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⁽¹⁾ Text with EEA relevance.

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⁽¹⁾ Text with EEA relevance.

II

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

EUROPEAN COMMISSION

Non-opposition to a notified concentration**(Case M.9927 — MVM/iCR)****(Text with EEA relevance)**

(2020/C 366/01)

On 26 October 2020, 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 32020M9927. EUR-Lex is the on-line access to European law.

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

Non-opposition to a notified concentration
(Case M.9986 — KPS Capital Partners/Garrett Motion)

(Text with EEA relevance)

(2020/C 366/02)

On 26 October 2020, 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 32020M9986. EUR-Lex is the on-line access to European law.

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⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

Non-opposition to a notified concentration
(Case M.9979 — Brookfield/Simon/JCPenney)

(Text with EEA relevance)

(2020/C 366/03)

On 27 October 2020, 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 32020M9979. EUR-Lex is the on-line access to European law.

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

III

(Preparatory acts)

EUROPEAN CENTRAL BANK

OPINION OF THE EUROPEAN CENTRAL BANK

of 18 September 2020

on a proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) 2016/1011 as regards the exemption of certain third country foreign exchange benchmarks and the designation of replacement benchmarks for certain benchmarks in cessation

(CON/2020/20)

(2020/C 366/04)

Introduction and legal basis

On 8 September 2020 the European Central Bank (ECB) received a request from the Council of the European Union for an opinion on a proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) 2016/1011 as regards the exemption of certain third country foreign exchange benchmarks and the designation of replacement benchmarks for certain benchmarks in cessation ⁽¹⁾ (hereinafter the 'proposed regulation').

The ECB's competence to deliver an opinion is based on Articles 127(4) and 282(5) of the Treaty on the Functioning of the European Union, since the proposed regulation contains provisions (a) relevant for the transmission of monetary policy and thus affecting the basic task of the European System of Central Banks (ESCB) of defining and implementing the monetary policy of the Union pursuant to Article 127(2) of the Treaty, and (b) affecting the ESCB's task of contributing to the smooth conduct of policies pursued by the competent authorities relating to the stability of the financial system pursuant to Article 127(5) of the Treaty. In accordance with the first sentence of Article 17.5 of the Rules of Procedure of the European Central Bank, the Governing Council has adopted this opinion.

General observations**1. Objectives of the proposed regulation**

- 1.1. The ECB welcomes the main objective of the proposed regulation to amend Regulation (EU) 2016/1011 of the European Parliament and of the Council ⁽²⁾ by empowering the European Commission to adopt an implementing act to designate a statutory replacement rate that would replace by operation of law certain benchmarks, which if no longer published would cause significant disruption to the functioning of financial markets in the Union and which are undergoing a supervised process of orderly cessation ⁽³⁾. Upon the date of entry into force of the Commission implementing act, the replacement benchmark designated in that act would replace by operation of law all references to the benchmark that has ceased to be published in all financial contracts and instruments and measurements of the performance of an investment fund, subject to Regulation (EU) 2016/1011, where these contain no suitable fall-back provisions.

⁽¹⁾ COM(2020) 337 final.

⁽²⁾ Regulation (EU) 2016/1011 of the European Parliament and of the Council of 8 June 2016 on indices used as benchmarks in financial instruments and financial contracts or to measure the performance of investment funds and amending Directives 2008/48/EC and 2014/17/EU and Regulation (EU) No 596/2014 (OJ L 171, 29.6.2016, p. 1).

⁽³⁾ New Article 23a of Regulation (EU) 2016/1011, to be inserted by Article 1(2) of the proposed regulation.

- 1.2. The ECB considers this a helpful additional tool whose utilisation would fill the legal vacuum that would be left in respect of contracts with supervised entities as defined in Article 3(17) of Regulation (EU) 2016/1011 ⁽⁴⁾ (hereinafter referred to as 'Union supervised entities') that reference a benchmark whose cessation would significantly disrupt the functioning of financial markets in the Union and where the relevant contracts do not provide for or have no suitable fall-back reference rate. This would help to mitigate the risk of contract frustration and the risk to financial stability which might result from the cessation of such a benchmark.
- 1.3. The ECB also supports the proposed exemption from Regulation (EU) 2016/1011 of foreign exchange benchmarks administered from third countries that refer to a spot exchange rate of a third-country currency that is not freely convertible and that fulfil the other criteria set out in the proposed regulation ⁽⁵⁾. With the exception of those provided by central banks, the use of such third country foreign exchange benchmarks will not be permitted in the Union beyond 2021 ⁽⁶⁾ unless they undergo an equivalence, recognition or endorsement procedure. The ECB appreciates that the fulfilment of such condition would be problematic, as these types of benchmarks are not regulated outside the Union. By exempting these benchmarks from Regulation (EU) 2016/1011, Union supervised entities would, however, be able to continue using them.

Specific observations

2. *The ECB's interest and role in supporting the market's transition to near risk-free rates*

- 2.1. Benchmarks, and particularly interest rate benchmarks, or interbank offered rates, are important for the functioning of financial markets and the transmission of monetary policy. The transmission of monetary policy to the wider economy relies on the ECB being able to monitor changes in benchmarks in money markets as a response to changes in ECB policy interest rates. The absence of robust and reliable benchmarks might therefore trigger financial market disruptions with a possible significant adverse impact on the transmission of ECB monetary policy through its decisions and on the Eurosystem's ability to contribute to the smooth conduct of policies pursued by the competent authorities relating to stability of the financial system.
- 2.2. In view of such risks, the ECB performs a number of roles in supporting the financial market's transition from critical benchmarks in the euro area to near risk-free rates. In 2017, together with the Commission, the European Securities and Markets Authority and the Belgian Financial Services and Markets Authority (FSMA), the ECB set up the working group on euro risk-free rates, for which it provides the secretariat. Since October 2019, the ECB also publishes the euro unsecured overnight interest rate (€STR), based on data already available to the Eurosystem, to complement existing benchmark rates produced by the private sector and serve as a backstop reference rate. The working group has recommended the €STR as the risk-free rate for the euro to replace EONIA, which will be discontinued as of 2022. The ECB also participates in the Official Sector Steering Group, which guides the Financial Stability Board in reviewing the progress made in the transition to near risk-free rates globally.

3. *Designation of a statutory replacement rate to replace a benchmark other than LIBOR*

The ECB notes that the Commission's proposed power to designate a replacement rate is aimed primarily at contracts with Union supervised entities which reference the London Interbank Offered Rate (LIBOR) ⁽⁷⁾, as this benchmark may not be sustained after the end of 2021. In this respect, the Government of the United Kingdom (UK) has recently announced its intention to amend its benchmarks regulations to ensure that by end-2021 the UK Financial Conduct Authority has the appropriate regulatory powers to manage and direct any wind-down period prior to eventual LIBOR cessation in a way

⁽⁴⁾ Article 3(17) of Regulation (EU) 2016/1011 includes within its definition of supervised entities credit institutions, investment firms and certain other categories of financial institution.

⁽⁵⁾ New Article 2(3) and (4) of Regulation (EU) 2016/1011, to be inserted by Article 1(1)(b) of the proposed regulation.

⁽⁶⁾ Article 51(4a) and (4b) of Regulation (EU) 2016/1011.

⁽⁷⁾ As LIBOR is issued in different currencies and tenors, references to LIBOR in this opinion are to be read as referring to the particular LIBOR currency and tenor pair(s) whose publication is to be ceased.

that, inter alia, ensures market integrity ⁽⁸⁾. The ECB notes that as the proposed power of the Commission to designate a replacement rate is neutrally framed in the proposed regulation, it may potentially be applied to contracts referencing other benchmarks – such as, for instance, the Euro Interbank Offered Rate (EURIBOR) – provided that the framework conditions set out in the proposed regulation and the Commission implementing act are met in respect of the relevant benchmark.

4. *Contingency planning by Union supervised entities*

- 4.1. The ECB notes that Article 28(2) of Regulation (EU) 2016/1011 requires Union supervised entity users of a benchmark (other than benchmark administrators), including credit institutions, to produce and maintain robust written plans setting out the actions that they would take in the event that a benchmark materially changes or ceases to be provided. Union supervised entities are required to nominate in their contingency plans, where feasible and appropriate, one or several alternative benchmarks that could be referenced to substitute the benchmarks no longer provided, indicating why such benchmarks would be suitable alternatives. Furthermore, Union supervised entities must, upon request, provide the relevant competent authority with those plans and any updates and reflect them in the contractual relationship with clients ⁽⁹⁾. The ECB accordingly understands that the Commission's designation of a statutory replacement rate will be an additional tool that may be applied to a benchmark in cessation under the conditions set out in the proposed regulation, and that it does not affect, and is without prejudice to, Union supervised entities' contingency planning obligations under Article 28(2) of Regulation (EU) 2016/1011.
- 4.2. The ECB has recently published a horizontal assessment of credit institutions' preparedness for benchmark rate reforms ⁽¹⁰⁾, following a horizontal stocktaking exercise on the impact of the reforms under Regulation (EU) 2016/1011 on credit institutions supervised within the Single Supervisory Mechanism. The ECB has also published on its website a separate report on credit institutions' preparations for benchmark rate reforms ⁽¹¹⁾, which sets out certain good practices that can help credit institutions in their benchmark transition planning. The conclusions of these reports highlight the importance of credit institutions speeding up their preparations for moving to risk-free rates, in particular by developing and implementing mitigation actions and including robust and suitable fall-back mechanisms in their contractual documentation. Therefore, the ECB does not view the proposed availability of a statutory replacement rate mechanism as an alternative to the transition from EURIBOR or LIBOR where a contract can feasibly be amended.

5. *Recommendations of the working group on euro risk-free rates*

- 5.1. The ECB notes that, pursuant to the proposed regulation, when adopting the implementing act to designate a replacement benchmark the Commission would be required to take into account, where available, the recommendation by an alternative reference rate working group operating under the auspices of the central bank responsible for the currency in which the interest rates of the replacement benchmark are denominated ⁽¹²⁾.
- 5.2. The ECB would like to recall in this connection that the working group on euro risk-free rates was convened by the ECB, the European Securities and Markets Authority, the FSMA and the Commission, and that the ECB provides the secretariat for the working group and has participated as an observer since its launch. Nonetheless, the recommendations issued in this context are entirely those of this private sector working group, and the ECB does not accept any responsibility or liability for their content. Moreover, the fact that the ECB currently provides the secretariat for the working group should not be taken as implying in any way that it shares any of the views expressed in the working group's recommendations ⁽¹³⁾.

⁽⁸⁾ See Financial Services Regulation: House of Commons Written statement by the Chancellor of the Exchequer, Rishi Sunak, HCWS307, 23 June 2020, available at www.parliament.uk

⁽⁹⁾ Article 28(2) of Regulation (EU) 2016/1011.

⁽¹⁰⁾ See ECB Banking Supervision, A horizontal assessment of SSM banks' preparedness for benchmark rate reforms, 23 July 2020, available on the ECB's website at www.ecb.europa.eu

⁽¹¹⁾ See ECB Banking Supervision, Report on preparations for benchmark rate reforms, 23 July 2020, available on the ECB's website.

⁽¹²⁾ New Article 23a(3) of Regulation (EU) 2016/1011, to be inserted by Article 1(2) of the proposed regulation.

⁽¹³⁾ See recital 10 of the proposed regulation.

6. *Governing law of affected contracts*

The ECB understands that pursuant to the proposed regulation, the designated replacement rate would replace the benchmark in cessation upon it ceasing to be published, in any legacy contract or instrument involving a Union supervised entity covered by Regulation (EU) 2016/1011, regardless of the governing law of the contract or instrument or of where the benchmark was authorised or published. This intention appears to follow from the explanatory memorandum ⁽¹⁴⁾, which clarifies that the statutory replacement rate will, by operation of law, replace all references to the benchmark in cessation in all contracts entered into by a Union supervised entity.

7. *Scope of contracts affected*

As noted above, under the proposed regulation the Commission's power to designate the replacement rate would apply to legacy contracts covered by Regulation (EU) 2016/1011 to which a Union supervised entity is a party. The consulting authority is invited to give consideration to extending the scope of the contracts which would be subject to this proposed power, so that where the contract referencing the benchmark to be replaced is governed by the law of an EU Member State, the designated replacement rate may be applied to the contract irrespective of whether a Union supervised entity is a party to the contract. This would help to avoid the fragmentation that might otherwise ensue in the Union market so far as concerns relevant contracts - especially cross-border contracts - that reference benchmarks, with certain contracts being potentially subject to the designation of the replacement rate and others not.

8. *Determining unsuitability of fall-back provisions*

The ECB notes that the proposed regulation does not set out the criteria for determining whether the fall-back provisions in a contract referencing the benchmark in cessation are unsuitable and hence fall into the category of contracts to which the designated replacement rate would be applied should ceasing publication of the benchmark be considered to significantly disrupt the functioning of financial markets in the Union. The ECB understands that this and many other aspects would remain to be clarified, after due public consultation of all stakeholders, in the implementing act to be adopted by the Commission pursuant to the procedure referred to in Article 50 of Regulation (EU) 2016/1011.

Where the ECB recommends that the proposed regulation is amended, specific drafting proposals are set out in a separate technical working document accompanied by an explanatory text to this effect. The technical working document is available in English on EUR-Lex.

Done at Frankfurt am Main, 18 September 2020.

The President of the ECB
Christine LAGARDE

⁽¹⁴⁾ See page 12 of the explanatory memorandum to the proposed regulation.

IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

COUNCIL

Notice for the attention of the persons subject to the restrictive measures provided for in Council Decision (CFSP) 2015/1763 as amended by Council Decision (CFSP) 2020/1585 and Council Regulation (EU) 2015/1755, as implemented by Council Implementing Regulation (EU) 2020/1578 concerning restrictive measures in view of the situation in Burundi

(2020/C 366/05)

The following information is brought to the attention of the persons that appear in the Annex to Council Decision (CFSP) 2015/1763 ⁽¹⁾, as amended by Council Decision (CFSP) 2020/1585 ⁽²⁾ and in Annex I to Council Regulation (EU) 2015/1755 ⁽³⁾, as implemented by Council Implementing Regulation (EU) 2020/1578 ⁽⁴⁾ concerning restrictive measures in view of the situation in Burundi.

The Council of the European Union has decided that the persons that appear in the abovementioned Annexes should continue to be included in the list of persons and entities subject to restrictive measures provided for in Decision (CFSP) 2015/1763 as amended by Decision (CFSP) 2020/1585 and in Regulation (EU) 2015/1755, as implemented by Implementing Regulation (EU) 2020/1578 concerning restrictive measures in view of the situation in Burundi. The grounds for designations of those persons appear in the relevant entries in those Annexes.

The attention of the persons concerned is drawn to the possibility of making an application to the competent authorities of the relevant Member State(s) as indicated in the websites in Annex II to Regulation (EU) 2015/1755, in order to obtain an authorisation to use frozen funds for basic needs or specific payments (cf. Article 3 of the Regulation).

The persons concerned may submit a request to the Council before 2 July 2021, together with supporting documentation that the decision to include them on the abovementioned list should be reconsidered to the following address:

Council of the European Union
General Secretariat
RELEX.1.C
Rue de la Loi/Wetstraat 175
1048 Bruxelles/Brussel
BELGIQUE/BELGIË

Email: sanctions@consilium.europa.eu

Any observations received will be taken into account for the purpose of the Council's next review, pursuant to Article 6 of Decision (CFSP) 2015/1763 and Article 13(4) of Regulation (EU) 2015/1755, of the list of designated persons.

⁽¹⁾ OJ L 257, 2.10.2015, p. 37.

⁽²⁾ OJ L 362, 30.10.2020, p. 27.

⁽³⁾ OJ L 257, 2.10.2015, p. 1.

⁽⁴⁾ OJ L 362, 30.10.2020, p. 1.

The attention of the persons concerned is also drawn to the possibility of challenging the Council's decision before the General Court of the European Union, in accordance with the conditions laid down in Article 275, second paragraph, and Article 263, fourth and sixth paragraphs, of the Treaty on the Functioning of the European Union.

Notice for the attention of the data subjects to whom the restrictive measures provided for in Council Decision (CFSP) 2015/1763 and Council Regulation (EU) 2015/1755 concerning restrictive measures in view of the situation in Burundi apply

(2020/C 366/06)

The attention of data subjects is drawn to the following information in accordance with Article 16 of Regulation (EU) 2018/1725 of the European Parliament and of the Council ⁽¹⁾.

The legal basis for this processing operation are Council Decision (CFSP) 2015/1763 ⁽²⁾, as amended by Council Decision (CFSP) 2020/1585 ⁽³⁾, and Council Regulation (EU) 2015/1755 ⁽⁴⁾, as implemented by Council Implementing Regulation (EU) 2020/1578 ⁽⁵⁾.

The controller of this processing operation is the Council of the European Union represented by the Director General of RELEX (External Relations) of the General Secretariat of the Council and the department entrusted with the processing operation is RELEX.1.C that can be contacted at:

Council of the European Union
General Secretariat
RELEX.1.C
Rue de la Loi/Wetstraat 175
1048 Bruxelles/Brussel
BELGIQUE/BELGIË

Email: sanctions@consilium.europa.eu

The GSC's Data Protection Officer can be contacted at:

Data Protection Officer

data.protection@consilium.europa.eu

The purpose of the processing operation is the establishment and updating of the list of persons subject to restrictive measures in accordance with Decision (CFSP) 2015/1763, as amended by Decision (CFSP) 2020/1585, and Regulation (EU) 2015/1755, as implemented by Implementing Regulation (EU) 2020/1578.

The data subjects are the natural persons who fulfil the listing criteria as laid down in Decision (CFSP) 2015/1763 and Regulation (EU) 2015/1755.

The personal data collected includes data necessary for the correct identification of the person concerned, the statement of reasons and any other data related thereto.

The personal data collected may be shared as necessary with the European External Action Service and the Commission.

Without prejudice to restrictions pursuant to Article 25 of Regulation (EU) 2018/1725, the exercise of the rights of the data subjects such as the right of access, as well as the rights to rectification or to object will be answered in accordance with Regulation (EU) 2018/1725.

Personal data will be retained for 5 years from the moment the data subject has been removed from the list of persons subject to the restrictive measures or the validity of the measure has expired, or for the duration of court proceedings in the event they had been started.

Without prejudice to any judicial, administrative or non-judicial remedy, data subjects may lodge a complaint with the European Data Protection Supervisor in accordance with Regulation (EU) 2018/1725 (edps@edps.europa.eu).

⁽¹⁾ OJ L 295, 21.11.2018, p. 39.

⁽²⁾ OJ L 257, 2.10.2015, p. 37.

⁽³⁾ OJ L 362, 30.10.2020, p. 27.

⁽⁴⁾ OJ L 257, 2.10.2015, p. 1.

⁽⁵⁾ OJ L 362, 30.10.2020, p. 1.

EUROPEAN COMMISSION

Euro exchange rates ⁽¹⁾

29 October 2020

(2020/C 366/07)

1 euro =

Currency	Exchange rate	Currency	Exchange rate		
USD	US dollar	1,1704	CAD	Canadian dollar	1,5658
JPY	Japanese yen	122,09	HKD	Hong Kong dollar	9,0735
DKK	Danish krone	7,4462	NZD	New Zealand dollar	1,7677
GBP	Pound sterling	0,90430	SGD	Singapore dollar	1,5988
SEK	Swedish krona	10,4225	KRW	South Korean won	1 326,92
CHF	Swiss franc	1,0684	ZAR	South African rand	19,2322
ISK	Iceland króna	165,00	CNY	Chinese yuan renminbi	7,8531
NOK	Norwegian krone	11,1495	HRK	Croatian kuna	7,5730
BGN	Bulgarian lev	1,9558	IDR	Indonesian rupiah	17 306,12
CZK	Czech koruna	27,368	MYR	Malaysian ringgit	4,8648
HUF	Hungarian forint	368,00	PHP	Philippine peso	56,685
PLN	Polish zloty	4,6225	RUB	Russian rouble	93,0481
RON	Romanian leu	4,8751	THB	Thai baht	36,598
TRY	Turkish lira	9,7418	BRL	Brazilian real	6,7680
AUD	Australian dollar	1,6673	MXN	Mexican peso	25,0028
			INR	Indian rupee	87,0865

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

V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMMON
COMMERCIAL POLICY

EUROPEAN COMMISSION

Notice of the impending expiry of certain anti-dumping measures

(2020/C 366/08)

1. As provided for in Article 11(2) 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 Commission gives notice that, unless a review is initiated in accordance with the following procedure, the anti-dumping measures mentioned below will expire on the date mentioned in the table below.

2. Procedure

Union producers may lodge a written request for a review. This request must contain sufficient evidence that the expiry of the measures would be likely to result in a continuation or recurrence of dumping and injury. Should the Commission decide to review the measures concerned, importers, exporters, representatives of the exporting country and Union producers will then be provided with the opportunity to amplify, rebut or comment on the matters set out in the review request.

3. Time limit

Union producers may submit a written request for a review on the above basis, to reach the European Commission, Directorate-General for Trade (Unit G-1), CHAR 4/39, 1049 Brussels, Belgium ⁽²⁾ at any time from the date of the publication of the present notice but no later than three months before the date mentioned in the table below.

4. This notice is published in accordance with Article 11(2) of Regulation (EU) 2016/1036.

Product	Country(ies) of origin or exportation	Measures	Reference	Date of expiry ⁽¹⁾
High fatigue performance steel concrete reinforcement bars	The People's Republic of China	Anti-dumping duty	Commission Implementing Regulation (EU) 2016/1246 of 28 July 2016 imposing a definitive anti-dumping duty on imports of high fatigue performance steel concrete reinforcement bars originating in the People's Republic of China (OJ L 204, 29.7.2016, p. 70)	30.7.2021

⁽¹⁾ The measure expires at midnight of the day mentioned in this column.

⁽¹⁾ OJ L 176, 30.6.2016, p. 21.

⁽²⁾ TRADE-Defence-Complaints@ec.europa.eu

Notice of initiation of an expiry review of the anti-dumping measures applicable to imports of acesulfame potassium (Ace-K) originating in the People's Republic of China

(2020/C 366/09)

Following the publication of a Notice of the impending expiry ⁽¹⁾ of the anti-dumping measures in force on the imports of acesulfame potassium (Ace-K), originating in the People's Republic of China ('the PRC', 'the country concerned'), the European Commission ('the Commission') has received a request for a review pursuant to Article 11(2) 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 ⁽²⁾ ('the basic Regulation').

1. Request for review

The request was lodged on 31 July 2020 by Celanese Sales Germany GmbH ('the applicant'), the sole manufacturer in the Union and thus representing 100% of the total Union production of acesulfame potassium.

An open version of the request and the analysis of the degree of support by Union producers for the request are available in the file for inspection by interested parties. Section 5.5 of this Notice provides information about access to the file for interested parties.

2. Product under review

The product subject to this review is acesulfame potassium (potassium salt of 6-methyl-1,2,3-oxathiazin-4(3H)-one 2,2-dioxide; CAS RN 55589-62-3) originating in the People's Republic of China currently classified under CN code ex 2934 99 90 (TARIC code 2934 99 90 21) ('the product under review'). Acesulfame potassium is also commonly referred to as Acesulfame K or Ace-K.

3. Existing measures

The measures currently in force are a definitive anti-dumping duty imposed by Commission Implementing Regulation (EU) 2015/1963 ('the Definitive Duty Regulation') ⁽³⁾.

4. Grounds for the review

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

4.1. Allegation of likelihood of continuation of dumping

The applicant claimed that it is not appropriate to use domestic prices and costs in the PRC, 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 applicant relied on the information contained in the country report produced by the Commission services on 20 December 2017 describing the specific market circumstances in the PRC ⁽⁴⁾, such as differential or preferential pricing for raw materials, and distortions with regard to other material inputs, land use rights, energy, labour and access to capital and financing. The applicant also referred to the 13th FYP (Five Year Plan), as well as the role of the Chinese Communist Party (CCP) in all key policy initiatives.

The applicant has also commissioned a study on distortions in the Chinese economy that affect the raw materials used to produce Ace-K. This report concentrates on sulphur trioxide (one of the raw materials used in the Ace-K production) and also contain information on distortions in energy (electricity, steam and gas), water and in labour markets as well as distortions in the coal sector.

⁽¹⁾ Notice of the impending expiry of certain anti-dumping measures (OJ C 46, 11.2.2020, p. 8).

⁽²⁾ OJ L 176, 30.6.2016, p. 21.

⁽³⁾ OJ L 287, 31.10.2015, p. 52. Provisional duties were imposed by Commission Implementing Regulation (EU) 2015/87 (OJ L 125, 21.5.2015, p. 15) ('the Provisional Duty Regulation').

⁽⁴⁾ Commission Staff Working Document, on Significant Distortions in the Economy of the People's Republic of China for the Purposes of Trade Defence Investigations, 20.12.2017, SWD (2017) 483 final/2, available at: http://trade.ec.europa.eu/doclib/docs/2017/december/tradoc_156474.pdf

As a result, in view of Article 2(6a)(a) of the basic Regulation, the allegation of continuation 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 review from the PRC when sold for export to the Union. On this basis, the dumping margins calculated are significant for the PRC.

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 PRC is inappropriate, thus warranting the initiation of an investigation on the basis of Article 2(6a) of the basic Regulation.

The country report is available in the file for inspection by interested parties and on DG Trade's website ⁽⁵⁾.

4.2. *Allegation of likelihood of recurrence of injury*

The applicant alleges the likelihood of recurrence of injury. In this respect the applicant has provided sufficient evidence that, should measures be allowed to lapse, the current import level of the product under review from the country concerned to the Union is likely to increase. This is due to (i) the existence of unused capacity and the potential of the manufacturing facilities of the exporting producers in the PRC; (ii) the attractiveness of the Union market.

The applicant finally alleges that the removal of injury has been mainly due to the existence of measures and that any recurrence of substantial imports at dumped prices from the country concerned would likely lead to a recurrence of injury to the Union industry should measures be allowed to lapse.

5. **Procedure**

Having determined, after consulting the Committee established by Article 15(1) of the basic Regulation, that sufficient evidence of a likelihood of dumping and injury exists to justify the initiation of an expiry review, the Commission hereby initiates a review in accordance with Article 11(2) of the basic Regulation.

The expiry review will determine whether the expiry of the measures would be likely to lead to a continuation or recurrence of dumping of the product under review originating in the country concerned and a continuation or recurrence of injury to the Union industry.

Regulation (EU) 2018/825 of the European Parliament and of the Council ⁽⁶⁾, which entered into force on 8 June 2018 (TDI Modernisation package), introduced significant changes to the timetable and deadlines previously applicable in anti-dumping proceedings. The time-limits for interested parties to come forward, in particular at the early stage of investigations, are shortened.

The Commission also draws the attention of the parties that further to the COVID-19 outbreak a Notice ⁽⁷⁾ has been published on the consequences of the COVID-19 outbreak on anti-dumping and anti-subsidy investigations that may be applicable to this proceeding.

5.1. *Review investigation period and period considered*

The investigation of a continuation or recurrence of dumping will cover the period from 1 July 2019 to 30 June 2020 ('the review investigation period'). The examination of trends relevant for the assessment of the likelihood of a continuation or recurrence of injury will cover the period from 1 January 2017 to the end of the investigation period ('the period considered').

⁽⁵⁾ Documents cited in the country report may also be obtained upon a duly reasoned request.

⁽⁶⁾ Regulation (EU) 2018/825 of the European Parliament and of the Council of 30 May 2018 amending Regulation (EU) 2016/1036 on protection against dumped imports from countries not members of the European Union and Regulation (EU) 2016/1037 on protection against subsidised imports from countries not members of the European Union (OJ L 143, 7.6.2018, p. 1).

⁽⁷⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020XC0316%2802%29>

5.2. *Comments on the request and the initiation of the investigation*

All interested parties are invited to make their views known on the inputs and the Harmonised System (HS) codes provided in the request ⁽⁸⁾ within 15 days of the date of publication of this Notice in the *Official Journal of the European Union* ⁽⁹⁾.

All interested parties wishing to comment on the requests (including matters pertaining to injury and causality) or any aspects regarding the initiation of the investigation (including the degree of support for the requests) must do so within 37 days of the date of publication of this Notice.

Any request for a hearing with regard to the initiation of the investigation must be submitted within 15 days of the date of publication of this Notice.

5.3. *Procedure for the determination of a likelihood of continuation or recurrence of dumping*

In an expiry review, the Commission examines exports that were made to the Union in the review investigation period and, irrespective of exports to the Union, considers whether the situation of the companies producing and selling the product under review in the country concerned is such that exports at dumped prices to the Union would be likely to continue or recur if measures expire.

Therefore, all producers ⁽¹⁰⁾ of the product under review from the country concerned, irrespective of whether or not they exported the product under review to the Union in the review investigation period, are invited to participate in the Commission investigation.

5.3.1. *Investigating producers in the country concerned*

In view of the potentially large number of exporting producers in the country concerned involved in this expiry review and in order to complete the investigation within the statutory time limits, the Commission may limit the 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 producers, or representatives acting on their behalf, including the ones who did not cooperate in the investigation leading to the measures subject to this review, are hereby requested to provide the Commission with information on their companies within 7 days of the date of publication of this Notice. This information must be provided via TRON.tdi at the following address: <https://tron.trade.ec.europa.eu/tron/TDI>. TRON.tdi access information can be found in sections 5.6 and 5.9 below.

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

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

Once the Commission has received the necessary information to select a sample of producers, it will inform the parties concerned of its decision whether they are included in the sample. The sampled producers will have to submit a completed questionnaire within 30 days from the date of notification of the decision of their inclusion in the sample, unless otherwise specified.

The Commission will add a note to the file for inspection by interested parties reflecting the sample selection. Any comment on the sample selection must be received within 3 days of the date of notification of the sample decision.

A copy of the questionnaire for producers in the country concerned is available in the file for inspection by interested parties and on DG Trade's website https://trade.ec.europa.eu/tdi/case_details.cfm?id=2491

⁽⁸⁾ Information on HS codes is also provided in the executive summary of the review requests, which is available on DG Trade's website (<http://trade.ec.europa.eu/tdi/>).

⁽⁹⁾ All references to the publication of this Notice will be references to publication of this Notice in the *Official Journal of the European Union* unless otherwise specified.

⁽¹⁰⁾ A producer is any company in the countries concerned which produces the product under review, including any of its related companies involved in the production, domestic sales or exports of the product under review.

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 producers').

5.3.2. *Additional procedure with regard to the PRC*

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, this information and supporting evidence must reach the Commission within 37 days of the date of publication of this Notice.

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 Turkey. With the aim of finally selecting the appropriate representative third country, the Commission will examine whether there are countries with a similar level of economic development as the PRC, in which there is production and sales of the product under review and in which relevant data are 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.

With regard to the relevant sources, the Commission invites all producers in the PRC to provide information on the materials (raw and processed) and energy used in the production of the product under review within 15 days of the date of publication of this Notice. This information must be provided via TRON.tdi at the following address: <https://tron.trade.ec.europa.eu/tron/TDI>. TRON.tdi access information can be found in sections 5.6 and 5.9 below.

Furthermore, any submissions of factual information to value costs and prices pursuant to point (a) of Article 2(6a) of the basic Regulation must be filed within 65 days of the date of publication of this Notice. Such factual information should be taken exclusively from publicly available sources.

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 make available a questionnaire to the Government of the PRC.

5.3.3. *Investigating unrelated importers* ⁽¹¹⁾ ⁽¹²⁾

Unrelated importers of the product under review from the country concerned to the Union, including those that did not cooperate in the investigation(s) leading to the measures in force, are invited to participate in this investigation.

In view of the potentially large number of unrelated importers involved in this expiry review 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.

⁽¹¹⁾ Only importers not related to producers in the countries concerned can be sampled. Importers that are related to producers 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).

⁽¹²⁾ The data provided by unrelated importers may also be used in relation to aspects of this investigation other than the determination of dumping.

In order to 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, including the ones who did not cooperate in the investigation leading to the measures subject to the present review, are hereby requested to make themselves known to the Commission. These parties must do so within 7 days of the date of publication of this Notice by providing the Commission with the information on their company(ies) requested in the Annex 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.

If a sample is necessary, the importers may be selected based on the largest representative volume of sales of the product under review 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.

The Commission will also add a note to the file for inspection by interested parties reflecting the sample selection. Any comment on the sample selection must be received within 3 days of the date of notification of the sample decision.

In order to obtain the information it deems necessary for its investigation, the Commission will make available questionnaires to the sampled unrelated importers. Those parties must submit a completed questionnaire within 30 days from the date of the notification of the sample selection, unless otherwise specified. A copy of the questionnaire for unrelated importers is available in the file for inspection by interested parties and on DG Trade's website https://trade.ec.europa.eu/tdi/case_details.cfm?id=2491

5.4. Procedure for the determination of a likelihood of a continuation or recurrence of injury

In order to establish whether there is a likelihood of a continuation or recurrence of injury to the Union industry, the Union producers of the product under review are invited to participate in the Commission investigation.

5.4.1. Investigating Union producers

In order to obtain information it deems necessary for its investigation with regard to Union producers the Commission will make available a questionnaire to the sole Union producer, *Celanese Sales Germany GmbH*.

The Union producer must submit the completed questionnaire within 37 days of the date of publication of this Notice, unless otherwise specified.

Union producers and representative associations not listed above are invited to contact the Commission, preferably by e-mail, immediately but no later than 7 days after the publication of this Notice in order to make themselves known and request a questionnaire.

A copy of the questionnaire for Union producers is available in the file for inspection by interested parties and on DG Trade's website https://trade.ec.europa.eu/tdi/case_details.cfm?id=2491

5.5. Procedure for the assessment of Union interest

Should the likelihood of continuation or recurrence of dumping and continuation or recurrence of injury be confirmed, a decision will be reached, pursuant to Article 21 of the basic Regulation, as to whether maintaining the anti-dumping measures would not be against the Union interest.

Union producers, importers and their representative associations, users and their representative associations, trade unions and representative consumer organisations are invited to provide the Commission with information on the Union interest. In order to participate in the investigation, the representative consumer organisations have to demonstrate that there is an objective link between their activities and the product under review.

Information concerning the assessment of Union interest must be provided within 37 days of the date of publication of this Notice, unless otherwise specified. This information may be provided either in a free format or by completing a questionnaire prepared by the Commission.

A copy of the questionnaires, including the questionnaire for users of the product under review, is available in the file for inspection by interested parties and on DG Trade's website https://trade.ec.europa.eu/tdi/case_details.cfm?id=2491. 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.

5.6. *Interested parties*

In order to participate in the investigation, interested parties, such as producers in the country concerned, Union producers, importers and their representative associations, users and their representative associations, trade unions and representative consumer organisations first have to demonstrate that there is an objective link between their activities and the product under review.

Producers in the country concerned, Union producers, importers and representative associations who made information available in accordance to the procedures described in sections 5.2, 5.3 and 5.4 will be considered as interested parties if there is an objective link between their activities and the product under review.

Other parties will only be able to participate in the investigation as interested party from the moment they make themselves known, and provided that there is an objective link between their activities and the product under review. Being considered as an interested party is without prejudice to the application of Article 18 of the basic Regulation.

Access to the file available for inspection for interested parties is made via TRON.tdi at the following address: <https://tron.trade.ec.europa.eu/tron/TDI>. Please follow the instructions on that page to get access.

5.7. *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.

5.8. *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 must be made in writing and must specify the reasons for the request as well as a summary of what the interested party wishes to discuss during the hearing. The hearing will be limited to the issues set out by the interested parties in writing beforehand.

In principle, hearings will not be used to present factual information which is not yet on file. Nevertheless, in the interest of good administration and to enable Commission services to progress with the investigation, interested parties may be directed to provide new factual information after a hearing.

5.9. *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 the Commission a) 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 'Sensitive' ⁽¹³⁾. Parties submitting information in the course of this investigation are invited to reason their request for confidential treatment.

Interested parties providing 'Sensitive' 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 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.

⁽¹³⁾ A 'Sensitive' 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 are invited to make all submissions and requests via TRON.tdi (<https://tron.trade.ec.europa.eu/tron/TDI>) including scanned powers of attorney and certification sheets. By using TRON.tdi or 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 TRON.tdi or 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 via TRON.tdi and 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 G
Office: CHAR 04/039
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

TRON.tdi: <https://tron.trade.ec.europa.eu/tron/tdi>

Email addresses for respectively dumping aspects and injury aspects:

Trade-R727-ACE-K-Dumping@ec.europa.eu

Trade-R727-ACE-K-Injury@ec.europa.eu

6. **Schedule of the investigation**

The investigation shall normally be concluded within 12 months and in any event no later than 15 months from the date of the publication of this Notice, pursuant to Article 11(5) of the basic Regulation.

7. **Submission of information**

As a rule, interested parties may only submit information in the timeframes specified in section 5 of this Notice.

In order to complete the investigation within the mandatory deadlines, the Commission will not accept submissions from interested parties after the deadline to provide comments on the final disclosure or, if applicable, after the deadline to provide comments on the additional final disclosure.

8. **Possibility to comment on other parties' submissions**

In order to guarantee the rights of defence, interested parties should have the possibility to comment on information submitted by other interested parties. When doing so, interested parties may only address issues raised in the other interested parties' submissions and may not raise new issues.

Comments on the information provided by other interested parties in reaction to the disclosure of the definitive findings should be submitted within 5 days from the deadline to comment on the definitive findings, unless otherwise specified. If there is an additional final disclosure, comments filed by other interested parties in reaction to this further disclosure should be made within 1 day from the deadline to comment on this further disclosure, unless otherwise specified.

The outlined timeframe is without prejudice to the Commission's right to request additional information from interested parties in duly justified cases.

9. Extension to time limits specified in this Notice

Extensions to time limits provided for in this Notice may be granted upon request of interested parties showing due cause.

Any extension to the time limits provided for in this Notice should only be requested in exceptional circumstances and will only be granted if duly justified. In any event, any extension to the deadline to reply to questionnaires will be limited normally to 3 days, and as a rule will not exceed 7 days. Regarding time limits for the submission of other information specified in the Notice of initiation, extensions will be limited to 3 days unless exceptional circumstances are demonstrated.

10. 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, 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.

11. Hearing Officer

Interested parties may request the intervention of the Hearing Officer for trade proceedings. The Hearing Officer reviews requests for access to the file, disputes regarding the confidentiality of documents, requests for extension of time limits and any other request concerning the rights of defence of interested parties and third parties as may arise during the proceeding.

The Hearing Officer may organise hearings and mediate between the interested party/-ies and Commissions services 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. The Hearing Officer will examine the reasons for the requests. These hearings should only take place if the issues have not been settled with the Commission services in due course.

Any request must be submitted in good time and expeditiously so as not to jeopardise the orderly conduct of proceedings. To that effect, interested parties should request the intervention of the Hearing Officer at the earliest possible time following the occurrence of the event justifying such intervention. Where hearing requests are submitted outside the relevant timeframes, the Hearing Officer will also examine the reasons for such late requests, the nature of the issues raised and the impact of those issues on the rights of defence, having due regard to the interests of good administration and the timely completion of the investigation.

For further information and contact details interested parties may consult the Hearing Officer's web pages on DG Trade's website: <https://ec.europa.eu/trade/trade-policy-and-you/contacts/hearing-officer>

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

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

If any interested party considers that a review of the measures is warranted so as to allow for the possibility to amend the measures, that party may request a review pursuant to Article 11(3) of the basic Regulation.

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

13. Processing of personal data

Any personal data collected in this investigation will be treated in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council ⁽¹⁴⁾.

A data protection notice that informs all individuals of the processing of personal data in the framework of Commission's trade defence activities is available on DG Trade's website: <http://ec.europa.eu/trade/policy/accessing-markets/trade-defence/>

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⁽¹⁴⁾ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

ANNEX

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

**ANTI-DUMPING PROCEEDING CONCERNING IMPORTS OF ACESULFAME POTASSIUM (ACE-K)
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 5.3.3 of the Notice of initiation.

Both the 'Sensitive' 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	

2. TURNOVER AND SALES VOLUME

Indicate the total turnover in euros (EUR) of the company, and the turnover and weight for imports into the Union and resales on the Union market after importation from the PRC, during the review investigation period, 1 July 2019 to 30 June 2020 of acesulfame potassium (Ace-K), as defined in the Notice of initiation and the corresponding weight. State the unit of weight used.

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

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 review. Such activities could include but are not limited to purchasing the product under review or producing it under sub-contracting arrangements, or processing or trading the product under review.

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).

Notice of the impending expiry of certain anti-dumping measures

(2020/C 366/10)

1. As provided for in Article 11(2) 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 Commission gives notice that, unless a review is initiated in accordance with the following procedure, the anti-dumping measures mentioned below will expire on the date mentioned in the table below.

2. Procedure

Union producers may lodge a written request for a review. This request must contain sufficient evidence that the expiry of the measures would be likely to result in a continuation or recurrence of dumping and injury. Should the Commission decide to review the measures concerned, importers, exporters, representatives of the exporting country and Union producers will then be provided with the opportunity to amplify, rebut or comment on the matters set out in the review request.

3. Time limit

Union producers may submit a written request for a review on the above basis, to reach the European Commission, Directorate-General for Trade (Unit G-1), CHAR 4/39, 1049 Brussels, Belgium ⁽²⁾ at any time from the date of the publication of the present notice but no later than three months before the date mentioned in the table below.

4. This notice is published in accordance with Article 11(2) of Regulation (EU) 2016/1036.

Product	Country(ies) of origin or exportation	Measures	Reference	Date of expiry ⁽¹⁾
Aspartame	The People's Republic of China	Anti-dumping duty	Commission Implementing Regulation (EU) 2016/1247 of 28 July 2016 Imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of aspartame originating in the People's Republic of China (OJ L 204, 29.7.2016, p. 92)	30.7.2021

⁽¹⁾ The measure expires at midnight of the day mentioned in this column

⁽¹⁾ OJ L 176, 30.6.2016, p. 21.

⁽²⁾ TRADE-Defence-Complaints@ec.europa.eu

Notice of initiation of an expiry review of the anti-dumping measures applicable to imports of grain-oriented flat-rolled products of silicon-electrical steel originating in the People's Republic of China (PRC), Japan, the Republic of Korea, the Russian Federation and the United States of America (USA)

(2020/C 366/11)

Following the publication the Notice of impending expiry ⁽¹⁾ of the anti-dumping measures in force on the imports of grain-oriented flat-rolled products of silicon-electrical steel originating in the People's Republic of China (PRC), Japan, the Republic of Korea, the Russian Federation and the United States of America (USA) the European Commission ('the Commission') received a request for a review pursuant to Article 11(2) 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 ⁽²⁾ ('the basic Regulation').

1. Request for review

The request was lodged on 29 July 2020 by the *European Steel Association* ('Eurofer' or 'the applicant'), on behalf of producers representing more than 50 % of the total Union production of grain-oriented flat-rolled products of silicon-electrical steel ('GOES').

An open version of the request and the analysis of the degree of support by Union producers for the request are available in the file for inspection by interested parties. Section 5.6 of this Notice provides information about access to the file for interested parties.

2. Product under review

The product subject to this review is grain-oriented flat-rolled products of silicon-electrical steel, of a thickness of more than 0,16 mm, currently falling under CN codes ex 7225 11 00 (TARIC Codes 7225 11 00 11, 7225 11 00 15 and 7225 11 00 19) and ex 7226 11 00 (TARIC codes 7226 11 00 12, 7226 11 00 14, 7226 11 00 16, 7226 11 00 92, 7226 11 00 94 and 7226 11 00 96) and originating in the People's Republic of China, Japan, the Republic of Korea, the Russian Federation and the United States of America ('the countries concerned').

3. Existing measures

The measures currently in force are definitive anti-dumping duties imposed by Commission Implementing Regulation (EU) 2015/1953 of 29 October 2015 ⁽³⁾.

4. Grounds for the review

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

4.1. Allegation of likelihood of continuation or recurrence of dumping

4.1.1. Japan, the Republic of Korea, the Russian Federation and the United States of America (USA)

In the absence of reliable data on domestic prices for these countries, the allegation of likelihood of continuation or recurrence of dumping is based on a comparison of a constructed normal value (manufacturing costs, selling, general and administrative costs (SG&A) and profit) in these countries with the export price (at ex-works level) of the product under review when sold for export to the Union and/or to a major third country. On this basis, the dumping margins calculated are significant for these countries.

Based on these comparisons, the applicant alleges that there is a likelihood of continuation of dumping from Japan, the Russian Federation and the USA and a likelihood of recurrence of dumping from the Republic of Korea.

⁽¹⁾ Notice of the impending expiry of certain anti-dumping measures (OJ C 40, 6.2.2020, p. 34).

⁽²⁾ OJ L 176, 30.6.2016, p. 21.

⁽³⁾ Commission Implementing Regulation (EU) 2015/1953 of 29 October 2015 imposing a definitive anti-dumping duty on imports of certain grain-oriented flat-rolled products of silicon-electrical steel originating in the People's Republic of China, Japan, the Republic of Korea, the Russian Federation and the United States of America (OJ L 284, 30.10.2015, p. 109).

4.1.2. *The PRC*

The applicant claimed that it is not appropriate to use domestic prices and costs in the PRC, 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 applicant relied on the information contained in the country report produced by the Commission services on 20 December 2017 describing the specific market circumstances in the PRC ⁽⁴⁾. In particular, the applicant referred to distortions affecting the steel sector, as steel is the main raw material to produce GOES, and to chapters on general distortions of energy, land and labour. In addition, the applicant relied on other reports such as the report of the U.S. Department of Commerce titled “China’s Status as a non-market economy” ⁽⁵⁾, that shows that the Chinese government continues to maintain and exercise broad control over the allocation of resources to achieve specific economic outcomes. A report prepared by the Steel Industry Coalition named “Report on Market Research into the People’s Republic of China Steel Industry” (30 June 2016) ⁽⁶⁾ also shows extensive State support received by steel Chinese producers. Finally, the applicant referred to the Commission’s findings and conclusions in the anti-dumping investigation regarding certain organic coated steel products ⁽⁷⁾ and in the anti-subsidy investigation regarding hot-rolled flat steel products ⁽⁸⁾.

As a result, in view of Article 2(6a)(a) of the basic Regulation, the allegation of continuation or recurrence 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 review from the PRC when sold for export to a major third country which is not subject to measures. On this basis, the dumping margins calculated are significant for the PRC.

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 PRC is inappropriate, thus warranting the initiation of an investigation on the basis of Article 2(6a) of the basic Regulation.

The country report is available in the file for inspection by interested parties and on DG Trade’s website ⁽⁹⁾.

4.2. ***Allegation of likelihood of continuation or recurrence of injury***

The applicant has provided sufficient evidence showing likelihood of continuation or recurrence of injury.

The applicant has provided evidence that imports of the product under review from the countries concerned to the Union have remained significant in absolute terms and in terms of market share. The evidence provided by the applicant shows that the volumes and prices of these imported products under review put pressure on Union prices and had an adverse impact on profitability. Union producers were unable to raise prices despite steadily rising costs of production, which resulted in a deterioration of their economic situation.

The applicant has also provided evidence that, should measures be allowed to lapse, the current import level of the product under review from the countries concerned to the Union is likely to increase due to the exporting capacity of the exporting producers in the countries concerned and the attractiveness of the Union market. In addition, in the absence of measures, export prices in the countries concerned would be at a level low enough to injure the Union industry.

⁽⁴⁾ Commission Staff Working Document, on Significant Distortions in the Economy of the People’s Republic of China for the Purposes of Trade Defence Investigations, 20.12.2017, SWD (2017) 483 final/2, available at: http://trade.ec.europa.eu/doclib/docs/2017/december/tradoc_156474.pdf.

⁽⁵⁾ U.S. Department of Commerce, ‘China’s Status as a non-market economy’, A-570053, 26 October 2017, p. 196.

⁽⁶⁾ Steel Industry Coalition, Report on Market Research into the Peoples Republic of China Steel Industry (30 June 2016).

⁽⁷⁾ Commission Implementing Regulation (EU) 2019/687 of 2 May 2019 imposing a definitive anti-dumping duty on imports of certain organic coated steel products originating in the People’s Republic of China following an expiry review pursuant to Article 11(2) of Regulation (EU) 2016/1036 of the European Parliament and of the Council (OJ L 116, 3.5.2019, p. 5).

⁽⁸⁾ 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).

⁽⁹⁾ Documents cited in the country report may also be obtained upon a duly reasoned request.

5. Procedure

Having determined, after consulting the Committee established by Article 15(1) of the basic Regulation, that sufficient evidence of a likelihood of dumping and injury exists to justify the initiation of an expiry review, the Commission hereby initiates a review in accordance with Article 11(2) of the basic Regulation.

The expiry review will determine whether the expiry of the measures would be likely to lead to a continuation or recurrence of dumping of the product under review originating in the countries concerned and a continuation or recurrence of injury to the Union industry.

Regulation (EU) 2018/825 of the European Parliament and of the Council ⁽¹⁰⁾, which entered into force on 8 June 2018 (TDI Modernisation package), introduced significant changes to the timetable and deadlines previously applicable in anti-dumping proceedings. The time limits for interested parties to come forward, in particular at the early stage of investigations, are shortened.

The Commission also draws the attention of the parties that further to the COVID-19 outbreak a Notice ⁽¹¹⁾ has been published on the consequences of the COVID-19 outbreak on anti-dumping and anti-subsidy investigations that may be applicable to this proceeding.

5.1. Review investigation period and period considered

The investigation of a continuation or recurrence of dumping will cover the period from 1 July 2019 to 30 June 2020 ('the review investigation period'). The examination of trends relevant for the assessment of the likelihood of a continuation or recurrence of injury will cover the period from 1 January 2017 to the end of the review investigation period ('the period considered').

5.2. Comments on the request and the initiation of the investigation

All interested parties are invited to make their views known on the inputs and the Harmonised System (HS) codes provided in the request ⁽¹²⁾ within 15 days of the date of publication of this Notice in the *Official Journal of the European Union* ⁽¹³⁾.

All interested parties wishing to comment on the request (including matters pertaining to injury and causality) or any aspects regarding the initiation of the investigation (including the degree of support for the requests) must do so within 37 days of the date of publication of this Notice.

Any request for a hearing with regard to the initiation of the investigation must be submitted within 15 days of the date of publication of this Notice.

5.3. Procedure for the determination of a likelihood of continuation or recurrence of dumping

In an expiry review, the Commission examines exports that were made to the Union in the review investigation period and, irrespective of exports to the Union, considers whether the situation of the companies producing and selling the product under review in the countries concerned is such that exports at dumped prices to the Union would be likely to continue or recur if measures expire.

Therefore, all producers ⁽¹⁴⁾ of the product under review from the countries concerned, irrespective of whether or not they exported the product under review to the Union in the review investigation period, are invited to participate in the Commission investigation.

⁽¹⁰⁾ Regulation (EU) 2018/825 of the European Parliament and of the Council of 30 May 2018 amending Regulation (EU) 2016/1036 on protection against dumped imports from countries not members of the European Union and Regulation (EU) 2016/1037 on protection against subsidised imports from countries not members of the European Union (OJ L 143, 7.6.2018, p. 1).

⁽¹¹⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020XC0316%2802%29>

⁽¹²⁾ Information on HS codes is also provided in the executive summary of the review request, which is available on DG Trade's website (https://trade.ec.europa.eu/tdi/case_details.cfm?id=2492).

⁽¹³⁾ All references to the publication of this Notice will be references to publication of this Notice in the *Official Journal of the European Union* unless otherwise specified.

⁽¹⁴⁾ A producer is any company in the countries concerned which produces the product under review, including any of its related companies involved in the production, domestic sales or exports of the product under review.

5.3.1. Investigating producers in the countries concerned

In view of the potentially large number of exporting producers in the countries concerned involved in this expiry review and in order to complete the investigation within the statutory time limits, the Commission may limit the 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 producers, or representatives acting on their behalf, including the ones who did not cooperate in the investigation leading to the measures subject to this review, are hereby requested to provide the Commission with information on their companies within 7 days of the date of publication of this Notice. This information must be provided via TRON.tdi at the following address: <https://tron.trade.ec.europa.eu/tron/tdi/form/c6067b10-ad26-97ad-bd3e-cbafd65d08e6>. Tron access information can be found in sections 5.6 and 5.9 below.

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

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

Once the Commission has received the necessary information to select a sample of producers, it will inform the parties concerned of its decision whether they are included in the sample. The sampled producers will have to submit a completed questionnaire within 30 days from the date of notification of the decision of their inclusion in the sample, unless otherwise specified.

The Commission will add a note to the file for inspection by interested parties reflecting the sample selection. Any comment on the sample selection must be received within 3 days of the date of notification of the sample decision.

A copy of the questionnaire for producers in the countries concerned is available in the file for inspection by interested parties and on DG Trade's website (DG Trade's website (https://trade.ec.europa.eu/tdi/case_details.cfm?id=2492)).

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 producers').

5.3.2. Additional procedure with regard to the PRC

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, this information and supporting evidence must reach the Commission within 37 days of the date of publication of this Notice.

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 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 Brazil. With the aim of finally selecting the appropriate representative third country, the Commission will examine whether there are countries with a similar level of economic development as the PRC, in which there is production and sales of the product under review and in which relevant data are 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. With regard to the relevant sources, the Commission invites all producers in the PRC to provide information on the materials (raw and processed) and energy used in the production of the product under review within 15 days of the date of publication of this Notice. This information must be provided via TRON.tdi at the following address: <https://tron.trade.ec.europa.eu/tron/tdi/form/7e8efa2d-ad28-e0e8-3c6b-353cf296886>. Tron access information can be found in sections 5.6 and 5.9 below.

Furthermore, any submissions of factual information to value costs and prices pursuant to point (a) of Article 2(6a) of the basic Regulation must be filed within 65 days of the date of publication of this Notice. Such information should be taken exclusively from publicly available sources.

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 make available a questionnaire to the Government of the PRC.

5.3.3. Investigating unrelated importers ⁽¹⁵⁾ ⁽¹⁶⁾

Unrelated importers of the product under review from the countries concerned to the Union, including those that did not cooperate in the investigation(s) leading to the measures in force, are invited to participate in this investigation.

In view of the potentially large number of unrelated importers involved in this expiry review 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, including the ones who did not cooperate in the investigation leading to the measures subject to the present review, are hereby requested to make themselves known to the Commission. These parties must do so within 7 days of the date of publication of this Notice by providing the Commission with the information on their company(ies) requested in the Annex 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.

If a sample is necessary, the importers may be selected based on the largest representative volume of sales of the product under review from the countries 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.

The Commission will also add a note to the file for inspection by interested parties reflecting the sample selection. Any comment on the sample selection must be received within 3 days of the date of notification of the sample decision.

In order to obtain the information it deems necessary for its investigation, the Commission will send questionnaires to the sampled unrelated importers. Those parties must submit a completed questionnaire within 30 days from the date of the notification of the sample selection, unless otherwise specified.

A copy of the questionnaire for unrelated importers is available in the file for inspection by interested parties and on DG Trade's website (https://trade.ec.europa.eu/tdi/case_details.cfm?id=2492).

5.4. Procedure for the determination of a likelihood of a continuation or recurrence of injury

In order to establish whether there is a likelihood of a continuation or recurrence of injury to the Union industry, the Union producers of the product under review are invited to participate in the Commission investigation.

⁽¹⁵⁾ Only importers not related to producers in the countries concerned can be sampled. Importers that are related to producers 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).

⁽¹⁶⁾ The data provided by unrelated importers may also be used in relation to aspects of this investigation other than the determination of dumping.

5.4.1. *Investigating Union producers*

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

The Commission has provisionally selected a sample of Union producers. Details can be found in the file for inspection by interested parties. Interested parties are hereby invited to comment on the provisional sample. In addition, 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 7 days of the date of publication of this Notice. All comments regarding the provisional sample must be received within 7 days of the date of publication of this Notice, 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.

The sampled Union producers will have to submit a completed questionnaire within 30 days from the date of notification of the decision of their inclusion in the sample, unless otherwise specified.

A copy of the questionnaire for Union producers is available in the file for inspection by interested parties and on DG Trade's website (https://trade.ec.europa.eu/tdi/case_details.cfm?id=2492).

5.5. ***Procedure for the assessment of Union interest***

Should the likelihood of continuation or recurrence of dumping and continuation or recurrence of injury be confirmed, the Commission will determine, pursuant to Article 21 of the basic Regulation, as to whether maintaining the anti-dumping measures would not be against the Union interest.

Union producers, importers and their representative associations, users and their representative associations, trade unions and representative consumer organisations are invited to provide the Commission with information on the Union interest. In order to participate in the investigation, the representative consumer organisations have to demonstrate that there is an objective link between their activities and the product under review.

Information concerning the assessment of Union interest must be provided within 37 days of the date of publication of this Notice, unless otherwise specified. This information may be provided either in a free format or by completing a questionnaire prepared by the Commission.

A copy of the questionnaires, including the questionnaire for users of the product under review, is available in the file for inspection by interested parties and on DG Trade's website (https://trade.ec.europa.eu/tdi/case_details.cfm?id=2492). 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, which substantiates its validity.

5.6. ***Interested parties***

In order to participate in the investigation, interested parties, such as producers in the countries concerned, Union producers, importers and their representative associations, users and their representative associations, trade unions and representative consumer organisations first have to demonstrate that there is an objective link between their activities and the product under review.

Producers in the countries concerned, Union producers, importers and representative associations who made information available in accordance to the procedures described in sections 5.2, 5.3 and 5.4 will be considered as interested parties if there is an objective link between their activities and the product under review.

Other parties will only be able to participate in the investigation as interested party from the moment they make themselves known, and provided that there is an objective link between their activities and the product under review. Being considered as an interested party is without prejudice to the application of Article 18 of the basic Regulation.

Access to the file available for inspection for interested parties is made via Tron.tdi at the following address: <https://tron.trade.ec.europa.eu/tron/TDI>. Please follow the instructions on that page to get access ⁽¹⁷⁾.

⁽¹⁷⁾ In case of technical problems please contact the Trade Service Desk by email: trade-service-desk@ec.europa.eu or by telephone +32 22979797.

5.7. **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.

5.8. **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 must be made in writing and must specify the reasons for the request as well as a summary of what the interested party wishes to discuss during the hearing. The hearing will be limited to the issues set out by the interested parties in writing beforehand.

In principle, hearings will not be used to present factual information, which is not yet on file. Nevertheless, in the interest of good administration and to enable Commission services to progress with the investigation, interested parties may be directed to provide new factual information after a hearing.

5.9. **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 the Commission a) 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 'Sensitive' ⁽¹⁸⁾. Parties submitting information in the course of this investigation are invited to reason their request for confidential treatment.

Interested parties providing 'Sensitive' 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 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 request via TRON.tdi (<https://tron.trade.ec.europa.eu/tron/TDI>) including scanned powers of attorney and certification sheets. By using TRON.tdi or 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 TRON.tdi or 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 via TRON.tdi and 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

⁽¹⁸⁾ A 'Sensitive' 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).

TRON.tdi: <https://tron.trade.ec.europa.eu/tron/tdi>

Email addresses: for respectively dumping aspects and injury aspects:

TRADE-R728-GOES-DUMPING@ec.europa.eu

TRADE-R728-GOES-INJURY@ec.europa.eu

6. **Schedule of the investigation**

The investigation shall normally be concluded within 12 months and in any event no later than 15 months from the date of the publication of this Notice, pursuant to Article 11(5) of the basic Regulation.

7. **Submission of information**

As a rule, interested parties may only submit information in the timeframes specified in section 5 of this Notice.

In order to complete the investigation within the mandatory deadlines, the Commission will not accept submissions from interested parties after the deadline to provide comments on the final disclosure or, if applicable, after the deadline to provide comments on the additional final disclosure.

8. **Possibility to comment on other parties' submissions**

In order to guarantee the rights of defence, interested parties should have the possibility to comment on information submitted by other interested parties. When doing so, interested parties may only address issues raised in the other interested parties' submissions and may not raise new issues.

Comments on the information provided by other interested parties in reaction to the disclosure of the definitive findings should be submitted within 5 days from the deadline to comment on the definitive findings, unless otherwise specified. If there is an additional final disclosure, comments filed by other interested parties in reaction to this further disclosure should be made within 1 day from the deadline to comment on this further disclosure, unless otherwise specified.

The outlined timeframe is without prejudice to the Commission's right to request additional information from interested parties in duly justified cases.

9. **Extension to time limits specified in this Notice**

Any extension to the time limits provided for in this Notice should only be requested in exceptional circumstances and will only be granted if duly justified. In any event, any extension to the deadline to reply to questionnaires will be limited normally to 3 days, and as a rule will not exceed 7 days. Regarding time limits for the submission of other information specified in the Notice of Initiation, extensions will be limited to 3 days unless exceptional circumstances are demonstrated.

10. **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, 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.

11. **Hearing Officer**

Interested parties may request the intervention of the Hearing Officer for trade proceedings. The Hearing Officer reviews requests for access to the file, disputes regarding the confidentiality of documents, requests for extension of time limits and any other request concerning the rights of defence of interested parties and third parties as may arise during the proceeding.

The Hearing Officer may organise hearings and mediate between the interested party/-ies and Commissions services 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. The Hearing Officer will examine the reasons for the requests. These hearings should only take place if the issues have not been settled with the Commission services in due course.

Any request must be submitted in good time and expeditiously so as not to jeopardise the orderly conduct of proceedings. To that effect, interested parties should request the intervention of the Hearing Officer at the earliest possible time following the occurrence of the event justifying such intervention. Where hearing requests are submitted outside the relevant timeframes, the Hearing Officer will also examine the reasons for such late requests, the nature of the issues raised and the impact of those issues on the rights of defence, having due regard to the interests of good administration and the timely completion of the investigation.

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/>

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

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

If any interested party considers that a review of the measures is warranted so as to allow for the possibility to amend the measures, that party may request a review pursuant to Article 11(3) of the basic Regulation.

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

13. Processing of personal data

Any personal data collected in this investigation will be treated in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council ⁽¹⁹⁾.

A data protection notice that informs all individuals of the processing of personal data in the framework of Commission's trade defence activities is available on DG Trade's website: <http://ec.europa.eu/trade/policy/accessing-markets/trade-defence/>.

⁽¹⁹⁾ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L295, 21.11.2018, p. 39).

ANNEX

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

ANTI-DUMPING PROCEEDING CONCERNING IMPORTS OF GRAIN-ORIENTED FLAT-ROLLED PRODUCTS OF SILICON-ELECTRICAL STEEL ORIGINATING IN THE PEOPLE'S REPUBLIC OF CHINA (PRC), JAPAN, THE REPUBLIC OF KOREA, THE RUSSIAN FEDERATION AND THE UNITED STATES OF AMERICA (USA)

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 5.3.3 of the Notice of Initiation.

Both the 'Sensitive' 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	

2. TURNOVER AND SALES VOLUME

Indicate the total turnover in euros (EUR) of the company, and the turnover and weight for imports into the Union and resales on the Union market after importation from the PRC, Japan, the Republic of Korea, the Russian Federation and the USA ('country/ies concerned') during the review investigation period (1 July 2019 to 30 June 2020) of grain-oriented flat-rolled products of silicon-electrical steel ('GOES') as defined in the Notice of Initiation.

	Tonnes	Value in euros (EUR)
Total turnover of your company in euros (EUR)		
Imports of the product under review into the Union (please distinguish for each of the countries concerned)		
Resales on the Union market after importation from the country(ies) concerned of the product under review (please distinguish for each of the countries concerned)		

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 review. Such activities could include but are not limited to purchasing the product under review or producing it under sub-contracting arrangements, or processing or trading the product under review.

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).

Notice concerning the adaptation of the level of Tariff Rate Quotas under the safeguard measures on certain steel products following the exit of the United Kingdom from the European Union as of 1 January 2021

(2020/C 366/12)

On 31 January 2019, the European Commission ('the Commission') imposed definitive safeguard measures on certain steel products (the 'Definitive Safeguard Regulation') ⁽¹⁾.

Pursuant to the Withdrawal Agreement between the European Union and the United Kingdom ('UK'), as of 1 January 2021, the UK will no longer be part of the EU customs territory. Therefore, as of that date the territorial scope where safeguard measures are applicable will change. In view of this change, the Commission deems it appropriate to adapt the volume of Tariff Rate Quotas ('TRQs') accordingly as well as the list of developing countries subject to the current measures.

1. Product scope

The product subject of this proceeding consists of certain steel products listed in Annex I to this Notice.

2. Scope of the proceeding

The scope of this TRQ adaptation for the remainder of the period of validity of the current safeguard measures ⁽²⁾ consists in recalculating the volume of the TRQs, having regard to the volume of imports into the Union (EU-27) considering the UK as if it were a third country in the reference period (2015-2017).

3. Methodology

The Commission considers that the most appropriate methodology to adapt TRQ volumes is the following:

- (a) To establish import volumes of countries subject to measures in EU-27 during the period 2015-2017 ⁽³⁾;
- (b) Add to this amount the level of UK imports into EU-27 in the period 2015-2017 ⁽⁴⁾;
- (c) To add to the resulting amounts, per product category, a 5 % (to reflect the top-up of February 2019) and the liberalisation increases (two increases of 3 % in July 2019 and 2020 respectively);

4. Proposed new TRQs resulting from the adaptation

In light of the above methodology, the Commission hereby informs interested parties of the recalculated TRQ volumes per product category and country of origin that the Commission intends to make available from 1 January 2021 until 30 June 2021.

The changes in the volume and possibly section (either country-specific or residual quota) of the TRQs for some exporting countries in certain product categories ⁽⁵⁾ result only from the new import dataset used for quota allocation after the additions and subtractions described in Section 3 above. In no way do these changes reflect a modification of the principles governing the establishment of the TRQs as defined by the definitive measures in February 2019, namely the requirement to qualify for a country-specific TRQ ⁽⁶⁾, which remain the same.

In the absence of precise data concerning the breakdown between product category 4A and 4B in the period 2015-2017, the following methodology was applied. For countries currently under measures, the breakdown between the two product categories was based on the 2017 ratio, i.e. the only period for which the level of imports under product category 4A was precisely known (specific TARIC codes introduced at the time of the imposition of anti-dumping measures). Regarding UK imports and pending further information, the Commission assumes that imports should be equally distributed between the two product categories. Interested parties as well as the countries concerned are hereby invited to examine this proposal and, as the case may be, provide supporting evidence proving any claims to the contrary.

⁽¹⁾ Commission Implementing Regulation (EU) 2019/159 of 31 January 2019 imposing definitive safeguard measures against imports of certain steel products (OJ L 31, 1.2.2019, p. 27).

⁽²⁾ For quarters January-March and April-June 2021.

⁽³⁾ Source: Eurostat

⁽⁴⁾ On the basis of intra-EU trade statistics (source: Eurostat)

⁽⁵⁾ Following the adaptation of TRQ volumes, some countries currently subject to the residual TRQ in a given category would qualify for a country-specific TRQ, and vice-versa.

⁽⁶⁾ A country will normally benefit from a country-specific TRQ if its import share in a given product category in the reference period (with the adapted dataset) is at least 5 %.

The recalculated TRQ volumes per product category and origin for January-March and April-June 2021 per quarters are enclosed in Annexes II and IV ⁽⁷⁾ to this Notice.

The Commission also intends to update the list of product categories originating in developing countries to which the definitive measures apply (see Annex III). The Commission intends to base its calculation on the updated data, resulting from the application of the methodology described in section 3 above to the year 2019 imports dataset.

The changes to the current list of developing countries subject to the measures would be as follows:

- United Arab Emirates would be excluded in product categories 21 and 26,
- Turkey would be excluded in product category 25A,
- China would be subject to the measures in product category 22.

4.1. **Written submissions**

The Commission invites interested parties to comment exclusively on the proposed new TRQs resulting from the adaptation. The scope of the comments shall be limited to the Methodology applied in order to adapt the TRQs and the list of developing countries subject to the current measures.

Any submission, and supporting evidence, must reach the Commission within **5 working days** of the date of publication of this Notice in the *Official Journal of the European Union*.

4.2. **Submission of information and extension to time limits specified in this Notice**

As a rule, interested parties may only submit information within the timeframes specified in this Notice. Any extension to the time limits provided for in this Notice can only be requested in exceptional circumstances and will only be granted if duly justified. Duly justified exceptional extensions to the deadline to make submission will normally be limited to **2 additional days**.

4.3. **Instructions for making written submissions**

In view of the potential high number of submissions the Commission may receive in reaction to this Notice, the limited time available until the recalculated TRQs enter into force, and in order to ensure consistency amongst submissions and their swift handling and assessment, the Commission has designed a 'Template that parties must use when submitting their comments'. The template is available as Annex V to this Notice.

Information submitted to the Commission for the purpose of trade defence proceeding 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 the Commission (a) 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 provided by interested parties for which confidential treatment is requested shall be labelled 'Limited' ⁽⁸⁾. Parties submitting information in the course of this investigation are invited to reason their request for confidential treatment.

Parties providing 'Limited' information are required to furnish non-confidential summaries of it pursuant to Article 8 of Regulation (EU) 2015/478 of the European Parliament and of the Council ⁽⁹⁾ and Article 5 of Regulation (EU) 2015/755 of the European Parliament and of the Council ⁽¹⁰⁾, which will be labelled 'For inspection by interested parties'. Those summaries should be sufficiently detailed to permit a reasonable understanding of the substance of the information submitted in confidence and must reach the Commission at the same time of the 'Limited' version.

⁽⁷⁾ This annex concerns the access to the residual TRQ in the last quarter of a period.

⁽⁸⁾ A 'Limited' document is a document which is considered confidential pursuant to Article 8 of Regulation (EU) 2015/478, Article 5 of Regulation (EU) 2015/755 and Article 3.2 of the WTO Agreement on Safeguards. 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).

⁽⁹⁾ OJ L 83, 27.3.2015, p. 16.

⁽¹⁰⁾ OJ L 123, 19.5.2015, p. 33.

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 via TRON.tdi (<https://tron.trade.ec.europa.eu/tron/TDI>) including scanned powers of attorney. By using TRON.tdi or 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

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 TRON.tdi or 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 via TRON.tdi, interested parties should consult the communication instructions with interested parties referred to above.

Commission address for correspondence:

European Commission
Directorate-General for Trade
Directorate G, unit G5
Office: CHAR 03/66
1049 Bruxelles/Brussel
BELGIQUE/BELGIË
TRON.tdi: <https://webgate.ec.europa.eu/tron/tdi>

Email address: TRADE-SAFE009-REVIEW@ec.europa.eu

5. **Schedule**

In order to minimise the uncertainty for economic operators, the proceeding shall be concluded in the shortest timeframe with a view to having the recalculated TRQs in place by 1 January 2021.

6. **Non-Cooperation**

In cases where any interested party does not provide the necessary information within the time limits, or significantly impedes the investigation, findings may be made on the basis of facts available, in accordance with Article 5 of Regulation (EU) 2015/478 and Article 3 of Regulation (EU) 2015/755. 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.

7. **Hearing Officer**

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 any other request concerning the rights of defence of interested parties and third parties as may arise during the proceeding.

Interested parties may request an intervention of the Hearing Officer. In principle, these interventions shall be limited to the issues that may arise during the current proceeding.

A request for an intervention of the Hearing Officer should be made in writing and should specify the reasons for the request. The Hearing Officer will examine the reasons for requests, having due regard to the interests of good administration and the timely completion of the investigation.

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. Processing of personal data

Any personal data collected in this investigation will be treated in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council ⁽¹⁾.

A data protection notice that informs all individuals of the processing of personal data in the framework of Commission's trade defence activities is available on DG Trade's website: <http://trade.ec.europa.eu/doclib/html/157639.htm>

⁽¹⁾ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

ANNEX I

List of product categories subject to definitive safeguard measures

Product Number	Product category
1	Non Alloy and Other Alloy Hot Rolled Sheets and Strips
2	Non Alloy and Other Alloy Cold Rolled Sheets
3.A	Electrical Sheets (other than GOES)
3.B	
4.A	Metallic Coated Sheets
4.B	
5	Organic Coated Sheets
6	Tin Mill products
7	Non Alloy and Other Alloy Quarto Plates
8	Stainless Hot Rolled Sheets and Strips
9	Stainless Cold Rolled Sheets and Strips
10	Stainless Hot Rolled Quarto Plates
12	Non Alloy and Other Alloy Merchant Bars and Light Sections
13	Rebars
14	Stainless Bars and Light Sections
15	Stainless Wire Rod
16	Non Alloy and Other Alloy Wire Rod
17	Angles, Shapes and Sections of Iron or Non Alloy Steel
18	Sheet Piling
19	Railway Material
20	Gas pipes
21	Hollow sections
22	Seamless Stainless Tubes and Pipes
24	Other Seamless Tubes
25.A	Large welded tubes
25.B	
26	Other welded pipes
27	Non-alloy and other alloy cold finished bars
28	Non Alloy Wire

ANNEX II

II.1 – Volumes of tariff-rate quotas

Product Number	Product category	CN Codes	Allocation by country (Where Applicable)	From 1.1.2021 to 31.3.2021	From 1.4.2021 to 30.6.2021	Additional duty rate	Order numbers	
				Volume of tariff quota (net tonnes)				
1	Non Alloy and Other Alloy Hot Rolled Sheets and Strips	7208 10 00, 7208 25 00, 7208 26 00, 7208 27 00, 7208 36 00, 7208 37 00, 7208 38 00, 7208 39 00, 7208 40 00, 7208 52 99, 7208 53 90, 7208 54 00, 7211 14 00, 7211 19 00, 7212 60 00, 7225 19 10, 7225 30 10, 7225 30 30, 7225 30 90, 7225 40 15, 7225 40 90, 7226 19 10, 7226 91 20, 7226 91 91, 7226 91 99	Russian Federation	395 909,00	400 307,98	25 %		
		Turkey	313 791,59	317 278,16	25 %			
		India	161 191,83	162 982,85	25 %			
		Korea, Republic of	129 042,60	130 476,40	25 %			
		United Kingdom	114 460,48	115 732,26	25 %			
		Serbia	113 624,87	114 887,37	25 %			
		Other countries	969 690,07	980 464,41	25 %			
2	Non Alloy and Other Alloy Cold Rolled Sheets	7209 15 00, 7209 16 90, 7209 17 90, 7209 18 91, 7209 25 00, 7209 26 90, 7209 27 90, 7209 28 90, 7209 90 20, 7209 90 80, 7211 23 20, 7211 23 30, 7211 23 80, 7211 29 00, 7211 90 20, 7211 90 80, 7225 50 20, 7225 50 80, 7226 20 00, 7226 92 00	India	143 355,40	144 948,24	25 %		
		Korea, Republic of	83 143,26	84 067,08	25 %			
		United Kingdom	76 842,60	77 696,41	25 %			
		Ukraine	63 833,81	64 543,07	25 %			
		Brazil	40 842,75	41 296,56	25 %			
		Serbia	36 193,20	36 595,35	25 %			
		Other countries	252 391,11	255 195,45	25 %			

3.A	Electrical Sheets (other than GOES)	7209 16 10, 7209 17 10, 7209 18 10, 7209 26 10, 7209 27 10, 7209 28 10	Russian Federation	333,03	336,73	25 %	
			United Kingdom	285,37	288,54	25 %	
			Iran, Islamic Republic of	145,80	147,42	25 %	
			Korea, Republic of	118,68	119,99	25 %	
			Other countries	719,47	727,46	25 %	
3.B		7225 19 90, 7226 19 80	Russian Federation	33 685,76	34 060,05	25 %	
			Korea, Republic of	20 132,89	20 356,59	25 %	
			China	15 498,07	15 670,27	25 %	
			Taiwan	11 627,43	11 756,62	25 %	
			Other countries	6 024,76	6 091,70	25 %	
4.A		TARIC Codes: 7210 41 00 20, 7210 49 00 20, 7210 61 00 20, 7210 69 00 20, 7212 30 00 20, 7212 50 61 20, 7212 50 69 20, 7225 92 00 20, 7225 99 00 11, 7225 99 00 22, 7225 99 00 40, 7225 99 00 91, 7225 99 00 92, 7226 99 30 10, 7226 99 70 11, 7226 99 70 91, 7226 99 70 94	Korea (Republic of)	39 076,43	39 510,61	25 %	
			India	47 157,01	47 680,98	25 %	
			United Kingdom	31 075,99	31 421,28	25 %	
			Other countries	489 545,76	494 985,15	25 %	
4.B	Metallic Coated Sheets	CN Codes: 7210 20 00, 7210 30 00, 7210 90 80, 7212 20 00, 7212 50 20, 7212 50 30, 7212 50 40, 7212 50 90, 7225 91 00, 7226 99 10 TARIC codes: 7210 41 00 80, 7210 49 00 80, 7210 61 00 80, 7210 69 00 80, 7212 30 00 80, 7212 50 61 80, 7212 50 69 80, 7225 92 00 80, 7225 99 00 25, 7225 99 00 95, 7226 99 30 90, 7226 99 70 19, 7226 99 70 96	China	112 776,29	114 029,36	25 %	
			Korea (Republic of)	140 173,25	141 730,73	25 %	
			India	67 301,75	68 049,55	25 %	
			United Kingdom	31 075,99	31 421,28	25 %	
			Other countries	22 238,50	22 485,59	25 %	

5	Organic Coated Sheets	7210 70 80, 7212 40 80	India	69 079,96	69 847,51	25 %	
			Korea, Republic of	62 432,08	63 125,77	25 %	
			United Kingdom	30 651,88	30 992,45	25 %	
			Taiwan	20 009,20	20 231,52	25 %	
			Turkey	13 814,36	13 967,85	25 %	
			Other countries	37 843,96	38 264,44	25 %	
6	Tin Mill products	7209 18 99, 7210 11 00, 7210 12 20, 7210 12 80, 7210 50 00, 7210 70 10, 7210 90 40, 7212 10 10, 7212 10 90, 7212 40 20	China	97 495,49	98 578,77	25 %	
			United Kingdom	35 561,84	35 956,97	25 %	
			Serbia	19 570,13	19 787,58	25 %	
			Korea, Republic of	14 156,15	14 313,44	25 %	
			Taiwan	11 769,81	11 900,58	25 %	
			Other countries	32 623,10	32 985,58	25 %	
7	Non Alloy and Other Alloy Quarto Plates	7208 51 20, 7208 51 91, 7208 51 98, 7208 52 91, 7208 90 20, 7208 90 80, 7210 90 30, 7225 40 12, 7225 40 40, 7225 40 60, 7225 99 00	Ukraine	209 860,26	212 192,04	25 %	
			Korea, Republic of	85 938,89	86 893,77	25 %	
			Russian Federation	72 574,83	73 381,22	25 %	
			India	47 696,17	48 226,13	25 %	
			United Kingdom	47 679,95	48 209,72	25 %	
			Other countries	289 237,24	292 450,99	25 %	
8	Stainless Hot Rolled Sheets and Strips	7219 11 00, 7219 12 10, 7219 12 90, 7219 13 10, 7219 13 90, 7219 14 10, 7219 14 90, 7219 22 10, 7219 22 90, 7219 23 00, 7219 24 00, 7220 11 00, 7220 12 00	Other countries	90 629,91	91 636,90	25 %	
9	Stainless Cold Rolled Sheets and Strips	7219 31 00, 7219 32 10, 7219 32 90, 7219 33 10, 7219 33 90, 7219 34 10, 7219 34 90, 7219 35 10, 7219 35 90, 7219 90 20, 7219 90 80, 7220 20 21, 7220 20 29, 7220 20 41, 7220 20 49, 7220 20 81, 7220 20 89,	Korea, Republic of	43 629,00	44 113,77	25 %	
			Taiwan	40 458,63	40 908,18	25 %	
			India	27 041,19	27 341,65	25 %	
			United States	22 000,76	22 245,21	25 %	
			Turkey	18 307,38	18 510,79	25 %	
			Malaysia	11 598,54	11 727,41	25 %	
			Other countries	46 526,20	47 043,16	25 %	

		7220 90 20, 7220 90 80								
10	Stainless Hot Rolled Quarto Plates	7219 21 10, 7219 21 90	China	4 320,80	4 368,81	25 %				
			India	1 832,92	1 853,28	25 %				
			United Kingdom	756,12	764,53	25 %				
			Taiwan	698,09	705,84	25 %				
			Other countries	915,93	926,11	25 %				
12	Non Alloy and Other Alloy Merchant Bars and Light Sections	7214 30 00, 7214 91 10, 7214 91 90, 7214 99 31, 7214 99 39, 7214 99 50, 7214 99 71, 7214 99 79, 7214 99 95, 7215 90 00, 7216 10 00, 7216 21 00, 7216 22 00, 7216 40 10, 7216 40 90, 7216 50 10, 7216 50 91, 7216 50 99, 7216 99 00, 7228 10 20, 7228 20 10, 7228 20 91, 7228 30 20, 7228 30 41, 7228 30 49, 7228 30 61, 7228 30 69, 7228 30 70, 7228 30 89, 7228 60 20, 7228 60 80, 7228 70 10, 7228 70 90, 7228 80 00	China	103 601,87	104 753,01	25 %				
			United Kingdom	86 672,43	87 635,46	25 %				
			Turkey	62 288,24	62 980,33	25 %				
			Russian Federation	57 825,56	58 468,06	25 %				
			Switzerland	46 358,90	46 874,00	25 %				
			Belarus	37 104,08	37 516,35	25 %				
						Other countries	47 142,12	47 665,92	25 %	
			13	Rebars	7214 20 00, 7214 99 10	Turkey	58 826,75	59 480,38	25 %	
Russian Federation	56 951,11	57 583,90				25 %				
Ukraine	28 798,84	29 118,83				25 %				
Bosnia and Herzegovina	25 219,87	25 500,09				25 %				
Moldova, Republic of	18 125,11	18 326,50				25 %				
Other countries	109 637,11	110 855,30				25 %				

14	Stainless Bars and Light Sections	7222 11 11, 7222 11 19, 7222 11 81, 7222 11 89, 7222 19 10, 7222 19 90, 7222 20 11, 7222 20 19, 7222 20 21, 7222 20 29, 7222 20 31, 7222 20 39, 7222 20 81, 7222 20 89, 7222 30 51, 7222 30 91, 7222 30 97, 7222 40 10, 7222 40 50, 7222 40 90	India	27 892,96	28 202,88	25 %	
			United Kingdom	4 076,21	4 121,51	25 %	
			Switzerland	4 012,28	4 056,86	25 %	
			Ukraine	3 098,90	3 133,33	25 %	
			Other countries	4 521,80	4 572,05	25 %	
15	Stainless Wire Rod	7221 00 10, 7221 00 90	India	6 487,41	6 559,49	25 %	
			Taiwan	4 182,82	4 229,30	25 %	
			United Kingdom	3 360,43	3 397,77	25 %	
			Korea, Republic of	2 088,34	2 111,54	25 %	
			China	1 414,37	1 430,08	25 %	
			Japan	1 403,63	1 419,23	25 %	
			Other countries	698,10	705,85	25 %	
16	Non Alloy and Other Alloy Wire Rod	7213 10 00, 7213 20 00, 7213 91 10, 7213 91 20, 7213 91 41, 7213 91 49, 7213 91 70, 7213 91 90, 7213 99 10, 7213 99 90, 7227 10 00, 7227 20 00, 7227 90 10, 7227 90 50, 7227 90 95	United Kingdom	133 112,45	134 591,48	25 %	
			Ukraine	93 132,26	94 167,07	25 %	
			Switzerland	90 980,58	91 991,47	25 %	
			Russian Federation	78 745,32	79 620,26	25 %	
			Turkey	76 362,96	77 211,44	25 %	
			Belarus	62 438,46	63 132,22	25 %	
			Moldova, Republic of	46 799,56	47 319,56	25 %	
			Other countries	77 881,71	78 747,06	25 %	
17	Angles, Shapes and Sections of Iron or Non Alloy Steel	7216 31 10, 7216 31 90, 7216 32 11, 7216 32 19, 7216 32 91, 7216 32 99, 7216 33 10, 7216 33 90	Ukraine	27 500,57	27 806,14	25 %	
			United Kingdom	23 890,85	24 156,31	25 %	
			Turkey	19 883,09	20 104,02	25 %	
			Korea, Republic of	4 633,85	4 685,34	25 %	
			Other countries	10 905,03	11 026,20	25 %	

18	Sheet Piling	7301 10 00	China	6 151,98	6 220,33	25 %	
			United Arab Emirates	3 044,65	3 078,48	25 %	
			United Kingdom	789,54	798,32	25 %	
			Other countries	224,06	226,55	25 %	
19	Railway Material	7302 10 22, 7302 10 28, 7302 10 40, 7302 10 50, 7302 40 00	United Kingdom	3 788,71	3 830,80	25 %	
			Russian Federation	1 375,95	1 391,24	25 %	
			Turkey	1 117,60	1 130,02	25 %	
			China	989,92	1 000,92	25 %	
			Other countries	1 024,65	1 036,04	25 %	
20	Gas pipes	7306 30 41, 7306 30 49, 7306 30 72, 7306 30 77	Turkey	43 450,18	43 932,96	25 %	
			India	16 721,00	16 906,78	25 %	
			North Macedonia	6 175,81	6 244,43	25 %	
			United Kingdom	5 874,82	5 940,09	25 %	
			Other countries	12 635,26	12 775,65	25 %	
21	Hollow sections	7306 61 10, 7306 61 92, 7306 61 99	Turkey	66 577,91	67 317,67	25 %	
			United Kingdom	40 001,61	40 446,07	25 %	
			Russian Federation	22 664,34	22 916,17	25 %	
			North Macedonia	21 621,70	21 861,94	25 %	
			Ukraine	16 174,57	16 354,29	25 %	
			Switzerland	13 600,58	13 751,70	25 %	
			Belarus	13 392,20	13 541,00	25 %	
			Other countries	15 230,42	15 399,64	25 %	
22	Seamless Stainless Tubes and Pipes	7304 11 00, 7304 22 00, 7304 24 00, 7304 41 00, 7304 49 10, 7304 49 93, 7304 49 95, 7304 49 99	India	5 168,74	5 226,17	25 %	
			Ukraine	3 236,47	3 272,43	25 %	
			United Kingdom	1 642,83	1 661,08	25 %	
			Korea, Republic of	1 017,41	1 028,71	25 %	
			Japan	946,14	956,65	25 %	
			China	811,77	820,79	25 %	
			Other countries	2 360,85	2 387,08	25 %	

24	Other Seamless Tubes	7304 19 10, 7304 19 30, 7304 19 90, 7304 23 00, 7304 29 10, 7304 29 30, 7304 29 90, 7304 31 20, 7304 31 80, 7304 39 10, 7304 39 52, 7304 39 58, 7304 39 92, 7304 39 93, 7304 39 98, 7304 51 81, 7304 51 89, 7304 59 10, 7304 59 92, 7304 59 93, 7304 59 99, 7304 90 00	China	30 152,17	30 487,19	25 %	
			Ukraine	23 541,21	23 802,78	25 %	
			Belarus	12 595,36	12 735,31	25 %	
			United Kingdom	9 557,38	9 663,58	25 %	
			United States	6 714,21	6 788,82	25 %	
			Other countries	35 461,44	35 855,45	25 %	
25.A	Large welded tubes	7305 11 00, 7305 12 00	Other countries	106 330,19	107 511,63	25 %	
25.B	Large welded tubes	7305 19 00, 7305 20 00, 7305 31 00, 7305 39 00, 7305 90 00	Turkey	9 347,69	9 451,55	25 %	
			China	6 323,27	6 393,53	25 %	
			Russian Federation	6 278,07	6 347,83	25 %	
			United Kingdom	4 248,97	4 296,18	25 %	
			Korea, Republic of	2 488,39	2 516,04	25 %	
			Other countries	5 771,54	5 835,67	25 %	
26	Other Welded Pipes	7306 11 10, 7306 11 90, 7306 19 10, 7306 19 90, 7306 21 00, 7306 29 00, 7306 30 11, 7306 30 19, 7306 30 80, 7306 40 20, 7306 40 80, 7306 50 20, 7306 50 80, 7306 69 10, 7306 69 90, 7306 90 00	Switzerland	40 668,04	41 119,90	25 %	
			Turkey	31 126,18	31 472,03	25 %	
			United Kingdom	9 655,60	9 762,88	25 %	
			Taiwan	7 510,15	7 593,59	25 %	
			China	6 540,69	6 613,37	25 %	
			Russian Federation	6 402,83	6 473,97	25 %	
			Other countries	20 849,11	21 080,77	25 %	

27	Non-alloy and other alloy cold finished bars	7215 10 00,	Russian Federation	74 594,12	75 422,94	25 %	
		7215 50 11,	Switzerland	17 399,98	17 593,32	25 %	
		7215 50 19,	United Kingdom	13 012,46	13 157,05	25 %	
		7215 50 80,	China	12 561,01	12 700,58	25 %	
		7228 10 90,	Ukraine	10 233,14	10 346,84	25 %	
		7228 20 99,	Other countries	9 702,37	9 810,18	25 %	
28	Non Alloy Wire	7217 10 10,	Belarus	56 580,19	57 208,86	25 %	
		7217 10 31,	China	39 836,99	40 279,62	25 %	
		7217 10 39,	Russian Federation	26 657,35	26 953,54	25 %	
		7217 10 50,	Turkey	21 490,10	21 728,87	25 %	
		7217 10 90,	Ukraine	17 144,99	17 335,49	25 %	
		7217 20 10,					
		7217 20 30,	Other countries	29 751,08	30 081,65	25 %	

II.2 – Volumes of global tariff-rate quotas per trimester

Product number		From 1.1.2021 to 31.3.2021	From 1.4.2021 to 30.6.2021
		Volume of tariff quota (net tonnes)	
1	Other countries	969 690,07	980 464,41
2	Other countries	252 391,11	255 195,45
3A	Other countries	719,47	727,46
3B	Other countries	6 024,76	6 091,70
4A	Other countries	489 545,76	494 985,15
4B	Other countries	22 238,50	22 485,59
5	Other countries	37 843,96	38 264,44
6	Other countries	32 623,10	32 985,58
7	Other countries	289 237,24	292 450,99
8	Other countries	90 629,91	91 636,90
9	Other countries	46 526,20	47 043,16
10	Other countries	915,93	926,11
12	Other countries	47 142,12	47 665,92
13	Other countries	109 637,11	110 855,30

Product number		From 1.1.2021 to 31.3.2021	From 1.4.2021 to 30.6.2021
		Volume of tariff quota (net tonnes)	
14	Other countries	4 521,80	4 572,05
15	Other countries	698,10	705,85
16	Other countries	77 881,71	78 747,06
17	Other countries	10 905,03	11 026,20
18	Other countries	224,06	226,55
19	Other countries	1 024,65	1 036,04
20	Other countries	12 635,26	12 775,65
21	Other countries	15 230,42	15 399,64
22	Other countries	2 360,85	2 387,08
24	Other countries	35 461,44	35 855,45
25A	Other countries	106 330,19	107 511,63
25B	Other countries	5 771,54	5 835,67
26	Other countries	20 849,11	21 080,77
27	Other countries	9 702,37	9 810,18
28	Other countries	29 751,08	30 081,65

ANNEX III

List of product categories originating in developing countries to which the definitive measures apply

List of product categories originating in developing countries to which the definitive measures apply																													
Country / Product group	1	2	3A	3B	4A*	4B*	5	6	7	8	9	10	12	13	14	15	16	17	18	19	20	21	22	24	25A	25B	26	27	28
Brazil		X	X																					X					
China				X			X		X		X	X			X			X	X		X	X	X	X	X	X	X	X	X
India	X	X		X			X	X	X		X	X			X	X					X		X	X			X		
Indonesia									X	X	X													X					
Malaysia											X													X					
Mexico																								X					
Moldova														X			X							X					
North Macedonia							X		X				X								X	X		X					
Thailand											X													X					
Tunisia																								X					
Turkey	X	X					X	X			X		X	X			X	X		X	X	X		X		X	X	X	X
Ukraine		X							X					X	X		X	X			X	X	X	X				X	X
United Arab Emirates																		X	X		X			X					
Vietnam		X					X				X													X					
All other developing countries																								X					

* 4A and 4B will be updated once the methodology is found

ANNEX IV

Maximum volume of residual quota accessible from 1.4.2021 to 30.6.2021 to countries with a country specific quota

Product category	New allocated quota from 30.4.2021 to 30.6.2021 in tonnes
1	Special regime
2	255 195,45
3.A	727,46
3.B	6 091,70
4.A	494 985,15
4.B	Special regime
5	No access to the residual quota in Q4
6	32 985,58
7	292 450,99
8	Not applicable
9	47 043,16
10	926,11
12	47 665,92
13	110 855,30
14	4 572,05
15	705,85
16	No access to the residual quota in Q4
17	11 026,20
18	226,55
19	1 036,04
20	No access to the residual quota in Q4
21	15 399,64
22	2 387,08
24	35 855,45
25.A	Not applicable
25.B	5 835,67
26	21 080,77
27	No access to the residual quota in Q4
28	30 081,65

ANNEX V

Template for submissions

1. In case you do not deem the methodology proposed by the Commission in Section 3 of the Notice to be appropriate, please explain, **in the Box below and in a maximum of two pages**, the reasons therefor and provide an alternative methodology. If you wish to provide the Commission with an alternative methodology to calculate the TRQ volumes, please attach the resulting revised calculations **in a separate Excel file**.
2. I attach a separate Excel calculations file (tick the box where appropriate)

(A) Reasons for an alternative methodology:

(B) Alternative methodology:

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION
POLICY

EUROPEAN COMMISSION

Prior notification of a concentration
(Case M.10000 — PreZero International/SUEZ Nordic)

Candidate case for simplified procedure

(Text with EEA relevance)

(2020/C 366/13)

1. On 22 October 2020, 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:

- PreZero International GmbH ('PreZero'), belonging to the Schwarz Group, both of Germany,
- SUEZ Nordic AB ('SUEZ Nordic', 'Sweden'), belonging to the SUEZ Group (France).

PreZero acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of SUEZ Nordic.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- PreZero provides waste disposal and recycling services, and is active in Austria, Belgium, Germany, Italy, the Netherlands, Poland and the United States while the Schwarz Group is also active in the retail sale of consumer goods in Sweden, through its chain of Lidl and Kaufland stores,
- SUEZ Nordic comprises the waste management operations of the SUEZ Group in Sweden, and is active in the collection, pre-treatment, sorting, recycling, disposal of waste and trading of waste and commodities.

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.10000 — PreZero International/SUEZ Nordic

⁽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

CORRIGENDA

Corrigendum to the list of competent authorities referred to in Article 7 of Directive (EU) 2016/681 of the European Parliament and of the Council of 27 April 2016 on the use of Passenger Name Record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime

(Official Journal of the European Union C 194 of 6 June 2018)

(2020/C 366/14)

On page 7, indent 'in the United Kingdom':

for:

- 'Department for Transport;
- Home Office;
- HM Revenue & Customs;
- Metropolitan Police Service;
- City of London Police;
- Avon and Somerset Constabulary;
- Bedfordshire Police;
- Cambridgeshire Constabulary;
- Cheshire Constabulary;
- Cleveland Police;
- Cumbria Constabulary;
- Derbyshire Constabulary;
- Devon & Cornwall Police;
- Dorset Police;
- Durham Constabulary;
- Essex Police;
- Gloucestershire Constabulary;
- Greater Manchester Police;
- Hampshire Constabulary;
- Hertfordshire Constabulary;
- Humberside Police;
- Kent Police;
- Lancashire Constabulary;
- Leicestershire Police;
- Lincolnshire Police;
- Merseyside Police;
- National Crime Agency;
- Norfolk Constabulary;
- North Yorkshire Police;
- Northamptonshire Police;
- Northumbria Police;
- Nottinghamshire Police;
- South Yorkshire Police;

Staffordshire Police;
Suffolk Constabulary;
Surrey Police;
Sussex Police;
Thames Valley Police;
Warwickshire Police;
West Mercia Police;
West Midlands Police;
West Yorkshire Police;
Wiltshire Police;
Dyfed-Powys Police;
Gwent Police;
North Wales Police;
South Wales Police;
Police Service of Scotland;
Police Service of Northern Ireland.’

read:

‘The Gangmasters and Labour Abuse Authority
Department for Transport;
Home Office;
HM Revenue & Customs;
Metropolitan Police Service;
Serious Fraud Office;
City of London Police;
Avon and Somerset Constabulary;
Bedfordshire Police;
Cambridgeshire Constabulary;
Cheshire Constabulary;
Cleveland Police;
Cumbria Constabulary;
Derbyshire Constabulary;
Devon & Cornwall Police;
Dorset Police;
Durham Constabulary;
Essex Police;
Gloucestershire Constabulary;
Greater Manchester Police;
Hampshire Constabulary;
Hertfordshire Constabulary;
Humberside Police;
Kent Police;
Lancashire Constabulary;
Leicestershire Police;
Lincolnshire Police;

Merseyside Police;
National Crime Agency;
Norfolk Constabulary;
North Yorkshire Police;
Northamptonshire Police;
Northumbria Police;
Nottinghamshire Police;
South Yorkshire Police;
Staffordshire Police;
Suffolk Constabulary;
Surrey Police;
Sussex Police;
Thames Valley Police;
Warwickshire Police;
West Mercia Police;
West Midlands Police;
West Yorkshire Police;
Wiltshire Police;
Dyfed-Powys Police;
Gwent Police;
North Wales Police;
South Wales Police;
Police Service of Scotland;
Police Service of Northern Ireland.'

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