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II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION (EU) 2015/1389

of 7 May 2015

on the signing, on behalf of the Union and its Member States, and provisional application of a Protocol amending the Common Aviation Area Agreement between the European Union and its Member States and the Republic of Moldova, to take account of the accession to the European Union of the Republic of Croatia

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 100(2), in conjunction with Article 218(5) thereof,

Having regard to the Act of Accession of Croatia, and in particular the second subparagraph of Article 6(2) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 14 September 2012, the Council authorised the Commission to open negotiations, on behalf of the Union, its Member States and the Republic of Croatia, to conclude a Protocol amending the Common Aviation Area Agreement between the European Union and its Member States and the Republic of Moldova ⁽¹⁾, to take account of the accession to the European Union of the Republic of Croatia ('the Protocol').
- (2) Those negotiations were successfully completed on 16 September 2014.
- (3) The Protocol should be signed on behalf of the Union and its Member States, subject to its conclusion at a later date.
- (4) The Protocol should be applied provisionally,

HAS ADOPTED THIS DECISION:

Article 1

The signing of the Protocol amending the Common Aviation Area Agreement between the European Union and its Member States and the Republic of Moldova, to take account of the accession to the European Union of the Republic of Croatia is hereby authorised on behalf of the Union and its Member States, subject to the conclusion of the said Protocol.

The text of the Protocol is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Protocol on behalf of the Union and its Member States.

⁽¹⁾ The text of the Agreement is published in OJ L 292, 20.10.2012, p. 3.

Article 3

The Protocol shall be applied on a provisional basis, in accordance with Article 3(2) thereof, as from the signing thereof by the parties ⁽¹⁾, pending its entry into force.

Article 4

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

Done at Brussels, 7 May 2015.

For the Council
The President
E. RINKĒVIČS

⁽¹⁾ The date from which the Protocol will be provisionally applied will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

PROTOCOL

amending the Common Aviation Area Agreement between the European Union and its Member States and the Republic of Moldova, to take account of the accession to the European Union of the Republic of Croatia

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,

being parties to the Treaty on European Union and the Treaty on the Functioning of the European Union and being Member States of the European Union (hereinafter 'the Member States'), and

THE EUROPEAN UNION,

of the one part, and

THE REPUBLIC OF MOLDOVA,

of the other part,

HAVING REGARD to the accession of the Republic of Croatia to the European Union on 1 July 2013,

HAVE AGREED AS FOLLOWS:

Article 1

The Republic of Croatia is a Party to the Common Aviation Area Agreement between the European Union and its Member States and the Republic of Moldova ⁽¹⁾, signed on 26 June 2012 (hereinafter 'the Agreement').

Article 2

The text of the Agreement in the Croatian language ⁽²⁾ shall be authentic under the same conditions as the other language versions.

Article 3

1. This Protocol shall be approved by the Parties in accordance with their own procedures. It shall enter into force on the date of entry into force of the Agreement. However, should this Protocol be approved by the Parties after the date of entry into force of the Agreement, it would then enter into force, in accordance with Article 29(1) of the Agreement, one month after the date of the last note in an exchange of diplomatic notes between the Parties confirming that all necessary procedures for the entry into force of this Protocol have been completed.

2. This Protocol shall be applied on a provisional basis as from the signing thereof by the Parties.

Done at Brussels, on 22 July 2015, in duplicate, in each of the official languages of the Parties, each text being equally authentic.

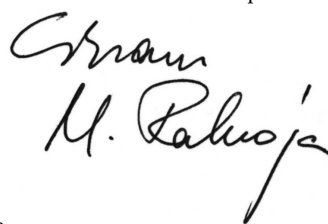
⁽¹⁾ The text of the Agreement is published in OJ L 292, 20.10.2012, p. 3.

⁽²⁾ Special edition in Croatian, Chapter 11 Volume 102, p. 197.

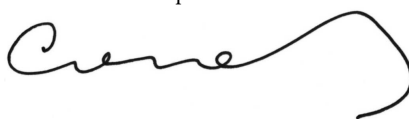
За държавите-членки
 Por los Estados miembros
 Za členské státy
 For medlemsstaterne
 Für die Mitgliedstaaten
 Liikmesriikide nimel
 Για τα κράτη μέλη
 For the Member States
 Pour les États membres
 Za države članice
 Per gli Stati membri
 Dalībvalstu vārdā –
 Valstybių narių vardu
 A tagállamok részéről
 Għall-Istati Membri
 Voor de lidstaten
 W imieniu państw członkowskich
 Pelos Estados-Membros
 Pentru statele membre
 Za členské štáty
 Za države članice
 Jäsenvaltioiden puolesta
 För medlemsstaterna
 Pentru statele membre



За Европейския съюз
 Por la Unión Europea
 Za Evropskou unii
 For Den Europæiske Union
 Für die Europäische Union
 Euroopa Liidu nimel
 Για την Ευρωπαϊκή Ένωση
 For the European Union
 Pour l'Union européenne
 Za Europsku uniju
 Per l'Unione europea
 Eiropas Savienības vārdā –
 Europos Sąjungos vardu
 Az Európai Unió részéről
 Għall-Unjoni Ewropea
 Voor de Europese Unie
 W imieniu Unii Europejskiej
 Pela União Europeia
 Pentru Uniunea Europeană
 Za Európsku úniu
 Za Evropsko unijo
 Euroopan unionin puolesta
 För Europeiska unionen
 Pentru Uniunea Europeană



За Република Молдова
 Por la República de Moldavia
 Za Moldavskou republiku
 For Republikken Moldova
 Für die Republik Moldau
 Moldova Vabariigi nimel
 Για τη Δημοκρατία της Μολδαβίας
 For the Republic of Moldova
 Pour la République de Moldavie
 Za Republiku Moldovu
 Per la Repubblica moldova
 Moldovas Republikas vārdā –
 Moldovas Respublikos vardu
 A Moldovai Köztársaság részéről
 Għar-Repubblika tal-Moldova
 Voor de Republiek Moldavië
 W imieniu Republiki Mołdawii
 Pela República da Moldova
 Pentru Republica Moldova
 Za Moldavskú republiku
 Za Republika Moldavijo
 Moldovan tasavallan puolesta
 För Republiken Moldavien
 Pentru Republica Moldova



REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2015/1390

of 13 August 2015

amending for the 233rd time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the Al Qaida network

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the Al-Qaida network, ⁽¹⁾ and in particular Article 7(1)(a) and (5) thereof,

Whereas:

- (1) Annex I to Regulation (EC) No 881/2002 lists the persons, groups and entities covered by the freezing of funds and economic resources under that Regulation.
- (2) From 22 May 2015 to 15 June 2015, by way of four decisions taken on 22 May 2015, 15 June 2015, 26 June 2015 and 10 July 2015 respectively, the Sanctions Committee of the United Nations Security Council (UNSC) decided to amend six entries on the list of natural persons to whom the freezing of funds and economic resources should apply and five entities on that list. On 6 August 2015, the Sanctions Committee decided to add one entity to the list.
- (3) Annex I to Regulation (EC) No 881/2002 should therefore be updated accordingly.
- (4) In order to ensure that the measures provided for in this Regulation are effective, this Regulation should enter into force immediately.

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 881/2002 is amended in accordance with the Annex to this Regulation.

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, 13 August 2015.

For the Commission,

On behalf of the President,

Head of the Service for Foreign Policy Instrument

⁽¹⁾ OJ L 139, 29.5.2002, p. 9.

ANNEX

Annex I to Regulation (EC) No 881/2002 is amended as follows:

(1) The following entries shall be amended under the heading 'Natural persons':

- (a) The entry 'Aiman Muhammed Rabi Al-Zawahiri (alias (a) Ayman Al-Zawahiri, (b) Ahmed Fuad Salim, (c) Al Zawahry Aiman Mohamed Rabi Abdel Muaz, (d) Al Zawahiri Ayman, (e) Abdul Qader Abdul Aziz Abdul Moez Al Doctor, (f) Al Zawahry Aiman Mohamed Rabi, (g) Al Zawahry Aiman Mohamed Rabie, (h) Al Zawahry Aiman Mohamed Robi, (i) Dhawahri Ayman, (j) Eddaouahiri Ayman, (k) Nur Al Deen Abu Mohammed, (l) Ayman Al Zawahiri, (m) Ahman Fuad Salim, (n) Abu Fatma, (o) Abu Mohammed). Title: (a) Doctor, (b) Dr. Date of birth: 19.6.1951. Place of birth: Giza, Egypt. Nationality: Egyptian. Passport No: (a) 1084010 (Egyptian passport), (b) 19820215. Other information: (a) Former operational and military leader of Egyptian Islamic Jihad, now a close associate of Usama Bin Laden, (b) Believed to be in the Afghanistan/Pakistan border area. Date of designation referred to in Article 2a (4) (b): 25.1.2001.' under the heading 'Natural persons' is replaced by the following:

'Aiman Muhammed Rabi Al-Zawahiri (alias (a) Ayman Al-Zawahiri, (b) Ahmed Fuad Salim, (c) Al Zawahry Aiman Mohamed Rabi Abdel Muaz, (d) Al Zawahiri Ayman, (e) Abdul Qader Abdul Aziz Abdul Moez Al Doctor, (f) Al Zawahry Aiman Mohamed Rabi, (g) Al Zawahry Aiman Mohamed Rabie, (h) Al Zawahry Aiman Mohamed Robi, (i) Dhawahri Ayman, (j) Eddaouahiri Ayman, (k) Nur Al Deen Abu Mohammed, (l) Ayman Al Zawahiri, (m) Ahman Fuad Salim, (n) Abu Fatma, (o) Abu Mohammed). Title: (a) Doctor, (b) Dr. Date of birth: 19.6.1951. Place of birth: Giza, Egypt. Nationality: Egyptian. Passport No: (a) 1084010 (Egyptian passport), (b) 19820215. Other information: (a) Leader of Al-Qaida, (b) Former operational and military leader of Egyptian Islamic Jihad, was a close associate of Usama Bin Laden (deceased), (c) Believed to be in the Afghanistan/Pakistan border area. Date of designation referred to in Article 2a (4) (b): 25.1.2001.'

- (b) The entry 'Yasser Mohamed Ismail Abu Shaweesh (alias Yasser Mohamed Abou Shaweesh). Address: Germany. Date of birth: 20.11.1973. Place of birth: Benghazi, Libya. Nationality: Stateless Palestinian. Passport No: (a) 939254 (Egyptian travel document), (b) 0003213 (Egyptian passport), (c) 981358 (Egyptian passport), (d) C00071659 (passport substitute issued by the Federal Republic of Germany). Other information: (a) In prison in Germany; (b) His brother is Ismail Mohamed Ismail Abu Shaweesh. Date of designation referred to in Article 2a (4) (b): 6.12.2005.' under the heading 'Natural persons' is replaced by the following:

'Yasser Mohamed Ismail Abu Shaweesh (alias Yasser Mohamed Abou Shaweesh). Address: Germany (in prison). Date of birth: 20.11.1973. Place of birth: Benghazi, Libyan Arab Jamahiriya. Nationality: Stateless Palestinian. Passport No: (a) 939254 (Egyptian travel document), (b) 0003213 (Egyptian passport), (c) 981358 (Egyptian passport), (d) C00071659 (passport substitute issued by the Federal Republic of Germany). Other information: (a) Sentenced to 5 years and 6 months imprisonment in Germany on 6 Dec. 2007. Date of designation referred to in Article 2a (4) (b): 6.12.2005.'

- (c) The entry 'Nasir 'Abd-Al-Karim 'Abdullah Al-Wahishi (alias (a) Nasir al-Wahishi, (b) Abu Basir Nasir al-Wahishi, (c) Naser Abdel Karim al-Wahishi, (d) Nasir Abd al-Karim al-Wuhayshi, (e) Abu Basir Nasir Al-Wuhayshi, (f) Nasser Abdul- karim Abdullah al-Wouhichi, (g) Abu Baseer al-Wehaishi, (h) Abu Basir Nasser al-Wuhishi, (i) Abdul Kareem Abdullah Al-Woohaishi, (j) Nasser Abdelkarim Saleh Al Wahichi, (k) Abu Basir, (l) Abu Bashir). Date of birth: (a) 1.10.1976, (b) 8.10.1396 (Hijri Calendar). Place of birth: Yemen. Nationality: Yemeni. Passport No: 40483 (Yemeni passport number issued on 5.1.1997). Other information: Was in prison in Yemen between 2003 and 2006. Date of designation referred to in Article 2a (4) (b): 19.1.2010.' under the heading 'Natural persons' is replaced by the following:

'Nasir 'Abd-Al-Karim 'Abdullah Al-Wahishi (alias (a) Nasir al-Wahishi, (b) Abu Basir Nasir al-Wahishi, (c) Naser Abdel Karim al-Wahishi, (d) Nasir Abd al-Karim al-Wuhayshi, (e) Abu Basir Nasir Al-Wuhayshi, (f) Nasser Abdul- karim Abdullah al-Wouhichi, (g) Abu Baseer al-Wehaishi, (h) Abu Basir Nasser al-Wuhishi, (i) Abdul Kareem Abdullah Al-Woohaishi, (j) Nasser Abdelkarim Saleh Al Wahichi, (k) Abu Basir, (l) Abu Bashir). Date of birth: (a) 1.10.1976, (b) 8.10.1396 (Hijri Calendar). Place of birth: Yemen. Nationality: Yemeni. Passport No: 40483 (Yemeni passport number issued on 5.1.1997). Other information: (a) Since 2007, leader of Al-Qaida in Yemen (AQY). (b) Since Jan. 2009, leader of Al-Qaida in the Arabian Peninsula operating in Yemen and Saudi Arabia (c) Associated with senior Al-Qaida leadership (d) claims he was secretary to Usama Bin Laden (deceased) prior

to 2003. (e) Arrested in Iran and extradited to Yemen in 2003, where he escaped from prison in 2006 and remains fugitive as at Jan. 2010. Date of designation referred to in Article 2a (4) (b): 19.1.2010.'

- (d) The entry 'Ibrahim Hassan Tali Al-Asiri (alias (a) Ibrahim Hassan Tali Asiri, (b) Ibrahim Hasan Talea Aseeri, (c) Ibrahim Hassan al-Asiri, (d) Ibrahim Hasan Tali Asiri, (e) Ibrahim Hassan Tali Assiri, (f) Ibrahim Hasan Tali'A 'Asiri, (g) Ibrahim Hasan Tali al-'Asiri, (h) Ibrahim al-'Asiri, (i) Ibrahim Hassan Al Asiri, (j) Abu Saleh, (k) Abosslah, (l) Abu-Salaah). Address: Yemen. Date of birth: (a) 19.4.1982, (b) 18.4.1982, (c) 24.6.1402 (Hijri Calendar). Place of birth: Riyadh, Saudi Arabia. Nationality: Saudi Arabian. Passport No: F654645 (Saudi Arabian passport number, issued on 30.4.2005, expired on 7.3.2010, issue date in Hijri Calendar 24.06.1426, expiry date in Hijri Calendar 21.03.1431). National identification No: 1028745097 (Saudi Arabian civil identification number). Other information: (a) Operative and principal bomb maker of Al-Qaida in the Arabian Peninsula; (b) Believed to be hiding in Yemen as at March 2011; (c) Wanted by Saudi Arabia; (d) INTERPOL Orange Notice (file #2009/52/OS/CCC, #81) has been issued for him; (e) Associated with Nasir 'abd-al-Karim 'Abdullah Al-Wahishi, Said Ali al-Shihri, Qasim Yahya Mahdi al-Rimi and Anwar Nasser Abdulla Al-Aulaqi. Date of designation referred to in Article 2a (4) (b): 24.3.2011.' under the heading 'Natural persons' is replaced by the following:

'Ibrahim Hassan Tali Al-Asiri (alias (a) Ibrahim Hassan Tali Asiri, (b) Ibrahim Hasan Talea Aseeri, (c) Ibrahim Hassan al-Asiri, (d) Ibrahim Hasan Tali Asiri, (e) Ibrahim Hassan Tali Assiri, (f) Ibrahim Hasan Tali'A 'Asiri, (g) Ibrahim Hasan Tali al-'Asiri, (h) Ibrahim al-'Asiri, (i) Ibrahim Hassan Al Asiri, (j) Abu Saleh, (k) Abosslah, (l) Abu-Salaah). Address: Yemen. Date of birth: (a) 19.4.1982, (b) 18.4.1982, (c) 24.6.1402 (Hijri Calendar). Place of birth: Riyadh, Saudi Arabia. Nationality: Saudi Arabian. Passport No: F654645 (Saudi Arabian passport number, issued on 30.4.2005, expired on 7.3.2010, issue date in Hijri Calendar 24.06.1426, expiry date in Hijri Calendar 21.03.1431). National identification No: 1028745097 (Saudi Arabian civil identification number). Other information: (a) Operative and principal bomb maker of Al-Qaida in the Arabian Peninsula; (b) Believed to be hiding in Yemen as at March 2011; (c) Wanted by Saudi Arabia; (d) Also associated with Nasir 'abd-al-Karim 'Abdullah Al-Wahishi, Qasim Yahya Mahdi al-Rimi and Anwar Nasser Abdulla Al-Aulaqi. Date of designation referred to in Article 2a(4)(b): 24.3.2011.'

- (e) The entry 'Adil Muhammad Mahmud Abd Al-Khaliq (alias (a) Adel Mohamed Mahmoud Abdul Khaliq; (b) Adel Mohamed Mahmood Abdul Khaled). Date of birth: 2.3.1984. Place of birth: Bahrain. Nationality: Bahraini. Passport No: 1632207 (Bahraini). Date of designation referred to in Article 2a (4) (b): 10.10.2008.' under the heading 'Natural persons' is replaced by the following:

'Adil Muhammad Mahmud Abd Al-Khaliq (alias (a) Adel Mohamed Mahmoud Abdul Khaliq; (b) Adel Mohamed Mahmood Abdul Khaled). Date of birth: 2.3.1984. Place of birth: Bahrain. Nationality: Bahraini. Passport No: 1632207 (Bahraini). Other Information: (a) Has acted on behalf of and provided financial, material and logistical support to Al-Qaida and the Libyan Islamic Fighting Group (LIFG); (b) Arrested in the United Arab Emirates (UAE) in Jan. 2007 on charges of being a member of Al-Qaida and the LIFG; (c) Following his conviction in the UAE in late 2007, he was transferred to Bahrain in early 2008 to serve out the remainder of his sentence; (d) Following his release in 2008, he resumed fundraising activities for Al-Qaida, at least through 2012; (e) He also collected money for the Taliban. Date of designation referred to in Article 2a (4) (b): 10.10.2008.'

- (f) The entry 'Ibrahim Ali Abu Bakr Tantoush (alias (a) Abd al-Muhsin, (b) Ibrahim Ali Muhammad Abu Bakr, (c) Abdul Rahman, (d) Abu Anas, (e) Ibrahim Abubaker Tantouche, (f) Ibrahim Abubaker Tantoush, (g) Abd al-Muhsi, (h) Abd al- Rahman, (i) Al-Libi). Address: Johannesburg, South Africa. Date of birth: 1966. Place of birth: al Aziziyya, Libya. Nationality: Libyan. Passport No: 203037 (Libyan passport issued in Tripoli). Other information: (a) Associated with Afghan Support Committee (ASC), Revival of Islamic Heritage Society (RIHS) and the Libyan Islamic Fighting Group (LIFG). Date of designation referred to in Article 2a (4) (b): 11.1.2002.' under the heading 'Natural persons' is replaced by the following:

'Ibrahim Ali Abu Bakr Tantoush (alias (a) Abd al-Muhsin, (b) Ibrahim Ali Muhammad Abu Bakr, (c) Abdul Rahman, (d) Abu Anas, (e) Ibrahim Abubaker Tantouche, (f) Ibrahim Abubaker Tantoush, (g) Abd al-Muhsi, (h) Abd al- Rahman, (i) Abdel Ilah Sabri (false identity related to fraudulent South African identification number 6910275240086 linked to South African passport number 434021161, both documents have been confiscated)). Address: Tripoli, Libya (as at Feb. 2014). Date of birth: 2.2.1966. Place of birth: al Aziziyya, Libya. Nationality: Libyan. Passport No: (a) Libyan passport number 203037, issued in Tripoli, Libya (b) Libyan passport number 347834, issued under name Ibrahim Ali Tantoush, expired on 21 Feb. 2014). Other information: (a) Associated with Afghan Support Committee (ASC), Revival of Islamic Heritage Society (RIHS) and the Libyan Islamic Fighting Group (LIFG) Photograph and fingerprints available for inclusion in the INTERPOL-UNSC Special Notice. Date of designation referred to in Article 2a (4) (b): 11.1.2002.'

- (g) The entry ‘Zulkifli Abdul Hir (alias (a) Musa Abdul Hir, (b) Muslimin Abdulmotalib, (c) Salim Alombra, (d) Armand Escalante, (e) Normina Hashim, (f) Henri Lawi, (g) Hendri Lawi, (h) Norhana Mohamad, (i) Omar Salem, (j) Ahmad Shobirin, (k) Bin Abdul Hir Zulkifli, (l) Abdulhir Bin Hir, (m) Hassan, (n) Hogalu, (o) Hugalu, (p) Lagu, (q) Marwan). Address: Seksyen 17, Shah Alam, Selangor, Malaysia. Date of birth: (a) 5.1.1966, (b) 5.10.1966. Place of birth: Muar Johor, Malaysia. Nationality: Malaysian. Passport No: A 11263265. National identification No: 660105-01-5297 Other Information: (a) Mother’s name is Minah Bintu Aogist Abd Aziz, (b) Driver license number D2161572 issued in California, USA. Date of designation referred to in Article 2a (4) (b): 9.9.2003.’ under the heading ‘Natural persons’ is replaced by the following:

‘Zulkifli Abdul Hir (alias (a) Musa Abdul Hir, (b) Muslimin Abdulmotalib, (c) Salim Alombra, (d) Armand Escalante, (e) Normina Hashim, (f) Henri Lawi, (g) Hendri Lawi, (h) Norhana Mohamad, (i) Omar Salem, (j) Ahmad Shobirin, (k) Bin Abdul Hir Zulkifli, (l) Abdulhir Bin Hir, (m) Hassan, (n) Hogalu, (o) Hugalu, (p) Lagu, (q) Marwan (prominently known as)). Address: (a) Seksyen 17, Shah Alam, Selangor, Malaysia (previous location), (b) Maguindanao, the Philippines (as at Jan. 2015). Date of birth: (a) 5.1.1966, (b) 5.10.1966. Place of birth: Muar Johor, Malaysia. Nationality: Malaysian. Passport No: (a) A 11263265, (b) National identification No: 660105-01-5297, (c) Driver license D2161572, issued in California, USA. Other Information: (a) The Court for the Northern District of California, USA, issued a warrant of arrest for him on 1 Aug. 2007. (b) Confirmed to have died in Maguindanao, Philippines in January 2015. (c) Mother’s name is Minah Bintu Aogist Abd Aziz. Date of designation referred to in Article 2a (4) (b): 9.9.2003.’

- (2) The following entries shall be amended under the heading ‘Legal persons, groups and entities’:

- (a) The entry ‘Revival of Islamic Heritage Society (alias (a) Jamiat Ihia Al-Turath Al-Islamiya, (b) Revival of Islamic Society Heritage on the African Continent, (c) Jamia Ihya Ul Turath, (d) RIHS). Address: (a) Pakistan; (b) Afghanistan. Other information: (a) Only the Pakistan and Afghanistan offices of this entity are designated; (b) Associated with Abu Bakr al-Jaziri and Afghan Support Committee (ASC). Date of designation referred to in Article 2a (4) (b): 11.1.2002.’ under the heading ‘Legal persons, groups and entities’ shall be replaced by the following:

‘Revival of Islamic Heritage Society (alias (a) Revival of Islamic Society Heritage on the African Continent, (b) Jamia Ihya ul Turath, (c) RIHS, (d) Jamiat Ihia Al-Turath Al-Islamiya, (e) Al-Furqan Foundation Welfare Trust, (f) Al-Furqan Welfare Foundation Address: (a) Pakistan, (b) Afghanistan. Other information: (a) Only the Pakistan and Afghanistan offices of this entity are designated, (b) Associated with Abu Bakr al-Jaziri and Afghan Support Committee (ASC). Date of designation referred to in Article 2a (4) (b): 11.1.2002.’

- (b) The entry ‘Al-Haramain Islamic Foundation (Somalia). Address: Somalia. Other information: The founder and former leader is Aqeel Abdulaziz Aqeel al-Aqeel. Date of designation referred to in Article 2a (4) (b): 13.3.2002.’ under the heading ‘Legal persons, groups and entities’ shall be replaced by the following:

‘Al-Haramain Islamic Foundation (Somalia). Address: Somalia. Date of designation referred to in Article 2a (4) (b): 13.3.2002.’

- (c) The entry ‘Al-Qaida in the Arabian Peninsula (alias (a) AQAP, (b) Al-Qaida of Jihad Organization in the Arabian Peninsula, (c) Tanzim Qa’idat al-Jihad fi Jazirat al-Arab, (d) Al-Qaida Organization in the Arabian Peninsula, (e) Al-Qaida in the South Arabian Peninsula, (f) Ansar al-Shari’a, (g) AAS, (h) Al-Qaida in Yemen, (i) AQY). Other information: Location: Yemen or Saudi-Arabia. Ansar al-Shari’a was formed in early 2011 by AQAP. Date of designation referred to in Article 2a (4) (b): 19.1.2010.’ under the heading ‘Legal persons, groups and entities’ shall be replaced by the following:

‘Al-Qaida in the Arabian Peninsula (alias (a) AQAP, (b) Al-Qaida of Jihad Organization in the Arabian Peninsula, (c) Tanzim Qa’idat al-Jihad fi Jazirat al-Arab, (d) Al-Qaida Organization in the Arabian Peninsula, (e) Al-Qaida in the South Arabian Peninsula, (f) Ansar al-Shari’a, (g) AAS, (h) Al-Qaida in Yemen, (i) AQY). Other information: (a) Location: Yemen or Saudi-Arabia (2004 — 2006). (b) Formed in Jan. 2009 when Al-Qaida in Yemen combined with Saudi Arabian Al-Qaida operatives, (c) Leader of AQAP is Nasir ‘abd-al-Karim ‘Abdullah Al-Wahishi, (d) Ansar al-Shari’a was formed in early 2011 by AQAP and has taken responsibility for multiple attacks in Yemen against both government and civilian targets. Date of designation referred to in Article 2a (4) (b): 19.1.2010.’

- (d) The entry 'Tehrik-e Taliban Pakistan (TTP) (alias (a) Tehrik-I-Taliban Pakistan, (b) Tehrik-e-Taliban, (c) Pakistani Taliban, (d) Tehreek-e-Taliban). Other information: (a) Tehrik-e Taliban is based in the tribal areas along the Afghanistan/ Pakistan border; (b) Formed in 2007, its leader is Hakimullah Mehsud; (c) Wali Ur Rehman is the Emir of TTP for South Waziristan. Date of designation referred to in Article 2a (4) (b): 29.7.2011.' under the heading 'Legal persons, groups and entities' shall be replaced by the following:

'Tehrik-e Taliban Pakistan (TTP) (alias (a) Tehrik-I-Taliban Pakistan, (b) Tehrik-e-Taliban, (c) Pakistani Taliban, (d) Tehreek-e-Taliban). Other information: (a) Tehrik-e Taliban is based in the tribal areas along the Afghanistan/ Pakistan border; (b) Formed in 2007, its leader is Maulana Fazlullah. Date of designation referred to in Article 2a (4) (b): 29.7.2011.'

- (3) The following entry shall be added under the heading 'Legal persons, groups and entities':

- (a) 'The Army Of Emigrants And Supporters (alias: (a) Battalion of Emigrants and Supporters (b) Army of Emigrants and Supporters organization (c) Battalion of Emigrants and Ansar d) Jaysh al-Muhajirin wal-Ansar (JAMWA); Address: Jabal Turkuman area, Lattakia Governorate, Syrian Arab Republic; Other information: Established by foreign terrorist fighters in 2013. Location: Syrian Arab Republic. Affiliated with Islamic State in Iraq and the Levant, listed as Al-Qaida in Iraq and Al-Nusrah Front for the People of the Levant; Date of designation referred to in Article 2a (4) (b): 6.8.2015'.
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COMMISSION REGULATION (EU) 2015/1391**of 13 August 2015****amending Regulation (EC) No 1200/2009 implementing Regulation (EC) No 1166/2008 of the European Parliament and of the Council on farm structure surveys and the survey on agricultural production methods, as regards livestock unit coefficients and definitions of the characteristics****(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 1166/2008 of the European Parliament and of the Council of 19 November 2008 on farm structure surveys and the survey on agricultural production methods, and in particular to Articles 7(4) and 11(7) thereof ⁽¹⁾,

Whereas:

- (1) Regulation (EC) No 1166/2008 establishes a framework for the provision of comparable Union statistics on the structure of agricultural holdings and for a survey on agricultural production methods.
- (2) Commission Regulation (EU) No 715/2014 ⁽²⁾ sets out a new list of characteristics to be collected in the farm structure survey 2016. Therefore it is necessary to modify the definitions.
- (3) In the interests of comparability, the terms contained in the list of characteristics referred to in recital 2 should be understood and applied in a uniform manner throughout the Union. Therefore it is necessary to modify the definitions of the characteristics to be used for the farm structure survey.
- (4) Annex II to Commission Regulation (EC) No 1200/2009 ⁽³⁾ should be aligned to the new list of characteristics referred to in recital 2.
- (5) Regulation (EC) No 1200/2009 should therefore be amended accordingly.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee for Agricultural Statistics established by Council Decision 72/279/EEC ⁽⁴⁾,

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EC) No 1200/2009 is replaced by the text set out in the Annex to this Regulation.

*Article 2*This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.⁽¹⁾ OJ L 321, 1.12.2008, p. 16.⁽²⁾ Commission Regulation (EU) No 715/2014 of 26 June 2014 amending Annex III to Regulation (EC) No 1166/2008 of the European Parliament and of the Council on farm structure surveys and the survey on agricultural production methods, as regards the list of characteristics to be collected in the farm structure survey 2016 (OJ L 190, 28.6.2014, p. 8).⁽³⁾ Commission Regulation (EC) No 1200/2009 of 30 November 2009 implementing Regulation (EC) No 1166/2008 of the European Parliament and of the Council on farm structure surveys and the survey on agricultural production methods, as regards livestock unit coefficients and definitions of the characteristics (OJ L 329, 15.12.2009, p. 1).⁽⁴⁾ Council Decision 72/279/EEC of 31 July 1972 setting up a Standing Committee for Agricultural Statistics (OJ L 179, 7.8.1972, p. 1).

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

Done at Brussels, 13 August 2015.

For the Commission

The President

Jean-Claude JUNKER

ANNEX

‘ANNEX II

Definitions of the characteristics to be used for the Union farm structure surveys ⁽¹⁾**I. GENERAL CHARACTERISTICS****Location of the holding**

The location of the agricultural holding is defined in Article 2(e) of Regulation (EC) No 1166/2008.

NUTS 3 region

The NUTS 3 region (according to Commission Regulation (EU) No 31/2011 ⁽²⁾) in which the holding is located.

Is the holding in a Less Favoured Area (LFA)?

Information on LFAs is to be provided in line with Article 32 of Regulation (EU) No 1305/2013 of the European Parliament and of the Council ⁽³⁾.

L — the holding is in Less Favoured area, other than mountain areas, facing significant natural constraints; or in another area affected by specific constraints.

M — the holding is in less favoured mountainous area.

N — normal area (non-LFA).

Legal personality of the holding

The legal personality of the holding depends on the status of the holder.

Is the holding a common land unit?

A special “common land agricultural unit” — a virtual entity created for the purposes of data collection and recording, consisting of the utilised agricultural area used by agricultural holdings but not belonging directly to them, i.e. on which common rights apply.

Is the legal and economic responsibility of the holding assumed by:**a natural person who is a sole holder, where the holding is independent?**

A single individual and natural person who is the holder of a holding which is not linked to any holdings of other holders, either by common management or similar arrangements.

If the answer to the previous question is “yes”, is this person (the holder) also the manager?

If this person is not the manager, is the manager a member of the holder’s family?

If the manager is a member of the holder’s family, is the manager the spouse of the holder?

one or more natural persons who is/are a partner, where the holding is a group holding?

Partner(s) of a group holding are natural persons owning, renting or otherwise managing together one agricultural holding or managing together their individual holdings as if they were one holding. Such cooperation must be either in conformity with the law or by written agreement.

⁽¹⁾ The basic definitions of the agricultural holding and livestock unit are set out in Article 2 of Regulation (EC) No 1166/2008.

⁽²⁾ Commission Regulation (EU) No 31/2011 of 17 January 2011 amending annexes to Regulation (EC) No 1059/2003 of the European Parliament and of the Council on the establishment of a common classification of territorial units for statistics (NUTS) (OJ L 13, 18.1.2011, p. 3).

⁽³⁾ Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005 (OJ L 347, 20.12.2013, p. 487).

a legal person?

A legal entity other than a natural person but having the normal rights and duties of an individual, such as the ability to sue or to be sued (a general legal capacity of its own).

Type of tenure (in relation to the holder) and farming system**Utilised agricultural area:**

Utilised agricultural area is the total area taken up by arable land, permanent grassland, permanent crops and kitchen gardens used by the holding, regardless of the type of tenure or of whether it is used as a part of common land.

For owner farming

Utilised agricultural area farmed by the holding and which is the property of the holder or farmed by him as usufructuary or heritable long-term leaseholder or under some other equivalent type of tenure.

For tenant farming

Utilised agricultural area rented by the holding in return for a fixed rent agreed in advance (in cash, kind or otherwise), and for which there is a (written or oral) tenancy agreement. A utilised agricultural area is allocated to only one holding. If a utilised agricultural area is rented out to more than one holding during the reference year, it is normally allocated to the holding with which it is associated on the survey reference day or which used it for the longest period during the reference year.

For share farming or other modes

- a) Share-farmed agricultural area is the utilised agricultural area (which may constitute a complete holding) farmed in partnership by the landlord and the sharecropper under a written or oral share-farming contract. The output (either economic or physical) of the share cropped area is shared between the two parties on an agreed basis.
- b) Utilised agricultural area used under other modes of tenure is the utilised agricultural area not covered elsewhere under the previous items.

Common land

The utilised agricultural area used by the agricultural holding but not belonging directly to it, i.e. on which common rights apply.

Organic farming

Agricultural practices according to certain set standards and rules specified in (i) Council Regulation (EC) No 834/2007⁽¹⁾ or, where applicable, in the most recent legislation, and (ii) the corresponding national implementing rules for organic production.

The total utilised agricultural area of the holding on which organic farming production methods are applied and certified according to national or European Union rules

That part of the utilised agricultural area of the holding on which the production method applied is fully compliant with the principles of organic production at farm level, as set out in (i) Regulation (EC) No 834/2007 or, where applicable, in the most recent legislation and (ii) the corresponding national implementing rules for certification of organic production.

The total utilised agricultural area of the holding that is under conversion to organic farming production methods to be certified according to national or European Union rules

That part of the utilised agricultural area of the holding on which organic farming methods are applied, but where the transitional period necessary to be considered fully compliant with the principles of organic production at farm level as set out in (i) Regulation (EC) No 834/2007 or, where applicable, in the most recent legislation and (ii) the corresponding national implementing rules for certification of organic production has not yet been completed.

⁽¹⁾ Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91 (OJ L 189, 20.7.2007, p. 1).

Area of the holding on which organic farming production methods according to national or European Union rules are either applied and certified or under conversion to be certified

The utilised agricultural area of the holding on which organic farming production methods are either applied and certified or under conversion to be certified according to certain set standards and rules specified in (i) Regulation (EC) No 834/2007 or, where applicable, in the most recent legislation, and (ii) the corresponding national implementing rules for organic production to be broken down by crop categories.

The different crop categories for organic production are listed below. Please note that the crops are defined in Section II. Land.

Cereals for the production of grain (including seed)

Dried pulses and protein crops for the production of grain (including seed and mixtures of cereals and pulses)

Potatoes (including early potatoes and seed potatoes)

Sugar beet (excluding seed)

Oil seed crops

Fresh vegetables, melons and strawberries

Pasture and meadow, excluding rough grazing

Fruit and berry plantations

Citrus plantations

Olives plantations

Vineyards

Other crops (fibre crops, etc.) including rough grazings

Organic production methods applied to animal production and certified according to national or European Union rules

The numbers of animals which are reared on the holding where all or part of the animal production is fully compliant with the principles of organic production at farm level as set out in (i) Regulation (EC) No 834/2007 or, where applicable, in the most recent legislation and (ii) the corresponding national rules for certification of organic production, to be broken down by animal categories.

Livestock are defined in Section III. Livestock.

Bovine animals

Pigs

Sheep and goats

Poultry

Other animals

Destination of the holding's production**Household consumes more than 50 % of the value of the final production of the holding**

The household is the family unit to which the holder belongs and in which the household's members share the same living accommodation, pool some, or all, of their income and wealth and consume certain types of goods and services collectively, mainly housing and food.

Final production as referred to under this characteristic follows the definition of usable output in the agricultural economic accounts ⁽¹⁾.

⁽¹⁾ Regulation (EC) No 138/2004 of the European Parliament and of the Council of 5 December 2003 on the economic accounts for agriculture in the Community (OJ L 33, 5.2.2004, p. 1).

Direct sale to final consumers represents more than 50 % of the total sales of the holding

Direct sale to final consumer means the sale by the holding of self-produced agricultural products, processed or not, directly to consumers for their own consumption. The percentage is to be calculated on the value measured in money, regardless if of whether the sales has been paid for with money, in kind or in by other means.

II. LAND

The total area of the holding consists of the utilised agricultural area (arable land, permanent grassland, permanent crops and kitchen gardens) and other land (unutilised agricultural land, wooded area and other land).

Arable land

Land worked (ploughed or tilled) regularly, generally under a system of crop rotation.

Crop rotation is the practice of alternating annual crops grown on a specific field *in a planned pattern or sequence* in successive crop years so that crops of the same species are not grown without interruption on the same field. Normally the crops are changed annually, but they can also be multiannual. To distinguish arable land from permanent crops or permanent grassland, a threshold of five years is used. This means that if a plot is used for the same crop for five years or more, without in the meantime removing the preceding crop and establishing a new one, it is not considered to be arable land.

Cereals for the production of grain (including seed)

All areas of cereals harvested dry for grain, regardless of use, shall be recorded here (including cereals used for renewable energy production).

Common wheat and spelt

Triticum aestivum L. emend. Fiori et Paol., *Triticum spelta* L. and *Triticum monococcum* L.

Durum wheat

Triticum durum Desf.

Rye

Secale cereale L., including mixtures of rye and other cereals sown in the autumn (maslin).

Barley

Hordeum vulgare L.

Oats

Avena sativa L., including mixtures of oats and other cereals sown in the spring.

Grain maize

Maize (*Zea mays* L.) harvested for grain.

Rice

Oryza sativa L.

Other cereals for the production of grain

Cereals sown in pure crops, harvested dry for grain, and which that are not recorded elsewhere under the previous items.

Dried pulses and protein crops for the production of grain (including seed and mixtures of cereals and pulses)

Crops sown and harvested mainly for their protein content.

All areas of dried pulses and protein crops harvested dry for grain, regardless of use, shall be recorded here (including crops used for renewable energy production).

of which peas, field beans and sweet lupins

Pisum sativum L., *Vicia faba* L., *Lupinus* spp., sown in pure crops, harvested dry for grain.

Potatoes (including early potatoes and seed potatoes)

Solanum tuberosum L.

Sugar beet (excluding seed)

Beta vulgaris L. intended for the sugar industry and alcohol production (including energy production).

Fodder roots and brassicas (excluding seed)

Fodder beet (*Beta vulgaris* L.) and plants of the Brassicaceae family harvested mainly for animal feed, regardless of whether it is the root or the stem, and other plants cultivated mainly for their roots for fodder, not mentioned elsewhere.

Industrial crops

Crops that are normally not sold directly for consumption because they need to be industrially processed prior to final use.

All harvested areas of industrial crops, regardless of use, shall be recorded here (including crops used for renewable energy production).

Tobacco

Nicotiana tabacum L.

Hops

Humulus lupulus L.

Cotton

Gossypium spp., harvested for fibre as well as for oil-seeds.

Rape and turnip rape

Brassica napus L. (partim) and *Brassica rapa* L. var. *sylvestris* (Lam.) Briggs, grown for the production of oil, harvested as dry grains.

Sunflower

Helianthus annuus L., harvested as dry grains.

Soya

Glycine max L. Merrill, harvested as dry grains.

Linseed (oil flax)

Linum usitatissimum L., varieties grown mainly for producing oil, harvested as dry grains.

Other oil seed crops

Other crops grown mainly for their oil content, harvested as dry grains, which are not mentioned elsewhere.

Flax

Linum usitatissimum L., varieties grown mainly for producing fibre.

Hemp

Cannabis sativa L.

Other fibre crops

Other plants grown mainly for their fibre content, not mentioned elsewhere.

Aromatic plants, medicinal and culinary plants

Plants or parts of plants for pharmaceutical purposes, perfume manufacture or human consumption.

Culinary plants are distinguished from vegetables in that they are used in small amounts and give flavour rather than substance to food.

Other industrial crops not mentioned elsewhere

Other industrial crops that have not been mentioned elsewhere.

Areas of crops used exclusively for renewable energy production are included.

Fresh vegetables, melons and strawberries of which:**Outdoor or under low (not accessible) protective cover**

Fresh vegetables, melons and strawberries, outdoor or under low (non-accessible) cover.

Open field

Fresh vegetables, melons and strawberries grown on arable land in rotation with other agricultural crops.

Market gardening

Fresh vegetables, melons and strawberries grown on arable land in rotation with only horticultural crops.

Under glass or other (accessible) protective cover

Crops, which for the whole of their period of growth or for the predominant part of it are covered by greenhouses or fixed or mobile high cover (glass or rigid or flexible plastic).

Flowers and ornamental plants (excluding nurseries)**Outdoor or under low (not accessible) protective cover**

Flowers and ornamental plants (excluding nurseries), outdoor or under low (not accessible) protective cover.

Under glass or other (accessible) protective cover

Flowers and ornamental plants (excluding nurseries), which for the whole of their period of growth or for the predominant part of it are covered by greenhouses or fixed or mobile high cover (glass or rigid or flexible plastic).

Plants harvested green

All arable land crops harvested "green" and intended mainly for animal feed, renewable energy production (for example production of bio-mass from green maize) or green manuring are included here, namely cereals, grasses, leguminous or industrial plants and other arable land crops harvested and/or used green.

The crops should be grown in rotation with other crops, occupying the same parcel for less than five years (annual or multiannual fodder crops).

Crops not used on the holding but sold, either for direct use on other agricultural holdings or to industry, are included.

Temporary grass

Grass plants for grazing, hay or silage included as a part of a normal crop rotation, lasting at least one crop year and less than five years, sown with grass or grass mixtures. The areas are broken up by ploughing or other tilling or the plants are destroyed by other means such as by herbicides before they are sown again.

Mixtures of predominantly grass plants and other forage crops (usually leguminous), grazed, harvested green or as dried hay are included here.

Other plants harvested green

Other annual or multiannual (less than five years) crops harvested green as described under Plants harvested green.

Green maize

All forms of maize (*Zea mays* L.) grown mainly for silage, which is not harvested for grain (whole cob, parts of or whole plant).

This includes green maize directly consumed by animals (without silage) and whole cobs (grain, rachis, husk) harvested for feedstuff or silage as well as for renewable energy production.

Leguminous plants

Leguminous plants grown and harvested green as the whole plant mainly for fodder, energy or green manuring use.

Mixtures of predominantly leguminous (normally > 80 %) crops and grass plants, harvested green or as dried hay are included here.

Other plants harvested green not mentioned elsewhere

Other arable land crops intended mainly for animal fodder, harvested green, not mentioned elsewhere.

Arable land seed and seedlings

Areas producing seeds and seedlings for sale, excluding cereals, rice, pulses, potatoes and oil seeds. Areas of green forage harvested for seed, roots harvested for seed, seeds and seedlings for vegetables and flowers for sale, etc. are included here.

Other arable land crops

Arable crops not included elsewhere.

Fallow land

All arable land either included in the crop rotation system or maintained in good agricultural and environmental condition (GAEC ⁽¹⁾), whether worked or not, but with no intention to produce a harvest for the duration of a crop year.

The essential characteristic of fallow land is that it is left to recover, normally for the whole of a crop year.

Fallow land may be:

1. bare land bearing no crops at all;
2. land with spontaneous natural growth, which may be used as feed or ploughed in;
3. land sown exclusively for the production of green manure (green fallow).

Kitchen gardens

Areas devoted to the cultivation of agricultural products intended for self-consumption by the holder and his household, normally separated off from the rest of the agricultural land, and recognisable as kitchen gardens.

Only occasional surplus products coming from this area are sold off from the holding. All areas from which products are consistently sold on the market belong under other items, even if part of the production is consumed by the holder and his household.

⁽¹⁾ Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008, (OJ L 347, 20.12.2013, p. 549).

Permanent grassland

Land used permanently (for five years or more) to grow herbaceous forage crops, through cultivation (sown) or naturally (self-seeded), and which is not included in the crop rotation on the holding.

The land can be used for grazing, mown for silage and hay or used for renewable energy production.

Pasture and meadow, excluding rough grazings

Permanent pasture on good or medium quality soils. These areas can normally be used for intensive grazing.

Rough grazings

Low yielding permanent grassland, usually on low-quality soil, for example on hilly land and at high altitudes, usually unimproved by fertiliser, cultivation, reseeding or drainage.

These areas can normally be used only for extensive grazing and are not normally mown or are mown in an extensive manner; they cannot support a large density of animals.

Permanent grassland no longer used for production purposes and eligible for the payment of subsidies

Areas of permanent grassland and meadows no longer used for production purposes which, in line with Council Regulation (EC) No 1782/2003 ⁽¹⁾ or, where applicable, the most recent legislation, are maintained in good agricultural and environmental condition and are eligible for financial support.

Permanent crops

Crops not grown in rotation, other than permanent grassland, which occupy the soil for a long period and yield crops over several years.

Fruit and berry plantations

Areas containing trees, bushes and perennial berry plants other than strawberries for the production of fruit. Orchards may be of the continuous type with minimum spacing between trees or of the non-continuous type with wide spacing.

Fruit species, of which:**Fruit of temperate climate zones**

Fruit tree plantations which are traditionally cropped in temperate climates for producing fruits.

Fruit of subtropical climate zones

Fruit tree plantations which are traditionally cropped in subtropical climates for producing fruits.

Berry species

Berry plantations which are traditionally cropped in both temperate and subtropical climates for producing berries.

Nuts

Nut tree plantations which are traditionally cropped in both temperate and subtropical climates.

Citrus plantations

Plantations of *Citrus* spp.

⁽¹⁾ Council Regulation (EC) No 1782/2003 of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers and amending Regulations (EEC) No 2019/93, (EC) No 1452/2001, (EC) No 1453/2001, (EC) No 1454/2001, (EC) 1868/94, (EC) No 1251/1999, (EC) No 1254/1999, (EC) No 1673/2000, (EEC) No 2358/71 and (EC) No 2529/2001 (OJ L 270, 21.10.2003, p. 1).

Olive plantations

Plantations of *Olea europaea* L.

Normally producing table olives

Plantations of varieties normally grown for producing table olives.

Normally producing olives for oil production

Plantations of varieties normally grown for producing olive oil.

Vineyards, of which normally producing:

Plantations of *Vitis vinifera* L.

Quality wine

Grape varieties normally grown for the production of wines with a protected designation of origin (PDO) which comply with the requirements of (i) Council Regulation (EC) No 479/2008 ⁽¹⁾ or, where applicable, the most recent legislation and (ii) the corresponding national rules.

Grape varieties normally grown for the production of wines with a protected geographical indication (PGI) which comply with the requirements of (i) Regulation (EC) No 479/2008 or, where applicable, the most recent legislation and (ii) the corresponding national rules.

Other wines

Grape varieties normally grown for the production of wines other than PDO and PGI wines.

Table grapes

Grape varieties normally grown for the production of fresh grapes.

Raisins

Grape varieties normally grown for the production of raisins.

Nurseries

Areas of young ligneous (woody) plants grown in the open air for subsequent transplantation:

- (a) vine and root-stock nurseries;
- (b) fruit tree and berry nurseries;
- (c) ornamental nurseries;
- (d) commercial nurseries of forest trees (excluding those for the holding's own requirements grown within woodland);
- (e) trees and bushes for planting in gardens, parks, at the roadside and on embankments (e.g. hedgerow plants, rose trees and other ornamental bushes, ornamental conifers), including in all cases their stocks and young seedlings.

Other permanent crops

Open-air permanent crops other than those under the previous heading and in particular those used for plaiting or weaving, harvested generally every year, as well as trees planted for commercial purposes as Christmas trees on the utilised agricultural area.

Permanent crops under glass

⁽¹⁾ Council Regulation (EC) No 479/2008 of 29 April 2008 on the common organisation of the market in wine, amending Regulations (EC) No 1493/1999, (EC) No 1782/2003, (EC) No 1290/2005, (EC) No 3/2008 and repealing Regulations (EEC) No 2392/86 and (EC) No 1493/1999 (OJ L 148, 6.6.2008, p. 1).

Other land

“Other land” includes unutilised agricultural land (agricultural land which is no longer farmed, for economic, social or other reasons, and which is not used in the crop rotation system), wooded area and other land occupied by buildings, farmyards, tracks, ponds, quarries, infertile land, rock, etc.

Unutilised agricultural land

Area previously used for an agricultural purpose and, during the reference year of the survey, no longer worked for economic, social or other reasons and which is not used in the crop rotation system, i.e. land where no agricultural use is intended.

This land could be brought back into cultivation using the resources normally available on an agricultural holding.

Wooded area

Areas covered with trees or forest shrubs, including plantations of poplar and other similar trees inside or outside woods and forest-tree nurseries grown in woodland for the holding's own requirements, as well as forest facilities (forest roads, storage depots for timber, etc.).

of which short rotation coppices

Wooded areas managed for growing wooded plants, where the rotation period is 20 years or less.

The rotation period is the time between the first sowing/planting of the trees and the harvest of the final product, where harvesting does not include normal management actions like thinning.

Other land (land occupied by buildings, farmyards, tracks, ponds, quarries, infertile land, rock, etc.)

All those parts of the total area belonging to the agricultural holding which constitute neither utilised agricultural area, unutilised agricultural area nor wooded area.

Mushrooms

Cultivated mushrooms grown in buildings which have been specially erected or adapted for that purpose, as well as in underground premises, caves and cellars.

Energy crops (for the production of biofuels or other renewable energy)

The production area of specific energy crops not used for other purposes other than energy production and cultivated on agricultural arable land.

Irrigated area**Total irrigable area**

Total maximum utilised agricultural area which could be irrigated in the reference year using the equipment and the quantity of water normally available on the holding.

Total cultivated area irrigated at least once during the previous 12 months

Area of crops which have actually been irrigated at least once during the 12 months prior to the reference day of the survey.

Irrigation methods employed:**Surface irrigation (flooding, furrows)**

Leading the water along the ground, either by flooding the whole area or leading the water along small furrows between the crop rows, using gravity as a force.

Sprinkler irrigation

Irrigating plants by propelling water under high pressure as rain over the parcels.

Drop irrigation

Irrigating plants by placing water low by the plants drop by drop or with micro-sprinklers or by forming fog-like conditions.

Source of irrigation water used on the holding:

The source of all or most of the irrigation water used on the holding.

On-farm ground water

Water sources, situated on or near the holding, utilising water pumped from bored or dug wells or from free-flowing natural groundwater springs or the like.

On-farm surface water

Small natural ponds or artificial dams, situated entirely on the holding or used only by one holding.

Off-farm surface water from lakes, rivers or watercourses

Surface fresh waters (lakes, rivers, other waterways), not artificially created for irrigation purposes.

Off-farm water from common water supply networks

Sources of water from outside the holding, other than the ones mentioned in "Off-farm surface water from lakes, rivers or watercourses", accessible to at least two holdings.

Other sources

Other sources of irrigation water, not mentioned elsewhere. These might be strongly saline sources like the Atlantic or Mediterranean, in which case the water is treated to reduce the salt concentration (desalinated) before use, or brackish (low saline content) water sources like the Baltic Sea and certain rivers, in which case it is possible to use it directly, untreated. The water might also have undergone waste water treatment and be delivered to the user as reclaimed waste water.

III. LIVESTOCK

Number of production animals that are in the direct possession or management of the holding on the reference day of the survey.

The animals are not necessarily the property of the holder. These animals may be on the holding (on utilised agricultural areas or in animal housing used by the holding) or off it (on common grazings or in the course of migration, etc.).

Equidae

Domestic animals belonging to the family Equidae, genus *Equus* (horses, asses, etc.).

Bovine animals

Domestic animals of the species *Bos taurus* and *Bubalus bubalus*, including hybrids like Beefalo.

Bovine animals, under one year old, male and female**Bovine animals, one but less than two years old, male****Bovine animals, one but less than two years old, female****Male bovine animals, two years old and over****Heifers, two years old and over**

Female bovine animals of two years old and over which have not yet calved.

Dairy cows

Female bovine animals which have already calved (including those less than two years old) and which, by reason of their breed or particular qualities, are kept exclusively or principally to produce milk for human consumption or for processing into dairy products.

Other cows

Female bovine animals which have already calved (including those less than two years old) and which, by reason of their breed or particular qualities, are kept exclusively or principally for the production of calves and whose milk is not intended for human consumption or for processing into dairy products.

Sheep and goats**Sheep (all ages)**

Domestic animals of the species *Ovis aries*.

Breeding females

Ewes and ewe lambs put to the ram.

Other sheep

All sheep other than breeding females.

Goats (all ages)

Domestic animals of the subspecies *Capra aegagrus hircus*.

Breeding females

Female goats which have already kidded and goats which have been mated.

Other goats

All goats other than breeding females.

Pigs

Domestic animals of the species *Sus scrofa domesticus*.

Piglets having a live weight of under 20 kilograms

Piglets generally having a live weight of under 20 kilograms.

Breeding sows weighing 50 kilograms and over

Female pigs weighing 50 kilograms and over intended for breeding purposes, regardless of whether they have farrowed or not.

Other pigs

Pigs not specified elsewhere.

Poultry**Broilers**

Domestic animals of the species *Gallus gallus* which are kept for the production of meat.

Laying hens

Domestic animals of the species *Gallus gallus* which have reached laying maturity and are kept for the production of eggs.

Other poultry

Poultry not mentioned under Broilers or Laying hens.

Turkeys

Domestic animals of the species *Meleagris*.

Ducks

Domestic animals of the species *Anas* and *Cairina moschata*.

Geese

Domestic animals of the species *Anser anser* dom.

Ostriches

Ostriches (*Struthio camelus*).

Other poultry, not mentioned elsewhere**Rabbits, breeding females**

Female rabbits (of the species *Oryctolagus*) for producing rabbits for meat and which have littered.

Bees

Number of hives occupied by bees (*Apis mellifera*) kept for the production of honey.

Livestock not mentioned elsewhere

Any production livestock not mentioned elsewhere in this section.

IV. LABOUR FORCE**(i) FARM WORK ON THE HOLDING****Farm labour force**

The farm labour force of the holding includes all persons having completed their compulsory education (having reached school-leaving age) who carried out farm work on the holding during the 12 months ending on the reference day of the survey.

Unless national legislation indicates a minimum age of full-time and part-time compulsory education, 15 years is to be taken as the conventional school-leaving age.

Sole holders who do not carry out farm work on the holding are recorded in the survey, but are not counted in the "Total farm labour force".

All persons of retirement age who continue to work on the holding are included in the farm labour force.

Persons working on the holding but employed by a third party or under mutual-aid arrangements (e.g. labour supplied by agricultural contractors or cooperatives) are not included.

Farm work

Farm work is considered as every type of work on the holding which contributes to either (i) the activities as defined in Annex I to Regulation (EC) No 1166/2008, (ii) the maintenance of the means of production, or (iii) activities directly derived from these productive actions.

The time spent for on farm work on the holding

The time spent on farm work on the holding is the working time actually devoted to farm work for the holding, excluding work in the households of the holder or manager.

Annual work unit (AWU)

The full-time equivalent employment, i.e. the total hours worked divided by the average annual hours worked in full-time jobs in the country.

Full-time means the minimum hours required by the national provisions governing contracts of employment. If these do not indicate the number of annual hours then 1 800 hours is to be taken as the minimum figure (225 working days of 8 hours per day).

Holder

The holder is the natural person, group of natural persons or legal person on whose account and in whose name the holding is operated and who is legally and economically responsible for the holding, i.e. who takes on the economic risks of the holding.

The holder can own the holding outright or rent it or be a hereditary long-term leaseholder or a usufructuary or a trustee.

Gender

Age

The farm work on the holding (apart from housework)

Manager

Manager of the holding is the natural person responsible for the normal daily financial and production routines of running the holding concerned.

Gender

Age

The farm work on the holding (apart from housework)

Training of manager**Agricultural training of manager****Only practical agricultural experience**

Experience acquired through practical work on an agricultural holding.

Basic agricultural training

Any training courses completed at a general agricultural college and/or an institution specialising in certain subjects (including horticulture, viticulture, silviculture, pisciculture, veterinary science, agricultural technology and associated subjects). A completed agricultural apprenticeship is regarded as basic training.

Full agricultural training

Any training course continuing for the equivalent of at least two years full-time training after the end of compulsory education and completed at an agricultural college, university or other institute of higher education in agriculture, horticulture, viticulture, silviculture, pisciculture, veterinary science, agricultural technology or an associated subject.

Vocational training undertaken by manager during the last 12 months

Vocational training is a training measure or activity provided by a trainer or a training institution which has as its primary objective the acquisition of new skills related to the farm activities or activities related directly to the holding or the development and improvement of existing ones.

Members of sole holder's family carrying out farm work for the holding

Members of the sole holder's family, including the spouse, who carry out farm work on the holding, but who do not necessarily live on the holding.

Generally, the family members of the holder are the spouse, relatives in the ascending or descending line (including by marriage and by adoption) and brothers and sisters of the holder or his/her spouse.

Two people living together as conjugal partners, without being married, are also treated as spouses.

Members of sole holder's family carrying out farm work for the holding: male

— The farm work on the holding (apart from housework)

Members of sole holder's family carrying out farm work for the holding: female

— The farm work on the holding (apart from housework)

Non-family labour regularly employed

All persons doing farm work for and receiving any kind of remuneration (salary, wages, profits or other payments including payment in kind) from the agricultural holding, other than the holder and members of his/her family.

Regularly employed labour force refers to persons who carried out farm work every week on the holding during the 12 months ending on the reference day of the survey, irrespective of length of the working week.

Persons who worked regularly for part of that period, but were unable for any of the following reasons to work for the entire period, are also included:

1. special conditions of production on the holding (for example specialising in growing olives or grapes or fruit and vegetables in the open field or in fattening cattle on grass and only requiring labour for a limited number of months);
2. absence by reason of holidays, military service, sickness, accident or death;
3. commencement or cessation of employment with the holding (covers also the workers who stop working for one agricultural holding to start working for another during the 12 months before the reference day of survey);
4. complete stoppage of work on the holding due to accidental causes (flooding, fire, etc.).

Non-family labour regularly employed: male

— The farm work on the holding (apart from housework)

Non-family labour regularly employed: female

— The farm work on the holding (apart from housework)

Non-family labour employed on a non-regular basis: male and female

Persons not regularly employed are workers who did not work each week on the agricultural holding in the 12 months ending on the reference day of the survey for a reason other than those listed under Non-family labour regularly employed.

Working days completed by non-regular non-family labour force refers to any day of such length that the worker is paid the salary or any kind of remuneration (wages, profits or other payments including payment in kind) for a full day's work, entailing performance of work of the kind normally carried out by a full-time agricultural worker. Days of leave and sickness do not count as working days.

A full-time working day is the normal working day of regular workers employed on a full-time basis.

(ii) OTHER GAINFUL ACTIVITIES: NON-FARM WORK ON THE HOLDING (NOT DIRECTLY RELATED TO THE HOLDING) AND WORK OUTSIDE THE HOLDING

Other gainful activities mean every activity carried out for remuneration (salary, wages, profits or other payment, including payment in kind, according to service rendered) other than the farm work on the holding defined under Section IV(i) and other gainful activities directly related to the holding defined in Section V(i).

Farm work carried out by the labour force of one agricultural holding for another agricultural holding is included.

The information is collected only in case of sole holders on holdings where the holder is a natural person (i.e. where the holder is also the manager) and in case of all group holdings. No information is collected in case of sole holder holdings where the holder is not the manager and in case of legal persons.

The information on other gainful activities is recorded for the holder and for the other members of the sole holder's family. It is recorded only if they are engaged in farm work on, or work directly related to the holding.

Non-separable non-agricultural secondary gainful activities on the holding are excluded as they are included in farm work.

The activities included here are classified as:

- Main activities — which occupy more or equal time than the farm work done for the holding;
- Secondary activities — which occupy less time than the farm work done for the holding.

Other gainful activities of the holder who is also the manager:

All gainful activities not directly related to the holding carried out by the holder who is also the manager as his/her main or secondary activity.

Other gainful activities of the other members of the sole holder's family:

Main activity

The number of persons (either spouse of the sole holder or other members of the sole holder's family) undertaking gainful activities not related to the holding as their main activity.

Secondary activity

The number of persons (either spouse of the sole holder or other members of the sole holder's family) undertaking gainful activities not related to the holding as their secondary activity.

V. OTHER GAINFUL ACTIVITIES OF THE HOLDING (DIRECTLY RELATED TO THE HOLDING)

(i) LIST OF OTHER GAINFUL ACTIVITIES

Other gainful activities of the holding comprise all activities other than farm work, directly related to the holding and having an economic impact on the holding.

"Activities directly related to the holding" means activities in which either the resources of the holding (area, buildings, machinery, etc.) or its products are used. If only the farm labour force (family and non-family) and no other resources of the holding are used, the workers are seen as working under two separate arrangements, and these other gainful activities are thus not seen as being directly related to the holding.

Non-agricultural as well as agricultural work for other holdings is included.

Gainful activities in this context mean active work; purely financial investments are therefore excluded. Renting out the land for diverse activities without being further involved in these activities is also excluded.

Provision of health, social or educational services

Any activity which is linked to the provision of health, social or educational services and/or socially related business activities, in which either the holding's resources or its primary products are used.

Tourism, accommodation and other leisure activities

All tourism-related activities, accommodation services, showing the holding to tourists or other groups, sport and recreation activities etc. where either land, buildings or other resources of the holding are used.

Handicraft

Handicraft items manufactured on the holding by either the holder or the family members, or by non-family labour force, provided that they are also carrying out farm work, regardless of how the products are sold.

Processing of farm products

All processing of a primary agricultural product into a secondary product on the holding, regardless of whether the raw material is produced on the holding or bought from outside. This includes processing meat, making cheese, etc.

All processing of farm products belongs to this item unless the processing is regarded as a part of agricultural activity. Wine processing and olive oil production are therefore excluded unless the bought-in proportion of wine or olive oil is significant.

Production of renewable energy

Producing renewable energy for the market including biogas, biofuels or electricity, by wind turbines, other equipment or from agricultural raw materials.

Renewable energy produced only for the holding's own use is not included here.

Wood processing (e.g. sawing)

The processing of raw wood on the holding for the market (sawing timber, etc.).

Aquaculture

Production of fish, crayfish etc. on the holding. Activities involving only fishing are excluded.

Contractual work (using production means of the holding)

Contractual work using the equipment of the holding, differentiating between work that is inside or outside the agricultural sector, e.g. clearing snow, haulage work, landscape maintenance, agricultural and environmental services etc.

Agricultural (for other holdings)**Non-agricultural****Forestry**

Forestry work using both the farm labour force and the machinery and equipment of the holding generally used for agricultural purposes.

Other

Other gainful activities directly related to the holding not mentioned elsewhere.

Who is involved

The activities included here are classified as:

- main activities — which occupy more or equal time than the farm work done for the holding;
- secondary activities — which occupy less time than the farm work done for the holding.

Holder who is also the manager**Other members of the sole holder's family, as their main activity****Other members of the sole holder's family, as their secondary activity****Non-family members regularly working on the holding, as their main activity****Non-family members regularly working on the holding, as their secondary activity**

(ii) IMPORTANCE OF THE OTHER GAINFUL ACTIVITIES DIRECTLY RELATED TO THE HOLDING

Percentage of the final output of the holding

The importance of the other gainful activities directly related to the holding in the output of the holding is estimated as the share of the turnover generated by OGA directly related to the holding in the total turnover of the holding and direct payments of that holding under Regulation (EU) No 1307/2013 of the European Parliament and of the Council ⁽¹⁾.

$$\text{RATIO} = \frac{\text{Turnover of other gainful activities directly related to the holding}}{\text{Total holding's turnover (agricultural and OGA directly related to the holding) + direct payments}}$$

VI. SUPPORT FOR RURAL DEVELOPMENT**Holding benefited from one of the following rural development measures during the last 3 years**

Measures laid out in Title III, Chapter 1 of Regulation (EC) No 1305/2013 for which the farmer is a beneficiary.

Information is to be collected on whether or not the holding has benefited from one of the following rural development measures during the last three years according to certain set standards and rules specified by the most recent legislation.

Participation of farmers in food quality schemes

Article 16 of Regulation (EU) No 1305/2013: Quality schemes for agricultural products, and foodstuffs

Payments linked to Natura 2000 and the Water Framework Directive ⁽²⁾

Article 30 of Regulation (EU) No 1305/2013: Natura 2000 and Water Framework Directive payments

Agri-environment payments — climate payments

Article 28 of Regulation (EU) No 1305/2013: Agri-environment-climate

Organic farming

Article 29 of Regulation (EU) No 1305/2013: Organic farming

Animal welfare payments

Article 33 of Regulation (EU) No 1305/2013: Animal welfare

Investments in physical assets

Article 17 of Regulation (EU) No 1305/2013: Investments in physical assets

Prevention and restoration of damage to agricultural production potential by natural disasters and catastrophic events

Article 18 of Regulation (EU) No 1305/2013: Restoring agricultural production potential damaged by natural disasters and catastrophic events and introduction of appropriate prevention actions

Farm and business development

Article 19 of Regulation (EU) No 1305/2013: Farm and business development

Investments in forest area development and viability of forests

Article 21 of Regulation (EU) No 1305/2013: Investments in forest area development and improvement of the viability of forests

⁽¹⁾ Regulation (EU) No 1307/2013 of the European Parliament and of the Council of 17 December 2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and repealing Council Regulation (EC) No 637/2008 and Council Regulation (EC) No 73/2009 (OJ L 347, 20.12.2013, p. 608).

⁽²⁾ Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1).

Afforestation and creation of woodland

Article 22 of Regulation (EU) No 1305/2013: Afforestation and creation of woodland

Establishment of agro-forestry systems

Article 23 of Regulation (EU) No 1305/2013: Establishment of agroforestry systems

Prevention and restoration of damage to forests

Article 24 of Regulation (EU) No 1305/2013: Prevention and restoration of damage to forests from forest fires and natural disasters and catastrophic events

Investments improving resilience and environmental value of forests

Article 25 of Regulation (EU) No 1305/2013: Investments improving the resilience and environmental value of forest ecosystems

Investments in forestry technologies and in processing, in mobilising and in the marketing of forestry products

Article 26 of Regulation (EU) No 1305/2013: Investments in forestry technologies and in processing, in mobilising and in the marketing of forest products

Payments to areas facing natural or other specific constraints

Article 31 of Regulation (EU) No 1305/2013: Payments to areas facing natural or other specific constraints

Forest-environmental and climate services and forest conservation

Article 34 of Regulation (EU) No 1305/2013: Forest-environmental and climate services and forest conservation

Risk management

Article 36 of Regulation (EU) No 1305/2013: Risk management

VII. SOIL AND MANURE MANAGEMENT PRACTICES APPLIED IN AGRICULTURAL HOLDINGS**Tillage methods on outdoor arable land****Conventional tillage**

Arable land treated by conventional tillage involving inversion of the soil, normally with a mouldboard or a disc plough as the primary tillage operation, followed by secondary tillage with a disc harrow.

Conservation tillage

Arable land treated by conservation (low) tillage, which is a practice or system of practices that leaves plant residues (at least 30 %) on the soil surface for erosion control and moisture conservation, normally by not inverting the soil.

Zero tillage (excluding outdoor arable land areas which are covered by multiannual plants)

Arable land on which no tillage is applied between harvest and sowing.

Soil cover on outdoor arable land

The way the arable land is covered with plants or residues or is left bare in the winter.

Normal winter crop

Arable land on which crops are sown in autumn and grow during the winter (normal winter crops, such as winter wheat), normally harvested or used for grazing.

Cover crop or intermediate crop

Arable land on which plants are sown specifically to reduce the loss of soil, nutrients and plant protection products during winter or other periods when the land would otherwise be bare and susceptible to losses. The economic value of these crops is low, and the main goal is soil and nutrient protection.

Normally they are ploughed in during spring before another crop is sown, and are not harvested or used for grazing.

Plant residues

Arable land covered with the plant residues and stubble of the previous crop season during winter. Intermediate and cover crops are excluded.

Bare soil

Arable land that is ploughed or otherwise tilled in autumn and is not sown or covered with any plant residues during winter, remaining bare until the pre-seeding or seeding agro-technical operations are carried out in the following spring period.

Outdoor arable land areas which are covered by multiannual plants

Outdoor arable land areas which are covered by multiannual plants *not sown or cultivated in the reference year*.

Crop rotation on arable land

Crop rotation is the practice of alternating crops grown on a specific field *in a planned pattern or sequence* in successive crop years so that crops of the same species are not grown without interruption on the same field.

Share of arable area included in crop rotation

Arable land is part of a planned crop rotation.

Ecological focus area — total area of field margins, buffer strips, hedges, trees, fallow land, biotopes, afforested area and landscape features

Areas which the manager of the holding ensures is an ecological focus area as described in Article 46 of Regulation (EU) No 1307/2013. Total area of field margins, buffer strips, hedges, trees, fallow land, biotopes, afforested area and landscape features.

Only to be reported by farms with more than 15 hectares of arable land.

Manure application techniques

The percentage of the total manure of the farm (produced plus imported minus exported) that is spread on the agricultural land with the different available techniques.

Broadcast

Manure is spread over the surface of an area of land or crop, without the use of bandspread or injection techniques

No incorporation

The percentage of the total applied manure where no incorporation into the soil was performed. If the manure has not been incorporated within 24 hours after broadcast, it is included here.

Incorporation within 4 hours

The percentage of the total applied manure that has been mechanically incorporated into the soil within 4 hours after the application

Incorporation after 4 hours

The percentage of the total applied manure that has been mechanically incorporated into the soil later than 4 hours after the application. If the manure has not been incorporated within 24 hours after broadcast, it is excluded from this heading and is included under No incorporation.

Bandspread

Liquid manure or slurry is applied to an area in parallel bands with no manure between the bands, using a device (band spreader) fixed to the end of a tanker or a tractor to discharge liquid manure or slurry at ground level.

Trailing hose

A type of band spreader consisting of a number of hoses mounted on a boom but not using appliances designed to part crop or grass leaves.

Trailing shoe

A type of band spreader consisting of a number of foot- or shoe-shaped appliances mounted on a boom designed to part crop or grass leaves, in order to place the manure in bands on the surface while reducing contamination of the crop or grass.

Injection

The application of liquid manure or slurry by placement in slots cut into the soil to various depths depending on the type of injector.

Shallow/open-slot

The slots are shallow, typically around 50 mm deep. They are left open after application.

Deep/closed-slot

The slots are deeper, typically around 150 mm deep. They are closed after application.

Manure import/export from the holding**The total produced manure exported from the holding**

The amount of manure transported away from the holding.

Manure imported to the holding

The amount of manure brought to the holding to be used in agriculture, regardless of whether it is paid for or received for free.'

COMMISSION IMPLEMENTING REGULATION (EU) 2015/1392**of 13 August 2015****approving the basic substance fructose in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011****(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 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC ⁽¹⁾, and in particular Article 23(5) in conjunction with Article 13(2) thereof,

Whereas:

- (1) In accordance with Article 23(3) of Regulation (EC) No 1107/2009, the Commission received on 12 March 2014 an application from the Institut Technique de l'Agriculture Biologique (ITAB) for the approval of fructose as a basic substance. That application was accompanied by the information required by the second subparagraph of Article 23(3).
- (2) The Commission asked the European Food Safety Authority (hereinafter 'the Authority') for scientific assistance. The Authority presented to the Commission a Technical Report on the substance concerned on 24 October 2014 ⁽²⁾. The Commission presented the review report ⁽³⁾ and a draft of this Regulation to the Standing Committee on Plants, Animals, Food and Feed on 20 March 2015 and finalised them for the meeting of that Committee of 14 July 2015.
- (3) The documentation provided by the applicant shows that fructose fulfils the criteria of a foodstuff as defined in Article 2 of Regulation (EC) No 178/2002 of the European Parliament and of the Council ⁽⁴⁾. Moreover, it is not predominantly used for plant protection purposes but nevertheless is useful in plant protection in a product consisting of the substance and water. Consequently, it is to be considered as a basic substance.
- (4) It has appeared from the examinations made that fructose may be expected to satisfy, in general, the requirements laid down in Article 23 of Regulation (EC) No 1107/2009, in particular with regard to the uses which were examined and detailed in the Commission review report. It is therefore appropriate to approve fructose as a basic substance.
- (5) In accordance with Article 13(2) of Regulation (EC) No 1107/2009 in conjunction with Article 6 thereof and in the light of current scientific and technical knowledge, it is, however, necessary to include certain conditions for the approval which are detailed in Annex I to this Regulation.
- (6) In accordance with Article 13(4) of Regulation (EC) No 1107/2009, the Annex to Commission Implementing Regulation (EU) No 540/2011 ⁽⁵⁾ should be amended accordingly.

⁽¹⁾ OJ L 309, 24.11.2009, p. 1.

⁽²⁾ European Food Safety Authority, 2014; Outcome of the consultation with Member States and EFSA on the basic substance application for fructose for use in plant protection on apple trees with indirect action in the control of insects. EFSA supporting publication 2014: EN-684. 27 pp.

⁽³⁾ <http://ec.europa.eu/food/plant/pesticides/eu-pesticides-database/public/?event=activesubstance.selection&language=EN>

⁽⁴⁾ Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1).

⁽⁵⁾ Commission Implementing Regulation (EU) No 540/2011 of 25 May 2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards the list of approved active substances (OJ L 153, 11.6.2011, p. 1).

- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Approval of a basic substance

The substance fructose as specified in Annex I is approved as a basic substance subject to the conditions laid down in that Annex.

Article 2

Amendments to Implementing Regulation (EU) No 540/2011

Implementing Regulation (EU) No 540/2011 is amended in accordance with Annex II to this Regulation.

Article 3

Entry into force

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

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

Done at Brussels, 13 August 2015.

For the Commission

The President

Jean-Claude JUNKER

ANNEX I

Common Name, Identification Numbers	IUPAC Name	Purity ⁽¹⁾	Date of approval	Specific provisions
Fructose CAS No: 57-48-7	β -D-fructofuranose	Food grade	1 October 2015	Only uses as basic substance being an elicitor of the crop's natural defence mechanisms are approved. Fructose shall be used in accordance with the specific conditions included in the conclusions of the review report on fructose (SANCO/12680/2014) and in particular Appendices I and II thereof.

⁽¹⁾ Further details on identity, specification and manner of use of basic substance are provided in the review report.

ANNEX II

In Part C of the Annex to Implementing Regulation (EU) No 540/2011, the following entry is added:

Number	Common Name, Identification Numbers	IUPAC Name	Purity (*)	Date of approval	Specific provisions
'8	Fructose CAS No: 57-48-7	β -D-fructofuranose	Food grade	1 October 2015	Only uses as basic substance being an elicitor of the crop's natural defence mechanisms are approved. Fructose shall be used in accordance with the specific conditions included in the conclusions of the review report on fructose (SANCO/12680/2014) and in particular Appendices I and II thereof.'

(*) Further details on identity, specification and manner of use of basic substance are provided in the review report.

COMMISSION IMPLEMENTING REGULATION (EU) 2015/1393**of 13 August 2015****approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications [Καλαμάτα (Kalamata) (PDO)]**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(3)(b) thereof,

Whereas:

- (1) Regulation (EU) No 1151/2012 entered into force on 3 January 2013. It repealed and replaced Council Regulation (EC) No 510/2006 ⁽²⁾.
- (2) Pursuant to Article 9(1) of Regulation (EC) No 510/2006, the Commission examined Greece's application for the approval of amendments to the specification for the protected designation of origin (henceforth: PDO) 'Καλαμάτα' (Kalamata), registered under Commission Regulation (EC) No 1065/97 ⁽³⁾.
- (3) Since the amendments in question were not minor within the meaning of Article 9 of Regulation (EC) No 510/2006, the Commission published the amendment application in the *Official Journal of the European Union* ⁽⁴⁾ as required by Article 6(2) of Regulation (EC) No 510/2006.
- (4) The Commission received 5 oppositions pursuant to Article 7(1) and 7(2) of Regulation (EC) No 510/2006 ⁽⁵⁾. The first one was received on 14 December 2012 from the Swiss Company NECTRA FOOD SA. The second one was received on 17 December 2012 from the Egyptian Company FAR TRADING CO. The third one was received on 17 December 2012 from the Norwegian Company Oluf Lorentzen AS. The fourth one was received on 20 December 2012 from the United Kingdom. The fifth one was received on 17 December 2012 from the Danish Company CARL B.FELDTTHUSEN.
- (5) The last opposition was considered not admissible since, according to Article 7(2) of Regulation (EC) No 510/2006, legal persons established in a Member State may not lodge a statement of opposition directly with the Commission. The other oppositions were deemed admissible.
- (6) By letters dated 15 February 2013, the Commission invited the interested parties to engage in appropriate consultations to seek agreement among themselves within six months in accordance with their internal procedures.
- (7) No agreement was reached between the parties within the time limit.
- (8) Given that no agreement was reached, the Commission should adopt a decision in accordance with the procedure referred to in Article 52(3)(b) of Regulation (EU) No 1151/2012.

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs (OJ L 93, 31.3.2006, p. 12).

⁽³⁾ Commission Regulation (EC) No 1065/97 of 12 June 1997 supplementing the Annex to Regulation (EC) No 1107/96 on the registration of geographical indications and designations of origin under the procedure laid down in Article 17 of Council Regulation (EEC) No 2081/92 (OJ L 156, 13.6.1997, p. 5).

⁽⁴⁾ OJ C 186, 26.6.2012, p. 18.

⁽⁵⁾ Meanwhile replaced by Article 51(1) of Regulation (EU) No 1151/2012.

- (9) The opponents claim that the geographical area resulting from the amendment is not homogenous since the part of the geographical area additionally covered by the amendment request does not possess the same unique microclimatic characteristics as the current PDO area; that the chemical and organoleptic characteristics, and therefore the quality, of the olive oil produced in the amended area proposed are lower than those of the olive oil produced in the current PDO area; that this decline in quality would imply a loss of image and reputation of the product; that the extension of the area would mislead consumers since it is no longer produced in the area of Kalamata province but in the area of Messinia Region and since it can be even bottled outside that Region; that the new geographical area is not delimited with regard to the link; that the absence of a geographical bottling restriction dilutes the link between the product and the area, generates problems of traceability and exposes the product to possible frauds and quality deterioration; that the statistical relevance and representativeness of the data carried out to support the amendment application are questionable; that the web link in the published single document leading to the amended product specification did not work properly.
- (10) Despite the above mentioned allegations submitted by the opponent, it is appropriate to approve the amendment to the product specification of the PDO 'Καλαμάτα' (Kalamata) for the following reasons.
- (11) The homogeneity of natural and human factors inside the area of Messinia is exhaustively described in the application for amendment, in the single document and in the product specification. The opponent did not provide evidence that the pedo-climatic conditions in the part of the geographical area additionally covered by the amendment request are substantially different from the ones of the current geographical area. In addition, Messinia region is presently the defined geographical area of the PDO 'Elia Kalamatas' (olive of Kalamata). In conclusion, the area of Messinia, as defined in the application for amendment, is liable to qualify as the defined geographical area for the PDO 'Καλαμάτα' (Kalamata) covering olive oil.
- (12) The claim concerning the devaluation of the quality and the loss of reputation was not supported with concrete details giving evidence of such a quality decrease. The analysis of the data on the organoleptic and chemical characteristics of the olive oil produced in the two areas, included in the study enclosed to the oppositions, is not conclusive in demonstrating that the characteristics of the olive oil produced in the amended area proposed are lower than those of the olive oil produced in the current PDO area. In contrast, the data provided by the Greek authorities show that the two olive oils have overall the same organoleptic and chemical characteristics with negligible differences.
- (13) In addition, to let a product reaching or maintaining a given quality or image is not the aim of Regulation (EU) No 1151/2012 which does not contain any provision to that purpose. As long as it can be verified that the characteristics of the product issued from the modified geographical area, similar to the characteristics of the product issued from the current PDO area, are essentially due to the natural and human factors of the modified geographical area the application for amendment complies with the requirements of Regulation (EU) No 1151/2012.
- (14) There are numerous cases of registered PDOs whose names do not correspond to the name of the geographical area. Accordingly, the fact that, following the amendment application, the PDO will be produced also in the Messinia Region is not at variance with Regulation (EU) No 1151/2012.
- (15) The sentence in the product specification clarifying that the product may be bottled outside the defined geographical area is not at variance with Regulation (EU) No 1151/2012 and does not affect the link. In the framework of Regulation (EU) No 1151/2012, an obligation to package the product within the area derogates from the standard rules and must be justified in accordance with Article 7(1) point (e) of Regulation (EU) No 1151/2012. If justified, it is up to the applicant to insert this kind of restrictions in the product specification. In the present case, the applicants did not propose such a restriction. In addition, the opponents did not give sufficient product-specific justifications as to why packaging in the delimited geographical area should be compulsory.
- (16) Opponents claim that the analysis of the data on the organoleptic and chemical characteristics of the olive oil produced in the established geographical area and of the olive oil produced in the rest of the geographical area, as amended, reported in the study enclosed to the oppositions, clearly demonstrates that the new geographical area is not delimited with regard to the link. The Commission considers that this analysis is not useful to conclude that the amended area is not defined with regard to the link. It fails to demonstrate that the

organoleptic and chemical characteristics of the olive oil produced in the amended area proposed and those of the olive oil produced in the current PDO area are not homogenous. The opponents failed to explain their conclusion that the amended area is not defined with regard to the link.

- (17) The opponents also criticise the data supporting the amendment request and demonstrating that the olive oil produced in the Messinia Region possesses characteristics making it homogenous with the olive oil produced in the current PDO area. The opponents claim that these data are statistically incapable of providing results with scientific significance. They see the data as geographically not representative and insufficient as regards the number of samples and the production years taken into consideration.
- (18) The Commission has verified the reliability of the above mentioned data with the Greek authorities. Additional figures were also provided. These figures are based on solid statistical grounds as regards the production years considered and the number and geographical distribution of the samples. It stems from these data that the olive oil produced in the established geographical area of the PDO 'Καλαμάτα' (Kalamata) and the olive oil produced in the rest of the geographical area, as amended, have the same organoleptic and chemical characteristics overall, with negligible differences.
- (19) A typing error was identified in the table included in point 3.2 of the amendment application: the average acidity value for the area 'rest of Messinia' is not 0,49 but 0,37. This clerical error does not prejudice the final assessment on the homogeneity of the oil produced in the two areas and it does not constitute a substantial change that requires the amendment application to be published again.
- (20) At last, opponents invoked that the internet address included in the single document annexed to the application for amendment of the PDO 'Καλαμάτα' (Kalamata) leading to the most recent version of the product specification did not work properly. This allegedly prevented the researchers who drafted the study for the opponents from having access to any publication reference of the specification.
- (21) The Greek authorities have confirmed that the link worked properly during the whole opposition period. The opponents failed to provide detailed information as to the circumstances (i.e. date, number of attempts to access the site etc. ...) under which the link was found not working. In conclusion, also in the light of the detailed and well developed four oppositions received showing a thorough knowledge of the specification and an in-depth scrutiny thereof, the Commission considers that the right to oppose to the approval of the amendment of the PDO 'Καλαμάτα' (Kalamata) was not affected.
- (22) The measures provided for in this Regulation are in accordance with the opinion of the Agricultural Product Quality Policy Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The amendments to the specification published in the *Official Journal of the European Union* regarding the name 'Καλαμάτα' (Kalamata) (PDO) are hereby approved.

Article 2

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

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

Done at Brussels, 13 August 2015.

For the Commission

The President

Jean-Claude JUNKER

COMMISSION IMPLEMENTING REGULATION (EU) 2015/1394**of 13 August 2015****amending Regulation (EU) No 470/2014, as amended by Regulation (EU) 2015/588, imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of solar glass originating in the People's Republic of China following an absorption reinvestigation pursuant to Article 12 of Council Regulation (EC) No 1225/2009**

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 Article 12(3) thereof,

Whereas:

A. PROCEDURE**1. Original measures**

- (1) The measures currently in force ('the original measures') are definitive anti-dumping duty rates imposed by Commission Implementing Regulation (EU) No 470/2014 ⁽²⁾ ranging from 0,4 % to 36,1 %. Article 1(2) of this Regulation was amended by Commission Implementing Regulation (EU) 2015/588 ⁽³⁾. By Commission Implementing Regulation (EU) No 471/2014 ⁽⁴⁾, the Commission also imposed countervailing duty rates ranging from 3,2 % to 17,1 %.

2. Request for an absorption reinvestigation

- (2) On 12 November 2014, a request for an absorption reinvestigation of the original anti-dumping measures was lodged pursuant to Article 12 of the basic Regulation. The request was submitted by the association EU ProSun Glass ('the applicant') on behalf of producers representing more than 25 % of the total Union production of solar glass.
- (3) The applicant submitted sufficient information showing that after the original investigation period and prior to and following the imposition of the original measures export prices have decreased. This allegedly resulted in an increased dumping margin which has impeded the intended remedial effects of the original measures. The applicant also provided evidence showing that imports of solar glass have continued to enter the Union in significant volumes.
- (4) On 19 December 2014, the Commission announced by a notice published in the *Official Journal of the European Union*, the initiation of an absorption reinvestigation, pursuant to Article 12 of the basic Regulation, of the anti-dumping measures applicable to imports of solar glass originating in the People's Republic of China (PRC) ⁽⁵⁾.

⁽¹⁾ OJ L 343, 22.12.2009, p. 51.

⁽²⁾ Commission Implementing Regulation (EU) No 470/2014 of 13 May 2014 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of solar glass originating in the People's Republic of China (OJ L 142, 14.5.2014, p. 1).

⁽³⁾ Commission Implementing Regulation (EU) 2015/588 of 14 April 2015 amending Implementing Regulation (EU) No 470/2014 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of solar glass originating in the People's Republic of China (OJ L 98, 15.4.2015, p. 6).

⁽⁴⁾ Commission Implementing Regulation (EU) No 471/2014 of 13 May 2014 imposing definitive countervailing duties on imports of solar glass originating in the People's Republic of China (OJ L 142, 14.5.2014, p. 23).

⁽⁵⁾ OJ C 457, 19.12.2014, p. 9.

3. Parties concerned by the reinvestigation

- (5) In the Notice of reopening, the Commission invited interested parties to contact it in order to participate in the investigation. In addition, the Commission specifically informed the applicant, other known Union producers, the known exporting producers in the PRC, importers, traders, users, suppliers and the authorities of the PRC about the initiation of the investigation and invited them to participate.
- (6) Interested parties had an opportunity to comment on the reopening of the investigation and to request a hearing with the Commission and/or the Hearing Officer in trade proceedings. After disclosure one party requested such a hearing with the Commission and was able to submit its point of view on 23 June 2015.

4. Sampling of exporting producers in the PRC

- (7) In its Notice of reopening, the Commission stated that it might sample the interested parties in accordance with Article 17 of the basic Regulation.
- (8) To decide whether sampling was necessary and, if so, to select a sample, the Commission asked all exporting producers in the PRC to provide the information specified in the Notice of reopening. In addition, the Commission asked the Mission of the People's Republic of China to the European Union to identify and/or contact other exporting producers, if any, that could be interested in participating in the investigation.
- (9) Five Chinese exporting producers or groups of exporting producers, representing around 70 % of total Chinese exports to the Union during the current investigation provided the requested information and agreed to be included in the sample. In accordance with Article 17(1) of the basic Regulation, the Commission selected a sample of two groups of companies on the basis of the largest representative volume of exports to the Union which could reasonably be investigated within the time available. The two selected groups of companies represent more than 60 % of total Chinese exports to the Union and 94 % of the exports of the companies that cooperated in this investigation.
- (10) In accordance with Article 17(2) of the basic Regulation, all known exporting producers concerned, and the authorities of the country concerned, were consulted on the selection of the sample. No comments were made. Therefore, the Commission decided to retain the proposed sample of two groups of companies and all interested parties were accordingly informed of the finally selected sample.
- (11) The sample of exporting producers of solar glass was therefore the following:

— Flat Solar Glass Group Co., Ltd ('Flat Glass Group')

— Xinyi PV Products (Anhui) Holdings ('Xinyi Group')

5. Replies to the questionnaire

- (12) The Commission sent questionnaires to both selected Chinese groups of exporting producers and to the unrelated importers, as well as to users that made themselves known within the time limits set out in the notice of reopening.
- (13) Questionnaire replies were received from two Chinese exporting producers and three unrelated Union importers/users.

6. Verification visits

- (14) The Commission sought and verified all the information deemed necessary for the purpose of this reinvestigation. Verification visits pursuant to Article 16 of the basic Regulation were carried out at the premises of the following companies:

— Flat Glass Group, Jiaxing, Zhejiang, PRC

— Xinyi Group, Wuhu, Anhui, PRC

7. Disclosure

- (15) All interested parties were sent a disclosure document which contained the essential facts and considerations on the basis of which the Commission proposed to amend the definitive anti-dumping duty on solar glass originating in the People's Republic of China. All parties were informed of the deadline within which they could comment on the disclosure.
- (16) The comments submitted by interested parties were considered and taken into account where appropriate.

8. Investigation period

- (17) The absorption investigation period of this reinvestigation ('AIP') ran from 1 December 2013 to 30 November 2014. Export prices during the AIP were compared to those during the original investigation period of the investigation which led to the imposition of the original measures, which covered the period from 1 January 2012 to 31 December 2012 ('OIP').

B. PRODUCT CONCERNED AND LIKE PRODUCT

- (18) The product subject to this investigation is the same as in the original investigation and is defined as solar glass consisting of tempered soda-lime-flat-glass, with an iron content of less than 300 ppm, a solar transmittance of more than 88 % (measured according to AM1.5 300-2 500 nm), a resistance to heat up to 250 °C (measured according to EN 12150), a resistance to thermal shocks of Δ 150K (measured according to EN 12150) and having a mechanical strength of 90 N/mm² or more (measured according to EN 1288-3) originating in the PRC ('the product concerned'), currently falling within CN code ex 7007 19 80.
- (19) The investigation showed that the product concerned, the product produced and sold on the domestic market of the PRC, the product produced and sold on the domestic market of Turkey which served as an analogue country in the original investigation and the product produced and sold in the Union by the Union industry have the same basic physical, chemical and technical characteristics as well as the same basic uses. They are therefore considered to be like products within the meaning of Article 1(4) of the basic Regulation.

C. FINDINGS

- (20) An absorption reinvestigation pursuant to Article 12 of the basic Regulation aims at establishing whether or not export prices have decreased or whether there has been insufficient movement in resale prices or subsequent selling prices in the Union of solar glass originating in the PRC since the imposition of the original measures. Where it is concluded that absorption took place, a new dumping margin should be calculated.

1. Decrease of export prices

- (21) Exports of the product concerned were, in the AIP, made directly to unrelated customers in the EU.

- (22) The Commission compared for both groups in the sample the prices of the product types sold in the AIP with the same product types sold in the OIP and calculated a weighted average level of absorption for both groups.
- (23) During the original investigation the sampled companies mostly exported uncoated solar glass together with some small quantities of coated glass. The average premium in sales prices between uncoated and coated was found to be around 20 % during the original investigation. However, since then the solar panels industry worldwide has been moving from using uncoated to coated glass as the latter is a more efficient product. Nowadays, coated glass has become the standard and uncoated solar glass is mainly used for installations in an environment with adverse and harsh weather conditions. This evolution is also reflected in the export behaviour of the sampled exporting producers, whose exports changed diametrically from uncoated to coated solar glass.
- (24) The comparison of the export prices of the IP with the AIP shows that for Flat Group export prices fell on average by 17,6 % and for Xinyi Group by 30,4 % for the product concerned exported in the AIP. Hence absorption can be established for both groups of companies.
- (25) In accordance with Article 12(2) of the basic Regulation, importers, users and exporters were provided with an opportunity to submit evidence to justify a decrease in export prices and lack of movement in resale prices in the Union following the imposition of measures for reasons other than absorption of the anti-dumping duty.
- (26) One exporting producer claimed -and reiterated the same claim after disclosure- that the decrease of export prices was not due to absorption but to efficient production methods, economy of scale and a more competitive environment for the product concerned. As a result the cost of production as well as export prices had gone down.
- (27) The Commission rejected this claim. This claim refers to costs of production and can only be taken into account in the context of a re-examination of normal value. However, pursuant to Article 12(5) of the basic Regulation, alleged changes in normal value shall only be taken into account where complete information on revised normal values is made available to the Commission. This was not the case as none of the sampled groups of companies had requested the re-examination of normal values, as provided for in Article 12(5) of the basic Regulation and as mentioned in point 5.1.1.(a) of the Notice of reopening. Hence, the cost of production during the AIP was not verified and the scope of the investigation remains limited to the examination of the export prices. Any claim regarding alleged changes in the costs of production and/or normal value can only be addressed in an interim review, pursuant to Article 11(3) of the basic Regulation.
- (28) After disclosure one exporting producer claimed that its export prices had not decreased or at least not to the same extent as the export prices of the sampled companies. It further argued that the apparent decrease in the export prices of the two sampled Chinese exporters and the recalculation of their dumping and injury margin could not form a basis for reassessing its individual new anti-dumping duty. Therefore, it requested an individual examination pursuant to Article 12(2) and Article 17(3) of the basic Regulation.
- (29) The Commission rejected this claim. This exporting producer did not cooperate in this investigation and did not provide the necessary information within the time-limits provided for in the notice of initiation. Pursuant to Article 12(4) of the basic Regulation the reinvestigation shall be carried out expeditiously and normally be concluded within six months of the date of initiation of the reinvestigation. In any event, such reinvestigations shall in all cases be concluded within nine months of initiation of the reinvestigation. An individual examination, which was requested only at a late stage of the proceeding after disclosure, would therefore prevent completion of the investigation in due time.
- (30) One importer/user claimed that the EU solar glass industry had insufficient supply of especially high-quality solar glass to meet the demands of the EU solar module industry and thus opposed imposition of additional measures. It further claimed that additional anti-dumping measures would lead to a shift of production of solar modules outside of the EU.
- (31) The Commission rejected both claims. First, these claims would fall under the Union interest test which is not analysed in an absorption reinvestigation. Second, according to its questionnaire reply the user was able to source

100 % of its supplies of solar glass in the AIP from EU and third country solar glass manufacturers. Hence, this claim has not been sufficiently substantiated. The same is true of the claim that the imposition of additional measures would force the EU solar module manufacturers to outsource their production outside of the EU. This scenario seems unlikely. As established in the original investigation, the part of solar glass in the cost of production of a solar module is limited, i.e. 6-8 %. The increase of the measures will therefore only have a limited impact on the total costs of the solar modules, in the order of magnitude of 2-3 %.

2. Dumping

- (32) After having established absorption for both groups of companies, dumping margins were recalculated.

2.1. Export prices

- (33) All sales by the sampled exporting producers were made to unrelated customers in the Union. The export prices were therefore based on the prices actually paid or payable for the product concerned, in accordance with Article 2(8) of the basic Regulation.

2.2. Comparison

- (34) The Commission compared the normal value as established in the original investigation and export price on an ex-works basis. The dumping margins were established by comparing the individual ex-works prices of the sampled exporters to the domestic sales prices of the analogue country producer or to the constructed normal value as appropriate.
- (35) For the purpose of ensuring a fair comparison between the normal value and the export price, due allowance in the form of adjustments was made for differences affecting prices and price comparability in accordance with Article 2(10) of the basic Regulation.
- (36) On this basis, adjustments were made for transport, ocean freight and insurance costs, handling, loading and ancillary costs, export duties and commissions in all cases where demonstrated to affect price comparability.

2.3. Dumping margin

- (37) Pursuant to Articles 2(11) and 2(12) of the basic Regulation, the dumping margins for the sampled exporting producers were established on the basis of a comparison of the weighted average constructed normal value of each product type of the like product established in Turkey during the OIP, with each company's weighted average export price of the corresponding type of the product concerned during the AIP, expressed as a percentage of the CIF Union frontier price, duty unpaid.
- (38) As a result, for Xinyi Group the dumping margin increased from 83,1 % in the OIP to 122,2 % in the AIP and for Flat Group from 90,1 % to 122,4 %.

3. Injury elimination level

- (39) In accordance with the lesser duty rule under Article 9(4) of the basic Regulation and because the original measures were based on the injury elimination level the injury margins were recalculated.
- (40) The injury elimination level was determined on the basis of a comparison of the weighted average import price of the sampled cooperating exporting producers during the AIP, with the weighted average non-injurious price of the like product sold by the sampled Union producers on the Union market during the OIP. Any difference resulting from this comparison was then expressed as a percentage of the weighted average import CIF value.

- (41) Following disclosure one exporting producer questioned the accuracy of the method used by the Commission. To illustrate this, it claimed that even if the export prices had stayed the same in the AIP compared to the prices during the OIP, the injury elimination level would have increased.
- (42) The Commission rejected this claim. The exporting producer confirmed that its export prices had gone down during the AIP. Hence, absorption could be established with the consequence that dumping and injury margins needed to be recalculated.
- (43) On that basis, the injury margin for Xinyi Group increased from 39,3 % to 107,00 % and for Flat Group from 42,1 % to 112,5 %.

D. CONCLUSION

- (44) Based on the above facts and considerations, the Commission concluded that the sampled exporting producers absorbed the anti-dumping duty in force. Hence, anti-dumping measures imposed on imports of solar glass originating in the PRC should be amended in accordance with Article 12(3) of the basic Regulation.

New level of the measure

- (45) In accordance with the lesser duty rule in Article 9(4) of the basic Regulation, the Commission first compared the injury margins and the dumping margins. The amount of the duties should be set at the level of the injury margins. However, in accordance with the last sentence of Article 12(3) of the basic Regulation the amount of the new anti-dumping duty to be imposed shall not exceed twice the amount of the duty imposed initially.
- (46) As the anti-subsidy investigation remains unaffected by the present investigation, the countervailing duty needs to be deducted in order to determine the new anti-dumping duty.
- (47) Consequently, for Flat Group the new anti-dumping duty is 71,4 % (i.e. the double of the currently applicable injury margin of 42,1 % minus 12,8 % countervailing duty) and for Xinyi Group 75,4 % (i.e. the double of the currently applicable injury margin of 39,3 % minus 3,2 % countervailing duty).
- (48) Given the high rate of cooperation of Chinese exporting producers, the 'all other companies' duty was set at the level of the highest duty to be imposed on the companies sampled or cooperating in the investigation. The 'all other companies' duty will be applied to those companies which had not cooperated in the investigation, with the exception of the companies which cooperated in the original investigation and are subject to their individual duty. Their new anti-dumping duty is set at the double of their currently applicable injury margin from which the applicable countervailing duty has been deducted.
- (49) For the cooperating and non-sampled companies listed in the table below the dumping and injury margins were calculated as a weighted average of the sampled companies. For the purpose of establishing the new anti-dumping duty, the double of the currently applicable injury margin was set as a limit from which the applicable countervailing duty has been deducted.
- (50) One non-cooperating exporting producer, which cooperated in the original investigation, claimed that there was an insufficient legal basis for increasing its existing anti-dumping duty or alternatively an insufficient legal basis for imposing as high an increase of the anti-dumping duties as proposed by the Commission.
- (51) The Commission rejected this claim. The legal basis for amending the measures in force is Article 12(3) of the basic Regulation, according to which the amount of the anti-dumping duty imposed shall not exceed twice the

amount of the duty imposed initially. This producer did not cooperate in this investigation and should therefore normally be subject to the residual duty. However, pursuant to Article 12(3) of the basic Regulation, as set out above in recital (48), its new anti-dumping duty is set at the double of its currently applicable injury margin, from which the applicable countervailing duty has been deducted.

- (52) The revised rate of anti-dumping duty applicable, before duty, to the net free-at-Union-frontier price will be as follows:

Company	New dumping margin	New injury margin	Cap under Art 12(3) BR (see recital (45))	Countervailing Duty (unchanged)	Revised definitive anti-dumping duty
Zhejiang Jiafu Glass Co., Ltd; Flat Solar Glass Group Co., Ltd; Shanghai Flat Glass Co., Ltd	122,4 %	112,5 %	84,2 %	12,8 %	71,4 %
Xinyi PV Products (Anhui) Holdings Ltd	122,2 %	107,0 %	78,6 %	3,2 %	75,4 %
Zhejiang Hehe Photovoltaic Glass Technology Co., Ltd	122,4 %	112,5 %	52,4 %	17,1 %	35,3 %
Henan Yuhua New Material Co., Ltd	122,4 %	112,5 %	34,2 %	16,7 %	17,5 %
Wuxi Haida Safety Glass Co., Ltd	122,4 %	112,0 %	73 %	12,4 %	60,6 %
Avic Sanxin Sol-Glass Co. Ltd and Avic (Hainan) Special Glass Material Co., Ltd	122,4 %	112,5 %	73 %	12,4 %	60,6 %
Dongguan CSG Solar Glass Co., Ltd	122,4 %	112,0 %	73 %	12,4 %	60,6 %
Novatech Glass Co., Ltd	122,4 %	112,5 %	73 %	12,4 %	60,6 %
Pilkington Solar Taicang, Limited	122,4 %	112,0 %	73 %	12,4 %	60,6 %
Henan Ancai Hi-Tech Co., Ltd	122,4 %	112,5 %	73 %	17,1 %	55,9 %
Henan Succeed Photovoltaic Materials Corporation	122,4 %	112,5 %	73 %	17,1 %	55,9 %
Zibo Jinxing Glass Co., Ltd	122,4 %	112,5 %	73 %	17,1 %	55,9 %
All other companies	122,4 %	112,5 %	84,2 %	17,1 %	67,1 %

- (53) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 15(1) of Regulation (EC) No 1225/2009.

HAS ADOPTED THIS REGULATION:

Article 1

Article 1(2) of Implementing Regulation (EU) No 470/2014, as amended by Implementing Regulation (EU) 2015/588, shall be replaced by the following:

‘2. The rate of the definitive anti-dumping duty applicable to the net free-at-Union-frontier price, before duty, of the products described in paragraph 1 and produced by the companies below shall be as follows:

Company	Definitive anti-dumping duty	TARIC Additional code
Zhejiang Jiafu Glass Co., Ltd; Flat Solar Glass Group Co., Ltd; Shanghai Flat Glass Co., Ltd	71,4 %	B945
Xinyi PV Products (Anhui) Holdings Ltd	75,4 %	B943
Zhejiang Hehe Photovoltaic Glass Technology Co., Ltd	35,3 %	B944
Henan Yuhua New Material Co., Ltd	17,5 %	B946
Henan Ancai Hi-Tech Co., Ltd	55,9 %	B947
Henan Succeed Photovoltaic Materials Corporation	55,9 %	B948
Avic Sanxin Sol-Glass Co. Ltd and Avic (Hainan) Special Glass Material Co., Ltd	60,6 %	B949
Wuxi Haida Safety Glass Co., Ltd	60,6 %	B950
Dongguan CSG Solar Glass Co., Ltd	60,6 %	B951
Pilkington Solar Taicang, Limited	60,6 %	B952
Zibo Jinxing Glass Co., Ltd	55,9 %	B953
Novatech Glass Co., Ltd	60,6 %	B954
All other companies	67,1 %	B999’

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 the Member States in accordance with the Treaties.

Done at Brussels, 13 August 2015.

For the Commission
The President
 Jean-Claude JUNCKER

COMMISSION IMPLEMENTING REGULATION (EU) 2015/1395**of 13 August 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, 13 August 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	MA	144,2
	MK	51,2
	ZZ	97,7
0709 93 10	TR	116,3
	ZZ	116,3
0805 50 10	AR	134,3
	BO	146,4
	CL	160,0
	UY	119,5
	ZA	147,5
	ZZ	141,5
0806 10 10	EG	224,6
	IL	390,7
	MA	158,2
	TR	154,6
	US	342,9
	ZZ	254,2
0808 10 80	AR	108,9
	BR	94,3
	CL	136,5
	NZ	136,2
	US	147,0
	ZA	130,9
0808 30 90	ZZ	125,6
	AR	132,0
	CL	140,7
	MK	62,9
	NZ	146,7
	TR	139,3
0809 30 10, 0809 30 90	ZA	120,2
	ZZ	123,6
	MK	76,3
	TR	136,1
0809 40 05	ZZ	106,2
	BA	47,1
	IL	141,4
	MK	39,3
	XS	57,7
	ZZ	71,4

⁽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'.

