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Contents

II *Non-legislative acts*

REGULATIONS

- ★ **Commission Implementing Regulation (EU) 2017/316 of 22 February 2017 amending Regulation (EC) No 1484/95 as regards fixing representative prices in the poultrymeat and egg sectors and for egg albumin** 1
- Commission Implementing Regulation (EU) 2017/317 of 23 February 2017 establishing the standard import values for determining the entry price of certain fruit and vegetables 4
- Commission Implementing Regulation (EU) 2017/318 of 23 February 2017 on the minimum selling price for skimmed milk powder for the fifth partial invitation to tender within the tendering procedure opened by Implementing Regulation (EU) 2016/2080 6

DECISIONS

- ★ **Council Implementing Decision (EU) 2017/319 of 21 February 2017 amending Implementing Decision 2013/677/EU authorising Luxembourg to introduce a special measure derogating from Article 285 of Directive 2006/112/EC on the common system of value added tax** 7
- ★ **Council Implementing Decision (EU) 2017/320 of 21 February 2017 authorising France to conclude an agreement with the Swiss Confederation concerning Basel-Mulhouse Airport that includes provisions derogating from Article 5 of Directive 2006/112/EC** 9
- ★ **Political and Security Committee Decision (CFSP) 2017/321 of 21 February 2017 on the appointment of the EU Force Commander for the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast (Atalanta) and repealing Decision (CFSP) 2016/940 (ATALANTA/1/2017)** 11

EN

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

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

★ Commission Implementing Decision (EU) 2017/322 of 22 February 2017 concerning exemptions from the extended anti-dumping duty on certain bicycle parts originating in the People's Republic of China pursuant to Commission Regulation (EC) No 88/97 (notified under document C(2017) 1129)	13
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II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2017/316**of 22 February 2017****amending Regulation (EC) No 1484/95 as regards fixing representative prices in the poultrymeat and egg sectors and for egg albumin**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾, and in particular Article 183(b) thereof,

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

Whereas:

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 1484/95 is replaced by the text set out in the Annex to this Regulation.

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.⁽²⁾ OJ L 150, 20.5.2014, p. 1.⁽³⁾ Commission Regulation (EC) No 1484/95 of 28 June 1995 laying down detailed rules for implementing the system of additional import duties and fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and repealing Regulation No 163/67/EEC (OJ L 145, 29.6.1995, p. 47).

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, 22 February 2017.

For the Commission,

On behalf of the President,

Jerzy PLEWA

Director-General

Directorate-General for Agriculture and Rural Development

ANNEX

‘ANNEX I

CN code	Description	Representative price (EUR/100 kg)	Security under Article 3 (EUR/100 kg)	Origin ⁽¹⁾
0207 12 10	Fowls of the species <i>Gallus domesticus</i> , not cut in pieces, presented as “70 % chickens”, frozen	115,2	0	AR
0207 12 90	Fowls of the species <i>Gallus domesticus</i> , not cut in pieces, presented as “65 % chickens”, frozen	138,9 128,1	0 0	AR BR
0207 14 10	Fowls of the species <i>Gallus domesticus</i> , boneless cuts, frozen	228,7 191,8 284,6 222,6	21 34 5 23	AR BR CL TH
0207 27 10	Turkeys, boneless cuts, frozen	407,9 302,9	0 0	BR CL
0408 91 80	Eggs, not in shell, dried	429,2	0	AR
1602 32 11	Preparations of fowls of the species <i>Gallus domesticus</i> uncooked	194,6	28	BR

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

COMMISSION IMPLEMENTING REGULATION (EU) 2017/317**of 23 February 2017****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, 23 February 2017.

*For the Commission,
On behalf of the President,
Jerzy PLEWA
Director-General
Directorate-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	IL	75,4
	MA	110,1
	TR	100,5
	ZZ	95,3
0707 00 05	MA	86,6
	TR	190,3
	ZZ	138,5
0709 91 00	EG	113,1
	ZZ	113,1
0709 93 10	MA	55,4
	TR	172,3
	ZZ	113,9
0805 10 22, 0805 10 24, 0805 10 28	EG	43,6
	IL	75,0
	MA	50,0
	TN	50,3
	TR	73,1
	ZA	196,8
	ZZ	81,5
0805 21 10, 0805 21 90, 0805 29 00	EG	73,3
	IL	129,0
	JM	120,8
	MA	102,0
	TR	62,1
	ZZ	97,4
0805 22 00	IL	120,6
	MA	101,2
	ZZ	110,9
0805 50 10	EG	82,4
	TR	72,2
	ZZ	77,3
0808 10 80	US	115,7
	ZZ	115,7
0808 30 90	CL	175,7
	CN	84,8
	ZA	110,9
	ZZ	123,8

⁽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'.

COMMISSION IMPLEMENTING REGULATION (EU) 2017/318**of 23 February 2017****on the minimum selling price for skimmed milk powder for the fifth partial invitation to tender within the tendering procedure opened by Implementing Regulation (EU) 2016/2080**

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) 2016/1240 of 18 May 2016 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to public intervention and aid for private storage ⁽²⁾, and in particular Article 32 thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2016/2080 ⁽³⁾ has opened the sale of skimmed milk powder by a tendering procedure.
- (2) In the light of the tenders received for the fifth partial invitation to tender, a minimum selling price should not be fixed.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the Common Organisation of the Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

For the fifth partial invitation to tender for the selling of skimmed milk powder within the tendering procedure opened by Implementing Regulation (EU) 2016/2080, in respect of which the period during which tenders were to be submitted ended on 21 February 2017, a minimum selling price has not been fixed.

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, 23 February 2017.

For the Commission,

On behalf of the President,

Jerzy PLEWA

Director-General

Directorate-General for Agriculture and Rural Development

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 206, 30.7.2016, p. 71.

⁽³⁾ Commission Implementing Regulation (EU) 2016/2080 of 25 November 2016 opening the sale of skimmed milk powder by a tendering procedure (OJ L 321, 29.11.2016, p. 45).

DECISIONS

COUNCIL IMPLEMENTING DECISION (EU) 2017/319

of 21 February 2017

amending Implementing Decision 2013/677/EU authorising Luxembourg to introduce a special measure derogating from Article 285 of Directive 2006/112/EC on the common system of value added tax

THE COUNCIL OF THE EUROPEAN UNION,

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

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

Having regard to the proposal from the European Commission,

Whereas:

- (1) Under Article 285 of Directive 2006/112/EC, Member States which have not exercised the option under Article 14 of Second Council Directive 67/228/EEC ⁽²⁾ are able to exempt from value added tax ('VAT') taxable persons whose annual turnover is no higher than EUR 5 000 or the equivalent in national currency. They are also able to grant graduated tax relief to taxable persons whose annual turnover exceeds the ceiling fixed by them for its application.
- (2) By Council Implementing Decision 2013/677/EU ⁽³⁾, Luxembourg was authorised, as a measure derogating from Article 285 of Directive 2006/112/EC ('the derogating measure'), to exempt from VAT taxable persons whose annual turnover is no higher than EUR 25 000 until 31 December 2016.
- (3) By letter registered with the Commission on 26 September 2016, Luxembourg requested authorisation to extend the derogating measure from 1 January 2017 and, at the same time, to increase the threshold from EUR 25 000 to EUR 30 000.
- (4) The Commission informed the other Member States by letters dated 4 October 2016 of the request made by Luxembourg. By letter dated 5 October 2016, the Commission notified Luxembourg that it had all the information necessary to consider the request.
- (5) According to the information provided by Luxembourg, 970 additional taxable persons could potentially make use of the derogating measure in order to reduce their VAT obligations referred to in Chapters 2 to 6 of Title XI of Directive 2006/112/EC. The burden on the tax administration with regard to tax collection and the auditing of small businesses would therefore also be decreased.
- (6) Given that the derogating measure will result in reduced VAT obligations for small businesses, which will still be able to opt for the regular VAT arrangements in accordance with Article 290 of Directive 2006/112/EC, Luxembourg should be authorised to apply the increased threshold until 31 December 2019.
- (7) Derogations are normally granted for a limited time in order to allow for an assessment of whether they are appropriate and effective. Moreover, as Articles 281 to 294 of Directive 2006/112/EC on a special scheme for small enterprises are subject to review, it is possible that a directive amending those provisions will enter into force before 31 December 2019. The derogating measure should therefore be limited in time and accompanied by a sunset clause.

⁽¹⁾ OJ L 347, 11.12.2006, p. 1.

⁽²⁾ Second Council Directive 67/228/EEC of 11 April 1967 on the harmonisation of legislation of Member States concerning turnover taxes — Structure and procedures for application of the common system of value added tax (OJ 71, 14.4.1967, p. 1303/67).

⁽³⁾ Council Implementing Decision 2013/677/EU of 15 November 2013 authorising Luxembourg to introduce a special measure derogating from Article 285 of Directive 2006/112/EC on the common system of value added tax (OJ L 316, 27.11.2013, p. 33).

- (8) In order to ensure that the objectives pursued by the derogating measure, in particular those of avoiding disruptive effects and ensuring a level playing field, are achieved, it is appropriate that this Decision apply from 1 January 2017. By providing for a retroactive application of the derogating measure, legitimate expectations of the persons concerned are respected, as the derogating measure does not encroach on the rights and obligations of economic operators or individuals.
- (9) According to information provided by Luxembourg, the increased threshold will have a negligible impact on the overall amount of tax revenue collected at the stage of final consumption.
- (10) The derogating measure is in line with the objectives of the Commission communication “Think small first” — a “Small Business Act” for Europe’ of 25 June 2008.
- (11) The derogating measure has no impact on the Union’s own resources accruing from VAT because Luxembourg will carry out a compensation calculation in accordance with Article 6 of Council Regulation (EEC, Euratom) No 1553/89 ⁽¹⁾.
- (12) Implementing Decision 2013/677/EU should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Articles 1 and 2 of Implementing Decision 2013/677/EU are replaced by the following:

‘Article 1

By way of derogation from Article 285 of Directive 2006/112/EC, Luxembourg is authorised to exempt from VAT taxable persons whose annual turnover is no higher than EUR 30 000.

Article 2

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

This Decision shall apply from 1 January 2017 until 31 December 2019, or until the entry into force of a directive amending Articles 281 to 294 of Directive 2006/112/EC on a special scheme for small enterprises, whichever is the earlier.’.

Article 2

This Decision is addressed to the Grand Duchy of Luxembourg.

Done at Brussels, 21 February 2017.

For the Council
The President
E. SCICLUNA

⁽¹⁾ Council Regulation (EEC, Euratom) No 1553/89 of 29 May 1989 on the definitive uniform arrangements for the collection of own resources accruing from value added tax (OJ L 155, 7.6.1989, p. 9).

COUNCIL IMPLEMENTING DECISION (EU) 2017/320**of 21 February 2017****authorising France to conclude an agreement with the Swiss Confederation concerning Basel-Mulhouse Airport that includes provisions derogating from Article 5 of Directive 2006/112/EC**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax ⁽¹⁾, and in particular Article 396(1) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) In accordance with Article 5 of Directive 2006/112/EC concerning the territorial scope of that Directive, the value added tax ('VAT') system is, as a rule, applicable in the territory of a Member State.
- (2) By letter registered with the Commission on 24 September 2015, France requested authorisation to conclude an agreement with the Swiss Confederation ('Switzerland') concerning Basel-Mulhouse Airport ('the Airport') that includes provisions derogating from Directive 2006/112/EC.
- (3) In accordance with the second subparagraph of Article 396(2) of Directive 2006/112/EC, the Commission informed the other Member States by letter dated 24 October 2016 of the request made by France. By letter dated 25 October 2016, the Commission notified France that it had all the necessary information to consider the request.
- (4) The Airport is situated entirely within the Union. However, the French-Swiss Convention of 4 July 1949 regarding the construction and operation of the Airport, in Blotzheim ('the Convention'), provides for a special Swiss customs sector in a delimited zone of the airport where the Swiss authorities are allowed to exercise control over goods and passengers leaving or entering Switzerland. It was also foreseen in the Convention that a separate agreement between the respective countries would be concluded on, inter alia, the fiscal rules governing that sector.
- (5) Problems have arisen regarding the Swiss customs sector, in particular as regards control over the application of the Union VAT rules by businesses established within that sector.
- (6) In 2015 France and Switzerland agreed to conclude an international agreement under which the Swiss customs sector would be considered to be Swiss territory for VAT purposes. Since that would derogate from Directive 2006/112/EC, an authorisation under Article 396 of that Directive is required.
- (7) France will ensure that the derogation will have no impact on the Union's own resources accruing from VAT,

HAS ADOPTED THIS DECISION:

Article 1

France is hereby authorised to conclude an agreement with Switzerland concerning Basel-Mulhouse Airport that provides, by way of derogation from Directive 2006/112/EC, that the Swiss customs sector in the Airport, established pursuant to Article 8 of the French-Swiss Convention of 4 July 1949 regarding the construction and operation of Basel-Mulhouse Airport, in Blotzheim, is not to be treated as forming part of the territory of a Member State within the meaning of Article 5 of that Directive.

⁽¹⁾ OJ L 347, 11.12.2006, p. 1.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 21 February 2017.

For the Council
The President
E. SCICLUNA

POLITICAL AND SECURITY COMMITTEE DECISION (CFSP) 2017/321**of 21 February 2017****on the appointment of the EU Force Commander for the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast (Atalanta) and repealing Decision (CFSP) 2016/940 (ATALANTA/1/2017)**

THE POLITICAL AND SECURITY COMMITTEE,

Having regard to the Treaty on European Union, and in particular Article 38 thereof,

Having regard to Council Joint Action 2008/851/CFSP of 10 November 2008 on a European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast ⁽¹⁾, and in particular Article 6 thereof,

Whereas:

- (1) Pursuant to Article 6(1) of Joint Action 2008/851/CFSP, the Council authorised the Political and Security Committee (PSC) to take the relevant decisions on the appointment of the EU Force Commander for the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast ('EU Force Commander').
- (2) On 9 June 2016, the PSC adopted Decision (CFSP) 2016/940 ⁽²⁾ appointing Commodore René LUYCKX as EU Force Commander.
- (3) The EU Operation Commander has recommended the appointment of Rear Admiral Rafael FERNÁNDEZ-PINTADO MUÑOZ-ROJAS as the new EU Force Commander to succeed Commodore René LUYCKX as from 24 February 2017.
- (4) On 19 January 2017, the EU Military Committee supported that recommendation.
- (5) Decision (CFSP) 2016/940 should therefore be repealed.
- (6) In accordance with Article 5 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark does not participate in the elaboration and the implementation of decisions and actions of the Union which have defence implications,

HAS ADOPTED THIS DECISION:

Article 1

Rear Admiral Rafael FERNÁNDEZ-PINTADO MUÑOZ-ROJAS is hereby appointed EU Force Commander for the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast (Atalanta) as from 24 February 2017.

Article 2

Decision (CFSP) 2016/940 is repealed.

⁽¹⁾ OJ L 301, 12.11.2008, p. 33.

⁽²⁾ Political and Security Committee Decision (CFSP) 2016/940 of 9 June 2016 on the appointment of the EU Force Commander for the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast (Atalanta) and repealing Decision (CFSP) 2016/395 (ATALANTA/3/2016) (OJ L 155, 14.6.2016, p. 27).

Article 3

This Decision shall enter into force on 24 February 2017.

Done at Brussels, 21 February 2017.

For the Political and Security Committee

The Chairperson

W. STEVENS

COMMISSION IMPLEMENTING DECISION (EU) 2017/322**of 22 February 2017****concerning exemptions from the extended anti-dumping duty on certain bicycle parts originating in the People's Republic of China pursuant to Commission Regulation (EC) No 88/97***(notified under document C(2017) 1129)*

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union ⁽¹⁾ ('the basic Regulation'), and in particular Article 13(4) thereof,

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

Having regard to Commission Regulation (EC) No 88/97 of 20 January 1997 on the authorisation of the exemption of imports of certain bicycle parts originating in the People's Republic of China from the extension by Council Regulation (EC) No 71/97 of the anti-dumping duty imposed by Council Regulation (EEC) No 2474/93 ⁽³⁾, and in particular Articles 4 to 7 thereof,

After informing the Member States,

Whereas:

- (1) An anti-dumping duty currently applies on imports into the European Union of essential bicycle parts originating in the People's Republic of China ('the extended duty') as a result of the extension by Regulation (EC) No 71/97 ('the extending Regulation') of the anti-dumping duty on imports of bicycles originating in the People's Republic of China ('China').
- (2) Under Article 3 of the extending Regulation, the European Commission ('the Commission') is empowered to adopt the necessary measures to authorise the exemption of imports of essential bicycle parts which do not circumvent the anti-dumping duty.
- (3) Those implementing measures are set forth in Regulation (EC) No 88/97 ('the exemption Regulation') establishing the specific exemption system.
- (4) On this basis the Commission has exempted a number of bicycle assemblers from the extended duty ('the exempted parties').
- (5) As provided for in Article 16(2) of the exemption Regulation, the Commission has published in the *Official Journal of the European Union* successive lists of the exempted parties ⁽⁴⁾.

⁽¹⁾ OJ L 176, 30.6.2016, p. 21.

⁽²⁾ OJ L 16, 18.1.1997, p. 55.

⁽³⁾ OJ L 17, 21.1.1997, p. 17.

⁽⁴⁾ OJ C 45, 13.2.1997, p. 3, OJ C 112, 10.4.1997, p. 9, OJ C 220, 19.7.1997, p. 6, OJ C 378, 13.12.1997, p. 2, OJ C 217, 11.7.1998, p. 9, OJ C 37, 11.2.1999, p. 3, OJ C 186, 2.7.1999, p. 6, OJ C 216, 28.7.2000, p. 8, OJ C 170, 14.6.2001, p. 5, OJ C 103, 30.4.2002, p. 2, OJ C 35, 14.2.2003, p. 3, OJ C 43, 22.2.2003, p. 5, OJ C 54, 2.3.2004, p. 2, OJ C 299, 4.12.2004, p. 4, OJ L 17, 21.1.2006, p. 16 and OJ L 313, 14.11.2006, p. 5, OJ L 81, 20.3.2008, p. 73, OJ C 310, 5.12.2008, p. 19, OJ L 19, 23.1.2009, p. 62, OJ L 314, 1.12.2009, p. 106, OJ L 136, 24.5.2011, p. 99, OJ L 343, 23.12.2011, p. 86, OJ L 119, 23.4.2014, p. 67, OJ L 132, 29.5.2015, p. 32, OJ L 331, 17.12.2015, p. 30.

- (6) The most recent Commission Implementing Decision concerning exemptions under the exemption Regulation was adopted on 15 December 2015 ⁽¹⁾.

1. REQUESTS FOR EXEMPTION

- (7) The Commission received from the parties listed in Tables 1 to 3 below requests for exemption with all the information required to determine that these were admissible in accordance with Article 4(1) of the exemption Regulation.
- (8) These parties were given an opportunity to comment on the Commission's conclusions as to the admissibility of their requests.
- (9) In accordance with Article 5(1) of the exemption Regulation pending a decision on the merits of requests from these parties the payment of the extended duty in respect of any imports of essential bicycle parts declared for free circulation by these parties was suspended as from the day on which the Commission received their requests.

2. AUTHORISATION OF EXEMPTIONS

- (10) The examination of the merits of the requests from the parties listed in Table 1 has been concluded.

Table 1

TARIC additional code	Name	Address
B963	PANEX DINAMIC d.o.o.	Dr Tome Bratkovića 1, HR-40000 Čakovec, Croatia
C001	CICLI EUROPA s.r.l.	34 Via portella Bifuto, IT-93017 San Cataldo (CL), Italy
C002	OLYMPIQUE SARL	ZA Les Epalits, FR-42610 Saint-Romain-le-Puy, France
C021	Kuisele & Kuisele GmbH	Füssener Straße 22 a, DE-87675 Stötten, Germany
B960	In Cycles — Montagem e Comércio de Bicicletas Lda.	Zona Industrial De Barrô Norte/Sul, N.º 976, Fracção A/B e D, AP. 52, PT-3750-353 Barrô Águeda, Portugal
C053	Firma Handlowo-Usługowo-Produkcyjna 'Trans-Rower' Roman Tylec	Dąbie 47, PL-39-311 Zdziarzec, Poland

- (11) The Commission established during this examination that the value of the parts originating in China constituted less than 60 % of the total value of the parts of the bicycles assembled by these parties.
- (12) Consequently, their assembly operations fall outside the scope of Article 13(2) of the basic Regulation.

⁽¹⁾ OJ L 331, 17.12.2015, p. 30.

- (13) For that reason, and in accordance with Article 7(1) of the exemption Regulation, the parties listed in Table 1 should be exempted from the extended duty.
- (14) In accordance with Article 7(2), their exemptions should take effect as from the date of receipt of their requests and, in addition, their customs debts in respect of the extended duty should be considered void from the same date.
- (15) These parties were informed of the Commission's conclusions on the merits of their requests and were given an opportunity to comment thereon.
- (16) Since the exemptions apply only to the parties specifically referred to in Table 1 with their names and addresses, the exempted parties should notify the Commission ⁽¹⁾ forthwith, of any changes to these (for instance, following a change in the name, legal form or address or following the setting up of new assembly entities).
- (17) In such case, the party should provide all relevant information, in particular on any modification in its activities linked to assembly operations. Where appropriate, the Commission will update the references to such party.

3. UPDATE OF REFERENCES TO EXEMPTED PARTIES

- (18) The exempted parties listed in Table 2 notified the Commission on changes in their references (names legal forms or addresses). The Commission, after having examined the information submitted, concluded that those changes in no way affect the assembly operations with regard to the conditions of exemption set forth in the exemption Regulation.
- (19) While the exemption of these parties from the extended duty authorised in accordance with Article 7(1) of the exemption Regulation remain unaffected, the references to these parties should be updated.

Table 2

TARIC additional code	Former reference	Change
A662	Credat Industries a.s., V. Palkovicha 19 SK-946 03 Kolárovo, Slovakia	The company's address has been changed to: 'Priemyselný areál 3415 SK-946 03 Kolárovo, Slovakia'
A247	AT Zweirad GmbH, Boschstrasse 18, DE-48341 Altenberge, Germany	The company's address has been changed to: 'Zur Steinkuhle 2, DE-48341 Altenberge, Germany'
A995	Planet X Ltd, Unit 6, Ignite Business Park, Magna Way, Rotherham GB-S60 1FD, United Kingdom	The company's address has been changed to: 'Unit 38-41, Aldwarke Wharfe Business Park, Waddington Way, Rotherham, South York- shire GB-S65 3SH, United Kingdom'
A542	Biuro Ekonomiczno-Handlowe Jan Zasada, ul. Fabryczna 6, PL-98-300 Wieluń, Poland	The company's name and legal form has been changed to: 'Biuro Ekonomiczno-Handlowe Jan Zasada Sp. z o.o.'

⁽¹⁾ The parties are advised to use the following email address: TRADE-BICYCLE-PARTS@ec.europa.eu

TARIC additional code	Former reference	Change
8983	Mara Cicli SRL, Via della Pergola 5, IT-21052 Busto Arsizio (VA), Italy	The company's name, legal form and address have been changed to: 'Mandelli SPA Via Tommaso Grossi 5, IT-20841 Carate Brianza (MB), Italy'
A605	Bohemia Bike a.s., Okružní 697, CZ-370 01 České Budějovice, Czech Republic	The company's address has been changed to 'Na Pankráci 1724/129 Nusle CZ-140 00 Praha 4, Czech Republic'

4. SUSPENSION OF PAYMENTS OF THE DUTIES FOR PARTIES UNDER EXAMINATION

- (20) The examination of the merits of the request from the parties listed in Table 3 is ongoing. Pending a decision on the merits of their requests the payment of extended duty by these parties is suspended.
- (21) Since the suspensions apply only to the parties specifically referred to in Table 3 with their names and addresses, these parties should notify the Commission ⁽¹⁾ forthwith, of any changes to these (for instance following a change in the name, legal form or address or following the setting up of new assembly entities).
- (22) In such case, the party should provide all relevant information, in particular on any modification in its activities linked to assembly operations. Where appropriate, the Commission will update the references to such party,

Table 3

TARIC additional code	Name	Address
C003	Interbike Spółka z o.o.	ul. Ślaska 6/5, PL-42-200 Częstochowa, Poland
C049	Cycles Sport North Ltd	363 Leach Place, Walton Summit Centre, Preston, GB-PR5 8AS, United Kingdom
C170	Hermann Hartje KG	Deichstrasse 120-122, DE-27318 Hoya, Germany
C102	Uno Bike B.V.	Bovendijk 213, NL-3045 PD Rotterdam, Netherlands
C128	VELOSPRINT S	Trnavská 40, SK-949 01 Nitra, Slovakia
C169	Pelago MFG oy	Tyynenmerenkatu 6 L3, FI-00220 Helsinki, Finland
C202	VANMOOF B.V.	Mauritskade 55, NL-1092 AD Amsterdam, Netherlands

⁽¹⁾ The parties are advised to use the following email address: TRADE-BICYCLE-PARTS@ec.europa.eu

HAS ADOPTED THIS DECISION:

Article 1

For the purposes of this Decision, the definitions set out in Article 1 of Regulation (EC) No 88/97 shall apply.

Article 2

The parties listed in Table 1 below are hereby exempted from the extension by Regulation (EC) No 71/97 of the definitive anti-dumping duty on bicycles originating in the People's Republic of China imposed by Council Regulation (EEC) No 2474/93 ⁽¹⁾ to imports of certain bicycle parts from the People's Republic of China.

In accordance with Article 7(2) of Regulation (EC) No 88/97 their exemptions shall take effect as from the dates of receipt of these parties' requests. These dates are provided for in the column headed 'Date of effect'.

The exemptions shall apply only to the parties specifically referred to in Table 1 with their names and addresses.

The exempted parties shall notify the Commission forthwith, of any change to these, providing all relevant information, in particular on any modification in the party's activities linked to assembly operations with regard to the conditions of exemption.

Table 1

Exempted parties

TARIC additional code	Name	Address	Date of effect
B960	In Cycles — Montagem e Comércio de Bicicletas Lda.	Zona Industrial De Barrô Norte/Sul, N.º 976, Fracção A/B e D, AP. 52, PT-3750-353 Barrô Águeda, Portugal	2.5.2014
B963	PANEX DINAMIC d.o.o.	Dr Tome Bratkovića 1, HR-40000 Čakovec, Croatia	13.8.2014
C002	OLYMPIQUE SARL	ZA Les Epalits, FR-42610 Saint-Romain-le-Puy, France	28.10.2014
C001	CICLI EUROPA s.r.l.	34 Via portella Bifuto, IT-93017 San Cataldo (CL), Italy	10.11.2014
C021	Kuisle & Kuisle GmbH	Füssener Straße 22 a, DE-87675 Stötten, Germany	17.2.2015
C053	Firma Handlowo-Usługowo-Produkcyjna "Trans-Rower" Roman Tylec	Dąbie 47, PL-39-311 Zdziarzec, Poland	1.7.2015

⁽¹⁾ Council Regulation (EEC) No 2474/93 of 8 September 1993 imposing a definitive anti-dumping duty on imports into the Community of bicycles originating in the People's Republic of China and collecting definitively the provisional anti-dumping duty (OJ L 228, 9.9.1993, p. 1).

Article 3

Updated references to the exempted parties listed in Table 2 below are provided for in the column headed 'New reference'. These updates shall take effect as from the dates provided for in the column headed 'Date of effect'.

The corresponding TARIC additional codes previously attributed to these exempted parties as provided for in the column headed 'TARIC additional code' remain unchanged.

Table 2

Exempted parties for which the reference shall be updated

TARIC additional code	Former reference	New reference	Date of effect
A662	Credat Industries a.s., V. Palkovicha 19, SK-946 03 Kolárovo, Slovakia	Credat Industries a.s., Priemyselný areál 3415, SK-946 03 Kolárovo, Slovakia	21.3.2016
A247	AT Zweirad GmbH, Boschstrasse 18, DE-48341 Altenberge, Germany	AT Zweirad GmbH, Zur Steinkuhle 2, DE-48341 Altenberge, Germany	17.2.2016
A995	Planet X Ltd, Unit 6, Ignite Business Park, Magna Way, Rotherham GB-S60 1FD, United Kingdom	Planet X Ltd, Unit 38-41, Aldwarke Wharfe Business Park, Waddington Way, Rotherham, South Yorkshire GB-S65 3SH, United Kingdom	17.11.2016
8983	Mara Cicli SRL, Via della Pergola 5, IT-21052 Busto Arsizio (VA), Italy	Mandelli SPA, Via Tommaso Grossi 5, IT-20841 Carate Brianza (MB), Italy	1.1.2017
A605	Bohemia Bike a.s., Okružní 697, CZ-370 01 České Budějovice, Czech Republic	Bohemia Bike a.s., Na Pankráci 1724/129 Nusle CZ-140 00 Praha 4, Czech Republic	25.1.2017
A542	Biuro Ekonomiczno-Handlowe Jan Zasada ul. Fabryczna 6, PL-98-300 Wieluń, Poland	Biuro Ekonomiczno-Handlowe Jan Zasada Sp. z o.o. ul. Fabryczna 6, PL-98-300 Wieluń, Poland	2.1.2017

Article 4

The parties listed in Table 3 below are under examination in accordance with Article 6 of Regulation (EC) No 88/97.

The suspensions of payment of the extended anti-dumping duty in accordance with Article 5 of Regulation (EC) No 88/97 shall be effective as from the dates of receipt of these parties' requests. These dates are provided for in the column headed 'Date of effect'.

These suspensions shall apply only to the parties under examination specifically referred to in Table 3 with their names and addresses.

The parties under examination shall notify the Commission forthwith, of any change to these, providing all relevant information, in particular on any modification in the party's activities linked to assembly operations with regard to the conditions of suspension.

Table 3

Parties under examination

TARIC additional code	Name	Address	Date of effect
C003	Interbike Spółka z o.o.	ul. Śląska 6/5, PL-42-200 Częstochowa, Poland	18.12.2014
C049	Cycles Sport North Ltd	363 Leach Place, Walton Summit Centre, Preston, GB-PR5 8AS, United Kingdom	27.4.2015
C102	Uno Bike B.V.	Bovendijk 213, NL-3045 PD Rotterdam, Netherlands	24.11.2015
C170	Hermann Hartje KG	Deichstrasse 120-122, DE-27318 Hoya, Germany	29.9.2016
C128	VELOSPRINT S	Trnavská 40, SK-949 01 Nitra, Slovakia	14.4.2016
C169	Pelago MFG oy	Tyynenmerenkatu 6 L3, FI-00220 Helsinki, Finland	23.9.2016
C202	VANMOOF B.V.	Mauritskade 55, NL-1092 AD Amsterdam, Netherlands	19.12.2016

Article 5

This Decision is addressed to the Member States and to the parties listed in Articles 2, 3 and 4. It is also published in the *Official Journal of the European Union*.

Done at Brussels, 22 February 2017.

For the Commission
Cecilia MALMSTRÖM
Member of the Commission

