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II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION

of 10 July 2012

on the position to be taken by the European Union in the EEA Joint Committee concerning an amendment to Annex XIII (Transport) to the EEA Agreement

(2012/399/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 91(1) in conjunction with 218(9) thereof,

Having regard to the Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Annex XIII to the Agreement on the European Economic Area ⁽²⁾ ('the EEA Agreement') contains specific provisions and arrangements concerning transport.
- (2) Directive 2006/38/EC of the European Parliament and of the Council of 17 May 2006 amending Directive 1999/62/EC on the charging of heavy goods vehicles for the use of certain infrastructures ⁽³⁾ should be incorporated into the EEA Agreement.
- (3) It is appropriate to include in the EEA Agreement a provision allowing for an adaptation in relation to tolling arrangements on the trans-European road network in Norway.

(4) Annex XIII to the EEA Agreement should therefore be amended accordingly.

(5) The position of the Union in the EEA Joint Committee should be based on the attached draft Decision,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken by the European Union in the EEA Joint Committee on the proposed amendment to Annex XIII (Transport) to the EEA Agreement shall be based on the draft Decision of the EEA Joint Committee attached to this Decision.

Article 2

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

Done at Brussels, 10 July 2012.

For the Council
The President
V. SHIARLY

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

⁽³⁾ OJ L 157, 9.6.2006, p. 8.

DRAFT

DECISION No .../2012 OF THE EEA JOINT COMMITTEE
of
amending Annex XIII (Transport) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

- (1) Directive 2006/38/EC of the European Parliament and of the Council of 17 May 2006 amending Directive 1999/62/EC on the charging of heavy goods vehicles for the use of certain infrastructures⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Annex XIII to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Point 18a (Directive 1999/62/EC of the European Parliament and of the Council) of Annex XIII to the EEA Agreement shall be amended as follows:

(1) The following indent shall be added:

— **32006 L 0038:** Directive 2006/38/EC of the European Parliament and of the Council of 17 May 2006 (OJ L 157, 9.6.2006, p. 8).;

(2) The adaptation text shall be amended as follows:

(i) The text of adaptation (d) is replaced by the following:

'(d) The following shall be added at the end of Article 7(4b):

“(a) For tolling arrangements on the trans-European road network in south-eastern Norway which are already in place on the date of the entry

into force of Decision of the EEA Joint Committee No xx/2012, the application of discounts or reductions in tolls for frequent users shall comply with Article 7(4b) of this Directive by 31 December 2014 at the latest.

- (b) On the trans-European road network in other parts of Norway, the current level of discounts or reductions in tolls for frequent users may be applied to tolling arrangements already in place on the date of the entry into force of Decision of the EEA Joint Committee No xx/2012 provided that the share of international heavy goods traffic on the infrastructure network concerned is below 30 %.

For tolling arrangements put in place after the date of the entry into force of Decision of the EEA Joint Committee No xx/2012, discounts or reductions in tolls for frequent users may exceed the level set out in Article 7(4b) of this Directive provided that:

- the share of international heavy goods traffic on the infrastructure network concerned is not higher than 5 %,
- the level of such discounts or reductions is justified by specific circumstances, notably when the infrastructure network concerned consists of bridges and/or tunnels to replace a ferry.”.

(ii) The text of adaptation (e) is deleted.

Article 2

The text of Directive 2006/38/EC in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on ..., provided that all the notifications under Article 103(1) of the EEA Agreement have been made to the EEA Joint Committee (*).

⁽¹⁾ OJ L 157, 9.6.2006, p. 8.

(*) [No constitutional requirements indicated.] [Constitutional requirements indicated.]

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, ...

For the EEA Joint Committee

The President

*The Secretaries
to the EEA Joint Committee*

COUNCIL DECISION**of 10 July 2012****on the position to be taken by the European Union in the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms**

(2012/400/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 46 and 48, in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Protocol 31 to the Agreement on the European Economic Area ⁽²⁾ (the 'EEA Agreement') contains specific provisions and arrangements concerning cooperation in specific fields outside the four freedoms.
- (2) It is appropriate to extend the cooperation of the Contracting Parties to the EEA Agreement to activities outside the four freedoms, including cooperation concerning free movement of workers, coordination of social security systems and measures for migrants, including migrants from third countries.

(3) Protocol 31 to the EEA Agreement should therefore be amended accordingly.

(4) The position of the Union within the EEA Joint Committee should be based on the attached draft Decision,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken by the European Union in the EEA Joint Committee on the proposed amendment to Protocol 31 to the EEA Agreement shall be based on the draft Decision of the EEA Joint Committee attached to this Decision.

Article 2

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

Done at Brussels, 10 July 2012.

For the Council
The President
V. SHIARLY

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

DRAFT

DECISION No .../2012 OF THE EEA JOINT COMMITTEE

of

amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, (the 'EEA Agreement'), and in particular Articles 86 and 98 thereof,

Whereas:

- (1) Protocol 31 to the EEA Agreement was amended by Decision of the EEA Joint Committee No .../... of ... ⁽¹⁾.
- (2) It is appropriate to extend the cooperation of the Contracting Parties to the EEA Agreement to include cooperation concerning free movement of workers, coordination of social security systems and measures for migrants, including migrants from third countries.
- (3) Protocol 31 to the EEA Agreement should therefore be amended in order to allow for this extended cooperation to take place from 1 January 2012,

HAS ADOPTED THIS DECISION:

Article 1

Article 5 of Protocol 31 to the EEA Agreement shall be amended as follows:

- (1) the following paragraph shall be inserted after paragraph 11:

'12. The EFTA States shall, as from 1 January 2012, participate in the actions funded from the following budget lines, entered in the general budget of the European Union for the financial year 2012:

- **Budget line 04 01 04 08:** "Free movement of workers, coordination of social security systems and measures for migrants, including migrants from third countries – Expenditure on administrative management",

- **Budget line 04 03 05:** "Free movement of workers, coordination of social security systems and measures for migrants, including migrants from third countries";

- (2) the words 'and in the programme referred to in the twelfth indent as from 1 January 2009' in paragraph 5 shall be replaced by ', in the programme referred to in the twelfth indent as from 1 January 2009 and in the actions funded from the budget lines for the financial year 2012 referred to in paragraph 12 as from 1 January 2012';
- (3) the words 'paragraph 8' in paragraphs 6 and 7 shall be replaced by the words 'paragraphs 8 and 12'.

Article 2

This Decision shall enter into force on the day following the last notification to the EEA Joint Committee under Article 103(1) of the EEA Agreement (*).

It shall apply from 1 January 2012.

Article 3

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at ..., ...

For the EEA Joint Committee

The President

The Secretaries
to the EEA Joint Committee

⁽¹⁾ OJ L ...

(*) [No constitutional requirements indicated.] [Constitutional requirements indicated.]

COUNCIL DECISION**of 10 July 2012****on the position to be taken by the European Union in the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms**

(2012/401/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 189, in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ⁽²⁾ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend, among others, Protocol 31 thereto.
- (3) Protocol 31 to the EEA Agreement contains provisions and arrangements concerning cooperation in specific fields outside the four freedoms.
- (4) It is appropriate to extend the cooperation of the Contracting Parties to the EEA Agreement to include Regulation (EU) No 911/2010 of the European

Parliament and of the Council of 22 September 2010 on the European Earth monitoring programme (GMES) and its initial operations (2011 to 2013) ⁽³⁾.

- (5) Protocol 31 to the EEA Agreement should therefore be amended accordingly.
- (6) The position of the Union in the EEA Joint Committee should be based on the attached draft Decision,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken by the European Union in the EEA Joint Committee on the proposed amendment to Protocol 31 to the EEA Agreement shall be based on the draft Decision of the EEA Joint Committee attached to this Decision.

Article 2

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

Done at Brussels, 10 July 2012.

For the Council
The President
V. SHIARLY

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

⁽³⁾ OJ L 276, 20.10.2010, p. 1.

DRAFT

DECISION No .../2012 OF THE EEA JOINT COMMITTEE

of

amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, ('the EEA Agreement'), and in particular Articles 86 and 98 thereof,

Whereas:

- (1) Protocol 31 to the EEA Agreement was amended by Decision of the EEA Joint Committee No .../... of ...⁽¹⁾.
- (2) A comprehensive earth monitoring system is of central importance to the sustainable management of Northern Europe and the Arctic.
- (3) Norway has contributed to the development of the European Earth Monitoring programme (GMES), both in the Seventh Framework Programme of the European Community for research, technological development and demonstration activities (2007-2013) and as member of the European Space Agency.
- (4) It is appropriate to extend the cooperation of the Contracting Parties to the EEA Agreement to include Regulation (EU) No 911/2010 of the European Parliament and of the Council of 22 September 2010 on the European Earth monitoring programme (GMES) and its initial operations (2011 to 2013)⁽²⁾.
- (5) Protocol 31 to the EEA Agreement should therefore be amended in order to allow for this extended cooperation to take place from 1 January 2012,

HAS ADOPTED THIS DECISION:

Article 1

Article 1 of Protocol 31 to the EEA Agreement shall be amended as follows:

- (1) Paragraph 6 is replaced by the following:

'6. Evaluation and major direction of activities in the framework programmes of Union activities in the field of research and technological development referred to in paragraphs 5, 8a, 8c, 9 and 10 shall be governed by the procedure referred to in Article 79(3) of the Agreement.'

- (2) The following paragraph is inserted after paragraph 8b:

'8c. (a) The EFTA States shall, as from 1 January 2012, participate in the activities which may result from the following Union act:

— **32010 R 0911**: Regulation (EU) No 911/2010 of the European Parliament and of the Council of 22 September 2010 on the European Earth monitoring programme (GMES) and its initial operations (2011 to 2013) (OJ L 276, 20.10.2010, p. 1).

- (b) The EFTA States shall contribute financially to the activities referred to under (a) in accordance with Article 82(1)(a) of and Protocol 32 to the Agreement.
- (c) The EFTA States shall participate fully, without the right to vote, in all the Union committees which assist the European Commission in the management, development and implementation of the activities referred to under (a), namely the GMES Committee, the Security Board and the User Forum.
- (d) This paragraph shall not apply to Liechtenstein.
- (e) With regard to Iceland, this paragraph shall be suspended until otherwise decided by the EEA Joint Committee.'

Article 2

This Decision shall enter into force on the day following the last notification to the EEA Joint Committee under Article 103(1) of the EEA Agreement (*).

It shall apply from 1 January 2012.

Article 3

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at ..., ...

For the EEA Joint Committee

The President

*The Secretaries
to the EEA Joint Committee*

⁽¹⁾ OJ L ...

⁽²⁾ OJ L 276, 20.10.2010, p. 1.

^(*) [No constitutional requirements indicated.] [Constitutional requirements indicated.]

REGULATIONS

COMMISSION REGULATION (EU) No 653/2012

of 17 July 2012

initiating a 'new exporter' review of Council Regulation (EC) No 192/2007 imposing a definitive anti-dumping duty on imports of polyethylene terephthalate originating, *inter alia*, in Taiwan, repealing the duty with regard to imports from one exporter in this country and making these imports subject to registration

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1225/2009 on protection against dumped imports from countries not members of the European Community ("the basic Regulation")⁽¹⁾ and in particular Article 11(4) thereof,

After having consulted the Advisory Committee in accordance with Articles 11(4) and 14(5) of the basic Regulation,

Whereas:

A. REQUEST

- (1) The European Commission ("Commission") has received a request for a 'new exporter' review pursuant to Article 11(4) of the basic Regulation.
- (2) The request was lodged on 27 April 2012 by Lealea Enterprise Co., Ltd. ("the applicant"), an exporting producer in Taiwan ("the country concerned") of certain polyethylene terephthalate.

B. PRODUCT

- (3) The product under review is polyethylene terephthalate having a viscosity number of 78 ml/g or higher, according to ISO (International Organization for Standardization) standard 1628-5, originating, *inter alia*, in Taiwan ("the product under review"), currently falling within CN code 3907 60 20.

C. EXISTING MEASURES

- (4) The measures currently in force are a definitive anti-dumping duty imposed by Council Regulation (EC) No 192/2007⁽²⁾ under which imports into the Union of the product under review originating in Taiwan, including the product produced by the applicant, are subject to a definitive anti-dumping duty of 143,4% with the exception of two companies specially mentioned which are subject to individual duty rates. In February 2012, the Commission initiated an expiry review of the anti-

dumping measures applicable to imports of certain polyethylene terephthalate originating in India, Indonesia, Malaysia, Taiwan and Thailand⁽³⁾, *i.e. inter alia* in Taiwan. Pending the completion of the expiry review investigation, the measures continue to be in force.

D. GROUNDS

- (5) The applicant claims that it did not export the product under review to the Union during the period of investigation on which the anti-dumping measures were based, *i.e.* the period from 1 October 1998 to 30 September 1999 ("the original investigation period").
- (6) Furthermore, the applicant claims that it is not related to any of the exporting producers of the product under review which are subject to the above-mentioned anti-dumping measures.
- (7) The applicant further claims that it has begun exporting the product under review to the Union after the end of the original investigation period.

E. PROCEDURE

- (8) Union producers known to be concerned have been informed of the request for a review and have been given an opportunity to comment.
- (9) Having examined the evidence available, the Commission concludes that there is sufficient evidence to justify the initiation of a 'new exporter' review, pursuant to Article 11(4) of the basic Regulation, with a view to determine the applicant's individual margin of dumping and, should dumping be found, the level of the duty to which its imports of the product under review into the Union shall be subject.
- (10) If it is determined that the applicant fulfils the requirements to have an individual duty established, it may be necessary to amend the rate of duty currently applicable to imports of the product under review from companies not individually mentioned in Article 1(2) of Council Regulation (EC) No 192/2007.

⁽¹⁾ OJ L 343, 22.12.2009, p. 51.

⁽²⁾ OJ L 59, 27.2.2007, p. 1.

⁽³⁾ OJ C 55, 24.2.2012, p. 4.

(a) *Questionnaires*

- (11) In order to obtain information it deems necessary for its investigation, the Commission will send a questionnaire to the applicant.

(b) *Collection of information and holding of hearings*

- (12) All interested parties are hereby invited to make their views known in writing and to provide supporting evidence.

- (13) Furthermore, the Commission may hear interested parties, provided that they make a request in writing showing that there are particular reasons why they should be heard.

F. REPEAL OF THE DUTY IN FORCE AND REGISTRATION OF IMPORTS

- (14) Pursuant to Article 11(4) of the basic Regulation, the anti-dumping duty in force should be repealed with regard to imports of the product under review which are produced and sold for export to the Union by the applicant. At the same time, such imports should be made subject to registration in accordance with Article 14(5) of the basic Regulation, in order to ensure that, should the review result in a finding of dumping in respect of the applicant, anti-dumping duties can be levied retroactively to the date of the initiation of the review. The amount of the applicant's possible future liabilities cannot be estimated at this stage of the proceeding.

G. TIME-LIMITS

- (15) In the interest of sound administration, time-limits should be stated within which:
- (16) interested parties may make themselves known to the Commission, present their views in writing and submit any information to be taken into account during the investigation,
- (17) interested parties may make a written request to be heard by the Commission.
- (18) Attention is drawn to the fact that the exercise of most procedural rights set out in the basic Regulation depends on the party's making itself known within the time-limits indicated in Article 3 of this Regulation.

H. NON-COOPERATION

- (19) In cases in which any interested party refuses access to or does not provide the necessary information within the time-limits, or significantly impedes the investigation, findings, affirmative or negative, may be made in accordance with Article 18 of the basic Regulation, on the basis of the facts available.
- (20) Where it is found that any interested party has supplied false or misleading information, the information shall be disregarded and use may be made of facts available.
- (21) If an interested party does not cooperate or cooperates only partially and findings are therefore based on the

facts available in accordance with Article 18 of the basic Regulation, the result may be less favourable to that party than if it had cooperated.

I. SCHEDULE OF THE INVESTIGATION

- (22) The investigation will be concluded, pursuant to Article 11(5) of the basic Regulation, within nine months of the date of the publication of this Regulation in the *Official Journal of the European Union*.

J. PROCESSING OF PERSONAL DATA

- (23) It is noted that any personal data collected in this investigation will be treated in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council 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 ⁽¹⁾.

K. HEARING OFFICER

- (24) Interested parties may request the intervention of the Hearing Officer of the Directorate-General for Trade. The Hearing Officer acts as an interface between the interested parties and the Commission investigation services. The Hearing Officer reviews requests for access to the file, disputes regarding the confidentiality of documents, requests for extension of time-limits and requests by third parties to be heard. The Hearing Officer may organise a hearing with an individual interested party and mediate to ensure that the interested party's rights of defence are being fully exercised.
- (25) A request for a hearing with the Hearing Officer should be made in writing and should specify the reasons for the request. The Hearing Officer will also provide opportunities for a hearing involving parties to take place which would allow different views to be presented and rebuttal arguments offered.
- (26) For further information and contact details interested parties may consult the Hearing Officer's web pages on the Directorate-General for Trade's website: http://ec.europa.eu/trade/tackling-unfair-trade/hearing-officer/index_en.htm

HAS ADOPTED THIS REGULATION:

Article 1

A review of Council Regulation (EC) No 192/2007 is hereby initiated pursuant to Article 11(4) of Regulation (EC) No 1225/2009 in order to determine if and to what extent the imports of polyethylene terephthalate having a viscosity number of 78 ml/g or higher, according to ISO standard 1628-5, currently falling within CN code 3907 60 20, originating in Taiwan, produced and sold for export to the Union by Lelea Enterprise Co., Ltd. (TARIC additional code A996) should be subject to the anti-dumping duty imposed by Council Regulation (EC) No 192/2007.

⁽¹⁾ OJ L 8, 12.1.2001, p. 1.

Article 2

The anti-dumping duty imposed by Council Regulation (EC) No 192/2007 is hereby repealed with regard to the imports identified in Article 1 of the present Regulation.

Article 3

The Customs authorities are hereby directed, pursuant to Article 11(4) and Article 14(5) of Regulation (EC) No 1225/2009, to take the appropriate steps to register the imports into the Union identified in Article 1 of this Regulation.

Registration shall expire nine months following the date of entry into force of this Regulation.

Article 4

1. Interested parties, if their representations are to be taken into account during the investigation, must make themselves known by contacting the Commission, present their views in writing and submit a reply to the questionnaire indicated in recital 11 of this Regulation or any information to be taken into account within 37 days from the date of the publication of this Regulation in the Official Journal of the European Union, unless otherwise specified.

2. Interested parties may also apply to be heard by the Commission within the same 37-day time-limit.

3. Interested parties are required to make all submissions and requests in electronic format (non-confidential submissions via e-mail, confidential ones on CD-R/DVD), and must indicate their name, address, e-mail address, telephone and fax numbers. However, any Powers of Attorney, signed certifi-

cations, and any updates thereof, accompanying questionnaire replies must be submitted on paper, i.e. by post or by hand, at the address below. If an interested party cannot provide its submissions and requests in electronic format, it must immediately inform the Commission in compliance with Article 18(2) of the basic Regulation. For further information concerning correspondence with the Commission, interested parties may consult the relevant web page on the website of the Directorate-General for Trade: <http://ec.europa.eu/trade/tackling-unfair-trade/trade-defence>.

All written submissions, including the information requested in this Regulation, questionnaire replies and correspondence provided by interested parties on a confidential basis must be labelled as 'Limited' ⁽¹⁾ and, in accordance with Article 19(2) of Regulation (EC) No 1225/2009, must be accompanied by a non-confidential version, which must be labelled 'For inspection by interested parties'.

Commission address for correspondence:

European Commission
Directorate-General for Trade
Directorate H
Office: N105 4/92
1049 Bruxelles/Brussel
BELGIQUE/BELGIË
Fax +32 2295 65 05
E-mail: Trade-R557-PET-A@ec.europa.eu

Article 5

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

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

Done at Brussels, 17 July 2012.

For the Commission
The President
José Manuel BARROSO

⁽¹⁾ A 'Limited' document is a document which is considered confidential pursuant to Article 19 of Council Regulation (EC) No 1225/2009 (OJ L 343 22.12.2009 p. 51) and Article 6 of the WTO Agreement on Implementation of Article VI of the GATT 1994 (Anti-Dumping Agreement). It is also a document protected pursuant to Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council (OJ L 145, 31.5.2001, p. 43).

COMMISSION IMPLEMENTING REGULATION (EU) No 654/2012**of 17 July 2012****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

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

Having regard to 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) ⁽¹⁾,

Having regard to Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors ⁽²⁾, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the

Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.

- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 17 July 2012.

*For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

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

<i>(EUR/100 kg)</i>		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	MK	41,0
	ZZ	41,0
0707 00 05	TR	95,4
	ZZ	95,4
0709 93 10	TR	101,9
	ZZ	101,9
0805 50 10	AR	84,6
	BO	90,5
	TR	52,0
	UY	96,2
	ZA	92,2
	ZZ	83,1
0808 10 80	AR	134,2
	BR	89,7
	CL	110,4
	CN	125,2
	NZ	124,2
	US	161,2
	ZA	111,1
	ZZ	122,3
0808 30 90	AR	116,6
	CL	125,3
	ZA	116,1
	ZZ	119,3
0809 10 00	TR	168,3
	ZZ	168,3
0809 29 00	TR	352,1
	ZZ	352,1
0809 30	TR	179,0
	ZZ	179,0
0809 40 05	BA	108,0
	ZZ	108,0

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

COMMISSION IMPLEMENTING REGULATION (EU) No 655/2012

of 17 July 2012

amending the representative prices and additional import duties for certain products in the sugar sector fixed by Implementing Regulation (EU) No 971/2011 for the 2011/12 marketing year

THE EUROPEAN COMMISSION,

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

Having regard to 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) ⁽¹⁾,Having regard to Commission Regulation (EC) No 951/2006 of 30 June 2006 laying down detailed rules for the implementation of Council Regulation (EC) No 318/2006 as regards trade with third countries in the sugar sector ⁽²⁾, and in particular Article 36(2), second subparagraph, second sentence thereof,

Whereas:

(1) The representative prices and additional duties applicable to imports of white sugar, raw sugar and certain syrups for the 2011/12 marketing year are fixed by Commission Implementing Regulation (EU) No 971/2011 ⁽³⁾. Those prices and duties were last amended by Commission Implementing Regulation (EU) No 634/2012 ⁽⁴⁾.

(2) The data currently available to the Commission indicate that those amounts should be amended in accordance with Article 36 of Regulation (EC) No 951/2006.

(3) Given the need to ensure that this measure applies as soon as possible after the updated data have been made available, this Regulation should enter into force on the day of its publication,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties applicable to imports of the products referred to in Article 36 of Regulation (EC) No 951/2006, as fixed by Implementing Regulation (EU) No 971/2011 for the 2011/12 marketing year, are hereby amended as set out in the Annex hereto.

Article 2

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

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

Done at Brussels, 17 July 2012.

*For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 178, 1.7.2006, p. 24.

⁽³⁾ OJ L 254, 30.9.2011, p. 12.

⁽⁴⁾ OJ L 182, 13.7.2012, p. 35.

ANNEX

Amended representative prices and additional import duties applicable to white sugar, raw sugar and products covered by CN code 1702 90 95 from 18 July 2012

(EUR)

CN code	Representative price per 100 kg net of the product concerned	Additional duty per 100 kg net of the product concerned
1701 12 10 ⁽¹⁾	43,18	0,00
1701 12 90 ⁽¹⁾	43,18	1,65
1701 13 10 ⁽¹⁾	43,18	0,00
1701 13 90 ⁽¹⁾	43,18	1,95
1701 14 10 ⁽¹⁾	43,18	0,00
1701 14 90 ⁽¹⁾	43,18	1,95
1701 91 00 ⁽²⁾	50,73	2,25
1701 99 10 ⁽²⁾	50,73	0,00
1701 99 90 ⁽²⁾	50,73	0,00
1702 90 95 ⁽³⁾	0,51	0,21

⁽¹⁾ For the standard quality defined in point III of Annex IV to Regulation (EC) No 1234/2007.

⁽²⁾ For the standard quality defined in point II of Annex IV to Regulation (EC) No 1234/2007.

⁽³⁾ Per 1 % sucrose content.

DECISIONS

COUNCIL DECISION

of 10 July 2012

appointing a member of the Court of Auditors

(2012/402/EU)

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS DECISION:

Article 1

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 286(2) thereof,

Ms Iliana IVANOVA is hereby appointed member of the Court of Auditors for the period from 1 January 2013 to 31 December 2018.

Article 2

Having regard to the opinion of the European Parliament ⁽¹⁾,

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

Whereas:

Done at Brussels, 10 July 2012.

(1) The term of office of Ms Nadejda SANDOLOVA is due to expire on 31 December 2012.

For the Council

The President

(2) A new appointment should therefore be made,

V. SHIARLY

⁽¹⁾ Opinion of 13 June 2012 (not yet published in the Official Journal).

COUNCIL DECISION

of 10 July 2012

appointing six Bulgarian members and eight Bulgarian alternate members of the Committee of the Regions

(2012/403/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 305 thereof,

Having regard to the proposal of the Bulgarian Government,

Whereas:

- (1) On 22 December 2009 and on 18 January 2010, the Council adopted Decisions 2009/1014/EU ⁽¹⁾ and 2010/29/EU ⁽²⁾ appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2010 to 25 January 2015.
- (2) Six members' seats on the Committee of the Regions have become vacant following the end of the terms of office of Ms Katya DOYCHEVA, Ms Dora IANKOVA, Mr Orhan MUMUN, Ms Penka PENKOVA, Mr Georgi SLAVOV and Mr Bozhidar YOTOV. Six alternate members' seats have become vacant following the end of the terms of office of Mr Ivo ANDONOV, Ms Shukran IDRIZ, Mr Veselin LICHEV, Mr Rumen RASHEV, Mr Svetlin TANCHEV and Mr Nayden ZELENOGORSKI. Two alternate members' seats will become vacant following the appointment of Mr Ahmed AHMEDOV and Mr Krassimir KOSTOV as members of the Committee of the Regions,

HAS ADOPTED THIS DECISION:

Article 1

The following are hereby appointed to the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2015:

(a) as members:

- Mr Ahmed AHMEDOV, *Mayor, Municipality of Tsar Kaloyan*
- Ms Tanya HRISTOVA, *Mayor, Municipality of Gabrovo*
- Mr Krassimir KOSTOV, *Mayor, Municipality of Shumen*

— Mr Madzhid MANDADZHA, *Mayor, Municipality of Stambolovo*

— Mr Zhivko TODOROV, *Mayor, Municipality of Stara Zagora*

— Mr Luydmil VESSELINOV, *Mayor, Municipality of Popovo,*

and

(b) as alternate members:

— Mr Nida AHMEDOV, *Mayor, Municipality of Kaolinovo*

— Mr Ivan ALEKSIEV, *Mayor, Municipality of Pomorie*

— Mr Atanas KAMBITOV, *Mayor, Municipality of Blagoevgrad*

— Ms Kornelia MARINOVA, *Municipal Councillor, Municipality of Lovech*

— Ms Sebihan MEHMED, *Mayor, Municipality of Krumovgrad*

— Ms Anastassya MLADENOVA, *Municipal Councillor, Municipality of Peshtera*

— Mr Fahri MOLAYSSENOV, *Mayor, Municipality of Madan*

— Mr Georgi SLAVOV, *Mayor, Municipality of Yambol.*

Article 2

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

Done at Brussels, 10 July 2012.

For the Council
The President
V. SHIARLY

⁽¹⁾ OJ L 348, 29.12.2009, p. 22.

⁽²⁾ OJ L 12, 19.1.2010, p. 11.

COUNCIL DECISION

of 16 July 2012

extending the period of application of the appropriate measures laid down for the Republic of Guinea in Decision 2011/465/EU and amending that Decision

(2012/404/EU)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000 ⁽¹⁾, as last amended in Ouagadougou on 22 June 2010 ⁽²⁾ ('the ACP-EU Partnership Agreement'), and in particular Article 96 thereof,

Having regard to the Internal Agreement between the representatives of the governments of the Member States, meeting within the Council, on measures to be taken and procedures to be followed for the implementation of the ACP-EC Partnership Agreement ⁽³⁾, and in particular Article 3 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Council Decision 2011/465/EU ⁽⁴⁾ lays down appropriate measures for the Republic of Guinea under Article 96 of the ACP-EU Partnership Agreement.
- (2) Decision 2011/465/EU requires that two benchmarks be achieved before cooperation with the Republic of Guinea under the 10th European Development Fund can be resumed; namely that a detailed timetable including preliminary dates and stages/preparatory operations be drawn up and adopted by the competent authorities for the holding of parliamentary elections by the end of 2011, and that free and transparent parliamentary elections be held.
- (3) To date, neither of these benchmarks has been met.

- (4) It is therefore necessary to extend the period of application of the appropriate measures laid down in Decision 2011/465/EU and to extend the time-limit set in those measures for the holding of parliamentary elections in the Republic of Guinea until the end of 2012,

HAS ADOPTED THIS DECISION:

Article 1

The period of validity of Decision 2011/465/EU is extended by 12 months. To that end, in Article 3 of the Decision 2011/465/EU, the date '19 July 2012' is replaced by the date '19 July 2013'.

Article 2

The time-limit for the holding of parliamentary elections in the Republic of Guinea, as laid down in the appropriate measures, specified in the Annex to the Decision 2011/465/EU, in the left column entitled 'Commitments by the Republic of Guinea' under 'Commitments by Partners', shall be extended until the end of 2012.

Article 3

The letter in the Annex to this Decision is addressed to the authorities of the Republic of Guinea.

Article 4

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

Done at Brussels, 16 July 2012.

For the Council

The President

S. ALETRARIS

⁽¹⁾ OJ L 317, 15.12.2000, p. 3.

⁽²⁾ Agreement amending for the second time the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States, of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000, as first amended in Luxembourg on 25 June 2005 (OJ L 287, 4.11.2010, p. 3).

⁽³⁾ OJ L 317, 15.12.2000, p. 376.

⁽⁴⁾ OJ L 195, 27.7.2011, p. 2.

ANNEX

LETTER TO THE PRESIDENT AND THE PRIME MINISTER OF THE REPUBLIC OF GUINEA

Sirs,

Welcoming the progress made by the Republic of Guinea in returning to constitutional rule following the peaceful conclusion of the presidential elections in 2010 and the inauguration of a legitimate President and a civil government, in July 2011 the Council of the European Union, eased the appropriate measures laid down for the Republic of Guinea.

In Decision 2011/465/EU of 18 July 2011, the Council of the European Union specified that cooperation with the Republic of Guinea under the 10th European Development Fund (EDF) could be resumed in two stages, depending on progress made towards the holding of free and transparent parliamentary elections by the end of 2011.

The Council of the European Union finds that neither of the benchmarks has been met to date and has therefore decided, on the one hand, to extend the period of application of the appropriate measures laid down in Decision 2011/465/EU, and, on the other hand, to extend the time-limit for holding parliamentary elections until the end of 2012. Failure to respect this deadline will limit the possibilities of funds being committed from the 10th EDF.

We should like to recall the importance which the European Union attaches to the holding of credible, free and transparent parliamentary elections as quickly as possible and under optimum conditions, marking the end of the transition in the Republic of Guinea. The European Union confirms its commitment to supporting the organisation of these elections.

We assure you, Sirs, of the European Union's support to your efforts to ensure sustainable economic growth and the welfare of the people of the Republic of Guinea.

Yours faithfully,

Done at Brussels,

For the Council

C. ASHTON

President

For the Commission

A. PIEBALGS

Commissioner

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