

Official Journal

of the European Union

C 44



English edition

Information and Notices

Volume 57

15 February 2014

<u>Notice No</u>	Contents	Page
II <i>Information</i>		
INFORMATION FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES		
European Commission		
2014/C 44/01	Non-opposition to a notified concentration (Case COMP/M.7136 — Marubeni/INCJ/AGS) ⁽¹⁾	1
2014/C 44/02	Non-opposition to a notified concentration (Case COMP/M.7047 — Microsoft/Nokia) ⁽¹⁾	1
IV <i>Notices</i>		
NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES		
Council		
2014/C 44/03	Council Decision of 28 January 2014 appointing and replacing members of the Governing Board of the European Centre for the Development of Vocational Training	2
2014/C 44/04	Council Act of 11 February 2014 appointing a Deputy Director of Europol	3

EN

Price:
EUR 3⁽¹⁾ Text with EEA relevance

(Continued overleaf)

<u>Notice No</u>	Contents (continued)	Page
European Commission		
2014/C 44/05	Euro exchange rates	4
2014/C 44/06	Commission Decision of 11 February 2014 on the list of public holidays for 2015 for the institutions of the European Union	5
NOTICES FROM MEMBER STATES		
2014/C 44/07	Information communicated by Member States regarding closure of fisheries	6
2014/C 44/08	Information communicated by Member States regarding closure of fisheries	6
2014/C 44/09	Notice from the Ministry of Economic Development of the Italian Republic pursuant to Article 3(2) of Directive 94/22/EC of the European Parliament and of the Council on the conditions for granting and using authorisations for the prospection, exploration and production of hydrocarbons	7

V *Announcements*

PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMMON COMMERCIAL POLICY

European Commission

2014/C 44/10	Notice of initiation of an anti-subsidy proceeding concerning imports of certain rainbow trout originating in Turkey	9
2014/C 44/11	Notice of initiation of an anti-dumping proceeding concerning imports of certain rainbow trout originating in Turkey	18

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

European Commission

2014/C 44/12	Withdrawal of notification of a concentration (Case COMP/M.7144 — Apollo/Fondo de Garantía de Depósitos de Entidades de Crédito/Synergy) ⁽¹⁾	27
--------------	---	----



⁽¹⁾ Text with EEA relevance

II

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

EUROPEAN COMMISSION

Non-opposition to a notified concentration**(Case COMP/M.7136 — Marubeni/INCJ/AGS)****(Text with EEA relevance)**

(2014/C 44/01)

On 7 February 2014, 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 32014M7136. EUR-Lex is the online access to the European law.

Non-opposition to a notified concentration**(Case COMP/M.7047 — Microsoft/Nokia)****(Text with EEA relevance)**

(2014/C 44/02)

On 4 December 2013, 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 32013M7047. EUR-Lex is the online access to the European law.
-

IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

COUNCIL

COUNCIL DECISION

of 28 January 2014

appointing and replacing members of the Governing Board of the European Centre for the Development of Vocational Training

(2014/C 44/03)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to Council Regulation (EEC) No 337/75 of 10 February 1975 establishing the European Centre for the Development of Vocational Training, and in particular Article 4 thereof ⁽¹⁾,

Having regard to the nomination submitted to the Council by the Commission in the category of employees' representatives,

Whereas:

- (1) By its Decision of 16 July 2012 ⁽²⁾, the Council appointed the members of the Governing Board of the European Centre for the Development of Vocational Training for the period from 18 September 2012 to 17 September 2015.
- (2) A member's seat is available for Spain on the Governing Board of the Centre in the category of employees' representatives,

HAS DECIDED AS FOLLOWS:

Sole Article

The following person is hereby appointed as a member of the Governing Board of the European Centre for the Development of Vocational Training for the remainder of the term of office, which runs until 17 September 2015:

REPRESENTATIVES OF EMPLOYEES' ORGANISATIONS:

SPAIN Ms Gema TORRES

Done at Brussels, 28 January 2014.

For the Council
The President
G. STOURNARAS

⁽¹⁾ OJ L 39, 13.2.1975, p. 1.

⁽²⁾ OJ C 228, 31.7.2012, p. 3.

COUNCIL ACT
of 11 February 2014
appointing a Deputy Director of Europol
(2014/C 44/04)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Council Decision establishing the European Police Office (Europol) ⁽¹⁾, and in particular Article 38 thereof,

Acting as the authority vested with the power to appoint the Deputy Director of Europol,

Having regard to the opinion of the Management Board,

Having regard to Europol's Multiannual Staff Policy Plan for 2014-2016 and in particular Sections 2.2 and 6 thereof,

Whereas:

- (1) Due to the expiry of the term of office of the Deputy Director of Europol appointed by Council Act of 9 October 2009 ⁽²⁾, it is necessary to appoint a Deputy Director.
- (2) The Decision of the Management Board of Europol establishing the rules on the selection, extension of the term of office and dismissal of the Director and Deputy Directors of Europol ⁽³⁾ establishes special provisions on the selection procedures of the Director or a Deputy Director of Europol.

(3) The Management Board presented the Council with a shortlist of suitable applicants for appointment, together with the full application file of each of those candidates, as well as the list of all eligible candidates.

(4) On the basis of all relevant information provided by the Management Board, the Council wishes to appoint the applicant who, according to the Council, meets all the requirements of the vacant position of Deputy Director,

HAS DECIDED AS FOLLOWS:

Article 1

Mr Wilhelmus Martinus VAN GEMERT is hereby appointed as Deputy Director of Europol from 1 May 2014 to 30 April 2018 at grade AD 13, step 1.

Article 2

This Act shall take effect on the day of its adoption.

It shall be published in the *Official Journal of the European Union*.

Done at Brussels, 11 February 2014.

For the Council
The President
E. VENIZELOS

⁽¹⁾ OJ L 121, 15.5.2009, p. 37.

⁽²⁾ OJ C 249, 17.10.2009, p. 5.

⁽³⁾ OJ L 348, 29.12.2009, p. 3.

EUROPEAN COMMISSION

Euro exchange rates ⁽¹⁾

14 February 2014

(2014/C 44/05)

1 euro =

Currency	Exchange rate	Currency	Exchange rate		
USD	US dollar	1,3707	CAD	Canadian dollar	1,5017
JPY	Japanese yen	139,48	HKD	Hong Kong dollar	10,6306
DKK	Danish krone	7,4620	NZD	New Zealand dollar	1,6379
GBP	Pound sterling	0,82035	SGD	Singapore dollar	1,7289
SEK	Swedish krona	8,8486	KRW	South Korean won	1 453,10
CHF	Swiss franc	1,2221	ZAR	South African rand	14,9803
ISK	Iceland króna		CNY	Chinese yuan renminbi	8,3162
NOK	Norwegian krone	8,3550	HRK	Croatian kuna	7,6560
BGN	Bulgarian lev	1,9558	IDR	Indonesian rupiah	16 208,53
CZK	Czech koruna	27,436	MYR	Malaysian ringgit	4,5160
HUF	Hungarian forint	309,05	PHP	Philippine peso	61,102
LTL	Lithuanian litas	3,4528	RUB	Russian rouble	48,0840
PLN	Polish zloty	4,1495	THB	Thai baht	44,296
RON	Romanian leu	4,4850	BRL	Brazilian real	3,2837
TRY	Turkish lira	2,9962	MXN	Mexican peso	18,1673
AUD	Australian dollar	1,5176	INR	Indian rupee	84,9080

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

COMMISSION DECISION
of 11 February 2014
on the list of public holidays for 2015 for the institutions of the European Union
(2014/C 44/06)

PUBLIC HOLIDAYS FOR 2015

1 January	Thursday, New Year's Day
2 January	Friday, day following New Year's Day
2 April	Monday, Thursday
3 April	Monday, Friday
6 April	Easter Monday
1 May	Friday, Labour Day
14 May	Thursday, Ascension Day
15 May	Friday after Ascension Day
25 May	White Monday
21 July	Tuesday, Belgian National Holiday
2 November	Monday, All Souls' Day
24 December to 31 December	Thursday six end-of-year days Thursday
TOTAL	17 days

Luxembourg: the above-mentioned dates also apply to Luxembourg, except that Tuesday, 21 July is replaced by Tuesday, 23 June, Luxembourg national holiday.

Work will resume as normal on Monday 4 January 2016.

Without prejudice to the final schedule of public holidays for 2016, Friday 1 January 2016 will be a holiday.

The Commission reserves the right to modify these provisions, should the needs of the service so require.

NOTICES FROM MEMBER STATES

Information communicated by Member States regarding closure of fisheries

(2014/C 44/07)

In accordance with Article 35(3) of Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy ⁽¹⁾, a decision has been taken to close the fishery as set down in the following table:

Date and time of closure	19.12.2013
Duration	19.12.2013-31.12.2013
Member State	European Union (all Member States)
Stock or group of stocks	YEL/N3LNO.
Species	Yellowtail flounder (<i>Limanda ferruginea</i>)
Zone	NAFO 3LNO
Type(s) of fishing vessels	—
Reference number	87/TQ40

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

Information communicated by Member States regarding closure of fisheries

(2014/C 44/08)

In accordance with Article 35(3) of Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy ⁽¹⁾, a decision has been taken to close the fishery as set down in the following table:

Date and time of closure	17.12.2013
Duration	17.12.2013-31.12.2013
Member State	Belgium
Stock or group of stocks	SRX/2AC4-C
Species	Skates and rays (<i>Rajiformes</i>)
Zone	EU waters of IIa and IV
Type(s) of fishing vessels	—
Reference number	86/TQ39

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

Notice from the Ministry of Economic Development of the Italian Republic pursuant to Article 3(2) of Directive 94/22/EC of the European Parliament and of the Council on the conditions for granting and using authorisations for the prospection, exploration and production of hydrocarbons

(2014/C 44/09)

The Ministry of Economic Development has received an application from the company Global MED, LLC, conventionally known as 'd 85 F.R.-GM', for a hydrocarbon prospecting licence in respect of an area in Maritime Zone F (Ionian Sea), delimited by meridian and parallel arcs which, in turn, connect the points indicated below by their geographical coordinates:

Points	Geographical coordinates	
	Longitude E Greenwich	Latitude N
a	17°44'	39°21'
b	17°50'	39°21'
c	17°50'	39°19'
d	17°52'	39°19'
e	17°52'	39°16'
f	17°54'	39°16'
g	17°54'	39°13'
h	17°56'	39°13'
i	17°56'	39°08'
l	17°58'	39°08'
m	17°58'	39°03'
n	18°01'	39°03'
o	18°01'	38°58'
p	17°44'	38°58'

The above coordinates have been plotted using the nautical map of the Italian coast drawn up by the Italian Navy's Hydrographic Institute on a scale of 1:250 000 — Map No 919.

On the basis of this description of the boundaries, the surface area amounts to 748,60 km².

In accordance with the above-mentioned Directive, Article 4 of Legislative Decree No 625 of 25 November 1996, the Ministerial Decree of 4 March 2011 and Directorial Decree of 22 March 2011, the Ministry of Economic Development must publish a notice to enable other interested persons to submit applications for hydrocarbon prospecting licences for the same area described above.

The competent authority for granting the relevant licence is Division VI of the Directorate-General for Mineral and Energy Resources of the Department of Energy at the Ministry of Economic Development.

The rules for granting the mineralogical licence are laid down in the following provisions:

Law No 613 of 21 July 1967; Law No 9 of 9 January 1991; Legislative Decree No 625 of 25 November 1996; Ministerial Decree of 4 March 2011 and Directorial Decree of 22 March 2011.

The time-limit for submitting applications is three months after publication of this notice in the *Official Journal of the European Union*.

Applications received after the expiry of this period will not be considered.

The address to which applications must be submitted is:

Ministero dello sviluppo economico
Dipartimento per l'energia
Direzione generale delle risorse minerarie ed energetiche
Divisione VI
Via Molise 2
00187 Roma RM
ITALIA

The application may also be submitted by email to the following address: ene.rme.div6@pec.sviluppoeconomico.gov.it; the requisite documents should be submitted in electronic format together with the digital signature of a legal representative of the applicant.

In accordance with Point 2 of Annex A to Prime Ministerial Decree No 22 of 22 December 2010, the overall duration of the procedure for the granting of prospecting licences must not exceed 180 days.

V

*(Announcements)*PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMMON
COMMERCIAL POLICY

EUROPEAN COMMISSION

**Notice of initiation of an anti-subsidy proceeding concerning imports of certain rainbow trout
originating in Turkey**

(2014/C 44/10)

The European Commission ('the Commission') has received a complaint pursuant to Article 10 of Council Regulation (EC) No 597/2009 of 11 June 2009 on protection against subsidised imports from countries not members of the European Community⁽¹⁾ ('the basic Regulation'), alleging that imports of certain rainbow trout, originating in Turkey, are being subsidised and are thereby causing material injury to the Union industry.

1. Complaint

The complaint was lodged on 3 January 2014 by the Danish Aquaculture Association ('the complainant') on behalf of producers representing more than 25 % of the total Union production of certain rainbow trout.

2. Product under investigation

The product subject to this investigation is rainbow trout (*Oncorhynchus mykiss*) live, fresh, chilled, frozen or smoked whether in the form of whole fish (with heads and gills on, gutted, weighing 1,2 kg or less each, or with heads off, gilled or gutted (weighing 1 kg or less each), or in the form of fillets (weighing 400 g or less each).

3. Allegation of subsidisation

The product allegedly being subsidised is the product under investigation, originating in Turkey ('the country concerned'), currently falling within CN codes ex 0301 91 90, ex 0302 11 80, ex 0303 14 90, ex 0304 42 90, ex 0304 82 90 and ex 0305 43 00. These CN codes are given for information only.

The prima facie evidence provided by the complainant shows that the producers of the product under investigation from Turkey have benefited from a number of subsidies granted by the Government of Turkey.

The subsidies consist, inter alia, of State support to investments made in the aquaculture sector, Direct subsidies granted to producers of trout, subsidised loans and insurance for trout producers, subsidies for fishing vessels. The Commission reserves the right to investigate other subsidies which may be revealed during the course of the investigation.

It is alleged that the above schemes are subsidies since they involve a financial contribution from the Government of Turkey or other regional governments (including public bodies) and confer a benefit to the recipients. They are alleged to be limited to certain enterprises in the aquaculture sector and/or to certain regions and are therefore specific and countervailable.

4. Allegation of injury and causation

The complainant has provided evidence that imports of the product under investigation from the country concerned have increased overall in absolute terms and have increased in terms of market share.

The prima facie evidence provided by the complainant shows that the volume and the prices of the imported product under investigation have had, among other consequences, a negative impact on the quantities sold, the level of prices charged and the market share held by the Union industry, resulting in substantial adverse effects on the overall performance of the Union industry.

5. Procedure

Having determined, after consulting the Advisory Committee, that the complaint has been lodged by or on behalf of the Union industry and that there is sufficient evidence to justify the initiation of a proceeding, the Commission hereby initiates an investigation pursuant to Article 10 of the basic Regulation.

⁽¹⁾ OJ L 188, 18.7.2009, p. 93.

The investigation will determine whether the product under investigation originating in the country concerned is being subsidised and whether these subsidised imports have caused injury to the Union industry. If the conclusions are affirmative, the investigation will examine whether the imposition of measures would not be against the Union interest.

The Government of Turkey has been invited for consultations.

5.1. Procedure for the determination of subsidisation

Exporting producers⁽¹⁾ of the product under investigation from Turkey and the authorities of the country concerned are invited to participate in the Commission investigation.

5.1.1. Investigating exporting producers

(a) Sampling

In view of the potentially large number of exporting producers in Turkey involved in this proceeding and in order to complete the investigation within the statutory time limits, the Commission may limit the exporting producers to be investigated to a reasonable number by selecting a sample (this process is also referred to as 'sampling'). The sampling will be carried out in accordance with Article 27 of the basic Regulation.

In order to enable the Commission to decide whether sampling is necessary, and if so, to select a sample, all exporting producers, or representatives acting on their behalf, are hereby requested to make themselves known to the Commission. These parties have to do so within 15 days of the date of publication of this notice in the *Official Journal of the European Union*, unless otherwise specified, by providing the Commission with information on their company(ies) requested in Annex I to this notice.

In order to obtain information it deems necessary for the selection of the sample of exporting producers, the Commission will also contact the authorities of the country concerned and may contact any known associations of exporting producers.

All interested parties wishing to submit any other relevant information regarding the selection of the sample, excluding the information requested above, must do so within 21 days of the publication of this notice in the *Official Journal of the European Union*, unless otherwise specified.

If a sample is necessary, the exporting producers may be selected based on the largest representative volume of

exports to the Union which can reasonably be investigated within the time available. All known exporting producers, the authorities of the country concerned and associations of exporting producers will be notified by the Commission, via the authorities of the country concerned, if appropriate, of the companies selected to be in the sample.

In order to obtain information it deems necessary for its investigation with regard to exporting producers, the Commission will send questionnaires to the exporting producers selected to be in the sample, to any known association of exporting producers, and to the authorities of the country concerned.

All exporting producers selected to be in the sample will have to submit a completed questionnaire within 37 days from the date of notification of the sample selection, unless otherwise specified.

Without prejudice to the application of Article 28 of the basic Regulation companies that have agreed to their possible inclusion in the sample but are not selected to be in the sample will be considered to be cooperating ('non-sampled cooperating exporting producers'). Without prejudice to section (b) below, the countervailing duty that may be applied to imports from non-sampled cooperating exporting producers will not exceed the weighted average margin of subsidisation established for the exporting producers in the sample⁽²⁾.

(b) Individual subsidy margin for companies not included in the sample

Non-sampled cooperating exporting producers may request, pursuant to Article 27(3) of the basic Regulation, that the Commission establish their individual subsidy margins. The exporting producers wishing to claim an individual subsidy margin must request a questionnaire and return it duly completed within 37 days of the date of notification of the sample selection, unless otherwise specified.

However, exporting producers claiming an individual subsidy margin should be aware that the Commission may nonetheless decide not to determine their individual subsidy margin if, for instance, the number of exporting producers is so large that such determination would be unduly burdensome and would prevent the timely completion of the investigation.

⁽¹⁾ An exporting producer is any company in the country concerned which produces and exports the product under investigation to the Union market, either directly or via a third party, including any of its related companies involved in the production, domestic sales or exports of the product under investigation.

⁽²⁾ Pursuant to Article 15(3) of the basic Regulation, any zero and *de minimis* amounts of countervailable subsidies and amounts of countervailable subsidies established in the circumstances referred to in Article 28 of the basic Regulation shall be disregarded.

5.1.2. Investigating unrelated importers ⁽¹⁾ ⁽²⁾

Unrelated importers of the product under investigation from Turkey to the Union are invited to participate in this investigation.

In view of the potentially large number of unrelated importers involved in this proceeding and in order to complete the investigation within the statutory time limits, the Commission may limit to a reasonable number the unrelated importers that will be investigated by selecting a sample (this process is also referred to as 'sampling'). The sampling will be carried out in accordance with Article 27 of the basic Regulation.

In order to enable the Commission to decide whether sampling is necessary and, if so, to select a sample, all unrelated importers, or representatives acting on their behalf, are hereby requested to make themselves known to the Commission. These parties must do so within 15 days of the date of publication of this notice in the *Official Journal of the European Union*, unless otherwise specified, by providing the Commission with the information on their company requested in Annex II to this notice.

In order to obtain information it deems necessary for the selection of the sample of unrelated importers, the Commission may also contact any known associations of importers.

All interested parties wishing to submit any other relevant information regarding the selection of the sample, excluding the information requested above, must do so within 21 days of the publication of this notice in the *Official Journal of the European Union*, unless otherwise specified.

If a sample is necessary, the importers may be selected based on the largest representative volume of sales of the product under investigation in the Union which can reasonably be investigated

⁽¹⁾ Only importers not related to exporting producers can be sampled. Importers that are related to exporting producers have to fill in Annex 1 to the questionnaire for these exporting producers. In accordance with Article 143 of Commission Regulation (EEC) No 2454/93 concerning the implementation of the Community Customs Code, persons shall be deemed to be related only if: (a) they are officers or directors of one another's businesses; (b) they are legally recognized partners in business; (c) they are employer and employee; (d) any person directly or indirectly owns, controls or holds 5 % or more of the outstanding voting stock or shares of both of them; (e) one of them directly or indirectly controls the other; (f) both of them are directly or indirectly controlled by a third person; (g) together they directly or indirectly control a third person; or (h) they are members of the same family. Persons shall be deemed to be members of the same family only if they stand in any of the following relationships to one another: (i) husband and wife, (ii) parent and child, (iii) brother and sister (whether by whole or half blood), (iv) grandparent and grandchild, (v) uncle or aunt and nephew or niece, (vi) parent-in-law and son-in-law or daughter-in-law, (vii) brother-in-law and sister-in-law. (OJ L 253, 11.10.1993, p. 1). In this context 'person' means any natural or legal person.

⁽²⁾ The data provided by unrelated importers may also be used in relation to aspects of this investigation other than the determination of subsidisation.

within the time available. All known unrelated importers and associations of importers will be notified by the Commission of the companies selected to be in the sample.

In order to obtain information it deems necessary for its investigation, the Commission will send questionnaires to the sampled unrelated importers and to any known association of importers. These parties must submit a completed questionnaire within 37 days from the date of the notification of the sample selection, unless otherwise specified.

5.2. Procedure for the determination of injury and investigating Union producers

A determination of injury is based on positive evidence and involves an objective examination of the volume of the subsidised imports, their effect on prices on the Union market and the consequent impact of those imports on the Union industry. In order to establish whether the Union industry is materially injured, Union producers of the product under investigation are invited to participate in the Commission investigation.

5.2.1. Investigating Union producers

In view of the large number of Union producers involved in this proceeding and in order to complete the investigation within the statutory 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 27 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 5.6 below). Other Union producers, or representatives acting on their behalf, that consider that there are reasons why they should be included in the sample must contact the Commission within 15 days of the date of publication of this notice in the *Official Journal of the European Union*. All interested parties wishing to submit any other relevant information regarding the selection of the sample must do so within 21 days of the publication of this notice in the *Official Journal of the European Union*, unless otherwise specified.

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.

In order to obtain information it deems necessary for its investigation, the Commission will send questionnaires to the sampled Union producers and to any known association of Union producers. These parties must submit a completed questionnaire within 37 days from the date of the notification of the sample selection, unless otherwise specified.

5.3. Procedure for the assessment of Union interest

Should the existence of subsidisation and injury caused thereby be established, a decision will be reached, pursuant to Article 31 of the basic Regulation, as to whether the adoption of anti-subsidy measures would not be against the Union interest. Union producers, importers and their representative associations, users and their representative associations, and representative consumer organisations are invited to make themselves known within 15 days of the date of publication of this notice in the *Official Journal of the European Union*, unless otherwise specified. In order to participate in the investigation, the representative consumer organisations have to demonstrate, within the same deadline, that there is an objective link between their activities and the product under investigation.

Parties that make themselves known within the above deadline may provide the Commission with information on the Union interest within 37 days of the date of publication of this notice in the *Official Journal of the European Union*, unless otherwise specified. This information may be provided either in a free format or by completing a questionnaire prepared by the Commission. In any case, information submitted pursuant to Article 31 will only be taken into account if supported by factual evidence at the time of submission.

5.4. Other written submissions

Subject to the provisions of this notice, all interested parties are hereby invited to make their views known, submit information and provide supporting evidence. Unless otherwise specified, this information and supporting evidence must reach the Commission within 37 days of the date of publication of this notice in the *Official Journal of the European Union*.

5.5. Possibility to be heard by the Commission investigation services

All interested parties may request to be heard by the Commission investigation services. Any request to be heard should be made in writing and should specify the reasons for the request. For hearings on issues pertaining to the initial stage of the investigation the request must be submitted within 15 days of the date of publication of this notice in the *Official Journal of the European Union*. Thereafter, a request to be heard must be submitted within the specific deadlines set by the Commission in its communication with the parties.

5.6. Instructions for making written submissions and sending completed questionnaires and correspondence

Interested parties are invited to make all submissions and requests by e-mail including scanned powers of attorney and certification sheets, with the exception of voluminous replies which shall be submitted on a CD-ROM or DVD by hand or by registered mail. By using e-mail, interested parties express their agreement with the rules applicable to electronic

submissions contained in the document 'CORRESPONDANCE 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

The interested parties must indicate their name, address, telephone and a valid e-mail address and they should ensure that the provided e-mail address is a functioning official business e-mail which is checked on a daily basis. Once contact details are provided, the Commission will communicate with interested parties by e-mail 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 e-mail, interested parties should consult the communication instructions with interested parties referred to above.

All written submissions, including the information requested in this Regulation, questionnaire replies and correspondence provided by interested parties on a confidential basis must be labelled as 'Limited' and, in accordance with Article 29(2) of Regulation (EC) No 597/2009, must be accompanied by a non-confidential version, which must be labelled 'For inspection by interested parties'.

Commission's address for correspondence:

European Commission
Directorate-General for Trade
Directorate H
Office: N105 08/020
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

E-mail Subsidy: Trade-Trout-Subsidy@ec.europa.eu
E-mail Injury: Trade-Trout-Injury@ec.europa.eu

6. Non-cooperation

In cases where any interested party refuses access to or does not provide the necessary information within the time limits, or significantly impedes the investigation, provisional or final findings, affirmative or negative, may be made on the basis of facts available, in accordance with Article 28 of the basic Regulation.

Where it is found that any interested party has supplied false or misleading information, the information may be disregarded and use may be made of facts available.

If an interested party does not cooperate or cooperates only partially and findings are therefore based on facts available in accordance with Article 28 of the basic Regulation, the result may be less favourable to that party than if it had cooperated.

Failure to give a computerised response shall not be deemed to constitute non-cooperation, provided that the interested party shows that presenting the response as requested would result in an unreasonable extra burden or unreasonable additional cost. The interested party should immediately contact the Commission.

7. Hearing Officer

Interested parties may request the intervention of the Hearing Officer for the Directorate-General for Trade. The Hearing Officer acts as an interface between the interested parties and the Commission investigation services. The Hearing Officer reviews requests for access to the file, disputes regarding the confidentiality of documents, requests for extension of time limits and requests by third parties to be heard. The Hearing Officer may organise a hearing with an individual interested party and mediate 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. For hearings on issues pertaining to the initial stage of the investigation the request must be submitted within 15 days of the date of publication of this notice in the *Official Journal of the European Union*. Thereafter, a request to be heard must be submitted within specific deadlines set by the Commission in its communication with the parties.

The Hearing Officer will also provide opportunities for a hearing involving parties to take place which would allow

different views to be presented and rebuttal arguments offered on issues pertaining, among other things, to subsidisation, injury, causal link and Union interest. Such a hearing would, as a rule, take place at the latest at the end of the fourth week following the disclosure of provisional findings.

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/commission_2010-2014/degucht/contact/hearing-officer/

8. Schedule of the investigation

The investigation will be concluded, pursuant to Article 11(9) of the basic Regulation within 13 months of the date of the publication of this notice in the *Official Journal of the European Union*. In accordance with Article 12(1) of the basic Regulation, provisional measures may be imposed no later than nine months from the publication of this notice in the *Official Journal of the European Union*.

9. Processing of personal data

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 ⁽¹⁾.

⁽¹⁾ OJ L 8, 12.1.2001, p. 1.

ANNEX I

<input type="checkbox"/>	'Limited' version ⁽¹⁾
<input type="checkbox"/>	Version 'For inspection by interested parties' (tick the appropriate box)

ANTI-SUBSIDY PROCEEDING CONCERNING IMPORTS OF CERTAIN RAINBOW TROUT ORIGINATING IN TURKEY
INFORMATION FOR THE SELECTION OF THE SAMPLE OF EXPORTING PRODUCERS IN TURKEY

This form is designed to assist exporting producers in Turkey in responding to the request for sampling information made in point 5.1.1 (a) of the notice of initiation.

Both the 'Limited' version and the version 'For inspection by interested parties' should be returned to the Commission as set out in the notice of initiation.

1. IDENTITY AND CONTACT DETAILS

Supply the following details about your company:

Company name	
Address	
Contact person	
E-mail address	
Telephone	
Fax	

2. TURNOVER AND SALES VOLUME

Indicate the turnover in the accounting currency of the company during the period 1 January 2013-31 December 2013 (export sales to the Union for each of the 28 Member States ⁽²⁾ separately and in total and domestic sales) of the product under investigation as defined in the notice of initiation and the corresponding weight or volume. State the unit of weight or volume and the currency used.

	Ton Whole Fish Equivalent (T WFE) ^(*)		Value in accounting currency Specify the currency used
Export sales to the Union, for each of the 28 Member States separately and in total, of the product under investigation, manufactured by your company	Total		
	Name each Member State ⁽³⁾		
Domestic sales of the product under investigation, manufactured by your company			
(*) Conversion factors from net weight to whole fish equivalent (WFE)			

Product presentation	Factor
Live	1,00
Fresh/chilled/frozen (gutted, head on)	0,85
Fresh/chilled/frozen (gutted, head off)	0,75
Fillets: Fresh/chilled/frozen	0,47
Fillets: Smoked	0,40

⁽¹⁾ This document is for internal use only. It is 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). It is a confidential document pursuant to Article 29 of Council Regulation (EC) No 597/2009 (OJ L 188, 18.7.2009, p. 93) and Article 12 of the WTO Agreement on Subsidies and Countervailing Measures.

⁽²⁾ The 28 Member States of the European Union are: Belgium, Bulgaria, the Czech Republic, Denmark, Germany, Estonia, Croatia, Ireland, Greece, Spain, France, Italy, Cyprus, Latvia, Lithuania, Luxembourg, Hungary, Malta, the Netherlands, Austria, Poland, Portugal, Romania, Slovenia, Slovakia, Finland, Sweden, and the United Kingdom.

⁽³⁾ Add additional rows where necessary.

3. ACTIVITIES OF YOUR COMPANY AND RELATED COMPANIES ⁽¹⁾

Give details of the precise activities of the company and all related companies (please list them and state the relationship to your company) involved in the production and/or selling (export and /or domestic) of the product under investigation. Such activities could include but are not limited to purchasing the product under investigation or producing it under sub-contracting arrangements, or processing or trading the product under investigation. In any case, please indicate whether your company produces live trout, fresh trout, frozen trout, fillets, smoked trout fillets or several of these product types (please list them).

Company name and location	Activities	Relationship

4. OTHER INFORMATION

Please provide any other relevant information which the company considers useful to assist the Commission in the selection of the sample.

5. INDIVIDUAL SUBSIDY MARGIN

The company declares that, in the event that it is not selected to be in the sample, it would like to receive a questionnaire and other claim forms in order to fill these in and thus claim an individual subsidy margin in accordance with section 5.1.1 (b) of the notice of initiation.

Yes

No

6. CERTIFICATION

By providing the above information, the company agrees to its possible inclusion in the sample. If the company is selected to be part of the sample, this will involve completing a questionnaire and accepting a visit at its premises in order to verify 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 Commission's findings for non-cooperating exporting producers are based on facts available and the result may be less favourable to that company than if it had cooperated.

Signature of authorised official:

Name and title of authorised official:

⁽¹⁾ In accordance with Article 143 of Commission Regulation (EEC) No 2454/93 concerning the implementation of the Community Customs Code, persons shall be deemed to be related only if: (a) they are officers or directors of one another's businesses; (b) they are legally recognized partners in business; (c) they are employer and employee; (d) any person directly or indirectly owns, controls or holds 5 % or more of the outstanding voting stock or shares of both of them; (e) one of them directly or indirectly controls the other; (f) both of them are directly or indirectly controlled by a third person; (g) together they directly or indirectly control a third person; or (h) they are members of the same family. Persons shall be deemed to be members of the same family only if they stand in any of the following relationships to one another: (i) husband and wife, (ii) parent and child, (iii) brother and sister (whether by whole or half blood), (iv) grandparent and grandchild, (v) uncle or aunt and nephew or niece, (vi) parent-in-law and son-in-law or daughter-in-law, (vii) brother-in-law and sister-in-law. (OJ L 253, 11.10.1993, p. 1). In this context 'person' means any natural or legal person.

ANNEX II

<input type="checkbox"/>	'Limited' version ⁽¹⁾
<input type="checkbox"/>	Version 'For inspection by interested parties' (tick the appropriate box)

ANTI-SUBSIDY PROCEEDING CONCERNING IMPORTS OF CERTAIN RAINBOW TROUT ORIGINATING IN TURKEY

INFORMATION FOR THE SELECTION OF THE SAMPLE OF UNRELATED IMPORTERS

This form is designed to assist unrelated importers in responding to the request for sampling information made in point 5.1.2 of the notice of initiation.

Both the 'Limited' version and the version 'For inspection by interested parties' should be returned to the Commission as set out in the notice of initiation.

1. IDENTITY AND CONTACT DETAILS

Supply the following details about your company:

Company name	
Address	
Contact person	
E-mail address	
Telephone	
Fax	

2. TURNOVER AND SALES VOLUME

Indicate the total turnover in euros (EUR) of the company, and the turnover and weight or volume for imports into the Union ⁽²⁾ and resales on the Union market after importation from Turkey, during the period 1 January 2013-31 December 2013, of the product under investigation as defined in the notice of initiation and the corresponding weight or volume. State the unit of weight or volume used.

	Ton Whole Fish Equivalent (T WFE) (*)	Value in euros (EUR)
Total turnover of your company in euros (EUR)		
Imports of the product under investigation from Turkey into the Union		
Resales on the Union market after importation from Turkey of the product under investigation		
(*) Conversion factors from net weight to whole fish equivalent (WFE)		

Product presentation	Factor
Live	1,00
Fresh/chilled/frozen (gutted, head on)	0,85
Fresh/chilled/frozen (gutted, head off)	0,75
Fillets: Fresh/chilled/frozen	0,47
Fillets: Smoked	0,40

⁽¹⁾ This document is for internal use only. It is 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). It is a confidential document pursuant to Article 29 of Council Regulation (EC) No 597/2009 (OJ L 188, 18.7.2009, p. 93) and Article 12 of the WTO Agreement on Subsidies and Countervailing Measures.

⁽²⁾ The 28 Member States of the European Union are: Belgium, Bulgaria, the Czech Republic, Denmark, Germany, Estonia, Croatia, Ireland, Greece, Spain, France, Italy, Cyprus, Latvia, Lithuania, Luxembourg, Hungary, Malta, the Netherlands, Austria, Poland, Portugal, Romania, Slovenia, Slovakia, Finland, Sweden, and the United Kingdom.

3. ACTIVITIES OF YOUR COMPANY AND RELATED COMPANIES ⁽¹⁾

Give details of the precise activities of the company and all related companies (please list them and state the relationship to your company) involved in the production and/or selling (export and/or domestic) of the product under investigation. Such activities could include but are not limited to purchasing the product under investigation or producing it under sub-contracting arrangements, or processing or trading the product under investigation.

In any case, please indicate whether your company imports live trout, fresh trout, frozen trout, fillets, smoked trout fillets or several of these product types (please list them).

Company name and location	Activities	Relationship

4. OTHER INFORMATION

Please provide any other relevant information which the company considers useful to assist the Commission in the selection of the sample.

5. CERTIFICATION

By providing the above information, the company agrees to its possible inclusion in the sample. If the company is selected to be part of the sample, this will involve completing a questionnaire and accepting a visit at its premises in order to verify 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 Commission's findings for non-cooperating importers are based on the facts available and the result may be less favourable to that company than if it had cooperated.

Signature of authorised official:

Name and title of authorised official:

Date:

⁽¹⁾ In accordance with Article 143 of Commission Regulation (EEC) No 2454/93 concerning the implementation of the Community Customs Code, persons shall be deemed to be related only if: (a) they are officers or directors of one another's businesses; (b) they are legally recognized partners in business; (c) they are employer and employee; (d) any person directly or indirectly owns, controls or holds 5 % or more of the outstanding voting stock or shares of both of them; (e) one of them directly or indirectly controls the other; (f) both of them are directly or indirectly controlled by a third person; (g) together they directly or indirectly control a third person; or (h) they are members of the same family. Persons shall be deemed to be members of the same family only if they stand in any of the following relationships to one another: (i) husband and wife, (ii) parent and child, (iii) brother and sister (whether by whole or half blood), (iv) grandparent and grandchild, (v) uncle or aunt and nephew or niece, (vi) parent-in-law and son-in-law or daughter-in-law, (vii) brother-in-law and sister-in-law. (OJ L 253, 11.10.1993, p. 1). In this context 'person' means any natural or legal person.

Notice of initiation of an anti-dumping proceeding concerning imports of certain rainbow trout originating in Turkey

(2014/C 44/11)

The European Commission ('the Commission') has received a complaint pursuant to Article 5 of Council Regulation (EC) No 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Community ⁽¹⁾ ('the basic Regulation'), alleging that imports of certain rainbow trout, originating in Turkey, are being dumped and are thereby causing material injury to the Union industry.

1. Complaint

The complaint was lodged on 3 January 2014 by the Danish Aquaculture Association ('the complainant') on behalf of producers representing more than 25 % of the total Union production of certain rainbow trout.

2. Product under investigation

The product subject to this investigation is rainbow trout (*Oncorhynchus mykiss*) live, fresh, chilled, frozen or smoked whether in the form of whole fish (with heads and gills on, gutted, weighing 1,2 kg or less each), or with heads off, gilled or gutted (weighing 1 kg or less each), or in the form of fillets (weighing 400 g or less each).

3. Allegation of dumping

The product allegedly being dumped is the product under investigation, originating in Turkey ('the country concerned'), currently falling within CN codes ex 0301 91 90, ex 0302 11 80, ex 0303 14 90, ex 0304 42 90, ex 0304 82 90 and ex 0305 43 00. These CN codes are given for information only.

The allegation of dumping from Turkey is based on a comparison of the domestic price with the export price (at ex-works level) of the product under investigation when sold for export to the Union.

On this basis the dumping margins calculated are significant for the country concerned.

4. Allegation of injury and causation

The complainant has provided evidence that imports of the product under investigation from the country concerned have increased overall in absolute terms and have increased in terms of market share.

The prima facie evidence provided by the complainant shows that the volume and the prices of the imported product under

investigation have had, among other consequences, a negative impact on the quantities sold, the level of prices charged and the market share held by the Union industry, resulting in substantial adverse effects on the overall performance of the Union industry.

5. Procedure

Having determined, after consulting the Advisory Committee, that the complaint has been lodged by or on behalf of the Union industry and that there is sufficient evidence to justify the initiation of a proceeding, the Commission hereby initiates an investigation pursuant to Article 5 of the basic Regulation.

The investigation will determine whether the product under investigation originating in the country concerned is being dumped and whether the dumped imports have caused injury to the Union industry. If the conclusions are affirmative, the investigation will examine whether the imposition of measures would not be against the Union interest.

5.1. Procedure for the determination of dumping

Exporting producers ⁽²⁾ of the product under investigation from the country concerned are invited to participate in the Commission investigation.

5.1.1. Investigating exporting producers

(a) Sampling

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

In order to enable the Commission to decide whether sampling is necessary, and if so, to select a sample, all exporting producers, or representatives acting on their behalf, are hereby requested to make themselves known to the Commission. These parties have to do so within 15 days of the date of publication of this notice in the *Official Journal of the European Union*, unless otherwise specified, by providing the Commission with information on their company(ies) requested in Annex I to this notice.

⁽¹⁾ OJ L 343, 22.12.2009, p. 51.

⁽²⁾ An exporting producer is any company in the country concerned which produces and exports the product under investigation to the Union market, either directly or via a third party, including any of its related companies involved in the production, domestic sales or exports of the product under investigation.

In order to obtain information it deems necessary for the selection of the sample of exporting producers, the Commission will also contact the authorities of the country concerned and may contact any known associations of exporting producers.

All interested parties wishing to submit any other relevant information regarding the selection of the sample, excluding the information requested above, must do so within 21 days of the publication of this notice in the *Official Journal of the European Union*, unless otherwise specified.

If a sample is necessary, the exporting producers may be selected based on the largest representative volume of exports to the Union which can reasonably be investigated within the time available. All known exporting producers, the authorities of the country concerned and associations of exporting producers will be notified by the Commission, via the authorities of the country concerned if appropriate, of the companies selected to be in the sample.

In order to obtain information it deems necessary for its investigation with regard to exporting producers, the Commission will send questionnaires to the exporting producers selected to be in the sample, to any known association of exporting producers, and to the authorities of the country concerned.

All exporting producers selected to be in the sample will have to submit a completed questionnaire within 37 days from the date of notification of the sample selection, unless otherwise specified.

Without prejudice to the possible application of Article 18 of the basic Regulation, companies that have agreed to their possible inclusion in the sample but are not selected to be in the sample will be considered to be cooperating ('non-sampled cooperating exporting producers'). Without prejudice to section (b) below, the anti-dumping duty that may be applied to imports from non-sampled cooperating exporting producers will not exceed the weighted average margin of dumping established for the exporting producers in the sample ⁽¹⁾.

(b) Individual dumping margin for companies not included in the sample

Non-sampled cooperating exporting producers may request, pursuant to Article 17(3) of the basic Regulation, that the Commission establish their individual dumping margins ('individual dumping margin'). The exporting producers wishing

⁽¹⁾ Pursuant to Article 9(6) of the basic Regulation, any zero and *de minimis* margins, and margins established in accordance with the circumstances described in Article 18 of the basic Regulation will be disregarded.

to claim an individual dumping margin must request a questionnaire and return it duly completed within 37 days of the date of notification of the sample selection, unless otherwise specified. The Commission will examine whether they can be granted an individual duty in accordance with Article 9(5) of the basic Regulation.

However, exporting producers claiming an individual dumping margin should be aware that the Commission may nonetheless decide not to determine their individual dumping margin if, for instance, the number of exporting producers is so large that such determination would be unduly burdensome and would prevent the timely completion of the investigation.

5.1.2. Investigating unrelated importers ⁽²⁾ ⁽³⁾

Unrelated importers of the product under investigation from Turkey to the Union are invited to participate in this investigation.

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

In order to enable the Commission to decide whether sampling is necessary and, if so, to select a sample, all unrelated importers, or representatives acting on their behalf, are hereby requested to make themselves known to the Commission. These parties must do so within 15 days of the date of publication of this notice in the *Official Journal of the European Union*, unless otherwise specified, by providing the Commission with the information on their company requested in Annex II to this notice.

⁽²⁾ Only importers not related to exporting producers can be sampled. Importers that are related to exporting producers have to fill in Annex 1 to the questionnaire for these exporting producers. In accordance with Article 143 of Commission Regulation (EEC) No 2454/93 concerning the implementation of the Community Customs Code, persons shall be deemed to be related only if: (a) they are officers or directors of one another's businesses; (b) they are legally recognized partners in business; (c) they are employer and employee; (d) any person directly or indirectly owns, controls or holds 5 % or more of the outstanding voting stock or shares of both of them; (e) one of them directly or indirectly controls the other; (f) both of them are directly or indirectly controlled by a third person; (g) together they directly or indirectly control a third person; or (h) they are members of the same family. Persons shall be deemed to be members of the same family only if they stand in any of the following relationships to one another: (i) husband and wife, (ii) parent and child, (iii) brother and sister (whether by whole or half blood), (iv) grandparent and grandchild, (v) uncle or aunt and nephew or niece, (vi) parent-in-law and son-in-law or daughter-in-law, (vii) brother-in-law and sister-in-law. (OJ L 253, 11.10.1993, p. 1). In this context 'person' means any natural or legal person.

⁽³⁾ The data provided by unrelated importers may also be used in relation to aspects of this investigation other than the determination of dumping.

In order to obtain information it deems necessary for the selection of the sample of unrelated importers, the Commission may also contact any known associations of importers.

All interested parties wishing to submit any other relevant information regarding the selection of the sample, excluding the information requested above, must do so within 21 days of the publication of this notice in the *Official Journal of the European Union*, unless otherwise specified.

If a sample is necessary, the importers may be selected based on the largest representative volume of sales of the product under investigation in the Union which can reasonably be investigated within the time available. All known unrelated importers and associations of importers will be notified by the Commission of the companies selected to be in the sample.

In order to obtain information it deems necessary for its investigation, the Commission will send questionnaires to the sampled unrelated importers and to any known association of importers. These parties must submit a completed questionnaire within 37 days from the date of the notification of the sample selection, unless otherwise specified.

5.2. Procedure for the determination of injury and investigating Union producers

A determination of injury is based on positive evidence and involves an objective examination of the volume of the dumped imports, their effect on prices on the Union market and the consequent impact of those imports on the Union industry. In order to establish whether the Union industry is injured, Union producers of the product under investigation are invited to participate in the Commission investigation.

In view of the large number of Union producers involved in this proceeding and in order to complete the investigation within the statutory 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 5.6 below). Other Union producers, or representatives acting on their behalf, that consider that there are reasons why they should be included in the sample must contact the Commission within 15 days of the date of publication of this notice in the *Official Journal of the European Union*.

All interested parties wishing to submit any other relevant information regarding the selection of the sample must do so within 21 days of the publication of this notice in the *Official Journal of the European Union*, unless otherwise specified.

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.

In order to obtain information it deems necessary for its investigation, the Commission will send questionnaires to the sampled Union producers and to any known association of Union producers. These parties must submit a completed questionnaire within 37 days from the date of the notification of the sample selection, unless otherwise specified.

5.3. Procedure for the assessment of Union interest

Should the existence of dumping and injury caused thereby be established, a decision will be reached, pursuant to Article 21 of the basic Regulation, as to whether the adoption of anti-dumping measures would not be against the Union interest. Union producers, importers and their representative associations, users and their representative associations, and representative consumer organisations are invited to make themselves known within 15 days of the date of publication of this notice in the *Official Journal of the European Union*, unless otherwise specified. In order to participate in the investigation, the representative consumer organisations have to demonstrate, within the same deadline, that there is an objective link between their activities and the product under investigation.

Parties that make themselves known within the above deadline may provide the Commission with information on the Union interest within 37 days of the date of publication of this notice in the *Official Journal of the European Union*, unless otherwise specified. This information may be provided either in a free format or by completing a questionnaire prepared by the Commission. In any case, information submitted pursuant to Article 21 will only be taken into account if supported by factual evidence at the time of submission.

5.4. Other written submissions

Subject to the provisions of this notice, all interested parties are hereby invited to make their views known, submit information and provide supporting evidence. Unless otherwise specified, this information and supporting evidence must reach the Commission within 37 days of the date of publication of this notice in the *Official Journal of the European Union*.

5.5. Possibility to be heard by the Commission investigation services

All interested parties may request to be heard by the Commission investigation services. Any request to be heard should be made in writing and should specify the reasons for the request. For hearings on issues pertaining to the initial stage of the investigation the request must be submitted within 15 days of the date of publication of this notice in the *Official Journal of the European Union*. Thereafter, a request to be heard must be submitted within the specific deadlines set by the Commission in its communication with the parties.

5.6. Instructions for making written submissions and sending completed questionnaires 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' ⁽¹⁾.

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 invited to make all submissions and requests by e-mail including scanned powers of attorney and certification sheets, with the exception of voluminous replies which shall be submitted on a CD-ROM or DVD by hand or by registered mail. By using e-mail, interested parties express their agreement with the rules applicable to electronic submissions contained in the document 'CORRESPONDANCE 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

The interested parties must indicate their name, address, telephone and a valid e-mail address and they should ensure that the provided e-mail address is a functioning official business e-mail which is checked on a daily basis. Once contact details are provided, the Commission will communicate with interested parties by e-mail 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 e-mail, interested parties should consult the communication instructions with interested parties referred to above.

Commission's address for correspondence:

European Commission
Directorate-General for Trade
Directorate H
Office: N105 08/020
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

E-mail Dumping: Trade-Trout-Dumping@ec.europa.eu
E-mail Injury: Trade-Trout-Injury@ec.europa.eu

6. Non-cooperation

In cases where any interested party refuses access to or does not provide the necessary information within the time limits, or significantly impedes the investigation, *provisional or final* findings, affirmative or negative, may be made on the basis of facts available, in accordance with Article 18 of the basic Regulation.

Where it is found that any interested party has supplied false or misleading information, the information may be disregarded and use may be made of facts available.

If an interested party does not cooperate or cooperates only partially and findings are therefore based on 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.

Failure to give a computerised response shall not be deemed to constitute non-cooperation, provided that the interested party shows that presenting the response as requested would result in an unreasonable extra burden or unreasonable additional cost. The interested party should immediately contact the Commission.

7. Hearing Officer

Interested parties may request the intervention of the Hearing Officer for the Directorate-General for Trade. The Hearing Officer acts as an interface between the interested parties and the Commission investigation services. The Hearing Officer reviews requests for access to the file, disputes regarding the confidentiality of documents, requests for extension of time limits and requests by third parties to be heard. The Hearing Officer may organise a hearing with an individual interested party and mediate to ensure that the interested parties' rights of defence are being fully exercised.

⁽¹⁾ 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).

A request for a hearing with the Hearing Officer should be made in writing and should specify the reasons for the request. For hearings on issues pertaining to the initial stage of the investigation the request must be submitted within 15 days of the date of publication of this notice in the *Official Journal of the European Union*. Thereafter, a request to be heard must be submitted within specific deadlines set by the Commission in its communication with the parties.

The Hearing Officer will also provide opportunities for a hearing involving parties to take place which would allow different views to be presented and rebuttal arguments offered on issues pertaining, among other things, to dumping, injury, causal link and Union interest. Such a hearing would, as a rule, take place at the latest at the end of the fourth week following the disclosure of provisional findings.

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/commission_2010-2014/degucht/contact/hearing-officer/

8. Schedule of the investigation

The investigation will be concluded, pursuant to Article 6(9) of the basic Regulation within 15 months of the date of the publication of this notice in the *Official Journal of the European Union*. In accordance with Article 7(1) of the basic Regulation, provisional measures may be imposed no later than nine months from the publication of this notice in the *Official Journal of the European Union*.

9. Processing of personal data

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 ⁽¹⁾.

⁽¹⁾ OJ L 8, 12.1.2001, p. 1.

ANNEX I

<input type="checkbox"/>	'Limited' version ⁽¹⁾
<input type="checkbox"/>	Version 'For inspection by interested parties'
(tick the appropriate box)	

ANTI-DUMPING PROCEEDING CONCERNING IMPORTS OF CERTAIN RAINBOW TROUT ORIGINATING IN TURKEY

INFORMATION FOR THE SELECTION OF THE SAMPLE OF EXPORTING PRODUCERS IN TURKEY

This form is designed to assist exporting producers in Turkey in responding to the request for sampling information made in point 5.1.1(a) of the notice of initiation.

Both the 'Limited' version and the version 'For inspection by interested parties' should be returned to the Commission as set out in the notice of initiation.

1. IDENTITY AND CONTACT DETAILS

Supply the following details about your company:

Company name	
Address	
Contact person	
E-mail address	
Telephone	
Fax	

2. TURNOVER AND SALES VOLUME

Indicate the turnover in the accounting currency of the company during the period 1 January 2013-31 December 2013 (export sales to the Union for each of the 28 Member States ⁽²⁾ separately and in total and domestic sales) of the product under investigation as defined in the notice of initiation and the corresponding weight or volume. State the unit of weight or volume and the currency used.

	Ton whole fish equivalent (T WFE) ^(*)	Value in accounting currency Specify the currency used
Export sales to the Union, for each of the 28 Member States separately and in total, of the product under investigation, manufactured by your company	Total	
	Name each Member State ⁽³⁾	
Domestic sales of the product under investigation, manufactured by your company		

(*) Conversion factors from net weight to whole fish equivalent (WFE).

⁽¹⁾ This document is for internal use only. It is 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). It is a confidential document 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).

⁽²⁾ The 28 Member States of the European Union are: Belgium, Bulgaria, the Czech Republic, Denmark, Germany, Estonia, Ireland, Greece, Spain, France, Croatia, Italy, Cyprus, Latvia, Lithuania, Luxembourg, Hungary, Malta, the Netherlands, Austria, Poland, Portugal, Romania, Slovenia, Slovakia, Finland, Sweden, and the United Kingdom.

⁽³⁾ Add additional rows where necessary.

Product presentation	Factor
Live	1,00
Fresh/chilled/frozen (gutted, head on)	0,85
Fresh/chilled/frozen (gutted, head off)	0,75
Fillets: Fresh/chilled/frozen	0,47
Fillets: Smoked	0,40

3. ACTIVITIES OF YOUR COMPANY AND RELATED COMPANIES ⁽¹⁾

Give details of the precise activities of your company and all related companies (please list them and state the relationship to your company) involved in the production and/or selling (export and/or domestic) of the product under investigation. Such activities could include, but are not limited to, purchasing the product under investigation or producing it under subcontracting arrangements, or processing or trading the product under investigation. In any case, please indicate whether your company produces live trout, fresh trout, frozen trout, fillets, smoked trout fillets or several of these product types (please list them).

Company name and location	Activities	Relationship

4. OTHER INFORMATION

Please provide any other relevant information which the company considers useful to assist the Commission in the selection of the sample.

5. INDIVIDUAL DUMPING MARGIN

The company declares that, in the event that it is not selected to be in the sample, it would like to receive a questionnaire and other claim forms in order to fill these in and thus claim an individual dumping margin in accordance with Section 5.1.1(b) of the notice of initiation.

Yes

No

6. CERTIFICATION

By providing the above information, the company agrees to its possible inclusion in the sample. If the company is selected to be part of the sample, this will involve completing a questionnaire and accepting a visit at its premises in order to verify 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 Commission's findings for non-cooperating exporting producers are based on facts available and the result may be less favourable to that company than if it had cooperated.

Signature of authorised official:

Name and title of authorised official:

Date:

⁽¹⁾ In accordance with Article 143 of Commission Regulation (EEC) No 2454/93 concerning the implementation of the Community Customs Code, persons shall be deemed to be related only if: (a) they are officers or directors of one another's businesses; (b) they are legally recognised partners in business; (c) they are employer and employee; (d) any person directly or indirectly owns, controls or holds 5 % or more of the outstanding voting stock or shares of both of them; (e) one of them directly or indirectly controls the other; (f) both of them are directly or indirectly controlled by a third person; (g) together they directly or indirectly control a third person; or (h) they are members of the same family. Persons shall be deemed to be members of the same family only if they stand in any of the following relationships to one another: (i) husband and wife; (ii) parent and child; (iii) brother and sister (whether by whole or half blood); (iv) grandparent and grandchild; (v) uncle or aunt and nephew or niece; (vi) parent-in-law and son-in-law or daughter-in-law; (vii) brother-in-law and sister-in-law (OJ L 253, 11.10.1993, p. 1). In this context, 'person' means any natural or legal person.

ANNEX II

<input type="checkbox"/>	'Limited' version ⁽¹⁾
<input type="checkbox"/>	Version 'For inspection by interested parties'
(tick the appropriate box)	

ANTI-DUMPING PROCEEDING CONCERNING IMPORTS OF CERTAIN RAINBOW TROUT ORIGINATING IN TURKEY

INFORMATION FOR THE SELECTION OF THE SAMPLE OF UNRELATED IMPORTERS

This form is designed to assist unrelated importers in responding to the request for sampling information made in point 5.1.2 of the notice of initiation.

Both the 'Limited' version and the version 'For inspection by interested parties' should be returned to the Commission as set out in the notice of initiation.

1. IDENTITY AND CONTACT DETAILS

Supply the following details about your company:

Company name	
Address	
Contact person	
E-mail address	
Telephone	
Fax	

2. TURNOVER AND SALES VOLUME

Indicate the total turnover in euros (EUR) of the company, and the turnover and weight or volume for imports into the Union ⁽²⁾ and resales on the Union market after importation from Turkey, during the period 1 January 2013-31 December 2013, of the product under investigation as defined in the notice of initiation and the corresponding weight or volume. State the unit of weight or volume used.

	Ton whole fish equivalent (T WFE) (*)	Value in euros (EUR)
Total turnover of your company in euros (EUR)		
Imports of the product under investigation from Turkey into the Union		
Resales on the Union market after importation from Turkey of the product under investigation		
(*) Conversion factors from net weight to whole fish equivalent (WFE).		

⁽¹⁾ This document is for internal use only. It is 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). It is a confidential document 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).

⁽²⁾ The 28 Member States of the European Union are: Belgium, Bulgaria, the Czech Republic, Denmark, Germany, Estonia, Ireland, Greece, Spain, France, Croatia, Italy, Cyprus, Latvia, Lithuania, Luxembourg, Hungary, Malta, the Netherlands, Austria, Poland, Portugal, Romania, Slovenia, Slovakia, Finland, Sweden, and the United Kingdom.

Product presentation	Factor
Live	1,00
Fresh/chilled/frozen (gutted, head on)	0,85
Fresh/chilled/frozen (gutted, head off)	0,75
Fillets: Fresh/chilled/frozen	0,47
Fillets: Smoked	0,40

3. ACTIVITIES OF YOUR COMPANY AND RELATED COMPANIES ⁽¹⁾

Give details of the precise activities of your company and all related companies (please list them and state the relationship to your company) involved in the production and/or selling (export and/or domestic) of the product under investigation. Such activities could include, but are not limited to, purchasing the product under investigation or producing it under sub-contracting arrangements, or processing or trading the product under investigation.

In any case, please indicate whether your company imports live trout, fresh trout, frozen trout, fillets, smoked trout fillets or several of these product types (please list them).

Company name and location	Activities	Relationship

4. OTHER INFORMATION

Please provide any other relevant information which the company considers useful to assist the Commission in the selection of the sample.

5. CERTIFICATION

By providing the above information, the company agrees to its possible inclusion in the sample. If the company is selected to be part of the sample, this will involve completing a questionnaire and accepting a visit at its premises in order to verify 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 Commission's findings for non-cooperating importers are based on facts available and the result may be less favourable to that company than if it had cooperated.

Signature of authorised official:

Name and title of authorised official:

Date:

⁽¹⁾ In accordance with Article 143 of Commission Regulation (EEC) No 2454/93 concerning the implementation of the Community Customs Code, persons shall be deemed to be related only if: (a) they are officers or directors of one another's businesses; (b) they are legally recognised partners in business; (c) they are employer and employee; (d) any person directly or indirectly owns, controls or holds 5 % or more of the outstanding voting stock or shares of both of them; (e) one of them directly or indirectly controls the other; (f) both of them are directly or indirectly controlled by a third person; (g) together they directly or indirectly control a third person; or (h) they are members of the same family. Persons shall be deemed to be members of the same family only if they stand in any of the following relationships to one another: (i) husband and wife; (ii) parent and child; (iii) brother and sister (whether by whole or half blood); (iv) grandparent and grandchild; (v) uncle or aunt and nephew or niece; (vi) parent-in-law and son-in-law or daughter-in-law; (vii) brother-in-law and sister-in-law (OJ L 253, 11.10.1993, p. 1). In this context, 'person' means any natural or legal person.

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION
POLICY

EUROPEAN COMMISSION

Withdrawal of notification of a concentration

(Case COMP/M.7144 — Apollo/Fondo de Garantía de Depósitos de Entidades de Crédito/Synergy)

(Text with EEA relevance)

(2014/C 44/12)

(Council Regulation (EC) No 139/2004)

On 24 January 2014, the European Commission received a notification of a proposed concentration between Apollo Management LP (USA), Fondo de Garantía de Depósitos de Entidades de Crédito (Spain) and Synergy Industry and Technology, SA (Spain). On 7 February 2014, the notifying parties informed the Commission that they withdrew their notification.

EUR-Lex (<http://new.eur-lex.europa.eu>) offers direct access to European Union legislation free of charge. The *Official Journal of the European Union* can be consulted on this website, as can the Treaties, legislation, case-law and preparatory acts.

For further information on the European Union, see: <http://europa.eu>



Publications Office of the European Union
2985 Luxembourg
LUXEMBOURG

EN