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COMMISSION IMPLEMENTING REGULATION (EU) 2015/309

of 26 February 2015

imposing a definitive countervailing duty and collecting definitively the provisional duty imposed on imports of certain rainbow trout originating in Turkey

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imposing a definitive countervailing duty and collecting definitively the provisional duty imposed on imports of certain rainbow trout originating in Turkey

Article 1

1. A definitive countervailing duty is imposed on imports of rainbow trout (*Oncorhynchus mykiss*):

— live weighing 1,2 kg or less each, or

— fresh, chilled, frozen and/or smoked:

  — in the form of whole fish (with heads on), whether or not gilled, whether or not gutted, weighing 1,2 kg or less each, or

  — with heads off, whether or not gilled, whether or not gutted, weighing 1 kg or less each, or

  — in the form of fillets weighing 400 g or less each,

currently falling within CN codes ex 0301 91 90, ex 0302 11 80, ex 0303 14 90, ex 0304 42 90, ex 0304 82 90 and ex 0305 43 00 (TARIC codes 0301 91 90 11, 0302 11 80 11, 0303 14 90 11, 0304 42 90 10, 0304 82 90 10 and 0305 43 00 11) and originating in Turkey.

2. The rates of the definitive countervailing duty applicable to the net, free-at-Union-frontier price, before duty, of the product described in paragraph 1 and produced by the companies listed below shall be as follows:

Company	Countervailing duty	TARIC additional code
— Akyol Su Ürn.Ürt.Taş.Kom.İth.İhr.Paz.San. ve Tic. Ltd Şti — Asya Söğüt Su Ürünleri Üretim Dahili Paz.ve İhr. LtdŞti — GMS Su Ürünleri Üretim İth. Paz. San. ve Tic. Ltd Şti — Gümüşdoga Su Ürünleri Üretim Ihracat Ithalat AŞ — Gümüş-Yel Su Ürünleri üretim İhracat ve İthalat Ltd Şti — Hakan Komandit Şirketi — İskele Su Ürünleri Hayv.Gida Tur.Inş.Paz.Ihr.LtdŞti — Karaköy Su Ürünleri Üretim Paz.Tic.İhr. ve İth.LtdŞti — Özgü Su Ürün. Üret. Taş. Komis. İth. İhr. Paz. San. ve Tic. Ltd Şti	6,9 %	B964
▼M1 BAFA Su Ürünleri Yavru Üretim Merkezi Sanayi Ticaret AŞ	1,5 %	B965
▼B Özpekler İnşaat Taahhüd Dayanıklı Tüketim Malları Su Ürünleri Sanayi ve Ticaret Limited Şirketi	6,7 %	B966
Ternaeben Gida ve Su Ürünleri Ithalat ve Ihracat Sanayi Ticaret AŞ	8,0 %	B967

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Company	Countervailing duty	TARIC additional code
Companies listed in the Annex	7,6 %	
All other companies	9,5 %	B999

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

Article 2

The amounts secured by way of provisional countervailing duties pursuant to Implementing Regulation (EU) No 1195/2014 shall be definitively collected. The amounts secured in excess of the definitive rates of countervailing duty shall be released.

Article 3

Where any new exporting producer in Turkey provides sufficient evidence to the Commission that:

— it did not export to the Union the product described in Article 1(1) during the investigation period (1 January 2013 to 31 December 2013),

— it is not related to any of the exporters or producers in Turkey which are subject to the measures imposed by this Regulation,

— it has actually exported to the Union the product concerned after the investigation period on which the measures are based, or it has entered into an irrevocable contractual obligation to export a significant quantity to the Union,

Article 1(2) may be amended by adding the new exporting producer to the cooperating companies not included in the sample and thus subject to the weighted average duty rate of 7,6 %.

Article 4

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.

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ANNEX

Cooperating Turkish exporting producers not sampled and not granted individual examination:

Name	TARIC additional code
Abalıoğlu Yem-Soya ve Tekstil San. A.Ş.	B968
Ada Su Ürünleri Turizm İnşaat ve Ticaret Ltd. Şti.	B969
Ahmet Aydeniz Gıda San. ve Tic. A.Ş.	B970
Alba Lojistik İhracat İthalat Ltd. Şti.	B971
Alba Su Ürünleri A.Ş.	B972
Alfam Su Ürünleri A.Ş.	B973
Alima Su Ürünleri ve Gida San. Tic. A.Ş.	B974
Alka Su Ürünleri A.Ş.	B975
Azer Altin Su Ürünleri	B976
Bağcı Balık Gıda ve Enerji Üretimi San ve Tic. A.Ş.	B977
Çamlı Yem Besicilik Sanayii ve Ticaret A.Ş	B978
Çirçir Su Ürünleri Ltd. Şti.	B979
Ipaş Su Ürünleri A.Ş.	B980
Kemal Balıkçılık Ihr. Ltd. Şti.	B981
Liman Entegre Balıkçılık San ve Tic. Ltd. Şti.	B982
Miray Su Ürünleri	B983
Önder Su Ürünleri San. ve Tic. Ltd. Şti.	B984
Penta Su Ürünleri Üretim ve Sanayi Tic. A.Ş.	B985
Tai Su Ürünleri Ltd. Şti.	B986
TSM Deniz Ürünleri San. Tic. A.Ş.	B987
Ugurlu Balık A.Ş.	B988
Yaşar Dış Tic. A.Ş.	B989