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Contents

II Non-legislative acts

REGULATIONS

- ★ **Council Regulation (EU) 2015/827 of 28 May 2015 amending Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria** 1
- ★ **Council Implementing Regulation (EU) 2015/828 of 28 May 2015 implementing Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria** 3
- ★ **Commission Implementing Regulation (EU) 2015/829 of 27 May 2015 amending Regulation (EC) No 1484/95 as regards fixing representative prices in the poultrymeat and egg sectors and for egg albumin** 6
- ★ **Commission Regulation (EU) 2015/830 of 28 May 2015 amending Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) ⁽¹⁾** 8
- ★ **Commission Implementing Regulation (EU) 2015/831 of 28 May 2015 updating the list of parties exempted from the extended anti-dumping duty on certain bicycle parts originating in the People's Republic of China pursuant to Regulation (EC) No 88/97 following the screening initiated by Commission Notice 2014/C 299/08** 32
- ★ **Commission Implementing Regulation (EU) 2015/832 of 28 May 2015 initiating an investigation concerning the possible circumvention of countervailing measures imposed by Council Implementing Regulation (EU) No 1239/2013 on imports of crystalline silicon photovoltaic modules and key components (i.e. cells) originating in or consigned from the People's Republic of China by imports of crystalline silicon photovoltaic modules and key components (i.e. cells) consigned from Malaysia and Taiwan, whether declared as originating in Malaysia and Taiwan or not, and making such imports subject to registration** 53

⁽¹⁾ Text with EEA relevance

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

★ Commission Implementing Regulation (EU) 2015/833 of 28 May 2015 initiating an investigation concerning the possible circumvention of anti-dumping measures imposed by Council Implementing Regulation (EU) No 1238/2013 on imports of crystalline silicon photovoltaic modules and key components (i.e. cells) originating in or consigned from the People's Republic of China by imports of crystalline silicon photovoltaic modules and key components (i.e. cells) consigned from Malaysia and Taiwan, whether declared as originating in Malaysia and Taiwan or not, and making such imports subject to registration	60
Commission Implementing Regulation (EU) 2015/834 of 28 May 2015 establishing the standard import values for determining the entry price of certain fruit and vegetables	67

DECISIONS

★ Council Decision (EU) 2015/835 of 11 May 2015 on the position to be taken on behalf of the European Union in the EU-EFTA Joint Committee on common transit as regards the adoption of a Decision amending the Convention on a common transit procedure	69
★ Council Decision (EU) 2015/836 of 11 May 2015 on the position to be taken on behalf of the European Union concerning the adoption of a Decision by the EU-EFTA Joint Committee on common transit and a Decision by the EU-EFTA Joint Committee on simplification of formalities in trade in goods as regards invitations to the Former Yugoslav Republic of Macedonia to accede to the Convention on a common transit procedure and the Convention on simplification of formalities in trade in goods	78
★ Council Decision (CFSP) 2015/837 of 28 May 2015 amending Decision 2013/255/CFSP concerning restrictive measures against Syria	82
★ Commission Implementing Decision (EU) 2015/838 of 28 May 2015 amending Implementing Decision 2014/909/EU by extending the period of application of the protection measures in relation to the small hive beetle in Italy (<i>notified under document C(2015) 3558</i>) ⁽¹⁾	86
★ Decision (EU) 2015/839 of the European Central Bank of 27 April 2015 identifying the credit institutions that are subject to a comprehensive assessment (ECB/2015/21)	88

⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

REGULATIONS

COUNCIL REGULATION (EU) 2015/827**of 28 May 2015****amending Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 215 thereof,

Having regard to Council Decision 2013/255/CFSP of 31 May 2013 concerning restrictive measures against Syria ⁽¹⁾,

Having regard to the joint proposal from the High Representative of the Union for Foreign Affairs and Security Policy and the European Commission,

Whereas:

- (1) Council Regulation (EU) No 36/2012 ⁽²⁾ gives effect to measures provided for in Decision 2013/255/CFSP, including a prohibition on the trade in cultural property and other items removed from Syria since 9 May 2011.
- (2) On 12 February 2015 the United Nations Security Council adopted Resolution UNSCR 2199 (2015), paragraph 17 of which prohibits the trade in Syrian cultural property and other items illegally removed from Syria since 15 March 2011. On 28 May 2015 the Council adopted Decision (CFSP) 2015/837 ⁽³⁾ amending Decision 2013/255/CFSP in order to align Decision 2013/255/CFSP with UNSCR 2199 (2015) by applying that Decision to items illegally removed from Syria since 15 March 2011.
- (3) This measure falls within the scope of the Treaty on the Functioning of the European Union and, therefore, in particular with a view to ensuring uniform application of the measure by economic operators in all Member States, regulatory action at the level of the Union is necessary in order to implement it.
- (4) Regulation (EU) No 36/2012 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 11c(2) of Regulation (EU) No 36/2012, point (a) is replaced by the following:

‘(a) the goods were exported from Syria prior to 15 March 2011; or’.

⁽¹⁾ OJ L 147, 1.6.2013, p. 14.⁽²⁾ Council Regulation (EU) No 36/2012 of 18 January 2012 concerning restrictive measures in view of the situation in Syria and repealing Regulation (EU) No 442/2011 (OJ L 16, 19.1.2012, p. 1).⁽³⁾ Council Decision (CFSP) 2015/837 of 28 May 2015 amending Decision 2013/255/CFSP concerning restrictive measures against Syria (see page 82 of this Official Journal).

Article 2

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, 28 May 2015.

For the Council
The President
E. RINKĒVIČS

COUNCIL IMPLEMENTING REGULATION (EU) 2015/828
of 28 May 2015
implementing Regulation (EU) No 36/2012 concerning restrictive measures in view of the
situation in Syria

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Regulation (EU) No 36/2012 of 18 January 2012 concerning restrictive measures in view of the situation in Syria and repealing Regulation (EU) No 442/2011 ⁽¹⁾, and in particular Article 32(1) thereof,

Whereas:

- (1) On 18 January 2012, the Council adopted Regulation (EU) No 36/2012.
- (2) In view of the gravity of the situation, one person should be added to the list of natural and legal persons, entities and bodies subject to restrictive measures in Annex II to Regulation (EU) No 36/2012.
- (3) One person should no longer be kept on the list of natural and legal persons, entities and bodies subject to restrictive measures in Annex II to Regulation (EU) No 36/2012.
- (4) Following the judgment of the General Court of 9 July 2014 in joined cases T-329/12 and T-74/13, Mazen Al-Tabbaa v Council ⁽²⁾, and the judgment of the General Court of 26 February 2015 in case T-652/11, Bassam Sabbagh v Council ⁽²⁾, Mazen Al-Tabbaa and Bassam Sabbagh are not included on the list of natural and legal persons, entities and bodies subject to restrictive measures in Annex II to Regulation (EU) No 36/2012.
- (5) The information relating to certain persons listed in Annex II to Regulation (EU) No 36/2012 should be updated.
- (6) Annex II to Regulation (EU) No 36/2012 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EU) No 36/2012 is amended as set out 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, 28 May 2015.

For the Council
The President
E. RINKĚVIČS

⁽¹⁾ OJ L 16, 19.1.2012, p. 1.

⁽²⁾ Not yet published.

ANNEX

- I. The following person is added to the list of persons set out in Section A of Annex II to Regulation (EU) No 36/2012:

	Name	Identifying information	Reasons	Date of listing
206.	General Muhamad (محمد) (a.k.a. Mohamed, Muhammad) Mahalla (محلا) (a.k.a. Mahla, Mualla, Maalla, Muhalla)	Born in Jableh/Lattakia Province.	Head of the Syrian Military Intelligence (SMI), Branch 293 (Internal Affairs), since April 2015. Responsible for repression and violence against the civilian population in Damascus/ Damascus countryside. Former Deputy Head of Political Security (2012), Officer of the Syrian Republican Guard and Vice-Director of the Political Security Directorate. Head of Military Police, Member of the National Security Bureau.	29.5.2015

- II. The entry concerning the following person is deleted from the list of persons set out in Section A of Annex II to Regulation (EU) No 36/2012:

No 11. Rustum (رستم) Ghazali (غزالي)

- III. The entries concerning the persons listed below, as set out in Section A of Annex II to Regulation (EU) No 36/2012, are replaced by the following entries:

	Name	Identifying information	Reasons	Date of listing
3.	Ali (علي) Mamluk (مملوك) (a.k.a. Mamlouk)	Date of birth: 19 February 1946; Place of birth: Damascus; Diplomatic passport No 983	Director of the National Security Bureau. Former Head of Syrian Intelligence Directorate (GID) involved in violence against demonstrators.	9.5.2011
6.	Muhammad (محمد) Dib (ديب) Zaytun (زيتون) (a.k.a. Mohammed Dib Zeitoun; a.k.a. Mohamed Dib Zeitun)	Date of birth: 20 May 1951; Place of birth: Damascus; Diplomatic passport No D000001300	Head of General Security Directorate; involved in violence against demonstrators.	9.5.2011
16.	Faruq (فاروق) (a.k.a. Farouq, Farouk) Al Shar' (الشرع) (a.k.a. Al Char', Al Shara', Al Shara)	Date of birth: 10 December 1938	Former Vice-President of Syria; involved in violence against the civilian population	23.5.2011
37.	Brigadier-General Rafiq (رفيق) (a.k.a. Rafeeq) Shahadah (شهادة) (a.k.a. Shahada, Shahade, Shahadeh, Chahada, Chahade, Chahadeh, Chahada)		Former Head of Syrian Military Intelligence (SMI) Branch 293 (Internal Affairs) in Damascus. Directly involved in repression and violence against the civilian population in Damascus. Advisor to President Bashar Al-Assad for strategic questions and military intelligence.	23.8.2011

	Name	Identifying information	Reasons	Date of listing
42.	Brigadier-General Nawful (نوفل) (a.k.a. Nawfal, Nofal, Nawfel) Al-Husayn (الحسين) (a.k.a. Al-Hussain, Al-Hussein)		Idlib Syrian Military Intelligence (SMI) Branch Chief. Directly involved in repression and violence against the civilian population in Idlib province.	23.8.2011
44.	Brigadier-General Muhammed (محمد) (a.k.a. Muhamad) Zamrini (زمروني) (a.k.a. Zamreni)		Branch Chief for Syrian Military Intelligence (SMI) in Homs. Directly involved in repression and violence against the civilian population in Homs.	23.8.2011
53.	Adib (أديب) Mayaleh (ميالة) (a.k.a. André Mayard)	Born: 15 May 1955 Place of birth: Bassir	Adib Mayaleh is responsible for providing economic and financial support to the Syrian regime through his functions as the Governor of the Central Bank of Syria.	15.5.2012
55.	Colonel Lu'ai (لؤي) (a.k.a. Louay, Loai) al-Ali (العلي)		Head of Syrian Military Intelligence, Dara'a Branch. Responsible for the violence against protesters in Dara'a.	14.11.2011
80.	Brigadier Nazih (نزيه) (a.k.a. Nazeeh) Hassun (حسن) (a.k.a. Hassoun)		Head of Syrian Military Intelligence, Damascus Countryside/Rif Dimashq Branch, former Syrian Air Force Intelligence. Military official involved in the violence in Homs.	1.12.2011
137	Brigadier General Ibrahim (إبراهيم) Ma'ala (معلي) (a.k.a. Maala, Maale, Ma'la)		Head of branch 285 (Damascus) of the General Intelligence Directorate (replaced Brig. Gen. Hussam Fendi at end 2011). Responsible for the torture of opponents in custody.	24.7.2012

COMMISSION IMPLEMENTING REGULATION (EU) 2015/829**of 27 May 2015****amending Regulation (EC) No 1484/95 as regards fixing representative prices in the poultrymeat and egg sectors and for egg albumin**

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⁾, and in particular Article 183(b) thereof,Having regard to Regulation (EU) No 510/2014 of the European Parliament and of the Council of 16 April 2014 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products and repealing Council Regulations (EC) No 1216/2009 and (EC) No 614/2009 ⁽²⁾, and in particular Article 5(6)(a) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1484/95 ⁽³⁾ lays down detailed rules for implementing the system of additional import duties and fixes representative prices in the poultrymeat and egg sectors and for egg albumin.
- (2) Regular monitoring of the data used to determine representative prices for poultrymeat and egg products and for egg albumin shows that the representative import prices for certain products should be amended to take account of variations in price according to origin.
- (3) Regulation (EC) No 1484/95 should be amended accordingly.
- (4) Given the need to ensure that this measure applies as soon as possible after the updated data have been made available, this Regulation should enter into force on the day of its publication,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 1484/95 is replaced by the text set out 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, 27 May 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 150, 20.5.2014, p. 1.⁽³⁾ Commission Regulation (EC) No 1484/95 of 28 June 1995 laying down detailed rules for implementing the system of additional import duties and fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and repealing Regulation (EC) No 163/67/EEC (OJ L 145, 29.6.1995, p. 47).

ANNEX

‘ANNEX I

CN code	Description	Representative price (EUR/100 kg)	Security under Article 3 (EUR/100 kg)	Origin ⁽¹⁾
0207 12 10	Fowls of the species <i>Gallus domesticus</i> , not cut in pieces, presented as “70 % chickens”, frozen	141,4	0	AR
0207 12 90	Fowls of the species <i>Gallus domesticus</i> , not cut in pieces, presented as “65 % chickens”, frozen	152,5 166,8	0 0	AR BR
0207 14 10	Fowls of the species <i>Gallus domesticus</i> , boneless cuts, frozen	333,9 237,5 341,2 315,9	0 19 0 0	AR BR CL TH
0207 27 10	Turkeys, boneless cuts, frozen	348,1 371,2	0 0	BR CL
0408 91 80	Eggs, not in shell, dried	468,7	0	AR
1602 32 11	Preparations of fowls of the species <i>Gallus domesticus</i> , uncooked	259,1	8	BR

⁽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). The code “ZZ” represents “other origins”.

COMMISSION REGULATION (EU) 2015/830**of 28 May 2015****amending Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the
Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)****(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 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC ⁽¹⁾, and in particular Article 131 thereof,

Whereas:

- (1) Annex II to Regulation (EC) No 1907/2006 lays down requirements for the compilation of safety data sheets, used to provide information on chemical substances and mixtures in the European Union.
- (2) The Globally Harmonised System of Classification and Labelling of Chemicals (GHS), developed within the United Nations structure, sets out internationally harmonised criteria for the classification and labelling of chemicals and rules for safety data sheets.
- (3) The requirements for safety data sheets in Annex II to Regulation (EC) No 1907/2006 should be adapted in accordance with the fifth revision of the GHS rules for safety data sheets.
- (4) On 1 June 2015, two conflicting amendments of Annex II to Regulation (EC) No 1907/2006, one made by Article 59(5) of Regulation (EC) No 1272/2008 of the European Parliament and of the Council ⁽²⁾ and one made by Commission Regulation (EU) No 453/2010 ⁽³⁾, will come into force simultaneously. To avoid confusion as to which version of Annex II applies, this Annex, in its amended form, needs to be replaced by a new Annex II.
- (5) To require economic operators who have already compiled safety data sheets to update these immediately in accordance with the amended Annex II to Regulation (EC) No 1907/2006 would impose a disproportionate burden. Accordingly, operators should be allowed to continue to use safety data sheets provided to any recipient before 1 June 2015 for a certain period.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Committee established under Article 133 of Regulation (EC) No 1907/2006,

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EC) No 1907/2006, as amended by Article 59(5) of Regulation (EC) No 1272/2008 and by Regulation (EU) No 453/2010, is replaced by the text set out in the Annex to this Regulation.

⁽¹⁾ OJ L 396, 30.12.2006, p. 1.

⁽²⁾ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).

⁽³⁾ Commission Regulation (EU) No 453/2010 of 20 May 2010 amending Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (OJ L 133, 31.5.2010, p. 1).

Article 2

Without prejudice to Article 31(9) of Regulation (EC) No 1907/2006, safety data sheets provided to any recipient before 1 June 2015 may continue to be used and need not comply with the Annex to this Regulation until 31 May 2017.

Article 3

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

It shall apply from 1 June 2015.

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

Done at Brussels, 28 May 2015.

For the Commission

The President

Jean-Claude JUNKER

ANNEX

‘ANNEX II

REQUIREMENTS FOR THE COMPILATION OF SAFETY DATA SHEETS

PART A

0.1. Introduction

- 0.1.1. This Annex sets out the requirements that the supplier shall fulfil for the compilation of a safety data sheet that is provided for a substance or a mixture in accordance with Article 31.
- 0.1.2. The information provided in the safety data sheet shall be consistent with the information in the chemical safety report, where one is required. Where a chemical safety report has been completed, the relevant exposure scenario(s) shall be placed in an annex to the safety data sheet.

0.2. General requirements for compiling a safety data sheet

- 0.2.1. The safety data sheet shall enable users to take the necessary measures relating to protection of human health and safety at the workplace, and protection of the environment. The writer of the safety data sheet shall take into account that a safety data sheet must inform its audience of the hazards of a substance or a mixture and provide information on the safe storage, handling and disposal of the substance or the mixture.
- 0.2.2. The information provided by safety data sheets shall also meet the requirements set out in Directive 98/24/EC. In particular, the safety data sheet shall enable employers to determine whether any hazardous chemical agents are present in the workplace and to assess any risk to the health and safety of workers arising from their use.
- 0.2.3. The information in the safety data sheet shall be written in a clear and concise manner. The safety data sheet shall be prepared by a competent person who shall take into account the specific needs and knowledge of the user audience, as far as they are known. Suppliers of substances and mixtures shall ensure that such competent persons have received appropriate training, including refresher training.
- 0.2.4. The language used in the safety data sheet shall be simple, clear and precise, avoiding jargon, acronyms and abbreviations. Statements such as “may be dangerous”, “no health effects”, “safe under most conditions of use” or “harmless” or any other statements indicating that the substance or mixture is not hazardous or any other statements that are inconsistent with the classification of that substance or mixture shall not be used.
- 0.2.5. The date of compilation of the safety data sheet shall be given on the first page. When a safety data sheet has been revised and the new, revised version is provided to recipients, the changes shall be brought to the attention of the recipients in Section 16 of the safety data sheet, unless the changes have been indicated elsewhere. For the revised safety data sheets, the date of compilation, identified as “Revision: (date)”, as well as a version number, revision number, supersedes date or some other indication of what version is replaced shall appear on the first page.

0.3. Safety data sheet format

- 0.3.1. A safety data sheet is not a fixed length document. The length of the safety data sheet shall be commensurate with the hazard of the substance or mixture and the information available.
- 0.3.2. All pages of a safety data sheet, including any annexes, shall be numbered and shall bear either an indication of the length of the safety data sheet (such as “page 1 of 3”) or an indication whether there is a page following (such as “Continued on next page” or “End of safety data sheet”).

0.4. Safety data sheet content

The information required by this Annex shall be included in the safety data sheet, where applicable and available, in the relevant subsections set out in Part B. The safety data sheet shall not contain blank subsections.

0.5. Other information requirements

The inclusion of additional relevant and available information in the relevant subsections may be necessary in some cases in view of the wide range of properties of substances and mixtures.

Additional safety and environmental information is required to address the needs of seafarers and other transport workers in the bulk transport of dangerous goods in seagoing or inland navigation bulk carriers or tank-vessels subject to International Maritime Organisation (IMO) or national regulations. Subsection 14.7 recommends the inclusion of basic classification information when such cargoes are transported in bulk according to Annex II of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (Marpol) ⁽¹⁾ and the International Code for the Construction and Equipment of Ships carrying Dangerous Chemicals in Bulk (International Bulk Chemical Code) (the IBC Code) ⁽²⁾. In addition, ships carrying oil or oil fuel, as defined in Annex I of Marpol, in bulk or bunkering oil fuel are required, before loading, to be provided with a “material safety data sheet” in accordance with the IMO’s Maritime Safety Committee (MSC) resolution “Recommendations for Material Safety Data Sheets (MSDS) for Marpol Annex I Oil Cargo and Oil Fuel” (MSC.286(86)). Therefore, in order to have one harmonised safety data sheet for maritime and non-maritime use, the additional provisions of Resolution MSC.286(86) may be included in the safety data sheets, where appropriate, for marine transport of Marpol Annex I cargoes and marine fuel oils.

0.6. Units

The units of measurement as set out in Council Directive 80/181/EEC ⁽³⁾ shall be used.

0.7. Special cases

Safety data sheets shall also be required for the special cases listed in paragraph 1.3 of Annex I to Regulation (EC) No 1272/2008 for which there are labelling derogations.

1. SECTION 1: Identification of the substance/mixture and of the company/undertaking

This section of the safety data sheet shall prescribe how the substance or mixture shall be identified and how the identified relevant uses, the name of the supplier of the substance or mixture and the contact detail information of the supplier of the substance or mixture, including an emergency contact, shall be provided in the safety data sheet.

1.1. Product identifier

The product identifier shall be provided in accordance with Article 18(2) of Regulation (EC) No 1272/2008 in the case of a substance and in accordance with Article 18(3)(a) of Regulation (EC) No 1272/2008 in the case of a mixture, and as provided on the label in the official language(s) of the Member State(s) where the substance or mixture is placed on the market, unless the Member State(s) concerned provide(s) otherwise.

For substances subject to registration, the product identifier shall be consistent with that provided in the registration and the registration number assigned under Article 20(3) of this Regulation shall also be indicated.

Without affecting the obligations of downstream users laid down in Article 39 of this Regulation, the part of the registration number referring to the individual registrant of a joint submission may be omitted by a supplier who is a distributor or a downstream user provided that:

- (a) this supplier assumes the responsibility to provide the full registration number upon request for enforcement purposes or, if the full registration number is not available to him, to forward the request to his supplier, in line with point (b); and

⁽¹⁾ Marpol — Consolidated edition 2006, London, IMO 2007, ISBN 978-92-801-4216-7.

⁽²⁾ IBC Code, 2007 edition, London, IMO 2007, ISBN 978-92-801-4226-6.

⁽³⁾ Council Directive 80/181/EEC of 20 December 1979 on the approximation of the laws of the Member States relating to units of measurement and on the repeal of Directive 71/354/EEC (OJ L 39, 15.2.1980, p. 40).

- (b) this supplier provides the full registration number to the Member State authority responsible for enforcement (the enforcement authority) within 7 days upon request, received either directly from the enforcement authority or forwarded by his recipient, or, if the full registration number is not available to him, this supplier shall forward the request to his supplier within 7 days upon request and at the same time inform the enforcement authority thereof.

A single safety data sheet may be provided to cover more than one substance or mixture where the information in that safety data sheet fulfils the requirements of this Annex for each of those substances or mixtures.

Other means of identification

Other names or synonyms by which the substance or mixture is labelled or commonly known, such as alternative names, numbers, company product codes, or other unique identifiers may be provided.

1.2. Relevant identified uses of the substance or mixture and uses advised against

At least the identified uses relevant for the recipient(s) of the substance or mixture shall be indicated. This shall be a brief description of what the substance or mixture is intended to do, such as “flame retardant”, “antioxidant”.

The uses which the supplier advises against and the reasons why shall, where applicable, be stated. This need not be an exhaustive list.

Where a chemical safety report is required, the information in this subsection of the safety data sheet shall be consistent with the identified uses in the chemical safety report and the exposure scenarios from the chemical safety report set out in the annex to the safety data sheet.

1.3. Details of the supplier of the safety data sheet

The supplier, whether it is the manufacturer, importer, only representative, downstream user or distributor, shall be identified. The full address and telephone number of the supplier shall be given as well as an e-mail address for a competent person responsible for the safety data sheet.

In addition, if the supplier is not located in the Member State where the substance or mixture is placed on the market and he has nominated a responsible person for that Member State, a full address and telephone number for that responsible person shall be given.

For registrants, the information shall be consistent with the information on the identity of the manufacturer or importer provided in the registration.

Where an only representative has been appointed, details of the non-Union manufacturer or formulator may also be provided.

1.4. Emergency telephone number

References to emergency information services shall be provided. If an official advisory body exists in the Member State where the substance or mixture is placed on the market (this may be the body responsible for receiving information relating to health referred to in Article 45 of Regulation (EC) No 1272/2008), its telephone number shall be given and can suffice. If availability of such services is limited for any reasons, such as hours of operation, or if there are limits on specific types of information provided, this shall be clearly stated.

2. SECTION 2: Hazards identification

This section of the safety data sheet shall describe the hazards of the substance or mixture and the appropriate warning information associated with those hazards.

2.1. Classification of the substance or mixture

The classification of the substance or the mixture which results from the application of the classification criteria in Regulation (EC) No 1272/2008 shall be given. Where the supplier has notified information regarding the substance to the classification and labelling inventory in accordance with Article 40 of Regulation (EC) No 1272/2008, the classification given in the safety data sheet shall be the same as the classification provided in that notification.

If the mixture does not meet the criteria for classification in accordance with Regulation (EC) No 1272/2008, this shall be clearly stated.

Information on the substances in the mixture is provided under subsection 3.2.

If the classification, including the hazard statements, is not written out in full, reference shall be made to Section 16 where the full text of each classification, including each hazard statement, shall be given.

The most important adverse physical, human health and environmental effects shall be listed in accordance with Sections 9 to 12 of the safety data sheet, in such a way as to allow non-experts to identify the hazards of the substance or mixture.

2.2. **Label elements**

Based on the classification, at least the following elements appearing on the label in accordance with Regulation (EC) No 1272/2008 shall be provided: hazard pictogram(s), signal word(s), hazard statement(s) and precautionary statement(s). A graphical reproduction of the full hazard pictogram in black and white or a graphical reproduction of the symbol only may be substituted for the colour pictogram provided in Regulation (EC) No 1272/2008.

The applicable label elements in accordance with Article 25 and Article 32(6) of Regulation (EC) No 1272/2008 shall be provided.

2.3. **Other hazards**

Information on whether the substance or mixture meets the criteria for PBT or vPvB in accordance with Annex XIII shall be provided.

Information shall be provided on other hazards which do not result in classification but which may contribute to the overall hazards of the substance or mixture, such as formation of air contaminants during hardening or processing, dustiness, explosive properties which do not fulfil the classification criteria of part 2 Section 2.1 of Annex I to Regulation (EC) No 1272/2008, dust explosion hazards, cross-sensitisation, suffocation, freezing, high potency for odour or taste, or environmental effects like hazards to soil-dwelling organisms, or photochemical ozone creation potential. The statement "May form explosible dust-air mixture if dispersed" is appropriate in the case of a dust explosion hazard.

3. **SECTION 3: Composition/information on ingredients**

This section of the safety data sheet shall describe the chemical identity of the ingredient(s) of the substance or mixture, including impurities and stabilising additives as set out below. Appropriate and available safety information on surface chemistry shall be indicated.

3.1. **Substances**

The chemical identity of the main constituent of the substance shall be provided by providing at least the product identifier or one of the other means of identification given in subsection 1.1.

The chemical identity of any impurity, stabilising additive, or individual constituent other than the main constituent, which is itself classified and which contributes to the classification of the substance shall be provided as follows:

- (a) the product identifier in accordance with Article 18(2) of Regulation (EC) No 1272/2008;
- (b) if the product identifier is not available, one of the other names (usual name, trade name, abbreviation) or identification numbers.

Suppliers of substances may choose to list in addition all constituents including non-classified ones.

This subsection may also be used to provide information on multi-constituent substances.

3.2. **Mixtures**

The product identifier, the concentration or concentration ranges and the classifications shall be provided for at least all substances referred to in points 3.2.1 or 3.2.2. Suppliers of mixtures may choose to list in addition all substances in the mixture, including substances not meeting the criteria for classification. This information shall enable the recipient to identify readily the hazards of the substances in the mixture. The hazards of the mixture itself shall be given in Section 2.

The concentrations of the substances in a mixture shall be described as either of the following:

- (a) exact percentages in descending order by mass or volume, if technically possible;
- (b) ranges of percentages in descending order by mass or volume, if technically possible.

When using a range of percentages, the health and environmental hazards shall describe the effects of the highest concentration of each ingredient.

If the effects of the mixture as a whole are available, this information shall be included under Section 2.

Where the use of an alternative chemical name is permitted in accordance with Article 24 of Regulation (EC) No 1272/2008, that name can be used.

3.2.1. For a mixture meeting the criteria for classification in accordance with Regulation (EC) No 1272/2008, the following substances shall be indicated, together with their concentration or concentration range in the mixture:

- (a) substances presenting a health or environmental hazard within the meaning of Regulation (EC) No 1272/2008, if those substances are present in concentrations equal to or greater than the lowest of any of the following:
 - (ia) the generic cut-off values set out in Table 1.1 of Annex I to Regulation (EC) No 1272/2008;
 - (ib) the generic concentration limits given in parts 3 to 5 of Annex I to Regulation (EC) No 1272/2008, taking into account the concentrations specified in the notes to certain tables in part 3 in relation to the obligation to make available a safety data sheet for the mixture upon request, and for aspiration hazard (Section 3.10 of Annex I to Regulation (EC) No 1272/2008) $\geq 10\%$;

List of hazard classes, hazard categories and concentration limits for which a substance shall be listed as a substance in a mixture in subsection 3.2

1.1. Hazard class and category	Concentration limit (%)
Acute toxicity, category 1, 2 and 3	$\geq 0,1$
Acute toxicity, category 4	≥ 1
Skin corrosion/irritation, category 1, sub-categories 1A, 1B, 1C and category 2	≥ 1
Serious damage to eyes/eye irritation, category 1 and 2	≥ 1
Respiratory/skin sensitisation	$\geq 0,1$
Germ cell mutagenicity category 1A and 1B	$\geq 0,1$
Germ cell mutagenicity category 2	≥ 1
Carcinogenicity category 1A, 1B and 2	$\geq 0,1$
Reproductive toxicity, category 1A, 1B, 2 and effects on or via lactation	$\geq 0,1$
Specific target organ toxicity (STOT) — single exposure, category 1 and 2	≥ 1
Specific target organ toxicity (STOT) — repeated exposure, category 1 and 2	≥ 1
Aspiration hazard	≥ 10

1.1. Hazard class and category	Concentration limit (%)
Hazardous to the aquatic environment — Acute, category 1	≥ 0,1
Hazardous to the aquatic environment — Chronic, category 1	≥ 0,1
Hazardous to the aquatic environment — Chronic, category 2, 3 and 4	≥ 1
Hazardous for the ozone layer	≥ 0,1

- (ii) the specific concentration limits given in Part 3 of Annex VI to Regulation (EC) No 1272/2008;
 - (iii) if an M-factor has been given in Part 3 of Annex VI to Regulation (EC) No 1272/2008, the generic cut-off value in Table 1.1 of Annex I to that Regulation, adjusted using the calculation set out in Section 4.1 of Annex I to that Regulation;
 - (iv) the specific concentration limits provided to the classification and labelling inventory established under Regulation (EC) No 1272/2008;
 - (v) the concentration limits set out in Annex II to Regulation (EC) No 1272/2008;
 - (vi) if an M-factor has been provided to the classification and labelling inventory established under Regulation (EC) No 1272/2008, the generic cut-off value in Table 1.1 of Annex I to that Regulation, adjusted using the calculation set out in Section 4.1 of Annex I to that Regulation.
- (b) substances for which there are Union workplace exposure limits which are not already included under point (a);
- (c) substances that are persistent, bioaccumulative and toxic or very persistent and very bioaccumulative in accordance with the criteria set out in Annex XIII, or substances included in the list established in accordance with Article 59(1) for reasons other than the hazards referred to in point (a), if the concentration of an individual substance is equal to or greater than 0,1 %.
- 3.2.2. For a mixture not meeting the criteria for classification in accordance with Regulation (EC) No 1272/2008, substances present in an individual concentration equal to or greater than the following concentrations shall be indicated, together with their concentration or concentration range:
- (a) 1 % by weight in non-gaseous mixtures and 0,2 % by volume in gaseous mixtures for:
 - (i) substances which present a health or environmental hazard within the meaning of Regulation (EC) No 1272/2008; or
 - (ii) substances for which Union workplace exposure limits have been assigned;
 - (b) 0,1 % by weight for substances which are persistent, bioaccumulative and toxic in accordance with the criteria set out in Annex XIII, very persistent and very bioaccumulative in accordance with the criteria set out in Annex XIII, or included in the list established in accordance with Article 59(1) for reasons other than the hazards referred to in point (a).
- 3.2.3. For the substances indicated in subsection 3.2, the classification of the substance according to Regulation (EC) No 1272/2008, including the hazard class(es) and category code(s) as provided in Table 1.1 of Annex VI to that Regulation as well as the hazard statements which are assigned in accordance with their physical, human health and environmental hazards, shall be provided. The hazard statements do not need to be written out in full in this section; their codes shall be sufficient. In cases where they are not written out in full, reference shall be made to Section 16, where the full text of each relevant hazard statement shall be listed. If the substance does not meet the classification criteria, the reason for indicating the substance in subsection 3.2 shall be described, such as “non-classified vPvB substance” or “substance with a Union workplace exposure limit”.

- 3.2.4. For the substances indicated in subsection 3.2 the name and, if available, the registration number, as assigned under Article 20(3) of this Regulation, shall be given.

Without affecting the obligations of downstream users laid down in Article 39 of this Regulation, the part of the registration number referring to the individual registrant of a joint submission may be omitted by the supplier of the mixture provided that:

- (a) this supplier assumes the responsibility to provide the full registration number upon request for enforcement purposes or, if the full registration number is not available to him, to forward the request to his supplier, in line with point (b); and
- (b) this supplier provides the full registration number to the Member State authority responsible for enforcement (hereinafter referred to as the enforcement authority) within seven days upon request, received either directly from the enforcement authority or forwarded by his recipient, or, if the full registration number is not available to him, this supplier shall forward the request to his supplier within seven days upon request and at the same time inform the enforcement authority thereof.

The EC number, if available, shall be given in accordance with Regulation (EC) No 1272/2008. The CAS number, if available, and the IUPAC name, if available, may also be given.

For substances indicated in this subsection by means of an alternative chemical name in accordance with Article 24 of Regulation (EC) No 1272/2008, the registration number, EC number and other precise chemical identifiers are not necessary.

4. **SECTION 4: First aid measures**

This section of the safety data sheet shall describe the initial care in such a way that an untrained responder can understand and provide it without the use of sophisticated equipment and without the availability of a wide selection of medications. If medical attention is required, the instructions shall state this, including its urgency.

4.1. **Description of first aid measures**

- 4.1.1. First aid instructions shall be provided by relevant routes of exposure. Subdivisions shall be used to indicate the procedure for each route, such as inhalation, skin, eye and ingestion.

- 4.1.2. Advice shall be provided as to whether:

- (a) immediate medical attention is required and if delayed effects can be expected after exposure;
- (b) movement of the exposed individual from the area to fresh air is recommended;
- (c) removal and handling of clothing and shoes from the individual is recommended; and
- (d) personal protective equipment for first aid responders is recommended.

4.2. **Most important symptoms and effects, both acute and delayed**

Briefly summarised information shall be provided on the most important symptoms and effects, both acute and delayed, from exposure.

4.3. **Indication of any immediate medical attention and special treatment needed**

Where appropriate, information shall be provided on clinical testing and medical monitoring for delayed effects, specific details on antidotes (where they are known) and contraindications.

For some substances or mixtures, it may be important to emphasise that special means to provide specific and immediate treatment shall be available at the workplace.

5. **SECTION 5: Firefighting measures**

This section of the safety data sheet shall describe the requirements for fighting a fire caused by the substance or mixture, or arising in its vicinity.

5.1. **Extinguishing media**

Suitable extinguishing media:

Information shall be provided on the appropriate extinguishing media.

Unsuitable extinguishing media:

Indications shall be given whether any extinguishing media are inappropriate for a particular situation involving the substance or mixture (e.g. avoid high pressure media which could cause the formation of a potentially explosible dust-air mixture).

5.2. **Special hazards arising from the substance or mixture**

Information shall be provided on hazards that may arise from the substance or mixture, like hazardous combustion products that form when the substance or mixture burns, such as “may produce toxic fumes of carbon monoxide if burning” or “produces oxides of sulphur and nitrogen on combustion”.

5.3. **Advice for firefighters**

Advice shall be provided on any protective actions to be taken during firefighting, such as “keep containers cool with water spray”, and on special protective equipment for firefighters, such as boots, overalls, gloves, eye and face protection and breathing apparatus.

6. **SECTION 6: Accidental release measures**

This section of the safety data sheet shall recommend the appropriate response to spills, leaks, or releases, to prevent or minimise the adverse effects on persons, property and the environment. It shall distinguish between responses to large and small spills, in cases where the spill volume has a significant impact on the hazard. If the procedures for containment and recovery indicate that different practices are required, these shall be indicated in the safety data sheet.

6.1. **Personal precautions, protective equipment and emergency procedures**

6.1.1. *For non-emergency personnel*

Advice shall be provided related to accidental spills and release of the substance or mixture such as:

- (a) the wearing of suitable protective equipment (including personal protective equipment referred to under Section 8 of the safety data sheet) to prevent any contamination of skin, eyes and personal clothing;
- (b) removal of ignition sources, provision of sufficient ventilation, control of dust; and
- (c) emergency procedures such as the need to evacuate the danger area or to consult an expert.

6.1.2. *For emergency responders*

Advice shall be provided related to suitable fabric for personal protective clothing (such as “appropriate: Butylene”; “not appropriate: PVC”).

6.2. **Environmental precautions**

Advice shall be provided on any environmental precautions to be taken related to accidental spills and release of the substance or mixture, such as keeping away from drains, surface and ground water.

6.3. **Methods and material for containment and cleaning up**

6.3.1. Appropriate advice shall be provided on how to contain a spill. Appropriate containment techniques may include any of the following:

- (a) bunding, covering of drains;
- (b) capping procedures.

6.3.2. Appropriate advice shall be provided on how to clean-up a spill. Appropriate clean-up procedures may include any of the following:

- (a) neutralisation techniques;
- (b) decontamination techniques;
- (c) adsorbent materials;
- (d) cleaning techniques;
- (e) vacuuming techniques;
- (f) equipment required for containment/clean-up (include the use of non-sparking tools and equipment where applicable).

6.3.3. Any other information shall be provided relating to spills and releases, including advice on inappropriate containment or clean-up techniques, such as by indications like “never use ...”.

6.4. **Reference to other sections**

If appropriate Sections 8 and 13 shall be referred to.

7. **SECTION 7: Handling and storage**

This section of the safety data sheet shall provide advice on safe handling practices. It shall emphasise precautions that are appropriate to the identified uses referred to under subsection 1.2 and to the unique properties of the substance or mixture.

Information in this section of the safety data sheet shall relate to the protection of human health, safety and the environment. It shall assist the employer in devising suitable working procedures and organisational measures according to Article 5 of Directive 98/24/EC and Article 5 of Directive 2004/37/EC.

Where a chemical safety report is required, the information in this section of the safety data sheet shall be consistent with the information given for the identified uses in the chemical safety report and the exposure scenarios showing control of risk from the chemical safety report set out in the annex to the safety data sheet.

In addition to information given in this section, relevant information may also be found in Section 8.

7.1. **Precautions for safe handling**

7.1.1. Recommendations shall be specified to:

- (a) allow safe handling of the substance or mixture, such as containment and measures to prevent fire as well as aerosol and dust generation;
- (b) prevent handling of incompatible substances or mixtures;
- (c) draw attention to operations and conditions which create new risks by altering the properties of the substance or mixture, and to appropriate countermeasures; and
- (d) reduce the release of the substance or mixture to the environment, such as avoiding spills or keeping away from drains.

7.1.2. Advice on general occupational hygiene shall be provided, such as:

- (a) not to eat, drink and smoke in work areas;
- (b) to wash hands after use; and
- (c) to remove contaminated clothing and protective equipment before entering eating areas.

7.2. **Conditions for safe storage, including any incompatibilities**

The advice provided shall be consistent with the physical and chemical properties described in Section 9 of the safety data sheet. If relevant, advice shall be provided on specific storage requirements including:

- (a) how to manage risks associated with:
 - (i) explosive atmospheres;
 - (ii) corrosive conditions;
 - (iii) flammability hazards;
 - (iv) incompatible substances or mixtures;
 - (v) evaporative conditions; and
 - (vi) potential ignition sources (including electrical equipment);
- (b) how to control the effects of:
 - (i) weather conditions;
 - (ii) ambient pressure;
 - (iii) temperature;
 - (iv) sunlight;
 - (v) humidity; and
 - (vi) vibration;
- (c) how to maintain the integrity of the substance or mixture by the use of:
 - (i) stabilisers; and
 - (ii) antioxidants;
- (d) other advice including:
 - (i) ventilation requirements;
 - (ii) specific designs for storage rooms or vessels (including retention walls and ventilation);
 - (iii) quantity limits under storage conditions (if relevant); and
 - (iv) packaging compatibilities.

7.3. Specific end use(s)

For substances and mixtures designed for specific end use(s), recommendations shall relate to the identified use(s) referred to in subsection 1.2 and be detailed and operational. If an exposure scenario is attached, reference to it may be made or the information as required in subsections 7.1 and 7.2 shall be provided. If an actor in the supply chain has carried out a chemical safety assessment for the mixture, it is sufficient that the safety data sheet and the exposure scenarios are consistent with the chemical safety report for the mixture, rather than with the chemical safety reports for each substance in the mixture. If industry- or sector-specific guidance is available, detailed reference to it (including source and issuing date) may be made.

8. SECTION 8: Exposure controls/personal protection

This section of the safety data sheet shall describe the applicable occupational exposure limits and necessary risk management measures.

Where a chemical safety report is required, the information in this section of the safety data sheet shall be consistent with the information given for the identified uses in the chemical safety report and the exposure scenarios showing control of risk from the chemical safety report set out in the annex to the safety data sheet.

8.1. Control parameters

8.1.1. Where available, the following national limit values, including the legal basis of each of them, which are currently applicable in the Member State in which the safety data sheet is being provided shall be listed for the substance or for each of the substances in the mixture. When listing occupational exposure limit values, the chemical identity as specified in Section 3 shall be used:

8.1.1.1. the national occupational exposure limit values that correspond to Union occupational exposure limit values in accordance with Directive 98/24/EC, including any notations as referred to in Article 2(3) of Commission Decision 2014/113/EU ⁽¹⁾;

8.1.1.2. the national occupational exposure limit values that correspond to Union limit values in accordance with Directive 2004/37/EC, including any notations as referred to in Article 2(3) of Decision 2014/113/EU;

8.1.1.3. any other national occupational exposure limit values;

8.1.1.4. the national biological limit values that correspond to Union biological limit values in accordance with Directive 98/24/EC, including any notations as referred to in Article 2(3) of Decision 2014/113/EU;

8.1.1.5. any other national biological limit values.

8.1.2. Information on currently recommended monitoring procedures shall be provided at least for the most relevant substances.

8.1.3. If air contaminants are formed when using the substance or mixture as intended, applicable occupational exposure limit values and/or biological limit values for these shall also be listed.

8.1.4. Where a chemical safety report is required or where a DNEL as referred to in Section 1.4 of Annex I or a PNEC as referred to in Section 3.3 of Annex I is available, the relevant DNELs and PNECs for the substance shall be given for the exposure scenarios from the chemical safety report set out in the annex to the safety data sheet.

8.1.5. Where a control banding approach is used to decide on risk management measures in relation to specific uses, sufficient detail shall be given to enable effective management of the risk. The context and limitations of the specific control banding recommendation shall be made clear.

8.2. Exposure controls

The information required in the present subsection shall be provided, unless an exposure scenario containing that information is attached to the safety data sheet.

⁽¹⁾ Commission Decision 2014/113/EU of 3 March 2014 on setting up a Scientific Committee on Occupational Exposure Limits for Chemical Agents and repealing Decision 95/320/EC (OJ L 62, 4.3.2014, p. 18).

Where the supplier has waived a test under Section 3 of Annex XI, he shall indicate the specific conditions of use relied on to justify the waiving.

Where a substance has been registered as an isolated intermediate (on-site or transported), the supplier shall indicate that this safety data sheet is consistent with the specific conditions relied on to justify the registration in accordance with Article 17 or 18.

8.2.1. *Appropriate engineering controls*

The description of appropriate exposure control measures shall relate to the identified use(s) of the substance or mixture as referred to in subsection 1.2. This information shall be sufficient to enable the employer to carry out an assessment of risk to the safety and health of workers arising from the presence of the substance or mixture in accordance with Articles 4 to 6 of Directive 98/24/EC and Articles 3 to 5 of Directive 2004/37/EC, where appropriate.

This information shall complement that already given under Section 7.

8.2.2. *Individual protection measures, such as personal protective equipment*

8.2.2.1. The information on use of personal protective equipment shall be consistent with good occupational hygiene practices and in conjunction with other control measures, including engineering controls, ventilation and isolation. Where appropriate, Section 5 shall be referred to for specific fire/chemical personal protective equipment advice.

8.2.2.2. Taking into account Council Directive 89/686/EEC ⁽¹⁾ and referring to the appropriate CEN standards, detailed specifications shall be given on which equipment will provide adequate and suitable protection, including:

(a) *Eye/face protection*

The type of eye/face protection equipment required shall be specified based on the hazard of the substance or mixture and potential for contact, such as safety glasses, safety goggles, face-shield.

(b) *Skin protection*

(i) *Hand protection*

The type of gloves to be worn when handling the substance or mixture shall be clearly specified based on the hazard of the substance or mixture and potential for contact and with regard to the amount and duration of dermal exposure, including:

- the type of material and its thickness,
- the typical or minimum breakthrough times of the glove material,

If necessary, any additional hand protection measures shall be indicated.

(ii) *Other*

If it is necessary to protect a part of the body other than the hands, the type and quality of protection equipment required shall be specified, such as gauntlets, boots, bodysuit based on the hazards associated with the substance or mixture and the potential for contact.

If necessary, any additional skin protection measures and specific hygiene measures shall be indicated.

(c) *Respiratory protection*

For gases, vapours, mist or dust, the type of protective equipment to be used shall be specified based on the hazard and potential for exposure, including air-purifying respirators, specifying the proper purifying element (cartridge or canister), the adequate particulate filters and the adequate masks, or self-contained breathing apparatus.

(d) *Thermal hazards*

When specifying protective equipment to be worn for materials that represent a thermal hazard, special consideration shall be given to the construction of the personal protective equipment.

⁽¹⁾ Council Directive 89/686/EEC of 21 December 1989 on the approximation of the laws of the Member States relating to personal protective equipment (OJ L 399, 30.12.1989, p. 18).

8.2.3. *Environmental exposure controls*

The information required by the employer to fulfil his commitments under Union environmental protection legislation shall be specified.

Where a chemical safety report is required, a summary of the risk management measures that adequately control exposure of the environment to the substance shall be given for the exposure scenarios set out in the annex to the safety data sheet.

9. **SECTION 9: Physical and chemical properties**

This section of the safety data sheet shall describe the empirical data relating to the substance or mixture, if relevant. Article 8(2) of Regulation (EC) No 1272/2008 shall apply. The information in this section shall be consistent with the information provided in the registration and/or in the chemical safety report where required, and with the classification of the substance or mixture.

9.1. **Information on basic physical and chemical properties**

The following properties shall be clearly identified including, where appropriate, a reference to the test methods used and specification of appropriate units of measurement and/or reference conditions. If relevant for the interpretation of the numerical value, the method of determination shall also be provided (for example, the method for flash point, the open-cup/closed-cup method):

(a) **Appearance:**

The physical state (solid (including appropriate and available safety information on granulometry and specific surface area if not already specified elsewhere in this safety data sheet), liquid, gas) and the colour of the substance or mixture as supplied shall be indicated;

(b) **Odour:**

If odour is perceptible, a brief description of it shall be given;

(c) **Odour threshold;**

(d) **pH:**

The pH of the substance or mixture as supplied or of an aqueous solution shall be indicated; in the case of an aqueous solution, the concentration shall also be indicated;

(e) **Melting point/freezing point;**

(f) **Initial boiling point and boiling range;**

(g) **Flash point;**

(h) **Evaporation rate;**

(i) **Flammability (solid, gas);**

(j) **Upper/lower flammability or explosive limits;**

(k) **Vapour pressure;**

(l) **Vapour density;**

(m) **Relative density;**

(n) **Solubility(ies);**

(o) **Partition coefficient: n-octanol/water;**

(p) **Auto-ignition temperature;**

(q) **Decomposition temperature;**

(r) **Viscosity;**

(s) **Explosive properties;**

(t) **Oxidising properties.**

If it is stated that a particular property does not apply or if information on a particular property is not available, the reasons shall be given.

To enable proper control measures to be taken, all relevant information on the substance or mixture shall be provided. The information in this section shall be consistent with the information provided in a registration where one is required.

In the case of a mixture, the entries shall clearly indicate to which substance in the mixture the data apply, unless it is valid for the whole mixture.

9.2. **Other information**

Other physical and chemical parameters shall be indicated as necessary, such as miscibility, fat solubility (solvent — oil to be specified), conductivity, or gas group. Appropriate and available safety information on redox potential, radical formation potential and photocatalytic properties shall be indicated.

10. **SECTION 10: Stability and reactivity**

This section of the safety data sheet shall describe the stability of the substance or mixture and the possibility of hazardous reactions occurring under certain conditions of use and also if released into the environment, including, where appropriate, a reference to the test methods used. If it is stated that a particular property does not apply or if information on a particular property is not available, the reasons shall be given.

10.1. **Reactivity**

10.1.1. The reactivity hazards of the substance or mixture shall be described. Specific test data shall be provided for the substance or mixture as a whole, where available. However, the information may also be based on general data for the class or family of substance or mixture if such data adequately represent the anticipated hazard of the substance or mixture.

10.1.2. If data for mixtures are not available, data on substances in the mixture shall be provided. In determining incompatibility, the substances, containers and contaminants that the substance or mixture might be exposed to during transportation, storage and use shall be considered.

10.2. **Chemical stability**

It shall be indicated if the substance or mixture is stable or unstable under normal ambient and anticipated storage and handling conditions of temperature and pressure. Any stabilisers which are, or may need to be, used to maintain the chemical stability of the substance or mixture shall be described. The safety significance of any change in the physical appearance of the substance or mixture shall be indicated.

10.3. **Possibility of hazardous reactions**

If relevant, it shall be stated if the substance or mixture will react or polymerise, releasing excess pressure or heat, or creating other hazardous conditions. The conditions under which the hazardous reactions may occur shall be described.

10.4. **Conditions to avoid**

Conditions such as temperature, pressure, light, shock, static discharge, vibrations or other physical stresses that might result in a hazardous situation shall be listed and if appropriate a brief description of measures to be taken to manage risks associated with such hazards shall be given.

10.5. **Incompatible materials**

Families of substances or mixtures or specific substances, such as water, air, acids, bases, oxidising agents, with which the substance or mixture could react to produce a hazardous situation (like an explosion, a release of toxic or flammable materials, or a liberation of excessive heat), shall be listed and if appropriate a brief description of measures to be taken to manage risks associated with such hazards shall be given.

10.6. **Hazardous decomposition products**

Known and reasonably anticipated hazardous decomposition products produced as a result of use, storage, spill and heating shall be listed. Hazardous combustion products shall be included in Section 5 of the safety data sheet.

11. SECTION 11: Toxicological information

This section of the safety data sheet is meant for use primarily by medical professionals, occupational health and safety professionals and toxicologists. A concise but complete and comprehensible description of the various toxicological (health) effects and the available data used to identify those effects shall be provided, including where appropriate information on toxicokinetics, metabolism and distribution. The information in this section shall be consistent with the information provided in the registration and/or in the chemical safety report where required, and with the classification of the substance or mixture.

11.1. Information on toxicological effects

The relevant hazard classes, for which information shall be provided, are:

- (a) acute toxicity;
- (b) skin corrosion/irritation;
- (c) serious eye damage/irritation;
- (d) respiratory or skin sensitisation;
- (e) germ cell mutagenicity;
- (f) carcinogenicity;
- (g) reproductive toxicity;
- (h) STOT-single exposure;
- (i) STOT-repeated exposure;
- (j) aspiration hazard.

These hazards shall always be listed on the safety data sheet.

For substances subject to registration, brief summaries of the information derived from the application of Annexes VII to XI shall be given, including, where appropriate, a reference to the test methods used. For substances subject to registration, the information shall also include the result of the comparison of the available data with the criteria given in Regulation (EC) No 1272/2008 for CMR, categories 1A and 1B, following point 1.3.1 of Annex I to this Regulation.

- 11.1.1. Information shall be provided for each hazard class or differentiation. If it is stated that the substance or mixture is not classified for a particular hazard class or differentiation, the safety data sheet shall clearly state whether this is due to lack of data, technical impossibility to obtain the data, inconclusive data or data which are conclusive although insufficient for classification; in the latter case the safety data sheet shall specify "based on available data, the classification criteria are not met".
- 11.1.2. The data included in this subsection shall apply to the substance or mixture as placed on the market. In the case of a mixture, the data should describe the toxicological properties of the mixture as a whole, except if Article 6(3) of Regulation (EC) No 1272/2008 applies. If available, the relevant toxicological properties of the hazardous substances in a mixture shall also be provided, such as the LD50, acute toxicity estimates or LC50.
- 11.1.3. Where there is a substantial amount of test data on the substance or mixture, it may be necessary to summarise results of the critical studies used, for example, by route of exposure.
- 11.1.4. Where the classification criteria for a particular hazard class are not met, information supporting this conclusion shall be provided.
- 11.1.5. *Information on likely routes of exposure*

Information shall be provided on likely routes of exposure and the effects of the substance or mixture via each possible route of exposure, that is, through ingestion (swallowing), inhalation or skin/eye exposure. If health effects are not known, this shall be stated.

11.1.6. *Symptoms related to the physical, chemical and toxicological characteristics*

Potential adverse health effects and symptoms associated with exposure to the substance or mixture and its ingredients or known by-products shall be described. Available information shall be provided on the symptoms related to the physical, chemical, and toxicological characteristics of the substance or mixture following exposure. The first symptoms at low exposures through to the consequences of severe exposure shall be described, such as "headaches and dizziness may occur, proceeding to fainting or unconsciousness; large doses may result in coma and death".

11.1.7. *Delayed and immediate effects as well as chronic effects from short and long-term exposure*

Information shall be provided on whether delayed or immediate effects can be expected after short- or long-term exposure. Information on acute and chronic health effects relating to human exposure to the substance or mixture shall also be provided. Where human data are not available, animal data shall be summarised and the species clearly identified. It shall be indicated whether toxicological data is based on human or animal data.

11.1.8. *Interactive effects*

Information on interactions shall be included if relevant and available.

11.1.9. *Absence of specific data*

It may not always be possible to obtain information on the hazards of a substance or mixture. In cases where data on the specific substance or mixture are not available, data on similar substances or mixtures, if appropriate, may be used, provided the relevant similar substance or mixture is identified. Where specific data are not used, or where data are not available, this shall be clearly stated.

11.1.10. *Mixtures*

For a given health effect, if a mixture has not been tested for its health effects as a whole, relevant information on relevant substances listed under Section 3 shall be provided.

11.1.11. *Mixture versus substance information*

11.1.11.1. The substances in a mixture may interact with each other in the body, resulting in different rates of absorption, metabolism and excretion. As a result, the toxic actions may be altered and the overall toxicity of the mixture may be different from that of the substances in it. This shall be taken into account when providing toxicological information in this section of the safety data sheet.

11.1.11.2. It is necessary to consider whether the concentration of each substance is sufficient to contribute to the overall health effects of the mixture. The information on toxic effects shall be presented for each substance, except for the following cases:

- (a) if the information is duplicated, it shall be listed only once for the mixture overall, such as when two substances both cause vomiting and diarrhoea;
- (b) if it is unlikely that these effects will occur at the concentrations present, such as when a mild irritant is diluted to below a certain concentration in a non-irritant solution;
- (c) where information on interactions between substances in a mixture is not available, assumptions shall not be made and instead the health effects of each substance shall be listed separately.

11.1.12. *Other information*

Other relevant information on adverse health effects shall be included even when not required by the classification criteria.

12. **SECTION 12: Ecological information**

This section of the safety data sheet shall provide information to enable evaluation of the environmental impact of the substance or mixture where it is released to the environment. Subsections 12.1 to 12.6 of the safety data sheet shall provide a short summary of the data including, where available, relevant test data and clearly indicating species, media, units, test duration and test conditions. This information may assist in handling spills, and evaluating waste treatment practices, control of release, accidental release measures and transport. If it is stated that a particular property does not apply (because the available data shows that the substance or mixture does not meet the criteria for classification) or if information on a particular property

is not available, the reasons shall be indicated. Additionally, if a substance or mixture is not classified for other reasons (for example, due to the technical impossibility of obtaining the data or to inconclusive data) this should be clearly stated on the safety data sheet.

Some properties are substance specific, i.e. bioaccumulation, persistence and degradability, and that information shall be given, where available and appropriate, for each relevant substance in the mixture (i.e. those which are required to be listed in Section 3 of the safety data sheet and are hazardous to the environment or PBT/vPvB substances). Information shall also be provided for hazardous transformation products arising from the degradation of substances and mixtures.

The information in this section shall be consistent with the information provided in the registration and/or in the chemical safety report where required, and with the classification of the substance or mixture.

12.1. **Toxicity**

Information on toxicity using data from tests performed on aquatic and/or terrestrial organisms shall be provided when available. This shall include relevant available data on aquatic toxicity, both acute and chronic for fish, crustaceans, algae and other aquatic plants. In addition, toxicity data on soil micro- and macroorganisms and other environmentally relevant organisms, such as birds, bees and plants, shall be included when available. Where the substance or mixture has inhibitory effects on the activity of microorganisms, the possible impact on sewage treatment plants shall be mentioned.

For substances subject to registration, summaries of the information derived from the application of Annexes VII to XI of this Regulation shall be included.

12.2. **Persistence and degradability**

Persistence and degradability is the potential for the substance or the appropriate substances in a mixture to degrade in the environment, either through biodegradation or other processes, such as oxidation or hydrolysis. Test results relevant to assess persistence and degradability shall be given where available. If degradation half-lives are quoted it must be indicated whether these half-lives refer to mineralisation or to primary degradation. The potential of the substance or certain substances in a mixture to degrade in sewage treatment plants shall also be mentioned.

This information shall be given where available and appropriate, for each individual substance in the mixture which is required to be listed in Section 3 of the safety data sheet.

12.3. **Bioaccumulative potential**

Bioaccumulative potential is the potential of the substance or certain substances in a mixture to accumulate in biota and, eventually, to pass through the food chain. Test results relevant to assess the bioaccumulative potential shall be given. This shall include reference to the octanol-water partition coefficient (Kow) and bioconcentration factor (BCF), if available.

This information shall be given where available and appropriate, for each individual substance in the mixture which is required to be listed in Section 3 of the safety data sheet.

12.4. **Mobility in soil**

Mobility in soil is the potential of the substance or the components of a mixture, if released to the environment, to move under natural forces to the groundwater or to a distance from the site of release. The potential for mobility in soil shall be given where available. Information on mobility in soil can be determined from relevant mobility data such as adsorption studies or leaching studies, known or predicted distribution to environmental compartments, or surface tension. For example, Koc values can be predicted from octanol/water partition coefficients (Kow). Leaching and mobility can be predicted from models.

This information shall be given where available and appropriate, for each individual substance in the mixture which is required to be listed in Section 3 of the safety data sheet.

Where experimental data is available, that data shall, in general, take precedence over models and predictions.

12.5. Results of PBT and vPvB assessment

Where a chemical safety report is required, the results of the PBT and vPvB assessment as set out in the chemical safety report shall be given.

12.6. Other adverse effects

Information on any other adverse effects on the environment shall be included where available, such as environmental fate (exposure), photochemical ozone creation potential, ozone depletion potential, endocrine-disrupting potential and/or global warming potential.

13. SECTION 13: Disposal considerations

This section of the safety data sheet shall provide information for proper waste management of the substance or mixture and/or its container to assist in the determination of safe and environmentally preferred waste management options, consistent with the requirements of Directive 2008/98/EC of the European Parliament and of the Council ⁽¹⁾ by the Member State in which the safety data sheet is being supplied. Information relevant for the safety of persons conducting waste management activities shall complement the information given in Section 8.

Where a chemical safety report is required and where a waste stage analysis has been performed, the information on the waste management measures shall be consistent with the identified uses in the chemical safety report and the exposure scenarios from the chemical safety report set out in the annex to the safety data sheet.

13.1. Waste treatment methods

This subsection of the safety data sheet shall:

- (a) specify waste treatment containers and methods including the appropriate methods of waste treatment of both the substance or mixture and any contaminated packaging (for example, incineration, recycling, landfilling);
- (b) specify the physical/chemical properties that may affect waste treatment options;
- (c) discourage sewage disposal;
- (d) identify, where appropriate, any special precautions for any recommended waste treatment option.

Any relevant Union provisions relating to waste or, in their absence, any relevant national or regional provisions in force shall be referred to.

14. SECTION 14: Transport information

This section of the safety data sheet shall provide basic classification information for the transport/shipment of substances or mixtures mentioned in Section 1 by road, rail, sea, inland waterways or air. Where such information is not available or relevant this shall be stated.

Where relevant, this section shall provide information on the transport classification for each of the UN Model Regulations: the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) ⁽²⁾, the Regulations concerning the International Carriage of Dangerous Goods by Rail (RID) ⁽³⁾ and the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN) ⁽⁴⁾, all three of which have been implemented by Directive 2008/68/EC of the European Parliament and of the Council ⁽⁵⁾, as well as the International Maritime Dangerous Goods (IMDG) Code ⁽⁶⁾ (sea) and the Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO) ⁽⁷⁾ (air).

⁽¹⁾ Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3).

⁽²⁾ United Nations, Economic Commission for Europe, version applicable as from 1 January 2015, ISBN-978-92-1-139149-7.

⁽³⁾ Annex 1 to Appendix B (Uniform Rules concerning the Contract for International Carriage of Goods by Rail) of the Convention concerning International Carriage by Rail, version with effect from 1 January 2009.

⁽⁴⁾ Version as revised as of 1 January 2007.

⁽⁵⁾ Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods (OJ L 260, 30.9.2008, p. 13).

⁽⁶⁾ International Maritime Organisation, 2006 edition, ISBN 978-92-8001-4214-3.

⁽⁷⁾ IATA, 2007-2008 edition.

14.1. UN number

The UN number (i.e. the four-figure identification number of the substance, mixture or article preceded by the letters "UN") from the UN Model Regulations shall be provided.

14.2. UN proper shipping name

The UN proper shipping name from the UN Model Regulations shall be provided, unless it was used as the product identifier in subsection 1.1.

14.3. Transport hazard class(es)

The transport hazard class (and subsidiary risks) assigned to the substances or mixtures on the basis of the predominant hazard that they present according to the UN Model Regulations shall be provided.

14.4. Packing group

The packing group number from the UN Model Regulations shall be provided, if applicable. The packing group number is assigned to certain substances in accordance with their degree of hazard.

14.5. Environmental hazards

It shall be indicated whether the substance or mixture is environmentally hazardous according to the criteria of the UN Model Regulations (as reflected in the IMDG Code, ADR, RID and ADN) and/or a marine pollutant according to the IMDG Code. If the substance or mixture is authorised or intended for carriage by inland waterways in tank-vessels, it shall be indicated whether the substance or mixture is environmentally hazardous in tank-vessels only according to the ADN.

14.6. Special precautions for user

Information shall be provided on any special precautions which a user should or must take or be aware of in connection with transport or conveyance either within or outside his premises.

14.7. Transport in bulk according to Annex II of Marpol and the IBC Code

This subsection only applies when cargoes are intended to be carried in bulk according to the following IMO instruments: Annex II of Marpol and the IBC Code.

The product name shall be provided (if different from that given in subsection 1.1) as required by the shipment document and in accordance with the name used in the lists of product names given in chapters 17 or 18 of the IBC Code or the latest edition of the IMO's Maritime Environment Protection Committee (MEPC).2/Circular ⁽¹⁾. Ship type required and pollution category shall be indicated.

15. SECTION 15: Regulatory information

This section of the safety data sheet shall describe the other regulatory information on the substance or mixture that is not already provided in the safety data sheet (such as whether the substance or mixture is subject to Regulation (EC) No 1005/2009 of the European Parliament and of the Council of 16 September 2009 on substances that deplete the ozone layer ⁽²⁾, Regulation (EC) No 850/2004 of the European Parliament and of the Council of 29 April 2004 on persistent organic pollutants and amending Directive 79/117/EEC ⁽³⁾ or Regulation (EC) No 649/2012 of the European Parliament and of the Council of 4 July 2012 concerning the export and import of dangerous chemicals ⁽⁴⁾).

⁽¹⁾ MEPC.2/Circular, Provisional categorisation of liquid substances, version 19, effective 17 December 2013.

⁽²⁾ Regulation (EC) No 1005/2009 of the European Parliament and of the Council of 16 September 2009 on substances that deplete the ozone layer (OJ L 286, 31.10.2009, p. 1).

⁽³⁾ Regulation (EC) No 850/2004 of the European Parliament and of the Council of 29 April 2004 on persistent organic pollutants and amending Directive 79/117/EEC (OJ L 158, 30.4.2004, p. 7).

⁽⁴⁾ Regulation (EU) No 649/2012 of the European Parliament and of the Council of 4 July 2012 concerning the export and import of hazardous chemicals (OJ L 201, 27.7.2012, p. 60).

15.1. Safety, health and environmental regulations/legislation specific for the substance or mixture

Information shall be provided regarding relevant Union safety, health and environmental provisions (for example, Seveso category/named substances in Annex I to Council Directive 96/82/EC ⁽¹⁾) or regarding the national regulatory status of the substance or mixture (including the substances in the mixture), including advice on action that should be taken by the recipient as a result of these provisions. Where relevant the national laws of the relevant Member States which implement these provisions and any other national measures that may be relevant shall be mentioned.

If the substance or mixture covered by this safety data sheet is the subject of specific provisions in relation to the protection of human health or the environment at Union level (such as authorisations given under Title VII or restrictions under Title VIII) these provisions shall be mentioned.

15.2. Chemical safety assessment

This subsection of the safety data sheet shall indicate whether the supplier has carried out a chemical safety assessment for the substance or the mixture.

16. SECTION 16: Other information

This section of the safety data sheet shall contain other information that is not included in Sections 1 to 15, including information on the revision of the safety data sheet such as:

- (a) in the case of a revised safety data sheet, a clear indication of where changes have been made to the previous version of the safety data sheet, unless such indication is given elsewhere in the safety data sheet, with an explanation of the changes, if appropriate. A supplier of a substance or mixture shall be able to provide an explanation of the changes upon request;
- (b) a key or legend to abbreviations and acronyms used in the safety data sheet;
- (c) key literature references and sources for data;
- (d) in the case of mixtures, an indication of which of the methods of evaluating information referred to in Article 9 of Regulation (EC) No 1272/2008 was used for the purpose of classification;
- (e) a list of relevant hazard statements and/or precautionary statements. Write out the full text of any statements which are not written out in full under Sections 2 to 15;
- (f) advice on any training appropriate for workers to ensure protection of human health and the environment.

PART B

The safety data sheet shall include the following 16 headings in accordance with Article 31(6) and in addition the subheadings also listed except Section 3, where only subsections 3.1 or 3.2 need to be included as appropriate:

SECTION 1: Identification of the substance/mixture and of the company/undertaking

- 1.1. Product identifier
- 1.2. Relevant identified uses of the substance or mixture and uses advised against
- 1.3. Details of the supplier of the safety data sheet
- 1.4. Emergency telephone number

SECTION 2: Hazards identification

- 2.1. Classification of the substance or mixture
- 2.2. Label elements
- 2.3. Other hazards

⁽¹⁾ Council Directive 96/82/EC of 9 December 1996 on the control of major-accident hazards involving dangerous substances (OJ L 10, 14.1.1997, p. 13).

SECTION 3: Composition/information on ingredients

- 3.1. Substances
- 3.2. Mixtures

SECTION 4: First aid measures

- 4.1. Description of first aid measures
- 4.2. Most important symptoms and effects, both acute and delayed
- 4.3. Indication of any immediate medical attention and special treatment needed

SECTION 5: Firefighting measures

- 5.1. Extinguishing media
- 5.2. Special hazards arising from the substance or mixture
- 5.3. Advice for firefighters

SECTION 6: Accidental release measures

- 6.1. Personal precautions, protective equipment and emergency procedures
- 6.2. Environmental precautions
- 6.3. Methods and material for containment and cleaning up
- 6.4. Reference to other sections

SECTION 7: Handling and storage

- 7.1. Precautions for safe handling
- 7.2. Conditions for safe storage, including any incompatibilities
- 7.3. Specific end use(s)

SECTION 8: Exposure controls/personal protection

- 8.1. Control parameters
- 8.2. Exposure controls

SECTION 9: Physical and chemical properties

- 9.1. Information on basic physical and chemical properties
- 9.2. Other information

SECTION 10: Stability and reactivity

- 10.1. Reactivity
- 10.2. Chemical stability
- 10.3. Possibility of hazardous reactions
- 10.4. Conditions to avoid
- 10.5. Incompatible materials
- 10.6. Hazardous decomposition products

SECTION 11: Toxicological information

- 11.1. Information on toxicological effects

SECTION 12: Ecological information

- 12.1. Toxicity
- 12.2. Persistence and degradability
- 12.3. Bioaccumulative potential
- 12.4. Mobility in soil
- 12.5. Results of PBT and vPvB assessment
- 12.6. Other adverse effects

SECTION 13: Disposal considerations

- 13.1. Waste treatment methods

SECTION 14: Transport information

- 14.1. UN number
- 14.2. UN proper shipping name
- 14.3. Transport hazard class(es)
- 14.4. Packing group
- 14.5. Environmental hazards
- 14.6. Special precautions for user
- 14.7. Transport in bulk according to Annex II of Marpol and the IBC Code

SECTION 15: Regulatory information

- 15.1. Safety, health and environmental regulations/legislation specific for the substance or mixture
- 15.2. Chemical safety assessment

SECTION 16: Other information'

COMMISSION IMPLEMENTING REGULATION (EU) 2015/831**of 28 May 2015****updating the list of parties exempted from the extended anti-dumping duty on certain bicycle parts originating in the People's Republic of China pursuant to Regulation (EC) No 88/97 following the screening initiated by Commission Notice 2014/C 299/08**

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⁾, and in particular Article 13(4) thereof,

Having regard to Council Regulation (EC) No 71/97 of 10 January 1997 extending the definitive anti-dumping duty imposed by Regulation (EEC) No 2474/93 on bicycles originating in the People's Republic of China to imports of certain bicycle parts from the People's Republic of China, and levying the extended duty on such imports registered under Regulation (EC) No 703/96 ⁽²⁾, and in particular Article 3 thereof,

Having regard to Commission Regulation (EC) No 88/97 of 20 January 1997 on the authorisation of the exemption of imports of certain bicycle parts originating in the People's Republic of China from the extension by Council Regulation (EC) No 71/97 of the anti-dumping duty imposed by Council Regulation (EEC) No 2474/93 ⁽³⁾, and in particular Articles 7, 10 and 16 thereof,

After informing the Member States,

Whereas:

- (1) An anti-dumping duty currently applies on imports into the European Union of essential bicycle parts originating in the People's Republic of China ('the extended duty') as a result of the extension by Regulation (EC) No 71/97 ('the extending Regulation') of the anti-dumping duty on imports of bicycles originating in the People's Republic of China.
- (2) Under Article 3 of the extending Regulation, the European Commission ('the Commission') is empowered to adopt the necessary measures to authorise the exemption of imports of essential bicycle parts which do not circumvent the anti-dumping duty. Those implementing measures are contained in Regulation (EC) No 88/97 ('the exemption Regulation') establishing the specific exemption system ('the exemption system').
- (3) On this basis the Commission has exempted a number of bicycle assemblers from the extended duty ('the exempted parties'). The most recent Commission Implementing Decision concerning exemptions under the exemption Regulation was adopted on 16 April 2014 ⁽⁴⁾. As provided for in Article 16(2) of the exemption Regulation, the Commission has published in the *Official Journal of the European Union* successive lists of the exempted parties ⁽⁵⁾.
- (4) As provided in recital (44) of the extending Regulation, the Commission has to keep the exemption system constantly under review so that it can be adapted where necessary to take account of experience gained with the operation of that system.
- (5) It has come to the attention of the Commission that a number of exempted parties have ceased to exist or have changed their activity or their company details (such as the company name, the legal form or registered office address).

⁽¹⁾ OJ L 343, 22.12.2009, p. 51.

⁽²⁾ OJ L 16, 18.1.1997, p. 55.

⁽³⁾ OJ L 17, 21.1.1997, p. 17.

⁽⁴⁾ OJ L 119, 23.4.2014, p. 67.

⁽⁵⁾ OJ C 45, 13.2.1997, p. 3, OJ C 112, 10.4.1997, p. 9, OJ C 220, 19.7.1997, p. 6, OJ C 378, 13.12.1997, p. 2, OJ C 217, 11.7.1998, p. 9, OJ C 37, 11.2.1999, p. 3, OJ C 186, 2.7.1999, p. 6, OJ C 216, 28.7.2000, p. 8, OJ C 170, 14.6.2001, p. 5, OJ C 103, 30.4.2002, p. 2, OJ C 35, 14.2.2003, p. 3, OJ C 43, 22.2.2003, p. 5, OJ C 54, 2.3.2004, p. 2, OJ C 299, 4.12.2004, p. 4, OJ L 17, 21.1.2006, p. 16 and OJ L 313, 14.11.2006, p. 5, OJ L 81, 20.3.2008, p. 73, OJ C 310, 5.12.2008, p. 19, OJ L 19, 23.1.2009, p. 62, OJ L 314, 1.12.2009, p. 106, OJ L 136, 24.5.2011, p. 99, OJ L 343, 23.12.2011, p. 86, OJ L 119, 23.4.2014, p. 67.

- (6) In order to ensure the sound management of the exemption system, on 5 September 2014 the Commission published in the *Official Journal of the European Union* the Commission Notice 2014/C 299/08 ⁽¹⁾ listing all exempted parties and initiating their screening ('the screening Notice').
- (7) The objective of the screening was to:
- (a) bring the references to exempted parties in the TARIC database in line with their company details as recorded in the business registries;
 - (b) identify the exemptions that are No longer justified (e.g. in cases where an exempted party ceased to exist, requests the revocation of its exemption or does not cooperate); and
 - (c) collect basic information about the exempted parties, such as their contact details and relevant information about their assembly operations.
- (8) The screening Notice was also notified to all exempted parties at their last known address and to the Member States. All exempted parties were requested to respond to the screening questionnaire by 20 October 2014 at the latest.
- (9) The information collected through the screening is essential for the sound management of the exemption system. Hence, the attention of the exempted parties was drawn to the fact that failure to respond completely and correctly to that questionnaire on time will be considered as a lack of cooperation for the purpose of Article 10 of the exemption Regulation.
- (10) For the exempted parties who did not respond to the screening questionnaire within the initial deadline the Commission has further extended the deadline to respond to the screening questionnaire to 21 November 2014. Those parties have been individually notified about that and about the consequences of non-cooperation. The Commission has also consulted the Member States in order to determine their status.
- (11) Based on responses received from the exempted parties, from the Member States and from industry associations, the Commission determined the exempted parties whose exemption should be maintained and parties whose exemption should be revoked. The exempted parties were granted the opportunity to be heard and to comment on the findings of the screening. In the case of revocation based on the non-existence of a party, that fact has been confirmed by the relevant Member State.

Exempted parties whose exemptions is maintained

- (12) The exempted parties whose exemptions comply with the conditions of the exemption Regulation and should therefore be maintained are listed in Annex I.
- (13) For some of these exempted parties the references (name, address, country and TARIC additional code) should be updated due to the changes established during the screening. The Commission, after having examined the information submitted, concluded that those changes in No way affect the assembly operations with regard to the conditions of exemption set forth in the exemption Regulation.
- (14) For the sound management of the exemption system, TARIC additional codes covering multiple exempted parties shall be replaced by new individual codes.
- (15) Since the exemptions will apply only to the parties specifically referred to in Annex I with their names and addresses, it is necessary that exempted parties notify the Commission ⁽²⁾ forthwith of any changes to these (for instance, following a change in the name, legal form or registered address or following the setting up of new assembly entities). In such case, it is necessary that the party provides all relevant information, in particular regarding any modification in its activities related to their assembly operations. Where appropriate, the Commission will update the references to this party.

Exempted parties whose exemptions is revoked

- (16) The exemption of the exempted parties who requested the revocation of their exemption, failed to reply to the questionnaire by 21 November 2014 or ceased to exist should be revoked. In order to ensure the sound management of the exemption scheme, the revocation should be effective from that date.

⁽¹⁾ OJ C 299, 5.9.2014, p. 7

⁽²⁾ The parties are advised to use the following e-mail address: TRADE-BICYCLE-PARTS@ec.europa.eu.

(17) The exempted parties whose exemption is revoked are listed in Annex II,

HAS ADOPTED THIS REGULATION:

Article 1

1. Annex II of Regulation (EC) No 88/97 is replaced by Annex I to this Regulation. The exemptions authorised under that Annex shall apply only to the parties specifically referred to in it with their names and addresses. Each exempted party shall notify the Commission forthwith of any change to these, providing all relevant information, in particular on any modification in the party's activities linked to assembly operations with regard to the conditions of exemption.

2. Article 12 of Regulation (EC) No 88/97 is replaced by the following:

'Article 12

Exempted parties

The parties listed in Annex II are hereby exempted from the extended duty with effect from 20 April 1996, or the day on which the exemption was granted by Commission decision, whichever is later.'

Article 2

The exemptions under Regulation (EC) No 88/97 of the parties set out in Annex II to this Regulation are hereby revoked with effect from 21 November 2014.

Article 3

This Regulation shall enter into force on the thirtieth 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, 28 May 2015.

For the Commission

The President

Jean-Claude JUNCKER

ANNEX I

Updated list of exempted parties

Old references			Updated references		
Name	Address	TARIC additional code	Updated Name	Updated Address	Updated TARIC additional code (*)
4Ever s.r.o.	Moravská 842, CZ-74213 Studénka, Czech Republic	A558	4Ever s.r.o.	Moravská 842, Butovice, CZ-742 13 Studénka, Czech Republic	A558
Accell Hunland Kft.	Parkoló tér 1, HU-5091 Tószeg, Hungary	A534	Accell Hunland Kft.	Parkoló tér 1, HU-5091 Tószeg, Hungary	A534
All Bikes	IT-12020 Villar S. Costanzo (CN), Italy	8748	All Bike' s S.r.l.	Via Caduti sul don 15, IT-12020 Villar S. Costanzo (CN), Italy	8748
Alliance Bikes Sp. z o.o.	ul. Tadeusza Borowskiego 2, PL-03-475 Warszawa, Poland	A549	Alliance Bikes Sp. z o.o.	ul. Tadeusza Borowskiego 2, PL-03-475 Warszawa, Poland	A549
Alpina di Montevercchi Manolo & C. SAS	Via Archimede 485 Zona Artigianale di Case Castagnoli, IT-47023 Cesena, Italy	8075	Alpina di Montevercchi Manolo & C. S.A.S.	Via Archimede 485, IT-47521 Cesena (FO), Italy	8075
Alubike-Bicicletas S.A.	Zona Industrial de Oia Lote C10, PT-3770-059 Oliveira do Bairro, Portugal	A730	Alubike-Bicicletas S.A.	Zona Industrial de Oiã Lote C-10, PT-3770-068 Oliveira do Bairro, Portugal	A730
Arcade Cycles	78 Impasse PhilippeGozola, ZA Acti Est Parc Eco 85-1, FR-85000 La Roche-sur-Yon, France	8065	Arcade Cycles	78 Impasse PhilippeGozola ZA Acti Est Parc Eco, FR-85000 La Roche-sur-Yon, France	8065
ARKUS & ROMET Group Sp. z o.o.	Podgrodzie 32 C, PL-39-200 Dębica, Poland	A565	ARKUS & ROMET Group Sp. z o.o.	Podgrodzie 32 C, PL-39-200 Dębica, Poland	A565
AT Zweirad GmbH	Boschstrasse 18, DE-48341 Altenberge, Germany	A247	AT Zweirad GmbH	Zur Steinhuhle 2, DE-48341 Altenberge, Germany	A247
Atala S.p.A.	Via Lussemburgo 31/33, IT-35127 Padova, Italy	A412	Atala S.p.A.	Via della Guerrina 108, IT-20900, Monza (MB), Italy	A412
Avantisbike - Fábrica de bicicletas SA	Zona Industrial de Oiã (Sul), LTL. B17, PT-3770-059 Oiã, Portugal	A726	Avantisbike - Fábrica de bicicletas Lda	Zona Industrial de Oiã Lote C-21, PT-3770-068 Oiã, Portugal	A726
Azor Bike B.V.	Marconistraat 7A, NL -7903AG Hoogeveen, Netherlands	8091	Azor Bike B.V.	Marconistraat 7a, NL -7903AG Hoogeveen, Netherlands	8091

Old references			Updated references		
Name	Address	TARIC additional code	Updated Name	Updated Address	Updated TARIC additional code (*)
Balkanvelo AD	No 1 Mizia Boulevard, BG-5500 Lovech, Bulgaria	A811	Balkanvelo AD	Mizia Boulevard 1, BG-5500 Lovech, Bulgaria	A811
Batavus	NL-8440 AM Heerenveen, Netherlands	8963	Accell Nederland B.V.	Industrieweg 4, NL - 8444AR Heerenveen, Netherlands	C004
BELVE sro	Holubyho 295, SK-916 01 Stará Turá, Slovakia	A535	BELVE s.r.o.	Holubyho 295, SK-916 01 Stará Turá, Slovakia	A535
Berg Toys BV/Berg Factory BV	Oud Willinkhuizerweg 9, NL-6733 AK Wekerom, Netherlands	8624	Berg Toys B.V.	Stevinlaan 2, NL-6716WB Ede, Netherlands	8624
Biciclasse C.S.srl	Via Roma 4, IT-84020 Oliveto Citra (SA), Italy	A359	Biciclasse C.S.-S.r.l.	Localita' Staglioni Area Industriale SNC, IT-84020 Oliveto Citra (SA), Italy	A359
Bicicletas de Castilla y León S.L.	Barrio Gimeno 5, ES-09001 Burgos, Spain	A500	Bicicletas de Castilla y León S.L.	Barrio Gimeno 5, ES-09001 Burgos, Spain	A500
Bicicletas Monty S. A.	C/El Pla 106, ES-08980 Sant Feliu de Llobregat, Spain	A165	Bicicletas Monty S. A.	Calle El Pla 106, ES-08980 Sant Feliu de Llobregat, Spain	A165
Bike Fun International s.r.o.	Areál Tatry 1445/2, CZ -742 21 Kopřivnice, Czech Republic	A536	Bike Fun International s.r.o.	Areál Tatry 1445/2, CZ -74221 Kopřivnice, Czech Republic	A536
Bike Mate s.r.o.	Dlhá 248/43, SK - 905 01 Senica, Slovakia	A589	Bike Mate s.r.o.	Dlhá 248/43, SK - 905 01 Senica, Slovakia	A589
Bikkel Bikes	NL-6004 BE Weert, Netherlands	8749	Bikkel Bikes B.V.	Magnesiumstraat 37, NL-6031RV Nederweert, Netherlands	8749
Blue Factory Team S.L.	CL Torres y Villaroel 6, Elche Parque Industrial, ES-03320 Alicante, Spain	A984	Blue Factory Team S.L.	Calle Torres y Villaroel 6, Elche Parque Empresarial, ES-03320 Elche- Alicante, Spain	A984
Bohemia Bike a.s.	Okružní 697, CZ - 370 01 České Budějovice, Czech Republic	A605	Bohemia Bike a.s.	Okružní 697, CZ - 370 01 České Budějovice, Czech Republic	A605
Bonaventure BVBA	Stoomtuigstraat 16, BE-8830 Hooglede, Belgium	A732	Bonaventure BVBA	Stoomtuigstraat 16, BE-8830 Hooglede, Belgium	A732

Old references			Updated references		
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Bottecchia Cicli S.r.l.	Viale Enzo Ferrari, 15/17, IT-30014 Cavarzere (VE), Italy	A087	Bottecchia Cicli S.r.l.	Viale Enzo Ferrari 15/17, IT-30014 Cavarzere (VE), Italy	A087
BPS Bicycle Industrial s.r.o.	Šumavská 779/2, CZ-78701 Šumperk, Czech Republic	A537	BPS Bicycle Industrial s.r.o.	Šumavská 779/2, CZ-787 01 Šumperk, Czech Republic	A537
Canyon Bicycles GmbH	Karl-Tesche-Str. 12, DE-56073 Koblenz, Germany	A856	Canyon Bicycles GmbH	Karl-Tesche-Straße 12, DE-56073 Koblenz, Germany	A856
CHERRI di Cherri Franco & C. S.A.S.	Via Cagliari 39, IT-09016 Iglesias, Italy	A168	CHERRI di Cherri Franco & C. S.A.S.	Via Cagliari 39, IT-09016 Iglesias (CA), Italy	A168
Cicli Adriatica srl Uninominale	Via Toscana, 13, IT-61100 Pesaro, Italy	A088	Cicli Adriatica S.r.l. Uninominale	Via Toscana 13, IT-61122 Pesaro (PS), Italy	A088
Cicli Casadei S.r.l.	Via dei Mestieri 23, IT-44020 San Giuseppe di Commacchio, Italy	A326	Cicli Casadei S.r.l.	Via dei Mestieri 23, IT-44020 Frazione: San Giuseppe, Comacchio (FE), Italy	A326
Cicli Cinzia S.r.l.	IT-40060 Osteria Grande-(BO), Italy	8066	Cicli Cinzia S.r.l.	Via Lombardia 48, IT-40024 Osteria Grande Castel San Pietro Terme (BO), Italy	8066
Cicli Elios di Ragona Roberto & C. Snc	Via Ca'Mignola Vecchia 121, IT-45021 Badia Polesine (RO), Italy	8605	Cicli Elios di Ragona Roberto & C. S.n.c.	Via G. Ferraris 1050, IT-45021 Badia Polesine (RO), Italy	8605
Cicli Esperia SpA	Viale Enzo Ferrari 8/10/12, IT-30014 Cavarzere VE, Italy	8068	Cicli Esperia S.p.a.	Viale Enzo Ferrari 8/10/12, IT-30014 Cavarzere (VE), Italy	8068
Cicli Frera s.n.c.	IT-35020 Arzergrande (PD), Italy	8205	Cicli Frera S.n.c. di Antonio e Vittorio Fontana & C.	Viale dell'industria 6, IT-35020 Arzergrande (PD), Italy	8205
Cicli Lombardo SpA	Via Roma 233, IT-91012 Buseto Palizzolo, Italy	A271	Cicli Lombardo S.p.a.	Via Roma 169, IT-91012 Buseto Palizzolo (TP), Italy	A271
Cicli Roveco di Veronese Paolo & C. S.A.S.	Via Umberto I n.508, IT-45023 Costa Di Rovigo (RO), Italy	A402	Cicli Roveco di Veronese Paolo & C. S.A.S.	Via Umberto I 508, IT-45023 Costa Di Rovigo (RO), Italy	A402
Cobran S.R.L.	Via Della Zingarina 6, IT-47900 Rimini (RN), Italy	A246	COBRAN S.r.l.	Via Della Zingarina 6, IT-47924 Rimini (RN), Italy	A246
Credat Industries a.s.	V. Palkovicha 19, SK-946 03 Kolárovo, Slovakia	A662	CREDAT INDUSTRIES a.s.	V. Palkovicha 19, SK-946 03 Kolárovo, Slovakia	A662

Old references			Updated references		
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CROSS Ltd	1 Hadji Dimitar Street, BG-3400 Montana, Bulgaria	A810	CROSS Ltd	Hadji Dimitar Street 1, BG -3400 Montana, Bulgaria	A810
Csepel Bicycle Manufacturing and Sales Company LTD	Duna Lejáró 7, HU-1211 Budapest, Hungary	A555	Csepel Bicycle Manufacturing and Sales Company LTD	Duna Lejáró 7, HU-1211 Budapest, Hungary	A555
Cycles France Loire	Avenue de l'industrie, FR-42160 Saint-Cyprien, France	8963	Cycles France Loire	Avenue de l'industrie, FR- 42160 Saint-Cyprien, France	C005
Cycle-Union GmbH	An der Schmiede 4, DE-26135 Oldenburg, Germany	8489	Cycle-Union GmbH	An der Schmiede 4, DE-26135 Oldenburg, Germany	8489
Cycleurope Industries	FR-10100 Romilly-sur-Seine, France	8963	Cycleurope Industries	161 Rue Gabriel Péri, FR-10100 Romilly-sur-Seine, France	C007
Cycleurope Sverige AB	SE-43282 Varberg, Sweden	8963	Cycleurope Sverige AB	c/o Monark AB, SE-432 82 Varberg, Sweden	C008
Cycling Sports Group Europe B.V.	Hanzepoort 27, NL-7575 DB Oldenzaal, Netherlands	A686	Cycling Sports Group Europe B.V.	Hanzepoort 27, NL-7575DB Oldenzaal, Netherlands	A686
Cyclopodilatiki SA	EL-54627 Thessaloniki, Greece	8768	Cyclopodilatiki S. A.	Minotavrou 16, EL-54627 Thessaloniki, Greece	8768
Denver SRL	Via Primo Maggio 32, IT-12025 Dronero (CN), Italy	8088	Denver S.r.l..	Via Primo Maggio 32, IT-12025 Dronero (CN), Italy	8088
Derby Cyclewerke GmbH	DE-49661 Cloppenburg, Germany	8963	Derby Cycle Werke GmbH	Siemensstraße 1-3, DE-49661 Cloppenburg, Germany	C009
Diamant Fahrradwerke GmbH	Schönaicher Straße 1, DE-09232 Hartmannsdorf, Germany	A346	Diamant Fahrradwerke GmbH	Schönaicher Straße 1, DE -09232 Hartmannsdorf, Germany	A346
Dino Bikes S.p.a.	Via Cuneo 11, IT-12011 Borgo San Dalmazzo, Italy	A327	Dino Bikes S.p.a.	Via Cuneo 11, IT-12011 Borgo San Dalmazzo (CN), Italy	A327
Engelbert Meyer GmbH	DE-49692 Sevelten, Germany	8963	Engelbert Meyer GmbH	Hauptstraße 31, DE-49692 Cappeln, Germany	C010
Esmaltina	PT-3782, Sangalhos Codex, Portugal	8065	Esmaltina- Auto ciclos S.A.	Rua do salgueiro 47, PT-3780-103Sangalhos, Portugal	C011

Old references			Updated references		
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Éts René Valdenaire SA	FR-88204, Remiremont Cedex, France	8083	Établissements René Valdenaire S. A.	Rue des Poncées, FR-88200Saint-les-Remiremont, France	8083
Ets Th Brasseur SA	Rue des Steppes 13, BE-4000 Liège, Belgium	B294	EtablissementsTh. Brasseur S.A.	Rue des Steppes 13, BE-4000 Liège, Belgium	B294
Euro Bike Products	ul. Ostrowska 498, 498A, PL -61-324 Poznań, Poland	A849	Euro Bike Products	ul. Ostrowska 498, 498A, PL -61-324 Poznań, Poland	A849
F.A.A.C. s.n.c. di Sbrissa Filli & C.	Via Monte Antelao 11/a, IT-31030 Bessica di Loria (TV), Italy	A377	F.A.A.C. s.n.c. di Sbrissa F.lli & C.	Via Monte Antelao 11, IT-31037 Loria (TV), Italy	A377
F.A.R.A.M. S.r.l.	Zona Industriale - Traversa della Meccanica, IT-02010 Santa Rufina di Cittaducale, Italy	A249	F.A.R.A.M. S.r.l.	Località Nucleo Industriale, IT-02015 Cittaducale (RI), Italy	A249
F.lli Masciaghi SpA	Via Gramsci 10, IT-20052 Monza (MI), Italy	8067	F.lli Masciaghi S.p. a.	Via Gramsci 10, IT-20900 Monza (MB), Italy	C012
F.lli Schiano S.R.L.	Via Ferdinando Del Carretto 26, IT-80100 Naples, Italy	A824	F.lli Schiano S.r.l.	Via Ferdinando Del Carretto 26, IT-80133 Napoli (NA), Italy	A824
F.lli Zanoni S.r.l.	Via C. Castiglioni 27, IT-20010 Arluno, Italy	A162	F.lli Zanoni S.r.l.	Via Castiglioni 27, IT-20010 Arluno (MI), Italy	A162
Fabbrica Biciclette Trubbiani Srl	Santa Maria in Selva Via Arno 1, IT-62010 Treia (MC), Italy	A232	Fabbrica Biciclette Trubbiani S.r.l.	Via Arno,1, Santa Maria in Selva, IT-62010 Treia (MC), Italy	A232
FHMM Sp. z o.o.	ul. Ciecholewicka 29, PL-55-120 Oborniki Śląskie, Poland	A548	FHMM Sp. z o.o.	ul. Ciecholowicka 29, PL-55-120 Oborniki Śląskie, Poland	A548
Firma Wielobranżowa 'Mexller' - Artur Nowak	ul. Romera 4/20, PL-42-200 Częstochowa, Poland	A697	Artur Nowak Firma WielobranżMexller	ul. Romera 4/20, PL -42-215 Częstochowa, Poland	A697
FIV Edoardo Bianchi SpA	IT-24047 Treviglio (BG), Italy	8079	F.I.V. Edoardo Bianchi S.p.a.	Via delle Battaglie 5, IT-24047 Treviglio (BG), Italy	8079
Flanders NV	BE-9550 Herzele, Belgium	8522	Flanders NV	Daalkouterlaan 1, BE-9550 Herzele, Belgium	8522
GFM Bike di Ingarao Franco	Via Circonvallazione 32, IT-94011 Agira (EN) Sicilia, Italy	A360	G.F.M. Bike di Franco Ingarao	Contrada Consolazione, IT-94011 Agira (EN), Italy	A360

Old references			Updated references		
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Ghost-Bikes GmbH	An der Tongrube 3, DE-95652 Waldsassen, Germany	8523	Ghost-Bikes GmbH	An der Tongrube 3, DE-95652 Waldsassen, Germany	8523
Giant Europe Manufacturing BV	NL-8218 Lelystad, Netherlands	8328	Giant Europe Manufacturing B.V.	Pascallaan 66, NL-8218 Lelystad, Netherlands	8328
Giubilato Cicli S.r.l.	Via Gaidon 3, IT-36067 S.Giuseppe di Cassola, Italy	8604	Giubilato Cicli S.r.l.	Via Pavane 6/A, IT-36065 Mussolente (VI), Italy	8604
Goldbike - Industria de Bicicletas Lda	R. Flores, PT-3780 594 Poutena-Vilarinho do Bairro, Portugal	A777	Goldbike - Industria de Bicicletas Lda	Rua das Flores, PT-3780 594 Poutena-Vilarinho do Bairro, Anadia, Portugal	A777
Gruppo Bici S.p.A.	Via Pitagora 15, IT-47521 Cesena, Italy	8005	Gruppo Bici S.r.l.	Via Pitagora 15, IT-47521 Cesena (FO), Italy	8005
GTA My Bicycle SAS	Viale Stazione 55, IT-35029 Pontelongo, Italy	A221	GTA My Bicycle S. A.S.	Via Borgo Rossi 22, IT-35028 Piove di Sacco (PD), Italy	A221
Heinrich Böttcher GmbH & Co KG	Waldstraße 3, DE-25746 Wesseln/Heide, Germany	A415	Böttcher Fahrräder GmbH	Waldstraße 3, DE-25746 Wesseln, Germany	A415
Heinz Kettler GmbH & Co. KG	Postfach 1020, DE-59463 Ense-Parsit Hauptstraße 28, D-59469 Ense-Parsit, Germany	A469	Heinz Kettler GmbH & Co. KG	Hauptstraße 28, DE-59469 Ense, Germany	A469
Helkama Velox Oy	Santalantie 22, FI-10960 Hanko Pohjoinen, Finland	A825	Helkama Velox Oy	Santalantie 22, FI-10960 Hanko Pohjoinen, Finland	A825
IB Sp. z o.o. Zakład Pracy Chronionej	ul. Miłośników Podhala 1, PL-34-425 Biały Dunajec, Poland	A539	IB Sp. z o.o. Zakład Pracy Chronionej	ul. Miłośników Podhala 1, PL-34-425 Biały Dunajec, Poland	A539
Ideal Europe Sp. z o.o.	ul. Metalowa 11, PL-99-300 Kutno, Poland	A540	Ideal Europe Sp. z o.o.	Ul. Bohaterów walk nad bzurą 2, PL-99-300 Kutno, Poland	A540
IKO Sportartikel Handels GmbH	Kufsteiner Strasse 72, DE -83064 Raubling, Germany	A227	IKO Sportartikel Handels GmbH	Kufsteiner Strasse 72, DE -83064 Raubling, Germany	A227
IMACycles Bicicletas e Motociclos LDA	Z.I. Oiã - Apartado 117, PT-3770-059 Oliveira do Bairro, Portugal	A487	IMACYCLES-Acessorios Para Bicicletas e Motociclos LDA	Z.I. Oiã - Apartado 117 lote 5, PT-3770-059 Oliveira do Bairro, Portugal	A487

Old references			Updated references		
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Ing. Jaromír Březina	Foglarova 2896/11, CZ — 787 01 Šumperk, Czech Republic	A776	Ing. Jaromír Březina	Foglarova 2896/11, CZ — 787 01 Šumperk, Czech Republic	A776
Inter Bike Imp. Export, Lda.	Zona Industrial de Vagos, Lote 27, PO Box 132, PT-3840, Vagos, Portugal	8296	Inter bike — Importação e Exportação Lda	Zona Industrial de Vagos Lote 27, PO Box 132, PT-3840 385 Vagos, Portugal	8296
Intersens Bikes & Parts B.V.	Bedrijvenpark Twente 170, NL-7602KF Almelo, Netherlands	A090	Intersens Bikes & Parts B.V.	Bedrijvenpark Twente 170, NL-7602KE Almelo, Netherlands	A090
Jan Janssen Fietsen B.V.	NL-4631 SR Hoogerheide, Netherlands	8078	Jan Janssen Fietsen B.V.	Voltweg 11, NL-4631SR Hoogerheide, Netherlands	8078
Jan Zasada Biuro Ekonomiczno-Handlowe	ul. Fabryczna 6, PL-98-300 Wieluń, Poland	A542	Jan Zasada Biuro Ekonomiczno-Handlowe	ul. Fabryczna 6, PL-98-300 Wieluń, Poland	A542
JETLANE SAS	4, boulevard de Mons, FR -59650 Villeneuve d'Ascq, France	A968	JETLANE S.A.S.	4 boulevard de Mons, FR -59650 Villeneuve d'Ascq, France	A968
Jozef Kender-Kenzel	Imeľ č. 830, SK-946 52 Imeľ, Slovakia	A557	Jozef Kender-Kenzel	Piesková 437/9A, SK-946 52 Imeľ, Slovakia	A557
KELLYS BICYCLES s. r.o.	Slnecná cesta 374, SK-922 01 Veľké Orvište, Slovakia	A551	KELLYS BICYCLES s.r.o.	Slnecná cesta 374, SK-922 01 Veľké Orvište, Slovakia	A551
Kokotis A. Bros S.A.	5th klm of Larissa-Falani, EL-41001 Larissa, Greece	A201	Kokotis A. Bros S. A.	5th klm of Larissa-Falani, EL-41500 Larissa, Greece	A201
Koliken Kft	Széchenyi u. 103, HU-6400 Kiskunhalas, Hungary	A616	Koliken MAGYAR-CSEH és SZLOVÁK Kereskedelmi Korlátolt Felelősségű Társaság	Széchenyi u. 103, HU-6400 Kiskunhalas, Hungary	A616
Koninklijke Gazelle N.V.	Wilhelminaweg 8, NL -6951 BP Dieren, Netherlands	8609	Koninklijke Gazelle N.V.	Wilhelminaweg 8, NL -6951BP Dieren, Netherlands	8609
KOVL spol. sro.	Choceradská 3042/20, CZ-141 00 Praha, Czech Republic	A838	KOVL spol. sro.	Choceradská 3042/20, CZ-14100 Praha 4, Czech Republic	A838
KROSS S.A.	ul. Leszno 46, PL-06-300 Przasnysz, Poland	A543	KROSS S.A.	ul. Leszno 46, PL-06-300 Przasnysz, Poland	A543

Old references			Updated references		
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KTM Fahrrad GmbH	AT-5230 Mattighofen, Austria	8068	KTM Fahrrad GmbH	Harlochner straß 13, AT-5230 Mattighofen, Austria	C013
Kurt Gudereit GmbH & Co. KG	DE-33607 Bielefeld, Germany	8524	Kurt Gudereit GmbH & Co. KG Fahrradfabrik	Am Strebkamp 14, DE-33607 Bielefeld, Germany	8524
Kwasny & Diekhöner GmbH	Herforder Straße 331, DE-33609 Bielefeld, Germany	A993	Kwasny & Diekhöner GmbH	Herforder Straße 331, DE- 33609 Bielefeld, Germany	A993
Lapierre SA	FR-21005 Dijon Cedex, France	8067	CYCLES LAPIERRE	6-10 Rue Edmond Voisenet, FR-21000 Dijon Cedex, France	C006
Leader - 96 Ltd	19 Sedianka Str., BG-4003 Plovdiv, Bulgaria	A813	Leader - 96 Ltd	Sedyanka 19, BG - 4003 Plovdiv, Bulgaria	A813
Lenardon Lida/Cicli Bandiziol	Via Provinciale 5, IT-33096 San Martino al Tagliamento (PN), Italy	A172	Lenardon Lida	Via Provinciale 5, IT-33098 San Martino al Tagliamento (PN), Italy	A172
Look Cycle International S.A.	27, rue du Docteur Léveillé, FR-58000 Nevers, France	A781	Look Cycle International S.A.	27 rue du Docteur Léveillé, FR-58000 Nevers, France	A781
Ludo Cycles	BE-3070 Kortenberg, Belgium	8750	Ludo N.V.	Karel Van Miertstraat 7, BE-3070 Kortenberg, Belgium	8750
Manufacture Française Du Cycle	27 rue Marcel Brunelière, FR-44270 Machecoul, France	8963	Manufacture Française Du Cycle	27 rue Marcel Brunelière, FR-44270 Machecoul, France	C014
Mara CICLI Srl	Via della Pergola 5, IT-21052 Busto Arsizio VA, Italy	8983	Mara CICLI S.r.l.	Via della Pergola 5, IT -21052 Busto Arsizio (VA), Italy	8983
Master Bike, s.r.o.	Sadová 2, CZ-789 01 Zábřeh na Moravě, Czech Republic	A552	Master Bike s.r.o.	Sadová 2205/2, CZ - 789 01 Zábřeh, Czech Republic	A552
Maxbike Ltd	Svatoplukova 2771, CZ-700 30 Ostrava-Vitkovice, Czech Republic	A664	Maxbike s.r.o.	Svatoplukova 2771/1, CZ-700 30 Vitkovice, Ostrava, Czech Republic	A664
Maxcom Ltd	Golyamokonarsko shosse Str. 1, BG-4204 Tsaratsovo, Plovdiv, Bulgaria	A812	Maxcom	Golyamokonarsko Shose Str. 1, BG-4204 Tsaratsovo, Plovdiv, Bulgaria	A812
Maxtec Ltd	Golyamokonarsko shose Str. 1, BG-4204 Tsaratsovo, Plovdiv, Bulgaria	A991	Maxtec Ltd	Golyamokonarsko shose Str. 1, BG-4204 Tsaratsovo, Plovdiv, Bulgaria	A991

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MBM SRL	Via Emilio Levante 1671/73/75, IT-47023 Cesena (FC), Italy	8067	MBM S.r.l.	Via Emilia Levante 1671/73/75, IT-47521 Cesena (FC), Italy	C015
Metelli di Metelli Maria Rosa E C. S. A.S.	Via Trento 68, IT-25030 Trenzano (BS), Italy	A979	New Metelli di Metelli Maria Rosa & C. S.A.S.	Via Trento 68, IT-25030 Trenzano (BS), Italy	A979
MIFA Mitteldeutsche Fahrradwerke AG	Kyselhäuser Strasse 23, DE-06526 Sangerhausen, Germany	8009	MIFA-Bike GmbH	Kyselhäuser Strasse 23, DE-06526 Sangerhausen, Germany	8009
Montana srl	IT-12060 Magliano ALPI, Italy	8068	Montana SRL	Via Domenico Rossi 70, IT-12060 Magliano Alpi (CN), Italy	C016
Motomur S.L.	Ctra. Mazarron, Km. 2, ES-30120 EL PALMAR (Murcia), Spain	A436	Motomur S.L.	Avda. Castillo de la asomada 6, ES-30120 El Palmar (Murcia), Spain	A436
N.V. Race Productions	Ambachtstraat 19, BE-3980 Tessenderlo, Belgium	A576	N.V. Race Productions	Beverlosesteenweg 85, BE-3583 Beringen, Belgium	A576
Neuzer Kerékpár Kereskedelmi és Szolgáltató Kft.	Eötvös u. 48, HU-2500 Esztergom, Hungary	A545	Neuzer Kerékpár Kereskedelmi és Szolgáltató Kft.	Mátyás király u. 45, HU-2500 Esztergom, Hungary	A545
Nikos Maniatopoulos sa	EL-26500 Ag Vassilios-Patras, Greece	8062	NIKOS MANIATOPOULOS S.A.	Kosti Palama & Solonos, EL-26504 Agios Vasileios-Patras, Greece	8062
Norta NV	Stradsestraat 17, BE-2250 Olen, Belgium	A413	Norta N.V.	Stradsestraat 39, BE-2250 Olen, Belgium	A413
Novus Bike s.r.o.	Vančurova 2985/20, CZ-746 01 Předměstí Opava 1, Czech Republic	A553	Novus Bike s.r.o.	Vančurova 2985/20, CZ-746 01 Předměstí Opava, Czech Republic	A553
NV Minerva	BE-3580 Beringen, Belgium	8330	NV Minerva	Schoebroekstraat 38, BE-3583 Paal-Beringen, Belgium	8330
Olimpia Kerékpár Kft.	Ostorhegy u. 4, HU - 1164 Budapest, Hungary	A554	Olimpia Kerékpár Kft.	Ostorhegy u 4, HU-1164 Budapest, Hungary	A554
Olmo Giuseppe SpA	IT-17015 Celle Ligure (SV), Italy	8981	Olmo Giuseppe S. p.a.	Via Poggi 22, IT - 17015 Celle Ligure (SV), Italy	8981

Old references			Updated references		
Name	Address	TARIC additional code	Updated Name	Updated Address	Updated TARIC additional code (*)
OLPRAN Spol. s.r.o.	Libušina 101, CZ-772-11 Olomouc, Czech Republic	A546	OLPRAN Spol. s.r.o.	Libušina 526/101, CZ-772-11 Olomouc-Chvátkovice, Czech Republic	A546
Orbea S. Coop Ltd	ES-48269 Mallabia, Spain	8069	Orbea S. Coop Ltd	Poligono Industrial Goitondo s/n, ES-48269 Mallabia-Bizkaia, Spain	8069
Órbita-Bicicletas Portuguesas Lda	PT-3751 Àgueda Codex, Portugal	8082	Órbita-Bicicletas Portuguesas Lda	Rua da Fonta Nova 616, -Povoa da Carvalha, PT-3750-720 Recardães, Portugal	8082
Oxyprod S.r.l.	Via Morone Gerolamo 4, IT-20121 Milano MI, Italy	8085	Oxyprod S.r.l.	Via Morone Gerolamo 4, IT-20121 Milano (MI), Italy	8085
Pantherwerke	Alter Postweg 190, DE-32584 Löhne, Germany	8963	Panther International GmbH	Alter Postweg 190, DE-32584 Löhne, Germany	C017
Paul Lange & Co. OHG	Hofener Strasse 114, DE-70372 Stuttgart, Germany	A288	Paul Lange & Co. OHG	Hofener Strasse 114, DE-70372 Stuttgart, Germany	A288
PFIFF Vertriebs GmbH	Wilhelmstrasse 49, DE-49610 Quakenbrück, Germany	A668	PFIFF Vertriebs GmbH	Wilhelmstrasse 49-51, DE-49610 Quakenbrück, Germany	A668
Planet'Fun S.A.	FR-17180 Périgny, France	8767	Planet'Fun S.A.	les 4 chevaliers, Rond-point de la Republique-, FR-17180 Périgny, France	8767
Prestige Rijwielen N. V.	Zuiderdijk 25, BE-9230 Wetteren, Belgium	A737	Prestige Rijwielen N.V.	Zuiderdijk 25, BE-9230 Wetteren, Belgium	A737
Promiles	FR-59650 Villeneuve d'Ascq, France	8963	Promiles	4 Boulevard de Mons, FR-59650 Villeneuve d'Ascq, France	C018
Prophete GmbH	DE-33378 Rheda-Wiedenbrück, Germany	8963	Prophete GmbH & Co. KG	Lindenstrasse 50, DE-33378 Rheda-Wiedenbrück, Germany	C019
Przedsiębiorstwo Handlowo-Produkcyjne UNIBIKE Jerzy Orłowski, Piotr Drobotowski Sp. Jawna	ul. Przemysłowa 28B, PL-85-758 Bydgoszcz, Poland	A556	UNIBIKE K. Orłowska, P. Drobotowski Sp.J.	ul. Przemysłowa 28B, PL-85-758 Bydgoszcz, Poland	A556

Old references			Updated references		
Name	Address	TARIC additional code	Updated Name	Updated Address	Updated TARIC additional code (*)
Puky GmbH & Co. KG	Fortunastraße 11, DE-42489 Wülfrath, Germany	A778	Puky GmbH & Co. KG	Fortunastraße 11, DE-42489 Wülfrath, Germany	A778
Radsportvertrieb Dietmar Bayer GmbH	Zum Acker 1, DE-56244 Freirachdorf, Germany	A850	Radsportvertrieb Dietmar Bayer GmbH	Zum Acker 1, DE-56244 Freirachdorf, Germany	A850
RGVS Ibérica Unipessoal Lda	Rua Central de Mandim, Barca, Castelo da Maia, PT-4475-023 Maia, Portugal	A320	RGVS Ibérica Unipessoal Lda	Rua Central de Mandim- Barca, Castelo da Maia, PT-4475-023 Maia, Portugal	A320
Rijwielen en Bromfietsenfabriek L'Avenir NV	Posthoornstraat 1, BE-2500 Lier, Belgium	A826	L'Avenir	Posthoornstraat 1, BE-2500 Lier, Belgium	A826
Robifir Bike Ltd	3A Kosta Bosilkov Street, BG- 2700 Blagoevgrad, Bulgaria	A815	Robifir Bike LTD	Kosta Bosilkov Street 3A, BG- 2700 Blagoevgrad, Bulgaria	A815
Rose Versand GmbH	Schersweide 4, DE-46395 Bocholt, Germany	A897	ROSE Bikes GmbH	Schersweide 4, DE-46395 Bocholt, Germany	A897
S.C. Madirom Prod S.R.L.	Strada Ștefan Procopiu nr.1, RO-300647 Timișoara, județul Timiș, Romania	A896	S.C. Madirom Prod S.r.l.	Strada Ștefan Procopiu 1, RO-300647 Timișoara, Județ Timiș, Romania	A896
S.N.C. Cicli Olympia di Pasquale e Antonio Fontana & C.	Via Galileo Galilei 12/ A, IT-35028 Piove di Sacco (PD), Italy	A167	S.N.C. Cicli Olympia di Pasquale e Antonio Fontana & C.	Via Galileo Galilei 12/ A, IT-35028 Piove di Sacco (PD), Italy	A167
Sangal - Indústria de Veículos Lda	Rua do Serrado - Apartado 21, PT-3781-908 Sangalhos, Portugal	A407	Sangal - Indústria de Veículos Lda	Rua do Serrado - Apartado 21, PT-3781-908 Sangalhos, Portugal	A407
Savoye	FR-01470 Serrières de Briord, France	8080	Etablissements Savoye et Cie	Rue de l'industrie, FR-01470 Serrières de Briord, France	8080
SC Eurosport DHS SA	Strada Sântuhalm nr. 35A, Deva, județul Hunedoara, RO, Romania	A817	Eurosport DHS SA	Santuhalm Street 35A, RO — 330004 Județ Hunedoara Deva, Romania	A817
Schauff GmbH & Co. KG	In der Wässerscheidt 56, DE-53424 Remagen, Germany	8973	Fahrradfabrik Schauff GmbH & Co. KG	Wässerscheidt 56, DE-53424 Remagen, Germany	8973

Old references			Updated references		
Name	Address	TARIC additional code	Updated Name	Updated Address	Updated TARIC additional code (*)
Schiano srl	IT-80020 Frattaminore (NA), Italy	8084	Schiano S.r.l.	Via Viggiano 44, IT - 80020 Frattaminore (NA), Italy	8084
Scout snc	IT-20020 Grancia di Lainate (MI), Italy	8081	Scout S.n.c	Via Pogliano 36, IT - 20020 Lainate (MI), Italy	8081
SFM GmbH	Strawinskystraße 27b, DE-90455 Nürnberg, Germany	A485	SFM GmbH	Strawinskystraße 27b, DE-90455 Nürnberg, Germany	A485
Simplon Fahrrad GmbH	Oberer Achdamm 22, AT-6971 Hard, Austria	A045	Simplon Fahrrad GmbH	Oberer Achdamm 22, AT-6971 Hard, Austria	A045
Sintema Sport S.r.l.	Via delle Valli 07, IT-20847 Albiate (MB), Italy	A970	Sintema Sport S.r.l.	Via delle Valli 7, IT-20847 Albiate (MB), Italy	A970
Skeppshultcykeln AB	Storgatan 78, SE-333 03 Skeppshult, Sweden	A745	Skeppshultcykeln AB	Storgatan 78, SE-333 03 Skeppshult, Sweden	A745
Skilledbike Sp. z o.o.	Olszanka 109, PL-33-386 Podegrodzie, Poland	A966	Skilledbike Sp. z o.o.	Olszanka 109, PL-33-386 Podegrodzie, Poland	A966
Special Bike Società Cooperativa	Via dei Mille n. 50, IT-71042 Cerignola (FG), Italy	A533	Special Bike Società Cooperativa	Via Nizza 20, IT-71042, Cerignola (FG), Italy	A533
Speedcross di Torretta Luigi E C. s.n.c.	Corso Italia 20, IT - 20020 Vanzaghello (MI), Italy	A163	Speedcross di Torretta Luigi E C. s.n.c.	Corso Italia 20, IT - 20020 Vanzaghello (MI), Italy	A163
Sprick Rowery Sp. z o.o.	ul. Świerczewskiego 76, PL-66-200 Świebodzin, Poland	A571	Sprick Rowery Sp. z o.o.	ul. Świerczewskiego 76, PL-66-200 Świebodzin, Poland	A571
Star Ciclo, Montagem Comercialização de Bicicletas Lda	Vale do Grou Aguada de Cima, PT-3750-064 Águeda, Portugal	A445	Star Ciclo, Montagem Comercialização de Bicicletas Lda	Zona industrial de Barro 402, PT-3750-353 Águeda, Portugal	A445
Star Due S.r.l.	Via De Gasperi 55, IT-31010 Coste di Maser, Italy	A432	Star Due S.r.l.	Via De Gasperi 55, IT-31010 Frazione: Coste, Maser (TV), Italy	A432
Stevens Vertriebs GmbH	Asbrookdamm 35, DE - 22115 Hamburg, Germany	A774	Stevens Vertriebs GmbH	Asbrookdamm 35, DE- 22115 Hamburg, Germany	A774
Tecno Bike s.r.l.	Via del Lavoro sn., IT-61030 Canavaccio di Urbino (PU), Italy	8612	Tecno Bike S.r.l.	Via del Lavoro 22, IT-61030 Canavaccio, Urbino (PS), Italy	8612

Old references			Updated references		
Name	Address	TARIC additional code	Updated Name	Updated Address	Updated TARIC additional code (*)
Telai Olagnero SRL	Strada Valle Maira, IT-12020 Roccabruna, Italy	A403	Telai Olagnero S.r.l.	Strada Valle Maira 141, IT-12020 Roccabruna (CN), Italy	A403
TG Supplies GmbH	Gablonzer Straße 10, DE-76185 Karlsruhe, Germany	A794	TG Supplies GmbH	Gablonzer Straße 10, DE-76185 Karlsruhe, Germany	A794
Thompson SA	BE-7860 Lessines, Belgium	8491	Thompson	Lessensestraat 110, BE-9500 Geraardsbergen, Belgium	8491
TNT Cycles	ES-17180 Vilablareix (Girona), Spain	8963	TNT Cycles S.L.	C/Mosquerola 61-63, ES-17180 Vilablareix (Girona), Spain	C020
Toim SL	C/Jarama, Parcela 138 Poligono Industrial, ES-45007 Toledo, Spain	A384	Toim S.L.	Calle Rio Jarama 90 Poligono Industrialde Toledo ES-45007 Toledo, Spain	A384
Tolin Przedsiębiorstwo Prywatne Jerzy Topolski	Łęg Witoszyn, PL-87-811 Fabianki, Poland	A586	Tolin Przedsiębiorstwo Prywatne Jerzy Topolski	Łęg Witoszyn 5a, PL-87-811 Fabianki, Poland	A586
TRENGA DE Vertriebs GmbH	Großmoordamm 63-67, DE-21079 Hamburg, Germany	A746	TRENGA DE Vertriebs GmbH	Großmoordamm 63-67, DE-21079 Hamburg, Germany	A746
UAB Baltik Vairas	Pramonės g. 3, LT-78138 Šiauliai, Lithuania	A547	UAB Baltik Vairas	Pramonės g. 3, LT-78138 Šiauliai, Lithuania	A547
Unicykel AB	Aröds Industriväg 14, SE-422 43 Hisings Backa, Sweden	A967	Unicykel AB	Aröds Industriväg 14, SE-422 43 Hisings Backa, Sweden	A967
Van den Berghe NV	BE-9100 Sint-Niklaas, Belgium	8073	Van den Berghe N. V.	Industriepark noord 24, BE-9100 Sint-Niklaas, Belgium	8073
Velomania Ltd	Dimitar Nestorov Street bl. 120, BG-1612 Sofia, Bulgaria	A814	Velomania Ltd	Dimitar Nestorov Street bl. 120, BG-1612 Sofia, Bulgaria	A814
Velomarche di Giunta Giancarlo & C. SNC	Via Piemonte 5/7, IT-61020 Montecchio (PS), Italy	A231	Velomarche di Giunta Giancarlo & C. s.n.c.	Via Piemonte 5/7, IT-61022 frazione: Montecchio, Vallefoglia (PS), Italy	A231
VICINI di Vicini Ottavio e Figli s.n.c.	via dell'Artigianato 284, IT-47023 Cesena (FO), Italy	A233	VICINI di Vicini Ottavio e Figli s.n.c.	via dell'Artigianato 284, IT-47521 Cesena (FO), Italy	A233
Vizija Sport d.o.o.	Tržaška cesta 77, SI - 1370 Logatec, Slovenia	A630	Vizija Sport d.o.o.	Tržaška cesta 77, SI - 1370 Logatec, Slovenia	A630

Old references			Updated references		
Name	Address	TARIC additional code	Updated Name	Updated Address	Updated TARIC additional code (*)
W.S.B. Hi-Tech Bicycle Europe B.V.	NL-9206 AG Drachten, Netherlands	8979	W.S.B. Hi-Tech Bicycle Europe B.V.	De Hemmen 91, NL-9206AG Drachten, Netherlands	8979
Wilier Triestina S.p.a.	Via Fratel Venzo 11, IT-36028 Rossano Veneto (VI), Italy	A963	Wilier Triestina S.p.a.	Via Fratel M. Venzo 11, IT-36028 Rossano Veneto (VI), Italy	A963
Winora Staiger GmbH	Max-Planck-Strasse 6, DE-97526 Sennfeld, Germany	A894	Winora Staiger GmbH	Max-Planck-Straße 6, DE-97526 Sennfeld, Germany	A894
Yakari Spa	Via Kennedy 44, IT-25028 Verolanuova, Italy	8071	Yakari S.r.l.	Via Kennedy 44, IT-25028 Verolanuova (BS), Italy	8071
ZPG GmbH & Co. KG	Ludwig-Hüttner Straße 5-7, DE-95679 Waldershof, Germany	8490	ZPG GmbH & Co. KG	Ludwig-Hüttner Straße 5-7, DE -95679 Waldershof, Germany	8490
Zweirad Paulsen	Hauptstraße 80, DE-49635 Badbergen, Germany	A566	Zweirad Paulsen	Industriestraße 30, DE- 49565, Bramsche, Germany	A566

(*) The following exempted parties originally covered by TARIC additional code 8963 are attributed to the new unique codes: Accell Nederland B.V. (C004), Cycles France Loire (C005), Cycleurope Industries (C007), Cycleurope Sverige AB (C008), Derby Cycle Werke GmbH (C009), Engelbert Meyer GmbH (C010), Manufacture Française Du Cycle (C014), Panther International GmbH (C017), Promiles (C018), Prophete GmbH (C019), TNT Cycles (C020). The following exempted party originally covered by TARIC additional code 8065 is attributed to the following code: Esmaltina (C011). The following exempted parties originally covered by TARIC additional code 8067 are assigned to the following codes: CYCLES LAPIERRE (C006), F.lli Masciagli S.p.a. (C012), MBM S.r.l. (C015). The following exempted parties originally covered by TARIC additional code 8068 are assigned to the following codes: Montana S.r.l. (C016), KTM Fahrrad GmbH (C013).

ANNEX II

List of parties whose exemption is revoked

Name	Address	Country	TARIC additional code
A & J Europe Bicycle Manufacturing Ltd	Unit G, Mochdre Enterprise Park Newtown, Powys SY16 4LE	United Kingdom	A126
Accell Hercules Fahrrad GmbH und Co KG	Industriestrasse 32-40, 90616 Neuhof/Zenn	Germany	8963
ADD SA	28820 Madrid	Spain	8085
AGECE — Montagem e Comercio De Bicicletas, S.A.	Zona Ind. Barro — Apartado 514, 3754-909 Agueda	Portugal	A466
AMP Welding, s.r.o.	Orlové 165, 01701 Považská Bystrica	Slovakia	A572
ASWEL	12025 Dronero (Cuneo)	Italy	8086
Athletic Manufacturing Sp. z o.o.	ul. Strefowa 7, 75-202 Koszalin	Poland	A568
Aurora Srlt	31029 Vittorio Veneto (TV)	Italy	8033
Bike Systems GmbH	Freiherr-vom-Stein-Strasse 31, 99734 Nordhausen	Germany	8034
BI-KI SpA	Via Ponte Gobbo, 12, 24060 Telgate (BG)	Italy	8608
Birrodas Lda	3780 Anadia	Portugal	8085
Blue Ocean Hungary Ltd	Sukorói u. 8, 8097 Nadap	Hungary	A858
B-TECH SA	Ag. Panteleimonas — N.Santa Dimou Gallikou — Kilkis 61100	Greece	A411
CAPRI-Ne Kft.	Kiskút útja 1, 8000 Székesfehérvár	Hungary	A562
Carnielli Fitness SpA	Via Menarè 296, 31029 Vittorio Veneto	Italy	A423
Carraro SRL Industria Cicli	Via Caduti del Lavoro 14, 35010 Villafranca Padovana (PD)	Italy	A173
Checker Pig GmbH	Venusberger Strasse 42, 09430 Drebach	Germany	A322
Cicli Bimm SRL	Via Bisenzio 55, 59013 Montemurlo (PO)	Italy	8077
Cicli Douglas di Battistello Albano & C. SNC	Via Copernico, 3-Z.I., - 35028 Piove di Sacco (PD)	Italy	A169
Cicli Olimpica di Sarto Simone & C. s.n.c.	Via Pietro Maroncelli 4, 35010 Vigonza (PD)	Italy	A229
Cicli Roger di Rubin Giorgio Sas	Via delle Industrie, 2/72, 30020 Meolo	Italy	A422
Concept Cycling, Ltd	Unit 7/8 Shield Drive Wardley Ind Est, Worsley, Manchester M28 2QB	United Kingdom	8622

Name	Address	Country	TARIC additional code
Confersil — Motorizadas e Bicicletas, Lda	AP 37, 3751 Agueda Codex	Portugal	8037
CSEKE Trade Kft	Központi út 21-47, 1211	Hungary	A685
Cycle Citi Corporation Ltd	Unit 13, Llandegai Ind. Estate Bangor, Gwynedd LL57 4 YH	United Kingdom	A230
Cycles Messina	57280 Semecourt	France	8069
Decathlon Sp. z o. o.	ul. Malborska 53, 03-286 Warsaw	Poland	A696
Denver France	1, rue Carrerot, 64400 Moumour	France	8607
Dutch Bicycle Group B.V.	Adrieaan Banckertstraat 7, 3115 JE Schiedam	Netherlands	A287
Enik GmbH	57473 Wenden, Germany	Germany	8066
Epple Zweirad GmbH	Mittereschweg, 1 87700 Memmingen	Germany	A376
EUROBIK, s.r.o.	Bardejovská 36, 08006 Prešov	Slovakia	A575
Eurobike Kft	Zengő utca 58, 7693 Pécs-Hird	Hungary	A624
EXPLORER group s.r.o.	74267 Ženkla 167	Czech Republic	A563
Fa. Alfred Fischer	76229 Karlsruhe	Germany	8963
Falter Bike GmbH & Co KG	Bunzlauer Strasse 15, 33719 Bielefeld	Germany	A125
FIB SpA	Via Canegge 8, 60032 Castelpiano	Italy	8327
Field ABEE	Industrial Area of Thessaloniki, A5 Road, 57022 Sindos	Greece	8034
Forza A/S	Industrivej 20, DK-5750 Ringe	Denmark	A289
Gatsoulis	Vitinis 26, 14342 New Philadelphia, Athens	Greece	A350
GI Bike Srl	Via delle Industrie 14, 20050 Sulbiate (MI)	Italy	A170
J. Recker & Co. GmbH	Am Wiesenpfad 21, 53340 Meckenheim	Germany	A200
José Alvarez	Z.I. de l'Hippodrome, 32020 Auch Cedex 09	France	A374
Koga B.V.	Tinweg 9, 8445 PD Heerenveen	Netherlands	A773
Kynast Bike GmbH	Artlandstrasse 55, 49610 Quakenbrück	Germany	A692
Kynast GmbH	Artlandstrasse 55, 49610 Quakenbrück	Germany	A284
Larcom Life Cycles International B.V.	7711 GP Nieuwleusen	Netherlands	8056
LDM SAS	10, allée Ruby, 38500 Voiron	France	8331
Lew-Ways Ltd	Cannock WS11 3NB	United Kingdom	8492
Love Bike s.r.l.	Strada Valle Maira 135/3, 12020 Roccabruna	Italy	A251

Name	Address	Country	TARIC additional code
Manufacture de Cycles du Comminges (M.C.C.)	Z.I. Ouest, 31800 Saint-Gaudens	France	A690
Manufacture Viennoise de Cycles	38780 Estrablin	France	8069
MICPOL	ul. Myśliborska 93A m. 62, 03-185 Warszawa	Poland	A839
Muddyfox Limited	233/236 Nestles Avenue, Hayes Middlesex UB 3 4 RY	United Kingdom	8963
Müller GmbH	Riedlerweg 7, 8054 Graz	Austria	A978
Open Space Srl	Viale Europa 6/B Int. D, 35020 Roncaglia de Ponte San Nicolo Padova	Italy	A486
Ottobici s.r.l.	Z.I. località Terzerie, 84053 Cicerale (SA)	Italy	A243
Peripoli SpA	36075 Montecchio Maggiore (VI)	Italy	8068
Professional Cycle Manufacturing	B64 5AL Cradley Heath	United Kingdom	8064
Pro-Fit Sportprodukte GmbH	Biäser Straße 29, 39261 Zerbst	Germany	A349
Quantum International SA	59770 Marly	France	8963
Raleigh	Nottingham NG7 2DD	United Kingdom	8963
Rex Industri AB	Box 303, SE-30108 Halmstad	Sweden	A311
Rizzato & C (Cesare Rizzato)	35131 Padova	Italy	8067
S.B.B. srl	Via Cuneo 121/A, 12020 Cervasca	Italy	A164
Saracen Cycles Ltd	CV34 6TS, Warwick	United Kingdom	8062
Sektor S.R.L.	Via Don Peruzzi - 27/b, 36027 Rosa (VI)	Italy	A956
Shivati Bicycles B.V.	Industrieterrein 4c, 5981 NK Panningen	Netherlands	A321
Shock Blaze s.r.l.	Via Vittorio Veneto 29/31, 31020 S. Martino di Colle Umberto	Italy	A250
SIRLA Sociedade Industrial do Randam, Lda	Apartado 72, 3751 Agueda	Portugal	8602
Sparta Rijwielen-en Motorfabriek BV	7300 AA Apeldoorn	Netherlands	8076
Steppenwolf Bikes GmbH	Keltenring 9, 82041 Oberhaching	Germany	A406
Tandem Group	York YO1 4YU	United Kingdom	8963
Teikotec Bike-Trading GmbH	Robert-Bosch str. 6, 56727 Mayen	Germany	A328
TIESSE s.n.c. di Tosato Virginio & C.	Via Meucci 12, IT-35030 Caselle di Selvazzano Dentro (PD)	Italy	A724

Name	Address	Country	TARIC additional code
Trade-Stomil Spółka z o. o.	ul. 6 Sierpnia 74, 90-646 Łódź	Poland	A574
United Bicycles Assembly NV	Oude Bunders 2030, 3630 Maasmechelen	Belgium	A347
United Bicycles NV	Oude Bunders 2030, 3630 Maasmechelen	Belgium	A467
Vaterland Werk	58805 Neuenrade	Germany	8063
Veneta Technologie Srl	Via Serenissima 4, 36075 Montecchio Maggiore (VI)	Italy	A254
Vern Special srl	20020 Lainate (MI)	Italy	8077
Victus International Trading S.A.	ul. Naramowicka 150, 61-619 Poznań	Poland	A588
VILAR-Indústrias Metalúrgicas S.A.	Rua Central do Ribeiro 512, 4745 Alvarelhos	Portugal	A248
Vivi Bikes Srl	Via Brescia 1, 26010 Pozzaglio ed Uniti	Italy	A428

COMMISSION IMPLEMENTING REGULATION (EU) 2015/832**of 28 May 2015**

initiating an investigation concerning the possible circumvention of countervailing measures imposed by Council Implementing Regulation (EU) No 1239/2013 on imports of crystalline silicon photovoltaic modules and key components (i.e. cells) originating in or consigned from the People's Republic of China by imports of crystalline silicon photovoltaic modules and key components (i.e. cells) consigned from Malaysia and Taiwan, whether declared as originating in Malaysia and Taiwan or not, 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 597/2009 of 11 June 2009 on protection against subsidised imports from countries not members of the European Community ⁽¹⁾ ('the basic regulation'), and in particular Articles 23(4) and 24(5) thereof,

After having informed the Member States,

Whereas:

A. REQUEST

- (1) The European Commission ('the Commission') has received a request pursuant to Articles 23(4) and 24(5) of the basic Regulation to investigate the possible circumvention of the countervailing measures imposed on imports of crystalline silicon photovoltaic modules and key components (i.e. cells) originating in or consigned from the People's Republic of China and to make imports of crystalline silicon photovoltaic modules and key components (i.e. cells) consigned from Malaysia and Taiwan, whether declared as originating in Malaysia and Taiwan or not, subject to registration.
- (2) The request was lodged on 15 April 2015 by SolarWorld AG, a Union producer of crystalline silicon photovoltaic modules and key components (i.e. cells) and hence an interested party in the meaning of Article 23(4) of the basic Regulation.

B. PRODUCT

- (3) The product concerned by the possible circumvention is crystalline silicon photovoltaic modules or panels and cells of the type used in crystalline silicon photovoltaic modules or panels (the cells have a thickness not exceeding 400 micrometres), currently falling within CN codes ex 8501 31 00, ex 8501 32 00, ex 8501 33 00, ex 8501 34 00, ex 8501 61 20, ex 8501 61 80, ex 8501 62 00, ex 8501 63 00, ex 8501 64 00 and ex 8541 40 90 and originating in or consigned from the People's Republic of China, unless they are in transit in the sense of Article V GATT ('the product concerned').
- (4) The following product types are excluded from the definition of the product concerned:
 - solar chargers that consist of less than six cells, are portable and supply electricity to devices or charge batteries,
 - thin film photovoltaic products,
 - crystalline silicon photovoltaic products that are permanently integrated into electrical goods, where the function of the electrical goods is other than power generation, and where these electrical goods consume the electricity generated by the integrated crystalline silicon photovoltaic cell(s),
 - modules or panels with a output voltage not exceeding 50 V DC and a power output not exceeding 50 W solely for direct use as battery chargers in systems with the same voltage and power characteristics

⁽¹⁾ OJ L 188, 18.7.2009, p. 93.

- (5) The product under investigation is the same as that defined in recitals (3) and (4) above, but consigned from Malaysia and Taiwan, whether declared as originating in Malaysia and Taiwan or not, currently falling within the same CN codes as the product concerned ('the product under investigation').

C. EXISTING MEASURES

- (6) The measures currently in force and *prima facie* being circumvented are countervailing measures imposed by Council Implementing Regulation (EU) No 1239/2013 ⁽¹⁾ ('the existing measures').

D. GROUNDS

- (7) The request contains sufficient evidence that the countervailing measures on imports of crystalline silicon photovoltaic modules and key components (i.e. cells) originating in or consigned from the People's Republic of China are being circumvented by imports of the product under investigation consigned from Malaysia and Taiwan.
- (8) The evidence submitted is as follows.
- (9) The request shows that a significant change in the pattern of trade involving exports from the People's Republic of China, Malaysia and Taiwan to the Union has taken place following the imposition of the measures, without sufficient due cause or economic justification for such a change other than the imposition of the duty.
- (10) This change appears to stem from the consignment of the product concerned via Malaysia and Taiwan to the Union. However, the investigation covers any practice, process or work for which there is insufficient due cause or economic justification other than the imposition of the countervailing duty.
- (11) Furthermore, the request contains sufficient evidence that the remedial effects of the existing countervailing 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 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.
- (12) Finally, the request contains sufficient evidence that the prices of the product under investigation continue to be subsidised as previously established.

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 23(4) of the basic Regulation and to make imports of the product under investigation, whether declared as originating in Malaysia and Taiwan or not, subject to registration, in accordance with Article 24(5) of the basic Regulation.
- (14) The Governments of the People's Republic of China, Malaysia and Taiwan have been invited for consultations.

(a) Questionnaires

- (15) In order to obtain the 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 Malaysia and Taiwan, 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

⁽¹⁾ Council Implementing Regulation (EU) No 1239/2013 of 2 December 2013 imposing a definitive countervailing duty on imports of crystalline silicon photovoltaic modules and key components (i.e. cells) originating in or consigned from the People's Republic of China (OJ L 325, 5.12.2013, p. 66).

authorities of the People's Republic of China, Malaysia and Taiwan. Information, as appropriate, may also be sought from the Union industry.

- (16) In any event, all interested parties should contact the Commission forthwith, but not later than within the time-limits 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.
- (17) The authorities of the People's Republic of China, Malaysia and Taiwan will be notified accordingly of the initiation of the investigation.

(b) Collection of information and holding of hearings

- (18) All interested parties are hereby 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 of registration of imports or measures

- (19) In accordance with Article 23(5) of the basic Regulation, imports of the product under investigation may be exempted from registration or measures if the importation does not constitute circumvention.
- (20) Since the possible circumvention takes place outside the Union, exemptions may be granted, in accordance with Article 23(5) of the basic Regulation, to producers in Malaysia and Taiwan of the product under investigation that can show that they are not related ⁽¹⁾ to any producer subject to the existing measures ⁽²⁾ and that are found not to be engaged in circumvention practices as defined in Article 23(3) of the basic Regulation. 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

- (21) Pursuant to Article 24(5) of the basic Regulation, imports of the product under investigation should be made subject to registration in order to ensure that, should the investigation result in findings of circumvention, countervailing duties of an appropriate amount can be levied from the date on which registration of such imports consigned from Malaysia and Taiwan was imposed.

G. CUSTOMS DECLARATION

- (22) Statistics on crystalline silicon photovoltaic modules and key components (i.e. cells) are frequently expressed in Watt. However, there is no such supplementary unit for crystalline silicon photovoltaic modules and key components (i.e. cells) specified in the Combined Nomenclature laid down in Annex I to Council Regulation (EEC) No 2658/87 ⁽³⁾. It is therefore necessary to provide that not only the weight in kg or tonnes but also the number of Watt for the imports of the product under investigation must be entered in the declaration for release for free circulation. The number of Watt shall be indicated for TARIC codes 8541 40 90 22, 8541 40 90 23, 8541 40 90 32 and 8541 40 90 33.

⁽¹⁾ In accordance with Article 143 of Commission Regulation (EEC) No 2454/93 concerning the implementation of the Community Customs Code, 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. (OJ L 253, 11.10.1993, p. 1). 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 existing measures, an exemption may still be granted if there is no evidence that the relationship with the companies subject to the existing measures was established or used to circumvent such measures.

⁽³⁾ Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1).

H. TIME-LIMITS

- (23) 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,
 - producers in Malaysia and Taiwan may request exemption from registration of imports or measures,
 - interested parties may make a written request to be heard by the Commission.
- (24) 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.

I. NON-COOPERATION

- (25) 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 28 of the basic Regulation, on the basis of the facts available.
- (26) 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.
- (27) If an interested party does not cooperate or cooperates only partially and findings are therefore based on the facts available in accordance with Article 28 of the basic Regulation, the result may be less favourable to that party than if it had cooperated.
- (28) 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.

J. SCHEDULE OF THE INVESTIGATION

- (29) The investigation will be concluded, pursuant to Article 23(4) of the basic Regulation, within nine months of the date of the publication of this Regulation in the *Official Journal of the European Union*.

K. PROCESSING OF PERSONAL DATA

- (30) 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⁾.

L. HEARING OFFICER

- (31) 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.
- (32) 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 Regulation in the *Official Journal of the European Union*. Thereafter, a request to be heard must be submitted within specific deadlines set by the Commission in its communication with the parties.

⁽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).

- (33) 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 on issues pertaining, among other things, the existence of a change in the pattern of trade, (in-)sufficient due cause or economic justification for such a change, the undermining of the remedial effects of the existing measures, and whether the imported like product and/or parts thereof still benefit from the subsidy.
- (34) 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/>,

HAS ADOPTED THIS REGULATION:

Article 1

An investigation is hereby initiated pursuant to Article 23(4) of Regulation (EC) No 597/2009, in order to determine if imports into the Union of crystalline silicon photovoltaic modules or panels and cells of the type used in crystalline silicon photovoltaic modules or panels (the cells have a thickness not exceeding 400 micrometres), currently falling within CN codes ex 8501 31 00, ex 8501 32 00, ex 8501 33 00, ex 8501 34 00, ex 8501 61 20, ex 8501 61 80, ex 8501 62 00, ex 8501 63 00, ex 8501 64 00 and ex 8541 40 90 (TARIC codes 8501 31 00 82, 8501 31 00 83, 8501 32 00 42, 8501 32 00 43, 8501 33 00 62, 8501 33 00 63, 8501 34 00 42, 8501 34 00 43, 8501 61 20 42, 8501 61 20 43, 8501 61 80 42, 8501 61 80 43, 8501 62 00 62, 8501 62 00 63, 8501 63 00 42, 8501 63 00 43, 8501 64 00 42, 8501 64 00 43, 8541 40 90 22, 8541 40 90 23, 8541 40 90 32, 8541 40 90 33) consigned from Malaysia and Taiwan, whether declared as originating in Malaysia and Taiwan or not, are circumventing the measures imposed by Implementing Regulation (EU) No 1239/2013.

The investigation does not concern imports into the Union of:

- solar chargers that consist of less than six cells, are portable and supply electricity to devices or charge batteries,
- thin film photovoltaic products,
- crystalline silicon photovoltaic products that are permanently integrated into electrical goods, where the function of the electrical goods is other than power generation, and where these electrical goods consume the electricity generated by the integrated crystalline silicon photovoltaic cell(s),
- modules or panels with a output voltage not exceeding 50 V DC and a power output not exceeding 50 W solely for direct use as battery chargers in systems with the same voltage and power characteristics.

Article 2

The Customs authorities shall, pursuant to Article 23(4) and Article 24(5) of Regulation (EC) No 597/2009, 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 manufactured by producers having applied for an exemption from registration and having been found to fulfil the conditions for an exemption to be granted.

Where a declaration for release for free circulation is presented in respect of imports of those crystalline silicon photovoltaic modules and key components (i.e. cells) which are currently falling within TARIC codes 8541 40 90 22, 8541 40 90 23, 8541 40 90 32 and 8541 40 90 33, those TARIC codes and the number of Watt of the goods imported shall be entered in the relevant field of that declaration.

Member States shall, on a monthly basis, inform the Commission of the number of Watt for TARIC codes 8541 40 90 22, 8541 40 90 23, 8541 40 90 32 and 8541 40 90 33.

Article 3

- (1) Questionnaires must be requested from the Commission within 15 days from publication of this Regulation in the *Official Journal of the European Union*.
- (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 the publication of this Regulation in the *Official Journal of the European Union*, unless otherwise specified.
- (3) Producers in Malaysia and Taiwan 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) Use of information submitted to the Commission for the purpose of trade defence investigations that is subject to copyright shall be permitted by copyright holders. 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, including its publication in the *Official Journal of the European Union*, and b) to provide the information and/or data to interested parties to this investigation.
- (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⁾. Where confidential treatment is requested, interested parties must show good cause pursuant to Article 29(1) of the basic Regulation.
- (7) Interested parties providing information labelled as '*Limited*' are required to furnish non-confidential summaries of it pursuant to Article 29(2) of the basic Regulation, which must be labelled '*For inspection by interested parties*'. These summaries must be sufficiently detailed to permit a reasonable understanding of the substance of the information submitted in confidence. If 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, except where the interested parties can show that such information is not susceptible of summary. In such exceptional circumstances, a statement of the reasons why such summary is not possible must be provided.
- (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.
- (9) Commission address for correspondence:

European Commission
Directorate-General for Trade
Directorate H
Office: CHAR 04/039
1040 Brussels
BELGIUM
E-mail: TRADE-SP-AC-SUBSIDY-MY-TW@ec.europa.eu

⁽¹⁾ A '*Limited*' document is a document which is considered confidential pursuant to Article 29 of Council Regulation (EC) No 597/2009 (OJ L 188, 18.7.2009, p. 93) and Article 12 of the WTO Agreement on Subsidies and Countervailing Measures. 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).

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, 28 May 2015.

For the Commission

The President

Jean-Claude JUNKER

COMMISSION IMPLEMENTING REGULATION (EU) 2015/833**of 28 May 2015**

initiating an investigation concerning the possible circumvention of anti-dumping measures imposed by Council Implementing Regulation (EU) No 1238/2013 on imports of crystalline silicon photovoltaic modules and key components (i.e. cells) originating in or consigned from the People's Republic of China by imports of crystalline silicon photovoltaic modules and key components (i.e. cells) consigned from Malaysia and Taiwan, whether declared as originating in Malaysia and Taiwan or not, 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 imports of crystalline silicon photovoltaic modules and key components (i.e. cells) originating in or consigned from the People's Republic of China and to make imports of crystalline silicon photovoltaic modules and key components (i.e. cells) consigned from Malaysia and Taiwan, whether declared as originating in Malaysia and Taiwan or not, subject to registration.
- (2) The request was lodged on 15 April 2015 by SolarWorld AG, a Union producer of crystalline silicon photovoltaic modules and key components (i.e. cells) and hence an interested party in the meaning of Article 13(3) of the basic Regulation.

B. PRODUCT

- (3) The product concerned by the possible circumvention is crystalline silicon photovoltaic modules or panels and cells of the type used in crystalline silicon photovoltaic modules or panels (the cells have a thickness not exceeding 400 micrometres), currently falling within CN codes ex 8501 31 00, ex 8501 32 00, ex 8501 33 00, ex 8501 34 00, ex 8501 61 20, ex 8501 61 80, ex 8501 62 00, ex 8501 63 00, ex 8501 64 00 and ex 8541 40 90 and originating in or consigned from the People's Republic of China, unless they are in transit in the sense of Article V GATT ('the product concerned').
- (4) The following product types are excluded from the definition of the product concerned:
 - solar chargers that consist of less than six cells, are portable and supply electricity to devices or charge batteries,
 - thin film photovoltaic products,
 - crystalline silicon photovoltaic products that are permanently integrated into electrical goods, where the function of the electrical goods is other than power generation, and where these electrical goods consume the electricity generated by the integrated crystalline silicon photovoltaic cell(s),
 - modules or panels with a output voltage not exceeding 50 V DC and a power output not exceeding 50 W solely for direct use as battery chargers in systems with the same voltage and power characteristics.

⁽¹⁾ OJ L 343, 22.12.2009, p. 51.

- (5) The product under investigation is the same as that defined in recitals (3) and (4) above, but consigned from Malaysia and Taiwan, whether declared as originating in Malaysia and Taiwan or not, currently falling within the same CN codes as the product concerned ('the product under investigation').

C. EXISTING MEASURES

- (6) The measures currently in force and *prima facie* being circumvented are anti-dumping measures imposed by Council Implementing Regulation (EU) No 1238/2013 ⁽¹⁾ ('the existing measures').

D. GROUNDS

- (7) The request contains sufficient evidence that the anti-dumping measures on imports of crystalline silicon photovoltaic modules and key components (i.e. cells) originating in or consigned from the People's Republic of China are being circumvented by imports of the product under investigation consigned from Malaysia and Taiwan.
- (8) The evidence submitted is as follows.
- (9) The request shows that a significant change in the pattern of trade involving exports from the People's Republic of China, Malaysia and Taiwan to the Union has taken place following the imposition of the measures, without sufficient due cause or economic justification for such a change other than the imposition of the duty.
- (10) This change appears to stem from the consignment of the product concerned via Malaysia and Taiwan to the Union. However, the investigation covers any practice, process or work for which there is insufficient due cause or economic justification other than the imposition of the anti-dumping duty.
- (11) Furthermore, the request contains sufficient 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 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.
- (12) Finally, the request contains sufficient evidence that the prices of the product under investigation are dumped in relation to the normal value previously established.

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, whether declared as originating in Malaysia and Taiwan or not, subject to registration, in accordance with Article 14(5) of the basic Regulation.

(a) Questionnaires

- (14) In order to obtain the 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 Malaysia and Taiwan, 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, Malaysia and Taiwan. Information, as appropriate, may also be sought from the Union industry.
- (15) In any event, all interested parties should contact the Commission forthwith, but not later than within the time limits 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.

⁽¹⁾ Council Implementing Regulation (EU) No 1238/2013 of 2 December 2013 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of crystalline silicon photovoltaic modules and key components (i.e. cells) originating in or consigned from the People's Republic of China (OJ L 325, 5.12.2013, p. 1).

- (16) The authorities of the People's Republic of China, Malaysia and Taiwan will be notified accordingly of the initiation of the investigation.

(b) Collection of information and holding of hearings

- (17) All interested parties are hereby 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 of 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) Since the possible circumvention takes place outside the Union, exemptions may be granted, in accordance with Article 13(4) of the basic Regulation, to producers in Malaysia and Taiwan of the product under investigation that can show that they are not related ⁽¹⁾ to any producer subject to the existing measures ⁽²⁾ and that are found not to be engaged in circumvention practices as defined in Article 13(1) and (2) of the basic Regulation. 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 should 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 consigned from Malaysia and Taiwan was imposed.

G. CUSTOMS DECLARATION

- (21) Statistics on crystalline silicon photovoltaic modules and key components (i.e. cells) are frequently expressed in Watt. However, there is no such supplementary unit for crystalline silicon photovoltaic modules and key components (i.e. cells) specified in the Combined Nomenclature laid down in Annex I to Council Regulation (EEC) No 2658/87 ⁽³⁾. It is therefore necessary to provide that not only the weight in kg or tonnes but also the number of Watt for the imports of the product under investigation must be entered in the declaration for release for free circulation. The number of Watt shall be indicated for TARIC codes 8541 40 90 22, 8541 40 90 23, 8541 40 90 32 and 8541 40 90 33.

H. TIME LIMITS

- (22) 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,
 - producers in Malaysia and Taiwan may request exemption from registration of imports or measures,
 - interested parties may make a written request to be heard by the Commission.

⁽¹⁾ In accordance with Article 143 of Commission Regulation (EEC) No 2454/93 concerning the implementation of the Community Customs Code, 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 (OJ L 253, 11.10.1993, p. 1). 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 existing measures, an exemption may still be granted if there is no evidence that the relationship with the companies subject to the existing measures was established or used to circumvent such measures.

⁽³⁾ Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1).

- (23) 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.

I. NON-COOPERATION

- (24) 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.
- (25) 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.
- (26) 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.
- (27) 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.

J. SCHEDULE OF THE INVESTIGATION

- (28) The investigation will be concluded, pursuant to Article 13(3) of the basic Regulation, within nine months of the date of the publication of this Regulation in the *Official Journal of the European Union*.

K. PROCESSING OF PERSONAL DATA

- (29) 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⁾.

L. HEARING OFFICER

- (30) 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.
- (31) 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 Regulation in the *Official Journal of the European Union*. Thereafter, a request to be heard must be submitted within specific deadlines set by the Commission in its communication with the parties.
- (32) 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 on issues pertaining, among other things, the existence of a change in the pattern of trade, (in-)sufficient due cause or economic justification for such a change, the undermining of the remedial effects of the existing measures, dumping with regard to the normal value previously established.
- (33) 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/>,

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HAS ADOPTED THIS REGULATION:

Article 1

An investigation is hereby initiated pursuant to Article 13(3) of Regulation (EC) No 1225/2009, in order to determine if imports into the Union of crystalline silicon photovoltaic modules or panels and cells of the type used in crystalline silicon photovoltaic modules or panels (the cells have a thickness not exceeding 400 micrometres), currently falling within CN codes ex 8501 31 00, ex 8501 32 00, ex 8501 33 00, ex 8501 34 00, ex 8501 61 20, ex 8501 61 80, ex 8501 62 00, ex 8501 63 00, ex 8501 64 00 and ex 8541 40 90 (TARIC codes 8501 31 00 82, 8501 31 00 83, 8501 32 00 42, 8501 32 00 43, 8501 33 00 62, 8501 33 00 63, 8501 34 00 42, 8501 34 00 43, 8501 61 20 42, 8501 61 20 43, 8501 61 80 42, 8501 61 80 43, 8501 62 00 62, 8501 62 00 63, 8501 63 00 42, 8501 63 00 43, 8501 64 00 42, 8501 64 00 43, 8541 40 90 22, 8541 40 90 23, 8541 40 90 32, 8541 40 90 33) consigned from Malaysia and Taiwan, whether declared as originating in Malaysia and Taiwan or not, are circumventing the measures imposed by Implementing Regulation (EU) No 1238/2013.

The investigation does not concern imports into the Union of:

- solar chargers that consist of less than six cells, are portable and supply electricity to devices or charge batteries,
- thin film photovoltaic products,
- crystalline silicon photovoltaic products that are permanently integrated into electrical goods, where the function of the electrical goods is other than power generation, and where these electrical goods consume the electricity generated by the integrated crystalline silicon photovoltaic cell(s),
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Article 2

The Customs authorities shall, pursuant to Articles 13(3) and 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 manufactured by producers having applied for an exemption from registration and having been found to fulfil the conditions for an exemption to be granted.

Where a declaration for release for free circulation is presented in respect of imports of those crystalline silicon photovoltaic modules and key components (i.e. cells) which are currently falling within TARIC codes 8541 40 90 22, 8541 40 90 23, 8541 40 90 32 and 8541 40 90 33, those TARIC codes and the number of Watt of the goods imported shall be entered in the relevant field of that declaration.

Member States shall, on a monthly basis, inform the Commission of the number of Watt for TARIC codes 8541 40 90 22, 8541 40 90 23, 8541 40 90 32 and 8541 40 90 33.

Article 3

1. Questionnaires must be requested from the Commission within 15 days from publication of this Regulation in the *Official Journal of the European Union*.

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 the publication of this Regulation in the *Official Journal of the European Union*, unless otherwise specified.

3. Producers in Malaysia and Taiwan 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. Use of information submitted to the Commission for the purpose of trade defence investigations that is subject to copyright shall be permitted by copyrights holders. 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, including its publication in the *Official Journal of the European Union*, and b) to provide the information and/or data to interested parties to this investigation.
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⁾. Where confidential treatment is requested, interested parties must show good cause pursuant to Article 19(1) of Regulation (EC) No 1225/2009.
7. Interested parties providing information labelled as 'Limited' are required to furnish non-confidential summaries of it pursuant to Article 19(2) of Regulation (EC) No 1225/2009, which must be labelled 'For inspection by interested parties'. These summaries must be sufficiently detailed to permit a reasonable understanding of the substance of the information submitted in confidence. If 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, except where the interested parties can show that such information is not susceptible of summary. In such exceptional circumstances, a statement of the reasons why such summary is not possible must be provided.
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.
9. Commission address for correspondence:

European Commission

Directorate-General for Trade

Directorate H

Office: CHAR 04/039

1040 Brussels

BELGIUM

E-mail: TRADE-SP-AC-DUMPING-MY-TW@ec.europa.eu

Article 4

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

⁽¹⁾ A 'Limited' document is a document which is considered confidential pursuant to Article 19 of Council Regulation (EC) No 1225/2009 (OJ L 343, 22.12.2009, p. 51) 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).

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

Done at Brussels, 28 May 2015.

For the Commission

The President

Jean-Claude JUNKER

COMMISSION IMPLEMENTING REGULATION (EU) 2015/834**of 28 May 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, 28 May 2015.

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

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

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

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	AL	56,4
	MA	91,3
	MK	91,9
	TR	85,3
	ZZ	81,2
0707 00 05	AL	35,9
	MK	31,7
	TR	105,8
	ZZ	57,8
0709 93 10	TR	123,4
	ZZ	123,4
0805 10 20	EG	58,7
	MA	50,0
	ZA	77,6
	ZZ	62,1
0805 50 10	BR	103,9
	MA	111,5
	TR	67,0
	ZA	128,1
	ZZ	102,6
0808 10 80	AR	120,9
	BR	102,6
	CL	158,4
	NZ	130,5
	US	232,9
	ZA	114,5
	ZZ	143,3
0809 29 00	US	413,6
	ZZ	413,6

⁽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) 2015/835

of 11 May 2015

on the position to be taken on behalf of the European Union in the EU-EFTA Joint Committee on common transit as regards the adoption of a Decision amending the Convention on a common transit procedure

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207(4), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Article 15a of the Convention between the European Economic Community, the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway, the Kingdom of Sweden and the Swiss Confederation on a common transit procedure ⁽¹⁾ (the 'Convention') allows for a third country to become a Contracting Party to the Convention following a decision of the Joint Committee set up by the Convention to invite the country.
- (2) Article 15 of the Convention empowers the EU-EFTA Joint Committee to recommend and adopt, by decision, amendments to the Convention and the Appendices thereto.
- (3) The former Yugoslav Republic of Macedonia formally expressed its wish to join the common transit system.
- (4) Having satisfied the essential legal, structural and information technology requirements which are preconditions for accession and following the formal procedure for accession, the former Yugoslav Republic of Macedonia may accede to the Convention.
- (5) The enlargement of the common transit system will require amendments to the Convention concerning new linguistic references in the official language of the former Yugoslav Republic of Macedonia and the appropriate adaptations to guarantee documents.
- (6) The proposed amendments were presented to, and discussed within, the EU-EFTA Working Group on 'common transit' and 'simplification of formalities in trade in goods' and the text received preliminary approval.
- (7) The position of the Union concerning the proposed amendments should therefore be based on the attached draft Decision,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted on Union's behalf within the EU-EFTA Joint Committee on common transit shall be based on the draft Decision attached to this Decision.

Minor changes to the draft Decision may be agreed upon by the representatives of the Union in the EU-EFTA Joint Committee.

⁽¹⁾ OJ L 226, 13.8.1987, p. 2.

Article 2

This Decision shall enter into force on 1 June 2015.

Done at Brussels, 11 May 2015.

For the Council
The President
J. DÜKLAVS

DRAFT

**DECISION No .../2015 OF THE EU-EFTA JOINT COMMITTEE ON COMMON TRANSIT
of ...
amending the Convention on a common transit procedure**

THE EU-EFTA JOINT COMMITTEE,

Having regard to the Convention of 20 May 1987 on a common transit procedure ⁽¹⁾ and in particular Article 15(3)(a) thereof,

Whereas:

- (1) The former Yugoslav Republic of Macedonia expressed its wish to accede to the Convention of 20 May 1987 on a common transit procedure (the 'Convention') and has been invited to do so following Decision No .../2015 of ... 2015 (*) by the Joint Committee established by the Convention.
- (2) Accordingly, the versions in the official language of the former Yugoslav Republic of Macedonia of the references used in the Convention should be inserted in the Convention in the appropriate order.
- (3) The application of this Decision should be linked to the date of accession of the former Yugoslav Republic of Macedonia to the Convention.
- (4) In order to allow the use of guarantee forms printed in accordance with the criteria in force prior to the date of accession of the former Yugoslav Republic of Macedonia, a transitional period should be established during which the printed forms, with some adaptations, could continue to be used.
- (5) The Convention should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Appendix III to the Convention on a common transit procedure is amended as set out in the Annex to this Decision.

Article 2

1. This Decision shall apply as of 1 July 2015.
2. The forms based on the specimen forms in Annexes C1, C2, C3, C4, C5, C6 to Appendix III as in force on 1 December 2012 may continue to be used, subject to the necessary geographical adaptations and the adaptations concerning the address for service or the authorised agent, until 1 May 2016.

Done in Brussels, ... 2015.

For the EU-EFTA Joint Committee

The President

⁽¹⁾ OJ L 226, 13.8.1987, p. 2.

^(*) OJ: Please insert the reference number and the date of adoption of the Decision contained in doc. ST08194/2015.

ANNEX

1. In Annex B1, in box 51 the following indent is added between Latvia and Malta:

— ‘МК (*) The former Yugoslav Republic of Macedonia’.

2. In Annex B6, Title III is amended as follows:

2.1. in the first part of the table ‘Limited validity — 99200’ the following indent is added before MT:

— ‘МК (*) Ограничено важење’.

2.2. in the second part of the table ‘Waiver — 99201’ the following indent is added before MT:

— ‘МК (*) Изземање’.

2.3. in the third part of the table ‘Alternative proof — 99202’ the following indent is added before MT:

— ‘МК (*) Алтернативен доказ’.

2.4. in the fourth part of the table ‘Differences: office where goods were presented (name and country) — 99203’ the following indent is added before MT:

— ‘МК (*) Разлики: Испостава каде стоките се ставени на увид (назив и земја)’.

2.5. in the fifth part of the table ‘Exit from subject to restrictions or charges under Regulation/Directive/Decision No ... — 99204’ the following indent is added before MT:

— ‘МК (*) Излез од предмет на ограничувања или давачки согласно Уредба/Директива/Решение №’.

2.6. in the sixth part of the table ‘Prescribed itinerary waived — 99205’ the following indent is added before MT:

— ‘МК (*) Изземање од пропишан правец на движење’.

2.7. in the seventh part of the table ‘Authorised consignor — 99206’ the following indent is added before MT:

— ‘МК (*) Овластен испраќач’.

2.8. in the eighth part of the table ‘Signature waived — 99207’ the following indent is added before MT:

— ‘МК (*) Изземање од потпис’.

2.9. in the ninth part of the table ‘COMPREHENSIVE GUARANTEE PROHIBITED — 99208’ the following indent is added before MT:

— ‘МК (*) ЗАБРАНА ЗА УПОТРЕБА НА ОПШТА ГАРАНЦИЈА’.

2.10. in the 10th part of the table ‘UNRESTRICTED USE — 99209’ the following indent is added before MT:

— ‘МК (*) УПОТРЕБА БЕЗ ОГРАНИЧУВАЊЕ’.

2.11. in the 11th part of the table ‘Issued retroactively — 99210’ the following indent is added before MT:

— ‘МК (*) Дополнително издадено’.

2.12. in the 12th part of the table ‘Various — 99211’ the following indent is added before MT:

— ‘МК (*) Различни’.

2.13. in the 13th part of the table 'Bulk — 99212' the following indent is added before MT:

— 'МК (*) Ρεφyc'.

2.14. in the 14th part of the table 'Consignor — 99213' the following indent is added before MT:

— 'МК (*) Испраќач

(*) Provisional code that does not affect the definitive denomination of the country to be attributed after the conclusion of the negotiations currently taking place in the United Nations'.

3. Annex C1 is replaced by the following text:

'ANNEX C1

Common/Community Transit Procedure

Guarantee Document

Individual Guarantee

I. Undertaking by the guarantor

1. The undersigned ⁽¹⁾ resident at ⁽²⁾ hereby jointly and severally guarantees, at the office of guarantee of up to a maximum amount of in favour of the European Union (comprising the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, Ireland, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Republic of Croatia, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, Romania, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden, the United Kingdom of Great Britain and Northern Ireland) and the Republic of Iceland, the former Yugoslav Republic of Macedonia, the Kingdom of Norway, the Swiss Confederation, the Republic of Turkey, the Principality of Andorra and the Republic of San Marino ⁽³⁾ any amount of principal, further liabilities, expenses and incidentals — but not fines — for which the principal ⁽⁴⁾ may be or become liable to the abovementioned countries for debt in the form of duty and other charges applicable to the goods described below placed under the Community or common transit procedure from the office of departure of to the office of destination of

Goods description:

2. The undersigned undertakes to pay upon the first application in writing by the competent authorities of the countries referred to in paragraph 1 and without being able to defer payment beyond a period of 30 days from the date of application the sums requested unless he or she or any other person concerned establishes before the expiry of that period, to the satisfaction of the competent authorities, that the operation has ended.

At the request of the undersigned and for any reasons recognised as valid, the competent authorities may defer beyond a period of 30 days from the date of application for payment the period within which he or she is obliged to pay the requested sums. The expenses incurred as a result of granting this additional period, in particular any interest, must be so calculated that the amount is equivalent to what would be charged under similar circumstances on the money market or financial market in the country concerned.

3. This undertaking shall be valid from the day of its acceptance by the office of guarantee. The undersigned shall remain liable for payment of any debt arising during the Community or common transit operation covered by this undertaking and commenced before any revocation or cancellation of the guarantee took effect, even if the demand for payment is made after that date.

⁽¹⁾ Surname and forename, or name of firm.

⁽²⁾ Full address.

⁽³⁾ Delete the name of the Contracting Party or Parties or States (Andorra or San Marino) whose territory is not transited. The reference to the Principality of Andorra and the Republic of San Marino shall apply solely to Community transit operation.

⁽⁴⁾ Surname and forename, or name of firm.

4. For the purpose of this undertaking the undersigned gives his or her address for service ⁽¹⁾ in each of the other countries referred to in paragraph 1 as:

Country	Surname and forename, or name of firm, and full address

The undersigned acknowledges that all correspondence and notices and any formalities or procedures relating to this undertaking addressed to or effected in writing at one of his or her addresses for service shall be accepted as duly delivered to him or her.

The undersigned acknowledges the jurisdiction of the courts of the places where he or she has an address for service.

The undersigned undertakes not to change his or her addresses for service or, if he or she has to change one or more of those addresses, to inform the office of guarantee in advance.

Done at, on

.....

(Signature) ⁽²⁾

II. Acceptance by the office of guarantee

Office of guarantee

Guarantor's undertaking accepted on to cover the Community/common transit operation effected under transit declaration No of ⁽³⁾

(Stamp and signature)

4. Annex C2 is replaced by the following text:

'ANNEX C2

Common/Community Transit Procedure

Guarantee Document

Individual Guarantee in the Form of Vouchers

I. Undertaking by the guarantor

1. The undersigned ⁽⁴⁾ resident at ⁽⁵⁾ hereby jointly and severally guarantees, at the office of guarantee of in favour of the European Union (comprising the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, Ireland, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Republic of Croatia, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, Romania, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden, the United Kingdom of Great Britain and Northern Ireland) and the Republic of Iceland, the former Yugoslav Republic of Macedonia, the Kingdom of Norway, the Swiss Confederation, the Republic of Turkey, the Principality of Andorra and the Republic of San Marino ⁽⁶⁾ any amount

⁽¹⁾ If, in the law of the country, there is no provision for address for service the guarantor shall appoint, in this country, an agent authorised to receive any communications addressed to him and the acknowledgment in the second subparagraph and the undertaking in the fourth subparagraph of paragraph 4 must be made to correspond. The courts of the place in which the addresses for service of the guarantor or his agents are situated shall have jurisdiction in disputes concerning this guarantee.

⁽²⁾ The person signing the document must enter the following by hand before his or her signature "Guarantee for the amount of ...", the amount being written out in letters.

⁽³⁾ To be complete by the office of guarantee.

⁽⁴⁾ Surname and forename, or name of firm.

⁽⁵⁾ Full address.

⁽⁶⁾ Only for Community transit operations.

of principal, further liabilities, expenses and incidentals — but not fines — for which a principal may be or become liable to the above mentioned States for debt in the form of duty and other charges applicable to the goods placed under the Community or common transit procedure, in respect of which the undersigned has undertaken to issue individual guarantee vouchers up to a maximum of EUR 7 000 per voucher.

2. The undersigned undertakes to pay upon the first application in writing by the competent authorities of the countries referred to in paragraph 1 and without being able to defer payment beyond a period of 30 days from the date of application the sums requested, up to EUR 7 000 per individual guarantee voucher, unless he or she or any other person concerned establishes before the expiry of that period, to the satisfaction of the competent authorities, that the operation has ended.

At the request of the undersigned and for any reasons recognised as valid, the competent authorities may defer beyond a period of 30 days from the date of application for payment the period within which he or she is obliged to pay the requested sums. The expenses incurred as a result of granting this additional period, in particular any interest, must be so calculated that the amount is equivalent to what would be charged under similar circumstances on the money market or financial market in the country concerned.

3. This undertaking shall be valid from the day of its acceptance by the office of guarantee. The undersigned shall remain liable for payment of any debt arising during any Community or common transit operations covered by this undertaking and commenced before any revocation or cancellation of the guarantee took effect, even if the demand for payment is made after that date.
4. For the purpose of this undertaking the undersigned gives his or her address for service ⁽¹⁾ in each of the other countries referred to in paragraph 1 as:

Country	Surname and forenames, or name of firm, and full address

The undersigned acknowledges that all correspondence and notices and any formalities or procedures relating to this undertaking addressed to or effected in writing at one of his or her addresses for service shall be accepted as duly delivered to him or her.

The undersigned acknowledges the jurisdiction of the courts of the places where he or she has an address for service.

The undersigned undertakes not to change his or her addresses for service or, if he or she has to change one or more of those addresses, to inform the office of guarantee in advance.

Done at, on

.....

(Signature) ⁽²⁾

II. Acceptance by the office of guarantee

Office of guarantee

.....

Guarantor's undertaking accepted on

.....

.....

(Stamp and signature)'

⁽¹⁾ If, in the law of the country, there is no provision for address for service the guarantor shall appoint, in this country, an agent authorised to receive any communications addressed to him and the acknowledgment in the second subparagraph and the undertaking in the fourth subparagraph of paragraph 4 must be made to correspond. The courts of the place in which the addresses for service of the guarantor or his agents are situated shall have jurisdiction in disputes concerning this guarantee.

⁽²⁾ The signature must be preceded by the following in the signatory's own handwriting: "Guarantee"

5. Annex C4 is replaced by the following text:

'ANNEX C4

Common/Community Transit Procedure

Guarantee Document

Comprehensive Guarantee

I. Undertaking by the guarantor

1. The undersigned ⁽¹⁾ resident at ⁽²⁾ hereby jointly and severally guarantees, at the office of guarantee of up to a maximum amount of being 100/50/30 ⁽³⁾ % of the reference amount, in favour of the European Union (comprising the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, Ireland, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Republic of Croatia, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, Romania, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden, the United Kingdom of Great Britain and Northern Ireland) and the Republic of Iceland, the former Yugoslav Republic of Macedonia, the Kingdom of Norway, the Swiss Confederation, the Republic of Turkey, the Principality of Andorra and the Republic of San Marino ⁽⁴⁾), any amount of principal, further liabilities, expenses and incidentals — but not fines — for which the principal ⁽⁵⁾ may be or become liable to the abovementioned countries for debt in the form of duty and other charges applicable to the goods placed under the Community or common transit procedure.
2. The undersigned undertakes to pay upon the first application in writing by the competent authorities of the countries referred to in paragraph 1 and without being able to defer payment beyond a period of 30 days from the date of application the sums requested up to the limit of the abovementioned maximum amount, unless he or she or any other person concerned establishes before the expiry of that period, to the satisfaction of the competent authorities, that the operation has ended.

At the request of the undersigned and for any reasons recognised as valid, the competent authorities may defer beyond a period of 30 days from the date of application for payment the period within which he or she is obliged to pay the requested sums. The expenses incurred as a result of granting this additional period, in particular any interest, must be so calculated that the amount is equivalent to what would be charged under similar circumstances on the money market or financial market in the country concerned.

This amount may not be reduced by any sums already paid under the terms of this undertaking unless the undersigned is called upon to pay a debt arising during a Community or common transit operation commenced before the preceding demand for payment was received or within 30 days thereafter.

3. This undertaking shall be valid from the day of its acceptance by the office of guarantee. The undersigned shall remain liable for payment of any debt arising during any Community or common transit operations covered by this undertaking and commenced before any revocation or cancellation of the guarantee took effect, even if the demand for payment is made after that date.
4. For the purpose of this undertaking the undersigned gives his or her address for service ⁽⁶⁾ in each of the other countries referred to in paragraph 1 as:

Country	Surname and forenames, or name of firm, and full address

⁽¹⁾ Surname and forename, or name of firm.

⁽²⁾ Full address.

⁽³⁾ Delete what does not apply.

⁽⁴⁾ Delete the name of the Contracting Party or States (Andorra or San Marino) whose territory is not transited. The reference to the Principality of Andorra and the Republic of San Marino shall apply solely to Community transit operations.

⁽⁵⁾ Surname and forename, or name of firm.

⁽⁶⁾ If, in the law of the country, there is no provision for address for service the guarantor shall appoint, in this country, an agent authorised to receive any communications addressed to him and the acknowledgment in the second subparagraph and the undertaking in the fourth subparagraph of paragraph 4 must be made to correspond. The courts of the place in which the addresses for service of the guarantor or his agents are situated shall have jurisdiction in disputes concerning this guarantee.

The undersigned acknowledges that all correspondence and notices and any formalities or procedures relating to this undertaking addressed to or effected in writing at one of his or her addresses for service shall be accepted as duly delivered to him or her.

The undersigned acknowledges the jurisdiction of the courts of the places where he or she has an address for service.

The undersigned undertakes not to change his or her addresses for service or, if he or she has to change one or more of those addresses, to inform the office of guarantee in advance.

Done at, on

.....

(Signature) ⁽¹⁾

II. Acceptance by the office of guarantee

Office of guarantee

.....

Guarantor's undertaking accepted on

.....

.....

(Stamp and signature)'

6. In Box 7 of Annex C5, the words 'the former Yugoslav Republic of Macedonia' are inserted between the words 'Iceland' and 'Norway'.
7. In box 6 of Annex C6, the words 'the former Yugoslav Republic of Macedonia' are inserted between the words 'Iceland' and 'Norway'.

⁽¹⁾ The signature must be preceded by the following in the signatory's own handwriting: "Guarantee for the amount of ..." with the amount written out in full.

COUNCIL DECISION (EU) 2015/836**of 11 May 2015**

on the position to be taken on behalf of the European Union concerning the adoption of a Decision by the EU-EFTA Joint Committee on common transit and a Decision by the EU-EFTA Joint Committee on simplification of formalities in trade in goods as regards invitations to the Former Yugoslav Republic of Macedonia to accede to the Convention on a common transit procedure and the Convention on simplification of formalities in trade in goods

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207(4), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Article 15(3) of the Convention between the European Economic Community, the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway, the Kingdom of Sweden and the Swiss Confederation on a common transit procedure ⁽¹⁾ (the 'Convention on a common transit procedure') empowers the Joint Committee set up by that Convention to adopt, by decision, invitations to third countries within the meaning of Article 3(1)(c) to accede to that Convention in accordance with Article 15a.
- (2) Article 11(3) of the Convention between the European Economic Community, the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway, the Kingdom of Sweden and the Swiss Confederation on the simplification of formalities in trade in goods ⁽²⁾ (the 'Convention on the simplification of formalities in trade in goods') empowers the Joint Committee set up by that Convention to adopt, by decision, invitations to third countries within the meaning of Article 1(2) to accede to that Convention in accordance with Article 11a.
- (3) It is appropriate to establish the position to be adopted on the Union's behalf within those Joint Committees as regards decisions to invite the former Yugoslav Republic of Macedonia to accede to those Conventions.
- (4) The position of the Union within those Joint Committees should therefore be based on the attached draft Decisions,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted on the Union's behalf within the EU-EFTA Joint Committee on common transit as regards an invitation to the former Yugoslav Republic of Macedonia to accede to the Convention on a common transit procedure shall be based on the draft Decision of that Joint Committee attached to this Decision.

Article 2

The position to be adopted on the Union's behalf within the EU-EFTA Joint Committee on simplification of formalities in trade in goods as regards an invitation to the former Yugoslav Republic of Macedonia to accede to the Convention on the simplification of formalities in trade in goods shall be based on the draft Decision of that Joint Committee attached to this Decision.

⁽¹⁾ OJ L 226, 13.8.1987, p. 2.

⁽²⁾ OJ L 134, 22.5.1987, p. 2.

Article 3

Once the technical conditions for accession have been fulfilled by the former Yugoslav Republic of Macedonia, the Union representative in the Joint Committees referred to in Articles 1 and 2 respectively shall propose the decisions to invite the former Yugoslav Republic of Macedonia to accede to the Conventions and vote on those decisions in line with Articles 1 and 2 of this Decision.

Article 4

This Decision shall enter into force on 1 June 2015.

Done at Brussels, 11 May 2015.

For the Council
The President
J. DŪKLAVS

ANNEX I

DRAFT

**DECISION No .../2015 OF THE EU-EFTA JOINT COMMITTEE ON COMMON TRANSIT
of ...
concerning an invitation to the Former Yugoslav Republic of Macedonia to accede to the
Convention on a common transit procedure**

THE EU-EFTA JOINT COMMITTEE,

Having regard to the Convention of 20 May 1987 on a common transit procedure ⁽¹⁾ ('the Convention'), and in particular Article 15(3)(e) thereof,

Whereas:

- (1) The promotion of trade with the former Yugoslav Republic of Macedonia would be facilitated by a common transit procedure for goods transported between the former Yugoslav Republic of Macedonia and the European Union, the Republic of Iceland, the Kingdom of Norway, the Swiss Confederation and the Republic of Turkey.
- (2) With a view to achieving such a procedure, it is appropriate to invite the former Yugoslav Republic of Macedonia to accede to the Convention,

HAS ADOPTED THIS DECISION:

Article 1

In accordance with Article 15a of the Convention on a common transit procedure, the former Yugoslav Republic of Macedonia shall be invited to accede to the Convention as from 1 July 2015.

Article 2

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

Done at ...,

*For the EU-EFTA Joint Committee
The President*

⁽¹⁾ OJ L 226, 13.8.1987, p. 2.

ANNEX II

DRAFT

DECISION No .../2015 OF THE EU-EFTA JOINT COMMITTEE ON SIMPLIFICATION OF FORMALITIES IN TRADE IN GOODS**of ...****as regards an invitation to the Former Yugoslav Republic of Macedonia to accede to the Convention on the simplification of formalities in trade in goods**

THE EU-EFTA JOINT COMMITTEE,

Having regard to the Convention of 20 May 1987 on the simplification of formalities in trade in goods ⁽¹⁾ (‘the Convention’), and in particular Article 11(3) thereof,

Whereas:

- (1) The exchange of goods with the former Yugoslav Republic of Macedonia would be facilitated by a simplification of formalities which affect the trade in goods between the former Yugoslav Republic of Macedonia and the European Union, the Republic of Iceland, the Kingdom of Norway, the Swiss Confederation and the Republic of Turkey.
- (2) With a view to achieving such facilitation, it is appropriate to invite the former Yugoslav Republic of Macedonia to accede to the Convention,

HAS ADOPTED THIS DECISION:

Article 1

In accordance with Article 11a of the Convention on the simplification of formalities in trade in goods, the former Yugoslav Republic of Macedonia shall be invited to accede to the Convention as from 1 July 2015.

Article 2

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

Done at ...,

*For the EU-EFTA Joint Committee
The President*

⁽¹⁾ OJ L 134, 22.5.1987, p. 2.

COUNCIL DECISION (CFSP) 2015/837
of 28 May 2015
amending Decision 2013/255/CFSP concerning restrictive measures against Syria

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

Whereas:

- (1) On 31 May 2013, the Council adopted Decision 2013/255/CFSP ⁽¹⁾.
- (2) On 28 May 2014, the Council adopted Decision 2014/309/CFSP ⁽²⁾, extending the restrictive measures set out in Decision 2013/255/CFSP until 1 June 2015.
- (3) On the basis of a review of Decision 2013/255/CFSP, the restrictive measures should be further extended until 1 June 2016.
- (4) In view of the gravity of the situation, one person should be added to the list of natural and legal persons, entities and bodies subject to restrictive measures in Annex I to Decision 2013/255/CFSP.
- (5) One person should no longer be kept on the list of natural and legal persons, entities and bodies subject to restrictive measures in Annex I to Decision 2013/255/CFSP.
- (6) The information relating to certain persons listed in Section A of Annex I to Decision 2013/255/CFSP should be updated.
- (7) Following the judgment of the General Court of 9 July 2014 in joined cases T-329/12 and T-74/13, Mazen Al-Tabbaa v Council ⁽³⁾, and the judgment of the General Court of 26 February 2015 in case T-652/11, Bassam Sabbagh v Council ⁽³⁾, Mazen Al-Tabbaa and Bassam Sabbagh are not included on the list of natural and legal persons, entities and bodies subject to restrictive measures in Annex I to Council Decision 2013/255/CFSP.
- (8) In addition, on 12 February 2015, the United Nations Security Council adopted Resolution 2199 (2015), paragraph 17 of which prohibits the trade in Syrian cultural property and other items of archaeological, historical, cultural, rare scientific, and religious importance illegally removed from Syria since 15 March 2011.
- (9) Decision 2013/255/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2013/255/CFSP is amended as follows:

- (1) Article 13a is replaced by the following:

'Article 13a

It shall be prohibited to import, export, transfer or provide related brokering services for cultural property and other items of archaeological, historical, cultural, rare scientific and religious importance which have been illegally removed from Syria, or where reasonable suspicion exists that they have been illegally removed from Syria, on or after 15 March 2011. The prohibition shall not apply if it is shown that the cultural items are being safely returned to their legitimate owners in Syria.

The Union shall take the necessary measures in order to determine the relevant items to be covered by this Article.'

- (2) Article 34 is replaced by the following:

'Article 34

This Decision shall apply until 1 June 2016. It shall be kept under constant review. It may be renewed, or amended as appropriate, if the Council deems that its objectives have not been met.'

⁽¹⁾ Council Decision 2013/255/CFSP of 31 May 2013 concerning restrictive measures against Syria (OJ L 147, 1.6.2013, p. 14).

⁽²⁾ Council Decision 2014/309/CFSP of 28 May 2014 amending Decision 2013/255/CFSP concerning restrictive measures against Syria (OJ L 160, 29.5.2014, p. 37).

⁽³⁾ Not yet published.

Article 2

Annex I to Decision 2013/255/CFSP is amended as set out in the Annex to this Decision.

Article 3

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

Done at Brussels, 28 May 2015.

For the Council
The President
E. RINKĒVIČS

ANNEX

I. The following person is added to the list of persons set out in Section A of Annex I to Decision 2013/255/CFSP:

	Name	Identifying information	Reasons	Date of listing
206.	General Muhamad (محمد) (a.k.a. Mohamed, Muhammad) Mahalla (محلا) (a.k.a. Mahla, Mualla, Maalla, Muhalla)	Born in Jableh/Lattakia Province.	Head of the Syrian Military Intelligence (SMI), Branch 293 (Internal Affairs), since April 2015. Responsible for repression and violence against the civilian population in Damascus/ Damascus countryside. Former Deputy Head of Political Security (2012), Officer of the Syrian Republican Guard and Vice-Director of the Political Security Directorate. Head of Military Police, Member of the National Security Bureau.	29.5.2015

II. The entry concerning the following person is deleted from the list of persons set out in Section A of Annex I to Decision 2013/255/CFSP:

No 11. Rustum (رستم) Ghazali (غزالي)

III. The entries concerning the persons listed below, as set out in Section A of Annex I to Decision 2013/255/CFSP, are replaced by the following entries:

	Name	Identifying information	Reasons	Date of listing
3.	Ali (علي) Mamluk (مملوك) (a.k.a. Mamlouk)	Date of birth: 19 February 1946; Place of birth: Damascus; Diplomatic passport No 983	Director of the National Security Bureau. Former Head of Syrian Intelligence Directorate (GID) involved in violence against demonstrators.	9.5.2011
6.	Muhammad (محمد) Dib (ديب) Zaytun (زيتون) (a.k.a. Mohammed Dib Zeitoun; a.k.a. Mohamed Dib Zeitun)	Date of birth: 20 May 1951; Place of birth: Damascus; Diplomatic passport No D000001300	Head of General Security Directorate; involved in violence against demonstrators.	9.5.2011
16.	Faruq (فاروق) (a.k.a. Farouq, Farouk) Al Shar' (الشرع) (a.k.a. Al Char', Al Shara', Al Shara)	Date of birth: 10 December 1938	Former Vice-President of Syria; involved in violence against the civilian population	23.5.2011
37.	Brigadier-General Rafiq (رفيق) (a.k.a. Rafeeq) Shahadah (شهادة) (a.k.a. Shahada, Shahade, Shahadeh, Chahada, Chahade, Chahadeh, Chahada)		Former Head of Syrian Military Intelligence (SMI) Branch 293 (Internal Affairs) in Damascus. Directly involved in repression and violence against the civilian population in Damascus. Advisor to President Bashar Al-Assad for strategic questions and military intelligence.	23.8.2011

	Name	Identifying information	Reasons	Date of listing
42.	Brigadier-General Nawful (نوفل) (a.k.a. Nawfal, Nofal, Nawfel) Al-Husayn (الحسين) (a.k.a. Al-Hussain, Al-Hussein)		Idlib Syrian Military Intelligence (SMI) Branch Chief. Directly involved in repression and violence against the civilian population in Idlib province.	23.8.2011
44.	Brigadier-General Muhammed (محمد) (a.k.a. Muhamad) Zamrini (زمريني) (a.k.a. Zamreni)		Branch Chief for Syrian Military Intelligence (SMI) in Homs. Directly involved in repression and violence against the civilian population in Homs.	23.8.2011
53.	Adib (أديب) Mayaleh (ميالة) (a.k.a. a. André Mayard)	Born: 15 May 1955 Place of birth: Bassir	Adib Mayaleh is responsible for providing economic and financial support to the Syrian regime through his functions as the Governor of the Central Bank of Syria.	15.5.2012
55.	Colonel Lu'ai (لؤي) (a.k.a. Louay, Loai) al-Ali (العلي)		Head of Syrian Military Intelligence, Dara'a Branch. Responsible for the violence against protesters in Dara'a.	14.11.2011
80.	Brigadier Nazih (نزيه) (a.k.a. Nazeeh) Hassun (حسن) (a.k.a. Hassoun)		Head of Syrian Military Intelligence, Damascus Countryside/Rif Dimashq Branch, former Syrian Air Force Intelligence. Military official involved in the violence in Homs.	1.12.2011
137	Brigadier General Ibrahim (إبراهيم) Ma'ala (معلي) (a.k.a. Maala, Maale, Ma'la)		Head of branch 285 (Damascus) of the General Intelligence Directorate (replaced Brig. Gen. Hussam Fendi at end 2011). Responsible for the torture of opponents in custody.	24.7.2012

COMMISSION IMPLEMENTING DECISION (EU) 2015/838**of 28 May 2015****amending Implementing Decision 2014/909/EU by extending the period of application of the protection measures in relation to the small hive beetle in Italy***(notified under document C(2015) 3558)***(Only the Italian text is authentic)****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market ⁽¹⁾, and in particular Article 9(4) thereof,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽²⁾, and in particular Article 10(4) thereof,

Whereas:

- (1) Commission Implementing Decision 2014/909/EU ⁽³⁾ established certain protective measures following a notification by Italy on 11 September 2014 of the presence of the small hive beetle (*Aethina tumida*) in the regions of Calabria and Sicily.
- (2) Implementing Decision 2014/909/EU is applicable until 31 May 2015. However, as the inspections and epidemiological investigations as specified in Implementing Decision 2014/909/EU as well as the active surveillance as regards the occurrence of the small hive beetle in the concerned Italian regions are not completed, the epidemiological situation has not been established yet, despite of the lack of occurrences since last December.
- (3) Therefore, in light of this transitory situation and pending further information on the ongoing surveillance, it is necessary to prolong the application of the measures provided for in Implementing Decision 2014/909/EU until the expected end of the current beekeeping season in those regions at the end of November 2015.
- (4) Implementing Decision 2014/909/EU should be amended accordingly.
- (5) 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

Article 4 of Implementing Decision 2014/909/EU is replaced by the following:

'Article 4

This Decision shall apply until 30 November 2015.'

⁽¹⁾ OJ L 395, 30.12.1989, p. 13.

⁽²⁾ OJ L 224, 18.8.1990, p. 29.

⁽³⁾ Commission Implementing Decision 2014/909/EU of 12 December 2014 concerning certain protective measures with regard to confirmed occurrences of the small hive beetle in Italy (OJ L 359, 16.12.2014, p. 161).

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 28 May 2015.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

DECISION (EU) 2015/839 OF THE EUROPEAN CENTRAL BANK**of 27 April 2015****identifying the credit institutions that are subject to a comprehensive assessment (ECB/2015/21)**

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 127(6) thereof,

Having regard to Council Regulation (EU) No 1024/2013 of 15 October 2013 conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions ⁽¹⁾, and in particular Article 4(1)(f), Article 4(3), Article 6(5)(d) and Articles 9 to 13 thereof,

Having regard to the proposal from the Supervisory Board,

Whereas:

- (1) In accordance with Article 33(3) and (4) of Regulation (EU) No 1024/2013, in 2014 the European Central Bank (ECB) undertook a comprehensive assessment, including a balance-sheet assessment, of the credit institutions identified in Decision ECB/2014/3 ⁽²⁾.
- (2) The ECB should undertake a comprehensive assessment comparable in terms of scope and depth to the one undertaken in 2014 of the credit institutions not covered by the previous assessment that have become significant after Decision ECB/2014/3 was adopted.
- (3) This assessment should include three credit institutions classified as significant by the ECB on the basis of the significance of the cross-border activities of a supervised group within the meaning of Article 6(4) of Regulation (EU) No 1024/2013 and Articles 59 and 60 of Regulation (EU) No 468/2014 of the European Central Bank (ECB/2014/17) ⁽³⁾. It should also include a credit institution classified as significant based on Article 6(4) of Regulation (EU) No 1024/2013 because it is one of the three most significant institutions in a participating Member State, and a significant credit institution that was created in 2014 as a result of the resolution measures taken by a national competent authority in respect of a credit institution previously classified as significant.
- (4) As the latter institution's assets were subject to an asset quality review and to a special audit, but the institution has not itself undergone a stress test, the institution should only be subject to a stress test in 2015.
- (5) In addition, and to ensure a level playing field, four other credit institutions that may meet the criteria for significance specified in Article 6(4) of Regulation (EU) No 1024/2013 based on data as of the accounting year end for the 2014 financial year should also be included in this assessment.
- (6) The ECB may require the persons referred to in Article 10(1) of Regulation (EU) No 1024/2013 to provide all relevant information necessary for the ECB to carry out a comprehensive assessment. The ECB may also use its powers under Articles 11 to 13 of that Regulation.
- (7) The ECB should work together closely with the relevant national competent authorities in carrying out this comprehensive assessment,

HAS ADOPTED THIS DECISION:

*Article 1***Entities subject to the comprehensive assessment**

1. The entities listed in the Annex shall be subject to the comprehensive assessment to be carried out by the ECB.

⁽¹⁾ OJ L 287, 29.10.2013, p. 63.

⁽²⁾ Decision ECB/2014/3 of 4 February 2014 identifying the credit institutions that are subject to the comprehensive assessment (OJ L 69, 8.3.2014, p. 107).

⁽³⁾ Regulation (EU) No 468/2014 of the European Central Bank of 16 April 2014 establishing the framework for cooperation within the Single Supervisory Mechanism between the European Central Bank and national competent authorities and with national designated authorities (SSM Framework Regulation) (ECB/2014/17) (OJ L 141, 14.5.2014, p. 1).

2. Novo Banco, SA shall only be subject to the stress test part of the comprehensive assessment.
3. In accordance with Article 10 of Regulation (EU) No 1024/2013, the credit institutions identified in the Annex as subject to the comprehensive assessment shall submit all information of relevance to this assessment requested by the ECB.

Article 2

Investigatory powers

1. In accordance with Article 11 of Regulation (EU) No 1024/2013, the ECB may exercise its investigatory powers in respect of the credit institutions identified in the Annex.
2. The ECB shall verify the information received from the credit institutions, including, where necessary, through on-site inspections, and shall be assisted by national competent authorities, where appropriate, with the involvement of third parties, in accordance with Articles 9 to 13 of Regulation (EU) No 1024/2013. The ECB may invite, whenever necessary, national competent authorities to appoint non-statutory auditors for the performance of the asset quality review as part of the comprehensive assessment.

Article 3

Entry into force

This Decision shall enter into force on 6 May 2015.

Done at Frankfurt am Main, 27 April 2015.

The President of the ECB

Mario DRAGHI

ANNEX

INSTITUTIONS INCLUDED IN THE COMPREHENSIVE ASSESSMENT

Belgium

Banque Degroof S.A.

France

Agence Française de Développement (*)

Luxembourg

J.P. Morgan Bank Luxembourg S.A. (*)

Malta

Mediterranean Bank plc (*)

Austria

Sberbank Europe AG

VTB Bank (Austria) AG

Portugal

Novo Banco, SA (only for the stress test)

Slovenia

Unicredit Banka Slovenija d.d.

Finland

Kuntarahoitus Oyj (Municipality Finance plc) (*)

(*) Less significant institutions which may be reclassified as significant credit institutions based on data as of the accounting year end for the 2014 financial year.

