

# Official Journal of the European Union

L 171



English edition

Legislation

Volume 60

4 July 2017

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EN

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<sup>(1)</sup> Text with EEA relevance.

## II

*(Non-legislative acts)*

## REGULATIONS

## COMMISSION DELEGATED REGULATION (EU) 2017/1180

of 24 February 2017

**amending Delegated Regulation (EU) 2017/118 establishing fisheries conservation measures for the protection of the marine environment in the North Sea**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC <sup>(1)</sup>, and in particular Article 11 thereof,

Whereas:

- (1) Pursuant to Article 11 of Regulation (EU) No 1380/2013, Member States are empowered to adopt fisheries conservation measures in their waters that are necessary for the purpose of complying with their obligations under Union environmental legislation, including Article 6 of Council Directive 92/43/EEC <sup>(2)</sup> and Article 13(4) of Directive 2008/56/EC of the European Parliament and of the Council <sup>(3)</sup>.
- (2) Article 6 of Directive 92/43/EEC requires Member States to establish the necessary conservation measures for Special Areas of Conservation that correspond to the ecological requirements of those natural habitat types and species present on the sites as listed in the Annexes to that Directive. It also requires Member States to take appropriate steps to avoid, in the special areas of conservation, the deterioration of natural habitats and the habitats of species as well as significant disturbance of the species for which the areas have been designated.
- (3) Pursuant to Article 13(4) of Directive 2008/56/EC Member States are to adopt programmes of measures, including spatial protection measures that contribute to coherent and representative networks of marine protected areas, and adequately cover the diversity of the constituent ecosystems, such as special areas of conservation pursuant to the Habitats Directive, special protection areas pursuant to the Birds Directive <sup>(4)</sup>, and marine protected areas as agreed by the Community or Member States concerned in the framework of international or regional agreements to which they are parties.
- (4) Where a Member State considers that measures need to be adopted for the purpose of complying with its obligations under Union environmental legislation and other Member States have a direct management interest in the fishery to be affected by such measures, the Commission is empowered to adopt such measures by means of delegated acts upon a joint recommendation submitted by the interested Member States.

<sup>(1)</sup> OJ L 354, 28.12.2013, p. 22.

<sup>(2)</sup> Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).

<sup>(3)</sup> Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive) (OJ L 164, 25.6.2008, p. 19).

<sup>(4)</sup> Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7).

- (5) On 5 September 2016, the Commission adopted Delegated Regulation (EU) 2017/118 <sup>(1)</sup> establishing fisheries conservation measures for the protection of the marine environment in certain areas of the North Sea.
- (6) In accordance with Article 11(3) of Regulation (EU) No 1380/2013, Denmark as an initiating Member State has provided the Commission and Member States having direct management interest with relevant information on the additional measures required, including their rationale, scientific evidence in support and details on their practical implementation and enforcement.
- (7) On 16 November 2016, after having consulted the North Sea Advisory Council, Denmark, Germany and Sweden submitted to the Commission a joint recommendation for fisheries conservation measures to protect reef structures in four additional Danish Natura 2000 sites in the Kattegat. Those measures comprise the prohibition of fishing activities with mobile bottom contacting gear in reef zones (under habitat type 1170) and the prohibition of all fishing activities in bubbling reef zones (under habitat type 1180).
- (8) Bottom fishing activity with mobile bottom contacting gear has a negative impact on reef habitats, as such activity affects both the reef structures and the biodiversity found at the reefs. Therefore the prohibition to fish with such gears in the relevant Danish reef areas, as set out in the joint recommendation, should be included in Delegated Regulation (EU) 2017/118. Bubbling reefs are especially fragile structures and any physical impact is a threat to their conservation status. Accordingly, the prohibition of all fishing activities in the relevant bubbling reef areas, as set out in the joint recommendation, should also be included in that Regulation.
- (9) The Scientific, Technical and Economic Committee for Fisheries (STECF <sup>(2)</sup>) states in its scientific advice of 6 December 2016 that the proposed conservation objectives within the special areas referred to in the joint recommendation cannot be fully achieved without appropriate measures to prevent fishing activity in the areas.
- (10) STECF identified some issues regarding the control and enforcement of the conservation measures in the sites concerned. Member States are required to adopt appropriate measures, allocate adequate resources and set up the structures necessary for ensuring control, inspection and enforcement of activities carried out within the scope of the common fisheries policy (CFP). This may include measures such as the requirement of submitting VMS positions with increased frequency by all vessels concerned or identifying the areas as high risk in the national control system based on risk management, addressing the concerns of STECF.
- (11) Denmark provided detailed information on the measures ensuring monitoring and control taking account the current level of fishing activity in these areas. These control measures involve sea going fisheries inspections and constant monitoring by the Danish fisheries monitoring centre through the risk based management system. Automatic identification system is also used to supplement VMS data.
- (12) It is important to ensure the assessment of the measures introduced by this Regulation, in particular as regards the control of compliance with fishing prohibitions. Therefore a further assessment should be performed by Denmark in order to ensure the compliance with prohibited fisheries at latest 18 months after this Regulation enters into force.
- (13) Delegated Regulation (EU) 2017/118 should be amended accordingly.
- (14) The fisheries conservation measures established by this Regulation are without prejudice of any other existing or future management measures aiming at the conservation of the sites concerned, including fisheries conservation measures,

<sup>(1)</sup> Commission Delegated Regulation (EU) 2017/118 of 5 September 2016 establishing fisheries conservation measures for the protection of the marine environment in the North Sea (OJ L 19, 25.1.2017, p. 10).

<sup>(2)</sup> [stecf.jrc.ec.europa.eu/documents/43805/55543/2016-12\\_STECF+16-24+-+JR+for+Natura+2000+sites+under+CFP+art.11\\_JRCxxx.pdf](https://ec.europa.eu/stecf/jrc.ec.europa.eu/documents/43805/55543/2016-12_STECF+16-24+-+JR+for+Natura+2000+sites+under+CFP+art.11_JRCxxx.pdf)

HAS ADOPTED THIS REGULATION:

*Article 1*

**Amendment of Delegated Regulation (EU) 2017/118**

Delegated Regulation (EU) 2017/118 is amended as follows:

(1) Article 6 is replaced by the following:

*'Article 6*

**Review**

1. By 30 June 2017, Member States concerned shall assess the implementation of the measures set out in Articles 3 and 4 in:

- (a) areas 1(1), 1(2) and 1(3), as defined in Annex I; and
- (b) areas 2(1) to 2(2), as defined in Annex II.

2. By 31 July 2017 Member States concerned shall submit to the Commission a summary report on the assessment referred to in paragraph 1.

3. By 31 October 2018, Member States concerned shall assess the implementation of the measures set out in Articles 3 and 4 in:

- (a) areas 1(4) to 1(7), as defined in Annex I; and
- (b) areas 2(22), 2(23) and 2(24), as defined Annex II.

4. By 30 November 2018, Member States concerned shall submit to the Commission a summary report on the assessment referred to in paragraph 3.;

- (2) Annex I is replaced by the text in Annex I to this Regulation;
- (3) Annex II is replaced by the text in Annex II to this Regulation;
- (4) Annex III is replaced by the text in Annex III to this Regulation.

*Article 2*

**Entry into force**

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

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

Done at Brussels, 24 February 2017.

*For the Commission*  
*The President*  
Jean-Claude JUNCKER

## ANNEX I

## 'ANNEX I

**Coordinates of Areas 1**

**Area 1(1):** Habitat No 166, Natura 2000 site No 191, (EU code: DK00VA248) Herthas Flak

Point	Latitude N	Longitude E
1S	57°39.422'	10°49.118'
2S	57°39.508'	10°49.602'
3S	57°39.476'	10°49.672'
4S	57°39.680'	10°50.132'
5S	57°39.312'	10°50.813'
6S	57°39.301'	10°51.290'
7S	57°38.793'	10°52.365'
8S	57°38.334'	10°53.201'
9S	57°38.150'	10°52.931'
10S	57°38.253'	10°52.640'
11S	57°37.897'	10°51.936'
12S	57°38.284'	10°51.115'
13S	57°38.253'	10°50.952'
14S	57°38.631'	10°50.129'
15S	57°39.142'	10°49.201'
16S	57°39.301'	10°49.052'
17S	57°39.422'	10°49.118'

**Area 1(2):** Habitat No 168, Natura 2000 site No 192, (EU code: DK00VA249) Læsø Trindel & Tønneberg Banke

Point	Latitude N	Longitude E
1S	57°25.045'	11°6.757'
2S	57°26.362'	11°6.858'
3S	57°27.224'	11°9.239'
4S	57°26.934'	11°10.026'
5S	57°27.611'	11°10.938'
6S	57°28.053'	11°11.000'
7S	57°28.184'	11°11.547'

Point	Latitude N	Longitude E
8S	57°28.064'	11°11.808'
9S	57°28.843'	11°13.844'
10S	57°29.158'	11°15.252'
11S	57°29.164'	11°16.861'
12S	57°29.017'	11°17.266'
13S	57°29.080'	11°17.597'
14S	57°28.729'	11°18.494'
15S	57°28.486'	11°18.037'
16S	57°28.258'	11°18.269'
17S	57°27.950'	11°18.239'
18S	57°27.686'	11°18.665'
19S	57°27.577'	11°18.691'
20S	57°27.525'	11°18.808'
21S	57°27.452'	11°18.837'
22S	57°27.359'	11°18.818'
23S	57°26.793'	11°17.929'
24S	57°27.984'	11°15.500'
25S	57°27.676'	11°14.758'
26S	57°25.998'	11°17.309'
27S	57°25.946'	11°17.488'
28S	57°26.028'	11°17.555'
29S	57°26.060'	11°17.819'
30S	57°26.011'	11°18.360'
31S	57°25.874'	11°18.666'
32S	57°25.683'	11°18.646'
33S	57°25.417'	11°18.524'
34S	57°25.377'	11°18.408'
35S	57°25.330'	11°18.039'
36S	57°25.175'	11°17.481'
37S	57°24.928	11°17.579'
38S	57°24.828'	11°17.366'
39S	57°24.891'	11°17.049'

Point	Latitude N	Longitude E
40S	57°25.128'	11°17.118'
41S	57°25.249'	11°16.721'
42S	57°25.211'	11°16.592'
43S	57°25.265'	11°16.162'
44S	57°25.170'	11°15.843'
45S	57°25.245'	11°15.562'
46S	57°25.208'	11°15.435'
47S	57°25.278'	11°15.083'
48S	57°25.462'	11°15.059'
49S	57°25.517'	11°15.007'
50S	57°25.441'	11°14.613'
51S	57°25.610'	11°14.340'
52S	57°25.630'	11°14.119'
53S	57°25.629'	11°13.827'
54S	57°25.738'	11°13.658'
55S	57°25.610'	11°13.392'
56S	57°25.625'	11°13.176'
57S	57°25.933'	11°12.379'
58S	57°25.846'	11°11.959'
59S	57°25.482'	11°12.956'
60S	57°25.389'	11°13.083'
61S	57°25.221'	11°13.212'
62S	57°25.134'	11°13.221'
63S	57°25.031'	11°13.077'
64S	57°25.075'	11°12.751'
65S	57°24.817'	11°12.907'
66S	57°24.747'	11°12.862'
67S	57°24.616'	11°13.229'
68S	57°24.549'	11°13.240'
69S	57°24.347'	11°13.093'
70S	57°24.256'	11°13.288'
71S	57°24.145'	11°13.306'



Point	Latitude N	Longitude E
72S	57°24.051'	11°13.138'
73S	57°23.818'	11°13.360'
74S	57°23.649'	11°13.280'
75S	57°23.553'	11°13.260'
76S	57°23.432'	11°13.088'
77S	57°23.416'	11°12.861'
78S	57°23.984'	11°9.081'
79S	57°25.045'	11°6.757'

**Area 1(3):** Habitat No 167, Natura 2000 site No 207, (EU code: DK00VA299) Lysegrund

Point	Latitude N	Longitude E
1S	56°19.367'	11°46.017'
2S	56°18.794'	11°48.153'
3S	56°17.625'	11°48.541'
4S	56°17.424'	11°48.117'
5S	56°17.864'	11°47.554'
6S	56°17.828'	11°47.265'
7S	56°17.552'	11°47.523'
8S	56°17.316'	11°47.305'
9S	56°17.134'	11°47.260'
10S	56°16.787'	11°46.753'
11S	56°16.462'	11°46.085'
12S	56°16.455'	11°43.620'
13S	56°17.354'	11°42.671'
14S	56°18.492'	11°42.689'
15S	56°18.950'	11°41.823'
16S	56°19.263'	11°41.870'
17S	56°19.802'	11°40.939'
18S	56°19.989'	11°41.516'
19S	56°18.967'	11°43.600'
20S	56°19.460'	11°44.951'
21S	56°19.367'	11°46.017'

**Area 1(4):** Habitat No 169, Natura 2000 Site No 193 (EU Code: DK00VA250) Store Middelgrund

Point	Latitude N	Longitude E
1	56°34.52'	12°2.208'
1	56°34.612'	12°2.136'
1	56°35.19'	12°2.285'
1	56°35.474'	12°2.817'
1	56°35.465'	12°4.468'
1	56°35.233'	12°5.415'
1	56°33.428'	12°6.808'
1	56°32.915'	12°5.233'
1	56°31.324'	12°4.355'
1	56°31.318'	12°2.235'

**Area 1(5):** Habitat No 204, Natura 2000 Site No 204 (EU Code: DK00VA303) Schultz og Hastens Grund samt Briseis Flak

Point	Latitude N	Longitude E
1	56°11.54'	11°11.308'
1	56°12.748'	11°11.412'
1	56°12.977'	11°11.076'
1	56°13.812'	11°11.019'
1	56°14.318'	11°11.153'
1	56°16.409'	11°12.95'
1	56°16.553'	11°13.137'
1	56°16.645'	11°13.574'
1	56°17.029'	11°14.117'
1	56°17.401'	11°14.234'
1	56°17.495'	11°14.355'
1	56°17.543'	11°15.095'
1	56°17.511'	11°15.328'
1	56°17.047'	11°15.456'
1	56°16.571'	11°14.971'
1	56°16.555'	11°14.611'
1	56°15.931'	11°14.504'
1	56°15.479'	11°14.11'

Point	Latitude N	Longitude E
1	56°14.679'	11°14.013'
1	56°14.193'	11°14.207'
1	56°12.565'	11°13.067'
1	56°11.523'	11°13.443'
1	56°11.247'	11°14.042'
1	56°10.105'	11°13.247'
1	56°9.516'	11°11.983'
1	56°9.417'	11°11.258'
1	56°9.476'	11°10.556'
1	56°8.737'	11°8.954'
1	56°8.756'	11°8.568'
1	56°9.334'	11°8.269'
1	56°9.907'	11°8.446'
1	56°9.914'	11°9.319'
1	56°10.4'	11°10.654'
1	56°10.362'	11°11.298'
1	56°10.805'	11°11.88'
1	56°11.184'	11°11.956'
2	56°20.985'	11°22.005'
2	56°20.367'	11°19.136'
2	56°19.547'	11°17.294'
2	56°18.7'	11°15.982'
2	56°18.724'	11°18.399'
2	56°20.817'	11°20.511'
2	56°18.27'	11°17.204'
2	56°18.629'	11°17.695'
2	56°18.078'	11°16.411'
2	56°18.7'	11°15.982'
2	56°20.257'	11°22.733'
2	56°20.13'	11°22.319'
2	56°19.134'	11°18.983'

**Area 1(6):** Habitat No 09, Natura 2000 Site No 09 (EU Code: DK00FX010) Strandenge på Læsø og havet syd herfor

Point	Latitude N	Longitude E
1	57°16.590'	11°14.495'
1	57°16.256'	11°14.59'
1	57°16.169'	11°14.409'
1	57°16.169'	11°14.209'
1	57°16.677'	11°12.483'
1	57°17.116'	11°12.001'
1	57°16.556'	11°13.269'
1	57°17.591'	11°12.392'
1	57°17.86'	11°13.122'
1	57°17.55'	11°13.861'
7	57°5.371'	11°20.659'
7	57°6.381'	11°21.944'
7	57°5.91'	11°22.787'
7	57°5.18'	11°22.809'
7	57°8.174'	11°16.527'
7	57°8.68'	11°18.549'
7	57°7.534'	11°20.441'
7	57°6.804'	11°20.398'
7	57°5.816'	11°19.63'
7	57°6.634'	11°17.078'
7	57°8.174'	11°16.527'
7	57°4.903'	11°22.463'
8	57°9.615'	11°17.231'
8	57°10.129'	11°13.882'
8	57°2.822'	11°17.65'
8	57°11.948'	11°12.687'
8	57°12.088'	11°11.741'
8	57°10.658'	11°12.883'
8	57°3.599'	11°17.885'
8	57°5.012'	11°16.909'
8	57°8.004'	11°13.522'

Point	Latitude N	Longitude E
8	57°9.202'	11°17.358'
8	57°1.939'	11°16.417'
8	57°1.962'	11°14.827'
8	57°0.983'	11°14.342'
8	57°1.274'	11°10.035'
8	57°2.903'	11°6.783'
8	57°9.434'	11°17.472'
8	57°3.496'	11°7.083'
8	57°2.717'	11°11.757'
8	57°4.945'	11°9.468'
8	57°6.501'	11°10.111'
8	57°10.612'	11°11.461'
8	57°11.716'	11°11.244'
8	57°12.088'	11°11.741'
8	57°3.177'	11°6.659'
10	57°6.231'	11°8.031'
10	57°5.661'	11°7.912'
10	57°6.118'	11°6.363'
10	57°5.32'	11°6.254'
10	57°4.912'	11°6.315'
10	57°4.942'	11°7.2'
10	57°7.305'	11°6.688'
10	57°7.293'	11°5.893'
10	57°7.147'	11°7.866'
10	57°7.293'	11°5.893'
10	57°6.946'	11°5.845'
11	57°5.31'	10°59.197'
11	57°4.371'	10°56.279'
11	57°3.443'	10°58.93'
11	57°6.547'	11°1.968'
11	57°1.808'	10°58.496'
11	57°1.597'	10°57.823'

Point	Latitude N	Longitude E
11	57°2.366'	10°53.025'
11	57°4.236'	11°5.614'
11	57°2.764'	10°51.91'
11	57°7.571'	11°4.806'
11	57°7.936'	11°3.651'
11	57°7.953'	11°2.667'
11	57°7.198'	11°5.634'
11	57°6.366'	10°52.893'
11	57°4.98'	10°50.473'
11	57°3.356'	10°51.401'
11	57°7.443'	10°58.998'
11	57°7.198'	11°5.634'
11	57°6.471'	11°5.125'
11	57°6.751'	11°2.224'
11	57°3.535'	11°5.08'
11	57°4.354'	10°59.94'

**Area 1(7):** Habitat No 20, Natura 2000 Site No 20 (EU Code: DK00FX257) Havet omkring Nordre Rønner

Point	Latitude N	Longitude E
1	57°25.564'	11°1.008'
1	57°25.474'	11°1.727'
1	57°25.29'	11°1.947'
1	57°24.992'	11°1.863'
1	57°24.724'	11°1.233'
1	57°24.785'	11°0.981'
1	57°25.008'	11°0.467'
1	57°24.837'	11°0.331'
1	57°24.813'	11°0.153'
1	57°24.837'	10°59.992'
1	57°24.927'	10°59.909'
1	57°25.004'	10°59.935'
1	57°25.223'	11°0.27'
1	57°25.564'	11°1.008'

Point	Latitude N	Longitude E
1	57°25.12'	11°1.924'
17	57°20.061'	11°2.851'
17	57°19.734'	11°0.84'
17	57°19.812'	11°0.697'
17	57°19.891'	11°0.335'
17	57°19.621'	10°59.763'
17	57°19.398'	10°59.772'
17	57°19.174'	11°0.903'
17	57°19.579'	11°3.014'
17	57°19.776'	11°3.182'
17	57°19.912'	11°3.156'
17	57°20.061'	11°2.851'
18	57°22.145'	10°57.371'
18	57°20.103'	10°55.273'
18	57°22.57'	10°57.338'
18	57°22.66'	10°56.892'
18	57°21.115'	10°55.086'
18	57°22.634'	10°56.392'
18	57°19.757'	10°54.713'
18	57°20.042'	10°54.207'
18	57°22.512'	10°55.648'
18	57°21.238'	10°53.014'
18	57°21.634'	10°53.434'
18	57°22.151'	10°54.627'
18	57°21.263'	10°55.473'
18	57°21.169'	10°56.585'
18	57°20.831'	10°53.127'
19	57°22.957'	11°4.239'
19	57°22.64'	11°4.987'
19	57°21.687'	11°5.546'
19	57°21.85'	11°6.385'
19	57°21.559'	11°6.792'

Point	Latitude N	Longitude E
19	57°21.026'	11°6.641'
19	57°20.663'	11°6.423'
19	57°20.435'	11°6.035'
19	57°20.219'	11°4.913'
19	57°20.173'	11°3.355'
19	57°20.351'	11°1.386'
19	57°20.676'	10°59.222'
19	57°20.968'	10°59.072'
19	57°21.64'	10°59.792'
19	57°22.075'	10°58.079'
19	57°22.814'	10°57.873'
19	57°23.349'	10°58.116'
19	57°23.44'	10°59.169'
19	57°23.291'	11°1.892'
19	57°23.44'	10°59.169''



## ANNEX II

## 'ANNEX II

**Coordinates of Areas 2**

**Area 2(1):** Habitat No 166, Natura 2000 site No 191, (EU code: DK00VA248) Herthas Flak bubbling reef zone

Point	Latitude N	Longitude E
1B	57°38.334'	10°53.201'
2B	57°38.15'	10°52.931'
3B	57°38.253'	10°52.64'
4B	57°38.237'	10°52.15'
5B	57°38.32'	10°51.974'
6B	57°38.632'	10°51.82'
7B	57°38.839'	10°52.261'
8B	57°38.794'	10°52.36'
9B	57°38.334'	10°53.201'

**Area 2(2):** Habitat No 168, Natura 2000 site No 192, (EU code: DK00VA249) Læsø Trindel & Tønneberg Banke bubbling reef zone

Point	Latitude N	Longitude E
1B	57°27.496'	11°15.033'
2B	57°25.988'	11°17.323'
3B	57°25.946'	11°17.488'
4B	57°25.417'	11°18.524'
5B	57°25.377'	11°18.408'
6B	57°25.346'	11°18.172'
7B	57°25.330'	11°18.039'
8B	57°25.175'	11°17.481'
9B	57°24.928'	11°17.579'
10B	57°24.828'	11°17.366'
11B	57°24.891'	11°17.049'
12B	57°25.128'	11°17.118'
13B	57°25.249'	11°16.721'

Point	Latitude N	Longitude E
14B	57°25.211'	11°16.592'
15B	57°25.263'	11°16.177'
16B	57°25.170'	11°15.843'
17B	57°25.240'	11°15.549'
18B	57°26.861'	11°15.517'
19B	57°26.883'	11°14.998'
20B	57°27.496'	11°15.033'

**Area 2(3): BRATTEN 1.**

Point	Latitude N	Longitude E	Latitude N	Longitude E
1.1	58.54797	10.61234	58°32.87790'	10°36.74060'
1.2	58.54242	10.59708	58°32.54500'	10°35.82450'
1.3	58.57086	10.57829	58°34.25170'	10°34.69750'
1.4	58.57113	10.58584	58°34.26810'	10°35.15060'

**Area 2(4): BRATTEN 2.**

Point	Latitude N	Longitude E	Latitude N	Longitude E
2.1	58.58333	10.70000	58°35.00000'	10°42.00000'
2.2	58.56370	10.70000	58°33.82200'	10°42.00000'
2.3	58.56834	10.68500	58°34.10000'	10°41.10000'
2.4	58.58333	10.67333	58°35.00000'	10°40.40000'

**Area 2(5): BRATTEN 3.**

Point	Latitude N	Longitude E	Latitude N	Longitude E
3.1	58.55448	10.66622	58°33.26910'	10°39.97320'
3.2	58.53817	10.65876	58°32.29020'	10°39.52570'
3.3	58.56064	10.62589	58°33.63840'	10°37.55310'
3.4	58.58333	10.60196	58°35.00000'	10°36.11730'
3.5	58.58333	10.64007	58°35.00000'	10°38.40390'

**Area 2(6): BRATTEN 4.**

Point	Latitude N	Longitude E	Latitude N	Longitude E
4.1	58.41829	10.56322	58°25.09750'	10°33.79350'
4.2	58.44104	10.54711	58°26.46240'	10°32.82670'
4.3	58.46111	10.53893	58°27.66680'	10°32.33610'
4.4	58.49248	10.55864	58°29.54890'	10°33.51860'
4.5	58.47846	10.58575	58°28.70790'	10°35.14500'
4.6	58.45570	10.60806	58°27.34200'	10°36.48350'
4.7	58.42942	10.58963	58°25.76550'	10°35.37770'

**Area 2(7): BRATTEN 5.**

Point	Latitude N	Longitude E	Latitude N	Longitude E
5.1	58.46216	10.62166	58°27.72940'	10°37.29940'
5.2	58.48256	10.59473	58°28.95350'	10°35.68400'
5.3	58.50248	10.58245	58°30.14850'	10°34.94690'
5.4	58.50213	10.61104	58°30.12770'	10°36.66250'
5.5	58.47972	10.63392	58°28.78320'	10°38.03540'

**Area 2(8): BRATTEN 6.**

Point	Latitude N	Longitude E	Latitude N	Longitude E
6.1	58.45450	10.49373	58°27.26970'	10°29.62370'
6.2	58.46727	10.47881	58°28.03640'	10°28.72850'
6.3	58.48976	10.46582	58°29.38550'	10°27.94900'
6.4	58.49126	10.47395	58°29.47550'	10°28.43730'
6.5	58.47369	10.50004	58°28.42150'	10°30.00260'
6.6	58.45435	10.49995	58°27.26080'	10°29.99710'

**Area 2(9): BRATTEN 7A.**

Point	Latitude N	Longitude E	Latitude N	Longitude E
7A.1	58.42132	10.53168	58°25.27900'	10°31.90080'
7A.2	58.41075	10.51853	58°24.64520'	10°31.11190'
7A.3	58.41982	10.50999	58°25.18910'	10°30.59960'

Point	Latitude N	Longitude E	Latitude N	Longitude E
7A.4	58.44487	10.51291	58°26.69240'	10°30.77450'
7A.5	58.45257	10.52057	58°27.15410'	10°31.23410'
7A.6	58.44918	10.52936	58°26.95050'	10°31.76140'
7A.7	58.42423	10.52271	58°25.45370'	10°31.36260'

**Area 2(10): BRATTEN 7B.**

Point	Latitude N	Longitude E	Latitude N	Longitude E
7B.1	58.38556	10.51815	58°23.13340'	10°31.08930'
7B.2	58.39907	10.50486	58°23.94410'	10°30.29150'
7B.3	58.41075	10.51853	58°24.64520'	10°31.11190'
7B.4	58.42132	10.53168	58°25.27900'	10°31.90080'
7B.5	58.41613	10.54764	58°24.96810'	10°32.85830'
7B.6	58.38776	10.53394	58°23.26560'	10°32.03650'

**Area 2(11): BRATTEN 7C.**

Point	Latitude N	Longitude E	Latitude N	Longitude E
7C.1	58.32839	10.44780	58°19.70320'	10°26.86790'
7C.2	58.33196	10.43976	58°19.91750'	10°26.38560'
7C.3	58.34390	10.44579	58°20.63390'	10°26.74760'
7C.4	58.36412	10.46309	58°21.84690'	10°27.78530'
7C.5	58.39907	10.50486	58°23.94410'	10°30.29150'
7C.6	58.38556	10.51815	58°23.13340'	10°31.08930'
7C.7	58.38172	10.50243	58°22.90310'	10°30.14580'
7C.8	58.34934	10.46503	58°20.96020'	10°27.90180'
7C.9	58.33436	10.45233	58°20.06130'	10°27.13950'

**Area 2(12): BRATTEN 7D.**

Point	Latitude N	Longitude E	Latitude N	Longitude E
7D.1	58.32839	10.44780	58°19.70320'	10°26.86790'
7D.2	58.30802	10.43235	58°18.48120'	10°25.94100'
7D.3	58.31273	10.42636	58°18.76400'	10°25.58170'

Point	Latitude N	Longitude E	Latitude N	Longitude E
7D.4	58.32300	10.43560	58°19.38030'	10°26.13580'
7D.5	58.33196	10.43976	58°19.91750'	10°26.38560'

**Area 2(13): BRATTEN 7E.**

Point	Latitude N	Longitude E	Latitude N	Longitude E
7E.1	58.30802	10.43235	58°18.48120'	10°25.94100'
7E.2	58.30260	10.42276	58°18.15610'	10°25.36540'
7E.3	58.30642	10.41908	58°18.38510'	10°25.14470'
7E.4	58.31273	10.42636	58°18.76400'	10°25.58170'

**Area 2(14): BRATTEN 8.**

Point	Latitude N	Longitude E	Latitude N	Longitude E
8.1	58.35013	10.56697	58°21.00780'	10°34.01820'
8.2	58.35000	10.54678	58°21.00000'	10°32.80660'
8.3	58.36596	10.54941	58°21.95780'	10°32.96480'
8.4	58.36329	10.56736	58°21.79740'	10°34.04160'

**Area 2(15): BRATTEN 9A.**

Point	Latitude N	Longitude E	Latitude N	Longitude E
9A.1	58.28254	10.48633	58°16.95260'	10°29.17970'
9A.2	58.28185	10.46037	58°16.91100'	10°27.62230'
9A.3	58.32814	10.47828	58°19.68840'	10°28.69670'
9A.4	58.32314	10.49764	58°19.38860'	10°29.85840'

**Area 2(16): BRATTEN 9B.**

Point	Latitude N	Longitude E	Latitude N	Longitude E
9B.1	58.28254	10.49986	58°16.95260'	10°29.99170'
9B.2	58.30184	10.50257	58°18.11030'	10°30.15410'
9B.3	58.30128	10.51117	58°18.07690'	10°30.67040'
9B.4	58.28560	10.51374	58°17.13590'	10°30.82450'

**Area 2(17):** BRATTEN 10.

Point	Latitude N	Longitude E	Latitude N	Longitude E
10.1	58.40548	10.47122	58°24.32870'	10°28.27330'
10.2	58.39710	10.45111	58°23.82620'	10°27.06670'
10.3	58.41923	10.45140	58°25.15390'	10°27.08390'
10.4	58.43279	10.45575	58°25.96770'	10°27.34510'
10.5	58.41816	10.46972	58°25.08960'	10°28.18310'

**Area 2(18):** BRATTEN 11.

Point	Latitude N	Longitude E	Latitude N	Longitude E
11.1	58.44546	10.48585	58°26.72760'	10°29.15080'
11.2	58.43201	10.48224	58°25.92060'	10°28.93410'
11.3	58.44293	10.46981	58°26.57590'	10°28.18890'
11.4	58.46009	10.46709	58°27.60540'	10°28.02550'

**Area 2(19):** BRATTEN 12.

Point	Latitude N	Longitude E	Latitude N	Longitude E
12.1	58.31923	10.39146	58°19.15400'	10°23.48740'
12.2	58.33421	10.41007	58°20.05280'	10°24.60400'
12.3	58.32229	10.41228	58°19.33750'	10°24.73680'
12.4	58.30894	10.39258	58°18.53660'	10°23.55460'

**Area 2(20):** BRATTEN 13.

Point	Latitude N	Longitude E	Latitude N	Longitude E
13.1	58.53667	10.41500	58°32.20000'	10°24.90020'
13.2	58.55302	10.40684	58°33.18120'	10°24.41050'
13.3	58.55827	10.41840	58°33.49610'	10°25.10420'
13.4	58.54551	10.42903	58°32.73030'	10°25.74190'

**Area 2(21):** BRATTEN 14.

Point	Latitude N	Longitude E	Latitude N	Longitude E
14.1	58.26667	10.02858	58°16.00000'	10°1.71510'
14.2	58.51269	10.14490	58°30.76120'	10°8.69400'

Point	Latitude N	Longitude E	Latitude N	Longitude E
14.3	58.53608	10.18669	58°32.16510'	10°11.20140'
14.4	58.46886	10.23659	58°28.13140'	10°14.19520'
14.5	58.31137	10.26041	58°18.68210'	10°15.62490'
14.6	58.26667	10.16996	58°16.00000'	10°10.19740'

**Area 2(22):** Habitat No 169, Natura 2000 Site No 193 (EU Code: DK00VA250) Store Middelgrund bubbling reef zone

Point	Latitude N	Longitude E
B-2	56°33.544'	12°6.298'
B-2	56°33.409'	12°5.528'
B-2	56°33.335'	12°5.519'
B-2	56°33.265'	12°5.575'
B-2	56°33.383'	12°6.519'
B-2	56°33.476'	12°5.629'
B-2	56°33.544'	12°6.298'
B-2	56°33.517'	12°6.446'
B-2	56°33.443'	12°6.52'
B-2	56°33.331'	12°6.476'
B-2	56°33.292'	12°6.396'
B-2	56°33.224'	12°5.717'

**Area 2(23):** Habitat No 09, Natura 2000 Site No 09 (EU Code: DK00FX010) Strandenge på Læsø og havet syd herfor bubbling reef zone

Point	Latitude N	Longitude E
B-2	57°15.542'	10°45.194'
B-2	57°15.604'	10°45.344'
B-2	57°15.614'	10°45.557'
B-2	57°15.446'	10°45.761'
B-2	57°15.124'	10°45.67'
B-2	57°15.04'	10°45.438'
B-2	57°15.139'	10°45.208'
B-2	57°15.542'	10°45.194'
B-3	57°13.714'	10°46.124'

Point	Latitude N	Longitude E
B-3	57°13.788'	10°46.399'
B-3	57°13.53'	10°46.837'
B-3	57°13.421'	10°46.821'
B-3	57°13.233'	10°46.369'
B-3	57°13.225'	10°46.199'
B-3	57°13.305'	10°46.023'
B-3	57°13.714'	10°46.124'
B-4	57°13.175'	10°46.559'
B-4	57°13.298'	10°46.613'
B-4	57°13.37'	10°46.818'
B-4	57°13.286'	10°47.075'
B-4	57°13.115'	10°47.045'
B-4	57°13.069'	10°46.751'
B-5	57°15.382'	10°51.675'
B-5	57°15.132'	10°52.02'
B-5	57°15.382'	10°51.675'
B-5	57°15.401'	10°51.986'
B-5	57°15.271'	10°52.139'
B-5	57°15.13'	10°51.715'
B-5	57°15.246'	10°51.612'
B-6	57°15.146'	10°51.413'
B-6	57°15.265'	10°51.276'
B-6	57°15.276'	10°50.991'
B-6	57°15.007'	10°51.29'
B-6	57°15.276'	10°50.991'
B-6	57°15.123'	10°50.862'
B-6	57°15.011'	10°51.016'
B-9	57°7.285'	11°8.669'
B-9	57°7.256'	11°9.263'
B-9	57°6.929'	11°9.478'
B-9	57°6.675'	11°9.137'



Point	Latitude N	Longitude E
B-9	57°6.707'	11°8.498'
B-9	57°7.285'	11°8.669'
B-9	57°7.046'	11°8.343'
B-12	57°2.207'	10°57.537'
B-12	57°2.081'	10°57.168'
B-12	57°1.881'	10°57.05'
B-12	57°1.799'	10°57.111'
B-12	57°1.656'	10°57.457'
B-12	57°1.649'	10°57.5'
B-12	57°1.889'	10°58.494'
B-12	57°1.752'	10°58.311'
B-12	57°1.633'	10°57.929'
B-12	57°2.207'	10°57.537'
B-12	57°2.244'	10°58.141'
B-12	57°2.201'	10°58.248'
B-12	57°1.972'	10°58.528'
B-13	57°7.65'	11°2.894'
B-13	57°7.501'	11°3.03'
B-13	57°7.409'	11°3.539'
B-13	57°7.453'	11°3.718'
B-13	57°7.707'	11°3.935'
B-13	57°7.838'	11°3.837'
B-13	57°7.93'	11°3.614'
B-13	57°7.941'	11°3.373'
B-13	57°7.942'	11°3.31'
B-13	57°7.877'	11°3.093'
B-13	57°7.872'	11°3.077'
B-13	57°7.409'	11°3.258'
B-13	57°7.549'	11°3.894'
B-13	57°7.872'	11°3.077'
B-13	57°7.783'	11°2.965'
B-14	57°9.651'	11°16.75'

Point	Latitude N	Longitude E
B-14	57°9.202'	11°17.358'
B-14	57°9.528'	11°16.459'
B-14	57°9.348'	11°16.415'
B-14	57°9.528'	11°16.459'
B-14	57°9.649'	11°17.006'
B-14	57°9.434'	11°17.472'
B-14	57°9.615'	11°17.231'
B-14	57°9.182'	11°16.531'
B-14	57°9.094'	11°16.95'
B-15	57°7.089'	11°17.532'
B-15	57°7.014'	11°17.903'
B-15	57°6.837'	11°18.035'
B-15	57°6.683'	11°17.999'
B-15	57°6.522'	11°17.479'
B-15	57°6.605'	11°17.172'
B-15	57°6.698'	11°17.063'
B-15	57°6.778'	11°17.027'
B-15	57°6.793'	11°17.021'
B-15	57°6.905'	11°17.047'
B-15	57°7.033'	11°17.211'
B-15	57°6.57'	11°17.784'

**Area 2(24):** Habitat No 20, Natura 2000 Site No 20 (EU Code: DK00FX257) Havet omkring Nordre Rønner bubbling reef zone

Point	Latitude N	Longitude E
B-3	57°26.016'	10°59.043'
B-3	57°25.683'	10°58.337'
B-3	57°25.906'	10°58.09'
B-3	57°26.191'	10°58.652'
B-4	57°26.23'	10°59.318'
B-4	57°26.357'	10°59.266'
B-4	57°26.375'	10°58.909'
B-4	57°26.097'	10°59.228'

Point	Latitude N	Longitude E
B-4	57°26.375'	10°58.909'
B-4	57°26.225'	10°58.796'
B-4	57°26.113'	10°58.93'
B-5	57°25.681'	10°58.575'
B-5	57°25.545'	10°58.468'
B-5	57°25.39'	10°58.583'
B-5	57°25.364'	10°58.894'
B-5	57°25.515'	10°59.05'
B-5	57°25.659'	10°58.968'
B-5	57°25.681'	10°58.575'
B-6	57°25.441'	10°57.453'
B-6	57°25.608'	10°57.415'
B-6	57°25.688'	10°57.605'
B-6	57°25.523'	10°57.957'
B-6	57°25.408'	10°57.813'
B-6	57°25.608'	10°57.415'
B-6	57°25.663'	10°57.895'
B-10	57°24.973'	10°53.21'
B-10	57°24.54'	10°53.719'
B-10	57°24.973'	10°53.21'
B-10	57°24.988'	10°53.482'
B-10	57°24.733'	10°54.043'
B-10	57°24.581'	10°53.99'
B-10	57°24.804'	10°53.132'
B-11	57°25.064'	10°54.588'
B-11	57°24.852'	10°54.493'
B-11	57°24.781'	10°54.874'
B-11	57°24.924'	10°55.053'
B-11	57°25.068'	10°54.936'

Point	Latitude N	Longitude E
B-11	57°25.064'	10°54.588'
B-12	57°24.739'	10°58.133'
B-12	57°24.878'	10°58.216'
B-12	57°24.992'	10°57.798'
B-12	57°24.996'	10°58.095'
B-12	57°24.85'	10°57.68'
B-12	57°24.732'	10°57.833'
B-13	57°23.058'	10°56.857'
B-13	57°23.205'	10°56.485'
B-13	57°22.944'	10°56.445'
B-13	57°23.205'	10°56.485'
B-13	57°23.089'	10°56.289'
B-13	57°22.94'	10°56.712'
B-13	57°23.197'	10°56.754'
B-14	57°23.821'	10°56.317'
B-14	57°23.538'	10°56.582'
B-14	57°23.821'	10°56.317'
B-14	57°23.59'	10°56.302'
B-14	57°23.694'	10°56.23'
B-14	57°23.675'	10°56.756'
B-14	57°23.828'	10°56.661'
B-15	57°23.393'	10°51.3'
B-15	57°23.455'	10°51.039'
B-15	57°23.561'	10°50.998'
B-15	57°23.684'	10°51.09'
B-15	57°23.514'	10°51.538'
B-15	57°23.677'	10°51.428'
B-16	57°22.969'	10°49.591'
B-16	57°22.921'	10°49.501'
B-16	57°22.816'	10°49.487'
B-16	57°22.735'	10°49.619'
B-16	57°22.722'	10°49.734'

Point	Latitude N	Longitude E
B-16	57°22.761'	10°49.938'
B-16	57°22.919'	10°49.988'
B-16	57°22.971'	10°49.841'
B-16	57°22.993'	10°49.718'
B-16	57°22.866'	10°49.475'
B-16	57°22.768'	10°49.538'
B-16	57°22.993'	10°49.718'
B-20	57°26.397'	10°56.392'
B-20	57°26.404'	10°56.415'
B-20	57°26.413'	10°56.446'
B-20	57°26.618'	10°57.292'
B-20	57°26.555'	10°57.383'
B-20	57°26.344'	10°56.29'
B-20	57°26.379'	10°56.352'
B-20	57°26.184'	10°56.277'
B-20	57°26.582'	10°56.907'
B-20	57°26.085'	10°57.231'
B-20	57°26.413'	10°56.446'
B-20	57°26.645'	10°57.215'
B-20	57°26.652'	10°57.129'
B-20	57°26.648'	10°57.08'
B-20	57°26.64'	10°57.025'
B-20	57°26.621'	10°56.973'
B-20	57°26.422'	10°56.555'
B-20	57°26.355'	10°56.912'
B-20	57°26.527'	10°56.881'
B-20	57°26.418'	10°56.49'
B-20	57°26.388'	10°56.369'
B-21	57°23.075'	11°2.044'
B-21	57°23.243'	11°1.61'
B-21	57°23.295'	11°1.816'
B-21	57°23.298'	11°1.827'

Point	Latitude N	Longitude E
B-21	57°23.293'	11°1.849'
B-21	57°23.256'	11°2.034'
B-21	57°23.163'	11°2.085'
B-21	57°23.023'	11°1.885'
B-21	57°23.037'	11°1.684'
B-21	57°23.132'	11°1.592'
B-21	57°23.243'	11°1.61'
B-22	57°25.491'	11°0.852'
B-22	57°25.562'	11°1.005'
B-22	57°25.564'	11°1.008'
B-22	57°25.541'	11°1.188'
B-22	57°25.298'	11°1.417'
B-22	57°25.54'	11°1.198'
B-22	57°25.232'	11°1.019'
B-22	57°25.383'	11°0.818'
B-22	57°25.424'	11°1.389'
B-22	57°25.202'	11°1.239'
B-23	57°25.302'	11°0.479'
B-23	57°25.254'	11°0.698'
B-23	57°25.165'	11°0.746'
B-23	57°24.837'	10°59.992'
B-23	57°25.302'	11°0.479'
B-23	57°25.241'	11°0.31'
B-23	57°25.223'	11°0.27'
B-23	57°25.004'	10°59.935'
B-23	57°24.927'	10°59.909'
B-23	57°24.813'	11°0.153'
B-23	57°24.837'	11°0.331'
B-23	57°25.008'	11°0.467'
B-23	57°25.075'	11°0.729''

## ANNEX III

## ‘ANNEX III

**Coordinates of the marine protected area Bratten**

Point	Latitude N	Longitude E	Latitude N	Longitude E
1 NV	58.58333	10.27120	58°35.00000′	10°16.27200′
2 NO	58.58333	10.70000	58°35.00000′	10°42.00000′
3 SO	58.26667	10.70000	58°16.00000′	10°42.00000′
4 SV	58.26667	10.02860	58°16.00000′	10°1.71600′
5 V	58.5127	10.14490	58°30.76200′	10°8.69400′

**COMMISSION DELEGATED REGULATION (EU) 2017/1181****of 2 March 2017****amending Delegated Regulation (EU) 2017/117 establishing fisheries conservation measures for the protection of the marine environment in the Baltic Sea and repealing Delegated Regulation (EU) 2015/1778**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC <sup>(1)</sup>, and in particular Article 11(2) thereof,

Whereas:

- (1) Pursuant to Article 11 of Regulation (EU) No 1380/2013, Member States are empowered to adopt fisheries conservation measures in their waters that are necessary for the purpose of complying with their obligations under Union environmental legislation, including Article 6 of Council Directive 92/43/EEC <sup>(2)</sup> and Article 13(4) of Directive 2008/56/EC of the European Parliament and of the Council <sup>(3)</sup>.
- (2) Article 6 of Directive 92/43/EEC requires Member States to establish the necessary conservation measures for Special Areas of Conservation that correspond to the ecological requirements of those natural habitat types and species present on the sites as listed in the Annexes to that Directive. It also requires Member States to take appropriate steps to avoid, in the special areas of conservation, the deterioration of natural habitats and the habitats of species as well as significant disturbance of the species for which the areas have been designated.
- (3) Pursuant to Article 13(4) of Directive 2008/56/EC Member States are to adopt programmes of measures, including spatial protection measures that contribute to coherent and representative networks of marine protected areas, and adequately cover the diversity of the constituent ecosystems, such as special areas of conservation pursuant to the Habitats Directive, special protection areas pursuant to the Birds Directive <sup>(4)</sup>, and marine protected areas as agreed by the Community or Member States concerned in the framework of international or regional agreements to which they are parties.
- (4) Where a Member State considers that measures need to be adopted for the purpose of complying with its obligations under Union environmental legislation and other Member States have a direct management interest in the fishery to be affected by such measures, the Commission is empowered to adopt such measures by means of delegated acts upon a joint recommendation submitted by the interested Member States.
- (5) On 5 September 2016, the Commission adopted Delegated Regulation (EU) 2017/117 <sup>(5)</sup> establishing fisheries conservation measures for the protection of the marine environment in the Baltic Sea and repealing Commission Delegated Regulation (EU) 2015/1778 <sup>(6)</sup>.
- (6) In accordance with Article 11(3) of Regulation (EU) No 1380/2013, Denmark provided the Commission and Member States having direct managing interest with relevant information on certain additional measures required, including their rationale, scientific evidence in support and details on their practical implementation and enforcement.

<sup>(1)</sup> OJ L 354, 28.12.2013, p. 22.

<sup>(2)</sup> Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).

<sup>(3)</sup> Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive) (OJ L 164, 25.6.2008, p. 19).

<sup>(4)</sup> Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7).

<sup>(5)</sup> Commission Delegated Regulation (EU) 2017/117 of 5 September 2016 establishing fisheries conservation measures for the protection of the marine environment in the Baltic Sea and repealing Delegated Regulation (EU) 2015/1778 (OJ L 19, 25.1.2017, p. 1).

<sup>(6)</sup> Commission Delegated Regulation (EU) 2015/1778 of 25 June 2015 establishing fisheries conservation measures to protect reef zones in waters under the sovereignty of Denmark in the Baltic Sea and Kattegat (OJ L 259, 6.10.2015, p. 5).



- (7) On 30 November 2016 Denmark, Sweden, Germany and Poland submitted to the Commission a joint recommendation for fisheries conservation measures to protect reef structures in three additional Danish Natura 2000 sites in the Baltic Sea. That recommendation was submitted after having consulted the Baltic Sea Advisory Council.
- (8) The recommended measures comprise the prohibition of fishing activities with mobile bottom contacting gear in reef zones (under habitat type 1170) and the surrounding buffer zones.
- (9) Bottom fishing activity with mobile bottom contacting gear has a negative impact on reef habitats, as such activity affects both the reef structures and the biodiversity found at the reefs. Therefore the prohibition to fish with such gears in the relevant Danish reef areas, as set out in the joint recommendation, should be included in Delegated Regulation (EU) 2017/117.
- (10) The Scientific, Technical and Economic Committee for Fisheries (STECF) <sup>(1)</sup> states in its scientific advice of 6 December 2016 that the proposed conservation objectives within the special areas referred to in the joint recommendation cannot be fully achieved without appropriate measures to prevent fishing activity in the areas.
- (11) STECF identified some issues regarding the control and enforcement of the conservation measures in the sites concerned. Member States are required to adopt appropriate measures, allocate adequate resources and set up the structures necessary for ensuring control, inspection and enforcement of activities carried out within the scope of the common fisheries policy (CFP). This may include measures such as the requirement of submitting VMS positions with increased frequency by all vessels concerned or identifying the areas as high risk in the national control system based on risk management, addressing the concerns of STECF.
- (12) Denmark provided detailed information on the measures ensuring monitoring and control taking account the current level of fishing activity in these areas. These control measures involve sea going fisheries inspections and constant monitoring by the Danish fisheries monitoring centre through the risk based management system. Automatic identification system is also used to supplement VMS data.
- (13) It is important to ensure the assessment of the measures introduced by this Regulation, in particular as regards the control of compliance with fishing prohibitions. Therefore a further assessment should be performed by Denmark in order to ensure the compliance with prohibited fisheries at latest 18 months after this Regulation enters into force.
- (14) Delegated Regulation (EU) 2017/117 should be amended accordingly.
- (15) The fisheries conservation measures established by this Regulation are without prejudice to any other existing or future management measures aiming at the conservation of the sites concerned, including fisheries conservation measures,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

### **Amendment of Delegated Regulation (EU) 2017/117**

Delegated Regulation (EU) 2017/117 is amended as follows:

- (1) in Article 2, point (c) is deleted;
- (2) Article 5 is replaced by the following:

‘Article 5

#### **Review**

1. By 30 June 2017, Denmark, Germany and Sweden shall assess the implementation of the measures set out in Article 3 and 4 in areas 1 to 7 as defined in the Annex.

<sup>(1)</sup> 2016-12\_STECF 16-24 — JR for Natura 2000 sites under CFP art.11\_JRCxxx.pdf

2. By 31 July 2017, Denmark, Germany and Sweden shall submit to the Commission a summary report of the assessment referred to in paragraph 1.

3. By 31 October 2018, Denmark, Sweden, Germany and Poland shall assess the implementation of the measures set out in Article 3 and 4 in areas 8, 9 and 10 as defined in the Annex.

4. By 30 November 2018, Denmark, Sweden, Germany and Poland shall submit to the Commission a summary report of the assessment referred to in paragraph 3.;

(3) the Annex is replaced by the text set out in the Annex to this Regulation.

#### *Article 2*

#### **Entry into force**

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

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

Done at Brussels, 2 March 2017.

*For the Commission*

*The President*

Jean-Claude JUNCKER

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## ANNEX

## ‘ANNEX

Restricted Areas: Coordinates of stone reef protection zones

**Area 1:** Habitat No 205, Natura 2000 site No 205, (EU code: DK00VA304) Munkegrund

Point	Latitude N	Longitude E
1S	55°57.190'	10°51.690'
2S	55°57.465'	10°51.403'
3S	55°57.790'	10°51.477'
4S	55°57.976'	10°52.408'
5S	55°57.985'	10°54.231'
6S	55°58.092'	10°54.315'
7S	55°58.092'	10°57.432'
8S	55°57.920'	10°57.864'
9S	55°57.526'	10°57.861'
10S	55°56.895'	10°57.241'
11S	55°57.113'	10°53.418'
12S	55°57.050'	10°53.297'
13S	55°57.100'	10°52.721'
14S	55°57.275'	10°52.662'
15S	55°57.296'	10°52.435'
16S	55°57.399'	10°52.244'
17S	55°57.417'	10°52.116'
18S	55°57.251'	10°52.121'
19S	55°57.170'	10°51.919'
20S	55°57.190'	10°51.690'

**Area 2:** Habitat No 174, Natura 2000 site No 198, (EU code: DK00VA255) Hatterbarn

Point	Latitude N	Longitude E
1S	55°51.942'	10°49.294'
2S	55°52.186'	10°49.309'
3S	55°52.655'	10°49.509'
4S	55°52.676'	10°49.407'

Point	Latitude N	Longitude E
5S	55°52.892'	10°49.269'
6S	55°52.974'	10°49.388'
7S	55°53.273'	10°49.620'
8S	55°53.492'	10°50.201'
9S	55°53.451'	10°50.956'
10S	55°53.576'	10°51.139'
11S	55°53.611'	10°51.737'
12S	55°53.481'	10°52.182'
13S	55°53.311'	10°52.458'
14S	55°53.013'	10°52.634'
15S	55°52.898'	10°52.622'
16S	55°52.778'	10°52.335'
17S	55°52.685'	10°52.539'
18S	55°52.605'	10°52.593'
19S	55°52.470'	10°52.586'
20S	55°52.373'	10°52.724'
21S	55°52.286'	10°52.733'
22S	55°52.129'	10°52.572'
23S	55°52.101'	10°52.360'
24S	55°52.191'	10°52.169'
25S	55°51.916'	10°51.824'
26S	55°51.881'	10°51.648'
27S	55°51.970'	10°51.316'
28S	55°51.976'	10°51.064'
29S	55°52.325'	10°50.609'
30S	55°52.647'	10°50.687'
31S	55°52.665'	10°50.519'
32S	55°52.091'	10°50.101'
33S	55°51.879'	10°50.104'
34S	55°51.810'	10°49.853'
35S	55°51.790'	10°49.482'
36S	55°51.942'	10°49.294'

**Area 3:** Habitat No 172, Natura 2000 site No 196, (EU code: DK00VA253) Ryggen

Point	Latitude N	Longitude E
1S	55°37.974'	10°44.258'
2S	55°37.942'	10°45.181'
3S	55°37.737'	10°45.462'
4S	55°37.147'	10°44.956'
5S	55°36.985'	10°45.019'
6S	55°36.828'	10°44.681'
7S	55°36.521'	10°44.658'
8S	55°36.527'	10°43.575'
9S	55°37.163'	10°43.663'
10S	55°37.334'	10°43.889'
11S	55°37.974'	10°44.258'

**Area 4:** Habitat No 175, Natura 2000 site No 199, (EU code: DK00VA256) Broen

Point	Latitude N	Longitude E
1S	55°11.953'	11°0.089'
2S	55°12.194'	11°0.717'
3S	55°12.316'	11°0.782'
4S	55°12.570'	11°1.739'
5S	55°12.743'	11°1.917'
6S	55°12.911'	11°2.291'
7S	55°12.748'	11°2.851'
8S	55°12.487'	11°3.188'
9S	55°12.291'	11°3.088'
10S	55°12.274'	11°3.108'
11S	55°12.336'	11°3.441'
12S	55°12.023'	11°3.705'
13S	55°11.751'	11°2.984'
14S	55°11.513'	11°2.659'
15S	55°11.390'	11°2.269'
16S	55°11.375'	11°2.072'
17S	55°11.172'	11°1.714'
18S	55°11.069'	11°0.935'
19S	55°11.099'	11°0.764'

Point	Latitude N	Longitude E
20S	55°11.256'	11°0.588'
21S	55°11.337'	11°0.483'
22S	55°11.582'	11°0.251'
23S	55°11.603'	11°0.254'
24S	55°11.841'	11°0.033'
25S	55°11.953'	11°0.089'

**Area 5:** Habitat No 210, Natura 2000 site No 189, (EU code: DK007X079) Ertholmene

Point	Latitude N	Longitude E
1S	55°19.496'	15°9.290'
2S	55°20.441'	15°9.931'
3S	55°20.490'	15°10.135'
4S	55°20.284'	15°10.690'
5S	55°20.216'	15°10.690'
6S	55°20.004'	15°11.187'
7S	55°19.866'	15°11.185'
8S	55°19.596'	15°11.730'
9S	55°19.820'	15°12.157'
10S	55°19.638'	15°12.539'
11S	55°19.131'	15°12.678'
12S	55°18.804'	15°11.892'
13S	55°18.847'	15°10.967'
14S	55°19.445'	15°9.885'
15S	55°19.387'	15°9.717'
16S	55°19.496'	15°9.290'

**Area 6:** Habitat No 209, Natura 2000 site No 209, (EU code: DK00VA308) Davids Banke

Point	Latitude N	Longitude E
1S	55°20.167'	14°41.386'
2S	55°20.354'	14°40.754'
3S	55°21.180'	14°39.936'
4S	55°22.000'	14°39.864'
5S	55°22.331'	14°39.741'
6S	55°22.449'	14°39.579'

Point	Latitude N	Longitude E
7S	55°23.150'	14°39.572'
8S	55°23.299'	14°39.890'
9S	55°23.287'	14°40.793'
10S	55°23.011'	14°41.201'
11S	55°22.744'	14°41.206'
12S	55°22.738'	14°41.775'
13S	55°22.628'	14°42.111'
14S	55°22.203'	14°42.439'
15S	55°22.050'	14°42.316'
16S	55°21.981'	14°41.605'
17S	55°21.050'	14°41.818'
18S	55°20.301'	14°41.676'
19S	55°20.167'	14°41.386'

**Area 7:** Habitat No 212, Natura 2000 site No 212, (EU code: DK00VA310) Bakkebrædt & Bakkegrund

Point	Latitude N	Longitude E
1S	54°57.955'	14°44.869'
2S	54°58.651'	14°41.755'
3S	54°59.234'	14°41.844'
4S	54°59.458'	14°43.025'
5S	54°59.124'	14°44.441'
6S	54°59.034'	14°44.429'
7S	54°58.781'	14°45.240'
8S	54°58.298'	14°45.479'
9S	54°58.134'	14°45.406'
10S	54°57.955'	14°44.869'

**Area 8:** Habitat No 261, Natura 2000 Site No 252, (EU Code: DK00VA261) Adler Grund og Rønne Banke

Point	Latitude N	Longitude E
1	54°50.2'	14°22.77'
1	54°49.91'	14°22.5'
1	54°49.461'	14°21.831'
1	54°49.673'	14°21.203'
1	54°49.637'	14°21.172'

Point	Latitude N	Longitude E
1	54°49.229'	14°21.434'
1	54°49.075'	14°21.385'
1	54°48.736'	14°21.821'
1	54°48.324'	14°21.197'
1	54°48.321'	14°19.268'
1	54°48.368'	14°17.09'
1	54°48.233'	14°16.306'
1	54°48.262'	14°14.382'
1	54°47.997'	14°12.93'
1	54°48.802'	14°9.888'
1	54°58.281'	14°36.49'
1	54°56.959'	14°34.793'
1	54°56.816'	14°35.056'
1	54°50.283'	14°26.605'
1	54°50.368'	14°25.991'
1	54°50.479'	14°25.724'
1	54°50.586'	14°25.711'
1	54°50.655'	14°25.222'
1	54°50.573'	14°25.081'
1	54°50.599'	14°24.788'
1	54°50.704'	14°24.373'
1	54°50.553'	14°24.025'
1	54°50.576'	14°23.71'
1	54°50.735'	14°23.591'
1	54°50.778'	14°23.43'
1	54°50.898'	14°23.263'
1	54°51.248'	14°22.848'
1	54°51.607'	14°23.248'
1	54°51.733'	14°22.857'
1	54°51.174'	14°22.625'
1	54°50.784'	14°22.19'
1	54°50.561'	14°22.625'
1	54°51.407'	14°22.412'
1	54°54°.127'	14°21.359'
1	54°48.802'	14°9.888'



Point	Latitude N	Longitude E
1	54°50.52'	14°12.125'
1	54°49.028'	14°13.925'
1	54°50.832'	14°16.266'
1	54°50.608'	14°16.808'
1	54°59.354'	14°31.369'
1	54°54°.3'	14°22.661'
1	54°53.976'	14°23.554'
1	54°55.143'	14°25.105'
1	54°55.013'	14°26.378'
1	54°55.131'	14°26.576'
1	54°55.316'	14°28.098'
1	54°48.623'	14°10.252'
1	54°56.264'	14°28.778'
1	54°57.603'	14°30.03'
1	54°58.146'	14°28.954'
1	54°59.569'	14°30.82'
1	54°59.918'	14°32.115'
1	55°0.553'	14°30.644'
1	54°59.771'	14°29.605'
1	55°0.053'	14°29.042'
1	55°0.334'	14°29.386'
1	55°0.578'	14°28.837'
1	55°0.968'	14°29.355'
1	55°0.734'	14°29.839'
1	55°1.266'	14°30.639'
1	55°1.34'	14°31.374'
1	55°0.065'	14°33.739'
1	54°59.72'	14°33.79'
1	54°59.485'	14°34.193'
1	54°59.594'	14°35.129'
1	54°58.875'	14°36.417'
2	54°56.989'	14°20.483'
2	54°56.775'	14°21.031'
2	54°55.97'	14°20.005'
2	54°55.208'	14°19.918'

Point	Latitude N	Longitude E
2	54°54.614'	14°19.139'
2	54°54.842'	14°18.629'
2	54°55.423'	14°19.358'
2	54°56.232'	14°19.534'
2	54°56.989'	14°20.483'
3	54°59.065'	14°26.817'
3	54°57.764'	14°25.132'
3	54°57.984'	14°24.458'
3	54°57.971'	14°23.479'
3	54°57.233'	14°22.515'
3	54°57.285'	14°22.001'
3	54°57.922'	14°21.922'
3	54°58.045'	14°21.993'
3	54°58.098'	14°22.314'
3	54°57.983'	14°22.684'
3	54°58.736'	14°23.659'
3	54°58.606'	14°24.422'
3	54°58.706'	14°24.611'
3	54°58.485'	14°25.145'
3	54°59.305'	14°26.211'
3	54°59.065'	14°26.817'

**Area 9:** Habitat No 100, Natura 2000 Site No 116, (EU Code: DK008X190) Centrale Storebælt og Vresen

Point	Latitude N	Longitude E
1	55°25.438'	11°1.989'
1	55°25.601'	11°3.28'
1	55°24.903'	11°3.559'
1	55°24.649'	11°2.88'
1	55°24.439'	11°2.217'
1	55°25.119'	11°1.706'
1	55°25.438'	11°1.989'
1	55°24.619'	11°1.854'
2	55°25.419'	11°5.434'
2	55°25.184'	11°5.534'

Point	Latitude N	Longitude E
2	55°24.902'	11°5.54'
2	55°24.783'	11°5.26'
2	55°24.819'	11°5.086'
2	55°24.67'	11°4.593'
2	55°24.659'	11°4.042'
2	55°24.939'	11°3.703'
2	55°25.256'	11°4.045'
2	55°25.252'	11°4.428'
2	55°25.625'	11°4.901'
2	55°25.625'	11°4.901'
3	55°23.089'	11°0.437'
3	55°23.314'	11°0.64'
3	55°23.276'	11°1.024'
3	55°22.98'	11°1.046'
3	55°22.965'	11°0.658'
3	55°23.257'	11°0.451'
3	55°23.314'	11°0.64'
4	55°22.624'	11°0.355'
4	55°22.359'	11°0.259'
4	55°22.176'	10°59.661'
4	55°22.279'	10°59.321'
4	55°22.479'	10°59.184'
4	55°22.78'	10°59.978'
4	55°22.479'	10°59.184'
5	55°22.187'	11°6.828'
5	55°23.241'	11°5.892'
5	55°23.232'	11°6.815'
5	55°22.211'	11°6.834'
5	55°22.792'	11°6.766'
5	55°22.499'	11°7.033'
5	55°22.154'	11°6.932'
5	55°22.139'	11°6.882'
5	55°22.162'	11°6.84'
5	55°22.232'	11°6.814'
5	55°22.227'	11°6.789'

Point	Latitude N	Longitude E
5	55°22.195'	11°6.762'
5	55°22.107'	11°6.651'
5	55°22.049'	11°6.583'
5	55°21.901'	11°6.091'
5	55°21.759'	11°5.742'
5	55°21.822'	11°4.958'
5	55°21.98'	11°4.822'
5	55°22.383'	11°5.326'
5	55°22.671'	11°5.463'
5	55°22.87'	11°5.831'
5	55°23.241'	11°5.892'
6	55°23.116'	11°4.313'
6	55°23.116'	11°5.023'
6	55°22.97'	11°5.376'
6	55°22.783'	11°5.465'
6	55°22.4'	11°5.251'
6	55°22.211'	11°4.987'
6	55°22.085'	11°4.631'
6	55°21.815'	11°3.811'
6	55°21.865'	11°3.393'
6	55°21.955'	11°3.286'
6	55°22.125'	11°3.286'
6	55°22.426'	11°3.522'
6	55°22.771'	11°3.846'
6	55°23.116'	11°4.313'
6	55°22.56'	11°5.372'
7	55°20.632'	11°6.389'
7	55°20.646'	11°6.342'
7	55°20.638'	11°6.342'
7	55°20.616'	11°6.469'
7	55°20.514'	11°6.85'
7	55°20.61'	11°6.83'
7	55°20.627'	11°6.794'
7	55°20.613'	11°6.506'
7	55°20.682'	11°6.403'

Point	Latitude N	Longitude E
7	55°20.525'	11°6.027'
7	55°20.225'	11°5.564'
7	55°20.103'	11°5.659'
7	55°20.028'	11°5.906'
7	55°20.223'	11°6.516'
7	55°20.682'	11°6.403'
7	55°20.68'	11°6.641'
7	55°20.651'	11°6.771'
7	55°20.633'	11°6.767'
7	55°20.62'	11°6.51'
7	55°20.336'	11°5.695'
7	55°20.635'	11°6.49'
7	55°20.639'	11°6.446'
7	55°20.63'	11°6.436'
7	55°20.647'	11°6.362'
8	55°21.056'	10°56.562'
8	55°21.92'	10°59.68'
8	55°22.028'	10°59.909'
8	55°22.219'	11°0.087'
8	55°20.379'	10°58.507'
8	55°20.421'	10°58.837'
8	55°20.49'	10°59.106'
8	55°20.537'	10°59.268'
8	55°20.506'	10°59.374'
8	55°20.444'	10°59.385'
8	55°20.72'	11°0.843'
8	55°20.951'	11°1.385'
8	55°21.374'	11°1.777'
8	55°22.182'	11°2.048'
8	55°22.637'	11°1.948'
8	55°22.807'	11°1.442'
8	55°22.535'	11°0.65'
8	55°22.219'	11°0.087'
8	55°19.712'	10°59.605'
8	55°20.707'	10°55.772'

Point	Latitude N	Longitude E
8	55°20.044'	10°55.351'
8	55°19.074'	10°55.587'
8	55°19.01'	10°55.724'
8	55°18.926'	10°57.284'
8	55°18.978'	10°59.081'
8	55°20.044'	10°59.317'
8	55°19.963'	10°59.031'
8	55°19.878'	10°58.604'
8	55°19.765'	10°58.204'
8	55°19.669'	10°57.572'
8	55°19.673'	10°57.297'
8	55°19.475'	10°56.801'
8	55°19.53'	10°56.681'
8	55°19.683'	10°57.012'
8	55°19.784'	10°57.181'
8	55°19.882'	10°57.508'
8	55°20.129'	10°57.805'
8	55°20.382'	10°58.341'
10	55°19.539'	11°7.846'
10	55°19.464'	11°8.143'
10	55°19.348'	11°8.54'
10	55°19.237'	11°8.9'
10	55°19.249'	11°8.982'
10	55°19.134'	11°9.283'
10	55°19.063'	11°9.396'
10	55°18.886'	11°9.591'
10	55°18.843'	11°9.67'
10	55°18.724'	11°9.841'
10	55°17.958'	11°8.211'
10	55°17.881'	11°8.862'
10	55°17.714'	11°9.281'
10	55°17.648'	11°9.861'
10	55°17.477'	11°10.315'
10	55°17.239'	11°10.827'
10	55°17.114'	11°11.133'

Point	Latitude N	Longitude E
10	55°16.854'	11°11.197'
10	55°16.766'	11°11.324'
10	55°16.53'	11°11.452'
10	55°16.095'	11°12.308'
10	55°16.08'	11°12.453'
10	55°16.169'	11°12.654'
10	55°16.161'	11°12.723'
10	55°16.033'	11°12.904'
10	55°16.007'	11°13.144'
10	55°16.543'	11°13.644'
10	55°16.902'	11°13.73'
10	55°17.096'	11°13.51'
10	55°17.076'	11°13.064'
10	55°17.545'	11°13.235'
10	55°17.587'	11°13.017'
10	55°17.673'	11°12.6'
10	55°17.845'	11°12.322'
10	55°17.929'	11°12.155'
10	55°18.036'	11°11.762'
10	55°18.08'	11°11.607'
10	55°18.129'	11°11.477'
10	55°18.265'	11°11.005'
10	55°18.326'	11°10.851'
10	55°18.315'	11°10.591'
10	55°18.361'	11°10.416'
10	55°18.527'	11°10.156'
10	55°18.616'	11°10.002'
10	55°17.988'	11°11.987'
10	55°19.539'	11°7.846'
10	55°19.847'	11°6.941'
10	55°19.653'	11°5.987'
10	55°19.486'	11°5.827'
10	55°19.338'	11°5.889'
10	55°19.032'	11°6.271'
10	55°18.7'	11°6.298'

Point	Latitude N	Longitude E
10	55°18.633'	11°6.171'
10	55°18.155'	11°6.263'
10	55°18.056'	11°6.409'
10	55°17.965'	11°6.661'
10	55°17.843'	11°6.743'
10	55°17.755'	11°6.86'
10	55°17.682'	11°7.066'
10	55°17.682'	11°7.356'
10	55°17.736'	11°7.553'
10	55°17.835'	11°7.591'
10	55°17.937'	11°7.587'
12	55°13.037'	10°54.564'
12	55°13.099'	10°54.201'
12	55°12.975'	10°53.846'
12	55°12.738'	10°53.308'
12	55°12.528'	10°54.474'
12	55°12.431'	10°52.92'
12	55°12.291'	10°52.964'
12	55°12.204'	10°53.563'
12	55°13.099'	10°54.201'
12	55°12.27'	10°54.034'
12	55°12.934'	10°54.608'
13	55°12.001'	10°52.671'
13	55°11.988'	10°54.097'
13	55°11.946'	10°54.239'
13	55°11.675'	10°54.439'
13	55°11.172'	10°54.336'
13	55°11.088'	10°54.182'
13	55°11.241'	10°53.372'
13	55°11.541'	10°53.384'
13	55°11.584'	10°52.825'
13	55°11.107'	10°52.819'
13	55°10.944'	10°53.173'
13	55°10.431'	10°53.477'
13	55°10.324'	10°53.338'



Point	Latitude N	Longitude E
13	55°10.304'	10°52.808'
13	55°10.069'	10°52.688'
13	55°9.994'	10°52.053'
13	55°10.484'	10°51.781'
13	55°10.689'	10°51.872'
13	55°11.711'	10°51.901'
13	55°12.001'	10°52.671'
13	55°9.919'	10°52.511'
14	55°8.442'	10°53.135'
14	55°7.312'	10°53.026'
14	55°7.339'	10°52.24'
14	55°6.665'	10°52.011'
14	55°6.458'	10°51.873'
14	55°6.425'	10°51.644'
14	55°6.49'	10°51.431'
14	55°7.913'	10°51.552'
14	55°8.542'	10°51.629'
14	55°8.762'	10°51.987'
14	55°8.754'	10°52.343'
14	55°8.442'	10°53.135'
15	55°23.281'	10°45.868'
15	55°23.438'	10°46.899'
15	55°22.436'	10°48.264'
15	55°21.686'	10°48.96'
15	55°21.508'	10°50.307'
15	55°20.441'	10°51.066'
15	55°20.104'	10°51.73'
15	55°19.095'	10°52.473'
15	55°18.718'	10°52.328'
15	55°18.642'	10°51.7'
15	55°18.91'	10°51.124'
15	55°19.513'	10°50.867'
15	55°19.65'	10°49.615'
15	55°19.861'	10°48.606'
15	55°20.471'	10°48.321'

Point	Latitude N	Longitude E
15	55°21.046'	10°47.795'
15	55°21.568'	10°47.536'
15	55°22.25'	10°46.695'
15	55°22.534'	10°46.353'
15	55°22.816'	10°46.344'
15	55°22.948'	10°46.253'
15	55°23.281'	10°45.868'
16	55°17.047'	10°49.155'
16	55°16.79'	10°48.307'
16	55°15.961'	10°50.277'
16	55°15.729'	10°50.6'
16	55°15.396'	10°50.281'
16	55°15.076'	10°49.59'
16	55°14.69'	10°49.923'
16	55°14.26'	10°49.912'
16	55°13.484'	10°49.512'
16	55°13.171'	10°49.238'
16	55°13.008'	10°48.759'
16	55°13.052'	10°48.589'
16	55°13.187'	10°48.565'
16	55°13.412'	10°48.691'
16	55°13.514'	10°48.719'
16	55°13.598'	10°48.78'
16	55°13.696'	10°48.876'
16	55°13.756'	10°48.89'
16	55°13.844'	10°48.866'
16	55°13.876'	10°48.941'
16	55°14.054'	10°48.763'
16	55°14.243'	10°48.657'
16	55°14.308'	10°48.555'
16	55°14.365'	10°48.506'
16	55°14.61'	10°48.945'
16	55°15.371'	10°49.001'
16	55°15.408'	10°48.532'
16	55°15.772'	10°47.882'

Point	Latitude N	Longitude E
16	55°16.2'	10°47.656'
16	55°16.614'	10°47.216'
16	55°16.75'	10°47.263'
16	55°17.035'	10°47.428'
16	55°17.137'	10°47.465'
16	55°17.217'	10°47.533'
16	55°17.277'	10°47.53'
16	55°17.317'	10°47.474'
16	55°17.563'	10°47.673'
16	55°17.654'	10°48.554'
16	55°17.615'	10°49.147'
16	55°17.27'	10°49.375'
16	55°17.047'	10°49.155'
17	55°15.901'	10°53.294'
17	55°15.897'	10°53.739'
17	55°16.516'	10°54.748'
17	55°17.165'	10°55.712'
17	55°17.195'	10°56.657'
17	55°17.043'	10°57.42'
17	55°16.717'	10°57.427'
17	55°16.223'	10°56.627'
17	55°15.216'	10°55.738'
17	55°14.488'	10°55.598'
17	55°14.255'	10°55.435'
17	55°13.955'	10°54.872'
17	55°14.014'	10°54.435'
17	55°14.277'	10°54.294'
17	55°14.315'	10°53.183'
17	55°14.404'	10°52.716'
17	55°15.081'	10°52.435'
17	55°15.504'	10°52.472'
17	55°15.901'	10°53.294'
18	55°19.153'	11°1.41'
18	55°19.153'	11°1.405'
18	55°18.706'	11°1.361'

Point	Latitude N	Longitude E
18	55°18.556'	11°1.38'
18	55°18.54'	11°1.382'
18	55°18.407'	10°59.519'
18	55°18.083'	10°58.811'
18	55°17.231'	10°57.913'
18	55°17.31'	10°56.894'
18	55°17.792'	10°55.498'
18	55°17.345'	10°55.539'
18	55°17.204'	10°55.094'
18	55°16.45'	10°54.649'
18	55°16.272'	10°54.307'
18	55°16.034'	10°53.54'
18	55°16.043'	10°53.107'
18	55°16.312'	10°52.573'
18	55°16.321'	10°51.505'
18	55°16.48'	10°50.971'
18	55°16.719'	10°50.963'
18	55°17.598'	10°51.706'
18	55°17.712'	10°51.637'
18	55°17.756'	10°51.339'
18	55°18.016'	10°51.184'
18	55°17.996'	10°50.625'
18	55°18.057'	10°50.283'
18	55°18.209'	10°49.881'
18	55°18.337'	10°49.638'
18	55°18.446'	10°49.432'
18	55°18.71'	10°49.284'
18	55°19.429'	10°49.555'
18	55°19.456'	10°49.88'
18	55°18.953'	10°50.561'
18	55°18.626'	10°50.886'
18	55°18.339'	10°53.146'
18	55°18.587'	10°53.85'
18	55°19.2'	10°54.345'
18	55°19.368'	10°54.926'

Point	Latitude N	Longitude E
18	55°19.129'	10°55.437'
18	55°18.633'	10°55.848'
18	55°18.749'	10°58.729'
18	55°18.67'	10°59.198'
18	55°19.262'	11°0.072'
18	55°20.109'	11°0.134'
18	55°20.163'	11°0.469'
18	55°19.793'	11°1.058'
18	55°19.185'	11°1.404'
18	55°19.153'	11°1.41'
19	55°12.521'	10°48.713'
19	55°12.66'	10°48.627'
19	55°12.612'	10°49.461'
19	55°12.028'	10°49.661'
19	55°11.588'	10°49.552'
19	55°11.513'	10°49.361'
19	55°11.598'	10°49.005'
19	55°11.744'	10°48.931'
19	55°12.172'	10°48.956'
19	55°12.25'	10°48.747'
19	55°12.322'	10°48.752'
19	55°12.398'	10°48.755'
19	55°12.464'	10°48.707'
19	55°12.509'	10°48.678'
19	55°12.521'	10°48.713'
21	55°11.213'	10°49.51'
21	55°11.138'	10°50.719'
21	55°10.916'	10°51.079'
21	55°10.626'	10°51.187'
21	55°9.675'	10°50.936'
21	55°9.479'	10°50.754'
21	55°9.476'	10°49.829'
21	55°10.234'	10°48.014'
21	55°10.256'	10°48.051'
21	55°11.213'	10°49.51'

Point	Latitude N	Longitude E
21	55°11.177'	10°49.151'
21	55°10.847'	10°48.427'
21	55°10.816'	10°48.379'
21	55°10.719'	10°48.362'
21	55°10.669'	10°48.285'
21	55°10.475'	10°48.162'
21	55°10.339'	10°48.111'
22	55°14.799'	11°10.2'
22	55°15.844'	11°10.527'
22	55°15.044'	11°10.252'
22	55°16.2'	11°8.367'
22	55°16.768'	11°8.485'
22	55°15.204'	11°10.346'
22	55°14.917'	11°10.106'
22	55°14.446'	11°8.476'
22	55°16.484'	11°8.142'
22	55°15.684'	11°8.295'
22	55°13.227'	11°9.632'
22	55°13.149'	11°9.334'
22	55°13.702'	11°8.196'
22	55°16.768'	11°8.485'
22	55°16.551'	11°9.587'
23	55°14.471'	11°6.497'
23	55°15.696'	11°6.903'
23	55°15.987'	11°6.678'
23	55°15.927'	11°6.109'
23	55°15.683'	11°5.663'
23	55°14.974'	11°5.842'
23	55°14.502'	11°6.306'
23	55°14.49'	11°6.317'
23	55°14.49'	11°6.317'
23	55°15.907'	11°5.482'
23	55°15.162'	11°7.045'
23	55°15.36'	11°6.988'
23	55°15.052'	11°6.967'

Point	Latitude N	Longitude E
23	55°15.008'	11°6.705'
23	55°14.73'	11°6.849'
24	55°16.004'	11°7.717'
24	55°15.922'	11°7.401'
24	55°15.963'	11°7.048'
24	55°16.19'	11°6.895'
24	55°16.578'	11°6.822'
24	55°16.601'	11°7.41'
24	55°16.578'	11°6.822'
24	55°16.422'	11°7.753'
24	55°16.19'	11°7.898'
25	55°17.387'	11°7.5'
25	55°17.225'	11°6.722'
25	55°16.608'	11°6.803'
25	55°17.108'	11°7.79'
25	55°17.225'	11°6.722'
25	55°17.232'	11°7.807'
25	55°16.67'	11°7.181'
25	55°16.779'	11°6.532'
26	55°11.208'	11°8.312'
26	55°11.336'	11°8.546'
26	55°11.466'	11°8.478'
26	55°11.584'	11°8.192'
26	55°11.594'	11°8.074'
26	55°11.545'	11°7.839'
26	55°11.336'	11°7.839'
26	55°11.545'	11°7.839'
27	55°12.832'	11°8.739'
27	55°12.918'	11°8.519'
27	55°12.522'	11°9.001'
27	55°12.818'	11°8.16'
27	55°12.907'	11°8.258'
27	55°12.918'	11°8.519'
27	55°12.45'	11°8.991'
27	55°12.371'	11°8.858'

Point	Latitude N	Longitude E
27	55°12.351'	11°8.707'
27	55°12.388'	11°8.532'
27	55°12.523'	11°8.438'
27	55°12.707'	11°8.117'
27	55°12.74'	11°8.871'
28	55°13.515'	11°6.869'
28	55°13.519'	11°6.868'
28	55°14.309'	11°6.652'
28	55°14.311'	11°6.651'
28	55°14.276'	11°6.793'
28	55°14.06'	11°7.176'
28	55°13.781'	11°7.32'
28	55°13.623'	11°7.281'
28	55°13.52'	11°7.074'
28	55°13.515'	11°6.869'
29	55°11.712'	11°2.469'
29	55°11.707'	11°2.916'
29	55°12.211'	11°2.56'
29	55°12.756'	11°2.064'
29	55°13.506'	11°2.685'
29	55°14.132'	11°4.408'
29	55°14.132'	11°4.408'
29	55°14.174'	11°5.053'
29	55°14.119'	11°5.172'
29	55°13.845'	11°5.486'
29	55°13.238'	11°5.52'
29	55°12.863'	11°5.161'
29	55°12.681'	11°5.349'
29	55°12.439'	11°5.275'
29	55°12.283'	11°4.904'
29	55°12.123'	11°4.836'
29	55°12.079'	11°4.703'
29	55°11.665'	11°2.827'
29	55°11.634'	11°2.708'
30	55°10.661'	11°3.627'



Point	Latitude N	Longitude E
30	55°11.822'	11°6.151'
30	55°11.741'	11°5.371'
30	55°11.501'	11°4.037'
30	55°11.374'	11°3.746'
30	55°10.86'	11°3.558'
30	55°12.075'	11°6.32'
30	55°10.628'	11°3.878'
30	55°11.079'	11°5.423'
30	55°10.893'	11°5.851'
30	55°10.889'	11°6.753'
30	55°11.513'	11°7.505'
30	55°11.574'	11°7.507'
30	55°11.574'	11°7.507'
30	55°11.81'	11°7.802'
30	55°12.075'	11°6.32'
30	55°13.387'	11°6.859'
30	55°13.397'	11°6.863'
30	55°13.366'	11°7.055'
30	55°13.219'	11°7.528'
30	55°12.743'	11°8.047'
30	55°11.882'	11°7.928'
33	55°10.52'	11°0.624'
33	55°9.891'	10°56.303'
33	55°9.835'	10°56.615'
33	55°9.651'	10°56.891'
33	55°9.493'	10°57.265'
33	55°9.355'	10°57.346'
33	55°9.383'	10°59.387'
33	55°9.419'	10°59.402'
33	55°9.509'	10°59.432'
33	55°9.761'	10°59.518'
33	55°10.084'	10°59.832'
33	55°10.301'	11°0.194'
33	55°10.35'	11°0.271'
33	55°10.566'	11°0.25'

Point	Latitude N	Longitude E
33	55°10.675'	11°0.948'
33	55°10.885'	10°55.558'
33	55°11.174'	10°55.765'
33	55°9.807'	10°56.235'
33	55°12.186'	10°58.317'
33	55°12.329'	10°59.308'
33	55°11.837'	11°0.701'
33	55°11.229'	11°1.175'
33	55°10.675'	11°0.948'
33	55°11.904'	10°57.704'
34	55°9.411'	11°3.202'
34	55°9.411'	11°2.46'
34	55°9.676'	11°2.082'
34	55°9.383'	11°1.07'
34	55°9.39'	10°59.871'
34	55°9.991'	11°3.159'
34	55°9.866'	11°0.298'
34	55°10.451'	11°1.635'
34	55°10.501'	11°2.061'
34	55°10.276'	11°2.795'
34	55°9.39'	10°59.871'
34	55°9.587'	11°3.423'
34	55°9.515'	10°59.983'
35	55°20.698'	11°5.781'
35	55°20.501'	11°5.489'
35	55°19.429'	11°4.654'
35	55°18.993'	11°4.615'
35	55°18.847'	11°4.228'
35	55°18.904'	11°3.106'
35	55°18.823'	11°3.041'
35	55°20.109'	11°3.973'
35	55°18.823'	11°3.041'
35	55°18.872'	11°2.921'
35	55°19.173'	11°2.188'
35	55°19.162'	11°1.756'

Point	Latitude N	Longitude E
35	55°19.195'	11°1.75'
35	55°19.674'	11°1.496'
35	55°19.793'	11°1.681'
35	55°20.048'	11°1.664'
35	55°20.365'	11°1.713'
35	55°20.817'	11°1.873'
35	55°21.281'	11°2.069'
35	55°21.423'	11°3.756'
35	55°21.639'	11°5.288'
35	55°21.429'	11°6.001'
35	55°21.349'	11°5.918'
35	55°21.119'	11°5.624'
35	55°21.084'	11°5.633'
35	55°21.04'	11°5.628'
35	55°20.991'	11°5.667'
35	55°20.964'	11°5.667'
35	55°20.903'	11°5.631'
35	55°20.814'	11°5.537'
35	55°20.796'	11°5.613'
35	55°20.758'	11°5.667'
35	55°20.736'	11°5.715'
35	55°20.705'	11°5.766'

**Area 10:** Habitat No 173, Natura 2000 Site No 197, (EU Code: DK00VA254) Flensborg Fjord, Bredgrund og farvandet omkring Als

Point	Latitude N	Longitude E
2	54°53.509'	9°46.189'
2	54°53.686'	9°45.822'
2	54°54.227'	9°46.743'
2	54°54.056'	9°47.246'
2	54°53.788'	9°47.19'
2	54°53.647'	9°47.665'
2	54°53.175'	9°47.547'
2	54°53.239'	9°47.288'
2	54°53.509'	9°46.189'
3	54°53.037'	9°44.738'

Point	Latitude N	Longitude E
3	54°53.034'	9°45.098'
3	54°52.581'	9°45.493'
3	54°52.313'	9°45.144'
3	54°52.304'	9°44.662'
3	54°52.405'	9°44.49'
3	54°52.551'	9°44.514'
3	54°52.701'	9°44.481'
3	54°52.814'	9°44.46'
3	54°53.037'	9°44.738'
4	54°52.09'	9°44.886'
4	54°52.164'	9°45.97'
4	54°51.927'	9°46.449'
4	54°51.774'	9°46.719'
4	54°51.576'	9°47.24'
4	54°51.49'	9°47.397'
4	54°51.374'	9°47.565'
4	54°51.319'	9°47.574'
4	54°51.201'	9°47.734'
4	54°51.167'	9°47.772'
4	54°51.161'	9°47.917'
4	54°51.148'	9°47.979'
4	54°51.117'	9°48.044'
4	54°51.086'	9°48.079'
4	54°50.948'	9°48.13'
4	54°50.939'	9°48.149'
4	54°50.918'	9°48.175'
4	54°50.899'	9°48.193'
4	54°50.665'	9°48.391'
4	54°50.612'	9°48.374'
4	54°50.572'	9°48.345'
4	54°50.541'	9°48.294'
4	54°50.525'	9°48.24'
4	54°50.5'	9°48.096'
4	54°50.498'	9°48.028'
4	54°50.436'	9°47.909'

Point	Latitude N	Longitude E
4	54°50.351'	9°47.861'
4	54°50.318'	9°47.83'
4	54°50.254'	9°47.679'
4	54°50.242'	9°47.609'
4	54°50.24'	9°47.551'
4	54°50.22'	9°47.443'
4	54°50.217'	9°47.377'
4	54°50.24'	9°47.234'
4	54°50.252'	9°46.969'
4	54°50.147'	9°46.907'
4	54°50.04'	9°45.967'
4	54°50.07'	9°46.089'
4	54°50.099'	9°46.164'
4	54°50.13'	9°46.21'
4	54°50.107'	9°46.381'
4	54°50.073'	9°46.522'
4	54°50.067'	9°46.599'
4	54°50.091'	9°46.783'
4	54°50.106'	9°46.841'
4	54°50.809'	9°45.451'
4	54°52.09'	9°44.886'
4	54°51.914'	9°44.953'
4	54°51.734'	9°45.508'
4	54°51.178'	9°45.611'
4	54°51.02'	9°45.725'
4	54°50.937'	9°45.662'
4	54°50.384'	9°45.183'
4	54°50.22'	9°44.71'
4	54°50.184'	9°44.392'
4	54°50.116'	9°44.377'
4	54°50.005'	9°44.45'
4	54°49.964'	9°44.515'
4	54°49.94'	9°44.607'
4	54°49.878'	9°44.654'
4	54°49.846'	9°44.705'

Point	Latitude N	Longitude E
4	54°49.83′	9°44.805′
4	54°49.822′	9°44.904′
4	54°49.825′	9°45.043′
4	54°49.852′	9°45.167′
4	54°49.865′	9°45.205′
4	54°49.871′	9°45.252′
4	54°49.892′	9°45.332′
4	54°49.934′	9°45.38′
4	54°49.961′	9°45.44′
4	54°49.964′	9°45.496′
4	54°50.005′	9°45.698′
4	54°50.044′	9°45.778′
4	54°50.033′	9°45.902′
5	54°50.845′	9°52.297′
5	54°50.789′	9°52.249′
5	54°50.763′	9°52.206′
5	54°50.688′	9°51.99′
5	54°50.617′	9°51.601′
5	54°50.586′	9°51.244′
5	54°50.584′	9°51.162′
5	54°50.605′	9°51.077′
5	54°50.393′	9°49.586′
5	54°50.428′	9°49.548′
5	54°50.46′	9°49.534′
5	54°50.526′	9°49.535′
5	54°51.514′	9°52.659′
5	54°50.579′	9°49.494′
5	54°50.641′	9°49.416′
5	54°50.691′	9°49.392′
5	54°50.747′	9°49.373′
5	54°50.79′	9°49.384′
5	54°50.872′	9°49.45′
5	54°51.007′	9°49.483′
5	54°51.087′	9°49.459′
5	54°51.131′	9°49.47′

Point	Latitude N	Longitude E
5	54°51.444'	9°49.704'
5	54°50.934'	9°52.32'
5	54°51.04'	9°53.093'
5	54°51.025'	9°52.244'
5	54°51.032'	9°52.311'
5	54°51.062'	9°52.402'
5	54°51.005'	9°52.497'
5	54°50.894'	9°52.324'
5	54°50.989'	9°52.601'
5	54°51.013'	9°52.736'
5	54°51.014'	9°52.844'
5	54°51.046'	9°52.971'
5	54°50.657'	9°50.869'
5	54°51.035'	9°53.181'
5	54°51.029'	9°53.316'
5	54°50.967'	9°53.368'
5	54°50.922'	9°53.438'
5	54°50.905'	9°53.538'
5	54°50.908'	9°53.676'
5	54°50.941'	9°53.838'
5	54°51.073'	9°54.04'
5	54°51.25'	9°54.301'
5	54°51.306'	9°54.332'
5	54°51.437'	9°54.369'
5	54°51.514'	9°54.368'
5	54°51.587'	9°54.283'
5	54°51.836'	9°53.012'
5	54°51.504'	9°52.282'
5	54°51.685'	9°51.909'
5	54°51.717'	9°51.767'
5	54°51.723'	9°51.672'
5	54°51.706'	9°51.266'
5	54°51.706'	9°51.022'
5	54°51.78'	9°50.774'
5	54°51.785'	9°50.697'

Point	Latitude N	Longitude E
5	54°51.701'	9°50.123'
5	54°51.444'	9°49.704'
5	54°50.635'	9°50.794'
5	54°50.595'	9°50.791'
5	54°50.529'	9°50.837'
5	54°50.476'	9°50.852'
5	54°50.419'	9°50.825'
5	54°50.389'	9°50.781'
5	54°50.655'	9°50.993'
5	54°50.36'	9°50.71'
5	54°50.287'	9°50.123'
5	54°50.257'	9°49.953'
5	54°50.256'	9°49.87'
5	54°50.284'	9°49.791'
5	54°50.344'	9°49.677'
6	54°52.192'	9°52.057'
6	54°52.385'	9°51.526'
6	54°52.418'	9°51.25'
6	54°52.605'	9°51.175'
6	54°52.831'	9°51.596'
6	54°52.771'	9°51.344'
6	54°52.831'	9°52.061'
6	54°52.781'	9°52.12'
6	54°52.633'	9°52.041'
6	54°52.574'	9°52.131'
6	54°52.531'	9°52.233'
6	54°52.473'	9°52.344'
6	54°52.458'	9°52.374'
6	54°52.4'	9°52.49'
6	54°52.351'	9°52.422'
6	54°52.831'	9°51.596'
7	54°49.116'	9°59.562'
7	54°49.249'	10°0.171'
7	54°48.776'	10°1.256'
7	54°48.341'	10°0.994'



Point	Latitude N	Longitude E
7	54°48.233'	10°0.716'
7	54°48.374'	10°0.189'
7	54°48.326'	9°59.517'
7	54°48.492'	9°59.239'
7	54°49.116'	9°59.562'
8	54°49.795'	10°2.926'
8	54°50.228'	10°1.616'
8	54°50.578'	10°1.454'
8	54°50.739'	10°2.384'
8	54°50.739'	10°2.384'
8	54°50.732'	10°2.688'
8	54°50.698'	10°2.829'
8	54°50.726'	10°2.92'
8	54°50.737'	10°3.069'
8	54°50.735'	10°3.119'
8	54°50.728'	10°3.159'
8	54°50.718'	10°3.191'
8	54°50.621'	10°3.418'
8	54°50.509'	10°3.489'
8	54°50.374'	10°4.141'
8	54°50.263'	10°4.464'
8	54°49.533'	10°4.343'
8	54°49.779'	10°5.347'
8	54°49.611'	10°5.838'
8	54°48.625'	10°5.639'
8	54°47.05'	10°5.375'
8	54°46.423'	10°4.986'
8	54°46.235'	10°4.119'
8	54°47.75'	10°3.306'
8	54°48.324'	10°3.243'
8	54°49.298'	10°3.069'
9	54°52.544'	10°5.93'
9	54°52.37'	10°6.044'
9	54°52.276'	10°5.981'
9	54°52.209'	10°5.668'

Point	Latitude N	Longitude E
9	54°52.018'	10°5.799'
9	54°51.298'	10°6.441'
9	54°50.892'	10°6.316'
9	54°53.11'	10°4.169'
9	54°53.11'	10°4.169'
9	54°53.021'	10°4.203'
9	54°52.869'	10°4.209'
9	54°52.754'	10°4.272'
9	54°52.639'	10°4.306'
9	54°52.478'	10°4.046'
9	54°50.684'	10°5.541'
9	54°52.404'	10°3.875'
9	54°52.457'	10°2.816'
9	54°52.5'	10°2.223'
9	54°52.473'	10°1.892'
9	54°53.22'	10°4.134'
9	54°52.302'	10°1.138'
9	54°52.091'	10°1.159'
9	54°51.775'	10°2.023'
9	54°51.808'	10°2.257'
9	54°51.686'	10°2.487'
9	54°51.606'	10°2.445'
9	54°51.531'	10°2.457'
9	54°51.461'	10°2.309'
9	54°51.233'	10°1.892'
9	54°51.146'	10°1.847'
9	54°51.08'	10°1.889'
9	54°51.024'	10°2.022'
9	54°50.978'	10°2.192'
9	54°50.935'	10°2.372'
9	54°50.899'	10°2.613'
9	54°50.861'	10°2.786'
9	54°50.862'	10°2.989'
9	54°50.941'	10°3.225'
9	54°50.87'	10°3.465'

Point	Latitude N	Longitude E
9	54°50.869'	10°3.699'
9	54°50.834'	10°3.776'
9	54°50.77'	10°3.821'
9	54°50.712'	10°3.916'
9	54°50.692'	10°3.999'
9	54°53.233'	10°4.607'
9	54°53.196'	10°4.721'
9	54°52.901'	10°4.936'
9	54°52.939'	10°5.179'
9	54°52.923'	10°5.305'
9	54°52.821'	10°5.659'
9	54°52.635'	10°5.808'
9	54°52.6'	10°5.883'
10	54°55.306'	10°14.667'
10	54°55.217'	10°14.732'
10	54°55.14'	10°14.777'
10	54°55.089'	10°14.88'
10	54°54.692'	10°14.915'
10	54°54.739'	10°14.421'
10	54°55.758'	10°13.576'
10	54°55.263'	10°14.729'
10	54°55.818'	10°14.632'
10	54°55.758'	10°13.576'
10	54°55.643'	10°14.649'
10	54°55.577'	10°14.629'
10	54°55.48'	10°14.561'
10	54°55.428'	10°14.629'
10	54°55.342'	10°14.641'
11	54°59.867'	10°10.894'
11	54°58.931'	10°10.949'
11	54°59.498'	10°11.882'
11	55°0.436'	10°10.201'
11	55°0.592'	10°10.779'
11	55°0.436'	10°10.201'
12	55°1.129'	10°10.216'

Point	Latitude N	Longitude E
12	55°0.773'	10°10.374'
12	55°0.577'	10°9.259'
12	55°0.846'	10°8.761'
12	55°0.95'	10°8.784'
12	55°1.389'	10°8.149'
12	55°1.738'	10°8.665'
12	55°1.835'	10°8.986'
12	55°1.602'	10°9.315'
12	55°1.852'	10°10.252'
12	55°1.586'	10°10.865'
12	55°1.586'	10°10.865'
13	54°57.138'	10°1.498'
13	54°56.926'	10°1.595'
13	54°56.67'	10°1.883'
13	54°56.536'	10°2.003'
13	54°56.8'	10°2.747'
13	54°57.047'	10°2.535'
13	54°57.311'	10°2.159'
13	54°56.751'	10°1.792'
13	54°56.583'	10°2.572'
13	54°57.024'	10°1.573'
13	54°57.311'	10°2.159'
13	54°57.344'	10°1.985'
14	54°59.342'	9°59.98'
14	54°59.306'	9°59.73'
14	54°59.188'	9°59.647'
14	54°59.342'	9°59.98'
14	54°57.67'	10°1.436'
14	54°59.018'	9°59.858'
14	54°58.912'	9°59.993'
14	54°58.748'	10°0.122'
14	54°58.697'	10°0.19'
14	54°57.731'	10°0.913'
14	54°58.77'	10°1.091'
14	54°57.934'	10°0.78'

Point	Latitude N	Longitude E
14	54°58.163'	10°0.584'
14	54°58.329'	10°0.464'
14	54°57.837'	10°1.797'
14	54°59.159'	9°59.713'
15	55°7.061'	9°58.268'
15	55°7.371'	9°58.186'
15	55°7.425'	9°57.391'
15	55°7.425'	9°57.391'
15	55°7.04'	9°57.371'
16	55°6.926'	9°56.402'
16	55°6.581'	9°56.535'
16	55°6.724'	9°55.371'
16	55°6.917'	9°55.374'
16	55°6.917'	9°55.374'
16	55°7.086'	9°55.828'
17	55°5.687'	9°52.437'
17	55°6.623'	9°54.685'
17	55°5.243'	9°54.787'
17	55°5.651'	9°56.322'
17	55°5.266'	9°55.606'
17	55°5.334'	9°54.238'
17	55°5.687'	9°52.437'
17	55°5.357'	9°53.259'
17	55°6.141'	9°56.307'
17	55°6.478'	9°55.548'
18	55°4.505'	9°52.71'
18	55°5.288'	9°54.25'
18	55°5.021'	9°54.969'
18	55°4.153'	9°53.836'
18	55°4.365'	9°52.05'
18	55°4.829'	9°51.488'
18	55°4.595'	9°51.553'
18	55°5.288'	9°54.25'
18	55°5.3'	9°52.485'
18	55°5.076'	9°51.644'

Point	Latitude N	Longitude E
19	55°1.54'	9°55.631'
19	55°1.138'	9°54.303'
19	55°1.54'	9°55.631'
19	55°1.616'	9°54.495'
19	55°1.657'	9°53.627'
19	55°1.365'	9°53.469'
19	55°1.215'	9°53.886'
19	55°1.174'	9°54.05'
19	55°1.136'	9°54.77'
19	55°1.174'	9°55.102'
19	55°1.546'	9°53.513'
19	55°1.154'	9°55.437'
19	55°1.272'	9°55.766'
19	55°1.127'	9°54.513'
20	54°55.327'	10°2.909'
20	54°55.865'	10°2.968'
20	54°55.043'	10°4.181'
20	54°56.032'	10°3.14'
20	54°55.263'	10°4.343'
20	54°54.879'	10°3.415'
20	54°56.029'	10°3.434'
20	54°56.032'	10°3.14'
21	55°4.083'	9°48.621'
21	55°3.677'	9°49.439'
21	55°3.472'	9°50.486'
21	55°3.62'	9°50.547'
21	55°4.46'	9°49.517'
21	55°3.434'	9°49.936'
21	55°4.46'	9°49.517'
22	54°52.703'	9°37.962'
22	54°52.556'	9°38.113'
22	54°52.703'	9°37.962'
22	54°52.674'	9°37.675'
22	54°52.563'	9°37.608'
22	54°52.437'	9°37.66'

Point	Latitude N	Longitude E
22	54°52.419'	9°37.969'
23	55°1.982'	9°53.721'
23	55°3.253'	9°51.284'
23	55°2.963'	9°51.067'
23	55°2.734'	9°51.219'
23	55°2.675'	9°51.294'
23	55°2.419'	9°51.517'
23	55°2.337'	9°51.79'
23	55°2.056'	9°52.057'
23	55°1.651'	9°52.695'
23	55°1.699'	9°53.646'
23	55°2.366'	9°53.366'
23	55°3.278'	9°52.154'
23	55°3.253'	9°51.284'
24	55°7.248'	10°1.614'
24	55°7.217'	10°1.481'
24	55°7.247'	10°1.341'
24	55°7.18'	10°1.006'
24	55°6.396'	10°1.726'
24	55°6.133'	10°2.688'
24	55°6.346'	10°3.264'
24	55°6.46'	10°3.326'
24	55°7.281'	10°1.685'
24	55°7.248'	10°1.614'
24	55°6.842'	10°2.743'
25	54°58.043'	10°11.492'
25	54°58.068'	10°11.479'
25	54°58.489'	10°11.412'
25	54°58.689'	10°11.455'
25	54°58.763'	10°11.491'
25	54°59.001'	10°11.714'
25	54°59.027'	10°12.099'
25	54°58.305'	10°12.475'
25	54°58.32'	10°12.336'
25	54°58.24'	10°12.261'

Point	Latitude N	Longitude E
25	54°58.131'	10°12.25'
25	54°58.094'	10°12.264'
25	54°58.01'	10°12.268'
25	54°57.94'	10°12.311'
25	54°57.901'	10°12.35'
25	54°57.79'	10°12.371'
25	54°57.698'	10°12.471'
25	54°57.618'	10°12.585'
25	54°57.479'	10°12.689'
25	54°57.368'	10°12.942'
25	54°57.216'	10°13.195'
25	54°57.142'	10°13.323'
25	54°57.017'	10°13.555'
25	54°56.931'	10°13.616'
25	54°56.836'	10°13.829'
25	54°56.65'	10°14.154'
25	54°56.504'	10°14.357'
25	54°56.016'	10°14.196'
25	54°56.017'	10°13.938'
25	54°56.047'	10°13.818'
25	54°56.047'	10°13.728'
25	54°56.074'	10°13.63'
25	54°56.105'	10°13.588'
25	54°56.157'	10°13.548'
25	54°56.193'	10°13.538'
25	54°56.211'	10°13.491'
25	54°56.239'	10°13.439'
25	54°56.316'	10°13.38'
25	54°56.351'	10°13.235'
25	54°56.406'	10°13.156'
25	54°56.661'	10°13.088'
25	54°56.735'	10°13.174'
25	54°56.76'	10°13.272'
25	54°56.873'	10°13.244'
25	54°57.033'	10°13.114'



Point	Latitude N	Longitude E
25	54°57.061'	10°13.077'
25	54°57.111'	10°12.976'
25	54°57.174'	10°12.908'
25	54°57.206'	10°12.819'
25	54°57.291'	10°12.683'
25	54°57.287'	10°12.589'
25	54°57.295'	10°12.529'
25	54°57.312'	10°12.476'
25	54°57.359'	10°12.384'
25	54°57.406'	10°12.321'
25	54°57.488'	10°12.204'
25	54°57.594'	10°12.116'
25	54°57.625'	10°12.083'
25	54°57.645'	10°12.069'
25	54°57.678'	10°12.02'
25	54°57.702'	10°11.997'
25	54°57.729'	10°11.947'
25	54°57.76'	10°11.905'
25	54°57.772'	10°11.893'
25	54°57.781'	10°11.867'
25	54°57.799'	10°11.834'
25	54°57.844'	10°11.769'
25	54°57.861'	10°11.748'
25	54°57.871'	10°11.738'
25	54°57.897'	10°11.718'
25	54°57.923'	10°11.655'
25	54°58.021'	10°11.512'
25	54°58.043'	10°11.492'
25	54°56.947'	10°13.256'
26	55°2.406'	9°55.459'
26	55°3.147'	9°53.862'
26	55°3.758'	9°54.315'
26	55°3.835'	9°55.545'
26	55°3.734'	9°55.911'
26	55°4.09'	9°56.653'

Point	Latitude N	Longitude E
26	55°3.017'	9°58.579'
26	55°2.908'	9°59.105'
26	55°2.694'	9°59.185'
26	55°2.125'	10°0.197'
26	55°1.798'	10°0.078'
26	55°1.731'	9°59.062'
26	55°2.174'	9°58.022'
26	55°2.093'	9°57.502'
26	55°2.11'	9°56.562'
26	55°2.406'	9°55.459'
27	55°6.18'	10°3.938'
27	55°5.344'	10°4.361'
27	55°5.256'	10°4.302'
27	55°5.201'	10°4.182'
27	55°5.138'	10°4.192'
27	55°5.093'	10°4.24'
27	55°4.832'	10°4.315'
27	55°4.606'	10°4.339'
27	55°4.549'	10°4.435'
27	55°4.525'	10°4.62'
27	55°4.284'	10°4.335'
27	55°4.329'	10°3.358'
27	55°4.686'	10°3.222'
27	55°5.106'	10°3.562'
27	55°5.274'	10°2.929'
27	55°5.45'	10°2.804'
27	55°5.751'	10°2.814'
27	55°6.18'	10°3.938'
28	55°3.933'	10°5.745'
28	55°3.835'	10°7.238'
28	55°3.602'	10°7.282'
28	55°3.373'	10°6.635'
28	55°2.859'	10°7.445'
28	55°2.581'	10°7.321'
28	55°2.027'	10°6.512'

Point	Latitude N	Longitude E
28	55°2.053'	10°5.121'
28	55°2.826'	10°3.918'
28	55°3.022'	10°4.233'
28	55°3.283'	10°5.237'
28	55°3.481'	10°5.27'
28	55°3.933'	10°5.745''

**COMMISSION DELEGATED REGULATION (EU) 2017/1182****of 20 April 2017****supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the Union scales for the classification of beef, pig and sheep carcasses and as regards the reporting of market prices of certain categories of carcasses and live animals**

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 <sup>(1)</sup>, and in particular Article 19(6)(a) to (d), Article 223(1) and Article 223(2)(a) thereof,

Whereas:

- (1) Regulation (EU) No 1308/2013 has repealed and replaced Council Regulation (EC) No 1234/2007 <sup>(2)</sup>. Section 1 of Chapter I of Title I of Part II of Regulation (EU) No 1308/2013 contains rules on public intervention and aid for private storage, including the classification of beef, pig and sheep carcasses and the reporting of prices thereof and empowers the Commission to adopt delegated and implementing acts in that respect. In order to ensure the smooth functioning of the Union scales for the classification of beef, pig and sheep carcasses and to establish comparable market prices for carcasses and live animals in the new legal framework, certain rules should be adopted by means of such acts. The new rules should replace the implementing rules of Commission Regulations (EC) No 315/2002 <sup>(3)</sup>, (EC) No 1249/2008 <sup>(4)</sup> and (EU) No 807/2013 <sup>(5)</sup>.
- (2) Article 10 of Regulation (EU) No 1308/2013 provides that Union scales for the classification of carcasses laid down in point A of Annex IV to that Regulation are to apply to bovine animals aged eight months or more. In order to ensure a uniform application, it is appropriate to allow Member States to make the application of the Union scale compulsory for carcasses of bovine as of a specific age determined on the basis of the identification and registration system provided for by Regulation (EC) No 1760/2000 of the European Parliament and of the Council <sup>(6)</sup>. That identification and registration system should also be used for the division of carcasses into categories as referred to in point A.II of Annex IV to Regulation (EU) No 1308/2013.
- (3) In order to reduce administrative burden, Member States should have the possibility to grant derogations from the general obligation to classify carcasses to small scale establishments. On the basis of experience gained with the application of the Union scale for classification, it is appropriate to provide for such derogations for slaughterhouses which slaughter, as an annual average per week, less than 150 bovine animals aged eight months or more or less than 500 pigs. Nevertheless, Member States may determine lower limits depending on their national conditions, especially in order to ensure the representativeness of price reporting.
- (4) As certain slaughterhouses fatten, in their own establishments, bovine animals aged eight months or more and pigs, there is no market price to be recorded for the carcasses of such animals. Therefore, the application of the compulsory Union classification scales is unnecessary in these cases. It is therefore appropriate to allow the Member States having this practice to derogate from the rules on compulsory carcass classifications as regards

<sup>(1)</sup> OJ L 347, 20.12.2013, p. 671.

<sup>(2)</sup> Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) (OJ L 299, 16.11.2007, p. 1).

<sup>(3)</sup> Commission Regulation (EC) No 315/2002 of 20 February 2002 on the survey of prices of fresh or chilled sheep carcasses on representative markets in the Community (OJ L 50, 21.2.2002, p. 47).

<sup>(4)</sup> Commission Regulation (EC) No 1249/2008 of 10 December 2008 laying down detailed rules on the implementation of the Community scales for the classification of beef, pig and sheep carcasses and the reporting of prices thereof (OJ L 337, 16.12.2008, p. 3).

<sup>(5)</sup> Commission Regulation (EU) No 807/2013 of 26 August 2013 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 as regards the survey of prices of certain bovine animals on representative Union markets (OJ L 228, 27.8.2013, p. 5).

<sup>(6)</sup> Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products (OJ L 204, 11.8.2000, p. 1).

these carcasses. This derogation should be also allowed for the classification of carcasses of local pig breeds with a particular anatomical body composition or particular modes of marketing when they make the homogeneous and standardised classification of carcasses impossible.

- (5) In order to take account of the specificities of establishments and seasonal sheep slaughtering, it is appropriate to enable the Member States applying the sheep carcass classification provided for in Article 10 of Regulation (EU) No 1308/2013 to exempt from this classification some slaughterhouses on the basis of objective and non-discriminatory criteria.
- (6) In order to ensure the uniform classification of the carcasses of bovine animals aged eight months or more and of sheep in the Union, it is necessary to make more precise the definitions of the classes of conformation and fat cover, carcass weight and colour of meat referred to in points A.III and C.III of Annex IV to Regulation (EU) No 1308/2013. However, other criteria may be used for the carcasses of lambs of less than 13 kg weight.
- (7) Point A.III of Annex IV to Regulation (EU) No 1308/2013 provides for a conformation class S for carcasses obtained from bovine of the double muscled carcass type. Given that this exceptional conformation class is marketed only in some Member States, it is appropriate to provide that Member States have the option not to make use of the conformation class S.
- (8) As the lean meat percentage of pig carcasses has increased steadily, the majority of pig carcasses are classified only in two classes. It is therefore necessary to allow Member States to further subdivide into subclasses the pig carcass classification classes laid down in point B.II of Annex IV to Regulation (EU) No 1308/2013, in order to ensure the differentiation of pig carcasses.
- (9) Taking into account the market requirements for the determination of the commercial value of the pig carcass, assessment criteria in addition to weight and the estimated lean-meat content should also be authorised.
- (10) In order to ensure the comparable market prices, point A.IV of Annex IV to Regulation (EU) No 1308/2013 sets out a standard carcass presentation. To reflect certain market demands in respect of carcass presentation, it is necessary to provide that Member States may apply a presentation of carcasses different from the one laid down in point A.IV of Annex IV to Regulation (EU) No 1308/2013 by application of corrective factors, for the purpose of establishing market prices.
- (11) In order to take into account the traditional practices of some Member States relating to the removal of external fat, it is appropriate to allow those Member States to continue to make use of such practices, providing certain requirements are fulfilled.
- (12) In order to ensure the accurate application of the Union classification scales and to improve market transparency, the conditions and practical methods for classification, weighing and marking of carcasses of bovine animals aged eight months or more and of pigs and of sheep, should be specified.
- (13) In the case of a technical breakdown of the automated grading method, it is appropriate to provide for certain derogations, in particular concerning the time limit for classifying and weighing carcasses.
- (14) The marking of carcasses should be carried out at the time of classification. Member States may decide not to mark the carcasses where official record keeping provides for the link between the carcasses and the classification results, in particular when carcasses are processed into cuts immediately after the carcass classification, which makes the marking of carcasses unnecessary.
- (15) In order to ensure the accuracy and reliability of the classification of carcasses of bovine animals aged eight months or more, of pigs and of sheep, that classification should be carried out by qualified classifiers having the necessary licence or approval or by using an authorised grading method.
- (16) With a view to authorising grading methods to direct assessment of the conformation and fat cover of carcasses of bovine animals aged eight months or more and of sheep, as well as of the lean meat percentage of carcasses of pigs, grading methods may be introduced when they are based on statistically proven methods. The authorisation of grading methods should be subject to compliance with certain conditions and requirements.

- (17) Provisions should be made for the possibility to modify, after a licence was granted, the technical specifications of the automated grading methods for the classification of carcasses of bovine animals aged eight months or more and of sheep, with a view to ensure the accuracy of those specifications.
- (18) The value of a pig carcass is determined in particular by its lean meat percentage in relation to its weight. The lean meat percentage is assessed by a grading method that should consist of an automated, semi-automated or manual grading technique and an assessment formula. The assessment formula should be made by measuring certain anatomical parts of the carcass by means of authorised and statistically proven methods. In order to ensure that the statistically proven methods are applied on an objective basis, it is necessary to inform the experts of Member States by means of protocols on the authorisation test and consult with these experts on the results of the test. While various methods can be applied for the assessment of the lean meat percentage of a pig carcass, it is necessary to ensure that the choice of the method does not affect the estimated lean meat percentage.
- (19) With a view to monitoring the comparable market prices of carcasses and live animals, it is necessary to provide that the price recording should refer to a well-defined marketing stage. It is necessary to determine the types of animals to which the price reporting relates.
- (20) The market prices of the different types of animals should be reported to the Commission in accordance with Commission Implementing Regulation (EU) 2017/1184 <sup>(1)</sup>, which should serve as the basis for the determination of weighted average prices at Union level.
- (21) If a Member State has defined regions for the purpose of this Regulation, the regional prices determined should be taken into account in the national price calculation. In cases where any supplementary payments are made to suppliers of animals, establishments or persons that are obliged to report prices should be obliged to inform the competent authority about the supplementary payment in order to correct the national average price.
- (22) In order to ensure market monitoring and to compare price developments with certain reference prices laid down in Regulation (EU) No 1308/2013, it is necessary to calculate average Union prices for certain carcasses and live animals on the basis of certain information submitted by the Member States annually.
- (23) With a view to monitoring the reporting of carcass prices of bovine animals aged eight months or more and pigs, and calculating the weighting coefficients per categories, Member States should be obliged to notify the Commission periodically of certain information in accordance with Commission Implementing Regulation (EU) 2017/1185 <sup>(2)</sup> except for those notifications that are necessary for the organisation of on-the-spot inspections or that serve a basis for having a complete overview of the meat market.
- (24) For the sake of clarity and legal certainty, Regulations (EC) No 315/2002, (EC) No 1249/2008 and (EU) No 807/2013 should be repealed.
- (25) In view of the need to allow Member States to adapt to the new legal framework, this Regulation should apply 12 months after its entry into force,

HAS ADOPTED THIS REGULATION:

#### CHAPTER I

### UNION SCALES FOR THE CLASSIFICATION OF CARCASSES

#### Article 1

#### Identification of age and categories of bovine animals

The age of the bovine animals for the determination of the categories as referred to in point A.II of Annex IV to Regulation (EU) No 1308/2013 shall be verified on the basis of the information available in the bovine animal identification and registration system established in each Member State in accordance with Title I of Regulation (EC) No 1760/2000.

<sup>(1)</sup> Commission Implementing Regulation (EU) 2017/1184 of 20 April 2017 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the Unions scales for the classification of beef, pig and sheep carcasses and as regards the reporting of market prices of certain categories of carcasses and live animals (See page 103 of this Official Journal).

<sup>(2)</sup> Commission Implementing Regulation (EU) 2017/1185 of 20 April 2017 laying down rules for the application of Regulations (EU) No 1307/2013 and (EU) No 1308/2013 of the European Parliament and of the Council as regards notifications to the Commission of information and documents and amending and repealing several Commission Regulations (See page 113 of this Official Journal).

*Article 2***Derogations from the compulsory classification of carcasses**

1. Member States may decide that the requirements on classification of carcasses of bovine animals and of pigs, laid down in points A.V and B.II of Annex IV to Regulation (EU) No 1308/2013, respectively, shall not be compulsory for slaughterhouses which slaughter:

- (a) less than 150 bovine animals aged eight months or more per week as an annual average;
- (b) less than 500 pigs per week as an annual average.

Member States may determine a lower limit, in particular to ensure the representativeness of price recording as referred to in Article 8(2) of Implementing Regulation (EU) 2017/1184.

2. Member States may decide that the requirements on classification of carcasses of bovine animals and pigs shall not be compulsory:

- (a) for carcasses of bovines and pigs owned by the slaughterhouse if no commercial transaction in purchasing these animals takes place;
- (b) for carcasses of pigs of clearly defined local breeds or with particular modes of marketing if their anatomical body composition makes the homogeneous and standardised classification of carcasses impossible.

3. Member States that apply classification of sheep carcasses pursuant to the second paragraph of Article 10 of Regulation (EU) No 1308/2013 may decide, based on objective and non-discriminatory criteria, that the requirements on classification of sheep carcasses shall not be compulsory for certain slaughterhouses.

4. Member States shall notify the Commission if they decide to apply any of the derogations laid down in paragraphs 1, 2 and 3 of this Article.

*Article 3***Additional provisions regarding the classes of conformation, fat cover and carcass weight for bovine animals and sheep**

1. Additional provisions regarding the definitions of the classes of conformation and fat cover for carcasses of bovine animals aged eight months or more and sheep referred to in points A.III and C.III of Annex IV to Regulation (EU) No 1308/2013 are laid down in Annexes I and II to this Regulation.

2. Additional provisions regarding the classification of lambs of less than 13 kg carcass weight are laid down in Annex III to this Regulation.

*Article 4***Conformation class S**

Member States may decide not to apply the conformation class S for beef carcasses referred to in point A.III of Annex IV to Regulation (EU) No 1308/2013 taking into account the particular characteristics of their bovine livestock.

*Article 5***Classification of pig carcasses**

Member States may further subdivide into subclasses the pig carcass classification classes laid down in point B.II of Annex IV to Regulation (EU) No 1308/2013.

Member States may authorise further assessment criteria, in addition to weight and estimated lean meat percentage referred to in point B.II of Annex IV to Regulation (EU) No 1308/2013, to determine the commercial value of the pig carcasses.

*Article 6***Additional requirements on carcass presentation for the purpose of establishing comparable market prices**

1. Without prejudice to points A.IV, B.III and C.IV of Annex IV to Regulation (EU) No 1308/2013, no fat, muscle or other tissue may be removed from the carcass before weighing, classifying and marking, except for cases when veterinary requirements are applied.
2. Carcasses of bovine animals aged less than eight months shall be presented in accordance with point A.IV of Annex IV to Regulation (EU) No 1308/2013 and without:
  - (a) thin skirt;
  - (b) thick skirt.
3. Carcasses of bovine animals aged eight months or more shall be presented without:
  - (a) kidneys;
  - (b) kidney fat;
  - (c) pelvic fat;
  - (d) thin skirt;
  - (e) thick skirt;
  - (f) the tail;
  - (g) the spinal cord;
  - (h) cod fat;
  - (i) fat on the inside of topside;
  - (j) jugular vein and the adjacent fat.
4. For the application of the second paragraph of point A.V of Annex IV to Regulation (EU) No 1308/2013 and by way of derogation from paragraph 1 of this Article, Member States may allow the removal of external fat before weighing, classifying and marking of the carcass provided that such removal allows a more objective judgement of the conformation and the fat cover is not influenced. Member States shall ensure that this practice is regulated by national legislation and shall involve exclusively the partial removal of external fat:
  - (a) from the haunch, the sirloin and the middle ribs;
  - (b) from the point end of brisket and the outer ano-genital area;
  - (c) from the topside.

*Article 7***Classification and weighing**

1. The classification referred to in points A.II, A.III, B.II, C.II and C.III of Annex IV to Regulation (EU) No 1308/2013 shall be carried out in the slaughterhouse at the time of determining the warm weight of the carcass.
2. The Commission may authorise classification before weighing in accordance with Article 11 of this Regulation if certain grading methods applied in the territory of a Member State require this.
3. The carcasses shall be weighed as soon as possible after slaughter and not later than:
  - (a) 60 minutes after the animal has been stuck, as regards bovine animals and sheep;
  - (b) 45 minutes after the animal has been stuck, as regards pigs.



4. In the case of pigs, if in a given slaughterhouse, the 45-minute time period between the sticking and the weighing of the carcasses cannot generally be observed, the competent authority of the Member State concerned may allow that the deduction of 2 % as referred to in Article 14(3):

- (a) shall be reduced by 0,1 per cent units for every additional quarter of an hour or part thereof that has elapsed when the period between sticking and weighing exceeds the 45 minutes;
- (b) can be increased by certain per cent units established by the Member State concerned when the period between sticking and weighing is shorter than 45 minutes. In this case the deduction shall be justified on the basis of scientific data.

5. In cases where beef or sheep automated grading methods referred to in Article 10 fail to classify carcasses, classification of these carcasses shall take place on the day of slaughter or, if the required period between sticking and weighing has expired on the day after the slaughter, classification shall take place as soon as possible on that day.

#### Article 8

##### Marking of carcasses

1. The marking of carcasses shall be carried out at the time of classification.
2. The marking shall be performed by means of a stamp or a label indicating at least:
  - (a) for beef and sheep, the category, the class of conformation and fat cover referred to in points A.II, A.III, C.II and C.III of Annex IV to Regulation (EU) No 1308/2013 respectively;
  - (b) for pigs, the class of the carcass or the percentage of estimated lean meat as laid down in point B.II of Annex IV to Regulation (EU) No 1308/2013.
3. The marking shall be located on the surface of at least:
  - (a) each quarter of beef carcass;
  - (b) each carcass or half carcass of sheep;
  - (c) each half carcass of pigs.

Stamp markings shall be located on the outside surface of the carcass. Labels may be located on the outside or inside surface of the carcass.

4. Stamp markings shall be clearly legible and performed by using an indelible, non-toxic and heat resistant ink.
5. Labels shall be clearly legible, tamper-proof and firmly attached to the carcasses.
6. Member States may lay down that carcasses may not be marked in the following cases:
  - (a) an official record is drawn up and comprises for each carcass at least:
    - (i) individual identification of the carcass by any unalterable means,
    - (ii) warm weight of the carcass, and
    - (iii) result of the classification;
  - (b) all the carcasses are cut, as a continuous operation, in a cutting plant approved in accordance with Regulation (EC) No 853/2004 of the European Parliament and of the Council <sup>(1)</sup> and attached to the slaughterhouse.
7. Member States may lay down national provisions on additional requirements on marking.

<sup>(1)</sup> 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).

*Article 9***Methods for classification of beef, pig and sheep carcasses**

Member States shall ensure that beef, pig and sheep carcass classification is carried out:

- (a) by qualified classifiers who have obtained a licence for visual classification of carcasses. The licence may be replaced by an approval granted by the Member State where such approval corresponds to recognition of a qualification; or
- (b) by using authorised grading methods that may consist of automated or semi-automated or manual grading techniques as provided for in Articles 10 and 11. Member States shall ensure that the grading techniques are operated by qualified personnel

*Article 10***Authorisation of automated grading methods for beef and sheep carcasses**

1. Member States may grant a licence authorising beef and sheep automated grading methods that consist of an automated grading technique (apparatus) and an equation (formula) for application in their territory or a part thereof.
2. Authorisation shall be subject to meeting the conditions and minimum requirements for an authorisation test laid down in Part A of Annex IV.
3. At least two months prior to the start of the authorisation test, Member States shall provide the Commission with the information referred to in Part B of Annex IV in order to allow the Commission to participate in the authorisation test.
4. Member States shall designate an independent body which shall analyse the results of the authorisation test. Within two months upon completion of the authorisation test, Member States shall provide the Commission with the information referred to in Part C of Annex IV.
5. Where a licence is granted authorising beef or sheep automated grading methods based on an authorisation test during which more than one carcass presentation was used, the differences between those carcass presentations shall not lead to differences in the classification results.
6. Member States may authorise beef and sheep automated grading methods without organising an authorisation test, provided that such authorisation has already been granted for the same grading methods for application in another Member State on the basis of an authorisation test where the sample of carcasses is sufficiently representative for the bovine or sheep population in the Member States concerned.
7. Modifications of the technical specifications of an authorised beef or sheep automated grading method shall be approved by the competent authorities subject to proof that such modifications result in a level of accuracy that at least fulfils the minimum requirements for an authorisation test.

Member States shall inform the Commission of any such modifications for which they have given their approval.

*Article 11***Authorisation of grading methods for pig carcasses**

1. A grading method as referred to in point B.IV of Annex IV to Regulation (EU) No 1308/2013 shall consist of an automated, semi-automated or manual grading technique (apparatus) and an equation (formula) to estimate the lean meat percentage of a pig carcass.
2. Authorisation shall be subject to meeting the conditions and minimum requirements for an authorisation test in accordance with Part A of Annex V to this Regulation.
3. Member States shall inform the Commission, by way of a protocol as specified in Part B of Annex V to this Regulation, on the pig grading methods they wish to have authorised for application in their territories.

The protocol shall have two parts and shall include the elements provided for in Part B of Annex V to this Regulation.

Part one of the protocol shall be submitted to the Commission prior to the start of the authorisation test. Within two months upon completion of the authorisation test, Member States shall provide the Commission with part two of the protocol.

4. After receiving the protocol, the Commission shall make it available to the other Member States. Other Member States may submit technical comments within three weeks from the receipt of the protocol. The Member State that submitted the protocol may adapt it and re-submit a new protocol within eight weeks after submission of the first protocol.

5. The application of grading methods shall correspond in all particulars to the description given in the Commission decision authorising them.

6. The Commission may authorise grading methods without an authorisation test, provided that such authorisation has already been granted for the same grading method applicable in another Member State on the basis of an authorisation test where the sample of carcasses is sufficiently representative of pig populations in the Member States concerned.

#### *Article 12*

### **Additional provisions on classification by automated grading techniques**

1. Slaughterhouses operating classification by using automated grading techniques as laid down in Articles 10(1) and 11(1) shall:

- (a) as regards beef carcasses, identify the category of the carcass by using the system for the identification and registration of bovine animals established pursuant to Article 1;
- (b) keep daily control reports on the functioning of the automated grading methods, including any shortcomings encountered and actions taken where necessary.

2. Classification by automated grading techniques shall be valid only if:

- (a) the carcass presentation is identical to the presentation used during the authorisation test; or
- (b) it is demonstrated, to the satisfaction of the competent authorities of the Member State concerned, that using a different carcass presentation has no effect on the classification result by the automated grading methods.

#### CHAPTER II

### **REPORTING OF MARKET PRICES FOR CARCASSES AND LIVE ANIMALS**

#### *Article 13*

### **General provisions on reporting of market prices**

For the purpose of establishing market prices of certain categories of animals, market prices shall be reported in accordance with Article 15 of Implementing Regulation (EU) 2017/1184 for:

- (a) carcasses of:
  - (i) bovine animals aged eight months or more,
  - (ii) pigs,
  - (iii) bovine animals aged less than eight months,
  - (iv) sheep aged less than 12 months;
- (b) live animals of:
  - (i) male calves aged between eight days and four weeks,
  - (ii) store cattle,
  - (iii) piglets of approximately 25 kg in live weight.

*Article 14***Reporting of market prices for carcasses of bovine animals aged eight months or more and of pigs**

1. The market price reported shall be the price at the slaughterhouse gate expressing the value of the carcass, net of value added tax, according to the documents issued to the supplier by:
  - (a) the slaughterhouse; or
  - (b) the natural or legal person who sent the animal for slaughter to the slaughterhouse.
2. The price referred to in paragraph 1 shall be expressed per 100 kg of carcass presented in accordance with Article 6 weighed on the hook at the slaughterhouse.
3. The carcass weight to be taken into account for reporting the market price shall be the cold weight which shall correspond to the warm weight as referred to in Article 7(1) less 2 %.
4. The prices for classified carcasses reported by the slaughterhouse or the natural or legal person who sent the animal for slaughter to the slaughterhouse shall be either the average price per class or the prices of carcasses per each class. In that case if prices of carcasses per each class are reported, the competent authority shall calculate the average price per class.

*Article 15***Reporting of market prices for carcasses of bovine animals aged less than eight months and of sheep aged less than 12 months**

1. As regards carcasses of bovine animals aged less than eight months and of sheep aged less than 12 months, the market price reported shall be the average of the prices paid at the slaughterhouse gate expressing the value of the carcass, net of value added tax, and weighted by a coefficient. The coefficient shall reflect:
  - (a) the relative proportion of:
    - (i) the different qualities of carcasses of bovine animals aged less than eight months, as defined by the Member State, or
    - (ii) the different weight categories of carcasses of sheep aged less than 12 months, as defined by the Member State; and
  - (b) the relative importance of each market.
2. The market price referred to in paragraph 1 shall be expressed per 100 kg of carcass presented in accordance with Article 6 weighed on the hook at the slaughterhouse.
3. For carcasses of bovine animals aged less than eight months the weight to be taken into account for reporting the market price shall be the cold weight which shall correspond to the warm weight as referred to in Article 7(1) less 2 %.
4. For carcasses of sheep aged less than 12 months the weight to be taken into account for reporting the market price shall be the cold weight which shall correspond to the warm weight of the carcass corrected to take account of weight loss on chilling.

*Article 16***Reporting of market prices for live animals**

1. For the purposes of reporting market prices, live animals listed in Article 13(b) shall be classified in the following different types:
  - (a) as regards male calves aged between eight days and four weeks:
    - (i) 'dairy type male rearing calf' for male rearing calf from dairy breed,
    - (ii) 'beef type male rearing calf' for male rearing calf from a meat breed, dual purpose breed or born of a cross with a meat breed;

- (b) as regards store cattle:
- (i) 'young store cattle' for male and female bovine animals aged six months or more but less than 12 months, bought after weaning to be fattened,
  - (ii) 'yearling male store cattle' for male bovine animals aged 12 months or more but less than 24 months, bought to be fattened,
  - (iii) 'yearling female store cattle' for female bovine animals aged 12 months or more but less than 24 months, bought to be fattened;
- (c) as regards pigs: 'piglets' for pigs weighing on average approximately 25 kg in live weight, bought to be fattened.
2. The market price reported shall be the average of the prices paid in that Member State at the same wholesale stage, for the type of animal as referred to in paragraph 1, net of value added tax and weighted by coefficients. The coefficients shall reflect the relative proportion of the different qualities of the animals referred to in paragraph 1(a), (b) and (c) and the relative importance of each market.

#### Article 17

### **Additional provisions for reporting of market prices for carcasses and live animals**

1. Where a Member State has defined regions in accordance with Article 6 of Implementing Regulation (EU) 2017/1184, the competent authority of the Member State shall determine average regional prices for each class and quality of carcasses as well as for each type and quality of live animals as referred to in Articles 14, 15 and 16 of this Regulation, respectively.
2. Where supplementary payments are made by the slaughterhouse or natural or legal person required to report prices to suppliers of carcasses or live animals, Member States may take into account the amount of such payments and the period to which it relates. If a Member State decides to take into consideration the supplementary payments made to suppliers of carcasses or live animals, the slaughterhouse or the natural or legal person required to report prices shall notify the competent authority of the amount of any supplementary payments each time such payment is made.

#### CHAPTER III

### **CALCULATION OF AVERAGE UNION PRICE**

#### SECTION I

### ***Average union price for carcasses***

#### Article 18

### **Average Union price for beef**

1. For a given category specified in point A.II of Annex IV to Regulation (EU) No 1308/2013:
- (a) the average Union price for each of the conformation and fat cover classes listed in Article 7 of Implementing Regulation (EU) 2017/1184 shall be the weighted average of the national market prices recorded for the class. Weighting shall be based on the proportion of quantities of that class slaughtered in each Member State to total Union slaughterings of that class;
  - (b) the average Union price for each conformation class shall be the weighted average of the average Union prices for the fat cover classes which constitute that conformation class. Weighting shall be based on the proportion of slaughterings of each fat cover class to total slaughterings of that conformation class in the Union;
  - (c) the average Union price shall be the weighted average of the average Union prices referred to in point (a). Weighting shall be based on the proportion of the quantities slaughtered in each class referred to in point (a) to total Union slaughterings in the category.

2. The average Union price for all categories together shall be the weighted average of the average prices referred to in paragraph 1(c). Weighting shall be based on the proportion of each category to total slaughterings of bovine animals aged eight months or more in the Union.

#### *Article 19*

##### **Average Union price for pigs**

The average Union price of each class listed in Article 9 of Implementing Regulation (EU) 2017/1184 shall be the weighted average of the national market prices recorded for the class. Weighting shall be based on the proportion of quantities of that class slaughtered in each Member State to total Union slaughterings of that class.

#### *Article 20*

##### **Average Union price for bovine animals aged less than eight months**

The average Union price of bovine animals slaughtered at the age of less than eight months shall be the average of the prices recorded for those bovines as referred to in Article 10 of Implementing Regulation (EU) 2017/1184. That average shall be weighted by coefficients established on the basis of the net production of those bovines in the Union.

#### *Article 21*

##### **Average Union price for sheep aged less than 12 months**

The average Union price of sheep aged less than 12 months shall be the average of the prices recorded for different weight categories as referred to in Article 11 of Implementing Regulation (EU) 2017/1184. That average shall be weighted by coefficients established on the basis of the net production of those lambs in the Union.

#### *SECTION II*

##### ***Average Union price for live animals***

#### *Article 22*

##### **Average Union price for male calves aged between eight days and four weeks**

1. The average Union price, per head, of male calves aged between eight days and four weeks shall be the average of the prices recorded for dairy type male rearing calves and beef type male rearing calves in accordance with Article 12 of Implementing Regulation (EU) 2017/1184.

2. The average of the prices recorded shall be weighted by coefficients established on the basis of the number of cows recorded in the Union, in accordance with Regulation (EC) No 1165/2008 of the European Parliament and of the Council <sup>(1)</sup> as follows:

- (a) as regards dairy type male rearing calves, the number of dairy cows;
- (b) as regards beef type male rearing calves, the number of cows.

#### *Article 23*

##### **Average Union price for store cattle**

1. The average Union price, per kilogram of live weight, of store cattle shall be the average of the prices recorded for young store cattle, yearling male store cattle and yearling female store cattle in accordance with Article 12 of Implementing Regulation (EU) 2017/1184.

<sup>(1)</sup> Regulation (EC) No 1165/2008 of the European Parliament and of the Council of 19 November 2008 concerning livestock and meat statistics and repealing Council Directives 93/23/EEC, 93/24/EEC and 93/25/EEC (OJ L 321, 1.12.2008, p. 1).

2. The average of the prices recorded shall be weighted by coefficients established on the basis of the number of bovine animals recorded in the Union in accordance with Regulation (EC) No 1165/2008 as follows:

- (a) as regards young store cattle, the number of bovine animals aged not over one year and not for slaughter;
- (b) as regards yearling male store cattle, the number of male bovine animals aged over one year but under two years;
- (c) as regards yearling female store cattle, the number of female bovine animals aged over one year but under two years and which have not yet calved.

#### *Article 24*

### **Average Union price for piglets**

The average Union price of piglets of approximately 25 kg in live weight shall be the average of the prices recorded for piglets in accordance with Article 12 of Implementing Regulation (EU) 2017/1184. That average shall be weighted by coefficients established on the basis of the number of piglets recorded in the Union in accordance with Regulation (EC) No 1165/2008.

#### CHAPTER IV

### **NOTIFICATIONS**

#### *Article 25*

### **Notifications of Member States to the Commission**

1. Notifications as referred to in this Article shall be made in accordance with Implementing Regulation (EU) 2017/1185.

2. No later than 15 April each year, Member States shall notify the Commission of the total number of bovine animals aged eight months or more, of pigs and sheep slaughtered in the previous calendar year broken down as follows:

- (a) in the case of bovine animals, the total number for each category, conformation and fat cover classes;
- (b) in the case of pigs, the total number for each carcass class;
- (c) in the case of sheep, the total number for each weight categories.

3. Member States shall make available to the Commission, on request, the lists of:

- (a) slaughterhouses which record prices, in accordance with Article 8 of Implementing Regulation (EU) 2017/1184 indicating the throughput of bovine animals aged eight months or more for each slaughterhouse, expressed in numbers, in the previous calendar year;
- (b) natural or legal persons who record prices, in accordance with Article 8 of Implementing Regulation (EU) 2017/1184 indicating the number of bovine animals aged eight months or more, sent for slaughter by them in the previous calendar year.

4. The Member States shall, at the Commission's request, notify the following information, where available, concerning products covered by Parts XV, XVII and XVIII of Annex I to Regulation (EU) No 1308/2013:

- (a) market prices in Member States for products imported from third countries;
- (b) prices ruling on the representative markets in third countries.

5. The Member States concerned shall notify the Commission of the qualities of carcasses and live animals, and the weighting coefficients as referred to in Articles 14, 15 and 16 of this Regulation as well as the corrective factors and the representative markets referred to in Articles 5, 10, 11 and 12 of Implementing Regulation (EU) 2017/1184, no later than 1 June each year.

6. On the request of the Commission, Member States shall notify the measures taken for the application of Article 3(1) and (2) of Implementing Regulation (EU) 2017/1184.

## CHAPTER V

**FINAL PROVISIONS***Article 26***Repeals**

Regulations (EC) No 315/2002, (EC) No 1249/2008 and (EU) No 807/2013 are repealed.

References to the repealed Regulations (EC) No 315/2002, (EC) No 1249/2008 and (EU) No 807/2013 shall be construed as references to this Regulation and to Implementing Regulation (EU) 2017/1184 and shall be read in accordance with the correlation table in Annex VI to this Regulation.

*Article 27***Entry into force and application**

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

This Regulation shall apply from 11 July 2018.

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

Done at Brussels, 20 April 2017.

*For the Commission*  
*The President*  
Jean-Claude JUNCKER

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## ANNEX I

**Additional provisions on the classes of conformation and fat cover of carcasses of beef referred to in Article 3(1)**

## 1. CONFORMATION

Development of carcass profiles, and in particular the essential parts (round, back, shoulder)

Conformation class	Additional provisions	
S Superior	Round: very highly rounded double-muscled visibly separated seams	Topside spreads very markedly over the symphysis (symphysis pelvis)
	Back: very wide and very thick, up to the shoulder	Rump very rounded
	Shoulder: very highly rounded	
E Excellent	Round: very rounded	Topside spreads markedly over the symphysis (symphysis pelvis)
	Back: wide and very thick, up to the shoulder	Rump very rounded
	Shoulder: very rounded	
U Very good	Round: rounded	Topside spreads over the symphysis (symphysis pelvis)
	Back: wide and thick, up to the shoulder	Rump rounded
	Shoulder: rounded	
R Good	Round: well-developed	Topside and rump are slightly rounded
	Back: still thick but less wide at the shoulder	
	Shoulder: fairly well-developed	
O Fair	Round: average development to lacking development	
	Back: average thickness to lacking thickness	Rump: straight profile
	Shoulder: average development to almost flat	
P Poor	Round: poorly developed	
	Back: narrow with bones visible	
	Shoulder: flat with bones visible	

## 2. DEGREE OF FAT COVER

Amount of fat on the outside of the carcass and in the thoracic cavity

Class of fat cover	Additional provisions
1 Low	No fat within the thoracic cavity
2 Slight	Within the thoracic cavity the muscle is clearly visible between the ribs
3 Average	Within the thoracic cavity the muscle is still visible between the ribs
4 High	The seams of fat on the round are prominent. Within the thoracic cavity the muscle between the ribs may be infiltrated with fat
5 Very high	The round is almost completely covered with fat, so that the seams of fat are no longer clearly visible. Within the thoracic cavity the muscle between the ribs is infiltrated with fat

## ANNEX II

**Additional provisions on the classes of conformation and fat cover of sheep carcasses referred to in Article 3(1)**

## 1. CONFORMATION

Development of carcass profiles, and, in particular the essential parts (hindquarter, back, shoulder).

Conformation class	Additional provisions
S Superior	Hindquarter: double muscled. Profiles extremely convex Back: extremely convex, extremely wide, extremely thick Shoulder: extremely convex and extremely thick
E Excellent	Hindquarter: very thick. Profiles very convex Back: very convex, very wide and very thick to the shoulder Shoulder: very convex and very thick
U Very good	Hindquarter: thick. Profiles convex Back: wide and thick to the shoulder Shoulder: thick and convex
R Good	Hindquarter: profiles mainly straight Back: thick but less wide to the shoulder Shoulder: good development, but less thick
O Fair	Hindquarter: profiles tending to slightly concave Back: lacking width and thickness Shoulder: tending to narrow. Lacking thickness
P Poor	Hindquarter: profiles concave to very concave Back: narrow and concave with bones apparent Shoulder: narrow, flat and bones apparent

## 2. DEGREE OF FAT COVER

Amount of fat on the external and of the internal parts of the carcass.

Class of fat cover	Additional provisions <sup>(1)</sup>		
1. Low	External	Traces of or no fat visible	
	Internal	Abdominal	Traces of or no fat visible on kidneys
		Thoracic	Traces of or no fat visible between ribs
2. Slight	External	A slight layer of fat covers part of the carcass but may be less evident on the limbs	
	Internal	Abdominal	Traces of fat or slight layer of fat envelops part of the kidneys
		Thoracic	Muscle clearly visible between ribs

Class of fat cover	Additional provisions <sup>(1)</sup>		
3. Average	External	A light layer of fat covering most or all of the carcass. Slightly thickened fat zones of the base of the tail	
	Internal	Abdominal	Light layer of fat envelops part or all of the kidneys
		Thoracic	Muscle still visible between ribs
4. High	External	A thick layer of fat covering most of all of the carcass but may be thinner on limbs and thickening on shoulders	
	Internal	Abdominal	Kidney is enveloped in fat
		Thoracic	Muscle between ribs may be infiltrated with fat. Fat deposits may be visible on the ribs
5. Very high	External	Very thick fat cover Patches of fat sometimes visible	
	Internal	Abdominal	Kidneys enveloped in thick layer of fat
		Thoracic	Muscle between ribs infiltrated with fat. Fat deposits visible on ribs.

<sup>(1)</sup> The additional provisions for the abdominal cavity do not apply for the purposes of Annex III.

## ANNEX III

**Classification scale for carcasses of lambs of less than 13 kg carcass weight referred to in  
Article 3(2)**

Category	A		B		C	
Weight	≤ 7 kg		7,1 — 10 kg		10,1 — 13 kg	
Quality	1st	2nd	1st	2nd	1st	2nd
Meat colour (*)	clear pink	other colour or other fat level	clear pink or pink	other colour or other fat level	clear pink or pink	other colour or other fat level
Class of fat cover (**)	(2) (3)		(2) (3)		(2) (3)	

(\*) Determined on the flank of the *rectus abdominis* by reference to a standardised colour chart.

(\*\*) As defined in point C.III of Annex IV to Regulation (EU) No 1308/2013.

## ANNEX IV

**Authorisation of automated grading methods for beef and sheep carcasses referred to in Article 10**

## PART A

***Conditions and minimum requirements for authorisation***

1. The Member State concerned shall organise an authorisation test for a jury composed of at least five licensed experts in classification of carcasses of bovine or sheep animals. Two members of the jury shall come from the Member State performing the test. The other members of the jury shall each come from another Member State. The jury shall comprise an uneven number of experts. The Commission services and other Member States' expert may attend the authorisation test as observers.

The members of the jury shall work in an independent and anonymous way.

The Member State concerned shall nominate a coordinator of the authorisation test who shall:

- (a) not be part of the jury;
  - (b) have satisfactory technical knowledge and be fully independent;
  - (c) monitor the independent and anonymous functioning of the members of the jury;
  - (d) collect the classification results of the members of the jury and those obtained by using the automated grading methods;
  - (e) ensure that, during the entire duration of the authorisation test, the classification results obtained by using the automated grading methods shall not be available to any of the members of the jury and vice versa nor to any other interested party;
  - (f) validate the classifications for each carcass and may decide, for objective reasons to be specified, to reject carcasses from the sample to be used for the analysis.
2. For the authorisation test:
    - (a) each of the classes of conformation and of fat cover shall be subdivided into three subclasses;
    - (b) a sample of at minimum 600 validated carcasses shall be required;
    - (c) the percentage of failures shall be no more than 5 % of the carcasses that are fit for classification by using automated grading methods.
  3. For each validated carcass, the median of the results of the members of the jury shall be considered as the correct grade of that carcass.

To estimate the performance of the automated grading method, the results of the automated grading method shall, for each validated carcass, be compared to the median of the results of the jury. The resulting accuracy of the grading by automated grading methods is established by using a system of points that are attributed as follows:

	Conformation	Fat cover
No error	10	10
Error of one unit (i.e. one subclass up or down)	6	9
Error of two units (i.e. two subclasses up or down)	– 9	0
Error of three units (i.e. three subclasses up or down)	– 27	– 13
Error of more than three units (i.e. more than three subclasses up or down)	– 48	– 30

With a view to authorisation, the automated grading methods should achieve at least 60 % of the maximum number of points for both conformation and fat cover.

In addition, the classification by using the automated grading methods must be within the following limits:

	Conformation	Fat cover
Bias	$\pm 0,30$	$\pm 0,60$
Slope of the regression line	$1 \pm 0,15$	$1 \pm 0,30$

Where during an authorisation test more than one carcass presentation is used, the differences between those carcass presentations shall not lead to differences in the classification results.

#### PART B

##### ***Information to be provided to the Commission by Member States as regards the organisation of an authorisation test***

- (a) The dates on which the authorisation test shall take place;
- (b) a detailed description of the carcasses of bovine animals aged eight months or more classified in the Member State concerned or a part thereof;
- (c) the statistical methods used for selecting the sample of carcasses that shall be representative, in terms of category, classes of conformation and of fat cover, of bovine animals aged eight months or more and sheep slaughtered in the Member State concerned or a part thereof;
- (d) the name and address of the slaughterhouse(s) where the authorisation test shall take place, an explanation of the organisation and performance of the processing line(s), including the speed per hour;
- (e) the carcass presentation(s) that shall be used during the authorisation test;
- (f) a description of the automated grading technique and its technical functions, in particular the security concept of the apparatus against any type of manipulation;
- (g) the licensed experts nominated by the Member State concerned to take part in the authorisation test as members of the jury;
- (h) the coordinator of the authorisation test, proving his satisfactory technical knowledge and full independence;
- (i) the name and address of the independent body designated by the Member State concerned that shall analyse the results of the authorisation test.

#### PART C

##### ***Information to be provided to the Commission by Member States as regards the results of an authorisation test***

- (a) A summary of the classification results signed by the members of the jury and by the coordinator during the authorisation test;
  - (b) a report of the coordinator on the organisation of the authorisation test in view of the conditions and minimum requirements set out in Part A;
  - (c) a quantitative analysis, according to a methodology to be agreed upon by the Commission, of the results of the authorisation test indicating the classification results of each expert classifier and those obtained by using the automated grading methods. The data used for the analysis must be provided in an electronic format to be agreed upon by the Commission;
  - (d) the accuracy of the automated grading methods established in accordance with the provisions in point 3 of Part A.
-

## ANNEX V

**Authorisation of grading methods for pig carcasses referred to in Article 11**

## PART A

## 1. CONDITIONS AND MINIMUM REQUIREMENT FOR AUTHORISATION

The authorisation test shall consist of:

- (a) The selection of a representative sample of pig carcasses to be involved in a dissection trial.
  - The representative sample shall reflect the pig population concerned and shall consist of at least 120 carcasses.
- (b) The recording of measurements (predictor variables) on the representative sample of pig carcasses.
  - The measurements used to estimate the lean meat percentage are recorded in one or more slaughterhouses using the grading technique(s) to be authorised.
- (c) A dissection trial for the assessment of the reference lean meat percentage of the pig carcasses as described in point 2 of Part A.
  - The trial involves the dissection of the sample of pig carcasses into meat, fat and bone. The lean meat content of a pig carcass shall be the relationship between the total weight of the red striated muscles provided that they are separable by knife, and the weight of the carcass. The total weight of the red striated muscles is obtained either
    - (i) by total dissection of the carcass as laid down in point 2.2 of Part A; or
    - (ii) by partial dissection of the carcass as laid down in point 2.3 of Part A; or
    - (iii) by a combination of total or partial dissection with a national quick method based on accepted statistical methods.
  - The total dissection referred to in point (i) may also be replaced by assessing the lean meat percentage with a computer tomography (CT) apparatus on the condition that satisfactory comparative dissection results are provided.
  - If a combination with a national quick method is used as referred to in point (iii), the number of carcasses for total or partial dissection may be reduced to 50 if the Member State can demonstrate that the precision is at least equal to that obtained using standard statistical methods on 120 carcasses.
- (d) The calculation of an equation (formula) for the grading method to be authorised.
  - An equation shall be derived to estimate the lean meat percentage of the representative sample of carcasses from the predictor variables measured on those carcasses.
  - The lean meat percentage of each carcass involved in the dissection trial shall be estimated from this formula.
- (e) The standard statistical analysis for the assessment of the result of the dissection trial.
  - The lean meat percentage estimated by the grading method concerned shall be compared to the reference lean meat percentage obtained from the dissection trial.
- (f) The introduction or amendment of an equation for the grading method for the prediction of the lean meat percentage of a pig carcass.
  - The equation shall be integrated into the grading technique after the application of the grading methods are authorised by the Commission.



Grading methods shall be authorised only if the root mean squared error of prediction (RMSEP), computed by a full cross-validation technique or by a test set validation on a representative sample of at least 60 carcasses, is less than 2,5. In addition, any outliers shall be included in the calculation of RMSEP.

Where, during an authorisation test, more than one carcass presentation is used, the differences between those carcass presentations shall not lead to differences in the classification results.

## 2. PROCEDURE FOR THE DISSECTION TRIAL TO PREDICT THE REFERENCE LEAN MEAT PERCENTAGE OF A PIG CARCASS

2.1. The prediction of the reference lean meat percentage is based on the total dissection of a left half carcass in accordance with the reference method as laid down in point (c) of Part 1.

2.2. Where total dissection is carried out, the reference lean meat percentage ( $Y_{TD}$ ) is calculated as follows:

$$Y_{TD} = \frac{(100 \times \text{weight of lean meat})}{(\text{carcass weight})}$$

The weight of the lean meat shall be calculated by subtracting the total weight of the non-lean elements from the total carcass weight before dissection. The feet and the head, except the cheek, are not dissected.

2.3. Where partial dissection is carried out, the prediction of the reference lean meat percentage ( $Y_{PD}$ ) is based on the dissection of the four major cuts (shoulder, loin, ham and belly) plus the weight of the tenderloin. The partial dissection lean meat percentage is calculated as follows:

$$Y_{PD} = \frac{100 \times (\text{weight of tender loin} + \text{weight of lean meat in the shoulder, loin, ham and belly})}{\text{weight of tender loin} + \text{weight of the shoulder, loin, ham and belly before dissection}}$$

The weight of the lean in the four major cuts (shoulder, loin, ham and belly) shall be calculated by subtracting the total weight of the non-lean elements of the four cuts from the total weight of the cuts before dissection.

The bias between total and partial dissection is corrected based on a subsample with total dissection.

2.4. The lean meat percentage can be predicted by an analytical procedure based on scanning the left half carcass with a CT. If this CT procedure is not calibrated to the total dissection of carcasses, a potential bias to total dissection is corrected based on a subsample that is totally dissected according to the reference method. Only that part of the left half carcass containing lean meat as defined by the total dissection method needs to be scanned i.e. the feet and the head, except the cheek, need not be scanned.

2.5. The bias correction required for partial dissection or for a CT procedure is based on a representative subsample that includes all combinations of the sample with respect to the stratification factors such as breed, gender or fatness used to select the overall sample. At least 10 carcasses are selected for bias correction.

If the slaughter pig population to be sampled has the same characteristics as the population for which partial dissection or a CT procedure has been previously bias corrected, no additional total dissection is required.

If a CT procedure is described and is traceable by measurements to total dissection or another, bias-corrected CT procedure, no additional total dissection is required.

## PART B

### ***Information to be provided to the Commission and other Member States by the Member State concerned by means of protocols for the authorisation test***

1. Part one of the protocol shall give a detailed description of the dissection trial and include in particular:

- (a) the trial period and time schedule for the whole authorisation procedure,
- (b) the number and location of the slaughterhouses,

- (c) the description of the pig population concerned by the assessment method,
  - (d) the indication of the chosen dissection method (total or partial),
  - (e) where use is made of a computer tomography apparatus as referred to in Part 1 of Part A to this annex a description of the procedure,
  - (f) a presentation of the statistical methods used in relation to the sampling method chosen,
  - (g) the description of the national quick method, if applied,
  - (h) the exact presentation of the carcasses to be used.
2. Part two of the protocol shall give a detailed description of the results of the dissection trial and include in particular:
- (a) a presentation of the statistical methods used in relation to the sampling method chosen,
  - (b) the equation which will be introduced or which has been amended,
  - (c) a numerical and a graphic description of the results,
  - (d) a description of the apparatus(es) concerned,
  - (e) the weight limit of the pigs for which the new method may be used and any other limitation in relation to the practical use of the method,
  - (f) the data used for the analysis must be provided in an electronic format.
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## ANNEX VI

**Correlation table**

## 1. Regulation (EC) No 1249/2008

Regulation (EC) No 1249/2008	This Regulation	Implementing Regulation (EU) 2017/1184
Article 2(4)	Article 1	
Article 3	Article 3(1)	
Article 4	Article 4	
Article 5	Article 2(1)	
Article 6(1)	Article 7(1)	
Article 6(2), first paragraph	Article 7(3)(a)	
Article 6(2), second paragraph	Article 7(5)	
Article 6(3)	Article 8(2)(a)	
Article 6(3), second and third paragraph	Article 8(3)(a)	
Article 6(3), second paragraph	Article 8(4)	
Article 6(4)(c)	Article 8(4)	
Article 6(4)(d)	Article 8(5)	
Article 6(7)	Article 8(6)(b)	
Article 7		Article 1
Article 8	Article 9	
Article 9	Article 10	
Article 10	Article 12	
Article 11(1)		Article 2(2)
Article 11(2), first paragraph		Article 2(1) and Article 3(2)(a)
Article 11(2), second paragraph		Article 3(2)(c)(i)
Article 11(2), third paragraph	Article 25(5)	
Article 11(3)		Article 3(3)
Article 11(4)		Article 2(3)
Article 12		Article 4
Article 13(1)	Article 14(1) and (2)	
Article 13(2)	Article 14(3)	
Article 13(3)	Article 6(3)	
Article 13(4)	Article 6(4)	
Article 13(5), first paragraph		Article 5(1)
Article 13(5), second paragraph		Article 5(2)

Regulation (EC) No 1249/2008	This Regulation	Implementing Regulation (EU) 2017/1184
Article 14(1)		Article 7
Article 14(2)		Article 6
Article 15		Article 8
Article 16(1), first paragraph		Article 14
Article 16(1), second paragraph		Article 13(1), first paragraph
Article 16(2)	Article 14(4)	
Article 16(3)	Article 17(2)	
Article 16(4), second paragraph	Article 17(1)	
Article 16(5)		Article 13(2), first and second paragraph
Article 16(7)(a)		Article 13(2), third paragraph
Article 18	Article 18	
Article 19	Article 25(1) and (2)	
Article 20(2)(a)	Article 2(1)(b)	
Article 20(2)(b)	Article 2(2)(a)	
Article 21(1), first paragraph	Article 7(1)	
Article 21(1), second paragraph	Article 7(2)	
Article 21(2)	Article 5, second paragraph	
Article 21(3), first paragraph	Article 8(1) and Article 8(2)(b)	
Article 21(3), second paragraph	Article 8(4)	
Article 21(3) fourth paragraph	Article 8(3)(c)	
Article 21(4)	Article 8(6)(a)	
Article 21(5)	Article 6(1)	
Article 22(2), first paragraph	Article 7(3)(b)	
Article 22(2), second paragraph	Article 14(3)	
Article 22(2), third paragraph	Article 7(4)(a)	
Article 23(4)	Article 11(3)	
Article 23(5)	Article 11(5)	
Article 24(2), first paragraph		Article 2(1) and Article 3(2)(b)
Article 24(2), second paragraph		Article 3(2)(c)(ii)
Article 24(4)		Article 2(3)
Article 25(2)		Article 9
Article 26(1)	Article 14(1)	
Article 26(2)	Article 14(2) and (3)	
Article 26(3)	Articles 19 and 25	

Regulation (EC) No 1249/2008	This Regulation	Implementing Regulation (EU) 2017/1184
Article 27(3)	Article 25(3)	
Article 28	Article 3(2)	
Article 29	Article 3(1)	
Article 30(2)	Article 7(3)(a)	
Article 30(3), first paragraph	Article 8(2)(a) and (3)(b)	
Article 30(3), second paragraph	Article 8(4)	
Article 30(4)	Article 8(5)	
Article 31	Article 9	
Article 33(1)	Article 15(1), first paragraph	
Article 33(2)	Article 15(4)	
Article 35	Article 21	
Article 38		Articles 16, 17 and 18

## 2. Regulation (EC) No 315/2002

Regulation (EC) No 315/2002	This Regulation	Implementing Regulation (EU) 2017/1184
Article 2	Article 15(1)(b)	

## 3. Regulation (EU) No 807/2013

Regulation (EU) No 807/2013	This Regulation	Implementing Regulation (EU) 2017/1184
Article 1(1)	Article 22	
Article 1(2), first paragraph		Article 22
Article 1(2), second paragraph	Article 16(2)	
Article 1(3)	Article 16(1)(a)	
Article 2(1)	Article 23	
Article 2(2), first paragraph		Article 12
Article 2(2), second paragraph	Article 16(2)	
Article 2(3)	Article 16(1)(b)	
Article 3(1)	Article 20	
Article 3(2), first paragraph		Article 10
Article 3(2), second paragraph	Article 15(1)	
Article 3(3)(a) to (d)	Article 6(2)	
Article 3(3), second paragraph		Article 5(1)
Article 3(4)	Article 15(3)	
Article 4(1)		Article 13(1)

**COMMISSION DELEGATED REGULATION (EU) 2017/1183****of 20 April 2017****on supplementing Regulations (EU) No 1307/2013 and (EU) No 1308/2013 of the European Parliament and of the Council with regard to the notifications to the Commission of information and documents****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1307/2013 of the European Parliament and of the Council of 17 December 2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and repealing Council Regulation (EC) No 637/2008 and Council Regulation (EC) No 73/2009 <sup>(1)</sup> and in particular Article 67(2) thereof,

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 <sup>(2)</sup>, and in particular Article 223(2) thereof,

Whereas:

- (1) Regulations (EU) No 1307/2013 and (EU) No 1308/2013 have repealed and replaced Council Regulations (EC) No 73/2009 <sup>(3)</sup> and (EC) No 1234/2007 <sup>(4)</sup> respectively. Regulations (EU) No 1307/2013 and (EU) No 1308/2013 and the acts adopted on the basis of those Regulations lay down a wide range of obligations on Member States to notify information and documents to the Commission. Those regulations also empower the Commission to adopt delegated and implementing acts in that respect. In order to ensure the smooth notification of information and documents to the Commission, certain rules have to be adopted by means of such acts. Those rules should replace the rules laid down in Commission Regulation (EC) No 792/2009 <sup>(5)</sup>, which should therefore be repealed.
- (2) The Commission has intensified its efforts to develop computer systems that make it possible to manage documents and procedures electronically, both in its own internal working procedures and in its relations with the Member States' authorities responsible for implementation of the common agricultural policy. Member States also have developed computer systems at national level aimed at ensuring the shared management of the common agricultural policy.
- (3) In this context, a legal framework should establish common rules applicable to the information systems set up for the purpose of Member States notifying information and documents to the Commission.
- (4) The nature and type of information to be notified pursuant to Regulations (EU) No 1307/2013 and (EU) No 1308/2013 should also be laid down.
- (5) Where it is necessary to receive market information additional to that provided for in this Regulation and the accompanying implementing regulation because of a development in the market, the Commission should be authorised to request such information for a limited period of time.

<sup>(1)</sup> OJ L 347, 20.12.2013, p. 608.

<sup>(2)</sup> OJ L 347, 20.12.2013, p. 671.

<sup>(3)</sup> Council Regulation (EC) No 73/2009 of 19 January 2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers, amending Regulations (EC) No 1290/2005, (EC) No 247/2006, (EC) No 378/2007 and repealing Regulation (EC) No 1782/2003 (OJ L 30, 31.1.2009, p. 16).

<sup>(4)</sup> Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) (OJ L 299, 16.11.2007, p. 1).

<sup>(5)</sup> Commission Regulation (EC) No 792/2009 of 31 August 2009 laying down detailed rules for the Member States' notification to the Commission of information and documents in implementation of the common organisation of the markets, the direct payments' regime, the promotion of agricultural products and the regimes applicable to the outermost regions and the smaller Aegean islands (OJ L 228, 1.9.2009, p. 3).

- (6) In order to ensure the proper functioning of the notification system, those authorised to make notifications should always be identified within the information systems set up. The identification process should be under the responsibility of a single liaison body designated by each Member State. Furthermore, the conditions for granting access rights to information systems set up by the Commission should be determined,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

##### **Scope**

1. This Regulation lays down rules supplementing Regulations (EU) No 1307/2013 and (EU) No 1308/2013 as regards the nature and type of information to be notified and the access rights to the information or information systems made available to meet the notification obligations laid down in those Regulations and in the acts adopted on the basis of those Regulations.
2. The notification obligations laid down by this Regulation cover the sectors listed in Article 1(2) of Regulation (EU) No 1308/2013.

#### *Article 2*

##### **Nature and type of information to be notified**

1. The notification obligation shall include any information required for those purposes set out in Article 67 of Regulation (EU) No 1307/2013 and Article 223 of Regulation (EU) No 1308/2013 or for the purpose of applying the acts adopted on the basis of those Regulations or for the purposes of complying with international agreements concluded in accordance with the TFEU.
2. The notification obligation shall include quantitative data consisting mainly of figures and qualitative data consisting mainly of texts and reports.

#### *Article 3*

##### **Additional information for the management of agricultural markets**

1. Where additional information within the scope of Chapter II of Commission Implementing Regulation (EU) 2017/1185 <sup>(1)</sup> is urgently needed because of a development in the market, the Commission may request from Member States the notification of such additional information and make available the necessary forms for the reporting thereof.
2. A request under paragraph 1 shall apply for no longer than 12 months from the date of that request.

#### *Article 4*

##### **Single liaison body and its responsibility**

1. Member States shall designate a single liaison body and shall inform the Commission of all its relevant contact details.

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<sup>(1)</sup> Commission Implementing Regulation (EU) 2017/1185 of 20 April 2017 laying down rules for the application of Regulations (EU) No 1307/2013 and (EU) No 1308/2013 of the European Parliament and of the Council as regards notifications to the Commission of information and documents and amending and repealing several Commission Regulations (see page 113 of this Official Journal).

2. The single liaison body shall be responsible for the following tasks in relation to the information system:
  - (a) to grant access rights to users;
  - (b) to certify the identity of the users who are granted access rights;
  - (c) to notify the Commission of users granted rights to access the information system.
3. The Commission shall activate the access rights of users on the basis of the notifications it receives from the single liaison body in accordance with point (c) of paragraph 2.

#### *Article 5*

#### **Repeal**

Regulation (EC) No 792/2009 is repealed.

References to Regulation (EC) No 792/2009 shall be read as references to this Delegated Regulation and to Implementing Regulation (EU) 2017/1185.

#### *Article 6*

#### **Entry into force**

This Regulation shall enter into force on the seventh 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, 20 April 2017.

*For the Commission*  
*The President*  
Jean-Claude JUNCKER

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**COMMISSION IMPLEMENTING REGULATION (EU) 2017/1184****of 20 April 2017****laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the Union scales for the classification of beef, pig and sheep carcasses and as regards the reporting of market prices of certain categories of carcasses and live animals**

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 <sup>(1)</sup>, and in particular Article 20(c), (p), (q), (r), (s) and (u) and Article 223(3)(c) and (d) thereof,

Having regard to Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008 <sup>(2)</sup>, and in particular Article 62(2)(a), (b) and (c) thereof,

Whereas:

- (1) Regulation (EU) No 1308/2013 has repealed and replaced Council Regulation (EC) No 1234/2007 <sup>(3)</sup>. Section 1 of Chapter I of Title I of Part II of Regulation (EU) No 1308/2013 contains rules on public intervention and aid for private storage, including the classification of beef, pig and sheep carcasses and the reporting of prices thereof, and empowers the Commission to adopt delegated and implementing acts in that respect. In order to ensure the smooth functioning of the Union scales for the classification of beef, pig and sheep carcasses and to establish comparable market prices for carcasses and live animals in the new legal framework, certain rules should be adopted by means of such acts. The new rules should replace Commission Regulations (EC) No 315/2002 <sup>(4)</sup>, (EC) No 1249/2008 <sup>(5)</sup> and (EU) No 807/2013 <sup>(6)</sup>. Those Regulations are repealed by Commission Delegated Regulation (EU) 2017/1182 <sup>(7)</sup>.
- (2) In order to ensure transparency towards the suppliers, the slaughterhouse, the classification agency or the qualified classifier who have carried out the classification of bovine animals aged eight months or more, or of pigs or sheep should inform the supplier of the result of the classification of the animals delivered for slaughter. That communication should include elements such as classification result, carcass weight, carcass presentation and, where applicable, information that classification has been carried out by automated grading technique.
- (3) The reliability of the classification of carcasses of bovine animals aged eight months or more, pigs and sheep should be verified by regular on-the-spot checks carried out by bodies that are independent from the inspected establishments, the classification agencies and the qualified classifiers. The conditions and minimum requirements for these checks should be laid down, including the reporting of the on-the-spot checks carried out as well as the follow-up actions. In order to give more flexibility to the Member States to carry out on-the-spot checks depending on their needs, it is necessary to provide for the possibility of carrying out a risk assessment.

<sup>(1)</sup> OJ L 347, 20.12.2013, p. 671.

<sup>(2)</sup> OJ L 347, 20.12.2013, p. 549.

<sup>(3)</sup> Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organization of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) (OJ L 299, 16.11.2007, p. 1).

<sup>(4)</sup> Commission Regulation (EC) No 315/2002 of 20 February 2002 on the survey of prices of fresh or chilled sheep carcasses on representative markets in the Community (OJ L 50, 21.2.2002, p. 47).

<sup>(5)</sup> Commission Regulation (EC) No 1249/2008 of 10 December 2008 laying down detailed rules on the implementation of the Community scales for the classification of beef, pig and sheep carcasses and the reporting of prices thereof (OJ L 337, 16.12.2008, p. 3).

<sup>(6)</sup> Commission Implementing Regulation (EU) No 807/2013 of 26 August 2013 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 as regards the survey of prices of certain bovine animals on representative Union markets (OJ L 228, 27.8.2013, p. 5).

<sup>(7)</sup> Commission Delegated Regulation (EU) 2017/1182 of 20 April 2017 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the Union scales for the classification of beef, pig and sheep carcasses and as regards the reporting of market prices of certain categories of carcasses and live animals (see page 74 of this Official Journal).

- (4) In order to obtain comparable market prices in the Union, it is necessary to define a reference carcass presentation that influences the weight and the correct price of the carcass. To adjust the presentations used in some Member States to the Union reference carcass presentation certain corrective factors should also be determined.
- (5) For the purpose of the recording of prices, Member States should decide whether their territory is divided, and if so, into how many regions. As the United Kingdom has expressed its intention to keep the division of its territory into two regions, for reason of transparency it is appropriate to provide that price recording for the United Kingdom should relate to two regions, namely Great Britain and Northern Ireland.
- (6) In order to ensure that the prices of carcasses and live animals are representative of the Member States' production in the beef, pig and sheep sectors, it is necessary to define the categories, classes and types as well as to set out the criteria defining establishments or persons for which the price recording should be compulsory.
- (7) The practical method to be used by Member States to calculate average weekly prices should be laid down. These prices should be reported and notifications should be made to the Commission in accordance with Commission Implementing Regulation (EU) 2017/1185 <sup>(1)</sup> except for those notifications that are necessary for the organization of on-the-spot inspections or that serve a basis for having a complete overview of the meat market.
- (8) In order to ensure a uniform application of the Union scales for the classification of beef, pig and sheep carcasses, provisions should be made for on-the-spot inspections to be carried out by a Union Inspection Committee composed of experts from the Commission and experts appointed by the Member States. Rules should be laid down regarding the composition and functioning of that Committee.
- (9) In view of the need to allow Member States to adapt to the new legal framework, this Regulation should apply 12 months after its entry into force.
- (10) 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:

#### CHAPTER I

### CLASSIFICATION OF CARCASSES AND ON-THE-SPOT CHECKS

#### Article 1

#### Communication of the classification results

1. The slaughterhouses, the classification agencies or the qualified classifiers provided for in Article 9(1)(a) of Delegated Regulation (EU) 2017/1182 carrying out the classification in accordance with points A.II, A.III, B.II, C.II and C.III of Annex IV to Regulation (EU) No 1308/2013 shall communicate to the supplier of the animal, the results of the classification. That communication shall be, in paper form or by electronic means and shall indicate per carcass:
  - (a) the classification results by means of the corresponding letters and figures referred to in points A.II, A.III, B.II, C.II and C.III of Annex IV to Regulation (EU) No 1308/2013, respectively;
  - (b) the carcass weight established in accordance with Article 7 of Delegated Regulation (EU) 2017/1182, specifying whether it relates to the warm or cold weight;
  - (c) the carcass presentation applied at the moment of weighing and classifying on the hook; the indication of the carcass presentation shall not be compulsory if only one single carcass presentation is allowed within the territory or a region of the Member State concerned in accordance with the national legislation;
  - (d) where applicable, that classification has been carried out using an automated grading technique.

<sup>(1)</sup> Commission Implementing Regulation (EU) 2017/1185 of 20 April 2017 laying down rules for the application of Regulations (EU) No 1307/2013 and (EU) No 1308/2013 of the European Parliament and of the Council as regards notifications to the Commission of information and documents and amending and repealing several Commission Regulations (see page 113 of this Official Journal).

2. Member States may require that the communication referred to in paragraph 1(a) includes subclasses, where such information is available.

#### *Article 2*

##### **On-the-spot checks**

1. On-the-spot checks shall be carried out in all slaughterhouses applying the compulsory carcass classification as referred to in the first paragraph of Article 10 of Regulation (EU) No 1308/2013.
2. The performance of the qualified classifiers and the applied grading methods as well as the classification, presentation and identification of the carcasses in the slaughterhouses referred to in points A.II, A.III, A.V, B.II, B.V, C.II, C.III, C.IV and C.V of Annex IV to Regulation (EU) No 1308/2013 shall be checked on the spot and without prior warning by a body independent of the slaughterhouses, the classification agencies and the qualified classifiers.

The requirement to be independent of the classification agencies and the qualified classifiers shall not apply where the competent authority of a Member State itself carries out such controls.

3. Where the body responsible for on-the-spot checks does not fall under the authority of a competent authority, the competent authority shall verify that the on-the-spot checks are carried out correctly at least once a year, by means of physical supervision under the same conditions.

#### *Article 3*

##### **Minimum requirements of the on-the-spot checks**

1. Where a risk assessment is carried out in a Member State to determine the minimum requirements for on-the-spot checks, the frequency of those checks and the minimum number of carcasses to be checked shall be determined on the basis of such risk assessment, particularly taking into account the number of animals slaughtered in the slaughterhouses concerned and the findings during previous on-the-spot checks in these slaughterhouses.
2. Where a risk assessment is not carried out in a Member State, on-the-spot checks shall be performed as follows:
  - (a) in all slaughterhouses which slaughter 150 or more bovine animals aged eight months or more per week as an annual average, at least twice every three months; each on-the-spot check shall relate to at least 40 carcasses selected at random or, if less than 40 carcasses are available, to all carcasses;
  - (b) in all slaughterhouses which slaughter 500 pigs or more per week as an annual average, at least twice every three months;
  - (c) Member States shall determine the frequency of the on-the-spot checks and the minimum number of carcasses to be checked for slaughterhouses which:
    - (i) slaughter less than 150 bovine animals aged eight months or more per week as an annual average;
    - (ii) slaughter less than 500 pigs per week as an annual average;
    - (iii) carry out sheep carcass classification.
3. The on-the-spot checks shall verify in particular:
  - (a) the category of the beef and sheep carcass;
  - (b) the classification, weighing and marking of the carcasses;
  - (c) the accuracy of the beef and sheep automated grading methods by using a system of points and limits that determines the ongoing accuracy of the grading method;

- (d) the carcass presentation;
- (e) if appropriate, the daily function test as well as any other technical aspects of grading methods;
- (f) the daily control reports as referred to in Article 12(1)(b) of Delegated Regulation (EU) 2017/1182.

#### *Article 4*

### **Reports and revoking of licences and approvals**

1. The competent authority shall make and keep reports on the on-the-spot checks provided for in Article 2.
2. In cases where a significant number of incorrect classifications, presentations or identifications or where the application of automated grading technique failing to comply with the rules is ascertained during the on-the-spot checks provided for in Article 2, the licences or approvals granted to qualified classifiers or automated grading technique as provided for in Article 9 of Delegated Regulation (EU) 2017/1182 may be revoked. In cases of an error on category, conformation or fat cover the body responsible for on-the-spot checks may ask the operator to rectify it on the marking of the carcass and in the documents concerned.

## CHAPTER II

### **RECORDING AND REPORTING OF MARKET PRICES FOR CARCASSES AND LIVE ANIMALS**

#### *Article 5*

### **Presentation of carcasses**

1. Where the presentation of the carcass at the moment of weighing and classifying on the hook, differs from that provided for in Annex IV to Regulation (EU) No 1308/2013 and in Article 6 of Delegated Regulation (EU) 2017/1182, the warm weight of the carcass shall be adjusted by application of the corrective factors.

For carcasses of pigs, bovine animals aged less than eight months and sheep the corrective factors shall be specified by the Member States.

For carcasses of bovine animals aged eight months or more the corrective factors are as set out in the Annex to this Regulation.

2. Where the adjustments referred to in paragraph 1 are the same throughout the territory of a Member State, they may be calculated at national level. Where such adjustments vary from one slaughterhouse to another, they shall be calculated at slaughterhouse level.

#### *Article 6*

### **Territorial division for the recording of market prices for carcasses**

Member States shall decide whether their territory is to comprise a single region or whether to divide it into more than one region. This decision shall be taken on the basis of:

- (a) the size of their territory;
- (b) the existence, if any, of administrative divisions;
- (c) geographical variations in prices.

For the purpose of recording of market prices for beef carcasses, the United Kingdom shall comprise at least two regions, namely Great Britain and Northern Ireland, which may be subdivided on the basis of the criteria referred to in the first paragraph.

*Article 7***Classes for recording of market prices for beef carcasses**

Recording of market prices on the basis of the Union scales referred to in Article 10 of Regulation (EU) No 1308/2013 shall relate to the categories specified in point A.II of Annex IV to that Regulation and to the following conformation and fat cover classes:

- (a) carcasses of animals aged from eight months to less than 12 months: U2, U3, R2, R3, O2, O3;
- (b) carcasses of uncastrated male animals aged from 12 months to less than 24 months: U2, U3, R2, R3, O2, O3;
- (c) carcasses of uncastrated male animals aged from 24 months: R3;
- (d) carcasses of castrated male animals aged from 12 months: U2, U3, U4, R3, R4, O3, O4;
- (e) carcasses of female animals that have calved: R3, R4, O2, O3, O4, P2, P3;
- (f) carcasses of other female animals aged from 12 months: U2, U3, U4, R2, R3, R4, O2, O3, O4.

*Article 8***Recording of market prices for beef carcasses**

1. The market price to be reported for carcasses of bovine animals aged eight months or more as referred to in Article 14 of Delegated Regulation (EU) 2017/1182 shall be recorded by:

- (a) the operator of any slaughterhouse which annually slaughters 20 000 or more bovine animals aged eight months or more;
- (b) the operator of any slaughterhouse which is designated by the Member State and which annually slaughters less than 20 000 bovine animals aged eight months or more;
- (c) any natural or legal person who sends 10 000 or more bovine animals aged eight months or more for slaughter annually; and
- (d) any natural or legal person who is designated by the Member State and who sends less than 10 000 bovine animals aged eight months or more for slaughter annually.

2. Member State shall ensure that prices are recorded for at least:

- (a) 25 % of the slaughterings in those regions which together cover at least 75 % of the total slaughterings in that Member State; and
- (b) 30 % of the bovine animals aged eight months or more slaughtered in that Member State.

3. The prices recorded in accordance with paragraph 1 shall relate to bovine animals aged eight months or more slaughtered during the recording period concerned, and be based on the cold weight of the carcass as referred to in Article 14(3) of Delegated Regulation (EU) 2017/1182.

4. The prices recorded for each class referred to in Article 7 of this Regulation shall indicate the average carcass weight to which they relate and whether or not they have been adjusted by application of each of the factors referred to in Article 5.

*Article 9***Classes and weights for recording of market prices for pig carcasses**

Recording of market prices on the basis of the Union scales referred to in Article 10 of Regulation (EU) No 1308/2013 shall relate to the following weight classes:

- (a) carcasses of 60 kg to less than 120 kg: S, E;
- (b) carcasses of 120 kg to less than 180 kg: R.

*Article 10***Recording of market prices for carcasses of pigs and bovine animals aged less than eight months**

The market price to be reported for carcasses of pigs and bovine animals aged less than eight months as referred to in Articles 14 and 15 of Delegated Regulation (EU) 2017/1182 shall be recorded on representative markets by the Member State or by the operators of any slaughterhouse or by natural or legal persons who send such animals for slaughter and are designated by the Member State.

*Article 11***Recording of market prices for carcasses of sheep aged less than 12 months**

The market price to be reported for carcasses of sheep aged less than 12 months as referred to in Article 15 of Delegated Regulation (EU) 2017/1182 shall be recorded on representative markets by the Member State or by the operators of any slaughterhouse or by natural or legal persons who send such animals for slaughter and are designated by the Member State.

Recording of market prices shall relate to the following weight categories:

- (a) carcasses of light lambs weighing less than 13 kg carcass weight;
- (b) carcasses of heavy lambs weighing 13 kg carcass weight or more.

*Article 12***Recording of market prices for live animals**

The market prices to be reported for each type of male calves aged between eight days and four weeks, store cattle and piglets of approximately 25 kg in live weight as referred to in Article 16 of Delegated Regulation (EU) 2017/1182 shall be recorded on representative markets by the Member State or by natural or legal persons who trade these animals and are designated by the Member State.

*Article 13***Calculation of weekly market prices for carcasses and live animals**

1. In the absence of price recording on representative markets or by operators of slaughterhouses or by the natural or legal persons referred to in Articles 10, 11 and 12, the prices shall be recorded by chambers of agriculture, quotation centres, farmers' cooperatives or farmers' unions in the Member State concerned.

However, where a Member State has established a committee in the relevant region, to determine prices for that region, and where the membership of such committee is divided equally between buyers and sellers of bovine animals aged eight months or more and their carcasses, that Member State may use the prices determined by that committee for the calculation of the prices to be reported.

2. Where flat-rate purchases account for more than 35 % of total slaughterings of bovine animals aged eight months or more in a Member State, that Member State may establish criteria to exclude certain consignments from the calculation of prices where those consignments disproportionately influence the prices.

However, where flat-rate purchases account for less than 35 % of total slaughterings of bovine animals aged eight months or more in the Member State, that Member State may decide not to take the prices for such purchases into account in the calculations of prices.

In the cases referred to in the second subparagraph a representative national price for each class shall be calculated by the competent authority, taking into account the factors referred to in Article 14 of Delegated Regulation (EU) 2017/1182 and in Article 5 of this Regulation.

#### *Article 14*

##### **Reporting of market prices to the competent authority**

The prices recorded in accordance with Articles 7 to 12 in the period from Monday to Sunday of each week shall:

- (a) be reported to the competent authority, in paper form or by electronic means, by the operator of the slaughterhouse or natural or legal person referred to in Articles 8, 10, 11 and 12 within the time limit set by the Member State; or
- (b) at the option of the Member State, be made available to its competent authority at the slaughterhouse or the premises of the natural or legal person referred to in Articles 8, 10, 11 and 12.

#### *Article 15*

##### **Reporting of market prices and notifications to the Commission**

1. The reporting of market prices and notifications referred to in Article 13 and 25 of Delegated Regulation (EU) 2017/1182, respectively shall be made in accordance with Implementing Regulation (EU) 2017/1185 with the exception of the notifications provided for in Article 25(3) and (5) of Delegated Regulation (EU) 2017/1182.
2. The prices shall relate to the period from Monday to Sunday of the preceding week to that in which they are notified.

### CHAPTER III

#### **UNION INSPECTION COMMITTEE AND ON-THE-SPOT INSPECTIONS**

#### *Article 16*

##### **Union Inspection Committee**

1. The Union Inspection Committee ('the Committee') shall be responsible for carrying out on-the-spot inspections covering:
  - (a) the application of the Union scales for the classification of beef, pig and sheep carcasses;
  - (b) the recording of market prices according to those classification scales;
  - (c) the classification, identification and marking of products within the framework of the buying-in under public intervention in the beef and veal sector.
2. The Committee shall be composed of at most:
  - (a) three Commission experts, one of whom shall act as chairman of the Committee;
  - (b) one expert from the Member State concerned;
  - (c) eight experts from other Member States.

The Member States shall appoint experts on the basis of their independence and ability, particularly in matters of classification of carcasses and recording of market prices and of the specific nature of the work to be carried out.

Experts shall not under any circumstances use for personal purposes or divulge information obtained in connection with the work of the Committee.

3. Travel and subsistence expenses of members of the Committee linked to the on-the-spot inspections shall be borne by the Commission in accordance with the rules applicable to the reimbursement of travel and subsistence expenses of persons unconnected with the Commission who are called upon by it to act as experts.

#### *Article 17*

### **On-the-spot inspections**

1. On-the-spot inspections shall be carried out at slaughterhouses, meat markets, intervention centres, price quotation centres and regional and central services implementing the provisions concerning:

- (a) the application of the Union scales for the classification of beef, pig and sheep carcasses;
- (b) the recording of market prices according to those classification scales;
- (c) the classification, identification and marking of products within the framework of the buying-in under public intervention in the beef and veal sector.

2. The on-the-spot inspections shall be carried out at regular intervals in Member States and their frequency may vary, in particular, according to the relative volume of beef, pig and sheep production in the visited Member States or to irregularities linked to the application of the classification scales and reporting of market prices.

Representatives of the visited Member State may take part in the on-the-spot-inspections.

Each Member State shall organise the on-the-spot inspections to be carried out on its territory according to the requirements set by the Commission. To that end, the Member State shall forward to the Commission, 60 days before the on-the-spot inspections at the latest, the draft programme of the proposed on-the-spot inspections. The Commission may request any amendment to the programme.

The Commission shall inform Member States, as far in advance as possible before each on-the-spot inspection, of the amendments to the programme and the conduct thereof.

#### *Article 18*

### **Reports**

On completion of each visit, the members of the Committee and the representatives of the visited Member State shall meet to consider the results. The members of the Committee shall draw conclusions from the on-the-spot inspection concerning:

- (a) the application of the Union scales for the classification of beef, pig and sheep carcasses;
- (b) the recording of market prices according to those classification scales.

The Committee chairman shall draw up a report on the on-the-spot inspections conducted containing the conclusions referred to in the first subparagraph. The report shall be sent at the earliest possibility to the inspected Member State and to the other Member States, subsequently.

In the case of reports on on-the-spot inspection referred to in the second subparagraph carried out in a Member State, the Commission shall provide the relevant competent authority with a draft report for comments, take those comments into consideration in preparing the final report and publish the competent authority's comments together with the final report.

When the report on the on-the-spot inspections conducted notes shortcomings in the various fields of activity which were the subject of the inspection, or makes recommendations with a view to improving operations, the Member States shall inform the Commission of all changes which are envisaged or have taken place not later than three months after the date on which the report was transmitted.



## CHAPTER IV

## FINAL PROVISION

*Article 19***Entry into force and application**

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

It shall apply from 11 July 2018.

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

Done at Brussels, 20 April 2017.

*For the Commission*  
*The President*  
Jean-Claude JUNCKER

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## ANNEX

**Corrective factors for bovine animals aged eight months or more referred to in Article 5(1) as a percentage of the carcass weight to be added or subtracted**

Percentage	Decrease			Increase				
Fat classes	1-2	3	4-5	1	2	3	4	5
Kidneys	– 0,4							
Kidney fat	– 1,75	– 2,5	– 3,5					
Pelvic fat	– 0,5							
Liver	– 2,5							
Thin skirt	– 0,4							
Thick skirt	– 0,4							
Tail	– 0,4							
Spinal cord	– 0,05							
Mammary fat	– 1,0							
Testicles	– 0,3							
Cod fat	– 0,5							
Fat on inside of topside	– 0,3							
Jugular vein and adjacent fat	– 0,3							
Removal of external fat				0	0	+ 2	+ 3	+ 4
Removal of brisket fat to leave a covering of fat (the muscle tissue must not be exposed)				0	+ 0,2	+ 0,2	+ 0,3	+ 0,4
Removal of flank fat adjacent to the cod fat				0	+ 0,3	+ 0,4	+ 0,5	+ 0,6

**COMMISSION IMPLEMENTING REGULATION (EU) 2017/1185****of 20 April 2017****laying down rules for the application of Regulations (EU) No 1307/2013 and (EU) No 1308/2013 of the European Parliament and of the Council as regards notifications to the Commission of information and documents and amending and repealing several Commission Regulations****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1307/2013 of the European Parliament and of the Council of 17 December 2013 establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and repealing Council Regulation (EC) No 637/2008 and Council Regulation (EC) No 73/2009 <sup>(1)</sup> and in particular Article 67(3) thereof,

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 <sup>(2)</sup>, and in particular Articles 126 and 151, and Article 223(3) thereof,

Whereas:

- (1) Regulations (EU) No 1307/2013 and (EU) No 1308/2013 have repealed and replaced Council Regulations (EC) No 73/2009 <sup>(3)</sup> and (EC) No 1234/2007 <sup>(4)</sup> respectively. Regulations (EU) No 1307/2013 and (EU) No 1308/2013 and the acts adopted on the basis of those Regulations lay down a wide range of obligations to notify information and documents to the Commission. Those regulations also empower the Commission to adopt delegated and implementing acts in that respect. In order to ensure the smooth notification of information and documents by Member States to the Commission, certain rules have to be adopted by means of such acts. Those acts should replace the rules laid down in Commission Regulation (EC) No 792/2009 <sup>(5)</sup>, which is repealed by Commission Delegated Regulation (EU) 2017/1183 <sup>(6)</sup>.
- (2) The method to be used to notify the information and documents required to meet the notification obligations laid down in Regulations (EU) No 1307/2013 and (EU) No 1308/2013 as supplemented by Delegated Regulation (EU) 2017/1183, should be laid down and exceptions to that notification method should be specified.
- (3) For documents to be recognised as valid for the Commission's purposes it should be possible to guarantee the authenticity, integrity and legibility of the documents and the associated metadata throughout the period for which they are required to be kept.
- (4) Documents must be managed in accordance with the personal data protection rules. To that end, the general rules laid down by Union legislation, notably Directive 95/46/EC of the European Parliament and of the Council <sup>(7)</sup>, Regulations (EC) No 45/2001 <sup>(8)</sup> and (EC) No 1049/2001 <sup>(9)</sup> of the European Parliament and of the Council and Directive 2002/58/EC of the European Parliament and of the Council <sup>(10)</sup> should apply, and further provisions should be laid down to guide Member States.
- (5) It is important that information notified is of relevance to the market concerned, accurate and complete and Member States should put in place arrangements to ensure this, including the necessary measures to ensure that economic operators provide them with the required information within appropriate time limits.
- (6) For the sake of simplification and reduction of administrative burden, when a Member State has not sent a notification, this should be interpreted by the Commission as a nil notification by the Member State.
- (7) Member States may notify additional information that is relevant to the market beyond what is required by this Regulation. The Commission shall make available, through the information system, the necessary form for the transmission of such information.

- (8) Information on product prices and production and market information is required for the purpose of monitoring, analysing and managing the market in agricultural products and for the purpose of applying Regulation (EU) No 1308/2013. It is accordingly appropriate that rules concerning the notification of this information are laid down.
- (9) In order to simplify and facilitate access to rules concerning notification obligations, it is appropriate to incorporate in this Regulation the provisions regarding notifications from Member States to the Commission on the data on agricultural markets, particularly prices, production and balance sheet data, currently laid down in Commission Regulations (EC) No 315/2002 <sup>(11)</sup>, (EC) No 546/2003 <sup>(12)</sup>, (EC) No 1709/2003 <sup>(13)</sup>; (EC) No 2336/2003 <sup>(14)</sup>, (EC) No 2095/2005 <sup>(15)</sup>, (EC) No 952/2006 <sup>(16)</sup>, (EC) No 1557/2006 <sup>(17)</sup>, (EC) No 589/2008 <sup>(18)</sup>, (EC) No 826/2008 <sup>(19)</sup>, (EC) No 1249/2008 <sup>(20)</sup>, (EC) No 436/2009 <sup>(21)</sup>, (EU) No 1272/2009 <sup>(22)</sup> and (EU) No 479/2010 <sup>(23)</sup> and Commission Implementing Regulations (EU) No 543/2011 <sup>(24)</sup>, (EU) No 1288/2011 <sup>(25)</sup>, (EU) No 1333/2011 <sup>(26)</sup> and (EU) No 807/2013 <sup>(27)</sup>. Those notification obligations should be updated in the light of acquired experience and for a more effective management of the common agricultural policy.
- (10) In order to have a comprehensive picture of price data notified and to follow trends, it is appropriate to require that each price series is defined.
- (11) Member States that have not adopted the euro shall report price information in their official currency.
- (12) The Union is required to make certain notifications to the World Trade Organisation (WTO) in accordance with Article 18(2) of the WTO Agreement on Agriculture <sup>(28)</sup>, as further detailed in paragraph 4 of WTO document G/AG/2 of 30 June 1995 and the Annex to the WTO Ministerial Decision of 19 December 2015 on export competition (WT/MIN(15)/45-WT/L/980). In order to comply with these requirements, the Union requires certain information from Member States, notably information relating to domestic support and export competition. Provisions concerning the notifications to be made by Member States to the Commission for these purposes should therefore be laid down.
- (13) The provisions on notifications in the sugar sector should apply from 1 October 2017 in order to provide for a smooth transition with the ending of the quota system.
- (14) Regulations (EC) No 315/2002, (EC) No 952/2006, (EC) No 589/2008, (EC) No 826/2008, (EC) No 1249/2008, (EC) No 436/2009, (EU) No 1272/2009, (EU) No 479/2010, and Implementing Regulations (EU) No 543/2011, (EU) No 1333/2011 and (EU) No 807/2013 should therefore be amended accordingly. Regulations (EC) No 546/2003, (EC) No 1709/2003, (EC) No 2336/2003, (EC) No 2095/2005 and (EC) No 1557/2006 and Implementing Regulation (EU) No 1288/2011 should be repealed.
- (15) The measures provided for in this Regulation are in accordance with the opinion of the Committee of Direct Payments and the Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

#### CHAPTER I

### PRINCIPLES AND REQUIREMENTS OF THE INFORMATION SYSTEM

#### Article 1

#### **Commission information system and notification method**

1. Notification of information and documents required pursuant to the notification obligations laid down in Regulations (EU) No 1307/2013 and (EU) No 1308/2013 and in the acts adopted on the basis of those Regulations shall be made by means of an information-technology-based system that the Commission makes available to Member States.

The information and documents shall be set up and notified in accordance with:

- (a) the procedures established for the information system;

- (b) the access rights granted by the single liaison body referred to in Delegated Regulation (EU) 2017/1183; and
  - (c) the forms made available to users in the information system.
2. By way of exception to the first paragraph of paragraph 1, Member States may make the required information available to the Commission by mail, by telefax, by electronic mail or by hand:
- (a) if the Commission has not made available the information technology means for a specific notification obligation;
  - (b) in cases of *force majeure* or exceptional circumstances which make it impossible for the Member State to use the information system referred to in paragraph 1.

#### Article 2

##### **Integrity and legibility over time**

The information system made available by the Commission shall be designed to protect the integrity of the documents notified and held. In particular, it shall:

- (a) allow each user to be unequivocally identified and shall incorporate effective control measures of access rights in order to protect against illegal, malicious or unauthorised access, deletion, alteration or movement of documents, files or metadata;
- (b) be equipped with physical protection systems against intrusions and environmental incidents and with software protection against possible cyber-attacks;
- (c) prevent any unauthorised changes and incorporate integrity mechanisms to check if a document has been altered over time;
- (d) keep an audit trail for each essential stage of the procedure;
- (e) safeguard stored data in an environment which is secure in both physical and software terms, in accordance with point (b);
- (f) provide reliable format conversion and migration procedures in order to guarantee that documents are legible and accessible throughout the entire storage period required;
- (g) have sufficiently detailed and up-to-date functional and technical documentation on the operation and characteristics of the system; that documentation shall be accessible at all times to the organisational entities responsible for the functional and/or technical specifications.

#### Article 3

##### **Authenticity of documents**

The authenticity of a document notified or stored using an information system in conformity with this Regulation is recognised if the person who sent the document is duly identified and if the document has been set up and notified in compliance with this Regulation.

#### Article 4

##### **Protection of personal data**

1. The provisions of this Regulation shall apply without prejudice to Directive 95/46/EC, Regulation (EC) No 45/2001, Regulation (EC) No 1049/2001, and Directive 2002/58/EC and the provisions adopted pursuant to them.
2. Member States shall take the necessary steps to protect the confidentiality of data received from economic operators.

3. Where information notified to the Commission is obtained from less than three operators, or where information from a single operator accounts for more than 70 % of the quantum of such information notified, the Member State concerned shall signal this to the Commission when notifying the information.

4. The Commission shall not publish information in such a way that can lead to the identification of an individual operator. Where such a risk exists, the Commission shall only publish such information in an aggregate form.

#### *Article 5*

### **Default notification**

Save as otherwise provided for in the acts referred to in Article 1, where a Member State has not notified the Commission the required information or documents by the deadline ('nil return'), the Member State shall be deemed to have notified the Commission:

- (a) in the case of quantitative information, of a zero value;
- (b) in the case of qualitative information, of a 'nothing to report' situation.

## CHAPTER II

### **NOTIFICATIONS ON PRICES, PRODUCTION, MARKET INFORMATION AND THOSE REQUIRED BY INTERNATIONAL AGREEMENTS**

#### SECTION 1

### ***Notification on prices, production and market information***

#### *Article 6*

### **Notification on prices, production and market situation**

The notification of information on prices required pursuant to the notification obligation laid down in Article 2 of Delegated Regulation (EU) 2017/1183 shall be made in accordance with Annexes I and II.

The notification of production and markets required pursuant to the notification obligation laid down in Article 2 of Delegated Regulation (EU) 2017/1183 shall be made in accordance with Annex III.

#### *Article 7*

### **Integrity of information**

1. Member States shall take the necessary steps to ensure that information notified is relevant to the market concerned, accurate and complete. Member States shall ensure that quantitative data notified constitute a consistent statistical series. In the event that a Member State has reason to believe that the information notified might not be relevant, accurate or complete, the Member State concerned shall signal this to the Commission when notifying the information.

2. Member States shall notify the Commission of any important new information likely to alter substantially information already notified.

3. Member States shall take the necessary measures to ensure that the economic operators concerned provide them with the information required within the appropriate time limits. Economic operators shall provide Member States with the information necessary to comply with the information requirements laid down in this Regulation.

*Article 8***Additional information**

Member States may notify the Commission of information additional to that required in Annexes I, II and III by means of the information system referred to in Article 1 where such information is considered relevant by the Member State concerned. Such notifications shall be made by means of a form made available by the Commission in the system.

*Article 9***Price definition**

1. For each price notification required by this Section, Member States shall notify the source and methodology used to determine the prices provided. Such notifications shall include information on the representative markets determined by Member States and the associated weighting coefficients.
2. Member States shall notify the Commission of any changes to the information provided in accordance with paragraph 1.
3. Member States shall ensure that the Commission has the right to publish data that they notify to the Commission, subject to Article 4.

*Article 10***Reporting of prices in official currency**

Unless otherwise specified in Annexes I, II and III, Member States shall notify price information in their official currency, net of VAT.

*Article 11***Weekly price monitoring**

Unless otherwise specified in Annex I, Member States shall notify the Commission of the weekly price information referred to in that Annex no later than 12.00 (Brussels time) each Wednesday for the previous week.

*Article 12***Non-weekly price information and production monitoring**

Member States shall notify the Commission, within the time limits laid down, of:

- (a) non-weekly price information referred to in Annex II to this Regulation; and
- (b) production and market information referred to in Annex III to this Regulation.

*SECTION 2****Notifications required by international agreements****Article 13***WTO domestic support data**

1. Member States shall notify the Commission by 31 October each year of data on national budgetary outlays, including revenue foregone, on domestic support measures in favour of agricultural producers for the previous Union financial year. The notification shall include data on measures co-financed from the Union budget and shall cover both the national and Union components of financing. The notification shall not cover measures wholly financed from the Union budget.

2. The data required under paragraph 1 shall be that set out in WTO document G/AG/2 on domestic support and shall be notified using the format set out in that document.

#### *Article 14*

### **WTO export competition data**

1. Member States shall notify the Commission by 28 February each year of data for the preceding calendar year on the following export competition measures applied by them:

- (a) export financing support (export credits, export credit guarantees or insurance programmes);
- (b) international food aid;
- (c) agricultural exporting state trading enterprises.

2. The data required under paragraph 1 shall be that set out in the Annex to the WTO Ministerial Decision of 19 December 2015 on export competition and shall be notified using the format set out in that Annex.

#### CHAPTER III

### **FINAL PROVISIONS**

#### *Article 15*

### **Amendments to several regulations and transitional provisions**

- 1. Article 1 of Regulation (EC) No 315/2002 is deleted.
- 2. Articles 12, 13, 14, 14a, 15a, 20, 21 and 22 of Regulation (EC) No 952/2006 are deleted as from 1 October 2017. These provisions will continue to apply in respect of residual notifications relating to the sugar quota system.
- 3. Article 31 of Regulation (EC) No 589/2008 is deleted.
- 4. Point A of Annex III to Regulation (EC) No 826/2008 is deleted.
- 5. Articles 16(8), 17, 25(3), 27(1) and (2), 34(2) and Article 36 of Regulation (EC) No 1249/2008 are deleted.
- 6. Article 19 of Regulation (EC) No 436/2009 is deleted, with the exception of paragraph 1, point (b)(iii) and paragraph 2 which will continue to apply until 31 July 2017.
- 7. Articles 56(3) and (4) of Regulation (EU) No 1272/2009 are deleted.
- 8. Articles 1a, 2 and 3 of Regulation (EU) No 479/2010 are deleted.
- 9. Article 98 of Implementing Regulation (EU) No 543/2011 is deleted.
- 10. Article 11 of Implementing Regulation (EU) No 1333/2011 is deleted.
- 11. Articles 4(2) and (3) and 7 of Implementing Regulation (EU) No 807/2013 are deleted.

#### *Article 16*

### **Repeal**

The following Regulations are repealed:

- Regulation (EC) No 546/2003,
- Regulation (EC) No 1709/2003,



- Regulation (EC) No 2336/2003,
- Regulation (EC) No 2095/2005,
- Regulation (EC) No 1557/2006,
- Implementing Regulation (EU) No 1288/2011.

#### Article 17

#### Entry into force

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

Point 1 of Annex II and point 2 of Annex III shall apply as from 1 October 2017.

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

Done at Brussels, 20 April 2017.

*For the Commission*

*The President*

Jean-Claude JUNCKER

<sup>(1)</sup> OJ L 347, 20.12.2013, p. 608.

<sup>(2)</sup> OJ L 347, 20.12.2013, p. 671.

<sup>(3)</sup> Council Regulation (EC) No 73/2009 of 19 January 2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers, amending Regulations (EC) No 1290/2005, (EC) No 247/2006, (EC) No 378/2007 and repealing Regulation (EC) No 1782/2003 (OJ L 30, 31.1.2009, p. 16).

<sup>(4)</sup> Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) (OJ L 299, 16.11.2007, p. 1).

<sup>(5)</sup> Commission Regulation (EC) No 792/2009 of 31 August 2009 laying down detailed rules for the Member States' notification to the Commission of information and documents in implementation of the common organisation of the markets, the direct payments' regime, the promotion of agricultural products and the regimes applicable to the outermost regions and the smaller Aegean islands (OJ L 228, 1.9.2009, p. 3).

<sup>(6)</sup> Commission Delegated Regulation (EU) 2017/1183 of 20 April 2017 on supplementing Regulations (EU) No 1307/2013 and (EU) No 1308/2013 of the European Parliament and of the Council with regard to the notifications to the Commission of information and documents (see page 100 of this Official Journal).

<sup>(7)</sup> Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data (OJ L 281, 23.11.1995, p. 31).

<sup>(8)</sup> Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.1.2001, p. 1).

<sup>(9)</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

<sup>(10)</sup> Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications) (OJ L 201, 31.7.2002, p. 37).

<sup>(11)</sup> Commission Regulation (EC) No 315/2002 of 20 February 2002 on the survey of prices of fresh or chilled sheep carcasses on representative markets in the Community (OJ L 50, 21.2.2002, p. 47).

<sup>(12)</sup> Commission Regulation (EC) No 546/2003 of 27 March 2003 on certain notifications regarding the application of Council Regulations (EEC) No 2771/75, (EEC) No 2777/75 and (EEC) No 2783/75 in the eggs and poultrymeat sectors (OJ L 81, 28.3.2003, p. 12).

<sup>(13)</sup> Commission Regulation (EC) No 1709/2003 of 26 September 2003 on crop and stock declarations for rice (OJ L 243, 27.9.2003, p. 92).

- (<sup>14</sup>) Commission Regulation (EC) No 2336/2003 of 30 December 2003 introducing certain detailed rules for applying Council Regulation (EC) No 670/2003 laying down specific measures concerning the market in ethyl alcohol of agricultural origin (OJ L 346, 31.12.2003, p. 19).
- (<sup>15</sup>) Commission Regulation (EC) No 2095/2005 of 20 December 2005 laying down detailed rules for the application of Council Regulation (EEC) No 2075/92 as regards communication of information on tobacco (OJ L 335, 21.12.2005, p. 6).
- (<sup>16</sup>) Commission Regulation (EC) No 952/2006 of 29 June 2006 laying down detailed rules for the application of Council Regulation (EC) No 318/2006 as regards the management of the Community market in sugar and the quota system (OJ L 178, 1.7.2006, p. 39).
- (<sup>17</sup>) Commission Regulation (EC) No 1557/2006 of 18 October 2006 laying down detailed rules for implementing Council Regulation (EC) No 1952/2005 as regards registration of contracts and the communication of data concerning hops (OJ L 288, 19.10.2006, p. 18).
- (<sup>18</sup>) Commission Regulation (EC) No 589/2008 of 23 June 2008 laying down detailed rules for implementing Council Regulation (EC) No 1234/2007 as regards marketing standards for eggs (OJ L 163, 24.6.2008, p. 6).
- (<sup>19</sup>) Commission Regulation (EC) No 826/2008 of 20 August 2008 laying down common rules for the granting of private storage aid for certain agricultural products (OJ L 223, 21.8.2008, p. 3).
- (<sup>20</sup>) Commission Regulation (EC) No 1249/2008 of 10 December 2008 laying down detailed rules on the implementation of the Community scales for the classification of beef, pig and sheep carcasses and the reporting of prices thereof (OJ L 337, 16.12.2008, p. 3).
- (<sup>21</sup>) Commission Regulation (EC) No 436/2009 of 26 May 2009 laying down detailed rules for the application of Council Regulation (EC) No 479/2008 as regards the vineyard register, compulsory declarations and the gathering of information to monitor the wine market, the documents accompanying consignments of wine products and the wine sector registers to be kept (OJ L 128, 27.5.2009, p. 15).
- (<sup>22</sup>) Commission Regulation (EU) No 1272/2009 of 11 December 2009 laying down common detailed rules for the implementation of Council Regulation (EC) No 1234/2007 as regards buying-in and selling of agricultural products under public intervention (OJ L 349, 29.12.2009, p. 1).
- (<sup>23</sup>) Commission Regulation (EU) No 479/2010 of 1 June 2010 laying down rules for the implementation of Council Regulation (EC) No 1234/2007 as regards Member States' notifications to the Commission in the milk and milk products sector (OJ L 135, 2.6.2010, p. 26).
- (<sup>24</sup>) 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 (OJ L 157, 15.6.2011, p. 1).
- (<sup>25</sup>) Commission Implementing Regulation (EU) No 1288/2011 of 9 December 2011 on the notification of wholesale prices for bananas within the common organisation of agricultural markets (OJ L 328, 10.12.2011, p. 42).
- (<sup>26</sup>) Commission Implementing Regulation (EU) No 1333/2011 of 19 December 2011 laying down marketing standards for bananas, rules on the verification of compliance with those marketing standards and requirements for notifications in the banana sector (OJ L 336, 20.12.2011, p. 23).
- (<sup>27</sup>) Commission Implementing Regulation (EU) No 807/2013 of 26 August 2013 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 as regards the survey of prices of certain bovine animals on representative Union markets (OJ L 228, 27.8.2013, p. 5).
- (<sup>28</sup>) Uruguay Round of Multilateral Trade Negotiations (1986- 1994) — Annex 1 — Annex 1A — Agreement on Agriculture (WTO-GATT 1994) WTO-'GATT 1994' (OJ L 336, 23.12.1994, p. 22).
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## ANNEX I

**Requirements relating to weekly price notifications referred to in Article 11****1. Cereals**

*Content of the notification:* representative market prices for each of the cereals and the cereal qualities considered relevant for the Union market, expressed per tonne of product.

*Member States concerned:* all Member States.

*Other:* prices shall refer, in particular, to the qualitative properties, the place of quotation and the stage of marketing of each product.

**2. Rice**

*Content of the notification:* representative market prices for each of the varieties of rice considered relevant for the Union market, expressed per tonne of product.

*Member States concerned:* rice producing Member States.

*Other:* prices shall refer, in particular, to the processing stage, the place of quotation and the stage of marketing of each product.

**3. Olive oil**

*Content of the notification:* average prices recorded on the main representative markets and national average prices for the categories of olive oil listed in Part VIII of Annex VII to Regulation (EU) No 1308/2013, expressed per 100 kg of product.

*Member States concerned:* Member States producing more than 20 000 t of olive oil in the annual period from 1 October to 30 September.

*Other:* prices shall correspond to olive oil in bulk, ex-mill for virgin olive oil and ex-factory for other categories. Representative markets shall cover at least 70 % of the national production of the product concerned.

**4. Fruit and vegetables**

*Content of the notification:* a single weighted average price for the types and varieties of fruit and vegetables listed in Part A of Annex XV to Implementing Regulation (EU) No 543/2011 meeting the general marketing standard set out in Part A of Annex I to that Regulation or for Class I for products covered by a specific marketing standard, expressed per 100 kg net weight of product.

*Member States concerned:* Member States as specified in Annex XV to Implementing Regulation (EU) No 543/2011, when data are available.

*Other:* Prices shall be ex-packaging station, sorted, packaged and where applicable on pallets.

**5. Bananas**

*Content of the notification:* wholesale prices for yellow bananas falling within the CN code 0803 90 10, expressed per 100 kg of product.

*Member States concerned:* all Member States marketing more than 50 000 tonnes of yellow bananas per calendar year.

*Other:* prices shall be notified by group of countries of origin.

## 6. Meat

*Content of the notification:* prices for beef, pig and sheep carcasses and certain live cattle, calves and piglets as regards the classification of beef, pig and sheep carcasses and the reporting of market prices in accordance with Union rules under Regulation (EU) No 1308/2013.

*Member States concerned:* all Member States.

*Other:* where in the opinion of the competent authority of the Member State concerned there are insufficient numbers of carcasses or live animals to notify, the Member State concerned may decide for the period in question to suspend the recording of prices for such carcasses or live animals and shall notify the Commission of the reason for its decision.

## 7. Milk and milk products

*Content of the notification:* prices of whey powder, skimmed milk powder, whole milk powder, butter and commodity cheeses expressed per 100 kg of product.

*Member States concerned:* Member States whose national production represents 2 % or more of Union production; or, in the case of commodity cheeses, where the cheese type represents 4 % or more of the total national cheese production.

*Other:* prices shall be notified for products purchased from the manufacturer, excluding any other cost (transport, loading, handling, storage, pallets, insurance, etc.) based on contracts concluded for deliveries within three months.

## 8. Eggs

*Content of the notification:* wholesale price for Class A eggs from caged hens (average of categories L and M), expressed per 100 kg of product.

*Member States concerned:* all Member States.

*Other:* prices shall be notified for products in packing stations. Where the production in cages is no longer representative, the Member State concerned shall notify the wholesale price of Class A eggs, produced by laying hens kept in barn systems, expressed per 100 kg.

## 9. Poultrymeat

*Content of the notification:* average wholesale price for whole Class A chickens ('65 % chickens'), expressed per 100 kg of product.

*Member States concerned:* all Member States.

*Other:* prices shall be notified for products in slaughter plants or recorded on representative markets. Where another chicken presentation or specific cuts of chicken are important in terms of its market structure, the Member State concerned may notify, in addition to the average wholesale price for whole Class A chickens ('65 % chickens'), the wholesale price of a different chicken presentation or cuts of Class A quality, specifying the type of presentation or cuts to which the price refers, expressed per 100 kg.

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## ANNEX II

**Requirements relating to non-weekly price notifications as referred to in point (a) of Article 12****1. Sugar***Content of the notification*

- (a) the weighted averages of the following sugar prices, expressed per tonne of sugar, as well as the total corresponding quantities and the weighted standard deviations:
  - (i) for the previous month, the selling price;
  - (ii) for the current month, the selling price forecast in the framework of contracts or other transactions;
- (b) the weighted average price of sugar beet during the previous marketing year, expressed per tonne of beet, as well as the total corresponding quantities.

*Member States concerned*

- (a) for sugar prices, all Member States where more than 10 000 tonnes of sugar is produced from sugar beet or from raw sugar;
- (b) for sugar beet prices, all Member States where sugar beet is produced.

*Period of notification*

- (a) for sugar prices, by the end of each month;
- (b) for sugar beet prices, by 30 June each year.

*Other*

Prices shall be established in line with the methodology published by the Commission and shall relate to:

- (a) bulk white sugar prices ex-factory for sugar of a standard quality as defined in point B II of Annex III to Regulation (EU) No 1308/2013 collected from sugar undertakings and refiners;
- (b) sugar beet price for sugar beet of a standard quality as defined in point B I of Annex III to Regulation (EU) No 1308/2013 paid by sugar undertakings to producers. The beet shall be attributed to the same marketing year as the sugar extracted from it.

**2. Flax fibre**

*Content of the notification:* average prices ex-factory for the previous month recorded on the main representative markets for long flax fibre, expressed per tonne of product.

*Member States concerned:* all Member States where long flax fibres are produced from a planted area exceeding 1 000 ha of fibre flax.

*Period of notification:* by 25th of each month in respect of the preceding month.

**3. Wine**

*Content of the notification:* in relation to the wines referred to in point 1 of Part II of Annex VII to Regulation (EU) No 1308/2013:

- (a) a summary of the prices for the previous month expressed per hectolitre of wine with reference to the volumes concerned; or
- (b) by 31 July 2017, the publicly available information sources considered credible for the recording of prices.

*Member States concerned:* Member States whose wine production during the past five years on average exceeded 5 % of the total Union wine production.

*Period of notification:* by 15th of each month in respect of the preceding month.

*Other:* prices shall be for product unpacked ex-producer's premises. For the information referred to in points (a) and (b), the Member States concerned shall make a selection of the eight most representative markets to be monitored, which shall include at least two for wines with protected designation of origin or protected geographical indication.

#### **4. Milk and milk products**

##### **(a) Milk**

*Content of the notification:* the price of raw milk, and the estimated price for deliveries in the running month, expressed per 100 kg of product at real fat and protein content.

*Member States concerned:* all Member States.

*Period of notification:* by the end of each month in respect of the preceding month.

*Other:* the price shall be that paid by first purchasers established in the territory of the Member State.

##### **(b) Milk products**

*Content of the notification:* prices for cheeses, other than commodity cheeses referred to in Point 7 of Annex I, expressed per 100 kg of product.

*Member States concerned:* all Member States for types of cheeses relevant for the national market.

*Period of notification:* by 15th of each month in respect of the preceding month.

*Other:* the prices shall relate to cheese purchased from the manufacturer, excluding any other cost (transport, loading, handling, storage, pallets, insurance, etc.) based on contracts concluded for deliveries within three months.

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## ANNEX III

**Requirements relating to production and market information notifications as referred to in point (b) of Article 12****1. Rice**

*Content of the notification:* for each of the types of rice referred to in points 2 and 3 of Part I of Annex II to Regulation (EU) No 1308/2013:

- (a) area planted, agronomic yield, production of paddy rice in the harvest year and milling yield;
- (b) stocks of rice (expressed in milled equivalent) held by producers and by rice mills on 31 August each year, broken down by rice produced in the European Union and rice imported.

*Period of notification:* by 15 January each year in respect of the previous year.

*Member States concerned*

- (a) for paddy rice production, all rice producing Member States;
- (b) for rice stocks, all rice producing Member States and Member States with rice mills.

**2. Sugar****A. Beet areas**

*Content of the notification:* sugar beet area for the current marketing year and an estimate for the following marketing year.

*Period of notification:* by 31 May each year.

*Member States concerned:* all Member States with a planted area of more than 1 000 ha of sugar beet in the year in question.

*Other:* these figures shall be expressed in hectares and broken down by areas intended for production of sugar and those intended for production of bioethanol.

**B. Sugar and bioethanol production**

*Content of the notification:* sugar production and bioethanol production by each undertaking in the previous marketing year and an estimate of sugar production by each undertaking for the current marketing year;

*Period of notification:* by 30 November each year as regards the previous marketing year production and by 31 March each year (30 June for the French departments of Guadeloupe and Martinique) as regards the current marketing year production.

*Member States concerned:* all Member States where more than 10 000 tonnes of sugar is produced.

*Other*

- (a) 'sugar production' means the total quantity, expressed in tonnes of white sugar as follows, of:
  - (i) white sugar, disregarding differences in quality;
  - (ii) raw sugar, on the basis of yield determined in accordance with point B.III of Annex III to Regulation (EU) No 1308/2013;

- (iii) invert sugar, by its weight;
- (iv) sucrose or invert sugar syrups which are at least 70 % pure and are produced from sugar beet, on the basis of extractable sugar content or on the basis of real yield;
- (v) sucrose or invert sugar syrups which are at least 75 % pure and are produced from sugar cane, on the basis of sugar content;
- (b) sugar production shall not include white sugar obtained from any of the products referred to in point (a) or produced under inward processing arrangements;
- (c) the sugar extracted from beet sown in a particular marketing year shall be attributed to the following marketing year. However, Member States may decide to attribute the sugar extracted from beet sown in the autumn of a particular marketing year to the same marketing year, notifying the Commission of their decision at the latest on 1 October 2017;
- (d) the figures for sugar shall be broken down by month and, with regard to the current marketing year, shall correspond to provisional figures until the month of February and to estimates for the remaining months of the marketing year.
- (e) bioethanol production shall only include bioethanol obtained from any of the products referred to in point (a) and shall be expressed in hectolitres.

#### C. Isoglucose production

##### *Content of the notification*

- (a) quantities of own production of isoglucose shipped by each producer during the previous marketing year;
- (b) quantities of own production of isoglucose shipped by each producer during the previous month.

*Period of notification:* by 30 November each year with regard to the previous marketing year and by 25th of each month with regard to the previous month.

*Member States concerned:* all Member States where isoglucose is produced.

*Other:* 'Production of isoglucose' means the total quantity of product obtained from glucose or its polymers with content by weight in the dry state of at least 41 % fructose, expressed in tonnes of dry matter irrespective of actual fructose content in excess of the 41 % threshold. The yearly production figures shall be broken down by month.

#### D. Sugar and isoglucose stocks

##### *Content of the notification*

- (a) quantities of sugar production stored at the end of each month by sugar undertakings and refiners;
- (b) quantities of isoglucose production stored by isoglucose producers at the end of the previous marketing year.

*Period of notification:* by the end of each month in respect of the preceding month in question with regard to sugar, and by 30 November with regard to isoglucose.

##### *Member States concerned*

- (a) for sugar, all Member States where sugar undertakings or refiners are located and production of sugar exceeds 10 000 tonnes;
- (b) for isoglucose, all Member States where isoglucose is produced.

*Other:* the figures shall refer to products stored in free circulation on Union territory and to sugar production and isoglucose production as defined in points B and C.



With regard to sugar:

- the figures shall refer to quantities owned by the undertaking or the refiner or covered by a warrant,
- the figures shall specify, for the quantities in storage at the end of the months of July, August and September, the quantity which comes from the production of sugar under the following marketing year,
- if storage is in a different Member State from the one notifying the Commission, the notifying Member State shall inform the Member State concerned of the quantities stored on their territory and their locations by the end of the month following that of notification to the Commission.

With regard to isoglucose, the quantities shall refer to quantities owned by the producer.

### 3. Fibre crops

#### *Content of the notification*

- (a) the fibre flax area for the current marketing year and the estimate for the next marketing year, expressed in hectares;
- (b) the production of long flax fibres for the previous marketing year and an estimate for the current marketing year, expressed in tonnes;
- (c) the area planted with cotton for the previous crop year and an estimate for the current crop year, expressed in hectares;
- (d) the production of unginned cotton for the previous crop year and an estimate for the current crop year and, expressed in tonnes;
- (e) the average price of unginned cotton paid to cotton producers in respect of the previous crop year, expressed per tonne of product.

#### *Period of notification*

- (a) for fibre flax area, by 31 July each year;
- (b) for production of long flax fibres, by 31 October each year;
- (c), (d) and (e) for cotton, by 15 October each year.

#### *Member States concerned*

- (a) and (b): for flax, all Member States where long flax fibres are produced from a planted area exceeding 1 000 ha of fibre flax;
- (c), (d) and (e): for cotton, all Member States where at least 1 000 ha of cotton are sown.

### 4. Hops

*Content of the notification:* the following production information, given as a total and for information referred to in points (b) to (d), broken down by bitter and aromatic hops varieties:

- (a) number of farmers growing hops;
- (b) area planted with hops, expressed in hectares;
- (c) quantity in tonnes and average farm gate price, expressed per kg of hops sold under a forward contract and without such a contract;
- (d) alpha-acid production in tonnes and average alpha-acid content (in percent).

*Period of notification:* by 30 April of the year following the hops harvest.

*Member States concerned:* Member States with a planted area of more than 200 hectares of hops in the previous year.

## 5. **Olive oil**

*Content of the notification*

- (a) data on final production, total domestic consumption (including by the processing industry) and ending stocks for the preceding annual period from 1 October to 30 September;
- (b) an estimate of monthly production and estimates of total production, domestic consumption (including by the processing industry) and ending stocks for the current annual period from 1 October to 30 September.

*Period of notification*

- (a) for the preceding annual period by 31 October each year.
- (b) for the current annual period by 31 October and by the 15th day of each month from November to June.

*Member States concerned:* Member States producing olive oil.

## 6. **Bananas**

*Content of the notification*

- (a) average selling prices on local markets of green bananas marketed in the region of production, expressed per 100 kg of product and related quantities;
- (b) average selling prices of green bananas marketed outside the region of production, expressed per 100 kg of product and related quantities.

*Period of notification*

- by 15 June each year in respect of the previous period from 1 January to 30 April,
- by 15 October each year in respect of the previous period from 1 May to 31 August,
- by 15 February each year in respect of the previous period from 1 September to 31 December.

*Member States concerned:* Member States with a region of production, namely:

- (a) the Canary Islands;
- (b) Guadeloupe;
- (c) Martinique;
- (d) Madeira and the Azores;
- (e) Crete and Lakonia;
- (f) Cyprus.

*Other:* prices for green bananas marketed in the Union outside their region of production shall be at the first port of unloading (goods not unloaded).

## 7. **Tobacco**

*Content of the notification:* for each raw tobacco variety group:

- (i) number of farmers;
- (ii) area in hectares;

- (iii) quantity delivered in tonnes;
- (iv) the average price paid to farmers, excluding taxes and other levies, expressed per kg of product.

*Period of notification:* by 31 July of the year following the harvest year.

*Member States concerned:* Member States with a planted area of more than 3 000 hectares of tobacco for the previous harvest.

*Other:* the variety groups of raw tobacco are:

- Group I: Flue-cured: tobacco dried in ovens with controlled air circulation, temperature and humidity, in particular Virginia;
- Group II: Light air-cured: tobacco dried in the air under cover, not left to ferment, in particular Burley and Maryland;
- Group III: Dark air-cured: tobacco dried in the air under cover, left to ferment naturally before being marketed, in particular Badischer Geudertheimer, Fermented Burley, Havana, Mocny Skroniowski, Nostrano del Brenta and Pulawski;
- Group IV: Fire-cured: tobacco dried by fire, in particular Kentucky and Salento;
- Group V: Sun-cured: tobacco dried in the sun, also called 'Oriental varieties', in particular Basmás, Katerini and Kaba-Koulak.

## 8. Wine sector products

*Content of the notification*

- (a) estimates of the production of wine products (including vinified and non-vinified grape must) on the territory of the Member State during the current wine year;
- (b) the definitive result of the production declarations referred to in Article 9 of Regulation (EC) No 436/2009, as well as an estimate of the production not covered by such declarations;
- (c) a summary of the stock declarations referred to in Article 11 of Regulation (EC) No 436/2009, held at 31 July of the previous wine year;
- (d) the final balance sheet of the previous wine year including full information on availabilities (opening stocks, production, imports), uses (human and industrial consumption, transformation, exports and losses) and final stocks.

*Period of notification*

- (a) estimates of production, by 30 September each year;
- (b) definitive result of the production declarations, by 15 March each year;
- (c) summary of stock declarations, by 31 October each year;
- (d) final balance sheet, by 15 January each year.

*Member States concerned:* Member States that maintain an updated vineyard register in accordance with Article 145(1) of Regulation (EU) No 1308/2013.

## 9. Milk and milk products

*Content of the notification:* the total quantity of cow's raw milk, expressed in kilograms at real fat content.

*Period of notification:* by the 25th of each month.

*Member States concerned:* all Member States.

*Other:* the quantities refer to milk delivered in the preceding month to first purchasers established in the territory of the Member State. Member States shall ensure that all first purchasers established in their territory declare to the competent national authority the quantity of cow's raw milk that has been delivered to them each month in a timely and accurate manner so as to comply with this requirement.

#### 10. Eggs

*Content of the notification:* the number of eggs production sites with the breakdown by farming methods referred to in Annex II of Regulation (EC) No 589/2008, including the maximum capacity of the establishment in terms of number of laying hens present at one time.

*Period of notification:* by 1 April each year;

*Member States concerned:* all Member States.

#### 11. Ethyl alcohol

*Content of the notification:* for alcohol of agricultural origin, expressed in hectolitres of pure alcohol:

- (a) production by fermenting and distilling, broken down by the agricultural raw material from which the alcohol is produced;
- (b) the volumes transferred from alcohol producers or importers for processing or packaging, broken down by category of use (food and beverages, fuels, industrial/Others).

*Period of notification:* by 1 March each year in respect of the previous calendar year.

*Member States concerned:* all Member States.

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**COMMISSION IMPLEMENTING REGULATION (EU) 2017/1186****of 3 July 2017****withdrawing the approval of the active substance repellents by smell of animal or plant origin/tall oil crude, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending Commission Implementing Regulation (EU) No 540/2011****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC <sup>(1)</sup>, and in particular the second alternative of Article 21(3) and Article 78(2) thereof,

Whereas:

- (1) Commission Directive 2008/127/EC <sup>(2)</sup> included repellents by smell of animal or plant origin/tall oil crude as active substance in Annex I to Council Directive 91/414/EEC <sup>(3)</sup>. Commission Implementing Regulation (EU) No 637/2012 <sup>(4)</sup> required that Member States concerned ensure that the notifier at whose request repellents by smell of animal or plant origin/tall oil crude has been included provide further confirmatory information on the equivalence between the specifications of the technical material as commercially manufactured and those of the test material used in the toxicity dossiers and on the toxicological profile of the substance by 1 May 2013 and 31 May 2014 respectively.
- (2) Active substances included in Annex I to Directive 91/414/EEC are deemed to have been approved under Regulation (EC) No 1107/2009 and are listed in Part A of the Annex to Commission Implementing Regulation (EU) No 540/2011 <sup>(5)</sup>.
- (3) In April 2013, the notifier submitted information, with a view to complying with the obligation to submit further information as referred to in recital 1, to the rapporteur Member State, Greece.
- (4) Greece assessed the information submitted by the notifier including some further information related to the initial submission that was submitted during the evaluation process. It submitted its assessment, in the form of addenda to the draft assessment report, to the other Member States, the Commission and the European Food Safety Authority, herein after 'the Authority' in November 2014 and November 2015.
- (5) The Member States, the applicant and the Authority were consulted and asked to provide comments on the assessment of the rapporteur Member State. The Authority published a Technical Report summarising the outcome of this consultation for tall oil crude on 27 March 2015 <sup>(6)</sup>.
- (6) In the light of the information provided by the notifier, the evaluation of this information by the rapporteur Member State and the comments submitted on the evaluation by Member States and EFSA, the Commission considers that the confirmatory information is not sufficient to conclude on the equivalence between the specifications of the technical material as commercially manufactured, and those of the test material used in the toxicity dossiers nor on the toxicological profile of the substance.

<sup>(1)</sup> OJ L 309, 24.11.2009, p. 1.

<sup>(2)</sup> Commission Directive 2008/127/EC of 18 December 2008 amending Council Directive 91/414/EEC to include several active substances (OJ L 344, 20.12.2008, p. 89).

<sup>(3)</sup> Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market (OJ L 230, 19.8.1991, p. 1).

<sup>(4)</sup> Commission Implementing Regulation (EU) No 637/2012 of 13 July 2012 amending Implementing Regulation (EU) No 540/2011 as regards the conditions of approval of the active substances iron sulphate, repellents by smell of animal or plant origin/tall oil crude and repellents by smell of animal or plant origin/tall oil pitch (OJ L 186, 14.7.2012, p. 20).

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

<sup>(6)</sup> EFSA (European Food Safety Authority), 2015. Technical report on the outcome of the consultation with Member States, the applicant and EFSA on the pesticide risk assessment of confirmatory data for tall oil crude. EFSA supporting publication 2015:EN-781. 14 pp.

- (7) The Commission invited the notifier to submit its comments on the considerations of the Commission.
- (8) However, despite the arguments put forward by the notifier, the Commission has come to the conclusion that the information submitted is incomplete and does not allow a conclusion on the equivalence between the specifications of the technical material as commercially manufactured and those of the test material used in the toxicity dossiers nor on the toxicological profile of the substance to be made.
- (9) Consequently, it is appropriate to withdraw the approval of that active substance.
- (10) The Annex to Implementing Regulation (EU) No 540/2011 should therefore be amended accordingly.
- (11) Member States should be provided with time to withdraw authorisations for plant protection products containing that active substance.
- (12) For plant protection products containing that active substance, where Member States grant any grace period in accordance with Article 46 of Regulation (EC) No 1107/2009, that period should, at the latest, expire on 24 October 2018.
- (13) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

### **Withdrawal of approval**

The approval of the active substance repellents by smell of animal or plant origin/tall oil crude is withdrawn.

#### *Article 2*

### **Amendment to Implementing Regulation (EU) No 540/2011**

In Part A of the Annex to Implementing Regulation (EU) No 540/2011, row 250, repellents by smell of animal or plant origin/tall oil crude is deleted.

#### *Article 3*

### **Transitional measures**

Member States shall withdraw authorisations for plant protection products containing repellents by smell of animal or plant origin/tall oil crude as active substance by 24 October 2017 at the latest.

#### *Article 4*

### **Grace period**

Any grace period granted by Member States in accordance with Article 46 of Regulation (EC) No 1107/2009 shall be as short as possible and shall expire by 24 October 2018 at the latest.

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*Article 5***Entry into force**

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

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

Done at Brussels, 3 July 2017.

*For the Commission*  
*The President*  
Jean-Claude JUNCKER

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**COMMISSION IMPLEMENTING REGULATION (EU) 2017/1187****of 3 July 2017****imposing a definitive countervailing duty on imports of certain coated fine paper originating in the People's Republic of China following an expiry review pursuant to Article 18 of the Regulation (EU) 2016/1037 of the European Parliament and of the Council**

THE EUROPEAN COMMISSION,

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

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 <sup>(1)</sup> ('the basic Regulation'), and in particular Article 18 thereof,

Whereas:

**1. PROCEDURE****1.1. Measures in force**

- (1) Following an anti-subsidy investigation ('the original investigation'), by Implementing Regulation (EU) No 452/2011 <sup>(2)</sup>, the Council imposed a definitive countervailing duty on imports of certain coated fine paper originating in the People's Republic of China ('the PRC' or 'country concerned').
- (2) Following an anti-dumping investigation, by Implementing Regulation (EU) No 451/2011 <sup>(3)</sup>, the Council also imposed a definitive anti-dumping duty on imports of certain coated fine paper originating in the PRC.
- (3) The countervailing measures took the form of an *ad valorem* duty rate ranging from 4 % to 12 % for imports from individually named exporters, with a residual duty rate of 12 %.
- (4) On 8 August 2011, the Chinese producers Gold East Paper Co. Ltd and Gold Huasheng Paper Co. Ltd ('the APP Group'), lodged applications for annulment of both Implementing Regulation (EU) No 451/2011 and Implementing Regulation (EU) No 452/2011 insofar as they concern the applicants <sup>(4)</sup>. On 11 September 2014, the Third Chamber of the General Court dismissed both actions.

**1.2. Request for an expiry review**

- (5) Following the publication of a notice of impending expiry <sup>(5)</sup> of the countervailing measures in force on the imports of certain coated fine paper originating in the PRC, the Commission received a request for the initiation of an expiry review pursuant to Article 18 of the basic Regulation.
- (6) The request was lodged by five Union producers (Arctic Paper Grycksbo AB, Burgo Group SpA, Fedrigoni SpA, Lecta Group and Sappi Europe SA), jointly referred to as the 'applicant', representing more than 25 % of the total Union production of coated fine paper.
- (7) The request was based on the grounds that the expiry of the measures would be likely to result in continuation of subsidisation and recurrence of injury to the Union industry.

<sup>(1)</sup> OJ L 176, 30.6.2016, p. 55.

<sup>(2)</sup> Council Implementing Regulation (EU) No 452/2011 of 6 May 2011 imposing a definitive anti-subsidy duty on imports of coated fine paper originating in the People's Republic of China (OJ L 128, 14.5.2011, p. 18).

<sup>(3)</sup> Council Implementing Regulation (EU) No 451/2011 of 6 May 2011 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of coated fine paper originating in the People's Republic of China (OJ L 128, 14.5.2011, p. 1).

<sup>(4)</sup> Case T-443/11 and Case T-444/11.

<sup>(5)</sup> OJ C 280, 25.8.2015, p. 8.



### 1.3. Initiation of an expiry review

- (8) Having determined that sufficient evidence existed for the initiation of an expiry review, the Commission announced on 13 May 2016, by notice published in the *Official Journal of the European Union* <sup>(1)</sup> ('the Notice of Initiation') the initiation of an expiry review pursuant to Article 18 of the basic Regulation.

### *Parallel investigation*

- (9) By a notice published in the *Official Journal of the European Union* on 13 May 2016 <sup>(2)</sup>, the Commission also announced the initiation of an expiry review pursuant to Article 11(2) of Council Regulation (EC) No 1225/2009 <sup>(3)</sup> of the definitive anti-dumping measures in force with regard to imports into the Union of certain coated fine paper originating in the People's Republic of China.
- (10) Prior to the initiation of the expiry review, and in accordance with Articles 10(7) and 33(a) of the basic Regulation, the Commission notified the Government of China ('GOC') that it had received a properly documented review request and invited the GOC for consultations with the aim of clarifying the situation as regards the content of the review request and arriving at a mutually agreed solution. The GOC accepted the offer for consultations and consultations were subsequently held on 11 May 2016. During the consultations, due note was taken of the comments submitted by the authorities of the PRC. However, no mutually agreed solution could be reached.

### 1.4. Investigation

#### *Review investigation period and period considered*

- (11) The investigation of the likelihood of continuation or recurrence of subsidisation covered the period from 1 January 2015 to 31 December 2015 (the 'review investigation period' or 'RIP'). The examination of the trends relevant for the assessment of the likelihood of continuation or recurrence of injury covered the period from 1 January 2012 to the end of the review investigation period (the 'period considered').

#### *Parties concerned*

- (12) In the Notice of Initiation, the Commission invited interested parties to contact it in order to participate in the investigation. In addition, the Commission specifically informed the applicant, other known Union producers, exporting producers, importers and users in the Union known to be concerned as well as the Chinese authorities of the initiation of the expiry review, and invited them to participate.
- (13) Interested parties were given the opportunity to make their views known in writing and request a hearing within the time limits set out in the Notice of Initiation. All interested parties, who requested so, were granted a hearing with the Commission.

#### *Sampling*

##### (a) Sampling of exporting producers in the PRC

- (14) In the Notice of Initiation, the Commission stated that it might sample interested parties, in accordance with Article 27 of the basic Regulation.
- (15) To decide whether sampling was necessary and, if so, to select a sample, the Commission asked all known 36 exporting producers in the PRC to provide the information specified in the Notice of Initiation. In addition, the Commission requested the Mission of the People's Republic of China to the European Union to identify and/or contact other exporting producers, if any, that could be interested in participating in the investigation.

<sup>(1)</sup> Notice of initiation of an expiry review of the countervailing measures applicable to imports of certain coated fine paper originating in the People's Republic of China (OJ C 172, 13.5.2016, p. 19).

<sup>(2)</sup> Notice of initiation of an expiry review of the anti-dumping measures applicable to imports of certain coated fine paper originating in the People's Republic of China (OJ C 172, 13.5.2016, p. 9).

<sup>(3)</sup> Council Regulation (EC) No 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Community (OJ L 343, 22.12.2009, p. 51).

- (16) Only one group of exporting producers in the PRC provided the information requested in Annex I to the Notice of Initiation for the purpose of sampling <sup>(1)</sup>. At a hearing on 8 June 2016 the same group of exporting producers informed the Commission that it did not intend to provide a reply to the questionnaire. This was explained by no exports sales to the Union market during the review investigation period and the complex group structure.
- (17) All known exporting producers concerned, and the authorities of the PRC were informed about the consequences of non-cooperation and that in accordance with Article 28 of the basic Regulation, the Commission may make its findings on the basis of the best facts available.

(b) Sampling of Union producers

- (18) In the Notice of Initiation, the Commission stated that it had provisionally selected a sample of Union producers. In accordance with Article 27(1) of the basic Regulation, the Commission selected the sample on the basis of the largest representative volume of sales and production, taking also into account the geographical spread. The preliminary sample consisted of three groups of Union producers. The Commission invited interested parties to comment on the provisional sample. One of the provisionally sampled Union producers informed the Commission that it would not be in a position to reply to the questionnaire. The Commission also received a clarification that two other sampled parties were groups consisting of several producers. Accordingly, the Commission revised the sample by replacing the non-cooperating producer with the next largest producer in terms of the volume of sales and production, as well as by selecting the largest producers within the other two groups of provisionally sampled producers. Having received no comments on the revised sample within the deadline, the Commission confirmed the sample as revised. The final sample accounted for over 30 % of the total Union production during the review investigation period and was therefore considered representative of the Union industry.

(c) Sampling of unrelated importers

- (19) To decide whether sampling is necessary and, if so, to select a sample, the Commission asked all known unrelated importers to provide the information specified in the Notice of Initiation.
- (20) The Commission contacted five potential importers, but none replied to the sampling form.

**Questionnaires**

(a) Questionnaire — Government of China

- (21) On 13 May 2016 the Commission sent a questionnaire to the Government of China ('the GOC') including specific questionnaires for the China Development Bank, Export Import Bank of China ('EXIM'), Agricultural Bank of China and China Export & Credit Insurance Corporation ('Sinosure') based on the fact that they had provided loans and financial services to the coated fine paper industry according to the information in the request and/or in the original investigation. In addition, the GOC was asked to forward a questionnaire for banks to any other financial institutions known by the GOC to have provided loans to the industry concerned.
- (22) On 24 June 2016 the Commission received the reply to the questionnaire from the GOC. The Commission did not receive a reply from any of the listed above financial institutions.
- (23) On 2 September 2016 the Commission sent a deficiency letter to the GOC. The GOC requested an extension of the deadline to reply to this deficiency letter. On 23 September 2016 the GOC informed the Commission that it decided not to submit its response to the deficiency letter and confirmed that it will no longer cooperate in the investigation.

<sup>(1)</sup> Sinar Mas group comprising: Gold East Paper Co., Ltd; Gold Huasheng Paper co., Ltd and Hainan Jinhai Pulp and Paper Co., Ltd

- (24) By Note Verbale of 7 October 2016 the Commission informed the authorities of the PRC that following non-cooperation of the GOC, in accordance with Article 28 of the basic Regulation, the Commission intended to make its findings on the basis of the best facts available. It also noted that a finding based on facts available may be less favourable than if the GOC had cooperated.

(b) Questionnaire — Exporting producers

- (25) No questionnaire was sent to the exporting producers which have not replied to the Commission's request in the Notice of Initiation. The Commission did not send a questionnaire to the Chinese exporting producer referred to in recital (16) above either, as it had indicated that it would not reply.

(c) Questionnaire — Union producers

- (26) The Commission sent questionnaires to the three sampled Union producers and received questionnaire replies from all three of them.

**Verification visits**

- (27) The Commission sought and verified all the information deemed necessary in the context of an expiry review for a determination of subsidisation, injury, and Union interest. Verification visits under Article 26 of the basic Regulation were carried out at the premises of the following Union companies:

— Burgo Group S.p.A., Altavilla Vicentina, Italy

— Condat (Lecta Group), Barcelona, Spain

— Sappi Europe SA, Brussels, Belgium for Sappi Austria Produktions GmbH&Co KG, Gratkorn, Austria

## 2. PRODUCT CONCERNED AND LIKE PRODUCT

### 2.1. Product concerned

- (28) The product concerned is certain coated fine paper ('CFP') which is paper or paperboard coated on one or both sides (excluding kraft paper or kraft paperboard), in either sheet or rolls, and with a weight of 70 g/m<sup>2</sup> or more but not exceeding 400 g/m<sup>2</sup> and brightness of more than 84 (measured according to ISO 2470-1), and originating in the PRC ('the product under review'), currently falling within CN codes ex 4810 13 00, ex 4810 14 00, ex 4810 19 00, ex 4810 22 00, ex 4810 29 30, ex 4810 29 80, ex 4810 99 10 and ex 4810 99 80 (TARIC codes 4810 13 00 20, 4810 14 00 20, 4810 19 00 20, 4810 22 00 20, 4810 29 30 20, 4810 29 80 20, 4810 99 10 20 and 4810 99 80 20).

- (29) The product concerned does not include:

— Rolls suitable for use in web-fed presses. Rolls suitable for use in web-fed presses are defined as those rolls which, if tested according to the ISO test standard ISO 3783:2006 concerning the determination of resistance to picking — accelerated speed method using the IGT tester (electric model), give a result of less than 30 N/m when measuring in the cross-direction of the paper (CD) and a result of less than 50 N/m when measuring in the machine direction (MD).

— Multi-ply paper and multi-ply paperboard.

### 2.2. Like product

- (30) The investigation showed that the following products have the same basic physical and technical characteristics, as well as the same basic uses:

— the product concerned

- the product produced and sold by the exporting producers on the domestic market of the PRC
- the product produced and sold in the Union by the Union industry

- (31) The Commission concluded that these products are like products within the meaning of Article 2(c) of the basic Regulation.

### 3. LIKELIHOOD OF CONTINUATION OF SUBSIDISATION

- (32) In accordance with Article 18 of the basic Regulation, and as stated in the Notice of Initiation, the Commission examined whether the expiry of the existing duties would be likely to lead to a continuation of subsidisation.

#### 3.1. Non-cooperation and the use of best facts available in accordance with Article 28(1) of the basic Regulation

- (33) As explained above, the GOC initially cooperated with the Commission and replied to the questionnaire. However, since this reply was highly deficient, a deficiency letter was sent on 2 September 2016. After receiving the deficiency letter, the GOC on 23 September 2016 informed the Commission about its decision to discontinue cooperation. The Commission therefore received only a limited amount of unverified information from the GOC.
- (34) The Commission did not receive any replies to specific questionnaires intended for the China Development Bank, EXIM, Agricultural Bank of China, Sinosure or any other financial or insurance institution known by the GOC to have provided loans to the coated fine paper industry.
- (35) The Commission made all interested parties aware of the consequences of non-cooperation and gave them the opportunity to comment. No comments in this regard were received. The Commission, in accordance with Article 28 of the basic Regulation, considered the use of best facts available necessary in order to examine the continuation of subsidy practices of the PRC in the paper industry.
- (36) On the use of facts available, the Appellate Body has recalled that Article 12.7 of the SCM Agreement permits the use of facts on record solely for the purpose of replacing information that may be missing, in order to arrive at an accurate subsidization or injury determination. Accordingly, the Appellate Body has explained that 'there has to be a connection between the 'necessary information' that is missing and the particular 'facts available' on which a determination under Article 12.7 is based.' Therefore, 'an investigating authority must use those 'facts available' that 'reasonably replace the information that an interested party failed to provide', with a view to arriving at an accurate determination.' The Appellate Body has further explained that 'the facts available' refers to those facts that are in the possession of the investigating authority and on its written record. As determinations made under Article 12.7 are to be made on the basis of 'the facts available', 'they cannot be made on the basis of non-factual assumptions or speculation.' Furthermore, in reasoning and evaluating which facts available can reasonably replace the missing information, 'all substantiated facts on the record must be taken into account' by an investigating authority. The Appellate Body has explained that ascertaining the 'reasonable replacements for the missing 'necessary information' involves a process of reasoning and evaluation' on the part of the investigating authority. Where there are several facts available to an investigating authority that it needs to choose from, 'it would seem to follow naturally that the process of reasoning and evaluation would involve a degree of comparison' in order to arrive at an accurate determination. The evaluation of the 'facts available' that is required,

and the form it may take, depend on the particular circumstances of a given case, including the nature, quality, and amount of evidence on the record and the particular determinations to be made. The nature and extent of the explanation and analysis required will necessarily vary from determination to determination <sup>(1)</sup>.

(37) Accordingly, the Commission used for its analysis all facts available to it, in particular:

- (a) the request for an expiry review under Article 18 of the basic Regulation concerning anti-subsidy duties on imports of Coated Fine Paper from China, of 11 February 2016;
- (b) the response to the anti-subsidy questionnaire provided by the GOC on 24 June 2016. The information in this response due to the fact that the GOC stopped cooperation was neither verified, nor completed following the deficiency letter;
- (c) the submission filed on behalf of the Ministry of Commerce of the People's Republic of China in the framework of this investigation;
- (d) the information provided by the GOC and the sampled exporting producers as well as the findings of the original investigation; and
- (e) previous anti-subsidy investigations carried out by the Commission against other encouraged industries in the PRC, such as crystalline silicon photovoltaic modules, both the original investigation ('the solar panels original investigation') <sup>(2)</sup> and the expiry review ('the solar panels expiry review') <sup>(3)</sup>, filament glass fibre products <sup>(4)</sup>, solar glass <sup>(5)</sup> and organic coated steel <sup>(6)</sup>.

### 3.2. Subsidies and subsidy programmes examined in the current investigation

- (38) In view of the lack of cooperation by the GOC and the exporting producers mentioned above, the Commission decided to examine whether there was continuation of subsidisation as follows. First, the Commission examined whether the subsidies countervailed in the original investigation continued to confer benefit to the coated fine paper industry. Subsequently, the Commission analysed whether the coated fine paper industry benefitted from new subsidies as alleged in the request (i.e. subsidies which were not countervailed in the original investigation). The Commission decided that, in view of the findings of existence of continued subsidisation with respect to most of the subsidies countervailed in the original investigation as well as new subsidies, there was no need to investigate all the other subsidies alleged to exist by the complainant. Indeed, pursuant to Article 18 of the basic Regulation, the Commission should examine whether there is evidence of continued subsidisation, regardless of its amount.

<sup>(1)</sup> WT/DS437/AB/R, United States — Countervailing Duty Measures on Certain Products from China, Appellate Body Report of 18 December 2014, paragraphs 4.178 — 4.179. This Appellate Body Report quoted WT/DS295/AB/R, Mexico — Definitive Anti-Dumping Measures on Beef and Rice, Appellate Body Report of 29 November 2005, paragraph 293; and WT/DS436/AB/R, United States — Countervailing Measures on Certain Hot-Rolled Carbon Steel Flat Products from India, Appellate Body Report of 8 December 2014, paragraphs 4.416-4.421.

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

<sup>(3)</sup> Commission Implementing Regulation (EU) 2017/366 of 1 March 2017 imposing definitive countervailing duties on imports of crystalline silicon photovoltaic modules and key components (i.e. cells) originating in or consigned from the People's Republic of China following an expiry review pursuant to Article 18(2) of Regulation (EU) 2016/1037 of the European Parliament and of the Council and terminating the partial interim review investigation pursuant to Article 19(3) of Regulation (EU) 2016/1037 (OJ L 56, 3.3.2017, p. 1).

<sup>(4)</sup> Commission Implementing Regulation (EU) No 1379/2014 of 16 December 2014 imposing a definitive countervailing duty on imports of certain filament glass fibre products originating in the People's Republic of China and amending Council Implementing Regulation (EU) No 248/2011 imposing a definitive anti-dumping duty on imports of certain continuous filament glass fibre products originating in the People's Republic of China (OJ L 367, 23.12.2014, p. 22).

<sup>(5)</sup> Commission Implementing Regulation (EU) No 471/2014 of 13 May 2014 imposing definitive countervailing duties on imports of solar glass originating in the People's Republic of China (OJ L 142, 14.5.2014, p. 23).

<sup>(6)</sup> Council Implementing Regulation (EU) No 215/2013 of 11 March 2013 imposing a countervailing duty on imports of certain organic coated steel products originating in the People's Republic of China (OJ L 73, 15.3.2013, p. 16).

### 3.3. Subsidies countervailed in the original investigation

#### I. Preferential lending

- (39) In the original investigation the Commission established the ad valorem subsidy amount with regard to this measure was 5,37 % for the APP Group <sup>(1)</sup> and 1,26 % for the Chenming Group <sup>(2)</sup>.
- (a) Government intervention in favour of the coated fine paper industry
- (40) The Commission first examined whether preferential lending forms part of the implementation of the GOC's central planning, which aims to encourage the development of the papermaking industry, as was the case in the original investigation.
- (41) The coated fine paper industry that was subject to the Commission's investigation constitutes part of a wider category of the paper industry, also referred to as papermaking industry. The applicant alleged that the GOC continues to subsidise its paper industry and referred to a number of policy and planning documents as well as legislation which are the basis for continuation of the State support to this industry.
- (42) In the original investigation the Commission established the existence of specific policy plans with respect to the paper industry. These plans stipulated that the government authorities closely monitor the performance of the paper industry and implement special policies (e.g. implementing decrees) for the fulfilment of the goals of the policy plans. Furthermore, the investigation also established that the specific policy plans provide for preferential lending to the paper making industry.
- (43) The Commission in the current investigation established that the financial market in the PRC continues to be distorted by the interventions of the GOC. The findings of the original investigation based on government plans in force at that time are upheld in this expiry review investigation. Both the 12th Five-Year Plan <sup>(3)</sup> applicable during the RIP and the previous 11th Five-Year Plan continue to indicate the paper industry as an 'Encouraged industry'.
- (44) The 13th Five-Year Plan (2016-2020) concerns the period following the review investigation period, but confirms the continuation of subsidisation also in the future. Indeed, the 13th Five-Year Plan singles out the paper industry as an 'Encouraged industry'.
- (45) In the original investigation the Commission established with reference to the 'Decision No 40 of the State Council' <sup>(4)</sup> ('Decision No 40'), that this act is an order from the State Council, i.e. the highest administrative body in the PRC, and so legally binding on other public bodies and economic operators. It classified the industrial sectors into 'Encouraged, Restrictive and Eliminated Projects'. This Act represented a binding industrial policy document that shows how the GOC maintains a policy of supporting groups of enterprises or industries, such as the paper industry, classified by the Directory Catalogue as an 'Encouraged industry'. On the basis of the GOC's submission in this investigation, the Commission confirmed that Decision No 40 is still in force.
- (46) With respect to the number of industries listed as 'Encouraged', there are in total 26, representing only a portion of the Chinese economy. Furthermore, only certain activities within these 26 sectors are given 'encouraged' status. Article 17 of Decision No 40 also stipulates that the 'Encouraged investment projects' shall benefit from specific privileges and incentives (financial support, import duty exemption, VAT exemption, tax exemption). With reference to the 'Restrictive and Eliminated Projects', Decision No 40 empowers the State authorities to intervene

<sup>(1)</sup> The APP group: Sinar Mas Paper (China) Investment Co., Ltd, Gold East Paper (Jiangsu) Co., Ltd, Gold Huasheng Paper (SuZhou Industrial Park) Co., Ltd, Ningbo Zhonghua Paper Industry Co., Ltd, Ningbo Asia Pulp & Paper Co., Ltd.

<sup>(2)</sup> The Chenming Group: Shandong Chenming Paper Holdings Limited, Shouguang Chenming Art Paper Co. Ltd.

<sup>(3)</sup> China's 12th Five-Year Plan (2011-2015) adopted on 14 March 2011.

<sup>(4)</sup> Decision No 40 of the State Council on Promulgating and Implementing the Temporary Provisions on Promoting Industrial Structure Adjustments.

directly to regulate the market. In fact, Articles 18 and 19 require the relevant authority to stop financial institutions from supplying loans; they also order the State price administrative department to raise the electricity price and instruct the electricity supply companies to stop supplying electricity to such 'Restrictive and Eliminated Projects'. It is obvious from the above that Decision No 40 provides binding rules and instructions to all the economic institutions and entities in the form of directives on the promotion and support of encouraged industries, one of which is the paper making industry.

- (47) The Commission established in the current investigation that a number of policy documents indicate the paper industry explicitly as an 'Encouraged industry'. This concerns in particular the 12th Five-Year Plan for the Paper Industry. This plan is implemented by the 12th Five-Year Industrial Technology Innovation Program issued by the Ministry of Industry and Information Technology. The Program also refers to promotion of 'industrial restructuring and upgrading (...) of the paper industry and its related industries'. Similarly, the above mentioned Decision No 40 indicates support for the development and modernisation of the paper industry. Thus, rather than general statements of encouragement, these policy plans direct entities to comply with the public policy objective of supporting the development of the coated fine paper industry.
- (48) In addition, the 2007 Development Policy for the Papermaking Industry ('the 2007 Papermaking Plan') provides specific conditions, orientations and targets for the papermaking industry. As found in the original investigation, the 2007 Papermaking Plan describes the state of the papermaking industry in China (e.g. number of enterprises, production, consumption and exports, statistics on the type of raw materials used). It sets out the policies and goals for the papermaking industry with respect to the industrial layout, the use of raw materials, the use of technology and equipment, the product structure and the organizational structure of the papermaking producers. The text also sets industry 'admission criteria', as it lays down specific assets/liability ratio requirements for the papermaking industry, sets specific credit ratings for the papermaking industry and specific targets for economies of scale, market share ratios, energy and water consumption to be achieved or attained by companies. It requests enterprises to formulate development plans based on the 2007 Papermaking Plan. It also instructs the local provinces and regions to participate in the implementation of the plan, while an entire chapter is devoted to 'Investment and Financing' of the papermaking industry. In this respect it is pertinent to note that the Plan clearly states that financial institutions shall not provide loans for any project which does not comply with its regulations. In sum, the 2007 Papermaking Plan is a specific state instrument aimed at regulating the papermaking industry in China and can only be considered as a compulsory industrial policy tool that has to be concretely implemented by relevant interested parties in China (state authorities, financial institutions and producers). Since the paper industry continues to be listed as an 'Encouraged' industry in the 12th and 13th Five-Year Plan and no document succeeding or revising the 2007 Papermaking Plan was made available or could be found, the Commission concluded that the 2007 Papermaking Plan is still in force.
- (49) In addition, at general level Article 34 of the Commercial Banking Law [2015] No 34 states that 'Commercial banks shall conduct their business of lending in accordance with the needs of the national economic and social development and under the guidance of the industrial policies of the State.' This indicates that loans received by the CFP producers from State-owned banks as well as other financial institutions are made pursuant to government directives and public objectives.
- (50) Finally, the Commission recalled its findings in the original investigation concerning the role of the National Development and Reform Commission ('NDRC'). The NDRC is an agency of the State Council coordinating macroeconomic policy and managing the Government investments. The State Council, the highest governmental administrative body, issued, inter alia, the 2007 Papermaking Plan, which has to be followed by the NDRC. The original investigation also established that the NDRC collects, on a permanent basis, detailed information from companies. The existence of a systematic mechanism to collect company related data to be used in government plans and projects reveals that these plans and project are considered as an important element of State's industrial policy.
- (51) It follows from the above that decisions taken by financial institutions with respect to the paper industry (and thus including coated fine paper industry as a part of it), continue to take into consideration the need to fulfil the stated goals of the relevant policy plans.

- (52) In light of above, the Commission established that the link between the specific policy objectives as enshrined in those plans and documents and the support to the coated fine paper industry continue to exist during the RIP. The coated fine paper industry is regarded as a key/strategic industry, whose development is actively pursued by the State as a public policy objective, including through preferential lending.

(b) State-owned banks acting as public bodies

- (53) The Commission concluded in the original investigation <sup>(1)</sup> that the financing market in China was distorted by government intervention and interest rates charged by non-government banks and other financial institutions were likely to be aligned with government rates. The investigation did not bring to light any element contradicting the above finding either; nor did the GOC provide evidence in the course of this current investigation that this situation had changed.

The request contained allegations that the GOC continued to subsidise the coated fine paper industry through preferential policy loans. The Commission recalls that, according to the WTO Appellate Body, the applicable test to establish that a State-owned undertaking is a public body is as follows: 'What matters is whether an entity is vested with authority to exercise governmental functions, rather than how that is achieved. There are many different ways in which government in the narrow sense could provide entities with authority. Accordingly, different types of evidence may be relevant to showing that such authority has been bestowed on a particular entity. Evidence that an entity is, in fact, exercising governmental functions may serve as evidence that it possesses or has been vested with governmental authority, particularly where such evidence points to a sustained and systematic practice. It follows, in our view, that evidence that a government exercises meaningful control over an entity and its conduct may serve, in certain circumstances, as evidence that the relevant entity possesses governmental authority and exercises such authority in the performance of governmental functions. We stress, however, that, apart from an express delegation of authority in a legal instrument, the existence of mere formal links between an entity and government in the narrow sense is unlikely to suffice to establish the necessary possession of governmental authority. Thus, for example, the mere fact that a government is the majority shareholder of an entity does not demonstrate that the government exercises meaningful control over the conduct of that entity, much less that the government has bestowed it with governmental authority. In some instances, however, where the evidence shows that the formal indicia of government control are manifold, and there is also evidence that such control has been exercised in a meaningful way, then such evidence may permit an inference that the entity concerned is exercising governmental authority' <sup>(2)</sup>. In the present case, as explained below, the conclusion that the State-owned banks that provided preferential lending are vested with authority to exercise governmental functions is based on best facts available relating to State-ownership, formal indicia of government control as well as evidence showing that the GOC continues exercising meaningful control over the conduct of those banks.

- (54) The Commission, on the basis of the available information, established that most of the major banks continued to be state-owned. The GOC provided information indicating that the GOC is the majority shareholder in the four largest banks in the PRC: the Industrial and Commercial Bank of China ('ICBC'), the Bank of China ('BOC'), the China Construction Bank ('CCB') and the Agricultural Bank of China ('ABC'). The GOC claimed that it held

<sup>(1)</sup> See recitals (82) to (89) of Implementing Regulation (EU) No 452/2011.

<sup>(2)</sup> WT/DS379/AB/R (US — Anti-Dumping and Countervailing Duties on Certain Products from China), Appellate Body Report of 11 March 2011, DS 379, paragraph 318. See also WT/DS436/AB/R (US — Carbon Steel (India)), Appellate Body Report of 8 December 2014, paragraphs 4.9 — 4.10, 4.17 — 4.20 and WT/DS437/AB/R (United States — Countervailing Duty Measures on Certain Products from China) Appellate Body Report of 18 December 2014, paragraph 4.92.



less than 50 % shares in the Bank of Communications. The Commission established in recent investigations such as the solar panels expiry review that the Bank of Communications is State controlled thanks to indirect shareholding <sup>(1)</sup>.

- (55) The Commission further concluded on the same basis that there was evidence of formal indicia of government control in the State-owned banks. For example, with respect to EXIM, its public policy mandate is established in the 'The Notice of Establishing Export-Import Bank of China' issued by the State Council and the Articles of Association of EXIM. The State, as 100 % shareholder of EXIM, controls EXIM by nominating the Members of its Board of Supervisors. Those Members represent the interest of the State, including policy considerations in the meetings of EXIM. There is no Board of Directors. The State directly nominates the management of EXIM <sup>(2)</sup>. According to its website <sup>(3)</sup>, EXIM is 'dedicated to supporting China's foreign trade, investment and international economic cooperation' and 'it is committed to reinforcing financial support to key sectors and weak links in the Chinese economy to ensure sustainable and healthy economic and social development'.
- (56) Although the GOC claims that the state-owned banks are not public bodies and that the lending and deposit interest rate market has been liberalized, there is no evidence of a major reform on the banking sector in the PRC which would create a more market driven system for granting loans. In fact, in recent investigations the Commission concluded the opposite <sup>(4)</sup>.
- (57) Neither the GOC in its non-verified reply, nor the State-owned banks and other financial institutions that were intended to receive a questionnaire have supplied sufficient evidence demonstrating that companies are granted loans according to proper credit rating evaluations. Thus, the Commission has no information contradicting the previous finding that the State-owned banks are supporting encouraged industries and/or implementing national policies, as mentioned before in recitals (40) and (52).
- (58) On the basis of the above, the Commission concluded that the specific public policy objectives as provided in the legal framework set out above is being implemented by State-owned banks in the exercise of governmental functions with respect to the paper industry, thereby acting as public bodies in the sense of Article 2(b) of the basic Regulation read in conjunction with Article 3(1)(a)(i) of the basic Regulation and in accordance with the relevant WTO case-law.
- (59) In addition, even if the State-owned banks were not to be considered as public bodies, the Commission found that they would also be considered entrusted and directed by the GOC to carry out functions normally vested in the government, within the meaning of Article 3(1)(a)(iv) of the basic Regulation in view of the normative framework described before in recitals (40) and (52). Thus, their conduct would be attributed to the GOC in any event. For the same reasons, the loans granted by other financial institutions to companies in the paper sector would be attributed to the GOC.

(c) Benefit

- (60) In the original investigation, the Commission established that the paper industry benefited from preferential loans. The Commission established the amount of benefit to be the difference between the amount that the company pays on the government loan and the amount that the company would pay for a comparable commercial loan obtainable on the market. This amount was then allocated over the total turnover of the cooperating exporting producers. The ad valorem subsidy amount established under this measure was 5,37 % for the APP Group and 1,26 % for the Chenming Group.
- (61) In the current investigation, the Commission, on the basis of available information, found no indication that the preferential lending for producers of coated fine paper in the PRC ceased to continue.

<sup>(1)</sup> See solar panels expiry review, recital (106).

<sup>(2)</sup> See solar panels expiry review, recitals (112) to (136).

<sup>(3)</sup> [http://english.eximbank.gov.cn/tm/en-TCN/index\\_617.html](http://english.eximbank.gov.cn/tm/en-TCN/index_617.html), accessed on 31 May 2017.

<sup>(4)</sup> See e.g. solar panels expiry review, recitals (458) and (459).

- (62) The Commission notes that the applicant in its request and subsequent submissions provided examples of further loans received by the exporting producers including during the RIP, in particular:
- the APP Group received from the China Development Bank loans of USD 1,8 billion in October 2013 and of USD 1,5 billion in March 2015, and
  - based on its Annual Reports, the Chenming Group had total open borrowings in the amounts of CNY 1,5 billion (the majority of which were from state-owned banks) at the end of 2014. Furthermore, in 2015 Chenming received large short-term loans (amounting to more than 6 billion RMB) and perpetual bonds (around 2,5 billion RMB) and that the company entered into 20 billion RMB strategic cooperation agreement with the Bank of China.
- (63) In the absence of cooperation from the GOC and the Chinese exporting producers, the Commission had no company-specific information on the basis of which to establish that the loans identified by the applicant had been provided under normal market conditions. However, on the basis of the information available, the Commission found that the Chinese exporting producers continued benefiting from preferential loans. Indeed, the paper industry continues to be identified as 'encouraged industry'. In addition, in recent investigations the Commission established that the preferential loans for encouraged industries had been provided at interest rates well below the ones that would have been charged in the absence of distortions on the financial market, including the absence of valid credit ratings <sup>(1)</sup>.
- (64) Therefore, without the need to quantify the amount of subsidisation conferred through the preferential lending, the Commission concluded that the GOC continued to provide preferential loans at favourable interest rates in line with policy stipulated in specific plans and directives referring to the paper industry. The direct transfer of funds in the form of preferential loans continued to be available to companies in the paper industry during the RIP.

(d) Specificity

- (65) As demonstrated in recitals (40) and (52) above, several legal documents which are specifically targeted at companies in the paper sector, direct the financial institutions. On the basis of these documents it is demonstrated that the financial institutions only provide preferential lending to a limited number of industries/companies which comply with the relevant policies of the GOC.
- (66) The Commission therefore concluded that the subsidies in the form of preferential lending are not generally available but are specific in the meaning of Article 4(2)(a) of the basic Regulation. Moreover there was no evidence submitted by any of the interested parties suggesting that the preferential lending is based on objective criteria or conditions under Article 4(2)(b) of the basic Regulation.

(e) Conclusion

- (67) In light of the above, the Commission concluded that the coated fine paper industry continued to benefit from subsidies in the form of preferential loans. In view of the existence of financial contribution, a benefit to the exporting producers and specificity, this subsidy continues to be considered countervailable.

II. *Income tax Programmes*

II.A. Preferential tax policies for companies that are recognised as high or new technology enterprises

- (68) The Commission in the original investigation established the ad valorem subsidy amount with regard to this subsidy was 1,22 % for the APP Group and 0,58 % for the Chenming Group.
- (69) This subsidy allows a company that applies successfully for the Certificate of High and New Technology Enterprise to benefit from a reduced income tax rate of 15 %, compared to the ordinary rate of 25 %.

<sup>(1)</sup> See solar panels expiry review, recitals (87) and (245) to (260), filament glass fibres, recitals (67) to (76) and (140) to (143).

(a) Legal Basis

- (70) The subsidy is provided as a preferential tax treatment by Article 28 of the Enterprise Income Tax Law of the PRC (n. 63 promulgated on 16 March 2007) along with Administrative Measures for the determination of High and New Tech Enterprises. The Notice of the State Administration of Taxation on the Issues concerning Enterprise Income Tax Payment of High & New Technology Enterprises (Guo Shui Han [2008] No 985) also relates to this scheme, providing further details on its implementation.

(b) Eligibility

- (71) Article 10 of the Administrative Measures for the determination of High and New Tech Enterprises lists the eligibility criteria for the companies to benefit from this reduced tax income rate. If the company fulfils all the conditions set out in Article 10, it has to submit an application to the relevant authorities according to the procedure in Article 11 of the same Act.

(c) Practical implementation

- (72) Any company that intends to apply for this reduced tax income rate has to proceed to an on-line application to the local Science and Technology Bureau that will make a preliminary examination. Subsequently, the local Science and Technology Bureau will make a recommendation to the provincial Science and Technology department. Before taking any decision on the issuance of the certificate of High and New Tech Enterprise, the latter can also decide to carry out an investigation directly at the premises of the applicant.

(d) Findings of the current investigation

- (73) As found in the original investigation, the reduced tax income rate should be considered a subsidy within the meaning of Article 3(1)(a)(ii) and Article 3(2) of the basic Regulation in the form of foregone government revenue which confers a benefit upon the recipient companies. This subsidy remains specific within the meaning of Article 4(2)(a) of the basic Regulation given that the legislation itself, pursuant to which the granting authority operates, limited the access to this reduced tax income rate only to certain enterprises and industries classified as encouraged, such as those belonging to the coated fine paper industry.
- (74) Neither the GOC nor the exporting producers provided evidence suggesting the coated fine paper industry stopped benefiting from this reduced tax income rate. The Commission, on the basis of information provided by the applicant in the request, as well as recent investigations <sup>(1)</sup> and publically available information <sup>(2)</sup>, established that the coated fine paper industry continued to benefit from preferential tax policies for companies that are recognised as high or new technology enterprises (and thus including the coated fine paper industry).
- (75) In the absence of cooperation from the GOC and the Chinese exporting producers, the Commission had no company-specific information on the basis of which to calculate the amount of subsidy conferred during the RIP. However, in view of the ultimate findings reached in the context of the current expiry review investigation, the Commission did not consider it necessary to calculate such amounts.

(e) Conclusion

- (76) Accordingly, the Commission concluded that this subsidy continues to be considered countervailable.

II.B. Preferential tax policies for Research & Development

- (77) The Commission in the original investigation established the ad valorem subsidy amount with regard to this preferential tax treatment at 0,02 % for the APP Group and 0,05 % for the Chenming Group.

<sup>(1)</sup> See filament glass fibres, recital (158) et seq.; solar glass, recitals (143) et seq.; solar panels original investigation, recital (321).

<sup>(2)</sup> 2015 Annual Report of the Chenming Group, page 14.

- (78) The GOC provides preferential tax treatment which benefits to all companies that are recognized as carrying out Research & Development ('R&D') projects. This qualification permits that the companies that incur R & D expenses for the purpose of developing new technologies, new products and new crafts can offset an additional 50 % of their R & D expenses against their income tax liability. Also expenses from intangible R & D assets entitle eligible companies to a 150 % deduction of the actual costs borne by these companies.

(a) Legal Basis

- (79) The preferential tax treatment is provided by Article 30(1) of the Enterprise Income Tax Law of the PRC (n. 63 promulgated on 16 March 2007), Art. 95 of the Regulations on the Implementation of Enterprise Income Tax Law of the PRC, Decree n. 512 of the State Council of the PRC, promulgated in date on 6 December 2007 and the Guide to Key Fields (Notification n. 6, 2007).

(b) Eligibility

- (80) This preferential tax treatment provides a benefit to companies that are recognized as carrying out R & D projects. Only R & D projects of the companies of New and High Tech Sectors Receiving Primary Support from the State and projects listed in the Guide to Key Fields of High Tech Industrialization under the current Development Priority promulgated by the National Development and Reform Commission are eligible for the scheme.

(c) Practical implementation

- (81) Any company that intends to apply for this preferential tax treatment needs to file detailed information about the R & D projects with the local Science and Technology Bureau. After examination, the tax bureau will issue the notice of approval. The amount subject to the corporate income tax is decreased by 50 % of actual expenses for approved projects.

(d) Findings of the current investigation

- (82) As found in the original investigation, the preferential tax treatment should be considered a subsidy within the meaning of Article 3(1)(a)(ii) and Article 3(2) of the basic Regulation in the form of foregone government revenue which confers a benefit upon the recipient companies. This subsidy remains specific within the meaning of Article 4(2)(a) of the basic Regulation given that the legislation itself, pursuant to which the granting authority operates, limited the access to this scheme only to certain enterprises and industries classified as encouraged, such as those belonging to the coated fine paper industry.
- (83) Neither the GOC nor the exporting producers provided evidence suggesting the coated fine paper industry stopped benefiting from this preferential tax treatment. The Commission, on the basis of information provided by the applicant in the request, established that the coated fine paper industry continues to benefit from preferential tax policies for R & D during the RIP. Indeed, the preferential tax treatment continues to provide a benefit to companies which are formally recognised as High and New Technology Enterprises.
- (84) In the absence of cooperation from the GOC and the Chinese exporting producers, the Commission had no company-specific information on the basis of which to calculate the amount of subsidy conferred during the RIP. However, in view of the ultimate findings reached in the context of the current expiry review investigation, the Commission did not consider it necessary to calculate such amounts.

(e) Conclusion

- (85) Accordingly, the Commission concluded that this subsidy continues to be considered countervailable.

## II.C. Dividend exemption between qualified resident enterprises

- (86) The Commission in the original investigation established the ad valorem subsidy amount with regard to this scheme at 1,34 % for the APP Group and 0,21 % for the Chenming Group.
- (87) The dividend exemption concerns resident enterprises in the PRC which are shareholders in other resident enterprises in the PRC. The former are entitled to a tax exemption on income from certain dividends paid by the latter.

### (a) Legal Basis

- (88) This dividend exemption is provided by Article 26 of the Enterprise Income Tax Law of the PRC and further explained in Article 83 of the Regulations on the Implementation of Enterprise Income Tax Law of the PRC, Decree n. 512 of the State Council of the PRC, promulgated in date on 6 December 2007.

### (b) Eligibility

- (89) This dividend exemption provides a benefit to all resident companies which are shareholders in other resident enterprises in China.

### (c) Practical implementation

- (90) The companies may make use of this dividend exemption directly through their tax return.

### (d) Findings of the current investigation

- (91) In the original investigation, the Commission found that this dividend exemption should be considered a subsidy within the meaning of Article 3(1)(a)(ii) and Article 3(2) of the basic Regulation in the form of foregone government revenue which confers a benefit upon the recipient companies. This subsidy remains specific within the meaning of the Article 4(2)(a) of the basic Regulation given that the legislation itself, pursuant to which the granting authority operates, limited the access to this scheme only to resident enterprises in the PRC receiving dividend income from other resident enterprises in the PRC, as opposed to those enterprises which invest in foreign enterprises.
- (92) Neither the GOC nor the exporting producers provided evidence suggesting the coated fine paper industry stopped benefiting from this dividend exemption. The Commission, on the basis of information provided by the applicant in the request as well as recent investigations <sup>(1)</sup>, established that the coated fine paper industry continues to benefit from the dividend exemption.
- (93) In the absence of cooperation from the GOC and the Chinese exporting producers, the Commission had no company-specific information on the basis of which to calculate the amount of subsidy conferred during the RIP. However, in view of the ultimate findings reached in the context of the current expiry review investigation, the Commission did not consider it necessary to calculate such amounts.

### (e) Conclusion

- (94) Accordingly, the Commission concluded that this subsidy continues to be considered countervailable.

<sup>(1)</sup> See solar glass, recital (153) to (160); and organic coated steel, recitals (284) to (289).

### III. Indirect Tax and Import Tariff Programmes

#### III.A. Value-Added Tax (VAT) and tariff exemptions on imported equipment

- (95) The Commission in the original investigation established the ad valorem subsidy amount with regard to this measure at 1,17 % for the APP Group and 0,61 % for the Chenming Group.
- (96) This measure provides benefits in the form of VAT exemption and duty free imports of capital goods to the Foreign Invested Enterprises ('FIEs') or domestic companies which are able to obtain the Certificate of State-Encouraged projects issued by the Chinese authorities in line with relevant investment, tax and customs-related legislation.

##### (a) Legal Basis

- (97) The VAT and tariff exemptions are based on a set of legal provisions i.e. the Circular of the State Council on Adjusting Tax Policies on Imported Equipment No 37/1997, the Announcement of the Ministry of Finance, the General Administration of Customs and the State Administration of Taxation [2008] No 43, the Notice of the NDRC on the relevant issues concerning the Handling of Confirmation letter on Domestic or Foreign-funded Projects encouraged to develop by the State, No 316/2006, dated 22 February 2006 and on the Catalogue on non- duty-exemptible Articles of importation for either FIEs or domestic enterprises-2008.

##### (b) Eligibility

- (98) Eligibility is limited to applicants, either FIEs or domestic enterprises, which are able to obtain the Certificate of State-Encouraged projects.

##### (c) Practical implementation

- (99) According to the Notice of the NDRC on the relevant issues concerning the Handling of Confirmation letter on Domestic or Foreign-funded Projects encouraged to develop by the State, No 316/2006, dated 22 February 2006, Article I.1. foreign investment projects complying 'with encouraged foreign invested projects with technique transfer in 'Guiding Catalogue of Foreign Investment Industries' and 'Industrial Catalogue for Foreign Investment in the Central and Western Regions' are exempted from custom duties as well as imported value-added taxes, except those listed in the catalogue of 'Catalogue of Import Commodities Not Enjoying Tax Exemption of the Foreign Invested Projects'. The Projects Confirmation Letter for foreign investment projects of the encouragement category with the total investment of USD 30 million or more shall be issued by the NDRC. The Project Confirmation Letter for foreign investment projects of the encouragement category with the total investment of less than USD 30 million shall be issued by the commissions or economic municipalities at the provincial level. Once they have received the Project Confirmation Letter of the encouragement category, the companies present the certificates and other application documents to their local Customs authorities in order to be eligible for customs and VAT exemption on equipment imports.

##### (d) Findings of the current investigation

- (100) In the original investigation, the Commission found that the VAT and tariff exemptions should be considered a subsidy within the meaning of Article 3(1)(a)(ii) and Article 3(2) of the basic Regulation in the form of foregone government revenue which confers a benefit upon the recipient companies. This subsidy remains specific within the meaning of the Article 4(2)(a) of the basic Regulation given that the legislation itself, pursuant to which the granting authority operates, limited the access to this scheme only to enterprises that invest under specific business categories defined exhaustively by law (i.e. catalogue for guidance of industries for foreign investment and catalogue of key industries, products and technologies which the state currently encourages development).

- (101) Neither the GOC nor the exporting producers provided evidence suggesting the coated fine paper industry stopped benefiting from these VAT and tariff exemptions. The Commission, on the basis of best facts available and in particular the Commission's conclusions about this subsidy in recent investigations <sup>(1)</sup>, established that the coated fine paper industry continues to benefit from a VAT and tariff exemption on imported equipment.
- (102) In the absence of cooperation from the GOC and the Chinese exporting producers, the Commission had no company-specific information on the basis of which to calculate the amount of subsidy conferred during the RIP. However, in view of the ultimate findings reached in the context of the current expiry review investigation, the Commission did not consider it necessary to calculate such amounts.

(e) Conclusion

- (103) Accordingly, the Commission concluded that this subsidy continues to be considered countervailable.

III.B. VAT rebates on domestically produced equipment

- (104) The Commission in the original investigation established the ad valorem subsidy amount with regard to this subsidy at 0,03 % for the APP Group and 0,05 % for the Chenming Group.
- (105) This measure provides benefits in the form of VAT rebates paid for purchase of domestically produced equipment by FIEs.

(a) Legal Basis

- (106) VAT rebates are based on a set of legal provisions:

- Provisional Measures for the Administration of Tax Refunds for Purchases of Domestically manufactured Equipment by FIEs,
- Trial Measures for Administration of Tax Rebate from the Purchase of Chinese-made Equipment for Foreign-invested Projects, and
- Notice of the Ministry of Finance and the State Administration of Taxation on the Cancellation of the Rebate Policy for Domestic Equipment Purchased by Foreign-invested Enterprises.

(b) Eligibility

- (107) Eligibility is limited to FIEs that purchase domestically-manufactured equipment and fall under the encouraged category.

(c) Practical implementation

- (108) The programme is aimed to refund VAT paid for purchase of domestically produced equipment by FIE if the equipment does not fall into the Non-Exemptible Catalogue and if the value of the equipment does not exceed the total investment limit on an FIE according to the 'trial Administrative measures on Purchase of Domestically Produced Equipment'.
- (109) In the original investigation, all cooperating producers benefited from this measure.

<sup>(1)</sup> Solar panels original investigation, recital (336) to (342); organic coated steel, recital (293) to (298).

(d) Findings of the current investigation

- (110) In the original investigation, the Commission found that the VAT rebates should be considered a subsidy within the meaning of Article 3(1)(a)(ii) and Article 3(2) of the basic Regulation in the form of foregone government revenue which confers a benefit upon the recipient companies. This subsidy remains specific within the meaning of Article 4(4)(b) of the basic Regulation, given that the subsidy is contingent upon the use of domestic over imported goods.
- (111) Neither the GOC nor the exporting producers provided evidence suggesting the coated fine paper industry stopped benefiting from these VAT rebates and tariff exemptions. The Commission, on the basis of recent investigations <sup>(1)</sup>, established that the coated fine paper industry continues to benefit from VAT rebates for the purchase of domestically-produced equipment.
- (112) In the absence of cooperation from the GOC and the Chinese exporting producers, the Commission had no company-specific information on the basis of which to calculate the amount of subsidy conferred during the RIP. However, in view of the ultimate findings reached in the context of the current expiry review investigation, the Commission did not consider it necessary to calculate such amounts.

(e) Conclusion

- (113) Accordingly, the Commission concluded that this subsidy continues to be considered countervailable.

IV. *Grant Programmes*

(a) Introduction

- (114) The Commission in the original investigation established that the coated fine paper industry benefited from various grant programmes. In particular, the Commission in the original investigation assessed five programmes reported by the cooperating exporting producers and found all of them countervailable. The Commission also took note of further six programmes reported by the cooperating exporting producers but did not assess them in view of the small amount of benefits involved.

(b) Findings of the current investigation

- (115) In the original investigation the Commission found that the coated fine paper producers have benefited as part of the GOC's plans to support the paper industry from several grants which should be considered a subsidy within the meaning of Article 3(1)(a)(i) and Article 3(2) of the basic Regulation in the form of provision of funds which confers a benefit upon the recipient companies.
- (116) Neither the GOC nor the exporting producers provided evidence suggesting the coated fine paper industry stopped benefiting from these grants. The Commission, on the basis of information provided by the applicant in the request as well as recent investigations <sup>(2)</sup>, established that the coated fine paper industry continues to benefit from grants as an encouraged industry.
- (117) For instance, the Commission, on the basis of their 2015 Annual Report could establish that the Chenming group received in 2015 government grants worth CNY 245 million shown in the Profit and Loss Statement. Another amount of CNY 150 million was reported as 'Special funds China Development Bank', a bank that is state-owned. No further breakdown concerning the nature of the grants received or the specific amounts was provided. These grants together amount to more than 1 % of turnover of the Chenming group in 2015. The applicant also provided evidence in the request that Chenming Group received subsidies for the payment of sewage services from the Financial Bureau of the Shouguang City in 2014.

<sup>(1)</sup> Solar panels expiry review, recital (384) to (392); organic coated steel (247) to (252).

<sup>(2)</sup> See organic coated steel, recitals (349) to (389); solar panels expiry review, recitals (460) to (488).



- (118) On the basis of the above the Commission concluded that the GOC continues to provide various grants to the coated fine paper industry and that producers of coated fine paper in the PRC continue to benefit from these grants, without the need to quantify precisely the amount of benefits conferred. Those grants are deemed specific within the meaning of Article 4(2) of the basic Regulation and they also appear to have been granted on an *ad hoc* basis.

(c) Conclusion

- (119) Accordingly, the Commission concluded that this subsidy continues to be considered countervailable.

V. *Government Provision of Goods and Services for Less than Adequate Remuneration ('LTAR')*

— LTAR provision of land

- (120) In the original investigation the Commission established, using the benchmark of prices of land in Taiwan, the *ad valorem* subsidy amount with regard to this measure at 2,81 % for APP group and 0,69 % for the Chenming group.
- (121) In the original investigation the Commission established that the coated fine paper industry in the PRC benefited from provision of land and more specifically the land-use rights at LTAR.

(a) Legal Basis and Eligibility

- (122) The applicant provided evidence in the request that the GOC continued providing land-use rights to the coated fine paper industry for less than adequate remuneration. The legal basis for this claim are the following documents, which were provided by the GOC:

- the Property Law,
- the Land Administration Law,
- the Law on Urban Real Estate Administration,
- the Interim Regulations Concerning the Assignment and Transfer of the Right to the Use of the State-owned Land in the Urban Areas,
- the Regulation on the Implementation of the Land Administration Law, and
- the Provisions on the Assignment of State-Owned Construction Land-Use Right through Bid Invitation, Auction and Quotation, No 39, dated 28 September 2007.

- (123) The GOC refused to provide any data with respect to actual land-use rights prices, the orderly competitive land market that they claim that has been established in China, as well as the methodology followed when the State expropriates land from former users.

(b) Practical implementation

- (124) According to Article 2 of the Land Administration Law, all land is government-owned since, according to the Chinese constitution and relevant legal provisions, land belongs collectively to the People of China. No land can be sold but land-use rights may be assigned according to the law: the State authorities assign it through public bidding, quotation or auction.

(c) Findings of the investigation

- (125) In the original investigation, the Commission found that the provision of land-use rights by the GOC should be considered a subsidy within the meaning of Article 3(1)(a)(iii) and Article 3(2) of the basic Regulation in the form of provision of goods which confers a benefit upon the recipient companies.

- (126) Neither the GOC nor the exporting producers provided evidence suggesting the coated fine paper industry stopped benefiting from the provision of land-use rights. The Commission, on the basis of the information provided by the applicant in the request, as well as recent investigations <sup>(1)</sup> and the unverified information provided by the GOC in its questionnaire reply, established that the coated fine paper industry continued to benefit from LTAR provision of land during the RIP. On the basis of available information the Commission concluded that the rates paid for land use continued to be subsidised because the system imposed by the GOC does not adhere to market principles. As the paper industry continued to be an 'Encouraged industry' under the 12th Five-Year Plan during the review investigation period and continues to be an 'Encouraged industry' under the 13th Five-Year Plan, the Commission, on the basis of the available information established that the preferential assignment of land continues. The provision of land-use rights by the GOC to the paper industry as one of the encouraged industries shows that the subsidy is specific within the meaning of Article 4(2) of the basic Regulation.
- (127) In the absence of cooperation from the GOC and the Chinese exporting producers, the Commission had no company-specific information on the basis of which to calculate the amount of subsidy conferred during the RIP. However, in view of the ultimate findings reached in the context of the current expiry review investigation, the Commission did not consider it necessary to calculate such amounts.

(d) Conclusion

- (128) Accordingly, the Commission concluded that this subsidy continues to be considered countervailable.

### 3.4. New subsidies which were not countervailed in the original investigation

#### 1. *Export insurance programmes for the coated fine paper industry*

(a) Legal Basis

- (129) The legal bases for this programme are the following:

- the Notice on the Implementation of the Strategy of Promoting Trade through Science and Technology by Utilising Export Credit Insurance (Shang Ji Fa[2004] No 368), issued jointly by MOFCOM and Sinosure,
- the Export Directory of Chinese High and New Technology Products of 2006,
- the so-called '840 plan' included in the Notice by the State Council of 27 May 2009,
- the so-called '421 plan' included in the Notice on the issues to implement special arrangements for financing of insurance on the export of large complete sets of equipment, issued jointly by the Ministry of Commerce and the Ministry of Finance on 22 June 2009;

(b) Sinosure is a public body

- (130) On the basis of the information available to the Commission, and in the light of the GOC's and Sinosure's non-cooperation, the Commission concluded that Sinosure is a public body within the meaning of Article 2(b) of the basic Regulation. In particular, like in the context of preferential lending above, the conclusion that Sinosure is vested with authority to exercise governmental functions is based on best facts available relating to State-ownership, formal indicia of government control as well as evidence showing that the GOC continues exercising meaningful control over the conduct of Sinosure.

<sup>(1)</sup> See filament glass fibres, recitals (188) to (205); solar panels expiry review, recitals (417) to (444); solar glass, recitals (172) to (195); organic coated steel, recitals (107) to (126) and (432) to (437).

- (131) As confirmed in the current investigation on the basis of the information available, the government exercises full ownership and financial control over Sinosure. Sinosure is a State sole proprietorship, owned 100 % by the State Council. The registered capital of RMB 4 billion comes from the venture fund of export credit insurance in line with the state finance budget. Furthermore, the State injected in 2011 RMB 20 billion through the China Investment Corporation, the sovereign wealth fund of China <sup>(1)</sup>. The Articles of Association ('AoA') state that the business competent department of the company is the Ministry of Finance, and also requires Sinosure to submit financial and accounting reports and the fiscal budget report to the Ministry of Finance for examination and approval.
- (132) With regard to government control, as a state sole proprietorship, Sinosure does not have a Board of Directors. As for the Board of Supervisors, all of the supervisors are appointed by the State Council and execute their duties according to the 'Interim Regulation on the Board of Supervisors of Important State-owned Financial Institution.' The senior management of Sinosure is also appointed by the government. Sinosure's website <sup>(2)</sup> shows that the Chairman of Sinosure is the Secretary of the Party Committee, and the majority of the Senior Management are also Members of the Party Committee.
- (133) Sinosure did not publish its Annual Report for a number of years <sup>(3)</sup>, including the Annual Report during the RIP. However, its 2011 Annual Report ('AR 2011') illustrates that Sinosure exercises government functions and policies so that it can be concluded that this entity is a direct expression of the government itself. Sinosure's Annual Report 2011 contains several statements in this respect, namely: Sinosure 'proactively carried out the policy function of an ECA ... and achieved a good start in the first year of the 12th 'Five-Year Plan' period' (p. 4 AR 2011); 'the furtherance of corporate reform reinforced the policy function of Sinosure as an ECA. The CCCPC Conference on Economy has laid emphasis on such function and made clear requirements on credit insurance, which lined out our growth path' (p. 5 AR 2011); 'In the year of 2011, Sinosure implemented CPC Central Committee's and State Council's strategies, decisions and arrangements as well as state policies on diplomacy, foreign trade, industry and finance, gave full play to its policy function and achieved a fast growth' (p. 11 AR 2011); 'Sinosure fully executed the state policy of 'Special Arrangement for Export Financing Insurance for Large Complete-set Equipment' and fulfilled its obligations laid out by the State' (p. 11 AR 2011).
- (134) In the solar panels expiry review, it was found that the 2014 Annual Report of Sinosure confirmed the situation described by the AR 2011, since 'Sinosure saved no effort in supporting China's national policies and sought to achieve this by exploring new ideas and concepts, improving working methods, perfecting products and services, as well as enhancing efficiency in performing its policy functions' or that it has a role as a 'policy-supportive organ' <sup>(4)</sup>.
- (135) The institutional framework and other documents issued by the GOC under which Sinosure operates further shows that Sinosure is vested with the authority to carry out governmental policies. The Notice on the Implementation of the Strategy of Promoting Trade through Science and Technology by Utilising Export Credit Insurance (Shang Ji Fa [2004] No 368 of 26 July 2004) was issued jointly by MOFCOM and Sinosure in 2004 and still governs Sinosure's activities. Among the objectives of this Notice is the promotion of the export of high and new technology and of high value-added products through the further use of export credit insurance.
- (136) As set out in recitals (40) to (52) above, the Commission established that the coated fine paper industry is regarded by the GOC as a key/strategic industry, whose development is actively pursued by the State as a public policy objective. It is recalled that the paper industry is one of the 26 industries which are classified as 'Encouraged', as stated in recital (46) above. The Commission noted that the activity of export credit insurance performed by Sinosure is integral part of the broader financial sector where it is established that the government intervention directly interferes and distorts the normal functioning of the financial market in the PRC (see recital (53) above).

<sup>(1)</sup> Sources: <http://uk.reuters.com/article/2011/05/26/china-cic-sinosure-idUKL3E7GQ10720110526> and [http://en.wikipedia.org/wiki/China\\_Export\\_%26\\_Credit\\_Insurance\\_Corporation](http://en.wikipedia.org/wiki/China_Export_%26_Credit_Insurance_Corporation), both accessed on 31 May 2017.

<sup>(2)</sup> <http://www.sinosure.com.cn/sinosure/english/Top%20Management.htm>, accessed on 31 May 2017.

<sup>(3)</sup> [http://www.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=TAD/ECG\(2015\)3&doclanguage=en](http://www.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=TAD/ECG(2015)3&doclanguage=en), accessed on 31 May 2017.

<sup>(4)</sup> Solar Expiry review, recital (284).

- (137) The Commission is aware of other documents proving that Sinosure directly carries out governmental policies benefiting, inter alia, the exporting producers. The so-called 840 plan is detailed in the Notice by the State Council of 27 May 2009 <sup>(1)</sup>. This name refers to the use of USD 84 Billion as export insurance and it is one of the six measures launched by the State Council in year 2009 to stabilize export demand further to the global crisis and the consequent increased demand for export credit insurance. The six measures include notably an improved coverage of export credit insurance, the provision of short-term export credit insurance on a scale of USD 84 billion in 2009 and a reduction of the premium rate. As the only policy institution underwriting export credit insurance, Sinosure is indicated as the executor of the plan. As for the reduction of the insurance premium, Sinosure was required to ensure that the average rate of short-term export credit insurance would be reduced by 30 % on the basis of the overall average rate in 2008.
- (138) The so-called 421 plan was included in the Notice on the issues to implement special arrangements for financing of insurance on the export of large complete sets of equipment issued jointly by the Ministry of Commerce and the Ministry of Finance on 22 June 2009. This was also an important policy supporting China's 'going out' policy in response to the 2009 global financial crisis and provided USD 42,1 billion of financing insurance to support the export of large complete sets of equipment. Sinosure and some other financial institutions would manage and provide the funding. Enterprises covered by this document could enjoy the preferential financial measures, including export-credit insurance. Due to the non-cooperation of the GOC, the Commission was unable to obtain additional details on the application of this notice. In the absence of evidence to the contrary, the Commission considered that paper industry is also covered by this document.
- (139) On the basis of the above elements, the Commission concluded that Sinosure is a public body as it is vested with authority to exercise governmental functions. The same conclusions were reached in previous anti-subsidy investigations concerning encouraged industries in the PRC <sup>(2)</sup>.
- (140) As Sinosure is a public body vested with government authority and executes governmental laws and plans, the provision of export credit insurance to coated fine paper producers constitutes a financial contribution in the form of potential direct transfer of funds from the government within the meaning of Article 3(1)(a)(i) of the basic Regulation.

(c) Benefit

- (141) In the absence of cooperation from the GOC and the Chinese exporting producers, the Commission had no company-specific information on the basis of which to calculate the amount of subsidy conferred during the RIP. However, in view of the ultimate findings reached in the context of the current expiry review investigation, the Commission did not consider it necessary to calculate such amounts. In any event, based on the information provided in the complaint as well as in recent investigations <sup>(3)</sup> the Commission concluded that a benefit within the meaning of Articles 3(2) and 6(c) of the basic Regulation exists since Sinosure provides export credit insurance on terms more favourable than the recipient could normally obtain on the market, or provides insurance cover that would otherwise not be available at all on the market.
- (142) Indeed, Article 11 of the Articles of Association that was submitted in the GOC's questionnaire reply provides that the company shall operate at breakeven. In other words, by statute Sinosure does not aim to achieve a reasonable profit, but has to aim merely at breakeven according to its function as the sole official export credit insurer in the PRC. As explained above, the records on file have shown that the legal and policy environment in which Sinosure operates requires the state-owned company to execute the government policies and plans in fulfilment of its public policy mandate. Among the 'Encouraged Industries' specifically supported by the State, the producers of coated fine paper have had full access to export credit insurance provided by Sinosure at preferential rates. Therefore, Sinosure provides unlimited availability of insurance cover for the paper sector and the low insurance premiums it offers do not reflect the actual risks incurred in insuring the exports in this sector.

<sup>(1)</sup> [http://www.gov.cn/jdhd/2009-05/27/content\\_1326023.htm](http://www.gov.cn/jdhd/2009-05/27/content_1326023.htm), accessed on 31 May 2017.

<sup>(2)</sup> See solar panels expiry review, recital (284) and solar panels original investigation, recitals (225) — (235).

<sup>(3)</sup> See solar panels expiry review, recitals (276)-(305).

- (143) Furthermore, in the solar panels expiry review it was established that Sinosure incurred losses in 2015, i.e. during the review investigation period of the current investigation <sup>(1)</sup>, and would have been loss-making in 2013 and 2014 if certain non-operational income had not been recorded <sup>(2)</sup>. Based on all these elements on the record, it can already be concluded that the premium rates charged by Sinosure remain inadequate to cover its long-term operations.
- (144) On the basis of the above, the Commission established the existence of a benefit which would not have been otherwise available to the coated fine paper industry.

(d) Specificity

- (145) The subsidies are contingent upon export performance within the meaning of Article 4(4)(a) of the basic Regulation, and therefore specific.

(e) Conclusion

- (146) The Commission, on the basis of available information, concluded that producers of coated fine paper in the PRC benefited from the export credit insurance provided by Sinosure in the RIP.

II. VAT rebates for products furnished with at least 70 % recycled fibre and agricultural residues

(a) Legal Basis

- (147) From 1 July 2015, the VAT refund or exemption scheme for production and labour services which comprehensively utilise resources is consolidated under the 'Notice of Ministry of Finance and State Administration of Taxation to Print and Issue Catalogue of Products and Labour Services with Comprehensive Utilization of Resources (CaiShui [2015] No 78)'. Domestic sales of coated fine paper are subject to a 17 % VAT rate. According to the Notice, companies receive a 50 % VAT rebate for products furnished with at least 70 % recycled fibre and agricultural residues, such as bagasse, waste paper and crop straw.

(b) Eligibility

- (148) According to unverified information provided by the GOC, pursuant to the Notice referred to above, the VAT refund policies are applicable to sales of products, the production of which used the recycled, reusing or redundant materials or energy from other productions.

(c) Practical implementation

- (149) According to unverified information provided by the GOC, the programme is administered by the State Administration of Taxation of the People's Republic of China with the assistance of other competent authorities, and is implemented by the local tax authorities within their respective jurisdictions. Enterprises that apply for the VAT refund have to file their application with other relevant documents to the taxation authority for examination. After the application is approved, the applicant can receive the benefits.

(d) Findings of the investigation

- (150) The Commission found that the VAT rebates for products furnished with at least 70 % recycled fibre and agricultural residues by the GOC should be considered a subsidy within the meaning of Article 3(1)(a)(ii) and Article 3(2) of the basic Regulation in the form of foregone government revenue which confers a benefit upon the recipient companies. On the basis of the information available, the Commission further concluded that the subsidy was specific in accordance with Article 4(2) of the basic Regulation.

<sup>(1)</sup> Solar panels expiry review, recital (289).

<sup>(2)</sup> Solar panels expiry review, recital (291).

- (151) Neither the GOC nor the exporting producers provided evidence suggesting the coated fine paper industry did not benefit from this VAT rebates, as alleged by the complaint. Indeed, the Notice referred to in recital (147) above specifically mentions paper as products utilizing resources such as bagasse, waste paper and crop straw, and stating that the producers have to comply with technical regulations specific to the pulp and paper industry. On the basis of the above the Commission concluded that the GOC provides subsidies in the form of VAT rebates for products furnished with at least 70 % recycled fibre and agricultural residues to the coated fine paper industry and that producers of coated fine paper in the PRC benefit from these rebates during the RIP.

(e) Conclusion

- (152) The Commission, on the basis of available information, concluded that producers of coated fine paper in the PRC benefited from this subsidy in the RIP.

**3.5. Overall conclusion regarding the continuation of subsidisation**

- (153) On the basis of all the above, the Commission concluded that producers of coated fine paper in the PRC continued benefiting from countervailable subsidies during in the RIP.

**3.6. Development of imports should measures be repealed**

— Production capacity and spare capacity in the PRC

- (154) Given the non-cooperation, production capacity and spare capacity in the PRC were established on the basis of facts available and in particular the information provided by the applicant, which included data from an independent industry intelligence information provider, in accordance with Article 28 of the basic Regulation.
- (155) The production capacity of coated wood free paper in the PRC was 7 629 000 tonnes in the review investigation period <sup>(1)</sup>, of which 40 % is the production of CFP <sup>(2)</sup>. The total coated wood free production in the PRC had a capacity utilisation of 85 % <sup>(3)</sup> during the review investigation period resulting in a spare capacity of 1 167 000 tonnes, i.e. 32 % of total consumption of CFP in the Union. Under the assumption that only 40 % of this capacity would be used for CFP, the Chinese spare capacity of the product concerned was found to be around 13 % of total Union consumption.
- (156) Furthermore, the Commission found that it is simple for producers to switch production of other coated wood free products into the product concerned <sup>(4)</sup>. Should Chinese producers switch to CFP, this would result in an increase of 3 877 000 tonnes in production capacity, which is more than 100 % of total consumption in the Union (established at 3 589 694 tonnes).
- (157) Even though the level of spare capacity of coated wood free paper is expected to decrease slightly by 4 %, Chinese domestic demand is expected to decrease by more than 10 % until 2021 <sup>(5)</sup>.
- (158) Based on the above, the Commission concluded that Chinese exporting producers have significant spare capacity which they could use to produce CFP to export to the Union market if measures were repealed. The Commission also found that this export potential could increase as a result of the expected decline in domestic demand in the PRC.

**3.7. Attractiveness of the Union market**

- (159) The investigation has demonstrated that Union demand for CFP remained substantial. Although the Union consumption declined over the period considered, the Union market remains the largest market in the world, accounting for 25 % — 30 % of global demand.

<sup>(1)</sup> Based on data of RISI (<http://www.risiinfo.com>) provided by the applicant.

<sup>(2)</sup> Based on the request.

<sup>(3)</sup> Based on data of RISI.

<sup>(4)</sup> Based on the request.

<sup>(5)</sup> Based on data of RISI.

- (160) Based on the facts available, Chinese export prices to the third countries close to the Union were on average 7 % lower than the prices in the Union during the review investigation period. Such a difference of price is significant given the fact that the market for CFP is competitive and very price sensitive.
- (161) Furthermore, the domestic demand in the PRC is forecast to decrease, suggesting a strong incentive to Chinese producers to find alternative markets to absorb the Chinese overcapacity. The USA market, another important market for CFP, remains unattractive for the PRC, because the USA has anti-dumping and anti-subsidy measures in place against the PRC regarding the product concerned.
- (162) In this regard, the Government of the PRC claimed that the low level of imports from the PRC demonstrated that the Union market was not at all attractive to Chinese exporting producers. It further submitted that according to Chinese export statistics the PRC exported in 2015 more CFP to three other countries (India, Japan, Thailand) and to non-Union European countries, which would demonstrate that these countries, where there are no trade defence measures in place, were more attractive. The Government of the PRC also submitted that the PRC is currently party to 14 FTA's with different trading partners and that it is negotiating even more. This would lead to more exports of CFP to the partner countries concerned.
- (163) As concerns the effect of the FTAs, the claim was made in respect of Chinese products in general and did not contain any evidence in respect of the product concerned. The claim was considered too broad and lacking corroborating evidence. In any case, as explained in recital (166) below, the information available to the Commission points in the opposite direction.
- (164) In fact, the Chinese exports of CFP to the Union dropped close to zero after the imposition of the original measures in 2010, which suggests that it was these measures that made the Union market unattractive for Chinese exports. The removal of the measures would make the Union market attractive again. These claims are therefore rejected.
- (165) The APP Group acknowledged that the European market is traditionally an important market for CFP, but claimed that its importance was decreasing due to the constant drop in demand, whereas, at the same time, demand in other countries has either remained stable or increased over the last few years. It also submitted that the unattractiveness of the Union market was demonstrated by the drop in imports from other countries since the imposition of measures and by the high level of exports of CFP produced by the Union industry.
- (166) Despite the declining consumption of CFP in the Union, the Union market is still the largest CFP market in the world. The information on file suggests that the Union market will remain the largest world market for CFP at least in the near future <sup>(1)</sup>. Based on the facts available on file, demand for CFP is forecast to decrease in the PRC and a potential increase, if any, in other markets would not suffice to reduce the attractiveness of the Union market because they are small in comparison to the Union market. During the investigation period of the original investigation the volume and market share of imports into the Union from countries other than the PRC was indeed larger than during the period considered of the current investigation. However, the imports from third countries of CFP during the investigation period of the original investigation were predominantly imports of CFP from Switzerland where one of the Union producers owned a company producing CFP. The current investigation established that this producer stopped the production of CFP in 2011, so consequently imports from Switzerland almost disappeared. The drop in imports from third countries has thus nothing to do with any alleged unattractiveness of the Union market and the claim is rejected.
- (167) Furthermore, the relatively high level of exports of the Union industry does not undermine the conclusion that the Union market is attractive as for most of the period considered average prices achieved outside the Union, where the Union industry had to compete with subsidized exports of CFP from the PRC, were below the average prices achieved in the Union. The claim is therefore rejected.
- (168) Given the above considerations, the Commission concluded that, if measures were repealed, it was likely that the exports from the PRC would be directed to the Union market.

<sup>(1)</sup> Based on data of RISI provided by the applicant.

### 3.8. Conclusion on the likelihood of continuation of subsidisation

- (169) The Commission, on the basis of best facts available, concluded that there was sufficient evidence that subsidisation of the coated fine paper industry in the PRC continued during the period considered and is likely to continue in the future.
- (170) The subsidisation of the coated fine paper industry allowed the Chinese producers to maintain their production capacities at a level by far exceeding domestic demand, in spite of shrinking markets, in China and worldwide.
- (171) Therefore, the Commission found that the repeal of the countervailing measures is likely to result in a return of significant volumes of subsidised imports of the product concerned into the Union market. Various subsidy programmes continued to be offered by the GOC to the coated fine paper industry and the Commission has sufficient evidence that the coated fine paper industry benefited from a number of them during the RIP.

## 4. LIKELIHOOD OF A RECURRENCE OF INJURY

### 4.1. Definition of the Union industry and Union production

- (172) During the review investigation period, the like product was manufactured by 10 known producers, some of which are groups that own several paper mills. They constitute the 'Union industry' within the meaning of Article 9(1) of the basic Regulation.
- (173) The total Union production was established at around 4 606 000 tonnes during the review investigation period. The companies that supported the review request represented more than 70 % of the total Union production in the review investigation period. As indicated in recital (18), the Union producers selected in the sample represented more than 30 % of the total Union production of the like product.
- (174) The macroeconomic data provided by the applicant had been furnished by Euro-Graph <sup>(1)</sup> and they were duly verified.

### 4.2. Union consumption

- (175) The Commission established the Union consumption by adding the volume of sales of the Union industry on the Union market and imports from third countries based on the Article 14(6) database.
- (176) Union consumption developed as follows:

Table 1

#### Union consumption

	2012	2013	2014	RIP
Total Union consumption (tonnes)	3 972 818	3 643 010	3 626 277	3 589 694
Index (2012 = 100)	100	92	91	90

Source: Euro-Graph and Article 14(6) database.

- (177) During the period considered Union consumption decreased by 10 %. It decreased by 8 % in 2013, compared to 2012, and continued to decrease at a slower pace. The estimated Union consumption during review investigation period was by 21 % lower than the one found during the investigation period in the original investigation (4 572 057 tonnes). The decline in consumption reflects decreasing graphic paper demand in general, which is mainly the result of the rapid growth in digital media, which is replacing traditional print media.

<sup>(1)</sup> The European Association of Graphic Paper Producers (Euro-Graph) was formed in 2012 through the merger of CEPIPRINT (Association of European Publication Paper Producers) and CEPIFINE (European Association of Fine Paper Producers) and its members include all coated fine paper producers in the Union.



### 4.3. Imports from the country concerned

#### 4.3.1. Volume and market share of imports from the country concerned

(178) Imports into the Union from the PRC developed as follows:

Table 2

#### Import volume and market share

	2012	2013	2014	RIP
Volume of imports from the country concerned (tonnes)	701	905	452	389
<i>Index (2012 = 100)</i>	100	129	64	55
Market share (%)	0,02	0,02	0,01	0,01
<i>Index (2012 = 100)</i>	100	141	71	61

Source: Article 14(6) database.

(179) During the period considered the volume of imports into the Union from the PRC was negligible.

#### 4.3.2. Prices of imports from the country concerned and price undercutting

(180) Due to the negligible volume of imports of CFP from the PRC to the Union, the fact that they represented less than 0,5 % of the total imports under the relevant CN codes both in Eurostat and in the official export statistics of the PRC, and the lack of reliability of the prices of these few sales, it was not possible to use Union import statistics to draw any conclusions concerning prices of imports from the PRC. The Commission concluded that data concerning sales of CFP from the PRC to other countries should be used instead as a proxy to establish what the undercutting would have been if Chinese companies had sold at these prices to the Union.

(181) The Commission determined the theoretical price undercutting level during the review investigation period by comparing the weighted average sales price of the Union industry charged to independent customers in the Union market, adjusted to an ex works level, and the weighted average Chinese export price to countries located close to the Union, adjusted to arrive at Union CIF value level and to take into account importation costs. In the absence of any cooperation from the Chinese exporting producers, the Chinese export prices to other countries were based on facts available in accordance with Article 28 of the basic Regulation. Different sources of information were consulted in order to establish the export price. The most appropriate basis was found to be the invoices from Chinese exporting producers to third countries located close to the Union, i.e. Egypt, Russia and Turkey, which were provided by the applicant, calculated on a weighted average basis. The price comparison showed that if during the review investigation period the Chinese exporters had sold at these prices to the Union, they would have undercut the Union industry's prices by 5,4 %.

### 4.4. Imports from other third countries

(182) The following table shows the development of imports to the Union from third countries other than the PRC during the period considered in terms of volume and market share as well as average price of these imports. The table is based on data from the Article 14(6) database.

Table 3

#### Imports from third countries

	2012	2013	2014	RIP
Volume (tonnes)	35 864	29 264	50 958	45 282
<i>Index (2012 = 100)</i>	100	82	142	126

	2012	2013	2014	RIP
Market share (%)	0,9	0,8	1,4	1,3
Average price (EUR/tonne)	952	964	827	889
<i>Index (2012 = 100)</i>	100	101	87	93

Source: Article 14(6) database.

- (183) The total volume of imports into the Union from countries other than the PRC was small during the entire period considered and their total market share fluctuated around 1 %. The average prices of these imports were higher than the average prices of the Union industry. During the review investigation period, none of the third countries had individually a market share higher than 0,4 %.

#### 4.5. Economic situation of the Union industry

##### 4.5.1. General remarks

- (184) In accordance with Article 8(4) of the basic Regulation, the Commission examined all economic indicators having a bearing on the state of the Union industry during the period considered. As mentioned in recital (18), sampling was used for the Union industry.
- (185) For the injury determination, the Commission distinguished between macroeconomic and microeconomic injury indicators. The Commission evaluated macroeconomic indicators relating to the whole Union industry on the basis of information provided by the applicant in the review request. The Commission evaluated microeconomic indicators relating only to the sampled companies on the basis of the verified data contained in the questionnaire replies. Both sets of data were found to be representative of the economic situation of the Union industry.
- (186) The macroeconomic indicators are: production, production capacity, capacity utilisation, sales volume, market share, growth, employment, productivity, magnitude of the amount of subsidisation, and recovery from past subsidisation.
- (187) The microeconomic indicators are: average unit prices, unit cost, labour costs, inventories, profitability, cash flow, investments, return on investment, and ability to raise capital.

##### 4.5.2. Macroeconomic indicators

##### 4.5.2.1. Production, production capacity and capacity utilisation

- (188) The total Union production, production capacity and capacity utilisation developed over the period considered as follows:

Table 4

#### Production, production capacity and capacity utilisation

	2012	2013	2014	RIP
Production volume (tonnes)	5 211 487	4 833 511	4 737 310	4 606 000
<i>Index (2012 = 100)</i>	100	93	91	88
Production capacity (tonnes)	5 889 216	5 636 892	5 380 258	4 988 000
<i>Index (2012 = 100)</i>	100	96	91	85
Capacity utilisation (%)	88,5	85,7	88	92,3
<i>Index (2012 = 100)</i>	100	97	100	104

Source: Euro-Graph.

- (189) During the period considered, production decreased by 12 %. It decreased by 7 % in 2013, compared to 2012, and continued to decrease at a slower pace.
- (190) Already before the period considered, Union producers had undertaken major restructuring efforts aimed at addressing structural overcapacity and these efforts continued during the period considered. As a result of both certain mill closures and the conversion of other mills to produce paper products other than CFP, the Union industry decreased its CFP production capacity by approximately 901 216 tonnes between 2012 and the review investigation period, i.e. by 15 %.
- (191) The continuous reduction of the production capacity allowed the Union industry to keep capacity utilisation relatively stable during the period considered and even to reach 92,3 % in the review investigation period, almost four percentage points higher than in 2012.
- (192) The investigation established that high capacity utilisation is an important factor in the long-term viability of the paper industry because of high investments in fixed assets and the resulting impact on average manufacturing costs.

#### 4.5.2.2. Sales volume and market share

- (193) The Union industry's sales volume and market share developed over the period considered as follows:

Table 5

#### Sales volume and market share

	2012	2013	2014	RIP
Total sales volume in the Union market (tonnes)	3 936 253	3 612 841	3 574 868	3 544 023
<i>Index (2012 = 100)</i>	100	92	91	90
Market share (%)	99,1	99,2	98,6	98,7
<i>Index (2012 = 100)</i>	100	100	99	100

Source: Euro-Graph.

- (194) During the period considered the sales volume in the Union market decreased by 10 %. It decreased by 8 % in 2013, compared to 2012, and continued to decrease at a slower pace.
- (195) Since during the period considered there were almost no imports of CFP, the market share of the Union industry remained stable at around 99 %.

#### 4.5.2.3. Growth

- (196) During the period considered the Union industry did not witness any growth of production and sales. On the contrary, these economic indicators closely followed the downward trend of the Union consumption.

#### 4.5.2.4. Employment and productivity

- (197) Employment and productivity developed over the period considered as follows:

Table 6

#### Employment and productivity

	2012	2013	2014	RIP
Number of employees (full time equivalent — FTE)	9 808	8 896	7 782	7 418
<i>Index (2012 = 100)</i>	100	91	79	76

	2012	2013	2014	RIP
Productivity (tonne/employee)	531	543	609	621
<i>Index (2012 = 100)</i>	100	102	115	117

Source: Euro-Graph.

(198) During the period considered the number of employees decreased by 24 %, with decreases happening every year. It reflects part of the longer term restructuring efforts undertaken by the Union industry to address structural overcapacity problems, as explained in recital (190).

(199) These substantial reductions in workforce produced significant increases in productivity, measured as output (tonnes) per person employed per year, which increased by 17 % during the period considered.

#### 4.5.2.5. Magnitude of the subsidy amount and recovery from past subsidisation

(200) During the period considered, there were almost no imports of CFP from the PRC, so it can be concluded that there was no impact of the magnitude of the subsidy amount on the Union industry, which was on track to recovery from past subsidisation.

#### 4.5.3. Microeconomic indicators

##### 4.5.3.1. Prices and factors affecting prices

(201) The average sales prices of the Union industry to unrelated customers in the Union developed over the period considered as follows:

Table 7

#### Sales prices in the Union and unit cost of production

	2012	2013	2014	RIP
Average unit sales price in the Union market (EUR/tonne)	723	709	688	680
<i>Index (2012 = 100)</i>	100	98	95	94
Unit cost of production (EUR/tonne)	672	664	609	631
<i>Index (2012 = 100)</i>	100	99	91	94

Source: verified questionnaire replies of the sampled Union producers.

(202) The unit sales price of the Union industry to unrelated customers in the Union decreased by 6 % during the period considered. With a small time lag, the trend in prices followed the trend in costs of production.

(203) The unit cost of production of the Union industry also decreased by 6 % during the period considered, with the most significant decrease observed in the period 2013-2014 (minus 8 %).

## 4.5.3.2. Labour costs

(204) The average labour costs developed over the period considered as follows:

Table 8

**Average labour costs per employee**

	2012	2013	2014	RIP
Average labour costs per employee (EUR/employee)	68 405	65 812	67 716	70 973
Index (2012 = 100)	100	96	99	104

Source: verified questionnaire replies of the sampled Union producers.

(205) In 2013 the average labour costs per employee decreased by 4 % as compared to 2012, then stabilised and during the review investigation period reached a level that was 4 % higher than in 2012.

## 4.5.3.3. Inventories

(206) Stock levels developed over the period considered as follows:

Table 9

**Inventories**

	2012	2013	2014	RIP
Closing stocks (tonnes)	112 957	122 545	119 642	122 264
Index (2012 = 100)	100	108	106	108
Closing stocks as a percentage of production (%)	7	8	8	8
Index (2012 = 100)	100	114	115	114

Source: verified questionnaire replies of the sampled Union producers.

(207) The closing stocks of the Union industry increased by 8 % in the period 2012-2013 and then remained relatively stable throughout the remainder of the period considered. The falling production volume resulted in an overall increase in the level of closing stocks as a percentage of production by 14 % during the period considered.

## 4.5.3.4. Profitability, cash flow, investments, return on investment and ability to raise capital

(208) Profitability, cash flow, investments and return on investment developed over the period considered as follows:

Table 10

**Profitability, cash flow, investments and return on investments**

	2012	2013	2014	RIP
Profitability of sales in the Union to unrelated customers (% of sales turnover)	0,7	– 0,4	5	2,3
Index (2012 = 100)	100	– 58	693	319

	2012	2013	2014	RIP
Cash flow (EUR)	58 381 268	51 220 769	102 223 699	75 644 423
<i>Index (2012 = 100)</i>	100	88	175	130
Investments (EUR)	20 414 097	23 120 553	18 603 022	17 369 221
<i>Index (2012 = 100)</i>	100	113	91	85
Return on investments (%)	1,8	– 6,7	9,6	9,1
<i>Index (2012 = 100)</i>	100	– 380	546	518

Source: verified questionnaire replies of the sampled Union producers.

- (209) The Commission established the profitability of the Union industry by expressing the pre-tax net profit of its sales of CFP to unrelated customers in the Union as a percentage of the turnover of those sales. During the period considered the Union industry increased its profitability from around 0,7 % to 2,3 %. It is noted that in the original investigation, the target profit for the industry was established at 8 % <sup>(1)</sup>. 2014 was the best year, when the profitability of the Union industry reached 5 % mainly due to lower costs of raw materials, especially pulp, but also due to positive effects of the restructuring efforts and increase in efficiency. During the review investigation period, the profitability was negatively affected by the falling exchange rate of the British pound versus euro.
- (210) The net cash flow is the ability of the Union industry to self-finance its activities. During the period considered cash flow was positive and to a large extent its trend reflected the evolution of profitability, with 2014 being the best year.
- (211) In view of the falling demand for CFP both in the Union and abroad, during the period considered the Union industry did not invest in new capacity and overall the level of investments decreased by 15 %. The investments made were focused on maintenance, capital replacement, improving energy efficiency, and on measures aimed at complying with environmental protection standards.
- (212) The return on investment consists of the profit expressed as a percentage of the net book value of the fixed assets. Its development during the period considered was influenced by both the decreasing net asset value and the evolution of profitability, which explains the negative results in 2013 and the much better results in 2014 and in the review investigation period.
- (213) Given the cost of existing debt, relatively low profitability of the Union industry and continuously falling demand for CFP, the Union industry's ability to raise capital has improved compared to the original investigation, but remains restricted.

#### 4.5.4. Conclusion on the situation of the Union industry

- (214) During the period considered injury indicators showed a mixed picture. While financial performance indicators, such as profitability, cash flow and return on investment, improved, volume indicators, such as production and sales, continued to decline.
- (215) The improvement of financial performance indicators was the result of both the drop in raw materials prices in 2014 and the Union producers' restructuring efforts aimed at cutting production capacity and improving efficiency. The negative trends in production and sales volumes were the result of the continuously falling demand for CFP both in the Union and abroad that required the Union industry to continue with restructuring, including closing certain paper mills and converting others for the production of other types of paper.

<sup>(1)</sup> Recital (158) of Implementing Regulation (EU) No 451/2011.

- (216) The foreseen further decrease in demand for CFP in the next 5-10 years supports the conclusion that the situation of the Union industry will remain challenging, and further decreases in production and production capacity will have to take place.
- (217) The investigation confirmed that the measures imposed by the original investigation have had a positive impact on the Union industry, which regained its market share and was able to raise their CFP prices to above cost-covering level as well as to finance its restructuring activities.
- (218) On the basis of the above, the Commission concludes that the Union industry did not suffer material injury within the meaning of Article 8(4) of the basic Regulation. Nevertheless, in view of the continuously declining demand for CFP and the related high restructuring costs, both of which had a significant bearing on its profitability, it is in a vulnerable situation.

#### **4.6. Likelihood of recurrence of injury**

- (219) In recital (171) above, the Commission concluded that the repeal of the measures would result in the recurrence of subsidised exports of CFP from the PRC to the Union.
- (220) In recital (181) the Commission found that during the review investigation period the prices of the Chinese exports of CFP to markets located close to the Union were lower than the ones charged by the Union industry in the Union. As a result, the Commission concluded that, should measures be allowed to lapse, the Chinese producing exporters would likely undercut the prices of the Union industry in the Union market.
- (221) In addition, as mentioned in recital (166), the Union market is the largest CFP market in the world. Indeed, its overall size and the existence of large CFP buyers make it very attractive to Chinese CFP producers, because such large deliveries would allow them to utilize more of the (now spare) production capacity, which in turn would lower unit production costs. Accordingly, if measures were repealed, given the economic benefits of utilizing spare production capacity in the PRC (see recitals (154) to (158)), it is likely that the Chinese exporting producers would offer CFP at subsidised prices in the Union market, putting pressure on Union industry prices and profitability.
- (222) The investigation has shown (see recital (218)) that the situation of the Union industry is vulnerable.
- (223) The investigation has also confirmed the findings of the original investigation that high capacity utilisation is an important factor in the long-term viability of paper producers because the production process is capital-intensive. The absence of subsidised imports during the period considered allowed the Union industry to raise CFP prices to above cost-covering levels, to finance restructuring and to raise the production capacity utilization rate. Any recurrence of subsidised imports and resulting price pressure would reverse these positive developments, as they would deprive the Union industry from the cash flow necessary to finance restructuring efforts to adapt to declining world demand for CFP. It would also undermine the positive effects of past restructuring efforts and lead to the deterioration of all injury indicators.
- (224) Therefore, the Commission concludes that the repeal of the countervailing measures on imports of CFP from the PRC would in all likelihood result in a recurrence of injury.

### **5. UNION INTEREST**

- (225) In accordance with Article 31 of the basic Regulation, the Commission examined whether maintaining the existing measures against the PRC would be against the interest of the Union as a whole. The determination of the Union interest was based on an appreciation of all the various interests involved, including those of the Union industry, importers, and users.

#### **5.1. Interest of the Union industry**

- (226) The investigation found that the existing measures had allowed the Union industry to recover from past subsidisation, keep CFP prices above cost-covering levels and improve its financial performance. In turn, these positive trends had allowed the Union industry to cope with the challenges created by the continuously falling demand for CFP by carrying out long term restructuring plans, including the closure of some paper mills and the conversion of others for the production of other types of paper.

- (227) Without the price pressure from subsidised imports from the PRC, the Union industry will be able to keep CFP prices above cost-covering levels, generate the necessary income to finance its restructuring efforts and adjust to the challenges created by the continuously falling demand for CFP.
- (228) On this basis, the Commission concluded that the continuation of the countervailing measures in force would be in the interest of the Union industry.

#### **5.2. Interest of unrelated importers/traders**

- (229) There was no cooperation from importers/traders. Based on the fact that during the period considered there were almost no imports of CFP from the PRC, the Commission concluded that imports of the product concerned do not represent a major proportion of the business activities of importers/traders and that there were no factors suggesting that they would be disproportionately affected if measures were maintained.

#### **5.3. Interest of users**

- (230) There was no cooperation from any individual users. The Commission received a written submission from an association of the printing industry (Intergraf), supported by three other associations (BPIF, Gratkom, and Bundesverband Druck und Medien).
- (231) The submission explained that the Union's printing industry was suffering from the replacement of paper media with digital media, as well as from massive imports of printed products, in particular, from the PRC. The implication of the claim was that anti-dumping measures undermined the Union printers' competitiveness which requires duty-free access to paper. The only evidence submitted relating to the claim of massive imports was an estimate of total imports of printed products originating in the PRC, which include a large variety of print products that are not printed on CFP. Based on the information available, the Commission could not assess what part of the products imported from the PRC was printed on CFP and what was printed on other types of paper.
- (232) The original investigation found that most products that are printed on CFP are 'time sensitive' products, such as magazines, brochures, direct mail and inserts that are less susceptible to being imported from the PRC because of the time needed for transportation. Information submitted by the applicant in this review confirmed that the findings of the original investigation were still valid.
- (233) Accordingly, the Commission concluded that while it is likely that some print materials are printed on CFP outside the Union because of anti-dumping and countervailing duties, their impact on the economic situation of the Union's printing industry is limited.

#### **5.4. Conclusion on Union interest**

- (234) On the basis of the above, the Commission concluded that there are no compelling reasons of Union interest against the extension of the current countervailing measures on imports from the PRC.

### **6. CONCLUSION AND DISCLOSURE**

- (235) All interested parties were informed of the essential facts and considerations on the basis of which it was intended to maintain the countervailing measures in force. They were also granted a period of 11 days within which they could submit comments subsequent to this disclosure. Only the applicant sent comments supporting the Commission's findings and proposal to maintain the countervailing measures in force.
- (236) It follows from the above considerations that under Article 18 of the basic Regulation, the countervailing measures applicable to imports of certain coated fine paper originating in the PRC, imposed by Implementing Regulation (EU) No 452/2011, should be maintained.
- (237) This Regulation is in accordance with the opinion of the Committee established by Article 15(1) of the Regulation (EU) 2016/1036 of the European Parliament and of the Council <sup>(1)</sup>,

<sup>(1)</sup> 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 (OJ L 176, 30.6.2016, p. 21).



HAS ADOPTED THIS REGULATION:

#### Article 1

1. A definitive countervailing duty is hereby imposed on coated fine paper, which is paper or paperboard coated on one or both sides (excluding kraft paper or kraft paperboard), in either sheets or rolls, and with a weight of 70 g/m<sup>2</sup> or more but not exceeding 400 g/m<sup>2</sup> and brightness of more than 84 (measured according to ISO 2470-1), currently falling within CN codes ex 4810 13 00, ex 4810 14 00, ex 4810 19 00, ex 4810 22 00, ex 4810 29 30, ex 4810 29 80, ex 4810 99 10 and ex 4810 99 80 (TARIC codes 4810 13 00 20, 4810 14 00 20, 4810 19 00 20, 4810 22 00 20, 4810 29 30 20, 4810 29 80 20, 4810 99 10 20 and 4810 99 80 20) and originating in the People's Republic of China.

The definitive countervailing duty does not concern rolls suitable for use in web-fed presses. Rolls suitable for use in web-fed presses are defined as those rolls which, if tested according to the ISO test standard ISO 3783:2006 concerning the determination of resistance to picking — accelerated speed method using the IGT tester (electric model), give a result of less than 30 N/m when measuring in the cross-direction of the paper (CD) and a result of less than 50 N/m when measuring in the machine direction (MD). The definitive countervailing duty does also not concern multi-ply paper and multi-ply paperboard.

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

Company	Duty rate	TARIC additional code
Gold East Paper (Jiangsu) Co., Ltd, Zhenjiang City, Jiangsu Province, PRC; Gold Huasheng Paper (Suzhou Industrial Park) Co., Ltd, Suzhou City, Jiangsu Province, PRC	12 %	B001
Shangdong Chenming Paper Holdings Limited, Shouguang City, Shandong Province, PRC; Shouguang Chenming Art Paper Co., Ltd, Shouguang City, Shandong Province, PRC	4 %	B013
All other companies	12 %	B999

3. Unless otherwise specified, the provisions in force concerning customs duties shall apply.

#### Article 2

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

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

Done at Brussels, 3 July 2017.

For the Commission  
The President  
Jean-Claude JUNCKER

**COMMISSION IMPLEMENTING REGULATION (EU) 2017/1188****of 3 July 2017****imposing a definitive anti-dumping duty on imports of certain coated fine paper originating in the People's Republic of China following an expiry review pursuant to Article 11(2) of the Regulation (EU) 2016/1036 of the European Parliament and of the Council**

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 <sup>(1)</sup> ('the basic Regulation'), and in particular Article 11(2) thereof,

Whereas:

**1. PROCEDURE****1.1. Measures in force**

- (1) Following an anti-dumping investigation ('the original investigation'), by Implementing Regulation (EU) No 451/2011 <sup>(2)</sup>, the Council imposed a definitive anti-dumping duty on imports of certain coated fine paper originating in the People's Republic of China ('the PRC' or 'country concerned').
- (2) Following an anti-subsidy investigation, by Implementing Regulation (EU) No 452/2011 <sup>(3)</sup>, the Council also imposed a definitive countervailing duty on imports of certain coated fine paper originating in the PRC.
- (3) The anti-dumping measures took the form of an *ad valorem* duty rate ranging from 8 % to 35,1 % for imports from individually named exporters, with a residual duty rate of 27,1 %.
- (4) On 8 August 2011, the Chinese producers Gold East Paper Co. Ltd and Gold Huasheng Paper Co. Ltd ('the APP Group'), lodged applications for annulment of both Implementing Regulations (EU) No 451/2011 and (EU) No 452/2011 insofar as they concern the applicants <sup>(4)</sup>. On 11 September 2014, the Third Chamber of the General Court dismissed both actions.

**1.2. Request for an expiry review**

- (5) Following the publication of a notice of impending expiry <sup>(5)</sup> of the anti-dumping measures in force on the imports of certain coated fine paper originating in the PRC, the Commission received a request for the initiation of an expiry review pursuant to Article 11(2) of the basic Regulation.
- (6) The request was lodged by five Union producers (Arctic Paper Grycksbo AB, Burgo Group SpA, Fedrigoni SpA, Lecta Group and Sappi Europe SA), jointly referred to as the 'applicant', representing more than 25 % of the total Union production of coated fine paper.
- (7) The request was based on the grounds that the expiry of the measures would be likely to result in recurrence of dumping and recurrence of injury to the Union industry.

<sup>(1)</sup> OJ L 176, 30.6.2016, p. 21.

<sup>(2)</sup> Council Implementing Regulation (EU) No 451/2011 of 6 May 2011 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of coated fine paper originating in the People's Republic of China (OJ L 128, 14.5.2011, p. 1).

<sup>(3)</sup> Council Implementing Regulation (EU) No 452/2011 of 6 May 2011 imposing a definitive anti-subsidy duty on imports of coated fine paper originating in the People's Republic of China (OJ L 128, 14.5.2011, p. 18).

<sup>(4)</sup> Case T-443/11 and Case T-444/11.

<sup>(5)</sup> OJ C 280, 25.8.2015, p. 7.

### 1.3. Initiation of an expiry review

- (8) Having determined that sufficient evidence existed for the initiation of an expiry review, the Commission announced on 13 May 2016, by notice published in the *Official Journal of the European Union* <sup>(1)</sup> ('the Notice of Initiation') the initiation of an expiry review pursuant to Article 11(2) of the basic Regulation.

#### *Parallel investigation*

- (9) By a notice published in the *Official Journal of the European Union* on 13 May 2016 <sup>(2)</sup>, the Commission also announced the initiation of an expiry review pursuant to Article 18 of Council Regulation (EC) No 597/2009 <sup>(3)</sup> of the definitive countervailing measures in force with regard to imports into the Union of certain coated fine paper originating in the People's Republic of China.

### 1.4. Investigation

#### *Review investigation period and period considered*

- (10) The investigation of the likelihood of continuation or recurrence of dumping covered the period from 1 January 2015 to 31 December 2015 (the 'review investigation period' or 'RIP'). The examination of the trends relevant for the assessment of the likelihood of continuation or recurrence of injury covered the period from 1 January 2012 to the end of the review investigation period (the 'period considered').

#### *Parties concerned*

- (11) In the Notice of Initiation, the Commission invited interested parties to contact it in order to participate in the investigation. In addition, the Commission specifically informed the applicant, other known Union producers, exporting producers, importers and users in the Union known to be concerned, as well as the Chinese authorities of the initiation of the expiry review, and invited them to participate.
- (12) The Commission also stated that it envisaged using the United States of America ('the USA') as a third market economy country ('analogue country') within the meaning of Article 2(7)(a) of the basic Regulation, the same country used as the analogue country in the original investigation. Therefore, the Commission informed the authorities and the producer in the USA about the initiation and invited them to participate.
- (13) In addition, the Commission notified the authorities in Brazil, India, Indonesia, Japan, Korea, Norway, and Switzerland of the initiation of the investigation and requested information on production and sales of coated fine paper in those countries. Letters were then sent to all known producers of coated fine paper in these countries, asking for their cooperation with the review and enclosing an analogue country questionnaire.
- (14) Interested parties were given the opportunity to make their views known in writing and request a hearing within the time limits set out in the Notice of Initiation. All interested parties, who requested so, were granted a hearing with the Commission.

#### *Sampling*

##### *(a) Sampling of exporting producers in the PRC*

- (15) In the Notice of Initiation, the Commission stated that it might sample interested parties, in accordance with Article 17 of the basic Regulation.

<sup>(1)</sup> Notice of initiation of an expiry review of the anti-dumping measures applicable to imports of certain coated fine paper originating in the People's Republic of China (OJ C 172, 13.5.2016, p. 9).

<sup>(2)</sup> Notice of initiation of an expiry review of the countervailing measures applicable to imports of certain coated fine paper originating in the People's Republic of China (OJ C 172, 13.5.2016, p. 19).

<sup>(3)</sup> Council Regulation (EC) No 597/2009 of 11 June 2009 on protection against subsidised imports from countries not members of the European Community (OJ L 188, 18.7.2009, p. 93). This Regulation has been codified by 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 (OJ L 176, 30.6.2016, p. 55).

- (16) To decide whether sampling was necessary and, if so, to select a sample, the Commission asked all known 36 exporting producers in the PRC to provide the information specified in the Notice of Initiation. In addition, the Commission requested the Mission of the People's Republic of China to the European Union to identify and/or contact other exporting producers, if any, that could be interested in participating in the investigation.
- (17) One Chinese exporting producer provided the information requested in Annex I to the Notice of Initiation for the purpose of sampling <sup>(1)</sup>. However, at a hearing on 8 June 2016 the same group of exporting producers informed the Commission that it did not intend to provide a reply to the questionnaire. This was explained by no exports sales to the Union market during the review investigation period and the complex group structure. All known exporting producers concerned, and the authorities of the PRC were informed about the consequences of non-cooperation and that in accordance with Article 18 of the basic Regulation, the Commission may make its findings on the basis of the best facts available.

(b) Sampling of Union producers

- (18) In the Notice of Initiation, the Commission stated that it had provisionally selected a sample of Union producers. In accordance with Article 17(1) of the basic Regulation, the Commission selected the sample on the basis of the largest representative volume of sales and production, taking also into account the geographical spread. The preliminary sample consisted of three groups of Union producers. The Commission invited interested parties to comment on the provisional sample. One of the provisionally sampled Union producers informed the Commission that it would not be in a position to reply to the questionnaire. The Commission also received a clarification that two other sampled parties were groups consisting of several producers. Accordingly, the Commission revised the sample by replacing the non-cooperating producer with the next largest producer in terms of the volume of sales and production, as well as by selecting the largest producers within the other two groups of provisionally sampled producers. Having received no comments on the revised sample within the deadline, the Commission confirmed the sample as revised. The final sample accounted for over 30 % of the total Union production during the review investigation period and was therefore considered representative of the Union industry.

(c) Sampling of unrelated importers

- (19) To decide whether sampling is necessary and, if so, to select a sample, the Commission asked all known unrelated importers to provide the information specified in the Notice of Initiation.
- (20) The Commission contacted five potential importers, but none replied to the sampling form.

*Analogue country*

- (21) In the Notice of Initiation, the Commission informed interested parties that it envisaged the USA as possible analogue country and invited parties to comment. The USA was used in the original investigation as an appropriate analogue country.
- (22) The Commission requested producers of the like product in the USA, Brazil, India, Indonesia, Japan, Norway, South Korea and Switzerland to provide information. One producer in the USA cooperated with the investigation by replying to the questionnaire.
- (23) The investigation showed that the USA had a competitive market for CFP with around 50 % of the market supplied by local production and the rest by imports from third countries. Although there are anti-dumping duties in force against the PRC and Indonesia, other producing countries can export freely into the USA.
- (24) It is therefore concluded that, as in the original investigation, the USA constituted to be an appropriate analogue country in accordance with Article 2(7)(a) of the basic Regulation.

<sup>(1)</sup> Sinar Mas group comprising: Gold East Paper Co., Ltd; Gold Huasheng Paper Co., Ltd and Hainan Jinhai Pulp and Paper Co., Ltd.

*Questionnaires*

- (25) The Commission did not send a questionnaire to the non-cooperating Chinese exporting producer referred to in recital (17) above, as it had already stated that it would not reply.
- (26) The Commission sent questionnaires to the three sampled Union producers and to all known analogue country producers.
- (27) The Commission received questionnaire replies from the three sampled Union producers and one producer in the analogue country (the USA).

*Verification visits*

- (28) The Commission sought and verified all the information deemed necessary in the context of an expiry review for a determination of dumping, injury, and Union interest. Verification visits under Article 16 of the basic Regulation were carried out at the premises of the following companies:
  - (a) Union producers
    - Burgo Group S.p.A., Altavilla Vicentina, Italy
    - Condat (Lecta Group), Barcelona, Spain
    - Sappi Europe SA, Brussels, Belgium for Sappi Austria Produktions GmbH&Co KG, Gratkorn, Austria
  - (b) Producer in the analogue country
    - S.D. Warren Company d/b/a Sappi Fine Paper North America, Boston, Massachusetts, USA.

**2. PRODUCT CONCERNED AND LIKE PRODUCT****2.1. Product concerned**

- (29) The product concerned is certain coated fine paper ('CFP') which is paper or paperboard coated on one or both sides (excluding kraft paper or kraft paperboard), in either sheet or rolls, and with a weight of 70 g/m<sup>2</sup> or more but not exceeding 400 g/m<sup>2</sup> and brightness of more than 84 (measured according to ISO 2470-1), and originating in the PRC ('the product under review'), currently falling within CN codes ex 4810 13 00, ex 4810 14 00, ex 4810 19 00, ex 4810 22 00, ex 4810 29 30, ex 4810 29 80, ex 4810 99 10 and ex 4810 99 80 (TARIC codes 4810 13 00 20, 4810 14 00 20, 4810 19 00 20, 4810 22 00 20, 4810 29 30 20, 4810 29 80 20, 4810 99 10 20 and 4810 99 80 20).
- (30) The product concerned does not include:
  - Rolls suitable for use in web-fed presses. Rolls suitable for use in web-fed presses are defined as those rolls which, if tested according to the ISO test standard ISO 3783:2006 concerning the determination of resistance to picking — accelerated speed method using the IGT tester (electric model), give a result of less than 30 N/m when measuring in the cross-direction of the paper (CD) and a result of less than 50 N/m when measuring in the machine direction (MD).
  - Multi-ply paper and multi-ply paperboard.

**2.2. Like product**

- (31) The investigation showed that the following products have the same basic physical and technical characteristics, as well as the same basic uses:
  - the product concerned
  - the product produced and sold by the exporting producers on the domestic market of the PRC
  - the product produced and sold by the selected producer in the USA, which served as an analogue country
  - the product produced and sold in the Union by the Union industry
- (32) The Commission concluded that these products are like products within the meaning of Article 1(4) of the basic Regulation.

### 3. LIKELIHOOD OF A CONTINUATION OR RECURRENCE OF DUMPING

#### 3.1. Preliminary remarks

- (33) In accordance with Article 11(2) of the basic Regulation, the Commission examined whether dumping was currently taking place and whether or not the expiry of the existing measures would be likely to lead to a continuation or recurrence of dumping.
- (34) As mentioned in recitals (17) and (25), no Chinese exporting producer cooperated in the investigation. Therefore, the Commission resorted to the use of facts available in accordance with Article 18 of the basic Regulation.
- (35) The Chinese authorities and the known Chinese exporting producer were notified of the application of Article 18(1) of the basic Regulation and were given the opportunity to present their comments. The Chinese exporting producer replied that it intended to partially cooperate in the investigation, by submitting comments on injury and causation.
- (36) On this basis, in accordance with Article 18(1) of the basic Regulation, the findings in relation to the likelihood of continuation or recurrence of dumping set out below were based on facts available, in particular information in the request for the expiry review, submission by interested parties, and statistics available.

#### 3.2. Dumping of imports during the review investigation period

- (37) For the review investigation period, the statistical data show that only negligible volumes of CFP (less than 400 tonnes) were imported into the Union from the PRC. The Commission concluded that these quantities were not representative as they represented less than 1 % of the total imports of the product concerned into the Union.
- (38) Therefore no meaningful analysis of dumping based on the Chinese imports to the Union during the review investigation period could be made. The investigation therefore focused on the likelihood of a recurrence of dumping.

#### 3.3. Evidence of likelihood of recurrence of dumping

- (39) The Commission analysed whether there was a likelihood of recurrence of dumping should the measures lapse. The following elements were analysed: Chinese export prices to other destinations, the production capacity and spare capacity in the PRC, and the attractiveness of the Union market in relation to imports from the PRC.

##### 3.3.1. Exports to third countries

- (40) Due to the unrepresentative volume of imports of CFP from the PRC to the Union (see recital (37)), the Commission concluded that data concerning sales of CFP from the PRC to third countries should be used to assess the likely level of export prices to the Union, should the measures be allowed to lapse. Dumping calculations were made using the prices for sales to third country customers, based on invoices provided by the applicant, as explained in recital (45) below.

##### (a) Normal value

- (41) According to Article 2(7)(a) of the basic Regulation, normal value was determined on the basis of the price or constructed value in a market economy third country. For this purpose, the USA was used as the analogue country, as explained in recitals (21) to (24).
- (42) The APP Group claimed that, after 11 December 2016, the Commission should apply the market economy methodology and calculate the normal value on the basis of Chinese domestic prices, and thus should not use the USA as analogue country.
- (43) In this regard, the Commission notes that it has no discretion on whether or not to apply the current rules as set out in the basic Regulation. This claim was therefore rejected.

(b) Export price

- (44) In the absence of any cooperation from the Chinese exporting producers, the export price was based on facts available in accordance with Article 18 of the basic Regulation.
- (45) Different sources of information were consulted in order to establish the export price. In order to assess the likely level of export prices to the Union in the absence of measures, the most appropriate basis was found to be the invoices from Chinese exporting producers to third countries located close to the Union, i.e. Egypt, Russia, and Turkey, which were provided by the applicant, calculated on a weighted average basis.

(c) Comparison and adjustments

- (46) The weighted average normal value was compared with the weighted average export price of CFP, in accordance with Article 2(11) of the basic Regulation, both at ex-works level.
- (47) Where justified by the need to ensure a fair comparison, the Commission adjusted the normal value and the export price for differences affecting prices and price comparability, in accordance with Article 2(10) of the basic Regulation. Adjustments were made for freight and transport costs.

(d) Dumping margin

- (48) The Commission compared the weighted average normal value with the weighted average export price in accordance with Article 2(11) and (12) of the basic Regulation.
- (49) On this basis, the weighted average dumping margin expressed as a percentage of the CIF Union frontier price was 58 %.

3.3.2. *Production capacity and spare capacity in the PRC*

- (50) Given the non-cooperation, production capacity and spare capacity in the PRC were established on the basis of facts available and in particular the information provided by the applicant, which included data from an independent industry intelligence information provider, in accordance with Article 18 of the basic Regulation.
- (51) The production capacity of coated wood free paper in the PRC was 7 629 000 tonnes in the review investigation period <sup>(1)</sup>, of which 40 % is the production of CFP <sup>(2)</sup>. The total coated wood free production in the PRC had a capacity utilisation of 85 % <sup>(3)</sup> during the review investigation period resulting in a spare capacity of 1 167 000 tonnes, i.e. 32 % of total consumption of CFP in the Union. Under the assumption that only 40 % of this capacity would be used for CFP, the Chinese spare capacity of the product concerned was found to be around 13 % of total Union consumption.
- (52) Furthermore, the Commission found that it is simple for producers to switch production of other coated wood free products into the product concerned <sup>(4)</sup>. Should Chinese producers switch to CFP, this would result in an increase of 3 877 000 tonnes in production capacity, which is more than 100 % of total consumption in the Union (established at 3 589 694 tonnes).
- (53) Even though the level of spare capacity of coated wood free paper is expected to decrease slightly by 4 %, Chinese domestic demand is expected to decrease by more than 10 % until 2021 <sup>(5)</sup>.

<sup>(1)</sup> Based on data of RISI (<http://www.risiinfo.com>) provided by the applicant.

<sup>(2)</sup> Based on the request.

<sup>(3)</sup> Based on data of RISI.

<sup>(4)</sup> Based on the request.

<sup>(5)</sup> Based on data of RISI.



- (54) Based on the above, the Commission concluded that Chinese exporting producers have significant spare capacity which they could use to produce CFP to export to the Union market if measures were repealed. The Commission also found that this export potential could increase as a result of the expected decline in domestic demand in the PRC.

### 3.3.3. *Attractiveness of the Union market*

- (55) The investigation has demonstrated that Union demand for CFP remained substantial. Although the Union consumption declined over the period considered, the Union market remains the largest market in the world, accounting for 25 % — 30 % of global demand.
- (56) Based on the facts available, Chinese export prices to the third countries close to the Union were on average 7 % lower than the prices in the Union during the review investigation period. Such a difference of price is significant given the fact that the market for CFP is competitive and very price sensitive.
- (57) Furthermore, the domestic demand in the PRC is forecast to decrease, suggesting a strong incentive to Chinese producers to find alternative markets to absorb the Chinese overcapacity. The USA market, another important market for CFP, remains unattractive for the PRC, because the USA has anti-dumping and anti-subsidy measures in place against the PRC regarding the product concerned.
- (58) In this regard, the Government of the PRC claimed that the low level of imports from the PRC demonstrated that the Union market was not at all attractive to Chinese exporting producers. It further submitted that according to Chinese export statistics the PRC exported in 2015 more CFP to three other countries (India, Japan, Thailand) and to non-Union European countries, which would demonstrate that these countries, where there are no trade defence measures in place, were more attractive. The Government of the PRC also submitted that the PRC is currently party to 14 FTA's with different trading partners and that it is negotiating even more. This would lead to more exports of CFP to the partner countries concerned.
- (59) As concerns the effect of the FTAs, the claim was made in respect of Chinese products in general and did not contain any evidence in respect of the product concerned. The claim was considered too broad and lacking corroborating evidence. In any case, as explained in recital (62) below, the information available to the Commission points in the opposite direction.
- (60) In fact, the Chinese exports of CFP to the Union dropped close to zero after the imposition of the original measures in 2010, which suggests that it was these measures that made the Union market unattractive for Chinese exports. The removal of the measures would make the Union market attractive again. These claims are therefore rejected.
- (61) The APP Group acknowledged that the European market is traditionally an important market for CFP, but claimed that its importance was decreasing due to the constant drop in demand, whereas, at the same time, demand in other countries has either remained stable or increased over the last few years. It also submitted that the unattractiveness of the Union market was demonstrated by the drop in imports from other countries since the imposition of measures and by the high level of exports of CFP produced by the Union industry.
- (62) Despite the declining consumption of CFP in the Union, the Union market is still the largest CFP market in the world. The information on file suggests that the Union market will remain the largest world market for CFP at least in the near future <sup>(1)</sup>. Based on the facts available on file, demand for CFP is forecast to decrease in the PRC and a potential increase, if any, in other markets would not suffice to reduce the attractiveness of the Union market because they are small in comparison to the Union market. During the investigation period of the original investigation the volume and market share of imports into the Union from countries other than the PRC was indeed larger than during the period considered of the current investigation. However, the imports from third countries of CFP during the investigation period of the original investigation were predominantly imports of CFP from Switzerland where one of the Union producers owned a company producing CFP. The current investigation established that this producer stopped the production of CFP in 2011, so consequently imports from Switzerland almost disappeared. The drop in imports from third countries has thus nothing to do with any alleged unattractiveness of the Union market and the claim is rejected.

<sup>(1)</sup> Based on data of RISI provided by the applicant.



- (63) Furthermore, the relatively high level of exports of the Union industry does not undermine the conclusion that the Union market is attractive as for most of the period considered average prices achieved outside the Union, where the Union industry had to compete with dumped exports of CFP from the PRC, were below the average prices achieved in the Union. The claim is therefore rejected.
- (64) Given the above considerations, the Commission concluded that, if measures were repealed, it was likely that the exports from the PRC would be directed to the Union market.

#### 3.3.4. Conclusion on the likelihood of recurrence of dumping

- (65) As mentioned in recitals (48) and (49), a comparison between Chinese export prices to third countries located close to the Union with the price in the analogue country market strongly supports a finding of likelihood of recurrence of dumping.
- (66) In addition, considering the significant production capacity available in the PRC, as well as spare capacity and the attractiveness of the Union market for exports, the Commission concluded that a repeal of the measures would likely result in increased exports of CFP from the PRC to the Union at dumped prices.

### 4. LIKELIHOOD OF A RECURRENCE OF INJURY

#### 4.1. Definition of the Union industry and Union production

- (67) During the review investigation period, the like product was manufactured by 10 known producers, some of which are groups that own several paper mills. They constitute the 'Union industry' within the meaning of Article 4(1) of the basic Regulation.
- (68) The total Union production was established at around 4 606 000 tonnes during the review investigation period. The companies that supported the review request represented more than 70 % of the total Union production in the review investigation period. As indicated in recital (18), the Union producers selected in the sample represented more than 30 % of the total Union production of the like product.
- (69) The macroeconomic data provided by the applicant had been furnished by Euro-Graph <sup>(1)</sup> and they were duly verified.

#### 4.2. Union consumption

- (70) The Commission established the Union consumption by adding the volume of sales of the Union industry on the Union market and imports from third countries based on the Article 14(6) database.
- (71) Union consumption developed as follows:

Table 1

#### Union consumption

	2012	2013	2014	RIP
Total Union consumption (tonnes)	3 972 818	3 643 010	3 626 277	3 589 694
Index (2012 = 100)	100	92	91	90

Source: Euro-Graph and Article 14(6) database.

<sup>(1)</sup> The European Association of Graphic Paper Producers (Euro-Graph) was formed in 2012 through the merger of CEPIPRINT (Association of European Publication Paper Producers) and CEPIFINE (European Association of Fine Paper Producers) and its members include all coated fine paper producers in the Union.

- (72) During the period considered, Union consumption decreased by 10 %. It decreased by 8 % in 2013, compared to 2012, and continued to decrease at a slower pace. The estimated Union consumption during review investigation period was by 21 % lower than the one found during the investigation period in the original investigation (4 572 057 tonnes). The decline in consumption reflects decreasing graphic paper demand in general, which is mainly the result of the rapid growth in digital media, which is replacing traditional print media.

#### 4.3. Imports from the country concerned

##### 4.3.1. Volume and market share of imports from the country concerned

- (73) Imports into the Union from the PRC developed as follows:

Table 2

#### Import volume and market share

	2012	2013	2014	RIP
Volume of imports from the country concerned (tonnes)	701	905	452	389
<i>Index (2012 = 100)</i>	100	129	64	55
Market share (%)	0,02	0,02	0,01	0,01
<i>Index (2012 = 100)</i>	100	141	71	61

Source: Article 14(6) database.

- (74) During the period considered the volume of imports into the Union from the PRC was negligible.

##### 4.3.2. Prices of imports from the country concerned and price undercutting

- (75) Due to the negligible volume of imports of CFP from the PRC to the Union and the lack of reliability of the prices of these few sales (see recital (37)), it was not possible to use Union import statistics to draw any conclusions concerning prices of imports from the PRC. The Commission concluded that data concerning sales of CFP from the PRC to other countries should be used instead as a proxy to establish what the undercutting would have been if Chinese companies had sold at these prices to the Union.
- (76) The Commission determined the theoretical price undercutting level during the review investigation period by comparing the weighted average sales price of the Union industry charged to independent customers in the Union market, adjusted to an ex works level, and the weighted average Chinese export price to countries located close to the Union, adjusted to arrive at Union CIF value level and to take into account importation costs. In the absence of any cooperation from the Chinese exporting producers, the Chinese export prices to other countries were based on facts available in accordance with Article 18 of the basic Regulation, as already explained above (see recitals (40), (44) and (45)). The price comparison showed that, had the Chinese exporters sold at these prices to the Union during the review investigation period, Chinese import prices would have undercut the Union industry's prices by 5,4 %.

#### 4.4. Imports from other third countries

- (77) The following table shows the development of imports to the Union from third countries other than the PRC during the period considered in terms of volume and market share as well as average price of these imports. The table is based on data from the Article 14(6) database.

Table 3

**Imports from third countries**

	2012	2013	2014	RIP
Volume (tonnes)	35 864	29 264	50 958	45 282
<i>Index (2012 = 100)</i>	100	82	142	126
Market share (%)	0,9	0,8	1,4	1,3
Average price (EUR/tonne)	952	964	827	889
<i>Index (2012 = 100)</i>	100	101	87	93

Source: Article 14(6) database.

- (78) The total volume of imports into the Union from countries other than the PRC was small during the entire period considered and their total market share fluctuated around 1 %. The average prices of these imports were higher than the average prices of the Union industry. During the review investigation period, none of the third countries had individually a market share higher than 0,4 %.

**4.5. Economic situation of the Union industry****4.5.1. General remarks**

- (79) In accordance with Article 3(5) of the basic Regulation, the Commission examined all economic indicators having a bearing on the state of the Union industry during the period considered. As mentioned in recital (18), sampling was used for the Union industry.
- (80) For the injury determination, the Commission distinguished between macroeconomic and microeconomic injury indicators. The Commission evaluated macroeconomic indicators relating to the whole Union industry on the basis of information provided by the applicant in the review request. The Commission evaluated microeconomic indicators relating only to the sampled companies on the basis of the verified data contained in the questionnaire replies. Both sets of data were found to be representative of the economic situation of the Union industry.
- (81) The macroeconomic indicators are: production, production capacity, capacity utilisation, sales volume, market share, growth, employment, productivity, magnitude of the dumping margin and recovery from past dumping.
- (82) The microeconomic indicators are: average unit prices, unit cost, labour costs, inventories, profitability, cash flow, investments, return on investment, and ability to raise capital.

**4.5.2. Macroeconomic indicators****4.5.2.1. Production, production capacity and capacity utilisation**

- (83) The total Union production, production capacity and capacity utilisation developed over the period considered as follows:

Table 4

**Production, production capacity and capacity utilisation**

	2012	2013	2014	RIP
Production volume (tonnes)	5 211 487	4 833 511	4 737 310	4 606 000
<i>Index (2012 = 100)</i>	100	93	91	88

	2012	2013	2014	RIP
Production capacity (tonnes)	5 889 216	5 636 892	5 380 258	4 988 000
<i>Index (2012 = 100)</i>	100	96	91	85
Capacity utilisation (%)	88,5	85,7	88,0	92,3
<i>Index (2012 = 100)</i>	100	97	100	104

Source: Euro-Graph.

- (84) During the period considered, production decreased by 12 %. It decreased by 7 % in 2013, compared to 2012, and continued to decrease at a slower pace.
- (85) Already before the period considered, Union producers had undertaken major restructuring efforts aimed at addressing structural overcapacity and these efforts continued during the period considered. As a result of both certain mill closures and the conversion of other mills to produce paper products other than CFP, the Union industry decreased its CFP production capacity by approximately 901 216 tonnes between 2012 and the review investigation period, i.e. by 15 %.
- (86) The continuous reduction of the production capacity allowed the Union industry to keep capacity utilisation relatively stable during the period considered and even to reach 92,3 % in the review investigation period, almost four percentage points higher than in 2012.
- (87) The investigation established that high capacity utilisation is an important factor in the long-term viability of the paper industry because of high investments in fixed assets and the resulting impact on average manufacturing costs.

#### 4.5.2.2. Sales volume and market share

- (88) The Union industry's sales volume and market share developed over the period considered as follows:

Table 5

#### Sales volume and market share

	2012	2013	2014	RIP
Total sales volume in the Union market (tonnes)	3 936 253	3 612 841	3 574 868	3 544 023
<i>Index (2012 = 100)</i>	100	92	91	90
Market share (%)	99,1	99,2	98,6	98,7
<i>Index (2012 = 100)</i>	100	100	99	100

Source: Euro-Graph.

- (89) During the period considered the sales volume in the Union market decreased by 10 %. It decreased by 8 % in 2013, compared to 2012, and continued to decrease at a slower pace.
- (90) Since during the period considered there were almost no imports of CFP, the market share of the Union industry remained stable at around 99 %.

#### 4.5.2.3. Growth

- (91) During the period considered, the Union industry did not witness any growth of production and sales. On the contrary, these economic indicators closely followed the downward trend of the Union consumption.

## 4.5.2.4. Employment and productivity

- (92) Employment and productivity developed over the period considered as follows:

Table 6

**Employment and productivity**

	2012	2013	2014	RIP
Number of employees (full time equivalent — FTE)	9 808	8 896	7 782	7 418
Index (2012 = 100)	100	91	79	76
Productivity (tonne/employee)	531	543	609	621
Index (2012 = 100)	100	102	115	117

Source: Euro-Graph.

- (93) During the period considered, the number of employees decreased by 24 %, with decreases happening every year. It reflects part of the longer term restructuring efforts undertaken by the Union industry to address structural overcapacity problems, as explained in recital (85).
- (94) These substantial reductions in workforce produced significant increases in productivity, measured as output (tonnes) per person employed per year, which increased by 17 % during the period considered.

## 4.5.2.5. Magnitude of the dumping margin and recovery from past dumping

- (95) During the period considered, there were almost no imports of CFP from the PRC, so it can be concluded that there was no impact of the magnitude of the dumping margin on the Union industry, which was on track to recovery from past dumping.

## 4.5.3. Microeconomic indicators

## 4.5.3.1. Prices and factors affecting prices

- (96) The average sales prices of the Union industry to unrelated customers in the Union developed over the period considered as follows:

Table 7

**Sales prices in the Union and unit cost of production**

	2012	2013	2014	RIP
Average unit sales price in the Union market (EUR/tonne)	723	709	688	680
Index (2012 = 100)	100	98	95	94
Unit cost of production (EUR/tonne)	672	664	609	631
Index (2012 = 100)	100	99	91	94

Source: verified questionnaire replies of the sampled Union producers.

- (97) The unit sales price of the Union industry to unrelated customers in the Union decreased by 6 % during the period considered. With a small time lag, the trend in prices followed the trend in costs of production.
- (98) The unit cost of production of the Union industry also decreased by 6 % during the period considered, with the most significant decrease observed in the period 2013-2014 (minus 8 %).

## 4.5.3.2. Labour costs

- (99) The average labour costs developed over the period considered as follows:

Table 8

**Average labour costs per employee**

	2012	2013	2014	RIP
Average labour costs per employee (EUR/employee)	68 405	65 812	67 716	70 973
Index (2012 = 100)	100	96	99	104

Source: verified questionnaire replies of the sampled Union producers.

- (100) In 2013 the average labour costs per employee decreased by 4 % as compared to 2012, then stabilised and during the review investigation period reached a level that was 4 % higher than in 2012.

## 4.5.3.3. Inventories

- (101) Stock levels developed over the period considered as follows:

Table 9

**Inventories**

	2012	2013	2014	RIP
Closing stocks (tonnes)	112 957	122 545	119 642	122 264
Index (2012 = 100)	100	108	106	108
Closing stocks as a percentage of production (%)	7	8	8	8
Index (2012 = 100)	100	114	115	114

Source: verified questionnaire replies of the sampled Union producers.

- (102) The closing stocks of the Union industry increased by 8 % in the period 2012-2013 and then remained relatively stable throughout the remainder of the period considered. The falling production volume resulted in an overall increase in the level of closing stocks as a percentage of production by 14 % during the period considered.

## 4.5.3.4. Profitability, cash flow, investments, return on investment and ability to raise capital

- (103) Profitability, cash flow, investments and return on investment developed over the period considered as follows:

Table 10

**Profitability, cash flow, investments and return on investments**

	2012	2013	2014	RIP
Profitability of sales in the Union to unrelated customers (% of sales turnover)	0,7	– 0,4	5,0	2,3
Index (2012 = 100)	100	– 58	693	319

	2012	2013	2014	RIP
Cash flow (EUR)	58 381 268	51 220 769	102 223 699	75 644 423
<i>Index (2012 = 100)</i>	100	88	175	130
Investments (EUR)	20 414 097	23 120 553	18 603 022	17 369 221
<i>Index (2012 = 100)</i>	100	113	91	85
Return on investments (%)	1,8	– 6,7	9,6	9,1
<i>Index (2012 = 100)</i>	100	– 380	546	518

Source: verified questionnaire replies of the sampled Union producers.

- (104) The Commission established the profitability of the Union industry by expressing the pre-tax net profit of its sales of CFP to unrelated customers in the Union as a percentage of the turnover of those sales. During the period considered, the Union industry increased its profitability from around 0,7 % to 2,3 %. It is noted that in the original investigation, the target profit for the industry was established at 8 % <sup>(1)</sup>. 2014 was the best year, when the profitability of the Union industry reached 5 % mainly due to lower costs of raw materials, especially pulp, but also due to positive effects of the restructuring efforts and increase in efficiency. During the review investigation period, the profitability was negatively affected by the falling exchange rate of the British pound versus euro.
- (105) The net cash flow is the ability of the Union industry to self-finance its activities. During the period considered cash flow was positive and to a large extent its trend reflected the evolution of profitability, with 2014 being the best year.
- (106) In view of the falling demand for CFP both in the Union and abroad, during the period considered the Union industry did not invest in new capacity and overall the level of investments decreased by 15 %. The investments made were focused on maintenance, capital replacement, improving energy efficiency, and on measures aimed at complying with environmental protection standards.
- (107) The return on investment consists of the profit expressed as a percentage of the net book value of the fixed assets. Its development during the period considered was influenced by both the decreasing net asset value and the evolution of profitability, which explains the negative results in 2013 and the much better results in 2014 and in the review investigation period.
- (108) Given the cost of existing debt, relatively low profitability of the Union industry and continuously falling demand for CFP, the Union industry's ability to raise capital has improved compared to the original investigation, but remains restricted.

#### 4.5.4. Conclusion on the situation of the Union industry

- (109) During the period considered, injury indicators showed a mixed picture. While financial performance indicators, such as profitability, cash flow and return on investment, improved, volume indicators, such as production and sales, continued to decline.

<sup>(1)</sup> Recital (158) of Implementing Regulation (EU) No 451/2011.

- (110) The improvement of financial performance indicators was the result of both the drop in raw materials prices in 2014 and the Union producers' restructuring efforts aimed at cutting production capacity and improving efficiency. The negative trends in production and sales volumes were the result of the continuously falling demand for CFP both in the Union and abroad that required the Union industry to continue with restructuring, including closing certain paper mills and converting others for the production of other types of paper.
- (111) The foreseen further decrease in demand for CFP in the next 5-10 years supports the conclusion that the situation of the Union industry will remain challenging, and further decreases in production and production capacity will have to take place.
- (112) The investigation confirmed that the measures imposed by the original investigation have had a positive impact on the Union industry, which regained its market share and was able to raise their CFP prices to above cost-covering level as well as to finance its restructuring activities.
- (113) On the basis of the above, the Commission concludes that the Union industry did not suffer material injury within the meaning of Article 3(5) of the basic Regulation. Nevertheless, in view of the continuously declining demand for CFP and the related high restructuring costs, both of which had a significant bearing on its profitability, it is in a vulnerable situation.

#### **4.6. Likelihood of recurrence of injury**

- (114) In recitals (65) and (66) above, the Commission concluded that the repeal of the measures would result in the recurrence of dumping and increased exports of CFP at dumped prices from the PRC to the Union.
- (115) In recital (76) the Commission found that during the review investigation period the prices of the Chinese exports of CFP to markets located close to the Union were lower than the ones charged by the Union industry in the Union. As a result, the Commission concluded that, should measures be allowed to lapse, the Chinese producing exporters would likely undercut the prices of the Union industry in the Union market.
- (116) In addition, as mentioned in recital (62), the Union market is the largest CFP market in the world. Indeed, its overall size and the existence of large CFP buyers make it very attractive to Chinese CFP producers, because such large deliveries would allow them to utilize more of the (now spare) production capacity, which in turn would lower unit production costs. Accordingly, if measures were repealed, given the economic benefits of utilizing spare production capacity in the PRC (see recitals (50) to (54)), it is likely that the Chinese exporting producers would offer CFP at dumped prices in the Union market, putting pressure on Union industry prices and profitability.
- (117) The investigation has shown (see recital (113)) that the situation of the Union industry is vulnerable.
- (118) The investigation has also confirmed the findings of the original investigation that high capacity utilisation is an important factor in the long-term viability of paper producers because the production process is capital-intensive. The absence of dumped imports during the period considered allowed the Union industry to raise CFP prices to above cost-covering levels, to finance restructuring and to raise the production capacity utilization rate. Any recurrence of dumped imports and resulting price pressure would reverse these positive developments, as they would deprive the Union industry from the cash flow necessary to finance restructuring efforts to adapt to declining world demand for CFP. It would also undermine the positive effects of past restructuring efforts and lead to the deterioration of all injury indicators.
- (119) Therefore, the Commission concludes that the repeal of the anti-dumping measures on imports of CFP from the PRC would in all likelihood result in a recurrence of injury.

#### **5. UNION INTEREST**

- (120) In accordance with Article 21 of the basic Regulation, the Commission examined whether maintaining the existing measures against the PRC would be against the interest of the Union as a whole. The determination of the Union interest was based on an appreciation of all the various interests involved, including those of the Union industry, importers, and users.



### 5.1. Interest of the Union industry

- (121) The investigation found that the existing measures had allowed the Union industry to recover from past dumping, keep CFP prices above cost-covering levels and improve its financial performance. In turn, these positive trends had allowed the Union industry to cope with the challenges created by the continuously falling demand for CFP by carrying out long term restructuring plans, including the closure of some paper mills and the conversion of others for the production of other types of paper.
- (122) Without the price pressure from dumped imports from the PRC, the Union industry will be able to keep CFP prices above cost-covering levels, generate the necessary income to finance its restructuring efforts and adjust to the challenges created by the continuously falling demand for CFP.
- (123) On this basis, the Commission concluded that the continuation of the anti-dumping measures in force would be in the interest of the Union industry.

### 5.2. Interest of unrelated importers/traders

- (124) There was no cooperation from importers/traders. Based on the fact that during the period considered there were almost no imports of CFP from the PRC, the Commission concluded that imports of the product concerned do not represent a major proportion of the business activities of importers/traders and that there were no factors suggesting that they would be disproportionately affected if measures were maintained.

### 5.3. Interest of users

- (125) There was no cooperation from any individual users. The Commission received a written submission from an association of the printing industry (Intergraf), supported by three other associations (BPIF, Gratkom, and Bundesverband Druck und Medien).
- (126) The submission explained that the Union's printing industry was suffering from the replacement of paper media with digital media, as well as from massive imports of printed products, in particular, from the PRC. The implication of the claim was that anti-dumping measures undermined the Union printers' competitiveness which requires duty-free access to paper. The only evidence submitted relating to the claim of massive imports was an estimate of total imports of printed products originating in the PRC, which include a large variety of print products that are not printed on CFP. Based on the information available, the Commission could not assess what part of the products imported from the PRC was printed on CFP and what was printed on other types of paper.
- (127) The original investigation found that most products that are printed on CFP are 'time sensitive' products, such as magazines, brochures, direct mail and inserts that are less susceptible to being imported from the PRC because of the time needed for transportation. Information submitted by the applicant in this review confirmed that the findings of the original investigation were still valid.
- (128) Accordingly, the Commission concluded that while it is likely that some print materials are printed on CFP outside the Union because of anti-dumping and countervailing duties, their impact on the economic situation of the Union's printing industry is limited.

### 5.4. Conclusion on Union interest

- (129) On the basis of the above, the Commission concluded that there are no compelling reasons of Union interest against the extension of the current anti-dumping measures on imports from the PRC.

## 6. CONCLUSION AND DISCLOSURE

- (130) All interested parties were informed of the essential facts and considerations on the basis of which it was intended to maintain the anti-dumping measures in force. They were also granted a period of 11 days within which they could submit comments subsequent to this disclosure. Only the applicant sent comments supporting the Commission's findings and proposal to maintain the anti-dumping measures in force.

(131) It follows from the above considerations that under Article 11(2) of the basic Regulation, the anti-dumping measures applicable to imports of certain coated fine paper originating in the PRC, imposed by Regulation (EU) No 451/2011, should be maintained.

(132) The Committee established by Article 15(1) of Regulation (EU) 2016/1036 did not deliver an opinion,

HAS ADOPTED THIS REGULATION:

#### Article 1

1. A definitive anti-dumping duty is hereby imposed on coated fine paper, which is paper or paperboard coated on one or both sides (excluding kraft paper or kraft paperboard), in either sheets or rolls, and with a weight of 70 g/m<sup>2</sup> or more but not exceeding 400 g/m<sup>2</sup> and brightness of more than 84 (measured according to ISO 2470-1), currently falling within CN codes ex 4810 13 00, ex 4810 14 00, ex 4810 19 00, ex 4810 22 00, ex 4810 29 30, ex 4810 29 80, ex 4810 99 10 and ex 4810 99 80 (TARIC codes 4810 13 00 20, 4810 14 00 20, 4810 19 00 20, 4810 22 00 20, 4810 29 30 20, 4810 29 80 20, 4810 99 10 20 and 4810 99 80 20) and originating in the People's Republic of China.

The definitive anti-dumping duty does not concern rolls suitable for use in web-fed presses. Rolls suitable for use in web-fed presses are defined as those rolls which, if tested according to the ISO test standard ISO 3783:2006 concerning the determination of resistance to picking — accelerated speed method using the IGT tester (electric model), give a result of less than 30 N/m when measuring in the cross-direction of the paper (CD) and a result of less than 50 N/m when measuring in the machine direction (MD). The definitive anti-dumping duty does also not concern multi-ply paper and multi-ply paperboard.

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

Company	Duty rate (%)	TARIC additional code
Gold East Paper (Jiangsu) Co., Ltd, Zhenjiang City, Jiangsu Province, PRC; Gold Huasheng Paper (Suzhou Industrial Park) Co., Ltd, Suzhou City, Jiangsu Province, PRC	8	B001
Shangdong Chenming Paper Holdings Limited, Shouguang City, Shandong Province, PRC; Shouguang Chenming Art Paper Co., Ltd, Shouguang City, Shandong Province, PRC	35,1	B013
All other companies	27,1	B999

3. Unless otherwise specified, the provisions in force concerning customs duties shall apply.

#### Article 2

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

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

Done at Brussels, 3 July 2017.

For the Commission  
The President  
Jean-Claude JUNCKER

# ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

## DECISION No 1/2017 OF THE JOINT COMMITTEE ON AGRICULTURE

of 22 June 2017

**amending Annex 12 to the Agreement between the European Community and the Swiss  
Confederation on trade in agricultural products [2017/1189]**

THE JOINT COMMITTEE ON AGRICULTURE,

Having regard to the Agreement between the European Community and the Swiss Confederation on trade in agricultural products, and in particular Article 11 thereof,

Whereas:

- (1) The Agreement between the European Community and the Swiss Confederation on trade in agricultural products ('the Agreement') entered into force on 1 June 2002.
- (2) Annex 12 to the Agreement concerns the protection of designations of origin and geographical indications for agricultural products and foodstuffs.
- (3) In accordance with Article 16(1) of Annex 12 to the Agreement, Switzerland and the European Union have examined the GIs registered in the European Union and Switzerland respectively in 2012, 2013 and 2014 and carried out the public consultation provided for in Article 3 of the said Annex, with a view to their protection.
- (4) Pursuant to Article 15(6) of Annex 12 to the Agreement, the PDO/PGI Working Group set up under Article 6(7) of the Agreement assists the Committee at the latter's request. The Working Group has recommended to the Committee that the list of GIs in Appendix 1 and the list of the Parties' legislation in Appendix 2 to Annex 12 to the Agreement be amended,

HAS DECIDED AS FOLLOWS:

### *Article 1*

Appendices 1 and 2 to Annex 12 to the Agreement between the European Community and the Swiss Confederation on trade in agricultural products are hereby replaced by the text contained in the Annex to this Decision.

### *Article 2*

This Decision shall enter into force on 1 July 2017.

Done at Brussels, 22 June 2017.

*For the Joint Committee on Agriculture*

*The Chair and Head of the Swiss  
Delegation*

Tim KRÄNZLEIN

*The Head of the European Union  
Delegation*

Susana MARAZUELA-AZPIROZ

*The Committee Secretary*

Thomas MAIER

## ANNEX

## ‘Appendix 1

## LISTS OF THE PARTIES’ GIs WHICH ARE PROTECTED BY THE OTHER PARTY

## 1. List of Swiss GIs

Type of product	Name	Protection <sup>(1)</sup>
Spices:	Munder Safran	PDO
Cheeses:	Berner Alpkäse/Berner Hobelkäse	PDO
	Formaggio d’alpe ticinese	PDO
	Glarner Alpkäse	PDO
	L’Etivaz	PDO
	Gruyère	PDO
	Raclette du Valais/Walliser Raclette	PDO
	Sbrinz	PDO
	Tête de Moine, Fromage de Bellelay	PDO
	Vacherin fribourgeois	PDO
	Vacherin Mont-d’Or	PDO
	Werdenberger Sauerkäse/Liechtensteiner Sauerkäse/Bloderkäse	PDO
Fruit:	Poire à Botzi	PDO
Vegetables:	Cardon épineux genevois	PDO
Meat products and charcuterie:	Glarner Kalberwurst	PGI
	Longeole	PGI
	Saucisse d’Ajoie	PGI
	Saucisson neuchâtelois/Saucisse neuchâteloise	PGI
	Saucisson vaudois	PGI
	Saucisse aux choux vaudoise	PGI
	St. Galler Bratwurst/St. Galler Kalbsbratwurst	PGI
	Bündnerfleisch	PGI
	Viande séchée du Valais	PGI
Baked goods:	Pain de seigle valaisan/Walliser Roggenbrot	PDO
Milling products:	Rheintaler Ribel/Türggen Ribel	PDO

<sup>(1)</sup> In accordance with current Swiss legislation, as listed in Appendix 2.

## 2. List of the Union's GIs

The classes of products are listed in Annex XI to Commission Implementing Regulation (EU) No 668/2014 (OJ L 179, 19.6.2014, p. 36).

Name	Transcription in Latin characters	Protection (1)	Type of product
Gailtaler Almkäse		PDO	Cheeses
Gailtaler Speck		PGI	Meat products
Marchfeldspargel		PGI	Fruit, vegetables and cereals, fresh or processed
Mostviertler Birnmost		PGI	Other products listed in Annex I to the Treaty
Steirischer Kren		PGI	Fruit, vegetables and cereals, fresh or processed
Steirisches Kübiskernöl		PGI	Oils and fats
Tiroler Almkäse/Tiroler Alpkäse		PDO	Cheeses
Tiroler Bergkäse		PDO	Cheeses
Tiroler Graukäse		PDO	Cheeses
Tiroler Speck		PGI	Meat products
Vorarlberger Alpkäse		PDO	Cheeses
Vorarlberger Bergkäse		PDO	Cheeses
Wachauer Marille		PDO	Fruit, vegetables and cereals, fresh or processed
Waldviertler Graumohn		PDO	Fruit, vegetables and cereals, fresh or processed
Beurre d'Ardenne		PDO	Oils and fats
Brussels grondwitloof		PGI	Fruit, vegetables and cereals, fresh or processed
Fromage de Herve		PDO	Cheeses
Gentse azalea		PGI	Flowers and ornamental plants
Geraardsbergse Mattentaart		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Jambon d'Ardenne		PGI	Meat products
Liers vlaaike		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Pâté gaumais		PGI	Other products listed in Annex I to the Treaty

Name	Transcription in Latin characters	Protection (1)	Type of product
Poperingse hopscheuten/Poperingse hopperscheuten		PGI	Fruit, vegetables and cereals, fresh or processed
Vlaams — Brabantse Tafeldruif		PDO	Fruit, vegetables and cereals, fresh or processed
Bulgarsko rozovo maslo		PGI	Essential oils
Горнооряховски суджук	Gornooryahovski sudzhuk	PGI	Meat products
Κουφέτα Αμυγδάλου Γεροσκήπου	Koufeta Amygdalou Geroskipou	PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Λουκούμι Γεροσκήπου	Loukoumi Geroskipou	PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Březnický ležák		PGI	Beer
Brněnské pivo/Starobrněnské pivo		PGI	Beer
Budějovické pivo		PGI	Beer
Budějovický měšťanský var		PGI	Beer
Černá Hora		PGI	Beer
České pivo		PGI	Beer
Českobudějovické pivo		PGI	Beer
Český kmín		PDO	Other products listed in Annex I to the Treaty
Chamomilla bohémica		PDO	Other products listed in Annex I to the Treaty
Chelčicko — Lhenické ovoce		PGI	Fruit, vegetables and cereals, fresh or processed
Chodské pivo		PGI	Beer
Hořické trubičky		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Jihočeská Niva		PGI	Cheeses
Jihočeská Zlatá Niva		PGI	Cheeses
Karlovarské oplatky		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Karlovarské trojhránky		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares

Name	Transcription in Latin characters	Protection (1)	Type of product
Karlovarský suchar		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Lomnické suchary		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Mariánskolázeňské oplatky		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Nošovické kysané zelí		PDO	Fruit, vegetables and cereals, fresh or processed
Olomoucké tvarůžky		PGI	Cheeses
Pardubický perník		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Pohořelický kapr		PDO	Fresh fish, molluscs and crustaceans and products derived therefrom
Štramberké uši		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Třeboňský kapr		PGI	Fresh fish, molluscs and crustaceans and products derived therefrom
Valašský frgál		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Všestarská cibule		PDO	Fruit, vegetables and cereals, fresh or processed
Žatecký chmel		PDO	Other products listed in Annex I to the Treaty
Znojenské pivo		PGI	Beer
Aachener Printen		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Abensberger Spargel/Abensberger Qualitätsspargel		PGI	Fruit, vegetables and cereals, fresh or processed
Aischgründer Karpfen		PGI	Fresh fish, molluscs and crustaceans and products derived therefrom
Allgäuer Bergkäse		PDO	Cheeses
Altenburger Ziegenkäse		PDO	Cheeses
Ammerländer Dielenrauchschinken/Ammerländer Katenschinken		PGI	Meat products
Ammerländer Schinken/Ammerländer Knoenschinken		PGI	Meat products

Name	Transcription in Latin characters	Protection (1)	Type of product
Bamberger Hörnla/Bamberger Hörnle/Bamberger Hörnchen		PGI	Fruit, vegetables and cereals, fresh or processed
Bayerische Breze/Bayerische Brezn/Bayerische Brez'n/Bayerische Brezel		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Bayerischer Meerrettich/Bayerischer Kren		PGI	Fruit, vegetables and cereals, fresh or processed
Bayerisches Bier		PGI	Beer
Bayerisches Rindfleisch/Rindfleisch aus Bayern		PGI	Fresh meat (and offal)
Bornheimer Spargel/Spargel aus dem Anbaugebiet Bornheim		PGI	Fruit, vegetables and cereals, fresh or processed
Bremer Bier		PGI	Beer
Bremer Klaben		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Diepholzer Moorschnucke		PDO	Fresh meat (and offal)
Dithmarscher Kohl		PGI	Fruit, vegetables and cereals, fresh or processed
Dortmunder Bier		PGI	Beer
Dresdner Christstollen/Dresdner Stollen/Dresdner Weihnachtsstollen		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Düsseldorfer Mostert/Düsseldorfer Senf Mostert/Düsseldorfer Urtyp Mostert/Aechter Düsseldorfer Mostert		PGI	Mustard paste
Elbe-Saale Hopfen		PGI	Other products listed in Annex I to the Treaty
Eichsfelder Feldgieker/Eichsfelder Feldkieker		PGI	Meat products
Feldsalate von der Insel Reichenau		PGI	Fruit, vegetables and cereals, fresh or processed
Filderkraut/Filderspitzkraut		PGI	Fruit, vegetables and cereals, fresh or processed
Fränkischer Karpfen/Frankenkarpfen/Karpfen aus Franken		PGI	Fresh fish, molluscs and crustaceans and products derived therefrom
Göttinger Feldkieker		PGI	Meat products
Göttinger Stracke		PGI	Meat products
Greußener Salami		PGI	Meat products



Name	Transcription in Latin characters	Protection <sup>(1)</sup>	Type of product
Gurken von der Insel Reichenau		PGI	Fruit, vegetables and cereals, fresh or processed
Halberstädter Würstchen		PGI	Meat products
Hessischer Apfelwein		PGI	Other products listed in Annex I to the Treaty
Hessischer Handkäse/Hessischer Handkäs		PGI	Cheeses
Hofer Bier		PGI	Beer
Hofer Rindfleischwurst		PGI	Meat products
Holsteiner Karpfen		PGI	Fresh fish, molluscs and crustaceans and products derived therefrom
Holsteiner Katenschinken/Holsteiner Schinken/Holsteiner Katenrauchschinken/Holsteiner Knochenschinken		PGI	Meat products
Hopfen aus der Hallertau		PGI	Other products listed in Annex I to the Treaty
Höri Bülle		PGI	Fruit, vegetables and cereals, fresh or processed
Kölsch		PGI	Beer
Kulmbacher Bier		PGI	Beer
Lausitzer Leinöl		PGI	Oils and fats
Lübecker Marzipan		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Lüneburger Heidekartoffeln		PGI	Fruit, vegetables and cereals, fresh or processed
Lüneburger Heidschnucke		PDO	Fresh meat (and offal)
Mainfranken Bier		PGI	Beer
Meißner Fummel		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Münchener Bier		PGI	Beer
Nieheimer Käse		PGI	Cheeses
Nürnberger Bratwürste/Nürnberger Rostbratwürste		PGI	Meat products
Nürnberger Lebkuchen		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Oberpfälzer Karpfen		PGI	Fresh fish, molluscs and crustaceans and products derived therefrom

Name	Transcription in Latin characters	Protection (1)	Type of product
Odenwälder Frühstückskäse		PDO	Cheeses
Reuther Bier		PGI	Beer
Rheinisches Apfelkraut		PGI	Fruit, vegetables and cereals, fresh or processed
Rheinisches Zuckerrübenkraut/Rheinischer Zuckerrübensirup/Rheinisches Rübenkraut		PGI	Fruit, vegetables and cereals, fresh or processed
Salate von der Insel Reichenau		PGI	Fruit, vegetables and cereals, fresh or processed
Salzwedeler Baumkuchen		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Schrobenhausener Spargel/Spargel aus dem Schrobenhausener Land/Spargel aus dem Anbaugebiet Schrobenhausen		PGI	Fruit, vegetables and cereals, fresh or processed
Schwäbische Maultaschen/Schwäbische Suppenmaultaschen		PGI	Pasta
Schwäbische Spätzle/Schwäbische Knöpfle		PGI	Pasta
Schwäbisch-Hällisches Qualitätsschweinefleisch		PGI	Fresh meat (and offal)
Schwarzwälder Schinken		PGI	Meat products
Schwarzwaldforelle		PGI	Fresh fish, molluscs and crustaceans and products derived therefrom
Spalt Spalter		PDO	Other products listed in Annex I to the Treaty
Spargel aus Franken/Fränkischer Spargel/Franken-Spargel		PGI	Fruit, vegetables and cereals, fresh or processed
Spreewälder Gurken		PGI	Fruit, vegetables and cereals, fresh or processed
Spreewälder Meerrettich		PGI	Fruit, vegetables and cereals, fresh or processed
Stromberger Pflaume		PDO	Fruit, vegetables and cereals, fresh or processed
Tettnanger Hopfen		PGI	Other products listed in Annex I to the Treaty
Thüringer Leberwurst		PGI	Meat products
Thüringer Rostbratwurst		PGI	Meat products

Name	Transcription in Latin characters	Protection (1)	Type of product
Thüringer Rotwurst		PGI	Meat products
Tomaten von der Insel Reichenau		PGI	Fruit, vegetables and cereals, fresh or processed
Walbecker Spargel		PGI	Fruit, vegetables and cereals, fresh or processed
Weideochse vom Limpurger Rind		PDO	Fresh meat (and offal)
Westfälischer Knochenschinken		PGI	Meat products
Westfälischer Pumpernickel		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Danablu		PGI	Cheeses
Esrom		PGI	Cheeses
Lammefjordsgulerod		PGI	Fruit, vegetables and cereals, fresh or processed
Lammefjordskartofler		PGI	Fruit, vegetables and cereals, fresh or processed
Vadehavslam		PGI	Fresh meat (and offal)
Vadehavsstude		PGI	Fresh meat (and offal)
Άγιος Ματθαίος Κέρκυρας	Agios Mattheos Kerkyras	PGI	Oils and fats
Αγουρέλαιο Χαλκιδικής	Agoureleo Chalkidikis	PDO	Oils and fats
Ακτινίδιο Πιερίας	Aktinidio Pierias	PGI	Fruit, vegetables and cereals, fresh or processed
Ακτινίδιο Σπερχειού	Aktinidio Sperchiou	PDO	Fruit, vegetables and cereals, fresh or processed
Ανεβατό	Anevato	PDO	Cheeses
Αποκορώνας Χανίων Κρήτης	Apokoronas Chania Kritis	PDO	Oils and fats
Αρνάκι Ελασσόνας	Arnaki Elassonas	PDO	Fresh meat (and offal)
Αρχάνες Ηρακλείου Κρήτης	Arxanes Irakliou Kritis	PDO	Oils and fats
Αυγοτάραχο Μεσολογγίου	Avgotarocho Messolongiou	PDO	Fresh fish, molluscs and crustaceans and products derived therefrom
Βιάννος Ηρακλείου Κρήτης	Viannos Irakliou Kritis	PDO	Oils and fats

Name	Transcription in Latin characters	Protection <sup>(1)</sup>	Type of product
Βόρειος Μυλοπόταμος Ρεθύμνης Κρήτης	Vorios Mylopotamos Rethymnis Kritis	PDO	Oils and fats
Γαλοτύρι	Galotyri	PDO	Cheeses
Γραβιέρα Αγράφων	Graviera Agrafon	PDO	Cheeses
Γραβιέρα Κρήτης	Graviera Kritis	PDO	Cheeses
Γραβιέρα Νάξου	Graviera Naxou	PDO	Cheeses
Ελιά Καλαμάτας	Elia Kalamatas	PDO	Fruit, vegetables and cereals, fresh or processed
Εξαιρετικό παρθένο ελαιόλαδο ,Τροιζηνία'	Exeretiko partheno leo- lado ,Trizinia'	PDO	Oils and fats
Εξαιρετικό παρθένο ελαιόλαδο Θραψανό	Exeretiko partheno leo- lado Thrapsano	PDO	Oils and fats
Εξαιρετικό Παρθένο Ελαιόλαδο Σέλινο Κρήτης	Exeretiko partheno leo- lado Selino Kritis	PDO	Oils and fats
Ζάκυνθος	Zakynthos	PGI	Oils and fats
Θάσος	Thassos	PGI	Oils and fats
Θρούμπα Αμπαδιάς Ρεθύμνης Κρήτης	Throumba Am- padias Rethymnis Kritis	PDO	Fruit, vegetables and cereals, fresh or processed
Θρούμπα Θάσου	Throumba Thas- sou	PDO	Fruit, vegetables and cereals, fresh or processed
Θρούμπα Χίου	Throumba Chiou	PDO	Fruit, vegetables and cereals, fresh or processed
Καλαθάκι Λήμνου	Kalathaki Limnou	PDO	Cheeses
Καλαμάτα	Kalamata	PDO	Oils and fats
Κασέρι	Kasseri	PDO	Cheeses
Κατίκι Δομοκού	Katiki Domokou	PDO	Cheeses
Κατσικάκι Ελασσόνας	Katsikaki Elaso- nas	PDO	Fresh meat (and offal)
Κελυφωτό φυστίκι Φθιώτιδας	Kelifoto fystiki Fthiotidas	PDO	Fruit, vegetables and cereals, fresh or processed
Κεράσια τραγανά Ροδοχωρίου	Kerassia Tragana Rodochoriou	PDO	Fruit, vegetables and cereals, fresh or processed

Name	Transcription in Latin characters	Protection <sup>(1)</sup>	Type of product
Κεφαλογραβιέρα	Kefalograviera	PDO	Cheeses
Κεφαλονιά	Kefalonia	PGI	Oils and fats
Κολυμβάρι Χανίων Κρήτης	Kolymvari Channion Kritis	PDO	Oils and fats
Κονσερβολιά Αμφίσσης	Konservolia Amfissis	PDO	Fruit, vegetables and cereals, fresh or processed
Κονσερβολιά Άρτας	Konservolia Artas	PGI	Fruit, vegetables and cereals, fresh or processed
Κονσερβολιά Αταλάντης	Konservolia Atalantis	PDO	Fruit, vegetables and cereals, fresh or processed
Κονσερβολιά Πηλίου Βόλου	Konservolia Piliou Volou	PDO	Fruit, vegetables and cereals, fresh or processed
Κονσερβολιά Ροβίων	Konservolia Rovion	PDO	Fruit, vegetables and cereals, fresh or processed
Κονσερβολιά Στυλίδας	Konservolia Styliidas	PDO	Fruit, vegetables and cereals, fresh or processed
Κοπανιστή	Kopanisti	PDO	Cheeses
Κορινθιακή Σταφίδα Βοστίτσα	Korinthiaki Stafida Vostitsa	PDO	Fruit, vegetables and cereals, fresh or processed
Κουμ Κουάτ Κέρκυρας	Koum kouat Kerkiras	PGI	Fruit, vegetables and cereals, fresh or processed
Κρανίδι Αργολίδας	Kranidi Argolidas	PDO	Oils and fats
Κρητικό παξιμάδι	Kritiko paximadi	PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Κροκεές Λακωνίας	Krokees Lakonias	PDO	Oils and fats
Κρόκος Κοζάνης	Krokos Kozanis	PDO	Other products listed in Annex I to the Treaty
Λαδοτύρι Μυτιλήνης	Ladotyri Mytilinis	PDO	Cheeses
Λακωνία	Lakonia	PGI	Oils and fats
Λέσβος/Μυτιλήνη	Lesvos/Mytilini	PGI	Oils and fats
Λυγουριό Ασκληπιείου	Lygourio Askli-pioui	PDO	Oils and fats
Μανούρι	Manouri	PDO	Cheeses
Μανταρίνι Χίου	Mandarini Chiou	PGI	Fruit, vegetables and cereals, fresh or processed
Μαστίχα Χίου	Masticha Chiou	PDO	Natural gums and resins

Name	Transcription in Latin characters	Protection <sup>(1)</sup>	Type of product
Μαστιχέλαιο Χίου	Mastichelaio Chiou	PDO	Essential oils
Μέλι Ελάτης Μαινάλου Βανίλια	Meli Elatis Menalou Vanilia	PDO	Other products listed in Annex I to the Treaty
Μεσσαρά	Messara	PDO	Oils and fats
Μετσοβόνη	Metsovone	PDO	Cheeses
Μήλα Ζαγοράς Πηλίου	Mila Zagoras Piliou	PDO	Fruit, vegetables and cereals, fresh or processed
Μήλα Ντελίσσιους Πιλαΐα Τριπόλεως	Mila Delicious Pilafa Tripoleas	PDO	Fruit, vegetables and cereals, fresh or processed
Μήλο Καστοριάς	Milo Kastorias	PGI	Fruit, vegetables and cereals, fresh or processed
Μπάτζος	Batzos	PDO	Cheeses
Ξερά σύκα Κύμης	Xera syka Kymis	PDO	Fruit, vegetables and cereals, fresh or processed
Ξύγαλο Σητείας/Ξίγαλο Σητείας	Xygalo Siteias/Xigalo Siteias	PDO	Cheeses
Ξηρά Σύκα Ταξιάρχη	Xira Syka Taxiarchi	PDO	Fruit, vegetables and cereals, fresh or processed
Ξυνομυζήθρα Κρήτης	Xynomyzithra Kritis	PDO	Cheeses
Ολυμπία	Olympia	PGI	Oils and fats
Πατάτα Κάτω Νευροκοπίου	Patata Kato Nevrokopiou	PGI	Fruit, vegetables and cereals, fresh or processed
Πατάτα Νάξου	Patata Naxou	PGI	Fruit, vegetables and cereals, fresh or processed
Πεζά Ηρακλείου Κρήτης	Peza Irakliou Kritis	PDO	Oils and fats
Πέτρινα Λακωνίας	Petrina Lakonias	PDO	Oils and fats
Πηχτόγαλο Χανίων	Pichtogalo Chanion	PDO	Cheeses
Πορτοκάλια Μάλεμε Χανίων Κρήτης	Portokalia Maleme Chanion Kritis	PDO	Fruit, vegetables and cereals, fresh or processed
Πράσινες Ελιές Χαλκιδικής	Prasines Elies Chalkidikis	PDO	Fruit, vegetables and cereals, fresh or processed
Πρέβεζα	Preveza	PGI	Oils and fats

Name	Transcription in Latin characters	Protection <sup>(1)</sup>	Type of product
Ροδάκινα Νάουσας	Rodakina Naousas	PDO	Fruit, vegetables and cereals, fresh or processed
Ρόδος	Rodos	PGI	Oils and fats
Σάμος	Samos	PGI	Oils and fats
Σαν Μιχάλη	San Michali	PDO	Cheeses
Σητεία Λασιθίου Κρήτης	Sitia Lasithiou Kritis	PDO	Oils and fats
Σταφίδα Ζακύνθου	Stafida Zakynthou	PDO	Fruit, vegetables and cereals, fresh or processed
Σταφίδα Ηλείας	Stafida Ilias	PGI	Fruit, vegetables and cereals, fresh or processed
Σύκα Βραβρώνας Μαρκοπούλου Μεσογείων	Syka Vavronas Markopoulou Messongion	PGI	Fruit, vegetables and cereals, fresh or processed
Σφέλα	Sfela	PDO	Cheeses
Τοματάκι Σαντορίνης	Tomataki Santorinis	PDO	Fruit, vegetables and cereals, fresh or processed
Τσακωνική μελιτζάνα Λεωνιδίου	Tsakoniki Melitzana Leonidiou	PDO	Fruit, vegetables and cereals, fresh or processed
Τσίχλα Χίου	Tsikla Chiou	PDO	Natural gums and resins
Φάβα Σαντορίνης	Fava Santorinis	PDO	Fruit, vegetables and cereals, fresh or processed
Φασόλια Βανίλιες Φενεού	Fasolia Vanilies Feneou	PGI	Fruit, vegetables and cereals, fresh or processed
Φασόλια (Γίγαντες Ελέφαντες) Πρεσπών Φλώρινας	Fassolia Gigantes Elefantas Prespon Florinas	PGI	Fruit, vegetables and cereals, fresh or processed
Φασόλια (πλακέ μεγαλόσπερμα) Πρεσπών Φλώρινας	Fassolia (plake megalosperma) Prespon Florinas	PGI	Fruit, vegetables and cereals, fresh or processed
Φασόλια γίγαντες — ελέφαντες Καστοριάς	Fassolia Gigantes Elefantas Kastorias	PGI	Fruit, vegetables and cereals, fresh or processed
Φασόλια γίγαντες ελέφαντες Κάτω Νευροκοπίου	Fassolia Gigantes Elefantas Kato Nevrokopiou	PGI	Fruit, vegetables and cereals, fresh or processed
Φασόλια κοινά μεσόσπερμα Κάτω Νευροκοπίου	Fassolia kina Messosperma Kato Nevrokopiou	PGI	Fruit, vegetables and cereals, fresh or processed

Name	Transcription in Latin characters	Protection <sup>(1)</sup>	Type of product
Φέτα	Feta	PDO	Cheeses
Φιρίκι Πηλίου	Firiki Piliou	PDO	Fruit, vegetables and cereals, fresh or processed
Φοινίκι Λακωνίας	Finiki Lakonias	PDO	Oils and fats
Φορμαέλλα Αράχωβας Παρνασσού	Formaella Arachovas Parnassou	PDO	Cheeses
Φυστίκι Αίγινας	Fystiki Eginas	PDO	Fruit, vegetables and cereals, fresh or processed
Φυστίκι Μεγάρων	Fystiki Megaron	PDO	Fruit, vegetables and cereals, fresh or processed
Χανιά Κρήτης	Chania Kritis	PGI	Oils and fats
Aceite Campo de Calatrava		PDO	Oils and fats
Aceite Campo de Montiel		PDO	Oils and fats
Aceite de La Alcarria		PDO	Oils and fats
Aceite de la Rioja		PDO	Oils and fats
Aceite de la Comunitat Valenciana		PDO	Oils and fats
Aceite de Mallorca/Aceite mallorquín/Oli de Mallorca/Oli mallorquí		PDO	Oils and fats
Aceite de Terra Alta/Oli de Terra Alta		PDO	Oils and fats
Aceite del Baix Ebre-Montsià/Oli del Baix Ebre-Montsià		PDO	Oils and fats
Aceite del Bajo Aragón		PDO	Oils and fats
Aceite de Lucena		PDO	Oils and fats
Aceite de Navarra		PDO	Oils and fats
Aceite Monterrubio		PDO	Oils and fats
Aceite Sierra del Moncayo		PDO	Oils and fats
Aceituna Aloreña de Málaga		PDO	Fruit, vegetables and cereals, fresh or processed
Aceituna de Mallorca/Aceituna Mallorquina/Oliva de Mallorca/Oliva Mallorquina		PDO	Fruit, vegetables and cereals, fresh or processed
Afuega'l Pitu		PDO	Cheeses
Ajo Morado de las Pedroñeras		PGI	Fruit, vegetables and cereals, fresh or processed



Name	Transcription in Latin characters	Protection (1)	Type of product
Alcachofa de Benicarló/Carxofa de Benicarló		PDO	Fruit, vegetables and cereals, fresh or processed
Alcachofa de Tudela		PGI	Fruit, vegetables and cereals, fresh or processed
Alfajor de Medina Sidonia		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Almendra de Mallorca/Almendra Mallorquina/Ametlla de Mallorca/Ametlla Mallorquina		PGI	Fruit, vegetables and cereals, fresh or processed
Alubia de La Bañeza-León		PGI	Fruit, vegetables and cereals, fresh or processed
Antequera		PDO	Oils and fats
Arroz de Valencia/Arròs de València		PDO	Fruit, vegetables and cereals, fresh or processed
Arroz del Delta del Ebro/Arròs del Delta de l'Ebre		PDO	Fruit, vegetables and cereals, fresh or processed
Arzúa-Ulloa		PDO	Cheeses
Avellana de Reus		PDO	Fruit, vegetables and cereals, fresh or processed
Azafrán de La Mancha		PDO	Other products listed in Annex I to the Treaty
Baena		PDO	Oils and fats
Berenjena de Almagro		PGI	Fruit, vegetables and cereals, fresh or processed
Botillo del Bierzo		PGI	Meat products
Caballa de Andalucía		PGI	Fresh fish, molluscs and crustaceans and products derived therefrom
Cabrales		PDO	Cheeses
Calasparra		PDO	Fruit, vegetables and cereals, fresh or processed
Calçot de Valls		PGI	Fruit, vegetables and cereals, fresh or processed
Carne de Ávila		PGI	Fresh meat (and offal)
Carne de Cantabria		PGI	Fresh meat (and offal)
Carne de la Sierra de Guadarrama		PGI	Fresh meat (and offal)
Carne de Morucha de Salamanca		PGI	Fresh meat (and offal)

Name	Transcription in Latin characters	Protection (1)	Type of product
Carne de Vacuno del País Vasco/Euskal Okela		PGI	Fresh meat (and offal)
Castaña de Galicia		PGI	Fruit, vegetables and cereals, fresh or processed
Cebolla Fuentes de Ebro		PDO	Fruit, vegetables and cereals, fresh or processed
Cebreiro		PDO	Cheeses
Cecina de León		PGI	Meat products
Cereza del Jerte		PDO	Fruit, vegetables and cereals, fresh or processed
Cerezas de la Montaña de Alicante		PGI	Fruit, vegetables and cereals, fresh or processed
Chirimoya de la Costa tropical de Granada-Málaga		PDO	Fruit, vegetables and cereals, fresh or processed
Chorizo de Cantimpalos		PGI	Meat products
Chorizo Riojano		PGI	Meat products
Chosco de Tineo		PGI	Meat products
Chufa de Valencia		PDO	Other products listed in Annex I to the Treaty
Cítricos Valencianos/Cítrics Valencians		PGI	Fruit, vegetables and cereals, fresh or processed
Clementinas de las Tierras del Ebro/Clementines de les Terres de l'Ebre		PGI	Fruit, vegetables and cereals, fresh or processed
Coliflor de Calahorra		PGI	Fruit, vegetables and cereals, fresh or processed
Cordero de Extremadura		PGI	Fresh meat (and offal)
Cordero de Navarra/Nafarroako Arku-me		PGI	Fresh meat (and offal)
Cordero Manchego		PGI	Fresh meat (and offal)
Cordero Segureño		PGI	Meat products
Dehesa de Extremadura		PDO	Meat products
Ensaimada de Mallorca/Ensaimada mallorquina		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Espárrago de Huétor-Tájar		PGI	Fruit, vegetables and cereals, fresh or processed

Name	Transcription in Latin characters	Protection <sup>(1)</sup>	Type of product
Espárrago de Navarra		PGI	Fruit, vegetables and cereals, fresh or processed
Estepa		PDO	Oils and fats
Faba Asturiana		PGI	Fruit, vegetables and cereals, fresh or processed
Faba de Lourenzá		PGI	Fruit, vegetables and cereals, fresh or processed
Gamoneu/Gamonedo		PDO	Cheeses
Garbanzo de Escacena		PGI	Fruit, vegetables and cereals, fresh or processed
Garbanzo de Fuentesauco		PGI	Fruit, vegetables and cereals, fresh or processed
Gata-Hurdes		PDO	Oils and fats
Gofio Canario		PGI	Other products listed in Annex I to the Treaty
Grelos de Galicia		PGI	Fruit, vegetables and cereals, fresh or processed
Guijuelo		PDO	Meat products
Idiazabal		PDO	Cheeses
Jamón de Huelva		PDO	Meat products
Jamón de Serón		PGI	Meat products
Jamón de Teruel/Paleta de Teruel		PDO	Meat products
Jamón de Trevélez		PGI	Meat products
Jijona		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Judías de El Barco de Ávila		PGI	Fruit, vegetables and cereals, fresh or processed
Kaki Ribera del Xúquer		PDO	Fruit, vegetables and cereals, fresh or processed
Lacón Gallego		PGI	Fresh meat (and offal)
Lechazo de Castilla y León		PGI	Fresh meat (and offal)
Lenteja de La Armuña		PGI	Fruit, vegetables and cereals, fresh or processed
Lenteja de Tierra de Campos		PGI	Fruit, vegetables and cereals, fresh or processed

Name	Transcription in Latin characters	Protection (1)	Type of product
Les Garrigues		PDO	Oils and fats
Los Pedroches		PDO	Meat products
Mahón-Menorca		PDO	Cheeses
Mantecadas de Astorga		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Mantecados de Estepa		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Mantequilla de l'Alt Urgell y la Cerdanya/Mantega de l'Alt Urgell i la Cerdanya		PDO	Oils and fats
Mantequilla de Soria		PDO	Oils and fats
Manzana de Girona/Poma de Girona		PGI	Fruit, vegetables and cereals, fresh or processed
Manzana Reineta del Bierzo		PDO	Fruit, vegetables and cereals, fresh or processed
Mazapán de Toledo		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Mejillón de Galicia/Mexillón de Galicia		PDO	Fresh fish, molluscs and crustaceans and products derived therefrom
Melocotón de Calanda		PDO	Fruit, vegetables and cereals, fresh or processed
Melón de La Mancha		PGI	Fruit, vegetables and cereals, fresh or processed
Melva de Andalucía		PGI	Fresh fish, molluscs and crustaceans and products derived therefrom
Miel de Galicia/Mel de Galicia		PGI	Other farm animal products
Miel de Granada		PDO	Other farm animal products
Miel de La Alcarria		PDO	Other farm animal products
Miel de Tenerife		PDO	Other farm animal products
Mongeta del Ganxet		PDO	Fruit, vegetables and cereals, fresh or processed
Montes de Granada		PDO	Oils and fats
Montes de Toledo		PDO	Oils and fats
Montoro-Adamuz		PDO	Oils and fats

Name	Transcription in Latin characters	Protection <sup>(1)</sup>	Type of product
Nísperos Callosa d'En Sarriá		PDO	Fruit, vegetables and cereals, fresh or processed
Pa de Pagès Català		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Pan de Alfacar		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Pan de Cea		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Pan de Cruz de Ciudad Real		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Papas Antiguas de Canarias		PDO	Fruit, vegetables and cereals, fresh or processed
Pasas de Málaga		PDO	Fruit, vegetables and cereals, fresh or processed
Pataca de Galicia/Patata de Galicia		PGI	Fruit, vegetables and cereals, fresh or processed
Patatas de Prades/Patates de Prades		PGI	Fruit, vegetables and cereals, fresh or processed
Pemento da Arnoia		PGI	Fruit, vegetables and cereals, fresh or processed
Pemento de Herbón		PDO	Fruit, vegetables and cereals, fresh or processed
Pemento de Mougán		PGI	Fruit, vegetables and cereals, fresh or processed
Pemento de Oímbra		PGI	Fruit, vegetables and cereals, fresh or processed
Pemento do Couto		PGI	Fruit, vegetables and cereals, fresh or processed
Pera de Jumilla		PDO	Fruit, vegetables and cereals, fresh or processed
Pera de Lleida		PDO	Fruit, vegetables and cereals, fresh or processed
Peras de Rincón de Soto		PDO	Fruit, vegetables and cereals, fresh or processed
Picón Bejes-Tresviso		PDO	Cheeses
Pimentón de la Vera		PDO	Other products listed in Annex I to the Treaty

Name	Transcription in Latin characters	Protection (1)	Type of product
Pimentón de Murcia		PDO	Other products listed in Annex I to the Treaty
Pimiento Asado del Bierzo		PGI	Fruit, vegetables and cereals, fresh or processed
Pimiento de Fresno-Benavente		PGI	Fruit, vegetables and cereals, fresh or processed
Pimiento de Gernika or Gernikako Piperra		PGI	Fruit, vegetables and cereals, fresh or processed
Pimiento Riojano		PGI	Fruit, vegetables and cereals, fresh or processed
Pimientos del Piquillo de Lodosa		PDO	Fruit, vegetables and cereals, fresh or processed
Plátano de Canarias		PGI	Fruit, vegetables and cereals, fresh or processed
Pollo y Capón del Prat		PGI	Fresh meat (and offal)
Poniente de Granada		PDO	Oils and fats
Priego de Córdoba		PDO	Oils and fats
Queso Camerano		PDO	Cheeses
Queso Casín		PDO	Cheeses
Queso de Flor de Guía/Queso de Media Flor de Guía/Queso de Guía		PDO	Cheeses
Queso de La Serena		PDO	Cheeses
Queso de l'Alt Urgell y la Cerdanya		PDO	Cheeses
Queso de Murcia		PDO	Cheeses
Queso de Murcia al vino		PDO	Cheeses
Queso de Valdeón		PGI	Cheeses
Queso Iboreo		PDO	Cheeses
Queso Los Beyos		PGI	Cheeses
Queso Majorero		PDO	Cheeses
Queso Manchego		PDO	Cheeses
Queso Nata de Cantabria		PDO	Cheeses
Queso Palmero/Queso de la Palma		PDO	Cheeses
Queso Tetilla		PDO	Cheeses
Queso Zamorano		PDO	Cheeses

Name	Transcription in Latin characters	Protection <sup>(1)</sup>	Type of product
Quesucos de Liébana		PDO	Cheeses
Roncal		PDO	Cheeses
Salchichón de Vic/Llonganissa de Vic		PGI	Meat products
San Simón da Costa		PDO	Cheeses
Sidra de Asturias/Sidra d'Asturies		PDO	Other products listed in Annex I to the Treaty
Sierra de Cádiz		PDO	Oils and fats
Sierra de Cazorla		PDO	Oils and fats
Sierra de Segura		PDO	Oils and fats
Sierra Mágina		PDO	Oils and fats
Siurana		PDO	Oils and fats
Sobao Pasiego		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Sobrasada de Mallorca		PGI	Meat products
Tarta de Santiago		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Ternasco de Aragón		PGI	Fresh meat (and offal)
Tenera Asturiana		PGI	Fresh meat (and offal)
Tenera de Extremadura		PGI	Fresh meat (and offal)
Tenera de Navarra/Nafarroako Aratxea		PGI	Fresh meat (and offal)
Tenera Gallega		PGI	Fresh meat (and offal)
Tomate La Cañada		PGI	Fruit, vegetables and cereals, fresh or processed
Torta del Casar		PDO	Cheeses
Turrón de Agramunt/Torró d'Agramunt		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Turrón de Alicante		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Uva de mesa embolsada ,Vinalopó'		PDO	Fruit, vegetables and cereals, fresh or processed
Vinagre de Jerez		PDO	Other products listed in Annex I to the Treaty
Vinagre del Condado de Huelva		PDO	Other products listed in Annex I to the Treaty

Name	Transcription in Latin characters	Protection (1)	Type of product
Kainuun rönttönen		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Kitkan viisas		PDO	Fresh fish, molluscs and crustaceans and products derived therefrom
Lapin Poron kuivaliha		PDO	Meat products
Lapin Poron kylmäsavuliha		PDO	Meat products
Lapin Poron liha		PDO	Fresh meat (and offal)
Lapin Puikula		PDO	Fruit, vegetables and cereals, fresh or processed
Puruveden muikku		PGI	Fresh fish, molluscs and crustaceans and products derived therefrom
Abondance		PDO	Cheeses
Agneau de lait des Pyrénées		PGI	Fresh meat (and offal)
Agneau de l'Aveyron		PGI	Fresh meat (and offal)
Agneau de Lozère		PGI	Fresh meat (and offal)
Agneau de Pauillac		PGI	Fresh meat (and offal)
Agneau du Périgord		PGI	Fresh meat (and offal)
Agneau de Sisteron		PGI	Fresh meat (and offal)
Agneau du Bourbonnais		PGI	Fresh meat (and offal)
Agneau du Limousin		PGI	Fresh meat (and offal)
Agneau du Poitou-Charentes		PGI	Fresh meat (and offal)
Agneau du Quercy		PGI	Fresh meat (and offal)
Ail blanc de Lomagne		PGI	Fruit, vegetables and cereals, fresh or processed
Ail de la Drôme		PGI	Fruit, vegetables and cereals, fresh or processed
Ail fumé d'Arleux		PGI	Fruit, vegetables and cereals, fresh or processed
Ail rose de Lautrec		PGI	Fruit, vegetables and cereals, fresh or processed
Anchois de Collioure		PGI	Fresh fish, molluscs and crustaceans and products derived therefrom
Asperge des sables des Landes		PGI	Fruit, vegetables and cereals, fresh or processed



Name	Transcription in Latin characters	Protection <sup>(1)</sup>	Type of product
Banon		PDO	Cheeses
Barèges-Gavarnie		PDO	Fresh meat (and offal)
Béa du Roussillon		PDO	Fruit, vegetables and cereals, fresh or processed
Beaufort	—	PDO	Cheeses
Bergamote(s) de Nancy		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Beurre Charentes-Poitou/Beurre des Charentes/Beurre des Deux-Sèvres		PDO	Oils and fats
Beurre de Bresse		PDO	Oils and fats
Beurre d'Isigny		PDO	Oils and fats
Bleu d'Auvergne		PDO	Cheeses
Bleu de Gex Haut-Jura/Bleu de Septmoncel		PDO	Cheeses
Bleu des Causses		PDO	Cheeses
Bleu du Vercors-Sassenage		PDO	Cheeses
Bœuf charolais du Bourbonnais		PGI	Fresh meat (and offal)
Boeuf de Bazas		PGI	Fresh meat (and offal)
Bœuf de Chalosse		PGI	Fresh meat (and offal)
Bœuf de Charolles		PDO	Fresh meat (and offal)
Boeuf de Vendée		PGI	Fresh meat (and offal)
Bœuf du Maine		PGI	Fresh meat (and offal)
Boudin blanc de Rethel		PGI	Meat products
Brie de Meaux		PDO	Cheeses
Brie de Melun		PDO	Cheeses
Brioche vendéenne		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Brocciu Corse/Brocciu		PDO	Cheeses
Camembert de Normandie		PDO	Cheeses
Canard à foie gras du Sud-Ouest (Chalosse, Gascogne, Gers, Landes, Périgord, Quercy)		PGI	Meat products
Cantal/fourme de Cantal/Cantalet		PDO	Cheeses

Name	Transcription in Latin characters	Protection <sup>(1)</sup>	Type of product
Chabichou du Poitou		PDO	Cheeses
Chaource		PDO	Cheeses
Charolais		PDO	Cheeses
Chasselas de Moissac		PDO	Fruit, vegetables and cereals, fresh or processed
Châtaigne d'Ardèche		PDO	Fruit, vegetables and cereals, fresh or processed
Chevrotin		PDO	Cheeses
Cidre de Bretagne/Cidre Breton		PGI	Other products listed in Annex I to the Treaty
Cidre de Normandie/Cidre Normand		PGI	Other products listed in Annex I to the Treaty
Clémentine de Corse		PGI	Fruit, vegetables and cereals, fresh or processed
Coco de Paimpol		PDO	Fruit, vegetables and cereals, fresh or processed
Comté		PDO	Cheeses
Coppa de Corse/Coppa de Corse — Coppa di Corsica		PDO	Meat products
Coquille Saint-Jacques des Côtes d'Armor		PGI	Fresh fish, molluscs and crustaceans and products derived therefrom
Cornouaille		PDO	Other products listed in Annex I to the Treaty
Crème de Bresse		PDO	Other farm animal products
Crème d'Isigny		PDO	Other farm animal products
Crème fraîche fluide d'Alsace		PGI	Other farm animal products
Crottin de Chavignol/Chavignol		PDO	Cheeses
Dinde de Bresse		PDO	Fresh meat (and offal)
Domfront		PDO	Other products listed in Annex I to the Treaty
Époisses		PDO	Cheeses
Farine de blé noir de Bretagne/Farine de blé noir de Bretagne — Gwinizh du Breizh		PGI	Fruit, vegetables and cereals, fresh or processed
Farine de châtaigne corse/Farina castagnina corsa		PDO	Fruit, vegetables and cereals, fresh or processed

Name	Transcription in Latin characters	Protection <sup>(1)</sup>	Type of product
Farine de Petit Épeautre de Haute Provence		PGI	Fruit, vegetables and cereals, fresh or processed
Figue de Solliès		PDO	Fruit, vegetables and cereals, fresh or processed
Fin Gras/Fin Gras du Mézenc		PDO	Fresh meat (and offal)
Foin de Crau		PDO	Foin
Fourme d'Ambert/Fourme de Montbrison		PDO	Cheeses
Fraise du Périgord		PGI	Fruit, vegetables and cereals, fresh or processed
Fraises de Nîmes		PGI	Fruit, vegetables and cereals, fresh or processed
Gâche Vendéenne		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Génisse Fleur d'Aubrac		PGI	Fresh meat (and offal)
Gruyère <sup>(2)</sup>		PGI	Cheeses
Haricot tarbais		PGI	Fruit, vegetables and cereals, fresh or processed
Huile d'olive d'Aix-en-Provence		PDO	Oils and fats
Huile d'olive de Corse/Huile d'olive de Corse — Oliu di Corsica		PDO	Oils and fats
Huile d'olive de Haute-Provence		PDO	Oils and fats
Huile d'olive de la Vallée des Baux-de-Provence		PDO	Oils and fats
Huile d'olive de Nice		PDO	Oils and fats
Huile d'olive de Nîmes		PDO	Oils and fats
Huile d'olive de Nyons		PDO	Oils and fats
Huile essentielle de lavande de Haute-Provence		PDO	Oils and fats
Huîtres Marennes Oléron		PGI	Other products listed in Annex I to the Treaty
Jambon de Bayonne		PGI	Meat products
[Jambon sec de Corse/Jambon sec de Corse — Prisuttu		PDO	Meat products
Jambon de l'Ardèche		PGI	Meat products

Name	Transcription in Latin characters	Protection <sup>(1)</sup>	Type of product
Jambon de Vendée		PGI	Meat products
Jambon sec et noix de jambon sec des Ardennes		PGI	Meat products
Kiwi de l'Adour		PGI	Fruit, vegetables and cereals, fresh or processed
Laguiole		PDO	Cheeses
Langres		PDO	Cheeses
Lentille verte du Puy		PDO	Fruit, vegetables and cereals, fresh or processed
Lentilles vertes du Berry		PGI	Fruit, vegetables and cereals, fresh or processed
Lingot du Nord		PGI	Fruit, vegetables and cereals, fresh or processed
Livarot		PDO	Cheeses
Lonzo de Corse/Lonzo de Corse — Lonzu		PDO	Meat products
Mâche nantaise		PGI	Fruit, vegetables and cereals, fresh or processed
Mâconnais		PDO	Cheeses
Maine — Anjou		PDO	Fresh meat (and offal)
Maroilles/Marolles		PDO	Cheeses
Melon de Guadeloupe		PGI	Fruit, vegetables and cereals, fresh or processed
Melon du Haut-Poitou		PGI	Fruit, vegetables and cereals, fresh or processed
Melon du Quercy		PGI	Fruit, vegetables and cereals, fresh or processed
Miel d'Alsace		PGI	Other farm animal products
Miel de Corse/Mele di Corsica		PDO	Other farm animal products
Miel de Provence		PGI	Other farm animal products
Miel de sapin des Vosges		PDO	Other farm animal products
Mirabelles de Lorraine		PGI	Fruit, vegetables and cereals, fresh or processed
Mogette de Vendée		PGI	Fruit, vegetables and cereals, fresh or processed
Mont d'or/Vacherin du Haut-Doubs		PDO	Cheeses

Name	Transcription in Latin characters	Protection <sup>(1)</sup>	Type of product
Morbier		PDO	Cheeses
Moules de bouchot de la Baie du Mont-Saint-Michel		PDO	Fresh fish, molluscs and crustaceans and products derived therefrom
Moutarde de Bourgogne		PGI	Mustard paste
Munster/Munster-Géromé		PDO	Cheeses
Muscat du Ventoux		PDO	Fruit, vegetables and cereals, fresh or processed
Neufchâtel		PDO	Cheeses
Noisette de Cervione — Nuciola di Cervion		PGI	Fruit, vegetables and cereals, fresh or processed
Noix de Grenoble		PDO	Fruit, vegetables and cereals, fresh or processed
Noix du Périgord		PDO	Fruit, vegetables and cereals, fresh or processed
Œufs de Loué		PGI	Other farm animal products
Oie d'Anjou		PGI	Fresh meat (and offal)
Oignon de Roscoff		PDO	Fruit, vegetables and cereals, fresh or processed
Oignon doux des Cévennes		PDO	Fruit, vegetables and cereals, fresh or processed
Olive de Nice		PDO	Fruit, vegetables and cereals, fresh or processed
Olive de Nîmes		PDO	Fruit, vegetables and cereals, fresh or processed
Olives cassées de la Vallée des Baux-de-Provence		PDO	Fruit, vegetables and cereals, fresh or processed
Olives noires de la Vallée des Baux de Provence		PDO	Fruit, vegetables and cereals, fresh or processed
Olives noires de Nyons		PDO	Fruit, vegetables and cereals, fresh or processed
Ossau-Iraty		PDO	Cheeses
Pâté de Campagne Breton		PGI	Meat products
Pâtes d'Alsace		PGI	Pasta
Pays d'Auge/Pays d'Auge-Cambremer		PDO	Other products listed in Annex I to the Treaty
Pélardon		PDO	Cheeses

Name	Transcription in Latin characters	Protection (1)	Type of product
Petit Épeautre de Haute-Provence		PGI	Fruit, vegetables and cereals, fresh or processed
Picodon		PDO	Cheeses
Piment d'Espelette/Piment d'Espelette — Ezpeletako Biperra		PDO	Other products listed in Annex I to the Treaty
Pintadeau de la Drôme		PGI	Fresh meat (and offal)
Poireaux de Créances		PGI	Fruit, vegetables and cereals, fresh or processed
Pomelo de Corse		PGI	Fruit, vegetables and cereals, fresh or processed
Pomme de terre de l'Île de Ré		PDO	Fruit, vegetables and cereals, fresh or processed
Pomme du Limousin		PDO	Fruit, vegetables and cereals, fresh or processed
Pommes des Alpes de Haute Durance		PGI	Fruit, vegetables and cereals, fresh or processed
Pommes de terre de Merville		PGI	Fruit, vegetables and cereals, fresh or processed
Pommes et poires de Savoie		PGI	Fruit, vegetables and cereals, fresh or processed
Pont-l'Évêque		PDO	Cheeses
Porc d'Auvergne		PGI	Fresh meat (and offal)
Porc de Franche-Comté		PGI	Fresh meat (and offal)
Porc de la Sarthe		PGI	Fresh meat (and offal)
Porc de Normandie		PGI	Fresh meat (and offal)
Porc de Vendée		PGI	Fresh meat (and offal)
Porc du Limousin		PGI	Fresh meat (and offal)
Porc du Sud-Ouest		PGI	Fresh meat (and offal)
Poulet des Cévennes/Chapon des Cévennes		PGI	Fresh meat (and offal)
Pouligny-Saint-Pierre		PDO	Cheeses
Prés-salés de la baie de Somme		PDO	Fresh meat (and offal)
Prés-salés du Mont-Saint-Michel		PDO	Fresh meat (and offal)
Pruneaux d'Agen/Pruneaux d'Agen mi-cuits		PGI	Fruit, vegetables and cereals, fresh or processed
Raviole du Dauphiné		PGI	Pasta

Name	Transcription in Latin characters	Protection (1)	Type of product
Reblochon/Reblochon de Savoie		PDO	Cheeses
Rigotte de Condrieu		PDO	Cheeses
Rillettes de Tours		PGI	Meat products
Riz de Camargue		PGI	Fruit, vegetables and cereals, fresh or processed
Rocamadour		PDO	Cheeses
Roquefort		PDO	Cheeses
Sainte-Maure de Touraine		PDO	Cheeses
Saint-Marcellin		PGI	Cheeses
Saint-Nectaire		PDO	Cheeses
Salers		PDO	Cheeses
Saucisse de Montbéliard		PGI	Meat products
Saucisse de Morteau/Jésus de Morteau		PGI	Meat products
Saucisson de l'Ardèche		PGI	Meat products
Selles-sur-Cher		PDO	Cheeses
Taureau de Camargue		PDO	Fresh meat (and offal)
Tome des Bauges		PDO	Cheeses
Tomme de Savoie		PGI	Cheeses
Tomme des Pyrénées		PGI	Cheeses
Valençay		PDO	Cheeses
Veau de l'Aveyron et du Ségala		PGI	Fresh meat (and offal)
Veau du Limousin		PGI	Fresh meat (and offal)
Volailles d'Alsace		PGI	Fresh meat (and offal)
Volailles d'Ancenis		PGI	Fresh meat (and offal)
Volailles d'Auvergne		PGI	Fresh meat (and offal)
Volailles de Bourgogne		PGI	Fresh meat (and offal)
Volailles de Bresse		PDO	Fresh meat (and offal)
Volailles de Bretagne		PGI	Fresh meat (and offal)
Volailles de Challans		PGI	Fresh meat (and offal)
Volailles de Cholet		PGI	Fresh meat (and offal)
Volailles de Gascogne		PGI	Fresh meat (and offal)

Name	Transcription in Latin characters	Protection (1)	Type of product
Volailles de Houdan		PGI	Fresh meat (and offal)
Volailles de Janzé		PGI	Fresh meat (and offal)
Volailles de la Champagne		PGI	Fresh meat (and offal)
Volailles de la Drôme		PGI	Fresh meat (and offal)
Volailles de l'Ain		PGI	Fresh meat (and offal)
Volailles de Licques		PGI	Fresh meat (and offal)
Volailles de l'Orléanais		PGI	Fresh meat (and offal)
Volailles de Loué		PGI	Fresh meat (and offal)
Volailles de Normandie		PGI	Fresh meat (and offal)
Volailles de Vendée		PGI	Fresh meat (and offal)
Volailles des Landes		PGI	Fresh meat (and offal)
Volailles du Béarn		PGI	Fresh meat (and offal)
Volailles du Berry		PGI	Fresh meat (and offal)
Volailles du Charolais		PGI	Fresh meat (and offal)
Volailles du Forez		PGI	Fresh meat (and offal)
Volailles du Gatinais		PGI	Fresh meat (and offal)
Volailles du Gers		PGI	Fresh meat (and offal)
Volailles du Languedoc		PGI	Fresh meat (and offal)
Volailles du Lauragais		PGI	Fresh meat (and offal)
Volailles du Maine		PGI	Fresh meat (and offal)
Volailles du plateau de Langres		PGI	Fresh meat (and offal)
Volailles du Val de Sèvres		PGI	Fresh meat (and offal)
Volailles du Velay		PGI	Fresh meat (and offal)
Alföldi kamillavirágzat		PDO	Other products listed in Annex I to the Treaty
Budapesti szalámi/Budapesti téliszalámi		PGI	Meat products
Csabai kolbász/Csabai vastagkolbász		PGI	Meat products
Gönci kajsziparack		PGI	Fruit, vegetables and cereals, fresh or processed
Gyulai kolbász/Gyulai pároskolbász		PGI	Meat products



Name	Transcription in Latin characters	Protection <sup>(1)</sup>	Type of product
Hajdúsági torma		PDO	Fruit, vegetables and cereals, fresh or processed
Kalocsai fűszerpaprika őrlemény		PDO	Other products listed in Annex I to the Treaty
Magyar szürkemarha hús		PGI	Fresh meat (and offal)
Makói vöröshagyma/Makói hagyma		PDO	Fruit, vegetables and cereals, fresh or processed
Szegedi fűszerpaprika-őrlemény/Szegedi paprika		PDO	Other products listed in Annex I to the Treaty
Szegedi szalámi/Szegedi téliszalámi		PDO	Meat products
Szentesi paprika		PGI	Fruit, vegetables and cereals, fresh or processed
Szóregi rózsatő		PGI	Flowers and ornamental plants
Clare Island Salmon		PGI	Fresh fish, molluscs and crustaceans and products derived therefrom
Connemara Hill lamb/Uain Sléibhe Chonamara		PGI	Fresh meat (and offal)
Imokilly Regato		PDO	Cheeses
Timoleague Brown Pudding		PGI	Meat products
Waterford Blaa/Blaa		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Abbacchio Romano		PGI	Fresh meat (and offal)
Acciughe Sotto Sale del Mar Ligure		PGI	Fresh fish, molluscs and crustaceans and products derived therefrom
Aceto Balsamico di Modena		PGI	Other products listed in Annex I to the Treaty
Aceto balsamico tradizionale di Modena		PDO	Other products listed in Annex I to the Treaty
Aceto balsamico tradizionale di Reggio Emilia		PDO	Other products listed in Annex I to the Treaty
Aglione Bianco Polesano		PDO	Fruit, vegetables and cereals, fresh or processed
Aglione di Voghera		PDO	Fruit, vegetables and cereals, fresh or processed
Agnello del Centro Italia		PGI	Fresh meat (and offal)
Agnello di Sardegna		PGI	Fresh meat (and offal)

Name	Transcription in Latin characters	Protection (1)	Type of product
Alto Crotonese		PDO	Oils and fats
Amarene Brusche di Modena		PGI	Fruit, vegetables and cereals, fresh or processed
Aprutino Pescarese		PDO	Oils and fats
Arancia del Gargano		PGI	Fruit, vegetables and cereals, fresh or processed
Arancia di Ribera		PDO	Fruit, vegetables and cereals, fresh or processed
Arancia Rossa di Sicilia		PGI	Fruit, vegetables and cereals, fresh or processed
Asiago		PDO	Cheeses
Asparago Bianco di Bassano		PDO	Fruit, vegetables and cereals, fresh or processed
Asparago bianco di Cimadolmo		PGI	Fruit, vegetables and cereals, fresh or processed
Asparago di Badoere		PGI	Fruit, vegetables and cereals, fresh or processed
Asparago verde di Altedo		PGI	Fruit, vegetables and cereals, fresh or processed
Basilico Genovese		PDO	Fruit, vegetables and cereals, fresh or processed
Bergamotto di Reggio Calabria — Olio essenziale		PDO	Essential oils
Bitto		PDO	Cheeses
Bra		PDO	Cheeses
Bresaola della Valtellina		PGI	Meat products
Brisighella		PDO	Oils and fats
Brovada		PDO	Fruit, vegetables and cereals, fresh or processed
Bruzio		PDO	Oils and fats
Caciocavallo Silano		PDO	Cheeses
Canestrato di Moliterno		PGI	Cheeses
Canestrato Pugliese		PDO	Cheeses
Canino		PDO	Oils and fats

Name	Transcription in Latin characters	Protection <sup>(1)</sup>	Type of product
Capocollo di Calabria		PDO	Meat products
Cappero di Pantelleria		PGI	Fruit, vegetables and cereals, fresh or processed
Carciofo Brindisino		PGI	Fruit, vegetables and cereals, fresh or processed
Carciofo di Paestum		PGI	Fruit, vegetables and cereals, fresh or processed
Carciofo Romanesco del Lazio		PGI	Fruit, vegetables and cereals, fresh or processed
Carciofo Spinoso di Sardegna		PDO	Fruit, vegetables and cereals, fresh or processed
Carota dell'Altopiano del Fucino	—	PGI	Fruit, vegetables and cereals, fresh or processed
Carota Novella di Ispica		PGI	Fruit, vegetables and cereals, fresh or processed
Cartoceto		PDO	Oils and fats
Casatella Trevigiana		PDO	Cheeses
Caciotta d'Urbino		PDO	Cheeses
Castagna Cuneo	—	PGI	Fruit, vegetables and cereals, fresh or processed
Castagna del Monte Amiata		PGI	Fruit, vegetables and cereals, fresh or processed
Castagna di Montella		PGI	Fruit, vegetables and cereals, fresh or processed
Castagna di Vallerano		PDO	Fruit, vegetables and cereals, fresh or processed
Castelmagno		PDO	Cheeses
Chianti Classico		PDO	Oils and fats
Ciauscolo		PGI	Meat products
Cilento		PDO	Oils and fats
Ciliegia dell'Etna		PDO	Fruit, vegetables and cereals, fresh or processed
Ciliegia di Marostica		PGI	Fruit, vegetables and cereals, fresh or processed
Ciliegia di Vignola		PGI	Fruit, vegetables and cereals, fresh or processed

Name	Transcription in Latin characters	Protection (1)	Type of product
Cinta Senese		PDO	Fresh meat (and offal)
Cipolla Rossa di Tropea Calabria		PGI	Fruit, vegetables and cereals, fresh or processed
Cipollotto Nocerino		PDO	Fruit, vegetables and cereals, fresh or processed
Clementine del Golfo di Taranto		PGI	Fruit, vegetables and cereals, fresh or processed
Clementine di Calabria		PGI	Fruit, vegetables and cereals, fresh or processed
Collina di Brindisi		PDO	Oils and fats
Colline di Romagna		PDO	Oils and fats
Colline Pontine		PDO	Oils and fats
Colline Salernitane	—	PDO	Oils and fats
Colline Teatine		PDO	Oils and fats
Coppa di Parma		PGI	Meat products
Coppa Piacentina		PDO	Meat products
Coppia Ferrarese		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Cotechino Modena		PGI	Meat products
Cozza di Scardovari		PDO	Fresh fish, molluscs and crustaceans and products derived therefrom
Crudo di Cuneo		PDO	Meat products
Culatello di Zibello		PDO	Meat products
Dauno		PDO	Oils and fats
Fagioli Bianchi di Rotonda		PDO	Fruit, vegetables and cereals, fresh or processed
Fagiolo Cannellino di Atina		PDO	Fruit, vegetables and cereals, fresh or processed
Fagiolo Cuneo		PGI	Fruit, vegetables and cereals, fresh or processed
Fagiolo di Lamon della Vallata Bellunese		PGI	Fruit, vegetables and cereals, fresh or processed
Fagiolo di Sarconi		PGI	Fruit, vegetables and cereals, fresh or processed

Name	Transcription in Latin characters	Protection (1)	Type of product
Fagiolo di Sorana		PGI	Fruit, vegetables and cereals, fresh or processed
Farina di castagne della Lunigiana		PDO	Fruit, vegetables and cereals, fresh or processed
Farina di Neccio della Garfagnana		PDO	Fruit, vegetables and cereals, fresh or processed
Farro di Monteleone di Spoleto		PDO	Fruit, vegetables and cereals, fresh or processed
Farro della Garfagnana		PGI	Fruit, vegetables and cereals, fresh or processed
Fichi di Cosenza		PDO	Fruit, vegetables and cereals, fresh or processed
Fico Bianco del Cilento		PDO	Fruit, vegetables and cereals, fresh or processed
Ficodindia dell'Etna		PDO	Fruit, vegetables and cereals, fresh or processed
Ficodindia di San Cono		PDO	Fruit, vegetables and cereals, fresh or processed
Fiore Sardo		PDO	Cheeses
Fontina		PDO	Cheeses
Formaggella del Luinese		PDO	Cheeses
Formaggio di Fossa di Sogliano		PDO	Cheeses
Formai de Mut dell'Alta Valle Brembana		PDO	Cheeses
Fungo di Borgotaro		PGI	Fruit, vegetables and cereals, fresh or processed
Garda		PDO	Oils and fats
Gorgonzola		PDO	Cheeses
Grana Padano		PDO	Cheeses
Insalata di Lusia		PGI	Fruit, vegetables and cereals, fresh or processed
Irpinia — Colline dell'Ufita		PDO	Oils and fats
Kiwi Latina		PGI	Fruit, vegetables and cereals, fresh or processed
La Bella della Daunia	—	PDO	Fruit, vegetables and cereals, fresh or processed
Laghi Lombardi	—	PDO	Oils and fats

Name	Transcription in Latin characters	Protection <sup>(1)</sup>	Type of product
Lametia		PDO	Oils and fats
Lardo di Colonnata		PGI	Meat products
Lenticchia di Castelluccio di Norcia		PGI	Fruit, vegetables and cereals, fresh or processed
Limone Costa d'Amalfi		PGI	Fruit, vegetables and cereals, fresh or processed
Limone di Rocca Imperiale		PGI	Fruit, vegetables and cereals, fresh or processed
Limone di Siracusa		PGI	Fruit, vegetables and cereals, fresh or processed
Limone di Sorrento		PGI	Fruit, vegetables and cereals, fresh or processed
Limone Femminello del Gargano		PGI	Fruit, vegetables and cereals, fresh or processed
Limone Interdonato Messina		PGI	Fruit, vegetables and cereals, fresh or processed
Liquirizia di Calabria		PDO	Other products listed in Annex I to the Treaty
Lucca		PDO	Oils and fats
Maccheroncini di Campofilone		PGI	Pasta
Marrone della Valle di Susa		PGI	Fruit, vegetables and cereals, fresh or processed
Marrone del Mugello		PGI	Fruit, vegetables and cereals, fresh or processed
Marrone di Caprese Michelangelo		PDO	Fruit, vegetables and cereals, fresh or processed
Marrone di Castel del Rio		PGI	Fruit, vegetables and cereals, fresh or processed
Marrone di Combai		PGI	Fruit, vegetables and cereals, fresh or processed
Marrone di Roccadaspide		PGI	Fruit, vegetables and cereals, fresh or processed
Marrone di San Zeno		PDO	Fruit, vegetables and cereals, fresh or processed
Marroni del Monfenera		PGI	Fruit, vegetables and cereals, fresh or processed

Name	Transcription in Latin characters	Protection (1)	Type of product
Mela Alto Adige/Südtiroler Apfel		PGI	Fruit, vegetables and cereals, fresh or processed
Mela di Valtellina		PGI	Fruit, vegetables and cereals, fresh or processed
Mela Rossa Cuneo		PGI	Fruit, vegetables and cereals, fresh or processed
Mela Val di Non		PDO	Fruit, vegetables and cereals, fresh or processed
Melannurca Campana		PGI	Fruit, vegetables and cereals, fresh or processed
Melanzana Rossa di Rotonda		PDO	Fruit, vegetables and cereals, fresh or processed
Melone Mantovano		PGI	Fruit, vegetables and cereals, fresh or processed
Miele della Lunigiana		PDO	Other farm animal products
Miele delle Dolomiti Bellunesi		PDO	Other farm animal products
Miele Varesino		PDO	Other farm animal products
Molise		PDO	Oils and fats
Montasio		PDO	Cheeses
Monte Etna		PDO	Oils and fats
Monte Veronese		PDO	Cheeses
Monti Iblei		PDO	Oils and fats
Mortadella Bologna		PGI	Fresh meat (and offal)
Mozzarella di Bufala Campana		PDO	Cheeses
Murazzano		PDO	Cheeses
Nocciola del Piemonte/Nocciola Piemonte		PGI	Fruit, vegetables and cereals, fresh or processed
Nocciola di Giffoni		PGI	Fruit, vegetables and cereals, fresh or processed
Nocciola Romana		PDO	Fruit, vegetables and cereals, fresh or processed
Nocellara del Belice		PDO	Fruit, vegetables and cereals, fresh or processed
Nostrano Valtrompia		PDO	Cheeses
Oliva Ascolana del Piceno		PDO	Fruit, vegetables and cereals, fresh or processed

Name	Transcription in Latin characters	Protection <sup>(1)</sup>	Type of product
Pagnotta del Dittaino		PDO	Fruit, vegetables and cereals, fresh or processed
Pancetta di Calabria		PDO	Meat products
Pancetta Piacentina		PDO	Meat products
Pane casareccio di Genzano	—	PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Pane di Altamura	—	PDO	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Pane di Matera		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Panforte di Siena		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Parmigiano Reggiano	—	PDO	Cheeses
Pasta di Gragnano		PGI	Pasta
Patata dell'Alto Viterbese		PGI	Fruit, vegetables and cereals, fresh or processed
Patata della Sila		PGI	Fruit, vegetables and cereals, fresh or processed
Patata di Bologna		PDO	Fruit, vegetables and cereals, fresh or processed
Pecorino Crotonese		PDO	Cheeses
Pecorino di Filiano		PDO	Cheeses
Pecorino di Picinisco		PDO	Cheeses
Pecorino Romano		PDO	Cheeses
Pecorino Sardo		PDO	Cheeses
Pecorino Siciliano		PDO	Cheeses
Pecorino Toscano		PDO	Cheeses
Penisola Sorrentina		PDO	Oils and fats
Peperone di Pontecorvo		PDO	Fruit, vegetables and cereals, fresh or processed
Peperone di Senise		PGI	Fruit, vegetables and cereals, fresh or processed
Pera dell'Emilia Romagna		PGI	Fruit, vegetables and cereals, fresh or processed



Name	Transcription in Latin characters	Protection <sup>(1)</sup>	Type of product
Pera mantovana		PGI	Fruit, vegetables and cereals, fresh or processed
Pescabivona		PGI	Fruit, vegetables and cereals, fresh or processed
PESCA di Leonforte		PGI	Fruit, vegetables and cereals, fresh or processed
PESCA di Verona		PGI	Fruit, vegetables and cereals, fresh or processed
PESCA e nettarina di Romagna		PGI	Fruit, vegetables and cereals, fresh or processed
Piacentinu Ennese		PDO	Cheeses
Piadena Romagnola/Piada Romagnola		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Piave		PDO	Cheeses
Pistacchio Verde di Bronte		PDO	Fruit, vegetables and cereals, fresh or processed
Pomodorino del Piennolo del Vesuvio		PDO	Fruit, vegetables and cereals, fresh or processed
Pomodoro di Pachino		PGI	Fruit, vegetables and cereals, fresh or processed
Pomodoro S. Marzano dell'Agro Sarnese-Nocerino		PDO	Fruit, vegetables and cereals, fresh or processed
Porchetta di Ariccia		PGI	Meat products
Pretuziano delle Colline Teramane		PDO	Oils and fats
Prosciutto Amatriciano		PGI	Meat products
Prosciutto di Carpegna		PDO	Meat products
Prosciutto di Modena		PDO	Meat products
Prosciutto di Norcia		PGI	Meat products
Prosciutto di Parma		PDO	Meat products
Prosciutto di Sauris		PGI	Meat products
Prosciutto di San Daniele		PDO	Fresh meat (and offal)
Prosciutto Toscano		PDO	Meat products
Prosciutto Veneto Berico-Euganeo		PDO	Meat products
Provolone del Monaco		PDO	Cheeses

Name	Transcription in Latin characters	Protection (1)	Type of product
Provolone Valpadana		PDO	Cheeses
Puzzzone di Moena/Spretz Tzaorì		PDO	Cheeses
Quartirolò Lombardo		PDO	Cheeses
Radicchio di Chioggia		PGI	Fruit, vegetables and cereals, fresh or processed
Radicchio di Verona		PGI	Fruit, vegetables and cereals, fresh or processed
Radicchio Rosso di Treviso		PGI	Fruit, vegetables and cereals, fresh or processed
Radicchio Variegato di Castelfranco		PGI	Fruit, vegetables and cereals, fresh or processed
Ragusano		PDO	Cheeses
Raschera		PDO	Cheeses
Ricciarelli di Siena		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Ricotta di Bufala Campana		PDO	Other farm animal products
Ricotta Romana		PDO	Cheeses
Riso del Delta del Po		PGI	Fruit, vegetables and cereals, fresh or processed
Riso di Baraggia Biellese e Vercellese		PDO	Fruit, vegetables and cereals, fresh or processed
Riso Nano Vialone Veronese		PGI	Fruit, vegetables and cereals, fresh or processed
Riviera Ligure		PDO	Oils and fats
Robiola di Roccaverano		PDO	Cheeses
Sabina		PDO	Oils and fats
Salama da sugo		PGI	Meat products
Salame Brianza		PDO	Meat products
Salame Cremona		PGI	Meat products
Salame di Varzi		PGI	Meat products
Salame d'oca di Mortara		PGI	Meat products
Salame Felino		PGI	Meat products
Salame Piacentino		PDO	Meat products

Name	Transcription in Latin characters	Protection (1)	Type of product
Salame S. Angelo		PGI	Meat products
Salamini italiani alla cacciatora		PDO	Meat products
Salmerino del Trentino		PGI	Fresh fish, molluscs and crustaceans and products derived therefrom
Salsiccia di Calabria		PDO	Meat products
Salva Cremasco		PDO	Cheeses
Sardegna		PDO	Oils and fats
Scalognò di Romagna		PGI	Fruit, vegetables and cereals, fresh or processed
Sedano Bianco di Sperlonga		PGI	Fruit, vegetables and cereals, fresh or processed
Seggiano		PDO	Oils and fats
Soppressata di Calabria		PDO	Meat products
Sopressa Vicentina		PDO	Meat products
Speck dell'Alto Adige/Südtiroler Markenspeck/Südtiroler Speck		PGI	Meat products
Spresa delle Giudicarie		PDO	Cheeses
Squacquerone di Romagna		PDO	Cheeses
Stelvio/Stilfser		PDO	Cheeses
Strachitunt		PDO	Cheeses
Susina di Dro		PDO	Fruit, vegetables and cereals, fresh or processed
Taleggio		PDO	Cheeses
Tergeste		PDO	Oils and fats
Terra di Bari		PDO	Oils and fats
Terra d'Otranto		PDO	Oils and fats
Terre Aurunche		PDO	Oils and fats
Terre di Siena		PDO	Oils and fats
Terre Tarentine		PDO	Oils and fats
Tinca Gobba Dorata del Pianalto di Poirino		PDO	Fresh fish, molluscs and crustaceans and products derived therefrom
Toma Piemontese		PDO	Cheeses

Name	Transcription in Latin characters	Protection (1)	Type of product
Torrone di Bagnara		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Toscano		PGI	Oils and fats
Trote del Trentino		PGI	Fresh fish, molluscs and crustaceans and products derived therefrom
Tuscia		PDO	Oils and fats
Umbria		PDO	Oils and fats
Uva da tavola di Canicattì		PGI	Fruit, vegetables and cereals, fresh or processed
Uva da tavola di Mazzarrone		PGI	Fruit, vegetables and cereals, fresh or processed
Uva di Puglia		PGI	Fruit, vegetables and cereals, fresh or processed
Val di Mazara		PDO	Oils and fats
Valdemone		PDO	Oils and fats
Valle d'Aosta Fromadzo		PDO	Cheeses
Valle d'Aosta Jambon de Bosses		PDO	Meat products
Valle d'Aosta Lard d'Arnad		PDO	Meat products
Valle del Belice		PDO	Oils and fats
Valli Trapanesi		PDO	Oils and fats
Valtellina Casera		PDO	Cheeses
Vastedda della valle del Belice		PDO	Cheeses
Veneto Valpolicella, Veneto Euganei e Berici, Veneto del Grappa		PDO	Oils and fats
Vitellone bianco dell'Appennino Centrale		PGI	Fresh meat (and offal)
Vulture		PDO	Oils and fats
Zafferano dell'Aquila		PDO	Other products listed in Annex I to the Treaty
Zafferano di San Gimignano		PDO	Other products listed in Annex I to the Treaty
Zafferano di Sardegna		PDO	Fresh fish, molluscs and crustaceans and products derived therefrom
Zampone Modena		PGI	Meat products

Name	Transcription in Latin characters	Protection <sup>(1)</sup>	Type of product
Daujėnų naminė duona		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Lietuviškas varškės sūris		PGI	Cheeses
Seinų/Lazdijų krašto medus/Miód z Sejneńszczyńy/Łoździejszczyzny		PDO	Other farm animal products
Stakliškės		PGI	Other products listed in Annex I to the Treaty
Beurre rose — Marque nationale du Grand-Duché de Luxembourg		PDO	Oils and fats
Miel — Marque nationale du Grand-Duché de Luxembourg		PDO	Other farm animal products
Salaisons fumées, marque nationale grand-duché de Luxembourg		PGI	Meat products
Viande de porc, marque nationale grand-duché de Luxembourg		PGI	Fresh meat (and offal)
Boeren-Leidse met sleutels		PDO	Cheeses
Edam Holland		PGI	Cheeses
Gouda Holland		PGI	Cheeses
Kanterkaas/Kanternagelkaas/Kanterkomijnkaas		PDO	Cheeses
Noord-Hollandse Edammer		PDO	Cheeses
Noord-Hollandse Gouda		PDO	Cheeses
Opperdoezer Ronde		PDO	Fruit, vegetables and cereals, fresh or processed
Westlandse druif		PGI	Fruit, vegetables and cereals, fresh or processed
Andrutys Kaliskie		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Bryndza Podhalańska		PDO	Cheeses
Cebularz lubelski		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Chleb prądnicki		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Fasola korczyńska		PGI	Fruit, vegetables and cereals, fresh or processed

Name	Transcription in Latin characters	Protection (1)	Type of product
Fasola Piękny Jaś z Doliny Dunajca/Fasola z Doliny Dunajca		PDO	Fruit, vegetables and cereals, fresh or processed
Fasola Wrzawska		PDO	Fruit, vegetables and cereals, fresh or processed
Jabłka grójeckie		PGI	Fruit, vegetables and cereals, fresh or processed
Jabłka łuckie		PGI	Fruit, vegetables and cereals, fresh or processed
Jagnięcina podhalańska		PGI	Fresh meat (and offal)
Karp zatorski		PDO	Fresh fish, molluscs and crustaceans and products derived therefrom
Kiełbasa lisiecka		PGI	Meat products
Kołocz śląski/kołacz śląski		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Miód drahimski		PGI	Other farm animal products
Miód kurpiowski		PGI	Other farm animal products
Miód wrzosowy z Borów Dolnośląskich		PGI	Other farm animal products
Obwarzanek krakowski		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Oscypek		PDO	Cheeses
Podkarpacki miód spadziowy		PDO	Other farm animal products
Redykołka		PDO	Cheeses
Rogal świętomarciński		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Ser koryciński swojski		PGI	Cheeses
Śliwka szydlowska		PGI	Fruit, vegetables and cereals, fresh or processed
Suska sechłońska		PGI	Fruit, vegetables and cereals, fresh or processed
Truskawka kaszubska lub Kaszëbskô malëna		PGI	Fruit, vegetables and cereals, fresh or processed
Wielkopolski ser smażony		PGI	Cheeses
Wiśnia nadwiślanka		PDO	Fruit, vegetables and cereals, fresh or processed
Alheira de Barroso-Montalegre		PGI	Meat products

Name	Transcription in Latin characters	Protection <sup>(1)</sup>	Type of product
Alheira de Vinhais		PGI	Meat products
Ameixa d'Elvas		PDO	Fruit, vegetables and cereals, fresh or processed
Amêndoa Douro		PDO	Fruit, vegetables and cereals, fresh or processed
Ananás dos Açores/São Miguel		PDO	Fruit, vegetables and cereals, fresh or processed
Anona da Madeira		PDO	Fruit, vegetables and cereals, fresh or processed
Arroz Carolino das Lezírias Ribatejanas		PGI	Fruit, vegetables and cereals, fresh or processed
Azeite de Moura		PDO	Oils and fats
Azeite de Trás-os-Montes		PDO	Oils and fats
Azeite do Alentejo Interior		PDO	Other farm animal products
Azeites da Beira Interior (Azeite da Beira Alta, Azeite da Beira Baixa)		PDO	Oils and fats
Azeites do Norte Alentejano		PDO	Oils and fats
Azeites do Ribatejo		PDO	Oils and fats
Azeitona de conserva Negrinha de Freixo		PDO	Fruit, vegetables and cereals, fresh or processed
Azeitonas de Conserva de Elvas e Campo Maior		PDO	Fruit, vegetables and cereals, fresh or processed
Batata de Trás-os-Montes		PGI	Fruit, vegetables and cereals, fresh or processed
Batata doce de Aljezur		PGI	Fruit, vegetables and cereals, fresh or processed
Borrego da Beira		PGI	Fresh meat (and offal)
Borrego de Montemor-o-Novo		PGI	Fresh meat (and offal)
Borrego do Baixo Alentejo		PGI	Fresh meat (and offal)
Borrego do Nordeste Alentejano		PGI	Fresh meat (and offal)
Borrego Serra da Estrela		PDO	Fresh meat (and offal)
Borrego Terrincho		PDO	Fresh meat (and offal)
Butelo de Vinhais/Bucho de Vinhais/Chouriço de Ossos de Vinhais		PGI	Meat products
Cabrito da Beira		PGI	Fresh meat (and offal)

Name	Transcription in Latin characters	Protection (1)	Type of product
Cabrito da Gralheira		PGI	Fresh meat (and offal)
Cabrito das Terras Altas do Minho		PGI	Fresh meat (and offal)
Cabrito de Barroso		PGI	Fresh meat (and offal)
Cabrito Do Alentejo		PGI	Fresh meat (and offal)
Cabrito Transmontano		PDO	Fresh meat (and offal)
Cacholeira Branca de Portalegre		PGI	Meat products
Carnalentejana		PDO	Fresh meat (and offal)
Carne Arouquesa		PDO	Fresh meat (and offal)
Carne Barrosã		PDO	Fresh meat (and offal)
Carne Cachena da Peneda		PDO	Fresh meat (and offal)
Carne da Charneca		PDO	Fresh meat (and offal)
Carne de Bísaro Transmonano/Carne de Porco Transmontano		PDO	Fresh meat (and offal)
Carne de Bovino Cruzado dos Lameiros do Barroso		PGI	Fresh meat (and offal)
Carne de Bravo do Ribatejo		PDO	Fresh meat (and offal)
Carne de Porco Alentejano		PDO	Fresh meat (and offal)
Carne dos Açores		PGI	Fresh meat (and offal)
Carne Marinhova		PDO	Fresh meat (and offal)
Carne Maronesa		PDO	Fresh meat (and offal)
Carne Mertolenga		PDO	Fresh meat (and offal)
Carne Mirandesa		PDO	Fresh meat (and offal)
Castanha da Terra Fria		PDO	Fruit, vegetables and cereals, fresh or processed
Castanha da Padrela		PDO	Fruit, vegetables and cereals, fresh or processed
Castanha dos Soutos da Lapa		PDO	Fruit, vegetables and cereals, fresh or processed
Castanha Marvão-Portalegre		PDO	Fruit, vegetables and cereals, fresh or processed
Cereja da Cova da Beira		PGI	Fruit, vegetables and cereals, fresh or processed



Name	Transcription in Latin characters	Protection <sup>(1)</sup>	Type of product
Cereja de São Julião-Portalegre		PDO	Fruit, vegetables and cereals, fresh or processed
Chouriça de Carne de Barroso-Montalegre		PGI	Meat products
Chouriça de Carne de Vinhais/Linguiça de Vinhais		PGI	Meat products
Chouriça Doce de Vinhais		PGI	Meat products
Chouriço Azedo de Vinhais/Azedo de Vinhais/Chouriço de Pão de Vinhais		PGI	Meat products
Chouriço de Abóbora de Barroso-Montalegre		PGI	Meat products
Chouriço de Carne de Estremoz e Borba		PGI	Meat products
Chouriço de Portalegre		PGI	Meat products
Chouriço grosso de Estremoz e Borba		PGI	Meat products
Chouriço Mouro de Portalegre		PGI	Meat products
Citrinos do Algarve		PGI	Fruit, vegetables and cereals, fresh or processed
Cordeiro Bragançano		PDO	Fresh meat (and offal)
Cordeiro de Barroso/Anho de Barroso/Cordeiro de leite de Barroso		PGI	Fresh meat (and offal)
Cordeiro mirandês/Canhono mirandês		PDO	Fresh meat (and offal)
Farinheira de Estremoz e Borba		PGI	Meat products
Farinheira de Portalegre		PGI	Meat products
Linguiça de Portalegre		PGI	Meat products
Linguiça do Baixo Alentejo/Chouriço de carne do Baixo Alentejo		PGI	Meat products
Lombo Branco de Portalegre		PGI	Meat products
Lombo Enguitado de Portalegre		PGI	Meat products
Maçã Bravo de Esmolfe		PDO	Fruit, vegetables and cereals, fresh or processed
Maçã da Beira Alta		PGI	Fruit, vegetables and cereals, fresh or processed
Maçã da Cova da Beira		PGI	Fruit, vegetables and cereals, fresh or processed

Name	Transcription in Latin characters	Protection (1)	Type of product
Maçã de Alcobaça		PGI	Fruit, vegetables and cereals, fresh or processed
Maçã de Portalegre		PGI	Fruit, vegetables and cereals, fresh or processed
Maçã Riscadinha de Palmela		PDO	Fruit, vegetables and cereals, fresh or processed
Maracujá dos Açores/S. Miguel		PDO	Fruit, vegetables and cereals, fresh or processed
Mel da Serra da Lousã		PDO	Other farm animal products
Mel da Serra de Monchique		PDO	Other farm animal products
Mel da Terra Quente		PDO	Other farm animal products
Mel das Terras Altas do Minho		PDO	Other farm animal products
Mel de Barroso		PDO	Other farm animal products
Mel do Alentejo		PDO	Other farm animal products
Mel do Parque de Montezinho		PDO	Other farm animal products
Mel do Ribatejo Norte (Serra d'Aire, Albufeira de Castelo de Bode, Bairro, Alto Nabão)		PDO	Other farm animal products
Mel dos Açores		PDO	Other farm animal products
Morcela de Assar de Portalegre		PGI	Meat products
Morcela de Cozer de Portalegre		PGI	Meat products
Morcela de Estremoz e Borba		PGI	Meat products
Ovos moles de Aveiro		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Paia de Estremoz e Borba		PGI	Meat products
Paia de Lombo de Estremoz e Borba		PGI	Meat products
Paia de Toucinho de Estremoz e Borba		PGI	Meat products
Painho de Portalegre		PGI	Meat products
Paio de Beja		PGI	Meat products
Pastel de Tentúgal		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Pêra Rocha do Oeste		PDO	Fruit, vegetables and cereals, fresh or processed

Name	Transcription in Latin characters	Protection <sup>(1)</sup>	Type of product
Pêssego da Cova da Beira		PGI	Fruit, vegetables and cereals, fresh or processed
Presunto de Barrancos		PDO	Meat products
Presunto de Barroso		PGI	Meat products
Presunto de Camp Maior e Elvas/Paleta de Campo Maior e Elvas		PGI	Meat products
Presunto de Santana da Serra/Paleta de Santana da Serra		PGI	Meat products
Presunto de Vinhais/Presunto Bísaro de Vinhais		PGI	Meat products
Presunto do Alentejo/Paleta do Alentejo		PDO	Meat products
Queijo de Azeitão		PDO	Cheeses
Queijo de cabra Transmontano		PDO	Cheeses
Queijo de Évora		PDO	Oils and fats
Queijo de Nisa		PDO	Cheeses
Queijo do Pico		PDO	Cheeses
Queijo mestiço de Tolosa		PGI	Cheeses
Queijo Rabaçal		PDO	Cheeses
Queijo São Jorge		PDO	Cheeses
Queijo Serpa		PDO	Cheeses
Queijo Serra da Estrela		PDO	Cheeses
Queijo Terrincho		PDO	Cheeses
Queijos da Beira Baixa (Queijo de Castelo Branco, Queijo Amarelo da Beira Baixa, Queijo Picante da Beira Baixa)		PDO	Cheeses
Requeijão da Beira Baixa		PDO	Other farm animal products
Requeijão Serra da Estrela		PDO	Other farm animal products
Salpicão de Barroso-Montalegre		PGI	Meat products
Salpicão de Vinhais		PGI	Meat products
Sangueria de Barroso-Montalegre		PGI	Meat products
Travia da Beira Baixa		PDO	Other farm animal products
Vitela de Lafões		PGI	Fresh meat (and offal)

Name	Transcription in Latin characters	Protection (1)	Type of product
Magiun de prune Topoloveni		PGI	Fruit, vegetables and cereals, fresh or processed
Bruna bönor från Öland		PGI	Fruit, vegetables and cereals, fresh or processed
Kalix Ljörom		PDO	Fresh fish, molluscs and crustaceans and products derived therefrom
Skånsk spettekaka		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Svecia		PGI	Cheeses
Upplandskubb		PDO	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Bovški sir		PDO	Cheeses
Ekstra deviško oljčno olje Slovenske Istre		PDO	Oils and fats
Kočevski gozdni med		PDO	Other farm animal products
Kraška panceta		PGI	Meat products
Kraški med		PDO	Other farm animal products
Kraški pršut		PGI	Meat products
Kraški zašink		PGI	Meat products
Mohant		PDO	Cheeses
Nanoški sir		PDO	Cheeses
Prekmurska šunka		PGI	Fresh meat (and offal)
Prleška tünka		PGI	Meat products
Ptujski lük		PGI	Fruit, vegetables and cereals, fresh or processed
Šebreljski želodec		PGI	Meat products
Slovenski med		PGI	Other farm animal products
Štajersko Prekmursko bučno olje		PGI	Oils and fats
Tolminc		PDO	Cheeses
Zgornjesavinjski želodec		PGI	Meat products
Oravský korbáčik		PGI	Cheeses
Paprika Žitava/Žitavská paprika		PDO	Other products listed in Annex I to the Treaty

Name	Transcription in Latin characters	Protection <sup>(1)</sup>	Type of product
Skalický trdelník		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Slovenská bryndza		PGI	Cheeses
Slovenská parenica		PGI	Cheeses
Slovenský oštiepok		PGI	Cheeses
Tekovský salámový syr		PGI	Cheeses
Zázrivské vojky		PGI	Cheeses
Zázrivský korbáčik		PGI	Cheeses
Arbroath Smokies		PGI	Fresh fish, molluscs and crustaceans and products derived therefrom
Armagh Bramley Apples		PGI	Fruit, vegetables and cereals, fresh or processed
Beacon Fell traditional Lancashire cheese		PDO	Cheeses
Bonchester cheese		PDO	Cheeses
Buxton blue		PDO	Cheeses
Cornish Clotted Cream		PDO	Other farm animal products
Cornish Pasty		PGI	Bread, pastry, cakes, confectionery, biscuits and other baker's wares
Cornish Sardines		PGI	Fresh fish, molluscs and crustaceans and products derived therefrom
Dorset Blue Cheese		PGI	Cheeses
Dovedale cheese		PDO	Cheeses
East Kent Goldings		PDO	Other products listed in Annex I to the Treaty
Exmoor Blue Cheese		PGI	Cheeses
Fal Oyster		PDO	Fresh fish, molluscs and crustaceans and products derived therefrom
Fenland Celery		PGI	Fruit, vegetables and cereals, fresh or processed
Gloucestershire cider/perry		PGI	Other products listed in Annex I to the Treaty
Herefordshire cider/perry		PGI	Other products listed in Annex I to the Treaty

Name	Transcription in Latin characters	Protection <sup>(1)</sup>	Type of product
Isle of Man Manx Loaghtan Lamb	—	PDO	Fresh meat (and offal)
Jersey Royal potatoes	—	PDO	Fruit, vegetables and cereals, fresh or processed
Isle of Man Queenies		PDO	Fresh fish, molluscs and crustaceans and products derived therefrom
Kentish ale and Kentish strong ale	—	PGI	Beer
Lakeland Herdwick		PDO	Fresh meat (and offal)
Lough Neagh Eel		PGI	Fresh fish, molluscs and crustaceans and products derived therefrom
Melton Mowbray Pork Pie		PGI	Meat products
Native Shetland Wool		PDO	Wool
Newmarket Sausage		PGI	Meat products
New Season Comber Potatoes/Comber Earlies		PGI	Fruit, vegetables and cereals, fresh or processed
Orkney beef	—	PDO	Fresh meat (and offal)
Orkney lamb	—	PDO	Fresh meat (and offal)
Orkney Scottish Island Cheddar		PGI	Cheeses
Pembrokeshire Earlies/Pembrokeshire Early Potatoes		PGI	Fruit, vegetables and cereals, fresh or processed
Rutland Bitter	—	PGI	Beer
Scotch Beef	—	PGI	Fresh meat (and offal)
Scotch Lamb	—	PGI	Fresh meat (and offal)
Scottish Farmed Salmon	—	PGI	Fresh fish, molluscs and crustaceans and products derived therefrom
Scottish Wild Salmon		PGI	Fresh fish, molluscs and crustaceans and products derived therefrom
Shetland Lamb	—	PDO	Fresh meat (and offal)
Single Gloucester	—	PDO	Cheeses
Staffordshire Cheese	—	PDO	Cheeses
Stornoway Black Pudding		PGI	Meat products
Swaledale cheese/Swaledale ewes' cheese	—	PDO	Cheeses
Teviotdale Cheese		PGI	Cheeses

Name	Transcription in Latin characters	Protection <sup>(1)</sup>	Type of product
Traditional Cumberland Sausage		PGI	Meat products
Traditional Grimsby Smoked Fish		PGI	Fresh fish, molluscs and crustaceans and products derived therefrom
Welsh Beef		PGI	Fresh meat (and offal)
Welsh lamb		PGI	Fresh meat (and offal)
West Country Beef		PGI	Fresh meat (and offal)
West Country farmhouse Cheddar cheese		PDO	Cheeses
West Country Lamb		PGI	Fresh meat (and offal)
White Stilton cheese/Blue Stilton cheese		PDO	Cheeses
Whitstable oysters		PGI	Fresh fish, molluscs and crustaceans and products derived therefrom
Worcestershire cider/perry		PGI	Other products listed in Annex I to the Treaty
Yorkshire Forced Rhubarb		PDO	Fruit, vegetables and cereals, fresh or processed
Yorkshire Wensleydale		PGI	Cheeses

<sup>(1)</sup> In accordance with current Union legislation, as listed in Appendix 2.

<sup>(2)</sup> The terms of use for the Gruyère PGI are outlined in recitals 8 and 9 of Commission Implementing Regulation (EU) No 110/2013 of 6 February 2013 entering a name in the register of protected designations of origin and protected geographical indications [Gruyère (PGI)] (OJ L 36, 7.2.2013, p. 1).

## Appendix 2

### THE PARTIES' LEGISLATION

#### European Union legislation

Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (OJ L 343, 14.12.2012, p. 1).

Commission Delegated Regulation (EU) No 664/2014 of 18 December 2013 supplementing Regulation (EU) No 1151/2012 of the European Parliament and of the Council with regard to the establishment of the Union symbols for protected designations of origin, protected geographical indications and traditional specialties guaranteed and with regard to certain rules on sourcing, certain procedural rules and certain additional transitional rules (OJ L 179, 19.6.2014, p. 17).

Commission Implementing Regulation (EU) No 668/2014 of 13 June 2014 laying down rules for the application of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs (OJ L 179, 19.6.2014, p. 36).

#### Legislation of the Swiss Confederation

Order of 28 May 1997 on the protection of designations of origin and geographical indications for agricultural products and processed agricultural products, as last amended on 1 January 2015 (RS 910.12, RO 2014 3903).'











