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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.

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II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2017/1585

of 19 September 2017

opening and providing for the administration of Union tariff quotas for fresh and frozen beef and veal and pigmeat originating in Canada and amending Regulation (EC) No 442/2009 and Implementing Regulations (EU) No 481/2012 and (EU) No 593/2013

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 points (a), (b), (c) and (d) of Article 187 thereof,

Whereas:

- (1) Pursuant to Council Decision (EU) 2017/38 ⁽²⁾, the Council agreed on the provisional application of the Comprehensive Economic and Trade Agreement between Canada, of the one part, and the European Union and its Member States, of the other part ('the Agreement'). Article 2.4 of the Agreement provides for the reduction or elimination of customs duties on imports of goods originating in either Party in accordance with the tariff elimination schedules in Annex 2-A to the Agreement.
- (2) Annex 2-A to the Agreement provides, among others, for Union tariff quotas for beef and veal and pigmeat. Annex 2-B to the Agreement provides for specific aspects concerning tariff rate quotas administration. Point 6 of Annex 2-A provides for transitional rules for the first year.
- (3) The Agreement applies provisionally from 21 September 2017. It is therefore necessary to open annual import tariff quota periods for fresh and frozen beef and veal and pigmeat originating in Canada from 21 September 2017 onwards. In order to give due weight to the supply requirements of the existing and emerging production, processing and consumption market in the Union beef and veal and pigmeat sectors in terms of competitiveness, certainty and continuity of supply and the need to safeguard the equilibrium of that market, it is appropriate that those quotas are administered by the Commission in accordance with Article 184(2)(b) of Regulation (EU) No 1308/2013.
- (4) Commission Delegated Regulation (EU) 2016/1237 ⁽³⁾ and Commission Implementing Regulation (EU) 2016/1239 ⁽⁴⁾ lay down detailed rules for applying the system of import and export licences. In addition, Commission Regulation (EC) No 382/2008 ⁽⁵⁾ lays down detailed specific rules for the application of the system of import and export licences in the beef and veal sector. Those Regulations should apply to import licences issued pursuant to this Regulation, save where derogations are appropriate.
- (5) Furthermore, the provisions of Commission Regulation (EC) No 1301/2006 ⁽⁶⁾ which concern applications for licences, the status of applicants, the issue of import licences and the security to be lodged should apply to import licences issued pursuant to this Regulation, without prejudice to additional conditions laid down in this Regulation.
- (6) Annex 2-B to the Agreement also provides how to proceed when a licence is returned. It is necessary to lay down provisions on returning of unused licences.

- (7) The Protocol on rules of origin and origin procedures, attached to the Agreement, sets out the rules to be applied as regards the proof of origin. It is therefore appropriate to lay down provisions on the presentation of a proof of origin in accordance with this Protocol.
- (8) Annex 2-A to the Agreement provides that, beginning in year 1, the quantities established for a pigmeat tariff quota have to be increased by 4 624 metric tonnes product weight (5 549 metric tonnes carcass weight equivalent) pursuant to the volume for pigmeat products originating in Canada established in Commission Regulation (EC) No 442/2009 ⁽⁷⁾. Moreover, the quantities established for a fresh or chilled beef and veal tariff quota have to be increased, beginning in year 1, by 3 200 metric tonnes product weight (4 160 metric tonnes carcass weight equivalent) resulting from the application of Council Regulation (EC) No 617/2009 ⁽⁸⁾ and managed in accordance with Commission Implementing Regulation (EU) No 481/2012 ⁽⁹⁾. Therefore, Regulation (EC) No 442/2009 and Implementing Regulation (EU) No 481/2012 should be amended accordingly in order to deduct the corresponding volumes.
- (9) Annex 2-A to the Agreement also provides that goods originated in Canada imported into the Union through the existing tariff quota for high quality fresh, chilled and frozen meat of bovine animals as set out in Commission Implementing Regulation (EU) No 593/2013 ⁽¹⁰⁾ have to be duty-free on the date the Agreement enters into force. Implementing Regulation (EU) No 593/2013 should therefore be amended accordingly.
- (10) In view of the provisional application of the Agreement as of 21 September 2017, all quantities for the quota period for 2017 should be made available for applications as of October 2017 for all eligible applicants.
- (11) In view of the date of provisional application of the Agreement, this Regulation should enter into force as soon as possible.
- (12) 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

Opening and management of tariff quotas

1. This Regulation opens and manages annual import tariff quotas for the products indicated in Annex I, for the period from 1 January until 31 December.
2. The quantity of products covered by the quotas referred to in paragraph 1, the applicable rate of customs duty and the order numbers shall be as set out in Annex I.
3. By way of derogation from paragraph 1, for year 2017 the quota period is opened from the date of application of this Regulation to 31 December 2017.
4. The import tariff quotas referred to in paragraph 1 shall be managed in accordance with the method referred to in Article 184(2)(b) of Regulation (EU) No 1308/2013.
5. Regulations (EC) No 1301/2006, (EC) No 382/2008, Delegated Regulation (EU) 2016/1237 and Implementing Regulation (EU) 2016/1239 shall apply, unless otherwise provided for in this Regulation.

Article 2

Import tariff quota subperiods

The quantities of the products set for the annual import tariff quotas for the order numbers set out in Annex I shall be subdivided into four subperiods, as follows:

- (a) 25 % from 1 January to 31 March;
- (b) 25 % from 1 April to 30 June;

- (c) 25 % from 1 July to 30 September;
- (d) 25 % from 1 October to 31 December.

Unused quantities notified in accordance with Article 8(2)(a) shall be added to the quantities available for the next subperiod. No unused balance at the end of the annual quota period shall be transferred to the next annual quota period.

Article 3

Conversion factors

The conversion factors laid down in Annex II shall be used to convert product weight to carcass weight equivalent for the products covered by order numbers set out in Annex I.

Article 4

Import licence applications

1. The release into free circulation of the quantities awarded under the import tariff quotas referred to in Article 1(1) shall be subject to the presentation of an import licence.
2. For the purposes of Article 5 of Regulation (EC) No 1301/2006, applicants for import licences shall demonstrate that a quantity of products has been imported by them or on their behalf under the relevant customs provisions, during the 12-month period immediately prior to the time of submission of the import licence application. The quantity imported shall concern the following products:
 - (a) for the beef and veal tariff quotas: products falling under CN codes 0201, 0202, 0206 10 95 or 0206 29 91;
 - (b) for the pigmeat tariff quotas: products falling under CN codes 0201, 0202, 0206 10 95 or 0206 29 91 or products from the pigmeat sector within the meaning of Article 1(2)(q) of Regulation (EU) No 1308/2013.
3. Applications for import licences shall be submitted within the first 7 days of the second month preceding each of the subperiods referred to in Article 2.
4. In case the quantity for the subperiod is not exhausted following the first application period referred to in paragraph 3, eligible applicants may submit new applications for import licences in the first 7 days of the 2 following months. In these cases, eligible applicants shall also include food business operators with establishments approved in accordance with Article 4 of Regulation (EC) No 853/2004 of the European Parliament and of the Council ⁽¹⁾. However, in December, no application period shall be opened.
5. Once the quantity available under a subperiod is exhausted following one application period, the Commission shall suspend further applications for that subperiod.
6. Import licence applications shall refer to only one order number. They may concern several products covered by different CN codes. In that case, all the CN codes and their descriptions shall be entered in boxes 16 and 15, respectively, of the licence application and the licence itself. The total quantity shall be converted into carcass weight equivalent.
7. Import licence applications and import licences shall contain:
 - (a) in box 8, the name 'Canada' as country of origin and box 'yes' marked by a cross;
 - (b) in box 20, one of the entries listed in Annex III.

8. Member States shall notify the Commission, by the 14th day of the month in which applications are submitted as referred to in paragraphs 3 and 4, of the total quantities, including nil returns, of all applications, expressed in kilograms of carcass weight equivalent and broken down by order number.

9. By way of derogation from paragraphs 3 and 4, as regards the quota period of 2017, all eligible applicants within the meaning of paragraph 4 shall submit the applications for import licences in the first 7 days of the month of October 2017.

Article 5

Issue of import licences

1. Import licences shall be issued as of the 23rd day until the end of the month in which the applications are submitted as referred to in Article 4(3) and (4).

2. Import licences shall be valid for 5 months from the actual day of issue within the meaning of Article 7 of Implementing Regulation (EU) 2016/1239 or the date of the beginning of the subperiod for which the import licence is issued, whichever is later. However, the validity of the import licence shall expire on 31 December of each import tariff quota period at the latest.

3. Import licences shall not be transferable.

Article 6

Return of licences

Licence holders may return unused licence quantities before the expiration of the licence and up to 4 months prior to the end of the tariff quota period. Each licence holder may return up to 30 % of their individual licence quantity.

Article 7

Securities

1. A security of EUR 9,5 for beef and veal and EUR 6,5 for pigmeat, per 100 kilograms of carcass weight equivalent, shall be lodged at the time of submission of an import licence application.

2. Where the application of the allocation coefficient referred to in Article 7(2) of Regulation (EC) No 1301/2006 results in a lower quantity to be allocated than the quantity that had been applied for, the security lodged in accordance with Article 6(2) of that Regulation shall be released proportionally without delay.

3. When, in accordance with Article 6, a part of the licence quantity is returned, 60 % of the corresponding security shall be released.

4. When 95 % of an individual licence quantity is actually imported, the full security shall be released.

Article 8

Notifications

1. By way of derogation from the second subparagraph of Article 11(1) of Regulation (EC) No 1301/2006, Member States shall notify the Commission not later than the 10th day of the month following each month in which the applications are submitted of the quantities, including nil returns, covered by licences they have issued during the preceding month.

2. By way of derogation from the second subparagraph of Article 11(1) of Regulation (EC) No 1301/2006, Member States shall notify the Commission of the quantities, including nil returns, covered by the licence quantities returned in accordance with Article 6 and by unused or partially used import licences and corresponding to the difference between the quantities entered on the back of the import licences and the quantities for which they were issued:

- (a) not later than the 10th day of each month of the annual quota period;
- (b) for quantities not yet notified at the time of the notification provided for in point (a): by 30 April following the end of each import tariff quota period at the latest.

3. In the case of the notifications referred to in paragraphs 1 and 2, the quantity shall be expressed in kilograms carcass weight equivalent and broken down by order number.

Article 9

Proof of origin

The release into free circulation in the Union of fresh and frozen beef and veal and pigmeat originating in Canada shall be conditional upon production of an origin declaration. The origin declaration shall be provided on an invoice or any other commercial document that describes the originating product in sufficient detail to enable its identification. The text of the origin declaration shall be as set out in Annex 2 to the Protocol on rules of origin and origin procedures to the Comprehensive Economic and Trade Agreement between Canada, of the one part, and the European Union and its Member States, of the other part ⁽¹²⁾.

Article 10

Amendment of Regulation (EC) No 442/2009 and Implementing Regulations (EU) No 481/2012 and (EU) No 593/2013

1. Regulation (EC) No 442/2009 is amended as follows:

- (a) in Article 3, paragraph 2 is replaced by the following

‘2. For the purposes of this Regulation, of the products coming under CN codes ex 0203 19 55 and ex 0203 29 55, quotas bearing order numbers 09.4038 and 09.0123 shall include ham and cuts of ham.’;

- (b) Article 6 is amended as follows:

- (i) in paragraph 3, the second subparagraph is replaced by the following: ‘For tariff 09.4170, “yes” in box 8 is also marked by a cross.’;

- (ii) paragraph 5 is replaced by the following:

‘5. The licences shall require imports from the United States of America in respect of tariff No 09.4170.’;

- (c) Article 10(3) is deleted;

- (d) Part B of Annex I is replaced by the text set out in Annex IV to this Regulation.

2. Annex I to Implementing Regulation (EU) No 481/2012 is replaced by the text set out in Annex V to this Regulation.

3. In Article 1 of Implementing Regulation (EU) No 593/2013, paragraph 3 is replaced by the following:

‘3. The ad valorem customs duty under the quotas referred to in paragraph 1 shall be 20 %. However, for products originating in Canada the duty shall be 0.’.

Article 11

Entry into force and application

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

It shall apply from 21 September 2017.

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

Done at Brussels, 19 September 2017.

For the Commission

The President

Jean-Claude JUNCKER

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ Council Decision (EU) 2017/38 of 28 October 2016 on the provisional application of the Comprehensive Economic and Trade Agreement (CETA) between Canada, of the one part, and the European Union and its Member States, of the other part (OJ L 11, 14.1.2017, p. 1080).

⁽³⁾ Commission Delegated Regulation (EU) 2016/1237 of 18 May 2016 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to the rules for applying the system of import and export licences and supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council with regard to the rules on the release and forfeit of securities lodged for such licences, amending Commission Regulations (EC) No 2535/2001, (EC) No 1342/2003, (EC) No 2336/2003, (EC) No 951/2006, (EC) No 341/2007 and (EC) No 382/2008 and repealing Commission Regulations (EC) No 2390/98, (EC) No 1345/2005, (EC) No 376/2008 and (EC) No 507/2008 (OJ L 206, 30.7.2016, p. 1).

⁽⁴⁾ Commission Implementing Regulation (EU) 2016/1239 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 the system of import and export licences (OJ L 206, 30.7.2016, p. 44).

⁽⁵⁾ Commission Regulation (EC) No 382/2008 of 21 April 2008 on rules of application for import and export licences in the beef and veal sector (OJ L 115, 29.4.2008, p. 10).

⁽⁶⁾ Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences (OJ L 238, 1.9.2006, p. 13).

⁽⁷⁾ Commission Regulation (EC) No 442/2009 of 27 May 2009 opening and providing for the administration of Community tariff quotas in the pigmeat sector (OJ L 129, 28.5.2009, p. 13).

⁽⁸⁾ Council Regulation (EC) No 617/2009 of 13 July 2009 opening an autonomous tariff quota for imports of high-quality beef (OJ L 182, 15.7.2009, p. 1).

⁽⁹⁾ Commission Implementing Regulation (EU) No 481/2012 of 7 June 2012 laying down rules for the management of a tariff quota for high-quality beef (OJ L 148, 8.6.2012, p. 9).

⁽¹⁰⁾ Commission Implementing Regulation (EU) No 593/2013 of 21 June 2013 opening and providing for the administration of tariff quotas for high-quality fresh, chilled and frozen beef and for frozen buffalo meat (OJ L 170, 22.6.2013, p. 32).

⁽¹¹⁾ Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin (OJ L 139, 30.4.2004, p. 55).

⁽¹²⁾ Comprehensive Economic and Trade Agreement (CETA) between Canada, of the one part, and the European Union and its Member States, of the other part (OJ L 11, 14.1.2017, p. 23).

ANNEX I

Notwithstanding the rules on the interpretation of the Combined Nomenclature, the wording of the description of products shall be regarded as merely indicative, since the applicability of the preferential arrangements is determined, within the context of this Annex, by the scope of the CN codes. Where 'ex' CN codes are indicated, the application of the preferential scheme is to be determined on the basis of the CN code and corresponding description taken together.

Order number	CN codes	Description	Import period	Quantity in tonnes (carcass weight equivalent)	Duty applicable (EUR/tonne)
09.4280	ex 0201 10 00 ex 0201 20 20 ex 0201 20 30 ex 0201 20 50 ex 0201 20 90 ex 0201 30 00 ex 0206 10 95	Meat of bovine animals, excluding Bison, fresh or chilled	Year 2017 Year 2018 Year 2019 Year 2020 Year 2021 From 2022	2 584 14 440 19 580 24 720 29 860 35 000	0
09.4281	ex 0202 10 00 ex 0202 20 10 ex 0202 20 30 ex 0202 20 50 ex 0202 20 90 ex 0202 30 10 ex 0202 30 50 ex 0202 30 90 ex 0206 29 91 ex 0210 20 10 ex 0210 20 90 ex 0210 99 51 ex 0210 99 59	Meat of bovine animals, excluding Bison, frozen or other	Year 2017 Year 2018 Year 2019 Year 2020 Year 2021 From 2022	695 5 000 7 500 10 000 12 500 15 000	0
09.4282	0203 12 11 0203 12 19 0203 19 11 0203 19 13 0203 19 15 0203 19 55 0203 19 59 0203 22 11 0203 22 19 0203 29 11 0203 29 13 0203 29 15 0203 29 55 0203 29 59 0210 11 11 0210 11 19 0210 11 31 0210 11 39	Meat of swine, fresh, chilled or frozen, Hams, shoulders and cuts	Year 2017 Year 2018 Year 2019 Year 2020 Year 2021 From 2022	5 014 30 549 43 049 55 549 68 049 80 549	0

ANNEX II

Conversion factors referred to in Article 3

CN codes	Conversion factor
0201 10 00	100 %
0201 20 20	100 %
0201 20 30	100 %
0201 20 50	100 %
0201 20 90	100 %
0201 30 00	130 %
0206 10 95	100 %
0202 10 00	100 %
0202 20 10	100 %
0202 20 30	100 %
0202 20 50	100 %
0202 20 90	100 %
0202 30 10	130 %
0202 30 50	130 %
0202 30 90	130 %
0206 29 91	100 %
0210 20 10	100 %
0210 20 90	135 %
0210 99 51	100 %
0210 99 59	100 %
0203 12 11	100 %
0203 12 19	100 %
0203 19 11	100 %
0203 19 13	100 %
0203 19 15	100 %
0203 19 55	120 %
0203 19 59	100 %
0203 22 11	100 %
0203 22 19	100 %
0203 29 11	100 %
0203 29 13	100 %
0203 29 15	100 %
0203 29 55	120 %
0203 29 59	100 %
0210 11 11	100 %
0210 11 19	100 %
0210 11 31	120 %
0210 11 39	120 %

ANNEX III

The entries referred to in Article 4(7)(b)

- In Bulgarian: Говеждо/телешко месо с високо качество (Регламент за изпълнение (ЕС) .../...)
 - In Spanish: Reglamento de Ejecución (UE) .../...
 - In Czech: Prováděcí nařízení (EU) .../...
 - In Danish: Gennemførelsesforordning (EU) .../...
 - In German: Durchführungsverordnung (EU) .../...
 - In Estonian: Rakendusmäärus (EL) .../...
 - In Greek: Εκτελεστικός κανονισμός (ΕΕ) .../...
 - In English: Implementing Regulation (EU) .../...
 - In French: Règlement d'exécution (UE) .../...
 - In Croatian: Provedbena uredba (EU) .../...
 - In Italian: Regolamento di esecuzione (UE) .../...
 - In Latvian: Īstenošanas regula (ES) .../...
 - In Lithuanian: Įgyvendinimo reglamentas (ES) .../...
 - In Hungarian: (EU) .../... végrehajtási rendelet
 - In Maltese: Regolament ta' Implimentazzjoni (UE) .../...
 - In Dutch: Uitvoeringsverordening (EU) .../...
 - In Polish: Rozporządzenie wykonawcze (UE) .../...
 - In Portuguese: Regulamento de Execução (UE) .../...
 - In Romanian: Regulamentul de punere în aplicare (UE) .../...
 - In Slovak: Vykonávacie nariadenie (EÚ) .../...
 - In Slovene: Izvedbena uredba (EU) .../...
 - In Finnish: Täytäntöönpanoasetus (EU) .../...
 - In Swedish: Genomförandeförordning (EU) .../...
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ANNEX IV

PART B

Quotas managed using the simultaneous examination method

Order number	CN codes	Description of goods	Quantity in tonnes (net weight)	Duty applicable (EUR/tonne)
09.4038	ex 0203 19 55 ex 0203 29 55	Boned loins and hams, fresh, chilled or frozen	35 265	250
09.4170	ex 0203 19 55 ex 0203 29 55	Boned loins and hams, fresh, chilled or frozen, originating from the United States of America	4 922	250'

ANNEX V

'ANNEX I

Tariff quota for high-quality fresh, chilled or frozen beef

Order No	CN code	Description of goods	Tariff quota period	Tariff quota volume (in tonnes net weight)	Tariff quota duty
Period from 1 July 2017 to 30 June 2018					
09.2201 ⁽¹⁾	ex 0201	Meat of bovine animals, fresh, chilled or frozen, that fulfils the requirements laid down in Annex II	From 1 July to 30 June	45 711	Zero
	ex 0202			of which:	
09.2202	ex 0206 10 95		From 1 July to 30 September	12 050	
09.2202	ex 0206 29 91		From 1 October to 31 December	11 161	
09.2202			From 1 January to 31 March	11 250	
09.2202			From 1 April to 30 June	11 250	
Periods from 1 July 2018					
09.2201 ⁽¹⁾	ex 0201	Meat of bovine animals, fresh, chilled or frozen, that fulfils the requirements laid down in Annex II	From 1 July to 30 June	45 000	Zero
	ex 0202			of which:	
09.2202	ex 0206 10 95		From 1 July to 30 September	11 250	
09.2202	ex 0206 29 91		From 1 October to 31 December	11 250	
09.2202			From 1 January to 31 March	11 250	
09.2202			From 1 April to 30 June	11 250	
⁽¹⁾ In accordance with Article 2(2), the benefit from the tariff quota can be granted only by applying for order number 09.2202 referring to the sub-tariff quotas.					

COMMISSION IMPLEMENTING REGULATION (EU) 2017/1586**of 19 September 2017****amending Regulation (EC) No 1067/2008 opening and providing for the administration of Community tariff quotas for common wheat of a quality other than high quality from third countries and derogating from Council Regulation (EC) No 1234/2007**

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 points (a) and (b) of the first paragraph of Article 187 thereof,

Whereas:

- (1) Commission Regulation (EC) No 1067/2008 ⁽²⁾ provides for the opening of an overall tariff quota for the import of 3 112 030 tonnes of common wheat falling under CN code 1001 99 00 of a quality other than high quality, at a rate of EUR 12 per tonne. This overall tariff quota includes a subquota of 38 853 tonnes for the imports from Canada.
- (2) Pursuant to Council Decision (EU) 2017/38 ⁽³⁾, the Council agreed on the provisional application of the Comprehensive Economic and Trade Agreement between Canada of the one part, and the European Union and its Member States, of the other part ('the Agreement').
- (3) Article 2.4 of the Agreement provides for the reduction or elimination of customs duties on goods originating in either Party in accordance with the tariff elimination schedules set out in Annex 2-A to the Agreement. Point 9 of that Annex provides for a duty-free tariff quota of 100 000 tonnes of common wheat of a quality other than high quality, falling under CN code 1001 99 00 and originating in Canada, for a period of 7 years. Point 6 of that Annex provides for transitional rules for the first year.
- (4) The Protocol on rules of origin and origin procedures, attached to the Agreement, sets out the rules to be applied as regards the proof of origin. It is therefore appropriate to lay down provisions on the presentation of a proof of origin in accordance with that Protocol.
- (5) Regulation (EC) No 1067/2008 should therefore be amended accordingly. The proposed amendments should apply as from 21 September 2017, the date of the provisional application of the Agreement, and therefore this Regulation should enter into force as soon as possible.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1067/2008 is amended as follows:

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

'Article 1

1. By way of derogation from the Common Customs Tariff, the import duty for common wheat falling under CN code 1001 99 00, of a quality other than high quality as defined in Annex II to Commission Regulation (EU) No 642/2010 ^(*), shall be fixed in the framework of the quotas opened by this Regulation.

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ Commission Regulation (EC) No 1067/2008 of 30 October 2008 opening and providing for the administration of Community tariff quotas for common wheat of a quality other than high quality from third countries and derogating from Council Regulation (EC) No 1234/2007 (OJ L 290, 31.10.2008, p. 3).

⁽³⁾ Council Decision (EU) 2017/38 of 28 October 2016 on the provisional application of the Comprehensive Economic and Trade Agreement between Canada of the one part, and the European Union and its Member States, of the other part (OJ L 11, 14.1.2017, p. 1080).

2. The Common Customs Tariff shall apply to imports of the products referred to in this Regulation in excess of the quantities provided for in Articles 2 and 3.

(*) Commission Regulation (EU) No 642/2010 of 20 July 2010 on rules of application (cereal sector import duties) for Council Regulation (EC) No 1234/2007 (OJ L 187, 21.7.2010, p. 5).'

(2) Article 2 is amended as follows:

(a) paragraph 1 is replaced by the following:

'1. A tariff quota for the import of 3 073 177 tonnes of common wheat falling under CN code 1001 99 00 of a quality other than high quality is hereby opened on 1 January of every year.

Duty on import within the tariff quota shall be levied at a rate of EUR 12 per tonne.'

(b) paragraph 2 is replaced by the following:

'2. From 2017 to 2023, a tariff quota for the import from Canada of 100 000 tonnes of common wheat falling under CN code 1001 99 00 of a quality other than high quality is hereby opened on 1 January of every year (order number 09.4124).

By way of derogation from the first subparagraph, for the year 2017, the quantity of the tariff quota shall be 27 778 tonnes.

Import within the tariff quota shall be duty-free.'

(3) Article 3 is amended as follows:

(a) paragraph 1 is replaced by the following:

'1. The import tariff quota referred to in Article 2(1) shall be divided into three subquotas:

— subquota I (order number 09.4123): 572 000 tonnes for the United States of America,

— subquota II (order number 09.4125): 2 378 387 tonnes for third countries, except Canada and the United States of America,

— subquota III (order number 09.4133): 122 790 tonnes for all third countries.'

(b) paragraph 2 is replaced by the following:

'2. Where, in the course of a year, it emerges that there is a serious shortfall in the take-up of subquota I, the Commission may, with the agreement of the third country concerned, adopt arrangements to transfer the unused quantities to the other subquotas, in accordance with the procedure referred to in Article 229(2) of Regulation (EU) No 1308/2013.'

(c) in paragraph 3, the words 'subquota III' are replaced by the words 'subquota II'.

(4) In Article 4, paragraph 2 is replaced by the following:

'2. Each licence application shall indicate a quantity in kilograms (whole numbers) which may not exceed:

— in the case of subquota II referred to in Article 3(1), the total quantity opened for the subperiod concerned,

— in the case of the quota referred to in Article 2(2) and of subquotas I and III referred to in Article 3(1), the total quantity opened for the year for the quota or subquota concerned.

The import licence application and the import licence shall mention a single country of origin.'

(5) In Article 8, the following paragraph is added:

‘By way of derogation from the first paragraph, the release into free circulation in the Union of common wheat of a quality other than high quality originating in Canada shall be conditional upon production of an origin declaration. The origin declaration shall be provided on an invoice or any other commercial document that describes the originating product in sufficient detail to enable its identification. The text of the origin declaration shall be as set out in Annex 2 to the Protocol on rules of origin and origin procedures to the Comprehensive Economic and Trade Agreement between Canada, of the one part, and the European Union and its Member States, of the other part (*).

(*) OJ L 11, 14.1.2017, p. 23.’

Article 2

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

It shall apply from 21 September 2017.

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

Done at Brussels, 19 September 2017.

For the Commission

The President

Jean-Claude JUNCKER

COMMISSION IMPLEMENTING REGULATION (EU) 2017/1587**of 19 September 2017****amending Regulation (EU) No 642/2010 on rules of application (cereal sector import duties) for Council Regulation (EC) No 1234/2007**

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 180 thereof,

Whereas:

- (1) Commission Regulation (EU) No 642/2010 ⁽²⁾ lays down rules on the calculation and on the fixing of the import duty on certain products, including products falling within CN codes 1001 11 00, 1001 19 00, ex 1001 99 00 (high quality common wheat other than seed), 1002 10 00 and 1002 90 00.
- (2) Pursuant to Council Decision (EU) 2017/38 ⁽³⁾, the Council agreed on the provisional application of the Comprehensive Economic and Trade Agreement between Canada of the one part, and the European Union and its Member States, of the other part ('the Agreement').
- (3) Article 2.4 of the Agreement provides for the reduction or elimination of customs duties on goods originating in either Party in accordance with the tariff elimination schedules set out in Annex 2-A to the Agreement. Point 3(d) of that Annex provides for the removal of customs duties on certain goods, including goods falling within CN codes 1001 11 00, 1001 19 00, ex 1001 99 00 (high quality common wheat other than seed), 1002 10 00 and 1002 90 00, in eight equal stages, beginning on the date that the Agreement enters into force.
- (4) Regulation (EU) No 642/2010 should therefore be amended accordingly. The proposed amendments should apply as from 21 September 2017, the date of the provisional application of the Agreement, and therefore this Regulation should enter into force as soon as possible.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 642/2010 is amended as follows:

- (1) In Article 2, the following paragraph is added:

'5. With regard to products originating in Canada and falling within CN codes 1001 11 00, 1001 19 00, ex 1001 99 00 (high quality common wheat other than seed), 1002 10 00 and 1002 90 00, the import duty shall be equal to a percentage of the duty fixed in accordance with paragraph 2 and, if appropriate, paragraph 4. The percentage to be applied is set out in Annex Ia. The import duty shall be rounded down at least to the nearest EUR 0,001.'

- (2) Annex Ia is inserted, the text of which is set out in the Annex to this Regulation.

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ Commission Regulation (EU) No 642/2010 of 20 July 2010 on rules of application (cereal sector import duties) for Council Regulation (EC) No 1234/2007 (OJ L 187, 21.7.2010, p. 5).

⁽³⁾ Council Decision (EU) 2017/38 of 28 October 2016 on the provisional application of the Comprehensive Economic and Trade Agreement between Canada of the one part, and the European Union and its Member States, of the other part (OJ L 11, 14.1.2017, p. 1080).

Article 2

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

It shall apply from 21 September 2017.

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

Done at Brussels, 19 September 2017.

For the Commission

The President

Jean-Claude JUNKER

ANNEX

‘ANNEX Ia

Percentage referred to in Article 2(5)

Year	Percentage
2017	87,5
2018	75
2019	62,5
2020	50
2021	37,5
2022	25
2023	12,5
2024 and each subsequent year	0 (duty-free)’

COMMISSION IMPLEMENTING REGULATION (EU) 2017/1588
of 19 September 2017
amending Regulation (EC) No 2535/2001 as regards the concessions on dairy products originating in Canada

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 187 thereof,

Whereas:

- (1) By Council Decision (EU) 2017/38 ⁽²⁾, the Council authorised, on behalf of the European Union, the provisional application, of the Comprehensive Economic and Trade Agreement between the European Union and its Member States, of the one part, and Canada, of the other part ('the Agreement').
- (2) Article 2.4 of the Agreement provides for the reduction and elimination of customs duties on imports of goods originating in Canada in accordance with Annex 2-A thereto. Paragraph 2 of that Annex provides that the Parties of the Agreement have to eliminate all customs duties on certain originating goods upon the date of entry into force of that Agreement. This rule should apply on milk and milk products imported in the Union.
- (3) Commission Regulation (EC) No 2535/2001 ⁽³⁾ lays down rules as regards an import tariff quota No 09.4513 for Cheddar cheese originating in Canada. Since the Agreement provides for the elimination of customs duties on milk products, that import tariff quota should be abolished. Therefore, the provisions of Regulation (EC) No 2535/2001 concerning the management of that tariff quota should be deleted. Furthermore, it is appropriate to update certain provisions in Annex XI to that Regulation.
- (4) Regulation (EC) No 2535/2001 should therefore be amended accordingly. The proposed amendments should apply as from the date of the provisional application of the Agreement and therefore this Regulation should enter into force as soon as possible.
- (5) 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

Regulation (EC) No 2535/2001 is amended as follows:

- (a) in Article 29, paragraph 2 is replaced by the following:

'2. Box 3 of IMA 1 certificates, relating to the buyer, and box 6, relating to the country of destination, shall not be completed.';

- (b) in Part III.B of Annex III, the entry related to the quota number 09.4513 is deleted;

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ Council Decision (EU) 2017/38 of 28 October 2016 on the provisional application of the Comprehensive Economic and Trade Agreement (CETA) between Canada, of the one part, and the European Union and its Member States, of the other part (OJ L 11, 14.1.2017, p. 1080).

⁽³⁾ Commission Regulation (EC) No 2535/2001 of 14 December 2001 laying down detailed rules for applying Council Regulation (EC) No 1255/1999 as regards the import arrangements for milk and milk products and opening tariff quotas (OJ L 341, 22.12.2001, p. 29).

- (c) Annex XI is amended in accordance with the Annex to this Regulation;
- (d) in Annex XII, the entry related to Canada is deleted.

Article 2

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

It shall apply from 21 September 2017.

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

Done at Brussels, 19 September 2017.

For the Commission
The President
Jean-Claude JUNKER

ANNEX

Annex XI to Regulation (EC) No 2535/2001 is amended as follows:

- (a) Part A is deleted;
 - (b) Parts B, C and D are replaced by the following:
 - 'B. As regards Cheddar cheeses falling within CN code ex 0406 90 21 and listed under quota number 09.4514 in Annex I.K and under quota number 09.4521 in Annex III.B:
 - (1) box 7, by specifying "whole Cheddar cheeses";
 - (2) box 10, by specifying "exclusively home-produced cows' milk";
 - (3) box 11, by specifying "at least 50 %";
 - (4) box 14, by specifying "at least three months";
 - (5) box 16, by specifying the period for which the quota is valid.
 - C. As regards Cheddar cheeses intended for processing covered by CN code ex 0406 90 01 and listed under quota number 09.4515 in Annex I.K and under quota number 09.4522 in Annex III.B:
 - (1) box 7, by specifying "whole Cheddar cheeses";
 - (2) box 10, by specifying "exclusively home-produced cows' milk";
 - (3) box 16, by specifying the period for which the quota is valid.
 - D. As regards cheeses other than Cheddar cheese intended for processing covered by CN code ex 0406 90 01 listed under quota number 09.4515 in Annex I.K and under quota number 09.4522 in Annex III.B:
 - (1) box 10, by specifying "exclusively home-produced cows' milk";
 - (2) box 16, by specifying the period for which the quota is valid.'
-

**COMMISSION IMPLEMENTING REGULATION (EU) 2017/1589
of 19 September 2017**

withdrawing the acceptance of the undertaking for one exporting producer under Implementing Decision 2013/707/EU confirming the acceptance of an undertaking offered in connection with the anti-dumping and anti-subsidy proceedings concerning imports of crystalline silicon photovoltaic modules and key components (i.e. cells) originating in or consigned from the People's Republic of China for the period of application of definitive measures

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union ('the Treaty'),

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 anti-dumping Regulation'), and in particular Article 8 thereof,

Having regard to Regulation (EU) 2016/1037 of the European Parliament and of the Council of 8 June 2016 on protection against subsidised imports from countries not members of the European Union ⁽²⁾ ('the basic anti-subsidy Regulation'), and in particular Article 13 thereof,

Having regard to Council Implementing Regulation (EU) No 1238/2013 of 2 December 2013 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of crystalline silicon photovoltaic modules and key components (i.e. cells) originating in or consigned from the People's Republic of China ⁽³⁾, and in particular Article 3 thereof,

Having regard to Commission Implementing Regulation (EU) 2017/367 of 1 March 2017 imposing a definitive anti-dumping duty on imports of crystalline silicon photovoltaic modules and key components (i.e. cells) originating in or consigned from the People's Republic of China ⁽⁴⁾, and in particular Article 2 thereof,

Having regard to Council Implementing Regulation (EU) No 1239/2013 of 2 December 2013 imposing a definitive countervailing duty on imports of crystalline silicon photovoltaic modules and key components (i.e. cells) originating in or consigned from the People's Republic of China ⁽⁵⁾, and in particular Article 2 thereof,

Having regard to Commission Implementing Regulation (EU) 2017/366 of 1 March 2017 imposing a definitive countervailing duty on imports of crystalline silicon photovoltaic modules and key components (i.e. cells) originating in or consigned from the People's Republic of China ⁽⁶⁾, and in particular Article 2 thereof,

Informing the Member States,

Whereas:

A. UNDERTAKING AND OTHER EXISTING MEASURES

- (1) By Regulation (EU) No 513/2013 ⁽⁷⁾, the European Commission ('the Commission') imposed a provisional anti-dumping duty on imports into the European Union ('the Union') of crystalline silicon photovoltaic modules ('modules') and key components (i.e. cells and wafers) originating in or consigned from the People's Republic of China ('the PRC').
- (2) A group of exporting producers gave a mandate to the China Chamber of Commerce for Import and Export of Machinery and Electronic Products ('CCCME') to submit a price undertaking on their behalf to the Commission, which they did. It is clear from the terms of that price undertaking that it constitutes a bundle of individual price undertakings for each exporting producer, which is, for reasons of practicality of administration, coordinated by the CCCME.

⁽¹⁾ OJ L 176, 30.6.2016, p. 21.

⁽²⁾ OJ L 176, 30.6.2016, p. 55.

⁽³⁾ OJ L 325, 5.12.2013, p. 1.

⁽⁴⁾ OJ L 56, 3.3.2017, p. 131.

⁽⁵⁾ OJ L 325, 5.12.2013, p. 66.

⁽⁶⁾ OJ L 56, 3.3.2017, p. 1.

⁽⁷⁾ OJ L 152, 5.6.2013, p. 5.

- (3) By Decision 2013/423/EU ⁽¹⁾, the Commission accepted that price undertaking with regard to the provisional anti-dumping duty. By Regulation (EU) No 748/2013 ⁽²⁾, the Commission amended Regulation (EU) No 513/2013 to introduce the technical changes necessary due to the acceptance of the undertaking with regard to the provisional anti-dumping duty.
- (4) By Implementing Regulation (EU) No 1238/2013, the Council imposed a definitive anti-dumping duty on imports into the Union of modules and cells originating in or consigned from the PRC ('the products concerned'). By Implementing Regulation (EU) No 1239/2013, the Council also imposed a definitive countervailing duty on imports into the Union of the products concerned.
- (5) Following the notification of an amended version of the price undertaking by a group of exporting producers ('the exporting producers') together with the CCCME, the Commission confirmed by Implementing Decision 2013/707/EU ⁽³⁾ the acceptance of the price undertaking as amended ('the undertaking') for the period of application of definitive measures. The Annex to this Decision lists the exporting producers for whom the undertaking was accepted, inter alia:
- Chinaland Solar Energy Co. Ltd covered by TARIC additional code B808 ('Chinaland').
- (6) By Implementing Decision 2014/657/EU ⁽⁴⁾, the Commission accepted a proposal by the exporting producers together with the CCCME for clarifications concerning the implementation of the undertaking for the products concerned covered by the undertaking, that is modules and cells originating in or consigned from the PRC, currently falling within CN codes ex 8541 40 90 (TARIC codes 8541 40 90 21, 8541 40 90 29, 8541 40 90 31 and 8541 40 90 39) produced by the exporting producers ('product covered'). The anti-dumping and countervailing duties referred to in recital 4 above, together with the undertaking, are jointly referred to hereafter as 'measures'.
- (7) By Implementing Regulation (EU) 2015/866 ⁽⁵⁾ the Commission withdrew the acceptance of the undertaking for three exporting producers.
- (8) By Implementing Regulation (EU) 2015/1403 ⁽⁶⁾ the Commission withdrew the acceptance of the undertaking for another exporting producer.
- (9) By Implementing Regulation (EU) 2015/2018 ⁽⁷⁾ the Commission withdrew the acceptance of the undertaking for two exporting producers.
- (10) The Commission initiated an expiry review investigation of the anti-dumping measures by a Notice of Initiation published in the *Official Journal of the European Union* ⁽⁸⁾ on 5 December 2015.
- (11) The Commission initiated an expiry review investigation of the countervailing measures by a Notice of Initiation published in the *Official Journal of the European Union* ⁽⁹⁾ on 5 December 2015.
- (12) The Commission also initiated a partial interim review of the anti-dumping and countervailing measures by a Notice of Initiation published in the *Official Journal of the European Union* ⁽¹⁰⁾ on 5 December 2015.
- (13) By Implementing Regulation (EU) 2016/115 ⁽¹¹⁾, the Commission withdrew the acceptance of the undertaking for another exporting producer.
- (14) By Implementing Regulation (EU) 2016/185 ⁽¹²⁾, the Commission extended the definitive anti-dumping duty imposed by Regulation (EU) No 1238/2013 on imports of the products concerned originating in or consigned from the People's Republic of China to imports of the product concerned consigned from Malaysia and Taiwan, whether declared as originating in Malaysia and in Taiwan or not.

⁽¹⁾ OJ L 209, 3.8.2013, p. 26.

⁽²⁾ OJ L 209, 3.8.2013, p. 1.

⁽³⁾ OJ L 325, 5.12.2013, p. 214.

⁽⁴⁾ OJ L 270, 11.9.2014, p. 6.

⁽⁵⁾ OJ L 139, 5.6.2015, p. 30.

⁽⁶⁾ OJ L 218, 19.8.2015, p. 1.

⁽⁷⁾ OJ L 295, 12.11.2015, p. 23.

⁽⁸⁾ OJ C 405, 5.12.2015, p. 8.

⁽⁹⁾ OJ C 405, 5.12.2015, p. 20.

⁽¹⁰⁾ OJ C 405, 5.12.2015, p. 33.

⁽¹¹⁾ OJ L 23, 29.1.2016, p. 47.

⁽¹²⁾ OJ L 37, 12.2.2016, p. 76.

- (15) By Implementing Regulation (EU) 2016/184 ⁽¹⁾, the Commission extended the definitive countervailing duty imposed by Regulation (EU) No 1239/2013 on imports of the products concerned originating in or consigned from the People's Republic of China to imports of the product concerned consigned from Malaysia and Taiwan, whether declared as originating in Malaysia and in Taiwan or not.
- (16) By Implementing Regulation (EU) 2016/1045 ⁽²⁾, the Commission withdrew the acceptance of the undertaking for another exporting producer.
- (17) By Implementing Regulation (EU) 2016/1382 ⁽³⁾, the Commission withdrew the acceptance of the undertaking for another five exporting producers.
- (18) By Implementing Regulation (EU) 2016/1402 ⁽⁴⁾, the Commission withdrew the acceptance of the undertaking for another three exporting producers.
- (19) By Implementing Regulation (EU) 2016/1998 ⁽⁵⁾, the Commission withdrew the acceptance of the undertaking for another five exporting producers.
- (20) By Implementing Regulation (EU) 2016/2146 ⁽⁶⁾, the Commission withdrew the acceptance of the undertaking for another two exporting producers.
- (21) Following the expiry and interim reviews referred to in recitals 10 to 12, the Commission maintained the measures in force by Implementing Regulation (EU) 2017/366 and Implementing Regulation (EU) 2017/367.
- (22) The Commission also initiated a partial interim review on the form of measures by a Notice of Initiation published in the *Official Journal of the European Union* ⁽⁷⁾ on 3 March 2017.
- (23) By Implementing Regulation (EU) 2017/454 ⁽⁸⁾, the Commission withdrew the acceptance of the undertaking for four exporting producers.
- (24) By Implementing Decision (EU) 2017/615 ⁽⁹⁾, the Commission accepted a proposal by a group of exporting producers together with the CCCME concerning the implementation of the undertaking.
- (25) By Implementing Regulation (EU) 2017/941 ⁽¹⁰⁾, the Commission withdrew the acceptance of the undertaking for two exporting producers.
- (26) By Implementing Regulation (EU) 2017/1408 ⁽¹¹⁾, the Commission withdrew the acceptance of the undertaking for another two exporting producers.
- (27) By Implementing Regulation (EU) 2017/1497 ⁽¹²⁾, the Commission withdrew the acceptance of the undertaking for one exporting producer.
- (28) By Implementing Regulation (EU) 2017/1524 ⁽¹³⁾, the Commission withdrew the acceptance of the undertaking for two exporting producers.

B. TERMS OF THE UNDERTAKING

- (29) The exporting producers agreed, inter alia, not to sell the product covered to the first independent customer in the Union below a certain minimum import price ('the MIP') within the associated annual level of imports to the Union ('annual level') laid down in the undertaking. The MIP is set on a cash equivalent basis. If the payment term is different from the cash equivalent basis, a certain deduction is applied to the invoice value when compliance with the MIP is compared.

⁽¹⁾ OJ L 37, 12.2.2016, p. 56.

⁽²⁾ OJ L 170, 29.6.2016, p. 5.

⁽³⁾ OJ L 222, 17.8.2016, p. 10.

⁽⁴⁾ OJ L 228, 23.8.2016, p. 16.

⁽⁵⁾ OJ L 308, 16.11.2016, p. 8.

⁽⁶⁾ OJ L 333, 8.12.2016, p. 4.

⁽⁷⁾ OJ C 67, 3.3.2017, p. 16.

⁽⁸⁾ OJ L 71, 16.3.2017, p. 5.

⁽⁹⁾ OJ L 86, 31.3.2017, p. 14.

⁽¹⁰⁾ OJ L 142, 2.6.2017, p. 43.

⁽¹¹⁾ OJ L 201, 2.8.2017, p. 3.

⁽¹²⁾ OJ L 218, 24.8.2017, p. 10.

⁽¹³⁾ OJ L 230, 6.9.2017, p. 11.

- (30) The exporting producers also agreed to sell the product covered only by means of direct sales. For the purpose of the undertaking, a direct sale is defined as a sale either to the first independent customer in the Union or via a related party in the Union listed in the undertaking.
- (31) The undertaking sets out, in a non-exhaustive list, the breaches of the undertaking. This list of breaches includes indirect sales to the Union by companies other than those listed in the undertaking.
- (32) The undertaking also obliges the exporting producers to provide the Commission on a quarterly basis with detailed information on all their export sales to and re-sales in the Union ('the quarterly reports'). This implies that the data submitted in these quarterly reports must be complete and correct and that the reported transactions fully comply with the terms of the undertaking. Reporting of re-sales in the Union is a particular obligation when the product covered is sold to the first independent customer through a related importer. Only these reports enable the Commission to monitor whether the re-sale price of the related importer to the first independent customer is in accordance with the MIP.
- (33) The exporting producer is liable for the breach of any of its related parties, whether or not listed in the undertaking.
- (34) The undertaking further stipulates that the acceptance of the undertaking by the Commission is based on trust and any action which would harm the relationship of trust established with the Commission should justify the withdrawal of the undertaking.

C. MONITORING OF THE EXPORTING PRODUCER

- (35) While monitoring compliance with the undertaking, the Commission verified information submitted by Chinaland that was relevant to the undertaking. The Commission also assessed publicly available information regarding the corporate structure of Chinaland.
- (36) The Commission also received evidence from customs authorities of one Member State on the basis of Articles 8(9) and 14(7) of the basic anti-dumping Regulation and Articles 13(9) and 24(7) of the basic anti-subsidy Regulation.
- (37) The findings listed in recitals 38 to 40 address the problems identified for Chinaland which oblige the Commission to withdraw acceptance of the undertaking for this exporting producer.

D. GROUNDS TO WITHDRAW THE ACCEPTANCE OF THE UNDERTAKING

- (38) In its quarterly reports, Chinaland had reported sales transactions of the product covered to an allegedly unrelated importer in the Union and had issued undertaking invoices. These transactions amounted in value to around 20 % of its total sales to the Union. Based on the information available to the Commission, the importer involved in these transactions was related to Chinaland. In particular, several sales transactions of this allegedly unrelated importer were carried out by two of Chinaland's officials. In their communication with final customers, these officials stated that this allegedly unrelated customer was a Union company belonging to Chinaland. Email accounts of these officials also hint to Chinaland. The Commission analysed this trade pattern. As this importer is not listed as related party in the undertaking, Chinaland had breached the terms of the undertaking as described in recital 30.
- (39) In addition, sales made by this importer to the first independent customer in the Union were carried out at prices below the MIP. Therefore, Chinaland breached the terms of the undertaking as described in recitals 29 and 33.
- (40) None of the re-sales by the related importer was reported to the Commission. Consequently, Chinaland also breached the terms of the undertaking as described in recitals 32 and 33.
- (41) The Commission analysed the findings set out in recitals 38 to 40 and concluded that these also harmed the relationship of trust established with the Commission.

E. INVALIDATION OF UNDERTAKING INVOICES

(42) The indirect sales transactions made by Chinaland are linked to the following undertaking invoices:

Number of commercial invoice accompanying goods subject to the undertaking	Date
CHN160765	8.10.2016
CHN160839	18.8.2016
CHN160759	18.8.2016
CHN160739	27.7.2016
CHN160608	25.7.2016
CHN160743	27.7.2016
CHN160815	18.8.2016
CHN160730	9.8.2016
CHN160760	18.8.2016
CHN160833-2	20.8.2016
CHN160648	9.8.2016
CHN160818	18.8.2016
CHN160828	22.8.2016
CHN160834	13.8.2016
CHN160755	13.8.2016
CHN160738	27.7.2016
CHN160737	9.8.2016
CHN160764	16.8.2016
CHN160803	27.9.2016
CHN160804	9.8.2016
CHN160719	22.7.2016
CHN160736	13.7.2016
CHN160631	6.7.2016
CHN160901	20.8.2016
CHN160731	9.8.2016
CHN160822	22.8.2016
CHN160718	13.7.2016
CHN160835	13.8.2016

Number of commercial invoice accompanying goods subject to the undertaking	Date
CHN160314	7.4.2016
CHN160528	16.6.2016
CHN160628	25.6.2016
CHN160436	27.4.2016
CHN160632	29.6.2016
CHN160513	2.6.2016
CHN160622	12.6.2016
CHN160430	3.5.2016
CHN160405	7.4.2016
CHN160507-1	25.4.2016
CHN160505	29.4.2016
CHN160551	18.6.2016
CHN150739	6.1.2016
CHN151131	15.1.2016
CHN160322	25.3.2016
CHN160337	24.3.2016
CHN160313	28.3.2016

- (43) Therefore, in accordance with Article 3(2)(b) of Implementing Regulation (EU) No 1238/2013 and Article 2(2)(b) of Implementing Regulation (EU) No 1239/2013, these invoices are declared invalid. The customs debt incurred at the time of acceptance of the declaration for release into free circulation should be recovered by the national customs authorities under Article 105(3) to (6) of Regulation (EU) No 952/2013 of the European Parliament and of the Council ⁽¹⁾ laying down the Union Customs Code, when the withdrawal of the undertaking in relation to the exporting producer enters into force. The national customs authorities responsible for the collection of duties will be informed accordingly.
- (44) In this context, the Commission recalls that pursuant to Article 3(1)(b) read in conjunction with Annex III, No 7 of Implementing Regulation (EU) No 1238/2013, Article (2)(1)(b) read in conjunction with Annex III, No 7 of Implementing Regulation (EU) 2017/367 and to Article 2(1)(b) read in conjunction with Annex 2, No 7 of Implementing Regulation (EU) No 1239/2013, Article 2(2)(b) read in conjunction with Annex 2, No 7 of Implementing Regulation (EU) 2017/366, imports are only exempted from duties if the invoice indicates the price and possible rebates for the product covered. Where those conditions are not complied with, duties are due, even where the commercial invoice accompanying the goods has not been invalidated by the Commission.

F. ASSESSMENT OF PRACTICABILITY OF THE OVERALL UNDERTAKING

- (45) The undertaking stipulates that a breach by an individual exporting producer does not automatically lead to the withdrawal of the acceptance of the undertaking for all exporting producers. In such a case, the Commission should assess the impact of that particular breach on the practicability of the undertaking with the effect for all exporting producers and the CCCME.

⁽¹⁾ OJ L 269, 10.10.2013, p. 1.

- (46) The Commission accordingly assessed the impact of the breaches by Chinaland on the practicability of the undertaking with the effect for all exporting producers and the CCCME.
- (47) This case is similar to previous withdrawal cases. The Commission had already informed the CCCME on those occasions that should breaches of a similar pattern persist in the future, the Commission might re-assess the overall practicability of the undertaking ⁽¹⁾. The Commission continues to reserve its right to do so.

G. WRITTEN SUBMISSIONS AND HEARINGS

- (48) Interested parties were granted the opportunity to be heard and to comment pursuant to Article 8(9) of the basic anti-dumping Regulation and Article 13(9) of the basic anti-subsidy Regulation.
- (49) Chinaland submitted comments after the disclosure. It contested the relationship with the importer in the Union.
- (50) Chinaland further alleged that the importer in the Union was owned by another person than the exporting producer. Chinaland also alleged that the two officials (referred to in recital 38 above) were pursuing their personal interests without authorisation of Chinaland in referring to the affiliation between the importer and Chinaland. The Commission, however, considers that, in absence of evidence to the contrary, communications of the exporter's officials towards third parties made within their usual business activities are to be attributed to Chinaland. As Chinaland failed to disprove this presumption, the claim is therefore rejected.
- (51) Chinaland also contested the invalidation of invoices. It claimed that the Commission cannot impose duties/order customs to levy duties on imports released for free circulation before the date of the withdrawal of the acceptance of the undertaking if imports have not been registered. That claim is made by reference to Articles 8 and 13 of the basic anti-dumping and anti-subsidy Regulations. That understanding is, however, not correct. According to Article 8(10) of the basic anti-dumping Regulation and Article 13(10) of the basic anti-subsidy Regulation, a provisional duty may be imposed retroactively for a limited period where registration of imports occurred. Those provisions, however, address a different point in time during an anti-dumping or anti-subsidy investigation. The articles do not apply to the case at hand where the investigations were already completed in 2013 with the imposition of definitive anti-dumping and countervailing duties and the voluntary commitment, by some exporting producers of the product concerned, including Chinaland, for a price undertaking in lieu of the payment of those duties to remove the injury arising from their dumping practices. In any case, the retroactive invalidation of invoices and the related claim for the payment of outstanding duties is not effected under those provisions. The claim is, therefore, rejected.
- (52) Chinaland also claimed that the Commission could not impose duties retroactively without falling foul of the principle of non-retroactivity, having allegedly itself recognised in another case, that there would be no legal basis for such a retroactive withdrawal ⁽²⁾. Chinaland also cites a previous decision according to which it allegedly deserves like treatment ⁽³⁾. First, it should be noted that all Commission decisions withdrawing the acceptance of an undertaking are taken on a case-by-case basis. Decisions taken within these individual cases are, accordingly, limited and specific to the circumstances at hand, so that a like casting of reasoning therein on a different case cannot be done. In any case, Chinaland has advanced no arguments on how its case resembles that of the exporting producer concerned by Implementing Regulation (EU) 2015/866. Second, it is true that the activities of the European institutions are subject to the general principles of law, in particular those of legal certainty and non-retroactivity. However, the Commission recalls that settled case-law of the Court of Justice recognises that an economic operator cannot entertain a legitimate expectation that an 'existing situation' which is capable of being altered by decisions taken by the Union institutions within the limits of their discretion will be maintained ⁽⁴⁾. The principle of legitimate expectations does not protect situations in which no legitimate expectations existed, especially where the economic operator was warned from the outset about the consequences of breach of an undertaking through particular transactions. Against this background it becomes obvious that in scenarios where incorrect or incomplete undertaking invoices are presented, the ordinary anti-dumping/countervailing duty otherwise due for the exporting producer in question takes hold as if the latter had not presented an undertaking invoice and that the duties that were not paid as a cause of this presentation of undertaking invoices must become due as if no exemption thereof existed. Third, this type of invalidation of undertaking invoices and related exposure to the duties not paid is not a retroactive imposition of measures within the meaning of European Union law, nor does it fall within Articles 10(5) and 16(5) of the basic anti-dumping and anti-subsidy Regulations. The fact that Chinaland offers no definition of 'retroactivity' that would deviate from the established

⁽¹⁾ Implementing Regulation (EU) 2016/1402, recital 37.

⁽²⁾ Implementing Regulation (EU) 2015/1403, recitals 30 to 32.

⁽³⁾ Implementing Regulation (EU) 2015/866, recitals 88 and 89.

⁽⁴⁾ Judgment of 17 October 1996, *Konservenfabrik Lubella v Hauptzollamt Cottbus*, C-64/95, EU:1996:388, paragraph 31. See also, more recently, Judgment of 10 December 2015, *SIA Veloserviss*, Case C-427/14, EU:C:2015:803, at paragraph 39.

general principle of European Union law recalled by reference to case-law above underscores this. In light of the above reasons, the claims forwarded by Chinaland against the withdrawal of the acceptance of the undertaking are rejected.

H. WITHDRAWAL OF THE ACCEPTANCE OF THE UNDERTAKING AND IMPOSITIONS OF DEFINITIVE DUTIES

- (53) Therefore, in accordance with Article 8(9) of the basic anti-dumping Regulation, Article 13(9) of the basic anti-subsidy Regulation and also in accordance with the terms of the undertaking, the Commission concluded that the acceptance of the undertaking for Chinaland should be withdrawn.
- (54) Accordingly, pursuant to Article 8(9) of the basic anti-dumping Regulation and Article 13(9) of the basic anti-subsidy Regulation, the definitive anti-dumping duty imposed by Article 1 of Implementing Regulation (EU) 2017/367 and the definitive countervailing duty imposed by Article 1 of Implementing Regulation (EU) No 1239/2013 and maintained by Article 1 of Implementing Regulation (EU) 2017/366 automatically apply to imports originating in or consigned from the PRC of the product concerned and produced by Chinaland as of the day of entry into force of this Regulation.
- (55) The Commission also recalls that where the customs authorities of the Member States have indications that the price presented on an undertaking invoice does not correspond to the price actually paid, they should investigate whether the requirement to include any rebates in the undertaking invoices has been violated or the MIP has not been respected. Where customs authorities of the Member States conclude that there has been such a violation or whether the MIP has not been respected, they should collect the duties as a consequence thereof. In order to facilitate, on the basis of Article 4(3) of the Treaty, the work of the customs authorities of the Member States, the Commission should share in such situations the confidential text and other information of the undertaking for the sole purpose of national proceedings.
- (56) For information purposes the table in the Annex II to this Regulation lists the exporting producers for whom the acceptance of the undertaking by Implementing Decision 2013/707/EU is not affected,

HAS ADOPTED THIS REGULATION:

Article 1

Acceptance of the undertaking in relation to the following company is hereby withdrawn:

Name of the company	TARIC additional code
CHINALAND SOLAR ENERGY CO. LTD	B808

Article 2

1. The undertaking invoices listed in Annex I to this Regulation are declared invalid.
2. The anti-dumping and countervailing duties due at the time of acceptance of the customs declaration for release into free circulation under Article 3(2)(b) of Implementing Regulation (EU) No 1238/2013 and Article 2(2)(b) of Implementing Regulation (EU) No 1239/2013 shall be collected.

Article 3

1. Where customs authorities of the Member States have indications that the price presented on an undertaking invoice pursuant to Article 3(1)(b) of Implementing Regulation (EU) No 1238/2013, Article 2(1)(b) of Implementing

Regulation (EU) 2017/367, Article 2(1)(b) of Implementing Regulation (EU) No 1239/2013 and Article 2(1)(b) of Implementing Regulation (EU) 2017/366 issued by one of the companies from which the undertaking was initially accepted by Implementing Decision 2013/707/EU does not correspond to the price paid and that therefore those companies may have violated the undertaking, the customs authorities of the Member States may, if necessary for the purpose of conducting national proceedings, request the Commission to disclose to them a copy of the undertaking and other information in order to verify the applicable minimum import price ('MIP') on the day when the undertaking invoice was issued.

2. Where that verification reveals that the price paid is lower than the MIP, the duties due as a consequence under Article 8(9) of Regulation (EU) 2016/1036 and Article 13(9) of Regulation (EU) 2016/1037 shall be collected.

Where that verification reveals that discounts and rebates have not been included in the commercial invoice, the duties due as a consequence under Article 3(2)(a) of Implementing Regulation (EU) No 1238/2013, Article 2(2)(a) of Implementing Regulation (EU) 2017/367, Article 2(2)(a) of Implementing Regulation (EU) No 1239/2013 and Article 2(2)(a) of Implementing Regulation (EU) 2017/366 shall be collected.

3. The information in accordance with paragraph 1 may only be used for the purpose of enforcement of duties due under Article 3(2)(a) of Implementing Regulation (EU) No 1238/2013, Article 2(2)(a) of Implementing Regulation (EU) 2017/367, Article 2(2)(a) of Implementing Regulation (EU) No 1239/2013 and Article 2(2)(a) of Implementing Regulation (EU) 2017/366. In this context, customs authorities of the Member States may provide the debtor of those duties with this information for the sole purpose of safeguarding their rights of defence. Such information may under no circumstances be disclosed to third parties.

Article 4

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

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

Done at Brussels, 19 September 2017.

For the Commission

The President

Jean-Claude JUNCKER

ANNEX I

List of undertaking invoices issued by CHINALAND SOLAR ENERGY CO. LTD which are declared invalid:

Number of commercial invoice accompanying goods subject to the undertaking	Date
CHN160765	8.10.2016
CHN160839	18.8.2016
CHN160759	18.8.2016
CHN160739	27.7.2016
CHN160608	25.7.2016
CHN160743	27.7.2016
CHN160815	18.8.2016
CHN160730	9.8.2016
CHN160760	18.8.2016
CHN160833-2	20.8.2016
CHN160648	9.8.2016
CHN160818	18.8.2016
CHN160828	22.8.2016
CHN160834	13.8.2016
CHN160755	13.8.2016
CHN160738	27.7.2016
CHN160737	9.8.2016
CHN160764	16.8.2016
CHN160803	27.9.2016
CHN160804	9.8.2016
CHN160719	22.7.2016
CHN160736	13.7.2016
CHN160631	6.7.2016
CHN160901	20.8.2016
CHN160731	9.8.2016
CHN160822	22.8.2016
CHN160718	13.7.2016

Number of commercial invoice accompanying goods subject to the undertaking	Date
CHN160835	13.8.2016
CHN160314	7.4.2016
CHN160528	16.6.2016
CHN160628	25.6.2016
CHN160436	27.4.2016
CHN160632	29.6.2016
CHN160513	2.6.2016
CHN160622	12.6.2016
CHN160430	3.5.2016
CHN160405	7.4.2016
CHN160507-1	25.4.2016
CHN160505	29.4.2016
CHN160551	18.6.2016
CHN150739	6.1.2016
CHN151131	15.1.2016
CHN160322	25.3.2016
CHN160337	24.3.2016
CHN160313	28.3.2016

ANNEX II

List of companies:

Name of the company	TARIC additional code
Jiangsu Aide Solar Energy Technology Co. Ltd	B798
Anhui Chaoqun Power Co. Ltd	B800
Anji DaSol Solar Energy Science Technology Co. Ltd	B802
Anhui Schutten Solar Energy Co. Ltd Quanjiao Jingkun Trade Co. Ltd	B801
Anhui Titan PV Co. Ltd	B803
Xi'an SunOasis (Prime) Company Limited TBEA SOLAR CO. LTD XINJIANG SANG'O SOLAR EQUIPMENT	B804
Changzhou NESL Solartech Co. Ltd	B806
Changzhou Shangyou Lianyi Electronic Co. Ltd	B807
ChangZhou EGing Photovoltaic Technology Co. Ltd	B811
CIXI CITY RIXING ELECTRONICS CO. LTD ANHUI RINENG ZHONGTIAN SEMICONDUCTOR DEVELOPMENT CO. LTD HUOSHAN KEBO ENERGY TECHNOLOGY CO. LTD	B812
CSG PVtech Co. Ltd	B814
China Sunergy (Nanjing) Co. Ltd CEEG Nanjing Renewable Energy Co. Ltd CEEG (Shanghai) Solar Science Technology Co. Ltd China Sunergy (Yangzhou) Co. Ltd China Sunergy (Shanghai) Co. Ltd	B809
Dongfang Electric (Yixing) MAGI Solar Power Technology Co. Ltd	B816
EOPLLY New Energy Technology Co. Ltd SHANGHAI EBEST SOLAR ENERGY TECHNOLOGY CO. LTD JIANGSU EOPLLY IMPORT EXPORT CO. LTD	B817
Zhejiang Era Solar Co. Ltd	B818
GD Solar Co. Ltd	B820
Greenway Solar-Tech (Shanghai) Co. Ltd Greenway Solar-Tech (Huaian) Co. Ltd	B821
Guodian Jintech Solar Energy Co. Ltd	B822

Name of the company	TARIC additional code
Hangzhou Bluesun New Material Co. Ltd	B824
Hanwha SolarOne (Qidong) Co. Ltd	B826
Hengdian Group DMEGC Magnetics Co. Ltd	B827
HENGJI PV-TECH ENERGY CO. LTD	B828
Himin Clean Energy Holdings Co. Ltd	B829
Jiangsu Green Power PV Co. Ltd	B831
Jiangsu Hosun Solar Power Co. Ltd	B832
Jiangsu Jiasheng Photovoltaic Technology Co. Ltd	B833
Jiangsu Runda PV Co. Ltd	B834
Jiangsu Sainty Photovoltaic Systems Co. Ltd Jiangsu Sainty Machinery Imp. And Exp. Corp. Ltd	B835
Jiangsu Shunfeng Photovoltaic Technology Co. Ltd Changzhou Shunfeng Photovoltaic Materials Co. Ltd Jiangsu Shunfeng Photovoltaic Electronic Power Co. Ltd	B837
Jiangsu Sinski PV Co. Ltd	B838
Jiangsu Sunlink PV Technology Co. Ltd	B839
Jiangsu Zhongchao Solar Technology Co. Ltd	B840
Jiangxi Risun Solar Energy Co. Ltd	B841
Jiangxi LDK Solar Hi-Tech Co. Ltd LDK Solar Hi-Tech (Nanchang) Co. Ltd LDK Solar Hi-Tech (Suzhou) Co. Ltd	B793
Jiangyin Shine Science and Technology Co. Ltd	B843
Jinzhou Yangguang Energy Co. Ltd Jinzhou Huachang Photovoltaic Technology Co. Ltd Jinzhou Jinmao Photovoltaic Technology Co. Ltd Jinzhou Rixin Silicon Materials Co. Ltd Jinzhou Youhua Silicon Materials Co. Ltd	B795
Juli New Energy Co. Ltd	B846
Jumao Photonic (Xiamen) Co. Ltd	B847
King-PV Technology Co. Ltd	B848
Kinve Solar Power Co. Ltd (Maanshan)	B849
Lightway Green New Energy Co. Ltd Lightway Green New Energy(Zhuozhou) Co. Ltd	B851

Name of the company	TARIC additional code
Nanjing Daqo New Energy Co. Ltd	B853
NICE SUN PV CO. LTD LEVO SOLAR TECHNOLOGY CO. LTD	B854
Ningbo Jinshi Solar Electrical Science Technology Co. Ltd	B857
Ningbo Komaes Solar Technology Co. Ltd	B858
Ningbo South New Energy Technology Co. Ltd	B861
Ningbo Sunbe Electric Ind Co. Ltd	B862
Ningbo Ulica Solar Science Technology Co. Ltd	B863
Perfectenergy (Shanghai) Co. Ltd	B864
Perlight Solar Co. Ltd	B865
SHANGHAI ALEX SOLAR ENERGY SCIENCE TECHNOLOGY CO. LTD SHANGHAI ALEX NEW ENERGY CO. LTD	B870
Shanghai Chaori Solar Energy Science Technology Co. Ltd	B872
Propsolar (Zhejiang) New Energy Technology Co. Ltd Shanghai Propsolar New Energy Co. Ltd	B873
SHANGHAI SHANGHONG ENERGY TECHNOLOGY CO. LTD	B874
Shanghai ST Solar Co. Ltd Jiangsu ST Solar Co. Ltd	B876
Shenzhen Sacred Industry Co. Ltd	B878
Sopray Energy Co. Ltd Shanghai Sopray New Energy Co. Ltd	B881
SUN EARTH SOLAR POWER CO. LTD NINGBO SUN EARTH SOLAR POWER CO. LTD Ningbo Sun Earth Solar Energy Co. Ltd	B882
SUZHOU SHENGLONG PV-TECH CO. LTD	B883
TDG Holding Co. Ltd	B884
Tianwei New Energy Holdings Co. Ltd Tianwei New Energy (Chengdu) PV Module Co. Ltd Tianwei New Energy (Yangzhou) Co. Ltd	B885
Wenzhou Jingri Electrical and Mechanical Co. Ltd	B886
Shanghai Topsolar Green Energy Co. Ltd	B877

Name of the company	TARIC additional code
Shenzhen Sungold Solar Co. Ltd	B879
Wuhu Zhongfu PV Co. Ltd	B889
Wuxi Shangpin Solar Energy Science and Technology Co. Ltd	B891
Wuxi Solar Innova PV Co. Ltd	B892
Wuxi Taichang Electronic Co. Ltd China Machinery Engineering Wuxi Co.Ltd Wuxi Taichen Machinery Equipment Co. Ltd	B893
Xi'an Huanghe Photovoltaic Technology Co. Ltd State-run Huanghe Machine-Building Factory Import and Export Corporation Shanghai Huanghe Fengjia Photovoltaic Technology Co. Ltd	B896
Yuhuan Sinosola Science Technology Co. Ltd	B900
Zhangjiagang City SEG PV Co. Ltd	B902
Zhejiang Fengsheng Electrical Co. Ltd	B903
Zhejiang Global Photovoltaic Technology Co. Ltd	B904
Zhejiang Heda Solar Technology Co. Ltd	B905
Zhejiang Jiutai New Energy Co. Ltd Zhejiang Topoint Photovoltaic Co. Ltd	B906
Zhejiang Kingdom Solar Energy Technic Co. Ltd	B907
Zhejiang Koly Energy Co. Ltd	B908
Zhejiang Mega Solar Energy Co. Ltd Zhejiang Fortune Photovoltaic Co. Ltd	B910
Zhejiang Shuqimeng Photovoltaic Technology Co. Ltd	B911
Zhejiang Shiness Photoelectronic Technology Co. Ltd	B912
Zhejiang Sunflower Light Energy Science Technology Limited Liability Company Zhejiang Yauchong Light Energy Science Technology Co. Ltd	B914
Zhejiang Sunrupu New Energy Co. Ltd	B915
Zhejiang Tianming Solar Technology Co. Ltd	B916
Zhejiang Trunsun Solar Co. Ltd Zhejiang Beyondsun PV Co. Ltd	B917
Zhejiang Wanxiang Solar Co. Ltd WANXIANG IMPORT EXPORT CO LTD	B918
ZHEJIANG YUANZHONG SOLAR CO. LTD	B920

