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II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2015/394**of 10 March 2015****amending the Annex to Regulation (EU) No 37/2010 as regards the substance ‘tulathromycin’****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

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

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

Whereas:

- (1) The maximum residue limit (‘MRL’) for pharmacologically active substances intended for use in the Union in veterinary medicinal products for food-producing animals or in biocidal products used in animal husbandry is to be established in accordance with Regulation (EC) No 470/2009.
- (2) Pharmacologically active substances and their classification regarding MRLs in foodstuffs of animal origin are set out in the Annex to Commission Regulation (EU) No 37/2010 ⁽²⁾.
- (3) Tulathromycin is currently included in Table 1 of the Annex to Regulation (EU) No 37/2010 as an allowed substance, for bovine, porcine, ovine and caprine species, applicable to muscle, fat (skin and fat for porcine species), liver and kidney, excluding animals producing milk for human consumption. The provisional MRLs for that substance set out for bovine and porcine species expire on 1 January 2015.
- (4) Additional data was provided and assessed by the Committee for Medicinal Products for Veterinary Use who recommended that the provisional MRLs for tulathromycin in bovine and porcine species should be set as definitive.
- (5) In accordance with Article 5 of Regulation (EC) No 470/2009 the European Medicines Agency is to consider using MRLs established for a pharmacologically active substance in a particular foodstuff for another foodstuff derived from the same species, or MRLs established for a pharmacologically active substance in one or more species for other species. The Committee for Medicinal Products for Veterinary Use concluded that the extrapolation to other food producing species cannot be supported for this substance.

⁽¹⁾ OJ L 152, 16.6.2009, p. 11.

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

- (6) The entry for tulathromycin in Table 1 of the Annex to Regulation (EU) No 37/2010 should therefore be amended accordingly.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Veterinary Medicinal Products,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 10 March 2015.

For the Commission

The President

Jean-Claude JUNCKER

ANNEX

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

Pharmacologically active Substance	Marker residue	Animal Species	MRL	Target Tissues	Other Provisions (according to Article 14(7) of Regulation (EC) No 470/2009)	Therapeutic classification
'Tulathromycin	(2R,3S,4R,5R,8R,10R,11R,12S, 13S,14R)-2-ethyl-3,4,10,13-tetra-hydroxy-3,5,8,10,12,14-hexamethyl-11-[[3,4,6-trideoxy-3-(dimethylamino)-β-D-xylo-hexopyranosyl]oxy]-1-oxa-6-azacyclopent-decan-15-one expressed as tulathromycin equivalents	Ovine, caprine	450 µg/kg 250 µg/kg 5 400 µg/kg 1 800 µg/kg	Muscle Fat Liver Kidney	Not for use in animals from which milk is produced for human consumption	Anti-infectious agents/ Antibiotics'
		Bovine	300 µg/kg 200 µg/kg 4 500 µg/kg 3 000 µg/kg	Muscle Fat Liver Kidney		
		Porcine	800 µg/kg 300 µg/kg 4 000 µg/kg 8 000 µg/kg	Muscle Skin and fat in natural proportions Liver Kidney		

**COMMISSION IMPLEMENTING REGULATION (EU) 2015/395
of 10 March 2015**

initiating an investigation concerning the possible circumvention of anti-dumping measures imposed by Council Implementing Regulation (EU) No 511/2010 on imports of certain molybdenum wires originating in the People's Republic of China by imports of certain slightly modified molybdenum wires, and making such imports subject to registration

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Community ⁽¹⁾ ('the basic Regulation') and in particular Articles 13(3) and 14(5) thereof,

After having informed the Member States,

Whereas:

A. REQUEST

- (1) The European Commission ('the Commission') has received a request pursuant to Articles 13(3) and 14(5) of the basic Regulation to investigate the possible circumvention of the anti-dumping measures imposed on certain molybdenum wires originating in the People's Republic of China by imports of certain slightly modified molybdenum wires, either changed to the weight or to the diameter, of which the cross-sectional dimension exceeds 4,0 mm but does not exceed 11,0 mm, originating in the People's Republic of China, and to make such imports subject to registration.
- (2) The request was lodged on 26 January 2015 by Plansee SE, a Union producer of certain molybdenum wires.

B. PRODUCT

- (3) The product concerned by the possible circumvention is molybdenum wire, containing by weight at least 99,95 % of molybdenum, of which the maximum cross-sectional dimension exceeds 1,35 mm but does not exceed 4,0 mm, originating in the People's Republic of China, currently falling within CN code ex 8102 96 00 (TARIC codes 8102 96 00 11 and 8102 96 00 19) ('the product concerned'). This is the product to which the measures currently in force apply.
- (4) The product under investigation for possible circumvention has the same characteristics as the product concerned defined in the previous recital, but is however presented at import with a maximum cross-sectional dimension that exceeds 4,0 mm but does not exceed 11,0 mm and currently falls within the same CN code as the product concerned but under a different TARIC code (i.e. 8102 96 00 99 until the entry into force of this Regulation). This product also originates in the People's Republic of China. The investigation of possible circumvention also includes molybdenum wire containing by weight 97 % or more but less than 99,95 % of molybdenum with a maximum cross-sectional dimension that exceeds 4,0 mm but does not exceed 11,0 mm, originating in the People's Republic of China.

C. EXISTING MEASURES

- (5) The measures currently in force and possibly being circumvented are anti-dumping measures imposed by Council Implementing Regulation (EU) No 511/2010 ⁽²⁾ on imports of certain molybdenum wires originating in the People's Republic of China ('the existing measures'). Following an anti-circumvention investigation, in 2012 these

⁽¹⁾ OJ L 343, 22.12.2009, p. 51.

⁽²⁾ Council Implementing Regulation (EU) No 511/2010 of 14 June 2010 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of certain molybdenum wires originating in the People's Republic of China (OJ L 150, 16.6.2010, p. 17).

measures were extended to imports of certain molybdenum wires consigned from Malaysia, whether declared as originating in Malaysia or not ⁽¹⁾. Following another anti-circumvention investigation, in 2013 these measures were extended to imports of molybdenum wire, containing by weight 97 % or more but less than 99,95 % of molybdenum, of which the maximum cross-sectional dimension exceeds 1,35 mm but does not exceed 4,0 mm, originating in the People's Republic of China ⁽²⁾.

D. GROUNDS

- (6) The request contains sufficient prima facie evidence that the existing anti-dumping measures on imports of the product concerned originating in the People's Republic of China are being circumvented by means of imports of the product under investigation and that they could be further circumvented by other slight modifications of weight or diameter.
- (7) More specifically, the request shows that a significant change in the pattern of trade involving exports from the People's Republic of China to the Union has taken place following the imposition of the definitive anti-dumping duty on the product concerned imposed by Implementing Regulation (EU) No 511/2010, without sufficient due cause or economic justification for such a change other than the imposition of the duty.
- (8) The request contains sufficient prima facie evidence that this change stems from the importation of the slightly modified product concerned, namely with a maximum cross-sectional dimension that exceeds 4,0 mm but does not exceed 11,0 mm, which is then converted in the Union into the product concerned, namely the maximum cross-sectional dimension exceeds 1,35 mm but does not exceed 4,0 mm, by redrawing the wire to a cross-sectional dimension of 4,0 mm or below. The prima facie evidence demonstrates that there is no due cause or economic justification other than the imposition of the duty for such practice, process or work.
- (9) The request also contains sufficient prima facie evidence that the product under investigation has the same essential characteristics and uses as the product concerned.
- (10) Furthermore, the request contains sufficient prima facie evidence that the remedial effects of the existing anti-dumping measures on the product concerned are being undermined both in terms of quantity and price. Significant volumes of imports of the product under investigation appear to have replaced imports of the product concerned. In addition, there is sufficient prima facie evidence that imports of the product under investigation are made at prices below the non-injurious price established in the investigation that led to the existing measures.
- (11) Finally, the request contains sufficient prima facie evidence that the prices of the product under investigation are dumped in relation to the normal value previously established.
- (12) Should circumvention practices covered by Article 13 of the basic Regulation, other than the one mentioned above, be identified in the course of the investigation, the investigation may also cover these practices.

E. PROCEDURE

- (13) In light of the above, the Commission has concluded that sufficient evidence exists to justify the initiation of an investigation pursuant to Article 13(3) of the basic Regulation and to make imports of the product under investigation subject to registration, in accordance with Article 14(5) of the basic Regulation.

(a) Questionnaires

- (14) In order to obtain information it deems necessary for its investigation, the Commission will send questionnaires to the known exporters/producers and to the known associations of exporters/producers in the People's Republic of China, to the known importers and to the known associations of importers in the Union and to the authorities of the People's Republic of China. Information, as appropriate, may also be sought from the Union industry.

⁽¹⁾ Council Implementing Regulation (EU) No 14/2012 of 9 January 2012 extending the definitive anti-dumping duty imposed by Implementing Regulation (EU) No 511/2010 on imports of certain molybdenum wires originating in the People's Republic of China to imports of certain molybdenum wires consigned from Malaysia, whether declared as originating in Malaysia or not and terminating the investigation in respect of imports consigned from Switzerland (OJ L 8, 12.1.2012, p. 22).

⁽²⁾ Council Implementing Regulation (EU) No 871/2013 of 2 September 2013 extending the definitive anti-dumping duty imposed by Implementing Regulation (EU) No 511/2010 on imports of molybdenum wire, containing by weight at least 99,95 % of molybdenum, of which the maximum cross-sectional dimension exceeds 1,35 mm but does not exceed 4,0 mm, originating in the People's Republic of China to imports of molybdenum wire, containing by weight at least 97 % of molybdenum, of which the maximum cross-sectional dimension exceeds 1,35 mm but does not exceed 4,0 mm, originating in the People's Republic of China (OJ L 243, 12.9.2013, p. 2).

- (15) In any event, all interested parties should contact the Commission, but not later than the time limit set in Article 3 of this Regulation, and request a questionnaire within the time limit set in Article 3(1) of this Regulation, given that the time limit set in Article 3(2) of this Regulation applies to all interested parties.
- (16) The authorities of the People's Republic of China will be notified of the initiation of the investigation.

(b) Collection of information and holding of hearings

- (17) All interested parties are invited to make their views known in writing and to provide supporting evidence. Furthermore, the Commission may hear interested parties, provided that they make a request in writing and show that there are particular reasons why they should be heard.

(c) Exemption from registration of imports or measures

- (18) In accordance with Article 13(4) of the basic Regulation, imports of the product under investigation may be exempted from registration or measures if the importation does not constitute circumvention.
- (19) While the extent to which the possible circumvention is taking place inside and/or outside the Union needs to be investigated, exemptions may be granted, in accordance with Article 13(4) of the basic Regulation, to importers and/or exporters/producers of the product under investigation that can show that they are not related ⁽¹⁾ to any producer subject to the measures ⁽²⁾ and that are found not to be engaged in circumvention practices as defined in Articles 13(1) and 13(2) of the basic Regulation. Importers and exporters/producers wishing to obtain an exemption should submit a request duly supported by evidence within the time limit indicated in Article 3(3) of this Regulation.

F. REGISTRATION

- (20) Pursuant to Article 14(5) of the basic Regulation, imports of the product under investigation shall be made subject to registration in order to ensure that, should the investigation result in findings of circumvention, anti-dumping duties of an appropriate amount can be levied from the date on which registration of such imports was imposed.

G. TIME LIMITS

- (21) In the interest of sound administration, time limits should be stated within which:
- interested parties may make themselves known to the Commission, present their views in writing and submit questionnaire replies or any other information to be taken into account during the investigation,
 - importers in the Union and exporters/producers may request exemption from registration of imports or measures,
 - interested parties may make a written request to be heard by the Commission.
- (22) Attention is drawn to the fact that the exercise of most procedural rights set out in the basic Regulation depends on the party's making itself known within the time limits laid down in Article 3 of this Regulation.

⁽¹⁾ In accordance with Article 143 of Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code (OJ L 253, 11.10.1993, p. 1), persons shall be deemed to be related only if: (a) they are officers or directors of one another's businesses; (b) they are legally recognized partners in business; (c) they are employer and employee; (d) any person 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 directly or indirectly control a third person; or (h) they are members of the same family. 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 this context 'person' means any natural or legal person.

⁽²⁾ However, even if producers are related in the aforementioned sense to companies subject to the measures in place on imports originating in the People's Republic of China (the original anti-dumping measures), an exemption may still be granted if there is no evidence that the relationship with the companies subject to the original measures was established or used to circumvent the original measures.

H. NON-COOPERATION

- (23) In cases in which 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 in accordance with Article 18 of the basic Regulation, on the basis of the facts available.
- (24) Where it is found that any interested party has supplied false or misleading information, the information shall be disregarded and use may be made of facts available.
- (25) If an interested party does not cooperate or cooperates only partially and findings are therefore based on the 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.
- (26) 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.

I. SCHEDULE OF THE INVESTIGATION

- (27) The investigation will be concluded, pursuant to Article 13(3) of the basic Regulation, within nine months of the date of entry into force of this Regulation.

J. PROCESSING OF PERSONAL DATA

- (28) It is noted that 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 ⁽¹⁾.

K. HEARING OFFICER

- (29) 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.
- (30) A request for a hearing with the Hearing Officer should be made in writing and should specify the reasons for the request. The Hearing Officer will also provide opportunities for a hearing involving parties to take place which would allow different views to be presented and rebuttal arguments offered.
- (31) For further information and contact details interested parties may consult the Hearing Officer's web pages on the Directorate-General for Trade's website: <http://ec.europa.eu/trade/trade-policy-and-you/contacts/hearing-officer/>

HAS ADOPTED THIS REGULATION:

Article 1

An investigation is initiated pursuant to Article 13(3) of Regulation (EC) No 1225/2009, in order to determine if imports into the Union of molybdenum wire, containing by weight at least 99,95 % of molybdenum, of which the maximum cross-sectional dimension exceeds 4,0 mm but does not exceed 11,0 mm and currently falling within CN code ex 8102 96 00 (TARIC code 8102 96 00 20) originating in the People's Republic of China, and if imports into the Union of molybdenum wire, containing by weight 97 % or more but less than 99,95 % of molybdenum of which the maximum cross-sectional dimension exceeds 4,0 mm but does not exceed 11,0 mm and currently falling within CN code ex 8102 96 00 (TARIC code 8102 96 00 40) originating in the People's Republic of China, are circumventing the measures imposed by Implementing Regulation (EU) No 511/2010.

⁽¹⁾ 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 (OJ L 8, 12.1.2001, p. 1).

Article 2

The Customs authorities shall, pursuant to Article 13(3) and Article 14(5) of Regulation (EC) No 1225/2009, take the appropriate steps to register the imports into the Union identified in Article 1 of this Regulation.

Registration shall expire nine months following the date of entry into force of this Regulation.

The Commission, by regulation, may direct Customs authorities to cease registration in respect of imports into the Union of products made by exporters/producers or importers having applied for an exemption from registration and having been found to fulfil the conditions for an exemption to be granted.

Article 3

1. Questionnaires must be requested from the Commission within 15 days from the date of entry into force of this Regulation.

2. Interested parties, if their representations are to be taken into account during the investigation, must make themselves known by contacting the Commission, present their views in writing and submit questionnaire replies or any other information within 37 days from the date of entry into force of this Regulation, unless otherwise specified.

3. Importers in the Union and exporters/producers requesting exemption from registration of imports or measures must submit a request duly supported by evidence within the same 37-day time limit.

4. Interested parties may also apply to be heard by the Commission within the same 37-day time limit.

5. 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 right of defence.

6. All written submissions, including the information requested in this Regulation, completed questionnaires and correspondence provided by interested parties for which confidential treatment is requested shall be labelled 'Limited' ⁽¹⁾.

7. 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'. These summaries should be sufficiently detailed to permit a reasonable understanding of the substance of the information submitted in confidence. If an interested party providing confidential information does not furnish a non-confidential summary of it in the requested format and quality, such information may be disregarded.

8. Interested parties are invited to make all submissions and requests by e-mail 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 e-mail, interested parties express their agreement with the rules applicable to electronic submissions contained in the document 'CORRESPONDENCE WITH THE EUROPEAN COMMISSION IN TRADE DEFENCE CASES' published on the website of the Directorate-General for Trade: http://trade.ec.europa.eu/doclib/docs/2011/june/tradoc_148003.pdf The interested parties must indicate their name, address, telephone and a valid e-mail address and they should ensure that the provided e-mail address is a functioning official business e-mail which is checked on a daily basis. Once contact details are provided, the Commission will communicate with interested parties by e-mail 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 e-mail, interested parties should consult the communication instructions with interested parties referred to above.

⁽¹⁾ A 'Limited' document is a document which is considered confidential pursuant to Article 19 of Regulation (EC) No 1225/2009 and Article 6 of the WTO Agreement on Implementation of Article VI of the GATT 1994 (Anti-Dumping Agreement). It is also a document protected pursuant to Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council (OJ L 145, 31.5.2001, p. 43).

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European Commission

Directorate-General for Trade

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Article 4

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

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

Done at Brussels, 10 March 2015.

For the Commission

The President

Jean-Claude JUNKER

**COMMISSION IMPLEMENTING REGULATION (EU) 2015/396
of 10 March 2015**

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

THE EUROPEAN COMMISSION,

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

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

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

Whereas:

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 10 March 2015.

*For the Commission,
On behalf of the President,
Jerzy PLEWA
Director-General for Agriculture and Rural Development*

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

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

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	EG	65,4
	MA	85,7
	TR	90,1
	ZZ	80,4
0707 00 05	JO	229,9
	MA	182,1
	TR	172,8
	ZZ	194,9
0709 93 10	MA	120,3
	TR	190,2
	ZZ	155,3
0805 10 20	EG	50,1
	IL	73,1
	MA	55,3
	TN	54,4
	TR	69,7
	ZZ	60,5
	ZZ	60,5
0805 50 10	TR	56,5
	ZZ	56,5
0808 10 80	BR	69,4
	CA	85,3
	CL	95,0
	MK	23,6
	US	177,9
	ZZ	90,2
	ZZ	90,2
0808 30 90	AR	117,8
	CL	133,3
	CN	90,9
	ZA	111,1
	ZZ	113,3
	ZZ	113,3

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

DECISIONS

COUNCIL DECISION (EU) 2015/397

of 5 March 2015

establishing the position to be adopted on behalf of the European Union in the relevant Committees of the United Nations Economic Commission for Europe as regards the proposals for amendments to UN Regulations Nos 3, 7, 13, 19, 23, 37, 38, 41, 43, 45, 48, 50, 51, 53, 55, 59, 75, 78, 86, 98, 99, 106, 107, 110, 112, 113, 117, 119, 123, 128, 129, on Amendment 2 to UN GTR No 3 with regard to motorcycle braking, and on Amendment 3 to UN GTR No 4 with regard to the Worldwide Heavy-Duty Certification procedure

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) In accordance with Council Decision 97/836/EC ⁽¹⁾, the Union acceded to the Agreement of the United Nations Economic Commission for Europe (UNECE) concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted to and/or be used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions ('Revised 1958 Agreement').
- (2) In accordance with Council Decision 2000/125/EC ⁽²⁾, the Union acceded to the Agreement concerning the establishing of global technical regulations for wheeled vehicles, equipment and parts which can be fitted and/or be used on wheeled vehicles ('Parallel Agreement').
- (3) Directive 2007/46/EC of the European Parliament and of the Council ⁽³⁾ replaced the approval systems of the Member States with a Union approval procedure and established a harmonised framework containing administrative provisions and general technical requirements for all new vehicles, systems, components and separate technical units. That Directive incorporated UN regulations in the EU type-approval system, either as requirements for type-approval or as alternatives to Union legislation. Since the adoption of that Directive, UN regulations have increasingly replaced Union legislation in the framework of the EU type-approval.
- (4) In the light of experience and technical developments, the requirements relating to certain elements or features covered by UN Regulations Nos 3, 7, 13, 19, 23, 37, 38, 41, 43, 45, 48, 50, 51, 53, 55, 59, 75, 78, 86, 98, 99, 106, 107, 110, 112, 113, 117, 119, 123, 128, 129, by UN GTR No 3 with regard to motorcycle braking, and by UN GTR No 4 with regard to the Worldwide Heavy-Duty Certification procedure, need to be adapted.
- (5) It is therefore necessary to establish the position to be adopted on the Union's behalf in the Administrative Committee of the Revised 1958 Agreement and in the Executive Committee of the Parallel Agreement, as regards the adoption of those UN acts,

⁽¹⁾ Council Decision 97/836/EC of 27 November 1997 with a view to accession by the European Community to the Agreement of the United Nations Economic Commission for Europe concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted to and/or be used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions ('Revised 1958 Agreement') (OJ L 346, 17.12.1997, p. 78).

⁽²⁾ Council Decision 2000/125/EC of 31 January 2000 concerning the conclusion of the Agreement concerning the establishing of global technical regulations for wheeled vehicles, equipment and parts which can be fitted and/or be used on wheeled vehicles ('Parallel Agreement') (OJ L 35, 10.2.2000, p. 12).

⁽³⁾ Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (Framework Directive) (OJ L 263, 9.10.2007, p. 1).

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted on behalf of the Union in the Administrative Committee of the Revised 1958 Agreement and in the Executive Committee of the Parallel Agreement on 10 to 13 March 2015 shall be to vote in favour of the UN acts listed in the Annex to this Decision.

Article 2

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

Done at Brussels, 5 March 2015.

For the Council

The President

D. REIZNIECE-OZOLA

ANNEX

Proposal for Supplement 16 to the 02 series of amendments to Regulation No 3 (Retro-reflecting devices)	ECE/TRANS/WP.29/2015/14
Proposal for Supplement 24 to the 02 series of amendments to Regulation No 7 (Position, stop and end-outline lamps)	ECE/TRANS/WP.29/2015/15
Proposal for Supplement 13 to the 11 series of amendments to Regulation No 13 (Heavy vehicle braking)	ECE/TRANS/WP.29/2015/6
Proposal for Supplement 8 to the 04 series of amendments to Regulation No 19 (Front fog lamps)	ECE/TRANS/WP.29/2015/16
Proposal for Supplement 20 to Regulation No 23 (Reversing lamps)	ECE/TRANS/WP.29/2015/17
Proposal for Supplement 44 to the 03 series of amendments to Regulation No 37 (Filament lamps)	ECE/TRANS/WP.29/2015/18
Proposal for Supplement 17 to Regulation No 38 (Rear fog lamps)	ECE/TRANS/WP.29/2015/19
Proposal for Supplement 2 to the 04 series of amendments to Regulation No 41 (Noise emissions of motorcycles)	ECE/TRANS/WP.29/2015/2
Proposal for Supplement 4 to the 01 series of amendments to Regulation No 43 (Safety glazings)	ECE/TRANS/WP.29/2015/11
Corrigendum 5 to Revision 3 of Regulation No 43 (Safety glazings)	ECE/TRANS/WP.29/2015/34
Proposal for Supplement 9 to the 01 series of amendments to Regulation No 45 (Headlamp cleaners)	ECE/TRANS/WP.29/2015/20
Proposal for Supplement 6 to the 06 series of amendments to Regulation No 48 (Installation of lighting and light-signalling devices)	ECE/TRANS/WP.29/2015/21 ECE/TRANS/WP.29/2015/21/Corr.1
Proposal for Supplement 8 to the 05 series of amendments to Regulation No 48 (Installation of lighting and light-signalling devices)	ECE/TRANS/WP.29/2015/22 ECE/TRANS/WP.29/2015/22/Corr.1
Proposal for Supplement 15 to the 04 series of amendments to Regulation No 48 (Installation of lighting and light-signalling devices)	ECE/TRANS/WP.29/2015/23 ECE/TRANS/WP.29/2015/23/Corr.1
Proposal for Supplement 17 to Regulation No 50 (Position, stop, direction indicator lamps for mopeds and motorcycles)	ECE/TRANS/WP.29/2015/24
Proposal for the 03 series of amendments to Regulation No 51 (Noise of M and N categories of vehicles)	ECE/TRANS/WP.29/2015/3
Proposal for supplement 15 to the 01 series of amendments to Regulation No 53 (Installation of lighting and light-signalling devices for L3 vehicles)	ECE/TRANS/WP.29/2015/25 ECE/TRANS/WP.29/2015/25/Corr.1 ECE/TRANS/WP.29/2015/25/Corr.2
Proposal for Supplement 4 to the 01 series of amendments to Regulation No 55 (Mechanical couplings)	ECE/TRANS/WP.29/2015/7
Proposal for the 02 series of amendments to Regulation No 59 (Replacement silencing systems)	ECE/TRANS/WP.29/2015/4

Proposal for Supplement 15 to Regulation No 75 (Tyres for motorcycles/mopeds)	ECE/TRANS/WP.29/2015/8
Proposal for Supplement 2 to the 03 series of amendments to Regulation No 78 (Braking of category L vehicles)	ECE/TRANS/WP.29/2015/9
Proposal for Supplement 6 to Regulation No 86 (Installation of lighting and light-signalling devices for agricultural tractors)	ECE/TRANS/WP.29/2015/26
Proposal for Supplement 6 to the 01 series of amendments to Regulation No 98 (Headlamps with gas-discharge light sources)	ECE/TRANS/WP.29/2015/27
Proposal for Supplement 10 to Regulation No 99 (Gas discharge light sources)	ECE/TRANS/WP.29/2015/28
Proposal for Supplement 12 of amendments to Regulation No 106 (Tyres for agricultural vehicles)	ECE/TRANS/WP.29/2015/10
Proposal for Supplement 2 to the 06 series of amendments to Regulation No 107 (M2 and M3 vehicles)	ECE/TRANS/WP.29/2014/77
Proposal for Supplement 3 to the 05 series of amendments to Regulation No 107 (M2 and M3 vehicles)	ECE/TRANS/WP.29/2015/12
Proposal for Supplement 3 to the 06 series of amendments to Regulation No 107 (M2 and M3 vehicles)	ECE/TRANS/WP.29/2015/44
Proposal for Supplement 3 to the 01 series of amendments to the Regulation No 110 (CNG/LNG vehicles)	ECE/TRANS/WP.29/2015/13
Proposal for Supplement 6 to the 01 series of amendments to Regulation No 112 (Headlamps emitting an asymmetrical passing-beam)	ECE/TRANS/WP.29/2015/29
Proposal for Supplement 5 to the 01 series of amendments to Regulation No 113 (Headlamps emitting a symmetrical passing-beam)	ECE/TRANS/WP.29/2015/30
Proposal for Supplement 7 to the 02 series of amendments to Regulation No 117 (Tyres, rolling resistance, rolling noise and wet grip)	ECE/TRANS/WP.29/2015/5
Proposal for Supplement 4 to the 01 series of amendments to Regulation No 119 (Cornering lamps)	ECE/TRANS/WP.29/2015/31
Proposal for Supplement 7 to the 01 series of amendments to Regulation No 123 (Adaptive Front lighting Systems (AFS))	ECE/TRANS/WP.29/2015/32
Proposal for Supplement 4 to Regulation No 128 (LED light sources)	ECE/TRANS/WP.29/2015/33 ECE/TRANS/WP.29/2015/33/Corr.1
Proposal for Supplement 4 to Regulation No 129 (Enhanced Child Restraint System)	ECE/TRANS/WP.29/2015/43
Amendment 2 to global technical Regulation No 3 (Motorcycle braking)	ECE/TRANS/WP.29/2015/38 ECE/TRANS/WP.29/2015/39 ECE/TRANS/WP.29/AC.3/37
Amendment 3 to global technical Regulation No 4 (Worldwide Heavy-Duty Certification procedure (WHDC))	ECE/TRANS/WP.29/2014/84 ECE/TRANS/WP.29/2014/85 ECE/TRANS/WP.29/AC.3/29 ECE/TRANS/WP.29/AC.3/38

COMMISSION IMPLEMENTING DECISION (EU) 2015/398**of 13 February 2015****amending Decision 2008/185/EC as regards the inclusion of Hungary in the list of Member States or regions thereof free of Aujeszky's disease***(notified under document C(2015) 718)***(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine ⁽¹⁾, and in particular Articles 9(2) and 10(2) thereof,

Whereas:

- (1) Directive 64/432/EEC lays down rules applicable to trade in the Union in bovine animals and swine. Article 9 of that Directive lays down criteria for the approval of compulsory national control programmes for certain contagious diseases, including Aujeszky's disease. In addition, Article 10 of that Directive provides that where a Member State considers its territory or part thereof to be free of such diseases, including Aujeszky's disease, it is to present appropriate supporting documentation to the Commission.
- (2) Commission Decision 2008/185/EC ⁽²⁾ lays down the additional guarantees for movements of pigs between Member States. Those guarantees are linked to the classification of Member States according to their Aujeszky's disease status.
- (3) Annex I to Decision 2008/185/EC lists Member States or regions thereof which are free of Aujeszky's disease and where vaccination is prohibited. Annex II to that Decision lists Member States or regions thereof where approved national control programmes for the eradication of Aujeszky's disease are in place.
- (4) Hungary is currently listed in Annex II to Decision 2008/185/EC, as a Member State or region thereof where approved national control programmes for the eradication of Aujeszky's disease have been implemented.
- (5) Hungary has submitted documentation in support of its application to declare Hungary free from Aujeszky's disease.
- (6) Following the evaluation of the supporting documentation submitted by Hungary, it is appropriate that Hungary is no longer listed in Annex II to Decision 2008/185/EC, but instead be listed in Annex I thereto.
- (7) Decision 2008/185/EC should therefore be amended accordingly.
- (8) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

Article 1

Annexes I and II to Decision 2008/185/EC are replaced by the text in the Annex to this Decision.

⁽¹⁾ OJ L21, 29.7.1964, p. 1977/64.

⁽²⁾ Commission Decision 2008/185/EC of 21 February 2008 on additional guarantees in intra-Community trade of pigs relating to Aujeszky's disease and criteria to provide information on this disease (OJ L 59, 4.3.2008, p. 19).

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 13 February 2015.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

ANNEX

‘ANNEX I

Member States or regions thereof free of Aujeszky’s disease and where vaccination is prohibited

ISO code	Member State	Regions
BE	Belgium	All regions
CZ	Czech Republic	All regions
DK	Denmark	All regions
DE	Germany	All regions
IE	Ireland	All regions
FR	France	The departments of Ain, Aisne, Allier, Alpes-de-Haute-Provence, Alpes-Maritimes, Ardèche, Ardennes, Ariège, Aube, Aude, Aveyron, Bas-Rhin, Bouches-du-Rhône, Calvados, Cantal, Charente, Charente-Maritime, Cher, Corrèze, Côte-d’Or, Côtes-d’Armor, Creuse, Deux-Sèvres, Dordogne, Doubs, Drôme, Essonne, Eure, Eure-et-Loir, Finistère, Gard, Gers, Gironde, Hautes-Alpes, Hauts-de-Seine, Haute Garonne, Haute-Loire, Haute-Marne, Hautes-Pyrénées, Haut-Rhin, Haute-Saône, Haute-Savoie, Haute-Vienne, Hérault, Indre, Ile-et-Vilaine, Indre-et-Loire, Isère, Jura, Landes, Loire, Loire-Atlantique, Loir-et-Cher, Loiret, Lot, Lot-et-Garonne, Lozère, Maine-et-Loire, Manche, Marne, Mayenne, Meurthe-et-Moselle, Meuse, Morbihan, Moselle, Nièvre, Nord, Oise, Orne, Paris, Pas-de-Calais, Pyrénées-Atlantiques, Pyrénées-Orientales, Puy-de-Dôme, Réunion, Rhône, Sarthe, Saône-et-Loire, Savoie, Seine-et-Marne, Seine-Maritime, Seine-Saint-Denis, Somme, Tarn, Tarn-et-Garonne, Territoire de Belfort, Val-de-Marne, Val-d’Oise, Var, Vaucluse, Vendée, Vienne, Vosges, Yonne, Yvelines
IT	Italy	The province of Bolzano
CY	Cyprus	All regions
LU	Luxembourg	All regions
HU	Hungary	All regions
NL	Netherlands	All regions
AT	Austria	All regions
SI	Slovenia	All regions
SK	Slovakia	All regions
FI	Finland	All regions
SE	Sweden	All regions
UK	United Kingdom	All regions

ANNEX II

**Member States or regions thereof where approved national control programmes for the eradication of
Aujeszky's disease are in place**

ISO code	Member State	Regions
ES	Spain	All regions
PL	Poland	All regions'

CORRIGENDA**Corrigendum to Commission Decision 2014/256/EU of 2 May 2014 establishing the ecological criteria for the award of the EU Ecolabel for converted paper products**

(Official Journal of the European Union L 135 of 8 May 2014)

On page 45, in the Annex, Criterion 4:

- for:* 'Assessment and verification: the applicant shall provide the test result of the recyclability for wet strength agents and removability for adhesives. The reference test methods are PTS method PTS-RH 021/97 (for wet strength agents), INGEDE Method 12 (for non-soluble adhesive removability), or equivalent test methods. The applicant shall provide a declaration that coated and laminated converted paper products are in compliance with point 3(c). Where a part of a converted paper product is easily removable (for instance a metal bar in a suspension file or a plastic cover or reusable exercise book cover), the recyclability test may be made without this component. The easiness of removal of the non-paper components shall be proven via a declaration of the paper collecting company, the recycling company or an equivalent organisation. Test methods shown by a competent and independent third party as giving equivalent results may also be used.'
- read:* 'Assessment and verification: the applicant shall provide the test result of the recyclability for wet strength agents and removability for adhesives. The reference test methods are PTS method PTS-RH 021/97 (for wet strength agents), INGEDE Method 12 (for non-soluble adhesive removability), or equivalent test methods. The applicant shall provide a declaration that coated and laminated converted paper products are in compliance with point 4(c). Where a part of a converted paper product is easily removable (for instance a metal bar in a suspension file or a plastic cover or reusable exercise book cover), the recyclability test may be made without this component. The easiness of removal of the non-paper components shall be proven via a declaration of the paper collecting company, the recycling company or an equivalent organisation. Test methods shown by a competent and independent third party as giving equivalent results may also be used.'

Corrigendum to Council Implementing Regulation (EU) No 477/2014 of 12 May 2014 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine

(Official Journal of the European Union L 137 of 12 May 2014)

On page 3, Article 1:

- for:* 'Article 1
- The persons and entities listed in the Annex to this Regulation shall be added to the list set out in Annex I to Regulation (EU) No 269/2014.'
- read:* 'Article 1
- Annex I to Regulation (EU) No 269/2014 is amended as follows:
- (a) the heading "Persons" is inserted after the existing heading "List of natural and legal persons, entities and bodies referred to in Article 2";
 - (b) after the existing list of persons, the heading of a new section entitled "Entities" is inserted;
 - (c) the persons and entities listed in the Annex to this Regulation shall be added to the relevant section of Annex I to Regulation (EU) No 269/2014.'

Corrigendum to Council Decision 2014/265/CFSP of 12 May 2014 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine

(Official Journal of the European Union L 137 of 12 May 2014)

On page 10, Article 2:

for: 'Article 2

The persons and entities listed in the Annex to this Decision shall be added to the list set out in the Annex to Decision 2014/145/CFSP,'

read: 'Article 2

The Annex to Decision 2014/145/CFSP is amended as follows:

- (a) the heading "Persons" is inserted after the existing heading "List of persons, entities and bodies referred to in Articles 1 and 2";
- (b) after the existing list of persons, the heading of a new Section entitled "Entities" is inserted;
- (c) the persons and entities listed in the Annex to this Decision shall be added to the relevant Section of the Annex to Decision 2014/145/CFSP.'

Corrigendum to Council Implementing Regulation (EU) No 810/2014 of 25 July 2014 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine

(Official Journal of the European Union L 221 of 25 July 2014)

On page 5, Section II of the Annex:

for: 'II. Entities undermining the territorial integrity, sovereignty and independence of Ukraine';

read: 'II. Entities';

on page 8, Section III of the Annex:

- the heading of the Section 'III. Entities whose ownership has been transferred contrary to Ukrainian law' is deleted,
 - the entities in Section III are renumbered starting with number 10.
-

Corrigendum to Council Decision 2014/499/CFSP of 25 July 2014 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine

(Official Journal of the European Union L 221 of 25 July 2014)

On page 20, Section II of the Annex:

for: 'II. Entities undermining the territorial integrity, sovereignty and independence of Ukraine';

read: 'II. Entities';

on page 23, Section III of the Annex:

- the heading of Section: 'III. Entities whose ownership has been transferred contrary to Ukrainian law' is deleted;
 - the entities in Section III are renumbered starting with number 10.
-

