenol content by weight of 62 % or more but less than 95 %	0 %	31.12.2019
ex 2811 22 00	50	Calcined amorphous silicon dioxide powder with a particle size of not more than 12 µm of a kind used in the production of polymerisation catalysts for the manufacturing of polyethylene	0 %	31.12.2019
*ex 2818 20 00	10	Activated alumina with a specific surface area of at least 350 m ² /g	0 %	31.12.2019
ex 2841 70 00	20	Diammonium tridecaoxotetramolybdate(2-) (CAS RN 2207-64-6)	0 %	31.12.2019
*ex 2842 10 00	20	Synthetic Chabasite Zeolite Powder	0 %	31.12.2019
*ex 2842 90 10	10	Sodium selenate (CAS RN 13410-01-0)	0 %	31.12.2019
*ex 2846 10 00 ex 3824 90 96	10 53	Rare-earth concentrate containing by weight 60 % or more but not more than 95 % of rare-earth oxides and not more than 1 % each of zirconium oxide, aluminium oxide or iron oxide, and having a loss on ignition of 5 % or more by weight	0 %	31.12.2018
*ex 2846 10 00	40	Cerium lanthanum neodymium praseodymium carbonate, whether or not hydrated	0 %	31.12.2015

CN code	TARIC	Description	Rate of autonomous duty	Date foreseen for mandatory review
ex 2903 39 90	70	<p>1,1,1,2-Tetrafluoroethane feedstock for pharmaceutical grade production conforming to the following specification:</p> <ul style="list-style-type: none"> — not more than 600 ppm by weight of R134 (1,1,2,2-Tetrafluoroethane), — not more than 5 ppm by weight of R143a (1,1,1-Trifluoroethane), — not more than 2 ppm by weight of R125 (Pentafluoroethane), — not more than 100 ppm by weight of R124 (1-Chloro-1,2,2,2-tetrafluoroethane), — not more than 30 ppm by weight of R114 (1,2-Dichlorotetrafluoroethane), — not more than 50 ppm by weight of R114a (1,1-Dichlorotetrafluoroethane), — not more than 250 ppm by weight of R133a (1-Chloro-2,2,2-Trifluoroethane), — not more than 2 ppm by weight of R22 (Chlorodifluoromethane), — not more than 2 ppm by weight of R115 (Chloropentafluoroethane), — not more than 2 ppm by weight of R12 (Dichlorodifluoromethane), — not more than 20 ppm by weight of R40 (Methyl chloride), — not more than 20 ppm by weight of R245cb (1,1,1,2,2-pentafluoropropane), — not more than 20 ppm by weight of R12B1 (Chlorodifluorobromomethane), — not more than 20 ppm by weight of R32 (Difluoromethane), — not more than 15 ppm by weight of R31 (Chlorofluoromethane), — not more than 10 ppm by weight of R152a (1,1-Difluoroethane), — not more than 20 ppm by weight of 1131 (1-Chloro-2 Fluoroethylene), — not more than 20 ppm by weight of 1122 (1-Chloro-2,2-Difluoroethylene), — not more than 3 ppm by weight of 1234yf (2,3,3,3-Tetrafluoropropene), — not more than 3 ppm by weight of 1243zf (3,3,3 Trifluoropropene), — not more than 3 ppm by weight of 1122a (1-Chloro-1,2-Difluoroethylene), — not more than 4,5 ppm by weight of 1234yf+1122a+1243zf (2,3,3,3-Tetrafluoropropene, +1-Chloro-1,2-Difluoroethylene +3,3,3-Trifluoropropene) 	0 %	31.12.2019

CN code	TARIC	Description	Rate of autonomous duty	Date foreseen for mandatory review
		<ul style="list-style-type: none"> — not more than 3 ppm by weight of any individual unspecified/unknown chemical, — not more than 10 ppm by weight of all unspecified/unknown chemicals combined, — not more than 10 ppm by weight of water, — with an acidity level of not more than 0,1 ppm by weight, — without Halides, — not more than 0,01 % by volume of High Boilers, — without any odour (no malodour) <p>For further purification to an inhalation grade of HFC 134a produced under GMP (Good Manufacturing Practice) for use in the manufacture of a propellant for medical aerosols whose contents are taken into the oral or nasal cavities, and/or the respiratory tract (CAS RN 811-97-2) (1)</p>		
ex 2903 99 90	75	3-Chloro-alpha,alpha,alpha-trifluorotoluene (CAS RN 98-15-7)	0 %	31.12.2019
*ex 2904 10 00	30	Sodium p-styrenesulphonate (CAS RN 2695-37-6)	0 %	31.12.2019
*ex 2904 10 00	50	Sodium 2-methylprop-2-ene-1-sulphonate (CAS RN 1561-92-8)	0 %	31.12.2019
*ex 2904 20 00	40	2-Nitropropane (CAS RN 79-46-9)	0 %	31.12.2019
*ex 2904 90 40	10	Trichloronitromethane, for the manufacture of goods of subheading 3808 92 (CAS RN 76-06-2) (1)	0 %	31.12.2019
*ex 2904 90 95	20	1-Chloro-2,4-dinitrobenzene (CAS RN 97-00-7)	0 %	31.12.2019
*ex 2904 90 95	30	Tosyl chloride (CAS RN 98-59-9)	0 %	31.12.2019
ex 2904 90 95	60	4,4'-Dinitrostilbene-2,2'-disulfonic acid (CAS RN 128-42-7)	0 %	31.12.2019
ex 2904 90 95	70	1-Chloro-4-nitrobenzene (CAS RN 100-00-5)	0 %	31.12.2019
*ex 2905 19 00	40	2,6-Dimethylheptan-2-ol (CAS RN 13254-34-7)	0 %	31.12.2019
*ex 2905 29 90	10	3,5-Dimethylhex-1-yn-3-ol (CAS RN 107-54-0)	0 %	31.12.2015
*ex 2905 59 98	20	2,2,2-Trifluoroethanol (CAS RN 75-89-8)	0 %	31.12.2019
ex 2906 19 00	50	4-tert-Butylcyclohexanol (CAS RN 98-52-2)	0 %	31.12.2019
ex 2907 12 00	20	Mixture of meta-cresol (CAS RN 108-39-4) and para-cresol (CAS RN 106-44-5) with a purity by weight of 99 % or more	0 %	31.12.2019
ex 2907 19 10	10	2,6-Xylenol (CAS RN 576-26-1)	0 %	31.12.2019
ex 2908 19 00	30	4-Chlorophenol (CAS RN 106-48-9)	0 %	31.12.2019
*ex 2909 30 90	10	2-(Phenylmethoxy)naphthalene (CAS RN 613-62-7)	0 %	31.12.2019

CN code	TARIC	Description	Rate of autonomous duty	Date foreseen for mandatory review
*ex 2909 30 90	20	1,2-Bis(3-methyl-phenoxy)ethane (CAS RN 54914-85-1)	0 %	31.12.2019
ex 2909 50 00	30	2- <i>tert</i> -Butyl-4-hydroxyanisole and 3- <i>tert</i> -butyl-4-hydroxyanisole, mixed isomers (CAS RN 25013-16-5)	0 %	31.12.2019
ex 2914 39 00	15	2,6-Dimethyl-1-indanone (CAS RN 66309-83-9)	0 %	31.12.2019
ex 2914 39 00	25	1,3-Diphenylpropane-1,3-dione (CAS RN 120-46-7)	0 %	31.12.2019
*ex 2914 69 90	20	2-Pentylanthraquinone (CAS RN 13936-21-5)	0 %	31.12.2019
*ex 2915 39 00	50	3-Acetylphenyl acetate (CAS RN 2454-35-5)	0 %	31.12.2019
ex 2915 90 70	45	Trimethyl orthoformate (CAS RN 149-73-5)	0 %	31.12.2019
*ex 2915 90 70	50	Allyl heptanoate (CAS RN 142-19-8)	0 %	31.12.2019
*ex 2916 13 00	10	Hydroxyzinc methacrylate powder (CAS RN 63451-47-8)	0 %	31.12.2015
ex 2916 19 95	50	Methyl 2-fluoroacrylate (CAS RN 2343-89-7)	0 %	31.12.2019
ex 2916 39 90	13	3,5-Dinitrobenzoic acid (CAS RN 99-34-3)	0 %	31.12.2019
*ex 2917 11 00	30	Cobalt oxalate (CAS RN 814-89-1)	0 %	31.12.2019
*ex 2917 19 10	10	Dimethyl malonate (CAS RN 108-59-8)	0 %	31.12.2019
*ex 2917 19 90	30	Ethylene brassylate (CAS RN 105-95-3)	0 %	31.12.2019
ex 2918 19 30	10	Cholic Acid (CAS RN 81-25-4)	0 %	31.12.2019
ex 2918 19 30	20	3- α ,12- α -Dihydroxy-5- β -cholan-24-oic acid (deoxycholic acid) (CAS RN 83-44-3)	0 %	31.12.2019
ex 2918 30 00	60	4-Oxovaleric acid (CAS RN 123-76-2)	0 %	31.12.2019
*ex 2918 99 90	20	Methyl 3-methoxyacrylate (CAS RN 5788-17-0)	0 %	31.12.2019
ex 2918 99 90	35	p-Anisic acid (CAS RN 100-09-4)	0 %	31.12.2019
ex 2918 99 90	45	4-Methylcatechol dimethyl acetate (CAS RN 52589-39-6)	0 %	31.12.2019
*ex 2918 99 90	70	Allyl-(3-methylbutoxy)acetate (CAS RN 67634-00-8)	0 %	31.12.2019
ex 2919 90 00	70	Tris(2-butoxyethyl)phosphate (CAS RN 78-51-3)	0 %	31.12.2019
*ex 2921 19 50	10	Diethylamino-triethoxysilane (CAS RN 35077-00-0)	0 %	31.12.2019
ex 2929 90 00	20			
ex 2921 19 99	80	Taurine (CAS RN 107-35-7), with 0,5 % addition of anti-caking agent silicon dioxide (CAS RN 112926-00-8)	0 %	31.12.2019
*ex 2921 42 00	70	2-Aminobenzene-1,4-disulfonic acid (CAS RN 98-44-2)	0 %	31.12.2019
*ex 2921 45 00	10	Sodium hydrogen 3-aminonaphthalene-1,5-disulphonate (CAS RN 4681-22-5)	0 %	31.12.2015

CN code	TARIC	Description	Rate of autonomous duty	Date foreseen for mandatory review
*ex 2921 51 19	20	Toluene diamine (TDA), containing by weight: — 72 % or more but not more than 82 % of 4-methyl-m-phenylenediamine, and — 17 % or more but not more than 22 % of 2-methyl-m-phenylenediamine, and — not more than 0,23 % of residual tar whether or not containing 7 % or less of water	0 %	31.12.2018
*ex 2921 51 19	50	Mono- and dichloroderivatives of <i>p</i> -phenylenediamine and <i>p</i> -diaminotoluene	0 %	31.12.2019
*ex 2922 19 85	80	<i>N</i> -[2-[2-(Dimethylamino)ethoxy]ethyl]- <i>N</i> -methyl-1,3-propanediamine (CAS RN 189253-72-3)	0 %	31.12.2019
*ex 2922 21 00	30	6-Amino-4-hydroxynaphthalene-2-sulphonic acid (CAS RN 90-51-7)	0 %	31.12.2019
*ex 2922 21 00	50	Sodium hydrogen 4-amino-5-hydroxynaphthalene-2,7-disulphonate (CAS RN 5460-09-3)	0 %	31.12.2019
*ex 2922 29 00	65	4-Trifluoromethoxyaniline (CAS RN 461-82-5)	0 %	31.12.2019
*ex 2922 49 85	15	DL-Aspartic acid used for the manufacture of food-integrators (CAS RN 617-45-8) (1)	0 %	31.12.2019
ex 2922 49 85	25	Dimethyl 2-aminobenzene-1,4-dicarboxylate (CAS RN 5372-81-6)	0 %	31.12.2019
*ex 2922 49 85	50	D-(-)-Dihydrophenylglycine (CAS RN 26774-88-9)	0 %	31.12.2019
*ex 2922 50 00	20	1-[2-Amino-1-(4-methoxyphenyl)-ethyl]-cyclohexanol hydrochloride (CAS RN 130198-05-9)	0 %	31.12.2019
ex 2923 10 00	10	Calcium phosphoryl choline chloride tetra hydrate (CAS RN 72556-74-2)	0 %	31.12.2019
ex 2923 90 00	85	N,N,N-Trimethylanilinium chloride (CAS RN 138-24-9)	0 %	31.12.2019
ex 2924 19 00	15	N-Ethyl N-Methylcarbamoyl Chloride (CAS RN 42252-34-6)	0 %	31.12.2019
ex 2924 29 98	17	2-(Trifluoromethyl) benzamide (CAS RN 360-64-5)	0 %	31.12.2019
ex 2924 29 98	19	2-[[2-(Benzyloxycarbonylamino)acetyl]amino]propionic acid (CAS RN 3079-63-8)	0 %	31.12.2019
*ex 2924 29 98	20	2-Chloro-N-(2-ethyl-6-methylphenyl)-N-(propan-2-yloxymethyl)acetamide (CAS RN 86763-47-5)	0 %	31.12.2019
*ex 2924 29 98	92	3-Hydroxy-2-naphthanilide (CAS RN 92-77-3)	0 %	31.12.2019
ex 2926 90 95	12	Cyfluthrin (ISO) (CAS RN 68359-37-5) with a purity by weight of 95 % or more	0 %	31.12.2019
ex 2926 90 95	16	4-Cyano-2-nitrobenzoic acid methyl ester (CAS RN 52449-76-0)	0 %	31.12.2019
*ex 2926 90 95	20	2-(<i>m</i> -Benzoylphenyl)propiononitrile (CAS RN 42872-30-0)	0 %	31.12.2019
*ex 2926 90 95	63	1-(Cyanoacetyl)-3-ethylurea (CAS RN 41078-06-2)	0 %	31.12.2015

CN code	TARIC	Description	Rate of autonomous duty	Date foreseen for mandatory review
*ex 2926 90 95	64	Esfenvalerate of a purity by weight of 83 % or more in a mixture of its own isomers (CAS RN 66230-04-4)	0 %	31.12.2019
*ex 2926 90 95	70	Methacrylonitrile (CAS RN 126-98-7)	0 %	31.12.2019
*ex 2926 90 95	74	Chlorothalonil (ISO) (CAS RN 1897-45-6)	0 %	31.12.2019
*ex 2926 90 95	75	Ethyl 2-cyano-2-ethyl-3-methylhexanoate (CAS RN 100453-11-0)	0 %	31.12.2019
ex 2927 00 00	15	C.C'-Azodi(formamide) (CAS RN 123-77-2) in the form of yellow powder with a decomposition temperature of 180 °C or more but not more than 220 °C used as a foaming agent in the manufacture of thermoplastic resins, elastomer and cross-linked polythene foam	0 %	31.12.2019
ex 2928 00 90	65	2-Amino-3-(4-hydroxyphenyl) propanal semicarbazone hydrochloride	0 %	31.12.2019
*ex 2929 10 00	15	3,3'-Dimethylbiphenyl-4,4'-diyl diisocyanate (CAS RN 91-97-4)	0 %	31.12.2019
*ex 2930 90 99	64	3-Chloro-2-methylphenyl methyl sulphide (CAS RN 82961-52-2)	0 %	31.12.2019
*ex 2930 90 99	81	Disodium hexamethylene-1,6-bisthiosulfate dihydrate (CAS RN 5719-73-3)	3 %	31.12.2019
*ex 2931 90 80	03	Butylethylmagnesium (CAS RN 62202-86-2), in the form of a solution in heptane	0 %	31.12.2018
*ex 2931 90 80	05	Diethylmethoxyborane (CAS RN 7397-46-8), whether or not in the form of a solution in tetrahydrofuran according to note 1e to Chapter 29 of the CN	0 %	31.12.2015
*ex 2931 90 80	08	Sodium diisobutyldithiophosphinate (CAS RN 13360-78-6) in an aqueous solution	0 %	31.12.2017
*ex 2931 90 80	10	Triethylborane (CAS RN 97-94-9)	0 %	31.12.2015
*ex 2931 90 80	13	Trioctylphosphine oxide (CAS RN 78-50-2)	0 %	31.12.2016
*ex 2931 90 80	15	Methylcyclopentadienyl manganese tricarbonyl containing not more than 4,9 % by weight of cyclopentadienyl manganese tricarbonyl (CAS RN 12108-13-3)	0 %	31.12.2019
*ex 2931 90 80	18	Methyl tris (2-pentanoneoxime) silane (CAS RN 37859-55-5)	0 %	31.12.2019
*ex 2931 90 80	20	Diethylborane isopropoxide (CAS RN 74953-03-0)	0 %	31.12.2015
*ex 2931 90 80	23	Di-tert-butylphosphane (CAS RN 819-19-2)	0 %	31.12.2018
*ex 2931 90 80	25	(Z)-Prop-1-en-1-ylphosphonic acid (CAS RN 25383-06-6)	0 %	31.12.2017
*ex 2931 90 80	28	N-(Phosphonomethyl)iminodiacetic acid (CAS RN 5994-61-6)	0 %	31.12.2019
*ex 2931 90 80	30	Bis(2,4,4-trimethylpentyl)phosphinic acid (CAS RN 83411-71-6)	0 %	31.12.2018
*ex 2931 90 80	33	Dimethyl[dimethylsilyldiindenyl]hafnium (CAS RN 220492-55-7)	0 %	31.12.2019

CN code	TARIC	Description	Rate of autonomous duty	Date foreseen for mandatory review
*ex 2931 90 80	35	N,N-Dimethylanilinium tetrakis(pentafluorophenyl)borate (CAS RN 118612-00-3)	0 %	31.12.2019
*ex 2931 90 80	38	Phenylphosphonic dichloride (CAS RN 824-72-6)	0 %	31.12.2016
*ex 2931 90 80	40	Tetrakis(hydroxymethyl)phosphonium chloride (CAS RN 124-64-1)	0 %	31.12.2016
*ex 2931 90 80	43	Mixture of the isomers 9-icosyl-9-phosphabicyclo[3.3.1]nonane and 9-icosyl-9-phosphabicyclo[4.2.1]nonane	0 %	31.12.2018
*ex 2931 90 80	45	Tris(4-methylpentan-2-oximino)methylsilane (CAS RN 37859-57-7)	0 %	31.12.2018
*ex 2931 90 80	48	Tetrabutylphosphonium acetate in the form of an aqueous solution (CAS RN 30345-49-4)	0 %	31.12.2019
*ex 2931 90 80	50	Trimethylsilane (CAS RN 993-07-7)	0 %	31.12.2016
*ex 2931 90 80	53	Trimethylborane (CAS RN 593-90-8)	0 %	31.12.2019
*ex 2931 90 80	55	3-(Hydroxyphenylphosphinoyl)propionic acid (CAS RN 14657-64-8)	0 %	31.12.2018
*ex 2932 19 00	40	Furan (CAS RN 110-00-9) of a purity by weight of 99 % or more	0 %	31.12.2019
*ex 2932 19 00	41	2,2 di(tetrahydrofuryl)propane (CAS RN 89686-69-1)	0 %	31.12.2019
*ex 2932 19 00	45	1,6-Dichloro-1,6-dideoxy- β -D-fructofuranosyl-4-chloro-4 deoxy- α -D-galactopyranoside (CAS RN 56038-13-2)	0 %	31.12.2019
*ex 2932 19 00	70	Furfurylamine (CAS RN 617-89-0)	0 %	31.12.2019
ex 2932 99 00	43	Ethofumesate (ISO) (CAS RN 26225-79-6) with a purity by weight of 97 % or more	0 %	31.12.2019
ex 2933 19 90	15	Pyrasulfotole (ISO) (CAS RN 365400-11-9) with a purity by weight of 96 % or more	0 %	31.12.2019
ex 2933 19 90	25	3-Difluoromethyl-1-methyl-1H-pyrazole-4-carboxylic acid (CAS RN 176969-34-9)	0 %	31.12.2019
*ex 2933 19 90	50	Fenpyroximate (ISO) (CAS RN 134098-61-6)	0 %	31.12.2019
*ex 2933 19 90	60	Pyraflufen-ethyl (ISO) (CAS RN 129630-19-9)	0 %	31.12.2019
*ex 2933 29 90	40	Triflumizole (ISO) (CAS RN 68694-11-1)	0 %	31.12.2019
ex 2933 29 90	55	Fenamidone (ISO) (CAS RN 161326-34-7) with a purity by weight of 97 % or more	0 %	31.12.2019
2933 39 50		Fluroxypyr (ISO) methyl ester (CAS RN 69184-17-4)	0 %	31.12.2019
*ex 2933 39 99	20	Copper pyrrithione powder (CAS RN 14915-37-8)	0 %	31.12.2015
ex 2933 39 99	22	Isonicotinic Acid (CAS RN 55-22-1)	0 %	31.12.2019
*ex 2933 39 99	24	2-Chloromethyl-4-methoxy-3,5-dimethylpyridine hydrochloride (CAS RN 86604-75-3)	0 %	31.12.2019

CN code	TARIC	Description	Rate of autonomous duty	Date foreseen for mandatory review
ex 2933 39 99	28	Ethyl-3-[(3-amino-4-methylamino-benzoyl)-pyridin-2-yl-amino]-propionate (CAS RN 212322-56-0)	0 %	31.12.2019
*ex 2933 39 99	30	Fluazinam (ISO) (CAS RN 79622-59-6)	0 %	31.12.2019
ex 2933 39 99	34	3-Chloro-(5-trifluoromethyl)-2-pyridineacetonitrile (CAS RN 157764-10-8)	0 %	31.12.2019
*ex 2933 39 99	45	5-Difluoromethoxy-2-[[[(3,4-dimethoxy-2-pyridyl)methyl]thio]-1H-benzimidazole (CAS RN 102625-64-9)	0 %	31.12.2019
*ex 2933 39 99	47	(-)-trans-4-(4'-Fluorophenyl)-3-hydroxymethyl-N-methylpiperidine (CAS RN 105812-81-5)	0 %	31.12.2015
*ex 2933 39 99	48	Flonicamid (ISO) (CAS RN 158062-67-0)	0 %	31.12.2019
*ex 2933 39 99	55	Pyriproxyfen (ISO) (CAS RN 95737-68-1) of a purity by weight of 97 % or more	0 %	31.12.2019
ex 2933 49 10	40	4,7-Dichloroquinoline (CAS RN 86-98-6)	0 %	31.12.2019
ex 2933 59 95	33	4,6-Dichloro-5-fluoropyrimidine (CAS RN 213265-83-9)	0 %	31.12.2019
ex 2933 59 95	37	6-Iodo-3-propyl-2-thioxo-2,3-dihydroquinazolin-4(1H)-one (CAS RN 200938-58-5)	0 %	31.12.2019
ex 2933 59 95	43	2-(4-(2-Hydroxyethyl)piperazin-1-yl)ethanesulfonic acid (CAS RN 7365-45-9)	0 %	31.12.2019
*ex 2933 59 95	45	1-[3-(Hydroxymethyl)pyridin-2-yl]-4-methyl-2-phenylpiperazine (CAS RN 61337-89-1)	0 %	31.12.2019
*ex 2933 59 95	50	2-(2-Piperazin-1-ylethoxy)ethanol (CAS RN 13349-82-1)	0 %	31.12.2019
*ex 2933 59 95	65	1-Chloromethyl-4-fluoro-1,4-diazoniabicyclo[2.2.2]octane bis (tetrafluoroborate) (CAS RN 140681-55-6)	0 %	31.12.2019
*ex 2933 59 95	75	(2R,3S/2S,3R)-3-(6-Chloro-5-fluoro pyrimidin-4-yl)-2-(2,4-difluorophenyl)-1-(1H-1,2,4-triazol-1-yl)butan-2-ol hydrochloride, (CAS RN 188416-20-8)	0 %	31.12.2019
*ex 2933 79 00	60	3,3-Pentamethylene-4-butyrolactam (CAS RN 64744-50-9)	0 %	31.12.2019
ex 2933 99 80	23	Tebuconazole (ISO) (CAS RN 107534-96-3) with a purity by weight of 95 % or more	0 %	31.12.2019
ex 2933 99 80	27	5,6-Dimethylbenzimidazole (CAS RN 582-60-5)	0 %	31.12.2019
ex 2933 99 80	33	Penconazole (ISO) (CAS RN 66246-88-6)	0 %	31.12.2019
*ex 2933 99 80	37	8-Chloro-5,10-dihydro-11H-dibenzo [b,e] [1,4]diazepin-11-one (CAS RN 50892-62-1)	0 %	31.12.2019
*ex 2933 99 80	55	Pyridaben (ISO) (CAS RN 96489-71-3)	0 %	31.12.2019
ex 2934 10 00	45	2-Cyanimino-1,3-thiazolidine (CAS RN 26364-65-8)	0 %	31.12.2019
*ex 2934 10 00	60	Fosthiazate (ISO) (CAS RN 98886-44-3)	0 %	31.12.2019
*ex 2934 99 90	20	Thiophene (CAS RN 110-02-1)	0 %	31.12.2019

CN code	TARIC	Description	Rate of autonomous duty	Date foreseen for mandatory review
ex 2934 99 90	24	Flufenacet (ISO) (CAS RN 142459-58-3) with a purity by weight of 95 % or more	0 %	31.12.2019
ex 2934 99 90	26	4-Methylmorpholine 4-oxide in an aqueous solution (CAS RN 7529-22-8)	0 %	31.12.2019
ex 2934 99 90	27	2-(4-Hydroxyphenyl)-1-benzothiophene-6-ol (CAS RN 63676-22-2)	0 %	31.12.2019
ex 2934 99 90	29	2,2'-Oxybis(5,5-dimethyl-1,3,2-dioxaphosphorinane)-2,2'-disulphide (CAS RN 4090-51-1)	0 %	31.12.2019
*ex 2934 99 90	30	Dibenzo[b,f][1,4]thiazepin-11(10H)-one (CAS RN 3159-07-7)	0 %	31.12.2019
*ex 2934 99 90	83	Flumioxazin (ISO) (CAS RN 103361-09-7) of a purity by weight of 96 % or more	0 %	31.12.2019
*ex 2934 99 90	84	Etoazole (ISO) (CAS RN 153233-91-1) of a purity by weight of 94,8 % or more	0 %	31.12.2019
*ex 2935 00 90	30	Mixture of isomers consisting of N-ethyltoluene-2-sulphonamide and N-ethyltoluene-4-sulphonamide	0 %	31.12.2015
ex 2935 00 90	43	Oryzalin (ISO) (CAS RN 19044-88-3)	0 %	31.12.2019
ex 2935 00 90	47	Halosulfuron-methyl (ISO) (CAS RN 100784-20-1) with a purity by weight of 98 % or more	0 %	31.12.2019
*ex 2935 00 90	53	2,4-Dichloro-5-sulphamoylbenzoic acid (CAS RN 2736-23-4)	0 %	31.12.2019
*ex 2935 00 90	63	Nicosulphuron (ISO), (CAS RN 111991-09-4) of a purity by weight of 91 % or more	0 %	31.12.2019
*ex 2935 00 90	77	[[4-[2-[[[3-Ethyl-2,5-dihydro-4-methyl-2-oxo-1H-pyrrol-1-yl]carbonyl]amino] ethyl]phenyl]sulfonyl]-carbamic acid ethyl ester, (CAS RN 318515-70-7)	0 %	31.12.2019
ex 3204 11 00	25	N-(2-chloroethyl)-4-[(2,6-dichloro-4-nitrophenyl)azo]-N-ethyl-m-toluidine (CAS RN 63741-10-6)	0 %	31.12.2019
ex 3204 16 00	10	Colourant Reactive Black 5 (CAS RN 17095-24-8) and preparations based thereon with a colourant Reactive Black 5 content of 60 % or more by weight but not more than 75 %	0 %	31.12.2019
ex 3204 17 00	12	Colourant C.I. Pigment Orange 64 (CAS RN 72102-84-2) and preparations based thereon with a Colourant C.I. colourant orange 64 content of 90 % or more by weight	0 %	31.12.2019
ex 3204 17 00	17	Colourant C.I. Pigment Red 12 (CAS RN 6410-32-8) and preparations based thereon with a Colourant C.I. Pigment Red 12 content of 35 % or more by weight	0 %	31.12.2019
ex 3204 17 00	23	Colourant C.I. Pigment Brown 41 (CAS RN 211502-16-8 or CAS RN 68516-75-6)	0 %	31.12.2019

CN code	TARIC	Description	Rate of autonomous duty	Date foreseen for mandatory review
ex 3204 17 00	27	Colourant C.I. Pigment Blue 15:4 (CAS RN 147-14-8) and preparations based thereon, containing by weight 95 % or more of an organic dyestuff	0 %	31.12.2019
*ex 3204 17 00	40	Colourant C.I. Pigment Yellow 120 (CAS RN 29920-31-8) and preparations based thereon with a colourant C.I. Pigment Yellow 120 content of 50 % or more by weight	0 %	31.12.2019
*ex 3204 17 00	50	Colourant C.I. Pigment Yellow 180 (CAS RN 77804-81-0) and preparations based thereon with a colourant C.I. Pigment Yellow 180 content of 90 % or more by weight	0 %	31.12.2019
*ex 3204 19 00	11	Photochromic dye, 3-(4-butoxyphenyl)-6,7-dimethoxy-3-(4-methoxyphenyl)-1,3,13-dimethyl-3,13-dihydrobenzo[h]indeno[2,1-f]chromene-11-carbonitrile	0 %	31.12.2015
ex 3204 19 00	12	Colourant C.I. Solvent Violet 49 (CAS RN 205057-15-4)	0 %	31.12.2019
ex 3204 19 00	14	Red colourant preparation, in a form of wet paste, containing by weight: <ul style="list-style-type: none"> — 35 % or more but not more than 40 % of 1-[[4-(phenylazo)phenyl]azo]naphthalen-2-ol methyl derivatives (CAS RN 70879-65-1) — not more than 3 % of 1-(phenylazo)naphthalen-2-ol (CAS RN 842-07-9) — not more than 3 % of 1-[(2-methylphenyl)azo]naphthalen-2-ol (CAS RN 2646-17-5) — 55 % or more but not more than 65 % of water 	0 %	31.12.2019
*ex 3204 19 00	21	Photochromic dye, 4-(3-(4-butoxyphenyl)-6-methoxy-3-(4-methoxyphenyl)-1,3,13-dimethyl-11-(trifluoromethyl)-3,13-dihydrobenzo[h]indeno[2,1-f]chromen-7-yl)morpholine (CAS RN 1021540-64-6)	0 %	31.12.2019
*ex 3204 19 00	31	Photochromic dye, N-hexyl -6,7-dimethoxy-3,3-bis(4-methoxyphenyl)-1,3,13-dimethyl-3,13-dihydrobenzo[h]indeno[2,1-f]chromene-11-carboxamide	0 %	31.12.2015
*ex 3204 19 00	41	Photochromic dye, 4,4'-(1,3,13-dimethyl-3,13-dihydrobenzo[h]indeno[2,1-f]chromene-3,3-diyl)diphenol	0 %	31.12.2015
*ex 3204 19 00	51	Photochromic dye, 4-(4-(6,11-difluoro-1,3,13-dimethyl-3-phenyl-3,13-dihydrobenzo[h]indeno[2,1-f]chromen-3-yl)phenyl)morpholine (CAS RN 1360882-72-6)	0 %	31.12.2015
ex 3206 19 00	20	Colourant C.I. Pigment Blue 27 (CAS RN 14038-43-8)	0 %	31.12.2019
*ex 3206 49 70	10	Non-aqueous dispersion, containing by weight: <ul style="list-style-type: none"> — 57 % or more but not more than 63 % of aluminium oxide (CAS RN 1344-28-1) — 37 % or more but not more than 42 % of titanium dioxide (CAS RN 13463-67-7), and — 1 % or more but not more than 2 % of triethoxycaprylyl silane (CAS RN 2943-75-1) 	0 %	31.12.2018

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ex 3207 30 00	20	Printing paste containing — 30 % by weight or more, but not more than 50 % of silver and — 8 % by weight or more, but not more than 17 % of palladium	0 %	31.12.2019
*ex 3208 90 19	45	Polymer consisting of a polycondensate of formaldehyde and naphthalenediol, chemically modified by reaction with an alkyne halide, dissolved in propylene glycol methyl ether acetate	0 %	31.12.2018
ex 3824 90 92	63			
ex 3402 90 10	10	Surface-active mixture of methyltri-C8-C10-alkylammonium chlorides	0 %	31.12.2019
*ex 3402 90 10	60	Surface-active preparation, containing 2-ethylhexyloxymethyl oxirane	0 %	31.12.2015
*ex 3402 90 10	70	Surface-active preparation, containing ethoxylated 2,4,7,9-tetramethyl-5-decyne-4,7-diol (CAS RN 9014-85-1)	0 %	31.12.2019
*ex 3506 91 00	40	Acrylic pressure sensitive adhesive with a thickness of 0,076 mm or more but not more than 0,127 mm, put up in rolls of a width of 45,7 cm or more but not more than 132 cm supplied on a release liner with an initial peel adhesion release value of not less than 15 N/25 mm (measured according to ASTM D3330)	0 %	31.12.2019
ex 3507 90 90	10	Preparation of <i>Achromobacter lyticus</i> protease (CAS RN 123175-82-6) for use in the manufacture of human and analogue insulin products ⁽¹⁾	0 %	31.12.2019
*ex 3701 30 00	20	Photosensitive plate consisting of a photopolymer layer on a polyester foil of a total thickness of more than 0,43 mm but not more than 3,18 mm	0 %	31.12.2019
*ex 3705 90 90	10	Photomasks for photographically transferring circuit diagram patterns onto semiconductor wafers	0 %	31.12.2019
*ex 3707 10 00	45	Photosensitive emulsion consisting of cyclised polyisoprene containing: — 55 % or more but not more than 75 % by weight of xylene and — 12 % or more but not more than 18 % by weight of ethylbenzene	0 %	31.12.2019
*ex 3707 10 00	50	Photosensitive emulsion containing by weight: — 20 % or more but not more than 45 % of copolymers of acrylates and/or methacrylates and hydroxystyrene derivatives, — 25 % or more but not more than 50 % of organic solvent containing at least ethyl lactate and/or propylene glycol-methylether acetate, — 5 % or more but not more than 30 % of acrylates, — not more than 12 % of a photoinitiator	0 %	31.12.2019

CN code	TARIC	Description	Rate of autonomous duty	Date foreseen for mandatory review
*ex 3707 90 90	40	Anti-reflection coating, in the form of an aqueous solution, containing by weight not more than: — 2 % of halogen-free alkyl sulphonic acid, and — 5 % of a fluorinated polymer	0 %	31.12.2019
*ex 3707 90 90	85	Rolls, containing: — a dry layer of a photosensitive acrylic resin, — on one side a poly(ethylene terephthalate) protecting foil and — on the other side a polyethylene protecting foil	0 %	31.12.2019
*ex 3808 91 90	30	Preparation containing endospores or spores and protein crystals derived from either: — <i>Bacillus thuringiensis</i> Berliner subsp. <i>aizawai</i> and <i>kurstaki</i> or, — <i>Bacillus thuringiensis</i> subsp. <i>kurstaki</i> or, — <i>Bacillus thuringiensis</i> subsp. <i>israelensis</i> or, — <i>Bacillus thuringiensis</i> subsp. <i>aizawai</i> or, — <i>Bacillus thuringiensis</i> subsp. <i>tenebrionis</i>	0 %	31.12.2019
*ex 3808 92 90	50	Preparations based on copper pyriithione (CAS RN 14915-37-8)	0 %	31.12.2019
*ex 3808 93 23	10	Herbicide containing flazasulfuron (ISO) as an active ingredient	0 %	31.12.2019
*ex 3808 93 90	10	Preparation, in the form of granules, containing by weight: — 38,8 % or more but not more than 41,2 % of Gibberellin A3, or — 9,5 % or more but not more than 10,5 % of Gibberellin A4 and A7	0 %	31.12.2019
*ex 3809 92 00	20	Defoamer, consisting of a mixture of oxydipropanol and 2,5,8,11-tetramethyldodec-6-yn-5,8-diol	0 %	31.12.2019
*ex 3811 19 00	10	Solution of more than 61 % but not more than 63 % by weight of methylcyclopentadienyl manganese tricarbonyl in an aromatic hydrocarbon solvent, containing by weight not more than: — 4,9 % of 1,2,4-trimethyl-benzene, — 4,9 % of naphthalene, and — 0,5 % of 1,3,5-trimethyl-benzene	0 %	31.12.2019
ex 3811 21 00	48	Additives containing — overbased magnesium (C20-C24) alkylbenzenesulphonates (CAS RN 231297-75-9) and — by weight more than 25 % but not more than 50 % of mineral oils, having a total base number of more than 350, but not more than 450, for use in the manufacture of lubricating oils (!)	0 %	31.12.2018
ex 3811 21 00	53	Additives containing: — overbased calcium petroleum sulphonates (CAS 68783-96-0) with a sulphonate content by weight of 15 % or more, but not more than 30 % and — by weight more than 40 % but not more than 60 % of mineral oil, having a total base number of 280 or more but not more than 420, for use in the manufacture of lubricating oils (!)	0 %	31.12.2019

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ex 3811 21 00	55	Additives containing: — low base number calcium polypropylbenzenesulphonate (CAS RN 75975-85-8) and — by weight more than 40 % but not more than 60 % mineral oils, having a total base number of more than 10 but not more than 25, for use in the manufacture of lubricating oils ⁽¹⁾	0 %	31.12.2019
ex 3811 21 00	57	Additives containing: — a polyisobutylene succinimide based mixture, and — more than 40 % but not more than 50 % by weight of mineral oils, having a total base number of more than 40, for use in the manufacture of lubricating oils ⁽¹⁾	0 %	31.12.2019
ex 3811 21 00	63	Additives containing: — an overbased mixture of calcium petroleum sulphonates (CAS RN 61789-86-4) and synthetic calcium alkylbenzenesulphonates (CAS RN 68584-23-6 and CAS RN 70024-69-0) with a total sulphonate content by weight of 15 % or more, but not more than 25 % and — by weight more than 40 % but not more than 60 % of mineral oils, having a total base number of 280 or more but not more than 320, for use in the manufacture of lubricating oils ⁽¹⁾	0 %	31.12.2019
ex 3811 21 00	65	Additives containing: — a polyisobutylene succinimide based mixture (CAS RN 160610-76-4), and — more than 35 % but not more than 50 % by weight of mineral oils, having a sulphur content of more than 0,7 % but not more than 1,3 % by weight, having a total base number of more than 8, for use in the manufacture of lubricating oils ⁽¹⁾	0 %	31.12.2019
ex 3811 29 00	15	Additives containing: — products from the reaction of branched heptyl phenol with formaldehyde, carbon disulphide and hydrazine (CAS RN 93925-00-9) and — by weight more than 15 % but not more than 28 % of light aromatic petroleum naphtha solvent, for use in the manufacture of lubricating oils ⁽¹⁾	0 %	31.12.2019
ex 3811 29 00	25	Additives containing at least salts of primary amines and mono- and di-alkylphosphoric acids, for use in the manufacture of lubricating oils ⁽¹⁾	0 %	31.12.2019
ex 3811 29 00	35	Additives consisting of an imidazoline based mixture (CAS RN 68784-17-8), for use in the manufacture of lubricating oils ⁽¹⁾	0 %	31.12.2019
ex 3811 29 00	45	Additives consisting of a mixture of (C7-C9) dialkyl adipates, in which diisooctyl adipate (CAS RN 1330-86-5) is more than 85 % by weight of the mixture, for use in the manufacture of lubricating oils ⁽¹⁾	0 %	31.12.2019

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ex 3811 29 00	55	Additives consisting of reaction products of diphenylamine and branched nonenes with: — by weight more than 28 % but not more than 35 % 4-monononyldiphenylamine, and — by weight more than 50 % but not more than 65 % 4,4'-dinonyldiphenylamine, — by weight a total percentage of 2, 4-dinonyldiphenylamine and 2, 4'-dinonyldiphenylamine of not more than 5 %, used for the manufacture of lubricating oils (1)	0 %	31.12.2019
*ex 3812 30 80	30	Compound stabilisers containing by weight 15 % or more but not more than 40 % of sodium perchlorate and not more than 70 % of 2-(2-methoxyethoxy)ethanol	0 %	31.12.2019
*ex 3815 90 90	70	Catalyst, consisting of a mixture of (2-hydroxypropyl)trimethylammonium formate and dipropylene glycols	0 %	31.12.2019
*ex 3815 90 90	80	Catalyst consisting predominantly of dinonylnaphthalenedisulphonic acid in the form of a solution in isobutanol	0 %	31.12.2015
*ex 3824 90 92	32	Mixture of divinylbenzene-isomers and ethylvinylbenzene-isomers, containing by weight 56 % or more but not more than 85 % of divinylbenzene (CAS RN 1321-74-0)	0 %	31.12.2019
*ex 3824 90 92 ex 3824 90 93	33 40	Anti-corrosion preparations consisting of salts of dinonylnaphthalenesulphonic acid, either: — on a support of mineral wax, whether or not modified chemically, or — in the form of a solution in an organic solvent	0 %	31.12.2018
*ex 3824 90 92	34	Oligomer of tetrafluoroethylene, having one iodoethyl end-group	0 %	31.12.2018
*ex 3824 90 92	35	Preparations containing not less than 92 % but not more than 96,5 % by weight of 1,3:2,4-bis-O-(4-methylbenzylidene)-D-glucitol and also containing carboxylic acid derivatives and an alkyl sulphate	0 %	31.12.2016
*ex 3824 90 92	36	Calcium phosphonate phenate, dissolved in mineral oil	0 %	31.12.2016
*ex 3824 90 92	37	Mixture of acetates of 3-butylene-1,2-diol with a content by weight of 65 % or more but not more than 90 %	0 %	31.12.2018
*ex 3824 90 92	39	Preparations containing not less than 47 % by weight of 1,3:2,4-bis-O-benzylidene-D-glucitol	0 %	31.12.2016
*ex 3824 90 92	40	Mixture containing two or three of the following acrylates: — urethane acrylates, — tripropylene glycoldiacrylate, — ethoxylated bisphenol A acrylate and — poly(ethyleneglycol) 400 diacrylate	0 %	31.12.2015

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*ex 3824 90 92	41	Solution of (chloromethyl)bis(4-fluorophenyl)methylsilane of a nominal concentration of 65 % in toluene	0 %	31.12.2015
*ex 3824 90 92	42	Preparation of tetrahydro- α -(1-naphthylmethyl)furan-2-propionic acid (CAS RN 25379-26-4) in toluene	0 %	31.12.2018
*ex 3824 90 92	43	Preparation, consisting of a mixture of 2,4,7,9-tetramethyldec-5-yne-4,7-diol and propan-2-ol	0 %	31.12.2015
*ex 3824 90 92	44	Preparation containing by weight: — 85 % or more but not more than 95 % of α -4-(2-cyano-2-butoxycarbonyl)vinyl-2-methoxy-phenyl- ω -hydroxyhexa (oxyethylene), and — 5 % or more but not more than 15 % of polyoxyethylene (20) sorbitan monopalmitate	0 %	31.12.2015
*ex 3824 90 92	45	Preparation consisting predominantly of γ -butyrolactone and quaternary ammonium salts, for the manufacture of electrolytic capacitors (!)	0 %	31.12.2018
*ex 3824 90 92	46	Diethylmethoxyborane (CAS RN 7397-46-8) in the form of a solution in tetrahydrofuran	0 %	31.12.2015
*ex 3824 90 92	47	Preparation, containing: — trioctylphosphine oxide (CAS RN 78-50-2), — dioctylhexylphosphine oxide (CAS RN 31160-66-4), — octyldihexylphosphine oxide (CAS RN 31160-64-2) and — trihexylphosphine oxide (CAS RN 3084-48-8)	0 %	31.12.2016
*ex 3824 90 92	48	Mixture of: — 3,3-bis(2-methyl-1-octyl-1H-indol-3-yl)phthalide (CAS RN 50292-95-0) and — ethyl-6'-(diethylamino)-3-oxo-spiro-[isobenzofuran-1(3H),9'-[9H]xanthene]-2'-carboxylate (CAS RN 154306-60-2)	0 %	31.12.2017
*ex 3824 90 92	49	Preparation based on 2,5,8,11-tetramethyl-6-dodecyn-5,8-diol ethoxylate (CAS RN 169117-72-0)	0 %	31.12.2017
*ex 3824 90 92	50	Alkyl carbonate-based preparation, also containing a UV absorber, for use in the manufacture of spectacle lenses (!)	0 %	31.12.2017
*ex 3824 90 92	51	Mixture containing by weight 40 % or more but not more than 50 % of 2-hydroxyethyl methacrylate and 40 % or more but not more than 50 % of glycerol ester of boric acid	0 %	31.12.2018
*ex 3824 90 92	52	Preparation, consisting of: — dipropylene glycol — tripropylene glycol — tetrapropylene glycol and — pentapropylene glycol	0 %	31.12.2017

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*ex 3824 90 92	53	Preparations consisting predominantly of ethylene glycol and: — either diethylene glycol, dodecandioic acid and ammonia water, — or N,N-dimethylformamide, — or γ -butyrolactone, — or silicon oxide, — or ammonium hydrogen azelate, — or ammonium hydrogen azelate and silicon oxide, — or dodecandioic acid, ammonia water and silicon oxide, for the manufacture of electrolytic capacitors (1)	0 %	31.12.2018
*ex 3824 90 92	54	Poly(tetramethylene glycol) bis[(9-oxo-9H-thioxanthen-1-yloxy)acetate] with an average polymer chain length of less than 5 monomer units (CAS RN 813452-37-8)	0 %	31.12.2015
*ex 3824 90 92	55	Additives for paints and coatings, containing: — a mixture of esters of phosphoric acid obtained from the reaction of phosphoric anhydride with 4-(1,1-dimethylpropyl) phenol and copolymers of styrene-allyl alcohol (CAS RN 84605-27-6), and — 30 % or more but not more than 35 % by weight of isobutyl alcohol	0 %	31.12.2018
*ex 3824 90 92	56	Poly(tetramethylene glycol) bis[(2-benzoyl-phenoxy)acetate] with an average polymer chain length of less than 5 monomer units	0 %	31.12.2019
*ex 3824 90 92	57	Poly(ethylene glycol) bis(p-dimethyl)aminobenzoate with an average polymer chain length of less than 5 monomer units	0 %	31.12.2019
*ex 3824 90 92	58	2-Hydroxybenzotrile, in the form of a solution in N,N-dimethylformamide, containing by weight 45 % or more but not more than 55 % of 2-hydroxybenzotrile	0 %	31.12.2018
*ex 3824 90 92	59	Potassium tert-butanolate (CAS RN 865-47-4) in the form of a solution in tetrahydrofuran	0 %	31.12.2018
*ex 3824 90 92	60	N2-[1-(S)-Ethoxycarbonyl-3-phenylpropyl]-N6-trifluoroacetyl-L-lysyl-N2-carboxy anhydride in a solution of dichloromethane at 37 %	0 %	31.12.2015
*ex 3824 90 92	61	3',4',5'-Trifluorobiphenyl-2-amine, in the form of a solution in toluene containing by weight 80 % or more but not more than 90 % of 3',4',5'-trifluorobiphenyl-2-amine	0 %	31.12.2015
*ex 3824 90 92	62	α -Phenoxycarbonyl- ω -phenoxy poly[oxy(2,6-dibromo-1,4-phenylene) isopropylidene(3,5-dibromo-1,4-phenylene)oxycarbonyl]	0 %	31.12.2018
*ex 3824 90 92	64	Preparation containing by weight: — 89 % or more but not more than 98,9 % of 1,2,3-trideoxy-4,6:5,7-bis-O-[(4-propylphenyl)methylene]-nonitol — 0,1 % or more but not more than 1 % of colourants — 1 % or more but not more than 10 % of fluoropolymers	0 %	31.12.2016

CN code	TARIC	Description	Rate of autonomous duty	Date foreseen for mandatory review
*ex 3824 90 92	65	Mixture of primary <i>tert</i> -alkylamines	0 %	31.12.2019
*ex 3824 90 92	70	Mixture of 80 % (\pm 10 %) of 1-[2-(2-aminobutoxy)ethoxy]but-2-ylamine and 20 % (\pm 10 %) of 1-([2-(2-aminobutoxy)ethoxy]methyl)propoxybut-2-ylamine	0 %	31.12.2019
*ex 3824 90 92	71	Preparation consisting of: — 80 % or more but not more than 90 % by weight of (S)- α -hydroxy-3-phenoxy-benzeneacetonitrile (CAS RN 61826-76-4) and — 10 % or more but not more than 20 % by weight of toluene (CAS RN 108-88-3)	0 %	31.12.2018
*ex 3824 90 92	72	N-(2-phenylethyl)-1,3-benzenedimethanamine derivatives (CAS RN 404362-22-7)	0 %	31.12.2018
*ex 3824 90 92	73	α -(2,4,6-Tribromophenyl)- ω -(2,4,6-tribromophenoxy)poly[oxy(2,6-dibromo-1,4-phenylene)isopropylidene(3,5-dibromo-1,4-phenylene)oxycarbonyl]	0 %	31.12.2018
*ex 3824 90 92	74	C6-24 and C16-18-unsaturated fatty acid esters with sucrose (sucrose polysoyate) (CAS RN 93571-82-5)	0 %	31.12.2018
*ex 3824 90 92	75	Aqueous solution of polymers and ammonia consisting of:	0 %	31.12.2018
ex 3906 90 90	87	— 0,1 % or more but not more than 0,5 % by weight of ammonia (CAS RN 1336-21-6) and — 0,3 % or more but not more than 10 % by weight of polycarboxylate (linear polymers of acrylic acid)		
*ex 3824 90 92	78	Preparation containing by weight either 10 % or more but not more than 20 % of lithiumfluorophosphate or 5 % or more but not more than 10 % of lithium perchlorate in mixtures of organic solvents	0 %	31.12.2018
*ex 3824 90 92	80	Diethylene glycol propylene glycol triethanolamine titanate complexes (CAS RN 68784-48-5) dissolved in diethylene glycol (CAS RN 111-46-6)	0 %	31.12.2017
*ex 3824 90 92	81	Preparation consisting of: — 50 % (\pm 2 %) by weight of bis-alkoxylated ethyl acetoacetate aluminium chelates, — in an ink oil (white mineral) solvent with a boiling point of 160 °C or more but not more than 180 °C	0 %	31.12.2018
*ex 3824 90 92	86	Liquid crystal mixture for use in the manufacture of displays (1)	0 %	31.12.2017
ex 3824 90 93	57			
*ex 3824 90 93	35	Paraffin with a level of chlorination of 70 % or more	0 %	31.12.2019
*ex 3824 90 93	42	Mixture of bis{4-(3-(3-phenoxy-carbonylamino)tolyl)ureido}phenylsulphone, diphenyltoluene-2,4-dicarbamate and 1-[4-(4-aminobenzenesulphonyl)-phenyl]-3-(3-phenoxy-carbonylamino-tolyl)-urea	0 %	31.12.2018

CN code	TARIC	Description	Rate of autonomous duty	Date foreseen for mandatory review
*ex 3824 90 93	45	Preparation consisting by weight of 83 % or more of 3a,4,7,7a-tetrahydro-4,7-methanoindene (dicyclopentadiene), a synthetic rubber, whether or not containing by weight 7 % or more of tricyclopentadiene, and: — either an aluminium-alkyl compound, — or an organic complex of tungsten — or an organic complex of molybdenum	0 %	31.12.2018
*ex 3824 90 93	47	2,4,7,9-Tetramethyldec-5-yne-4,7-diol, hydroxyethylated	0 %	31.12.2019
*ex 3824 90 93	53	Zinc Dimethacrylate (CAS RN 13189-00-9), containing not more than 2,5 % by weight of 2,6-di-tert-butyl-alpha-dimethyl amino-p-cresol (CAS RN 88-27-7), in the form of powder	0 %	31.12.2018
*ex 3824 90 93	63	Mixture of phytosterols, not in the form of powder, containing by weight: — 75 % or more of sterols, — not more than 25 % of stanols, for use in the manufacture of stanols/sterols or stanol/sterol esters (1)	0 %	31.12.2017
*ex 3824 90 93	65	Mixture of phytosterols derived from wood and wood based oils (tall oil), in the form of powder with a particle size not more than 300 µm, containing by weight: — 60 % or more, but not more than 80 % of sitosterols, — not more than 15 % of campesterols, — not more than 5 % of stigmasterols, — not more than 15 % of betasitostanols	0 %	31.12.2017
*ex 3824 90 93	70	Oligomeric reaction product, consisting of bis(4-hydroxyphenyl) sulfone and 1,1'-oxybis(2-chloroethane)	0 %	31.12.2019
*ex 3824 90 93	73	Oligomer of tetrafluoroethylene, having tetrafluoroiodoethyl end-groups	0 %	31.12.2018
*ex 3824 90 93	75	Mixture of phytosterols, in the form of flakes and balls, containing by weight 80 % or more of sterols and not more than 4 % of stanols	0 %	31.12.2019
*ex 3824 90 93	77	Powder mixture containing by weight: — 85 % or more of zinc diacrylate (CAS RN 14643-87-9) — and not more than 5 % of 2,6-di-tert-butyl-alpha-dimethylamino-p-cresol (CAS RN 88-27-7)	0 %	31.12.2018
*ex 3824 90 93 ex 3824 90 96	80 67	Film containing oxides of barium or calcium combined with either oxides of titanium or zirconium, in an acrylic binding material	0 %	31.12.2019
*ex 3824 90 93 ex 3824 90 96	83 85	Preparation containing: — C,C'-azodi(formamide) (CAS RN 123-77-3), — magnesium oxide (CAS RN 1309-48-4) and — zinc bis(p-toluene sulphinate) (CAS RN 24345-02-6) in which the gas formation from C,C'-azodi(formamide) occurs at 135 °C	0 %	31.12.2017

CN code	TARIC	Description	Rate of autonomous duty	Date foreseen for mandatory review
*ex 3824 90 93 ex 3824 90 96	85 57	Particles of silicon dioxide on which are covalently bonded organic compounds, for use in the manufacture of high performance liquid chromatography columns (HPLC) and sample preparation cartridges ⁽¹⁾	0 %	31.12.2018
*ex 3824 90 96	35	Calcined bauxite (refractory grade)	0 %	31.12.2018
*ex 3824 90 96	37	Structured silica alumina phosphate	0 %	31.12.2019
*ex 3824 90 96	43	Aqueous dispersion, containing by weight: — 76 % (\pm 0,5 %) of silicon carbide (CAS RN 409-21-2) — 4,6 % (\pm 0,05 %) of aluminium oxide (CAS RN 1344-28-1) and — 2,4 % (\pm 0,05 %) of yttrium oxide (CAS RN 1314-36-9)	0 %	31.12.2016
*ex 3824 90 96	45	Mixture of: — basic zirconium carbonate (CAS RN 57219-64-4) and — cerium carbonate (CAS RN 537-01-9)	0 %	31.12.2016
*ex 3824 90 96	47	Mixed metals oxides, in the form of powder, containing by weight: — either 5 % or more of barium, neodymium or magnesium and 15 % or more of titanium, — or 30 % or more of lead and 5 % or more of niobium, for use in the manufacture of dielectric films or for use as dielectric materials in the manufacture of multilayer ceramic capacitors ⁽¹⁾	0 %	31.12.2018
*ex 3824 90 96	50	Nickel hydroxide, doped with 12 % or more but not more than 18 % by weight of zinc hydroxide and cobalt hydroxide, of a kind used to produce positive electrodes for accumulators	0 %	31.12.2017
*ex 3824 90 96	55	Carrier in powder form, consisting of: — Ferrite (Iron oxide) (CAS RN 1309-37-1) — Manganese oxide (CAS RN 1344-43-0) — Magnesium oxide (CAS RN 1309-48-4) — Styrene acrylate copolymer to be mixed with the toner powder, in the manufacturing of ink/toner filled bottles or cartridges for facsimile machines, computer printers and copiers ⁽¹⁾	0 %	31.12.2018
*ex 3824 90 96	60	Fused magnesia containing by weight 15 % or more of dichromium trioxide	0 %	31.12.2016
*ex 3824 90 96	63	Catalyst containing by weight of — 52 % (\pm 10 %) of Cuprous Oxide (CAS RN 1317-39-1), — 38 % (\pm 10 %) of Cupric Oxide (CAS RN 1317-38-0) and — 10 % (\pm 5 %) of Metallic Copper (CAS RN 7440-50-8)	0 %	31.12.2018

CN code	TARIC	Description	Rate of autonomous duty	Date foreseen for mandatory review
*ex 3824 90 96	65	Aluminium sodium silicate, in the form of spheres of a diameter of: — either 1,6 mm or more but not more than 3,4 mm, — or 4 mm or more but not more than 6 mm	0 %	31.12.2018
*ex 3824 90 96	73	Reaction product, containing by weight: — 1 % or more but not more than 40 % of molybdenum oxide, — 10 % or more but not more than 50 % of nickel oxide, — 30 % or more but not more than 70 % of tungsten oxide	0 %	31.12.2019
*ex 3824 90 96	75	Hollow spheres of fused aluminosilicate containing 65-80 % amorphous aluminosilicate, with the following characteristics: — a melting point of between 1 600 °C and 1 800 °C, — a density of 0,6- 0,8 g/cm ³ , for use in the manufacture of particle filters in motor vehicles ⁽¹⁾	0 %	31.12.2018
*ex 3824 90 96	77	Preparation, consisting of 2,4,7,9-tetramethyldec-5-yne-4,7-diol and silicon dioxide	0 %	31.12.2019
*ex 3824 90 96	79	Paste containing by weight: — 75 % or more, but not more than 85 % of copper, — inorganic oxides, — ethyl cellulose, and — a solvent	0 %	31.12.2017
*ex 3824 90 96	87	Platinum oxide (CAS RN 12035-82-4) fixed on a porous support of aluminium oxide (CAS RN 1344-28-1), containing by weight: — 0,1 % or more but not more than 1 % of platinum, and — 0,5 % or more but not more than 5 % of ethylaluminium dichloride (CAS RN 563-43-9)	0 %	31.12.2017
*ex 3901 10 10	10	Linear low-density polyethylene/LLDPE (CAS RN 9002-88-4) in the form of powder, with — 5 % or less by weight of comonomer, — a melt flow rate of 15 g/10 min or more, but not more than 60 g/10 min and — a density of 0,924 g/cm ³ or more, but not more than 0,928 g/cm ³	0 %	30.6.2015
ex 3901 10 10 ex 3901 90 90	20 50	High flow linear low density polyethylene-1-butene/LLDPE (CAS RN 25087-34-7) in form of powder, with — a melt flow rate (MFR 190 °C/2,16 kg) of 16 g/10 min or more, but not more than 24 g/10 min and — a density (ASTM D 1505) of 0,922 g/cm ³ or more, but not more than 0,926 g/cm ³ and — a vicat softening temperature of min. 94 °C	0 %	30.6.2015

CN code	TARIC	Description	Rate of autonomous duty	Date foreseen for mandatory review
*ex 3901 90 90	30	Linear low-density polyethylene/LLDPE (CAS RN 9002-88-4) in the form of powder, with — more than 5 %, but not more than 8 % by weight of comonomer, — a melt flow rate of 15 g/10 min or more, but not more than 60 g/10 min and — a density of 0,924 g/cm ³ or more, but not more than 0,928 g/cm ³	0 %	30.6.2015
*ex 3901 90 90	40	Copolymer of ethylene and 1-hexene only (CAS RN 25213-02-9): — containing more than 5 % but not more than 20 % by weight of 1-hexene, — of a specific gravity of not more than 0,93, — manufactured using a metallocene catalyst	0 %	30.6.2015
*ex 3902 10 00	40	Polypropylene, containing no plasticiser: — of a tensile strength: of 32-60 MPa (as determined by the ASTM D638 method); — of a flexural strength of 50-90 MPa (as determined by the ASTM D790 method); — of a Melt Flow Rate (MFR) at 230 °C/ 2,16 kg of 5-15 g/10 min (as determined by the ASTM D1238 method); — with 40 % or more but not more than 80 % by weight of polypropylene, — with 10 % or more but not more than 30 % by weight of glass fibre, — with 10 % or more but not more than 30 % by weight of mica	0 %	31.12.2019
*ex 3902 90 90	60	Non-hydrogenated 100 % aliphatic resin (polymer), with the following characteristics: — liquid at room temperature — obtained by cationic polymerisation of C-5 alkenes monomers — with a number average molecular weight (Mn) of 370 (± 50) — with a weight average molecular weight (Mw) of 500 (± 100)	0 %	31.12.2019
*ex 3903 19 00	30	Crystalline polystyrene with a melting point of 268 °C or more but not more than 272 °C and a setting point of 232 °C or more but not more than 242 °C, whether or not containing additives and filling material	0 %	31.12.2016
*ex 3903 90 90	15	Copolymer in the form of granules containing by weight: — 78 ± 4 % styrene, — 9 ± 2 % n-butyl acrylate, — 11 ± 3 % n-butyl methacrylate, — 1,5 ± 0,7 % methacrylic acid and — 0,01 % or more but not more than 2,5 % of polyolefinic wax	0 %	31.12.2016

CN code	TARIC	Description	Rate of autonomous duty	Date foreseen for mandatory review
*ex 3903 90 90	20	Copolymer in the form of granules containing by weight: — 83 ± 3 % styrene, — 7 ± 2 % n-butyl acrylate, — 9 ± 2 % n-butyl methacrylate and — 0,01 % or more but not more than 1 % of polyolefinic wax	0 %	31.12.2016
*ex 3903 90 90	25	Copolymer in the form of granules containing by weight: — 82 ± 6 % styrene, — 13,5 ± 3 % n-butyl acrylate, — 1 ± 0,5 % methacrylic acid and — 0,01 % or more but not more than 8,5 % of polyolefinic wax	0 %	31.12.2016
*ex 3904 10 00	20	Poly(vinyl chloride) powder, not mixed with any other substances or containing any vinyl acetate monomers, with: — a degree of polymerisation of 1 000 (± 300) monomer units, — a coefficient of heat transmission (K-value) of 60 or more, but not more than 70, — a volatile material content of less than 2,00 % by weight, — a sieve non-passing fraction at a mesh width of 120 µm of not more than 1 % by weight, for use in the manufacture of battery separators ⁽¹⁾	0 %	31.12.2019
*ex 3904 50 90	92	Vinylidene-chloride methacrylate co-polymer for use in the manufacture of monofilaments ⁽¹⁾	0 %	31.12.2019
*ex 3906 90 90	41	Poly(alkyl acrylate) with an ester alkyl chain of C10 to C30	0 %	31.12.2019
ex 3906 90 90	73	Preparation containing by weight: — 33 % or more but not more than 37 % of butyl methacrylate — methacrylic acid copolymer, — 24 % or more but not more than 28 % of propylene glycol, and — 37 % or more but not more than 41 % of water	0 %	31.12.2019
ex 3907 20 20	50	Poly(p-phenylene oxide) in the form of powder	0 %	31.12.2019
ex 3907 20 99	75	— with a glass transition temperature of 210 °C — with a weight average molecular weight (Mw) of 35 000 or more but not more than 80 000 — with an inherent viscosity of 0,2 or more but not more than 0,6 dl/gram		
ex 3907 20 99	70	α-[3-(3-Maleimido-1-oxopropyl)amino]propyl-ω-methoxy, polyoxyethylene (CAS RN 883993-35-9)	0 %	31.12.2019
ex 3907 40 00	70	Polycarbonate of phosgene and bisphenol A: — containing by weight 12 % or more but not more than 26 % of a copolymer of isophthaloyl chloride, terephthaloyl chloride and resorcinol, — with p-cumylphenol endcaps, and — with a weight average molecular weight (Mw) of 29 900 or more but not more than 31 900	0 %	31.12.2019

CN code	TARIC	Description	Rate of autonomous duty	Date foreseen for mandatory review
ex 3907 40 00	80	Polycarbonate of carbonic dichloride, 4,4'-(1-methylethylidene) bis[2,6-dibromophenol] and 4,4'-(1-methylethylidene)bis[phenol] with 4-(1-methyl-1-phenylethyl)phenol endcaps	0 %	31.12.2019
*ex 3907 91 90	10	Diallyl phthalate prepolymer, in powder form	0 %	31.12.2019
ex 3907 99 90	40	Polycarbonate of phosgene, bisphenol A, resorcinol, isophthaloyl chloride, terephthaloyl chloride and polysiloxane, with <i>p</i> -cumylphenol endcaps, and a weight average molecular weight (Mw) of 24 100 or more but not more than 25 900	0 %	31.12.2019
*ex 3907 99 90	70	Copolymer of poly(ethylene terephthalate) and cyclohexane dimethanol, containing more than 10 % by weight of cyclohexane dimethanol	0 %	31.12.2019
*ex 3909 50 90	10	UV curable water soluble liquid photopolymer consisting of a mixture by weight of <ul style="list-style-type: none"> — 60 % or more of two-functional acrylated polyurethane oligomers and — 30 % (\pm 8 %) of mono-functional and tri-functional (metha) acrylates, and — 10 % (\pm 3 %) of hydroxyl functionalised mono-functional (metha) acrylates 	0 %	31.12.2019
ex 3909 50 90	20	Preparation containing by weight: <ul style="list-style-type: none"> — 14 % or more but not more than 18 % of ethoxylated polyurethane modified with hydrophobic groups, — 3 % or more but not more than 5 % of enzymatically modified starch, and — 77 % or more but not more than 83 % of water 	0 %	31.12.2019
ex 3909 50 90	30	Preparation containing by weight: <ul style="list-style-type: none"> — 16 % or more but not more than 20 % of ethoxylated polyurethane modified with hydrophobic groups, — 19 % or more but not more than 23 % of diethylene glycol butyl ether, and — 60 % or more but not more than 64 % of water 	0 %	31.12.2019
ex 3909 50 90	40	Preparation containing by weight: <ul style="list-style-type: none"> — 34 % or more but not more than 36 % of ethoxylated polyurethane modified with hydrophobic groups, — 37 % or more but not more than 39 % of propylene glycol, and — 26 % or more but not more than 28 % of water 	0 %	31.12.2019
*ex 3910 00 00	60	Polydimethylsiloxane, whether or not polyethylene glycol and trifluoropropyl substituted, with methacrylate end groups	0 %	31.12.2019
ex 3910 00 00	80	Monomethacryloxypropylterminated poly(dimethylsiloxane)	0 %	31.12.2019
ex 3911 90 19	50	Polycarboxylate sodium salt of 2,5-furandione and 2,4,4-trimethylpentene in powder form	0 %	31.12.2019

CN code	TARIC	Description	Rate of autonomous duty	Date foreseen for mandatory review
*ex 3911 90 99	31	Copolymers of butadiene and maleic acid, whether or not containing its ammonium salts	0 %	31.12.2015
*ex 3916 20 00	91	Profiles of poly(vinyl chloride) of a kind used in the manufacture of sheet pilings and facings, containing the following additives: — titanium dioxide — poly(methyl methacrylate) — calcium carbonate — binding agents	0 %	31.12.2019
*ex 3917 40 00	91	Plastic connectors containing O-rings, a retainer clip and a release system for insertion into car fuel hoses	0 %	31.12.2019
*ex 3919 10 80	23	Reflecting film, consisting of several layers including: — poly(vinyl chloride); — polyurethane with, on one side, imprints against counterfeiting, alteration or substitution of data or duplication, and on the other side, a layer of glass microspheres; — a layer incorporating a security and/or official mark which changes appearance with angle of view; — metallised aluminium; — and adhesive, covered on one side with a release liner	0 %	31.12.2015
*ex 3919 10 80	27	Polyester film:	0 %	31.12.2019
ex 3919 90 00	20	— coated on one side with an acrylic thermal release adhesive that debonds at temperatures of 90 °C or more but not more than 200 °C, and a polyester liner, and — on the other side not coated or coated with an acrylic pressure sensitive adhesive or with an acrylic thermal release adhesive that debonds at temperatures of 90 °C or more but not more than 200 °C, and a polyester liner		
*ex 3919 10 80	32	Polytetrafluoroethylene film: — with a thickness of 110 µm or more, — with a surface resistance of between 10 ² -10 ¹⁴ ohms as determined by test method ASTM D 257, — coated on one side with an acrylic pressure sensitive adhesive	0 %	31.12.2015
*ex 3919 10 80	37	Polytetrafluoroethylene film: — with a thickness of 100 µm or more, — an elongation at break of not more than 100 %, — coated on one side with a pressure sensitive silicon adhesive	0 %	31.12.2015
*ex 3919 10 80	43	Ethylene vinyl acetate film:	0 %	31.12.2015
ex 3919 90 00	26	— of a thickness of 100 µm or more, — coated on one side with an acrylic pressure sensitive or UV-sensitive adhesive and a polyester or polypropylene liner		

CN code	TARIC	Description	Rate of autonomous duty	Date foreseen for mandatory review
*ex 3919 10 80 ex 3919 90 00	85 28	Poly(vinyl chloride) or polyethylene or any other polyolefine film: — of a thickness of 65 µm or more, — coated on one side with an acrylic UV-sensitive adhesive and a polyester liner	0 %	31.12.2019
*ex 3919 90 00	24	Reflecting laminated sheet: — consisting of an epoxy acrylate layer embossed on one side in a regular shaped pattern, — covered on both sides with one or more layers of plastic material and — covered on one side with an adhesive layer and a release sheet	0 %	31.12.2019
*ex 3919 90 00	29	Polyester film coated on both sides with an acrylic and/or rubber (pressure sensitive) adhesive put up in rolls of a width of 45,7 cm or more but not more than 132 cm (supplied with a release liner)	0 %	31.12.2019
*ex 3919 90 00	33	Transparent poly(ethylene) self-adhesive film, free from impurities or faults, coated on one side with an acrylic pressure sensitive adhesive, with a thickness of 60 µm or more, but not more than 70 µm, and with a width of more than 1 245 mm but not more than 1 255 mm	0 %	31.12.2018
*ex 3919 90 00	37	UV-absorbing film of poly (vinyl chloride): — with a thickness of 78 µm or more, — covered on one side with an adhesive layer and with a release sheet, — with an adhesive strength of 1 764 mN/25 mm or more	0 %	31.12.2019
*ex 3919 90 00 ex 3921 90 60	44 95	Printed laminated sheet — with a core layer of glass fabric, coated on each side with a layer of poly(vinyl chloride), — on one side covered with a layer of poly(vinyl fluoride), — whether or not with a pressure sensitive adhesive layer and a release film on the other side, — with a toxicity (as determined by test method ABD 0031) of not more than 50 ppm hydrogen fluoride, not more than 85 ppm hydrogen chloride, not more than 10 ppm hydrogen cyanide, not more than 10 ppm nitrogen oxides, not more than 300 ppm carbon monoxide and not more than 10 ppm dihydrogen sulphide and sulphur dioxide taken together, — with a flammability within 60 seconds of not more than 110 mm (as determined by test method FAR 25 App.F Pt. I Amdt.83), and — with a weight (without release film) of 490 g/m ² (± 45 g/m ²) without adhesive layer or of 580 g/m ² (± 50 g/m ²) with pressure sensitive layer	0 %	31.12.2017

CN code	TARIC	Description	Rate of autonomous duty	Date foreseen for mandatory review
*ex 3920 20 29	93	Mono-axial oriented film, consisting of three layers, each layer consisting of a mixture of polypropylene and a copolymer of ethylene and vinyl acetate, having: <ul style="list-style-type: none"> — a thickness of 55 µm or more but not more than 97 µm, — a tensile modulus in the machine direction of 0,75 GPa or more but not more than 1,45 GPa, and — a tensile modulus in the transverse direction of 0,20 GPa or more but not more than 0,55 GPa 	0 %	31.12.2019
*ex 3920 62 19	81	Poly(ethyleneterephthalate) film: <ul style="list-style-type: none"> — of a thickness of not more than 20 µm, — coated on at least one side with a gas barrier layer consisting of: <ul style="list-style-type: none"> — a polymeric matrix in which silica has been dispersed and of a thickness of not more than 2 µm, or — a silica layer which is deposited through vapour deposition and of a thickness of not more than 1 µm 	0 %	31.12.2017
*ex 3920 91 00	51	Poly(vinyl butyral) film containing by weight 25 % or more but not more than 28 % of tri-isobutyl phosphate as a plasticiser	0 %	31.12.2019
*ex 3920 91 00	52	Poly(vinyl butyral) film: <ul style="list-style-type: none"> — containing by weight 26 % or more but not more than 30 % of triethyleneglycol bis(2-ethyl hexanoate) as a plasticiser, — with a thickness of 0,73 mm or more but not more than 1,50 mm 	0 %	31.12.2019
*ex 3920 91 00	93	Film of poly(ethylene terephthalate), whether or not metallised on one or both sides, or laminated film of poly(ethylene terephthalate) films, metallised on the external sides only, and having the following characteristics: <ul style="list-style-type: none"> — a visible light transmission of 50 % or more, — coated on one or both sides with a layer of poly(vinyl butyral) but not coated with an adhesive or any other material except poly(vinyl butyral), — a total thickness of not more than 0,2 mm without taking the presence of poly(vinyl butyral) into account and a thickness of poly(vinyl butyral) of more than 0,2 mm 	0 %	31.12.2019
*ex 3921 90 55	25	Prepreg sheets or rolls containing polyimide resin	0 %	31.12.2019
ex 7019 40 00	21			
ex 7019 40 00	29			
*ex 3921 90 55	30	Prepreg sheets or rolls containing brominated epoxy resin reinforced with glass fabric, having <ul style="list-style-type: none"> — a flow of not more than 3,6 mm (as determined by IPC-TM 650.2.3.17.2), and — a glass transition temperature (T_g) of more than 170 °C (as determined by IPC-TM 650.2.4.25) for use in the manufacture of printed circuit boards (!)	0 %	31.12.2015

CN code	TARIC	Description	Rate of autonomous duty	Date foreseen for mandatory review
ex 3926 90 97 ex 8543 90 00	31 60	Housings, housing parts, drums, setting wheels, frames, covers and other parts of acrylonitrile-butadiene-styrene for use in the manufacture of remote controls (!)	0 %	31.12.2019
ex 3926 90 97 ex 8538 90 99	37 40	Polycarbonate control interface buttons for steering pad switches coated on the outside with scratch resistant paint	0 %	31.12.2019
*ex 4408 39 30	10	Okoume veneer sheets: — of a length of 1 270 mm or more, but not more than 3 200 mm, — of a width of 150 mm or more, but not more than 2 000 mm, — of a thickness of 0,5 mm or more, but not more than 4 mm, — not sanded and — not planed	0 %	31.12.2018
ex 5503 90 00	30	Trilobal poly(thio-1,4-phenylene) fibres	0 %	31.12.2019
*ex 5607 50 90	10	Unsterilised twine of poly(glycolic acid) or of poly(glycolic acid) and its copolymers with lactic acid, plaited or braided, with an inner core, for the manufacture of surgical sutures (!)	0 %	31.12.2019
*ex 5911 90 90	40	Multi-layered non-woven polyester polishing pads, impregnated with polyurethane	0 %	31.12.2019
*ex 6814 10 00	10	Agglomerated mica with a thickness of not more than 0,15 mm, on rolls, whether or not calcined, whether or not reinforced with aramid fibres	0 %	31.12.2018
ex 7006 00 90	25	Glass wafer made of borosilicate float glass — with a total thickness variation of 1 µm or less, and — laser-engraved	0 %	31.12.2019
ex 7009 10 00	20	Layered glass with mechanical dimming ability by different angles of incident light comprising: — a layer of chrome, — a break-resistance adhesive tape or hot-melt adhesive, and — a release film on the front side and protective paper at the back side, of a kind used for interior rear-view mirrors of vehicles	0 %	31.12.2019
*ex 7019 19 10	30	Yarn of E-glass of 22 tex (\pm 1,6 tex), obtained from continuous spun-glass filaments of a nominal diameter of 7 µm, in which filaments of a diameter of 6,35 µm or more but not more than 7,61 µm predominate	0 %	31.12.2019
*ex 7019 19 10	55	Glass cord impregnated with rubber or plastic, obtained from K- or U-glass filaments, made up of: — 9 % or more but not more than 16 % of magnesium oxide, — 19 % or more but not more than 25 % of aluminium oxide, — 0 % or more but not more than 2 % of boron oxide, — without calcium oxide, coated with a latex comprising at least a resorcinol- formaldehyde resin and chlorosulphonated polyethylene	0 %	31.12.2019

CN code	TARIC	Description	Rate of autonomous duty	Date foreseen for mandatory review
*ex 7325 99 10	20	Anchor head of hot dipped galvanised ductile cast iron of the kind used in the production of earth anchors	0 %	31.12.2019
*ex 7326 20 00	20	Metal fleece, consisting of a mass of stainless steel wires of diameters of 0,001 mm or more but not more than 0,070 mm, compacted by sintering and rolling	0 %	31.12.2016
ex 7604 29 10	40	Bars and rods of aluminium alloys containing by weight: — 0,25 % or more but not more than 7 % of zinc, and — 1 % or more but not more than 3 % of magnesium, and — 1 % or more but not more than 5 % of copper, and — not more than 1 % of manganese consistent with the material specifications AMS QQ-A-225, of a kind used in aerospace industry (inter alia conforming NADCAP and AS9100) and obtained by rolling mill process	0 %	31.12.2019
ex 7605 29 00	10	Wire of aluminium alloys containing by weight: — 0,10 % or more but not more than 5 % of copper, and — 0,2 % or more but not more than 6 % of magnesium, and — 0,10 % or more but not more than 7 % of zinc, and — not more than 1 % of manganese consistent with the material specifications AMS QQ-A-430, of a kind used in aerospace industry (inter alia conforming NADCAP and AS9100) and obtained by rolling mill process	0 %	31.12.2019
ex 8103 90 90	10	Tantalum sputtering target with: — a Copper-Chromium alloy backingplate, — a diameter of 312 mm, and — a thickness of 6,3 mm	0 %	31.12.2019
*ex 8108 90 30	10	Titanium alloy rods complying with standard EN 2002-1, EN 4267 or DIN 65040	0 %	31.12.2019
ex 8108 90 50	15	Alloy of titanium, copper, tin, silicon, and niobium containing by weight: — 0,8 % or more but not more than 1,2 % of copper, — 0,9 % or more but not more than 1,15 % of tin, — 0,25 % or more but not more than 0,45 % of silicon and — 0,2 % or more but not more than 0,35 % of niobium, in sheets, plates, strips or foil	0 %	31.12.2019
ex 8207 19 10	10	Inserts for drilling tools with working parts of agglomerated diamonds	0 %	31.12.2019
ex 8401 40 00	10	Stainless steel absorber control rods, filled with neutron absorbing chemical elements	0 %	31.12.2019
*ex 8405 90 00	10	Metal casing for automobile safety belt pre-tension gas generators	0 %	31.12.2019
ex 8708 21 10	10			
ex 8708 21 90	10			

CN code	TARIC	Description	Rate of autonomous duty	Date foreseen for mandatory review
*ex 8409 91 00 ex 8409 99 00	10 20	Exhaust manifold complying with standard DIN EN 13835, whether or not with turbine housing, with four inlet ports, for use in the manufacture of exhaust manifold that is turned, milled, drilled and/or processed by other means ⁽¹⁾	0 %	31.12.2016
*ex 8411 99 00	50	Actuator for a single-stage turbocharger: — with a built-in conducting horn and connecting sleeve, — of a stainless steel alloy, — whether or not with conducting horns having an operating distance of 20 mm or more but not more than 40 mm, — with a length of not more than 350 mm, — with a diameter of not more than 75 mm, — with a height of not more than 110 mm	0 %	31.12.2018
ex 8413 91 00	30	Fuel pump cover: — consisting of aluminum alloys, — with a diameter of 38 mm or 50 mm, — with two concentric, annular grooves formed on its surface, — anodised, of a kind used in motor vehicles with petrol engines	0 %	31.12.2019
*ex 8414 30 81	50	Hermetic or semi-hermetic variable-speed electric scroll compressors, with a nominal power rating of 0,5 kW or more but not more than 10 kW, with a displacement volume of not more than 35 cm ³ , of the type used in refrigeration equipment	0 %	31.12.2019
*ex 8414 90 00	20	Aluminium pistons, for incorporation into compressors of air conditioning machines of motor vehicles ⁽¹⁾	0 %	31.12.2019
*ex 8418 99 10	50	Evaporator composed of aluminium fins and a copper coil of the kind used in refrigeration equipment	0 %	31.12.2019
*ex 8418 99 10	60	Condenser composed of two concentric copper tubes of the kind used in refrigeration equipment	0 %	31.12.2019
ex 8421 21 00	20	Water pre-treatment system comprising one or more of the following elements, whether or not incorporating modules for sterilisation and sanitisation of these elements: — Ultrafiltration system — Carbon filtration system — Water softener system for use in a biopharmaceutical laboratory	0 %	31.12.2019
*ex 8467 99 00 ex 8536 50 11	10 35	Mechanical switches for connecting electrical circuits, with: — a voltage of 14,4 V or more but not more than 42 V, — an amperage of 10 A or more but not more than 42 A, for use in the manufacture of machines falling within heading 8467 ⁽¹⁾	0 %	31.12.2019
ex 8479 89 97	60	Bioreactor for biopharmaceutical cell culture (having interior surfaces of type 316L austenitic stainless steel) with a process capacity of 50 litres, 500 litres, 3 000 litres or 10 000 litres, whether or not combined with a 'clean-in-process' system	0 %	31.12.2019

CN code	TARIC	Description	Rate of autonomous duty	Date foreseen for mandatory review
*ex 8481 30 91	91	Steel check (non-return) valves with: — an opening pressure of not more than 800 kPa — an external diameter not more than 37 mm	0 %	31.12.2019
ex 8482 10 10	10	Ball and cylindrical bearings:	0 %	31.12.2019
ex 8482 10 90	10	— with an outside diameter of 28 mm or more but not more than 140 mm,		
ex 8482 50 00	10	— with an operational thermal stress of more than 150 °C at a working pressure of not more than 14 MPa, for the manufacture of machinery for the protection and control of nuclear reactors in nuclear power plants ⁽¹⁾		
ex 8482 10 10	20	Ball bearings: — with an internal diameter of 10 mm or more, — with an external diameter of not more than 30 mm, — with a width of not more than 10 mm, — whether or not equipped with a duster, for use in the manufacture of belt drive steering systems of motor ⁽¹⁾	0 %	31.12.2019
*ex 8501 10 99	82	DC motor, brushless, with an external diameter of not more than 29 mm, a rated speed of 1 500 (±15 %) rpm or 6 800 (±15 %) rpm, a supply voltage of 2 V or 8 V	0 %	31.12.2019
*ex 8501 31 00	40	Permanently excited DC motor with — a multiple-phase winding, — an external diameter of 30 mm or more but not more than 80 mm, — a rated speed of not more than 15 000 rpm, — an output of 45 W or more but not more than 300 W and — a supply voltage of 9 V or more but not more than 25 V	0 %	31.12.2019
*ex 8501 31 00	65	Fuel cell module containing at least polymer electrolyte membrane fuel cells whether or not in a housing with an integrated cooling system, for use in the manufacture of motor vehicle propulsion systems ⁽¹⁾	0 %	31.12.2018
ex 8501 32 00	50			
ex 8501 33 00	55			
*ex 8501 31 00	70	DC motors, brushless, with: — an external diameter of 80 mm or more, but not more than 100 mm, — a supply voltage of 12 V, — an output at 20 °C of 300 W or more, but not more than 650 W, — a torque at 20 °C of 2,00 Nm or more, but not more than 5,30 Nm, — a rated speed at 20 °C of 600 rpm or more, but not more than 3 100 rpm, — equipped with the rotor angle position sensor of resolver type or Hall effect type, of the kind used in power steering systems for cars	0 %	31.12.2017

CN code	TARIC	Description	Rate of autonomous duty	Date foreseen for mandatory review
*ex 8503 00 99	35	Transmitter resolver for brushless motors of electrical power steering	0 %	31.12.2019
ex 8503 00 99	60	Engine cover for electronic belt drive steering system of galvanised steel with a thickness of not more than 2,5 mm ($\pm 0,25$ mm)	0 %	31.12.2019
ex 8504 50 95	60	Voice coil mechanism, of lacquered winding wire of copper or aluminum, around a coil former, provided with electric conductive lead wires, of a kind used in car loudspeakers	0 %	31.12.2019
ex 8504 90 11	20	Reactor cores for use in a High Voltage Direct Current thyristor converter	0 %	31.12.2019
ex 8504 90 99	20	Thyristor SGCT (Symmetric Gate-Commutated Thyristor) with integrated gate driver: — being a power electronic circuit mounted on the PCB, equipped with SGCT thyristor and electric and electronic components, — having an ability to block the voltage — 6 500 V — in both directions (conducting and the reverse direction) of a kind used in medium voltage static converters (rectifiers and inverters)	0 %	31.12.2019
*ex 8505 11 00	33	Permanent magnets consisting of an alloy of neodymium, iron and boron, either in the shape of a rounded rectangle with — a length of not more than 90 mm, — a width of not more than 90 mm and — a height of not more than 55 mm, or in the shape of a disc with a diameter of not more than 90 mm, whether or not containing a hole in the centre	0 %	31.12.2018
ex 8505 11 00	45	A quarter sleeve, intended to become permanent magnet after magnetisation, — consisting of at least neodymium, praseodym, iron, boron, dysprosium, aluminium and cobalt, — with a width of 9,2 mm ($- 0,1$) — with a length of 20 mm ($+0,1$) or 30 mm ($+ 0,1$) of a kind used on rotors for the manufacture of fuel pumps	0 %	31.12.2019
*ex 8505 11 00	70	Disc consisting of an alloy of neodymium, iron and boron, covered with nickel or zinc, that after magnetisation is intended to become a permanent magnet — whether or not containing a hole in the centre, — with a diameter of not more than 90 mm, of a kind used in car loudspeakers	0 %	31.12.2018
*ex 8505 11 00	80	Articles in the form of a triangle, square or rectangle, intended to become permanent magnets after magnetisation, containing neodymium, iron and boron, with dimensions of: — a length of 9 mm or more but not more than 105 mm, — a width of 5 mm or more but not more than 105 mm, — a height of 2 mm or more but not more than 55 mm	0 %	31.12.2018

CN code	TARIC	Description	Rate of autonomous duty	Date foreseen for mandatory review
*ex 8505 19 90	30	Articles of agglomerated ferrite in the shape of a disc with a diameter of not more than 120 mm, containing a hole in the centre intended to become permanent magnets after magnetisation with a remanence between 245 mT and 470 mT	0 %	31.12.2018
*ex 8507 60 00	30	Cylindrical lithium-ion accumulator or module, with a length of 63 mm or more and a diameter of 17,2 mm or more, having a nominal capacity of 1 200 mAh or more, for use in the manufacture of rechargeable batteries ⁽¹⁾	0 %	31.12.2019
ex 8507 60 00 ex 8507 80 00	45 20	Rechargeable Lithium-ion Polymer Battery with: — a nominal capacity of 1 060 mAh, — a nominal voltage of 7,4 V (average voltage at 0,2 C discharge), — a charging voltage of 8,4 V ($\pm 0,05$), — a length of 86,4 mm ($\pm 0,1$), — a width of 45 mm ($\pm 0,1$), — a height of 11 mm ($\pm 0,1$), for use in the manufacture of cash registers ⁽¹⁾	0 %	31.12.2019
ex 8511 30 00	20	Igniter integrated coil assembly with: — an igniter, — a coil on plug assembly with an integrated mounting bracket, — a housing, — a length of 140 mm or more but not more than 200 mm (± 5 mm), — an operating temperature of $- 40$ °C or more but not more than $+ 130$ °C, — a voltage of 14 ($\pm 0,1$) V	0 %	31.12.2019
*ex 8516 90 00	60	Ventilation sub-assembly of an electric deep-fat fryer: — fitted with a motor having a power rating of 8 W at 4 600 rpm, — governed by an electronic circuit, — operating at ambient temperatures above 110 °C, — fitted with a thermoregulator	0 %	31.12.2019
ex 8518 21 00	20	Loudspeaker of — impedance 4 Ohm or more but not exceeding 16 Ohm, — nominal power of 2 W or more but not exceeding 20 W, — with or without plastic bracket, and — electric wired with a connector or wireless, mounted on a cabinet for use in the manufacture of TV sets and video monitors ⁽¹⁾	0 %	31.12.2019
*ex 8518 40 80	91	Circuit board sub-assembly, comprising digital audio signal decoding, audio signal processing and amplification with dual and/or multi-channel functionality	0 %	31.12.2019

CN code	TARIC	Description	Rate of autonomous duty	Date foreseen for mandatory review
ex 8518 90 00	30	Magnet system consisting of: — a steel coreplate, in the form of a disk on one side provided with a cylinder — a neodymium magnet — an upper plate — a lower plate of a kind used in car loudspeakers	0 %	31.12.2019
ex 8518 90 00	40	Loudspeaker cone, made from paper pulp or polypropylene, with accompanying dust caps, of a kind used in car loudspeakers	0 %	31.12.2019
ex 8518 90 00	50	Diaphragm for an electrodynamic speaker with — an outside diameter of 25 mm or more but not more than 250 mm, — a resonance frequency of 20 Hz or more but not more than 150 Hz, — a total height of 5 mm or more but not more than 50 mm, — an edge thickness of 0,1 mm or more but not more than 3 mm	0 %	31.12.2019
*ex 8521 90 00	20	Digital video recorder: — without a hard disk drive, — with or without a DVD-RW drive, — with either motion detection or capability of motion detection through IP connectivity via LAN connector — with or without a USB serial port, for use in the manufacture of Closed-circuit television (CCTV) surveillance systems ⁽¹⁾	0 %	31.12.2019
*ex 8522 90 49	60	Printed circuit board assembly comprising:	0 %	31.12.2019
ex 8527 99 00	10	— a radio tuner (capable of receiving and decoding radio signals and transmitting those signals within the assembly) without signal processing capabilities,		
ex 8529 90 65	25	— a microprocessor capable of receiving remote control messages and controlling the tuner chipset, for use in the manufacture of home entertainment systems ⁽¹⁾		
*ex 8522 90 49	65	Printed circuit board subassembly, comprising:	0 %	31.12.2019
ex 8527 99 00	20	— a radio tuner, capable of receiving and decoding radio signals and transmitting those signals within the assembly, with a signal decoder,		
ex 8529 90 65	40	— a radio frequency (RF) remote control receiver, — an infrared remote control signal transmitter, — a SCART signal generator — a TV state sensor for use in the manufacture of home entertainment systems ⁽¹⁾		

CN code	TARIC	Description	Rate of autonomous duty	Date foreseen for mandatory review
*ex 8525 80 19	25	Long wavelength infrared camera (LWIR camera) (according to ISO/TS 16949), with: <ul style="list-style-type: none"> — a sensitivity in the wavelength area of 8 µm or more, but not more than 14 µm, — a resolution of 324 × 256 pixels, — a weight of not more than 400 g, — measurements of not more than 70 mm × 67 mm × 75 mm, — a waterproof housing and an automotive-qualified plug and — a deviation of the output signal over the entire work temperature range of not more than 20 % 	0 %	31.12.2019
*ex 8525 80 19	31	Camera:	0 %	31.12.2018
ex 8525 80 91	10	<ul style="list-style-type: none"> — of a weight of not more than 5,9 kg, — without a housing, — of dimensions of not more than 405 mm × 315 mm, — with a single Charge-Couple-Device (CCD) or Complementary Metal Oxide Semiconductor (CMOS) sensor, — with effective pixels of not more than 5 megapixels, for use in closed circuit television (CCTV) surveillance systems or in appliances for eye-checks ⁽¹⁾		
*ex 8525 80 19	35	Image scanning cameras, using: <ul style="list-style-type: none"> — a 'Dynamic overlay lines' system, — an output NTSC video signal, — a voltage of 6,5 V, — an illuminance of 0,5 lux or more 	0 %	31.12.2019
*ex 8525 80 19	50	Remote camera head, whether or not contained in a housing <ul style="list-style-type: none"> — with dimensions (without cable socket) of not more than 27 × 30 × 38,5 mm (width × height × length), — with three MOS imaging sensors with two or more effective megapixels per sensor and a prism block for distribution of the RGB spectrum colours to the three sensors, — with a C-Mount lens mount, — with a weight of not more than 70 g, — with an LVDS digital video output, — with a permanent EEPROM memory for local storage of calibration data for colour rendering and defective pixel compensation for use in the manufacture of miniaturised industrial camera systems ⁽¹⁾	0 %	31.12.2018
ex 8527 21 59	10	Assembly consisting of at least:	0 %	31.12.2019
ex 8527 29 00	20	<ul style="list-style-type: none"> — a printed circuit board, — a radio-tuner, — audio frequency amplifier for incorporation into motor vehicle entertainment systems		

CN code	TARIC	Description	Rate of autonomous duty	Date foreseen for mandatory review
ex 8527 29 00 ex 8543 70 90	30 13	Integrated audio head unit with a digital video output for connection to an LCD touch screen monitor, interfaced over the Controller Area Network (CAN) and operated on medium and high speed CAN bus, with or without <ul style="list-style-type: none"> — a printed circuit board (PCB) containing a Global Positioning System (GPS) receiver, a gyroscope, and a Traffic Message Channel (TMC) tuner, — a hard disk drive supporting multiple maps, — Flash Memory — a DAB HD radio — Wi-Fi Hot Spot technology — a Voice recognition system — SMS Text read out technology and including — Bluetooth, MP3 and USB input connectivity, — a voltage of 10 V or more but not more than 16 V, for the use in the manufacture of vehicles in Chapter 87 (1)	0 %	30.6.2015
*ex 8527 91 99 ex 8529 90 65	10 35	Assembly consisting of at least: <ul style="list-style-type: none"> — an audio frequency amplifier unit, comprising at least an audio frequency amplifier and a sound generator, — a transformer and — a radio broadcast receiver 	0 %	31.12.2019
ex 8528 59 70	20	Liquid crystal display colour video monitor assembly mounted on a frame, <ul style="list-style-type: none"> — excluding those combined with other apparatus, — comprising touch screen facilities, a printed circuit board with drive circuitry and power supply, used for permanent incorporation or permanent mounting into entertainment systems for vehicles (1)	0 %	31.12.2019
*ex 8529 90 65	45	Satellite radio receiver module transforming satellite high frequency signals to digital audio coded signal, for use in the manufacture of products falling within heading 8527 (1)	0 %	31.12.2019
*ex 8529 90 92	47	Area image sensors ('progressive scan' Interline CCD-Sensor or CMOS-Sensor) for digital video cameras in the form of analogue or digital, monolithic integrated circuit with pixels of not more than 12 µm × 12 µm in monochromic version with microlenses applied to each individual pixel (microlens array) or in polychromic version with a colour filter, whether or not with a lenslet (micro lens) array with one lenslet mounted on each individual pixel	0 %	31.12.2019
*ex 8529 90 92 ex 8536 69 90	49 83	AC socket with a noise filter, composed of: <ul style="list-style-type: none"> — AC socket (for power cord connection) of 230 V, — integrated noise filter composed of capacitors and inductors, — cable connector for connecting an AC socket with the PDP (Plasma display panel) power supply unit, whether or not equipped with a metal support, which joins the AC socket to the PDP TV set	0 %	31.12.2019

CN code	TARIC	Description	Rate of autonomous duty	Date foreseen for mandatory review
ex 8529 90 92	55	OLED modules, consisting of one or more TFT glass or plastic cells, containing organic material, not combined with touch screen facilities and one or more printed circuit boards with control electronics for pixel addressing, of a kind used in the manufacture of TV sets and monitors	0 %	31.12.2019
ex 8529 90 92	65	OLED display consisting of: — the organic layer with organic LEDs, — two conductive layers on electron transfer and electron holes, — layers of transistors (TFT) with resolution of 1 920 × 1 080 — anode and cathode for power supply of organic diodes, — RGB filter, — glass or plastic protective layer, — without the electronics for pixel addressing, for use in the manufacture of goods of headings 8528 (1)	0 %	31.12.2019
*ex 8529 90 92	70	Rectangular fastening and covering frame: — of an aluminium alloy containing silicon and magnesium, — with a length of 500 mm or more but not more than 2 200 mm, — with a width of 300 mm or more but not more than 1 500 mm, of a kind used for the production of TV sets	0 %	31.12.2017
*ex 8536 50 80	81	Mechanical speed governor switches for connecting electrical circuits, with: — a voltage of 240 V or more but not more than 250 V, — an amperage of 4 A or more but not more than 6 A, for use in the manufacture of machines falling within heading 8467 (1)	0 %	31.12.2019
*ex 8536 50 80	82	Mechanical switches for connecting electrical circuits, with: — a voltage of 240 V or more but not more than 300 V, — an amperage of 3 A or more but not more than 15 A, for use in the manufacture of machines falling within heading 8467 (1)	0 %	31.12.2019
*ex 8536 69 90	82	Modular socket or plug for local area networks, whether or not combined with other sockets, integrating at least: — a pulse transformer, including a wide-band ferrite core, — a common mode coil, — a resistor, — a capacitor, for use in the manufacture of products falling within headings 8521 or 8528 (1)	0 %	31.12.2019
*ex 8536 69 90	85	Socket or plug, built into a plastic or metal housing, with no more than 96 pins, for use in the manufacture of products falling within headings 8521 or 8528 (1)	0 %	31.12.2016

CN code	TARIC	Description	Rate of autonomous duty	Date foreseen for mandatory review
*ex 8536 69 90	88	Secure Digital (SD), CompactFlash, 'Smart Card' and 'Common interface modules (cards)' female connectors and interfaces, of a kind used for soldering on printed circuit boards, for connecting electrical apparatus and circuits and switching or protecting electrical circuits with a voltage of not more than 1 000 V	0 %	31.12.2017
ex 8538 90 99	30	Polycarbonate or Acrylonitrile Butadiene Styrene covers and cases for steering pad switches whether or not coated on the outside with a scratch resistant paint	0 %	31.12.2019
ex 8547 20 00	10			
*ex 8538 90 99	95	Copper base plate, of a kind used as a heat sink in the manufacture of IGBT modules containing more components than IGBT chips and diodes with a voltage of 650 V or more but not more than 1 200 V ⁽¹⁾	0 %	31.12.2018
*ex 8543 90 00	20	Stainless steel cathode in the form of a plate with a hanger bar, whether or not with plastic side strips	0 %	31.12.2019
*ex 8544 20 00	10	PET/PVC insulated flexible cable with: — a voltage of not more than 60 V, — a current of not more than 1 A, — a heat resistance of not more than 105 °C, — individual wires of a thickness of not more than 0,1 mm (\pm 0,01 mm) and a width of not more than 0,8 mm (\pm 0,03 mm), — a distance between conductors of not more than 0,5 mm and — a pitch (distance from centreline to centreline of conductors) of not more than 1,25 mm	0 %	31.12.2018
ex 8544 42 90	20			
ex 8544 49 93	20			
ex 8544 30 00	40	Wire harness of the steering system with an operating voltage of 12 V, equipped with connectors on both sides, having at least 3 plastic anchor clamps for mounting on a motor vehicle steering box	0 %	31.12.2019
ex 8544 42 90	40			
ex 8544 30 00	50	Multi-measurement wire harness: — of a voltage of 5 V or more but not more than 90 V, — capable of transmitting information via the CAN protocol, for use in the manufacture of vehicles of heading 8711 ⁽¹⁾	0 %	31.12.2019
*ex 8714 91 10	23	Frame, constructed from aluminium or aluminium and carbon fibres, for the use in the manufacture of bicycles ⁽¹⁾	0 %	31.12.2018
ex 8714 91 10	33			
ex 8714 91 10	70			
*ex 8714 91 30	23	Aluminium front forks for use in the manufacture of bicycles ⁽¹⁾	0 %	31.12.2018
ex 8714 91 30	33			
ex 8714 91 30	70			
ex 9001 50 41	10	Organic uncut corrective eyeglass lens, both sides finished, round in shape: — of a diameter of 4,9 cm or more but not more than 8,2 cm, — of a total thickness of 0,5 cm or more but not more than 1,2 cm, of a kind used to be processed in order to be adapted to a pair of glasses	1,45 %	31.12.2019
ex 9001 50 49	10			

CN code	TARIC	Description	Rate of autonomous duty	Date foreseen for mandatory review
ex 9001 50 80	10	Organic uncut corrective eyeglass lens, one side finished only, round in shape: — of a diameter of 5,9 cm or more but not more than 8,5 cm, — of a total thickness of 1,2 cm or more but not more than 2,7 cm, of a kind used to be processed in order to be adapted to a pair of glasses	0 %	31.12.2019
*ex 9001 90 00	65	Optical film with a minimum of 5 multi-layer structures, including a back side reflector, a front side coating and a contrast filter with a pitch of not more than 0,65 µm, for use in the manufacture of front projection screens ⁽¹⁾	0 %	31.12.2019
ex 9013 80 90	10	Electronic semiconductor micro-mirror in a housing suitable for the automatic printing of conductor boards, mainly consisting of a combination of: — one or more monolithic application-specific integrated circuits (ASIC), — one or more microelectromechanical sensor elements (MEMS) manufactured with semiconductor technology, with mechanical components arranged in three-dimensional structures on the semiconductor material of a kind used for incorporation into products of Chapters 84-90 and 95	0 %	31.12.2019
ex 9025 80 40	40	Electronic temperature, atmospheric pressure and humidity sensor (environmental sensor) in a housing suitable for the automatic printing of conductor boards, mainly consisting of a combination of: — one or more monolithic application-specific integrated circuits (ASIC), — one or more microelectromechanical sensor elements (MEMS) manufactured with semiconductor technology, with mechanical components arranged in three-dimensional structures on the semiconductor material of a kind used for incorporation into products of Chapters 84-90 and 95	0 %	31.12.2019
ex 9031 80 34	40	Semiconducting camshaft position sensor, with: — a moulded plastic outer casing, — an operational voltage of the control unit of 4,5 or more, but not more than 7 V _{CC} , for use in the manufacture of vehicles of Chapter 87 ⁽¹⁾	0 %	31.12.2019
*ex 9031 80 38	20	Electronic semiconductor accelerometer in a housing, mainly consisting of — a combination of one or more monolithic application-specific integrated circuits (ASIC) and — one or more microelectromechanical sensor elements (MEMS) manufactured with semiconductor technology, with mechanical components arranged in three-dimensional structures on the semiconductor material of a kind used for incorporation into products under Chapters 84 - 90 and 95	0 %	31.12.2018

CN code	TARIC	Description	Rate of autonomous duty	Date foreseen for mandatory review
ex 9031 80 38	30	<p>Combined electronic acceleration- and geomagnetic sensor, in a housing suitable for the automatic printing of conductor boards, mainly consisting of a combination of:</p> <ul style="list-style-type: none"> — one or more monolithic application-specific integrated circuits (ASIC) and — one or more microelectromechanical sensor elements (MEMS) manufactured with semiconductor technology, with mechanical components arranged in three-dimensional structures on the semiconductor material, <p>of a kind used for incorporation into products under Chapters 84-90 and 95</p>	0 %	31.12.2019
ex 9031 80 38	40	<p>Electronic accelerometer and magnetic field and angular-speed detector (orientation-sensor) in a housing suitable for the automatic printing of conductor boards, mainly consisting of an inseparable combination of:</p> <ul style="list-style-type: none"> — one or more monolithic application-specific integrated circuits (ASIC) — one or more microelectromechanical sensor elements (MEMS) manufactured with semiconductor technology, with mechanical components arranged in three-dimensional structures on the semiconductor material, <p>of a kind used for incorporation into products of Chapters 84-90 and 95</p>	0 %	31.12.2019

(¹) Suspension of duties is subject to Articles 291 to 300 of Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code (OJ L 253, 11.10.1993, p. 1).

ANNEX II

Tariff suspensions referred to in point (1)(d) of Article 1:

CN code	TARIC
ex 1511 90 19	10
ex 1511 90 91	10
ex 1513 11 10	10
ex 1513 19 30	10
ex 1513 21 10	10
ex 1513 29 30	10
ex 1516 20 96	20
ex 1517 90 99	10
ex 2008 99 49	30
ex 2008 99 99	40
ex 2009 49 30	91
ex 2009 81 31	10
ex 2207 20 00	20
ex 2207 20 00	80
ex 2818 20 00	10
2819 10 00	
ex 2827 39 85	30
ex 2842 10 00	20
ex 2842 90 10	10
ex 2846 10 00	10
ex 2846 10 00	40
ex 2904 10 00	30
ex 2904 10 00	50
ex 2904 20 00	40
ex 2904 90 40	10
ex 2904 90 95	20
ex 2904 90 95	30
ex 2905 19 00	40

CN code	TARIC
ex 2905 29 90	10
ex 2905 29 90	20
ex 2905 49 00	10
ex 2905 59 98	20
ex 2906 29 00	10
ex 2907 19 90	10
ex 2909 30 90	10
ex 2909 30 90	20
ex 2914 69 90	20
ex 2915 39 00	50
ex 2915 90 70	50
ex 2916 13 00	10
ex 2917 11 00	30
ex 2917 19 10	10
ex 2917 19 90	25
ex 2917 19 90	30
ex 2918 99 90	20
ex 2918 99 90	70
ex 2921 19 50	10
ex 2921 42 00	70
ex 2921 45 00	10
ex 2921 45 00	40
ex 2921 49 00	60
ex 2921 51 19	20
ex 2921 51 19	50
ex 2921 59 90	50
ex 2922 19 85	40
ex 2922 19 85	80
ex 2922 21 00	30
ex 2922 21 00	50

CN code	TARIC
ex 2922 29 00	55
ex 2922 29 00	65
ex 2922 49 85	15
ex 2922 49 85	50
ex 2922 50 00	20
ex 2923 90 00	45
ex 2924 29 98	20
ex 2924 29 98	92
ex 2926 90 95	20
ex 2926 90 95	60
ex 2926 90 95	63
ex 2926 90 95	64
ex 2926 90 95	70
ex 2926 90 95	74
ex 2926 90 95	75
ex 2927 00 00	70
ex 2929 10 00	15
ex 2929 90 00	20
ex 2930 90 99	62
ex 2930 90 99	64
ex 2930 90 99	81
ex 2930 90 99	84
ex 2931 90 90	05
ex 2931 90 90	10
ex 2931 90 90	14
ex 2931 90 90	15
ex 2931 90 90	18
ex 2931 90 90	20
ex 2931 90 90	24
ex 2931 90 90	30

CN code	TARIC
ex 2931 90 90	33
ex 2931 90 90	35
ex 2931 90 90	40
ex 2931 90 90	50
ex 2931 90 90	55
ex 2931 90 90	70
ex 2931 90 90	72
ex 2931 90 90	75
ex 2931 90 90	86
ex 2931 90 90	87
ex 2931 90 90	89
ex 2931 90 90	91
ex 2931 90 90	92
ex 2931 90 90	96
ex 2932 19 00	40
ex 2932 19 00	41
ex 2932 19 00	45
ex 2932 19 00	70
ex 2932 99 00	40
ex 2933 19 90	50
ex 2933 19 90	60
ex 2933 29 90	40
ex 2933 39 99	20
ex 2933 39 99	24
ex 2933 39 99	30
ex 2933 39 99	45
ex 2933 39 99	47
ex 2933 39 99	48
ex 2933 39 99	55
ex 2933 49 90	60

CN code	TARIC
ex 2933 59 95	45
ex 2933 59 95	50
ex 2933 59 95	55
ex 2933 59 95	65
ex 2933 59 95	75
ex 2933 79 00	60
ex 2933 99 80	32
ex 2933 99 80	35
ex 2933 99 80	37
ex 2933 99 80	55
ex 2933 99 80	76
ex 2933 99 80	88
ex 2934 10 00	60
ex 2934 99 90	20
ex 2934 99 90	30
ex 2934 99 90	83
ex 2934 99 90	84
ex 2935 00 90	30
ex 2935 00 90	53
ex 2935 00 90	63
ex 2935 00 90	77
ex 2935 00 90	82
ex 3204 17 00	40
ex 3204 17 00	50
ex 3204 19 00	11
ex 3204 19 00	21
ex 3204 19 00	31
ex 3204 19 00	41
ex 3204 19 00	51
ex 3204 19 00	61

CN code	TARIC
ex 3204 20 00	20
ex 3206 49 70	10
ex 3208 90 19	45
ex 3402 90 10	60
ex 3402 90 10	70
ex 3504 00 90	10
ex 3506 91 00	40
ex 3701 30 00	20
ex 3705 90 90	10
ex 3707 10 00	45
ex 3707 10 00	50
ex 3707 90 90	40
ex 3707 90 90	85
ex 3808 91 90	30
ex 3808 92 90	50
ex 3808 93 23	10
ex 3808 93 90	10
ex 3809 92 00	20
ex 3811 19 00	10
ex 3812 30 80	30
ex 3815 19 90	60
ex 3815 90 90	70
ex 3815 90 90	80
ex 3820 00 00	20
ex 3824 90 97	05
ex 3824 90 97	06
ex 3824 90 97	07
ex 3824 90 97	08
ex 3824 90 97	09
ex 3824 90 97	10

CN code	TARIC
ex 3824 90 97	11
ex 3824 90 97	12
ex 3824 90 97	13
ex 3824 90 97	14
ex 3824 90 97	15
ex 3824 90 97	16
ex 3824 90 97	17
ex 3824 90 97	18
ex 3824 90 97	20
ex 3824 90 97	21
ex 3824 90 97	22
ex 3824 90 97	23
ex 3824 90 97	24
ex 3824 90 97	25
ex 3824 90 97	26
ex 3824 90 97	27
ex 3824 90 97	28
ex 3824 90 97	29
ex 3824 90 97	30
ex 3824 90 97	31
ex 3824 90 97	32
ex 3824 90 97	33
ex 3824 90 97	34
ex 3824 90 97	35
ex 3824 90 97	36
ex 3824 90 97	37
ex 3824 90 97	38
ex 3824 90 97	39
ex 3824 90 97	40
ex 3824 90 97	41

CN code	TARIC
ex 3824 90 97	42
ex 3824 90 97	43
ex 3824 90 97	44
ex 3824 90 97	45
ex 3824 90 97	46
ex 3824 90 97	47
ex 3824 90 97	48
ex 3824 90 97	49
ex 3824 90 97	50
ex 3824 90 97	51
ex 3824 90 97	52
ex 3824 90 97	53
ex 3824 90 97	54
ex 3824 90 97	55
ex 3824 90 97	56
ex 3824 90 97	57
ex 3824 90 97	58
ex 3824 90 97	59
ex 3824 90 97	60
ex 3824 90 97	61
ex 3824 90 97	62
ex 3824 90 97	63
ex 3824 90 97	64
ex 3824 90 97	65
ex 3824 90 97	66
ex 3824 90 97	78
ex 3824 90 97	79
ex 3824 90 97	80
ex 3824 90 97	81
ex 3824 90 97	82

CN code	TARIC
ex 3824 90 97	83
ex 3824 90 97	84
ex 3824 90 97	85
ex 3824 90 97	87
ex 3824 90 97	88
ex 3824 90 97	89
ex 3824 90 97	90
ex 3824 90 97	92
ex 3824 90 97	94
ex 3824 90 97	95
ex 3824 90 97	97
ex 3901 10 10	10
ex 3901 90 90	30
ex 3901 90 90	40
ex 3902 10 00	40
ex 3902 90 90	60
ex 3902 90 90	93
ex 3903 19 00	30
ex 3903 90 90	15
ex 3903 90 90	20
ex 3903 90 90	25
ex 3903 90 90	75
ex 3904 10 00	20
ex 3904 30 00	20
ex 3904 50 90	92
ex 3906 90 90	41
ex 3906 90 90	85
ex 3906 90 90	87
ex 3907 40 00	10
ex 3907 40 00	20

CN code	TARIC
ex 3907 40 00	30
ex 3907 40 00	40
ex 3907 40 00	50
ex 3907 40 00	60
ex 3907 60 80	30
ex 3907 91 90	10
ex 3907 99 90	70
ex 3908 90 00	50
ex 3909 50 90	10
ex 3910 00 00	60
ex 3911 90 99	31
ex 3916 20 00	91
ex 3917 40 00	91
ex 3919 10 80	23
ex 3919 10 80	27
ex 3919 10 80	32
ex 3919 10 80	37
ex 3919 10 80	43
ex 3919 10 80	85
ex 3919 90 00	20
ex 3919 90 00	22
ex 3919 90 00	24
ex 3919 90 00	26
ex 3919 90 00	28
ex 3919 90 00	29
ex 3919 90 00	33
ex 3919 90 00	37
ex 3919 90 00	44
ex 3920 20 29	93
ex 3920 59 90	20

CN code	TARIC
ex 3920 62 19	25
ex 3920 62 19	81
ex 3920 91 00	51
ex 3920 91 00	52
ex 3920 91 00	92
ex 3920 91 00	93
ex 3921 90 55	25
ex 3921 90 55	30
ex 3921 90 60	95
ex 4408 39 30	10
ex 5404 19 00	30
ex 5607 50 90	10
ex 5911 90 90	40
ex 6814 10 00	10
ex 7019 19 10	30
ex 7019 19 10	55
ex 7019 40 00	21
ex 7019 40 00	29
ex 7325 99 10	20
ex 7326 20 00	20
ex 8108 90 30	10
ex 8405 90 00	10
ex 8409 91 00	10
ex 8409 99 00	20
ex 8411 99 00	50
ex 8414 30 81	50
ex 8414 90 00	20
ex 8418 99 10	50
ex 8418 99 10	60
ex 8467 99 00	10

CN code	TARIC
ex 8479 89 97	40
ex 8481 30 91	91
ex 8501 10 99	82
ex 8501 31 00	40
ex 8501 31 00	65
ex 8501 31 00	70
ex 8503 00 99	35
ex 8504 40 82	50
ex 8505 11 00	33
ex 8505 11 00	70
ex 8505 11 00	80
ex 8505 19 90	30
ex 8507 60 00	30
ex 8516 90 00	60
ex 8518 40 80	91
ex 8521 90 00	20
ex 8522 90 49	60
ex 8522 90 49	65
ex 8525 80 19	25
ex 8525 80 19	31
ex 8525 80 19	35
ex 8525 80 19	50
ex 8525 80 91	10
ex 8527 91 99	10
ex 8527 99 00	10
ex 8527 99 00	20
ex 8529 90 65	25
ex 8529 90 65	35
ex 8529 90 65	40
ex 8529 90 65	45

CN code	TARIC
ex 8529 90 92	47
ex 8529 90 92	49
ex 8529 90 92	70
ex 8536 50 11	35
ex 8536 50 80	81
ex 8536 50 80	82
ex 8536 69 90	82
ex 8536 69 90	83
ex 8536 69 90	85
ex 8536 69 90	88
ex 8538 90 99	95
ex 8543 90 00	20
ex 8544 20 00	10
ex 8544 42 90	20
ex 8544 49 93	20
ex 8544 49 95	10
ex 8708 21 10	10
ex 8708 21 90	10
ex 8714 91 10	23
ex 8714 91 10	33
ex 8714 91 10	70
ex 8714 91 30	23
ex 8714 91 30	33
ex 8714 91 30	70
ex 9001 90 00	21
ex 9001 90 00	65
ex 9031 80 38	20

ANNEX III

Supplementary units referred to in point (2)(a) of Article 1:

CN	TARIC	Supplementary unit
3926 90 97	31	p/st
3926 90 97	37	p/st
7006 00 90	25	p/st
7009 10 00	20	p/st
8103 90 90	10	p/st
8207 19 10	10	p/st
8401 40 00	10	p/st
8413 91 00	30	p/st
8421 21 00	20	p/st
8479 89 97	60	p/st
8482 10 10	10	p/st
8482 10 10	20	p/st
8482 10 90	10	p/st
8482 50 00	10	p/st
8503 00 99	60	p/st
8504 50 95	60	p/st
8504 90 11	20	p/st
8504 90 99	20	p/st
8505 11 00	45	p/st
8511 30 00	20	p/st
8518 90 00	30	p/st
8518 90 00	40	p/st
8518 90 00	50	p/st
8527 29 00	30	p/st
8529 90 92	55	p/st
8529 90 92	65	p/st
8538 90 99	30	p/st
8538 90 99	40	p/st
8543 70 90	13	p/st

CN	TARIC	Supplementary unit
8543 90 00	60	p/st
8544 30 00	40	p/st
8544 30 00	50	p/st
8544 42 90	40	p/st
8547 20 00	10	p/st
9013 80 90	10	p/st
9025 80 40	40	p/st
9031 80 34	40	p/st
9031 80 38	30	p/st
9031 80 38	40	p/st
3824 90 96	75	m ³
7605 29 00	10	m

ANNEX IV

Supplementary units referred to in point (2)(b) of Article 1:

CN	TARIC	Supplementary unit
8479 89 97	40	p/st
8504 40 82	50	p/st
3907 40 00	50	m ³
3907 40 00	60	m ³
3824 90 97	90	m ³

COMMISSION REGULATION (EU) No 1342/2014**of 17 December 2014****amending Regulation (EC) No 850/2004 of the European Parliament and of the Council on persistent organic pollutants as regards Annexes IV and V****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 850/2004 of the European Parliament and of the Council of 29 April 2004 on persistent organic pollutants and amending Directive 79/117/EEC ⁽¹⁾, and in particular Article 7(4)(a) and (5) and Article 14(2) and (4) thereof,

Whereas:

- (1) Regulation (EC) No 850/2004 implements in the law of the Union the commitments set out in the Stockholm Convention on Persistent Organic Pollutants (hereinafter 'the Convention') approved by Council Decision 2006/507/EC ⁽²⁾, on behalf of the Community, and in the Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on Persistent Organic Pollutants (hereinafter 'the Protocol') approved by Council Decision 2004/259/EC ⁽³⁾, on behalf of the Community.
- (2) At the fourth meeting of the Conference of the Parties to the Convention from 4 to 8 May 2009, it was agreed to add chlordecone, hexabromobiphenyl, hexachlorocyclohexanes, including lindane, pentachlorobenzene, tetrabromodiphenyl ether, pentabromodiphenyl ether, hexabromodiphenyl ether and heptabromodiphenyl ether, as well as perfluorooctane sulfonic acid and its derivatives (hereinafter 'PFOS') to the Annexes to the Convention.
- (3) In view of concerns regarding the completeness and representativeness of scientific information on quantities and concentrations of the POP brominated diphenyl ethers and PFOS in articles and wastes, those substances were provisionally listed in Annexes IV and V to Regulation (EC) No 850/2004 without an indication of the maximum concentration limits.
- (4) Additional scientific data on quantities and concentrations of the POP brominated diphenyl ethers and PFOS in articles and wastes has now been assessed. It is therefore necessary to establish maximum concentration limits for these persistent organic pollutants without undue delay in order to ensure a uniform application of Regulation (EC) No 850/2004 and to avoid a continuous release of those substances into the environment.
- (5) At its 27th session from 14 to 18 December 2009, the Executive Body of the Protocol decided to add hexachlorobutadiene, polychlorinated naphthalenes, and short-chain chlorinated paraffins to the Protocol.
- (6) At its fifth meeting from 25 to 29 April 2011, the Conference of the Parties to the Convention agreed to add endosulfan to the list of persistent organic pollutants to be eliminated worldwide, with some exemptions.
- (7) In view of the decisions taken by the Executive Body of the Protocol and the Conference of the Parties to the Convention, it is necessary to update Annexes IV and V to Regulation (EC) No 850/2004 in order to include those substances.
- (8) Regulation (EC) No 850/2004 should therefore be amended accordingly.
- (9) In order to allow companies and competent authorities sufficient time to adapt to the new requirements, this Regulation should apply from 18 June 2015.

⁽¹⁾ OJ L 158, 30.4.2004, p. 7.

⁽²⁾ Council Decision 2006/507/EC of 14 October 2004 concerning the conclusion, on behalf of the European Community, of the Stockholm Convention on Persistent Organic Pollutants (OJ L 209, 31.7.2006, p. 1).

⁽³⁾ Council Decision 2004/259/EC of 19 February 2004 concerning the conclusion, on behalf of the European Community, of the Protocol to the 1979 Convention on Long Range Transboundary Air Pollution on Persistent Organic Pollutants (OJ L 81, 19.2.2004, p. 35).

- (10) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 39 of Directive 2008/98/EC of the European Parliament and of the Council ⁽¹⁾,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 850/2004 is amended as follows:

- (1) Annex IV is replaced by the text in Annex I to this Regulation.
- (2) Annex V is amended in accordance with Annex II to this Regulation.

Article 2

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

It shall apply from 18 June 2015.

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

Done at Brussels, 17 December 2014.

For the Commission
The President
Jean-Claude JUNCKER

⁽¹⁾ Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).

ANNEX I

ANNEX IV

List of substances subject to waste management provisions set out in Article 7

Substance	CAS No	EC No	Concentration limit referred to in Article 7(4)(a)
Endosulfan	115-29-7 959-98-8 33213-65-9	204-079-4	50 mg/kg
Hexachlorobutadiene	87-68-3	201-765-5	100 mg/kg
Polychlorinated naphthalenes (¹)			10 mg/kg
Alkanes C10-C13, chloro (short-chain chlorinated paraffins) (SCCPs)	85535-84-8	287-476-5	10 000 mg/kg
Tetrabromodiphenyl ether C ₁₂ H ₆ Br ₄ O			Sum of the concentrations of tetrabromodiphenyl ether, pentabromodiphenyl ether and heptabromodiphenyl ether: 1 000 mg/kg
Pentabromodiphenyl ether C ₁₂ H ₅ Br ₅ O			
Hexabromodiphenyl ether C ₁₂ H ₄ Br ₆ O			
Heptabromodiphenyl ether C ₁₂ H ₃ Br ₇ O			
Perfluorooctane sulfonic acid and its derivatives (PFOS) C ₈ F ₁₇ SO ₂ X (X = OH, Metal salt (O-M ⁺), halide, amide, and other derivatives including polymers)			50 mg/kg
Polychlorinated dibenzo-p-dioxins and dibenzofurans (PCDD/PCDF)			15 µg/kg (²)
DDT (1,1,1-trichloro-2,2-bis (4-chlorophenyl) ethane)	50-29-3	200-024-3	50 mg/kg
Chlordane	57-74-9	200-349-0	50 mg/kg
Hexachlorocyclohexanes, including lindane	58-89-9 319-84-6 319-85-7 608-73-1	210-168-9 200-401-2 206-270-8 206-271-3	50 mg/kg
Dieldrin	60-57-1	200-484-5	50 mg/kg
Endrin	72-20-8	200-775-7	50 mg/kg
Heptachlor	76-44-8	200-962-3	50 mg/kg

Substance	CAS No	EC No	Concentration limit referred to in Article 7(4)(a)
Hexachlorobenzene	118-74-1	200-273-9	50 mg/kg
Chlordecone	143-50-0	205-601-3	50 mg/kg
Aldrin	309-00-2	206-215-8	50 mg/kg
Pentachlorobenzene	608-93-5	210-172-5	50 mg/kg
Polychlorinated Biphenyls (PCB)	1336-36-3 and others	215-648-1	50 mg/kg ⁽³⁾
Mirex	2385-85-5	219-196-6	50 mg/kg
Toxaphene	8001-35-2	232-283-3	50 mg/kg
Hexabromobiphenyl	36355-01-8	252-994-2	50 mg/kg

(1) Polychlorinated naphthalenes means chemical compounds based on the naphthalene ring system, where one or more hydrogen atoms have been replaced by chlorine atoms.

(2) The limit is calculated as PCDD and PCDF according to the following toxic equivalency factors (TEFs):

PCDD	TEF
2,3,7,8-TeCDD	1
1,2,3,7,8-PeCDD	1
1,2,3,4,7,8-HxCDD	0,1
1,2,3,6,7,8-HxCDD	0,1
1,2,3,7,8,9-HxCDD	0,1
1,2,3,4,6,7,8-HpCDD	0,01
OCDD	0,0003
PCDF	TEF
2,3,7,8-TeCDF	0,1
1,2,3,7,8-PeCDF	0,03
2,3,4,7,8-PeCDF	0,3
1,2,3,4,7,8-HxCDF	0,1
PCDF	TEF
1,2,3,6,7,8-HxCDF	0,1
1,2,3,7,8,9-HxCDF	0,1
2,3,4,6,7,8-HxCDF	0,1
1,2,3,4,6,7,8-HpCDF	0,01
1,2,3,4,7,8,9-HpCDF	0,01
OCDF	0,0003

(3) Where applicable, the calculation method laid down in European standards EN 12766-1 and EN 12766-2 shall apply.

ANNEX II

In Annex V, Part 2, the table is replaced by the following table:

'Wastes as classified in Commission Decision 2000/532/EC		Maximum concentration limits of substances listed in Annex IV (1)	Operation
10	WASTES FROM THERMAL PROCESSES	Alkanes C10-C13, chloro (short-chain chlorinated paraffins) (SCCPs): 10 000 mg/kg;	Permanent storage shall be allowed only when all the following conditions are met: (1) The storage takes place in one of the following locations: — safe, deep, underground, hard rock formations; — salt mines; — a landfill site for hazardous waste, provided that the waste is solidified or partly stabilised where technically feasible as required for classification of the waste in subchapter 1903 of Decision 2000/532/EC. (2) The provisions of Council Directive 1999/31/EC (*) and Council Decision 2003/33/EC (**) were respected. (3) It has been demonstrated that the selected operation is environmentally preferable.
10 01	Wastes from power stations and other combustion plants (except 19)	Aldrin: 5 000 mg/kg; Chlordane: 5 000 mg/kg; Chlordecone: 5 000 mg/kg;	
10 01 14 * (2)	Bottom ash, slag and boiler dust from co-incineration containing hazardous substances	DDT (1,1,1-trichloro-2,2-bis (4-chlorophenyl) ethane): 5 000 mg/kg; Dieldrin: 5 000 mg/kg; Endosulfan: 5 000 mg/kg;	
10 01 16 *	Fly ash from co-incineration containing hazardous substances	Endrin: 5 000 mg/kg; Heptachlor: 5 000 mg/kg; Hexabromobiphenyl: 5 000 mg/kg;	
10 02	Wastes from the iron and steel industry	Hexachlorobenzene: 5 000 mg/kg; Hexachlorobutadiene: 1 000 mg/kg;	
10 02 07 *	Solid wastes from gas treatment containing hazardous substances	Hexachlorocyclohexanes, including lindane: 5 000 mg/kg; Mirex: 5 000 mg/kg; Pentachlorobenzene: 5 000 mg/kg;	
10 03	Wastes from aluminium thermal metallurgy	Perfluorooctane sulfonic acid and its derivatives (PFOS) (C ₈ F ₁₇ SO ₂ X)	
10 03 04 *	Primary production slags	(X = OH, Metal salt (O-M ⁺), halide, amide, and other derivatives including polymers): 50 mg/kg;	
10 03 08 *	Salt slags from secondary production	Polychlorinated Biphenyls (PCB) (3): 50 mg/kg;	
10 03 09 *	Black drosses from secondary production	Polychlorinated dibenzo-p-dioxins and dibenzofurans (PCDD/PCDF) (4): 5 mg/kg;	
10 03 19 *	Flue-gas dust containing hazardous substances	Polychlorinated naphthalenes*: 1 000 mg/kg;	
10 03 21 *	Other particulates and dust (including ball-mill dust) containing hazardous substances	Sum of the concentrations of tetrabromodiphenyl ether C ₁₂ H ₆ Br ₄ O), pentabromodiphenyl ether (C ₁₂ H ₅ Br ₅ O), hexabromodiphenyl ether C ₁₂ H ₄ Br ₆ O) and heptabromodiphenyl ether (C ₁₂ H ₃ Br ₇ O): 10 000 mg/kg;	
10 03 29 *	Wastes from treatment of salt slags and black drosses containing hazardous substances	Toxaphene: 5 000 mg/kg;	
10 04	Wastes from lead thermal metallurgy		
10 04 01 *	Slags from primary and secondary production		

Wastes as classified in Commission Decision 2000/532/EC		Maximum concentration limits of substances listed in Annex IV (1)	Operation
10 04 02 *	Dross and skimmings from primary and secondary production		
10 04 04 *	Flue-gas dust		
10 04 05 *	Other particulates and dust		
10 04 06 *	Solid wastes from gas treatment		
10 05	Wastes from zinc thermal metallurgy		
10 05 03 *	Flue-gas dust		
10 05 05 *	Solid waste from gas treatment		
10 06	Wastes from copper thermal metallurgy		
10 06 03 *	Flue-gas dust		
10 06 06 *	Solid wastes from gas treatment		
10 08	Wastes from other non-ferrous thermal metallurgy		
10 08 08 *	Salt slag from primary and secondary production		
10 08 15 *	Flue-gas dust containing hazardous substances		
10 09	Wastes from casting of ferrous pieces		
10 09 09 *	Flue-gas dust containing hazardous substances		
16	WASTES NOT OTHERWISE SPECIFIED IN THE LIST		
16 11	Waste linings and refractories		
16 11 01 *	Carbon-based linings and refractories from metallurgical processes containing hazardous substances		
16 11 03 *	Other linings and refractories from metallurgical processes containing hazardous substances		

'Wastes as classified in Commission Decision 2000/532/EC		Maximum concentration limits of substances listed in Annex IV (1)	Operation
17	CONSTRUCTION AND DEMOLITION WASTES (INCLUDING EXCAVATED SOIL FROM CONTAMINATED SITES)		
17 01	Concrete, bricks, tiles and ceramics		
17 01 06 *	Mixtures of, or separate fractions of concrete, bricks, tiles and ceramics containing hazardous substances		
17 05	Soil (including excavated soil from contaminated sites), stones and dredging spoil		
17 05 03 *	Soil and stones containing hazardous substances		
17 09	Other construction and demolition wastes		
17 09 02 *	Construction and demolition wastes containing PCB, excluding PCB containing equipment		
17 09 03 *	Other construction and demolition wastes (including mixed wastes) containing hazardous substances		
19	WASTES FROM WASTE MANAGEMENT FACILITIES, OFF-SITE WASTE WATER TREATMENT PLANTS AND THE PREPARATION OF WATER INTENDED FOR HUMAN CONSUMPTION AND WATER FROM INDUSTRIAL USE		
19 01	Wastes from incineration or pyrolysis of waste		
19 01 07 *	Solid wastes from gas treatment		
19 01 11 *	Bottom ash and slag containing hazardous substances		

'Wastes as classified in Commission Decision 2000/532/EC		Maximum concentration limits of substances listed in Annex IV ⁽¹⁾	Operation
19 01 13 *	Fly ash containing hazardous substances		
19 01 15 *	Boiler dust containing hazardous substances		
19 04	Vitrified waste and waste from vitrification		
19 04 02 *	Fly ash and other flue-gas treatment wastes		
19 04 03 *	Non-vitrified solid phase		

(1) These limits apply exclusively to a landfill site for hazardous waste and do not apply to permanent underground storage facilities for hazardous wastes, including salt mines.

(2) Any waste marked with an asterisk "*" is considered as hazardous waste pursuant to Directive 2008/98/EC and is subject to the provisions of that Directive.

(3) The calculation method laid down in European standards EN 12766-1 and EN 12766-2 shall apply.

(4) The limit is calculated as PCDD and PCDF according to the following toxic equivalency factors (TEFs):

PCDD	TEF
2,3,7,8-TeCDD	1
1,2,3,7,8-PeCDD	1
1,2,3,4,7,8-HxCDD	0,1
1,2,3,6,7,8-HxCDD	0,1
1,2,3,7,8,9-HxCDD	0,1
1,2,3,4,6,7,8-HpCDD	0,01
OCDD	0,0003
PCDF	TEF
2,3,7,8-TeCDF	0,1
1,2,3,7,8-PeCDF	0,03
2,3,4,7,8-PeCDF	0,3
1,2,3,4,7,8-HxCDF	0,1
1,2,3,6,7,8-HxCDF	0,1
1,2,3,7,8,9-HxCDF	0,1
2,3,4,6,7,8-HxCDF	0,1
1,2,3,4,6,7,8-HpCDF	0,01
1,2,3,4,7,8,9-HpCDF	0,01
OCDF	0,0003

(*) OJ L 182, 16.7.1999, p. 1.

(**) OJ L 11, 16.1.2003, p. 27.

COMMISSION IMPLEMENTING REGULATION (EU) No 1343/2014**of 17 December 2014****amending Regulation (EC) No 951/2007 laying down implementing rules for cross-border co-operation programmes financed under Regulation (EC) No 1638/2006 of the European Parliament and of the Council**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1638/2006 of the European Parliament and of Council of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument ⁽¹⁾, and in particular Article 11(1) thereof,

Whereas:

- (1) The Commission has adopted Regulation (EC) No 951/2007 laying down implementing rules for cross-border co-operation programmes financed under Regulation (EC) No 1638/2006 of the European Parliament and of the Council of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument ⁽²⁾.
- (2) Given the delayed start of the European Neighbourhood and Partnership Instrument cross-border cooperation programmes, the implementation phase for projects was extended from 31 December 2014 to 31 December 2015 with the Commission Implementing Regulation (EU) No 435/2011 ⁽³⁾. Hence, the closure phase and relevant provisions should be adapted accordingly.
- (3) Provision should be made for a clause enabling the Commission to agree on the extension of the execution period of a joint operational programme after a reasoned request from the Joint Monitoring Committee in the event of unforeseen and duly justified needs or circumstances.
- (4) The effective handling of irregularities is essential in order to protect Union's financial interests and ensure the principle of sound financial management of the programmes. In this vein and given that financial corrections are the main tool used to restore irregularities concerning expenditure financed by the Union under shared management, relevant provisions on financial corrections should be introduced in the Regulation (EC) No 951/2007.
- (5) In order to provide legal certainty for participating countries, it is appropriate to lay down the specific arrangements and procedures for financial corrections by the Joint Managing Authorities, respecting the principles of equal treatment, transparency and proportionality.
- (6) Regulation (EC) No 951/2007 should therefore be amended accordingly.
- (7) The measures provided in this Regulation are in accordance with the opinion of the Committee established by Regulation (EU) No 232/2014 of the European Parliament and of Council ⁽⁴⁾.

⁽¹⁾ OJ L 310, 9.11.2006, p. 1.

⁽²⁾ Commission Regulation (EC) No 951/2007 of 9 August 2007 laying down implementing rules for cross-border cooperation programmes financed under Regulation (EC) No 1638/2006 of the European Parliament and of the Council of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument (OJ L 210, 10.8.2007, p. 10).

⁽³⁾ Commission Implementing Regulation (EU) No 435/2011 amending Regulation (EC) No 951/2007 laying down implementing rules for cross-border cooperation programmes financed under Regulation (EC) No 1638/2006 of the European Parliament and of the Council (OJ L 118, 6.5.2011, p. 1).

⁽⁴⁾ Regulation (EU) No 232/2014 of the European Parliament and of Council of 11 March 2014 establishing a European Neighbourhood Instrument (OJ L 77, 15.3.2014, p. 27.)

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 951/2007 is amended as follows:

1. The following Article 26a is inserted:

‘Article 26a

Financial corrections by the Joint Managing Authority

1. The Joint Managing Authority shall in the first instance be responsible for preventing and investigating irregularities and for making the financial corrections required and pursuing recoveries.

The Joint Managing Authority shall make the financial corrections required in connection with individual irregularities detected in projects or technical assistance. Financial corrections shall consist of cancelling all or part of the Union contribution to a project or to technical assistance. The Joint Managing Authority shall take into account the nature and gravity of the irregularities and the financial loss and shall apply a proportionate financial correction. The criteria for establishing the level of financial correction to be applied and the criteria for applying flat rates or extrapolated financial correction may be those adopted in accordance with Regulation (EU) No 1303/2013 (*), in particular Article 144, as well as those contained in the Commission Decision of 19 December 2013 (**). Financial corrections shall be recorded in the annual accounts by the Joint Managing Authority for the accounting year in which the cancellation is decided.

2. The Union contribution cancelled in accordance with paragraph 1 may be reused within the concerned programme, subject to paragraph 3. The reallocation of these programme's resources shall comply, inter alia, with Articles 7, 13, 18 and 43.

3. The contribution cancelled in accordance with paragraph 1 may not be reused for the project that was the subject of a financial correction or for projects selected through calls for proposals.

(*) Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006 (OJ L 347, 20.12.2013, p. 320).

(**) Commission Decision of 19 December 2013 on the setting out and approval of the guidelines for determining financial corrections to be made by the Commission to expenditure financed by the Union under shared management for non-compliance with the rules on public procurement (C(2013) 9527).’

2. Article 32 is replaced by the following:

‘Article 32

The final report on implementation of the joint operational programme shall contain *mutatis mutandis* the same elements as the annual reports, including their annexes for the entire duration of the programme. It shall be submitted by 30 June 2017 at the latest for the programmes that have proceeded with the extension of the implementation phase from 31 December 2014 to 31 December 2015, and by 30 June 2016 at the latest for the programmes with implementation phase ending on 31 December 2014.’

3. Article 43 is amended as following:

- (a) paragraph 1 is replaced by the following:

‘1. The period of execution of each joint operational programme shall start at the earliest at the date of the adoption of the joint operational programme by the Commission and end on 31 December 2017 at the latest.’

(b) paragraph 2, subparagraph (c) is replaced by the following:

‘(c) a financial closure phase for the joint operational programme including the financial closure of all contracts concluded as part of the programme, the *ex post* evaluation of the programme, the submission of the final report, and the final payment or final recovery by the Commission. This phase shall end on 31 December 2017 at the latest.’

(c) a new paragraph 3 is added:

‘3. Notwithstanding paragraphs 1 and 2, in the event of unforeseen and duly justified needs or circumstances, following a reasoned request from the Joint Monitoring Committee, the Commission may agree on the extension of the execution period of a joint operational programme. In that case, the dates for submission of final report set out in Article 32 shall not apply.’

Article 2

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

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

Done at Brussels, 17 December 2014.

For the Commission
The President
Jean-Claude JUNCKER

COMMISSION IMPLEMENTING REGULATION (EU) No 1344/2014**of 17 December 2014****adding to the 2014-2015 fishing quotas for anchovy in the Bay of Biscay the quantities withheld by France and Spain in the fishing season 2013-2014 pursuant to Article 4(2) of Council Regulation (EC) No 847/96**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 847/96 of 6 May 1996 introducing additional conditions for year-to-year management of TACs and quotas ⁽¹⁾, and in particular Article 4(2) thereof,

Whereas:

- (1) According to Article 4(2) of Regulation No (EC) No 847/96, Member States may ask the Commission, before 31 October of the year of application of a fishing quota allocated to them, to withhold a maximum of 10 % of that quota to be transferred to the following year. The Commission is to add to the relevant quota the quantity withheld.
- (2) TAC and Member State quotas for the stock of anchovy in the Bay of Biscay (ICES subarea VIII) are currently set for an annual management season running from 1 July to 30 June of the following year.
- (3) Council Regulation (EU) No 713/2013 ⁽²⁾ fixes the fishing quotas for anchovy in the Bay of Biscay (ICES subarea VIII) for the period starting on the 1 July 2013 and ending on the 30 June 2014.
- (4) Council Regulation (EU) No 779/2014 ⁽³⁾ fixes the fishing quotas for anchovy in the Bay of Biscay (ICES subarea VIII) for the period starting on the 1 July 2014 and ending on the 30 June 2015.
- (5) However, taking into account exchanges of fishing opportunities in accordance with Article 16(8) of Regulation (EU) No 1380/2013 of the European Parliament and of the Council ⁽⁴⁾ and quota transfers in accordance with Article 4(2) of Regulation (EC) No 847/96, the quotas available for that stock to France and Spain during the 2013-2014 fishing season amounted respectively to 3 590,9 tonnes and 15 226 tonnes.
- (6) At the end of that fishing season, France and Spain reported catches of anchovy in the Bay of Biscay for respective total amounts of 3 197,05 tonnes and 14 468,16 tonnes.
- (7) France and Spain have requested pursuant to Article 4(2) of Regulation (EC) No 847/96 that part of their anchovy quota for the 2013-2014 fishing season be withheld and transferred to the following fishing season. Within the limits indicated by that Regulation, the quantities withheld should be added to the respective quotas established by Council Regulation (EU) No 779/2014 ⁽⁵⁾ for the 2014-2015 fishing season.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS REGULATION:

Article 1

The fishing quota for anchovy fixed for France in the Bay of Biscay in Regulation (EU) No 779/2014 is increased by 359,09 tonnes

⁽¹⁾ OJ L 115, 9.5.1996, p. 3.⁽²⁾ Council Regulation (EU) No 713/2013 of 23 July 2013 establishing the fishing opportunities for anchovy in the Bay of Biscay for the 2013/14 fishing season (OJ L 201, 26.7.2013, p. 8).⁽³⁾ Council Regulation (EU) No 779/2014 of 17 July 2014 fixing the fishing opportunities for anchovy in the Bay of Biscay for the 2014/15 fishing season (OJ L 212, 18.7.2014, p. 1).⁽⁴⁾ Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p. 22).⁽⁵⁾ Council Regulation (EU) No 779/2014 of 17 July 2014 fixing the fishing opportunities for anchovy in the Bay of Biscay for the 2014/15 fishing season (OJ L 212, 17.7.2014, p. 1).

Article 2

The fishing quota for anchovy fixed for Spain in the Bay of Biscay in Regulation (EU) No 779/2014 is increased by 757,84 tonnes.

Article 3

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

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

Done at Brussels, 17 December 2014.

For the Commission

The President

Jean-Claude JUNCKER

COMMISSION IMPLEMENTING REGULATION (EU) No 1345/2014
of 17 December 2014
on the determination of surplus quantities of sugar, isoglucose and fructose in Croatia

THE EUROPEAN COMMISSION,

Having regard to the Treaty of Accession of Croatia

Having regard to the Act of Accession of Croatia,

Having regard to Commission Implementing Regulation (EU) No 170/2013 of 25 February 2013 laying down transitional measures in the sugar sector by reason of the accession of Croatia ⁽¹⁾, and in particular Article 7(1) thereof,

Whereas:

- (1) In order to avoid a disruption on the Union market in the sugar sector following the accession of Croatia to the Union on 1 July 2013, Section 2 of Chapter II of Implementing Regulation (EU) No 170/2013 lays down rules for the determination and elimination of the quantities of sugar as such or in processed products, isoglucose and fructose exceeding the quantity considered as being normal carry-over stock on 1 July 2013 (surplus quantities). In particular, Article 9 of Implementing Regulation (EU) No 170/2013 provides that those surplus quantities are to be eliminated from the market in the form of sugar as such or isoglucose at the expense of Croatia.
- (2) Moreover, Section 2 of Chapter II of Implementing Regulation (EU) No 170/2013 provides that the Commission is to determine the surplus quantities by 31 December 2014 at the latest.
- (3) In order to determine the surplus quantities, Article 13(2) of Implementing Regulation (EU) No 170/2013 provides that Croatia was to communicate to the Commission relevant information on quantities of production, consumption, stocks, export and import, as well as information on the system established for the identification of surplus quantities. On that basis, the Commission should determine the surplus quantities comparing the development in the Croatian sugar market from 1 July 2012 to 30 June 2013, in relation to the previous three years. Specific circumstances of stock-piling should also be taken into consideration as provided for in Article 7(2)(c) of Implementing Regulation (EU) No 170/2013. In particular, due account needs to be taken of the increase in consumption and stocks in Croatia as well as of the trend in the Union, as also suggested by Croatia.
- (4) On the basis of the communications from Croatia, sugar surplus quantities should be determined in accordance with that method.
- (5) For the determination of surplus quantities of isoglucose and fructose, the same method was applied. As a result, no surplus quantities of fructose and isoglucose need to be determined.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the Common Organisation of the Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

The quantities of sugar exceeding the quantity considered as being normal carry-over stock at 1 July 2013 and which have to be eliminated from the Union market at the expense of Croatia in accordance with Article 9 of Implementing Regulation (EU) No 170/2013 are 37 138 tonnes.

⁽¹⁾ OJ L 55, 27.2.2013, p. 1.

Article 2

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

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

Done at Brussels, 17 December 2014.

For the Commission
The President
Jean-Claude JUNCKER

COMMISSION IMPLEMENTING REGULATION (EU) No 1346/2014**of 17 December 2014****imposing a definitive anti-dumping duty on imports of sulphanilic acid originating in the People's Republic of China and repealing the definitive anti-dumping duty on imports of sulphanilic acid originating in India following an expiry review pursuant to Article 11(2) of Council Regulation (EC) No 1225/2009**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Community (the basic Regulation) ⁽¹⁾, and in particular Articles 9 and 11(2) thereof,

Whereas:

A. PROCEDURE**1. Measures in force**

- (1) In July 2002, by Regulation (EC) No 1339/2002 ⁽²⁾ the Council imposed a definitive anti-dumping duty of 21 % on imports of sulphanilic acid originating in the People's Republic of China ('the PRC') and a definitive anti-dumping duty of 18,3 % on imports of sulphanilic acid originating in India ('the original investigation').
- (2) By Regulation (EC) No 1338/2002 ⁽³⁾, the Council imposed a definitive countervailing duty of 7,1 % on imports of sulphanilic acid originating in India.
- (3) By Decision 2002/611/EC ⁽⁴⁾ the Commission accepted a price undertaking with regard to both the anti-dumping and anti-subsidy measures on the imports from India offered by one Indian exporting producer, namely Kokan Synthetics and Chemicals Pvt. Ltd ('Kokan').
- (4) In February 2004, by Regulation (EC) No 236/2004 ⁽⁵⁾, the Council increased the rate of the definitive anti-dumping duty applicable to imports of sulphanilic acid originating in the PRC from 21 % to 33,7 % following an anti-absorption reinvestigation.

⁽¹⁾ OJ L 343, 22.12.2009, p. 51.

⁽²⁾ Council Regulation (EC) No 1339/2002 of 22 July 2002 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of sulphanilic acid originating in the People's Republic of China and India (OJ L 196, 25.7.2002, p. 11).

⁽³⁾ Council Regulation (EC) No 1338/2002 of 22 July 2002 imposing a definitive countervailing duty and collecting definitively the provisional countervailing duty imposed on imports of sulphanilic acid originating in India (OJ L 196, 25.7.2002, p. 1).

⁽⁴⁾ Commission Decision 2002/611/EC of 12 July 2002 accepting an undertaking offered in connection with the anti-dumping and anti-subsidy proceedings concerning imports of sulphanilic acid originating in India (OJ L 196, 25.7.2002, p. 36).

⁽⁵⁾ Council Regulation (EC) No 236/2004 of 10 February 2004 amending Regulation (EC) No 1339/2002 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of sulphanilic acid originating in the People's Republic of China and India (OJ L 40, 12.2.2004, p. 17).

- (5) In March 2004, by Commission Decision 2004/255/EC ⁽¹⁾, the Commission repealed Decision 2002/611/EC following the voluntary withdrawal of the undertaking by Kokan.
- (6) By Decision 2006/37/EC ⁽²⁾, the Commission accepted a new undertaking with regard to both the anti-dumping and anti-subsidy measures on the imports from India offered by Kokan. Council Regulations (EC) No 1338/2002 and (EC) No 1339/2002 were amended by Council Regulation (EC) No 123/2006 ⁽³⁾ accordingly.
- (7) By Regulation (EC) No 1000/2008 ⁽⁴⁾, the Council imposed anti-dumping duties on imports of sulphanilic acid originating in the PRC and India following an expiry review of the measures. By Regulation (EC) No 1010/2008 ⁽⁵⁾, the Council imposed definitive countervailing duties on imports of sulphanilic acid originating in India and amended the level of the anti-dumping duties on Indian imports of sulphanilic acid following an expiry and an interim review.

2. Request for an expiry review

- (8) Following the publication of a notice of impending expiry ⁽⁶⁾ of the anti-dumping measures in force on imports from the PRC and India, the Commission received on 1 July 2013 a request for the initiation of an expiry review of these measures pursuant to Article 11(2) of Council Regulation (EC) No 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Community ('the basic Regulation'). The request was lodged by CUF — Quimicos Industriais ('the applicant' or 'CUF') the sole producer of sulphanilic acid in the Union, thus representing 100 % of the Union production.
- (9) The request was based on the grounds that the expiry of the measures would be likely to result in a continuation of dumping and recurrence of injury to the Union industry.

3. Initiation of an expiry review

- (10) Having determined, after consulting the Advisory Committee, that sufficient evidence existed for the initiation of an expiry review, the Commission announced on 16 October 2013, by a notice published in the *Official Journal of the European Union* ⁽⁷⁾ ('the Notice of Initiation'), the initiation of an expiry review pursuant to Article 11(2) of the basic Regulation.

4. Parallel investigation

- (11) By Notice of Initiation published in the *Official Journal of the European Union* on 16 October 2013 ⁽⁸⁾ the Commission also initiated an expiry review investigation pursuant to Article 18 of Regulation (EC) No 597/2009 of 11 June 2009 on protection against subsidised imports from countries not members of the European Community ⁽⁹⁾ on the countervailing measures in force on imports of sulphanilic acid originating in India.

⁽¹⁾ Commission Decision 2004/255/EC of 17 March 2004 repealing Decision 2002/611/EC accepting an undertaking offered in connection with the anti-dumping and anti-subsidy proceedings concerning imports of sulphanilic acid originating in India (OJ L 80, 18.3.2004, p. 29).

⁽²⁾ Commission Decision 2006/37/EC of 5 December 2005 accepting an undertaking offered in connection with the anti-dumping and anti-subsidy proceedings concerning imports of sulphanilic acid originating in India (OJ L 22, 26.1.2006, p. 52).

⁽³⁾ Council Regulation (EC) No 123/2006 of 23 January 2006 amending Regulation (EC) No 1338/2002 imposing a definitive countervailing duty on imports of sulphanilic acid originating in India and amending Regulation (EC) No 1339/2002 imposing a definitive anti-dumping duty on imports of sulphanilic acid originating, inter alia, in India (OJ L 22, 26.1.2006, p. 5).

⁽⁴⁾ Council Regulation (EC) No 1000/2008 of 13 October 2008 imposing a definitive anti-dumping duty on imports of sulphanilic acid originating in the People's Republic of China and India following an expiry review pursuant to Article 11(2) of Regulation (EC) No 384/96 (OJ L 275, 16.10.2008, p. 1).

⁽⁵⁾ Council Regulation (EC) No 1010/2008 of 13 October 2008 imposing a definitive countervailing duty on imports of sulphanilic acid originating in India following an expiry review pursuant to Article 18 of Regulation (EC) No 2026/97 and a partial interim review pursuant to Article 19 of Regulation (EC) No 2026/97 and amending Regulation (EC) No 1000/2008 imposing a definitive anti-dumping duty on imports of sulphanilic acid originating in the People's Republic of China and India following an expiry review pursuant to Article 11(2) of Regulation (EC) No 384/96 (OJ L 276, 17.10.2008, p. 3).

⁽⁶⁾ OJ C 28, 30.1.2013, p. 12.

⁽⁷⁾ OJ C 300, 16.10.2013, p. 14.

⁽⁸⁾ OJ C 300, 16.10.2013, p. 5.

⁽⁹⁾ Council Regulation (EC) No 597/2009 of 11 June 2009 on protection against subsidised imports from countries not members of the European Community (OJ L 188, 18.7.2009, p. 93).

5. Investigation

5.1. Review investigation period and period considered

- (12) The investigation of a continuation or recurrence of dumping covered the period from 1 October 2012 to 30 September 2013 ('the review investigation period' or 'RIP'). The examination of the trends relevant for the assessment of the likelihood of a continuation or recurrence of injury covered the period from 1 January 2010 to the end of the review investigation period, 30 September 2013 ('the period considered').

5.2. Parties concerned

- (13) The Commission officially advised the applicant, the exporting producers in the PRC and in India, the importers, the users known to be concerned, and the representatives of the exporting countries of the initiation of the expiry review. The interested parties were given the opportunity to make their views known in writing and to request a hearing within the time limit set out in the Notice of Initiation.
- (14) The sole Union producer, being the only interested party who so requested, was granted a hearing.

5.3. Sampling

- (15) In view of the apparent large number of exporting producers in India and the PRC and of unrelated importers in the Union, sampling was envisaged in the Notice of Initiation in accordance with Article 17 of the basic Regulation. In order to enable the Commission to decide whether sampling would be necessary and, if so, to select a sample, the above parties were requested to make themselves known to the Commission within 15 days of the initiation of the review and to provide the Commission with the information requested in the Notice of Initiation.
- (16) The Commission received replies to the sampling form from two Indian exporting producers and no replies from Chinese exporting producers. Therefore, no sampling was applied.
- (17) One unrelated importer replied to the sampling form however it did not import the product concerned from the countries concerned and it did not provide a questionnaire reply. Therefore, no sampling was applied.
- (18) Since there is only one Union producer, sampling was not applied for the Union producers.

5.4. Investigation

- (19) The Commission sought and verified all the information deemed necessary for a determination of the likelihood of a continuation or recurrence of dumping and injury and for a determination of the Union interest. The Commission sent questionnaires to the sole Union producer, to the two exporting producers in India, to known importers and to Union users.
- (20) Out of two Indian exporting producers only one (Kokan Synthetics & Chemicals Pvt. Ltd) submitted a complete reply. This Indian producer represented a major part of the total Indian exports to the Union during the review investigation period.
- (21) Verification visits were carried out at the premises of the following companies:
- (a) *Union Producer:*
 - CUF — Quimicos Industriais, Estarreja, Portugal
 - (b) *Exporting producer and analogue country producer:*
 - Kokan Synthetics & Chemicals Pvt. Ltd, Khed, India
 - (c) *Union users:*
 - Blankophor GmbH, Leverkusen, Germany
 - Hovione Farmaciencia SA, Loures, Portugal
 - IGCAR Chemicals, S.L., Rubi, Spain.

B. PRODUCT CONCERNED AND LIKE PRODUCT

- (22) The product concerned is sulphanilic acid currently classifiable within CN code ex 2921 42 00 (TARIC code 2921 42 00 60). There are two grades of sulphanilic acid, which are determined according to their purity: a technical grade and a purified grade. In addition, the purified grade is sometimes commercialised in the form of a salt of sulphanilic acid. Sulphanilic acid is used as a raw material in the production of optical brighteners, concrete additives, food colorants and speciality dyes. Limited use by the pharmaceutical industry was noted as well. Though it is not contested that both grades have the same basic physical, chemical and technical characteristics and therefore deemed to be one single product, it is important to note that the investigation showed that in practical terms inter-changeability is limited. In particular users who rely on purified grade sulphanilic acid could only use technical grade in case they could further purify it themselves. Those users who need or prefer technical grade sulphanilic acid could in theory use purified grade, however due to the price difference (20 %-25 %) this is economically not a viable solution.
- (23) Sulphanilic acid is a pure commodity product and its basic physical, chemical and technical characteristics are identical whatever the country of origin. The product concerned and the products manufactured and sold by the exporting producers in the countries concerned on their domestic market and to third countries, as well as those manufactured and sold by the Union producer on the Union market have thus been found to have the same basic physical and chemical characteristics and essentially the same uses, and are therefore considered to be like products within the meaning of Article 1(4) of the basic Regulation.

C. LIKELIHOOD OF A CONTINUATION OR RECURRENCE OF DUMPING

- (24) In accordance with Article 11(2) of the basic Regulation, the Commission examined whether dumping was currently taking place and whether dumping was likely to continue or recur upon a possible expiry of the measures in force on imports from the PRC and India.

1. Preliminary remarks**1.1. The PRC**

- (25) Upon initiation of the expiry review, the Commission contacted 39 known Chinese exporting producers and the Chinese authorities. None of those producers came forward and cooperated.
- (26) The Commission informed the Chinese authorities and the exporting producers concerned of its intention to use best facts available for its findings on the basis of Article 18 of the basic Regulation. The parties did not submit any comment in that respect.
- (27) Consequently, findings on dumping and the likelihood of recurrence of dumping had to be based on facts available, i.e. information submitted by the applicant, in particular the information included in the review request, and Eurostat data.
- (28) Only a minor quantity of the product concerned was imported from the PRC into the Union during the review investigation period.

1.2. India

- (29) Upon initiation of the expiry review, the Commission contacted 25 known Indian exporting producers, of which only one, namely Kokan, replied to the questionnaire and cooperated in the investigation. The company was representing the majority of Indian exports to the Union during the review investigation period.
- (30) During the period considered, that exporting producer operated under a price undertaking accepted by the Commission, which was found to have been respected.

2. Dumping**2.1. The PRC****2.1.1. Analogue country**

- (31) In accordance with the provisions of Article 2(7)(a) of the basic Regulation, normal value was determined on the basis of the price or constructed value obtained in an appropriate market economy third country (the analogue country).

(32) In the original investigation, India was used as the analogue country for the purposes of establishing the normal value with regard to the PRC. The Notice of Initiation indicated India as an analogue country and interested parties were invited to comment on the choice. No comments were received and there were no indications that India was no longer an appropriate choice. The Union industry proposed the USA as analogue country in their request for review, however due to the facts that there is only one single producer in the USA and that the market in the USA is protected by anti-dumping and countervailing duties on imports of sulphanilic acid from China and India for over 20 years, this proposal was rejected. Therefore, India was selected as an analogue country in this investigation, too.

(33) The data of the cooperating Indian exporting producer were therefore used.

2.1.2. Normal value

(34) Pursuant to Article 2(7)(a) of the basic Regulation, normal value was established on the basis of the data of the cooperating producer in the analogue country, namely Kokan. Domestic sales were used as a basis to determine normal value (see recitals (42)-(47)).

2.1.3. Export price

(35) In view of the lack of cooperation from the Chinese exporting producers and thus the absence of specific information on Chinese prices, the export price was determined on the basis of facts available in accordance with Article 18 of the basic Regulation and to that end statistical sources (Eurostat) were used. It is considered that this source of information is close to the actual prices charged by Chinese exporters to Union customers.

2.1.4. Comparison

(36) The comparison between normal value and export price was made on an ex-works basis.

(37) In accordance with Article 2(10) of the basic Regulation, due allowance to the export price in the form of adjustments was made where necessary. In order to express the export price at ex-works level, and on the basis of information submitted in the review request, the Commission adjusted the CIF price based on Eurostat for freight, insurance, handling and credit costs. These adjustments represented between 5 % to 10 % of the CIF price.

2.1.5. Dumping

(38) In accordance with Article 2(11) of the basic Regulation, the dumping margin was established on the basis of a comparison of the weighted average normal value with the weighted average export price.

(39) Given the lack of cooperation from Chinese exporters there is no information available concerning the import product mix. In the absence of information on the quantities of imports of purified and technical sulphanilic acid, it was nevertheless considered that even if one presumes that all the imports were of purified grade sulphanilic acid, which is on average 20 % more expensive than the technical grade, the Eurostat import prices were at a level that, compared to the normal values of the analogue country, did not show the existence of dumping.

(40) Moreover, as mentioned in recital (28), the import volumes from China were very low during the RIP. It is generally accepted in the industries concerned that small quantity, ad-hoc shipments of sulphanilic acid have considerably higher unit prices than regular orders of bigger quantities, which may explain the high import price level reported by Eurostat.

(41) Therefore, although negative dumping follows from the available figures, such conclusion may be of limited relevance due to the low imported quantities and the absence of information regarding the imported product mix, which is important due to the significant price difference between the purified and the technical grades.

2.2. India

2.2.1. Normal value

(42) Domestic sales by the sole cooperating exporting producer of each type of the product concerned were sold in representative quantities and were made in the ordinary course of trade within the meaning of Article 2(4) of the basic Regulation.

(43) For each product type, the proportion of profitable sales to independent customers on the domestic market during the review investigation period was established.

- (44) All domestic sales were made at a net sales price equal to or above the calculated cost of production and profitable domestic sales therefore represented more than 80 % of the total sales volume of each product type. As a consequence, for each of the product types, normal value was based on the actual domestic price, calculated as a weighted average of the prices of all domestic sales of that type made during the review investigation period.
- (45) The applicant claimed that the pressure of Chinese imports entering the Indian market distorted the Indian domestic prices and hence the normal value determination.
- (46) As stated above in recital (44) profitable domestic sales represented more than 80 % of the total sales volume of each product type and normal value thus had to be based on the actual domestic price. In any event, regardless of whether Chinese imports exercised a downward pressure on the Indian domestic market, the normal value is determined in such a way that such pressure would not affect the assessment. Indeed, if 80 % or less of sales of a particular product type were profitable, the normal value determination would only be based on these profitable sales. Moreover, if all sales of a particular product type became loss-making, normal value would be based on the full cost of production and a reasonable profit margin.
- (47) The Commission therefore considers the claim made by the applicant irrelevant as far as calculation of the normal value is concerned.

2.2.2. Export price

- (48) The product concerned was exported to independent customers in the Union and the export price was established according to Article 2(8) of the basic Regulation, namely on the basis of export prices actually paid or payable.
- (49) The applicant claimed that there is a contradiction between the price evolution of benzene and the price evolution of the Indian exports to the Union. It found this all the more remarkable since it stated that the minimum price undertaking accepted by the Commission was indexed based on the benzene price evolution. The applicant also alleged that this price undertaking rendered the export prices of the main Indian exporting producer unrepresentative.
- (50) The Commission found that benzene as a raw material for the production of aniline, which is the main raw material of sulphanic acid, cannot represent more than between 50 % to 60 % of the cost of production of the product concerned. Moreover, the indexation clause of the price undertaking limits the effect of benzene price evolutions on the minimum price. Finally, the respect of the minimum price undertaking was checked during the on-site verification and it was found that the export price levels were consistently and considerably higher than the minimum prices foreseen in the undertaking, thereby limiting its impact.
- (51) The applicant further alleged that in all likelihood Indian exporting producers made small quantity shipments for export to the Union, which would have attracted high spot prices, thereby artificially increasing the level of the export prices.
- (52) The investigation did not reveal any such sales made by Kokan, the main Indian exporting producer. The vast majority (over 99 %) of the sales of the other Indian exporters to the Union were also found to consist of quantities which cannot be considered to be spot sales.
- (53) Based on the above findings, the claims made by the applicant regarding the lack of representativity of Indian export prices to the Union have to be rejected.

2.2.3. Comparison

- (54) The normal value and the export price were compared on an ex-works basis. For the purpose of ensuring a fair comparison between the normal value and the export price, due allowance in the form of adjustments was made for differences affecting prices and price comparability in accordance with Article 2(10) of the basic Regulation.
- (55) On this basis, adjustments were made for transport and insurance costs, handling, loading and ancillary costs, packing costs, credit costs, discounts and commissions where demonstrated to affect price comparability. This adjustment amounts to between 6 % and 10 % of the Union frontier CIF price.

2.2.4. Dumping

- (56) As provided for in Article 2(11) and (12) of the basic Regulation, the weighted average normal value established for the like product was compared to the weighted average export price of the product concerned.
- (57) On this basis, the dumping margin calculated for the cooperating exporting producer was negative. Hence, there was no dumping during the RIP.
- (58) The applicant claimed that the conclusion on the absence of dumping at the level of the main exporting producer cannot be extended to the other Indian exporting producers, given that its export prices are based on a minimum import price undertaking.
- (59) However, the main Indian exporting producer's export prices were set at levels considerably higher than the minimum prices of its undertaking. Moreover, the export price level of the other Indian producers based on Eurostat was found to be considerably higher than the main exporting producer's export prices. Finally, the investigation showed that the cooperating exporting producer's export sales prices to third countries, which are not subject to either an undertaking or anti-dumping duties, were set at a level similar to its export sales to the Union and thus not dumped. Hence, the Commission concludes that Indian export prices were set independently from the price undertaking and according to market conditions.
- (60) The claim made by the applicant that dumping should have been found for the other Indian exporting producers therefore had to be rejected.

3. Likelihood of recurrence of dumping

3.1. Preliminary remarks

- (61) US anti-dumping measures on imports of sulphanilic acid originating in India and in the PRC, and countervailing measures with regard to India have been in place since 1992. In 2011, the US Department of Commerce prolonged the countervailing duties in force on imports from India at the level of 43,7 % and the anti-dumping measures in force on imports from both India and the PRC, ranging from 19,1 % to 114,8 %. The level of the measures effectively closed the US market for Indian and Chinese imports.

3.2. The PRC

- (62) The production capacity available in the PRC was estimated on the basis of data provided by the Union producer and the sole US producer Nation Ford Chemical Company ('NFC') in the US sunset review investigation on the anti-dumping measures on sulphanilic acid originating in China (USITC publication 4270).
- (63) NFC indicated that the capacities installed in the PRC would allow producing 65 500 tons of sulphanilic acid each year which is in line with the estimation of the applicant who claimed, based on a study prepared by the Chinese industry that the available capacity in China is in a range between 65 500 and 82 000 tons. The spare capacity was estimated at 20 % which would amount to between 13 100 tons and 16 400 tons. This is more than twice the level of the Union consumption during the review investigation period.
- (64) It was further alleged by the applicant that the Chinese exporters also managed to enter into the Indian market and it substantiated this allegation by submitting statistical data based on the Indian Government's Indian export/import database. The data indicated an important increase of Chinese imports of purified sulphanilic acid into India during the RIP compared to previous periods at prices undercutting the domestic sales prices of purified grade sulphanilic acid of the cooperating Indian producer. Since the normal value of purified grade sulphanilic acid, making due allowance for freight and insurance costs, was established based on the domestic sales of purified grade sulphanilic acid made by the sole cooperating Indian producer in representative quantities, ranging from INR 92 500 to INR 112 500 (range given for reasons of confidentiality), the data confirm that Chinese imports of purified sulphanilic acid entered the Indian market at dumped prices, ranging from INR 82 500 to INR 92 500 (range given for reasons of confidentiality). This observed dumping of imports into the Indian market contributed to the assessment of the expected behaviour of Chinese exporting producers in case the current measures would be allowed to lapse.

- (65) Taking into account the significant spare capacity available in China and the information on their pricing behaviour on a third market, not protected by trade defence measures, a likelihood of recurrence of dumping exists should measures be allowed to lapse.

3.3. India

- (66) The total capacity available in India was also estimated on the basis of data provided by both NFC and the sole Union producer.
- (67) The applicant estimated the total capacity of India at around 13 500 tons out of which 2 700 tons can be considered spare. These figures are fully in line with the data provided by the sole US producer NFC in the US investigation.
- (68) The applicant claimed that a spare capacity of 2 700 tons poses a threat to its sales as it represents a considerable part of Union consumption and that such spare capacity will likely increase as a result of the increasing presence of Chinese products on the Indian market and that therefore the incentive to export will further increase.
- (69) In this regard the Commission noted that the main Indian exporting producer abandoned its status of Export Oriented Unit in 2013 as it was planning to increase its sales on its domestic market. These sales had been seriously limited by the conditions of the EOU scheme. The company confirmed that despite the growing Chinese imports, it did not perceive significant pressure from Chinese competitors as far as technical grade sulphanic acid is concerned (which is the product Kokan is mainly interested in) and that in their assessment the Indian market had good prospects of development. Therefore, there are no reasons to assume that spare capacity of Indian producers will be diverted to the Union due to an alleged Chinese pressure on the Indian market.
- (70) Notwithstanding this estimated Indian spare capacity, there does not seem to be a likelihood of recurrence of dumping, given that neither exports to the Union nor to third countries were dumped.
- (71) The investigation did not show that the cooperating exporting producer applied a different pricing behaviour when selling to third countries as compared to its export sales to the Union. Prices of exports to third countries, which were made in considerable quantities, were at a level which is comparable to the sales prices of the Union industry to unrelated customers.
- (72) In its submission following the disclosure the applicant provided new statistical data and claimed on this basis that Indian exports to Turkey were dumped.
- (73) The Commission found and investigated a similar quantity of Indian exports to Turkey and could attribute them to the cooperating exporting producer. Therefore, the Commission could base its calculations on more precise and detailed data regarding both product mix and price levels. The Commission confirms that the exported volume was not dumped.

3.4. Conclusion on the likelihood of recurrence of dumping

- (74) With regard to the PRC, as there was no cooperation and hence no company specific data relating to the Chinese spare capacity and pricing behaviour in third countries is available, findings were made on the basis of facts available.
- (75) Given that the facts available suggest high Chinese spare capacity and dumping behaviour on third markets, combined with the attractive price levels in the Union market, the likelihood of recurrence of dumping is considered existent.
- (76) However, no likelihood of recurrence of dumping with regard to India was found, based on the absence of dumping during the review investigation period, spare capacity which is considerably below that of China and high export price levels to the Union and the rest of the world.

D. LIKELIHOOD OF A CONTINUATION OR RECURRENCE OF INJURY

1. Union production and definition of the Union industry

- (77) During the review investigation period, the like product was manufactured in the Union by one single Union producer who therefore represents 100 % of the Union production and constitutes the Union industry within the meaning of Article 4(1) of the basic Regulation.

2. Union consumption

- (78) Union consumption was established on the basis of:

- sales volumes of the like product by the Union industry into the Union market,
- import volumes of sulphanilic acid (TARIC level) into the Union market reported in Eurostat.

- (79) In view of the fact that the Union industry consists of only one producer and there is only one US exporting producer, in order to respect confidential business information, it is necessary to present the information in tables below in an indexed form.

Table 1

Consumption in the Union market

Volume (index)	2010	2011	2012	RIP
Union consumption (2010 = 100)	100	106	106	114

Source: Eurostat and questionnaire reply.

- (80) The investigation showed that the market for sulphanilic acid gradually expanded over the period considered and increased by 14 % by the end of the RIP.

3. Imports from the countries concerned

- (a) Import volumes and market share

Table 2

Imports from the countries concerned

Import volume (index)	2010	2011	2012	RIP
PRC	100	77	14	1
India	100	422	187	52
Total countries concerned	100	110	30	6

Source: Eurostat.

Table 2(a)

Imports from the countries concerned

Import volume (ranges) (1)	2010	2011	2012	RIP
PRC	650-1 000	500-800	90-250	10-60
India	50-200	250-550	100-250	10-80
Total countries concerned	700-1 200	750-1 350	190-500	20-140

Source: Eurostat

(1) Following the disclosure the Union producer requested that the import volumes and values of sulphanilic acid from the countries concerned made available in ranges as well, as on the basis of the indexed figures it was difficult to assess the real (absolute term) development of the figures and to understand the conclusions of the Commission thereof.

Table 3

Market share of the countries concerned

Market share (index)	2010	2011	2012	RIP
Market share of imports from the PRC	100	73	13	1
Market share of imports from India	100	397	177	46
Total countries concerned	100	103	28	5

- (81) Considering each country separately, import volumes from the PRC decreased by 99 % between 2010 and the review investigation period and their market share also decreased by 99 % in the same period.
- (82) The volume of imports originating in India decreased by 48 % over the period considered and their market share decreased by 54 % over the same period.
- (83) Aggregated volume of imports of sulphanilic acid from the countries concerned has decreased by 94 % during the period considered and has fallen to a very low level during the review investigation period. Similarly, the market share of imports of sulphanilic acid from the countries concerned has shrunk by 95 % during the period considered and reached a very low level during the review investigation period.

(b) *Import prices*

Table 4

Average prices of imports of sulphanilic acid from the countries concerned

	2010	2011	2012	RIP
Price of imports from PRC index (2010 = 100)	100	92	104	164
Price of imports from India index (2010 = 100)	100	79	84	92
Average import prices countries concerned Index (2010 = 100)	100	93	104	126

Source: Eurostat.

Table 4a

Average prices of imports of sulphanilic acid from the countries concerned

Price ranges ⁽¹⁾	2010	2011	2012	RIP
Price of imports from PRC	1 000-1 400	950-1 350	1 000-1 400	1 700-2 500
Price of imports from India	1 200-1 800	1 000-1 400	1 100-1 500	1 300-1 700
Average import prices countries concerned	1 000-1 800	950-1 400	1 000-1 500	1 300-2 500

Source: Eurostat.

⁽¹⁾ Following the disclosure the Union producer requested that the import volumes and values of sulphanilic acid from the countries concerned made available in ranges as well, as on the basis of the indexed figures it was difficult to assess the real (absolute term) development of the figures and to understand the conclusions of the Commission thereof.

- (84) The average price of imports of sulphanilic acid from the PRC decreased slightly in 2011 by 8 % and showed an increasing trend thereafter with a very sharp increase of 64 % in the review investigation period.
- (85) The average prices of the product concerned from India also decreased in 2011 by 21 % and since then increased gradually but remained still below the 2010 price levels by 8 %.

(c) *Level of price undercutting and underselling*

- (86) Due to the low quantities sold by the Chinese exporting producers and the absence of information regarding the imported product mix, no meaningful undercutting and underselling calculation could be performed. Based on the assumption made on the Chinese Eurostat import prices, in recital (39) above, no undercutting or underselling was found during the RIP.
- (87) Based on the import statistics provided by the Union industry described in recital (64) above, the Chinese prices of purified grade sulphanilic acid on the Indian market, adjusted for Union import duties of 6,5 % on the product concerned and post-importation costs of 2 % (customs clearance costs), were found to be undercutting and underselling the sales prices of the Union industry in the range of 5 % to 15 %.
- (88) In the case of India no undercutting and underselling was found. Due to the fact that the calculation is based on the sales data of the sole cooperating exporting producer in order to respect confidential business information the exact figures could not be disclosed. The undercutting and underselling was found to be between – 20 % to – 40 %.
- (89) Following the disclosure and the comments made by the Union producer the Commission calculated undercutting and underselling for the remaining part of the Indian imports based on Eurostat data. According to these, no undercutting and underselling was found with regard to those imports. Therefore the conclusions of recital (88) are confirmed. Moreover, a comparison was also made between the prices of the product concerned produced and sold by the Union industry and those of the product concerned sold by Indian exporters to the rest of the world. Such comparison did not show any undercutting or underselling either.
- (90) Further on, the Union producer provided new calculations demonstrating that the difference between the average price level of the Indian imports and the sales of Union producer was very low in 2012. However, this calculation could not be accepted by the Commission since it did not take into account the fact that the Indian imports were composed of predominantly technical grade while the Union producer sold exclusively purified grade sulphanilic acid which is roughly 20 % more expensive.

4. Imports from other third countries

- (91) With the exception of three negligible transactions (in 2010 and 2011 from Switzerland and one in 2012 from Malaysia), all imports of sulphanilic acid from other third countries came from the US in the period considered.

Table 5

Imports of sulphanilic acid from other third countries (US)

	2010	2011	2012	RIP
Volume of imports from the US (index)	100	267	253	299
Market share of US imports (index)	100	180	171	188
Average prices of US imports (index)	100	95	101	102

Source: Eurostat.

- (92) Both the volume and market share of US imports of sulphanilic acid have increased significantly during the period considered, by 199 % and 88 % respectively. As the Union industry's market share remained relatively stable during the same period, it was the US imports that took over the market left by the Chinese and Indian exporters.
- (93) The price levels of US imports remained rather stable during the period considered and were in the same range as those of the Union producer. During the review investigation period there was no price undercutting by the US imports.

5. Situation of the Union industry

- (94) In accordance with Article 3(5) of the basic Regulation, the examination of the likelihood of a continuation or recurrence of injury included an evaluation of all economic factors having a bearing on the state of the Union industry during the period considered.
- (95) In order to respect confidential business information, it has been necessary to present information concerning the sole Union producer in an indexed form.

5.1. Production, production capacity and capacity utilisation

Table 6

Production, capacity, capacity utilisation

	2010	2011	2012	RIP
Production tonnes (index)	100	87	99	107
Capacity tonnes (index)	100	100	100	100
Capacity utilisation rate (index)	100	87	99	107

Source: Questionnaire reply.

- (96) The production of the Union industry was 7 % higher in the review investigation period than at the beginning of the period considered. The Union industry's capacity remained unchanged during the period considered and therefore the capacity utilisation rate changed the same way as the production, it increased by 7 % in the review investigation period.
- (97) It should be noted that the Union industry maintained a satisfactory level of capacity utilisation during the period considered with the exception of 2011 and managed to achieve an optimal level during the review investigation period.
- (98) Following the disclosure the Union industry claimed that throughout the period considered it reached optimal capacity utilisation level only in the RIP which shows that its recovery is still very recent and fragile.

- (99) This comment in the Commission's assessment does not change the conclusions of recital (97) which do not contradict in any way the comments of the Union industry.

5.2. Closing stock

Table 7

Closing stock in volume

	2010	2011	2012	RIP
Closing stocks tonnes (index)	100	576	328	171

Source: Questionnaire reply.

- (100) The Union industry's year end stock levels showed a sharp increase in 2011 with a decreasing trend afterwards but still remaining 71 % above the 2010 level in the review investigation period. In any case, based on the production volume during the review investigation period the closing stock level represents less than one month of production.

5.3. Sales volumes and market share

Table 8

Sales volume and market share

	2010	2011	2012	RIP
Sales volume tonnes (index)	100	70	97	104
Market share % (index)	100	66	92	92

Source: Questionnaire reply.

- (101) Sales volumes of the Union industry have increased by 4 % compared to the levels in the beginning of the period considered. There was a very sharp dip in 2011 followed by a steady increase afterwards.
- (102) In terms of market share, the Union industry's performance can be considered stable during the period considered with the exception of 2011 when similarly to the decrease in sales, the market share of the Union industry decreased as well. In the following years the sales and market share showed an increasing trend. Even though the market share of the Union producer remained in the review investigation period slightly below the 2010 level, it is worth noting that the Union industry still managed to take part in the growth in the Union consumption and held a significant market share of the Union market throughout the period considered.
- (103) In its submission following the disclosure the Union industry stated that its market share is very unstable due to the fact that sulphanilic acid is a price driven commodity and provided the example of 2011 when the Union industry's market share plummeted.
- (104) In this regard it has to be emphasised that the loss in market share experienced in 2011 coincided with a price increase by the Union producer against market trends at that time. Indeed, the investigation showed that import prices from all the countries decreased in the range of 5 % to 20 % in 2011. It is also noteworthy that the statistical data available shows that it was mainly the US importer which took over the market share lost by the Union industry.

5.4. *Prices and factors affecting prices*

Table 9

Sales prices

	2010	2011	2012	RIP
Average sales prices EUR/tonne (index)	100	109	108	112

Source: Questionnaire reply.

- (105) The Union industry's sales prices on the Union market have increased by 12 % during the period considered which was due to the passing on of the increase in the cost of main raw material (*aniline*).

5.5. *Employment and productivity*

Table 10

Employment and productivity

	2010	2011	2012	RIP
Employment (index)	100	100	117	117
Labour productivity (index)	100	88	85	91
Average labour cost (index)	100	105	102	116

Source: Questionnaire reply.

- (106) The employment in full time equivalent has increased during the review investigation period by 17 %. The average labour costs have shown an increasing trend during the period considered with reaching a 16 % increase in the review investigation period compared to 2010. Since production only increased by 7 % as shown in recital (96), the labour productivity has decreased in the period considered by 9 %.

5.6. *Profitability*

Table 11

Profitability

	2010	2011	2012	RIP
Profitability (index)	100	96	20	65

Source: Questionnaire reply.

- (107) The profitability of the Union industry on the like product decreased during the period considered and it was slightly below the optimal level claimed by the Union industry, however it is important to note that it still remained positive throughout the period considered.
- (108) The decrease in the profitability is mainly due to the increase in the average cost of production, which increased by almost 20 % between 2010 and the review investigation period, and which could not be fully compensated by the 12 % increase in the sales prices as indicated in recital (105).

5.7. *Investments, return on investment and cash flow*

Table 12

Investments, return on investment and cash flow

	2010	2011	2012	RIP
Annual Investments (index)	—	100	133	57
Return on investment (index)	100	86	30	103
Cash flow (index)	100	116	68	82

- (109) The investigation showed that the Union Industry could not invest in 2010. Subsequently, investments for the sulphanilic acid business have decreased by 43 % from 2011 to the end of the review investigation period and their amount in absolute terms can be considered to be low, relating mainly to maintenance activity. These findings are consistent with the return on investments and the low profitability achieved during the review investigation period.
- (110) Return on investment followed closely the profitability trend in 2011 and 2012. In the review investigation period the return on investment improved and reached the same level as in 2010 due to the increase in the profitability from 2012 to the review investigation period (see Table 11).
- (111) Cash flow showed a fluctuating trend but remained positive throughout the period considered. In the review investigation period cash flow decreased by 18 % compared to 2010 level. The Union industry has not reported any difficulties in raising capital during the period considered.

5.8. *Magnitude of dumping and recovery from past dumping*

- (112) As concluded in recitals (41) and (57) to (60) above, no dumping was found during the review investigation period from the countries concerned.
- (113) Taking into account the absence of dumped imports from the PRC and India, the increase in the sales volumes and prices and in the capacity utilisation rate of the Union industry, it can be concluded that the measures were successful and that the Union industry has recovered from the effects of past dumping during the period considered. A certain decline in some injury indicators such as profitability and market share was observed during the review investigation period however this cannot be attributed to the imports from the countries concerned due to their very low level in this period. In any case, the injury indicators which developed negatively still indicate a sustainable situation for the Union industry.

5.9. *Export activity of the Union industry*

- (114) The Union industry exported only negligible volumes in 2012 and the review investigation period and therefore it is concluded that exports had no impact on the situation of the Union industry.

6. Conclusion on the situation of the Union industry

- (115) Even though the average price levels established for the product concerned from the PRC and India during the RIP and their comparison to previous years is of limited reliability due to the low volumes of imports nevertheless the investigation showed that the product concerned from the PRC and India entered the Union at non-dumped prices.
- (116) The market share of the Union industry remained fairly stable and the volumes lost by the countries concerned were taken up by imports from the US at a price level similar to that of the Union industry. The Union industry was able to increase its sales volumes, average sales prices and to achieve close to optimal capacity utilisation rates.

- (117) The moderate decline in the market share and the profitability of the Union industry cannot be attributed to the Chinese and Indian imports as explained in recital (113) above.
- (118) It is therefore concluded that the Union industry did not suffer material injury during the review investigation period.
- (119) Although the Union industry made some observations concerning the injury analysis, which were addressed above in recitals (89) to (90), (98)-(99) and (103)-(104), it agreed with the overall conclusion concerning the absence of material injury in particular during the RIP.

7. Likelihood of recurrence of injury

- (120) For the assessment of likelihood of recurrence of injury it is important to point out that under optimal capacity utilisation — which has been achieved during the review investigation period — the Union industry was not able to satisfy the whole Union consumption and consequently a significant part of the Union consumption needed to be covered by imports.
- (121) In addition, the Union industry only produces purified sulphanilic acid, which means that users who prefer technical sulphanilic acid for their production have to turn to imports.
- (122) Furthermore, the Union industry had a fairly stable market share with sales to a number of long-lasting customers. The investigation revealed that for some users the suppliers of sulphanilic acid need to undergo stringent and costly certification/verification process which makes changes from one supplier to another more difficult.
- (123) It is in this context that the likelihood of recurrence of injury if the measures were allowed to lapse is analysed in accordance with Article 11(2) of the basic Regulation.

7.1. The PRC

- (124) Since none of the Chinese exporting producers cooperated in the investigation, findings with regard to the PRC had to be based on best facts available in accordance with Article 18 of the basic Regulation, in particular the expiry review request.
- (125) As already concluded in recitals (63) and (75), Chinese producers possess significant spare capacity of sulphanilic acid production and there is likelihood of recurrence of dumping.
- (126) In addition, as indicated in recitals (64) and (87), information available suggested that the PRC had recently sold increased quantities of sulphanilic acid to India at prices undercutting those of the Union industry.
- (127) Finally, the statistics obtained on Chinese imports to the Indian market as explained in recital (64) seem to indicate that China is interested in selling predominantly purified grade sulphanilic acid which if directed to the Union market would enter into direct competition with the sales of the Union producer.
- (128) All these factors together indicate that the PRC could quickly export significant quantities of sulphanilic acid at dumped prices to the Union market without even the need to redirect its sales from other markets should the measures be allowed to lapse. The Union market is attractive in terms of prices and would allow Chinese exporters to make economies of scale by increasing their production. Were this to occur the Union industry would face an immediate drop in its sales and sales prices, which in turn would affect capacity utilisation and profitability. If these injury indicators deteriorated the recovery of the Union industry would be quickly reversed and material injury would occur.

7.2. India

- (129) With regard to India, as concluded above in recital (76) there is no likelihood of recurrence of dumping if measure were allowed to lapse. In the light of this finding the analysis of recurrence of injury is not necessary.

8. Conclusion on recurrence of injury

- (130) In view of the findings of the investigation as explained in the recitals above, the absence of measures would in all likelihood result in a significant increase of exports from the PRC at low prices, affecting negatively the financial and economic performance of the Union industry and resulting in recurrence of material injury.
- (131) The likelihood of recurrence of injury with regard to India was not analysed due to the negative finding concerning recurrence of dumping from India.

E. UNION INTEREST

1. Introduction

- (132) With regard to the anti-dumping measures on imports of sulphanilic acid from India it was concluded that there was no likelihood of recurrence of dumping. Therefore, no determination with regard to the Union interest is necessary.
- (133) In case of China, in accordance with Article 21 of the basic Regulation, it was examined whether the maintenance of the measures would be against the Union interest as a whole. The determination of the Union interest was based on an appreciation of the various interests involved, namely those of the Union industry, of importers and users. The interested parties were given the opportunity to make their views known pursuant to Article 21(2) of the basic Regulation.

2. Interest of the Union industry

- (134) As explained in recital (113) the measures have been successful and enabled the Union industry to consolidate its position. At the same time, it was also concluded above in recital (130) that the Union industry would be likely to experience a serious deterioration of its situation in case the anti-dumping measures against China were allowed to lapse. Therefore, it can be concluded that the continuation of the measures against China would benefit the Union industry.

3. Interest of users

- (135) All known users were informed about the initiation of the review. The Commission received four complete questionnaire replies and three partial replies/comments from users of sulphanilic acid. On the basis of these data it was established that the impact of the cost of the product concerned on the cost of production of the downstream products varies considerably among users depending on the type of the downstream product.
- (136) A number of users (pharmaceutical and specialty dye producers) admitted that sulphanilic acid plays only marginal role in their production costs and therefore it is considered that the measures have basically no impact on their production costs/prices.
- (137) For other users (producers of cement additives and optical brighteners) however sulphanilic acid accounted for 4 % to 12 % of the cost of production of their downstream products. These users also reported losses during the review investigation period and claimed that the duties currently in force are partly responsible for their difficult situation.
- (138) With regard to this claim, it has to be noted that imports from the PRC were almost non-existent during the review investigation period and therefore duties against China, which would guarantee a fair price level on the Union market did not entail extra costs to users during the period considered and could thus not explain the difficulties encountered by these users. The price increase of the like product during the period considered was due to the increase of cost of production triggered by the increase of the price of the main raw material as indicated in recitals (105) and (108). Abolishing the duties currently in force against imports of sulphanilic acid from India as proposed by this regulation should immediately facilitate access for an additional source of sulphanilic acid supply on the Union market on competitive prices and thereby would be in the interest of the users. Consequently, it is considered that maintaining the measures as far as China is concerned will not cause undue difficulties to users in the future.

4. Interest of importers

(139) All known importers were informed about the initiation of the review. One importer of the product concerned provided a partial questionnaire reply in which it claimed that sulphanilic acid does not play an important role in its activity. No other importer replied to the questionnaire or provided any written submission or comment. In the absence of further cooperation from importers, it was concluded that it would not be against their interest to maintain the measures imposed on imports from the PRC.

5. Conclusion

(140) In view of above, it was concluded that there were no compelling reasons of Union interest against the maintenance of the anti-dumping measures against the PRC.

F. MAINTENANCE OF ANTI-DUMPING MEASURES AGAINST THE PRC AND TERMINATION OF ANTI-DUMPING MEASURES AGAINST INDIA

(141) All parties were informed of the essential facts and considerations on the basis of which it is considered appropriate that the existing anti-dumping duties on imports of sulphanilic acid from the PRC be maintained and be repealed on imports from India. Interested parties were also granted the possibility to submit comments subsequent to that disclosure. The submissions and comments were duly taken into consideration where warranted.

(142) It follows from the above that, as provided for by Article 11(2) of the basic Regulation, the anti-dumping measures applicable to sulphanilic acid originating in China should be maintained and the anti-dumping measures applicable to sulphanilic acid originating in India should be repealed. The Commission Decision accepting the undertaking currently in force concerning imports of sulphanilic acid from Kokan should also be repealed.

(143) Taking into consideration that the recovery of the Union industry is recent, the Commission, if it receives a request of the Union producer in that sense, will monitor the imports of the product concerned. The monitoring will be limited to a period of two years after the publication of this Regulation.

(144) The maintenance of the measures provided for in this Regulation against China and the repeal of measures against India are in accordance with the opinion of the Committee established by Article 15(1) of the basic Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. A definitive anti-dumping duty on imports of sulphanilic acid currently falling within CN code ex 2921 42 00 (TARIC code 2921 42 00 60) originating the People's Republic of China is hereby imposed.

2. The rate of the definitive anti-dumping duty applicable to the net free-at-Union frontier price, before duty, for the products described in paragraph 1, shall be as follows:

Country	Definitive duty (%)
The People's Republic of China	33,7

3. The definitive anti-dumping duty on imports of sulphanilic acid currently falling within CN code ex 2921 42 00 (TARIC code 2921 42 00 60) originating in India is hereby repealed and the proceedings concerning these imports is terminated.

4. The Commission Decision 2006/37/EC accepting the undertaking currently in force concerning imports of sulphanilic acid from Kokan Synthetics & Chemicals Pvt. Ltd (India) is hereby repealed.

5. Unless otherwise specified, the provisions in force concerning customs duties shall apply.

Article 2

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

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

Done at Brussels, 17 December 2014.

For the Commission
The President
Jean-Claude JUNCKER

COMMISSION IMPLEMENTING REGULATION (EU) No 1347/2014**of 17 December 2014****repealing the definitive countervailing duty on imports of sulphanilic acid originating in India following an expiry review pursuant to Article 18 of Council Regulation (EC) No 597/2009**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 597/2009 of 11 June 2009 on protection against subsidised imports from countries not members of the European Community ⁽¹⁾ and in particular Articles 14 and 18 thereof,

Whereas:

A. PROCEDURE**1. Measures in force**

- (1) In July 2002, by Regulation (EC) No 1338/2002 ⁽²⁾, the Council imposed a definitive countervailing duty of 7,1 % on imports of sulphanilic acid originating in India (the original investigation).
- (2) By Regulation (EC) No 1339/2002 ⁽³⁾, the Council imposed a definitive anti-dumping duty of 21 % on imports of sulphanilic acid originating in the People's Republic of China (the PRC) and a definitive anti-dumping duty of 18,3 % on imports of sulphanilic acid originating in India.
- (3) By Decision 2002/611/EC ⁽⁴⁾ the Commission accepted a price undertaking with regard to both the anti-dumping and anti-subsidy measures on the imports from India offered by one Indian exporting producer, namely Kokan Synthetics and Chemicals Pvt. Ltd (Kokan).
- (4) In March 2004, by Commission Decision 2004/255/EC ⁽⁵⁾, the Commission repealed Decision 2002/611/EC following the voluntary withdrawal of the undertaking by Kokan.
- (5) By Decision 2006/37/EC ⁽⁶⁾ the Commission accepted a new undertaking with regard to both the anti-dumping and anti-subsidy measures on the imports from India offered by Kokan. Regulations (EC) No 1338/2002 and (EC) No 1339/2002 were amended by Council Regulation (EC) No 123/2006 ⁽⁷⁾ accordingly.
- (6) By Regulation (EC) No 1000/2008 ⁽⁸⁾, the Council imposed the anti-dumping duties on imports of sulphanilic acid originating in the PRC and India following an expiry review of the measures. By Regulation (EC)

⁽¹⁾ OJ L 188, 18.7.2009, p. 93.

⁽²⁾ Council Regulation (EC) No 1338/2002 of 22 July 2002 imposing a definitive countervailing duty and collecting definitively the provisional countervailing duty imposed on imports of sulphanilic acid originating in India (OJ L 196, 25.7.2002, p. 1).

⁽³⁾ Council Regulation (EC) No 1339/2002 of 22 July 2002 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of sulphanilic acid originating in the People's Republic of China and India (OJ L 196, 25.7.2002, p. 11).

⁽⁴⁾ Commission Decision 2002/611/EC of 12 July 2002 accepting an undertaking offered in connection with the anti-dumping and anti-subsidy proceedings concerning imports of sulphanilic acid originating in India (OJ L 196, 25.7.2002, p. 36).

⁽⁵⁾ Commission Decision 2004/255/EC of 17 March 2004 repealing Decision 2002/611/EC accepting an undertaking offered in connection with the anti-dumping and anti-subsidy proceedings concerning imports of sulphanilic acid originating in India (OJ L 80, 18.3.2004, p. 29).

⁽⁶⁾ Commission Decision 2006/37/EC of 5 December 2005 accepting an undertaking offered in connection with the anti-dumping and anti-subsidy proceedings concerning imports of sulphanilic acid originating in India (OJ L 22, 26.1.2006, p. 52).

⁽⁷⁾ Council Regulation (EC) No 123/2006 of 23 January 2006 amending Regulation (EC) No 1338/2002 imposing a definitive countervailing duty on imports of sulphanilic acid originating in India and amending Regulation (EC) No 1339/2002 imposing a definitive anti-dumping duty on imports of sulphanilic acid originating, inter alia, in India (OJ L 22, 26.1.2006, p. 5).

⁽⁸⁾ Council Regulation (EC) No 1000/2008 of 13 October 2008 imposing a definitive anti-dumping duty on imports of sulphanilic acid originating in the People's Republic of China and India following an expiry review pursuant to Article 11(2) of Regulation (EC) No 384/96 (OJ L 275, 16.10.2008, p. 1).

No 1010/2008 ⁽¹⁾, the Council imposed definitive countervailing duties on imports of sulphanilic acid originating in India and amended the level of the anti-dumping duties on Indian imports of sulphanilic acid following an expiry and an interim review.

2. Request for an expiry review

- (7) Following the publication of a notice of impending expiry ⁽²⁾ of the definitive countervailing measures in force, the Commission received on 1 July 2013 a request for the initiation of an expiry review of these measures pursuant to Article 18 of Regulation (EC) No 597/2009 (the basic Regulation). The request was lodged by CUF — Quimicos Industriais ('the applicant' or 'CUF') the sole producer of sulphanilic acid in the Union thus representing 100 % of the Union production.
- (8) The request was based on the grounds that the expiry of the measures would be likely to result in a continuation of subsidisation and recurrence of injury to the Union industry.

3. Initiation of an expiry review

- (9) Having determined, after consulting the Advisory Committee, that sufficient evidence existed for the initiation of an expiry review, the Commission announced on 16 October 2013, by a notice published in the *Official Journal of the European Union* ⁽³⁾ (the Notice of Initiation), the initiation of an expiry review pursuant to Article 18 of the basic Regulation.

4. Parallel investigations

- (10) By Notice of Initiation published in the *Official Journal of the European Union* ⁽⁴⁾ on 16 October 2013 the Commission also initiated an expiry review investigation pursuant to Article 11(2) of the Regulation (EC) No 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Community ⁽⁵⁾ concerning imports of sulphanilic acid originating, inter alia, in India.

5. Investigation

5.1. Review investigation period and period considered

- (11) The investigation of a continuation or recurrence of subsidisation covered the period from 1 October 2012 to 30 September 2013 ('the review investigation period' or 'RIP'). The examination of the trends relevant for the assessment of the likelihood of continuation or recurrence of injury covered the period from 1 January 2010 to the end of the review investigation period (the period considered).

5.2. Parties concerned

- (12) The Commission officially advised the applicant, the exporting producers in India, the importers, the users known to be concerned, and the representatives of the exporting country of the initiation of the expiry review. The interested parties were given the opportunity to make their views known in writing and to request a hearing within the time limit set out in the Notice of initiation.
- (13) The sole Union producer, being the only interested party who so requested, was granted a hearing.

5.3. Sampling

- (14) In view of the apparent large number of exporting producers in India and of unrelated importers in the Union, sampling was envisaged in the Notice of initiation in accordance with Article 27 of the basic Regulation. In order to enable the Commission to decide whether sampling would be necessary and, if so, to select a sample, the above parties were requested to make themselves known to the Commission within 15 days of the initiation of the review and to provide the Commission with the information requested in the Notice of Initiation.
- (15) The Commission received two sampling replies from Indian exporting producers. Therefore, no sampling was applied.

⁽¹⁾ Council Regulation (EC) No 1010/2008 of 13 October 2008 imposing a definitive countervailing duty on imports of sulphanilic acid originating in India following an expiry review pursuant to Article 18 of Regulation (EC) No 2026/97 and a partial interim review pursuant to Article 19 of Regulation (EC) No 2026/97 and amending Regulation (EC) No 1000/2008 imposing a definitive anti-dumping duty on imports of sulphanilic acid originating in the People's Republic of China and India following an expiry review pursuant to Article 11(2) of Regulation (EC) No 384/96 (OJ L 276, 17.10.2008, p. 3).

⁽²⁾ OJ C 28, 30.1.2013, p. 12.

⁽³⁾ OJ C 300, 16.10.2013, p. 5.

⁽⁴⁾ OJ C 300, 16.10.2013, p. 14.

⁽⁵⁾ Council Regulation (EC) No 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Community (OJ L 343, 22.12.2009, p. 51).

- (16) One unrelated importer replied to the sampling form however, it did not import the product concerned from the country concerned and did not provide a questionnaire reply. Therefore no sampling was applied.
- (17) Since there is only one Union producer, sampling was not applied for the Union producers.

5.4. Investigation

- (18) The Commission sought and verified all the information deemed necessary for a determination of the likelihood of continuation of subsidisation, likelihood of continuation or recurrence of injury and for a determination of the Union interest. The Commission sent questionnaires to the sole Union producer, to the two exporting producers in India, to the Government of India (GOI), to known importers and to Union users.
- (19) Out of the two Indian exporting producers only one submitted a complete reply. This Indian producer represented a major part of the total Indian exports to the Union during the review investigation period.
- (20) The Commission also carried out consultations in Delhi with the GOI, Government of Maharashtra (GOM), Government of Gujarat (GOG) and the Reserve Bank of India (RBI).
- (21) Furthermore, verification visits were carried out at the premises of the following companies:
- (a) *Union Producer:*
- CUF — Quimicos Industriais, Estarreja, Portugal
- (b) *Exporting producers:*
- Kokan Synthetics & Chemicals Pvt. Ltd, Khed, India
- (c) *Union users:*
- Blankophor GmbH, Leverkusen, Germany
 - Hovione Farmaciencia SA, Loures, Portugal
 - IGCAR Chemicals, S.L., Rubi, Spain.

B. PRODUCT CONCERNED AND LIKE PRODUCT

- (22) The product concerned is sulphanilic acid currently classifiable within CN code ex 2921 42 00 (TARIC code 2921 42 00 60). There are two grades of sulphanilic acid, which are determined according to their purity: a technical grade and a purified grade. In addition, the purified grade is sometimes commercialised in the form of a salt of sulphanilic acid. Sulphanilic acid is used as a raw material in the production of optical brighteners, concrete additives, food colorants and speciality dyes. Limited use by the pharmaceutical industry was noted as well. Though it is not contested that both grades have the same basic physical, chemical and technical characteristics and therefore deemed to be one single product, it is important to note that the investigation showed that in practical terms inter-changeability is limited. In particular users who rely on purified grade sulphanilic acid could only use technical grade in case they could further purify it themselves. Those users who need or prefer technical grade sulphanilic acid could in theory use purified grade, however due to the price difference (20 %-25 %) this is economically not a viable solution.
- (23) Sulphanilic acid is a pure commodity product and its basic physical, chemical and technical characteristics are identical whatever the country of origin. The product concerned and the products manufactured and sold by the exporting producer in India on its domestic market and to third countries, as well as those manufactured and sold by the Union producer on the Union market have thus been found to have the same basic physical and chemical characteristics and essentially the same uses, and are therefore considered to be like products within the meaning of Article 2 of the basic Regulation.

C. LIKELIHOOD OF A CONTINUATION OR RECURRENCE OF SUBSIDISATION

1. Introduction

- (24) Cooperation from the Indian exporters was limited to one exporting producer. In the absence of cooperation from other producers, the amount of countervailable subsidies had to be determined on the basis of the facts available: the replies of the cooperating company, who accounted for major proportion of exports from India to the Union, and on the information provided by the Indian authorities.

- (25) On the basis of the information contained in the review request and the replies to the Commission's questionnaire, the following schemes, which allegedly involve the granting of subsidies, were investigated:
- Subsidy schemes investigated in the original investigation:
 - Nationwide Schemes:
 - (a) Export Processing Zones Scheme (EPZ)/Special Economic Zones Scheme (SEZS)/Export Oriented Units Scheme (EOUS)
 - (b) Duty Entitlement Passbook Scheme (DEPBS)
 - (c) Export Promotion Capital Goods Scheme (EPCGS)
 - (d) Income Tax Exemption Scheme (ITES)
 - (e) Advance Authorisation Scheme (AAS)
 - Regional Schemes:
 - (f) Package Scheme of Incentives (PSI) of the Government of Maharashtra
 - Subsidy schemes not investigated in the original investigation but investigated in the first expiry review and parallel interim review:
 - Nationwide Schemes:
 - (g) Export Credit Scheme (ECS)
 - Subsidy schemes not investigated in the original investigation or/and in the previous reviews:
 - Nationwide Schemes:
 - (h) Focus Product Scheme (FPS)
 - (i) Duty Free Import Authorisation (DFIA)
 - (j) Duty Drawback Scheme (DDS)
 - (k) Focus Market Scheme (FMS)
 - (l) Status Holder Incentive Scrip (SHIS)
 - (m) Capital Infusions
 - Regional Schemes:
 - (n) Regional Schemes of the Government of Gujarat
- (26) The schemes (a), (b), (c), (e), (h), (i), (k) and (l) specified above are based on the Foreign Trade (Development and Regulation) Act 1992 (No 22 of 1992) which entered into force on 7 August 1992 (Foreign Trade Act). The Foreign Trade Act authorises the GOI to issue notifications regarding the export and import policy. These are summarised in Foreign Trade Policy documents which are issued by the Ministry of Commerce every five years and updated regularly. The Foreign Trade Policy document relevant to the RIP of this investigation is 'Foreign Trade Policy 2009-2014' (FTP 09-14). In addition, the GOI also sets out the procedures governing the FTP 09-14 in a 'Handbook of Procedures, Volume I' (HOP I 09-14). The Handbook of Procedures is updated on regular basis
- (27) The Income Tax Exemption Scheme specified above under (d) is based on the Income Tax Act of 1961, which is amended yearly by the Finance Act.
- (28) The regional schemes specified above under (f) and (n) are managed by the States of Maharashtra and Gujarat respectively and are based on resolutions of the Government of Maharashtra Industries, Energy and Labour Department and resolutions of the Government of Gujarat Industries and Mines Department.

- (29) The Export Credit Scheme specified above under (g) is based on Sections 21 and 35A of the Banking Regulation Act 1949, which allows the Reserve Bank of India (RBI) to direct commercial banks in the field of export credits.
- (30) The Duty Drawback scheme specified above under (j) is based on section 75 of the Customs Act of 1962, on section 37 of the Central Excise Act of 1944, on sections 93A and 94 of the Financial Act of 1994 and on the Customs, Central Excise Duties and Service Tax Drawback Rules of 1995. Drawback rates are published on a regular basis; those applicable to the RIP were the All Industry Rates (AIR) of Duty Drawback 2012-13, published in notification No 92/2012- Cus.(N.T). The duty drawback scheme is also referred to as a duty remission scheme in chapter 4 of FTP 09-14.

2. Export Processing Zones (EPZ)/Special Economic Zones (SEZ)/Export Oriented Units Scheme (EOUS)

- (31) It was found that the cooperating exporting producer was not located in an SEZS or in an EPZS. However, the cooperating exporting producer had been set up under the EOUS and received countervailable subsidies in the review investigation period. The description and assessment below is therefore limited to the EOUS.
- (a) *Legal basis*
- (32) The details of the EOUS are contained in chapter 6 of the FTP 09-14 and in chapter 6 of the HOP I 09-14.
- (b) *Eligibility*
- (33) With the exception of pure trading companies, all enterprises which, in principle, undertake to export their entire production of goods or services may be set up under the EOUS. Undertakings in industrial sectors have to fulfil a minimum investment threshold in fixed assets (10 million Indian rupees) to be eligible for the EOUS.
- (c) *Practical implementation*
- (34) EOUS can be located and established anywhere in India.
- (35) An application for EOUS status must include details for the next five years of, inter alia, planned production quantities, projected value of exports, import requirements and indigenous requirements. Upon acceptance by the authorities of the company's application, the terms and conditions attached to this acceptance will be communicated to the company. The agreement to be recognised as a company under the EOUS is valid for a five-year period. The agreement may be renewed for further periods.
- (36) A crucial obligation of an EOUS as set out in FTP 09-14 is to achieve net foreign exchange (NFE) earnings, namely in a reference period (five years) the total value of exports has to be higher than the total value of imported goods.
- (37) EOUS units are entitled to the following concessions:
- (i) exemption from import duties on all types of goods (including capital goods, raw materials and consumables) required for the manufacture, production, processing, or in connection therewith;
 - (ii) exemption from excise duty on goods procured from indigenous sources;
 - (iii) reimbursement of central sales tax paid on goods procured locally;
 - (iv) partial reimbursement of duty paid on fuel procured from domestic oil companies.
- (38) Units operating under these schemes are bonded under the surveillance of customs officials in accordance with Section 65 of the Customs Act.
- (39) The cooperating exporting producer was operating under EOUS for the first four months of the review investigation period. The formal letter of de-bonding from the scheme was issued on 6 February 2013. Thus, in the review investigation period the company utilised the scheme only to obtain central sales tax reimbursement. The investigation showed that the exporting producer concerned did not avail of benefits of exemption of import duties and excise duties on domestic purchases, and of partial reimbursement of duty paid on fuel procured from domestic oil companies.

(d) *Conclusions on the EOUS*

- (40) The reimbursement of the central sales tax constitute subsidy within the meaning of Article 3(1)(a)(ii) of the basic Regulation. Government revenue which would be due in the absence of this scheme is forgone, thus conferring a benefit upon the EOU within the meaning of Article 3(2) of the basic Regulation, because it improved its liquidity by obtaining reimbursements of the central sales tax. The subsidy is contingent in law upon export performance and, therefore, deemed to be specific and countervailable under Article 4(4)(a) of the basic Regulation. The export objective of an EOUS as set out in paragraph 6.1 of the FTP 09-14 is a *conditio sine qua non* to obtain the incentives.

(e) *Calculation of the subsidy amount*

- (41) The subsidy amount was calculated on the basis of the amount of central sales tax reimbursed on goods procured locally during the review investigation period. In accordance with Article 7(2) of the basic Regulation this subsidy amount was allocated over the total export turnover generated during the review investigation period as the appropriate denominator, because the subsidy is contingent upon export performance and it was not granted by reference to the quantities manufactured, produced, exported or transported. The subsidy margin thus obtained was 1,4 %.

3. **Duty Entitlement Passbook Scheme (DEPBS)**

- (42) It was confirmed that DEPBS has effectively been withdrawn from 30 September 2011 that is before the review investigation period. It was therefore not necessary to further analyse this scheme in this investigation.

4. **Export Promotion Capital Goods Scheme (EPCGS)**

(a) *Legal basis*

- (43) A detailed description of the EPCGS is contained in chapter 5 of the FTP 09-14 and in chapter 5 of the HOP I 09-14.

(b) *Findings*

- (44) It was found that the cooperating exporting producer did not obtain any benefits under the EPCGS in the review investigation period. It was therefore not necessary to further analyse this scheme in this investigation.

5. **Income Tax Exemption Scheme (ITES)**

- (45) It was confirmed that ITES was abolished in April 2011 that is before the review investigation period. It was therefore not necessary to further analyse this scheme in this investigation.

6. **Advance Authorisation Scheme (AAS)**

(a) *Legal basis*

- (46) A detailed description of the scheme is contained in sections 4.1.3.1 to 4.1.14 of the FTP 09-14 and sections 4.1 to 4.30 of the HOP I 09-14.

(b) *Findings*

- (47) It was found that the cooperating exporting producer did not obtain any benefits under the AAS in the review investigation period. It was therefore not necessary to further analyse this scheme in this investigation.

7. **Package Scheme of Incentives (PSI) of the Government of Maharashtra (GOM)**

(a) *Legal basis*

- (48) In order to encourage the establishment of industries in the State of Maharashtra to the less developed areas of the State, the GOM has been granting incentives to new-expansion units set up in developing regions of the State since 1964, under a scheme commonly known as the 'Package Scheme of Incentives' (PSI). The scheme has been amended many times since its introduction and in the RIP there were two PSI schemes in force: PSI 2007 (which was valid till April 2013) and PSI 2013. The PSI of the GOM is composed of several sub-schemes amongst which the main ones are: (i) the refund of octroi tax/entry tax, (ii) the exemption from electricity duty, (iii) the exemption

from local sales tax/deferral of local sales tax, (iv) interest subsidy for new establishments and (v) certain grants for small and medium enterprises to upgrade technology. The investigation revealed that the only sub-scheme used by the cooperating exporting producer during the review investigation period was the one concerning sales tax deferrals (part of (iii) above) which in fact originated from PSI 2001 but the outstanding sales tax was still partially due in the review investigation period.

(b) *Eligibility*

- (49) In order to be eligible, companies must as a rule invest in less developed areas of the State (which are classified according to their economic development into different categories, for example less developed areas, lesser developed areas and least developed areas) either by setting up a new industrial establishment or by making a large scale capital investment in the expansion or diversification of an existing industrial establishment. The main criterion to establish the amount of incentives is the classification of the area in which the enterprise is or will be located and the size of the investment.

(c) *Practical implementation*

- (50) The Eligibility Certificate issued by the GOM to the cooperating exporting producer provided that the company was, under the sales tax deferral sub-scheme, allowed to defer the payment of State sales taxes collected on its domestic sales.

(d) *Conclusion*

- (51) The sales tax deferral sub-scheme of the PSI of the GOM provides subsidies within the meaning of Article 3(1)(a) (ii) and Article 3(2) of the basic Regulation. The sub-scheme examined constitutes a financial contribution by the GOM, since this concession postpones the collection of the GOM's revenue which would be otherwise due. This deferral confers a benefit upon the company as it improves the company's liquidity.
- (52) The sub-scheme is only available to companies having invested within certain designated geographical areas within the jurisdiction of the State of Maharashtra. It is not available for companies located outside these areas. The level of benefit is different according to the area concerned. The scheme is specific in accordance with Article 4(2)(a) and Article 4(3) of the basic Regulation and therefore countervailable.

(e) *Calculation of the subsidy amount*

- (53) The deferred amount of State sales taxes, under the deferral element of the scheme, which was still due at the end of the review investigation period, was considered equivalent to an interest-free loan of the same amount granted by the GOM. Thus, the benefit to the cooperating exporting producer has been calculated on the basis of the interest that was paid on a comparable commercial loan by the company during the review investigation period.
- (54) Pursuant to Article 7(2) of the basic Regulation, the amount of subsidy (numerator) was then allocated over the total company turnover during the review investigation period as the appropriate denominator, because the subsidy is not export contingent and it was not granted by reference to the quantities manufactured, produced, exported or transported.
- (55) On the basis of the above, the amount of subsidy that the company has obtained under this scheme is 1,1 %.

8. **Export Credit Scheme (ECS)**

- (56) It was confirmed that after amendments in the ECS (July 2010 with regard to export credits in INR and May 2012 with regard to export credits in the foreign currency) the preferential export credits' interest rates within the framework of this scheme in principle ceased to exist with the exception of specific limited number of sectors of industry. Since chemical sector in question was not found to be on the list of sectors covered by the interest rates subventions in the review investigation period, it was not necessary to further analyse this scheme in this investigation.

9. **Focus Product Scheme (FPS)**

(a) *Legal basis*

- (57) A detailed description of the scheme is contained in section 3.15 of the FTP 09-14 and section 3.9 of the HOP I 09-14.

(b) *Findings*

- (58) It was found that the cooperating exporting producer did not obtain any benefits under the FPS in the review investigation period. It was therefore not necessary to further analyse this scheme in this investigation.

10. Duty Free Import Authorisation Scheme (DFIA)

(a) *Legal basis*

- (59) A detailed description of the scheme is contained in sections 4.2.1 to 4.2.7 of the FTP 09-14 and section 4.31 to 4.36 of the HOP I 09-14.

(b) *Findings*

- (60) It was found that the cooperating exporting producer did not obtain any benefits under the DFIA in the review investigation period. It was therefore not necessary to further analyse this scheme in this investigation.

11. Duty Drawback Scheme (DDS)

(a) *Legal Basis*

- (61) The detailed description of the DDS is contained in the Custom & Central Excise Duties Drawback Rules 1995 as amended by successive notifications.

(b) *Eligibility*

- (62) Any manufacturer-exporter or merchant-exporter is eligible for this scheme.

(c) *Practical implementation*

- (63) An eligible exporter can apply for drawback amount which is calculated as a percentage of the FOB value of products exported under this scheme. The drawback rates have been established by the GOI for a number of products, including the product concerned. They are determined on the basis of the average quantity or value of materials used as inputs in the manufacturing of a product and the average amount of duties paid on inputs. They are applicable regardless of whether import duties have actually been paid or not. The DDS rate for the product concerned during the review investigation period was 4 % of FOB value.

- (64) To be eligible to benefits under this scheme, a company must export. At the moment when shipment details are entered in the Customs server (ICEGATE), it is indicated that the export is taking place under the DDS and the DDS amount is fixed irrevocably. After the shipping company has filed the Export General Manifest (EGM) and the Customs office has satisfactorily compared that document with the shipping bill data, all conditions are fulfilled to authorise the payment of the drawback amount by either direct payment on the exporter's bank account or by draft.

- (65) The exporter also has to produce evidence of realisation of export proceeds by means of a Bank Realisation Certificate (BRC). This document can be provided after the drawback amount has been paid but the GOI will recover the paid amount if the exporter fails to submit the BRC within a given delay.

- (66) The drawback amount can be used for any purpose.

- (67) It was found that in accordance with Indian accounting standards, the duty drawback amount can be booked on an accrual basis as income in the commercial accounts, upon fulfilment of the export obligation.

- (68) The cooperating Indian exporting producer was found to use the DDS during the review investigation period after de-bonding from the EOUS.

(d) *Conclusion on DDS*

- (69) The DDS provides subsidies within the meaning of Article 3(1)(a)(ii) and Article 3(2) of the basic Regulation. A duty drawback amount is a financial contribution by the GOI as it takes form of a direct transfer of funds by the GOI. In addition, the duty drawback amount confers a benefit upon the exporter, because it improves its liquidity.

- (70) Furthermore, the DDS is contingent in law upon export performance, and is therefore deemed to be specific and countervailable under Article 4(4), first subparagraph, point (a) of the basic Regulation.

- (71) This scheme cannot be considered as permissible duty drawback system or substitution drawback system within the meaning of Article 3(1)(a)(ii) of the basic Regulation. It does not conform to the strict rules laid down in Annex I point (i), Annex II (definition and rules for drawback) and Annex III (definition and rules for substitution drawback) of the basic Regulation.
- (72) There is no system or procedure in place to confirm which inputs are consumed in the production process of the exported product or whether an excess payment of import duties occurred within the meaning of point (i) of Annex I and Annexes II and III to the basic Regulation. Lastly, an exporter is eligible for the DDS benefits regardless of whether it imports any inputs at all. In order to obtain the benefit, it is sufficient for an exporter to simply export goods without demonstrating that any input material was imported. Thus, even exporters which procure all of their inputs locally and do not import any goods which can be used as inputs are still entitled to benefit from the DDS.
- (73) This is confirmed by GOI's circular no 24/2001 which clearly states that '[duty drawback rates] have no relation to the actual input consumption pattern and actual incidence suffered on inputs of a particular exporter or individual consignments [...]' and instructs regional authorities that 'no evidence of actual duties suffered on imported or indigenous nature of inputs [...] should be insisted upon by the field formations along with the [drawback claim] filed by exporters'.
- (74) In view of the above, it is concluded that DDS is countervailable.

(e) *Calculation of the subsidy amount*

- (75) In accordance with Articles 3(2) and 5 of the basic Regulation, the amount of countervailable subsidies was calculated in terms of the benefit conferred on the recipient, which is found to exist during the investigation period. In this regard, it was considered that the benefit is conferred on the recipient at the time when an export transaction is made under this scheme. At this moment, the GOI is liable to the payment of the drawback amount, which constitutes a financial contribution within the meaning of Article 3(1)(a)(ii) of the basic Regulation. Once the customs authorities issue an export shipping bill which shows, inter alia, the amount of drawback which is to be granted for that export transaction, the GOI has no discretion as to whether or not to grant the subsidy. In the light of the above, it is considered appropriate to assess the benefit under the DDS as being the sums of the drawback amounts earned on export transactions made under this scheme during the review investigation period.
- (76) In accordance with Article 7(2) of the basic Regulation these subsidy amounts have been allocated over the total export turnover of the product concerned during the review investigation period as appropriate denominator, because the subsidy is contingent upon export performance and it was not granted by reference to the quantities manufactured, produced, exported or transported.
- (77) Based on the above, the subsidy rate established in respect of this scheme for the cooperating Indian exporting producer amounted to 0.6 %.

12. Focus Market Scheme (FMS)

(a) *Legal basis*

- (78) A detailed description of the scheme is contained in section 3.14 of the FTP 09-14 and section 3.8 of the HOP I 09-14.

(b) *Findings*

- (79) It was found that the cooperating exporting producer did not obtain any benefits under the FMS in the review investigation period. It was therefore not necessary to further analyse this scheme in this investigation.

13. Status Holder Incentive Scrip (SHIS)

(a) *Legal basis*

- (80) A detailed description of the scheme is contained in section 3.16 of the FTP 09-14 and section 3.10 of the HOP I 09-14.

(b) *Findings*

- (81) It was found that the cooperating exporting producer did not obtain any benefits under the SHIS in the review investigation period. It was therefore not necessary to further analyse this scheme in this investigation.

14. Capital Infusions

- (82) It was found that the cooperating exporting producer did not benefit from capital infusions from the GOI or regional governments. It was therefore not necessary to further analyse this scheme in this investigation.

15. Regional Schemes of the Government of Gujarat (GOG)

- (83) It was confirmed that the cooperating exporting producer does not have related companies or production facilities in the State of Gujarat. It was therefore not necessary to further analyse the regional schemes of the GOG.

16. Amount of countervailable subsidies

- (84) The amount of countervailable subsidies found in the review investigation period in accordance with the provisions of the basic Regulation, expressed *ad valorem*, for the investigated exporting producer is 3,1 %.

Kokan Synthetics & Chemicals Pvt. Ltd

Scheme	%
EOUS (*)	1,4
DEPBS (*)	nil
EPCGS (*)	nil
ITES	nil
AAS (*)	nil
PSI (Maharashtra Regional Scheme)	1,1
ECS (*)	nil
FPS (*)	nil
DFIA (*)	nil
DDS (*)	0,6
FMS (*)	nil
SHIS (*)	nil
Capital Infusions	nil
Gujarat Regional Schemes	nil
TOTAL	3,1

(*) Subsidies marked with an asterisk are export subsidies.

- (85) On the basis of the available information, the cooperating exporting producer accounted for major proportion of exports of sulphanilic acid from India to the Union during the review investigation period. No information was available showing that the level of subsidisation of other exporting producers that might exist would be at a lower level.

17. Likelihood of a continuation of subsidisation

- (86) In accordance with Article 18(2) of the basic Regulation, it was examined whether the expiry of the measures in force would be likely to lead to a continuation of subsidisation.
- (87) It was established that though the subsidy margin found during the expiry review investigation is lower than the one established during the original investigation and previous expiry review, the cooperating Indian exporter of the product concerned continued to benefit from countervailable subsidisation by the Indian authorities. There is no indication that DDS — the main programme currently used by the company after de-bonding from the EOUS will be phased out in the foreseeable future. Under these conditions, it is clear that the exporter of the product concerned will also continue to receive countervailable subsidies in the future.

D. LIKELIHOOD OF A CONTINUATION OR RECURRENCE OF INJURY

1. Union production and definition of the Union industry

- (88) During the review investigation period, the like product was manufactured in the Union by one single Union producer who therefore represents 100 % of the Union production and constitutes the Union industry within the meaning of Article 9(1) of the basic Regulation.

2. Union consumption

- (89) Union consumption was established on the basis of:
- sales volumes of the like product by the Union industry into the Union market,
 - import volumes of sulphanilic acid (TARIC level) into the Union market reported in Eurostat.
- (90) In view of the fact that the Union industry consists of only one producer and there is only one US exporting producer, in order to respect confidential business information, it is necessary to present the information in tables below in an indexed form.

Table 1

Consumption in the Union market

Volume (index)	2010	2011	2012	RIP
Union consumption (2010 = 100)	100	106	106	114

Source: Eurostat and questionnaire reply.

- (91) The investigation showed that the market for sulphanilic acid gradually expanded over the period considered and increased by 14 % by the end of the RIP.

3. Imports from the country concerned

- (a) *Import volumes and market share*

Table 2

Imports from the country concerned

Import volume (index)	2010	2011	2012	RIP
India	100	422	187	52

Source: Eurostat.

Table 2a

Imports from the country concerned

Import volume (ranges) ⁽¹⁾	2010	2011	2012	RIP
India	50-200	250-550	100-250	10-80

Source: Eurostat.

⁽¹⁾ Following the disclosure the Union producer requested that the import volumes and values of sulphanilic acid from the countries concerned made available in ranges as well, as on the basis of the indexed figures it was difficult to assess the real (absolute term) development of the figures and to understand the conclusions of the Commission thereof.

Table 3

Market share of the country concerned

Market share (index)	2010	2011	2012	RIP
Market share of imports from India	100	397	177	46

- (92) The volume of imports originating in India decreased by 48 % over the period considered and their market share decreased by 54 % over the same period.

(b) *Import prices*

Table 4

Average prices of imports of sulphanilic acid from the country concerned

	2010	2011	2012	RIP
Price of imports from India index (2010 = 100)	100	79	84	92

Source: Eurostat.

Table 4a

Average prices of imports of sulphanilic acid from the country concerned

	2010	2011	2012	RIP
Price of imports from India ranges	1 200-1 800	1 000-1 400	1 100-1 500	1 300-1 700

Source: Eurostat.

- (93) The average price of the product concerned from India decreased in 2011 by 21 % and since then increased gradually but remained still below the 2010 price levels by 8 %.

(c) *Level of price undercutting*

- (94) The investigation showed that the prices charged by the sole cooperating Indian exporting producer were not undercutting the prices of the Union producer. In order to respect confidential business information, the exact result cannot be disclosed but the undercutting found was between – 20 % to – 40 %.

- (95) Following the disclosure and the comments made by the Union producer the Commission was requested to calculate the possible price undercutting for the remaining part of Indian imports based on Eurostat data. According to these data, no undercutting was found with regard to those imports and therefore the findings made in recital 94 above can be confirmed.

4. Imports from other third countries

- (96) With the exception of three negligible transactions (in 2010 and 2011 from Switzerland and one in 2012 from Malaysia), all imports of sulphanilic acid from other third countries came from the PRC and the USA in the period considered.

Table 5

Imports of sulphanilic acid from other third countries

	2010	2011	2012	RIP
Volume of imports from the US (index)	100	267	253	299
Market share of US imports (index)	100	180	171	188
Average prices of US imports (index)	100	95	101	102
Volume of imports from China (index)	100	77	14	1
Market share of Chinese imports (index)	100	73	13	1
Average prices of Chinese imports	100	92	104	164

Source: Eurostat.

- (97) Volumes of imports of sulphanilic acid from the PRC decreased by 99 % between 2010 and the review investigation period and their market share also decreased by 99 % in the same period.
- (98) The average price of imports of sulphanilic acid from the PRC decreased slightly in 2011 by 8 % and showed an increasing trend thereafter with a very sharp increase of 64 % in the review investigation period.
- (99) Both the volume and market share of US imports of sulphanilic acid have increased significantly during the period considered, by 199 % and 88 % respectively. As the Union industry's market share remained relatively stable during the same period, it was the US imports that took over the market left by the Chinese and Indian exporters.
- (100) The price levels of US imports remained rather stable during the period considered and were in the same range as those of the Union producer. During the review investigation period there was no price undercutting by the US imports.

5. Situation of the Union industry

- (101) In accordance with Article 8(4) of the basic Regulation, the examination of the likelihood of continuation or recurrence of injury included an evaluation of all economic factors having a bearing on the state of the Union industry during the period considered.
- (102) In order to respect confidential business information, it has been necessary to present information concerning the sole Union producer in an indexed form.

5.1. *Production, production capacity and capacity utilisation*

Table 6

Production, capacity, capacity utilisation

	2010	2011	2012	RIP
Production tonnes (index)	100	87	99	107
Capacity tonnes (index)	100	100	100	100
Capacity utilisation rate (index)	100	87	99	107

Source: Questionnaire reply.

- (103) The production of the Union industry was 7 % higher in the review investigation period than the level recorded at the beginning of the period considered. The Union industry's capacity remained unchanged during the period considered and therefore the capacity utilisation rate changed the same way as the production i.e. increased by 7 % in the review investigation period.
- (104) It should be noted that the Union industry maintained a satisfactory level of capacity utilisation during the period considered with the exception of 2011 and managed to achieve an optimal level during the review investigation period.
- (105) Following the disclosure the Union industry claimed that throughout the period considered it reached optimal capacity utilisation levels only in the RIP which shows that its recovery is still very recent and fragile.
- (106) This comment in the Commissions' assessment does not change the conclusions of recital 104 above which do not contradict in any way the comments of the Union industry.

5.2. *Closing stock*

Table 7

Closing stock in volume

	2010	2011	2012	RIP
Closing stocks tonnes (index)	100	576	328	171

Source: Questionnaire reply.

- (107) The Union industry's year end stock levels showed a sharp increase in 2011 with a decreasing trend afterwards but still remaining 71 % above the 2010 level in the review investigation period. In any case, based on the production volume during the review investigation period the closing stock level represents less than one month of production.

5.3. *Sales volumes and market share*

Table 8

Sales volume and market share

	2010	2011	2012	RIP
Sales volume tonnes (index)	100	70	97	104
Market share % (index)	100	66	92	92

Source: Questionnaire reply.

- (108) Sales volumes of the Union industry have increased by 4 % compared to the levels recorded in the beginning of the period considered. There was a very sharp dip in 2011 followed by a steady increase afterwards.
- (109) In terms of market share, the Union industry's performance can be considered stable during the period considered with the exception of 2011 when similarly to the decrease in sales, the market share of the Union industry decreased as well. In the following years the sales and market share showed an increasing trend. Even though the market share of the Union producer remained in the review investigation period slightly below the 2010 level, it is worth noting that the Union industry still managed to take part of the growth in the Union consumption and held a dominant position on the Union market throughout the period considered.
- (110) In its submission following the disclosure the Union industry stated that its market share is very unstable due to the fact that sulphanilic acid is a price driven commodity and provided the example of 2011 when the Union industry's market share plummeted.
- (111) In this regard it has to be emphasised that the loss in market share experienced in 2011 coincided with a price increase by the Union producer against market trends at that time. Indeed, the investigation showed that import prices from all the countries decreased in the range of 5 % to 20 % in 2011. It is also noteworthy that the statistical data available shows that it was mainly the US importer which took over the market share lost by the Union industry.

5.4. Prices and factors affecting prices

Table 9

Sales prices

	2010	2011	2012	RIP
Average sales prices EUR/tonne (index)	100	109	108	112

Source: Questionnaire reply.

- (112) The Union industry's sales prices on the Union market have increased by 12 % during the period considered which was due to the passing on of the increase in the cost of main raw material (aniline).

5.5. Employment and productivity

Table 10

Employment and productivity

	2010	2011	2012	RIP
Employment (index)	100	100	117	117
Labour productivity (index)	100	88	85	91
Average labour cost (index)	100	105	102	116

Source: Questionnaire reply.

- (113) The employment in full time equivalent has increased during the review investigation period by 17 %. The average labour costs have shown an increasing trend during the period considered reaching a 16 % increase in the review investigation period compared to 2010. Since production only increased by 7 % as shown in recital 103, the labour productivity has decreased in the period considered by 9 %.

5.6. Profitability

Table 11

Profitability

	2010	2011	2012	RIP
Profitability (index)	100	96	20	65

Source: Questionnaire reply.

- (114) The profitability of the Union industry on the like product decreased during the period considered and it was slightly below the optimal level claimed by the Union industry, however it is important to note that it still remained positive throughout the period considered.
- (115) The decrease in the profitability is mainly due to the increase in the average cost of production which increased by 20 % between 2010 and the review investigation period and which could not be fully compensated by the 12 % increase in the sales prices as indicated in recital 112.

5.7. Investments, return on investment and cash flow

Table 12

Investments, return on investment and cash flow

	2010	2011	2012	RIP
Investments (index)	—	100	133	57
Return on investments (index)	100	86	30	103
Cash flow (index)	100	116	68	82

- (116) The investigation showed that the Union Industry could not invest in 2010. Subsequently, investments for the sulphanic acid business have decreased by 43 % from 2011 to the end of the review investigation period and their amount in absolute terms can be considered to be low, relating mainly to maintenance activity. These findings are consistent with the return on investments and the low profitability achieved during the review investigation period.
- (117) Return on investment followed closely the profitability trend in 2011 and 2012. In the review investigation period the return on investment improved and reached the same level as in 2010 due to the increase in the profitability from 2012 to the review investigation period.
- (118) Cash flow showed a fluctuating trend but remained positive throughout the period considered. In the review investigation period cash flow decreased by 18 % compared to 2010 level. The Union industry has not reported any difficulties in raising capital during the period considered.

5.8. Magnitude of actual subsidy margin and recovery from past subsidisation

- (119) As concluded in recital 84, the subsidy margin found in the review investigation period was not substantial though it was still above *de minimis*.
- (120) Taking into account the increase in the sales volumes, prices and in the capacity utilisation rate of the Union industry, it can be concluded that the measures were successful and that the Union industry has recovered from the effects of past subsidisation during the period considered. A certain decline in some injury indicators such as profitability and market share was observed during the review investigation period however this cannot be attributed to the imports from the country concerned due to their very low level in the review investigation period. In any case, the injury indicators which developed negatively still indicate a sustainable situation for the Union industry.

6. Conclusion on the situation of the Union industry

- (121) The investigation showed that imports of the product concerned from India have fallen to a very low level. The market share of the Union industry remained fairly stable and the volumes lost by the country concerned were taken up by imports from the US at a price level similar to that of the Union industry. The Union industry was able to increase its sales volumes, average sales prices and to achieve close to optimal capacity utilisation rates.
- (122) The moderate decline in the market share and the profitability of the Union industry cannot be attributed to Indian imports as explained in recital 120.
- (123) It is therefore concluded that the Union industry did not suffer material injury during the review investigation period.
- (124) Although the Union industry made some observations concerning the injury analysis and they were addressed above in recitals 95, 105-106 and 110-111, it agreed with the overall conclusion concerning the absence of material injury in particular during the RIP.

7. Likelihood of recurrence of injury

- (125) For the assessment of likelihood of recurrence of injury it is important to point out that under optimal capacity utilisation — which has been achieved during the review investigation period — the Union industry is not able to satisfy the whole Union consumption and consequently a significant part of the Union consumption needs to be covered by imports.
- (126) In addition, the Union industry only produces purified sulphanilic acid, which means that users who prefer technical sulphanilic acid for their production have to turn to imports.
- (127) Furthermore, the Union industry had a stable market share with sales to a number of long-lasting customers. The investigation revealed that for some users the suppliers of sulphanilic acid need to undergo stringent and costly certification/verification process which makes changes from one supplier to another more difficult.
- (128) It is in this context that the potential impact of the Indian imports on the Union market and the Union industry was analysed in accordance with Article 18(2) of the basic Regulation in order to assess the likelihood of recurrence of injury if the measures were allowed to lapse.
- (129) As concluded above in recitals 84-85 and 87 sulphanilic acid imported from India still benefits and is likely to benefit in future from subsidisation.
- (130) At the same time the findings of the investigation point to the fact that the presence of subsidised imports from India will not lead to a recurrence of injury to the Union industry. This reasoning is based on the analysis of the following factors:
- spare capacity in India,
 - Indian exporters' price behaviour,
 - impact of the level of the subsidisation on prices,
 - Indian product mix.
- (a) *spare capacity in India*
- (131) The investigation did not reveal the existence of significant spare capacity in India.
- (132) The Union industry challenged this finding claiming in particular that there will be a likely increase of Indian spare capacity as a result of the increasing presence of Chinese products on the Indian market and that therefore the incentive to export will further increase.

(133) In this regard the Commission notes that the biggest known Indian producer and exporter of sulphanilic acid abandoned its status of Export Oriented Unit (EOU) in 2013 as described in recital 39 as the company was planning to increase its sales on its domestic market. These sales had been seriously limited by the conditions of EOU scheme. The company confirmed that it did not perceive pressure from Chinese competitors and that in their assessment the Indian market had good prospects of development. Therefore, there are no reasons to assume that the present or any future spare capacity of Indian producers will be diverted to the Union due to an alleged Chinese pressure on the Indian market.

(b) price behaviour of Indian exporters

(134) With regard to the price behaviour of Indian exporters, it was found in recitals 94 and 95 above that the cooperating exporting producer but also other Indian exporters were selling at prices which did not undercut the Union price levels during the RIP.

(135) The Union industry claimed that Kokan's export prices were based on a price undertaking and were therefore not representative for the other Indian exporting producers. The Commission notes that over the period considered Kokan's prices were substantially above the minimum import price (MIP) set by the undertaking. With regard to the other Indian exporters their average export prices as reported in Eurostat were even higher during the RIP. This means that the prices of Indian exporters including Kokan were rather based on the market situation and not on the price undertaking.

(136) The Union industry also pointed out that the prices of Indian imports decreased by 8 % in the period considered despite an increase by over 40 % in the prices of the main raw material (benzene) in the same period. The investigation showed that the relatively high price level for sulphanilic acid in the Union market created a scope for a price decrease despite an increase in the cost of main raw material. Notwithstanding its importance as a cost component, benzene in isolation cannot explain the evolution of costs and prices of the product under investigation. Finally, the investigation showed that Indian sales prices to the Union were not exceptionally low as they were similar to Indian prices of exports to third countries which were made in considerable quantities. Therefore, the trends of pricing the end product (sulphanilic acid) and main raw-material (benzene) raised by the Union industry are not found to be contradictory.

(137) Finally, the Union industry raised the point that Indian export prices to third countries, namely Turkey, were lower than those to the EU. The Commission notes that the data collected from Kokan showed that their prices to Turkey were also above the MIP and that they were not undercutting the prices of the Union industry. The export volumes of Kokan to Turkey were in the same range as those on which the Union industry based its claim, therefore findings with regard to Kokan are valid for all Indian exports to Turkey. Based on the above, the alleged different price behaviour of Indian exporters to third countries as opposed to the EU is not supported by the information available.

(c) impact of the level of subsidisation of prices

(138) As indicated in recital 84 above the subsidy margin found in the RIP for the cooperating Indian producer amounted to 3,1 %. This shows a continued declining trend in subsidisation observed since the imposition of the original countervailing measures in 2002.

(139) This decline is not merely linked to the situation of this individual company but to systemic changes in the Indian subsidy schemes. As explained in part C of this Regulation some of the schemes were abandoned by the GOI and most of the others were scaled down in terms of benefits to the companies. Only in the case of one particular scheme investigated, namely the DDS, the conditions of eligibility and the administrative procedures were loosened. As a result, Kokan immediately switched to this scheme. However, the use of DDS excludes the use of most of the other schemes (EOU, AAS, FPS, DFIA and FMS). For the product concerned the DDS scheme has a clear maximum level of subsidisation: in the RIP 4 % of the export FOB value, and it was further reduced to 3 % afterwards. Despite this limit on subsidy level it can be expected that other producers would or already have switched to this scheme due to its low administrative burden.

(140) The Commission has already observed such trend in several other anti-subsidy investigations in India over the last 2 years⁽¹⁾. It can thus be concluded that findings with regard to Kokan, as described in recital 139 above, can be extrapolated to the rest of Indian producers of sulphanilic acid.

⁽¹⁾ Example: Stainless Steel Wire (OJ L 240, 7.9.2103), PET film (OJ L 137, 23.5.2013).

(141) Taking into account the above level of subsidisation (forecast on around 3 % with DDS as a main scheme) and the current level of export prices from India, which already include the subsidies, it is concluded that these export prices would not undercut the prices of the Union industry even if the countervailing measures on India were removed. It can therefore be concluded that exports from India, even if subsidised, will not be injurious to the Union industry.

(d) *product mix*

(142) The cooperating Indian producer (representing a significant share of Indian imports to the Union) was mainly selling the technical grade of sulphanilic acid where it competed primarily with US and Chinese imports as the Union industry did not produce technical grade of sulphanilic acid. Moreover, basically all of Kokan's exports of sulphanilic acid to Turkey, which were made in significant quantities, were of technical grade.

(143) The Union industry claimed that there was very large overlap in the use of technical and purified grade of sulphanilic acid and that there is thus substantial competition between the two grades.

(144) Though it is not contested that both grades are deemed to be a single product, it is important to note that the investigation confirmed that in practical terms inter-changeability is limited. In particular users who need or prefer technical grade sulphanilic acid could in theory use purified grade, however due to the significant price difference (20 % - 25 %) this is economically not a viable solution. Therefore, it is maintained that sales of Indian producers as far as technical grade sulphanilic acid is concerned mainly compete with Chinese and US products.

8. Conclusion on recurrence of injury

(145) In view of the findings of the investigation as explained in the recitals above, it is concluded that repealing the countervailing measures against India is not likely to result in recurrence of injury in the short to medium term.

E. UNION INTEREST

(146) Since it was concluded that there was no likelihood of recurrence of injury, it was not necessary to determine the Union interest.

F. TERMINATION OF COUNTERVAILING MEASURES

(147) All parties were informed of the essential facts and considerations on the basis of which it is considered appropriate that the existing countervailing measures on imports of sulphanilic acid from India be repealed. Interested parties were also granted the possibility to submit comments subsequent to that disclosure. The submissions and comments were duly taken into consideration where warranted.

(148) It follows from the above that, as provided for by Article 18 of the basic Regulation, the countervailing measures applicable to sulphanilic acid originating in India should be repealed. The Commission Decision accepting the undertaking currently in force concerning imports of sulphanilic acid from Kokan should also be repealed.

(149) Taking into consideration that the recovery of the Union industry is recent, the Commission following the request of the Union producer, will monitor the imports of the product concerned. The monitoring will be limited to a period of two years after the publication of this Regulation.

(150) The Committee established by Article 25(1) of the basic Regulation did not deliver an opinion,

HAS ADOPTED THIS REGULATION:

Article 1

1. The definitive countervailing duty on imports of sulphanilic acid currently falling within CN code ex 2921 42 00 (TARIC code 2921 42 00 60) originating in India is hereby repealed and the proceedings concerning these imports is terminated.

2. The Commission Decision 2006/37/EC accepting the undertaking currently in force concerning imports of sulphonic acid from Kokan Synthetics & Chemicals Pvt. Ltd (India) is hereby repealed.

Article 2

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

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

Done at Brussels, 17 December 2014.

For the Commission

The President

Jean-Claude JUNCKER

COMMISSION IMPLEMENTING REGULATION (EU) No 1348/2014**of 17 December 2014****on data reporting implementing Article 8(2) and Article 8(6) of Regulation (EU) No 1227/2011 of the European Parliament and of the Council on wholesale energy market integrity and transparency****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1227/2011 of the European Parliament and of the Council of 25 October 2011 on wholesale energy market integrity and transparency ⁽¹⁾, and in particular Article 8(2) and Article 8(6) thereof,

Whereas:

- (1) Effective oversight of wholesale energy markets requires the regular monitoring of details of contracts including orders to trade as well as data on capacity and use of facilities for production, storage, consumption or transmission of electricity and natural gas.
- (2) Regulation (EU) No 1227/2011 requires the Agency for the Cooperation of Energy Regulators ('the Agency') established by Regulation (EC) No 713/2009 of the European Parliament and of the Council ⁽²⁾ to monitor wholesale energy markets in the Union. In order to enable the Agency to fulfil its task it should be provided with complete sets of relevant information in a timely manner.
- (3) Market participants should report to the Agency on a regular basis details of wholesale energy contracts both in relation to the supply of electricity and natural gas and for the transportation of those commodities. Contracts for balancing services, contracts between different members of the same group of companies and contracts for the sale of the output of small energy production facilities should be reported to the Agency only at its reasoned request on ad-hoc basis.
- (4) In general, both parties to the contract should report the required details of the concluded contract. To facilitate reporting, parties should be able to report on each other's behalf or use the services of third parties for this purpose. Notwithstanding this and to facilitate data collection, the details of transportation contracts acquired through primary capacity allocation of a transmission system operator (TSO) should be reported by the respective TSO only. The reported data should also include filled and unfilled capacity requests.
- (5) In order to effectively uncover market abuses, it is important that next to the details of contracts the Agency can also monitor orders to trade placed on organised markets. Since market participants cannot be expected to record such data with ease, matched and unmatched orders should be reported through the organised market place where they were placed or through third parties who are able to provide such information.
- (6) In order to avoid double reporting, the Agency should collect details of derivatives relating to contracts for the supply or transportation of electricity or natural gas which have been reported in accordance with applicable financial regulation to trade repositories or to financial regulators from those sources. Notwithstanding this, organised markets, trade matching or reporting systems, who have reported details of such derivatives under financial rules, subject to their agreement, should be able to report the same information also to the Agency.
- (7) Efficient reporting and targeted monitoring requires standard and non-standard contracts to be distinguished. Since prices of standard contracts serve also as reference prices for non-standard contracts, the Agency should receive information regarding standard contracts on a daily basis. Details of non-standard contracts should be reportable up to one month from their conclusion.

⁽¹⁾ OJ L 326, 8.12.2011, p. 1.

⁽²⁾ Regulation (EC) No 713/2009 of the European Parliament and of the Council of 13 July 2009 establishing an Agency for the Cooperation of Energy Regulators (OJ L 211, 14.8.2009, p. 1).

- (8) Market participants should also report to the Agency and, to national regulatory authorities, at their request, on a regular basis data in relation to the availability and use of energy production and transportation infrastructure including liquefied natural gas ('LNG') and storage facilities. In order to reduce the burden of reporting on market participants and to make best use of existing data sources, reporting should involve where possible TSOs, the European Network of Transmission System Operators for Electricity (the 'ENTSO for Electricity'), the European Network of Transmission System Operators for Gas (the 'ENTSO for Gas'), LNG system operators and natural gas storage system operators. Depending on the importance and availability of the data, the regularity of reporting may vary with most of the data reported on daily basis. The reporting requirements should respect the Agency's obligation not to make commercially sensitive information publicly available and only to publish or make available information that is not likely to create any distortion of competition on wholesale energy markets.
- (9) It is important that reporting parties have a clear understanding about the details of the information they are required to report. To this end the Agency should explain the content of the reportable information in a user manual. The Agency should also make sure that information is reported in electronic formats, which are easily accessible to reporting parties.
- (10) In order to ensure continuous and safe transfer of complete sets of data, the reporting parties should comply with basic requirements in relation to their ability to authenticate data sources, check data for correctness and completeness and to ensure business continuity. The Agency should assess reporting parties' compliance with those requirements. The assessment should ensure a proportionate treatment of professional third parties handling market participants' data and market participants reporting their own data.
- (11) The type and source of reportable data can influence the resources and time the reporting parties need to invest in preparing for data submission. For example completing procedures for reporting standard contracts executed at organised market places takes less time than setting up systems for reporting non-standard contracts or certain fundamental data. To this end the obligation for reporting should be phased in, starting with transmitting fundamental data available on the transparency platforms of ENTSO for Electricity and of ENTSO for Gas as well as standard contracts executed at organised market places. Reporting of non-standard contracts should follow reflecting the extra time needed for completing procedures for reporting. Staggered data reporting would also help the Agency to better allocate its resources to prepare for receiving the information.
- (12) The measures provided for in this Regulation are in accordance with the opinion of the Committee established in accordance with Article 21 of Regulation (EU) No 1227/2011,

HAS ADOPTED THIS REGULATION:

CHAPTER I

GENERAL PROVISIONS

Article 1

Subject matter

This Regulation lays down rules for the provision of data to the Agency implementing Article 8(2) and (6) of Regulation (EU) No 1227/2011. It defines the details of reportable wholesale energy products and fundamental data. It also establishes appropriate channels for data reporting including defining timing and regularity of data reports.

Article 2

Definitions

For the purpose of this Regulation, the definitions in Article 2 of Regulation (EU) No 1227/2011 and in Article 3 of Commission Regulation (EU) No 984/2013 ⁽¹⁾ shall apply.

In addition, the following definitions shall apply:

- (1) 'fundamental data' means information related to the capacity and use of facilities for production, storage, consumption or transmission of electricity and natural gas or related to the capacity and use of LNG facilities, including planned or unplanned unavailability of these facilities;

⁽¹⁾ Commission Regulation (EU) No 984/2013 of 14 October 2013 establishing a Network Code on Capacity Allocation Mechanisms in Gas Transmission Systems and supplementing Regulation (EC) No 715/2009 of the European Parliament and of the Council (OJ L 273, 15.10.2013, p. 5).

- (2) 'standard contract' means a contract concerning a wholesale energy product admitted to trading at an organised market place, irrespective of whether or not the transaction actually takes place on that market place;
- (3) 'non-standard contract' means a contract concerning any wholesale energy product that is not a standard contract;
- (4) 'organised market place' or 'organised market' means:
- (a) a multilateral system, which brings together or facilitates the bringing together of multiple third party buying and selling interests in wholesale energy products in a way that results in a contract,
 - (b) any other system or facility in which multiple third-party buying and selling interests in wholesale energy products are able to interact in a way that results in a contract.
- These include electricity and gas exchanges, brokers and other persons professionally arranging transactions, and trading venues as defined in Article 4 of Directive 2014/65/EU of the European Parliament and of the Council ⁽¹⁾.
- (5) 'group' shall have the same meaning as in Article 2 of Directive 2013/34/EU of the European Parliament and of the Council ⁽²⁾
- (6) 'intragroup contract' is a contract on wholesale energy products entered into with a counterparty which is part of the same group provided that both counterparties are included in the same consolidation on a full basis;
- (7) 'over-the-counter' (OTC) means any transaction carried out outside an organised market;
- (8) 'nomination' means,
- for electricity: the notification of the use of cross zonal capacity by a physical transmission rights holder and its counterparty to the respective transmission system operator(s)(TSOs),
 - for natural gas: the prior reporting by the network user to the TSO of the actual flow that the network user wishes to inject into or withdraw from the system;
- (9) 'balancing energy' means energy used by TSOs to perform balancing;
- (10) 'balancing capacity (reserves)' means the contracted reserve capacity;
- (11) 'balancing services' means,
- for electricity: either or both balancing capacity and balancing energy,
 - for natural gas: a service provided to a TSO via a contract for gas required to meet short term fluctuations in gas demand or supply;
- (12) 'consumption unit' means a resource which receives electricity or natural gas for its own use;
- (13) 'production unit' means a facility for generation of electricity made up of a single generation unit or of an aggregation of generation units;

CHAPTER II

REPORTING OBLIGATIONS ON TRANSACTIONS

Article 3

List of reportable contracts

1. The following contracts shall be reported to the Agency:
 - (a) As regards wholesale energy products in relation to the supply of electricity or natural gas with delivery in the Union:
 - (i) Intraday or within-day contracts for the supply of electricity or natural gas where delivery is in the Union irrespective of where and how they are traded, in particular regardless of whether they are auctioned or continuously traded,
 - (ii) Day-ahead contracts for the supply of electricity or natural gas where delivery is in the Union irrespective of where and how they are traded, in particular regardless of whether they are auctioned or continuously traded,

⁽¹⁾ Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU (OJ L 173, 12.6.2014, p. 349).

⁽²⁾ Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council Directives 78/660/EEC and 83/349/EEC (OJ L 182, 29.6.2013, p. 19).

- (iii) Two-days-ahead contracts for the supply of electricity or natural gas where delivery is in the Union irrespective of where and how they are traded, in particular regardless of whether they are auctioned or continuously traded,
 - (iv) Week-end contracts for the supply of electricity or natural gas where delivery is in the Union irrespective of where and how they are traded, in particular regardless of whether they are auctioned or continuously traded,
 - (v) After-day contracts for the supply of electricity or natural gas where delivery is in the Union irrespective of where and how they are traded, in particular regardless of whether they are auctioned or continuously traded,
 - (vi) Other contracts for the supply of electricity or natural gas with a delivery period longer than two days where delivery is in the Union irrespective of where and how they are traded, in particular regardless of whether they are auctioned or continuously traded,
 - (vii) Contracts for the supply of electricity or natural gas to a single consumption unit with a technical capability to consume 600 GWh/year or more,
 - (viii) Options, futures, swaps and any other derivatives of contracts relating to electricity or natural gas produced, traded or delivered in the Union.
- (b) Wholesale energy products in relation to the transportation of electricity or natural gas in the Union:
- (i) Contracts relating to the transportation of electricity or natural gas in the Union between two or more locations or bidding zones concluded as a result of a primary explicit capacity allocation by or on behalf of the TSO, specifying physical or financial capacity rights or obligations,
 - (ii) Contracts relating to the transportation of electricity or natural gas in the Union between two or more locations or bidding zones concluded between market participants on secondary markets, specifying physical or financial capacity rights or obligations, including resale and transfer of such contracts,
 - (iii) Options, futures, swaps and any other derivatives of contracts relating to the transportation of electricity or natural gas in the Union.

2. In order to facilitate reporting, the Agency shall draw up and maintain a public list of standard contracts and update that list in a timely manner. In order to facilitate reporting, the Agency shall draw up and publish a list of organised market places upon entry into force of this regulation. The Agency shall update that list in a timely manner.

In order to assist the Agency to comply with its obligations under the first subparagraph, organised market places shall submit identifying reference data for each wholesale energy product they admit to trading to the Agency. The information shall be submitted before trading commences in that particular contract in a format defined by the Agency. Organised market places shall submit updates of the information as changes occur.

In order to facilitate reporting, final customers party to a contract as referred to in Article 3(1)(a)(vii) shall inform their counterparty about the technical capability of the consumption unit in question to consume 600 GWh/year or more.

Article 4

List of contracts reportable at request of the Agency

1. Unless concluded on organised market places, the following contracts and details of transactions in relation to those contracts shall be reportable only upon reasoned request of the Agency and on an ad-hoc basis:

- (a) Intragroup contracts,
- (b) Contracts for the physical delivery of electricity produced by a single production unit with a capacity equal to or less than 10 MW or by production units with a combined capacity equal to or less than 10 MW,
- (c) Contracts for the physical delivery of natural gas produced by a single natural gas production facility with a production capacity equal to or less than 20 MW,
- (d) Contracts for balancing services in electricity and natural gas.

2. Market participants only engaging in transactions in relation to the contracts referred to in points (b) and (c) of paragraph 1 shall not be required to register with the national regulatory authority pursuant to Article 9(1) of Regulation (EU) No 1227/2011.

*Article 5***Details of reportable contracts including orders to trade**

1. The information to be reported pursuant to Article 3 shall include:
 - (a) in relation to standard contracts for the supply of electricity or natural gas the details set out in Table 1 of the Annex,
 - (b) in relation to non-standard contracts for the supply of electricity or natural gas the details set out in Table 2 of the Annex,
 - (c) in relation to standard and non-standard contracts for the transportation of electricity the details set out in Table 3 of the Annex,
 - (d) in relation to standard and non-standard contracts for the transportation of natural gas the details set out in Table 4 of the Annex.

Details of transactions executed within the framework of non-standard contracts specifying at least an outright volume and price shall be reported using Table 1 of the Annex.

2. The Agency shall explain the details of the reportable information referred to in paragraph 1 in a user manual and after consulting relevant parties make it available to the public upon entry into force of this Regulation. The Agency shall consult relevant parties on material updates of the user manual.

*Article 6***Reporting channels for transactions**

1. Market participants shall report details of wholesale energy products executed at organised market places including matched and unmatched orders to the Agency through the organised market place concerned, or through trade matching or trade reporting systems.

The organised market place where the wholesale energy product was executed or the order was placed shall at the request of the market participant offer a data reporting agreement.

2. TSOs or third parties acting on their behalf shall report details of contracts referred to in Article 3(1)(b)(i) including matched and unmatched orders.

3. Market participants or third parties acting on their behalf shall report details of contracts referred to in Article 3(1)(a), 3(1)(b)(ii) and 3(1)(b)(iii) which have been concluded outside an organised market.

4. Information in relation to wholesale energy products which have been reported in accordance with Article 26 of Regulation (EU) No 600/2014 of the European Parliament and of the Council ⁽¹⁾ or Article 9 of Regulation (EU) No 648/2012 of the European Parliament and of the Council ⁽²⁾ shall be provided to the Agency by:

- (a) trade repositories referred to in Article 2 of Regulation (EU) No 648/2012,
- (b) approved reporting mechanisms referred to in Article 2 of Regulation (EU) No 600/2014,
- (c) competent authorities referred to in Article 26 of Regulation (EU) No 600/2014,
- (d) the European Securities and Markets Authority,

as appropriate.

5. Where persons have reported details of transactions in accordance with Article 26 of Regulation (EU) No 600/2014 or Article 9 of Regulation (EU) No 648/2012 their obligations in relation to reporting those details under Article 8(1) of Regulation (EU) No 1227/2011 shall be considered as fulfilled.

⁽¹⁾ Regulation (EU) No 600/2014 of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Regulation (EU) No 648/2012 (OJ L 173, 12.6.2014, p. 84).

⁽²⁾ Regulation (EU) No 648/2012 of the European Parliament and of the Council of 4 July 2012 on OTC derivatives, central counterparties and trade repositories (OJ L 201, 27.7.2012, p. 1).

6. In line with the second subparagraph of Article 8(3) of Regulation (EU) No 1227/2011 and without prejudice to paragraph 5 of this Article organised markets, trade matching or reporting systems shall be able to provide the information referred to in paragraph 1 of this Article directly to the Agency.

7. Where a third party reports on behalf of one or both counterparties, or where one counterparty reports the details of a contract also on behalf of the other counterparty, the report shall contain the relevant counterparty data in relation to each of the counterparties and the full set of details that would have been reported had the contracts been reported by each counterparty separately.

8. The Agency may request additional information and clarifications from market participants and reporting parties in relation to their reported data.

Article 7

Timing of reporting of transactions

1. Details of standard contracts and orders to trade, including for auctions, shall be reported as soon as possible but no later than on the working day following the conclusion of the contract or placement of the order.

Any modification or the termination of the concluded contract or order to trade shall be reported as soon as possible but no later than the working day following the modification or termination.

2. In the case of auction markets where orders are not made publicly visible, only concluded contracts and final orders shall be reported. They shall be reported no later than on the working day following the auction.

3. Orders placed in brokers' voice operated services and not appearing on electronic screens shall be reportable only upon request of the Agency.

4. Details of non-standard contracts including any modification or the termination of the contract and transactions referred to in the second subparagraph of Article 5(1) shall be reported no later than one month following the conclusion, modification or termination of the contract.

5. Details of contracts referred to in Article 3(1)(b)(i) shall be reported as soon as possible but no later than on the working day following the availability of the allocation results. Any modification or the termination of the concluded contracts shall be reported as soon as possible but no later than on the working day following the modification or termination.

6. Details of wholesale energy contracts which were concluded before the date on which the reporting obligation becomes applicable and remain outstanding on that date shall be reported to the Agency within 90 days after the reporting obligation becomes applicable for those contracts.

The reportable details shall only include data which can be extracted from market participants' existing records. They shall at least comprise of data referred to in Article 44(2) of Directive 2009/73/EC of the European Parliament and of the Council ⁽¹⁾ and in Article 40(2) of Directive 2009/72/EC of the European Parliament and of the Council ⁽²⁾.

CHAPTER III

REPORTING OF FUNDAMENTAL DATA

Article 8

Rules for the reporting of fundamental data on electricity

1. The ENTSO for Electricity shall, on behalf of market participants, report information to the Agency in relation to the capacity and use of facilities for production, consumption and transmission of electricity including planned and unplanned unavailability of these facilities as referred to in Articles 6 to 17 of Commission Regulation (EU) No 543/2013 ⁽³⁾. The information shall be reported through the central information transparency platform as referred to in Article 3 of Regulation (EU) No 543/2013.

⁽¹⁾ Directive 2009/73/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in natural gas and repealing Directive 2003/55/EC (OJ L 211, 14.8.2009, p. 94).

⁽²⁾ Directive 2009/72/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in electricity and repealing Directive 2003/54/EC (OJ L 211, 14.8.2009, p. 55).

⁽³⁾ Commission Regulation (EU) No 543/2013 of 14 June 2013 on submission and publication of data in electricity markets and amending Annex I to Regulation (EC) No 714/2009 of the European Parliament and of the Council (OJ L 163, 15.6.2013, p. 1).

2. The ENTSO for Electricity shall make the information referred to in paragraph 1 available to the Agency as soon as it becomes available on the central information transparency platform.

Information referred to in Article 7(1) of Regulation (EU) No 543/2013 shall be made available to the Agency in disaggregated form including the name and location of the consumption unit referred no later than the following working day.

Information referred to in Article 16(1)(a) of Regulation (EU) No 543/2013 shall be made available to the Agency no later than the following working day.

3. Electricity TSOs or third parties on their behalf shall report to the Agency and, at their request, to national regulatory authorities in accordance with Article 8(5) of Regulation (EU) No 1227/2011 final nominations between bidding zones specifying the identity of market participants involved and the quantity scheduled. The information shall be made available no later than the following working day.

Article 9

Rules for the reporting of fundamental data on gas

1. The ENTSO for Gas shall, on behalf of market participants, report information to the Agency in relation to the capacity and use of facilities for transmission of natural gas including planned and unplanned unavailability of these facilities as referred to in points 3.3(1) and 3.3(5) of Annex I to Regulation (EC) No 715/2009 of the European Parliament and of the Council⁽¹⁾. The information shall be made available through the Union-wide central platform as referred to in point 3.1.1(1)(h) of Annex I to Regulation (EC) No 715/2009.

The ENTSO for Gas shall make the information referred to in the first subparagraph available to the Agency as soon as it becomes available on the Union-wide central platform.

2. Gas TSOs or third parties on their behalf shall report to the Agency and, at their request, to national regulatory authorities in accordance with Article 8(5) of Regulation (EU) No 1227/2011 day-ahead nominations and final re-nominations of booked capacities specifying the identity of the market participants involved and the allocated quantities. The information shall be made available no later than the following working day.

The information shall be provided for the following points of the transmission system:

- (a) all interconnection points,
- (b) entry points of production facilities including of upstream pipelines,
- (c) for exit points connected to a single customer,
- (d) entry and exit points to and from storage,
- (e) for LNG facilities,
- (f) for physical and virtual hubs.

3. LNG system operators as defined in Article 2(12) of Directive 2009/73/EC shall report to the Agency and, at their request, to national regulatory authorities for each LNG facility the following information:

- (a) the technical, contracted and available capacity of the LNG facility in a daily resolution,
- (b) send-out and inventory of the LNG facility in a daily resolution,
- (c) planned and unplanned unavailability announcements of the LNG facility including the time of the announcement and the capacities concerned.

4. The information referred to in point (a) and (b) of paragraph 3 shall be made available no later than the following working day.

⁽¹⁾ Regulation (EC) No 715/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the natural gas transmission networks and repealing Regulation (EC) No 1775/2005 (OJ L 211, 14.8.2009, p. 36).

The information including updates of it referred to in point (c) of paragraph 3 shall be made available as soon as that information becomes available.

5. Market participants or LNG System Operators on their behalf shall report to the Agency and, at their request, to national regulatory authorities for each LNG facility the following information:

(a) in relation to unloading and reloading of cargos:

- (i) date of unloading or reloading,
- (ii) volumes unloaded or reloaded per ship,
- (iii) the name of the terminal customer,
- (iv) name and size of the ship using the facility.

(b) the planned unloading or reloading at the LNG facilities in a daily resolution for the next month specifying the market participant and the name of the terminal customer (if different from the market participant).

6. The information referred to in point (a) of paragraph 5 shall be made available no later than the working day following unloading or reloading.

The information referred to in point (b) of paragraph 5 shall be made available in advance of the month to which it relates.

7. Storage system operators as defined in Article 2(10) of Directive 2009/73/EC shall report to the Agency and, at their request, to national regulatory authorities for each storage facility or, where facilities operated in groups, for each group of storage facilities following information through a joint platform:

- (a) the technical, contracted and available capacity of the storage facility,
- (b) amount of gas in stock at the end of the gas day, inflows (injections) and outflows (withdrawals) for each gas day,
- (c) planned and unplanned unavailability announcements of the storage facility including the time of the announcement and the capacities concerned.

8. The information referred to in point (a) and (b) of paragraph 7 shall be made available no later than the following working day.

The information including updates of it referred to in point (c) of paragraph 7 shall be made available as soon as the information becomes available.

9. Market participants or Storage System Operators on their behalf shall report to the Agency and, at their request, to national regulatory authorities the amount of gas the market participant has stored at the end of the gas day. This information shall be made available no later than the following working day.

Article 10

Reporting procedures

1. Market participants disclosing inside information on their website or service providers disclosing such information on market participants' behalf shall provide web feeds to enable the Agency to collect these data efficiently.

2. When reporting information referred to in Articles 6, 8 and 9 including inside information, the market participant shall identify itself or shall be identified by the third party reporting on its behalf using the ACER registration code which the market participant received or the unique market participant code which the market participant provided while registering in accordance with Article 9 of Regulation (EU) No 1227/2011.

3. The Agency shall after consulting relevant parties establish procedures, standards and electronic formats based on established industry standards for reporting of information referred to in Articles 6, 8 and 9. The Agency shall consult relevant parties on material updates of the referred procedures, standards and electronic formats.

CHAPTER IV

FINAL PROVISIONS

Article 11

Technical and organisational requirements and responsibility for reporting data

1. In order to ensure efficient, effective and safe exchange and handling of information, the Agency shall, after consulting relevant parties, develop technical and organisational requirements for submitting data. The Agency shall consult relevant parties on material updates of these requirements.

The requirements shall:

- (a) ensure the security, confidentiality and completeness of information,
- (b) enable the identification and correction of errors in data reports,
- (c) enable the authentication of the source of information,
- (d) ensure business continuity.

The Agency shall assess whether reporting parties comply with the requirements. Reporting parties who comply with the requirements shall be registered by the Agency. For entities listed under Article 6(4) the requirements listed in the second subparagraph shall be considered as fulfilled.

2. Persons required to report data referred to in Articles 6, 8 and 9 shall have responsibility for the completeness, accuracy and timely submission of data to the Agency and, where required so, to national regulatory authorities.

Where a person referred to in the first subparagraph reports those data through a third party the person shall not be responsible for failures in the completeness, accuracy or timely submission of the data which are attributable to the third party. In those cases the third party shall be responsible for those failures, without prejudice to Articles 4 and 18 of Regulation (EC) No 543/2013 on submission of data in electricity markets.

Persons referred to in the first subparagraph shall nevertheless take reasonable steps to verify the completeness, accuracy and timeliness of the data which they submit through third parties.

Article 12

Entry into force and other measures

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

2. The reporting obligation as provided in Article 9(1) shall apply from 7 October 2015.

The reporting obligation as provided in Article 6(1) except in relation to contracts referred to in Article 3(1)(b) shall apply from 7 October 2015.

The reporting obligations as provided in Article 8(1) shall apply from 7 October 2015 but not before the central information transparency platform becomes operational pursuant to Article 3(3) of Regulation (EU) No 543/2013.

The reporting obligations as provided in Articles 6(2), 6(3), 8(3), 9(2), 9(3), 9(5), 9(7) and 9(9) shall apply from 7 April 2016.

The reporting obligation as provided in Article 6(1) in relation to contracts referred to in Article 3(1)(b) shall apply from 7 April 2016.

3. Without prejudice to the second and fifth subparagraphs of paragraph 2 the Agency may enter into agreements with organised marketplaces, trade matching or reporting systems to obtain details of contracts before the reporting obligation becomes applicable.

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

Done at Brussels, 17 December 2014.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

DETAILS OF REPORTABLE CONTRACTS

Table 1

**Reportable details of standard contracts for the supply of electricity and gas
(Standard reporting form)**

Field No	Field Identifier	Description
		Parties to the contract
1	ID of the market participant or counterparty	The market participant or counterparty on whose behalf the record of transaction is reported shall be identified by a unique code.
2	Type of code used in field 1	ACER registration code, Legal Entity Identifier (LEI), Bank Identifier Code (BIC), Energy Identification Code (EIC), Global Location Number (GLN/GS1).
3	ID of the trader and/or of the market participant or counterparty as identified by the organised market place	The login username or trading account of the trader and/or the market participant or counterparty as specified by the technical system of the organised market place.
4	ID of the other market participant or counterparty	Unique identifier for the other counterparty of the contract.
5	Type of code used in field 4	ACER registration code, Legal Entity Identifier (LEI), Bank Identifier Code (BIC), Energy Identification Code (EIC), Global Location Number (GLN/GS1).
6	Reporting entity ID	ID of the reporting entity.
7	Type of code used in field 6	ACER registration code, Legal Entity Identifier (LEI), Bank Identifier Code (BIC), Energy Identification Code (EIC), Global Location Number (GLN/GS1).
8	Beneficiary ID	If the beneficiary of the contract as referred in Article 8(1) of Regulation (EU) No 1227/2011 is counterparty to this contract the field is to be left blank. If the beneficiary of the contract is not counterparty to this contract the reporting counterparty has to identify the beneficiary by a unique code.
9	Type of code used in field 8	ACER registration code, Legal Entity Identifier (LEI), Bank Identifier Code (BIC), Energy Identification Code (EIC), Global Location Number (GLN/GS1).
10	Trading capacity of the market participant or counterparty in field 1	Identifies whether the reporting counterparty has concluded the contract as principal on own account (on own behalf or behalf of a client) or as agent for the account of and on behalf of a client.
11	Buy/sell indicator	Identifies whether the contract was a buy or sell for the market participant or counterparty identified in field 1.
12	Initiator/Aggressor	When the trade is executed on an electronic or voice assisted broker platform, the initiator is the party who first placed the firm order in the market and the aggressor is the party that initiates the transaction.

Field No	Field Identifier	Description
		Order details
13	Order ID	The order shall be identified by using a unique code identifier provided by the market place or counterparties.
14	Order type	The type of order as defined by the functionality offered by the organised market place.
15	Order condition	A special condition for the order to execute.
16	Order status	The status of the order, for example if order is active or deactivated.
17	Minimum execution volume	Minimum Execution Volume — The quantity/volume of any defined minimum execution.
18	Price limit	The defined price of the limit for the trigger or stop loss order.
19	Undisclosed volume	The volume that is not disclosed to the market for the order.
20	Order duration	The order duration is the time for which the order exists within the system until it is removed/cancelled unless it is executed.
		Contract details
21	Contract ID	The contract shall be identified by using a unique code identifier provided by the market place or counterparties.
22	Contract name	The name of the contract as identified by the organised market place.
23	Contract type	The type of the contract.
24	Energy commodity	The classification of the energy commodity.
25	Fixing index or reference price	Fixing index that sets the price for the contract or the reference price for derivatives.
26	Settlement method	Whether the contract is settled physically, in cash, optional or other.
27	Organised market place ID/OTC	In case the market participant uses an organised market place to execute the contract, this organised market place shall be identified by a unique code.
28	Contract trading hours	The trading hours of the contract.
29	Last trading date and time	The last trading date and time for the reported contract.
		Transaction details
30	Transaction timestamp	The date and time of the contract execution or order submission, or their modification, cancellation or termination.
31	Unique transaction ID	Unique identifier for a transaction as assigned by the organised market place of execution, or by the two market participants in case of bilateral contracts to match the two sides of a transaction.

Field No	Field Identifier	Description
32	Linked transaction ID	The linked transaction identifier must identify the contract that is associated with the execution.
33	Linked order ID	The linked order identifier must identify the order that is associated with the execution.
34	Voice-brokered	Indicates whether the transaction was voice brokered, 'Y' if it was, left blank if it was not.
35	Price	The price per unit.
36	Index value	The value of the fixing index.
37	Price currency	The manner in which the price is expressed.
38	Notional amount	Value of the contract.
39	Notional currency	The currency of the notional amount.
40	Quantity/Volume	Total number of units included in the contract or order.
41	Total notional contract quantity	The total number of units of the wholesale energy product.
42	Quantity unit for field 40 and 41	The unit of measurement used for fields 40 and 41.
43	Termination date	Termination date of the reported contract. If not different from delivery end date, this field shall be left blank.
		Option details
44	Option style	Indicates whether the option may be exercised only at a fixed date (European and Asian style), a series of pre-specified dates (Bermudan) or at any time during the life of the contract (American style).
45	Option type	Indicates whether the option is a call, put or other.
46	Option exercise date	The date or dates when the option is exercised. If more than one, further fields may be used.
47	Option strike price	The strike price of the option.
		Delivery profile
48	Delivery point or zone	EIC code(s) for the delivery point(s) or market area(s).
49	Delivery start date	Start date of delivery.
50	Delivery end date	End date of delivery.
51	Duration	The duration of the delivery period.
52	Load type	Identification of the delivery profile (base load, peak load, off-peak, block of hours or other)
53	Days of the week	The days of the week of the delivery

Field No	Field Identifier	Description
54	Load delivery Intervals	Time interval for each block or shape.
55	Delivery capacity	The number of units included in the transaction, per delivery time interval.
56	Quantity unit used in field 55	The unit of measurement used.
57	Price/time interval quantity	If applicable price per quantity per delivery time interval.
		Lifecycle information
58	Action type	When the report contains: <ul style="list-style-type: none"> — a contract or an order to trade for the first time, it will be identified as 'new'; — a modification of details of a previous report, it will be identified as 'modify'; — a cancellation of a wrongly submitted report, it will be identified as 'error'; — a termination of an existing contract or order to trade, it will be identified as 'cancel';

Table 2

**Reportable details of non-standard contracts for the supply of electricity and gas
(Non-standard reporting form)**

Field No.	Field Identifier	Description
		Parties to the contract
1	ID of the market participant or counterparty	The market participant or counterparty on whose behalf the record of transaction is reported shall be identified by a unique code.
2	Type of code used in field 1	ACER registration code, Legal Entity Identifier (LEI), Bank Identifier Code (BIC), Energy Identification Code (EIC), Global Location Number (GLN/GS1)
3	ID of the other market participant or counterparty	Unique identifier for the other counterparty of the contract.
4	Type of code used in field 3	ACER registration code, Legal Entity Identifier (LEI), Bank Identifier Code (BIC), Energy Identification Code (EIC), Global Location Number (GLN/GS1)
5	Reporting entity ID	ID of the reporting entity.
6	Type of code used in field 5	ACER registration code, Legal Entity Identifier (LEI), Bank Identifier Code (BIC), Energy Identification Code (EIC), Global Location Number (GLN/GS1)
7	Beneficiary ID	If the beneficiary of the contract as referred in Article 8(1) of Regulation (EU) No 1227/2011 is counterparty to this contract the field is to be left blank. If the beneficiary of the contract is not counterparty to this contract the reporting counterparty has to identify the beneficiary by a unique code.

Field No.	Field Identifier	Description
8	Type of code used in field 7	ACER registration code, Legal Entity Identifier (LEI), Bank Identifier Code (BIC), Energy Identification Code (EIC), Global Location Number (GLN/GS1)
9	Trading capacity of the market participant or counterparty in field 1	Identifies whether the reporting counterparty has concluded the contract as principal on own account (on own behalf or behalf of a client) or as agent for the account of and on behalf of a client.
10	Buy/sell indicator	Identifies whether the contract was a buy or sell for the market participant or counterparty identified in field 1.
		Contract details
11	Contract ID	Unique identifier for the contract as assigned by the two market participants.
12	Contract date	The date the contract was agreed or its modification, cancellation or termination.
13	Contract type	The type of contract.
14	Energy commodity	The classification of the energy commodity for the agreed contract.
15	Price or price formula	Fixed price or price formula used in the contract.
16	Estimated notional amount	Estimated notional amount of the contract (if applicable).
17	Notional currency	The currency of the estimated notional amount.
18	Total notional contract quantity	The estimated total number of units of the wholesale energy product. This is a calculated figure.
19	Volume optionality capacity	The number of units included in the contract, per delivery time interval if available.
20	Notional quantity unit	The unit of measurement used in fields 18 and 19.
21	Volume optionality	The volume classification.
22	Volume optionality frequency	The frequency of the volume optionality: e.g. daily, weekly, monthly, seasonal, annual or other, if available.
23	Volume optionality intervals	Time interval for each volume optionality if available.
		Fixing index details
24	Type of index price	Price classified as fixed, simple index (single underlying) or complex price formula (multiple underlying).
25	Fixing index	List of indices determining the price in the contract. For each Index specify the name. In case of a basket of indices for which no unique identifier exist the basket or the index shall be indicated.
26	Fixing index types	Spot, forward, swap, spread, etc.

Field No.	Field Identifier	Description
27	Fixing index sources	For each index specify the publication source. In case of basket of indices for which no unique identifier exist the basket or the index shall be indicated.
28	First fixing date	First fixing date determined by the earliest date of all the fixings.
29	Last fixing date	Last fixing date determined by the latest date of all the fixings.
30	Fixing frequency	The frequency the fixing: e.g. daily, weekly, monthly, seasonal, annual or other.
31	Settlement method	Whether the contract is settled physically, in cash, both, optional or other.
		Option details
32	Option style	Indicates whether the option may be exercised at a fixed date (European and Asian style), a series of pre-defined dates (Bermudan) or at any time during the life of the contract (American).
33	Option type	Indicates whether the option is a call, put or other.
34	Option first exercise date	First exercise date determined by the earliest date of all the exercises.
35	Option last exercise date	Last exercise date determined by the latest date of all the exercises.
36	Option exercise frequency	The frequency of the Volume optionality: e.g. daily, weekly, monthly, seasonal, annual or other.
37	Option strike index	For each Index specify the name. In case of a basket of indices for which no unique identifier exist the basket or the index shall be indicated.
38	Option strike index type	Spot, forward, swap, spread, etc.
39	Option strike index source	For each index specify the fixing type. In case of a basket of indices for which no unique identifier exist the basket or the index shall be indicated.
40	Option strike price	The strike price of the option.
		Delivery profile
41	Delivery point or zone	EIC code(s) for the delivery point(s) or market area(s).
42	Delivery start date	Start date and time of delivery. For physically delivered contracts this would be the delivery start date of the contract.
43	Delivery end date	End date and time of delivery. For physically delivered contracts this would be the end delivery date of the contract.
44	Load type	Identification of the delivery profile (base load, peak load, off-peak, block of hours or other).

Field No.	Field Identifier	Description
		Life cycle information
45	Action type	<p>When the report contains:</p> <ul style="list-style-type: none"> — a contract reported for the first time, it will be identified as 'new'; — a modification of details of a previously reported contract, it will be identified as 'modify'; — a cancellation of a wrongly submitted report, it will be identified as 'error'; — a termination of an existing contract, it will be identified as 'cancel'.

Table 3

Reportable details of wholesale energy products in relation to the transportation of electricity — Primary allocation results and result of secondary market resale and transfer of long term transmission rights in electricity

Field No	Field identifier	Description
		Common data for total primary allocation results and secondary market resale and transfer rights and bid document
1.	Document identification	Unique identification of the document for which the time series data is being supplied.
2.	Document version	Version of the document being sent. A document may be sent several times, each transmission being identified by a different version number that starts at 1 and increases sequentially.
3.	Document type	The coded type of the document being sent.
4.	Sender identification	Identification of the party that is the sender of the document and is responsible for its content (EIC code).
5.	Sender role	Identification of the role that is played by the sender, e.g. TSO other reporting entity.
6.	Receiver identification	Identification of the party who is receiving the document.
7.	Receiver role	Identification of the role played by the receiver.
8.	Creation date and time	Date and time of the creation of the document, e.g. when the TSO or other reporting entity sends the transaction to the Agency.
9.	Bid time interval/applicable time interval	The beginning and ending date and time of the period covered by the document.
10	Domain	The domain covered within the document.
11.	Document status (if applicable)	Identifies the status of the document.
		Capacity allocation time series (for primary allocation)
12.	Time series identification	The identification that uniquely identifies the time series.
13.	Bid document identification	The identification of the document in which the bids or resale references are contained.

Field No	Field identifier	Description
14.	Bid document version	Version of the bid or resale document having been sent.
15.	Bid identification	The identification of the time series that was used in the original bid or resale. This is the unique number that is assigned by the bidder when they made their original bid or resale. Left blank if not applicable.
16.	Bidding party	Identification of the market participant who bid for the capacity or resold capacity (EIC X Code).
17.	Auction identification	The identification linking the allocation to a set of specifications created by the auction operator.
18.	Business type	Identifies the nature of the time series.
19.	In area	The area where the energy is to be delivered (EIC Y Code).
20.	Out area	The area where the energy is coming from (EIC Y Code).
21.	Contract type	The contract type defines the conditions under which the capacity was allocated and handled, e.g. daily auction, weekly auction, monthly auction, yearly auction, long term contract, etc.
22.	Contract identification	The contract identification of the time series instance. This must be a unique number that is assigned by the auction operator and shall be used for all references to the allocation.
23.	Measure unit quantity	The unit of measure in which the quantity in the time series is expressed.
24.	Currency (if applicable)	The currency in which the monetary amount is expressed.
25.	Measure unit price (if applicable)	The unit of measure in which the price in the time series is expressed.
26.	Curve type(if applicable)	Describes the type of the curve that is being provided for the time series in question, e.g. variable sized block or fixed sized block or point.
27.	Classification category (if applicable)	The category of the product as defined by the market rules.
		No-Bid auction time series (for primary allocation)
28.	Identification	The identification of a time series instance.
29.	Auction identification	The identification of the auction where no bids have been received.
30.	Classification category (if applicable)	The category of the product as defined by the market rules.
		Secondary rights time series (for secondary rights)
31.	Time series identification	The identification of the time series instance. This must be a unique number that is assigned by the sender for each time series in the document.

Field No	Field identifier	Description
32.	Business type	Identifies the nature of the time series, e.g. capacity rights, capacity transfer notification, etc.
33.	In area	The area where the energy is to be delivered (EIC Y Code).
34.	Out area	The area where the energy is coming from (EIC Y Code).
35.	Rights holder	Identification of the market participant who is owner of, or has the right to use, the transmission rights in question (EIC X Code).
36.	Transferee party (if applicable)	Identification of the market participant to whom the rights are being transferred or the interconnection trade responsible designated by the transferor (as designated in the rights holder attribute) to use the rights (EIC X code).
37.	Contract identification	The contract identification of the time series instance. This must be the number that has been assigned by the transmission capacity allocator e.g. TSO or auction operator, or allocation platform.
38.	Contract type	The contract type defines the conditions under which the rights were allocated and handled, e.g. daily auction, weekly auction, monthly auction, yearly auction, etc.
39.	Previous contract identification (if applicable)	The identification of a previous contract used to identify the transfer rights.
40.	Measure unit quantity	The unit of measure in which the quantity in the time series is expressed.
41.	Auction identification (if applicable)	The identification linking the capacity rights to a set of specifications created by the transmission capacity allocator e.g. TSO or auction operator or allocation platform.
42.	Currency (if applicable)	The currency in which the monetary amount is expressed.
43.	Measure unit price (if applicable)	The unit of measure in which the price in the time series is expressed.
44.	Curve type (if applicable)	Describes the type of the curve that is being provided for the time series in question, e.g. variable sized block or fixed sized block or point.
		Period for primary allocation and secondary processes
45.	Time interval	This information provides the date and time of the start and end of the reported period.
46.	Resolution	The resolution defining the number of periods that the time interval is divided (ISO 8601).
		Interval for primary allocation and secondary processes
47.	Position	The relative position of a period within an interval.
48.	Quantity	The quantity that has been allocated in the primary auction. The quantity that has been assigned to the nomination party for secondary rights.

Field No	Field identifier	Description
49.	Price amount (if applicable)	The price expressed for each unit of quantity allocated through the primary allocation. The price expressed for each unit of quantity resold or transferred on the secondary market if applicable.
50.	Bid quantity (if applicable)	The quantity that was in the original bid document.
51.	Bid price amount (if applicable)	The original price expressed in the original bid or resale for each unit of quantity requested.
		Reason for primary allocation and secondary processes
52.	Reason code (if applicable)	A code providing the status of the allocation or the rights.
53.	Reason text (if applicable)	Textual explanation of the reason code.
		Bid header document and bid document fields for organised market places (applicable for secondary trading)
54.	Subject party	The market participant for whom the bid is being submitted (EIC code).
55.	Subject role	The role of the subject party.
56.	Divisible	An indication whether or not each element of the bid may be partially accepted or not.
57.	Linked bids identification (if applicable)	Unique identification associated with all linked bids.
58.	Block bid	An indication that the values in the period constitute a block bid and that they cannot be changed.

Table 4

Reportable details of wholesale energy products in relation to the transportation of gas — Primary and secondary capacity allocations for gas

Field No	Field identifier	Description
		Common data for primary and secondary allocation processes
1.	Sender identification	Identification of the party that is the owner of the document and is responsible of its content.
2.	Organised market place identification	Identification of organised market place.
3.	Process identification	The identification of the auction or other process as defined by the capacity allocating entity.
4.	Type of gas	Identifies the type of gas.
5.	Transportation transaction identification	A uniquely assigned identification number for the capacity allocation as assigned by the organized market place or TSO.
6.	Creation date and time	Creation date and time of the transaction.

Field No	Field identifier	Description
7.	Auction open date/time	The date and time when an auction opens for bidding.
8.	Auction end date/time	The date and time when an auction closes.
9.	Transportation transaction Type	The type identifies the nature of transportation transaction to be reported in accordance with current applicable industry standards as specified by gas network code on Interoperability and data exchange.
10.	Start date and time	Date and time of the start of the transportation transaction runtime.
11.	End date and time	Date and time of the end of the transportation transaction runtime.
12.	Offered capacity	The quantity of capacity available in the auction expressed in the measure unit. Only relevant for bidding behaviour monitoring.
13.	Capacity category	Applicable capacity category.
		Data for lifecycle reporting
14.	Action type	Status code of the report to be reported in accordance with current applicable industry standards as specified in gas network code on Interoperability and data exchange.
		Data for quantity and price reporting
15.	Quantity	Total number of units allocated with the transportation transaction as expressed in the measure unit.
16.	Measure unit	The unit of measurement used.
17.	Currency	The currency in which the monetary amount is expressed.
18.	Total price	Reserve price at time of the auction plus auction premium or regulated tariff in case of other allocation mechanism than auction.
19.	Fixed or floating reserve price	Identification of the type of the reserve price.
20.	Reserve price	The identification of the reserve price for the auction.
21.	Premium price	The identification of the premium price for the auction.
		Data for identification of location and market participant
22.	Network point identification	Within a network system according to the EIC code.
23.	Bundling	Specification of bundling.
24.	Direction	Specification of direction.
25.	TSO 1 identification	The identification of the TSO for which the data reporting is made.
26.	TSO 2 identification	The identification of the counter TSO.
27.	Market participant identification	The market participant to which the capacity is assigned.

Field No	Field identifier	Description
28.	Balancing group or portfolio code	The balancing group (or balancing groups in case of bundled products) to which the shipper belongs or the portfolio code used by the shipper if a balancing group is not applicable.
		Data applicable only for secondary allocations
29.	Procedure applicable	Specification of procedure applicable.
30.	Maximum bid amount	The maximum the transferee would be willing to offer, expressed in the currency per measure unit.
31.	Minimum bid amount	The minimum the transferor would be willing to offer, expressed in the currency per measure unit.
32.	Maximum quantity	The maximum the transferee/transferor would be willing to acquire/sell on creating the trade proposal.
33.	Minimum quantity	The minimum the transferee/transferor would be willing to acquire/sell on creating the trade proposal.
34.	Price paid to TSO (Underlying price)	Only applicable when there is an assignment expressed in the currency per measure unit which must be kWh/h.
35.	Price the transferee pays to the transferor	Price the transferee pays to the transferor expressed in the currency per measure unit which must be kWh/h.
36.	Transferor identification	The market participant giving up the capacity.
37.	Transferee identification	The market participant receiving the capacity.
		Data fields applicable only for orders placed at auctions for primary allocations
38.	Bid ID	Numerical identifier of the bid as assigned by the reporting entity.
39.	Auction round number	An integer that increments every time an auction achieves no result and is re-run with different parameters — starting at 1. To be left blank in case of auctions without binding rounds, e.g. day-ahead auctions.
40.	Bid price	The price bid for each unit of capacity excluding the reserve price. Expressed in the currency and measure unit.
41.	Bid quantity	The quantity being bid for expressed in the measure unit.

COMMISSION IMPLEMENTING REGULATION (EU) No 1349/2014**of 17 December 2014****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾,Having regard to Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors ⁽²⁾, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.
- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex to this Regulation.

*Article 2*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 17 December 2014.

*For the Commission,
On behalf of the President,
Jerzy PLEWA*

Director-General for Agriculture and Rural Development

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	AL	66,4
	IL	88,5
	MA	85,2
	TN	139,2
	TR	109,7
	ZZ	97,8
0707 00 05	EG	191,6
	TR	140,4
	ZZ	166,0
0709 93 10	MA	80,0
	TR	136,0
	ZZ	108,0
0805 10 20	AR	35,3
	MA	68,6
	TR	59,8
	UY	32,9
	ZA	42,9
	ZW	33,9
	ZZ	45,6
0805 20 10	MA	57,0
	ZZ	57,0
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	IL	93,2
	MA	75,3
	TR	75,4
	ZZ	81,3
	ZZ	77,3
0805 50 10	TR	77,3
	ZZ	77,3
0808 10 80	BR	56,9
	CL	80,2
	NZ	90,6
	US	93,2
	ZA	143,5
	ZZ	92,9
	ZZ	97,9
0808 30 90	CN	97,9
	TR	174,9
	ZZ	136,4

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EU) No 1106/2012 of 27 November 2012 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards the update of the nomenclature of countries and territories (OJ L 328, 28.11.2012, p. 7). Code 'ZZ' stands for 'of other origin'.

DECISIONS

COUNCIL IMPLEMENTING DECISION

of 9 December 2014

amending Implementing Decision 2013/463/EU on approving the macroeconomic adjustment programme for Cyprus

(2014/919/EU)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Regulation (EU) No 472/2013 of the European Parliament and of the Council of 21 May 2013 on the strengthening of economic and budgetary surveillance of Member States in the euro area experiencing or threatened with serious difficulties with respect to their financial stability ⁽¹⁾, and in particular Article 7(2) and (5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Regulation (EU) No 472/2013 applies to Member States already in receipt of financial assistance, including those from the European Stability Mechanism (ESM), at the time of its entry into force.
- (2) Regulation (EU) No 472/2013 sets the rules for the approval of the macroeconomic adjustment programme for Member States in receipt of financial assistance. Those rules need to be consistent with the provisions of the Treaty Establishing the European Stability Mechanism (TESM).
- (3) Upon a request by Cyprus on 25 June 2012 for financial assistance from the ESM, the Council decided on 25 April 2013 by Council Decision 2013/236/EU ⁽²⁾ that Cyprus was to rigorously implement a macroeconomic adjustment programme.
- (4) On 24 April 2013 the ESM Board of Governors decided to grant, in principle, stability support to Cyprus and approved the Memorandum of Understanding on Specific Economic Policy Conditionality and its signing by the Commission on behalf of the ESM.
- (5) In accordance with Article 1(2) of Decision 2013/236/EU, the Commission, in liaison with the European Central Bank (ECB), and, where appropriate, with the International Monetary Fund (IMF), conducted the fifth review to assess the progress of the implementation of the agreed measures, as well as their effectiveness and economic and social impact. As a consequence of this review, an update was made to the existing macroeconomic adjustment programme, reflecting the steps taken by the Cypriot authorities by the second quarter of 2014.
- (6) Following the entry into force of Regulation (EU) No 472/2013, the macroeconomic adjustment programme was adopted in the form of a Council Implementing Decision. For reasons of legal clarity and legal certainty, the programme was readopted on the basis of Article 7(2) of Regulation (EU) No 472/2013. The substance of the programme remained identical to the one approved by Decision 2013/236/EU, but also incorporated the results of the review carried out in accordance with Article 1(2) of Decision 2013/236/EU. At the same time, Council Decision 2013/236/EU was repealed.

⁽¹⁾ OJ L 140, 27.5.2013, p. 1.

⁽²⁾ Council Decision 2013/236/EU of 25 April 2013 addressed to Cyprus on specific measures to restore financial stability and sustainable growth (OJ L 141, 28.5.2013, p. 32).

- (7) Council Implementing Decision 2013/463/EU ⁽¹⁾ was already amended by Council Implementing Decision 2014/169/EU ⁽²⁾. In light of the latest developments, it should be amended again.
- (8) The Commission, in liaison with the ECB and the IMF, has conducted the fifth review to assess the progress of the implementation of the agreed measures, as well as their effectiveness and economic and social impact. As a result, changes should be made in the areas of financial sector reform, fiscal policy and structural reforms, in particular with regard to: (i) providing an updated plan for the gradual relaxation of external restrictions, which the authorities commit to starting only after the successful completion of the comprehensive assessment and a smooth transition to the Single Supervisory Mechanism (SSM); (ii) further measures to strengthen the banks' management of non-performing loans; (iii) a requirement to conclude the follow-up on the 2013 audit regarding individual financial institutions, impose sanctions if applicable, and make the final decision public; (iv) the provision of further measures to improve the Cooperative Group's operational capacity; (v) the adoption by the Council of Ministers of the new comprehensive framework establishing appropriate corporate and personal insolvency procedures, as well as the adoption by the House of Representatives of the amendments to the legal framework in relation to foreclosures of mortgaged properties (those are two prior actions), with details on the required elements of those two new frameworks; (vi) a revision of the 2014 primary fiscal deficit target of no more than EUR 210 million (1,3 % of GDP) to reflect the fiscal performance in the first half of 2014, the submission of a proposal ensuring the fiscal neutrality of the welfare system reform and the achievement of the 2015 fiscal deficit target, while the primary surplus target for 2017 was revised down to 2,5 % of the GDP in order to smooth the fiscal adjustment over 2017-2018; (vii) the setting of further steps to operationalise the privatisation process in the Cyprus Ports Authority and the Electricity Authority of Cyprus; (viii) the appointment of the new Commissioners and the two Assistant Commissioners of the new tax department, the establishment of a common taxpayer database, and the adoption of necessary regulations to make the enhanced collection powers operational; (ix) the reform of immovable property taxation to be implemented in 2015; (x) the inclusion of further requirements to speed up the issuance of title deeds in the housing market; (xi) providing a draft action plan for the elimination of court backlogs, detailed statistics on backlogs and duration of proceedings, as well as establishing an administrative Court; (xii) the assessment of articles in the current law of the Cyprus Tourism Organisation that may hamper competition; and (xiii) a preliminary assessment of the technical and economic potential for further increasing electricity production by renewable energy sources and of the cost price of different sources of renewables compared to conventional primary energy sources, together with the inclusion of measures to improve the capacity and independence of the Cyprus Energy Regulatory Agency.
- (9) Throughout the implementation of Cyprus's comprehensive policy package, the Commission should provide additional policy advice and technical assistance in specific areas. A Member State subject to a macroeconomic adjustment programme experiencing insufficient administrative capacity is to seek technical assistance from the Commission, which may constitute, for that purpose, groups of experts.
- (10) The Cypriot authorities should seek the view, in accordance with current national rules and practices, of social partners and civil society organisations in the preparation, implementation, monitoring and evaluation of the macroeconomic adjustment programme,

HAS ADOPTED THIS DECISION:

Article 1

Article 2 of Implementing Decision 2013/463/EU is amended as follows:

(1) Paragraph 5 is replaced by the following:

'5. With a view to restoring the soundness of its financial sector, Cyprus shall continue to implement the restructuring of the banking and cooperative credit institution sectors, continue to strengthen supervision and regulation in the context of the ongoing transition to the SSM, undertake a reform of the debt restructuring framework, and gradually remove restrictive measures in line with its roadmap, while safeguarding financial stability.

⁽¹⁾ Council Implementing Decision 2013/463/EU of 13 September 2013 on approving the macroeconomic adjustment programme for Cyprus and repealing Decision 2013/236/EU (OJ L 250, 20.9.2013, p. 40).

⁽²⁾ Council Implementing Decision 2014/169/EU of 24 March 2014 amending Implementing Decision 2013/463/EU on approving the macroeconomic adjustment programme for Cyprus (OJ L 91, 27.3.2014, p. 40).

The programme shall provide for the following measures and outcomes:

- (a) ensuring that the liquidity situation of the banking sector shall be closely monitored. The temporary restrictions on the free movement of capital (inter alia, limits on payments and transfers) shall be closely monitored. The gradual relaxation of the external restrictive measures shall be consistent with financial sector stability and preserve comfortable liquidity buffers. The Cyprus Central Bank (CBC) will conduct on-site inspections of the implementation of the restrictions, and take appropriate supervisory actions, as needed. Further liberalisation of external restrictive measures will only be considered by the authorities after the successful completion of the comprehensive assessment and a smooth transition to the SSM. The goal is that controls shall remain in place only for as long as is strictly necessary to mitigate serious risks for the stability of the financial system. After the result of the comprehensive assessment, the roadmap for the gradual relaxation of restrictive measures will be updated and published. The funding and capital plans of domestic banks relying on central bank funding or receiving state aid shall realistically reflect the anticipated deleveraging in the banking sector, and reduce dependency on borrowing from the central bank, while avoiding asset fire sales and a credit crunch;
- (b) adapting the minimum capital requirements, taking into account the parameters of the balance sheet assessment and the Union-wide stress test;
- (c) ensuring that any restructuring plans shall be formally approved under State aid rules, before any State aid is provided. Banks with a capital shortfall may, if other measures do not suffice, ask for recapitalisation aid from the State in accordance with State aid procedures. Banks with restructuring plans shall report on the progress in their implementation of the plans;
- (d) ensuring that the credit register is created and operational;
- (e) taking into account the transition to the SSM, ensuring the full implementation of the regulatory framework with respect to loan origination, asset impairment and provisioning;
- (f) introducing mandatory disclosure requirements to ensure that banks regularly communicate to authorities and to markets on the progress in restructuring their operations;
- (g) ensuring the revision of the governance directive, which will specify, among others, the interaction between banks' internal audit units and bank supervisors;
- (h) strengthening the banks' governance, including by prohibiting lending to independent board members or their connected parties;
- (i) ensuring the necessary staff and amendments in light of the new responsibility taken on by the CBC, including by ensuring a separation between resolution and supervisory functions, the transposition into national law of the Single Rulebook, including Directive 2014/59/EU of the European Parliament and of the Council (*) and Directive 2014/49/EU of the European Parliament and of the Council (**);
- (j) strengthening the management of non-performing loans, taking into account the developments and timelines of the SSM. This notably includes: a revision of the Code of Conduct and of bank arrears management policies and practices; the monitoring restructuring targets set by the CBC; measures to allow lenders to obtain adequate financial information on the financial situation of borrowers, and to file for, obtain, and realise an attachment of financial assets and earnings of delinquent borrowers; measures to allow and facilitate the transfer by lenders to third parties of existing individual loans, together with all collateral and securities, without having to obtain the consent of the borrower;
- (k) easing constraints on the seizure of collateral. This shall accompany the preparation of legislation on the basis of a comprehensive reform framework establishing appropriate corporate and personal insolvency procedures, as well as ensuring the smooth and effective functioning of the revised foreclosure and insolvency frameworks. In addition, once reformed, the new private sector debt restructuring legal framework shall be reviewed and additional measures shall be defined as needed;
- (l) completing the harmonisation of the regulation and supervision of cooperative credit institutions with those of commercial banks;
- (m) ensuring the Cooperative Group provides for timely and complete implementation of the agreed restructuring plan and takes further measures to improve its operational capacity notably in the areas of arrears management, Management Information System, governance, and management capacity;

- (n) continuing to further strengthen the anti-money laundering framework and implementing an action plan ensuring the application of improved practices with regard to customer due diligence and entity transparency, in line with best practice.

(*) Directive 2014/59/EU of the European Parliament and of the Council of 15 May 2014 establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directive 82/891/EEC, and Directives 2001/24/EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, 2011/35/EU, 2012/30/EU and 2013/36/EU, and Regulations (EU) No 1093/2010 and (EU) No 648/2012, of the European Parliament and of the Council (OJ L 173, 12.6.2014, p. 190).

(**) Directive 2014/49/EU of the European Parliament and of the Council of 16 April 2014 on deposit guarantee schemes (OJ L 173, 12.6.2014, p. 149).

- (2) In Paragraph 8, point (e) is replaced by the following:

‘(e) adoption of a law to achieve a solid corporate governance system for State-owned and semi-public enterprises and implementation of a privatisation plan to help improve economic efficiency and restore debt sustainability;’.

- (3) Paragraph 13 is replaced by the following:

‘13. The pace of court case handling shall be improved and court backlogs shall be eliminated by the end of the programme. Cyprus shall take initiatives to strengthen the competitiveness of its tourism sector, by implementing a concrete action plan leading to the attainment of the quantified targets identified, inter alia, in the recently revised Tourism Strategy for 2011-2015, and by assessing Cyprus Tourism Organisation Law, namely those articles that may hamper competition in the tourism sector. Cyprus shall implement an aero-political strategy leading to the adaptation of Cyprus’s external aviation policy, taking into account EU external aviation and the EU aviation agreements, while ensuring sufficient air connectivity.’.

- (4) In paragraph 14, point (b) is replaced by the following:

‘(b) a comprehensive outline of the regulatory regime and market organisation for the restructured energy and gas sector, including a preliminary assessment of the potential for increasing electricity production by renewable energy sources; and’.

- (5) Paragraph 16 is replaced by the following:

‘16. When developing a comprehensive and coherent growth strategy, Cyprus shall take into account the ongoing public administration reform, the public financial management reform, other commitments in Cyprus’s macroeconomic adjustment programme and relevant Union initiatives taking into account the Partnership Agreement for the implementation of the European Structural and Investment Funds. The growth strategy will be developed, coordinated and enforced through the single body that will evolve out of the Task Force for Growth already established and will be anchored in the national institutional framework.’.

Article 2

This Decision is addressed to the Republic of Cyprus.

Done at Brussels, 9 December 2014.

For the Council

The President

P. C. PADOAN

COUNCIL DECISION 2014/920/CFSP
of 15 December 2014
appointing the Chairman of the Military Committee of the European Union

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 240 thereof,

Having regard to Council Decision 2001/79/CFSP of 22 January 2001 setting up the Military Committee of the European Union ⁽¹⁾,

Whereas:

- (1) Pursuant to Article 3(1) of Decision 2001/79/CFSP, the Chairman of the Military Committee of the European Union (the Military Committee) shall be appointed by the Council on the recommendation of the Military Committee meeting at the level of the Chiefs of Defence. According to Article 3(2) of Decision 2001/79/CFSP, the term of office of the Chairman of the Military Committee is three years, unless the Council decides otherwise.
- (2) On 23 January 2012, the Council appointed General Patrick DE ROUSIERS as Chairman of the Military Committee for a period of three years from 6 November 2012 ⁽²⁾.
- (3) At its meeting on 12-13 November 2014, the Military Committee meeting at the level of the Chiefs of Defence recommended that General Mikhail KOSTARAKOS be appointed Chairman of the Military Committee,

HAS ADOPTED THIS DECISION:

Article 1

General Mikhail KOSTARAKOS is hereby appointed Chairman of the Military Committee of the European Union for a period of three years from 6 November 2015.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 15 December 2014.

For the Council
The President
F. MOGHERINI

⁽¹⁾ OJ L 27, 30.1.2001, p. 4.

⁽²⁾ Council Decision 2012/34/CFSP of 23 January 2012 appointing the Chairman of the Military Committee of the European Union (OJ L 19, 24.1.2012, p. 21).

COUNCIL IMPLEMENTING DECISION**of 16 December 2014****authorising Croatia to apply a tax exemption to gas oil used to operate machinery in humanitarian demining in accordance with Article 19 of Directive 2003/96/EC**

(2014/921/EU)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Directive 2003/96/EC of 27 October 2003 restructuring the Community framework for the taxation of energy products and electricity ⁽¹⁾, and in particular Article 19 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) By letter of 8 April 2014, the Croatian authorities requested an authorisation decision which would allow Croatia to apply a tax exemption to gas oil used to operate machinery in humanitarian demining in accordance with Article 19 of Directive 2003/96/EC.
- (2) With the tax exemption it intends to apply, Croatia aims at speeding up the demining of the remaining mine contaminated areas in various regions. The measure would thus have immediate positive effects on human life and health in these regions.
- (3) The measure should be limited to accredited special-purpose machines designed and built specifically for clearing mined areas.
- (4) The measure should be limited to mine-contaminated areas in the territory of Croatia.
- (5) The measure should apply to all operators involved in humanitarian demining in Croatia, thus no economic advantage will be given to any particular operator involved.
- (6) Consequently, the measure is acceptable for the proper functioning of the internal market and for the need to ensure fair competition. The measure is compatible with the Union's health, environment, energy and transport policies.
- (7) It follows from Article 19(2) of Directive 2003/96/EC that each authorisation granted under that Article must be strictly limited in time. In order to provide economic operators concerned with a sufficient degree of certainty and enough time to conclude the process of demining of the contaminated areas, the authorisation should be granted for a period of six years.
- (8) This Decision is without prejudice to the application of the Union rules regarding State aid,

HAS ADOPTED THIS DECISION:

Article 1

Croatia is hereby authorised to exempt gas oil used to operate specialised machinery used in humanitarian demining on its territory from taxation. The measure shall be limited to accredited special-purpose machines designed and built specifically for clearing mined areas.

Article 2

This Decision shall take effect on the date of its notification.

It shall expire six years thereafter.

⁽¹⁾ OJ L 283, 31.10.2003, p. 51.

Article 3

This Decision is addressed to the Republic of Croatia.

Done at Brussels, 16 December 2014.

For the Council
The President
S. GOZI

COUNCIL DECISION 2014/922/CFSP**of 17 December 2014****amending and extending Decision 2010/279/CFSP on the European Union Police Mission in Afghanistan (EUPOL AFGHANISTAN)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 28, Article 42(4) and Article 43(2) thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 18 May 2010, the Council adopted Decision 2010/279/CFSP ⁽¹⁾ on the European Union Police Mission in Afghanistan (EUPOL AFGHANISTAN). That Decision expires on 31 December 2014.
- (2) Following the Strategic Review in February 2014, EUPOL AFGHANISTAN should be extended until 31 December 2016.
- (3) EUPOL AFGHANISTAN will be conducted in the context of a situation which may deteriorate and could impede the achievement of the objectives of the Union's external action as set out in Article 21 of the Treaty on European Union,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2010/279/CFSP is hereby amended as follows:

- (1) in Article 1, paragraph 1 is replaced by the following:

'1. The European Union Police Mission in Afghanistan ("EUPOL AFGHANISTAN" or the "Mission"), established by Joint Action 2007/369/CFSP, shall be extended as from 31 May 2010 until 31 December 2016.;

- (2) Article 2 is replaced by the following:

*'Article 2***Objectives**

EUPOL AFGHANISTAN shall support Afghan authorities in the further development towards an effective and accountable civilian police service that has developed efficient interactions with the wider justice sector and respect for human rights, including the rights of women. EUPOL AFGHANISTAN shall work on a gradual and sustainable transition, safeguarding achievements already made.;

- (3) Article 3 is amended as follows:

- (a) in paragraph 1, point (a) is replaced by the following:

'(a) assist the Government of Afghanistan in advancing the institutional reform of the Ministry of the Interior and in developing and coherently implementing policies and a strategy towards sustainable and effective civilian policing arrangements including gender mainstreaming, especially with regard to the Afghan Uniform (Civilian) Police and the Afghan Anti-Crime Police.;

- (b) in paragraph 1, point (b) is replaced by the following:

'(b) assist the Government of Afghanistan in further professionalising the Afghan National Police (ANP), in particular by supporting the sustainable recruitment, retention and integration of female police officers, the development of training infrastructure and by enhancing Afghan abilities to develop and deliver training.;

⁽¹⁾ Council Decision 2010/279/CFSP of 18 May 2010 on the European Union Police Mission in Afghanistan (EUPOL AFGHANISTAN) (OJ L 123, 19.5.2010, p. 4).

(c) in paragraph 1, point (d) is replaced by the following:

‘(d) improve cohesion and coordination among international actors and further work on strategy development on police reform, especially through the International Police Coordination Board (IPCB), in close coordination with the international community and through continued cooperation with key partners, including with the NATO-led Resolute Support Mission and other contributors.’;

(d) paragraph 3 is deleted;

(4) Article 4 is replaced by the following:

‘Article 4

Structure of the Mission

1. EUPOL AFGHANISTAN shall have its Headquarters in Kabul.

2. EUPOL AFGHANISTAN shall be structured in accordance with its planning documents.’;

(5) Article 6 is amended as follows:

(a) the following paragraph is inserted:

‘1a. The Head of Mission shall be the representative of EUPOL AFGHANISTAN in its area of responsibility. The Head of Mission may delegate management tasks relating to staff and financial matters to staff members of EUPOL Afghanistan under his overall responsibility.’;

(b) paragraph 4 is deleted;

(c) paragraph 8 is replaced by the following:

‘8. The Head of Mission shall ensure that EUPOL AFGHANISTAN works closely, coordinates and cooperates with the Government of Afghanistan and relevant international actors, as appropriate, including the NATO-led Resolute Support Mission, the United Nations Assistance Mission Afghanistan (UNAMA), and third States currently involved in police reform in Afghanistan.’;

(6) in Article 7, paragraph 5 is replaced by the following:

‘5. All staff shall carry out their duties and act in the interest of the Mission. All staff shall respect the security principles and minimum standards established by Council Decision 2013/488/EU (*).

(*) Council Decision 2013/488/EU of 23 September 2013 on the security rules for protecting EU classified information (OJ L 274, 15.10.2013, p. 1).’;

(7) in Article 8, paragraph 3 is replaced by the following:

‘3. The conditions of employment and the rights and obligations of international and local staff shall be laid down in the contracts to be concluded between EUPOL Afghanistan and the staff members concerned.’;

(8) in Article 11, paragraph 6 is replaced by the following:

‘6. The Head of Mission shall ensure the protection of EU classified information in accordance with Decision 2013/488/EU.’;

(9) the following Article is inserted:

‘Article 12b

Legal arrangements

EUPOL AFGHANISTAN shall have the capacity to procure services and supplies, enter into contracts and administrative arrangements, employ staff, hold bank accounts, acquire and dispose of assets and discharge its liabilities, and to be a party to legal proceedings, as required in order to implement this Decision.’;

(10) Article 13 is replaced by the following:

Article 13

Financial arrangements

1. The financial reference amount intended to cover the expenditure related to EUPOL AFGHANISTAN for the period from 31 May 2010 to 31 July 2011 shall be EUR 54 600 000.

The financial reference amount intended to cover the expenditure related to EUPOL AFGHANISTAN for the period from 1 August 2011 to 31 July 2012 shall be EUR 60 500 000.

The financial reference amount intended to cover the expenditure related to EUPOL AFGHANISTAN for the period from 1 August 2012 to 31 May 2013 shall be EUR 56 870 000.

The financial reference amount intended to cover the expenditure related to EUPOL AFGHANISTAN for the period from 1 June 2013 to 31 December 2014 shall be EUR 108 050 000.

The financial reference amount intended to cover the expenditure related to EUPOL AFGHANISTAN for the period from 1 January 2015 to 31 December 2015 shall be EUR 57 750 000.

2. All expenditure shall be managed in accordance with the rules and procedures applicable to the general budget of the Union. Participation of natural and legal persons in the award of procurement contracts by EUPOL AFGHANISTAN shall be open without limitations. Moreover, no rule of origin for the goods purchased by EUPOL AFGHANISTAN shall apply. Subject to the Commission's approval, the Mission may conclude technical arrangements with Member States, the host State, participating third States and other international actors regarding the provision of equipment, services and premises to EUPOL AFGHANISTAN.

3. EUPOL AFGHANISTAN shall be responsible for the implementation of the Mission's budget. For that purpose, EUPOL AFGHANISTAN shall sign an agreement with the Commission.

4. Without prejudice to the provisions on the status of EUPOL AFGHANISTAN and its personnel, EUPOL AFGHANISTAN shall be responsible for any claims and obligations arising from the implementation of the mandate, starting from 1 January 2015, with the exception of any claims relating to serious misconduct by the Head of Mission, for which the Head of Mission shall bear responsibility.

5. The implementation of the financial arrangements shall be without prejudice to the chain of command as provided for in Articles 5, 6 and 9 and the operational requirements of EUPOL Afghanistan, including compatibility of equipment and interoperability of its teams.

6. Expenditure shall be eligible from the date when the agreement referred to in paragraph 3 is signed.;

(11) the following Article is inserted:

Article 13a

Project Cell

1. EUPOL AFGHANISTAN shall have a Project Cell for identifying and implementing projects. EUPOL AFGHANISTAN shall, as appropriate, facilitate and provide advice on projects, implemented by Member States and third States, under their responsibility in areas related to EUPOL AFGHANISTAN and in support of its objectives.

2. Subject to paragraph 3, EUPOL AFGHANISTAN shall be authorised to seek recourse to financial contributions from Member States or third States to implement projects identified as supplementing in a consistent manner EUPOL AFGHANISTAN's other actions, if the projects are:

- provided for in the financial statement relating to this Decision; or
- integrated during the mandate by means of an amendment to the financial statement requested by the Head of Mission.

EUPOL AFGHANISTAN shall conclude an arrangement with those States, covering in particular the specific procedures for dealing with any complaint from third parties concerning damage caused as a result of acts or omissions by EUPOL AFGHANISTAN in the use of the funds provided by those States. Under no circumstances may the contributing States hold the Union or the HR liable for acts or omissions by EUPOL AFGHANISTAN in the use of the funds provided by those States.

3. Financial contributions from third States to the Project Cell shall be subject to acceptance by the PSC.;

(12) in Article 14, paragraphs 1 to 4 are replaced by the following:

‘1. The HR shall be authorised to release to NATO, or to the NATO-led Resolute Support Mission, EU classified information and documents generated for the purposes of the Mission, in accordance with Decision 2013/488/EU. Local technical arrangements shall be drawn up to facilitate this.

2. The HR shall be authorised to release to third States associated with this Decision, as appropriate and in accordance with the needs of the Mission, EU classified information and documents up to the level “CONFIDENTIEL UE” generated for the purposes of the Mission, in accordance with Decision 2013/488/EU.

3. The HR shall be authorised to release to UNAMA, as appropriate and in accordance with the operational needs of the Mission, EU classified information and documents up to the level “RESTREINT UE” generated for the purposes of the Mission, in accordance with Decision 2013/488/EU. Local arrangements shall be drawn up for that purpose.

4. In the event of a specific and immediate operational need, the HR shall also be authorised to release to the host State EU classified information and documents up to the level “RESTREINT UE” generated for the purposes of the Mission, in accordance with Decision 2013/488/EU. Arrangements between the HR and the competent authorities of the host State shall be drawn up for that purpose.’;

(13) Article 17 is replaced by the following:

Article 17

Entry into force and duration

This Decision shall enter into force on the date of its adoption.

It shall apply from 31 May 2010 until 31 December 2016.’.

Article 2

This Decision shall enter into force on the date of its adoption.

It shall apply from 1 January 2015.

Done at Brussels, 17 December 2014.

For the Council
The President
G. L. GALLETTI

COMMISSION IMPLEMENTING DECISION**of 12 December 2014****on setting up the Joint Institute for Very Long Baseline Interferometry as a European Research Infrastructure Consortium (JIV-ERIC)**

(2014/923/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 723/2009 of 25 June 2009 on the Community legal framework for a European Research Infrastructure Consortium (ERIC) ⁽¹⁾, and in particular point (a) of Article 6(1) thereof,

Whereas:

- (1) The French Republic, the Kingdom of the Netherlands, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland requested the Commission to set up the Joint Institute for Very Long Baseline Interferometry as a European Research Infrastructure Consortium (JIV-ERIC).
- (2) Those Member States have agreed that the Kingdom of the Netherlands will be the Host Member State of JIV-ERIC.
- (3) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 20 of Regulation (EC) No 723/2009,

HAS ADOPTED THIS DECISION:

Article 1

1. The Joint Institute for Very Long Baseline Interferometry as a European Research Infrastructure Consortium (JIV-ERIC) is hereby established.
2. The Statutes of JIV-ERIC are set out in the Annex. The Statutes shall be kept up to date and made publicly available on the website of JIV-ERIC and at its statutory seat.
3. The essential elements of the Statutes for which amendments shall require approval by the Commission in accordance with Article 11(1) of Regulation (EC) No 723/2009 are provided for in Articles 1, 2, 18, 20-25, 27 and 28.

*Article 2*This Decision shall enter into force on the third day following its publication in the *Official Journal of the European Union*.

Done at Brussels, 12 December 2014.

For the Commission
The President
Jean-Claude JUNCKER

⁽¹⁾ OJ L 206, 8.8.2009, p. 1.

ANNEX

PREAMBLE

RECOGNISING the longstanding organisation of the Joint Institute for Very Long Baseline Interferometry in Europe and the importance for the European Research Area it was agreed by the parties to transfer all operational activities from the Dutch national legal entity 'Stichting JIVE' into a legal entity under the Regulation (EC) No 723/2009 to be named 'JIV-ERIC'.

Whereas:

The European VLBI Network (EVN) is a longstanding consortium with flexibly expandable structure that offers an astronomical observing facility through joint observations of radio telescopes across Europe and other continents and which is used by a vital and globally distributed scientific community. The EVN has been proven to maintain very high standards and a very stable network for more than two decades.

Within the EVN, the Joint Institute for VLBI in Europe (JIVE) has been established in 1993 as a Dutch national legal entity (Stichting/Foundation) to implement central services and in particular the data processing (correlation) of the collected telescope data. It offers the users of the EVN support in proposing, processing and interpreting the observations of the EVN. It also provides feedback on the data quality delivered by the telescopes. JIVE provides the essential infrastructure for the joint observations of the EVN and other networks. JIVE has an active role in enhancing the capabilities of the EVN by developing new techniques, notably concerning the central processing and user services.

In this and other activities JIVE has acted as the representative of the EVN, in particular when carrying out EC programmes. The relationship of the JIVE infrastructure and EVN is addressed in the EVN Consortium Memorandum of Agreement (MoA) concluded in Berlin on 22 November 2002.

JIVE is currently legally framed in a Dutch Foundation. The ERIC is an appropriate legal entity to the science mission and ambitions of JIVE. The legal framework of a European Research Infrastructure Consortium (ERIC) is incorporated under the provisions of Regulation (EC) No 723/2009.

The establishment of JIV-ERIC will provide more sustainability to the longstanding collaboration of nationally established research institutes in the field of Very Long Baseline Interferometry. The VLBI-networks are critical and key technology for leading and future research infrastructures in radio astronomy.

The JIVE correlator is the core of the JIV-ERIC infrastructure. It is an essential central component to form the VLBI Research Infrastructure. JIV-ERIC shall continue the existing collaboration and contractual obligations with all the EVN-partners and structure and align this with the JIV-ERIC mission. JIV-ERIC will correlate any EVN projects. Additionally, JIV-ERIC will promote and implement the use of VLBI and other radio-astronomy techniques.

IT WAS AGREED among the founding Members to establish and implement JIV-ERIC in compliance with the following provisions.

CHAPTER 1

GENERAL PROVISIONS

*Article 1***Name, Seat and Working Language**

1. There shall be a European Research Infrastructure Consortium called Joint Institute for VLBI (Very Long Baseline Interferometry) hereinafter referred to as JIV-ERIC.
2. JIV-ERIC shall be a research infrastructure active in the JIV-ERIC member countries, as well as in observer countries and other countries where JIV-ERIC has established agreements in accordance with Article 8(1) of the Statutes.
3. JIV-ERIC shall have the legal form of a European Research Infrastructure Consortium (ERIC) incorporated under the provisions of Regulation (EC) No 723/2009 and be named 'JIV-ERIC'.

4. JIV-ERIC shall have its statutory seat in Dwingeloo, the Netherlands.
5. The working language of JIV-ERIC is English.

Article 2

Tasks and Activities

1. JIV-ERIC shall promote and implement the use of VLBI and other radio astronomical techniques. In particular JIV-ERIC shall operate and develop the data processor, often referred to as the correlator, and service the scientists that use EVN facilities. JIV-ERIC shall correlate all EVN projects, which are approved by the EVN Programme Committee and scheduled by the EVN Scheduler and indicated for correlation at JIV-ERIC on the EVN Block Schedule.
2. JIV-ERIC shall advance very long baseline interferometry between the telescopes of the partners of the EVN and other networks. JIV-ERIC shall organise and facilitate support for operating the EVN and other networks and other related activities in the field of radio astronomy necessary to achieve its aim.
3. JIV-ERIC shall operate on a non-economic basis. In order to further promote innovation as well as transfer of knowledge and technology, limited economic activities may be carried out as long as they do not jeopardise the core activities.

CHAPTER 2

MEMBERSHIP

Article 3

Membership and Representatives

1. The following entities may become Member of JIV-ERIC or Observer without voting rights:
 - (a) Member States;
 - (b) Associated countries;
 - (c) Third countries other than associated countries;
 - (d) Intergovernmental organisations.
2. Any Member or Observer may be represented by one public entity or one private entity with a public service mission, of its own choice and appointed according to its own rules and procedures.
3. The current JIV-ERIC Members, Observers and their representatives are listed in Annex 1. Annex 1 shall be updated by the Executive Director. The Members at the time of submission of the ERIC application shall be referred to as founding Members.

Article 4

Admission of Members

1. The terms for admission of new Members are the following:
 - (a) the admission of new Members shall require the approval of the Council;
 - (b) applicants shall submit a written application to the Chair of the Council;
 - (c) the application shall describe how the applicant will contribute to JIV-ERIC objectives and activities, fulfil its obligations and nominate an empowered legally entitled entity as representative.
2. The initial term for membership is five years.

*Article 5***Withdrawal of a Member, Termination of Membership**

1. No Member shall withdraw within the first five years of the establishment of JIV-ERIC unless the Membership has been entered into for a specified shorter period. After the first five years of the establishment of JIV-ERIC, a Member may withdraw at the end of a financial year following a request at least 12 months prior to the withdrawal.
2. A Member may withdraw should the Council decide to raise the annual contribution as specified in Annex 2. Notwithstanding Article 5(1), a Member wishing to withdraw may do so within six months after the proposal to raise the contribution is adopted by the Council.
3. The withdrawal shall become effective at the end of the financial year on the condition that the withdrawing Member has fulfilled its obligations.
4. The Council shall have the power to terminate the membership of a Member if the following conditions are met:
 - (a) the Member is in serious breach of one or more of its obligations under these Statutes;
 - (b) the Member has failed to rectify such breach within a period of six months after notification.

The Member shall be given the opportunity to contest the decision of termination and to present its position to the Council.

CHAPTER 3

OBSERVERS AND PARTICIPATING RESEARCH INSTITUTES*Article 6***Admission of Observers**

1. States and intergovernmental organisations that are willing to contribute to JIV-ERIC and have the intention to become Member, may apply for Observer status.
2. The terms for admission of Observers are the following:
 - (a) observers shall be admitted for an initial term of three years;
 - (b) the admission of Observers shall require the approval of the Council; and
 - (c) applications shall be made in writing to the Chair of the Council, and shall describe how the applicant shall collaborate towards the JIV-ERIC objectives and activities and nominate an empowered legally entitled entity as representative.
3. The Observer may apply for membership at any time.

*Article 7***Withdrawal of an Observer, Termination of observer status**

1. The initial term for Observer status is three years.
2. The withdrawal of an Observer shall become effective at the end of the financial year on the condition that the withdrawing Observer has fulfilled its obligations.
3. The Council shall have the power to terminate the Observer status of an Observer if the following conditions are met:
 - (a) the Observer is in serious breach of one or more of its obligations under these Statutes; and
 - (b) the Observer has failed to rectify such breach within a period of six months after notification.

The Observer shall be given the opportunity to contest the decision of termination and to present its position to the Council.

*Article 8***Participation by Research Institutes in JIV-ERIC**

1. JIV-ERIC may enter into a Collaboration Agreement with research institutes which operate a VLBI element or represent the national interest in the VLBI collaboration and are not in countries that are a Member or an Observer. The Collaboration Agreement shall establish the terms and conditions under which the national research institutes may join the JIV-ERIC infrastructure and commit to the tasks and activities set out in Article 2.
2. The Collaboration Agreement shall include the agreed contribution, the right to contribute data for processing at the central facilities of JIV-ERIC and the right to attend the Council meetings, the right to receive the agenda and attached documents and to express an opinion on the operational activities of JIV-ERIC in the Council meetings.
3. The Collaboration Agreement shall be concluded by the Executive Director of JIV-ERIC.
4. To settle the amount of the annual contribution of the research institutes the same principles as outlined in Annex 2 shall be taken as a guiding principle. Specifically this takes into account the annual operational effort towards the local element that participates in the VLBI infrastructure.

CHAPTER 4

RIGHTS AND OBLIGATIONS*Article 9***Rights and Obligations of Members**

1. Rights of Members include:
 - (a) to attend and vote at the Council;
 - (b) to participate in the development of long-term strategies and policies and in the decision making procedures concerning JIV-ERIC;Additional benefits of the Members include:
 - (c) to let their research community participate in JIV-ERIC events, such as summer schools, workshops, conferences, training courses at preferential rates, space permitting;
 - (d) to let their research community have access to support from JIV-ERIC in developing relevant systems, processes and services;
 - (e) the right to contribute data for processing at the central facilities of JIV-ERIC and to receive support from JIV-ERIC.
2. Each Member shall appoint two representatives; at least one of the representatives shall have scientific expertise and represent the research institutes that are providing resources to JIV-ERIC.
3. Each Member:
 - (a) shall pay contributions decided by the Council and described in Annex 2;
 - (b) shall empower one of its representatives with the full authority to vote on all subjects discussed during the Council meeting;
 - (c) may appoint or empower a local institute or infrastructure consortium for carrying out its obligations resulting from these Statutes.
4. In addition to the agreed contribution as referred to in Article 9(3)(a) other contributions may be provided by Members individually or jointly — in cooperation with other Members, Observers or third parties. Such contributions, in cash or in kind, shall be subject to approval by the Council.

*Article 10***Rights and Obligations of Observers**

1. Rights of Observers shall include the right:
 - (a) to attend the meeting of the Council without a right to vote;
 - (b) to express their opinion on the agenda of the Council;

- (c) to receive the agenda, including the attached documents;
 - (d) for the relevant scientific and technical community to participate in JIV-ERIC events.
2. Each Observer:
- (a) shall appoint two representatives, at least one of the representatives shall represent the nationally established institutes which provide resources to JIV-ERIC;
 - (b) shall set out the activities in the frame of their collaboration in furtherance of the JIV-ERIC objectives as referred to in Article 2;
 - (c) shall submit an annual statement to the Council to evaluate their collaboration towards the JIV-ERIC objectives;
 - (d) may empower its representative to carry out the obligations referred to under Article 10(2)(b).
3. In addition to the agreed collaboration towards the JIV-ERIC objectives as referred to in Article 10(2)(b), other contributions may be provided by Observers individually or jointly in cooperation with other Members, Observers or third parties. Such contributions, in cash or in kind, shall be subject to approval by the Council.

CHAPTER 5

GOVERNANCE

Article 11

Governance and Management

The governance structure of JIV-ERIC shall comprise the following organs:

- (a) the Council;
- (b) the Executive Director.

Article 12

Council

1. The Council shall be the governing body of JIV-ERIC and shall be composed of representatives of the Members and Observers of JIV-ERIC. Each Member shall have one vote. Each Member shall nominate one voting representative. Each delegation of Members and Observers may consist of up to two persons of whom at least one shall have relevant scientific expertise for JIV-ERIC (as referred to in Articles 9(2) and 10(2)). The hosting institute shall be represented within the delegation of the Hosting Member.
2. The Council shall provide standing invitations for bodies or representatives of the EVN and the participating research institutes (as referred to in Article 8(1)) and where the Council decides it is relevant.
3. The Council shall adopt Rules of Procedure within such time as is reasonably practical after JIV-ERIC is established, including the Rules of Procedure as referred to in Articles 23(1), 25(1) and 26(1).
4. The Council shall meet at least once a year, and shall be responsible in accordance with the provisions of these Statutes for the overall direction and supervision of JIV-ERIC.
5. The Council shall aim for scientific excellence of the VLBI infrastructure as well as the consistency, coherence and stability of the services of the relevant research institutes providing resources to JIV-ERIC.
6. The Council shall at least have the authority to:
 - (a) decide on the strategies for the development of JIV-ERIC;
 - (b) adopt the annual work programme as proposed by the Executive Director that includes the annual budget, with the appropriations for the JIV-ERIC Coordination and Support Office and common services, and an outline for the longer term strategy;
 - (c) decide at least every five years the contribution of the Members and the Observers, following the principles for calculating as set out in Annex 2;

- (d) adopt the annual report of JIV-ERIC, and approve the audited financial accounts;
 - (e) decide on the accession of a new Member or Observer;
 - (f) decide on the termination of a Membership or an Observer status;
 - (g) decide on proposals for amendments to the Statutes;
 - (h) appoint, suspend and dismiss the Executive Director;
 - (i) establish Subsidiary Bodies;
 - (j) describe the mandate and specific activities of the Executive Director and provide guidelines for the Executive Director to conclude a Collaboration Agreement as referred to in Article 8(3).
7. The Council shall be convened by the Chair with at least four weeks' notice, and the agenda shall be circulated at least fourteen days before the meeting. Members shall have the right to suggest matters for the agenda up to five days before the meeting. A meeting of the Council may be requested by at least 50 % of the Members.
8. The Council shall elect a Chair by 75 % majority of the votes. The Chair shall be elected for a two year term, renewable once.
9. The Council shall elect a Vice Chair by 75 % majority of the votes. The Vice Chair shall substitute the Chair in his/her absence and in case of conflict of interest. The Vice Chair shall be elected for a two year term, renewable once.

Article 13

Decision making of the Council

1. The Council shall not deliberate and decide validly unless a quorum of two-third of the Members is represented and present at the meeting.
2. On all decisions the Council shall use their best efforts to achieve consensus.
3. Failing consensus a simple majority of the votes cast shall be sufficient to pass a decision, except for decisions as mentioned in the Articles 12(8), 12(9), 13(4) and 13(5).
4. Decisions which require a majority of at least two-third of the votes cast, are decisions to:
 - (a) adopt or change the strategies for development of JIV-ERIC;
 - (b) terminate a Membership or Observer status;
 - (c) appoint, suspend or dismiss the Executive Director;
 - (d) establish Subsidiary Bodies;
 - (e) adopt or change Rules of Procedures;
 - (f) adopt and amend the annual work programme and annual budget.
5. Decisions which require unanimity of all JIV-ERIC Members present are decisions to:
 - (a) submit a proposal to the Commission to amend the Statutes;
 - (b) adopt and amend the principles for calculating the contribution as referred to in Annex 2;
 - (c) decide on the contributions to be paid by the Members and Observers;
 - (d) terminate JIV-ERIC.
6. Decisions referred to in Articles 13(4) and 13(5) may be taken only if all Members are informed on the proposed decisions at least two weeks in advance of the meeting. Amendments to the Statutes and to Annex 2, as referred to in Article 13(5)(a) and (b), may be taken only if all Members are informed of the exact wording of the amendment at least two months in advance of the meeting.
7. Any amendment of the Statutes shall be subject to the provisions laid down in Article 11 of Regulation (EC) No 723/2009.

*Article 14***Executive Director**

1. The Council shall appoint the Executive Director of JIV-ERIC for a term of five years, renewable. The Executive Director of JIV-ERIC shall be in charge of the scientific development of JIV-ERIC. The Executive Director shall be responsible for the implementation of the decisions of the Council and the day-to-day management of all operational activities of JIV-ERIC, including the Coordination and Support office activities and the development of the correlator.
2. The Executive Director shall be the legal representative of JIV-ERIC.
3. The Executive Director shall develop and submit for adoption by the Council the annual work programme as referred to in Article 12(6)(b).
4. Once the annual work programme is adopted by the Council, the Executive Director shall be in charge of the execution of the annual work programme, as referred to in Article 12(6)(b).
5. The Executive Director may establish a committee(s) to assist him/her in the implementation of the activities of JIV-ERIC.

*Article 15***JIV-ERIC Coordination and Support Office**

JIV-ERIC Coordination and Support Office shall be the central management office for the daily operations of JIV-ERIC. It supports the day-to-day management of JIV-ERIC, including assistance to the Council. It shall be set up and managed by the Executive Director.

CHAPTER 6

FINANCE & REPORTING TO THE EUROPEAN COMMISSION*Article 16***Budgetary principles and accounts**

1. JIV-ERIC funds may only be used for purposes as laid down under these Statutes.
2. JIV-ERIC shall administer its own assets in accordance with tax regulations. To achieve its objectives, JIV-ERIC may acquire, use and manage third party funds.
3. The financial year of JIV-ERIC shall begin on 1 January and shall end on 31 December of each year.
4. All items of revenue and expenditure of JIV-ERIC shall be included in estimates to be drawn up for each financial year and shall be shown in the annual budget. The annual budget shall be in compliance with commonly accepted principles of transparency.
5. The accounts of JIV-ERIC shall be accompanied by an audited report on budgetary and financial management of the financial year.
6. JIV-ERIC shall be subject to the requirements of the applicable law as regards preparation, filing, auditing and publication of accounts.
7. JIV-ERIC shall ensure that the appropriations are used in accordance with the principles of sound financial management.
8. JIV-ERIC shall record the costs and revenues of its economic activities separately.
9. The JIV-ERIC Coordination and Support Office shall be responsible for keeping an accurate account of all receipts and disbursements.

*Article 17***Reporting**

1. JIV-ERIC shall produce an annual activity report, containing in particular the scientific, operational and financial aspects of its activities. The report shall be approved by the Council and transmitted to the Commission and relevant public authorities within six months from the end of the corresponding financial year. This report shall be made publicly available.
2. JIV-ERIC shall inform the European Commission of any circumstances which threaten to seriously jeopardise the achievement of JIV-ERIC tasks or hinder JIV-ERIC from fulfilling requirements laid down in Regulation (EC) No 723/2009.

*Article 18***Liability**

1. JIV-ERIC shall be liable for its debts.
2. The Members' financial liability towards JIV-ERIC's debts shall be limited to each individual Member's annual contribution as specified in Annex 2.
3. JIV-ERIC shall take appropriate insurance to cover the risks specific to the construction and operation of JIV-ERIC.

CHAPTER 7

POLICIES*Article 19***Collaboration Agreements with Third Parties**

In cases where JIV-ERIC deems it beneficial, it may enter into a Collaboration Agreement with third parties, for example research institutes from countries that are not Members or Observers of JIV-ERIC.

*Article 20***Access Policies for Users**

1. JIV-ERIC shall strive to open access of the infrastructure within the limits and conditions of the access policies concerned.
2. According to the authorisation of the content providers and through an authentication approved by JIV-ERIC, data, tools and services offered by JIV-ERIC shall be open to the scientific community.
3. JIV-ERIC shall ensure that users agree to the terms and conditions governing access and that suitable security arrangements are in place regarding internal storage and handling of research data.
4. JIV-ERIC shall put in place well defined arrangements for investigating allegations of security breaches and confidentiality disclosures of research data.

*Article 21***Scientific evaluation policy**

1. In facilitating scientific research, JIV-ERIC shall adhere to principles of transparency and support a culture of 'best practices' as agreed and established by the collaboration with EVN.
2. Access to JIV-ERIC research facilities, observing and correlator time, shall be based on the scientific excellence and technical feasibility of project proposals, which shall be judged in peer reviews by independent experts, following the criteria and practices established in the EVN. Access to correlator time shall follow the allocation and scheduling of observing time.

*Article 22***Dissemination policy**

1. JIV-ERIC shall take all appropriate action to promote the infrastructure and its use in research and education.
2. JIV-ERIC shall encourage its users to make their research results publicly available and to make results available through JIV-ERIC.
3. JIV-ERIC shall establish a dissemination policy.

*Article 23***Intellectual Property Rights (IPR) Policy**

1. With regard to the IPR necessary and generated by research and development of the JIV-ERIC correlator, the principle of ownership is recognised, but it may be shared by all active participants contributing to the research for the benefit of the development of the JIV-ERIC correlator. Within JIV-ERIC an integrated approach of guidelines and contracts for intellectual property shall be adopted regarding the rights of national research institutes dedicating infrastructure to JIV-ERIC covering technology transfer and sharing of IPR, for which the Executive Director shall propose Rules of Procedure to the Council.
2. JIV-ERIC shall provide guidance (for instance via website) to researchers to ensure that research using material made accessible through JIV-ERIC is undertaken within a framework that recognises the property rights of data owners.

*Article 24***Employment policy, including equal opportunities**

JIV-ERIC is an equal opportunity employer and shall select the best candidate, regardless of background, nationality, religion or gender. Employment contracts shall follow the national law of the country in which staff is employed.

*Article 25***Procurement Policy and Tax Exemption**

1. JIV-ERIC shall treat procurement candidates and tenderers equally and in a non-discriminatory way, independent of whether or not they are based in the European Union. The JIV-ERIC procurement policy shall respect the principles of transparency, non-discrimination and competition. The Council shall adopt Rules of Procedure defining all necessary details on exact procurement procedures and criteria.
2. The Executive Director shall be responsible for JIV-ERIC procurement. Tenders shall be published on the JIV-ERIC website and in the Members' and Observers' territories. The decision to award procurement shall be published on the JIV-ERIC website and include a justification.
3. Procurement by individual Members and Observers concerning JIV-ERIC activities shall be done in such a way that due consideration is given to JIV-ERIC needs, technical requirements and specifications issued by the relevant bodies and shall follow the applicable national regulations.
4. Tax exemptions based on Article 143(1)(g) and 151(1)(b) of Council Directive 2006/112/EC ⁽¹⁾ and in accordance with Articles 50 and 51 of Council Implementing Regulation (EU) No 282/2011 ⁽²⁾ shall be limited to the value added tax for such goods and services which are for official use by JIV-ERIC, exceed the value of EUR 225, and are wholly paid and procured by JIV-ERIC. Procurement by individual Members shall not benefit from these exemptions. Without prejudice to Article 25(5) and (6), no further limits shall apply.
5. Tax exemptions shall apply to non-economic activities, not to economic activities.
6. VAT exemptions shall apply to goods and services for the scientific, technical and administrative operations undertaken by JIV-ERIC in line with its principle tasks. These include expenses for conferences, workshops and meetings directly linked to the official activities of JIV-ERIC but exclude travel and accommodation expenses.

⁽¹⁾ Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax (OJ L 347, 11.12.2006, p. 1).

⁽²⁾ Council Implementing Regulation (EU) No 282/2011 of 15 March 2011 laying down implementing measures for Directive 2006/112/EC on the common system of value added tax (OJ L 77, 23.3.2011, p. 1).

*Article 26***Data policy**

1. Generally Open Source and Open Access principles shall be favoured.

The Executive Director shall propose to the Council for approval Rules of Procedure for data policy in relation to users of JIV-ERIC infrastructure, in accordance with the EVN policies.

2. JIV-ERIC shall make all tools publicly accessible and provide adequate documentation.

CHAPTER 8

DURATION, WINDING UP, DISPUTES, SET UP PROVISIONS*Article 27***Duration**

JIV-ERIC shall be established for an indefinite period of time.

*Article 28***Winding up**

1. The winding up of JIV-ERIC shall follow a decision of the Council in accordance with Article 13(5)(d).
2. Without undue delay and in any event within ten calendar days after adoption of the decision to wind up JIV-ERIC, JIV-ERIC shall notify the European Commission thereof.
3. Assets remaining after payment of JIV-ERIC debts shall be apportioned among the Members in proportion to their accumulated annual contribution to JIV-ERIC as specified in Annex 2.
4. Without undue delay and in any event within 10 days of the closure of the winding up procedure, JIV-ERIC shall notify the European Commission thereof.
5. JIV-ERIC shall cease to exist on the day on which the European Commission publishes the appropriate notice in the *Official Journal of the European Union*.

*Article 29***Applicable Law**

JIV-ERIC shall be governed, by precedence:

- a) by Union law, in particular Regulation (EC) No 723/2009;
- b) by law of The Netherlands in case of a matter not covered or only partly covered by EU law;
- c) by these Statutes;
- d) by the Rules of Procedure.

*Article 30***Disputes**

1. The Court of Justice of the European Union shall have jurisdiction over litigation among the Members in relation to JIV-ERIC, between members and JIV-ERIC and over any litigation to which the Union is a party.
2. Union legislation on jurisdiction shall apply to disputes between JIV-ERIC and third parties. In cases not covered by EU legislation, the law of the Netherlands shall determine the competent jurisdiction for the resolution of such disputes.

(in EUR)

	2015	2016	2017	2018	2019
<i>Italy</i>	<i>210 000</i>				
<i>Spain</i>	<i>140 000</i>				
<i>South Africa</i>	<i>65 000</i>				

It is noted that Italy, Spain and South Africa are preparing for Membership and their contributions are listed in italics for completeness.

COMMISSION IMPLEMENTING DECISION**of 16 December 2014****providing for a derogation from certain provisions of Council Directive 2000/29/EC as regards wood and bark of ash (*Fraxinus L.*) originating in Canada and the United States of America***(notified under document C(2014) 9469)*

(2014/924/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community ⁽¹⁾, and in particular the first indent of Article 15(1) thereof,

Whereas:

- (1) In accordance with Article 5(1) of Directive 2000/29/EC in conjunction with points 2.3, 2.4 and 2.5 of Section I of Part A of Annex IV thereto, Member States shall ban the introduction into the Union of wood and bark of ash (*Fraxinus L.*) originating in Canada and the United States, unless they satisfy the special requirements set out in the second column of those points. Those points were last amended by Commission Implementing Directive 2014/78/EU ⁽²⁾.
- (2) Through letters dated 20 August 2014 and 9 September 2014, Canada requested a delay in the application of the points referred to in recital 1, to adapt its export certification systems to those requirements.
- (3) Through a letter dated 2 September 2014, the United States requested a delay in the application of the points referred to in recital 1, to adapt its export certification systems to those requirements.
- (4) Canada and the United States have an established history of compliance with conditions concerning wood and bark of ash (*Fraxinus L.*).
- (5) It is appropriate to authorise Member States to derogate from points 2.3, 2.4 and 2.5 of Section I of Part A of Annex IV to Directive 2000/29/EC temporarily with regard to the introduction into the Union of wood and bark of ash (*Fraxinus L.*), originating in Canada and the United States. That derogation should be subject to conditions ensuring that the respective phytosanitary risk is of an acceptable level.
- (6) Member States should swiftly notify the Commission and the other Member States of each consignment not complying with the conditions of this Decision, to ensure an effective overview of the situation and action, as appropriate, at Union level.
- (7) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

*Article 1***Authorisation to provide for derogation**

1. By way of derogation from Article 5(1) of Directive 2000/29/EC in conjunction with points 2.3, 2.4 and 2.5 of Section I of Part A of Annex IV to that Directive, Member States may authorise the introduction into their territory of wood and isolated bark of ash (*Fraxinus L.*), originating in Canada and the United States of America, which satisfy the conditions set out in the Annex to this Decision.

⁽¹⁾ OJ L 169, 10.7.2000, p. 1.

⁽²⁾ Commission Implementing Directive 2014/78/EU of 17 June 2014 amending Annexes I, II, III, IV and V to Council Directive 2000/29/EC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community (OJ L 183, 24.6.2014, p. 23).

2. By way of derogation from Article 5(1) of Directive 2000/29/EC in conjunction with point 2.5 of Section I of Part A of Annex IV to that Directive, Member States may authorise the introduction into their territory of objects made of bark of ash (*Fraxinus L.*), originating in Canada and the United States of America, which satisfy the conditions set out in point (4) of the Annex to this Decision.

Article 2

Phytosanitary certificate

The phytosanitary certificate, as set out in Article 13(1)(ii) of Directive 2000/29/EC, shall be issued in either Canada or the United States of America. It shall include under the 'Additional declaration' the following elements:

(a) a statement 'In accordance with EU requirements laid down in Commission Implementing Decision 2014/924/EU (*)

(*) OJ L 363, 18.12.2014, p. 170';

(b) where applicable, an indication of which condition is satisfied as set out in point (1), (2) or (3) of the Annex;

(c) where applicable, the name of the pest free area within the meaning of points (1), (2) or (3) of the Annex.

Article 3

Notification of non-compliance

Member States shall notify the Commission and the other Member States of each consignment not complying with the conditions set out in the Annex.

That notification shall take place no later than three working days after the date of the interception of such a consignment.

Article 4

Expiry date

This Decision shall expire on 31 December 2015.

Article 5

Addressees

This Decision is addressed to the Member States.

Done at Brussels, 16 December 2014.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

ANNEX

CONDITIONS AS REFERRED TO IN ARTICLE 1

The wood and isolated bark of ash (*Fraxinus L.*) referred to in Article 1(1) shall satisfy, as applicable, the conditions set out in point (1), (2) or (3). That wood and bark, as referred to in Article 1(1), and the other objects made of bark of ash (*Fraxinus L.*), as referred to in Article 1(2), shall satisfy point (4).

(1) Wood of ash (*Fraxinus L.*), whether or not listed among CN codes in Part B of Annex V to Directive 2000/29/EC, including wood which has not kept its natural round surface, shall satisfy either of the following conditions:

- (a) it originates in an area established by the national plant protection organisation in the country of export as being free from *Agrilus planipennis* Fairmaire in accordance with the relevant International Standards for Phytosanitary Measures; or
- (b) it is squared so as to remove entirely the round surface.

This point shall not apply to wood in the form of:

- (a) chips, obtained in whole or part from these trees,
- (b) wood packaging material, in the form of packing cases, boxes, crates, drums and similar packings, pallets, box pallets and other load boards, pallet collars, actually in use in the transport of objects of all kinds,
- (c) wood used to wedge or support non-wood cargo.

(2) Wood in the form of chips obtained in whole or part from ash (*Fraxinus L.*), whether or not listed among CN codes in Part B of Annex V to Directive 2000/29/EC, shall satisfy either of the following conditions:

- (a) it originates in an area established by the national plant protection organisation in the country of export as being free from *Agrilus planipennis* Fairmaire in accordance with the relevant International Standards for Phytosanitary Measures; or
- (b) it has been processed into pieces of not more than 2,5 cm thickness and width.

(3) Isolated bark of ash (*Fraxinus L.*) shall satisfy either of the following conditions:

- (a) it originates in an area established by the national plant protection organisation in the country of export as being free from *Agrilus planipennis* Fairmaire in accordance with the relevant International Standards for Phytosanitary Measures; or
- (b) it has been processed into pieces of not more than 2,5 cm thickness and width.

(4) Wood of ash (*Fraxinus L.*), wood in the form of chips obtained in whole or part from ash (*Fraxinus L.*) and isolated bark of ash (*Fraxinus L.*), as covered by point (1), (2) or (3), and other objects made of bark of ash (*Fraxinus L.*), as referred to in Article 1(2), shall have been subject to visual inspections, sampling and testing as appropriate to the properties of those plant products and other objects, to ensure that they are free from *Agrilus planipennis* Fairmaire in accordance with the International Standard for Phytosanitary Measures No 23 on guidelines for inspection ⁽¹⁾.

⁽¹⁾ ISPM 23. 2005. Guidelines for inspections. Rome, IPPC, FAO.

COMMISSION IMPLEMENTING DECISION**of 16 December 2014****approving certain amended programmes for the eradication, control and monitoring of animal diseases and zoonoses for the year 2014 and amending Implementing Decision 2013/722/EU as regards the Union financial contribution for certain programmes approved by that Decision***(notified under document C(2014) 9650)*

(2014/925/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Decision 2009/470/EC of 25 May 2009 on expenditure in the veterinary field ⁽¹⁾, and in particular Article 27(5) and (6) thereof,Having regard to Regulation (EU) No 652/2014 of the European Parliament and of the Council of 15 May 2014 laying down provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and reproductive material, amending Council Directives 98/56/EC, 2000/29/EC and 2008/90/EC, Regulations (EC) No 178/2002, (EC) No 882/2004 and (EC) No 396/2005 of the European Parliament and of the Council, Directive 2009/128/EC of the European Parliament and of the Council and Regulation (EC) No 1107/2009 of the European Parliament and of the Council and repealing Council Decisions 66/399/EEC, 76/894/EEC and 2009/470/EC ⁽²⁾, and in particular Article 45(1) thereof,

Whereas:

- (1) Article 45(1), second sentence of Regulation (EU) No 652/2014, provides that for programmes implemented in 2014, the relevant provisions of Article 27 of Decision 2009/470/EC continue to apply. Decision 2009/470/EC lays down the procedures governing the Union financial contribution for programmes for the eradication, control and monitoring of animal diseases and zoonoses.
- (2) Commission Decision 2008/341/EC ⁽³⁾ provides that, in order to be approved under the Union financial measure provided for in Article 27(1) of Decision 2009/470/EC, programmes submitted by the Member States to the Commission for the eradication, control and monitoring of the animal diseases and zoonoses listed in Annex I to that Decision are required to meet, at least, the criteria set out in the Annex to Decision 2008/341/EC.
- (3) Commission Implementing Decision 2013/722/EU ⁽⁴⁾ approves certain national programmes for the year 2014 and sets out the rate and maximum amount of the Union financial contribution for each programme submitted by the Member States.
- (4) Implementing Decision 2013/722/EU also defines the measures that are eligible for a Union financial contribution. However, the Commission informed the Member States in writing that certain measures will only be eligible if the activities carried out have been properly implemented. That was the case for the bovine tuberculosis eradication programme approved for Ireland, where the cost of the tuberculin skin test was not deemed eligible due to the unsatisfactory results obtained in previous years.
- (5) Following progress made by the competent authorities of Ireland in the implementation of the bovine tuberculosis eradication programme, as acknowledged by the experts of the tuberculosis task force, the tuberculin skin test is approved for Union financial contribution, in line with the originally submitted programme.
- (6) Portugal has submitted an amended programme for the eradication and monitoring of bluetongue. Hungary has submitted an amended programme for the eradication of rabies. Denmark has withdrawn the request for a Union financial contribution in 2014 towards the surveillance programme for avian influenza and the programme for the monitoring and eradication of certain transmissible spongiform encephalopathies. Poland has submitted an amended programme for the eradication of rabies.

⁽¹⁾ OJ L 155, 18.6.2009, p. 30.

⁽²⁾ OJ L 189, 27.6.2014, p. 1.

⁽³⁾ Commission Decision 2008/341/EC of 25 April 2008 laying down Community criteria for national programmes for the eradication, control and monitoring of certain animal diseases and zoonoses (OJ L 115, 29.4.2008, p. 44).

⁽⁴⁾ Commission Implementing Decision 2013/722/EU of 29 November 2013 approving annual and multiannual programmes and the financial contribution from the Union for the eradication, control and monitoring of certain animal diseases and zoonoses presented by the Member States for 2014 and the following years (OJ L 328, 7.12.2013, p. 101).

- (7) The Commission has assessed those amended programmes from both a veterinary and a financial point of view. They comply with relevant Union veterinary legislation and in particular, with the criteria set out in the Annex to Decision 2008/341/EC. They should therefore be approved.
- (8) Furthermore, the Commission has assessed the intermediate technical and financial reports submitted by the Member States in accordance with Article 27(7) of Decision 2009/470/EC on the expenditure they incurred for the financing of those programmes. The results of that assessment show that certain Member States will not utilise their full allocation for the year 2014, while others will spend in excess of the allocated amount.
- (9) The Union financial contribution for certain national programmes therefore needs to be adjusted. In order to optimise the use of the earmarked credit, it is appropriate to reallocate funding from national programmes which will not use their full allocation to those that are expected to exceed it due to unforeseen animal health situations in those Member States. The reallocation should be based on the most recent information on the expenditure actually incurred by the Member States concerned.
- (10) That reallocation exercise requires an important number of amendments to be made to certain Union financial contributions provided for by Implementing Decision 2013/722/EU. For reasons of transparency, it is appropriate to specify the whole range of Union financial contributions towards the approved 2014 programmes concerned by those amendments.
- (11) According to the opinion of the EU reference laboratory for brucellosis and tuberculosis of 15 July 2014, a polymerase chain reaction (PCR) test should be considered as an important further step of the bacteriological test. It should therefore be added to the eligible measures for the eradication programmes of bovine brucellosis, bovine tuberculosis and ovine and caprine brucellosis.
- (12) The Union bluetongue veterinary legislation applies only to domestic animals. For reasons of transparency, it should be clarified that the national programmes for the eradication and monitoring of bluetongue only apply to domestic animals.
- (13) The use of unit costs under annual and multiannual programmes for the eradication, control and monitoring and surveillance of animal diseases and zoonoses is authorised by Commission Decision C(2014) 1035 final ⁽¹⁾. The unit costs for sampling are based on the hourly salary, the time required to execute the sampling and an overhead of 7 %.
- (14) Based on information provided by Ireland, it appears that for some of the tuberculin testing carried out, the sampling costs are not entirely incurred by the Member State. In this case, the Union contribution should be based on the real costs incurred on which the decided co-financing rate is applied.
- (15) It should also be clarified that Member States do not have to prefinance the part of their programmes implemented in third countries.
- (16) Implementing Decision 2013/722/EU should therefore be amended accordingly.
- (17) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

Article 1

Approval of the amended annual programme for the eradication and monitoring of bluetongue submitted by Portugal

The amended annual programme for the eradication and monitoring of bluetongue submitted by Portugal on 12 September 2014 is hereby approved for the period from 1 January 2014 to 31 December 2014.

⁽¹⁾ Commission Decision C(2014)1035 of 24 February 2014 authorising the use of unit costs under the annual and multiannual programmes for the eradication, control and surveillance of animal diseases and zoonoses.

*Article 2***Approval of the amended annual programme for the eradication of rabies submitted by Hungary**

The amended annual programme for the eradication of rabies submitted by Hungary on 23 April 2014 is hereby approved for the period from 1 January 2014 to 31 December 2014.

*Article 3***Approval of the amended annual programme for the control and monitoring of classical swine fever by Latvia**

The amended annual programme for the control and monitoring of classical fever submitted by Latvia on 5 November 2014 is hereby approved for the period from 1 January 2014 to 31 December 2014.

*Article 4***Approval of the amended annual programme for the eradication of rabies by Poland**

The amended annual programme for the eradication of rabies submitted by Poland on 7 November 2014 is hereby approved for the period from 1 January 2014 to 31 December 2014.

*Article 5***Amendments to Implementing Decision 2013/722/EU**

Implementing Decision 2013/722/EU is amended as follows:

- (1) in Article 2(2), point (b)(iii) is replaced by the following:
'(iii) bacteriological/PCR tests up to a maximum of EUR 10 on average per test'
- (2) in Article 2(2), point (c) is replaced by the following:
'(c) shall not exceed the following:
 - (i) EUR 5 100 000 for Spain;
 - (ii) EUR 150 000 for Croatia;
 - (iii) EUR 2 715 000 for Italy;
 - (iv) EUR 805 000 for Portugal;
 - (v) EUR 1 560 000 for the United Kingdom.'
- (3) the introductory phrase of Article 3(2) is replaced by the following:
'2. The financial contribution by the Union to the Member States referred to in paragraph 1:'
- (4) in Article 3(2), point (b)(i) is replaced by the following:
'(i) bacteriological/PCR tests up to a maximum of EUR 10 on average per test'
- (5) in Article 3(2), point (c) is replaced by the following:
'(c) shall not exceed the following:
 - (i) EUR 12 700 000 for Ireland;
 - (ii) EUR 14 000 000 for Spain;
 - (iii) EUR 330 000 for Croatia;
 - (iv) EUR 5 100 000 for Italy;
 - (v) EUR 1 035 000 for Portugal;
 - (vi) EUR 31 000 000 for the United Kingdom.'

(6) Article 3(3) is replaced by the following:

‘3. By derogation to Article 3(2), when the costs of the tuberculin testing are not directly incurred by the Member State, the financial contribution by the Union shall be limited to 50 % of the real costs incurred by the Member State for the purchase of tuberculin.’

(7) in Article 4(2), point (b)(i) is replaced by the following:

‘(i) bacteriological/PCR tests up to a maximum of EUR 10 on average per test’

(8) in Article 4(2), point (c) is replaced by the following:

‘(c) shall not exceed the following:

- (i) EUR 7 300 000 for Spain;
- (ii) EUR 385 000 for Croatia;
- (iii) EUR 3 935 000 for Italy;
- (iv) EUR 160 000 for Cyprus;
- (v) EUR 1 125 000 for Portugal.’

(9) in Article 5, the first paragraph is replaced by the following:

‘1. The programmes for the eradication and monitoring of bluetongue in domestic animals submitted by Belgium, Bulgaria, Germany, Estonia, Greece, Spain, France, Italy, Latvia, Lithuania, Malta, Austria, Poland, Portugal, Romania, Slovenia, Slovakia, and Finland are hereby approved for the period from 1 January 2014 to 31 December 2014.’

(10) in Article 5(2), point (c) is replaced by the following:

‘(c) shall not exceed the following:

- (i) EUR 11 000 for Belgium;
- (ii) EUR 100 000 for Bulgaria;
- (iii) EUR 72 000 for Germany;
- (iv) EUR 3 000 for Estonia;
- (v) EUR 75 000 for Greece;
- (vi) EUR 850 000 for Spain;
- (vii) EUR 170 000 for France;
- (viii) EUR 2 150 000 for Italy;
- (ix) EUR 6 000 for Latvia;
- (x) EUR 8 000 for Lithuania;
- (xi) EUR 5 000 for Malta;
- (xii) EUR 5 000 for Austria;
- (xiii) EUR 25 000 for Poland;
- (xiv) EUR 155 000 for Portugal;
- (xv) EUR 115 000 for Romania;
- (xvi) EUR 16 000 for Slovenia;
- (xvii) EUR 25 000 for Slovakia;
- (xviii) EUR 5 000 for Finland.’

(11) in Article 6(8), point (c) is replaced by the following:

‘(c) shall not exceed the following:

- (i) EUR 1 000 000 for Belgium;
- (ii) EUR 70 000 for Bulgaria;

- (iii) EUR 175 000 for the programme of the Czech Republic referred to in paragraph 3;
- (iv) EUR 710 000 for the programme of the Czech Republic referred to in paragraph 4;
- (v) EUR 320 000 for Denmark;
- (vi) EUR 980 000 for Germany;
- (vii) EUR 10 000 for Estonia;
- (viii) EUR 25 000 for Ireland;
- (ix) EUR 860 000 for Greece;
- (x) EUR 1 390 000 for Spain;
- (xi) EUR 1 360 000 for France;
- (xii) EUR 205 000 for Croatia;
- (xiii) EUR 1 700 000 for Italy;
- (xiv) EUR 95 000 for Cyprus;
- (xv) EUR 75 000 for Latvia;
- (xvi) EUR 10 000 for Luxembourg;
- (xvii) EUR 1 940 000 for Hungary;
- (xviii) EUR 20 000 for Malta;
- (xix) EUR 2 880 000 for the Netherlands;
- (xx) EUR 1 190 000 for Austria;
- (xxi) EUR 20 000 for the programme of Poland referred to in paragraph 2;
- (xxii) EUR 3 180 000 for the programme of Poland referred to in paragraph 6;
- (xxiii) EUR 35 000 for Portugal;
- (xxiv) EUR 250 000 for Romania;
- (xxv) EUR 35 000 for Slovenia;
- (xxvi) EUR 2 500 000 for Slovakia;
- (xxvii) EUR 150 000 for the United Kingdom.'

(12) In Article 7(2), point (c) is replaced by the following:

'(c) shall not exceed the following:

- (i) EUR 150 000 for Bulgaria;
- (ii) EUR 710 000 for Germany;
- (iii) EUR 35 000 for France;
- (iv) EUR 145 000 for Croatia;
- (v) EUR 170 000 for Latvia;
- (vi) EUR 60 000 for Hungary;
- (vii) EUR 835 000 for Romania;
- (viii) EUR 485 000 for Slovakia.'

(13) Article 7(3) is deleted.

(14) in Article 8(2), point (c) is replaced by the following:

'(c) shall not exceed EUR 815 000 for Italy.'

(15) in Article 9(4), point (c) is replaced by the following:

‘(c) shall not exceed the following:

- (i) EUR 50 000 for Belgium;
- (ii) EUR 15 000 for Bulgaria;
- (iii) EUR 15 000 for the Czech Republic;
- (iv) EUR 65 000 for Germany;
- (v) EUR 5 000 for Estonia;
- (vi) EUR 70 000 for Ireland;
- (vii) EUR 15 000 for Greece;
- (viii) EUR 65 000 for Spain;
- (ix) EUR 120 000 for France;
- (x) EUR 40 000 for Croatia;
- (xi) EUR 1 115 000 for Italy;
- (xii) EUR 20 000 for Cyprus;
- (xiii) EUR 20 000 for Latvia;
- (xiv) EUR 10 000 for Lithuania;
- (xv) EUR 10 000 for Luxembourg;
- (xvi) EUR 165 000 for Hungary;
- (xvii) EUR 5 000 for Malta;
- (xviii) EUR 160 000 for the Netherlands;
- (xix) EUR 25 000 for Austria;
- (xx) EUR 95 000 for Poland;
- (xxi) EUR 25 000 for Portugal;
- (xxii) EUR 165 000 for Romania;
- (xxiii) EUR 45 000 for Slovenia;
- (xxiv) EUR 25 000 for Slovakia;
- (xxv) EUR 40 000 for Finland;
- (xxvi) EUR 30 000 for Sweden;
- (xxvii) EUR 140 000 for the United Kingdom.’

(16) in Article 10(4), point (e) is replaced by the following:

‘(e) shall not exceed the following:

- (i) EUR 260 000 for Belgium;
- (ii) EUR 330 000 for Bulgaria;
- (iii) EUR 165 000 for the Czech Republic;
- (iv) EUR 2 390 000 for Germany;
- (v) EUR 45 000 for Estonia;
- (vi) EUR 755 000 for Ireland;
- (vii) EUR 1 355 000 for Greece;

- (viii) EUR 1 525 000 for Spain;
- (ix) EUR 7 700 000 for France;
- (x) EUR 2 115 000 for Italy;
- (xi) EUR 300 000 for Croatia;
- (xii) EUR 815 000 for Cyprus;
- (xiii) EUR 65 000 for Latvia;
- (xiv) EUR 75 000 for Lithuania;
- (xv) EUR 30 000 for Luxembourg;
- (xvi) EUR 660 000 for Hungary;
- (xvii) EUR 15 000 for Malta;
- (xviii) EUR 465 000 for the Netherlands;
- (xix) EUR 175 000 for Austria;
- (xx) EUR 1 220 000 for Poland;
- (xxi) EUR 475 000 for Portugal;
- (xxii) EUR 1 060 000 for Romania;
- (xxiii) EUR 115 000 for Slovenia;
- (xxiv) EUR 170 000 for Slovakia;
- (xxv) EUR 100 000 for Finland;
- (xxvi) EUR 105 000 for Sweden;
- (xxvii) EUR 1 475 000 for the United Kingdom.'

(17) in Article 11(6), point (c) is replaced by the following:

'(c) shall not exceed the following:

- (i) EUR 1 665 000 for Bulgaria;
- (ii) EUR 1 300 000 for Greece;
- (iii) EUR 460 000 for Estonia;
- (iv) EUR 140 000 for Italy;
- (v) EUR 1 400 000 for Croatia;
- (vi) EUR 400 000 for Latvia;
- (vii) EUR 2 350 000 for Lithuania;
- (viii) EUR 1 970 000 for Hungary;
- (ix) EUR 6 400 000 for Poland;
- (x) EUR 3 000 000 for Romania;
- (xi) EUR 810 000 for Slovenia;
- (xii) EUR 285 000 for Slovakia;
- (xiii) EUR 250 000 for Finland.'

(18) in Article 11(7), point (c) is replaced by the following:

'(c) not exceed:

- (i) EUR 110 000 for the part of the Estonian programme implemented in the Russian Federation;
- (ii) EUR 400 000 for the part of the Latvian programme implemented in Belarus;
- (iii) EUR 1 110 000 for the part of the Lithuanian programme implemented in Belarus;

- (iv) EUR 1 500 000 for the part of the Polish programme implemented in Ukraine;
- (v) EUR 95 000 for the part of the Finnish programme implemented in the Russian Federation.'

(19) Article 13(2) is replaced by the following:

'2. Only costs incurred in carrying out the annual or multiannual programmes referred to Articles 2 to 12 and paid before the submission of the final report by the Member State shall be eligible for co-financing by means of a financial contribution by the Union with the exception of costs referred to in Article 11(7).'

(20) in Annex I, the table set out in point 3 is replaced by the following:

'3. Tuberculin testing under the bovine tuberculosis programmes:

(in EUR)

Member State	Unit cost
Croatia Portugal	1,12
Spain	2,63
Ireland Italy United Kingdom	4,36'

Article 6

Addressees

This Decision is addressed to the Member States.

Done at Brussels, 16 December 2014.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

COMMISSION IMPLEMENTING DECISION**of 17 December 2014**

determining that the temporary suspension of the preferential customs duty established under the stabilisation mechanism for bananas of the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, is not appropriate for imports of bananas originating in Peru for the year 2014

(2014/926/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 19/2013 of the European Parliament and of the Council of 15 January 2013 implementing the bilateral safeguard clause and the stabilisation mechanism for bananas of the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part ⁽¹⁾, and in particular Article 15 thereof,

Whereas:

- (1) A stabilisation mechanism for bananas has been introduced by the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, which applies provisionally between the parties as regards Colombia and Peru from 1 August 2013 and from 1 March 2013 respectively.
- (2) According to this mechanism, and pursuant to Article 15(2) of Regulation (EU) No 19/2013, once a defined trigger volume is exceeded for imports of fresh bananas (heading 0803 90 10 of the European Union Combined Nomenclature) from Colombia or Peru, the Commission shall adopt an implementing act by which it may either temporarily suspend the preferential customs duty applied to imports of bananas from Colombia or Peru or determine that such suspension is not appropriate.
- (3) The decision of the Commission shall be taken in accordance with Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 4 thereof.
- (4) In November 2014 it appeared that the imports into the Union of fresh bananas originating in Peru exceeded the threshold defined by the above Trade Agreement.
- (5) In this context, pursuant to Article 15(3) of Regulation (EU) No 19/2013, the Commission examined the impact of the imports concerned on the situation of the market for bananas of the European Union, taking into account, inter alia, the effect of the imports concerned on the Union price level, the development of imports from other sources as well as the overall stability of the Union market.
- (6) Imports of fresh bananas from Peru represented only 1,9 % of the total imports of fresh bananas into the Union in the period January-September 2014 (based on Eurostat).
- (7) Imports of fresh bananas from other traditional importing countries, notably Colombia, Costa Rica and Panama, remained largely below the thresholds defined for them in comparable stabilisation mechanisms, and they have been following the same trends and unit values in the past three years.
- (8) The average wholesale banana price on the Union market in October 2014 (0,98 EUR/kg) did not register notable changes compared to banana price averages for the previous months.
- (9) Furthermore, there is neither an indication that the stability of the Union market has been disturbed by the imports of fresh bananas from Peru in excess of the defined annual trigger import volume, nor that this had any significant impact on the situation of Union producers.

⁽¹⁾ OJ L 17, 19.1.2013, p. 1.

- (10) Finally, there is no threat of serious deterioration or a serious deterioration for producers in the outermost regions of the Union.
- (11) On the basis of the examination above, the Commission has concluded that the suspension of preferential customs duty on imports of bananas originating in Peru would not be appropriate. The Commission will continue to closely monitor banana imports from Peru,

HAS ADOPTED THIS DECISION:

Article 1

The temporary suspension of preferential customs duty on imports of fresh bananas of heading 0803 90 10 of the European Union Combined Nomenclature originating in Peru is not appropriate during year 2014.

Article 2

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

Done at Brussels, 17 December 2014.

For the Commission
The President
Jean-Claude JUNCKER

COMMISSION IMPLEMENTING DECISION**of 17 December 2014****amending Implementing Decision 2013/770/EU in order to transform the ‘Consumers, Health and Food Executive Agency’ into the ‘Consumers, Health, Agriculture and Food Executive Agency’**

(2014/927/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 58/2003 of 19 December 2002 laying down the statute for executive agencies to be entrusted with certain tasks in the management of Community programmes ⁽¹⁾, and in particular Article 3 thereof,

Whereas:

- (1) By Commission Implementing Decision 2013/770/EU ⁽²⁾, the Commission created the Consumers, Health and Food Executive Agency (‘the Agency’) and entrusted it with the management of the Union programmes in the field of consumers and health for the period 2014 to 2020 and the management of the food safety training measures covered by Council Directive 2000/29/EC ⁽³⁾ and Regulation (EC) No 882/2004 of the European Parliament and of the Council ⁽⁴⁾. The Agency has demonstrated its effectiveness and efficiency.
- (2) In its communication of 29 June 2011 ‘A budget for Europe 2020’ ⁽⁵⁾, the Commission proposed to use the option of more extensive recourse to existing executive agencies for the implementation of Union programmes in the next multiannual financial framework.
- (3) The management of information provision and promotion measures concerning agricultural products implemented in the internal market and in third countries under Regulation (EU) No 1144/2014 of the European Parliament and of the Council ⁽⁶⁾ involves the implementation of technical projects which do not entail political decision-making and require a high level of technical and financial expertise throughout the project cycle.
- (4) The cost-benefit analysis (CBA) ⁽⁷⁾ carried out in accordance with Article 3(1) of Regulation (EC) No 58/2003 with the aim of assessing the costs and benefits of the delegation of parts of the 2014-2020 Union spending programmes to executive agencies covered the management of tasks under Regulation (EU) No 1144/2014. The CBA was adjusted by the Commission in order to yield further efficiency gains, and completed by additional staff reduction at Commission level in order to ensure overall budget neutrality by offsetting the increase in expenditure on additional human resources in the executive agencies through a reduction of the corresponding level of resources in the Commission. This exercise already incorporated the resources linked to the delegation of this programme. The CBA has shown that entrusting the Agency with certain implementation tasks related to the information provision and promotion measures for agricultural products would entail significant qualitative and quantitative benefits compared with the in-house scenario under which those aspects would be managed internally within the Commission. Those tasks are thematically in line with the mandate and mission of the Agency. The Agency has already built up competence, skills and capacities which are directly relevant for those tasks. Given its relatively small size, the Agency is well placed to take on tasks related to a programme with a similar management mode. In addition, the management through the Agency will enhance the visibility of Union intervention in this field. The new tasks can capitalise on the Agency’s existing communication and outreach channels. Furthermore, by taking on the new tasks the Agency will manage larger budgets and will increase its size to a level where further synergies can be found.

⁽¹⁾ OJ L 11, 16.1.2003, p. 1.

⁽²⁾ Commission Implementing Decision 2013/770/EU of 17 December 2013 establishing the Consumers, Health and Food Executive Agency and repealing Decision 2004/858/EC (OJ L 341, 18.12.2013, p. 69).

⁽³⁾ Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community (OJ L 169, 10.7.2000, p. 1).

⁽⁴⁾ Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules (OJ L 165, 30.4.2004, p. 1).

⁽⁵⁾ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions — A Budget for Europe 2020, COM(2011) 500 final.

⁽⁶⁾ Regulation (EU) No 1144/2014 of the European Parliament and of the Council of 22 October 2014 on information provision and promotion measures concerning agricultural products implemented in the internal market and in third countries and repealing Council Regulation (EC) No 3/2008 (OJ L 317, 4.11.2014, p. 56).

⁽⁷⁾ Cost Benefit Analysis for the delegation of certain tasks regarding the implementation of Union Programmes 2014-2020 to the Executive Agencies (Final Report 19 August 2013).

- (5) Due to the timing for the adoption of Regulation (EU) No 1144/2014, the mandate of the Agency as laid down in Implementing Decision 2013/770/EU did not cover the delegation of this new programme.
- (6) In order to reflect these additional tasks, the Agency should be transformed into the Consumers, Health, Agriculture and Food Executive Agency.
- (7) Implementing Decision 2013/770/EU should therefore be amended accordingly.
- (8) The measures provided for by this Decision are in accordance with the opinion of the Committee for Executive Agencies,

HAS ADOPTED THIS DECISION:

Sole Article

Implementing Decision 2013/770/EU is amended as follows:

- (1) Article 1 is replaced by the following:

'Article 1

Establishment

The Consumers, Health, Agriculture and Food Executive Agency ("the Agency") is hereby established and shall replace and succeed the executive agency set up by Decision 2004/858/EC from 1 January 2014 until 31 December 2024, its statute being governed by Regulation (EC) No 58/2003.;

- (2) in the first subparagraph of Article 3(1), the following point (d) is added:

'(d) the information provision and promotion measures concerning agricultural products implemented in the internal market and in third countries.'

Done at Brussels, 17 December 2014.

For the Commission
The President
Jean-Claude JUNCKER

CORRIGENDA

Corrigendum to Commission Delegated Regulation (EU) No 1078/2014 of 7 August 2014 amending Annex I to Regulation (EU) No 649/2012 of the European Parliament and of the Council concerning the export and import of hazardous chemicals

(Official Journal of the European Union L 297 of 15 October 2014)

On page 5, in point 2(d) of the Annex, in the amendments to Part 2 of Annex I to Regulation (EU) No 649/2012:

for: '(d) the following entries are added:

Chemical	CAS No	Einecs No	CN code	Category (*)	Use limitation (**)
"Azocyclotin	41083-11-8	255-209-1	2933 99 80	p	
Bitertanol	55179-31-2	259-513-5	2933 99 80	p	
Cinidon-ethyl	142891-20-1	n.a.	2925 19 95	p	
Cyclanilide	113136-77-9	419-150-7	2924 29 98	p	
Cyhexatin	13121-70-5	236-049-1	2931 90 90	p	
Ethoxysulfuron	126801-58-9	n.a.	2933 59 95	p	
Oxadiargyl	39807-15-3	254-637-6	2934 99 90	p	
Rotenone	83-79-4	201-501-9	2932 99 00	P'''	

read: '(d) the following entries are added:

Chemical	CAS No	Einecs No	CN code	Category (*)	Use limitation (**)
"Azocyclotin	41083-11-8	255-209-1	2933 99 80	p	b
Bitertanol	55179-31-2	259-513-5	2933 99 80	p	b
Cinidon-ethyl	142891-20-1	n.a.	2925 19 95	p	b
Cyclanilide	113136-77-9	419-150-7	2924 29 98	p	b
Cyhexatin	13121-70-5	236-049-1	2931 90 90	p	b
Ethoxysulfuron	126801-58-9	n.a.	2933 59 95	p	b
Oxadiargyl	39807-15-3	254-637-6	2934 99 90	p	b
Rotenone	83-79-4	201-501-9	2932 99 00	p	sr'''

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