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⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2015/1820

of 9 October 2015

amending Regulation (EU) No 37/2010 as regards the substance 'Diethylene glycol monoethyl ether'

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 470/2009 of the European Parliament and of the Council of 6 May 2009 laying down Community procedures for the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin, repealing Council Regulation (EEC) No 2377/90 and amending Directive 2001/82/EC of the European Parliament and of the Council and Regulation (EC) No 726/2004 of the European Parliament and the Council ⁽¹⁾, and in particular Article 14 in conjunction with Article 17 thereof,

Having regard to the opinion of the European Medicines Agency formulated by the Committee for Medicinal Products for Veterinary Use,

Whereas:

- (1) Article 17 of Regulation (EC) No 470/2009 requires that the maximum residue limit (hereinafter 'MRL') for pharmacologically active substances intended for use in the Union in veterinary medicinal products for food-producing animals or in biocidal products used in animal husbandry is to be established in a regulation.
- (2) Table 1 of the Annex to Commission Regulation (EU) No 37/2010 ⁽²⁾ sets out the pharmacologically active substances and their classification regarding MRLs in foodstuffs of animal origin.
- (3) Diethylene glycol monoethyl ether is currently included in that table as an allowed substance, for all ruminants and porcine species. According to the existing entry for diethylene glycol monoethyl ether, no MRL is required for these animal species.
- (4) An application for the extension of the existing entry for diethylene glycol monoethyl ether to poultry has been submitted to the European Medicines Agency (hereinafter 'EMA').
- (5) The EMA, based on the opinion of the Committee for Medicinal Products for Veterinary Use, has recommended the extension of the existing entry for diethylene glycol monoethyl ether to poultry.
- (6) According to Article 5 of Regulation (EC) No 470/2009, the EMA is to consider using MRLs established for a pharmacologically active substance in a particular foodstuff for another foodstuff derived from the same species, or MRLs established for a pharmacologically active substance in one or more species for other species.

⁽¹⁾ OJ L 152, 16.6.2009, p. 11.

⁽²⁾ Commission Regulation (EU) No 37/2010 of 22 December 2009 on pharmacologically active substances and their classification regarding maximum residue limits in foodstuffs of animal origin (OJ L 15, 20.1.2010, p. 1).

- (7) The EMA has considered that the extrapolation of the existing entry for diethylene glycol monoethyl ether to all food producing species is appropriate.
- (8) Regulation (EU) No 37/2010 should therefore be amended accordingly.
- (9) It is appropriate to grant the stakeholders concerned a reasonable period of time to take measures that may be required to comply with the new MRL.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Veterinary Medicinal Products,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EU) No 37/2010 is amended as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 9 December 2015.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 9 October 2015.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

In Table 1 of the Annex to Regulation (EU) No 37/2010, the entry for the substance 'diethylene glycol monethyl ether' is replaced by the following:

Pharmacologically active Substance	Marker residue	Animal Species	MRLs	Target Tissues	Other Provisions (according to Article 14(7) of Regulation (EC) No 470/2009)	Therapeutic Classification
'Diethylene glycol monethyl ether	NOT APPLICABLE	All food producing species	No MRL required	NOT APPLICABLE	NO ENTRY	NO ENTRY'

COMMISSION IMPLEMENTING REGULATION (EU) 2015/1821**of 9 October 2015****amending Council Implementing Regulation (EU) No 1106/2013 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of certain stainless steel wires originating in India and amending Council Implementing Regulation (EU) No 861/2013 imposing a definitive countervailing duty and collecting definitively the provisional duty imposed on imports of certain stainless steel wires originating in India**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Community ⁽¹⁾ (the 'basic Regulation'),Having regard to Council Implementing Regulation (EU) No 1106/2013 of 5 November 2013 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of certain stainless steel wires originating in India ⁽²⁾ and in particular Article 2 thereof,

Whereas:

A. MEASURES IN FORCE

- (1) By Implementing Regulation (EU) No 1106/2013, the Council imposed a definitive anti-dumping duty on imports into the Union of wire of stainless steel containing by weight:
 - 2,5 % or more of nickel, other than wire containing by weight 28 % or more but not more than 31 % of nickel and 20 % or more but not more than 22 % of chromium;
 - less than 2,5 % of nickel, other than wire containing by weight 13 % or more but not more than 25 % of chromium and 3,5 % or more but not more than 6 % of aluminium,currently falling within CN codes 7223 00 19 and 7223 00 99, and originating in India ('the product concerned').
- (2) In the investigation which led to the imposition of a definitive anti-dumping duty a large number of exporting producers from India cooperated. As a result, the European Commission ('the Commission') selected a sample of Indian exporting producers to be investigated.
- (3) The Council imposed individual duty rates on imports of the product concerned ranging from 0 % to 12,5 % for the sampled companies and the weighted average duty of 5 % for the cooperating non-sampled companies. A list of the cooperating exporting producers not included in the sample is contained in Annex to Implementing Regulation (EU) No 1106/2013. This Annex was amended by Commission Implementing Regulation (EU) 2015/1019 ⁽³⁾.
- (4) The Council also imposed a countrywide duty of 12,5 % on all other companies which either did not make themselves known or did not cooperate with the investigation.
- (5) Article 2 of Implementing Regulation (EU) No 1106/2013 states that where any new exporting producer from India provides sufficient evidence to the Commission that:
 - (a) it did not export the product concerned to the Union during the period on which the measures are based, that is from 1 April 2011 to 31 March 2012 ('the original investigation period');

⁽¹⁾ OJ L 343, 22.12.2009, p. 51.

⁽²⁾ OJ L 298, 8.11.2013, p. 1.

⁽³⁾ Commission Implementing Regulation (EU) 2015/1019 of 29 June 2015 amending Council Implementing Regulation (EU) No 1106/2013 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of certain stainless steel wires originating in India, amending Council Implementing Regulation (EU) No 861/2013 imposing a definitive countervailing duty and collecting definitively the provisional duty imposed on imports of certain stainless steel wires originating in India and repealing Commission Implementing Regulation (EU) 2015/49 (OJ L 163, 30.6.2015, p. 18).

- (b) it is not related to an exporter or producer subject to the anti-dumping measures imposed by that Regulation; and
- (c) it has either actually exported the product concerned to the Union after the original investigation period or has entered into an irrevocable contractual obligation to export a significant quantity of the product concerned to the Union after the original investigation period,

then Article 1(2) of that Regulation may be amended by granting the new exporting producer the duty rate applicable to the cooperating companies not included in the sample, namely the weighted average duty of 5 %.

B. NEW EXPORTING PRODUCER'S REQUEST

- (6) The Indian company Amar Precision Wire Products Pvt., Ltd ('the applicant' or 'Amar') requested to be granted the duty rate applicable to the cooperating companies not included in the sample ('new exporting producer treatment' or 'NEPT').
- (7) An examination has been carried out in order to determine whether the applicant fulfils the criteria for being granted NEPT as set out in Article 2 of Implementing Regulation (EU) No 1106/2013.
- (8) A questionnaire was sent to the applicant asking the company to supply evidence that it met all of the criteria set out above in Article 2 of Implementing Regulation (EU) No 1106/2013.
- (9) The Commission sought and verified all information it deemed necessary for the purpose of determining whether the applicant met the three criteria to be granted NEPT. Verification visit was carried out at the premise of:

— Amar Precision Wire Products Pvt., Ltd in Satara

- (10) The applicant has provided sufficient evidence to prove that it meets the three criteria mentioned in Article 2 of Implementing Regulation (EU) No 1106/2013. The applicant in fact could prove that:
 - (i) it did not export the product concerned to the Union during the original investigation period, with the exception of one sample transaction described in detail in recital 11;
 - (ii) it is not related to an exporter or producer in India which are subject to the anti-dumping measures imposed by Implementing Regulation (EU) No 1106/2013; and
 - (iii) it actually started its exports of the product concerned to the Union in June 2014 and is bound by further contractual obligation to continue these exports;

and therefore can be granted the duty rate applicable to the cooperating companies not included in the sample, i.e. 5 %, in accordance with Article 2 of Implementing Regulation (EU) No 1106/2013, and should be added to the list of Indian cooperating exporting producers not included in the sample.

- (11) The applicant admitted in its NEPT questionnaire reply that it actually had exported to the Union in the original investigation period but it was only one sample transaction of minor quantity and value of below EUR 500, made by air shipment. The documents verified on spot (including the exchange of correspondence leading to this shipment and further exchange) confirmed the sample character of the transaction. Therefore it is concluded that this transaction is not a reason to reject the applicant's request for NEPT.
- (12) The Commission informed the applicant and the Union industry of the above findings and gave them the opportunity to comment. No comments were received.
- (13) A new TARIC (Integrated Tariff of the European Union) additional code (B121) needs to be attributed to the applicant. Purely for technical integration reasons in TARIC, this Regulation should amend Council Implementing Regulation (EU) No 861/2013 ⁽¹⁾ by attributing the same TARIC additional code (B121) to the applicant.
- (14) This Regulation is in accordance with the opinion of the Committee established by Article 15(1) of Regulation (EC) No 1225/2009,

⁽¹⁾ Council Implementing Regulation (EU) No 861/2013 of 2 September 2013 imposing a definitive countervailing duty and collecting definitively the provisional duty imposed on imports of certain stainless steel wires originating in India (OJ L 240, 7.9.2013, p. 1).

HAS ADOPTED THIS REGULATION:

Article 1

The following company shall be added to the list of exporting producers from India in Annex to Implementing Regulation (EU) No 1106/2013:

Company name	City	TARIC additional code
'Amar Precision Wire Products Pvt., Ltd	Satara, Maharashtra	B121'

Article 2

The table in Article 1(2) of Implementing Regulation (EU) No 861/2013 is replaced by the following table:

Company	Duty (%)	TARIC additional code
Raajratna Metal Industries, Ahmedabad, Gujarat	3,7	B775
Venus Wire Industries Pvt. Ltd, Mumbai, Maharashtra	3,0	B776
Precision Metals, Mumbai, Maharashtra	3,0	B777
Hindustan Inox Ltd, Mumbai, Maharashtra	3,0	B778
Sieves Manufacturer India Pvt. Ltd, Mumbai, Maharashtra	3,0	B779
Viraj Profiles Vpl. Ltd, Thane, Maharashtra	0,0	B780
KEI Industries Limited, New Delhi	0,0	B925
Superon Schweisstechnik India Ltd, Gurgaon, Haryana	3,7	B997
Amar Precision Wire Products Pvt., Ltd, Satara, Maharashtra	3,7	B121
Companies listed in the Annex	3,4	see Annex
All other companies	3,7	B999'

Article 3

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 9 October 2015.

For the Commission

The President

Jean-Claude JUNCKER

COMMISSION IMPLEMENTING REGULATION (EU) 2015/1822**of 9 October 2015****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾,

Having regard to Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors ⁽²⁾, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.
- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 9 October 2015.

For the Commission,
On behalf of the President,
Jerzy PLEWA

Director-General for Agriculture and Rural Development

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	AL	51,8
	MA	164,8
	MK	32,3
	TR	137,2
	ZZ	96,5
0707 00 05	AL	34,9
	TR	107,9
	ZZ	71,4
0709 93 10	TR	136,4
	ZZ	136,4
0805 50 10	AR	112,8
	BO	160,8
	CL	149,1
	TR	127,3
	UY	107,3
	ZA	125,7
	ZZ	130,5
0806 10 10	BR	261,1
	EG	184,5
	MA	56,6
	MK	96,2
	TR	160,1
	ZZ	151,7
0808 10 80	AR	258,8
	CL	177,6
	MK	23,1
	NZ	172,5
	US	137,2
	ZA	119,5
	ZZ	148,1
	ZZ	148,1
0808 30 90	AR	131,8
	TR	134,7
	XS	87,9
	ZA	218,5
	ZZ	143,2

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EU) No 1106/2012 of 27 November 2012 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards the update of the nomenclature of countries and territories (OJ L 328, 28.11.2012, p. 7). Code 'ZZ' stands for 'of other origin'.

DECISIONS

POLITICAL AND SECURITY COMMITTEE DECISION (CFSP) 2015/1823

of 6 October 2015

on the appointment of the EU Force Commander for the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast (Atalanta) and repealing Decisions (CFSP) 2015/607 and (CFSP) 2015/1750 (ATALANTA/6/2015)

THE POLITICAL AND SECURITY COMMITTEE,

Having regard to the Treaty on European Union, and in particular Article 38 thereof,

Having regard to Council Joint Action 2008/851/CFSP of 10 November 2008 on a European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast ⁽¹⁾, and in particular Article 6 thereof,

Whereas:

- (1) Pursuant to Article 6(1) of Joint Action 2008/851/CFSP, the Council authorised the Political and Security Committee (PSC) to take the relevant decisions on the appointment of the EU Force Commander for the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast ('EU Force Commander').
- (2) On 15 April 2015, the PSC adopted Decision (CFSP) 2015/607 ⁽²⁾ appointing Captain (Navy) Alfonso GÓMEZ FERNÁNDEZ DE CÓRDOBA as EU Force Commander.
- (3) The EU Operation Commander has recommended the appointment of Rear Admiral Stefano BARBIERI as the new EU Force Commander to succeed Captain (Navy) Alfonso GÓMEZ FERNÁNDEZ DE CÓRDOBA.
- (4) The EU Military Committee supports that recommendation.
- (5) On 29 September 2015, the PSC adopted Decision (CFSP) 2015/1750 ⁽³⁾ appointing Rear Admiral Stefano BARBIERI as EU Force Commander as from 6 October 2015.
- (6) The date of the appointment should be modified.
- (7) Decisions (CFSP) 2015/607 and (CFSP) 2015/1750 should therefore be repealed.
- (8) In accordance with Article 5 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark does not participate in the elaboration and the implementation of decisions and actions of the Union which have defence implications,

⁽¹⁾ OJ L 301, 12.11.2008, p. 33.

⁽²⁾ Political and Security Committee Decision (CFSP) 2015/607 of 15 April 2015 on the appointment of the EU Force Commander for the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast (Atalanta) and repealing Decision (CFSP) 2015/102 (Atalanta/3/2015) (OJ L 100, 17.4.2015, p. 79).

⁽³⁾ Political and Security Committee Decision (CFSP) 2015/1750 of 29 September 2015 on the appointment of the EU Force Commander for the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast (Atalanta) and repealing Decision (CFSP) 2015/607 (ATALANTA/5/2015) (OJ L 256, 1.10.2015, p. 13).

HAS ADOPTED THIS DECISION:

Article 1

Rear Admiral Stefano BARBIERI is hereby appointed EU Force Commander for the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast (Atalanta) as from 8 October 2015.

Article 2

Decisions (CFSP) 2015/607 and (CFSP) 2015/1750 are hereby repealed.

Article 3

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 6 October 2015.

For the Political and Security Committee
The Chairperson
W. STEVENS

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