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English edition

## Information and Notices

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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 M.7522 — MVV/BayWa r.e./GlendImplex/GreenCom/BEEGY)****(Text with EEA relevance)**

(2015/C 143/01)

On 21 April 2015, the Commission decided not to oppose the above notified concentration and to declare it compatible with the internal market. This decision is based on Article 6(1)(b) of Council Regulation (EC) No 139/2004<sup>(1)</sup>. The full text of the decision is available only in German language 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/homepage.html?locale=en>) under document number 32015M7522. EUR-Lex is the online access to the European law.

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<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1.

**Non-opposition to a notified concentration****(Case M.7568 — M1 Fashion/LVMH/Pepe Jeans Group)****(Text with EEA relevance)**

(2015/C 143/02)

On 24 April 2015, the Commission decided not to oppose the above notified concentration and to declare it compatible with the internal market. This decision is based on Article 6(1)(b) of Council Regulation (EC) No 139/2004<sup>(1)</sup>. The full text of the decision is available only in English language 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/homepage.html?locale=en>) under document number 32015M7568. EUR-Lex is the online access to the European law.

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<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1.

## IV

(Notices)

## NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

## EUROPEAN COMMISSION

Euro exchange rates <sup>(1)</sup>

29 April 2015

(2015/C 143/03)

1 euro =

Currency	Exchange rate	Currency	Exchange rate		
USD	US dollar	1,1002	CAD	Canadian dollar	1,3262
JPY	Japanese yen	131,20	HKD	Hong Kong dollar	8,5278
DKK	Danish krone	7,4619	NZD	New Zealand dollar	1,4310
GBP	Pound sterling	0,71610	SGD	Singapore dollar	1,4557
SEK	Swedish krona	9,2723	KRW	South Korean won	1 179,14
CHF	Swiss franc	1,0491	ZAR	South African rand	13,0682
ISK	Iceland króna		CNY	Chinese yuan renminbi	6,8211
NOK	Norwegian krone	8,3850	HRK	Croatian kuna	7,5763
BGN	Bulgarian lev	1,9558	IDR	Indonesian rupiah	14 212,78
CZK	Czech koruna	27,435	MYR	Malaysian ringgit	3,9178
HUF	Hungarian forint	302,55	PHP	Philippine peso	48,743
PLN	Polish zloty	4,0120	RUB	Russian rouble	56,7850
RON	Romanian leu	4,4125	THB	Thai baht	36,142
TRY	Turkish lira	2,9437	BRL	Brazilian real	3,2467
AUD	Australian dollar	1,3762	MXN	Mexican peso	16,8221
			INR	Indian rupee	69,7841

<sup>(1)</sup> Source: reference exchange rate published by the ECB.

### Explanatory Notes to the Combined Nomenclature of the European Union

(2015/C 143/04)

Pursuant to the second indent of Article 9(1)(a) of Council Regulation (EEC) No 2658/87 <sup>(1)</sup>, the Explanatory Notes to the Combined Nomenclature of the European Union <sup>(2)</sup> are hereby amended as follows:

On page 155, after the table belonging to point 3 of the Additional note 1 to Chapter 30, a new point 4 with the following text is inserted:

'4. Recommended daily allowance (RDA) for adults with a weight of 70 kg, on essential amino acids, according to the joint WHO/FAO/UNU expert Consultation 2007.

Essential Amino Acid	RDA (mg)
Histidine	700
Isoleucine	1 400
Leucine	2 730
Lysine	2 100
Methionine + Cysteine	1 050
Cysteine	287
Methionine	728
Phenylalanine + Tyrosine	1 750
Threonine	1 050
Tryptophan	280
Valine	1 820

Recommended daily allowance (RDA) for adults with a weight of 70 kg, on essential fatty acids, according to the joint WHO/FAO/UNU expert Consultation 2007.

Types of essential fatty acids	Name of essential fatty acid	RDA (g)
n-3 polyunsaturated fatty acids	linolenic acid (ALA)	2
long-chain n-3 polyunsaturated fatty acids	EPA plus DHA	0,25
n-6 polyunsaturated fatty acids	linoleic acid	10'

<sup>(1)</sup> Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1).

<sup>(2)</sup> OJ C 76, 4.3.2015, p. 1.

**New national side of euro coins intended for circulation**

(2015/C 143/05)



*National side of the new commemorative 2-euro coin intended for circulation and issued by Germany*

Euro coins intended for circulation have legal tender status throughout the euro area. For the purpose of informing the public and all parties who handle the coins, the Commission publishes a description of the designs of all new coins <sup>(1)</sup>. In accordance with the Council conclusions of 10 February 2009 <sup>(2)</sup>, euro-area Member States and countries that have concluded a monetary agreement with the European Union providing for the issuing of euro coins are allowed to issue commemorative euro coins intended for circulation, provided that certain conditions are met, particularly that only the 2-euro denomination is used. These coins have the same technical characteristics as other 2-euro coins, but their national face features a commemorative design that is highly symbolic in national or European terms.

**Issuing country:** Germany

**Subject of commemoration:** Hessen from the 'Lander' series

**Description of the design:** The design depicts a classic perspective on St. Paul's Church in Frankfurt (the 'Paulskirche' was the seat of Germany's first freely elected legislative body in 1849 and is regarded as the cradle of German democracy) and is therefore the perspective possessing the greatest recognition value. The design incisively brings out the tension between the dominant tower and the elliptical structure of the church. The slightly exaggerated flight of steps has an inviting quality while simultaneously offering support to the subjacent inscription 'HESSEN' (the Federal State of Hessen in which St. Paul's Church is situated). The inner part also features the year '2015' and the mint mark of the respective mint ('A', 'D', 'F', 'G' or 'J') at the left side as well as the issuing country's indication 'D' and the engraver's mark (the initials 'HH' — Heinz Hoyer) at the right side.

The coin's outer ring depicts the 12 stars of the European flag.

**Number of coins to be issued:** 30 million

**Date of issue:** 30 January 2015

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<sup>(1)</sup> See OJ C 373, 28.12.2001, p. 1 for the national faces of all the coins issued in 2002.

<sup>(2)</sup> See the conclusions of the Economic and Financial Affairs Council of 10 February 2009 and the Commission Recommendation of 19 December 2008 on common guidelines for the national sides and the issuance of euro coins intended for circulation (OJ L 9, 14.1.2009, p. 52).



**New national side of euro coins intended for circulation**

(2015/C 143/06)



*National side of the new commemorative 2-euro coin intended for circulation and issued by the Republic of San Marino*

Euro coins intended for circulation have legal tender status throughout the euro area. For the purpose of informing the public and all parties who handle the coins, the Commission publishes a description of the designs of all new coins <sup>(1)</sup>. In accordance with the Council conclusions of 10 February 2009 <sup>(2)</sup>, euro-area Member States and countries that have concluded a monetary agreement with the European Union providing for the issuing of euro coins are allowed to issue commemorative euro coins intended for circulation, provided that certain conditions are met, particularly that only the 2-euro denomination is used. These coins have the same technical characteristics as other 2-euro coins, but their national face features a commemorative design that is highly symbolic in national or European terms.

**Issuing country:** The Republic of San Marino

**Subject of commemoration:** the 750th anniversary of the birth of Dante Alighieri

**Description of the design:** The design by Annalisa Masini shows a portrait of Dante, taken from a fresco by Botticelli. At the right of the portrait, the inscription 'DANTE' on a vertical axis. At the right of the inner centre, the name of the issuing country 'SAN MARINO' in semi-circle. Between these two inscriptions, the mint mark 'R', the years '1265' and '2015' and the initials of the artist 'AM'. The lettering style used in identifying the nation and the coin's subject was inspired by lettering in the first copies of the *Divina Commedia* (Dante's *Divine Comedy*).

The coin's outer ring depicts the 12 stars of the European flag.

**Number of coins to be issued:** 104 000

**Date of issue:** 8 April 2015

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<sup>(1)</sup> See OJ C 373, 28.12.2001, p. 1 for the national faces of all the coins issued in 2002.

<sup>(2)</sup> See the conclusions of the Economic and Financial Affairs Council of 10 February 2009 and the Commission Recommendation of 19 December 2008 on common guidelines for the national sides and the issuance of euro coins intended for circulation (OJ L 9, 14.1.2009, p. 52).

**New national side of euro coins intended for circulation**

(2015/C 143/07)



*National side of the new commemorative 2-euro coin intended for circulation and issued by Malta*

Euro coins intended for circulation have legal tender status throughout the euro area. For the purpose of informing the public and all parties who handle the coins, the Commission publishes a description of the designs of all new coins <sup>(1)</sup>. In accordance with the Council conclusions of 10 February 2009 <sup>(2)</sup>, euro-area Member States and countries that have concluded a monetary agreement with the European Union providing for the issuing of euro coins are allowed to issue commemorative euro coins intended for circulation, provided that certain conditions are met, particularly that only the 2-euro denomination is used. These coins have the same technical characteristics as other 2-euro coins, but their national face features a commemorative design that is highly symbolic in national or European terms.

**Issuing country:** Malta

**Subject of commemoration:** First flight from Malta

**Description of the design:** The coin commemorates an important milestone in Maltese aviation history — the 100 years since the first flight from Malta. It was on 13 February 1915 that Captain Kilmer took off from the Grand Harbour on a seaplane that was carried by HMS Ark Royal. The plane landed in the harbour after a 55-minute flight. The coin depicts Captain Kilmer's seaplane with Senglea Point, a prominent feature in the Grand Harbour, in the background. At the top the inscription 'FIRST FLIGHT FROM MALTA' in semi-circle. At the right the years '1915-2015'. At the bottom left the inscription '100TH ANNIVERSARY' and at the bottom the initials of the designer 'NGB' (Noel Galea Bason).

The coin's outer ring depicts the 12 stars of the European flag.

**Number of coins to be issued:** 300 000

**Date of issue:** March 2015

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<sup>(1)</sup> See OJ C 373, 28.12.2001, p. 1 for the national faces of all the coins issued in 2002.

<sup>(2)</sup> See the conclusions of the Economic and Financial Affairs Council of 10 February 2009 and the Commission Recommendation of 19 December 2008 on common guidelines for the national sides and the issuance of euro coins intended for circulation (OJ L 9, 14.1.2009, p. 52).

**Commission notice on current State aid recovery interest rates and reference/discount rates for  
28 Member States applicable as from 1 May 2015**

*(Published in accordance with Article 10 of Commission Regulation (EC) No 794/2004 of 21 April 2004  
(OJ L 140, 30.4.2004, p. 1))*

(2015/C 143/08)

Base rates calculated in accordance with the communication from the Commission on the revision of the method for setting the reference and discount rates (OJ C 14, 19.1.2008, p. 6). Depending on the use of the reference rate, the appropriate margins have still to be added as defined in this communication. For the discount rate this means that a margin of 100 basis points has to be added. The Commission Regulation (EC) No 271/2008 of 30 January 2008 amending Regulation (EC) No 794/2004 foresees that, unless otherwise provided for in a specific decision, the recovery rate will also be calculated by adding 100 basis points to the base rate.

Modified rates are indicated in bold.

Previous table published in OJ C 88, 14.3.2015, p. 6.

From	To	AT	BE	BG	CY	CZ	DE	DK	EE	EL	ES	FI	FR	HR	HU	IE	IT	LT	LU	LV	MT	NL	PL	PT	RO	SE	SI	SK	UK
1.5.2015	...	<b>0,26</b>	<b>0,26</b>	2,18	<b>0,26</b>	0,52	<b>0,26</b>	<b>0,27</b>	<b>0,26</b>	<b>0,26</b>	<b>0,26</b>	<b>0,26</b>	<b>0,26</b>	1,58	2,21	<b>0,26</b>	<b>0,26</b>	<b>0,26</b>	<b>0,26</b>	<b>0,26</b>	<b>0,26</b>	<b>0,26</b>	2,16	<b>0,26</b>	2,04	<b>0,13</b>	<b>0,26</b>	<b>0,26</b>	1,02
1.4.2015	30.4.2015	0,34	0,34	2,18	0,34	0,52	0,34	<b>0,42</b>	0,34	0,34	0,34	0,34	0,34	1,58	2,21	0,34	0,34	0,34	0,34	0,34	0,34	0,34	2,16	0,34	2,04	<b>0,23</b>	0,34	0,34	1,02
1.3.2015	31.3.2015	0,34	0,34	2,18	0,34	0,52	0,34	0,66	0,34	0,34	0,34	0,34	0,34	1,58	2,21	0,34	0,34	0,34	0,34	0,34	0,34	0,34	2,16	0,34	<b>2,04</b>	<b>0,33</b>	0,34	0,34	1,02
1.1.2015	28.2.2015	<b>0,34</b>	<b>0,34</b>	<b>2,18</b>	<b>0,34</b>	<b>0,52</b>	<b>0,34</b>	<b>0,66</b>	<b>0,34</b>	<b>0,34</b>	<b>0,34</b>	<b>0,34</b>	<b>0,34</b>	<b>1,58</b>	<b>2,21</b>	<b>0,34</b>	<b>0,34</b>	<b>0,34</b>	<b>0,34</b>	<b>0,34</b>	<b>0,34</b>	<b>0,34</b>	<b>2,16</b>	<b>0,34</b>	<b>2,63</b>	<b>0,46</b>	<b>0,34</b>	<b>0,34</b>	<b>1,02</b>

## NOTICES CONCERNING THE EUROPEAN ECONOMIC AREA

## EFTA SURVEILLANCE AUTHORITY

**EFTA Surveillance Authority notice on State aid recovery interest rates and reference/discount rates for the EFTA States applicable as from 1 January 2015**

*(Published in accordance with the rules on reference and discount rates set out in Part VII of the Authority's State Aid Guidelines and Article 10 of the Authority's Decision No 195/04/COL of 14 July 2004 (OJ L 139, 25.5.2006, p. 37 and EEA Supplement No 26/2006, 25.5.2006, p. 1))*

(2015/C 143/09)

Base rates are calculated in accordance with the Chapter on the method for setting reference and discount rates of the Authority's State Aid Guidelines as amended by the Authority's Decision No 788/08/COL of 17 December 2008. To obtain the applicable reference rates, appropriate margins shall be added to the base rate in accordance with the State Aid Guidelines.

Base rates have been determined as follows:

	Iceland	Liechtenstein	Norway
1.1.2015 –	6,26	0,16	1,71

## V

(Announcements)

## COURT PROCEEDINGS

## EFTA COURT

**Action brought on 28 January 2015 by the Icelandic Financial Services Association against the EFTA Surveillance Authority**

**(Case E-4/15)**

(2015/C 143/10)

An action against the EFTA Surveillance Authority was brought before the EFTA Court on 28 January 2015 by the Icelandic Financial Services Association, represented by Hans-Jörg Niemeyer, Attorney-at-law, and Christian Kovács, Attorney-at-law, Hengeler Mueller, Square de Meeûs 40, 1000 Brussels, Belgium.

The applicant claims that the EFTA Court should:

1. annul the EFTA Surveillance Authority's Decision 298/14/COL of 16 July 2014 (OJ C 400, 13.11.2014, p. 13) to close the case concerning existing aid to the Icelandic Housing Financing Fund (Íbúðalánasjóður); and
2. order the EFTA Surveillance Authority to bear the costs of the proceedings.

*Legal and factual background and pleas in law adduced in support:*

- The applicant, the Icelandic Financial Services Association ('SFF'), is an association which represents all registered financial undertakings in Iceland, including universal, investment, and savings banks as well as insurance, leasing, securities and card companies. Its objective is to promote a competitive operating environment for financial companies in Iceland and promote their interests internationally.
- The case concerns an application for annulment of a decision by the EFTA Surveillance Authority to close a case concerning existing aid to the Icelandic Housing Financing Fund ('HFF').

The applicant claims that the EFTA Surveillance Authority has:

- wrongly assumed that the support granted to HFF constitutes existing aid when in reality it amounts to new aid,
  - not provided adequate reasons for the conclusions it drew in the Decision and thereby violated Article 16 SCA,
  - manifestly erred in its interpretation of Article 59(2) EEA.
-

**Action brought on 16 February 2015 by the EFTA Surveillance Authority against the Kingdom of Norway**

**(Case E-6/15)**

(2015/C 143/11)

An action against the Kingdom of Norway was brought before the EFTA Court on 16 February 2015 by the EFTA Surveillance Authority, Xavier Lewis and Clémence Perrin, acting as Agents of the EFTA Surveillance Authority, Rue Belliard 35, 1040 Brussels, Belgium.

The applicant requests EFTA Court to declare that:

1. By maintaining in force Sections 20-1, second paragraph and 22-3 of the Planning Building Act, read in conjunction with Sections 9-1 to 9-4 and 11-1 of the Building Regulation, which require undertakings carrying out construction works to obtain an authorisation by local municipalities prior to the beginning of their activity, Norway has failed to fulfil its obligations under Article 16 of the Act referred to at point 1 of Annex X of the EEA Agreement (Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market), or, alternatively, Article 36 of the EEA Agreement.
2. The Kingdom of Norway bears the costs of the proceedings.

*Legal and factual background and pleas in law adduced in support:*

- The case concerns the requirement under Norwegian law (Sections 20-1, second paragraph and 22-3 of the Planning Building Act, read in conjunction with Sections 9-1 to 9-4 and 11-1 of the Building Regulation) for undertakings wishing to carry out construction services in Norway to be approved by local municipalities before they start their activity. Such approval must be obtained before every individual construction project.
  - The EFTA Surveillance Authority submits that the requirement amounts to a restriction which cannot be justified under Article 16(1) and (3) of Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market (the 'Services Directive') or, alternatively, that such measure amounts to a restriction of freedom to provide services under Article 36 of the EEA Agreement, which cannot be justified under Article 33 of the EEA Agreement.
  - Norway claims that, in principle, such an authorisation scheme is not contrary to the Services Directive since it can be justified under Article 16(1) and (3) of that Directive.
-

**Action brought on 16 February 2015 by the EFTA Surveillance Authority against the Kingdom of Norway**

**(Case E-7/15)**

(2015/C 143/12)

An action against the Kingdom of Norway was brought before the EFTA Court on 16 February 2015 by the EFTA Surveillance Authority, Xavier Lewis, Auður Ýr Steinarsdóttir and Øyvind Bø, acting as Agents of the EFTA Surveillance Authority, Rue Belliard 35, 1040 Brussels, Belgium.

The applicant requests the EFTA Court to:

1. Declare that by:

- (i) surpassing the limit values for sulphur dioxide (SO<sub>2</sub>), particulate matter (PM<sub>10</sub>) and nitrogen dioxide (NO<sub>2</sub>) in the ambient air during the years 2008 to 2012 variously in the zones NO1, NO3, NO4, NO5 and NO6 referred to in Articles 3 to 5 of Directive 1999/30/EC, now Article 13 of Directive 2008/50/EC; and
- (ii) failing to comply with the air quality plan obligation as set out in Article 8(3) of Directive 96/62/EC, now Article 23 of Directive 2008/50/EC variously as regards zones NO1, NO2, NO3, NO4 and NO5;

Norway has failed to fulfil its obligations arising under the Act referred to at point 14c of Annex XX of the Agreement on the European Economic Area (*Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe*).

2. Order Norway to bear the costs of these proceedings.

*Legal and factual background and pleas in law adduced in support:*

- Council Directive 1999/30/EC relating to limit values for sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter and lead in ambient air, now Directive 2008/50/EC of the European Parliament and of the Council of 21 May 2008 on ambient air quality and cleaner air for Europe, imposes limit values for certain pollutants in ambient air in order to avoid, prevent and reduce harmful effects on human health and the environment as whole. It also establishes provisions for the assessment of pollutants as well as measures to maintain good air quality.
  - The EFTA Surveillance Authority submits that Norway has failed to comply with its obligation to ensure that the levels of certain pollutants in ambient air do not exceed the limit values set out in EEA law.
  - The EFTA Surveillance Authority also submits that Norway has failed to comply with the obligation to draw up suitable air quality plans where limit values plus the relevant margin of tolerance have been exceeded.
  - The EFTA Surveillance Authority states that Norway has not challenged any of the shortcomings identified by the Authority in its responses to the letter of formal notice and reasoned opinion.
  - The EFTA Surveillance Authority claims that by failing to include the details of adopted measures or projects and a timetable for their implementation, as well as an estimate of the improvement of air quality planned and the expected timeframe required to attain these objectives, Norway has failed to comply with its obligations under Article 8(3) of Directive 96/62/EC, now Article 23(1) of Directive 2008/50/EC.
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## PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMMON COMMERCIAL POLICY

### EUROPEAN COMMISSION

#### **Notice of initiation of an anti-dumping proceeding concerning imports of high fatigue performance steel concrete reinforcement bars originating in the People's Republic of China**

(2015/C 143/13)

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<sup>(1)</sup> ('the basic Regulation'), alleging that imports of high fatigue performance steel concrete reinforcement bars originating in the People's Republic of China, are being dumped and are thereby causing material injury to the Union industry.

#### **1. Complaint**

The complaint was lodged on 17 March 2015 by the European Steel Association ('Eurofer') ('the complainant') on behalf of producers representing more than 25 % of the total Union production of high fatigue performance steel concrete reinforcement bars.

#### **2. Product under investigation**

The product subject to this investigation are high fatigue performance iron or steel concrete reinforcing bars and rods (sometimes referred to as HFP Rebars) made of iron, non-alloy steel or alloy steel (but excluding of stainless steel, high-speed steel and silico-manganese steel), not further worked than hot-rolled, but including those twisted after rolling; these bars and rods contain indentations, ribs, grooves or other deformations produced during the rolling process or are twisted after rolling. The key characteristic of high fatigue performance is the ability to endure repeated stress without breaking and, specifically, the ability to resist in excess of 4,5 million fatigue cycles using a stress ratio (min/max) of 0,2 and a stress range exceeding 150 MPa. ('the product under investigation').

#### **3. Allegation of dumping**

The product allegedly being dumped is the product under investigation, originating in the People's Republic of China ('the country concerned'), currently falling within CN codes ex 7214 20 00, ex 7228 30 20, ex 7228 30 41, ex 7228 30 49, ex 7228 30 61, ex 7228 30 69, ex 7228 30 70 and ex 7228 30 89. These CN codes are given for information only.

Since, in view of the provisions of Article 2(7) of the basic Regulation, the People's Republic of China is considered to be a non-market economy country, the complainant has established a normal value for the imports from the People's Republic of China on the basis of domestic prices in two market economy third countries, namely Qatar and the United Arab Emirates.

The allegation of dumping is based on a comparison of the normal value thus established 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 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 level of prices charged and market share held by the Union industry, resulting in substantial adverse effects on the overall performance and the financial situation of the Union industry.

<sup>(1)</sup> OJ L 343, 22.12.2009, p. 51.



## 5. Procedure

Having determined, after informing the Member States, 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 <sup>(1)</sup> of the product under investigation from the country concerned are invited to participate in the Commission investigation.

#### 5.1.1. Investigating exporting producers

##### 5.1.1.1. Procedure for selecting exporting producers to be investigated in the country concerned

###### (a) Sampling

In view of the potentially large number of exporting producers in the country concerned 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 companies 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 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

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<sup>(1)</sup> 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.

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 <sup>(1)</sup>.

(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 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. Those exporting producers in the non-market economy country who consider that market economy conditions prevail for them in respect of the manufacture and sale of the product under investigation, may submit a properly substantiated market economy treatment claim to this effect ('MET claim') and return it duly completed within the deadlines specified in Section 5.1.2.2 below.

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. *Additional procedure with regard to exporting producers in the non-market economy country concerned*

5.1.2.1. Selection of a market economy third country

Subject to the provisions of Section 5.1.2.2 below, in accordance with Article 2(7)(a) of the basic Regulation, in the case of imports from the country concerned normal value will be determined on the basis of the price or constructed value in a market economy third country. For this purpose the Commission will select an appropriate market economy third country. The Commission has provisionally chosen the United Arab Emirates. Interested parties are hereby invited to comment on the appropriateness of this choice within 10 days of the date of publication of this Notice in the *Official Journal of the European Union*. According to the information available to the Commission, there is production of the product under investigation also in Qatar and Turkey. With the aim of finally selecting the market economy third country the Commission will examine whether there is production and sales of the product under investigation in those market economy third countries for which there are indications that the production of the product under investigation is taking place.

5.1.2.2. Treatment of exporting producers in the non-market economy country concerned

In accordance with Article 2(7)(b) of the basic Regulation, individual exporting producers in the country concerned, which consider that market economy conditions prevail for them in respect of the manufacture and sale of the product under investigation, may submit a properly substantiated market economy treatment claim to this effect ('MET claim'). MET will be granted if the assessment of the MET claim shows that the criteria laid down in Article 2(7)(c) of the basic Regulation <sup>(2)</sup> are fulfilled. The dumping margin of the exporting producers granted MET will be calculated, to the extent possible and without prejudice to the use of facts available pursuant to Article 18 of the basic Regulation, by using their own normal value and export prices in accordance with Article 2(7)(b) of the basic Regulation.

The Commission will send MET claim forms to all the exporting producers the country concerned selected to be in the sample and to non-sampled cooperating exporting producers that wish to apply for an individual dumping margin, to any known association of exporting producers, and to the authorities of the country concerned. The Commission will assess only MET claim forms submitted by the exporting producers in the country concerned selected to be in the sample and by the non-sampled cooperating exporting producers whose request for an individual dumping margin has been accepted.

All exporting producers claiming MET must submit a completed MET claim form within 21 days of the date of the notification of the sample selection or of the decision not to select a sample, unless otherwise specified.

<sup>(1)</sup> 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.

<sup>(2)</sup> The exporting producers have to demonstrate in particular that: (i) business decisions and costs are made in response to market conditions and without significant State interference; (ii) firms have one clear set of basic accounting records which are independently audited in line with international accounting standards and are applied for all purposes; (iii) there are no significant distortions carried over from the former non-market economy system; (iv) bankruptcy and property laws guarantee legal certainty and stability and (v) exchange rate conversions are carried out at market rates.

### 5.1.3. Investigating unrelated importers <sup>(1)</sup> <sup>(2)</sup>

Unrelated importers of the product under investigation from the country concerned 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. 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 companies 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 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. 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*.

<sup>(1)</sup> Only importers not related to exporting producers can be sampled. Importers that are related to exporting producers have to fill in Annex I 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.

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

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**

Information submitted to the Commission for the purpose of trade defence investigations shall be free from copyrights. Interested parties, before submitting to the Commission information and/or data which is subject to third party copyrights, must request specific permission to the copyright holder explicitly allowing (a) the Commission to use the information and data for the purpose of this trade defence proceeding; and (b) to provide the information and/or data to interested parties to this investigation in a form that allows them to exercise their rights of defence.

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' <sup>(1)</sup>.

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 information may be disregarded.

<sup>(1)</sup> 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).

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 'CORRESPONDENCE WITH THE EUROPEAN COMMISSION IN TRADE DEFENCE CASES' published on the website of the Directorate-General for Trade: [http://trade.ec.europa.eu/doclib/docs/2011/june/tradoc\\_148003.pdf](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 address for correspondence:

European Commission  
Directorate-General for Trade  
Directorate H  
Office: CHAR 04/039  
1040 Bruxelles/Brussel  
BELGIQUE/BELGIË

E-mail: [TRADE-HFP-REBARS-DUMPING@ec.europa.eu](mailto:TRADE-HFP-REBARS-DUMPING@ec.europa.eu)  
and  
[TRADE-HFP-REBARS-INJURY@ec.europa.eu](mailto:TRADE-HFP-REBARS-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 in trade proceedings. 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 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/trade/trade-policy-and-you/contacts/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 of 18 December 2000 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 <sup>(1)</sup>.

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<sup>(1)</sup> OJ L 8, 12.1.2001, p. 1.

## ANNEX I

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

**ANTI-DUMPING PROCEEDING CONCERNING IMPORTS OF HIGH FATIGUE PERFORMANCE STEEL CONCRETE REINFORCING BARS ORIGINATING IN THE PEOPLE'S REPUBLIC OF CHINA**

**INFORMATION FOR THE SELECTION OF THE SAMPLE OF EXPORTING PRODUCERS IN THE PEOPLE'S REPUBLIC OF CHINA**

This form is designed to assist exporting producers in the People's Republic of China in responding to the request for sampling information made in point 5.1.1.1 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 April 2013 - 31 March 2014 for sales (export sales to the Union for each of the 28 Member States <sup>(2)</sup> separately and in total and domestic sales) of high fatigue performance steel concrete reinforcing bars as defined in the notice of initiation and the corresponding weight or volume. State the unit of weight or volume and the currency used.

	Tons		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 <sup>(1)</sup> :		
Domestic sales of the product under investigation, manufactured by your company			

<sup>(1)</sup> Add additional rows where necessary.

<sup>(1)</sup> 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).

<sup>(2)</sup> 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 <sup>(1)</sup>

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 subcontracting arrangements, or processing or trading the product under investigation.

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 5.1.1.1(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:

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

**ANTI-DUMPING PROCEEDING CONCERNING IMPORTS OF HIGH FATIGUE PERFORMANCE STEEL CONCRETE REINFORCING BARS ORIGINATING IN THE PEOPLE'S REPUBLIC OF CHINA**

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 5.1.3 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 <sup>(2)</sup> and resales on the Union market after importation from the People's Republic of China, during the period 1 April 2013 - 31 March 2014, of high fatigue performance steel concrete reinforcing bars as defined in the notice of initiation and the corresponding weight or volume. State the unit of weight or volume used.

	Tons	Value in euros (EUR)
Total turnover of your company in euros (EUR)		
Imports of the product under investigation into the Union		
Resales on the Union market after importation from the People's Republic of China of the product under investigation		

<sup>(1)</sup> 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).

<sup>(2)</sup> 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 <sup>(1)</sup>

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 subcontracting arrangements, or processing or trading the product under investigation.

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:

\_\_\_\_\_

<sup>(1)</sup> 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.

## OTHER ACTS

## EUROPEAN COMMISSION

**Publication of an application pursuant to Article 50(2)(a) of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs**

(2015/C 143/14)

This publication confers the right to object to the application pursuant to Article 51 of Regulation (EU) No 1151/2012 of the European Parliament and of the Council <sup>(1)</sup>.

SINGLE DOCUMENT

**‘ΓΑΛΑΝΟ ΜΕΤΑΓΓΙΤΣΙΟΥ ΧΑΛΚΙΔΙΚΗΣ’ (GALANO METAGGITSIOU CHALKIDIKIS)****EC No: EL-PDO-0005-01027 — 7.8.2012****PGI ( ) PDO ( X )****1. Name**

‘Γαλανό Μεταγγιτίσιου Χαλκιδικής’ (Galano Metaggitsiou Chalkidikis)

**2. Member State or Third Country**

Greece

**3. Description of the agricultural product or foodstuff****3.1. Type of product**

Class 1.5. Oils and fats (butter, margarine, oil, etc.)

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

‘Galano Metaggitsiou Chalkidikis’ extra virgin olive oil is produced from two varieties of olive: Strongilolia (Galani, Prasinolia) and Chondrolia Chalkidikis. The proportions are as follows: Strongilolia (Galani, Prasinolia) at least 90 % and a maximum of 10 % Chondrolia Chalkidikis.

‘Galano Metaggitsiou Chalkidikis’ has the following physical, chemical and organoleptic characteristics:

Acidity: up to a maximum of 0,60

Peroxide value: maximum 15

K232: maximum 2,35

K270: maximum 0,18

Waxes: maximum 110 mg/kg

Percentage of unsaturated fatty acids: equal to or greater than 84 %

Percentage of oleic acid: minimum 73 %

Linolenic acid: &lt; 1,0 %

Linoleic acid: &lt; 11 %

Colour: green with yellow tints to golden yellow, cloudy immediately after pressing then gradually becomes completely clear.

<sup>(1)</sup> OJ L 343, 14.12.2012, p. 1.

Organoleptic characteristics:

Descriptor	Average value
Defects	0
Median fruitiness	> 3
Median pungency	> 3
Median bitterness	< 2,5

3.3. *Feed (for products of animal origin only) and raw materials (for processed products only)*

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

'Galano Metaggitsiou Chalkidikis' extra virgin olive oil is produced from olives that are grown and pressed solely within the defined geographical area.

3.5. *Specific rules concerning slicing, grating, packaging, etc. of the product to which the registered name refers*

'Galano Metaggitsiou Chalkidikis' is bottled within the area to prevent the risk of it being impaired and losing its specific characteristics as a result of bulk transportation.

Very specific measures are taken to prevent any deterioration of the product, i.e.:

1. The product is initially stored in numbered stainless steel tanks in the storage premises of the producers, who know how oxygen and light can affect the oil during storage.
2. The tanks are sealed with sealing wax bearing the word 'κυανόν' (blue) and are sealed again where a tank is not completely emptied, to ensure product control.
3. The product may not be decanted or transported in bulk outside the defined geographical area of production in order to reduce to a minimum the contact time between fat and oxygen at the air-oil interface, either in the transportation tank or during packaging.
4. The product may not be transported outside the defined geographical area of production in transparent tanks or containers, in order to prevent exposure to direct sunlight, which can cause photooxidation.
5. The bottles are sealed with sealing wax, the composition of which varies from one batch to the next (proportions of the components of the sealing wax, the method of sealing containers), so that there is no possibility of the product being counterfeited (control is thus facilitated) and to ensure its traceability.

The product is packaged in non-transparent containers made of glass, metal or ceramic material suitable for food use, or any other inert material provided it does not affect the contents and meets the commercial and/or legal requirements of the countries in which it is marketed.

3.6. *Specific rules concerning labelling of the product to which the registered name refers*

In addition to meeting the requirements of European Union legislation, the labelling must include one of the following logos:



The producer code must also appear on the bottle and each bottle is numbered so that the consumer has more specific, precise information.

#### 4. Concise definition of the geographical area

The geographical area where 'Galano Metaggitsiou Chalkidikis' is produced is defined by the administrative boundaries of Metaggitsi in the Municipality of Sithonia.

#### 5. Link with the geographical area

##### 5.1. Specificity of the geographical area

The specificity of the geographical area derives from the fact that it is enclosed by a river to the west, the sea to the east and to the north and south by hills.

Concerning the relief, in the tract of land that constitutes most of the area (1 820 ha) gradients are usually 1-15 % and in the area around this there are larger gradients which can be over 60 %. Thus most of the arable land is surrounded by hills. This forms a closed basin, which is protected from wet, easterly winds but at the same time maintains the low temperatures. The average temperature during the coldest month is 2,5 °C and the average during the hottest month is 22,5 °C. There are also early frosts, mainly due to the combination of climate and relief.

The climate is Mediterranean. However, it also has features of a continental climate with Mediterranean influence and precipitation is not especially abundant, with average annual rainfall ranging from 505 mm for the low altitudes to 662 mm for the higher altitudes. The period June-September is considered the driest with 119 to 169 mm of rainfall and the lowest rainfall is in September (20 mm to 29 mm). The Metaggitsi Halkidikis olive groves are planted on soil of Palaeozoic origin in the Vertiskos zone, formed from micaceous and biotic gneiss, granite, schist, quartzite, diorite and feldspars, which is moderately acid, with low pH values (5 and 6), while the other olive groves in the Halkidiki Prefecture are planted on alkaline calcareous soil with a pH of 7 or higher. From a mechanical point of view the soil is of light to medium texture and has good moisture levels, is well aired, moderately permeable, with good drainage and easy migration of water and soil solutions, and it is rich in phosphorus.

In addition, the Metaggitsi Chalkidikis olive groves are made up of at least 90 % of the Strongilolia (Galani, Prasinolia) olive variety, which is well established in the defined geographical area owing to the specific soil and climate conditions that prevail there, and a maximum of 10 % of the Chondrolia Chalkidikis variety. The dominant presence of the Strongilolia variety in the area is due to the microclimate and human activity, which literally shaped the arable land, combating soil acidity with organic and green manure and soil roughness with manual digging.

The Strongilolia is a large olive. The fruit are round-oval in shape, with no nipple, and ripen in November. The fruit is harvested early, when the fruit is green-violet, and it is cold pressed (the malaxation temperature does not exceed 27 °C). The weight ranges from 2,6 to 7,5 grams (average 4,6) and the oil content is 16 %. Strongilolia is used to produce both table olives and olive oil and is distinguished by its fruit and its leaves.

Chondrolia Chalkidikis is a large olive with a flesh-stone ratio of 7-10:1. Chondrolia Chalkidikis is used to produce both table olives and olive oil and is distinguished by its fruit and its leaves.

##### 5.2. Specificity of the product

'Galano Metaggitsiou Chalkidikis' has the following characteristics:

- at least 90 % of the oil comes from the Strongilolia (Galani, Prasinolia) variety,
- a high oleic acid content (a minimum of 73 %),
- a prevalence of unsaturated fatty acids (equal to or greater than 84 %) compared to saturated ones,
- low percentages of linolenic acid (less than 1,0 %) and linoleic acid (less than 11 %),
- average fruitiness, with a median value > 3, average pungency, median value > 3, and low to average bitterness, median value < 2,5. 'Galano Metaggitsiou Chalkidikis' can be described as a mild oil, since its value for bitterness is usually < 2.

'Galano Metaggitsiou Chalkidikis' is produced from olives that are harvested early, starting in October, when the fruit is green-violet, and it is cold pressed (the malaxation temperature does not exceed 27 °C).

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)*

'Galano Metaggitsiou Chalkidikis' is characterised by the presence of the Strongilolia (Galani or Prasinolia) variety, which is grown commercially in the geographical area and almost nowhere else. The variety is well established in the area and accounts for almost all its olive trees, 90 % of total olives grown. The dominant presence of this variety in the area is due to the microclimate (drought, dry weather, early frosts, low temperatures, low pH values of the soil, relief) and human activity, which literally shaped the arable land, combating soil acidity with organic and green manure and soil roughness with manual digging. These soil and climate conditions produce a greater concentration of oleic acid (73 %) and lower concentrations of linolenic acid (less than 1,0 %) and linoleic acid (less than 11 %), giving 'Galano Metaggitsiou Chalkidikis' olive oil greater oxidation stability.

The positive characteristics of 'Galano Metaggitsiou Chalkidikis' olive oil are also due to the high phosphorus content of the soil. In addition, 'Galano Metaggitsiou Chalkidikis' extra virgin olive oil has a fresh, clean, distinct, fruity olive aroma, due to the low precipitation, which produces balanced aromas, the early harvest, which gives an intensely aromatic oil, and the pressing method used (cold pressing), which does not damage or destroy the aromatic components of the oil.

**Publication reference of the specification**

(the second subparagraph of Article 6(1) of this Regulation)

[http://www.minagric.gr/images/stories/docs/agrotis/POP-PGE/Galano\\_Metaggitsiou\\_Xalkidikis\\_300714.pdf](http://www.minagric.gr/images/stories/docs/agrotis/POP-PGE/Galano_Metaggitsiou_Xalkidikis_300714.pdf)

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CORRIGENDA

**Corrigendum to Commission notice on current State aid recovery interest rates and reference/  
discount rates for 28 Member States applicable as from 1 April 2015**

(Official Journal of the European Union C 88 of 14 March 2015)

(2015/C 143/15)

On page 6, the table is replaced by the following:

'From	To	AT	BE	BG	CY	CZ	DE	DK	EE	EL	ES	FI	FR	HR	HU	IE	IT	LT	LU	LV	MT	NL	PL	PT	RO	SE	SI	SK	UK
1.4.2015	...	0,34	0,34	2,18	0,34	0,52	0,34	<b>0,42</b>	0,34	0,34	0,34	0,34	0,34	1,58	2,21	0,34	0,34	0,34	0,34	0,34	0,34	0,34	2,16	0,34	2,04	<b>0,23</b>	0,34	0,34	1,02
1.3.2015	31.3.2015	0,34	0,34	2,18	0,34	0,52	0,34	0,66	0,34	0,34	0,34	0,34	0,34	1,58	2,21	0,34	0,34	0,34	0,34	0,34	0,34	0,34	2,16	0,34	<b>2,04</b>	<b>0,33</b>	0,34	0,34	1,02
1.1.2015	28.2.2015	<b>0,34</b>	<b>0,34</b>	<b>2,18</b>	<b>0,34</b>	<b>0,52</b>	<b>0,34</b>	<b>0,66</b>	<b>0,34</b>	<b>0,34</b>	<b>0,34</b>	<b>0,34</b>	<b>0,34</b>	<b>1,58</b>	<b>2,21</b>	<b>0,34</b>	<b>0,34</b>	<b>0,34</b>	<b>0,34</b>	<b>0,34</b>	<b>0,34</b>	<b>0,34</b>	<b>2,16</b>	<b>0,34</b>	<b>2,63</b>	<b>0,46</b>	<b>0,34</b>	<b>0,34</b>	<b>1,02</b>











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