

# Official Journal

## of the European Union

L 150



English edition

Legislation

Volume 54

9 June 2011

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## II

*(Non-legislative acts)*

## REGULATIONS

## COUNCIL IMPLEMENTING REGULATION (EU) No 554/2011

of 30 May 2011

**terminating the anti-dumping proceeding on imports of polyester staple fibres originating in the People's Republic of China**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Regulation (EC) No 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Community <sup>(1)</sup> (the basic Regulation) and in particular Articles 9 and 11(2), (5) and (6) thereof,

Having regard to the proposal submitted by the European Commission after having consulted the Advisory Committee,

Whereas:

**1. PROCEDURE****1.1. Measures in force**

- (1) Following an anti-dumping investigation carried out pursuant to Article 5 of the basic Regulation, the Council, by Regulation (EC) No 428/2005 <sup>(2)</sup>, imposed a definitive anti-dumping duty on imports of polyester staple fibres (PSF) originating in the People's Republic of China. The rate of the anti-dumping duty ranged between 4,9 % and 49,7 % depending on the manufacturer of the product concerned.

**1.2. Request for review**

- (2) Following the publication of a notice of the impending expiry of certain anti-dumping measures <sup>(3)</sup>, applicable to imports of PSF originating in the People's Republic of China, the Commission received on 14 December 2009 a request for review pursuant to Article 11(2) of the basic Regulation.
- (3) The request was lodged by the European Man-made Fibres Association (the applicant) on behalf of Union producers representing a major proportion, in this case more than 25 %, of the production of PSF in the Union.

- (4) The request was accompanied by prima facie evidence showing that the expiry of the measures would be likely to result in a recurrence of dumping and injury to the Union industry.

**1.3. Initiation**

- (5) Accordingly, after having consulted the Advisory Committee, the Commission published a notice of initiation <sup>(4)</sup> of an expiry review of the anti-dumping measures applicable to imports into the Union of PSF originating in the People's Republic of China.
- (6) The Commission officially advised the exporting producers, importers concerned, the representatives of the People's Republic of China, the representative users and the Union producers of the initiation of the review investigation. Interested parties were given the opportunity to make their views known in writing and to request a hearing within the time limit set in the notice of initiation.

**2. WITHDRAWAL OF THE REQUEST**

- (7) By a letter addressed to the Commission, dated 7 March 2011, the applicant formally withdrew its request.
- (8) In accordance with Article 9(1) and Article 11(2) of the basic Regulation, a proceeding may be terminated where the request for review is withdrawn unless such a termination would not be in the Union interest.
- (9) It was considered that the present proceeding should be terminated since the investigation had not brought to light any considerations showing that its termination would not be in the Union interest. Interested parties were informed accordingly and were given the opportunity to submit comments. However, no such comments were received as would give reason to reach a different conclusion.

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

<sup>(2)</sup> OJ L 71, 17.3.2005, p. 1.

<sup>(3)</sup> OJ C 249, 17.10.2009, p. 19.

<sup>(4)</sup> OJ C 64, 16.3.2010, p. 10.

- (10) It was therefore concluded that the anti-dumping expiry review proceeding concerning imports into the Union of PSF originating in the People's Republic of China should be terminated and the existing measures should be repealed,

processed for spinning, currently falling within CN code 5503 20 00 and originating in the People's Republic of China, are hereby repealed and the proceeding on these imports is terminated.

HAS ADOPTED THIS REGULATION:

*Article 1*

*Article 2*

The anti-dumping measures concerning imports of synthetic staple fibres of polyesters, not carded, combed or otherwise

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

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

Done at Brussels, 30 May 2011.

*For the Council*

*The President*

CSÉFALVAY Z.

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**COUNCIL REGULATION (EU) No 555/2011****of 6 June 2011****amending Annex I to Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 31 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Council Regulation (EC) No 179/2009 of 5 March 2009 amending Annex I to Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff<sup>(1)</sup> suspended totally, for a period of two years, the autonomous Common Customs Tariff duties for certain black and white or other monochrome, and certain colour monitors using liquid crystal display technology and falling under Combined Nomenclature (CN) codes 8528 59 10 and 8528 59 90.
- (2) On economic and industrial policy grounds, it is in the interest of the Union to prolong the autonomous duty suspension provided for in Regulation (EC) No 179/2009 for a period of six months starting from 1 January 2011.
- (3) Following a restructuring of CN heading 8528, the monitors in question are now covered by CN codes 8528 59 10 and 8528 59 40. The tariff suspensions provided for in this Regulation should therefore concern those CN codes.
- (4) Council Regulation (EEC) No 2658/87<sup>(2)</sup> should therefore be amended accordingly.
- (5) The suspensions provided for in this Regulation are an extension of the suspensions provided for by Regulation (EC) No 179/2009 that expired on 31 December 2010. Since it is not in the interest of the Union that there be any interruption of the tariff treatment of the monitors covered by the suspension, this Regulation should apply from 1 January 2011,

HAS ADOPTED THIS REGULATION:

*Article 1*

Part Two, Section XVI, Chapter 85 of Annex I to Regulation (EEC) No 2658/87 is amended as follows:

- (1) the text in column 3 for CN code 8528 59 10 is replaced by the following:

‘14 (\*)

(\*) Customs duty autonomously suspended, until 30 June 2011, for black and white or other monochrome monitors, using liquid crystal display technology, equipped with either digital visual interface (DVI) or a video graphics array (VGA) connector or both with a diagonal measurement of the screen not exceeding 77,50 cm (i.e. 30,5 inches), with an aspect ratio of 1:1, 4:3, 5:4 or 16:10, with a pixel resolution exceeding 1,92 mega pixels, and with a dot pitch not exceeding 0,3 mm. (TARIC code 8528 59 10 10).’;

- (2) the text in column 3 for CN code 8528 59 40 is replaced by the following:

‘14 (\*)

(\*) Customs duty autonomously suspended, until 30 June 2011, for colour monitors, using liquid crystal display technology, with a diagonal measurement of the screen not exceeding 55,9 cm (i.e. 22 inches), with an aspect ratio of 1:1, 4:3, 5:4 or 16:10. (TARIC code 8528 59 40 40).’.

*Article 2*

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

It shall apply from 1 January 2011.

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

Done at Luxembourg, 6 June 2011.

*For the Council*  
*The President*  
RÉTHELYI M.

<sup>(1)</sup> OJ L 63, 7.3.2009, p. 1.

<sup>(2)</sup> OJ L 256, 7.9.1987, p. 1.

**COMMISSION IMPLEMENTING REGULATION (EU) No 556/2011****of 8 June 2011****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) <sup>(1)</sup>,

Having regard to Commission Regulation (EC) No 1580/2007 of 21 December 2007 laying down implementing rules for Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector <sup>(2)</sup>, and in particular Article 138(1) thereof,

Whereas:

Regulation (EC) No 1580/2007 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XV, Part A thereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

The standard import values referred to in Article 138 of Regulation (EC) No 1580/2007 are fixed in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 9 June 2011.

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

Done at Brussels, 8 June 2011.

*For the Commission,  
On behalf of the President,  
José Manuel SILVA RODRÍGUEZ  
Director-General for Agriculture and  
Rural Development*

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<sup>(1)</sup> OJ L 299, 16.11.2007, p. 1.

<sup>(2)</sup> OJ L 350, 31.12.2007, p. 1.

## ANNEX

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

(EUR/100 kg)

| CN code    | Third country code <sup>(1)</sup> | Standard import value |
|------------|-----------------------------------|-----------------------|
| 0702 00 00 | TR                                | 110,0                 |
|            | ZZ                                | 110,0                 |
| 0707 00 05 | TR                                | 100,7                 |
|            | ZZ                                | 100,7                 |
| 0709 90 70 | TR                                | 122,8                 |
|            | ZZ                                | 122,8                 |
| 0805 50 10 | AR                                | 83,1                  |
|            | BR                                | 36,6                  |
|            | TR                                | 64,0                  |
|            | ZA                                | 117,5                 |
|            | ZZ                                | 75,3                  |
| 0808 10 80 | AR                                | 83,1                  |
|            | BR                                | 87,7                  |
|            | CL                                | 87,5                  |
|            | CN                                | 111,0                 |
|            | NZ                                | 113,4                 |
|            | US                                | 84,7                  |
|            | UY                                | 50,2                  |
|            | ZA                                | 94,7                  |
|            | ZZ                                | 89,0                  |
| 0809 10 00 | TR                                | 103,1                 |
|            | ZZ                                | 103,1                 |
| 0809 20 95 | TR                                | 392,6                 |
|            | XS                                | 175,4                 |
|            | ZZ                                | 284,0                 |

<sup>(1)</sup> Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

## DECISIONS

## COUNCIL IMPLEMENTING DECISION

of 30 May 2011

**authorising the Republic of Lithuania to apply a measure derogating from Article 287 of Directive 2006/112/EC on the common system of value added tax**

(2011/335/EU)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax <sup>(1)</sup> (the VAT Directive), and in particular Article 395(1) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) By letter registered with the Secretariat General of the Commission on 19 November 2010, Lithuania requested authorisation for a measure derogating from Article 287(11) of the VAT Directive in order to exempt taxable persons whose annual turnover is no higher than EUR 45 000 (the measure). The measure would release those taxable persons from certain or all of the value added tax (VAT) obligations referred to in Chapters 2 to 6 of Title XI of the VAT Directive.

(2) In accordance with the second subparagraph of Article 395(2) of the VAT Directive, the Commission informed the other Member States by letter dated 21 January 2011 of the request made by Lithuania. By letter dated 25 January 2011, the Commission notified Lithuania that it had all the information necessary to consider the request.

(3) A special scheme for small enterprises is an option which is already available to Member States under Title XII of the VAT Directive. The measure derogates from Title XII of the VAT Directive only in so far as the taxable person's annual turnover threshold for the special scheme is higher than that currently allowed for Lithuania under Article 287(11) of the VAT Directive, which is EUR 29 000.

(4) A higher threshold for the special scheme is a simplification measure as it may significantly reduce the VAT obligations of the smallest businesses, whilst that special scheme is optional for taxable persons and allows businesses to opt for the normal VAT arrangements.

(5) In its proposal for a Directive simplifying value added tax obligations of 29 October 2004 <sup>(2)</sup>, the Commission included provisions aimed at allowing Member States to set the annual turnover ceiling for the VAT exemption scheme at up to EUR 100 000 or the equivalent in national currency, with the possibility of updating this amount each year. The request submitted by Lithuania is in line with this proposal.

(6) The derogation will have no impact on the Union's own resources accruing from VAT and will only have a negligible effect on the overall amount of VAT revenue of Lithuania collected at the stage of final consumption,

HAS ADOPTED THIS DECISION:

*Article 1*

By way of derogation from Article 287(11) of Directive 2006/112/EC, the Republic of Lithuania is authorised to exempt from VAT taxable persons whose annual turnover is no higher than the equivalent in national currency of EUR 45 000 at the conversion rate on the day of its accession to the European Union.

*Article 2*

This Decision shall take effect on the day of its notification.

It shall apply from 1 January 2012 until the date of entry into force of a Directive amending the amounts of the annual turnover ceilings below which taxable persons may qualify for VAT exemption or until 31 December 2014, whichever date is earlier.

<sup>(1)</sup> OJ L 347, 11.12.2006, p. 1.

<sup>(2)</sup> OJ C 24, 29.1.2005, p. 8.

*Article 3*

This Decision is addressed to the Republic of Lithuania.

Done at Brussels, 30 May 2011.

*For the Council*  
*The President*  
CSÉFALVAY Z.

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# RECOMMENDATIONS

## COUNCIL RECOMMENDATION

of 17 May 2011

on the appointment of the President of the European Central Bank

(2011/336/EU)

THE COUNCIL OF THE EUROPEAN UNION,

HEREBY RECOMMENDS TO THE EUROPEAN COUNCIL:

To appoint Mr Mario DRAGHI as President of the European Central Bank for a term of office of 8 years with effect from 1 November 2011.

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 283(2) thereof,

Done at Brussels, 17 May 2011.

Having regard to the Protocol on the Statute of the European System of Central Banks and of the European Central Bank, and in particular Article 11.2 thereof,

*For the Council*  
*The President*  
MATOLCSY Gy.

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