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## Information and Notices

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## PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

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<sup>(1)</sup> Text with EEA relevance.

## II

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

## EUROPEAN COMMISSION

**Commission Notice****Preliminary Carbon Leakage List, 2021-2030****(Text with EEA relevance)**

(2018/C 162/01)

**1. Introduction**

Auctioning is the general method for allocating emission allowances to companies participating in the EU Emissions Trading System.

The free allocation of emission allowances is an exception to that rule, which applies only during a transitional period. It covers a decreasing share of allowances. The transitional free allocation of emission allowances is not intended as a way of granting subsidies to the producers concerned, but of reducing the economic impact of the immediate and unilateral introduction by the European Union of an emission allowances market.

As such, free allocation is provided to well-defined industry sectors as a safeguard measure against a significant risk of carbon leakage until comparable climate policy measures are undertaken by other countries. Carbon leakage refers to the situation that occurs if, for reasons of costs related to climate policies, businesses in certain industry sectors or subsectors were to transfer production to other countries with less stringent emission constraints. This could lead to an increase in their total emissions globally, mitigating the effectiveness of the EU's emission mitigation policies while reducing the economic output of energy intensive EU companies due to a loss in market share.

The free allocation addresses validated competitiveness concerns by lowering the effective carbon costs for industry sectors and subsectors retaining financial resources that can be used to invest in low-carbon technologies.

The recently revised EU Emissions Trading System (EU ETS) Directive<sup>(1)</sup> sets the rules for the system of free allocation for the period 2021-2030 and empowers the European Commission to adopt a delegated act to supplement the Directive concerning the sectors and subsectors exposed to the risk of carbon leakage.

Preparatory work has begun for the Carbon Leakage List that will be valid for the entire period of 10 years from 2021 to 2030. This will provide industry with a high level of system security and certainty relevant to their long-term investments. The purpose of this notice is to make public the results of the first-level assessment (hereafter the 'preliminary Carbon Leakage List') so as to allow the industry sectors or subsectors concerned sufficient time to prepare their applications in line with eligibility criteria as explained in the section 4.2 and sufficiently in advance of the deadline set in the revised EU ETS Directive (30.6.2018 for application via 'MS route').

<sup>(1)</sup> Directive (EU) 2018/410 of the European Parliament and of the Council of 14 March 2018 amending Directive 2003/87/EC to enhance cost-effective emission reductions and low-carbon investments, and Decision (EU) 2015/1814.  
[http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L\\_.2018.076.01.0003.01.ENG&toc=OJ:L:2018:076:TOC](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2018.076.01.0003.01.ENG&toc=OJ:L:2018:076:TOC)

## 2. EU Emissions Trading System for 2021-2030

The Carbon Leakage List is a prerequisite for other legal acts <sup>(1)</sup> to implement the post-2020 reform of the EU ETS system that will serve to determine the free allocation that industries will receive to protect against the risk of carbon leakage. To be ready for the start of the fourth trading period on 1 January 2021, these legal acts must be adopted sequentially and enough time needs to be factored-in for stakeholder involvement. The carbon leakage list for 2021-2030 must be published before the data to update the technical benchmark values and determine the free allocation is submitted by industry via the Member States.

The revised EU ETS Directive contains provisions to ensure that the Carbon Leakage List will be more focused (shorter) than the previous carbon leakage decisions to ensure that the sectors that are in a high risk of carbon leakage will receive an adequate number of free allocation. This will also ensure the EU compliance with the WTO obligations. Concretely, the revised EU ETS Directive sets out in a detailed manner how the free allocation rules and the carbon leakage list are to be established.

The placement of a sector or subsector on the Carbon Leakage List grants to each installation in those (sub)sectors 100 % of their calculated free allocation based on the benchmarks <sup>(2)</sup>, whereas those not on the list will receive 30 % (up to 2026), gradually phased out by 2030. Consequently, the Carbon Leakage List will have an economic significance as free allowances have a substantial financial value.

## 3. Process

During the online consultation from November 2017 until February 2018, stakeholders were invited to provide their views on the methodological choices for determining the Carbon Leakage List. Respondents included sector associations (102), individual companies (43), NGOs (5), government institutions (5) and 1 citizen. In total, 156 stakeholders provided their feedback. The respondents were in favour of the second-level assessments that aim to reproduce the level of robustness, fairness, transparency and equity of the first-level quantitative assessments. They expressed a support for a uniform assessment framework that relies upon the involvement of stakeholders. Industries argued for their consultation before the assessment is finalised.

The ad hoc meetings on preparation of the carbon leakage list with Member States on 22 February and on 22 March 2018 discussed the carbon leakage process and further work regarding the necessary assessments to be carried out.

On 2 March 2018 a workshop was organized to give an overview to stakeholders on the revised legal framework and the implementation process of the EU ETS with regard to free allocation and carbon leakage. The main issue discussed was the process, content and criteria for the assessments in preparation of the Carbon Leakage List for period 2021-30. Another stakeholder event is scheduled for 16 May 2018 where the results of the preliminary Carbon Leakage List will be discussed with industry sectors and other stakeholders (Member States, NGOs, think tanks etc.) at European level.

## 4. Criteria to define the Carbon Leakage List (2021-2030)

To determine the exposure to the risk of carbon leakage, the Commission is required to undertake an assessment of all relevant industrial sectors and subsectors by using the criteria set out in the EU ETS Directive.

The carbon leakage assessment is carried out in two subsequent steps:

1. Quantitative first-level assessment at NACE-4 <sup>(3)</sup> level (see section 4.1): A sector can be deemed to be exposed to a significant risk of carbon leakage if the 'carbon leakage indicator' exceeds the 0,2 threshold (Article 10b, paragraph 1 of the EU ETS Directive).

<sup>(1)</sup> Other legal acts are: revising rules for free allocation, updating benchmark values on progress in industrial installations, establishing rules for adjustments to free allocation due to activity changes, determining free allocations for each installation.

<sup>(2)</sup> Free Allocation = Benchmark x Historical Activity Level x Carbon Leakage Exposure Factor x Correction Factors; for more — Guidance document no. 5 – guidance on carbon leakage: [https://ec.europa.eu/clima/sites/clima/files/ets/allowances/docs/gd5\\_carbon\\_leakage\\_en.pdf](https://ec.europa.eu/clima/sites/clima/files/ets/allowances/docs/gd5_carbon_leakage_en.pdf)

<sup>(3)</sup> Eurostat, Statistical classification of economic activities in the European Community, NACE Revision 2.

2. For a limited number of cases with clearly established eligibility criteria (see section 4.2), a 'second-level assessment' can be carried out, either as a qualitative assessment with specified criteria or as quantitative assessment at a disaggregated level <sup>(1)</sup>. These cases are specified in paragraph 2 and 3 of the Article 10b of the EU ETS Directive.

#### 4.1 *First-level assessment*

The 'first-level' quantitative assessment is performed by using a Statistical Classification of Economic Activities in the European Community. All mining and manufacturing industries in the activity sections B (Mining and quarrying) and C (Manufacturing) have been assessed, as all EU ETS installations are classified within these two sections. A NACE-4 digit level of disaggregation has been used as a starting point.

The carbon leakage indicator is defined in Article 10b of the EU ETS Directive as the product of the sector's intensity of trade with third countries and the sector's emission intensity. Sectors and subsectors where the carbon leakage indicator exceeds 0,2 shall be deemed to be at risk of carbon leakage.

Intensity of trade with third countries is defined in the revised EU ETS Directive as the ratio between total value of exports to third countries plus the value of imports from third countries and the total market size for the European Economic Area (annual turnover plus total imports from third countries).

Emission intensity is measured in kg CO<sub>2</sub> per euro of gross value added and is expressed as the sum of direct and indirect emissions for the sector concerned, divided by the gross value added (GVA).

The data in the European Union Transaction Log ('EUTL') are considered to be the most accurate and transparent source of CO<sub>2</sub> emissions data at installation level and have therefore been used to calculate the direct emissions for sectors. Installations have been attributed to sectors at NACE-4 level based on installation information provided by Member States in the National Implementation Measures (NIMs) pursuant to Decision 2011/278/EU <sup>(2)</sup>.

As regards the assessment of electricity consumption used for calculation of indirect emissions, due to unavailability of the data at EU-28 level, the data collected directly from Member States is considered as the most reliable available source <sup>(3)</sup>. The electricity consumption is converted into indirect emissions with the use of the electricity emission factor. The calculation is the same as in the past two carbon leakage exercises, where the average total electricity generation mix is the reference value based on the EU average emission intensity derived from electricity generated from the total fuel mix accounting for all sources of energy in Europe divided by the corresponding amount of electricity generation.

The electricity emission factor has been updated by the Commission taking into account the decarbonisation of the electricity system and the increasing share of renewables. The value used in the previous two Carbon Leakage Lists uses 2005 as reference year and the new value is referenced to 2015 which is aligned with the 'data for the three most recent calendar years available' (2013-15) as referenced in the EU ETS Directive Art 10b paragraph 5. On this basis, the updated value is set at 376 grams of carbon dioxide per kWh.

#### 4.2. *Eligibility to apply for second-level assessment*

The revised ETS Directive provides detailed rules for eligibility of specific sectors and subsectors for a second assessment, in case they fail to meet the main carbon leakage criterion for inclusion on the carbon leakage list.

The revised ETS Directive makes it clear that the inclusion of sectors and subsectors in the carbon leakage list under the second-level assessment is a decision of the Commission. Indeed, the ETS Directive clearly distinguishes between eligibility to apply to the second-level assessment, the assessment process and its criteria and the actual inclusion of a sector in the list. This preliminary list concerns the eligibility to apply.

<sup>(1)</sup> Disaggregated level means at a level lower than NACE-4, e.g. PRODCOM-8.

<sup>(2)</sup> Commission Decision 2011/278/EU of 27 April 2011 determining transitional Union-wide rules for harmonised free allocation of emission allowances pursuant to Article 10a of Directive 2003/87/EC of the European Parliament and of the Council (OJ L 130, 17.5.2011, p. 1).

<sup>(3)</sup> An ad hoc data collection was necessary to obtain electricity consumption data at NACE 4-digit level used for the calculation of indirect costs per sector. Such data collection was also done for the previous carbon leakage lists in 2009 and in 2014.

In cases where the carbon leakage indicator is between 0,15 and 0,2, a qualitative assessment may be requested to be carried out according to the criteria outlined in Article 10b paragraph 2, by providing the evidence on abatement potential, market characteristics and profit margins.

Sectors and subsectors with an emission intensity (as used for the calculation of the carbon leakage indicator, see section 4.1) exceeding 1,5 are eligible to apply for either a qualitative assessment or a quantitative assessment at disaggregated level (PRODCOM-6 or 8 level).

Sectors and subsectors for which free allocation is calculated on the basis of the refineries benchmarks are also eligible to apply for both types of assessments.

Those sectors and subsectors which are listed at PRODCOM -6 or 8 level in the Carbon Leakage List for 2015-2020 <sup>(1)</sup> are eligible to submit applications for a quantitative assessment at a disaggregated level.

The eligibility criteria for the 'second-level' assessments are set in the revised Directive under Article 10b paragraph 2 and 3 and summarized in the table 1 below:

Table 1

**Overview of the eligibility criteria to apply for the 'second-level' assessments**

	Criteria	Article	Assessment process
A	Carbon leakage indicator between 0,15 and 0,2	Art 10b (2)	Qualitative assessment
B	Emission intensity exceeds 1,5	Art 10b (3)	Qualitative assessment OR Quantitative at Disaggregated level
C	Free allocation is calculated on the basis of the refineries benchmarks	Art 10b (3)	Qualitative assessment OR Quantitative at Disaggregated level
D	Listed in the EU ETS 2015-20 CLL at a 6-digit or 8-digit level	Art 10b (3)	Quantitative at Disaggregated level

## 5. The Preliminary Carbon Leakage List for 2021-2030

The result of the first-level assessment that covers all industrial sectors is the preliminary carbon leakage list. It includes the sectors deemed exposed to the significant risk of carbon leakage for the EU ETS period 2021-2030 in table 2 in the Annex to this Notice. The sectors and subsectors which are deemed to be eligible to apply for a further assessment according to the four eligibility criteria set out in the revised EU ETS Directive (elaborated in section 4.2 above) are presented in tables 3, 4, and 5 in the Annex to this Notice.

## 6. Next steps

Sectors and subsectors eligible to apply for second-level assessments under criteria A, B or C may submit applications to the European Commission at the latest three months after the publication of this Preliminary Carbon Leakage List. Applications, together with the relevant evidence, shall be submitted electronically to CLIMA-CARBON-LEAKAGE@ec.europa.eu

Furthermore, Member States can request by 30 June 2018, based on applications submitted to Member States from sectors and subsectors eligible for second-level assessments under criterion D, such sectors and subsectors to be integrated into the Carbon Leakage List if the carbon leakage indicator exceeds the 0,2 threshold. Applications from any such sectors and subsectors may be submitted to Member States, containing duly substantiated, complete, verified and audited data for the five most recent years, and should include any other relevant data. Further framework guidance is to be published by the Commission.

<sup>(1)</sup> Commission Decision 2014/746/EU.

On the basis of the results of these assessments and the proportional Impact Assessment carried out by the Commission, the Commission intends to adopt by end of 2018 the Carbon Leakage List for the period 2021-2030.

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## ANNEX

**Preliminary list of sectors deemed to be at risk of carbon leakage**

The preliminary list of the sectors and subsectors at NACE4 level which, pursuant to Article 10b(1) of the EU ETS Directive, deemed to be at risk of carbon leakage, contains 44 sectors.

Table 2

**Quantitative criterion: Carbon leakage indicator exceeds 0,2**

NACE Code	Description
0510	Mining of hard coal
0610	Extraction of crude petroleum
0710	Mining of iron ores
0729	Mining of other non-ferrous metal ores
0891	Mining of chemical and fertiliser minerals
0899	Other mining and quarrying n.e.c.
1041	Manufacture of oils and fats
1062	Manufacture of starches and starch products
1081	Manufacture of sugar
1106	Manufacture of malt
1310	Preparation and spinning of textile fibres
1395	Manufacture of non-wovens and articles made from non-wovens, except apparel
1411	Manufacture of leather clothes
1621	Manufacture of veneer sheets and wood-based panels
1711	Manufacture of pulp
1712	Manufacture of paper and paperboard
1910	Manufacture of coke oven products
1920	Manufacture of refined petroleum products
2011	Manufacture of industrial gases
2012	Manufacture of dyes and pigments
2013	Manufacture of other inorganic basic chemicals
2014	Manufacture of other organic basic chemicals
2015	Manufacture of fertilisers and nitrogen compounds
2016	Manufacture of plastics in primary forms
2017	Manufacture of synthetic rubber in primary forms



NACE Code	Description
2060	Manufacture of man-made fibres
2311	Manufacture of flat glass
2313	Manufacture of hollow glass
2314	Manufacture of glass fibres
2319	Manufacture and processing of other glass, including technical glassware
2320	Manufacture of refractory products
2331	Manufacture of ceramic tiles and flags
2351	Manufacture of cement
2352	Manufacture of lime and plaster
2399	Manufacture of other non-metallic mineral products n.e.c.
2410	Manufacture of basic iron and steel and of ferro-alloys
2420	Manufacture of tubes, pipes, hollow profiles and related fittings, of steel
2431	Cold drawing of bars
2442	Aluminium production
2443	Lead, zinc and tin production
2444	Copper production
2445	Other non-ferrous metal production
2446	Processing of nuclear fuel
2451	Casting of iron

#### Sectors and subsectors eligible for a qualitative assessment (criterion A)

The sectors and subsectors at NACE4 level listed in Table 3 are, pursuant to Article 10b(2) of the EU ETS Directive, eligible to apply for a qualitative assessment.

Table 3

#### Criterion A — Carbon leakage indicator exceeding 0,15

NACE Code	Description
0893	Extraction of salt
1330	Finishing of textiles
2110	Manufacture of basic pharmaceutical products
2341	Manufacture of ceramic household and ornamental articles
2342	Manufacture of ceramic sanitary fixtures
2343	Manufacture of ceramic insulators and insulating fittings
2344	Manufacture of other technical ceramic products

NACE Code	Description
2611	Manufacture of electronic components
2720	Manufacture of batteries and accumulators
2731	Manufacture of fibre optic cables

#### Sectors and subsectors eligible to apply for a qualitative or disaggregated quantitative assessment (criterion B)

The sectors and subsectors at NACE4 level listed in table 4 are, pursuant to Article 10b(3), first subparagraph, of the EU ETS Directive, eligible to apply for a qualitative or disaggregated quantitative assessment.

Table 4

#### Criterion B — Emission intensity exceeding 1,5

NACE Code	Description
0520	Mining of lignite
2332	Manufacture of bricks, tiles and construction products, in baked clay

#### Sectors and subsectors eligible to apply for a qualitative or disaggregated quantitative assessment (Criterion C)

Pursuant to Article 10b(3) of the EU ETS Directive sectors are eligible to apply for a qualitative assessment or disaggregated quantitative assessment if free allocation is calculated on the basis of refineries benchmarks. The possible sectors eligible to apply are deemed to be at risk of carbon leakage based on the quantitative criterion and already included in table 2. Therefore, no further assessments are needed.

#### Sectors and subsectors eligible to apply for a disaggregated quantitative assessment (Criterion D)

The sectors and subsectors at PRODCOM 6 or 8 level listed in table 5 are, pursuant to Article 10b(3), fifth subparagraph, of the EU ETS Directive, eligible to apply for a disaggregated quantitative assessment via the 'Member State route'.

This list contains 16 sectors or subsectors. Furthermore, there are 6 additional subsectors for which the corresponding sector at NACE4 level is already included in the table 2 and therefore, no further assessments are needed.

Table 5

#### Criterion D — Listed in the 2015-2020 carbon leakage list at disaggregated level (PRODCOM 6 or 8 level)

NACE Code	Description
081221	Kaolin and other kaolinic clays
08122250	Common clays and shales for construction use (excluding bentonite, fireclay, expanded clays, kaolin and kaolinic clays); andalusite, kyanite and sillimanite; mullite; chamotte or dinas earths
10311130	Frozen potatoes, prepared or preserved (including potatoes cooked or partly cooked in oil and then frozen; excluding by vinegar or acetic acid)
10311300	Dried potatoes in the form of flour, meal, flakes, granules and pellets
10391725	Concentrated tomato puree and paste
105121	Skimmed milk powder
105122	Whole milk powder
105153	Casein

NACE Code	Description
105154	Lactose and lactose syrup
10515530	Whey and modified whey in powder, granules or other solid forms, whether or not concentrated or containing added sweetening matter
108211	Cocoa paste, whether or not defatted
108212	Cocoa butter, fat and oil
108213	Cocoa powder, not containing added sugar or other sweetening matter
10891334	Bakers' yeast
203021	Prepared pigments, opacifiers and colours, vitrifiable enamels and glazes, engobes, liquid lustres and the like; glass frit
25501134	Open die forged ferrous parts for transmission shafts, camshafts, crankshafts and cranks etc.

## IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND  
AGENCIES

## EUROPEAN COMMISSION

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

7 May 2018

(2018/C 162/02)

1 euro =

Currency	Exchange rate	Currency	Exchange rate
USD US dollar	1,1902	CAD Canadian dollar	1,5338
JPY Japanese yen	130,15	HKD Hong Kong dollar	9,3428
DKK Danish krone	7,4486	NZD New Zealand dollar	1,7013
GBP Pound sterling	0,88010	SGD Singapore dollar	1,5917
SEK Swedish krona	10,5383	KRW South Korean won	1 288,09
CHF Swiss franc	1,1964	ZAR South African rand	14,9730
ISK Iceland króna	121,80	CNY Chinese yuan renminbi	7,5778
NOK Norwegian krone	9,6190	HRK Croatian kuna	7,3985
BGN Bulgarian lev	1,9558	IDR Indonesian rupiah	16 735,40
CZK Czech koruna	25,518	MYR Malaysian ringgit	4,6947
HUF Hungarian forint	314,34	PHP Philippine peso	61,763
PLN Polish zloty	4,2537	RUB Russian rouble	74,8299
RON Romanian leu	4,6563	THB Thai baht	37,944
TRY Turkish lira	5,0827	BRL Brazilian real	4,2162
AUD Australian dollar	1,5882	MXN Mexican peso	23,0215
		INR Indian rupee	79,9040

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

## V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMMON  
COMMERCIAL POLICY

## EUROPEAN COMMISSION

**Notice of initiation of an expiry review of the anti-dumping measures applicable to imports of threaded tube or pipe cast fittings, of malleable cast iron, originating in the People's Republic of China and Thailand**

(2018/C 162/03)

Following the publication of a Notice of impending expiry<sup>(1)</sup> of the anti-dumping measures in force on the imports of threaded tube or pipe cast fittings, of malleable cast iron, originating in the People's Republic of China and Thailand ('the countries concerned'), the European Commission ('the Commission') has received a request for 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<sup>(2)</sup> ('the basic Regulation').

**1. Request for review**

The request was lodged on 13 February 2018 by four EU producers (ATUSA — Berg Montana Fittings A.D, Georg Fischer Fittings GmbH, Odlewnia Zéliwa S.A. and Livarna Titan d.o.o.), jointly referred to as 'the applicants', representing more than 95 % of the total Union production of threaded tube or pipe cast fittings, of malleable cast iron.

**2. Product under review**

The product subject to this review is threaded tube or pipe cast fittings, of malleable cast iron, excluding bodies of compression fittings using ISO DIN 13 metric thread and malleable iron threaded circular junction boxes without having a lid ('the product under review'), currently falling within CN code ex 7307 19 10 (TARIC code 7307 19 10 10).

**3. Existing measures**

The measures currently in force are a definitive anti-dumping duty imposed by Council Implementing Regulation (EU) No 430/2013<sup>(3)</sup>.

**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 recurrence of injury to the Union industry.

**4.1. Allegation of likelihood of continuation or recurrence of dumping****4.1.1. The People's Republic of China**

The applicants claimed that it is not appropriate to use domestic prices and costs in People's Republic of China ('the PRC') due to the existence of significant distortions within the meaning of point (b) of Article 2(6a) of the basic Regulation.

<sup>(1)</sup> OJ C 268, 12.8.2017, p. 4.

<sup>(2)</sup> OJ L 176, 30.6.2016, p. 21.

<sup>(3)</sup> Council Implementing Regulation (EU) No 430/2013 of 13 May 2013 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of threaded tube or pipe cast fittings, of malleable cast iron originating in the People's Republic of China and Thailand (OJ L 129, 14.5.2013, p. 1).

To substantiate the allegations of significant distortions, the applicants referred to the Commission staff working document dated 20 December 2017 'Report on Significant Distortions in the Economy of the PRC for the purposes of the trade defence investigations' <sup>(1)</sup>, describing the specific circumstances in the countries concerned and, in particular, the market distortions for ferrous and non-ferrous metal sector, gas and electricity.

As a result, in view of Article 2(6a) 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 People's Republic of China when sold for export to the Union. On that basis the dumping margins calculated are significant for the countries concerned.

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

#### 4.1.2. *Thailand*

The allegation of likelihood of continuation or recurrence of dumping for Thailand is based on a comparison of domestic price with the export price (at ex-works level) of the product under review when sold for export to the Union.

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

The applicants allege that the prices of the imported product under review from the countries concerned have, among other consequences, had a negative impact on the level of the prices charged by the Union industry, resulting in substantial adverse effects on the overall performance and the financial situation of the Union industry.

The applicants have alleged recurrence of injury. In this respect the applicants have 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 existence of unused capacities of the manufacturing facilities of the producers in the countries concerned, the attractiveness of the Union market in terms of volumes and prices and the existence of trade defence measures in other third countries.

The applicants finally allege that the removal of injury has been mainly due to the existence of measures, even though imports have remained significant in absolute terms and in terms of market shares, and that any recurrence of substantial imports at dumped prices from the countries 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 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 in the countries concerned and a continuation or recurrence of injury to the Union industry.

#### 5.1. ***Review investigation period and period considered***

The investigation of a continuation or recurrence of dumping will cover the period from 1 April 2017 to 31 March 2018 ('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 2014 to the end of the review investigation period ('the period considered').

<sup>(1)</sup> SWD (2017) 483 final/2 available at: [http://trade.ec.europa.eu/doclib/docs/2017/december/tradoc\\_156474.pdf](http://trade.ec.europa.eu/doclib/docs/2017/december/tradoc_156474.pdf)

## 5.2. *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 continuation or recurrence of exports at dumped prices to the Union would be likely to continue or recur if measures expire.

Therefore, all producers of the product under review in the country concerned, irrespective of whether or not they exported<sup>(1)</sup> the product under review to the Union in the review investigation period, are invited to participate in the Commission investigation.

### 5.2.1. *Investigating producers in the countries concerned*

In view of the potentially large number of 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 make themselves known to the Commission. Those parties have to do so within 15 days of the date of publication of this Notice in the *Official Journal of the European Union*, unless otherwise specified, by providing the Commission with the information on their companies requested in Annex I to this Notice.

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

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

If a sample is necessary, the 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, the authorities of the countries concerned and associations of producers will be notified by the Commission, via the authorities of the countries concerned if appropriate, of the companies selected to be in the sample.

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

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

Without prejudice to the possible application of Article 18 of the basic Regulation, companies that have agreed to their possible inclusion in the sample but are not selected to be in the sample will be considered to be cooperating ('non-sampled cooperating producers').

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

In accordance with 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 comment. According to the information available to the Commission, a possible representative third country for the PRC in this case is Thailand. With the aim of finally selecting the appropriate representative third country the Commission will examine whether there is a similar level of economic development as the exporting country, whether there is production and sales of the product under review and whether 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.

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<sup>(1)</sup> A producer is any company in the country 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.

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

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

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

Unless otherwise specified, such information and supporting evidence must reach the Commission within 37 days of the date of publication of this Notice in the *Official Journal of the European Union*.

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

Unrelated importers of the product under review from the countries concerned to the Union, including those that did not cooperate in the investigation 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. Those parties must do so within 15 days of the date of publication of this Notice in the *Official Journal of the European Union*, unless otherwise specified, by providing the Commission with the information on their companies requested in Annex II to this Notice.

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

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

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

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 37 days from the date of the notification of the sample selection, unless otherwise specified.

<sup>(1)</sup> Only importers not related to producers in the countries concerned can be sampled. Importers that are related to producers in the countries concerned have to fill in Annex I to the questionnaire for these producers in the countries concerned. 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).

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



### 5.3. **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, Union producers of the product under review are invited to participate in the Commission investigation.

#### 5.3.1. *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 consult the file (for this they should contact the Commission using the contact details provided in section 5.7 below). Other Union producers, or representatives acting on their behalf, including Union producers who did not cooperate in the investigation leading to the measures in force, that consider that there are reasons why they should be included in the sample must contact the Commission within 15 days of the date of publication of this Notice in the *Official Journal of the European Union*.

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

All known Union producers and/or associations of Union producers will be notified by the Commission of the companies finally selected to be in the sample.

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

### 5.4. **Procedure for the assessment of Union interest**

Should the likelihood of continuation or recurrence of dumping and 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, and representative consumer organisations are invited to make themselves known within 15 days of the date of publication of this Notice in the *Official Journal of the European Union*, unless otherwise specified. In order to participate in the investigation, the representative consumer organisations have to demonstrate, within the same deadline, that there is an objective link between their activities and the product under review.

Parties that make themselves known within the 15 days deadline may provide the Commission with information on the Union interest within 37 days of the date of publication of this Notice in the *Official Journal of the European Union*, unless otherwise specified. That information may be provided either in a free format or by completing a questionnaire prepared by the Commission. In any case, information submitted pursuant to Article 21 will only be taken into account if supported by factual evidence at the time of submission.

### 5.5. **Other written submissions**

Subject to the provisions of this Notice, all interested parties are hereby invited to make their views known, submit information and provide supporting evidence.

Unless otherwise specified, such information and supporting evidence must reach the Commission within 37 days of the date of publication of this Notice in the *Official Journal of the European Union*.

### 5.6. **Possibility to be heard by the Commission investigation services**

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

### 5.7. *Instructions for making written submissions and sending completed questionnaires and correspondence*

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

All written submissions, including the information requested in this Notice, completed questionnaires and correspondence provided by interested parties for which confidential treatment is requested shall be labelled 'Limited'. Parties submitting information in the course of this investigation are invited to reason their request for confidential treatment.

Interested parties providing 'Limited' information are required to furnish non-confidential summaries of it pursuant to Article 19(2) of the basic Regulation, which will be labelled 'For inspection by interested parties'. Those summaries must be sufficiently detailed to permit a reasonable understanding of the substance of the information submitted in confidence. If a party providing confidential information fails to show good cause for a confidential treatment request or does not furnish a non-confidential summary of it in the requested format and quality, the Commission may disregard such information unless it can be satisfactorily demonstrated from appropriate sources that the information is correct.

Interested parties are invited to make all submissions and requests by email including scanned powers of attorney and certification sheets, with the exception of voluminous replies which shall be submitted on a CD-ROM or DVD by hand or by registered mail. By using email, interested parties express their agreement with the rules applicable to electronic submissions contained in the document 'CORRESPONDENCE WITH THE EUROPEAN COMMISSION IN TRADE DEFENCE CASES' published on the website of the Directorate-General for Trade: [http://trade.ec.europa.eu/doclib/docs/2011/june/tradoc\\_148003.pdf](http://trade.ec.europa.eu/doclib/docs/2011/june/tradoc_148003.pdf). The interested parties must indicate their name, address, telephone and a valid email address and they should ensure that the provided email address is a functioning official business email which is checked on a daily basis. Once contact details are provided, the Commission will communicate with interested parties by email only, unless they explicitly request to receive all documents from the Commission by another means of communication or unless the nature of the document to be sent requires the use of a registered mail. For further rules and information concerning correspondence with the Commission including principles that apply to submissions by email, interested parties should consult the communication instructions with interested parties referred to above.

Commission address for correspondence:

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

Email addresses:

For dumping aspects:

TRADE-R692-MALLEABLE FITTINGS-DUMPING-CHINA@ec.europa.eu,  
TRADE-R692-MALLEABLE FITTINGS-DUMPING-THAILAND@ec.europa.eu,

For injury aspects:

TRADE-R692-MALLEABLE FITTINGS-INJURY@ec.europa.eu

## 6. **Non-cooperation**

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

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

If an interested party does not cooperate or cooperates only partially and findings are therefore based on facts available in accordance with Article 18 of the basic Regulation, the result may be less favourable to that party than if it had cooperated.

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

#### **7. Hearing Officer**

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

A request for a hearing with the Hearing Officer should be made in writing and should specify the reasons for the request. For hearings on issues pertaining to the initial stage of the investigation the request must be submitted within 15 days of the date of publication of this Notice in the *Official Journal of the European Union*.

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

#### **8. Schedule of the investigation**

The investigation will be concluded, pursuant to Article 11(5) of the basic Regulation within 15 months of the date of the publication of this Notice in the *Official Journal of the European Union*.

#### **9. 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.

#### **10. Processing of personal data**

Any personal data collected in this investigation will be treated in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data <sup>(1)</sup>.

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

## ANNEX I

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

**ANTI-DUMPING PROCEEDING CONCERNING IMPORTS OF THREADED TUBE OR PIPE CAST FITTINGS, OF MALLEABLE CAST IRON, ORIGINATING IN THE PEOPLE'S REPUBLIC OF CHINA AND THAILAND**

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

This form is designed to assist producers in the People's Republic of China and Thailand in responding to the request for sampling information made in point 5.2.1. of the Notice of Initiation.

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

**1. IDENTITY AND CONTACT DETAILS**

Supply the following details about your company:

Company name	
Address	
Contact person	
Email address	
Telephone	
Fax	

**2. TURNOVER, SALES VOLUME, PRODUCTION AND PRODUCTION CAPACITY**

Indicate the turnover in the accounting currency of the company during the review investigation period (export sales to the Union for each of the 28 Member States <sup>(2)</sup> separately and in total and domestic sales) of threaded tube or pipe cast fittings, of malleable cast iron as defined in the Notice of Initiation and the corresponding weight or volume. State the unit of weight or volume and the currency used.

	Tonnes		Value in accounting currency Specify the currency used
Export sales to the Union, for each of the 28 Member States separately and in total, of the product under review, manufactured by your company	Total:		
	Name each Member State <sup>(1)</sup> :		
Domestic sales of the product under review, manufactured by your company			

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

As regards the product under review as defined in the Notice of Initiation and originating in the countries concerned, for the review investigation period defined in section 5.1. of the Notice, please indicate export sales to the Union for each of the 28 Member States separately and in total, export sales to the rest of the world (total and the 5 largest importing countries), domestic sales, production and production capacity. State the unit of weight or volume and the currency used.

<sup>(1)</sup> This document is for internal use only. It is protected pursuant to Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council (OJ L 145, 31.5.2001, p. 43). It is a confidential document pursuant to Article 19 of Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union (OJ L 176, 30.6.2016, p. 21) and Article 6 of the WTO Agreement on Implementation of Article VI of the GATT 1994 (Anti-Dumping Agreement).

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

Table I

**Turnover, sales volume**

	Tonnes		Value in accounting currency Specify the currency used
Export sales to the Union, for each of the 28 Member States separately and in total, of the product under review, manufactured by your company	Total:		
	Name each Member State <sup>(1)</sup> :		
Export sales of the product under review, manufactured by your company to the rest of the world	Total:		
	Name the 5 largest importing countries and give the respective volumes and values <sup>(1)</sup>		
Domestic sales of the product under review, manufactured by your company			

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

Table II

**Production and production capacity**

	Tonnes
Your company's overall production of the product under review	
Your company's production capacity of the product under review	

**3. ACTIVITIES OF YOUR COMPANY AND RELATED COMPANIES <sup>(1)</sup>**

Give details of the precise activities of the company and all related companies (please list them and state the relationship to your company) involved in the production and/or selling (export and/or domestic) of the product under 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

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

#### 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 producers in the countries concerned are based on facts available and the result may be less favourable to that company than if it had cooperated.

Signature of authorised official:

Name and title of authorised official:

Date:

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## ANNEX II

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

**ANTI-DUMPING PROCEEDING CONCERNING IMPORTS OF THREADED TUBE OR PIPE CAST FITTING, OF MALLEABLE CAST IRON ORIGINATING IN THE PEOPLE'S REPUBLIC OF CHINA AND THAILAND**

**INFORMATION FOR THE SELECTION OF THE SAMPLE OF UNRELATED IMPORTERS**

This form is designed to assist unrelated importers in responding to the request for sampling information made in point 5.2.3 of the Notice of Initiation.

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

**1. IDENTITY AND CONTACT DETAILS**

Supply the following details about your company:

Company name	
Address	
Contact person	
Email address	
Telephone	
Fax	

**2. TURNOVER AND SALES VOLUME**

Indicate the total turnover in euros (EUR) of the company, and the turnover and weight or volume for imports into the Union <sup>(2)</sup> and resales on the Union market after importation from the People's Republic of China and Thailand, during the review investigation period, of threaded tube or pipe cast fittings, of malleable cast iron as defined in the Notice of Initiation and the corresponding weight or volume. State the unit of weight or volume 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 and Thailand of the product under review		

<sup>(1)</sup> This document is for internal use only. It is protected pursuant to Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council (OJ L 145, 31.5.2001, p. 43). It is a confidential document pursuant to Article 19 of Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union (OJ L 176, 30.6.2016, p. 21) and Article 6 of the WTO Agreement on Implementation of Article VI of the GATT 1994 (Anti-Dumping Agreement).

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

**3. ACTIVITIES OF YOUR COMPANY AND RELATED COMPANIES <sup>(1)</sup>**

Give details of the precise activities of the company and all related companies (please list them and state the relationship to your company) involved in the production and/or selling (export and/or domestic) of the product under 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:

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<sup>(1)</sup> In accordance with Article 127 of Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code, two persons shall be deemed to be related if: (a) they are officers or directors of the other person's business; (b) they are legally recognised partners in business; (c) they are employer and employee; (d) a third party directly or indirectly owns, controls or holds 5 % or more of the outstanding voting stock or shares of both of them; (e) one of them directly or indirectly controls the other; (f) both of them are directly or indirectly controlled by a third person; (g) together they control a third person directly or indirectly; or (h) they are members of the same family (OJ L 343, 29.12.2015, p. 558). Persons shall be deemed to be members of the same family only if they stand in any of the following relationships to one another: (i) husband and wife, (ii) parent and child, (iii) brother and sister (whether by whole or half blood), (iv) grandparent and grandchild, (v) uncle or aunt and nephew or niece, (vi) parent-in-law and son-in-law or daughter-in-law, (vii) brother-in-law and sister-in-law. In accordance with Article 5(4) of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code, 'person' means a natural person, a legal person, and any association of persons which is not a legal person but which is recognised under Union or national law as having the capacity to perform legal acts (OJ L 269, 10.10.2013, p. 1).



## ANNEX III

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

**ANTI-DUMPING PROCEEDING CONCERNING IMPORTS OF THREADED TUBE OR PIPE CAST FITTING, OF MALLEABLE CAST IRON ORIGINATING IN THE PEOPLE'S REPUBLIC OF CHINA AND THAILAND**

INFORMATION REQUEST REGARDING THE INPUTS USED BY THE PRODUCERS IN THE PEOPLE'S REPUBLIC OF CHINA

This form is designed to assist producers in the People's Republic of China in responding to the request for input information made in point 5.2.2 of the Notice of initiation.

Both the 'Limited' version and the version 'For inspection by interested parties' should be returned to the Commission as set out in section 5.2.2 of the Notice of initiation.

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

**1. IDENTITY AND CONTACT DETAILS**

Supply the following details about your company:

Company name	
Address	
Contact person	
Email address	
Telephone	
Fax	

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

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

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

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

<sup>(1)</sup> This document is for internal use only. It is protected pursuant to Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council (OJ L 145, 31.5.2001, p. 43). It is a confidential document pursuant to Article 19 of Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union (OJ L 176, 30.6.2016, p. 21) and Article 6 of the WTO Agreement on Implementation of Article VI of the GATT 1994 (Anti-Dumping Agreement).

<sup>(2)</sup> The Harmonized Commodity Description and Coding System generally referred to as 'Harmonized System' or simply 'HS' is a multipurpose international product nomenclature developed by the World Customs Organization (WCO).

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

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

Signature of the authorised official:

Name and title of the authorised official:

Date:

\_\_\_\_\_

## PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

### EUROPEAN COMMISSION

#### **Prior notification of a concentration**

**(Case M.8865 — AIG / Validus)**

#### **Candidate case for simplified procedure**

**(Text with EEA relevance)**

(2018/C 162/04)

1. On 30 April 2018, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 <sup>(1)</sup>.

This notification concerns the following undertakings:

- American International Group ('AIG') (United States),
- Validus Holdings Limited ('Validus') (Bermuda).

AIG acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of Validus.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- AIG: a global insurance company providing a wide range of insurance and other financial services to commercial and individual customers,
- Validus: Validus operates globally and is active in insurance, reinsurance, specialty lines insurance and investment advisory.

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 <sup>(2)</sup> 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.8865 — AIG / Validus

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

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

Fax +32 22964301

Postal address:

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

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<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').

<sup>(2)</sup> OJ C 366, 14.12.2013, p. 5.

**Prior notification of a concentration**  
**(Case M.8913 — HPS/MDP/Capita)**  
**Candidate case for simplified procedure**  
**(Text with EEA relevance)**  
(2018/C 162/05)

1. On 30 April 2018, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 <sup>(1)</sup>.

This notification concerns the following undertakings:

- HPS Investment Partners, LLC (United States) ('HPS'),
- Madison Dearborn Partners, LLC (United States) ('MDP'),
- Capita Specialist Insurance Solutions Limited (United Kingdom) ('CSIS').

HPS and MDP acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the whole of CSIS.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- HPS: HPS is a US-based investment firm with a focus on acquisitions and strategic financing or recapitalisation of companies that require financial assistance,
- MDP: MDP is a US-based private equity investment firm,
- CSIS: CSIS is a small UK provider of insurance brokerage services.

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 <sup>(2)</sup> 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.8913 — HPS/MDP/Capita

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

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<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').

<sup>(2)</sup> OJ C 366, 14.12.2013, p. 5.

**Prior notification of a concentration**  
**(Case M.8792 — T-Mobile NL/Tele2 NL)**  
**(Text with EEA relevance)**  
(2018/C 162/06)

1. On 2 May 2018, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 <sup>(1)</sup>.

This notification concerns the following undertakings:

- T-Mobile Netherlands Holding BV ('TMNL', Netherlands) controlled by Deutsche Telekom AG (Germany), and
- Tele2 Netherlands Holding NV ('Tele2 NL', Netherlands).

TMNL acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of Tele2 NL.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- for TMNL: TMNL provides telecommunication services via its fully-owned subsidiaries T-Mobile Netherlands BV and T-Mobile Thuis BV (TMT) to private and business customers in the Netherlands. TMNL owns a mobile network with nationwide coverage over which it provides 2G, 3G, 4G and NB-IoT mobile communication services. TMT provides retail fixed services, including broadband internet, TV and fixed telephony services based on wholesale access services. Another TMNL subsidiary offers credit to private customers for handsets,
- for Tele2 NL: Tele 2 NL is a telecommunications provider that operates in the Netherlands as a 4G-only mobile network operator, providing voice, data and messaging services, and also fixed broadband services. Tele2 NL provides services to business and residential customers and to a limited extent to other telecommunications providers. Tele2 NL subsidiaries also operate a network of retail stores in the Netherlands and offer credit to private customers for handsets.

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.

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.8792 — T-Mobile NL/Tele2 NL

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

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

Fax +32 22964301

Postal address:

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

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<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').

## OTHER ACTS

## EUROPEAN COMMISSION

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

(2018/C 162/07)

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

## SINGLE DOCUMENT

**‘SCRUMBIE DE DUNĂRE AFUMATĂ’****EU No: PGI-RO-02234 — 26.10.2016****PDO ( ) PGI ( X )****1. Name(s)**

‘Scrumbie de Dunăre afumată’ (RO)

**2. Member State or Third Country**

Romania

**3. Description of the agricultural product or foodstuff****3.1. Product type**

Class 1.7. Fresh fish, molluscs and crustaceans and products derived therefrom

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

‘Scrumbie de Dunăre afumată’ is smoked Pontic shad from the Danube Delta. This fish belongs to the Clupeidae family — species: *Alosa pontica* (Eichwald); subspecies: *Alosa pontica* var. *Danubii*. Weighing a minimum of 250 grams and a maximum of 400 grams and with a length of between 25 and 30 cm, it is processed whole and is salted and cold-smoked using an ancient method specific to the defined geographical area. The smoked fish has a metallic golden colour due to the smoking process that is evenly spread across its whole surface, and a succulent texture and a lightly-salted, smoked-fish taste with an oily consistency.

Physical and chemical characteristics

Total fat: minimum 11 %.

Organoleptic characteristics:

**Appearance:** The external appearance is that of a smoked fish, whole, scaled and gutted, with clean and dry skin, with no traces of salt. The fish is smooth, without cracks in the skin.

**External colour:** Gold with a uniform, metallic sheen.

**Colour when cut:** White — yellowish — pinkish

**Taste and aroma:** A consistent, lightly-salted, smoked-fish taste. Due to the processing method it first tastes sweet, followed by hints of salt and light acidity.

**Consistency:** Dense, elastic, creamy.

**Texture:** Succulent.

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

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

#### Raw materials

The Pontic shad is a wild fish that inhabits the Black Sea and migrates into the Danube to spawn. It does not feed during the entire round trip. The species cannot be reared in aquaculture facilities and the fish are caught only during their Danube migration. The Pontic shad reaches maturity and can be eaten at the age of 2 to 3 years, having a body length of 25-30 cm. 'Scrumbie de Dunăre afumată' is produced exclusively from Pontic shad (*Alosa pontica* var. *Danubii*).

The shad used as raw material for 'Scrumbie de Dunăre afumată' is caught, using a traditional method, only in the Danube, from its mouths (20 m isobath) to the meander known as Cotul Pisicii (nautical mile 75-75). Examinations of Pontic shad caught beyond that limit have shown not only a decrease in fat content that is detrimental to taste but also an intense parasitisation of the fish. Immediately after being caught, the shad is placed in tanks chilled with flaked ice.

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

All the steps in the 'Scrumbie de Dunăre afumată' production process take place within the defined geographical area. The production process for 'Scrumbie de Dunăre afumată' comprises the following specific steps: catching, receipt of raw materials, ingredients and processing aids; freezing and storage (initial processing), thawing, descaling, gutting, draining the blood, salting, de-salting, draining the fish, smoking (drying, smoking, cooling and maturation).

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

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

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

The area comprises two administrative areas:

The first administrative area is the Danube Delta Biosphere Reserve, which runs from the Cotul Pisicii meander (in Grindu, Tulcea county) to the 20 m isobath of the Danube's mouths, only along the three distributaries of the Danube and that section of the Danube proper.

The second area is the municipality of Frecăței (Cataloi village), and is a continuation of the first area.

The two administrative areas form a contiguous whole within Tulcea county.

## 5. **Link with the geographical area**

The characteristics of 'Scrumbie de Dunăre afumată' are linked to the geographical area of production both through the specific method used in the area and through reputation.

In climate terms the Danube Delta is different from the rest of Romania, having a temperate continental arid climate with influences from the Mediterranean and Black Seas in line with its geographical position (45° North), low altitude (0 – 12 m), large area of water and marsh vegetation, natural levees and spits, and broad opening towards the Black Sea basin.

The Pontic shad found in the Danube inhabits the western part of the Black Sea and is more a fish of the coastal region. The shad linger off the Danube's mouths, to become accustomed to the fresh water and wait till the river reaches the right temperature for them. They start to enter the Danube around the beginning of March but are sensitive to the cold, retreating into the sea if the cold weather lasts a few days longer.

After feeding in the mouths of the Danube they generally darken in colour and their dorsal fins increase in size. They feed on organic material from the river, fatten and accumulate large fat deposits (shad being the world's fattiest fish of their size), which give the finished product its unique taste.

The adults' feed consists of 70-75 % of fish from the Black Sea (*Engraulis*, *Clupeonella*, *Sprattus*) and the Danube Mouths (*Cyprinidae*), the rest being crustaceans (*Crangon*, *Upogebia*, *Idotheia*) and other organisms according to their abundance and accessibility.

The salting and cold-smoking methods for preserving fish in the Danube Delta area can be applied thanks to the skills and experience of the locals being passed on from one generation to the next, as Grigore Antipa noted in 1916.

In the instructions for the cold-smoking procedure drawn up in 1942 by the Romanian Fisheries Research Institute, the Pontic shad caught in the Danube was held up as a particularly suitable and illustrative species.

Salting is done manually, sprinkling the fish with rock salt so that some of it is absorbed. The salting process takes place in premises with a temperature of approximately +40 °C, over a maximum period of five days.

'Scrumbie de Dunăre' is salted in containers in quantities that vary according to the amount acquired in one day; different batches of fish are not mixed. A thin layer of salt is applied on the bottom of a tank, then the fish are placed on top side by side, dorsal fin pointing down, and heads pointing in the same direction. Salt is added to fill the gaps between the fish and form a new thin layer of salt. Layers of fish and salt are alternated until the tank is full, and a thick layer of salt added at the top. The next day the brine that has formed is topped up with fresh brine and a weighted grid is placed on top of the salt and fish to ensure that the fish are fully immersed in the brine.

After salting, the fish are removed and drained.

The fish undergo an organoleptic test and if there is a lightly perceptible salt taste, the fish are ready for the smoking stage.

Where required, the over-salted 'Scrumbie de Dunăre' are de-salted in containers with copious amounts of iced water for 3 to 16 hours. During this time the water is changed, in line with organoleptic testing.

Salting and de-salting can only be carried out by locals who are familiar with these traditional processes, which have been handed down from generation to generation. De-salting is carried out only when needed.

After being drained, the fish are hooked on a spike through the eye and hung on rods. A gap of 15 cm is kept between fish to allow the smoke to circulate. The first and following rows are interleaved so as to always leave space between the fish.

Although smoking is a common process, cold smoking has been traditionally used for the production of 'Scrumbie de Dunăre afumată'. This process is specific to the geographical area because the Pontic shad is a very fatty fish, and cold smoking retains a large amount of the fat in the fish. Smoking lasts a minimum of 9 hours at a maximum temperature of 35 degrees Celsius so as not to lose the fat and to preserve the nutritional and sensory qualities of the fish.

Cold smoking comprises four steps: drying, smoking, cooling and maturation.

Drying takes place in an open shed or drying room with air flowing through (at night because it is colder) for 6 to 10 hours, until the skin dries and becomes shiny.

The fish are checked to see if they have dried sufficiently (firm consistency, no liquid comes out when pressed, which means they have lost sufficient water; the tails should be firm). If these criteria are met, the fish are taken for smoking. If not, the drying process continues.

Dried hardwood sawdust is used for smoking.

The rods hung with fish are placed in the smoke-house. The smoke is produced by smouldering the dried hardwood sawdust. The temperature is verified by thermometer and is reduced when it exceeds +35 °C. The duration of smoking depends on the temperature and humidity of the environment and can take from 2 to 48 hours. Smoking is considered to have been completed when the skin of the fish has a golden colour and the required organoleptic characteristics have been achieved.

After smoking is completed, the rods of smoked fish are removed from the smoke-house and placed on carts to cool.



The maturation of the fish is achieved by means of cold storage, including air currents, until a certain 'elasticity' is achieved.

The successful completion of these steps depends on the art of knowing the organoleptic characteristics of 'Scrumbie de Dunăre' after each stage. These characteristics are not determined in the laboratory (e.g. the smoking process is stopped when the fish becomes golden), but are achieved thanks to the know-how passed down from generation to generation.

The defined geographical area benefits from the fact that fish suitable for smoking can be sourced there. For smoking to be carried out successfully numerous variables connected with the physical and chemical characteristics of the fish, the time of the catch, and the fishing method and tackle have to be taken into account.

Fish smokers in the defined geographical area can draw on generations of expertise that enables them to produce a consistently high-quality product by touch and sight alone.

Pontic shad caught in the Danube outside the defined geographical area cannot be used to produce 'Scrumbie de Dunăre afumată' as the fat content decreases with the effort expended by the fish to swim upstream, and after reproduction most of the adults die of exhaustion while those which survive have organoleptic qualities far inferior to those of fish caught in the defined area.

Fishing is the main and oldest occupation of locals in the Danube Delta region. Fish is an important source of food and the processing thereof is a source of additional income that helps people make a living.

This activity is thus deeply rooted in the culture of the Danube Delta and, being such a characteristic feature of the region, makes a lasting impression on many tourists from around the world.

The reputation of 'Scrumbie de Dunăre afumată' and the development of its production can be attributed to the fact that it is an old regional product recognised throughout Romania. The recipe for this product stems from local expertise which is handed down from one generation to the next and is closely linked to the defined geographical area.

The quality characteristics mentioned, together with the longstanding reputation of 'Scrumbie de Dunăre afumată' in the cuisine of the defined geographical area, mean that it is a speciality prized by consumers and has a reputation closely associated with the region. More than 100 years of production and marketing in the geographical area have contributed to the reputation of the product.

The reputation of 'Scrumbie de Dunăre afumată' produced in the geographical area was described by the scientist Grigore Antipa, who in his 1916 work entitled 'Fishery and Fishing in Romania' (in: Romanian Academy, 'Publicațiunile Fondului Vasile Adamachi' Vol XIII, No XLVI) wrote: '[...] In recent times, the development of the fish-preserving industry in Romania has shown consistent growth. Alongside the fisherfolk engaged in the large-scale production of salted fish (Romania's most primitive and most common form of preserved fish), offering barrels of shad, cod and sterlet, smoked mullet, etc., the region has for some time now been witnessing the emergence of fish-preserving factories and workshops close to market places. On the one hand there are smoke-houses producing smoked cod, "Scrumbie de Dunăre" and all kinds of smoked sea fish ...'.

In the same geographical area, in 1919, letters from the Tulcea County Prefecture on exchanging fish for cereals mention the marketing of 'Scrumbie de Dunăre afumată' in Ministerial Decision No 740 of 20 May 1919 and a 'Table of maximum prices for fresh, salted and smoked fish'.

In the instructions for the cold-smoking procedure drawn up in 1942 by the Romanian Fisheries Research Institute, the Pontic shad caught in the Danube was held up as a particularly suitable and illustrative species.

'Scrumbie de Dunăre afumată' continued to be produced and sold in the geographical area in the subsequent years, during Romania's socioeconomic development, and was mentioned in various production documents. In 1958 'Scrumbie de Dunăre afumată' was sold all over Romania according to the summary table of development plans issued by the Tulcea Fish Industrialization and Development Undertaking (IIDP). In 1965 production continued and was mentioned in the IIDP's Production Plan, Inventory No 69, Tulcea National Archives. The tradition of producing 'Scrumbie de Dunăre afumată' in the geographical area was continued from 2011 onwards by the members of the RO-Pescador Association, the only producers in the geographical area.

Various articles have been published concerning 'Scrumbie de Dunăre afumată', including one by Angelika Sontheimer entitled 'Regionale Produkte auch in Rumänien zunehmend beliebt — Geraucherter Hering aus dem Donaudelta' [Regional products are also becoming popular in Romania — smoked herring from the Danube Delta] in LZ Rheinland' No 34/2017 (Landwirtschaftliche Zeitschrift Rheinland), a German magazine about the rural and urban environment along the Rhine (link: <https://www.lz-rheinland.de/>), an article entitled 'Geraucherter Hering aus dem Donaudelta' in the online publication 'BWagrar' No 43/2017 (Baden-Württemberg Agrar), published by the Federal Association of Farmers of Baden-Württemberg (link: <https://www.bwagrar.de/>), and a report called 'Pe urmele scrumbiei de Dunăre' [On the trail of the Danube Shad] in National Geographic Traveler, edited by Domnica Macri and illustrated by the art photographer Ionut Macri, Vol 37, Summer 2017.

'Scrumbie de Dunăre afumată' is appreciated at specialised national and international trade fairs, where its presence promotes the Danube Delta Biosphere Reserve: Seafood Expo Global/Seafood Processing Global (Brussels, Belgium); Donaufest Ulm/Neu-Ulm (Germany); Polfish — International Fair of Seafood Processing and Products (Gdańsk, Poland); INDAGRA (Bucharest); FAO World Food Day (Bucharest — Casa Poporului); Rural Fest (Bucharest); the Danube Delta Fish Market Festival (Tulcea); Danube Delta Gastronomic and Ethnocultural Festival (Tulcea).

#### **Reference to publication of the specification**

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

<http://www.madr.ro/docs/ind-alimentara/documentatie-2016/Documentatie-caiet-de-sarcini-Scrumbie-afumata-de-Dunare-IGP.pdf>

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