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II

(Non-legislative acts)

REGULATIONS

COUNCIL IMPLEMENTING REGULATION (EU) 2022/1308

of 26 July 2022

implementing Regulation (EU) 2016/44 concerning restrictive measures in view of the situation in Libya

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Regulation (EU) 2016/44 of 18 January 2016 concerning restrictive measures in view of the situation in Libya and repealing Regulation (EU) No 204/2011 ⁽¹⁾, and in particular Article 21(2) and (6) thereof,

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

Whereas:

- (1) On 18 January 2016 the Council adopted Regulation (EU) 2016/44.
- (2) Pursuant to Article 21(6) of Regulation (EU) 2016/44, the Council has reviewed the lists of designated natural and legal persons, entities or bodies set out in Annex III to that Regulation.
- (3) The Council has concluded that the entry for one person, who is deceased, should be deleted and that the restrictive measures against all other natural and legal persons, entities or bodies in the lists set out in Annex III to Regulation (EU) 2016/44 should be maintained. In addition, the statement of reasons and identifying information for two persons should be updated.
- (4) Regulation (EU) 2016/44 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex III to Regulation (EU) 2016/44 is amended in accordance with the Annex to this Regulation.

Article 2

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

⁽¹⁾ OJ L 12, 19.1.2016, p. 1.

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

Done at Brussels, 26 July 2022.

For the Council
The President
J. SÍKELA

ANNEX

In Annex III (List of natural and legal persons, entities or bodies referred to in Article 6(2)) to Regulation (EU) 2016/44, Part A (Persons) is amended as follows:

- (a) entry 20 (concerning AL-WERFALLI, Mahmoud Mustafa Busayf) is deleted;
 (b) entry 15 (concerning AL QADHAFI, Quren Salih) is replaced by the following:

'15.	AL QADHAFI, Quren Salih Quren a.k.a. Akrin Akrin Saleh, Al Qadhafi Qurayn Salih Qurayn, Al Qadhafi Qu'ren Salih Qu'ren, Salah Egreen	Gender: male	Former Libyan Ambassador to Chad. Has left Chad for Sabha. Involved directly in recruiting and coordinating mercenaries for the regime of the late Muammar Qadhafi. Closely associated with the former regime of Muammar Qadhafi. Member of the Popular Front for the Liberation of Libya (PFL), a militia and political party loyal to the late Muammar Qadhafi. Involved in undermining the successful completion of Libya's political transition by opposing the UN and undermining the UN-facilitated political process, including the Libyan Political Dialogue Forum (LPDF), thereby posing a continued risk to the peace, stability and security of Libya.	12.4.2011'
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- (c) entry 22 (concerning PRIGOZHIN, Yevgeniy Viktorovich) is replaced by the following:

'22.	Yevgeniy Viktorovich PRIGOZHIN (Евгений Викторович Пригожин)	Date of birth: 1 June 1961 Place of birth: Leningrad, former USSR (now St. Petersburg, Russian Federation) Nationality: Russian Gender: male	Yevgeniy Viktorovich Prigozhin is a Russian businessman with close links, including financial, to the Wagner Group, a Russia-based unincorporated private military entity. In this way, Prigozhin is engaged in and provides support for the Wagner Group's activities in Libya, which threaten the country's peace, stability and security. In particular, the Wagner Group is involved in multiple and repeated breaches of the arms embargo in Libya established in UNSCR 1970 (2011) and transposed in Article 1 of Decision (CFSP) 2015/1333, including the delivery of arms and the deployment of mercenaries into Libya in support of the Libya National Army. The Wagner Group has participated in multiple military operations against the UN-endorsed Government of National Accord and has contributed to damaging the stability of Libya and undermining a peaceful process.	15.10.2020'
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COMMISSION IMPLEMENTING REGULATION (EU) 2022/1309

of 26 July 2022

amending and correcting Implementing Regulation (EU) 2018/2019 as regards certain plants for planting of *Malus domestica* originating in Ukraine and in Serbia

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2016/2031 of the European Parliament and of the Council of 26 October 2016 on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC⁽¹⁾, and in particular Article 42(4), first subparagraph, thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2018/2019⁽²⁾ establishes, on the basis of a preliminary assessment, a list of high risk plants, plant products and other objects.
- (2) Commission Implementing Regulation (EU) 2018/2018⁽³⁾ lays down specific rules concerning the procedure to be followed in order to carry out the risk assessment referred to in Article 42(4) of Regulation (EU) 2016/2031 for high risk plants, plant products and other objects.
- (3) Following a preliminary assessment, 34 genera and one species of plants for planting originating from third countries were included in the Annex to Implementing Regulation (EU) 2018/2019 as high risk plants. That Annex includes the genus *Malus* Mill.
- (4) On 18 October 2019, Ukraine submitted to the Commission a request for export to the Union of one- to three-year old rootstocks and grafted plants for planting of *Malus domestica* that are dormant and bare-rooted. That request was supported by the relevant technical dossier.
- (5) On 30 September 2021, the European Food Safety Authority ('the Authority') adopted a scientific opinion regarding the commodity risk assessment of *Malus domestica* plants for planting from Ukraine⁽⁴⁾. The Authority identified *Lopholeucaspis japonica*, *Eotetranychus prunicola*, Tobacco ringspot virus and *Erwinia amylovora* as pests relevant for those plants for planting.
- (6) The Authority evaluated the risk mitigation measures described in the dossier for *Lopholeucaspis japonica*, *Eotetranychus prunicola* and Tobacco ringspot virus and estimated the likelihood of the freedom of the commodity from those pests. Concerning *Erwinia amylovora*, the Authority evaluated whether the special requirements for the introduction into and movement within the specified protected zones, listed in point 9 of Annex X to Commission Implementing Regulation (EU) 2019/2072⁽⁵⁾, of plants of *Malus* Mill., other than fruits and seeds, are fulfilled.

⁽¹⁾ OJ L 317, 23.11.2016, p. 4.

⁽²⁾ Commission Implementing Regulation (EU) 2018/2019 of 18 December 2018 establishing a provisional list of high risk plants, plant products or other objects, within the meaning of Article 42 of Regulation (EU) 2016/2031 and a list of plants for which phytosanitary certificates are not required for introduction into the Union, within the meaning of Article 73 of that Regulation (OJ L 323, 19.12.2018, p. 10).

⁽³⁾ Commission Implementing Regulation (EU) 2018/2018 of 18 December 2018 laying down specific rules concerning the procedure to be followed in order to carry out the risk assessment of high risk plants, plant products and other objects within the meaning of Article 42(1) of Regulation (EU) 2016/2031 of the European Parliament and of the Council (OJ L 323, 19.12.2018, p. 7).

⁽⁴⁾ EFSA PLH Panel (EFSA Panel on Plant Health), 2021. Scientific Opinion on the commodity risk assessment of *Malus domestica* plants from Ukraine. *EFSA Journal* 2021;19(11):6909, 58 pp. <https://doi.org/10.2903/j.efsa.2021.6909>

⁽⁵⁾ Commission Implementing Regulation (EU) 2019/2072 of 28 November 2019 establishing uniform conditions for the implementation of Regulation (EU) 2016/2031 of the European Parliament and the Council, as regards protective measures against pests of plants, and repealing Commission Regulation (EC) No 690/2008 and amending Commission Implementing Regulation (EU) 2018/2019 (OJ L 319, 10.12.2019, p. 1).

- (7) On the basis of the Authority's scientific opinion, the phytosanitary risk from the introduction into the Union of up to three-year old bare-rooted dormant rootstocks and grafted plants for planting of *Malus domestica* originating in Ukraine is considered to be acceptable, provided that the respective special import requirements set out in Annex VII to Implementing Regulation (EU) 2019/2072 and the special requirements for protected zones set out in point 9 of Annex X thereto are complied with.
- (8) *Lopholeucapsis japonica* and Tobacco ringspot virus are listed as Union quarantine pests in Annex II to Implementing Regulation (EU) 2019/2072. *Erwinia amylovora* is listed as a protected zone quarantine pest and as a Union regulated non-quarantine pest in Annex III and Annex IV to Implementing Regulation (EU) 2019/2072 respectively, and special requirements are in place in point 9 of Annex X to that Regulation, to prevent the entry and spread of the pest within the specified protected zones.
- (9) *Eotetranychus prunicola* is not yet included in the list of Union quarantine pests. Nevertheless, on the basis of evidence provided by the Member States, the impact of that pest on its host plants in the Union is not significant. Consequently, no import requirements are necessary with respect to that pest.
- (10) Therefore, it is appropriate that up to three-year old bare-rooted dormant rootstocks and grafted plants for planting of *Malus domestica* originating in Ukraine are no longer considered high-risk plants.
- (11) Commission Implementing Regulation (EU) 2020/1361 ⁽⁶⁾ amended Implementing Regulation (EU) 2018/2019 by specifying that it is prohibited to introduce into the Union *Malus Mill.*, other than one- to two-year old bare rooted, dormant, grafted plants for planting of *Malus domestica* originating in Serbia. However, by omission, that Regulation does not specify that those plants for planting should be free of leaves, in accordance with the relevant EFSA scientific opinion ⁽⁷⁾. That omission should be therefore corrected.
- (12) The Annex to Implementing Regulation (EU) 2018/2019 should therefore be amended and corrected accordingly.
- (13) In order to comply with the Union obligations deriving from the World Trade Organization agreement on the application of sanitary and phytosanitary measures ⁽⁸⁾, the import of up to three-year old bare-rooted dormant rootstocks and grafted plants for planting of *Malus domestica* originating in Ukraine should resume within the shortest possible delay.
- (14) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee for Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Implementing Regulation (EU) 2018/2019 is amended and corrected in accordance with the Annex to this Regulation.

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*.

⁽⁶⁾ Commission Implementing Regulation (EU) 2020/1361 of 30 September 2020 amending Implementing Regulation (EU) 2018/2019 as regards certain plants for planting of *Malus domestica*, originating in Serbia and certain plants for planting of *Acer japonicum* Thunberg, *Acer palmatum* Thunberg and *Acer shirasawanum* Koidzumi, originating in New Zealand (OJ L 317, 1.10.2020, p. 1).

⁽⁷⁾ EFSA PLH Panel (EFSA Panel on Plant Health), 2020. Scientific Opinion on the commodity risk assessment of *Malus domestica* plants from Serbia. *EFSA Journal* 2020;18(5):6109, 53 pp. <https://doi.org/10.2903/j.efsa.2020.6109>

⁽⁸⁾ Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement) (adopted on 15 April 1994, entered into force on 1 January 1995; UNTS volume 1867, p. 493); World Trade Organization, https://www.wto.org/english/tratop_e/sps_e/spsagr_e.htm

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

Done at Brussels, 26 July 2022.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

In the Annex to Implementing Regulation (EU) 2018/2019, in the table in point 1, in the second column 'Description', the entry '*Malus* Mill., other than one- to two-year old bare rooted, dormant, grafted plants for planting of *Malus domestica* originating in Serbia' is replaced by the following:

'*Malus* Mill., other than:

- one- to two-year old bare-rooted, dormant, free of leaves, grafted plants for planting of *Malus domestica* originating in Serbia;
 - up to three-year old bare-rooted, dormant, free of leaves, rootstocks of *Malus domestica* originating in Ukraine; and
 - up to three-year old bare-rooted, dormant, free of leaves, grafted plants for planting of *Malus domestica* originating in Ukraine'.
-

COMMISSION IMPLEMENTING REGULATION (EU) 2022/1310**of 26 July 2022****initiating an investigation concerning possible circumvention of the anti-dumping measures imposed by Implementing Regulation (EU) 2020/1408 on imports of certain hot rolled stainless steel sheets and coils originating in Indonesia by imports of certain hot rolled stainless steel sheets and coils consigned from Turkey, whether declared as originating in Turkey or not, and making such imports subject to registration**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union ⁽¹⁾ (the 'basic Regulation') and in particular Articles 13(3) and 14(5) thereof,

After having informed the Member States,

Whereas:

A. REQUEST

- (1) The European Commission ('the Commission') has received a request pursuant to Articles 13(3) and 14(5) of the basic Regulation, to investigate the possible circumvention of the anti-dumping measures imposed on imports of certain hot rolled stainless steel sheets and coils originating in Indonesia, the People's Republic of China and Taiwan and to make imports of certain hot rolled stainless steel sheets and coils consigned from Turkey, whether declared as originating in Turkey or not, subject to registration.
- (2) The request was lodged on 17 June 2022 by the European Steel Association – 'EUROFER' ('the applicant').

B. PRODUCT

- (3) The product concerned by the possible circumvention is flat-rolled products of stainless steel, whether or not in coils (including products cut-to-length and narrow strip), not further worked than hot-rolled and excluding products, not in coils, of a width of 600 mm or more and of a thickness exceeding 10 mm, classified on the date of entry into force of Commission Implementing Regulation (EU) 2020/1408 ⁽²⁾ under HS codes 7219 11, 7219 12, 7219 13, 7219 14, 7219 22, 7219 23, 7219 24, 7220 11 and 7220 12 and originating in Indonesia ('the product concerned'). This is the product to which the measures that are currently in force apply.
- (4) The product under investigation is the same as that defined in the previous recital, currently falling under HS codes 7219 11, 7219 12, 7219 13, 7219 14, 7219 22, 7219 23, 7219 24, 7220 11 and 7220 12, but consigned from Turkey, whether declared as originating in Turkey (TARIC codes 7219 11 00 10, 7219 12 10 10, 7219 12 90 10, 7219 13 10 10, 7219 13 90 10, 7219 14 10 10, 7219 14 90 10, 7219 22 10 10, 7219 22 90 10, 7219 23 00 10, 7219 24 00 10, 7220 11 00 10, and 7220 12 00 10) ('the product under investigation').

C. EXISTING MEASURES

- (5) The measures currently in force and possibly being circumvented are anti-dumping measures imposed by Implementing Regulation (EU) 2020/1408 ('the existing measures').

⁽¹⁾ OJ L 176, 30.6.2016, p. 21.

⁽²⁾ Commission Implementing Regulation (EU) 2020/1408 of 6 October 2020 imposing a definitive anti-dumping duty and definitively collecting the provisional duty imposed on imports of certain hot rolled stainless steel sheets and coils originating in Indonesia, the People's Republic of China and Taiwan (OJ L 325, 7.10.2020, p. 26).

D. GROUNDS

- (6) The request contains sufficient evidence that the existing anti-dumping measures on imports of the product concerned are being circumvented by imports of the product under investigation.
- (7) The evidence in the request shows the following.
- (8) A change in the pattern of trade involving exports from Indonesia and Turkey to the Union has taken place following the imposition of measures on the product concerned. The data provided in the request showed a significant change in the pattern of trade involving a significant increase in exports of stainless steel slabs, the main raw material for the production of the product under investigation, from Indonesia to Turkey and a significant increase in exports of the product under investigation from Turkey to the Union.
- (9) This change appears to stem from the consignment of the product concerned via Turkey to the Union after having undergone assembly or completion operations in Turkey. The evidence provided by the applicant tends to show that such assembly or completion operations started at the time of the initiation of the anti-dumping investigation that led to the existing measures, and that there is insufficient due cause or economic justification other than the imposition of the duty for the apparent change in the pattern of trade.
- (10) The stainless steel slabs originating in Indonesia constitute above 60 % of the total value of the assembled product, and the value added during the assembly or the completion operations is lower than 25 % of the manufacturing cost. Furthermore, the applicant has submitted evidence tending to show that there is no production of the product under investigation in Turkey, other than by further processing the stainless steel slabs imported from Indonesia.
- (11) Moreover, the evidence suggests that because of the practices described above, the remedial effects of the existing anti-dumping measures on the product concerned are being undermined both in terms of quantity and prices. Significant volumes of imports of the product under investigation appear to have entered the Union market. In addition, there is sufficient evidence tending to show that imports of the product under investigation are made at prices below the non-injurious price established in the investigation that led to the existing measures.
- (12) Finally, the evidence tends to show that the prices of the product under investigation are dumped in relation to the normal value previously established for the product concerned.
- (13) Should circumvention practices covered by Article 13 of the basic Regulation, other than the one mentioned above, be identified in the course of the investigation, the investigation may also cover these practices.

E. PROCEDURE

- (14) In light of the above, the Commission has concluded that sufficient evidence exists to justify the initiation of an investigation pursuant to Article 13(3) of the basic Regulation and to make imports of the product under investigation subject to registration, in accordance with Article 14(5) of the basic Regulation.
- (15) In order to obtain the information necessary for this investigation, all interested parties should contact the Commission forthwith, but not later than the time limit set in Article 3(2) of this Regulation. The time limit set in Article 3(2) of this Regulation applies to all interested parties. Information, as appropriate, may also be sought from the Union industry.
- (16) The authorities of Turkey and Indonesia will be notified of the initiation of the investigation.

(a) Instructions for making written submissions and sending completed questionnaires and correspondence

- (17) Information submitted to the Commission for the purpose of trade defence investigations shall be free from copyrights. Interested parties, before submitting to the Commission information and/or data which is subject to third party copyrights, must request specific permission to the copyright holder explicitly allowing a) the Commission to use the information and data for the purpose of this trade defence proceeding and b) to provide the information and/or data to interested parties to this investigation in a form that allows them to exercise their right of defence.
- (18) All written submissions, including the information requested in this Regulation, completed questionnaires and correspondence provided by interested parties for which confidential treatment is requested shall be labelled 'Sensitive' ⁽³⁾. Parties submitting information in the course of this investigation are invited to reason their request for confidential treatment.
- (19) Parties providing 'Sensitive' information are required to furnish non-confidential summaries of it pursuant to Article 19(2) of Regulation (EU) 2016/1036, which will be labelled 'For inspection by interested parties'. These summaries should be sufficiently detailed to permit a reasonable understanding of the substance of the information submitted in confidence.
- (20) If a party providing confidential information fails to show good cause for a confidential treatment request or does not furnish a non-confidential summary of it in the requested format and quality, the Commission may disregard such information unless it can be satisfactorily demonstrated from appropriate sources that the information is correct.
- (21) Interested parties are invited to make all submissions and requests via TRON.tdi (<https://webgate.ec.europa.eu/tron/TDI>) including requests to be registered as interested parties, scanned powers of attorney and certification sheets.
- (22) In order to have access to TRON.tdi, interested parties need an EU Login account. Full instructions on how to register and use TRON.tdi are available on <https://webgate.ec.europa.eu/tron/resources/documents/gettingStarted.pdf>.
- (23) By using TRON.tdi or email, interested parties express their agreement with the rules applicable to electronic submissions contained in the document 'CORRESPONDENCE WITH THE EUROPEAN COMMISSION IN TRADE DEFENCE CASES' published on the website of the Directorate-General for Trade: http://trade.ec.europa.eu/doclib/docs/2011/june/tradoc_148003.pdf.
- (24) The interested parties must indicate their name, address, telephone and a valid email address and they should ensure that the provided email address is a functioning official business email which is checked on a daily basis. Once contact details are provided, the Commission will communicate with interested parties by email only, unless they explicitly request to receive all documents from the Commission by another means of communication or unless the nature of the document to be sent requires the use of a registered mail. For further rules and information concerning correspondence with the Commission including principles that apply to submissions by email, interested parties should consult the communication instructions with interested parties referred to above.

⁽³⁾ A 'Sensitive' document is a document which is considered confidential pursuant to Article 19 of the basic Regulation and Article 6 of the WTO Agreement on Implementation of Article VI of the GATT 1994 (Anti-Dumping Agreement). It is also a document protected pursuant to Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council (OJ L 145, 31.5.2001, p. 43).

Commission address for correspondence:

European Commission
Directorate-General for Trade
Directorate G
Office: CHAR 04/039
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

TRON.tdi: <https://webgate.ec.europa.eu/tron/tdi>

Email: TRADE-R778-SSHR-AC@ec.europa.eu

(b) Collection of information and holding of hearings

- (25) All interested parties including the Union industry, importers and any relevant association are invited to make their views known in writing and to provide supporting evidence provided that such submissions are made within the deadline provided for in Article 3(2). Furthermore, the Commission may hear interested parties, provided that they make a request in writing and show that there are particular reasons why they should be heard.

(c) Requests for exemptions

- (26) In accordance with Article 13(4) of the basic Regulation, imports of the product under investigation may be exempted from measures if the importation does not constitute circumvention.
- (27) Since the possible circumvention takes place outside the Union, exemptions may be granted, in accordance with Article 13(4) of the basic Regulation, to producers of the product under investigation in Turkey that can show that they are not engaged in circumvention practices as defined in Articles 13(1) and 13(2) of the basic Regulation. Producers, if any, wishing to obtain an exemption should come forward within the time-limit indicated in Article 3(1) of this Regulation. Copies of the questionnaire for exporting producers in Indonesia, the exemption claim form questionnaire for exporting producers in Turkey and questionnaires for importers in the Union are available in the file for inspection by interested parties and on DG Trade's website: <https://tron.trade.ec.europa.eu/investigations/case-view?caseId=2621>. The questionnaires have to be submitted within the time limit indicated in Article 3(2) of this Regulation.

F. REGISTRATION

- (28) Pursuant to Article 14(5) of the basic Regulation, imports of the product under investigation shall be made subject to registration in order to ensure that, should the investigation result in findings of circumvention, anti-dumping duties of an appropriate amount, not exceeding the duty 'for all other companies' in Indonesia imposed by Implementing Regulation (EU) 2020/1408 (17,3 %), can be levied from the date on which registration of such imports was imposed.

G. TIME LIMITS

- (29) In the interest of sound administration, time limits should be stated within which:
- interested parties may make themselves known to the Commission, submit questionnaires, present their views in writing or any other information to be taken into account during the investigation,
 - producers in Turkey may request exemptions from registration of imports or measures,
 - interested parties may make a written request to be heard by the Commission.
- (30) Attention is drawn to the fact that the exercise of procedural rights set out in the basic Regulation depends on parties making themselves known within the time-limits laid down in Article 3 of this Regulation.

H. NON-COOPERATION

- (31) If any interested party refuses access to or does not provide the necessary information within the time limits, or significantly impedes the investigation, findings, affirmative or negative, may be made on the basis of facts available in accordance with Article 18 of the basic Regulation.
- (32) Where it is found that any interested party has supplied false or misleading information, the information shall be disregarded and use may be made of facts available in accordance with Article 18 of the basic Regulation.
- (33) If an interested party does not cooperate or cooperates only partially and findings are therefore based on the facts available in accordance with Article 18 of the basic Regulation, the result may be less favourable to that party than if it had cooperated.

I. SCHEDULE OF THE INVESTIGATION

- (34) The investigation will be concluded, pursuant to Article 13(3) of the basic Regulation, within nine months of the date of entry into force of this Regulation.

J. PROCESSING OF PERSONAL DATA

- (35) It is noted that any personal data collected in this investigation will be treated in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council ⁽⁴⁾.
- (36) A data protection notice that informs all individuals of the processing of personal data in the framework of Commission's trade defence activities is available on DG Trade's website: <http://ec.europa.eu/trade/policy/accessing-markets/trade-defence/>.

K. HEARING OFFICER

- (37) Interested parties may request the intervention of the Hearing Officer for trade proceedings. The Hearing Officer reviews requests for access to the file, disputes regarding the confidentiality of documents, requests for extension of time limits and any other request concerning the rights of defence of interested parties and third parties as may arise during the proceeding.
- (38) The Hearing Officer may organise hearings and mediate between the interested party/-ies and Commission services to ensure that the interested parties' rights of defence are being fully exercised. A request for a hearing with the Hearing Officer should be made in writing and should specify the reasons for the request. The Hearing Officer will examine the reasons for the requests. These hearings should only take place if the issues have not been settled with the Commission services in the due course.
- (39) Any request must be submitted in good time and expeditiously so as not to jeopardise the orderly conduct of proceedings. To that effect, interested parties should request the intervention of the Hearing Officer at the earliest possible time following the occurrence of the event justifying such intervention. Where hearing requests are submitted outside the relevant timeframes, the Hearing Officer will also examine the reasons for such late requests, the nature of the issues raised and the impact of those issues on the rights of defence, having due regard to the interests of good administration and the timely completion of the investigation.
- (40) For further information and contact details interested parties may consult the Hearing Officer's web pages on DG TRADE's website: <http://ec.europa.eu/trade/trade-policy-and-you/contacts/hearing-officer/>.

⁽⁴⁾ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

HAS ADOPTED THIS REGULATION:

Article 1

An investigation is initiated pursuant to Article 13(3) of Regulation (EU) 2016/1036, in order to determine if imports of flat-rolled products of stainless steel, whether or not in coils (including products cut-to-length and narrow strip), not further worked than hot-rolled and excluding products, not in coils, of a width of 600 mm or more and of a thickness exceeding 10 mm, currently classified under HS codes 7219 11, 7219 12, 7219 13, 7219 14, 7219 22, 7219 23, 7219 24, 7220 11 and 7220 12, consigned from Turkey, whether declared as originating in Turkey or not, (TARIC codes 7219 11 00 10, 7219 12 10 10, 7219 12 90 10, 7219 13 10 10, 7219 13 90 10, 7219 14 10 10, 7219 14 90 10, 7219 22 10 10, 7219 22 90 10, 7219 23 00 10, 7219 24 00 10, 7220 11 00 10, and 7220 12 00 10) are circumventing the measures imposed by Implementing Regulation (EU) 2020/1408.

Article 2

1. The customs authorities of the Member States shall, pursuant to Article 13(3) and Article 14(5) of Regulation (EU) 2016/1036, take the appropriate steps to register the imports identified in Article 1 of this Regulation.
2. Registration shall expire nine months following the date of entry into force of this Regulation.

Article 3

1. Interested parties must make themselves known by contacting the Commission within 15 days from the date of entry into force of this Regulation.
2. Interested parties, if their representations are to be taken into account during the investigation, must present their views in writing and submit questionnaire replies, requests for exemptions, or any other information within 37 days from the date of the publication of this Regulation in the *Official Journal of the European Union*, unless otherwise specified.
3. Interested parties may also apply to be heard by the Commission within the same 37-day time limit. For hearings pertaining to the initiation stage of the investigation the request must be submitted within 15 days of the date of entry into force of this Regulation. Any request to be heard must be made in writing and must specify the reasons for the request.

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.

Done at Brussels, 26 July 2022.

For the Commission
The President
Ursula VON DER LEYEN

DECISIONS

COUNCIL DECISION (EU) 2022/1311

of 17 June 2022

authorising the opening of negotiations with the Kingdom of Norway to amend the Agreement between the European Union and the Kingdom of Norway on administrative cooperation, combating fraud and recovery of claims in the field of value added tax

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 113, in conjunction with Article 218(3) and (4) thereof,

Having regard to the recommendation from the European Commission,

Whereas:

- (1) The cooperation framework under the Agreement between the European Union and the Kingdom of Norway on administrative cooperation, combating fraud and recovery of claims in the field of value added tax⁽¹⁾ (the 'Agreement') has shown very positive results, as demonstrated at the second meeting of the Joint Committee established by the Agreement, held in Oslo on 25 November 2021.
- (2) The Member States would benefit from more effective administrative cooperation with Norway if such cooperation were to be strengthened through the addition of new tools, in particular as regards Eurofisc follow-up actions.
- (3) Negotiations should be opened between the Union and the Kingdom of Norway with a view to amending the Agreement.
- (4) This Decision is also the basis for the positions to be adopted on the Union's behalf in the Joint Committee established by the Agreement for the purposes of the procedure laid down in Article 41(5) thereof and in accordance with the negotiating directives of the Council set out in the addendum to this Decision,

HAS ADOPTED THIS DECISION:

Article 1

The Commission is hereby authorised to open negotiations, on behalf of the Union, with the Kingdom of Norway to amend the Agreement between the European Union and the Kingdom of Norway on administrative cooperation, combating fraud and recovery of claims in the field of value added tax.

Article 2

The negotiations shall be conducted on the basis of the negotiating directives of the Council set out in the addendum to this Decision.

Article 3

The negotiations shall be conducted in consultation with the Council Working Party on Tax Questions.

⁽¹⁾ OJ L 195, 1.8.2018, p. 3.

Article 4

This Decision is addressed to the Commission.

Done at Luxembourg, 17 June 2022.

For the Council
The President
B. LE MAIRE

DECISION (EU) 2022/1312 OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES

of 20 July 2022

appointing Judges to the General Court

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 19 thereof,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 254 and 255 thereof,

Whereas:

- (1) The terms of office of 26 Judges of the General Court are due to expire on 31 August 2022. Appointments to those posts should therefore be made for the period from 1 September 2022 to 31 August 2028.
- (2) It has been proposed that the terms of office of Mr Ioannis DIMITRAKOPOULOS, Mr Gerhard HESSE and Mr Tihamér TÓTH as Judges of the General Court be renewed.
- (3) Ms Elisabeth TICHY-FISSELBERGER has been nominated for a first term of office as Judge of the General Court.
- (4) The panel set up under Article 255 of the Treaty on the Functioning of the European Union has given a favourable opinion on the suitability of those candidates to perform the duties of Judge of the General Court,

HAVE ADOPTED THIS DECISION:

Article 1

The following are hereby appointed Judges of the General Court for the period from 1 September 2022 to 31 August 2028:

- Mr Ioannis DIMITRAKOPOULOS,
- Mr Gerhard HESSE,
- Ms Elisabeth TICHY-FISSELBERGER,
- Mr Tihamér TÓTH.

Article 2

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

Done at Brussels, 20 July 2022.

The President
E. HRDÁ

COUNCIL DECISION (CFSP) 2022/1313**of 25 July 2022****amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

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

Whereas:

- (1) On 31 July 2014, the Council adopted Decision 2014/512/CFSP ⁽¹⁾.
- (2) In view of the gravity of the situation, and in response to Russia's continued actions destabilising the situation in Ukraine, the Council considers that Decision 2014/512/CFSP should be renewed for a further six months.
- (3) Decision 2014/512/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

In Decision 2014/512/CFSP, Article 9(1) is replaced by the following:

- ‘1. This Decision shall apply until 31 January 2023.’.

Article 2

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

Done at Brussels, 25 July 2022.

For the Council
The President
J. SÍKELA

⁽¹⁾ Council Decision 2014/512/CFSP of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ L 229, 31.7.2014, p. 13).

COUNCIL DECISION (CFSP) 2022/1314
of 26 July 2022
amending Decision (CFSP) 2021/1277 concerning restrictive measures in view of the situation in Lebanon

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

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

Whereas:

- (1) On 30 July 2021, the Council adopted Decision (CFSP) 2021/1277 ⁽¹⁾ concerning restrictive measures in view of the situation in Lebanon.
- (2) Decision (CFSP) 2021/1277 applies until 31 July 2022. On the basis of a review of that Decision, the restrictive measures should be renewed until 31 July 2023.
- (3) Decision (CFSP) 2021/1277 should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The first paragraph of Article 9 of Decision (CFSP) 2021/1277 is replaced by the following:

‘This Decision shall apply until 31 July 2023 and shall be kept under constant review. It shall be renewed, or amended as appropriate, if the Council deems that its objectives have not been met.’

Article 2

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

Done at Brussels, 26 July 2022.

For the Council
The President
J. SÍKELA

⁽¹⁾ Council Decision (CFSP) 2021/1277 of 30 July 2021 concerning restrictive measures in view of the situation in Lebanon (OJ L 277 I, 2.8.2021, p. 16).

COUNCIL IMPLEMENTING DECISION (CFSP) 2022/1315
of 26 July 2022
implementing Decision (CFSP) 2015/1333 concerning restrictive measures in view of the situation in
Libya

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 31(2) thereof,

Having regard to Council Decision (CFSP) 2015/1333 of 31 July 2015 concerning restrictive measures in view of the situation in Libya, and repealing Decision 2011/137/CFSP⁽¹⁾, and in particular Article 12(2) thereof,

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

Whereas:

- (1) On 31 July 2015 the Council adopted Decision (CFSP) 2015/1333.
- (2) Pursuant to Article 17(2) of Decision (CFSP) 2015/1333, the Council has reviewed the lists of designated persons and entities set out in Annexes II and IV to that Decision.
- (3) The Council has concluded that the entry for one person, who is deceased, should be deleted and that the restrictive measures against all other persons and entities in the lists set out in Annexes II and IV to Decision (CFSP) 2015/1333 should be maintained. In addition, the statement of reasons and identifying information for two persons should be updated.
- (4) Decision (CFSP) 2015/1333 should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Annexes II and IV to Decision (CFSP) 2015/1333 are amended in accordance with the Annex to this Decision.

Article 2

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

Done at Brussels, 26 July 2022.

For the Council
The President
J. SÍKELA

⁽¹⁾ OJ L 206, 1.8.2015, p. 34.

Decision (CFSP) 2015/1333 is amended as follows:

(1) in Annex II (List of persons and entities referred to in Article 8(2)), Part A (Persons) is amended as follows:

- (a) entry 17 (concerning AL-WERFALLI, Mahmoud Mustafa Busayf) is deleted;
- (b) entry 19 (concerning PRIGOZHIN, Yevgeniy Viktorovich) is replaced by the following:

'19.	Yevgeniy Viktorovich PRIGOZHIN (Евгений Викторович Пригожин)	Date of birth: 1 June 1961 Place of birth: Leningrad, former USSR (now St. Petersburg, Russian Federation) Nationality: Russian Gender: male	Yevgeniy Viktorovich Prigozhin is a Russian businessman with close links, including financial, to the Wagner Group, a Russia-based unincorporated private military entity. In this way, Prigozhin is engaged in and provides support for the Wagner Group's activities in Libya, which threaten the country's peace, stability and security. In particular, the Wagner Group is involved in multiple and repeated breaches of the arms embargo in Libya established in UNSCR 1970 (2011) and transposed in Article 1 of Decision (CFSP) 2015/1333, including the delivery of arms and the deployment of mercenaries into Libya in support of the Libya National Army. The Wagner Group has participated in multiple military operations against the UN-endorsed Government of National Accord and has contributed to damaging the stability of Libya and undermining a peaceful process.	15.10.2020'
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(2) in Annex IV (List of persons and entities referred to in Article 9(2)), Part A (Persons) is amended as follows:

- (a) entry 22 (concerning AL-WERFALLI, Mahmoud Mustafa Busayf) is deleted;
- (b) entry 17 (concerning AL QADHAFI, Quren Salih) is replaced by the following:

'17.	AL QADHAFI, Quren Salih Quren a.k.a. Akryn Akryn Saleh, Al Qadhafi Qurayn Salih Qurayn, Al Qadhafi Qu'ren Salih Qu'ren, Salah Egreen	Gender: male	Former Libyan Ambassador to Chad. Has left Chad for Sabha. Involved directly in recruiting and coordinating mercenaries for the regime of the late Muammar Qadhafi. Closely associated with the former regime of Muammar Qadhafi.	12.4.2011'
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			Member of the Popular Front for the Liberation of Libya (PFL), a militia and political party loyal to the late Muammar Qadhafi. Involved in undermining the successful completion of Libya's political transition by opposing the UN and undermining the UN-facilitated political process, including the Libyan Political Dialogue Forum (LPDF), thereby posing a continued risk to the peace, stability and security of Libya.	
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(c) entry 24 (concerning PRIGOZHIN, Yevgeniy Viktorovich) is replaced by the following:

'24.	Yevgeniy Viktorovich PRIGOZHIN (Евгений Викторович Пригожин)	Date of birth: 1 June 1961 Place of birth: Leningrad, former USSR (now St. Petersburg, Russian Federation) Nationality: Russian Gender: male	Yevgeniy Viktorovich Prigozhin is a Russian businessman with close links, including financial, to the Wagner Group, a Russia-based unincorporated private military entity. In this way, Prigozhin is engaged in and provides support for the Wagner Group's activities in Libya, which threaten the country's peace, stability and security. In particular, the Wagner Group is involved in multiple and repeated breaches of the arms embargo in Libya established in UNSCR 1970 (2011) and transposed in Article 1 of Decision (CFSP) 2015/1333, including the delivery of arms and the deployment of mercenaries into Libya in support of the Libya National Army. The Wagner Group has participated in multiple military operations against the UN-endorsed Government of National Accord and has contributed to damaging the stability of Libya and undermining a peaceful process.	15.10.2020'
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COMMISSION IMPLEMENTING DECISION (EU) 2022/1316**of 25 July 2022****amending Decision 2008/911/EC establishing a list of herbal substances, preparations and combinations thereof for use in traditional herbal medicinal products***(notified under document C(2022) 4341)*

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use ⁽¹⁾, and in particular Article 16f thereof,

Whereas:

- (1) *Achillea millefolium* L., herba can be considered as a herbal substance, a herbal preparation or a combination thereof within the meaning of Directive 2001/83/EC and it complies with the requirements set out in that Directive.
- (2) It is therefore appropriate to include *Achillea millefolium* L., herba in the list of herbal substances, preparations and combinations thereof for use in traditional herbal medicinal products established by Commission Decision 2008/911/EC ⁽²⁾.
- (3) Decision 2008/911/EC should therefore be amended accordingly.
- (4) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Medicinal Products for Human Use,

HAS ADOPTED THIS DECISION:

Article 1

Annexes I and II to Decision 2008/911/EC are amended in accordance with the Annex to this Decision.

Article 2

The Decision is addressed to the Member States.

Done at Brussels, 25 July 2022.

For the Commission
Stella KYRIAKIDES
Member of the Commission

⁽¹⁾ OJ L 311, 28.11.2001, p. 67.

⁽²⁾ Commission Decision 2008/911/EC of 21 November 2008 establishing of a list of herbal substances, preparations and combinations thereof for use in traditional herbal medicinal products (OJ L 328, 6.12.2008, p. 42).

ANNEX

Annexes I and II to Decision 2008/911/EC are amended as follows:

(1) In Annex I, the following substance is inserted before *Calendula officinalis* L:

'*Achillea millefolium* L., herba (Yarrow)'

(2) In Annex II, the following is inserted before 'COMMUNITY LIST ENTRY ON CALENDULA OFFICINALIS L':

'UNION LIST ENTRY ON ACHILLEA MILLEFOLIUM L., HERBA

Scientific name of the plant

Achillea millefolium L.

Botanical family

Asteraceae

Herbal substance

Millefolii herba

Common name in all EU official languages of herbal substance

BG (bulgarski): Бял равнец, стрък	IT (italiano): Achillea millefoglie parti aeree
CS (čeština): Rebříčková nať	LT (lietuvių kalba): Kraujažolių žolė
DA (dansk): Røllike	LV (latviešu valoda): Pelāšķu laksti
DE (deutsch): Schafgarbenkraut	MT (Malti): Haxixa tal-morliti
EL (elliniká): Πόα αχιλλείας	NL (Nederlands): Duizendblad
EN (English): yarrow	PL (polski): Ziele krwawnika
ES (español): Milenrama, sumidades floridas de	PT (português): Milefólio
ET (eesti keel): Raudrohuürt	RO (română): Iarbă de coada șoricelului
FI (suomi): siankärsämö, verso	SK (slovenčina): Vňat rebríčka
FR (français): Achillée millefeuille (parties aériennes d')	SL (slovenščina): Zel navadnega rmana
GA (Gaeilge): Athair thalún	SV (svenska): Rölleka, ört
HR (hrvatski): Stolisnikova zelen	IS (íslenska):
HU (magyar): Közönséges cickafark virágos hajtás	NO (norsk): Ryllik

Herbal preparation(s)

Comminuted herbal substance

Dry extract (DER 6-9:1), extraction solvent water

Dry extract (DER 5-10:1), extraction solvent water

European Pharmacopoeia monograph reference

Yarrow – Millefolii herba (07/2014:1382)

Indications

Indication (1)

Traditional herbal medicinal product used for temporary loss of appetite.

Indication (2)

Traditional herbal medicinal product for the symptomatic treatment of mild, spasmodic gastrointestinal complaints including bloating and flatulence.

Indication (3)

Traditional herbal medicinal product for the symptomatic treatment of minor spasm associated with menstrual periods.

Indication (4)

Traditional herbal medicinal product for treatment of small superficial wounds.

The product is a traditional herbal medicinal product for use in specified indications exclusively based upon long-standing use.

Type of tradition

European

Specified strength

Please see 'Specified posology'.

Specified posology

Adolescents, adults and elderly

Single dose

Indications (1) and (2)

Herbal tea: 1,5-4 g of the comminuted herbal substance in 150-250 ml of boiling water as a herbal infusion 3-4 times daily between meals.

Daily dose: 4,5 to 16 g

For indication (1), the liquid preparations are to be taken 30 minutes before meals.

Indication (2)

Dry extract (DER 6-9:1), extraction solvent water: 334 mg dry extract 3-4 times daily.

Daily dose: 1,002-1,336 g

Indication (3)

Herbal tea: 1-2 g of the comminuted herbal substance in 250 ml of boiling water as a herbal infusion 2-3 times daily.

Daily dose: 2-6 g

Dry extract (DER 5-10:1), extraction solvent water: 250 mg dry extract 2-3 times daily.

Daily dose: 0,50-0,75 g

Indication (4)

Comminuted herbal substance for infusion preparation for cutaneous use: 3-4 g of the comminuted herbal substance in 250 ml of boiling water 2-3 times daily.

Daily dose: 6-12 g

The use in children under 12 years of age is not recommended (see section 'Special warnings and precautions for use').

Route of administration

Indications (1), (2) and (3)

Oral use.

Indication (4)

Cutaneous use: to be applied as an impregnated dressing to the affected area.

Duration of use or any restrictions on the duration of use

Indications (1) and (2)

If the symptoms persist longer than 2 weeks during the use of the medicinal product, a doctor or a qualified health care practitioner should be consulted.

Indications (3) and (4)

If the symptoms persist longer than 1 week during the use of the medicinal product, a doctor or a qualified health care practitioner should be consulted.

Any other information necessary for the safe use

Contraindications

Hypersensitivity to the active substances and to other plants of the *Asteraceae* (*Compositae*) family.

Special warnings and precautions for use

The use in children under 12 years of age has not been established due to lack of adequate data.

Indications (1), (2) and (3)

If the symptoms worsen during the use of the medicinal product, a doctor or a qualified health care practitioner should be consulted.

Indication (4)

If signs of skin infection are observed, medical advice should be sought.

Interactions with other medicinal products and other forms of interaction

None reported.

Fertility, pregnancy and lactation

Safety during pregnancy and lactation has not been established. In the absence of sufficient data, the use during pregnancy and lactation is not recommended.

No fertility data available.

Effects on ability to drive and use machines

No studies on the effect on the ability to drive and use machines have been performed.

Undesirable effects

Hypersensitivity reactions of the skin have been reported. The frequency is not known.

If other adverse reactions not mentioned above occur, a doctor or a qualified health care practitioner should be consulted.

Overdose

No case of overdose has been reported.

Pharmaceutical particulars

Not applicable

Pharmacological effects or efficacy plausible on the basis of long-standing use and experience.

Not applicable.'

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