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II

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

EUROPEAN COMMISSION

Non-opposition to a notified concentration**(Case M.8885 — Carlyle/Accolade Wines Holdings Australia/Accolade Wines Holdings Europe)****(Text with EEA relevance)**

(2018/C 177/01)

On 16 May 2018, 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 ⁽¹⁾. 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/homepage.html?locale=en>) under document number 32018M8885. EUR-Lex is the online access to European law.

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

EUROPEAN COMMISSION

Euro exchange rates ⁽¹⁾

23 May 2018

(2018/C 177/02)

1 euro =

Currency	Exchange rate	Currency	Exchange rate		
USD	US dollar	1,1708	CAD	Canadian dollar	1,5109
JPY	Japanese yen	128,61	HKD	Hong Kong dollar	9,1904
DKK	Danish krone	7,4495	NZD	New Zealand dollar	1,6977
GBP	Pound sterling	0,87953	SGD	Singapore dollar	1,5754
SEK	Swedish krona	10,2906	KRW	South Korean won	1 266,75
CHF	Swiss franc	1,1598	ZAR	South African rand	14,8062
ISK	Iceland króna	123,80	CNY	Chinese yuan renminbi	7,4797
NOK	Norwegian krone	9,5063	HRK	Croatian kuna	7,3913
BGN	Bulgarian lev	1,9558	IDR	Indonesian rupiah	16 642,92
CZK	Czech koruna	25,813	MYR	Malaysian ringgit	4,6627
HUF	Hungarian forint	319,53	PHP	Philippine peso	61,432
PLN	Polish zloty	4,3088	RUB	Russian rouble	72,2643
RON	Romanian leu	4,6294	THB	Thai baht	37,641
TRY	Turkish lira	5,7086	BRL	Brazilian real	4,3040
AUD	Australian dollar	1,5544	MXN	Mexican peso	23,3550
			INR	Indian rupee	80,1055

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

Summary of European Commission Decisions on authorisations for the placing on the market for the use and/or for use of substances listed in Annex XIV to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)

(Published pursuant to Article 64(9) of Regulation (EC) No 1907/2006 ⁽¹⁾)

(Text with EEA relevance)

(2018/C 177/03)

Decisions granting an authorisation

Reference of the decision ⁽¹⁾	Date of decision	Substance name	Holder of the authorisation	Authorisation numbers	Authorised uses	Date of expiry of review period	Reasons for the decision
C(2018) 2881	17 May 2018	1,2-dichloroethane EC No 203-458-1 CAS No 107-06-2	Lanxess Deutschland GmbH, Kennedyplatz 1, 50569 Köln, Germany	REACH/18/2/0 REACH/18/2/1	Industrial use of 1,2-dichloroethane as a swelling agent during the sulphonation reaction of polystyrene-divinylbenzene copolymer beads in the manufacturing of strong acid cation exchange resins Industrial use of 1,2-dichloroethane as a swelling agent and reaction medium during the phthalimidomethylation reaction of polystyrene-divinylbenzene copolymer beads in the manufacturing of anion exchange and chelating resins	22 November 2021 22 November 2029	In accordance with Article 60(4) of Regulation (EC) No 1907/2006, the socioeconomic benefits outweigh the risk to human health arising from the uses of the substance and there are no suitable alternative substances or technologies in terms of their technical and economic feasibility for the applicant before the sunset date

⁽¹⁾ The decision is available on the European Commission website at: http://ec.europa.eu/growth/sectors/chemicals/reach/about/index_en.htm

⁽¹⁾ OJ L 396, 30.12.2006, p. 1.

**ADMINISTRATIVE COMMISSION OF THE EUROPEAN COMMUNITIES ON SOCIAL SECURITY
FOR MIGRANT WORKERS**

Rates for conversion of currencies pursuant to Council Regulation (EEC) No 574/72

(2018/C 177/04)

Article 107(1), (2) and (4) of Regulation (EEC) No 574/72

Reference period: April 2018

Application period: July, August and September 2018

04-2018	EUR	BGN	CZK	DKK	HRK	HUF	PLN
1 EUR =	1	1,95580	25,3648	7,44788	7,42091	311,721	4,19366
1 BGN =	0,511300	1	12,9690	3,80810	3,79431	159,383	2,14422
1 CZK =	0,0394247	0,0771069	1	0,293631	0,292567	12,2895	0,165334
1 DKK =	0,134266	0,262598	3,40564	1	0,99638	41,8536	0,563068
1 HRK =	0,134754	0,263553	3,41802	1,003635	1	42,0057	0,565114
1 HUF =	0,00320800	0,00627421	0,0813703	0,023893	0,0238063	1	0,0134533
1 PLN =	0,238455	0,466371	6,04837	1,77599	1,76955	74,3314	1
1 RON =	0,214692	0,419895	5,44563	1,59900	1,59321	66,9240	0,900346
1 SEK =	0,096416	0,188570	2,44557	0,718095	0,715494	30,0549	0,404336
1 GBP =	1,14663	2,24258	29,0840	8,53996	8,5090	357,428	4,80857
1 NOK =	0,103948	0,203301	2,63661	0,774191	0,771387	32,4027	0,435922
1 ISK =	0,00817678	0,0159922	0,207402	0,0608997	0,0606791	2,54887	0,034291
1 CHF =	0,841050	1,64493	21,3331	6,26404	6,24135	262,173	3,52708

04-2018	RON	SEK	GBP	NOK	ISK	CHF
1 EUR =	4,65783	10,37172	0,872122	9,62022	122,298	1,18899
1 BGN =	2,38155	5,30306	0,445915	4,91881	62,5307	0,607930
1 CZK =	0,183634	0,408902	0,034383	0,379274	4,82154	0,0468756
1 DKK =	0,625390	1,39257	0,117097	1,29167	16,4204	0,159641
1 HRK =	0,627663	1,39764	0,1175223	1,29637	16,4801	0,160222
1 HUF =	0,0149423	0,0332725	0,00279777	0,0308617	0,392331	0,00381428
1 PLN =	1,110684	2,47319	0,207962	2,29399	29,1625	0,283521
1 RON =	1	2,22673	0,187238	2,06539	26,2563	0,255267
1 SEK =	0,449089	1	0,0840865	0,92754	11,7914	0,114638
1 GBP =	5,34080	11,8925	1	11,0308	140,230	1,36333
1 NOK =	0,484171	1,078117	0,0906551	1	12,7126	0,123593
1 ISK =	0,038086	0,084807	0,00713115	0,0786624	1	0,00972211
1 CHF =	3,91747	8,72313	0,733498	8,09108	102,858	1

Note: all cross rates involving ISK are calculated using ISK/EUR rate data from the Central Bank of Iceland

reference: Apr-18	1 EUR in national currency	1 unit of N.C. in EUR
BGN	1,95580	0,511300
CZK	25,3648	0,0394247
DKK	7,44788	0,134266
HRK	7,42091	0,134754
HUF	311,721	0,00320800
PLN	4,19366	0,238455
RON	4,65783	0,214692
SEK	10,37172	0,096416
GBP	0,872122	1,14663
NOK	9,62022	0,103948
ISK	122,298	0,00817678
CHF	1,18899	0,841050

Note: ISK/EUR rates based on data from the Central Bank of Iceland

1. Regulation (EEC) No 574/72 determines that the rate for the conversion into a currency of amounts denominated in another currency shall be the rate calculated by the Commission and based on the monthly average, during the reference period specified in paragraph 2, of reference rates of exchange of currencies published by the European Central Bank.

2. The reference period shall be:

- the month of January for rates of conversion applicable from 1 April following,
- the month of April for rates of conversion applicable from 1 July following,
- the month of July for rates of conversion applicable from 1 October following,
- the month of October for rates of conversion applicable from 1 January following.

The rates for the conversion of currencies shall be published in the second *Official Journal of the European Union* (C series) of the months of February, May, August and November.

V

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

EUROPEAN COMMISSION

**Notice of initiation of an anti-dumping proceeding concerning imports of hot-rolled steel sheet
piles originating in the People's Republic of China**

(2018/C 177/05)

The European Commission ('the Commission') has received a complaint pursuant to Article 5 of Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union ⁽¹⁾ ('the basic Regulation'), alleging that imports of hot-rolled steel sheet piles, originating in the People's Republic of China ('the country concerned' or 'the PRC'), are being dumped and are thereby causing injury to the Union industry.

1. Complaint

The complaint was lodged on 10 April 2018 by EUROFER ('the complainant') on behalf of three Union producers representing 100 % of the total Union production of hot-rolled steel sheet piles.

2. Product under investigation

The product subject to this investigation is hot-rolled steel sheet piles defined as sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements, composed of hot rolled corrugated sheets with interlocks that can form an impervious continuous wall. Cold-formed steel sheet piles are excluded.

3. Allegation of dumping

The product allegedly being dumped is the product under investigation, originating in the country concerned, currently falling within CN code ex 7301 10 00 (TARIC code 7301 10 00 10). The codes are given for information only.

The complainant claimed that it is not appropriate to use domestic prices and costs in the country concerned due to the existence of significant distortions within the meaning of point (b) of Article 2(6a) of the basic Regulation.

To substantiate the allegations of significant distortions, the complainant referred to the Commission staff working document dated 20 December 2017 'Report on Significant Distortions in the Economy of the PRC for the purposes of the trade defence investigations' ⁽²⁾, describing the specific circumstances in the country concerned and, in particular, the market distortions for the steel sector.

The complainant further supported these allegations by reference to a research report dated 25 June 2015 to describe the specific market circumstances in the steel sector in the country concerned. That report contains evidence of significantly distortive involvement of the State through various plans and programmes.

⁽¹⁾ OJ L 176, 30.6.2016, p. 21.

⁽²⁾ SWD (2017) 483 final/2 available at: http://trade.ec.europa.eu/doclib/docs/2017/december/tradoc_156474.pdf

The complainant also referred to other documents evidencing these distortions: the Steel Industry Adjustment and Upgrade Plan (2016-2020), a report issued by the US Department of Commerce, and the Commission's findings in the anti-subsidy proceedings regarding organic coated steel ⁽¹⁾ and hot-rolled flat steel products ⁽²⁾.

As a result, in view of Article 2(6a) of the basic Regulation, the allegation of dumping is based on a comparison of a constructed normal value on the basis of costs of production and sale reflecting undistorted prices or benchmarks in an appropriate representative country, with the export price (at ex-works level) of the product under investigation from the country concerned when sold for export to the Union. On that basis, the dumping margins calculated are significant for the country concerned.

In light of the information available, the Commission considers that there is sufficient evidence pursuant to Article 5(9) of the basic Regulation tending to show that, due to significant distortions affecting prices and costs, the use of domestic prices and costs in the country concerned is inappropriate, thus warranting the initiation of an investigation on the basis of Article 2(6a) of the basic Regulation.

4. Allegation of injury and causation

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

The 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 and the level of prices charged by the Union industry, resulting in substantial adverse effects on the overall performance and the financial situation of the Union industry. In addition the complainant alleges that the existing injury is bound to further aggravate on the basis of evidence regarding the significant rate of increase of dumped imports and the freely disposable capacity in the country concerned.

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. Investigation period and period considered

The investigation of dumping and injury will cover the period from 1 April 2017 to 31 March 2018 ('the investigation period'). The examination of trends relevant for the assessment of injury will cover the period from 1 January 2015 to the end of the investigation period ('the period considered').

5.2. Procedure for the determination of dumping

Exporting producers ⁽³⁾ of the product under investigation from the country concerned are invited to participate in the Commission investigation.

5.2.1. Investigating exporting producers

5.2.1.1. 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.

⁽¹⁾ Council Implementing Regulation (EU) No 215/2013 of 11 March 2013 imposing a countervailing duty on imports of certain organic coated steel products originating in the People's Republic of China (OJ L 73, 15.3.2013, p. 16).

⁽²⁾ Commission Implementing Regulation (EU) 2017/969 of 8 June 2017 imposing definitive countervailing duties on imports of certain hot-rolled flat products of iron, non-alloy or other alloy steel originating in the People's Republic of China and amending Commission Implementing Regulation (EU) 2017/649 imposing a definitive anti-dumping duty on imports of certain hot-rolled flat products of iron, non-alloy or other alloy steel originating in the People's Republic of China (OJ L 146, 9.6.2017, p. 17).

⁽³⁾ 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 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 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 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.

5.2.2. *Additional procedure with regard to the PRC subject to significant distortions*

Pursuant to point (e) of Article 2(6a), the Commission will, shortly after initiation, by means of a note to the file for inspection by interested parties, inform parties to the investigation about the relevant sources that it intends to use for the purpose of determining normal value in the PRC pursuant to Article 2(6a) of the basic Regulation. This will cover all sources, including the selection of an appropriate representative third country where appropriate. Parties to the investigation shall be given 10 days from the date at which that note is added to that file to submit comments.

According to the information available to the Commission, a possible representative third country for the PRC in this case is South Africa. With the aim of finally selecting the appropriate representative third country, the Commission will examine whether there is a similar level of economic development as the exporting country, whether there is production and sale of the product under investigation and whether relevant data is readily available. Where there is more than one such country, preference will be given, where appropriate, to countries with an adequate level of social and environmental protection.

⁽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.

With regard to the relevant sources, the Commission requests all exporting producers in the country concerned to provide the information requested in Annex III to this Notice within 15 days of the date of publication of this Notice in the *Official Journal of the European Union*.

In order to obtain the information it deems necessary for its investigation with regard to the alleged significant distortions within the meaning of point (b) of Article 2(6a) of the basic Regulation, the Commission will also send a questionnaire to the government of the country concerned.

Subject to the provisions of this Notice, all interested parties are hereby invited to make their views known, submit information and provide supporting evidence regarding the application of Article 2(6a) of the basic Regulation.

Unless otherwise specified, such 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*.

5.2.3. Investigating unrelated importers ⁽¹⁾ ⁽²⁾

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 (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(ies) 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 from the country concerned 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.

⁽¹⁾ Only importers not related to exporting producers in the country concerned can be sampled. Importers that are related to exporting producers in the country concerned have to fill in Annex I to the questionnaire for these exporting producers. In accordance with Article 127 of Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code, two persons shall be deemed to be related if: (a) they are officers or directors of the other person's business; (b) they are legally recognised partners in business; (c) they are employer and employee; (d) a third party 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 control a third person directly or indirectly; or (h) they are members of the same family (OJ L 343, 29.12.2015, p. 558). 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. In accordance with Article 5(4) of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code, 'person' means a natural person, a legal person, and any association of persons which is not a legal person but which is recognised under Union or national law as having the capacity to perform legal acts (OJ L 269, 10.10.2013, p. 1).

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

5.3. **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 order to obtain information it deems necessary for its investigation with regard to Union producers the Commission will send questionnaires to known Union producers or representative Union producers, namely to: ArcelorMittal Belval & Differdange S.A., ArcelorMittal Poland S.A. and Vitkovice Steel, a.s.

The aforementioned Union producers must submit the completed questionnaire within 37 days of the date of publication of this Notice in the *Official Journal of the European Union*, unless otherwise specified.

Any Union producer not listed above is invited to contact the Commission, preferably by email, immediately but no later than 15 days after the publication of this Notice in the *Official Journal of the European Union*, unless otherwise specified, in order to make itself known and request a questionnaire.

5.4. **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 of the basic Regulation will only be taken into account if supported by factual evidence at the time of submission.

5.5. **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*.

5.6. **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 must 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.

5.7. **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' ⁽¹⁾. Parties submitting information in the course of this investigation are invited to reason their request for confidential treatment.

⁽¹⁾ A 'Limited' document is a document which is considered confidential pursuant to Article 19 of the basic Regulation and Article 6 of the WTO Agreement on Implementation of Article VI of the GATT 1994 (Anti-Dumping Agreement). It is also a document protected pursuant to Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council (OJ L 145, 31.5.2001, p. 43).

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'. Those summaries must be sufficiently detailed to permit a reasonable understanding of the substance of the information submitted in confidence. If a party providing confidential information fails to show good cause for a confidential treatment request or does not furnish a non-confidential summary of it in the requested format and quality, the Commission may disregard such information unless it can be satisfactorily demonstrated from appropriate sources that the information is correct.

Interested parties are invited to make all submissions and requests by email 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 email, interested parties express their agreement with the rules applicable to electronic submissions contained in the document 'CORRESPONDENCE WITH THE EUROPEAN COMMISSION IN TRADE DEFENCE CASES' published on the website of the Directorate-General for Trade: http://trade.ec.europa.eu/doclib/docs/2011/june/tradoc_148003.pdf. The interested parties must indicate their name, address, telephone and a valid email address and they should ensure that the provided email address is a functioning official business email which is checked on a daily basis. Once contact details are provided, the Commission will communicate with interested parties by email only, unless they explicitly request to receive all documents from the Commission by another means of communication or unless the nature of the document to be sent requires the use of a registered mail. For further rules and information concerning correspondence with the Commission including principles that apply to submissions by email, interested parties should consult the communication instructions with interested parties referred to above.

Commission address for correspondence:

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

Email: TRADE-AD647-HRSSP-DUMPING@ec.europa.eu;
TRADE-AD647-HRSSP-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*.

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 ⁽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 HOT-ROLLED STEEL SHEET PILES 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 5.2.1 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	
Email address	
Telephone	
Fax	

2. TURNOVER AND SALES VOLUME

Indicate the turnover in the accounting currency of the company during the investigation period (export sales to the Union for each of the 28 Member States ⁽²⁾ separately and in total and domestic sales) of hot-rolled steel sheet piles as defined in the notice of initiation and the corresponding weight or volume. State the unit of weight or volume and the currency used.

	Specify the unit of measurement		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 ⁽¹⁾ :		
Domestic sales of the product under investigation, manufactured by your company			

⁽¹⁾ Add additional rows where necessary.

⁽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 Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union (OJ L 176, 30.6.2016, p. 21) 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. 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.

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 5.2.1 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 127 of Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code, two persons shall be deemed to be related if: (a) they are officers or directors of the other person's business; (b) they are legally recognised partners in business; (c) they are employer and employee; (d) a third party 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 control a third person directly or indirectly; or (h) they are members of the same family (OJ L 343, 29.12.2015, p. 558). 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. In accordance with Article 5(4) of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code, 'person' means a natural person, a legal person, and any association of persons which is not a legal person but which is recognised under Union or national law as having the capacity to perform legal acts (OJ L 269, 10.10.2013, p. 1).

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 HOT-ROLLED STEEL SHEET PILES 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 5.2.3 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	
Email 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 the People's Republic of China during the investigation period, of hot-rolled steel sheet piles as defined in the notice of initiation and the corresponding weight or volume. State the unit of weight or volume used.

	Specify the unit of measurement	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		

⁽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 Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union (OJ L 176, 30.6.2016, p. 21) 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, 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.

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 127 of Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code, two persons shall be deemed to be related if: (a) they are officers or directors of the other person's business; (b) they are legally recognised partners in business; (c) they are employer and employee; (d) a third party 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 control a third person directly or indirectly; or (h) they are members of the same family (OJ L 343, 29.12.2015, p. 558). 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. In accordance with Article 5(4) of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code, 'person' means a natural person, a legal person, and any association of persons which is not a legal person but which is recognised under Union or national law as having the capacity to perform legal acts (OJ L 269, 10.10.2013, p. 1).

ANNEX III

<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 HOT-ROLLED STEEL SHEET PILES ORIGINATING IN THE PEOPLE'S REPUBLIC OF CHINA

INFORMATION REQUEST REGARDING THE INPUTS USED BY THE 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 input information made in point 5.2.2 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 section 5.2.2 of the Notice of initiation.

The requested information should be sent back to the Commission at the address specified in the Notice of initiation within 15 days of the date of publication of this Notice in the *Official Journal of the European Union*.

1. IDENTITY AND CONTACT DETAILS

Supply the following details about your company:

Company name	
Address	
Contact person	
Email address	
Telephone	
Fax	

2. INFORMATION ON THE INPUTS USED BY YOUR COMPANY AND RELATED COMPANIES

Please provide a short description of the production process(es) of the product under investigation.

Please list all materials (raw and processed) and energy used in the production of the product under investigation as well as all by-products and waste that are sold or (re)introduced in the production process of the product under investigation. Where appropriate, provide the corresponding Harmonised System (HS) code ⁽²⁾ for each of the items inserted in the two tables. Please fill in a separate Annex for each of the related companies that produce the product under investigation in case the production process differs.

Raw Materials/energy	HS Code
<i>(Add additional rows where necessary)</i>	

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⁽²⁾ The Harmonised Commodity Description and Coding System generally referred to as 'Harmonised System' or simply 'HS' is a multipurpose international product nomenclature developed by the World Customs Organisation (WCO).

By-products and waste	HS Code
<i>(Add additional rows where necessary)</i>	

The company hereby declares that the information provided above is accurate to the best of its knowledge.

Signature of the authorised official:

Name and title of the authorised official:

Date:

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION
POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.8923 — AMP Capital/Aena Internacional/Luton Airport)

Candidate case for simplified procedure

(Text with EEA relevance)

(2018/C 177/06)

1. On 15 May 2018, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾.

This notification concerns the following undertakings:

- AMP Capital Investors (UK) Limited ('AMP Capital', the United Kingdom), belonging to the corporate group of AMP Limited (Australia),
- Aena Desarrollo Internacional, S.M.E., S.A. ('Aena Internacional', Spain), wholly-owned by Aena, itself majority-owned by the Spanish statutory corporation ENAIRE;
- London Luton Airport Operations Limited ('LLAOL', the United Kingdom), currently jointly controlled by Aena Internacional and Ardian.

AMP Capital and Aena Internacional acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of LLAOL.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- for AMP Capital: infrastructure investment and management services, including control over Newcastle International Airport and Leeds Bradford Airport in the United Kingdom,
- for Aena Internacional: management of airport infrastructure,
- for LLAOL: management and operation of London Luton Airport.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved.

Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under the Council Regulation (EC) No 139/2004 ⁽²⁾ it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. The following reference should always be specified:

M.8923 — AMP Capital/Aena Internacional/Luton Airport

⁽¹⁾ OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').

⁽²⁾ OJ C 366, 14.12.2013, p. 5.

Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:

Email: COMP-MERGER-REGISTRY@ec.europa.eu

Fax +32 22964301

Postal address:

European Commission
Directorate-General for Competition
Merger Registry
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

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