

**COMMISSION IMPLEMENTING REGULATION (EU) 2021/1293****of 3 August 2021****amending Implementing Regulation (EU) 2021/823 imposing a definitive countervailing duty on imports of certain rainbow trout originating in Turkey following an expiry review pursuant to Article 18 of Regulation (EU) 2016/1037 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 (EU) 2016/1037 of the European Parliament and of the Council of 8 June 2016 on protection against subsidised imports from countries not members of the European Union <sup>(1)</sup>, and in particular Article 24(1) thereof,

Whereas:

- (1) Imports of certain rainbow trout originating in Turkey are subject to definitive countervailing duties imposed by Commission Implementing Regulation (EU) 2021/823 <sup>(2)</sup>.
- (2) BAFA Su Ürünleri Yavru Üretim Merkezi Sanayi Ticaret AŞ ('Bafa'), TARIC <sup>(3)</sup> additional code B965, a company subject to an individual countervailing duty rate of 1,5 % <sup>(4)</sup>, informed the Commission that after a merger with its parent company, it had changed its name to Kılıç Deniz Ürünleri Üretimi İhracat İthalat ve Ticaret A.Ş.
- (3) The company, following the change of its name <sup>(5)</sup>, requested on 19 October 2020 the Commission to confirm that the change of name does not affect the right of the company to benefit from the individual countervailing duty rate applied to it under its previous name.
- (4) The Commission examined the information supplied and concluded that the change of name was properly registered with the relevant authorities, took place within the group of companies of which Bafa was part, and did not result in any new relationship with other groups of companies, which were not investigated by the Commission.
- (5) Accordingly, this change of name does not affect the findings of Implementing Regulation (EU) 2021/823 and in particular the countervailing duty rate applicable to it. The evidence in the file also confirmed that the change of the name was applicable as of 31 August 2020, as that day the change was recorded in the Bodrum Commercial Registry.

<sup>(1)</sup> OJ L 176, 30.6.2016, p. 21.

<sup>(2)</sup> Commission Implementing Regulation (EU) 2021/823 of 20 May 2021 imposing a definitive countervailing duty on imports of certain rainbow trout originating in Turkey following an expiry review pursuant to Article 18 of Regulation (EU) 2016/1037 of the European Parliament and of the Council (OJ L 183, 25.5.2021, p. 5).

<sup>(3)</sup> The Integrated Tariff of the European Union.

<sup>(4)</sup> This duty rate was originally imposed by Commission Implementing Regulation (EU) 2020/658 of 15 May 2020 amending Implementing Regulation (EU) 2015/309 imposing a definitive countervailing duty and collecting definitively the provisional duty on imports of certain rainbow trout originating in Turkey following an interim review pursuant to Article 19(4) of Regulation (EU) 2016/1037 of the European Parliament and of the Council (OJ L 155, 18.5.2020, p. 3).

<sup>(5)</sup> Bodrum Commercial Registry, Republic of Turkey, announcement order No 1623 of 31 August 2020.

- (6) Given the considerations in the above recital, the Commission considered it appropriate to amend Implementing Regulation (EU) 2021/823 to reflect the changed name of the company previously attributed to additional TARIC code B965.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 15(1) of Regulation (EU) 2016/1036 of the European Parliament and of the Council <sup>(6)</sup>,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. Article 1(2) of Implementing Regulation (EU) 2021/823 is amended as follows:

'BAFA Su Ürünleri Yavru Üretim Merkezi Sanayi Ticaret AŞ'	B965
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is replaced by

'Kılıç Deniz Ürünleri Üretimi İhracat İthalat ve Ticaret A.Ş.'	B965
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2. TARIC additional code B965 previously attributed to BAFA Su Ürünleri Yavru Üretim Merkezi Sanayi Ticaret AŞ shall apply to Kılıç Deniz Ürünleri Üretimi İhracat İthalat ve Ticaret A.Ş. as of 31 August 2020. Any definitive duty paid by Kılıç Deniz Ürünleri Üretimi İhracat İthalat ve Ticaret A.Ş. in excess of the countervailing duty established in Article 1 of Implementing Regulation (EU) 2020/658 and Article 1(2) of Implementing Regulation (EU) 2021/823 as regards BAFA Su Ürünleri Yavru Üretim Merkezi Sanayi Ticaret AŞ shall be repaid or remitted in accordance with the applicable customs legislation.

*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, 3 August 2021.

*For the Commission*  
*The President*  
Ursula VON DER LEYEN

<sup>(6)</sup> 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 (OJ L 176, 30.6.2016, p. 21).