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Price:
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(¹) Text with EEA relevance

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II

*(Information)*INFORMATION FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES
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EUROPEAN COMMISSION

Non-opposition to a notified concentration**(Case COMP/M.6363 — Dalkia Polska/SPEC)****(Text with EEA relevance)**

(2011/C 283/01)

On 19 September 2011, the Commission decided not to oppose the above notified concentration and to declare it compatible with the common market. This decision is based on Article 6(1)(b) of Council Regulation (EC) No 139/2004. The full text of the decision is available only in English and will be made public after it is cleared of any business secrets it may contain. It will be available:

- in the merger section of the Competition website of the Commission (<http://ec.europa.eu/competition/mergers/cases/>). This website provides various facilities to help locate individual merger decisions, including company, case number, date and sectoral indexes,
 - in electronic form on the EUR-Lex website (<http://eur-lex.europa.eu/en/index.htm>) under document number 32011M6363. EUR-Lex is the on-line access to the European law.
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IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

COUNCIL

Notice for the attention of the persons and entities to which restrictive measures provided for in Council Decision 2010/231/CFSP as amended by Council Decision 2011/635/CFSP and in Council Regulation (EU) No 356/2010 as implemented by Council Implementing Regulation (EU) No 956/2011 apply

(2011/C 283/02)

COUNCIL OF THE EUROPEAN UNION,

The following information is brought to the attention of the persons and entities that appear in the Annex to Council Decision 2010/231/CFSP as amended by Council Decision 2011/635/CFSP ⁽¹⁾ and in Annex I to Council Regulation (EU) No 356/2010 as implemented by Council Implementing Regulation (EU) No 956/2011 ⁽²⁾.

The Sanctions Committee established pursuant to United Nations Security Council Resolution (UNSCR) 751 (1992) concerning Somalia adopted on 12 April 2010 the list of persons and entities to which the provisions of paragraphs 1, 3 and 7 of UNSCR 1844 (2008) apply.

The persons and entities concerned may submit at any time a request to the UN Committee, together with any supporting documentation, for the decisions to include them in the UN list to be reconsidered. Such request should be sent to the following address:

United Nations — Focal point for delisting
Security Council Subsidiary Organs Branch
Room S-3055 E
New York, NY 10017
UNITED STATES OF AMERICA

See for more information at: <http://www.un.org/sc/committees/751/comguide.shtml>

Further to the UN decision, the Council of the European Union has determined that the persons and entities that appear in the above-mentioned Annexes should be included in the lists of persons and entities which are subject to the restrictive measures provided for in Decision 2010/231/CFSP and in Regulation (EU) No 356/2010.

The attention of the persons and entities concerned is drawn to the possibility of making an application to the competent authorities of the relevant Member State(s) as indicated in the websites in Annex II to Regulation (EU) No 356/2010, in order to obtain an authorisation to use frozen funds for basic needs or specific payments (cf. Article 5 of the Regulation).

⁽¹⁾ OJ L 249, 27.9.2011.

⁽²⁾ OJ L 249, 27.9.2011, p. 1.

The persons and entities concerned may submit a request to obtain the statement of reasons for listing provided by the UN Sanctions Committee, to the following address:

Council of the European Union
DG K Coordination
General Secretariat
Rue de la Loi/Wetstraat 175
1048 Bruxelles/Brussel
BELGIQUE/BELGIË

The persons and entities concerned may submit a request to the Council, together with supporting documentation, that the decision to include them on the above-mentioned lists should be reconsidered, to the address provided above.

The attention of the persons and entities concerned is also drawn to the possibility of challenging the Council's Decision before the General Court of the European Union, in accordance with the conditions laid down in Article 275, 2nd paragraph, and Article 263, 4th and 6th paragraphs, of the Treaty on the Functioning of the European Union.

EUROPEAN COMMISSION

Euro exchange rates ⁽¹⁾

26 September 2011

(2011/C 283/03)

1 euro =

Currency	Exchange rate	Currency	Exchange rate		
USD	US dollar	1,3500	AUD	Australian dollar	1,3794
JPY	Japanese yen	103,05	CAD	Canadian dollar	1,3889
DKK	Danish krone	7,4427	HKD	Hong Kong dollar	10,5276
GBP	Pound sterling	0,86960	NZD	New Zealand dollar	1,7376
SEK	Swedish krona	9,2475	SGD	Singapore dollar	1,7545
CHF	Swiss franc	1,2206	KRW	South Korean won	1 593,14
ISK	Iceland króna		ZAR	South African rand	10,8100
NOK	Norwegian krone	7,8260	CNY	Chinese yuan renminbi	8,6418
BGN	Bulgarian lev	1,9558	HRK	Croatian kuna	7,4865
CZK	Czech koruna	24,675	IDR	Indonesian rupiah	12 269,23
HUF	Hungarian forint	289,42	MYR	Malaysian ringgit	4,3004
LTL	Lithuanian litas	3,4528	PHP	Philippine peso	58,971
LVL	Latvian lats	0,7096	RUB	Russian rouble	43,7214
PLN	Polish zloty	4,3888	THB	Thai baht	42,012
RON	Romanian leu	4,2963	BRL	Brazilian real	2,4589
TRY	Turkish lira	2,5002	MXN	Mexican peso	18,2116
			INR	Indian rupee	66,7540

⁽¹⁾ Source: reference exchange rate published by the ECB.

NOTICES FROM MEMBER STATES

Information communicated by Member States on State aid granted in conformity with Commission Regulation (EC) No 736/2008 on the application of Articles 87 and 88 of the EC Treaty to State aid to small and medium-sized enterprises active in the production, processing and marketing of fisheries products

(Text with EEA relevance)

(2011/C 283/04)

Aid No: SA.32720 (11/XF)**Member State:** Spain**Region/Authority granting the aid:** La Rioja/Agencia de Desarrollo Económico de La Rioja**Title of aid scheme or name of company receiving an ad hoc aid:** Programa estratégico de comercio exterior**Legal basis:** Orden nº 2/2011, de 11 de febrero, de la Consejería de Industria, Innovación y Empleo, por la que se aprueban las bases reguladoras de la concesión de subvenciones por la Agencia de Desarrollo Económico de La Rioja destinadas al programa estratégico de comercio exterior, en régimen de concurrencia competitiva (Boletín Oficial de La Rioja número 22, de 16 de febrero de 2011).**Annual expenditure planned under the scheme or amount of ad hoc aid granted:** EUR 120 000**Maximum aid intensity:** Up to 50 %**Date of entry into force:** 17 February 2011**Duration of the scheme or individual aid award (not later than 30 June 2014); indicate:** if it is a scheme: the date until which aid may be granted: 30 June 2014**Objective of aid:** To improve the competitiveness of small and medium-sized enterprises (SMEs) in order to facilitate their access to external markets**Indicate which of Articles 8 to 24 is used:** Article 20**Activity concerned:** Development of new markets and campaigns to promote fisheries and aquaculture products**Name and address of the granting authority:**Agencia de Desarrollo Económico de La Rioja (ADER)
Muro de la Mata, 13-14
26071 Logroño, La Rioja
ESPAÑA**Web address where the full text of the scheme or the criteria and conditions under which ad hoc aid is granted outside of an aid scheme can be found:**<http://www.larioja.org/npRioja/default/defaultpage.jsp?idtab^449883>**Motivation:** Companies involved in the processing and marketing of fisheries products are included as beneficiaries within the strategic external trade programme. Specific aid measures have not been established for these companies, although they have been included in an existing aid plan (until now registered under number XF 4/09).**Aid No:** SA.32722 (11/XF)**Member State:** Spain**Region/Authority granting the aid:** La Rioja**Title of aid scheme or name of company receiving an ad hoc aid:**

Régimen de ayudas para el fomento de la acuicultura y de la transformación y comercialización de los productos de la pesca y la acuicultura.

This aid scheme replaces the aid scheme registered under No XF 7/09.

Legal basis: Orden nº 1/2011, de 11 de febrero, de la Consejería de Industria, Innovación y Empleo, por la que se aprueban las bases reguladoras de concesión de subvenciones por la Agencia de Desarrollo Económico de La Rioja destinadas al fomento de la acuicultura y de la transformación y comercialización de los productos de la pesca y la acuicultura (Boletín Oficial de La Rioja número 22, de 16 de febrero de 2011).

Annual expenditure planned under the scheme or amount of ad hoc aid granted: EUR 0,65 million

Maximum aid intensity: 40 %

Date of entry into force: 17 February 2011

Duration of the scheme or individual aid award (not later than 30 June 2014); indicate: if it is a scheme: the date until which aid may be granted: 30 June 2014

Objective of aid: Promoting aquaculture and processing and marketing of fishery and aquaculture products

Indicate which of Articles 8 to 24 is used: Articles 11 and 16

Activity concerned: Aquaculture and processing and wholesale marketing of fishery and aquaculture products

Name and address of the granting authority:

Agencia de Desarrollo Económico de La Rioja (ADER)
Muro de la Mata, 13-14
26071 Logroño, La Rioja
ESPAÑA

Web address where the full text of the scheme or the criteria and conditions under which ad hoc aid is granted outside of an aid scheme can be found:

http://www2.larioja.org/pls/dad_user/G04.texto_integro?p_cdi_accn=26-314122

Motivation:

The subsidies provided for by Order No 1/2011 of 11 February 2011 from part of the operational programme for the Spanish fisheries sector for the period 2007-2013, cofinanced by the European Fisheries Fund.

Nonetheless, it is expected that the financial contributions of the Economic Development Agency of La Rioja (Agencia de Desarrollo Económico de La Rioja) will exceed those provided for in the operational programme. We therefore consider that Article 7(3) of Council Regulation (EC) No 1198/2006 of 27 July 2006 on the European Fisheries Fund applies, and consequently, Articles 87, 88 and 89 of the Treaty also apply.

Update of the list of residence permits referred to in Article 2(15) of Regulation (EC) No 562/2006 of the European Parliament and of the Council establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code) (OJ C 247, 13.10.2006, p. 1; OJ C 153, 6.7.2007, p. 5; OJ C 192, 18.8.2007, p. 11; OJ C 271, 14.11.2007, p. 14; OJ C 57, 1.3.2008, p. 31; OJ C 134, 31.5.2008, p. 14; OJ C 207, 14.8.2008, p. 12; OJ C 331, 21.12.2008, p. 13; OJ C 3, 8.1.2009, p. 5; OJ C 64, 19.3.2009, p. 15; OJ C 198, 22.8.2009, p. 9; OJ C 239, 6.10.2009, p. 2; OJ C 298, 8.12.2009, p. 15; OJ C 308, 18.12.2009, p. 20; OJ C 35, 12.2.2010, p. 5; OJ C 82, 30.3.2010, p. 26; OJ C 103, 22.4.2010, p. 8; OJ C 108, 7.4.2011, p. 6; OJ C 157, 27.5.2011, p. 5; OJ C 201, 8.7.2011, p. 1; OJ C 216, 22.7.2011, p. 26)

(2011/C 283/05)

The publication of the list of residence permits referred to in Article 2(15) of Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code) is based on the information communicated by the Member States to the Commission in conformity with Article 34 of the Schengen Borders Code.

In addition to publication in the Official Journal, a monthly update is available on the website of the Directorate-General for Home Affairs.

CZECH REPUBLIC

Replacement of the list published in OJ C 201, 8.7.2011

1. Residence permits issued according to the uniform format

— Povolení k pobytu

(Residence permit, uniform sticker affixed to a travel document — issued from 1 May 2004 to third-country nationals for permanent or long-term stays (relevant purpose of residence is indicated on sticker); from 4 July 2011, these permits can be issued as provisional documents (during the proceedings on prolongation of previous long-term residence) or in emergency cases)

2. All other documents issued to third-country nationals having equivalent value to a residence permit

— Průkaz o pobytu rodinného příslušníka občana Evropské unie

(Residence card of a family member of an EU citizen — issued to third-country nationals — family members of EU nationals for temporary residence — blue booklet, issued from 27 April 2006)

— Průkaz o povolení k trvalému pobytu

(Permanent residence card, green booklet — issued from 27 April 2006 to third-country nationals — family members of EU nationals and to EEA/Switzerland nationals (until 21 December 2007))

— Potvrzení o přechodném pobytu na území

(Certificate of temporary residence, folding document — issued from 27 April 2006 to EU/EEA/Switzerland nationals)

— Povolení k pobytu

(Residence permit, sticker affixed to a travel document — issued from 15 March 2003 to 30 April 2004 to permanently resident third-country nationals)

— Průkaz o povolení k pobytu pro cizince

- (Residence permit, green booklet — issued from 1996 to 1 May 2004 to permanently resident third-country nationals, from 1 May 2004 to 27 April 2006 for permanent or temporary residence of family members of EU nationals and to EEA/Switzerland nationals and their family members.)
- Průkaz o povolení k pobytu pro cizince

(Residence permit, green booklet — issued from the date of accession of the Czech Republic to the Schengen Area to EEA/Switzerland nationals and their family members.)

 - Průkaz povolení k pobytu azylanta

(Residence permit for persons granted asylum, grey booklet — issued to persons granted asylum; issued from 1 January 2001; from 4 July 2011, these documents are issued only in emergency cases)

 - Průkaz oprávnění k pobytu osoby požívající doplňkové ochrany

(Residence permit for persons granted subsidiary protection, yellow booklet — issued to persons granted subsidiary protection; issued from 1 September 2006; from 4 July 2011, these documents are issued only in emergency cases)

 - Cestovní doklad Úmluva z 28. července 1951

(Travel document Convention of 28 July 1951 — issued from 1 January 1995 (from 1 September 2006 as e-passport))

 - Cizinecký pas

(Alien's passport — if issued to a stateless person (marked on inside pages with official stamp with the words 'Úmluva z 28. září 1954/Convention of 28 September 1954' — issued from 17 October 2004) (from 1 September 2006 as e-passport))

 - Seznam cestujících na školní výlet v rámci Evropské unie

(List of participants of a school trip within the European Union, paper document — issued from 1 April 2006)

 - Identifikační průkazy vydané Ministerstvem zahraničních věcí:

(Identity cards issued by the MFA)

Diplomatické identifikační průkazy s označením

(Diplomatic Identity cards with the following codes)

 - D – pro členy diplomatického personálu diplomatických misí

(D — members of diplomatic personnel of diplomatic missions)

 - K – pro konzulární úředníky konzulárních úřadů

(K — consular officers of consulates)

 - MO/D – pro úředníky mezinárodních vládních organizací, kteří požívají diplomatických výsad a imunit ve stejném rozsahu jako diplomatictí zástupci.

(MO/D — officers of international governmental organisations who enjoy, under the provisions of an international treaty or domestic legislation, the same privileges and immunities as the diplomatic staff of diplomatic missions)

Identifikační průkazy s označením

(Identity cards with the following codes)

— ATP – pro členy administrativního a technického personálu diplomatických misí

(ATP — members of administrative and technical staff of diplomatic missions)

— KZ – pro konzulární zaměstnance konzulárních úřadů

(KZ — consular employees of consulates)

— MO/ATP – pro úředníky mezinárodních vládních organizací, kteří požívají diplomatických výsad a imunit ve stejném rozsahu jako členové administrativního a technického personálu diplomatické mise

(MO/ATP — officers of international governmental organisations who enjoy, under the provisions of an international treaty or domestic legislation, the same privileges and immunities as the administrative and technical staff of diplomatic missions)

— MO – pro úředníky mezinárodních vládních organizací, kteří požívají výsad a imunit podle příslušné mezinárodní smlouvy

(MO — officers of international governmental organisations who enjoy immunities and privileges under relevant international treaties)

— SP, resp. SP/K – pro členy služebního personálu diplomatické mise, resp. konzulárního úřadu

(SP or SP/K — members of service personnel of diplomatic missions or consulates)

— SSO, resp. SSO/K – pro soukromé služebné osoby členů personálu diplomatické mise, resp. konzulárního úřadu.

(SSO or SSO/K — personal servants of members of diplomatic missions or consulates)

V

(Announcements)

ADMINISTRATIVE PROCEDURES

EUROPEAN COMMISSION

Call for proposals under the 2012 work programme 'People' of the Seventh EC Framework Programme for Research, Technological Development and Demonstration Activities

(2011/C 283/06)

Notice is hereby given of the launch of a call for proposals under the 2012 work programme 'People' of the 7th Framework Programme of the European Community for Research, Technological Development and Demonstration Activities (2007 to 2013).

Proposals are invited for the following calls and a prize. Call deadlines and budgets are given in the call texts, which are published on the relevant European Commission website.

'People' Specific Programme:

Call title	Call identifier
Researchers' Night	FP7-PEOPLE-2012-NIGHT

This call for proposals relates to the 2012 work programme adopted by Commission Decision C(2011) 5033 of 19 July 2011.

Information on the modalities of the calls and the prize, the work programmes and the guidance for applicants on how to submit proposals is available through the relevant European Commission website.

PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMMON COMMERCIAL POLICY

EUROPEAN COMMISSION

Notice of initiation of an expiry review of the anti-dumping measures applicable to imports of certain plastic sacks and bags originating in the People's Republic of China and Thailand

(2011/C 283/07)

Following the publication of a notice of impending expiry ⁽¹⁾ of the anti-dumping measures in force on imports of certain plastic sacks and bags originating in the People's Republic of China and Thailand (countries concerned), the European Commission (the Commission) has received a request for review 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 ⁽²⁾ (the basic Regulation).

1. Request for review

The request was lodged on 30 June 2011 by 33 Union producers or groups of producers (the applicants) representing a major proportion, in this case more than 25 %, of the Union production of certain plastic sacks and bags.

2. Product

The product under review is plastic sacks and bags, containing at least 20 % by weight of polyethylene and of sheeting of a thickness not exceeding 100 micrometers (µm), originating in the People's Republic of China and Thailand (the product concerned), currently falling within CN codes ex 3923 21 00, ex 3923 29 10 and ex 3923 29 90 (TARIC codes 3923 21 00 20, 3923 29 10 20 and 3923 29 90 20).

3. Existing measures

The measures currently in force are a definitive anti-dumping duty imposed by Council Regulation (EC) No 1425/2006 ⁽³⁾ as last amended by Council Implementing Regulation (EU) No 475/2011 ⁽⁴⁾.

4. Grounds for the review

The request is based on the grounds that the expiry of the measures would be likely to result in continuation of dumping and continuation of injury to the Union industry.

The allegation of continuation of dumping for Thailand is based on a comparison of a constructed normal value with the export prices of the product concerned when sold for export to the European Union. On this basis, the dumping margin calculated is significant.

In order to demonstrate the likelihood of continuation of dumping for the People's Republic of China, in view of the provisions of Article 2(7) of the basic Regulation, the applicants established normal value for the exporting producers from the People's Republic of China which were not granted market economy treatment during the investigation leading to the measures in force on the basis of a constructed normal value in an appropriate market economy country, which is mentioned in point 5.1.(d). For those companies which were granted market economy treatment during the investigation leading to the measures in force, normal value has been established on the basis of a constructed normal value in the People's Republic of China. The allegation of continuation of dumping is based on a comparison of normal value, as set out in the preceding sentences, with the export prices of the product concerned when sold for export to the European Union. On this basis, the dumping margins calculated are significant.

The prima facie evidence provided by the applicants shows that the volumes and the prices of the imported product concerned have continued, among other consequences, to have a negative impact on the level of prices charged by the Union industry, resulting in substantial adverse effects on the financial situation and the employment situation of the Union industry.

5. Procedure

Having determined, after consulting the Advisory Committee, that sufficient evidence exists to justify the initiation of an expiry review, the Commission hereby initiates a review in accordance with Article 11(2) of the basic Regulation.

5.1. Procedure for the determination of likelihood of dumping and injury

The investigation will determine whether the expiry of the measures would be likely, or unlikely, to lead to a continuation of dumping and a continuation of injury.

⁽¹⁾ OJ C 22, 22.1.2011, p. 8.

⁽²⁾ OJ L 343, 22.12.2009, p. 51.

⁽³⁾ OJ L 270, 29.9.2006, p. 4.

⁽⁴⁾ OJ L 131, 18.5.2011, p. 10.

(a) *Sampling*

In view of the apparent large number of parties involved in this proceeding, the Commission may decide to apply sampling, in accordance with Article 17 of the basic Regulation.

(i) *Sampling for exporters/producers in the People's Republic of China and Thailand*

In order to enable the Commission to decide whether sampling is necessary and, if so, to select a sample, all exporters/producers in the People's Republic of China and Thailand, or representatives acting on their behalf, are hereby requested to make themselves known by contacting the Commission and providing the following information on their company or companies within the time limit set in point 6(b)(i) and in the formats indicated in point 7:

- name, address, e-mail address, telephone, and fax numbers, and contact person,
- the turnover in local currency and the volume in tonnes of the product concerned sold for export to the Union during the period 1 July 2010 to 30 June 2011 for each of the 27 Member States⁽⁵⁾ separately and in total,
- the turnover in local currency and the volume in tonnes of the product concerned sold on the domestic market during the period 1 July 2010 to 30 June 2011,
- the turnover in local currency and the volume in tonnes of the product concerned sold to other third countries during the period 1 July 2010 to 30 June 2011,
- the precise activities of the company worldwide with regard to the product concerned,
- the names and the precise activities of all related companies⁽⁶⁾ involved in the production and/or sales (export and/or domestic) of the product concerned,
- any other relevant information that would assist the Commission in the selection of the sample.

⁽⁵⁾ The 27 Member States of the European Union are: Austria, Belgium, Bulgaria, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, and the United Kingdom.

⁽⁶⁾ For guidance on the meaning of related companies, please refer to Article 143 of Commission Regulation (EEC) No 2454/93 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).

By providing the above information, the company agrees to its possible inclusion in the sample. If the company is chosen to be part of the sample, this will imply replying to a questionnaire and accepting an on-the-spot investigation of its response. If the company indicates that it does not agree to its possible inclusion in the sample, it will be deemed not to have cooperated in the investigation. The consequences of non-cooperation are set out in point 8 below.

In order to obtain the information it deems necessary for the selection of the sample of exporters/producers, the Commission will, in addition, contact the authorities of the People's Republic of China and Thailand, and any known associations of exporters/producers.

(ii) *Sampling for importers*

In order to enable the Commission to decide whether sampling is necessary and, if so, to select a sample, all importers, or representatives acting on their behalf, are hereby requested to make themselves known to the Commission and to provide the following information on their company or companies within the time limit set in point 6(b)(i) and in the formats indicated in point 7:

- name, address, e-mail address, telephone, and fax numbers and contact person,
- the precise activities of the company with regard to the product concerned,
- the volume in tonnes and value in euro of imports into and resales made on the Union market during the period 1 July 2010 to 30 June 2011 of the imported product concerned originating in the People's Republic of China and Thailand,
- the names and the precise activities of all related companies⁽⁷⁾ involved in the production and/or sales of the product concerned,
- any other relevant information that would assist the Commission in the selection of the sample.

By providing the above information, the company agrees to its possible inclusion in the sample. If the company is chosen to be part of the sample, this will imply replying to a questionnaire and accepting an on-the-spot investigation of its response. If the company indicates that it does not agree to its possible inclusion in the sample, it will be deemed not to have cooperated in the investigation. The consequences of non-cooperation are set out in point 8 below.

In order to obtain the information it deems necessary for the selection of the sample of importers, the Commission will, in addition, contact any known associations of importers.

⁽⁷⁾ See footnote 6.

(iii) Sampling for Union producers

In view of the large number of Union producers involved in this proceeding and in order to complete the investigation within the set time limits, the Commission has decided to limit to a reasonable number the Union producers that will be investigated by selecting a sample (this process is also referred to as 'sampling'). The sampling is carried out in accordance with Article 17 of the basic Regulation.

The Commission has provisionally selected a sample of Union producers. Details can be found in the file for inspection by interested parties. Interested parties are hereby invited to consult the file (for this they should contact the Commission using the contact details provided in Section 7 below). Other Union producers, or representatives acting on their behalf, that consider that there are reasons why they should be included in the sample should contact the Commission within 15 days of the date of publication of this notice in the *Official Journal of the European Union*.

All known Union producers and/or associations of Union producers will be notified by the Commission of the companies finally selected to be in the sample.

(iv) Final selection of the samples

All interested parties wishing to submit any relevant information regarding the selection of the samples must do so within the time limit set in point 6(b)(ii).

The Commission intends to make the final selection of the samples after having consulted the parties concerned that have expressed their willingness to be included in the sample.

Companies included in the samples must reply to a questionnaire within the time limit set in point 6(b)(iii) and must cooperate within the framework of the investigation.

If sufficient cooperation is not forthcoming, the Commission may base its findings, in accordance with Articles 17(4) and 18 of the basic Regulation, on the facts available. A finding based on facts available may be less advantageous to the party concerned, as explained in point 8.

(b) Questionnaires

In order to obtain the information it deems necessary for its investigation, the Commission will send questionnaires to the sampled Union industry and to any known association

of producers in the Union, to the sampled exporters/producers in the People's Republic of China and Thailand, and to any known association of exporters/producers, to the sampled importers, to any known association of importers, and to the authorities of the countries concerned.

(c) Collection of information and holding of hearings

All interested parties are hereby invited to make their views known, submit information other than questionnaire replies and to provide supporting evidence. This information and supporting evidence must reach the Commission within the time limit set in point 6(a)(ii).

Furthermore, the Commission may hear interested parties, provided that they make a request showing that there are particular reasons why they should be heard. This request must be made within the time limit set in point 6(a)(iii).

(d) Selection of the market economy country

In the previous investigation, Malaysia was used as an appropriate market economy country for the purpose of establishing normal value in respect of the People's Republic of China. The Commission envisages using Malaysia again for this purpose. Interested parties are hereby invited to comment on the appropriateness of this country within the specific time limit set in point 6(c).

5.2. Procedure for the assessment of Union interest

In accordance with Article 21 of the basic Regulation and in the event that the likelihood of a continuation of dumping and continuation of injury is confirmed, a determination will be made as to whether maintaining the anti-dumping measures would not be against the Union interest. For this reason the Commission may send questionnaires to the known Union industry, importers, their representative associations, representative users and representative consumer organisations. Such parties, including those not known to the Commission, provided that they prove that there is an objective link between their activity and the product concerned, may, within the general time limits set in point 6(a)(ii), make themselves known and provide the Commission with information. The parties which have acted in conformity with the preceding sentence may request a hearing, setting out the particular reasons why they should be heard, within the time limit set in point 6(a)(iii). It should be noted that any information submitted pursuant to Article 21 of the basic Regulation will only be taken into account if supported by factual evidence at the time of submission.

6. Time limits**(a) General time limits****(i) For parties to request a questionnaire**

All interested parties who did not cooperate in the investigation leading to the measures subject to the

present review should request a questionnaire or other claim forms as soon as possible, but not later than 15 days after the publication of this notice in the *Official Journal of the European Union*.

- (ii) For parties to make themselves known, to submit questionnaire replies and any other information

All interested parties, if their representations are to be taken into account during the investigation, must make themselves known by contacting the Commission, present their views and submit questionnaire replies or any other information within 37 days of the date of publication of this notice in the *Official Journal of the European Union*, unless otherwise specified. Attention is drawn to the fact that the exercise of most procedural rights set out in the basic Regulation depends on the party's making itself known within the aforementioned period.

Companies selected in a sample must submit questionnaire replies within the time limit specified in point 6(b)(iii).

- (iii) Hearings

All interested parties may also apply to be heard by the Commission within the same 37-day time limit.

- (b) *Specific time limit in respect of sampling*

- (i) The information specified in point 5.1(a)(i), 5.1(a)(ii) and 5.1(a)(iii) should reach the Commission within 15 days of the date of publication of this notice in the *Official Journal of the European Union*, given that the Commission intends to consult parties concerned that have expressed their willingness to be included in the sample on its final selection within a period of 21 days of the publication of this notice in the *Official Journal of the European Union*.

- (ii) All other information relevant for the selection of the sample as referred to in 5.1(a)(iv) must reach the Commission within a period of 21 days of the publication of this notice in the *Official Journal of the European Union*.

- (iii) The questionnaire replies from sampled parties must reach the Commission within 37 days from the date of the notification of their inclusion in the sample, unless otherwise specified.

- (c) *Specific time limit for the selection of the market economy country*

Parties to the investigation may wish to comment on the appropriateness of Malaysia which, as mentioned in point

5.1(d), is envisaged as a market economy country for the purpose of establishing normal value in respect of the People's Republic of China. These comments must reach the Commission within 10 days of the date of publication of this notice in the *Official Journal of the European Union*.

7. Written submissions, questionnaire replies and correspondence

All written submissions, including the information requested in this notice, completed questionnaires and correspondence provided by interested parties for which confidential treatment is requested shall be labelled 'Limited' ⁽⁸⁾.

Interested parties providing 'Limited' information are required to furnish non-confidential summaries of it pursuant to Article 19(2) of the basic Regulation, 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. If an interested party providing confidential information does not furnish a non-confidential summary of it in the requested format and quality, such confidential information may be disregarded.

Interested parties are requested to make all submissions and requests in electronic format (the non-confidential submissions via e-mail, the confidential ones on CD-R/DVD), and must indicate the name, address, e-mail address, telephone and fax numbers of the interested party. However, any Powers of Attorney, signed certifications, and any updates thereof, accompanying questionnaire replies shall be submitted on paper, i.e. by post or by hand, at the address below. Pursuant to Article 18(2) of the basic Regulation if an interested party cannot provide its submissions and requests in electronic format, it must immediately inform the Commission.

Commission address for correspondence:

European Commission
Directorate-General for Trade
Directorate H
Office: N105 04/092
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

Fax +32 22956505

Contact:

For Dumping-related matters:
Case mailbox: trade-psb-dumping@ec.europa.eu

For Injury-related matters:
Case mailbox: trade-psb-injury@ec.europa.eu

⁽⁸⁾ A 'Limited' document is a document which is considered confidential pursuant to Article 19 of Council Regulation (EC) No 1225/2009 (OJ L 343, 22.12.2009, p. 51) 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).

8. Non-cooperation

In cases in which 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 in accordance with Article 18 of the basic Regulation, on the basis of the facts available.

Where it is found that any interested party has supplied false or misleading information, the information shall be disregarded and use may be made, in accordance with Article 18 of the basic Regulation, of the facts available. If an interested party does not cooperate or cooperates only partially, and use of facts available is made, the result may be less favourable to that party than if it had cooperated.

9. Schedule of the investigation

The investigation will be concluded, according to Article 11(5) of the basic Regulation, within 15 months of the date of the publication of this notice in the *Official Journal of the European Union*.

10. Possibility to request a review under Article 11(3) of the basic Regulation

As this expiry review is initiated in accordance with the provisions of Article 11(2) of the basic Regulation, the findings thereof will not lead to the level of the existing measures being amended but will lead to those measures being repealed or maintained in accordance with Article 11(6) of the basic Regulation.

If any party to the proceeding considers that a review of the level of the measures is warranted so as to allow for the

possibility to amend (i.e. increase or decrease) the level of the measures, that party may request a review in accordance with Article 11(3) of the basic Regulation.

Parties wishing to request such a review, which would be carried out independently of the expiry review mentioned in this notice, may contact the Commission at the address given above.

11. Processing of personal data

Please note that any personal data collected in this investigation will be treated in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data⁽⁹⁾.

12. Hearing Officer

It is also noted that if interested parties consider that they are encountering difficulties in the exercise of their rights of defence, they may request the intervention of the Hearing Officer of the Directorate-General for Trade. He acts as an interface between the interested parties and the Commission services, offering, where necessary, mediation on procedural matters affecting the protection of their interests in this proceeding, in particular with regard to issues concerning access to file, confidentiality, extension of time limits and the treatment of written and/or oral submission of views. For further information and contact details interested parties may consult the Hearing Officer's web pages of the website of the Directorate-General for Trade (http://ec.europa.eu/trade/tackling-unfair-trade/hearing-officer/index_en.htm).

⁽⁹⁾ OJ L 8, 12.1.2001, p. 1.

OTHER ACTS

EUROPEAN COMMISSION

Publication of an amendment application pursuant to Article 6(2) of Council Regulation (EC) No 510/2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs

(2011/C 283/08)

This publication confers the right to object to the amendment application pursuant to Article 7 of Council Regulation (EC) No 510/2006 ⁽¹⁾. Statements of objection must reach the Commission within six months from the date of this publication.

AMENDMENT APPLICATION

COUNCIL REGULATION (EC) No 510/2006

AMENDMENT APPLICATION ACCORDING TO ARTICLE 9

'BERENJENA DE ALMAGRO'

EC No: ES-PGI-0105-0011-23.09.2009

PGI (X) PDO ()

1. Heading in the product specification affected by the amendment:

- Name of product
- Description of product
- Geographical area
- Proof of origin
- Method of production
- Link
- Labelling
- National requirements
- Other (inspection body)

2. Type of amendment(s):

- Amendment to single document or summary sheet
- Amendment to specification of registered PDO or PGI for which neither the single document nor summary sheet has been published

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

- Amendment to specification that requires no amendment to the published single document (Article 9(3) of Regulation (EC) No 510/2006)
- Temporary amendment to specification resulting from imposition of obligatory sanitary or phytosanitary measures by public authorities (Article 9(4) of Regulation (EC) No 510/2006)

3. Amendment(s):

3.1. Description of product:

The definition of the raw material has been extended such that whereas previously the product was defined at the species level, it now specifies the variety, so that only fruit obtained from the species 'Solanum Melongena' var. 'Dealmagro' may be marketed as 'Berenjena de Almagro' PGI, since this new variety has been recognised as an indigenous variety of the geographical production area.

This new variety has been entered in the Official Register of Commercial Varieties of the Ministry of the Environment and the Rural and Marine Environment under the name 'Dealmagro' and registration number 20060251, in view of the similarity to the name of the traditional production area and the local/common name by which this particular aubergine is known. The information on this variety can be found in the Spanish Office of Plant Varieties.

Including only this indigenous variety in the description of the product is intended to identify and characterise more precisely the unique product that is 'Berenjena de Almagro' PGI.

The description of the chemical composition has been changed in line with new analysis methods, as has that of the properties of the 'Dealmagro' variety.

3.2. Geographical area:

The protected area: the 'Dealmagro' indigenous variety, because it is very well adapted to the geographical area and because of the demand for the production of products covered by the 'Berenjena de Almagro' PGI, is now being grown in another municipality that is not included in the PGI production area.

One of the municipalities where this indigenous variety of aubergine has been grown for many years, is Viso del Marqués, a municipality belonging to the District of Campo de Calatrava. The municipality of Viso del Marqués borders Granátula de Calatrava to the north and Calzada de Calatrava to the West, two municipalities included in the production area of the 'Berenjena de Almagro' PGI.

The link between Viso del Marqués and the geographical production area of the 'Berenjena de Almagro' PGI is, according to a study:

- a historical link: since time immemorial, aubergines have been grown in Viso del Marqués and in other areas,
- a natural link: the main variety of aubergine grown is the indigenous variety of this area, var. 'Dealmagro',
- an orographical link: the northern area of the municipality has moderate altitudes of around 650 m, similar to the geographical production area,
- a hydrographical link: two watersheds cover the municipality, the basins of the Guadiana and the Guadalquivir, and the hydrogeological resources of the basins are used to irrigate the crop, as happens in the geographical production area,
- a climatological link: the continental Mediterranean climate, characterised by cold winters and hot summers that sometimes reach 40 °C, and precipitation levels that oscillate between 400-600 mm/year with the rainy period concentrated primarily in winter and spring, with long, dry summers.

We therefore consider that the protected production area for the 'Berenjena de Almagro' PGI should be extended to the Municipality of Viso del Marqués.

3.3. Proof of origin:

In this section we specify the variety grown, which must be the indigenous 'Dealmagro' variety, since it is this variety that has been entered in the Official Register of Commercial Varieties of the Ministry of the Environment and the Rural and Marine Environment.

3.4. *Inspection body:*

In accordance with Article 11 of Regulation (EC) No 510/2006, the Autonomous Community of Castile-La Mancha has opted for verification of compliance with the product specification of protected geographical indications and protected geographical designations by an inspection body or several inspection bodies, within the meaning of Article 2 of Regulation (EC) No 882/2004, that act as product certification bodies. We therefore request that the inspection body for 'Berenjena de Almagro' PGI be the certification body 'Servicios de Inspección y Certificación, S.L. (SIC)', since it meets the requirements of standard UNE-EN 45011 'General requirements for bodies operating product certification systems' and moreover is an inspection agency authorised by the Autonomous Community of Castile-La Mancha.

SINGLE DOCUMENT

COUNCIL REGULATION (EC) No 510/2006

'BERENJENA DE ALMAGRO'

EC No: ES-PGI-0105-0011-23.09.2009

PGI (X) PDO ()

1. **Name:**

'Berenjena de Almagro'

2. **Member State or third country:**

Spain

3. **Description of the agricultural product or foodstuff:**

3.1. *Type of product:*

Class 1.6 — Fruit, vegetables and cereals

3.2. *Description of the product to which the name in (1) applies:*

'Berenjena de Almagro' is the healthy, clean and whole fruit obtained from the species 'Solanum Melongena' var. 'Dealmagro', that has undergone a traditional preserving method involving cooking, seasoning, fermentation and packaging.

The process of making the 'preserve' begins by cooking the fruit for between 5 and 20 minutes. Once the fruit has been cooked, it undergoes a process of fermentation in suitable containers, at which point seasoning is added and the product is left for between 4 and 15 days.

The seasoning contains vinegar, vegetable oil, salt, cumin, garlic, paprika and water.

Once it is packaged, it can be marketed in one of the following four forms: with seasoning, stuffed, with natural pepper or pepper paste, whole and lastly sliced.

After the fermentation process, the aubergines are packaged in the place where they are processed.

3.3. *Raw materials (for processed products only):*

Aubergines of the indigenous variety, species 'Solanum Melongena' var. 'Dealmagro'. The fruit is a fleshy berry, which comes in various shapes including round, elongated, and pear shaped, and in different colours including green, purple, violet, dark speckled, etc., mostly covered by the pale green calyx, while the uncovered part turns violet.

3.4. *Feed (for products of animal origin only):*

—

3.5. *Specific steps in production that must take place in the defined geographical area:*

The production, processing and packaging of the aubergine must take place in the defined geographical area.

Processing involves cooking and fermentation, which always begins immediately after cooking, the aubergine being still hot, which in equilibrium with the product and the climactic conditions of the surroundings, initiates a natural and spontaneous process of lactic fermentation, which converts the now-cooked aubergine into a product with the distinctive colour, texture and flavour for which 'Berenjena de Almagro' is known.

3.6. *Specific rules concerning slicing, grating, packaging, etc.:*

Packaging takes place in the same place as processing. After the fermentation process which takes 4 to 15 days, and in order to maintain the distinctive flavour of the 'Berenjena de Almagro', the aubergines must be packaged in the place where they are processed. They are packaged in cans, glass jars or any other form of food packaging.

3.7. *Specific rules covering labelling:*

Commercial labels must bear the following wording: 'Indicación geográfica protegida "Berenjena de Almagro" '.

The marketed product bears a numbered secondary label issued by the Regulatory Board and affixed in registered processing undertakings in such a way that it cannot be reused.

4. **Concise definition of the geographical area:**

The geographical production, preparation and packaging area comprises the following municipalities:

Aldea del rey, Almagro, Bolaños de Calatrava, Calzada de Calatrava, Granátula de Calatrava, Valenzuela de Calatrava and Viso del Marques, all within the Province of Ciudad Real.

5. **Link with the geographical area:**

5.1. *Specificity of the geographical area:*

The area has limy-clayey soils of the Alfisol and Aridisol types, with a light red alluvial and 'in situ' disintegration horizon with a low organic material content and a lower horizon with an accumulation of calcium carbonate, which is in many cases cemented.

The climate is continental, i.e. extreme with wide oscillations, very hard winters and hot summers, when temperatures can occasionally reach 40 °C.

The average precipitation is 430 mm a year, with rain being concentrated in autumn (26 %), winter (32 %) and spring (30 %). Summers are long and dry.

The aubergine has been grown since time immemorial. Its adaptation to the specific character of the geographical area and genetic selection by farmers, who reproduce their own seeds, have resulted in a variety of aubergine that is native to the area registered under the name 'Dealmagro'.

5.2. *Specificity of the product:*

'Berenjena de Almagro' is unique because of both the plant variety used and the particular processing method.

The plant variety is the indigenous variety of the production area 'Dealmagro'.

Local/endemic variety, genetically selected by the farmers of the geographical production area over the years. Genetic selection has been undertaken on the basis of adaptation to the area's soil and climate conditions (crop production/yield) and on the basis of the organoleptic characteristics that consumers of this product have demanded over the years. Ultimately, the product obtained is unique in the world, as it is a variety that is grown and processed/prepared exclusively in this area.

The fruit is a fleshy berry, which comes in various shapes and in different colours including green, purple, violet, dark speckled, etc., mostly covered by the pale green calyx, while the uncovered part turns violet.

The distinctive processing system involves cooking for between 5 and 20 minutes. Once the fruit has been cooked, it undergoes a process of fermentation in suitable receptacles, at which point seasoning (vinegar, vegetable oil, salt, cumin, garlic, paprika and water) is added and the product is left for between 4 and 15 days. At the end of the processing period, it is packaged.

Its chemical composition is as follows:

— kcal × (100 g) < 32,

— vegetable fat < 1,5 %,

- pH < 4,5
- acetic acid < 15 g/kg,
- sodium (%) < 0,6.

5.3. *Causal link between the geographical area and the quality or characteristics of the product (for PDO) or a specific quality, the reputation or other characteristic of the product (for PGI):*

The 'Dealmagro' aubergine belongs to the subspecies *Sculentum (Solarum Melongena)* and falls under the *depressum* group of small or dwarf varieties. It is a native, endemic variety, completely adapted to the geographical environment of the production area.

This is the variety that the consumer has demanded and accepted, because it is this variety that can be subjected to the singular and specific preparation method of the area, which for centuries, in accordance with traditional recipes for cooking times and days of fermentation, have enabled the 'Dealmagro' variety to be selected in such a way as to obtain the final product that is the Berejena de Almagro, which is unique in the world.

Reference to the publication of the product specification:

(Article 5(7) of Regulation (EC) No 510/2006)

http://docm.jccm.es/portaldocm/descargarArchivo.do?ruta=2010/10/20/pdf/2010_17414.pdf&tipo=rutaDocm

OTHER ACTS

European Commission

2011/C 283/08

Publication of an amendment application pursuant to Article 6(2) of Council Regulation (EC) No 510/2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs 16



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