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II

(Non-legislative acts)

REGULATIONS

IMPLEMENTING REGULATION OF THE COUNCIL (EU) No 400/2010

of 26 April 2010

extending the definitive anti-dumping duty imposed by Regulation (EC) No 1858/2005 on imports of steel ropes and cables originating, inter alia, in the People's Republic of China to imports of steel ropes and cables consigned from the Republic of Korea, whether declared as originating in the Republic of Korea or not, and terminating the investigation in respect of imports consigned from Malaysia

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Regulation (EC) No 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Community ⁽¹⁾ (the 'basic Regulation'), and in particular Article 13 thereof,

Having regard to the proposal submitted by the European Commission after consulting the Advisory Committee,

Whereas:

(2) In 2004, after it was found that the original measures were circumvented by the transshipment of Chinese-origin SWR via Morocco in accordance with Article 13 of the basic Regulation, the measures were extended by Council Regulation (EC) No 1886/2004 ⁽³⁾ to imports of the same SWR consigned from Morocco. Similarly, after it was found the circumvention of the original measures on imports from Ukraine took place via Moldova following an investigation pursuant to Article 13 of the basic Regulation, the measures were extended by Council Regulation (EC) No 760/2004 ⁽⁴⁾ to imports of the same steel ropes and cables consigned from Moldova.

(3) By Regulation (EC) No 1858/2005 ⁽⁵⁾ the Council, following an expiry review (the 'expiry review'), imposed, in accordance with Article 11(2) of the basic Regulation, a definitive anti-dumping duty on imports of SWR originating, inter alia, in the People's Republic of China, at the level of the original measures. The duty thus imposed remains in force and will hereinafter be referred to as 'the measures in force'.

1. PROCEDURE

1.1. Existing measures and former investigations

(1) By Regulation (EC) No 1796/1999 ⁽²⁾, (the 'original Regulation'), the Council imposed definitive anti-dumping duties of 60,4 % on imports of steel ropes and cables (SWR) originating, inter alia, in the People's Republic of China (the 'PRC' or 'China'). These measures will hereinafter be referred to as 'the original measures' and the investigation that led to the measures imposed by the original Regulation will be hereinafter referred to as 'the original investigation'.

1.2. Request

(4) On 29 June 2009, the Commission received a request pursuant to Article 13(3) of the basic Regulation to investigate the possible circumvention of the anti-dumping measures imposed on SWR originating in the People's Republic of China. The request was submitted by the Liaison Committee of the EU Wire Rope Industries (EWRIS) on behalf of the Union producers of steel ropes and cables (the 'applicant').

⁽¹⁾ OJ L 343, 22.12.2009, p. 51.

⁽²⁾ OJ L 217, 17.8.1999, p. 1.

⁽³⁾ OJ L 328, 30.10.2004, p. 1.

⁽⁴⁾ OJ L 120, 24.4.2004, p. 1.

⁽⁵⁾ OJ L 299, 16.11.2005, p. 1.

- (5) The request alleged that, following the imposition of the anti-dumping measures, a significant change in the pattern of trade involving exports from the PRC and the Republic of Korea and Malaysia to the Union took place, for which there was insufficient due cause or economic justification other than the imposition of the measures in force. This change in the pattern of trade stemmed allegedly from the transshipment of SWR originating in the PRC via the Republic of Korea and Malaysia.
- (6) The request further alleged that the remedial effects of the measures in force were being undermined both in terms of quantity and price. In addition, there was sufficient evidence that these increased imports from the Republic of Korea and Malaysia were made at prices well below the non-injurious price established in the original investigation.
- (7) Finally, the applicant alleged that the prices of SWR consigned from the Republic of Korea and Malaysia were dumped in relation to the normal value established for the like product during the original investigation.

1.3. Initiation

- (8) Having determined, after consulting the Advisory Committee, that sufficient prima facie evidence existed for the initiation of an investigation pursuant to Article 13 of the basic Regulation, the Commission initiated an investigation by Regulation (EC) No 734/2009⁽¹⁾ (the 'initiating Regulation'). Pursuant to Articles 13(3) and 14(5) of the basic Regulation, the Commission, by the initiating Regulation, also directed the customs authorities to register imports of SWR consigned from the Republic of Korea and Malaysia.

1.4. Investigation

- (9) The Commission officially advised the authorities of the PRC, the Republic of Korea and Malaysia, the producers/exporters and the traders in those countries, as well as the importers in the Union known to be concerned and the applicant Union industry of the initiation of the investigation. Questionnaires were sent to the known producers/exporters in the PRC, the Republic of Korea and Malaysia known to the Commission from the request or through the Missions of the Republic of Korea and Malaysia to the European Union or which made themselves known within the deadlines specified in Article 3(1) of the initiating Regulation. Questionnaires were also sent to traders in the Republic of Korea and Malaysia and to the importers in the Union named in the request. Interested parties were given the opportunity to

make their views known in writing and to request a hearing within the time limit set in the initiating Regulation.

- (10) Fifteen producers/exporters and two traders in the Republic of Korea, two producers/exporters in Malaysia, five producers/exporters in China, two related importers, ten unrelated importers in the Union and the European Wire Rope Importers Association made themselves known. Several other companies claimed that they are not involved in the production or export of the product under investigation.
- (11) The following companies submitted replies to the questionnaires and verification visits were subsequently carried out at their premises:

Producers/exporters in the Republic of Korea:

- Bosung Wire Rope Co., Ltd, Kimhae-Si,
- Chung Woo Rope Co., Ltd, Busan,
- CS Co., Ltd, Yangsan-City,
- Cosmo Wire Ltd, Ulsan,
- Dae Heung Industrial Co., Ltd, Haman – Gun,
- DSR Wire Corp., Suncheon-City and its related company DSR Corp., Busan,
- Goodwire Mfg., Co., Ltd, Yangsan-city,
- Kiswire Ltd, Seoul,
- Line Metal Co., Ltd, Changnyoung-Gun,
- Manho Rope & Wire Ltd, Busan,
- Shin Han Rope Co., Ltd, Incheon,
- Ssang Yong Cable Mfg. Co., Ltd, Busan,
- Young Heung Iron & Steel Co., Changwon City

Trader in the Republic of Korea:

- Trion Co. Ltd, Busan

⁽¹⁾ OJ L 208, 12.8.2009, p. 7.

Producers/exporters in Malaysia:

- Kiswire Sdn. Bhd., Johor Bahru,
- Southern Wire Industries (M) Sdn. Bhd., Shah Alam, Selangor

Producers/exporters in the PRC:

- Qingdao DSR, Qingdao,
- Kiswire Qingdao Ltd, Qingdao,
- Young Heung (Taicang) Steel Wire Rope Co., Ltd, Tai Cang City

Related importers:

- Kiswire Europe, the Netherlands,
- Verope AG, Switzerland.

1.5. Investigation period

- (12) The investigation period covered the period from 1 July 2008 to 30 June 2009 (the 'IP'). Data was collected for the period from 1999 up to the end of the IP to investigate the alleged change in the pattern of trade.

2. RESULTS OF THE INVESTIGATION**2.1. General considerations**

- (13) In accordance with Article 13(1) of the basic Regulation, the assessment of the existence of circumvention was made by analysing successively whether there was a change in the pattern of trade between third countries and the Union, if this change stemmed from a practice, process or work for which there was insufficient due cause or economic justification other than the imposition of the duty, if there was evidence of injury or that the remedial effects of the duty were being undermined in terms of the prices and/or quantities of the like product, and whether there was evidence of dumping in relation to the normal values previously established for the like product, if necessary in accordance with the provisions of Article 2 of the basic Regulation.

2.2. Product concerned and the like product

- (14) The product concerned is, as defined in the original investigation, steel ropes and cables, including locked

coil ropes, excluding ropes and cables of stainless steel, with a maximum cross-sectional dimension exceeding 3 mm (in industry terminology often referred to as SWR), originating in the People's Republic of China, currently falling within CN codes ex 7312 10 81, ex 7312 10 83, ex 7312 10 85, ex 7312 10 89 and ex 7312 10 98 (the product concerned).

- (15) The product under investigation is steel ropes and cables including locked coil ropes, excluding ropes and cables of stainless steel, with a maximum cross-sectional dimension exceeding 3 mm, consigned from the Republic of Korea and Malaysia, whether declared as originating in the Republic of Korea and Malaysia or not (the product under investigation), currently falling within the same CN codes as the product concerned.
- (16) The investigation showed that the SWR exported to the Union from the PRC and those consigned from the Republic of Korea and Malaysia to the Union have the same basic physical and technical characteristics and have the same uses, and are therefore to be considered as like products within the meaning of Article 1(4) of the basic Regulation.

2.3. Degree of cooperation and determination of the trade volumes

- (17) As stated above in recital 11, fourteen exporters/producers in the Republic of Korea, one Korean trader, two exporting producers in Malaysia and three exporting producers in China cooperated by submitting questionnaire replies.

Republic of Korea

- (18) After the submission of its questionnaire reply, one Korean company notified the Commission that it went bankrupt and therefore it withdrew its cooperation.
- (19) In the case of another Korean company the application of Article 18(1) was found to be warranted for the reasons set out in recital 47.
- (20) The cooperating Korean exporting producers covered 81 % of the total Korean exports to the Union in the IP as reported in Comext. Therefore, even though cooperation was high, the cooperating producers/exporters did not completely cover the overall export volume of SWR from the Republic of Korea. The overall export volumes were thus based on Comext.

Malaysia

- (21) There are two known producers in Malaysia. The total export quantities of the two cooperating companies in Malaysia exceeded the import volume of the product under investigation recorded in Comext. Therefore the exporting producers were considered to be reflecting the total exports of SWR from Malaysia to the Union.
- (22) The applicant claimed that Comext data were unreliable and therefore total export volumes from Malaysia to the Union should not be determined on this basis. However, during the investigation, import data were counter checked with Malaysian official statistics and with the verified questionnaire replies. This analysis did not reveal that actual exports from Malaysia exceeded the exports reported by the cooperating Malaysian companies. The applicant's argument had therefore to be rejected.

People's Republic of China

- (23) There was a low level of cooperation by producers/exporters in the PRC, with only three exporters/producers submitting a questionnaire reply. Moreover, none of those companies exported the product concerned to the Union and only in very minor quantities to Malaysia. The exports of the cooperating companies covered 41 % of the total Chinese exports to the Republic of Korea. Therefore, on the basis of the information submitted by the cooperating parties no reasonable determination could be made as to export volumes of SWR from the PRC.
- (24) Given the above, findings in respect of imports of SWR into the Union and exports of SWR from the PRC to the Republic of Korea and Malaysia had to be made partially on the basis of facts available in accordance with Article 18 of the basic Regulation. Comext data was used to determine overall import volumes from the PRC to the Union. Chinese, Korean and Malaysian national statistics were used for the determination of the overall imports to the Republic of Korea and Malaysia from the PRC. Data were cross-checked among the different statistical sources and confirmed by other statistical databases such as the Global Trade Atlas, China Export Database and the data provided by the customs authorities of the Republic of Korea and Malaysia.
- (25) The import volume recorded in Korean, Malaysian and Chinese statistics covered a larger product group than the product concerned or the product under investigation. Therefore, the statistics were adjusted accordingly based on the findings of the present investigation.

2.4. Change in the pattern of trade*Imports of SWR into the Union*

- (26) Imports of SWR from China to the Union had first dropped close to zero subsequent to the imposition of the measures in 1999. After a gradual increase between 2003 and 2006 — with imports peaking in the latter year at the level of 8 656 tonnes — the trend has reversed and imported amounts have fallen again by more than 40 % between 2006 and the IP.
- (27) On the other hand, total imports of Korean SWR to the Union have increased significantly between 1999 and 2008 from approximately 11 123 tonnes to 48 214 tonnes. The yearly increase in absolute terms was the most significant in the years 2002 and 2003 and more recently in 2006 and 2007.
- (28) Based on information in the complaint and that provided by the Mission of the Republic of Korea to the European Union, the present investigation is considered to have covered the vast majority, if not all, of the genuine producers of the product under investigation in Korea. Therefore it was considered that the exports by non-cooperating Korean companies to the Union, which represented approximately 19 % of the total exports in terms of quantity from the Republic of Korea, are, apart from the producers mentioned in recitals 18 and 47, mainly exported by traders.
- (29) These companies have visibly increased their exports to the Union in 2006 and 2007. Exports in these years were about 20 % higher than in 2005, the first year for which data at this level is available. Exports of the non-cooperating companies have been diminishing as from 2008 which is to be seen in light of the investigation of the Korean authorities in this period as described in recital 52.
- (30) As far as Malaysia is concerned, both Comext data and the total export of the cooperating companies show that exports from Malaysia to the Union have also been continuously increasing in the past. The increase was the most significant and steady between 2005 and the IP when Malaysian exports to the Union doubled.
- (31) Table 1 shows import quantities of SWR from the above-mentioned countries into the Union since the imposition of the measures in 1999 until the IP:

Table 1

Evolution of imports of SWR to the Union since the imposition of the measures

Import volumes given in tonnes	1999	2000	2001	2002	2003	2004
PRC	N/A	414	283	394	913	2 809
Share of total imports	—	1 %	1 %	1 %	2 %	5 %
Republic of Korea	11 122	12 486	13 280	16 223	22 302	31 862
Share of total imports	—	29 %	32 %	37 %	47 %	52 %
Malaysia	2 989	2 366	4 171	3 371	4 836	4 426
Share of total imports	—	5 %	10 %	8 %	10 %	7 %

Import volumes given in tonnes	2005	2006	2007	2008	IP
PRC	4 945	8 656	6 219	6 795	4 987
Share of total imports	7 %	11 %	7 %	7 %	6 %
Republic of Korea	34 536	39 128	45 783	48 213	43 185
Share of total imports	50 %	50 %	55 %	53 %	50 %
Korean non-cooperating companies	11 577	14 042	14 160	10 287	8 391
<i>Index (2005 = 100)</i>	100	121	122	89	72
Malaysia	5 123	7 449	8 142	9 685	10 116
Share of total imports	7 %	10 %	10 %	11 %	12 %
Malaysian cooperating companies (index, 2006 = 100)	—	100	102	148	144

Source: Comext, Korean statistics (KITA)

(32) Looking at the pattern of the above three trade flows, it can be observed that particularly since 2005, Korean exporters and partly Malaysian exporters have significantly outsold and to some extent replaced Chinese exporters on the Union market in terms of volume.

(33) Due to the global economic slowdown which coincides with the IP, traded volumes of SWR have decreased or the increase has slowed down between all countries concerned. The decrease was however the most significant in the case of imports from the PRC to the Union (– 27 %).

Chinese exports to the Republic of Korea and Malaysia

(34) A dramatic increase of exports of steel wire ropes and cables (all diameters) can also be observed from China to

the Republic of Korea within the same period: from a relatively insignificant amount in 1999 (2 519 tonnes) they increased to 78 822 tonnes in 2008. The increase was most significant between 2005 and 2008 when imports quadrupled. In recent years China was the largest exporter of SWR to Korea representing 89 % of the total imports of SWR in 2008. The estimated import for the product concerned only (products with a diameter above 3 mm), in 2008, was 58 885 tons.

(35) Looking at imports of the non-cooperating Korean companies only, the same dramatic increase can be observed, i.e. imports from China by these companies have quadrupled by 2007 and 2008. Although imports have started to decrease afterwards, they remained well above the level of imports in 2005 continuing to represent very significant amounts.

Table 2

Import of Chinese products into the Republic of Korea between 1999 and the IP

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	IP
Import (tonnes, all diameters)	2 519	6 764	6 044	7 740	11 421	14 120	19 933	36 531	69 620	78 822	66 099
Yearly change (%)	—	169	– 11	28	48	24	41	83	91	13	– 16
Imports by Korean non-cooperating companies (tonnes, product concerned only)	N/A	N/A	N/A	N/A	N/A	N/A	7 166	18 053	33 907	29 717	22 004
Index (2005 = 100)	N/A	N/A	N/A	N/A	N/A	N/A	100	252	473	415	307

Source: Korean statistics (KITA), data provided by the Korean Customs Services, verified information provided by the cooperating producers

- (36) To establish the trend of the China to Malaysia trade flow of SWR, both Malaysian and Chinese statistics were considered. Both of these data are only available at a higher product group level than the product concerned. Furthermore they showed considerable differences. Therefore, no reliable data could be established in this regard.
- (37) The applicant claimed that the fact that no reliable data could be established would not be sufficient to conclude that no circumvention took place. As outlined in recitals 38 and 55, the evidence available in the current investigation, i.e. in particular production volume of the cooperating Malaysian exporting producers as well as their export sales to the Union showed that exports of SWR from Malaysia were of genuine Malaysian origin and therefore did not constitute circumvention. In this case, it was therefore irrelevant whether or not there were imports from China to Malaysia. The applicant's claim was therefore rejected.

Production volumes in the Republic of Korea and Malaysia

- (38) The evolution of the total production volume of cooperating producers in the Republic of Korea had remained stable between 2006 and the IP. Malaysian producers however have considerably increased their output during the same period.

Table 3

Production of SWR of the cooperating companies in the Republic of Korea and Malaysia

Production volumes given in tonnes	2006	2007	2008	IP
Republic of Korea	152 657	159 584	160 113	142 413
Index	100	105	105	93
Malaysia (indexed)	100	164	171	157

Source: Verified information provided by the cooperating producers

2.5. Conclusion on the change in the pattern of trade

- (39) The overall decrease of Chinese exports to the Union as from 2006 and the parallel increase of exports from the Republic of Korea and Malaysia and of exports from the PRC to the Republic of Korea after the imposition of the original measures and in particular until 2008 constituted a change in the pattern of trade between the abovementioned countries on the one hand and the Union on the other. In the case of the Republic of Korea, this conclusion could be reached both globally and, for the period between 2005 and 2007, also separately for the non-cooperating companies.
- (40) Comments were received claiming that the increase of exports of Korean SWR to the Union was stable over the years without any sudden increase; such an increase allegedly being a precondition to establishing a change in the pattern of trade. Furthermore, it was claimed that the increase should be regarded rather as the natural development of the Korean SWR industry.
- (41) Firstly, in accordance with Article 13 of the basic Regulation, a change in the pattern in trade is not exclusively defined as a sudden increase of imports of a country under investigation. Secondly, the investigation has shown that while Korean exports to the Union in 2006 and 2007 increased substantially, the output by Korean producers in those years was stable. It thus could not be concluded that the development of the Korean export volumes was solely due to the natural development of the Korean SWR industry. Finally, for the most part opposite trends between the China to Union trade flows and China to Korea and Korea to Union trade flows since 2006 clearly showed a change in the pattern of trade between the Union and third countries. These arguments therefore had to be rejected.

2.6. Nature of the circumvention practice

- (42) Article 13(1) requires that the change in the pattern of trade stems from a practice, process or work for which there is insufficient due cause or economic justification other than the imposition of the duty. The practice, process or work includes, inter alia, the consignment of the product subject to measures via third countries and the assembly of parts by an assembly operation in the Union or a third country. For this purpose the existence of assembly operations was determined in accordance with Article 13(2) of the basic Regulation.

The Republic of Korea

Transshipment

- (43) The global analysis of the final destinations of steel ropes and cables produced or imported to and from Korea by

the cooperating and non-cooperating companies — including imports to and from countries other than the PRC and the Union — showed that a certain amount of exports from Korea to the Union were Chinese-origin imports into Korea, because these imports were not sourced from other third countries or produced by the domestic producers in Korea.

- (44) Moreover, the comparison of the total Korean export of SWR — as recorded in Korean statistics — and the verified information of the cooperating exporting producers concerning their production showed that production destined for export by Korean producers (118 856 tonnes) was significantly lower than the total exports from Korea (156 440 tonnes) in the IP. Given the high cooperation of Korean companies in this investigation, this difference cannot be explained by producers that may not have been cooperating in the investigation.
- (45) The investigation also revealed that some importers in the Union sourced Chinese origin SWR from Korean exporters not cooperating during the present investigation. This information was counter-checked with Korean trade databases which showed that at least some of the SWR exported by these non-cooperating companies was indeed sourced in China.
- (46) As for the cooperating companies it could be established that none of them transhipped the product concerned via the Republic of Korea in the IP. Some of them imported SWR from the PRC, but these were found to be exclusively sold on the domestic and other export markets.
- (47) In the case of one company it was found that it submitted false information in its questionnaire reply. Furthermore, during the verification visit access to information was partially denied. Therefore in accordance with Article 18(1) of the basic Regulation, findings with regard to this company were based on facts available. In accordance with Article 18(4), the company was informed of the intention to disregard the information submitted by it and was granted a time limit to provide further explanations.
- (48) Subsequent to disclosure, the company admitted that it had circumvented the measures in the past by falsifying the origin of products purchased from the PRC. On the other hand the company claimed that it submitted sufficient information regarding the production, sales and purchases during the IP which was verified on-spot. It further argued that this should be sufficient to determine that it had not circumvented the measures in force in the IP.

(49) However, in view of the fact that circumvention by the company admitted to have engaged in circumvention practices and furthermore tried to mislead the investigation, it is considered appropriate to disregard the entirety of the company's submission and not to exempt this company from the extended measures, as further outlined below in recital 77.

(50) As explained in recital 18, one company notified the Commission that it went bankrupt and withdrew its cooperation. As above, findings with regard to this company had to be based on the facts available within the meaning of Article 18(1) of the basic Regulation.

(51) On the basis of these facts it was concluded that although none of the cooperating Korean producers were found to be involved, transshipment was taking place during the IP and the preceding years. This is also confirmed by the findings with regard to the change of the pattern in trade as described above in recital 39.

(52) It has to be noted that in 2007 OLAF started an investigation into transshipment of the same product through Korea. The Korean authorities are known to have carried out investigations into alleged circumvention practices at the same time and concluded that several companies, mainly traders, committed fraud by falsifying the origin of SWR imported from the PRC to Korea when re-exporting the product.

(53) The existence of transshipment of Chinese-origin products via the Republic of Korea was therefore confirmed.

Assembly operation

(54) The sources of raw materials and the cost of production was analysed for each cooperating company in order to establish whether any assembly operation in the Republic of Korea was circumventing the measures according to the criteria of Article 13(2). In all cases the Chinese-origin raw material (wire rod or semi finished product) did not constitute 60 % or more of the total value of the parts of the final product. It was therefore not necessary to examine whether or not the 25 % threshold of value added was reached or not.

Malaysia

Transshipment

(55) The investigation established that none of the cooperating producers in Malaysia imported the product concerned from China during the IP.

(56) Based on the share of the exports by the cooperating companies to the Union within the total exports from Malaysia to the Union as recorded in Comext, it could be concluded that the increase of imports from Malaysia shown in the statistics can be explained fully by the increase of the cooperating companies' exports. This conclusion is reinforced by the increase of the total production volume of the genuine Malaysian producers during the same period as described in recital 38.

(57) The applicant questioned this finding without providing any further reason or evidence. This argument had therefore to be rejected.

Assembly operation

(58) The sources of raw materials and the cost of production was analysed for each cooperating company to establish whether any assembly operation in Malaysia is circumventing the measures according to the criteria of Article 13(2). In all cases the Chinese-origin raw material (wire rod or semi finished product) did not constitute 60 % or more of the total value of the parts of the final product. It was not necessary, therefore, to examine whether or not the 25 % threshold of value added was reached.

(59) It could therefore be concluded that the change in the pattern of trade observed between the PRC, Malaysia and the Union did not stem from circumvention practices in Malaysia. Consequently, the investigation concerning imports of SWR consigned from Malaysia should be terminated.

2.7. Insufficient due cause or economic justification other than the imposition of the anti-dumping duty (Republic of Korea)

(60) The investigation did not bring to light any other due cause or economic justification for the transshipment than the avoidance of the anti-dumping duty in force on SWR originating in China.

2.8. Undermining of the remedial effect of the anti-dumping duty (non-cooperating Korean companies)

(61) To assess whether the imported products had, in terms of quantities and prices, undermined the remedial effects of the measures in force on imports of SWR from China, Comext data was used as the best data available concerning quantities and prices of exports by non-cooperating companies. The prices so determined were compared to the injury elimination level established for Union producers in the expiry review.

(62) The increase of imports from Korea was considered to be significant in terms of quantities bearing in mind the size of the market as determined in the expiry review (recital 99 of Regulation (EC) No 1858/2005). The estimated Union consumption in the current investigation period gives a similar indication about the significance of these imports. The comparison of the injury elimination level as established in the expiry review and the weighted average export price showed significant underselling. It was therefore concluded that the measures are being undermined in terms of quantities and prices.

2.9. Evidence of dumping (non-cooperating Korean companies)

(63) Finally, in accordance with Article 13(1) and (2) of the basic Regulation it was examined whether there was evidence of dumping in relation to the normal value previously established for the like or similar products.

(64) In the expiry review the normal value was established on the basis of prices in Turkey, which in that investigation was found to be an appropriate market economy analogue country for the PRC. In the present investigation, it was established that the price of wire rod, the main input used in the production of SWR increased significantly since the expiry review. In addition, considering that the price developments of the raw materials were reflected in the export price during the IP, it was therefore deemed appropriate to up date the normal value as previously established by the development of raw material prices.

(65) A significant part of Korean exports were found to be genuine Korean production. For this reason, in order to establish the export prices from the Republic of Korea which are affected by circumvention, only the exports of the non-cooperating producers/exporters was considered which was based on best facts available, i.e. on the average export price of SWR during the IP as reported in Comext.

(66) For the purpose of a fair comparison between the normal value and the export price, due allowance, in the form of adjustments, was made for differences which affect prices and price comparability in accordance with Article 2(10) of the basic Regulation. Accordingly, adjustments were made for differences in indirect taxes, transport and insurance costs based on the average costs of the cooperating Korean producers/exporters in the IP.

(67) In accordance with Articles 2(11) and 2(12) of the basic Regulation, dumping was calculated by comparing the weighted average normal value as established in the

expiry review and the weighted average export prices during this investigation's IP, expressed as a percentage of the CIF price at the Union frontier duty unpaid.

(68) The comparison of the weighted average normal value and the weighted average export prices so established showed dumping.

3. MEASURES

(69) Given the above, it was concluded that the definitive anti-dumping duty imposed on imports of SWR originating in China was circumvented by transshipment via the Republic of Korea pursuant to Article 13(1) of the basic Regulation.

(70) In accordance with the first sentence of Article 13(1) of the basic Regulation, the measures in force on imports of the product concerned originating in the PRC, should be extended to imports of the same product consigned from the Republic of Korea, whether declared as originating in the Republic of Korea or not.

(71) The measures to be extended should be the ones established in Article 1(2) of Regulation (EC) No 1858/2005, which are a definitive anti-dumping duty of 60,4 % applicable to the CIF net, free-at-Union-frontier price, before customs duty.

(72) In accordance with Articles 13(3) and 14(5) of the basic Regulation, which provides that any extended measure should apply to imports which entered the Union under registration imposed by the initiating Regulation, duties should be collected on those registered imports of SWR consigned from Korea.

4. TERMINATION OF THE INVESTIGATION AGAINST MALAYSIA

(73) In view of the findings regarding Malaysia, the investigation concerning the possible circumvention of anti-dumping measures by imports of SWR consigned from Malaysia should be terminated and the registration of imports of SWR consigned from Malaysia, introduced by the initiation Regulation, should be discontinued.

(74) The applicant contested the proposal to terminate the investigation against Malaysia. Having already addressed all its arguments above, there was no other reason to reconsider the proposal.

5. REQUESTS FOR EXEMPTION

- (75) The fourteen companies in the Republic of Korea submitting a questionnaire reply requested an exemption from the possible extended measures in accordance with Article 13(4) of the basic Regulation.
- (76) As explained in recital 18, one of these companies subsequently ceased cooperation. Its request for exemption in accordance with Article 13(4) had therefore to be rejected.
- (77) Another company as outlined in recital 47 submitted false information and denied access to information requested. Its request for exemption in accordance with Article 13(4) could therefore not be granted.
- (78) A third company in the Republic of Korea did not export the product either during the IP or after that period and no conclusions could be drawn as to the nature of its operations. Therefore, an exemption to this company could not be granted. However, should it appear, after extension of the anti-dumping measures in force, that the conditions in Article 11(4) and 13(4) of the basic Regulation are fulfilled; the company's situation may be reviewed upon request.
- (79) That third company has objected and reiterated its request for an exemption. However, it did not come forward with new information and evidence that could have altered the above decision. Therefore, its request could not be accepted.
- (80) None of the other cooperating companies in the Republic of Korea were found circumventing the measures. Furthermore, none of the companies requesting exemption are related to companies engaged in circumvention practices. In particular, it is noted that four of the producers concerned are related to PRC companies that are subject to the original measures. However, there is no evidence that such relationship was established or used to circumvent the measures in place on imports originating in China. Exemptions should thus be granted to all other cooperating companies not mentioned in recitals 76 to 78.
- (81) It is considered that special measures are needed in this case in order to ensure the proper application of such exemptions. These special measures are the requirement of the presentation to the Customs authorities of the Member States of a valid commercial invoice, which

shall conform to the requirements set out in the Annex to this Regulation. Imports not accompanied by such an invoice shall be made subject to the extended anti-dumping duty applicable to all the companies in the Republic of Korea that are not exempted.

- (82) Other exporters concerned which were not contacted by the Commission in the framework of this proceeding and which intend to lodge a request for an exemption from the extended anti-dumping duty pursuant to Article 13(4) of the basic Regulation will be required to complete a questionnaire in order to enable the Commission to determine whether an exemption may be warranted. The Commission would normally also carry out an on-spot verification visit. The request would have to be addressed to the Commission with all relevant information.
- (83) Where an exemption is warranted, the Commission will, after consultation of the Advisory Committee, propose the amendment of this Regulation accordingly. Subsequently, any exemption granted will be monitored to ensure compliance with the conditions set therein.

6. DISCLOSURE

- (84) All interested parties were informed of the essential facts and considerations leading to the above conclusions and were invited to comment. The oral and written comments submitted by the parties were considered. None of the arguments presented gave rise to a modification of the definitive findings,

HAS ADOPTED THIS REGULATION:

Article 1

1. The definitive anti-dumping duty imposed by Regulation (EC) No 1858/2005 on imports of steel ropes and cables including locked coil ropes, excluding ropes and cables of stainless steel, with a maximum cross-sectional dimension exceeding 3 mm, originating in the People's Republic of China, is hereby extended to imports of steel ropes and cables including locked coil ropes, excluding ropes and cables of stainless steel, with a maximum cross-sectional dimension exceeding 3 mm, consigned from the Republic of Korea, whether declared as originating in the Republic of Korea or not, currently falling within CN codes ex 7312 10 81, ex 7312 10 83, ex 7312 10 85, ex 7312 10 89 and ex 7312 10 98 (TARIC codes 7312 10 81 13, 7312 10 83 13, 7312 10 85 13, 7312 10 89 13 and 7312 10 98 13), with the exception of those produced by the companies listed below:

Country	Company	TARIC additional code
The Republic of Korea	Bosung Wire Rope Co., Ltd, 972-5, Songhyun-Ri, Jinrae-Myeun, Kimhae-Si, Gyeongsangnam-Do	A969
	Chung Woo Rope Co., Ltd 1682-4, Songjung-Dong, Gangseo-Gu, Busan	A969
	CS Co., Ltd, 287-6 Soju-Dong Yangsan-City, Kyounghnam	A969
	Cosmo Wire Ltd, 447-1, Koyeon-Ri, Woong Chon-Myon Ulju-Kun, Ulsan	A969
	Dae Heung Industrial Co., Ltd, 185 Pyunglim – Ri, Daesan-Myun, Haman – Gun, Gyeongnam	A969
	DSR Wire Corp., 291, Seonpyong-Ri, Seo-Myon, Suncheon-City, Jeonnam	A969
	Kiswire Ltd, 20th Fl. Jangkyo Bldg., 1, Jangkyo-Dong, Chung-Ku, Seoul	A969
	Manho Rope & Wire Ltd, Dongho Bldg, 85-2, 4 Street Joongang-Dong, Jong-gu, Busan	A969
	Shin Han Rope Co., Ltd, 715-8, Gojan-dong, Namdong-gu, Incheon	A969
	Ssang Yong Cable Mfg. Co., Ltd, 1559-4 Song-Jeong Dong, Gang-Seo Gu, Busan	A969
	Young Heung Iron & Steel Co., Ltd, 71-1 Sin-Chon Dong, Changwon City, Gyeongnam	A969

2. The application of exemptions granted to the companies specifically mentioned in paragraph 1 or authorised by the Commission in accordance with Article 3(2) shall be conditional upon presentation to the customs authorities of the Member States of a valid commercial invoice, which shall conform to the requirements set out in the Annex. If no such invoice is presented, the anti-dumping duty as imposed by paragraph 1 shall apply.

3. The duty extended by paragraph 1 of this Article shall be collected on imports consigned from the Republic of Korea, whether declared as originating in the Republic of Korea or not, registered in accordance with Article 2 of Regulation (EC) No 734/2009 and Articles 13(3) and 14(5) of Regulation (EC) No 1225/2009, with the exception of those produced by the companies listed in paragraph 1.

4. The provisions in force concerning customs duties shall apply.

Article 2

The investigation initiated by Regulation (EC) No 734/2009 concerning the possible circumvention of anti-dumping measures imposed by Regulation (EC) No 1858/2005 on imports of steel ropes and cables, originating in the People's Republic of China by imports of steel ropes and cables

consigned from Malaysia, whether declared as originating in Malaysia or not, and making such imports subject to registration, is hereby terminated.

Article 3

1. Requests for exemption from the duty extended by Article 1 shall be made in writing in one of the official languages of the European Union and must be signed by a person authorised to represent the entity requesting the exemption. The request must be sent to the following address:

European Commission
Directorate-General for Trade
Directorate H
Office: N-105 04/92
1049 Brussels
BELGIUM
Fax +32 22956505

2. In accordance with Article 13(4) of Regulation (EC) No 1225/2009, the Commission, after consulting the Advisory Committee, may authorise, by decision, the exemption of imports from companies which do not circumvent the anti-dumping measures imposed by Regulation (EC) No 1858/2005, from the duty extended by Article 1.

Article 4

Customs authorities are hereby directed to discontinue the registration of imports, established in accordance with Article 2 of Regulation (EC) No 734/2009.

Article 5

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 Luxembourg, 26 April 2010.

For the Council
The President
C. ASHTON

ANNEX

A declaration signed by an official of the entity issuing the commercial invoice, in the following format, must appear on the valid commercial invoice referred to in Article 1(2):

1. The name and function of the official of the entity issuing the commercial invoice.
 2. The following declaration: 'I, the undersigned, certify that the (volume) of (product concerned) sold for export to the European Union covered by this invoice was manufactured by (company name and address) (TARIC additional code) in (country concerned). I declare that the information provided in this invoice is complete and correct.'
 3. Date and signature.
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COMMISSION REGULATION (EU) No 401/2010**of 7 May 2010****amending and correcting Regulation (EC) No 607/2009 laying down certain detailed rules for the implementation of Council Regulation (EC) No 479/2008 as regards protected designations of origin and geographical indications, traditional terms, labelling and presentation of certain wine sector products**

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 on the common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾, and in particular Article 121 first paragraph points (k), (l) and (m) and Article 203b, in conjunction with Article 4 thereof,

Whereas:

(1) In accordance with Article 25(1) of Commission Regulation (EC) No 607/2009 ⁽²⁾, annual verification of wines bearing protected designation of origin or geographical indication shall be carried out either through random check, sampling or systematic check, bearing in mind that only random checks can be combined with sampling. Some Member States who until now have privileged systematic checks are evolving and wish to be able to combine all three forms of checks. Therefore, as regards annual verification systems, more flexibility should be offered to Member States.

(2) After Regulation (EC) No 607/2009 had been adopted, it was found to contain some technical errors, which should be corrected. In particular, the wine grape variety name 'Montepulciano' was erroneously mentioned in Part B of Annex XV and should therefore be moved to Part A of that Annex. The spelling of some provisions should also be improved in order to gain clarity.

(3) For the sake of clarity and consistency, some provisions of Regulation (EC) No 607/2009 should be redrafted or specified. This is in particular the case of provisions applying to third countries, to whom the use of certain optional particulars should be opened provided that they fulfil equivalent conditions to those required from Member States. It is also the case of Annex XII, where the terminology should be in line with the list of protected designation of origin as listed in the Register. New provisions should also be introduced in order to gain precision in terms of labelling and presentation.

(4) Australia has requested to include new names of wine grape varieties in Annex XV, Part B to Regulation (EC) No 607/2009. The Commission, after having satisfactorily examined the request as regards the conditions laid down in Article 62(1)(b) and Article 62(4) of that Regulation, should include Australia in the column corresponding to the names of those wine grape varieties in that Annex.

(5) The Agreement between the European Community and the United States of America on trade in wine ⁽³⁾ contains a list of vine variety names that may be used as labelling particulars. Thus, United States should be included in Annex XV, Part B to Regulation (EC) No 607/2009, in the column corresponding to the names of those wine grape varieties.

(6) Regulation (EC) No 607/2009 should therefore be amended accordingly.

(7) To avoid administrative burdens associated with certification costs, and trade difficulties, the amendments proposed by this Regulation should apply from the same date as Regulation (EC) No 607/2009, that is from 1 August 2009.

(8) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 607/2009 is amended as follows:

1. Article 18(1) is replaced by the following:

'1. The "Register of protected designations of origin and protected geographical indications" maintained by the Commission as provided for in Article 118n of Council Regulation (EC) No 1234/2007 ^(*), hereinafter referred to as "the Register", is included in the electronic database "E-Bacchus".

^(*) OJ L 299, 16.11.2007, p. 1.'

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 193, 24.7.2009, p. 60.

⁽³⁾ OJ L 87, 24.3.2006, p. 2.

2. Article 24 is replaced by the following:

‘Article 24

Notification of operators

Each operator wishing to participate in all or part of the production or packaging of a product with a protected designation of origin or geographical indication shall be notified to the competent control authority referred to in Article 118o of Regulation (EC) No 1234/2007.’;

3. Article 25 is amended as follows:

(a) in paragraph 1,

(i) the second subparagraph is replaced by the following:

‘The annual verification shall be conducted in the Member State in which production took place in accordance with the product specification and shall be carried out either through:

(a) random checks based on a risk analysis; or

(b) sampling; or

(c) systematically; or

(d) a combination of any of the above.’;

(ii) the fifth subparagraph is deleted;

(b) paragraph 4, point (a) is replaced by the following:

‘(a) the results of the testing referred to in paragraph 1, first subparagraph, points (a) and (b) and in paragraph 2 prove that the product in question complies with the conditions in the specification and possesses all the appropriate characteristics of the designation of origin or geographical indication concerned.’;

4. In Article 56, paragraph 1 is amended as follows:

(a) point (a) is replaced by the following:

‘(a) “bottler” means a natural or legal person or a group of such persons established in the European Union and carrying out bottling or having bottling carried out on their behalf’;

(b) point (f) is replaced by the following:

‘(f) “address” means the indications of the local administrative area and the Member State or third

country in which the head office of the bottler, producer, vendor or importer is situated.’;

5. Article 63 is amended as follows:

(a) in paragraph 2, the fourth subparagraph is replaced by the following:

‘The costs of the certification shall be borne by the operators subject to it, save where Member States decide otherwise.’;

(b) in paragraph 7 the following fourth subparagraph is added:

‘In the case of United Kingdom, the name of the Member State may be replaced by the name of an individual country forming part of United Kingdom.’;

6. In Article 64, paragraph 4 is replaced by the following:

‘4. Paragraph 1 shall not apply to products referred to in paragraphs 3, 8 and 9 of Annex XIb to Regulation (EC) No 1234/2007 provided that the conditions of the use of the indication of the sugar content are regulated by the Member State or established in rules applicable in the third country concerned, including, in the case of third countries, rules emanating from representative professional organisations.’;

7. In Article 67, paragraph 2, the first subparagraph is replaced by the following:

‘For the use of the name of a smaller geographical unit than the area underlying the designation of origin or geographical indication the area of the geographical unit in question shall be well defined. Member States may establish rules concerning the use of these geographical units. At least 85 % of the grapes from which the wine has been produced shall originate in that smaller geographical unit. This does not include:

(a) any quantity of products used in sweetening, “*expedition liqueur*” or “*tirage liqueur*”; or

(b) any quantity of product as referred to in Annex XIb (3) points (e) and (f) of Regulation (EC) No 1234/2007.

The remaining 15 % of the grapes shall originate in the geographical demarcated area of the designation of origin or geographical indication concerned.’;

8. Annex XII is replaced by the text set out in Annex I to this Regulation;

9. Annex XV is replaced by the text set out in Annex II to this Regulation;
10. In Annex XVII, paragraph (b) of Point 4, the first and the second indents are replaced by the following:
- ‘— Tokaj,
- Vinohradnícka oblasť Tokaj’.

Article 2

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

It shall apply from 1 August 2009.

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

Done at Brussels, 7 May 2010.

For the Commission
The President
José Manuel BARROSO

ANNEX I

ANNEX XII

LIST OF TRADITIONAL TERMS AS REFERRED TO IN ARTICLE 40

Traditional terms	Language	Wines ⁽¹⁾	Summary of definition/condition of use ⁽²⁾	Third countries concerned
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PART A: Traditional terms as referred to in Article 118u(1)(a) of Regulation (EC) No 1234/2007

BELGIUM

Appellation d'origine contrôlée	French	PDO (1, 4)	Traditional terms used in place of “protected designation of origin”	
Gecontroleerde oorsprongsbenaming	Dutch	PDO (1, 4)		
Landwijn	Dutch	PGI (1)	Traditional terms used in place of “protected geographical indication”	
Vin de pays	French	PGI (1)		

BULGARIA

Гарантирано наименование за произход (ГНП) (<i>guaranteed designation of origin</i>)	Bulgarian	PDO (1, 3, 4)	Traditional terms used in place of “protected designation of origin” or “protected geographical indication” 14.4.2000	
Гарантирано и контролирано наименование за произход (ГКНП) (<i>guaranteed and controlled designation of origin</i>)	Bulgarian	PDO (1, 3, 4)		
Благородно сладко вино (БСВ) (<i>noble sweet wine</i>)	Bulgarian	PDO (3)		
Регионално вино (<i>Regional wine</i>)	Bulgarian	PGI (1, 3, 4)		

CZECH REPUBLIC

Jakostní šumivé víno stanovené oblasti	Czech	PDO (4)	The wine classified by the Czech Agriculture and Food Inspection Authority, produced from the grapes harvested on defined vineyard in the area concerned, the production of wine used for manufacturing quality sparkling wine produced in specific region has been carried out in the wine-growing area, in the defined area was not been exceeded the yield per hectare according to: wine complies with the requirements regarding to the quality laid down by the implementing legal regulation.	
Jakostní víno	Czech	PDO (1)	The wine classified by the Czech Agriculture and Food Inspection Authority, produced from the grapes harvested on defined vineyard in the area concerned, the yield per hectare was not enhanced, the grapes of which the wine was produced, reached the sugar content 15° NM at least, wine harvesting and producing, with the exception of bottling, were carried out in the wine region concerned, the wine complies with the requirements regarding to the quality laid down by the implementing legal regulation.	
Jakostní víno odrůdové	Czech	PDO (1)	The wine classified by the Czech Agriculture and Food Inspection Authority is produced from grapes, pulp, wine must, wine produced from the grapes harvested on defined vineyard or by means of blending quality wines, and that not more than from three varieties.	
Jakostní víno známkové	Czech	PDO (1)	The wine classified by the Czech Agriculture and Food Inspection Authority is produced from grapes, pulp, wine must, possibly from the wine produced from grapes harvested on defined vineyard.	
Jakostní víno s přívlastkem, <i>supplemented by</i> : — Kabinetní víno — Pozdní sběr — Výběr z hroznů — Výběr z bobulí — Výběr z cibéb — Ledové víno — Slámové víno	Czech	PDO (1)	Wine classified by the Czech Agriculture and Food Inspection Authority, produced from the grapes, pulp, or wine must, possibly from wine produced from the grapes harvested on defined vineyard in the area or sub-area concerned; where the yield per hectare was not exceeded; the wine was produced from grapes, whose origin, sugar content and weight, if need be variety or blend of varieties, or infection by grey mould <i>Botrytis cinerea</i> P. in noble-rot form were verified by the Inspection and comply with the requirements for particular sort of the quality wine with attributes, or through blending quality wines with attributes, the wine complies with the requirements regarding to the quality laid down by the implementing legal regulation, the wine was classified by the Inspection as quality wine with one of the following attributes: — “Kabinetní víno” can be produced only from the grapes the sugar content of which reaches 19° NM at least, — “Pozdní sběr” can be produced only from the grapes the sugar content of which reaches 21° NM at least, — “Výběr z hroznů” can be produced only from the grapes the sugar content of which reaches 24° NM at least, — “Výběr z bobulí” is allowed to be produced only from the selected berries, which reached the sugar content 27° NM at least, — “Výběr z cibéb” is allowed to be produced only from the selected berries affected by the noble rot or from overripe berries, which reached the sugar content 32° NM at least, — “Ledové víno” is allowed to be produced only from the grapes, which have been harvested at the temperatures –7 °C and lower and in the course of harvesting and processing have been left frozen and obtained wine must showed the sugar content 27° NM at least, — “Slámové víno” is allowed to be produced only from the grapes, which have been stored before processing on the straw or reed, if need be hung in ventilated room for a period of at least three months, and obtained must showed the sugar content 27° NM at least.	

Pozdní sběr	Czech	PDO (1)	Wine classified by the Czech Agriculture and Food Inspection Authority, produced from the grapes harvested on defined vineyard in the area concerned, the yield per hectare was not enhanced, the grapes of which the wine was produced reached the sugar content 21° NM at least, wine harvesting and producing, with the exception of bottling, were carried out in the wine region concerned, the wine complies with the requirements regarding to the quality laid down by the implementing legal regulation.	
Víno s přívlaskem, <i>supplemented by</i> : — Kabinetní víno — Pozdní sběr — Výběr z hroznů — Výběr z bobulí — Výběr z cibéb — Ledové víno — Slámové víno	Czech	PDO (1)	Wine classified by the Czech Agriculture and Food Inspection Authority, produced from the grapes, pulp, or wine must, possibly from wine produced from the grapes harvested on defined vineyard in the area or sub-area concerned; where the yield per hectare was not exceeded; the wine was produced from grapes, whose origin, sugar content and weight, if need be variety or blend of varieties, or infection by grey mould <i>Botrytis cinerea</i> P. in noble-rot form were verified by the Inspection and comply with the requirements for particular sort of the quality wine with attributes, or through blending quality wines with attributes, the wine complies with the requirements regarding to the quality laid down by the implementing legal regulation, the wine was classified by the Inspection as quality wine with one of the following attributes: — “Kabinetní víno” can be produced only from the grapes the sugar content of which reaches 19° NM at least, — “Pozdní sběr” can be produced only from the grapes the sugar content of which reaches 21° NM at least, — “Výběr z hroznů” can be produced only from the grapes the sugar content of which reaches 24° NM at least, — “Výběr z bobulí” is allowed to be produced only from the selected berries, which reached the sugar content 27° NM at least, — “Výběr z cibéb” is allowed to be produced only from the selected berries affected by the noble rot or from overripe berries, which reached the sugar content 32° NM at least, — “Ledové víno” is allowed to be produced only from the grapes, which have been harvested at the temperatures –7°C and lower and in the course of harvesting and processing have been left frozen and obtained wine must showed the sugar content 27° NM at least, — “Slámové víno” is allowed to be produced only from the grapes, which have been stored before processing on the straw or reed, if need be hung in ventilated room for a period of at least three months, and obtained must showed the sugar content 27° NM at least.	
Jakostní likérové víno	Czech	PDO (3)	Wine classified by the Czech Agriculture and Food Inspection Authority, produced from the grapes harvested on vineyard concerned in the specific region, the yield per hectare was not been exceeded, the production has been carried out in the specific wine region, where the grapes have been harvested, the wine complies with the requirements regarding to the quality laid down by the implementing legal regulation.	
Zemské víno	Czech	PGI (1)	Wine produced from the grapes harvested in the Czech Republic territory, which are suitable for quality wine production in the specific region, or from the varieties which are introduced in the list of varieties in the implementing legal regulation, it can be labelled only with the geographical indication laid down by the implementing legal regulation; for producing the wine with geographical indication can be used only the grapes, of which the wine was produced, and whose reached the sugar content 14° NM at least and were harvested in the geographical unit, which bears the geographical indication according to this paragraph and complies with the requirements regarding to the quality laid down by the implementing legal regulation; use of the name of other geographical unit that which is introduced in the implementing legal regulation is banned.	

Víno originální certifikace (VOC or V.O.C.)	Czech	PDO (1)	Wine must be produced at the same or smaller territory than the wine region is; the producer must be a member of the association, which is authorised to grant the designation of a wine with the original certification according to act; the wine is in the conformity at least with the quality requirements regarding to the quality wine according to this act, the wine complies with the conditions set in decision on the permission to grant the designation of the wine of original certification; for the rest the wine must comply with the requirements laid down by this act for particular sorts of wine.	
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DENMARK

Regional vin	Danish	PGI (1, 3, 4)	Wine or sparkling wine that is made in Denmark in accordance with the rules set out in national legislation. "Regional wine" will have undergone an organoleptic and analytical assessment. Its nature and character will be derived in part from the area of production, the grapes that are used and the skill of the producer and winemaker.	
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GERMANY

Prädikatswein (Qualitätswein mit Prädikat (*)), <i>supplemented by:</i> — Kabinett — Spätlese — Auslese — Beerenauslese — Trockenbeerenauslese — Eiswein	German	PDO (1)	Global category to wines with special attributes which have reached a certain minimum must weight and which are not enriched (neither chaptalised nor enriched with concentrated grape must), supplemented by one of the following indication: — (Kabinett): First quality level of the quality wines with special attributes (Prädikatsweine); Kabinett wines are light and fine, reaching 67 to 85 degrees Öchsle, depending on grape variety and region; — (Spätlese): Quality wine with special attribute whose must weight lies between 76 and 95 degrees Öchsle, depending on grape variety and region; the grape should be harvested late and must be fully ripe; Spätlese wines have an intense flavour (not necessarily sweet); — (Auslese): Made from individual selected fully ripe grapes which can be concentrated by <i>Botrytis cinerea</i> whose must weight lies between 85 and 100 degrees Öchsle, depending on grape variety an region; — (Beerenauslese): Made from specially selected, fully ripe berries with a high sugar concentration thanks to <i>Botrytis cinerea</i> (noble rot); mostly harvested some time after the normal harvest. Must weight must range between 110 and 125 degrees Öchsle, depending on grape variety and region: wines of great sweetness and preservability; — (Trockenbeerenauslese): Supreme level of quality wines with special attributes (Prädikatswein), whose must weight exceeds 150 degrees Öchsle. Wines of that category are made from carefully selected, over-ripe grapes whose juice has been concentrated by <i>Botrytis cinerea</i> (noble rot). The berries are shrivelled like raisins. The resulting wines offer a lavish sweetness and have little alcohol; — (Eiswein): Eiswein must be made from grapes harvested during hard frost with temperatures below –7 degrees Celsius; pressed while frozen; unique wine of superior quality with extremely high concentrations of sweetness and acidity	
Qualitätswein, <i>whether or not supplemented by</i> b.A. (Qualitätswein bestimmter Anbaugebiete)	German	PDO (1)	Quality wine from defined regions, which has passed an analytical and organoleptical examination and which has fulfilled conditions to the ripeness of the grapes (wine's must weight/Öchslegrade)	
Qualitätslikörwein, <i>supplemented by</i> b.A. (Qualitätslikörwein bestimmter Anbaugebiete) (**)	German	PDO (3)	Quality liqueur wine from defined regions, which has passed an analytical and organoleptical examination and which has fulfilled conditions to the ripeness of the grapes (wine's must weight/Öchslegrade)	

Qualitätsperlwein, <i>supplemented by</i> b.A. (Qualitätsperlwein bestimmter Anbaugebiete) (**)	German	PDO (8)	Quality semi-sparkling wine from defined regions, which has passed an analytical and organoleptical examination and which has fulfilled conditions to the ripeness of the grapes (wine's must weight/Öchslegrade)	
Sekt b.A. (Sekt bestimmter Anbaugebiete) (**)	German	PDO (4)	Quality sparkling wine of defined regions	
Landwein	German	PGI (1)	Superior wine because of its slightly higher must weight	
Winzersekt (**)	German	PDO (1)	Quality sparkling wine produced in specified wine-growing zones obtained from grapes harvested in the same wine-growing establishment in which the manufacturer processes the grapes to wine which are intended to produce the quality sparkling wines produced in a specified wine-growing zone; also applies to producer groups.	

(*) The term "Qualitätswein mit Prädikat" is allowed in a transitional period expiring on 31.12.2010.

(**) No protection is claimed on the terms "Sekt", "Likörwein" and "Perlwein".

GREECE

Ονομασία Προέλευσης Ανωτέρας Ποιότητας (ΟΠΑΠ) (<i>appellation d'origine de qualité supérieure</i>)	Greek	PDO (1, 3, 4, 15, 16)	The name of a region or a specific place, that has been recognised administratively, to describe wines that comply with the following requirements: — they are produced of grapes from prime vine varieties belonging to <i>Vitis vinifera</i> , that come exclusively from this geographical area and their production takes place within this area, — they are produced of grapes from vineyards of low per hectare yields, — their quality and characteristics are essentially or exclusively due to the particular geographical environment with its inherent natural and human factors. [L.D. 243/1969 and L.D. 427/76 on the improvement and protection of the viticultural production]	
Ονομασία Προέλευσης Ελεγχόμενη (ΟΠΕ) (<i>appellation d'origine contrôlée</i>)	Greek	PDO (3, 15)	In addition to the indispensable requirements of the "appellation d'origine de qualité supérieure", the wines belonging to this category, shall fulfil the following ones: — they are produced of grapes from prime vineyards, with low per hectare yields, cultivated in soils appropriate for the production of quality wines, — comply with certain requirements concerning the pruning system of the vineyards and the minimum content of must in sugar. [L.D. 243/1969 and L.D. 427/76 on improvement and protection of viticultural production]	
Οίνος γλυκός φυσικός (<i>vin doux naturel</i>)	Greek	PDO (3)	Wines belonging to the category of "appellation d'origine contrôlée" or "appellation d'origine de qualité supérieure" wines and comply additionally with the following requirements: — come from grape must which has an initial natural alcoholic strength of not less than 12 % vol, — have an actual alcoholic strength of not less than 15 % vol and not more than 22 % vol, — have a total alcoholic strength of not less than 17,5 % vol. [L.D. 212/1982 on Registration of Wines with Designation of Origin "Samos"]	

Οίνος φυσικώς γλυκός (<i>vin naturellement doux</i>)	Greek	PDO (3, 15, 16)	Wines belonging to the category of “appellation d’origine contrôlée” or “appellation d’origine de qualité supérieure” wines and comply additionally with the following requirements: — they are produced of grapes left in the sun or shade, — they are produced without enrichment, — have a natural alcoholic strength of at least 17 % vol (or 300 grams of sugar per litre). [L.D. 212/1982 on Registration of Wines with Designation of Origin “Samos”]	
ονομασία κατά παράδοση (<i>appellation traditionnelle</i>)	Greek	PGI (1)	Wines produced exclusively in the geographical territory of Greece and in addition: — as for wines with traditional designation Retsina, are produced using grape must treated with resin from the Aleppo pine, and — as for wines with traditional designation Verntea, are produced of grapes from vineyards of Zakynthos Island and meet certain terms concerning the utilised grape varieties, the yields per hectare of the vineyards and the content of must in sugar. [P.D. 514/1979 on production, control and protection of resinous wines and M.D. 397779/92 on definition of requirements for the use of indication “Verntea Traditional Designation of Zakynthos”]	
τοπικός οίνος (<i>vin de pays</i>)	Greek	PGI (1, 3, 4, 11, 15, 16)	The indication referred to a region or a specific place that has been recognised administratively, to describe wines that comply with the following requirements: — possess a specific quality, reputation or other characteristics attributable to their origin, — at least 85 % of the grapes used for their production come exclusively from this geographical area and their production takes place in this geographical area, — obtained from vine varieties that have been classified in the specific area, — are produced of grapes from vineyards located in soils appropriate for viticulture with low per hectare yields, — have, defined for each one, natural and actual alcoholic strength [C.M.D. 392169/1999 General rules on use of the term Regional Wine to describe table wine, as amended by the C.M.D. 321813/2007].	

SPAIN

Denominación de origen (DO)	Spanish	PDO (1, 3, 4, 5, 6, 8, 9, 11, 15, 16)	Name of a region, area, locality or demarcated place that has been recognised administratively to designate wines that fulfill the following conditions: — to be elaborated in the region, area, locality or demarcated place with grapes from them, — to enjoy high prestige in trade due to its origin, and — whose quality and characteristics are due to, fundamental or exclusively, the geographical features that include natural and human factors. (Law 24/2003 of the Vine and Wine; other legal requirements are set out in the aforesaid legislation and in other legislations)	Chile
Denominación de origen calificada (DOCa)	Spanish	PDO (1, 3, 4, 5, 6, 8, 9, 11, 15, 16)	In addition to the indispensable requirements to the “denominación de origen”, the “denominacion de origen calificada” shall fulfill the following ones: — at least ten years have passed from its recognition as “denominación de origen”, — the protected products are marketed exclusively bottled from wineries registered and located in the delimited geographic area, and — the area considered apt to produce wines with right to the described denomination of origin are delimited cartographically, by each municipal term. (Law 24/2003 of the Vine and Wine; other legal requirements are set out in the aforesaid law and in other legislations)	

Vino de calidad con indicación geográfica	Spanish	PDO (1, 3, 4, 5, 6, 8, 9, 11, 15, 16)	Wine elaborated in a region, area, locality or demarcated place with grapes originated inside that territory, whose quality, reputation or characteristics are due to the geographic or human factor or to both, in which it concerns about the production of the grape, to the elaboration of the wine or its ageing. These wines are identified by mean of the terms “vino de calidad de”, followed of the name of the region, area, locality or demarcated place where they are produced and elaborated. (Law 24/2003 of the Vine and Wine; other legal requirements are set out in the aforesaid law and in other legislations)	
Vino de pago	Spanish	PDO (1, 3, 4, 5, 6, 8, 9, 11, 15, 16)	Designates the place or rural site with particular soil characteristics and a microclimate that differentiate it and distinguish of others of their surroundings, known with a name traditionally and notoriously linked to the culture of vineyards from which wines with singular characteristics and qualities are obtained and whose maximum extension are limited by rules established by the competent Administration, accordingly with the own characteristics of each region. The extension cannot be equal nor superior to none of the municipal terms in whose territory or territories, if they are more than one, it is located. It is understood that notorious linkage with the culture of the vineyards exists, when the name of the “pago” has been used normally in trade to identify wines obtained from it during a minimum period of five years. All the grapes that are destined to the “vino de pago” shall come from vineyards located in that “pago” and the wine shall be elaborated, to be stored and, in its case, to age of separated form of other wines. (Law 24/2003 of the Vine and Wine; other requirements are set out in the aforesaid law and in other legislations)	
Vino de pago calificado	Spanish	PDO (1, 3, 4, 5, 6, 8, 9, 11, 15, 16)	In case where the totality of the “pago” is included in the territorial scope of a denomination of qualified origin, it may be designated as a “wine of pago calificado”, and the wine produced in shall always be denominated “of pago calificado”, if it fulfils the requirements requested to wines of the qualified denomination of origin and it is registered in it. (Law 24/2003 of the Vine and Wine; other legal requirements are set out in the aforesaid law and in other legislations)	
Vino de la tierra	Spanish	PGI (1, 3, 4, 5, 6, 8, 9, 11, 15, 16)	Requirements for the use of the traditional term “vino de la tierra” accompanied by a geographical indication: 1. In the regulation of the geographic indications of products mentioned in Article 1 they will have to consider, at least, the following aspects: (a) wine category or categories to which the mention is applicable, (b) name of the geographical indication to use, (c) precise boundary of the geographic area, (d) indication of the grape varieties to use, (e) the minimum natural volumetric alcoholic graduation of the different types of wine with right to the mention, (f) an appreciation or an indication of the organoleptic characteristics, (g) the system of control applicable to wines, to be made by a public or private body. 2. The use of a geographical indication to designate wines of a wine mixture coming from grapes harvested in different areas of production will be admitted if the 85 percent, like minimum, from the wine comes from the production area of which it uses the name. (Law 24/2003 of the Vine and Wine; Decret 1126/2003)	

Vino dulce natural	Spanish	PDO (3)	(Annex III, point B(6) of Commission Regulation (EC) No 606/2009)	
Vino Generoso	Spanish	PDO (3)	(Annex III, point B(8) of Commission Regulation (EC) No 606/2009)	Chile
Vino Generoso de licor	Spanish	PDO (3)	(Annex III, point B(10) of Commission Regulation (EC) No 606/2009)	

FRANCE

Appellation d'origine contrôlée	French	PDO (1, 3, 4, 5, 6, 7, 8, 9, 15, 16)	Name of a place used to describe a product originating in that place, the quality or characteristics of which are essentially or exclusively due to a particular geographical environment with its inherent natural and human factors, this product possessing a duly established notoriety and whose production is submitted to control procedures comprising the identification of stakeholders, the control of the conditions of production and the control of the products.	Algeria Switzerland Tunisia
Appellation [...] contrôlée	French			
Appellation d'origine vin délimité de qualité supérieure	French			
Vin doux naturel	French	PDO (3)	Mutated wine, i.e. whose alcoholic fermentation is stopped by addition of neutral wine alcohol. This process aims at raising the alcoholic richness of the wine while keeping most part of the natural sugars of the grape. Depending on the type of Natural sweet wine elaborated, white, red or pink, the mutation is made at a determined stage of the alcoholic fermentation, with or without maceration.	
Vin de pays	French	PGI (1, 3, 4, 5, 6, 7, 8, 9, 15, 16)	Wines with geographical indications, which comply with strict conditions of production laid down by "arrêté", such as maximum yield, minimum alcoholic degree, grape varieties and strict analytic rules.	

ITALY

Denominazione di origine controllata (D.O.C.)	Italian	PDO (1, 3, 4, 5, 6, 8, 11, 15, 16)	Wines Designation of Origin means the geographical name of a wine-growing zone characterised by specific productions and it is used to describe a renowned quality product, whose characteristics are due to the geographical environment and the human factor. The aforementioned law states, for the Italian denominations, the specific traditional term "D.O.C." in order to make clear the above concept of highly qualitative and traditional designation of origin. [Law No 164 of 10.2.1992]	
Kontrollierte Ursprungsbezeichnung	German			
Kontrolirano poreklo	Slovenian			

Denominazione di origine controllata e garantita (D.O.C.G.)	Italian	PDO (1, 3, 4, 5, 6, 8, 11, 15, 16)	It is similar to the D.O.C. definition, but it also contains the word “Guaranteed” and so it is assigned to wines having a particular value, that have been recognised as DOC wines since five years at least. They are marketed in containers whose capability is not more than 5 liters and are ticketed with a Government identification mark to provide a better guarantee for the consumers. [Law No 164 of 10.2.1992]	
Kontrollierte und garantierte Ursprungsbezeichnung	German			
Kontrolirano in garantirano poreklo	Slovenian			
Vino dolce naturale	Italian	PDO (1, 3, 11, 15)	Traditional term used to describe and qualify some wines, extracted from raisined grapes, which contain a certain level of residual sugars produced by the grapes, without enrichment processes. The use is authorised by specific decrees concerning different wines	
Indicazione geografica tipica (IGT)	Italian	PGI (1, 3, 4, 5, 6, 8, 11, 15, 16)	An exclusively Italian term laid down in the Law No 164 of 10 February 1992 to describe Italian wines having a geographical indication, whose specific nature and quality level are due to the geographical grapes production area.	
Landwein	German			
Vin de pays	French			
Deželna oznaka	Slovenian			

CYPRUS

Οίνος Ελεγχόμενης Ονομασίας Προέλευσης (ΟΕΟΠ) (Controlled Designation of Origin)	Greek	PDO (1, 3, 4, 5, 6, 8, 9, 11, 15, 16)	Designates wines with PDO Κ.Δ.Π.403/2005 Αρ.4025/19.8.2005/Ε.Ε. Παρ. ΙΙΙ (Ι) Κ.Δ.Π.212/2005 Αρ.3896/26.04.2005/Ε.Ε. Παρ.ΙΙΙ (Ι) Κ.Δ.Π.706/2004 Αρ.3895/27.08.2004/Ε.Ε. Παρ.ΙΙΙ (Ι)	
Τοπικός Οίνος (Regional Wine)	Greek	PGI (1, 3, 4, 5, 6, 8, 9, 11, 15, 16)	Designates wines with PGI Κ.Δ.Π. 704/2004 Αρ.3895/27.8.2004/Ε.Ε. Παρ. ΙΙΙ(Ι)	

LUXEMBOURG

Crémant de Luxembourg	French	PDO (4)	[Government regulation of 4 January 1991] The main standards to be observed for the production are the following: — the grapes shall be harvested manually and selected specially for the production of Crémant; — the cuvee of basic wines must comply with the quality standards applicable for quality wines; — it is made from must obtained by pressing whole grapes, with regard to white or “rosé” sparkling wines, the quantity of must obtained not exceeding 100 litres for every 150 kg of grapes; — it is bottle-fermented by the traditional method; — the maximum sulphur dioxide content does not exceed 150 mg/l; — the minimum pression of carbon dioxide is not less than 4 atmosphere at 20 °C; — the sugar content is less than 50 g/l.	
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Marque nationale, <i>supplemented by</i> : — appellation contrôlée — appellation d'origine contrôlée	French	PDO (1, 4)	(W): The “Marque nationale” (National seal of approval) for wines of the designation “Moselle luxembourgeoise” was set up by Government regulation of 12 March 1935. The inscription “Marque nationale – appellation contrôlée” on the rectangular label affixed to the rear of the bottle certifies the state-controlled production and quality of the wine. It is issued by the office of the Marque nationale. Only wines of Luxembourg origin that have not been blended with foreign wine and which comply with the national and European requirements can lay claim to this designation. It is also obligatory that wines displaying this label have to be marketed in bottles and the grapes must only have been harvested and vinified within the national production area. The wines are systematically examined by an analytical and organoleptic testing. (SW): The “Marque nationale” of the Luxembourg sparkling wines was set up by Government regulation of 18 March 1988, and it guarantees: — that the sparkling wine is obtained exclusively from wines suitable for making quality wines of the Luxembourg Moselle; — that it corresponds to the quality criteria stipulated for by the national and European Community regulations; — that it is placed under State control.	
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HUNGARY

Minőségi bor	Hungarian	PDO (1)	Means “quality wine” and designates PDO wines	
Védett eredetű bor	Hungarian	PDO (1)	Designates wine with protected origin	
Tájbor	Hungarian	PGI (1)	Means “county wine” and designates PGI wines.	

MALTA

Denominazzjoni ta' Origni Kontrollata (D.O.K.)	Maltese	PDO (1)	[Government Gazette no. 17965 of 5 September 2006]	
Indikazzjoni Ġeografika Tipika (I.G.T.)	Maltese	PGI (1)	[Government Gazette no. 17965 of 5 September 2006]	

NETHERLANDS

Landwijn	Dutch	PGI (1)	This wine is harvested and produced on Dutch territory. The name of the province where the grapes are harvested may be mentioned on the label. The minimum natural alcohol volume in this wine should be 6,5 % vol. or more. For the production of this wine in the Netherlands only grape varieties that are listed in a national list, are to be used	
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AUSTRIA

Districtus Austriae Controllatus (DAC)	Latin	PDO (1)	The conditions for these quality wines (e.g. varieties, taste, alcohol content) are set by a Regional Committee	
Prädikatswein, <i>whether or not supplemented by</i> : — Ausbruch / Ausbruchwein — Auslese / Auslesewein — Beerenauslese / Beerenauslesewein — Kabinett / Kabinettwein — Schilfwein — Spätlese / Spätlesewein — Strohwein — Trockenbeerenauslese — Eiswein	German	PDO (1)	These wines are quality wines and are mainly defined via the natural sugar content of the grapes and the harvest conditions. No enrichment and no sweetening is allowed. Ausbruch / Ausbruchwein: From overripe and botrytis infected grapes with a minimum natural sugar content of 27° Klosterneuburger Mostwaage (KMW); for a better extraction fresh must or wine can be added. Auslese / Auslesewein: From strictly selected grapes with a minimum natural sugar content of 21° KMW. Beerenauslese / Beerenauslesewein: From overripe and/or botrytis infected, selected grapes with a minimum natural sugar content of 25° KMW. Kabinett / Kabinettwein: From fully matured grapes with a minimum natural sugar content of 17° KMW. Schilfwein, Strohwein: Grapes must be stored and naturally dried on reed or straw for at least 3 months before pressing; minimum sugar content must be 25° KMW. Spätlese / Spätlesewein: From fully matured grapes with a minimum natural sugar content of 19° KMW. Trockenbeerenauslese: Grapes must mostly be botrytis infected and naturally shrunken grapes with a minimum sugar content of 30° KMW. Eiswein: Grapes must be naturally frozen during harvest and pressing and must have a minimum sugar content of 25° KMW.	
Qualitätswein besonderer Reife und Leseart, <i>whether or not supplemented by</i> : — Ausbruch / Ausbruchwein — Auslese / Auslesewein — Beerenauslese / Beerenauslesewein — Kabinett / Kabinettwein — Schilfwein — Spätlese / Spätlesewein — Strohwein — Trockenbeerenauslese — Eiswein				
Qualitätswein	German	PDO (1)	From fully matured grapes and certain varieties with a minimum natural sugar content of 15° KMW and a maximum yield of 6 750 l/ha. The wine can only be sold with a quality wine check number.	
Qualitätswein mit staatlicher Prüfnummer				
Landwein	German	PGI (1)	From fully matured grapes and certain varieties with a minimum natural sugar content of 14° KMW and a maximum yield of 6 750 l/ha.	

PORTUGAL

Denominação de origem (D.O.)	Portuguese	PDO (1, 3, 4, 8)	Geographic name of a region or a specific place, or a traditional name, associated with a geographical origin or not, used to describe or identify a product originated from grapes from that region or specific place and whose quality or characteristics are essentially or exclusively due to particular geographical features, with its inherent natural and human factors, and whose production occurs within that defined area or geographical region. [Decreto-Lei n° 212/2004, de 23.8.2004]	
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Denominação de origem controlada (D.O.C.)	Portuguese	PDO (1, 3, 4, 8)	The labelling of wine products entitled to a designation of origin may include the following mentions: “Denominação de Origem Controlada” or “DOC”. [Decreto-Lei nº 212/2004, de 23 de Agosto]	
Indicação de proveniência regulamentada (I.P.R.)	Portuguese	PDO (1, 3, 4, 8)	Name of country or a region or a specific place, or a traditional name, associated or not with a geographical origin, used to describe or identify a wine product originated in, at least, 85 % from grapes harvested within that area in the case of a specific place or region, whose reputation, specific quality or other characteristics may be attributed to that geographical origin and whose production occurs within that defined geographical area or region. [Decreto-Lei nº 212/2004, de 23.8.2004]	
Vinho doce natural	Portuguese	PDO (3)	Sugar rich wine, made from late harvested grapes or affected by noble rot. [Portaria nº 166/1986, de 26.6.1986]	
Vinho generoso	Portuguese	PDO (3)	The liqueur wines traditionally produced in demarcated regions of Douro, Madeira, Setúbal and Carcavelos, called, respectively, Port Wine or Porto, and its translation into other languages, of Madeira Wine or Madeira, and its translation into other languages, Moscatel de Setúbal or Setúbal and Carcavelos. [Decreto-Lei nº 166/1986, de 26.6.1986]	
Vinho regional	Portuguese	PGI (1)	The labelling of wine products entitled to a geographical indication can include the following mentions: “Vinho Regional” or “Vinho da Região de”. [Decreto-Lei nº 212/2004, de 23.8.2004]	

ROMANIA

Vin cu denumire de origine controlată (D.O.C.), <i>supplemented by</i> : — Cules la maturitate deplină – C.M.D. — Cules târziu – C.T. — Cules la înnobilarea boabelor – C.I.B.	Romanian	PDO (1, 3, 8, 15, 16)	Wines bearing a designation of origin are wines produced from grapes obtained in delimited areas characterised by climate, soil and exposure conditions which are favourable for the harvest quality and respect the following requirements: (a) the grapes from which the wine is produced come exclusively from the respective delimited area; (b) the production takes place in the respective geographical area; (c) the quality and characteristics of wine are essentially or exclusively due to a particular geographical environment with its inherent natural and human factors; (d) wines are obtained from vine varieties belonging to <i>Vitis vinifera</i> . According to the maturation stage of the grapes and its quality characteristics at harvest, wines bearing a designation of origin are classified as follows: (a) DOC – CMD – wine bearing a designation of origin obtained from grapes fully matured harvested; (b) DOC – CT – wine bearing a designation of origin obtained from grapes of a late harvest; DOC – CIB – wine bearing a designation of origin obtained at harvest when the grape are ennobled.	
Vin spumant cu denumire de origine controlată (D.O.C.)	Romanian	PDO (5, 6)	Sparkling wines, bearing a protected designation of origin are produced from varieties recommended for this kind of production, being cultivated in delimited vineyards where the wine is produced as a raw material and which is entirely processed until marketing only within the authorised area.	

Vin cu indicație geografică	Romanian	PGI (1, 4, 9, 15, 16)	Wines bearing a geographical indication are produced from grapes harvested on specific vineyards in delimited areas and respecting the following conditions: (a) possess a specific quality, reputation or characteristics attributable to that respective geographic origin; (b) at least 85 % of the grapes used for wine production come exclusively from this geographical area; (c) the production takes place in this geographical area; (d) wines are obtained from vine varieties belonging to the <i>Vitis vinifera</i> or comes from a cross between the species <i>Vitis vinifera</i> and other species of the genus <i>Vitis</i> . The actual alcoholic strength must be with a minimum 9,5 % by volume in case of wines produced in the wine-growing zone B and at least with 10,0 % by volume for the wine-growing zone CI and CII. The total alcoholic strength must not exceed 15 % by volume.	
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SLOVENIA

Kakovostno vino z zaščitenim geografskim poreklom (kakovostno vino ZGP), <i>whether or not supplemented by</i> Mlado vino	Slovenian	PDO (1)	Wine from fully matured grapes with a minimum natural alcohol content of 8,5 % vol (9,5 % vol in zone CII) and a maximum yield of 8 000 l/ha. Analytical and organoleptic evaluation is obligatory.	
Kakovostno peneče vino z zaščitenim geografskim poreklom (Kakovostno vino ZGP)	Slovenian	PDO (1)	Wine obtained by first and second alcoholic fermentation with a minimum actual alcoholic strength of 10 % vol for which the total alcoholic strength of the cuvee is not less than 9 % vol.	
Penina	Slovenian			
Vino s priznanim tradicionalnim poimenovanjem (vino PTP)	Slovenian	PDO (1)	The conditions for these quality wines are set by the Rules of the Minister on the basis of expert's detailed report (e.g. varieties, alcohol content, yield, etc.)	
Renome	Slovenian			
Vrhunsko vino z zaščitenim geografskim poreklom (vrhunsko vino ZGP), <i>whether or not supplemented by</i> : — Pozna trgateg — Izbor — Jagodni izbor — Suhi jagodni izbor — Ledeno vino — Arhivsko vino (Arhiva) — Slamno vino (vino iz sušenega grozdja)	Slovenian	PDO (1)	Wine from fully matured grapes with a minimum natural sugar content of 83degrees Oechsle and a maximum yield of 8 000 l/ha. No enrichment, sweetening, acidification and deacidification is allowed. Analytical and organoleptic evaluation is obligatory. Pozna trgateg: from overripe and/or botrytis infected grapes with a minimum natural sugar content of 92degrees Oechsle; Izbor: from overripe and botrytis infected grapes with a minimum natural sugar content of 108degrees Oechsle; Jagodni izbor: from overripe and botrytis infected selected grapes with a minimum natural sugar content of 128degrees Oechsle; Suhi jagodni izbor: from overripe and botrytis infected selected grapes with a minimum natural sugar content of 154degrees Oechsle; Ledeno vino: grapes must be naturally frozen during harvest and pressing and must have a minimum sugar content of 128degrees Oechsle; Arhivsko vino (arhiva): aged wine from fully matured grapes with a minimum natural sugar content of 83degrees Oechsle; Slamno vino (vino iz sušenega grozdja): grapes must be stored and naturally dried on reed or straw before pressing.	

Vrhunsko peneče vino z zaščitnim geografskim poreklom (Vrhunsko peneče vino ZGP)	Slovenian	PDO (1)	Wine obtained by first and second alcoholic fermentation with a minimum actual alcoholic strength of 10,5 % vol for which the total alcoholic strength of the cuvee is not less than 9,5 % vol.	
Penina	Slovenian			
Deželno vino s priznano geografsko oznako (Deželno vino PGO), <i>whether or not supplemented by Mlado vino</i>	Slovenian	PGI (1)	Wine from fully matured grapes with a minimum natural alcohol content of 8,5 % vol and a maximum yield of 12 000 l/ha. Analytical and organoleptic evaluation is obligatory.	

SLOVAKIA

Akostné víno	Slovak	PDO (1)	Wine classified by Control Institute as quality variety wine or quality branded wine, made from grapes of which natural sugar content is at least 16° NM and the maximum yield per hectare is not exceeded and wine complies with quality requirements determined by special regulation.	
Akostné víno s prívlastkom, <i>supplemented by</i> : — Kabinetné — Neskorý zber — Výber z hrozna — Bobuľový výber — Hrozienský výber — Cibébový výber — Ľadový zber — Slamové víno	Slovak	PDO (1)	Wine classified by the Control Institute as the quality wine with attribute, it complies with quality requirements determined by special regulation, the maximum yield per hectare is not exceeded, vine variety, origin of grapes, its natural sugar contents, weight and health condition are certified before processing by an employee of the Control Institute, the ban on increase in natural alcoholic strength by volume and adjustment of residual sugar is observed. Akostné víno s prívlastkom is divided into: — kabinetné víno yielded from full mature grapes having natural sugar contents of at least 19° NM, — neskorý zber yielded from full mature grapes having natural sugar contents of at least 21° NM, — výber z hrozna yielded from full mature grapes having natural sugar contents of at least 23° NM obtained from carefully selected bunches, — bobuľový výber yielded from manually selected overripe grape bunches from which immature and impaired berries have been removed manually, having natural sugar contents of at least 26° NM, — hrozienský výber yielded exclusively from manually selected overripe natural grape berries, having sugar contents of at least 28° NM, — cibébový výber yielded exclusively from manually selected overripe grape berries refined by effect of <i>Botrytis cinerea</i> Persoon, having natural sugar contents of at least 28° NM, — ľadové víno yielded from grapes harvested at the temperature of minus 7 °C and less and the grapes remained frozen during the harvesting and processing and the obtained must had natural sugar contents of at least 27° NM, — slamové víno yielded from well ripened grapes stored before processing on straw or in reed matting, possibly it has been left hanging on strings for at least three months and the natural sugar content of obtained must was at least 27° NM.	
Esencia	Slovak	PDO (1)	Wine produced by slow fermentation of free-run wine acquired from separately selected cibebas from the defined vineyard of "vinohradnícka oblasť Tokaj". The essence shall contain at least 450 g/l of natural sugar and 50 g/l of sugar-free extract. It shall mature at least three years, of that at least two years in wooden cask.	
Forditáš	Slovak	PDO (1)	Wine produced by alcoholic fermentation of must or wine of the same vintage from the defined vineyard of the "vinohradnícka oblasť Tokaj" poured on wine marc rapes from cibebas. It shall mature at least two years, of that at least one year in wooden cask.	

Másláš	Slovak	PDO (1)	Wine produced by alcoholic fermentation of must or wine of the same vintage from the defined vineyard of the “vinohradnícka oblasť Tokaj” poured on fermentation lees of the Samorodné or Výber. It shall mature at least two years, of that at least one year in wooden cask.	
Pestovateľský sekt (*)	Slovak	PDO (4)	Basic conditions of the production are met with condition for producing quality sparkling wines and the last phase of the process of sparkling wine yielding is carried out by the winegrower of the vineyard from which grapes used for the production are. Single components of the cuvée of the pestovateľský sekt shall be from one wine-growing area.	
Samorodné	Slovak	PDO (1)	Wine produced by alcoholic fermentation from Tokaj grape varieties in wine growing area of “vinohradnícka oblasť Tokaj” from the defined vineyard, if conditions for mass creation of cibebas are not favourable. It may be put into circulation at earliest after two years of maturing, of that at least one year in wooden cask	
Sekt vinohradníckej oblasti (*)	Slovak	PDO (4)	Sparkling wine obtained by primary or secondary fermentation of quality wine from grapes grown on wine-growing fields in wine-growing areas and exclusively in the wine-growing area where grapes for its yielding are grown or in immediately neighbouring area and basic conditions of the production are met with condition for quality sparkling wines.	
Výber (3)(4)(5)(6) putňový	Slovak	PDO (1)	Wine produced by alcoholic fermentation after pouring of cibebas with must having sugar contents of at least 21° NM from the defined vineyard of “vinohradnícka oblasť Tokaj” or with wine having the same quality and same vintage from the defined vineyard of “vinohradnícka oblasť Tokaj”. According to the amount of added cibebas, the Tokajský výber shall be divided into 3 to 6 putňový. Výber shall mature at least three years, of that at least two years in wooden cask	
Výberová esencia	Slovak	PDO (1)	Wine produced by alcoholic fermentation of cibebas. During the harvesting, berries of grapes are selected separately, and they are poured immediately after the processing by must from the defined vineyard of the “vinohradnícka oblasť Tokaj” or by wine of the same vintage which contains at least 180 g/l of natural sugar and 45 g/l of sugar-free extract. It shall mature at least three years, of that at least two years in wooden cask.	

(*) No protection is claimed on the term “sekt”.

UNITED KINGDOM

quality (sparkling) wine	English	PDO (1, 4)	Wine or sparkling wine that is made in England and Wales in accordance with the rules set out in national legislation in those countries. Wines marketed as “quality wine” have undergone an organoleptic and analytical assessment. Its specific nature and character will be derived in part from the area of production, the quality of the grapes used and the skill of the producer and winemaker.	
Regional (sparkling) wine	English	PGI (1, 4)	Wine or sparkling wine that is made in England and Wales in accordance with the rules set out in national legislation in those countries. “Regional wine” will have undergone an organoleptic and analytical assessment. Its nature and character will be derived in part from the area of production, the grapes that are used and the skill of the producer and winemaker.	

BULGARIA

Колекционно (collection)	Bulgarian	PDO (1)	Wine which satisfies the conditions of "special reserve" and which is matured in bottles at least one year, and whose quantity does not exceed 1/2 of the lot "special reserve".	
Ново (young)	Bulgarian	PDO/PGI (1)	The wine has been produced entirely from grapes obtained from one harvest and has been bottled till the end of the year. It can be sold with the indication "new" till 1 March of the following year. In this case on the labels shall obligatory be entered also the indication "term of sale – 1 March ...". After the elapse of the term indicated above the wine cannot be marked and presented as "new" and the quantities of wine left in the commercial network shall obligatory be re-labelled after 31 March of the corresponding year in compliance with the requirements of the ordinance.	
Премиум (premium)	Bulgarian	PGI (1)	Wine produced from one variety of grapes which possesses the highest quality of the whole harvest. The quantity produced does not exceed 1/10 of the whole harvest.	
Премиум оук, или първо зареждане в бъчва (premium oak)	Bulgarian	PDO (1)	Wine matured in new oak casks with volume up to 500 l.	
Премиум резерва (premium reserve)	Bulgarian	PGI (1)	Wine produced from one variety of grapes, represents a preserved quantity from the best lot of the harvest.	
Резерва (reserve)	Bulgarian	PDO/PGI (1)	Wine produced from one variety of grapes, matured at least one year from November in the year of the harvest.	
Розенталер (Rosenthaler)	Bulgarian	PDO (1)	Wine produced from recommended varieties of grapes with sugar content not less than 22 weight percent. The wine possesses an alcoholic strength of at least 11°. Its characteristics are notably due to the addition of grapes must or concentrated grapes must at least 30 days before the expedition.	
Специална селекция (special selection)	Bulgarian	PDO (1)	Wine produced from one variety of grapes or is a blend, matured at least two years after the expiring date stated in the product specification.	
Специална резерва (special reserve)	Bulgarian	PDO (1)	Wine produced from one variety of grapes or is a blend, matured at least one year in oak barrels after the expiring date stated in the product specification.	

CZECH REPUBLIC

Archivní víno	Czech	PDO (1)	Wine placed into the circulation at least three years after the year of harvesting.	
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Burčák	Czech	PDO (1)	Partially fermented grape must, where the actual alcohol content is higher than one volume percentage and lower than three fifths of the total alcohol content.	
Klaret	Czech	PDO (1)	Wine produced from the black grapes without fermentation on skins.	
Košer, Košer víno	Czech	PDO (1)	Wine which has been produced by the liturgical method in the sense of the rules of the Jewish Congregation.	
Labín	Czech	PGI (1)	Wine from black grapes, which has been produced without fermentation on skins in the Czech wine region.	
Mladé víno	Czech	PDO (1)	Wine offered for the consumption to final consumer at the latest by the calendar year end, in which the harvest of grapes used for the production of this wine was carried out.	
Mešní víno	Czech	PDO (1)	Wine which has been produced by liturgical method and complies with the conditions for use during the liturgical acts within the framework of the Catholic Church celebration.	
Panenské víno	Czech	PDO (1)	Wine origins from the first harvest of the vineyard; as the first harvest of the vineyard is considered the harvest carried out in the third year of vineyard plantation.	
Panenská sklizeň	Czech			
Pěstitelský sekt (*)	Czech	PDO (4)	Sparkling wine classified by the Czech Agriculture and Food Inspection Authority, which complies with the requirements of the European Community regulations for the quality sparkling wine produced in specific region from the grapes from winegrower's vineyard.	
Pozdní sběr	Czech	PDO (1)	Wine classified by the Czech Agriculture and Food Inspection Authority, produced from the grapes harvested on defined vineyard in the area concerned, the yield per hectare was not been exceeded, the grapes of which the wine has been produced, reached the sugar content 21° NM at least, wine harvesting and producing, with the exception of bottling, were carried out in the wine region concerned, the wine complies with the requirements regarding to the quality laid down by the implementing legal regulation.	
Premium	Czech	PDO (1)	Wine with attributes of sorts – selection of grapes, selection of berries or selection of raisined berries was produced from the grapes, which were at least from the 30 % affected by the noble rot <i>Botrytis cinerea</i> P.	
Rezerva	Czech	PDO (1)	Wine aged at least for period of 24 months in a wooden barrel and subsequently in a bottle, whereas at least 12 months for red wine and 6 months for white or rosé wine in a barrel.	
Růžák	Czech	PDO (1)	Wine produced from the blend of grapes or grape must from white, if need be red or black grapes.	
Ryšák	Czech			

Zrálo na kvasnicích,	Czech	PDO (1)	Wine during the production was left on lees for a period of at least six months.	
Krášleno na kvasnicích	Czech			
Školeno na kvasnicích	Czech			

(*) No protection is claimed on the term "sekt".

GERMANY

Affentaler	German	PDO (1)	Term of origin for red quality wine and Prädikatswein of the Blauer Spätburgunder wine grape variety from the Altschweier, Bühl, Eisental and Neusatz territories of the town of Bühl, Bühlertal, as well as the Neuweiler territory of the town of Baden-Baden.	
Badisch Rotgold	German	PDO (1)	Wine produced by blending (mixing) white wine grapes, also crushed, with red wine grapes which originates in the specified wine-growing zone Baden	
Classic	German	PDO (1)	Red wine or white quality wine made exclusively from grapes from classical wine grape varieties typical of the region; the must used in production has a natural minimum alcoholic strength which is at least 1 % by volume higher than the natural minimum alcoholic strength prescribed for the wine-growing zone in which the grapes have been harvested; total alcoholic strength at least 11,5 % by volume; residual sugar content not exceeding 15 g/l and not exceeding twice the total acidity content; indication of a single wine grape variety, indication of vintage, but no indication of taste.	
Ehrentrudis	German	PDO (1)	Statement of origin for quality and top-quality wine of the type of wine rosé wine from the Blauer Spätburgunder wine grape variety from the Tuniberg area.	
Federweisser	German	PGI (1)	Partly-fermented grape must from Germany with geographical indication or other EU States; geographical indications borrowing from "vin de pays" wine-growing zone; "Federweißer": in the most common designation for partly-fermented grape must in view of regional diversity of designations.	
Hock	German	PGI (1)	White wine with geographical indication from the Rhine wine-growing zone and a residual sugar content in the "medium-sweet" range; history of the term: Hock is traditionally the Anglo-American designation for Rhine wine, and can be traced back to the place name "Hochheim" (on the Main, Rheingau wine-growing zone).	
Liebfrau(en)milch	German	PDO (1)	Traditional name of a white German quality wine, which consists of at least 70 per cent of a blend of Riesling, Silvaner, Müller-Thurgau or Kerner from the region Nahe, Rheingau, Rheinhessen or Pfalz. Residual sugar content within the range of "medium sweet". Almost exclusively designed for exportation.	
Riesling-Hochgewächs (*)	German	PDO (1)	White quality wine, exclusively produced from grapes of the wine grape variety Riesling, the must used for production has shown a natural alcoholic strength which is at least 1,5 % by volume higher than the natural minimum alcoholic strength prescribed for the specified wine-growing zone or the part of it in which the grapes have been harvested, and which has achieved a quality number of at least 3,0 in the quality test.	

Schillerwein	German	PDO (1)	Wine from the specified wine-growing zone Württemberg; quality wine pale to bright red in colour, produced by blending (mixing) white wine grapes, also crushed, with red wine grapes, also crushed. "Schillersekt b.A." or "Schillerperlwein b.A." permissible if Schillerwein is the basic wine.	
Weissherbst	German	PDO (1)	Quality wine produced in a specified wine-growing zone or Prädikatswein (wine with special attributes) which is produced from one single red wine grape variety and at least 95 per cent from light pressed must; the wine grape variety must be indicated in connection with the Weißherbst designation the same in type face, size and colour; may also be used with domestic quality sparkling wine produced from wine which may bear the designation "Weißherbst".	

(*) No protection is claimed on the terms "Riesling" and "Sekt".

GREECE

Αγρέπαυλη (Agrepavlis)	Greek	PDO/PGI (1, 3, 4, 8, 11, 15, 16)	Wines produced from grapes harvested in vineyards exploited by a holding, where there is a building characterised as "Agrepavlis" and the wine making is carried out within this holding.	
Αμπέλι (Ampeli)	Greek	PDO/PGI (1, 3, 4, 8, 11, 15, 16)	Wines produced exclusively from grapes harvested in vineyards exploited by a holding, and the wine making is carried out within this holding.	
Αμπελώνας(ες) (Ampelonas (-ès))	Greek	PDO/PGI (1, 3, 4, 8, 11, 15, 16)	Wines produced exclusively from grapes harvested in vineyards exploited by a holding, and the wine making is carried out within this holding.	
Αρχοντικό (Archontiko)	Greek	PDO/PGI (1, 3, 4, 8, 11, 15, 16)	Wines produced from grapes harvested in vineyards exploited by a holding, where there is a building characterised as "archontiko" and the wine making is made within this holding.	
Κάβα (Cava)	Greek	PGI (1, 3, 8, 11, 15, 16)	Wines aging under controlled conditions.	
Από διαλεκτούς αμπελώνες (Grand Cru)	Greek	PDO (3, 15, 16)	Wines produced exclusively from grapes of selected vineyards, with special low yields per ha.	
Ειδικά Επιλεγμένος (Grande réserve)	Greek	PDO (1, 3, 15, 16)	Selected wines aging for a specific time, under controlled conditions.	
Κάστρο (Kastro)	Greek	PDO/PGI (1, 3, 4, 8, 11, 15, 16)	Wines produced from grapes harvested in vineyards exploited by a holding, where there is a building or ruins of historical Castle and the wine making is carried out in this holding.	

Κτήμα (<i>Ktima</i>)	Greek	PDO/PGI (1, 3, 4, 8, 11, 15, 16)	Wines produced from grapes harvested in vineyards exploited by a holding, which is located within the relevant viticultural protected area.	
Λιαστός (<i>Liastos</i>)	Greek	PDO/PGI (1, 3, 15, 16)	Wines produced from grapes left in the sun or shade for partial dehydration.	
Μετόχι (<i>Metochi</i>)	Greek	PDO/PGI (1, 3, 4, 8, 11, 15, 16)	Wines produced from grapes harvested in vineyards exploited by a holding, which is located outside the monastery's area where the holding belongs.	
Μοναστήρι (<i>Monastiri</i>)	Greek	PDO/PGI (1, 3, 4, 8, 11, 15, 16)	Wines produced from grapes harvested in vineyards that belong to a monastery.	
Νάμα (<i>Nama</i>)	Greek	PDO/PGI (1)	Sweet wines used for the Holy Communion	
Νυχτέρι (<i>Nychteri</i>)	Greek	PDO (1)	Wines of "Santorini" PDO produced exclusively in the islands "Thira" and "Thiresia", aging in barrels for at least three months	
Ορεινό κτήμα (<i>Orino Ktima</i>)	Greek	PDO/PGI (1, 3, 4, 8, 11, 15, 16)	Wines produced from grapes harvested in vineyards exploited by a holding, located in an altitude over 500 m	
Ορεινός αμπελώνας (<i>Orinos Ampelonas</i>)	Greek	PDO/PGI (1, 3, 4, 8, 11, 15, 16)	Wines produced exclusively from grapes grown in vineyards located in an altitude over 500 m	
Πύργος (<i>Pyrgos</i>)	Greek	PDO/PGI (1, 3, 4, 8, 11, 15, 16)	Wines produced from grapes harvested in vineyards exploited by a holding, where there is a building characterised as "Pyrgos" and the wine making is carried out within this holding	
Επιλογή ή Επιλεγμένος (<i>Réserve</i>)	Greek	PDO (1, 3, 15, 16)	Selected wines aging for a particular time, under controlled conditions	
Παλαιωθείς επιλεγμένος (<i>Vieille réserve</i>)	Greek	PDO (3, 15, 16)	Selected liqueur wines aging for a particular time, under controlled conditions	
Βερντέα (<i>Verntea</i>)	Greek	PGI (1)	Wine of traditional designation produced from grapes harvested in vineyards of the island of Zakynthos where also the wine making takes place	
Vinsanto	Latin	PDO (1, 3, 15, 16)	Wine of "Santorini" PDO produced in the complex of Santo Erini-Santorini of the islands of "Thira" and "Thirasia" from grapes left in the sun.	

SPAIN

Amontillado	Spanish	PDO (3)	Liqueur wine (Vino generoso) of "Jerez-Xérès-Sherry", "Manzanilla-Sanlúcar de Barrameda", "Montilla-Moriles" dry PDOs, of sharp aroma, countersunk, smooth and full to paladar, of color amber or gold, with acquired alcoholic strength between 16–22°. Aged during at least two years, by the system of "criaderas y soleras", in oak container of maximum capacity of 1 000 l.	
Añejo	Spanish	PDO/PGI (1)	Wines aged for a minimum period of twenty-four months in total, in wood container of oak of maximum capacity of 600 l or in bottle.	
	Spanish	PDO (3)	Liqueur wine of "Malaga" PDO aged between three to five years.	
Chacolí-Txakolina	Spanish	PDO (1)	Wine of "Chacolí de Bizkaia-Bizkaiko Txakolina", "Chacolí de Getaria-Getariako Txakolina" and "Chacolí de Álava-Arabako Txakolina" PDO elaborated fundamentally with the varieties Ondarrabi Zuri and Ondarrabi Beltza. Wine with an acquired alcoholic strength minimum of 9,5 % vol (11 % vol. for the white fermented in barrel), maximum of 0,8 mg/l of volatile acidity and maximum of 180 mg/l of total sulphurs (140 mg/l for the red ones)	
Clásico	Spanish	PDO (3, 16)	Wines with more than 45 g/l of sweeten residual.	Chile
Cream	English	PDO (3)	Liqueur wine of "Jerez-Xérès-Sherry", "Manzanilla-Sanlúcar de Barrameda", "Montilla-Moriles", "Málaga" and "Condado de Huelva" with at least 60 g/l of reducing matters of color of amber to mahogany. Aged during at least two years, by the system of "criaderas y soleras" or by the one of "añadas", in oak container.	
Criadera	Spanish	PDO (3)	Liqueur wine of "Jerez-Xérès-Sherry", "Manzanilla-Sanlúcar de Barrameda", "Montilla-Moriles", "Málaga" and "Condado de Huelva" which are aged by the system of "criaderas y soleras", that is traditional in its zone	
Criaderas y Soleras	Spanish	PDO (3)	Liqueur wine of "Jerez-Xérès-Sherry", "Manzanilla-Sanlúcar de Barrameda", "Montilla-Moriles", "Málaga" and "Condado de Huelva", that uses scales of generally placed boots of oak superposed, and called "criaderas", in which the wine of the year gets up on the superior scale of the system and is crossing the different scales or "criaderas" by partial and successive transferences, in the course of a long period, until reaching the last scale or "solera", where it concludes the aging process.	
Crianza	Spanish	PDO (1)	Wines other than sparkling, semi-sparkling and liqueur wines, that fulfil the following conditions: — red wines must have a minimum period of ageing of 24 months, of which they must remain at least 6 months in oak barrels of maximum capacity of 330 l, — white and rosé wines must have a minimum period of ageing of 18 months, of which they must remain at least 6 months in oak barrels of the same maximum capacity.	

Dorado	Spanish	PDO (3)	Liqueur Wines of “Rueda” and “Malaga” PDO with aging process.	
Fino	Spanish	PDO (3)	Liqueur wine (vino generoso) of “Jerez-Xérès-Sherry” and “Manzanilla Sanlúcar de Barrameda”, “Montilla Moriles” PDO with the following qualities: straw-coloured, dry, slightly bitter, slight and fragrant to the palate. Aged in “flor” during at least two years, by the system of “criaderas y soleras”, in oak container of maximum capacity of 1 000 l.	
Fondillón	Spanish	PDO (16)	Wine of “Alicante” PDO, elaborated with grapes of the Monastrell variety, sobremature in stock and with exceptional conditions of quality and health. In the fermentation native leavenings are used solely and the acquired alcoholic strength (minimum of 16 % vol) shall be, in his totality, natural. Aged at least ten years in oak containers.	
Gran reserva	Spanish	PDO (1)	Wines other than sparkling, semi-sparkling and liqueur that fulfil the following conditions: — red wines must have a minimum period of ageing of 60 months, of which they shall remain at least 18 months in oak barrels of maximum capacity of 330 l, and in bottle the rest of this period, — white and rosé wines must have a minimum period of ageing of 48 months, of which they shall remain at least 6 in oak barrels of the same maximum capacity and in bottle the rest of this period.	Chile
	Spanish	PDO (4)	The minimum period of ageing for sparkling wines of “Cava” PDO, is 30 months, from “tiraje” to “degüelle”.	
Lágrima	Spanish	PDO (3)	Sweet wine of “Málaga” PDO in whose elaboration the must leaks after treading of grapes without mechanical pressure. Its ageing must be done during, at least two years, by the system of “criaderas y soleras” or by the one of vintage years, in oak container of maximum capacity of 1 000 l.	
Noble	Spanish	PDO/PGI (1)	Wines aged during a minimum period of eighteen months in total, in oak barrels of maximum capacity of 600 l or in bottle.	
	Spanish	PDO (3)	Liqueur wines of “Málaga” PDO aged between two and three years.	
Oloroso	Spanish	PDO (3)	Liqueur wine (vino generoso) of “Jerez-Xérès-Sherry” and “Manzanilla Sanlúcar de Barrameda”, “Montilla Moriles” which possesses the following qualities: much body, plenty and velvety, aromatic, energetic, dry or slightly led, of similar color to the mahogany, with acquired alcoholic strength between 16 and 22°. It has been aged during at least two years, by the system of “criaderas y soleras”, in oak container of maximum capacity of 1 000 l.	
Pajarete	Spanish	PDO (3)	Sweet or semisweet wines of “Málaga” PDO aged at least two years, by the system of “criaderas y soleras” or by the one of “añadas”, in oak container of maximum capacity of 1 000 l.	

Pálido	Spanish	PDO (3)	Liqueur wine (vino generoso) of “Condado de Huelva” aged more than three years by biological aging process, with an acquired alcoholic strength of 15–17 % vol.	
	Spanish	PDO (3)	Liqueur wine of “Rueda” PDO aged at least four years, with the three last years in oak.	
	Spanish	PDO (3)	Wine of “Málaga” PDO from Pedro Ximenez and/or Moscatel varieties, without addition of “arrope” (boiled must), without aging process.	
Palo Cortado	Spanish	PDO (3)	Liqueur wine (vino generoso) of “Jerez-Xérès-Sherry” and “Manzanilla Sanlúcar de Barrameda”, “Montilla Moriles” whose organoleptic characteristics consists of the aroma of an amontillado and palate and colour similar to those of an oloroso, and with an acquired alcoholic strength between 16 and 22 percent. Aged in two phases: the first biological, under a film of “flor”, and the second oxidative.	
Primero de Cosecha	Spanish	PDO (1)	Wine of “Valencia” PDO harvested in the ten first days of the harvesting period and bottled inside of the thirty following days to finalise the same one, being obligatory to indicate in the label the harvest.	
Rancio	Spanish	PDO (1, 3)	Wines that have followed a process of aging noticeably rusted, with abrupt changes of temperature in presence of air, or in wood package or crystal packages.	
Raya	Spanish	PDO (3)	Liqueur wine (vino generoso) of “Montilla Moriles” with possesses similar characteristics to “Oloroso” wines but with less taste and aroma. Aged during at least two years, by the system of “criaderas y soleras”, in oak container of maximum capacity of 1 000 l	
Reserva	Spanish	PDO (1)	Wines other than sparkling, semi-sparkling and liqueur wines, that fulfil the following conditions: — red wines must have a minimum period of ageing of 36 months, of which they shall remain at least 12 months in oak barrels of maximum capacity of 330 l, and in bottle for the rest of this period, — white and rosé wines must have a minimum period of ageing of 24 months, of which they shall remain at least six in oak barrels of the same maximum capacity and in bottle for the rest of this period.	Chile
Sobremadre	Spanish	PDO (1)	White wines of “Vinos de Madrid” that, as a consequence of their special elaboration, contain carbon dioxide gas preceding of the own fermentation of musts with their “madres” (stripped and squeezed grape)	
Solera	Spanish	PDO (3)	Liqueur wine of “Jerez-Xérès-Sherry”, “Manzanilla-Sanlúcar de Barrameda”, “Montilla-Moriles”, “Málaga” and “Condado de Huelva” aged by the system of “criaderas y soleras”.	
Superior	Spanish	PDO (1)	Wines obtained with at least 85 % of preferred varieties of the respective demarcated areas.	Chile South Africa

Trasañejo	Spanish	PDO (3)	Liqueur wine of "Málaga" PDO aged more than five years.	
Vino Maestro	Spanish	PDO (3)	Wine of "Málaga" PDO, that comes from a very incomplete fermentation, because before it begins the must is added with a 7 % of wine alcohol. Thus the fermentation is very slow and it becomes paralyzed when the alcohol wealth is of 15–16°, being left about a 160–200 g/l of sugars without fermentation. Aged during at least two years, by the system of "criaderas y soleras" or by the one of "añadas", in oak container of maximum capacity of 1 000 l.	
Vendimia Inicial	Spanish	PDO (1)	Wine of "Utiel-Requena" made from grapes harvested in the ten first days of the harvesting period and presenting an alcoholic graduation between 10 and 11,5 percent in volume, being their youth the cause of their special attributes, between which a slight carbon dioxide gas loosening can be included.	
Viejo	Spanish	PDO/PGI (1)	Wine aged at least thirty six months, with a rusted character noticeably due to the action of the light, oxygen, heat or of joint of these factors.	
	Spanish	PDO (3)	Liqueur wine (vino generoso) of Condado de Huelva PDO, which possesses the following qualities: much body, plenty and velvety, aromatic, energetic, dry or slightly led, of similar color to the mahogany, with acquired alcoholic strength between 15 and 22°. It has been aged during at least 2 years, by the system of "criaderas y soleras", in oak container of maximum capacity of 1 000 l.	
Vino de Tea	Spanish	PDO (1)	Wine of the North subzone of the "La Palma" PDO aged in wood packages of <i>Pinus canariensis</i> ("Tea") during a maximum time of six months. The acquired alcoholic strength is, for white wines, between 11–14,5 % vol, for "rosé" ones, between 11–13 % vol and for red ones, between 12–14 % vol.	

FRANCE

Ambré	French	PDO (3)	Article 7 of Decree of 29 December 1997: PDO "Rivesaltes": in order to be entitled to the controlled designation of origin "Rivesaltes" completed with the mention "ambré", white wines must have grown on the property in an oxidising environment up to 1 September of the second year following the year of the crop.	
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Clairnet	French	PDO (1)	PDO “Bourgogne”, “Bordeaux”: pale red wine or rosé wine.	
Claret	French	PDO (1)	PDO “Bordeaux”: expression used to designate a pale red wine	
Tuilé	French	PDO (3)	Article 7 of Decree of 29 December 1997: In order to be entitled to the controlled designation of origin “Rivesaltes” completed with the mention “tuilé”, red wines must have grown on the property in an oxidising environment up to 1 September of the second year following the year of the crop.	
Vin jaune	French	PDO (1)	PDO “Arbois”, “Côtes du Jura”, “L’Etoile”, “Château-Châlon”: wine product exclusively made with grape varieties layed down in the national regulation: slow fermentation, aging in oak barrel without topping up for a minimum duration of six years.	
Château	French	PDO (1, 3, 4, 5, 6, 7, 8, 9, 15, 16)	Historical expression related to a type of area and to a type of wine and reserved to wines coming from an estate which really exists or which is called exactly by this word.	Chile
Clos	French	PDO (1, 3, 4, 5, 6, 7, 8, 9, 15, 16)		Chile
Cru artisan	French	PDO (1)	PDO “Médoc”, “Haut-Médoc”, “Margaux”, “Moulis”, “Listrac”, “St Julien”, “Pauillac”, “St Estèphe” Expression related to the quality of a wine, to its history as well as to a type of area evoking a hierachy of merit between wines coming from a specific estate.	
Cru bourgeois	French	PDO (1)	PDO “Médoc”, “Haut-Médoc”, “Margaux”, “Moulis”, “Listrac”, “Saint-Julien”, “Pauillac”, “Saint-Estèphe”: Expression related to the quality of a wine, to its history as well as to a type of area evoking a hierachy of merit between wines coming from a specific estate.	Chile
Cru classé, <i>whether or not supplemented by Grand, Premier Grand, Deuxième, Troisième, Quatrième, Cinquième</i>	French	PDO (1)	PDO “Barsac”, “Côtes de Provence”, “Graves”, “Saint-Emilion grand cru”, “Médoc”, “Haut-Médoc”, “Margaux”, “Pessac-Leognan”, “Saint Julien”, “Pauillac”, “Saint Estèphe”, “Sauternes”. Expression related to the quality of a wine, to its history as well as to a type of area evoking a hierachy of merit between wines coming from a specific estate.	
Edelzwicker	German	PDO (1)	PDO “Alsace” wines coming from one or more grape varieties as set in the specifications.	
Grand cru	French	PDO (1, 3, 4)	Expression related to the quality of a wine, reserved to wines with protected designations of origin defined by Decree and when a collective use is made of this expression by incorporation to a designation of origin.	Chile Switzerland Tunisia

Hors d'âge	French	PDO (3)	PDO "Rivesaltes", "Banyuls", "Rasteau" and "Maury": may be used for wines having undergone a maturing of a minimum of five years after their elaboration.	
Passe-tout-grains	French	PDO (1)	PDO "Bourgogne" coming from two grape varieties as set in the specifications.	
Premier Cru	French	PDO (1, 4)	Expression related to the quality of a wine, reserved to wines with protected designations of origin defined by Decree and when a collective use is made of this expression by incorporation to a designation of origin.	Tunisia
Primeur	French	PDO (1)	Wines whose date of marketing towards consumers is set on the third Thursday of November of the year of crop.	
	French	PGI (1)	Wines whose date of marketing towards consumers is set on the third Thursday of October of the year of crop.	
Rancio	French	PDO (1, 3)	PDO "Grand Roussillon", "Rivesaltes", "Rasteau", "Banyuls", "Maury", "Clairette du Languedoc": expression related to a type of wine and to a particular method of production of wine, reserved to some quality wines as a result of their age and of conditions regarding the terroir.	
Sélection de grains nobles	French	PDO (1)	PDO "Alsace", "Alsace Grand Cru", "Condrieu", "Monbazillac", "Graves supérieur", "Bonnezeaux", "Jurançon", "Cérons", "Quarts de Chaume", "Sauternes", "Loupjac", "Côteaux du Layon", "Barsac", "Sainte Croix du Mont", "Côteaux de l'Aubance", "Cadillac": wine compulsorily elaborated from manually cropped vintages through successive selections. Aim of seeking the overmatured vintages, affected by noble rot or having undergone a concentration on vine.	
Sur lie	French	PDO (1)	PDO "Muscadet", "Muscadet Coteaux de la Loire", "Muscadet-Côtes de Grandlieu", "Muscadet-Sèvre et Maine", "Gros Plant du Pays Nantais": wine with particular specifications (such as yield, alcohol strength) which stays on its lees up to 1 March of the year following the vintage year.	
	French	PGI (1)	IGP "Vin de pays d'Oc", "Vin de pays des Sables du Golfe du Lion": wine with particular specifications which remains less than one winter in tun or barrel and stays on its lees till bottling.	
Vendanges tardives	French	PDO (1)	PDO "Alsace", "Alsace Grand Cru", "Jurançon": expression related to a type of wine and to a particular method of production, reserved to wines coming from overmatured vintages which respect defined conditions of density and of alcohometric strength.	
Villages	French	PDO (1)	PDO "Anjou", "Beaujolais", "Côte de Beaune", "Côtes de Nuits", "Côtes du Rhône", "Côtes du Roussillon", "Mâcon": expression related to the quality of a wine, reserved to wines with a designation of origin defined by Decree and when a collective use is made of this expression by incorporation to a designation of origin.	
Vin de paille	French	PDO (1)	PDO "Arbois", "Côtes du Jura", "L'Etoile", "Hermitage": expression related to a method of elaboration which consists in a selection of grapes coming from grape varieties layed down in the national regulation, put to dry for a minimal period of six weeks on straw beds or on gratings or hung. Aging for a minimum of three years from the date of pressing including maturing under wood for a minimum of 18 months.	

ITALY

Alberata	Italian	PDO (1)	Particular term related to the “Aversa” wine typology. It is referred to the very ancient vine breeding tradition from which the product is obtained.	
Vigneti ad alberata				
Amarone	Italian	PDO (1)	Exclusive historical term related to the production method of the “Valpolicella” wine typology. It is used, since antiquity, to identify the place of origin of the wine produced following a specific production method, using raisined grapes, which is based on the total fermentation of sugars. This can explain the origin of the name “Amarone”. It is a quite particular and well known term that can identify the product by itself.	
Ambra	Italian	PDO (3)	Term related to the production method and to the particular amber-yellow colour, more or less deep, of the “Marsala” wine typology. Its particular colour originates from the long production method, which includes ageing and refinement, processes that imply significant oxide reductions of the polyphenols and colouring substances.	
Ambrato	Italian	PDO (1, 3)	The term is related to the production method and to the particular amber colouring, more or less deep, which is typical of the “Malvasia from Lipari” and “Vernaccia from Oristano” typology wines. The particular colour results from the long production period, included ageing and refinement, methods which imply significant oxide reductions of the polyphenols and colouring substances.	
Annoso	Italian	PDO (1)	Term related to “Controguerra” wine typology. It is referred to the particular production method which implies raisined grapes and a compulsory ageing period into wooden containers for 30 months at least, before marketing and consumption of the final product.	
Apianum	Latin	PDO (1)	Exclusive term assigned to “Fiano di Avellino” wine. It is a term having classical origin. It means goodness of the grapes because they are largely appreciated by the “bees” (“api” in Italian).	
Auslese	German	PDO (1)	See traditional term “scelto”. Exclusive term assigned to “Caldaro” and “Caldaro Classico – Alto Adige” wines.	
Buttafuoco	Italian	PDO (1, 6)	Exclusive term strictly related to the particular type of wine that originates from a sub-area of the “Oltrepò Pavese” wines. It is used, since long time, to describe a real particular product which, according to the meaning of the word, is able to give out a “particular heat”.	
Cannellino	Italian	PDO (1)	Exclusive term related to a type of “Frascati” wines and to its production. It has been used for a long time in order to identify the type of wine above mentioned, produced by using a particular production process which allows to obtain a wine said “abboccato”, that is a wine slightly sweet and mouth-filling.	

Cerasuolo	Italian	PDO (1)	Traditional and historical term, strictly related to the “Cerasuolo di Vittoria” wines. It is the integral part of the DOCG name and it constitutes its non-geographical aspect. The term is related to its production as well as to its particular colour. The term is also traditionally used to describe another type of “Montepulciano d'Abruzzo” wines, to whom it is strictly tied up.	
Chiaretto	Italian	PDO/PGI (1, 3, 4, 5, 6)	Term connected to the production method and to the particular color of the related type of wine, extracted from black grapes.	
Ciaret	Italian	PDO (1)	Exclusive term connected to “Monferrato” wines, and related to the particular colour that the product has; its name traditionally means “light red”.	
Château	French	PDO (1, 3, 4, 5, 6, 8, 15, 16)	Term related to the name of the wine-making undertaking, in case the grapes originate exclusively from it and the wine-making is carried out in the same undertaking.	Chile
Classico	Italian	PDO (1, 3, 8, 11, 15, 16)	Term laid down in the Law No 164/1992. It is reserved for non sparkling wines of the most ancient origin area to which an autonomous PDO regulation can be ascribed.	Chile
Dunkel	German	PDO (1)	Term connected to the production method and to the typical dark colour of the corresponding typology of “Trentino” wines.	
Fine	Italian	PDO (3)	Term strictly connected to one of the “Marsala” typologies. It refers to the specific production method which implies a minimum ageing period of one year, 8 months at least of which inside wooden casks, at least.	
Fior d'Arancio	Italian	PDO (1, 6)	Term connected to the two “Colli Euganei” typologies: sparkling and “passito” wines (i.e. extracted from raisined grapes). It refers to the production method and to the typical aromatic characteristics of the product, which is extracted from Muscat variety grapes produced through a careful production method.	
Flétri	Frenchs	PDO (1)	Term connected to specific wine “Valle d'Aosta or Vallée d'Aoste” DOC typologies. It refers to the production method and to the typical product characteristics, which are the result of a careful production method of partially dried grapes.	
Garibaldi Dolce	Italian	PDO (3)	Exclusive historical term connected to a specific “Marsala” Superior DOC typology. At the beginning, the term was used in honour of Garibaldi who tasted this wine when landed in Marsala. He appreciated it for its characteristics due to the particular production process which implies a minimum ageing period of two years, at least, in wooden casks.	
GD				
Governo all'uso toscano	Italian	PDO/PGI (1)	Initially, the term was tied up to “Chianti” and “Chianti Classico” PDO wines. Afterward its use was extended to “Colli della Toscana Centrale” PGI wine which is produced in the same production area. It refers to the particular production process used in Tuscany, which implies the addition of dried grapes to the wine, at the end of the winter, dried grapes which raise an additional fermentation.	

Gutturnio	Italian	PDO (1, 8)	Exclusive historical term connected to a type of wine which originates from a sub-area of the “Colli Piacentini” wines. It refers to the production method of the above red wine, a very typical wine of a high quality level. In fact it was served in silver goblets of Roman origin, called “Gutturnium”.	
Italia Particolare	Italian	PDO (3)	Exclusive historical term connected to “Marsala fine” wines. Originally “Marsala” was exclusively produced for the national market.	
IP				
Klassisch	German	PDO (1)	Traditional area of production of “Caldaro” “Alto Adige” (with designation Santa Maddalena and “Terlano”). (See definition of “Classico”).	
Klassisches Ursprungsgebiet				
Kretzer	German	PDO (1)	Term referred to the production method and to the typical rosé colour. The term is used for the corresponding “Alto Adige”, “Trentino” and “Teroldego rotaliano” wines typologies.	
Lacrima	Italian	PDO (1)	Term strictly connected to the name “Lacrima di Morro d'Alba” wine, the integral part of the name of this wine. It refers to the particular production method whose slight grapes pressing leads to a product of high quality level.	
Lacryma Christi	Italian	PDO (1, 3, 4, 5)	Exclusive historical term strictly related to “Vesuvio” wines. It was traditionally connected to some typologies of the above mentioned wines (both normal and liqueur/sparkling), which are produced through a particular production method implying a slightly grapes pressing that leads to a product of high quality level which owns religious connotations.	
Lambiccato	Italian	PDO (1)	Exclusive term related to one of “Castel San Lorenzo” wine typologies. It refers to the product type and to the particular production method, which employs Muscat grapes and which implies grapes maceration in controlled temperature inside specified containers, traditionally called “Lambicchi”.	
London Particular	Italian	PDO (3)	Exclusive historical term related to “Marsala Superiore” wine typology. It is a term, or initials, traditionally used to describe a product intended for the English market. The use of the English language is traditional too, and it is stated by the product specification and by the rules fixed for “Marsala” wines. In fact, it is a common knowledge that the importance and reputation of this denomination as a liqueur wine is due to the to the activity of both producers and English dealers who, since 1773, discovered Marsala, produced and marketed this extraordinary wine, allowing a vast knowledge all the world round, especially in England.	
LP				
Inghilterra				
Occhio di Pernice	Italian	PDO (1)	Term related to some “Vin Santo” wine typologies. It refers to the production method and to the particular colour. In fact, the particular production method, based on utilisation of red grapes, allows the production of a very typical product with an extraordinary colour whose range goes from vivid to pale pink. It is a detail of the “Pernice” eyes colour, the bird from which the wine gets its name.	

Oro	Italian	PDO (3)	Term related to the specific “Marsala” wines. It refers to the particular colour and to the production method that implies the prohibition to use cooked must. This allows to obtain a product of particular value with a golden color, more or less vivid.	
Passito	Italian	PDO/PGI (1, 3, 15, 16)	Term referred to the product type and to the corresponding production method. The terms “passito” or “vino passito”, and “vino passito liquoroso” are reserved for normal or liqueur wines, obtained from the fermentation of grapes through natural drying or in conditioned place according to the product specifications provisions. Law No 82/2006 extended this term to overripe grapes wines.	
Vino passito				
Vino Passito Liquoroso				
Ramie	Italian	PDO (1)	Exclusive term connected to one of the “Pinerolese” wine typologies. It refers to the product type and to the corresponding production method, based on partially dried grapes.	
Rebola	Italian	PDO (1, 15)	Exclusive term connected to one of “Colli di Rimini” wine typologies. It refers to the production method and to the product type, whose colour range goes from golden to amber and it is obtained from partially dried grapes.	
Recioto	Italian	PDO (1, 4, 5)	Historical-traditional term closely connected to the name of three wines with designation of origin, produced in Veneto: PDO “Valpolicella”, “Gambellara” and “Recioto di Soave”, designations belonging thus to production areas very near among them and having similar traditions, especially in the provinces of Verona and Vicenza. The origin of the name dates from the fifth century. At that time the bucolic writers defined as particularly valuable and renowned this wine whose production was limited to the province of Verona and whose name was originated from “Retia”, the mountain-hilly region that in ancient times extended across the veronese-trentino area until the comasco-valtellinese borders. Such term has been thus used since old times and it is still used to designate wines obtained thanks to the particular production method which implies grapes drying.	
Riserva	Italian	PDO (1, 3, 4, 5, 15, 16)	Wines submitted to a certain ageing period, at least two years for red wines and one year for white wines, with further ageing in barrels, specifically established by the product specification. In addition to the ordinary modalities, the product specification must establish the obligation of the vintage year on the label as well as the rules for its maintaining in case of mixture of wines having different vintage years. The PDO of sparkling and liqueur wines typologies can use this term in accordance with the conditions established by the corresponding product specification and in accordance with the community law.	
Rubino	Italian	PDO (1)	Term connected to the PDO “Cantavenna”. It is referred to the whole process and to the particular colour. The term “Rubino” is moreover connected to the specific typology of the DOC wine “Teroldego Rotaliano”, “Trentino” and “Garda Colli Mantovani”, and it is referred to the particular colour which the product assumes.	
	Italian	PDO (3)	Term connected to the specific “Marsala” wine typology. It is referred to the particular process which implies the prohibition to use cooked must. Moreover, this wine has a particular ruby-red colour which, after ageing, gains amber-coloured reflex.	

Sangue di Giuda	Italian	PDO (4, 5, 8)	Exclusive historical traditional term connected to a wine typology produced in the Oltrepò Pavese territory. It has been used for a long time to designate a very distinguishing red-coloured product, sweet, sparkling or exuberant, palatable, i.e. it is so mellow indeed that the more you drink the more it can cheat you, as the famous apostle!!	
Scelto	Italian	PDO (1)	Term connected to “Caldaro”, “Caldaro Classico - Alto Adige” and “Colli del Trasimeno” wines. It is referred to the specific product and to the corresponding production method, starting from the grapes choice (that is why we call it “chosen!”)	
Sciaccetrà	Italian	PDO (1)	Historical-traditional term closely connected to the “Cinque Terre”. It is referred to the method used for obtaining the product, included grapes pressing and storage. In fact, the word exactly means “press and keep intact”, a methodology used for high quality products.	
Sciac-trà	Italian	PDO (1)	Ditto as above (Schiaccetrà). In this case the difference can be ascribed to the term given to a specific typology.	
Spätlese	German	PDO/PGI (1, 3, 15, 16)	See term “Late grape harvest” used in the autonomous province of Bolzano.	
Soleras	Italian	PDO (3)	Term connected to a specific liqueur wine typology called “Marsala”. It is referred to the product and to the specific production method which implies a minimum ageing period of five years at least in wooden barrels. Enrichment of cooked must or concentrated must is prohibited. The result is a pure, natural product which does not contain additional elements, not even those having wine origin except alcohol, of course, cause it is a liqueur wine.	
Stravecchio	Italian	PDO (3)	Term exclusively connected to the unique “Virgin” and/or “Soleras” typology of “Marsala”. It is referred to the particular production method which implies a minimum ageing period of 10 years at least in wooden barrels.	
Strohwein	German	PDO/PGI (1, 3, 11, 15, 16)	See traditional term “Passito”. It exactly means “wine from straw”. It refers to the specific wine produced in the province of Bolzano and corresponds to a production method which implies grapes dried, after harvesting, over straw trellis according to the drying method established by the various product specifications.	
Superiore	Italian	PDO (1, 3, 4, 5, 6, 8, 15, 16)	Wines having higher quality characteristics and whose production rules regulations are much stricter than others. In fact, the product specifications establish the following differences: (a) a minimum grapes natural alcoholic strength greater than 0,5° vol, at least; (b) a total consumption alcoholic strength greater than 0,5° vol, at least;	San Marino
Superiore Old Marsala	Italian	PDO (3)	Term related to “Marsala Superiore” typology. It is referred to the specific product and to the particular production method which implies a minimum ageing period of two years, at least, in wooden barrels. It is a name which contains, moreover, an English term, traditional for a liqueur wine and ratified by both the product specification and by the law related to Marsala wines. The importance and prestige of this denomination is due to the activity of both producers and English dealers who, since 1773, discovered, produced and marketed this particular wine, allowing a vast knowledge all the world round, especially in England.	

Torchiato	Italian	PDO (1)	Exclusive term connected to “Colli di Conegliano – Torchiato di Fregona” wines. It refers to the particular characteristics of the product which is obtained thanks to a thorough production method which implies a soft press of the grapes themselves.	
Torcolato	Italian	PDO (1)	Exclusive term related to a specific wine typology called “Breganze”. It refers to the particular characteristics of the product which is obtained through a careful production method which implies the use of partially dried grapes. Grapes, once harvested, were hung up to trellis which were consequently weaved and eventually re-hung-up. In this way grapes were submitted to the drying process.	
Vecchio	Italian	PDO (1, 3)	Term related to “Rosso Barletta”, “Aglianico del Vulture”, “Marsala” and “Falerno del Massico” wines. It refers to the conditions of ageing and to the subsequent ageing and refinement of the product.	
Vendemmia Tardiva	Italian	PDO/PGI (1, 3, 15, 16)	Term related to the particular typology of the product which implies a late grape harvest. The following ageing status of the grapes on the plant itself and the related grapes drying, in the various environmental and weather conditions, yield an extraordinary product with particular regard to sugar content and aroma. The result is a very extraordinary wine. These wines are also qualified as dessert wines or “meditation” wines.	
Verdolino	Italian	PDO/PGI (1)	Term related to the production method and to the particular green colour.	
Vergine	Italian	PDO (1, 3)	Term related to the “Marsala” wines. It refers to the specific product and to the particular production method which implies a minimum ageing period of five years at least, in wooden barrels, as well as the prohibition on the addition of cooked or concentrated must. That means that the product is pure, natural, without additional components, not even those of vine origin, except the alcoholic tax which is endemic for a liqueur wine. Such a term is, moreover, related to “Bianco Vergine Valdichiana” wines. It is related to the traditional production method which implies a fermentation without peel which yields pure and natural the final product.	
Vermiglio	Italian	PDO (1)	It is related to “Colli dell'Etruria Centrale” wines. It refers both to the particular quality characteristics and to the particular colour.	
Vino Fiore	Italian	PDO (1)	Term related to the particular production method of some white and rosé wines. Method which implies a light grape pressing so that the result is a particular delicate taste able to arouse the best side of the wine, i.e. the “flower”	
Vino Novello	Italian	PDO/PGI (1, 8)	The term is related to the particular production method and to the production period which, for marketing and consumption, is fixed on 6 November of every grape harvest year.	
Novello				

Vin Santo	Italian	PDO (1)	Historical-traditional term related to some wines produced in regions Toscana, Marche, Umbria, Emilia Romagna, Veneto and Trentino Alto Adige. It refers to the particular wine typology and to the corresponding and complex production method which implies storage and wine grapes drying in suitable and aerated places for a long ageing period into traditional wooden containers. With regard to the origin of the term, numerous hypothesis have been formulated, most of them are connected to the Middle Age. The most reliable is strictly connected to the religious value of wine. This wine was considered quite extraordinary and boasted miraculous virtues. It was commonly used when celebrating the Saint Mass and this can explain the term “Saint wine” (vinsanto). The term is still in use and it is mentioned in detail in the PDO’ specifications, a typology which is largely known and appreciated all over the world.	
Vino Santo				
Vinsanto				
Vivace	Italian	PDO/PGI (1, 8)	Term related to the production method and to the corresponding product obtained. This wine owns a fizz, because of the carbon dioxide contained and which is the result of an exclusive and natural fermentation process.	

CYPRUS

Αμπελώνας (-ες) (<i>Ampelonas (-es)</i>) (<i>Vineyard(-s)</i>)	Greek	PDO/PGI (1, 3, 4, 5, 6, 8, 9, 15, 16)	Wine made from grapes harvested in vineyards of at least 1 hectare, belonging to an agricultural holding. The winemaking is entirely carried out on the holding within the district area. WPC – Board act 6/2006 (EC382/2007, L95, 5.4.2007)	
Κτήμα (<i>Ktima</i>) (<i>Domain</i>)	Greek	PDO/PGI (1, 3, 4, 5, 6, 8, 9, 15, 16)	Wine made from grapes harvested in vineyards of at least 1 hectare, belonging to an agricultural holding. The winemaking is entirely carried out on the holding. WPC – Board act 6/2006 (EC382/2007, L95, 5.4.2007)	
Μοναστήρι (<i>Monastiri</i>) (<i>Monastery</i>)	Greek	PDO/PGI (1, 3, 4, 5, 6, 8, 9, 15, 16)	Wine made from grapes harvested in vineyards of at least 1 hectare, belonging to an agricultural holding. In the same agricultural area there is a monastery. The winemaking is entirely carried out on that holding. WPC – Board act 6/2006 (EC382/2007, L95, 5.4.2007)	
Μονή (<i>Moni</i>) (<i>Monastery</i>)	Greek	PDO/PGI (1, 3, 4, 5, 6, 8, 9, 15, 16)		

LUXEMBOURG

Château	French	PDO (1)	Term related to the name of the holding provided the grapes originate exclusively from it and the wine-making is carried out by this holding.	Chile
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Grand premier cru	French	PDO (1)	Wines allowed to the national seal “Marque nationale” can also carry one of the additional quality designations: “Vin classé”, “Premier cru” or “Grand premier cru”, which have been used since 1959. These designations are awarded the individual wine after tasting by an official committee, which rates the wines on a 20-point scale: — wines that score less than 12 points are denied an official classification and may not display the “Marque nationale – appellation contrôlée”, — wines that score a minimum of 12,0 points are officially recognised as “Marque nationale – appellation contrôlée”, — wines that score a minimum of 14,0 points are allowed the designation “Vin classé” in addition to “Marque nationale – appellation contrôlée”, — wines that score a minimum of 16,0 points are allowed the designation “Premier cru” in addition to “Marque nationale – appellation contrôlée”, — wines that score a minimum of 18,0 points are allowed the designation “Grand premier cru” in addition to “Marque nationale – appellation contrôlée”.	Tunisia
Premier cru				
Vin classé				
Vendanges tardives	French	PDO (1)	Designates a late harvest wine produced from only one of the varieties Auxerrois, Pinot blanc, Pinot gris, Riesling or Gewürztraminer. The grapes shall be harvested manually and the natural alcoholic strength by volume for Riesling is laid down to a minimum of 95 degrees Oechsle and 105 degrees Oechsle for the other varieties. (Government regulation of 8 January 2001)	
Vin de glace	French	PDO (1)	Designates an ice wine made from grapes harvested manually in a frozen state at temperatures of less than or equal to –7 °C. Only the grapes of the varieties Pinot blanc, Pinot gris and Riesling may be used for the vinification and the must shall have a minimum of natural alcoholic strength by volume of 120 degrees Oechsle. (Government regulation of 8 January 2001)	
Vin de paille	French	PDO (1)	Designates a straw wine made from grapes of one of the varieties Auxerrois, Pinot blanc, Pinot gris or Gewürztraminer. The grapes shall be harvested manually and spread out on mats of straw for drying during at least two months. The straw may be replaced by modern racks. The grapes shall have a minimum natural alcoholic strength by volume of 130 degrees Oechsle. (Government regulation of 8 January 2001)	

HUNGARY

Aszú (3)(4)(5)(6) puttonyos	Hungarian	PDO (1)	Wine made by pouring new wine, must or new wine in fermentation onto botritysed (aszú) berries, aged for at least three years (two year in barrel). The levels of sugar and sugar free content are also set. It can only be used with the PDO “Tokaj”.	
Aszúeszencia	Hungarian	PDO (1)		
Bikavér	Hungarian	PDO (1)	Red wine from three varieties at least, aged in wooden cask for 12 months at least, further specifications can be set by local regulations. It can only used with the PDOs “Eger” and “Szekszárd”.	

Eszencia	Hungarian	PDO (1)	The juice of botrytised (aszú) berries which runs off naturally from the vats in which they are collected during harvesting. Residual sugar content: 450 g/l at least. Sugar free extract: 50 g/l at least. It can only be used with the PDO Tokaj.	
Fordítás	Hungarian	PDO (1)	Wine made by pouring wine onto pressed aszú pulp of the same vintage, aged for at least two years (one year in barrel). It can only be used with the PDO "Tokaj."	
Máslás	Hungarian	PDO (1)	Wine made by pouring wine onto lees of Tokaj Aszú wine of the same vintage, aged for at least two years (one year in barrel). It can only be used with the PDO Tokaj.	
Késői szüretelésű bor	Hungarian	PDO/PGI (1)	Late harvest. The sugar content of the must is at least 204,5 g/l	
Válogatott szüretelésű bor	Hungarian	PDO/PGI (1)	Wine made of selected berries. The sugar content of the must at least 204,5 g/l	
Muzeális bor	Hungarian	PDO/PGI (1)	Wine aged in bottle at least for five years.	
Siller	Hungarian	PDO/PGI (1)	Red wine with very bright colour due to short maceration time	
Szamorodni	Hungarian	PDO (1)	Wine made of both botrytised (aszú) and healthy berries, aged for at least two years (one year in barrel). The must contains at least 230,2 grams of sugar per litre. It can only be used with the PDO Tokaj.	

AUSTRIA

Ausstich	German	PDO/PGI (1)	Wine must be made from grapes of a single harvest year and must be labelled with information about the selection criteria.	
Auswahl	German	PDO/PGI (1)	Wine must be made from grapes of a single harvest year and must be labelled with information about the selection criteria.	
Bergwein	German	PDO/PGI (1)	Wine is made from grapes grown in terraces or steep slopes vineyards with a slope of more than 26 %.	
Klassik	German	PDO (1)	Wine must be made from grapes of a single harvest year and must be labelled with information about the selection criteria.	
Classic				

Heuriger	German	PDO/PGI (1)	Wine must be sold to the retailer until the end of December which is following the harvest of the grapes and must be sold to the consumer until the end of following March.	
Gemischter Satz	German	PDO/PGI (1)	Wine must be a mixture of different white wine varieties or red wine varieties.	
Jubiläumswein	German	PDO/PGI (1)	Wine must be made from grapes of a single harvest year and must be labelled with information about the selection criteria.	
Reserve	German	PDO (1)	Wine must have a minimum alcohol content of 13 % vol. For red wine the quality wine check number can be applied not before 1 November following the harvest year; for white wines not before 15 March following the harvest year.	
Schilcher	German	PDO/PGI (1)	Wine must be produced in the Steiermark only from grapes of the variety "Blauer Wildbacher" grown in the wine growing region Steirerland.	
Sturm	German	PGI (1)	Partly fermented grape must with a minimum alcohol content of 1 % vol. Sturm must be sold between August and December of the harvest year and must fermentate while being sold.	

PORTUGAL

Canteiro	Portuguese	PDO (3)	Term reserved for "Madeira" PDO wine which is fortified after fermentation and stored in cask, aged for a minimal period of two years, and must appear on a specific current account and cannot be bottled with less than three years. [Portaria n° 125/98 de 29.7.1998]	
Colheita Seleccionada	Portuguese	PDO/PGI (1)	Term reserved for wine with a geographical indication or designation of origin, packed in glass bottles, of distinctive organoleptic characteristics, an actual alcoholic strength higher by at least 1 % vol than the legally fixed minimum, must appear on a specific current account and being mandatory the indication of the harvest year. [Portaria n° 924/2004, de 26.7.2004]	
Crusted	English	PDO (3)	"Port" wine of exceptional organoleptic characteristics, red and full-bodied at the time of bottling, of fine aroma and taste obtained by blending of wines from several years in order to achieve complementarily of organoleptic characteristics, that will lead to the formation of deposit (crust) on the wall of the bottle where part of the stage is made and recognised by Port and Douro Wine Institute with entitled to use the designation. [Regulamento n° 36/2005, de 18.4.2005]	
Crusting				
Escolha	Portuguese	PDO/PGI (1)	Term reserved for wine with a geographical indication or designation of origin, packed in glass bottles, of distinctive organoleptic characteristics, and must appear on a specific current account. [Portaria n° 924/2004, de 26.7.2004]	

Escuro	Portuguese	PDO (3)	Term reserved for “Madeira” PDO wine with a profoundly aromatic intensity resultant of a balance of orange and brownish colors predominating the last, due to the oxidation of the wine coloring matter and the migration of extracted material from the cask. [Portaria nº 125/98 de 29.7.1998]	
Fino	Portuguese	PDO (3)	Quality and elegant “Madeira” PDO wine with perfect balance in the freshness of acids, body maturity and the aroma body developed with ageing in the cask. [Portaria nº 125/98 de 29.7.1998]	
			“Port” wine of good quality with complexity of aroma and flavour, conferring organoleptic characteristics, being exclusively used in association to the Port wine traditional expressions Tawny, Ruby and White. [Portaria nº 1484/2002 de 22.11.2002]	
Frasqueira	Portuguese	PDO (3)	“Madeira” PDO wine where the designation is associated with the harvest year, and the product must be obtained from traditional varieties with a minimum of 20 years of ageing before bottling, presenting distinctive quality and must appear on a specific current account, before and after bottling. [Portaria nº 125/98 de 29.7.1998]	
Garrafeira	Portuguese	PDO/PGI (1, 3)	Term reserved for wine with a geographical indication or designation of origin, associated with the harvest year, with distinctive organoleptic characteristics, being, for the red wine, a minimum ageing of 30 months, of which at least 12 months in glass bottles and, for white or rosé, a minimum ageing of 12 months, of which at least six months in glass bottles and must appear on a specific current account. [Portaria nº 924/2004, de 26.7.2004]	
		PDO (3)	“Port” PDO wine that, after a stage in wood casks, is packed in glass containers for a minimum period of eight years, after which it will be bottled. [Regulamento nº 36/2005, de 18.4.2005]	
		PDO (3)	“Madeira” PDO wine associated with the harvest year and the product must be obtained from traditional varieties with a minimum of 20 years of ageing before bottling, presenting distinctive quality and must appear on a specific current account, before and after bottling. [Portaria nº 40/82, de 15.4.1982]	
Lágrima	Portuguese	PDO (3)	Port Wine whose degree of sweetness must correspond to a density of 1 034 to 1 084 at 20 °C. [Decreto-Lei nº 166/86, de 26.6.1986]	

Leve	Portuguese	PDO/PGI (1, 3)	Term reserved for “Lisboa” PGI wine that has the minimum natural alcoholic strength required for the wine growing zone in question, an actual alcoholic strength maximum of 10 % vol, a fixed acidity expressed in terms of tartaric acid, equal to, or higher than 4,5 g/l, a maximum pressure of 1 bar and the remaining analytical parameters being in agreement with the values defined for wine with geographical indication in general. [Portaria nº 426/2009, 23.4.2009]	
			Term reserved for “Tejo” PGI wine that has a minimum natural alcohol strength required for the wine growing zone in question, an actual alcoholic strength maximum of 10,5 % vol, a fixed acidity expressed in terms of tartaric acid, equal to, or higher than 4 g/l, a maximum pressure of 1 bar and the remaining analytical parameters being in agreement with the values defined for wine with geographical indication in general. [Portaria nº 445/2009, de 27.4.2009]	
			White “Port” PDO wine with an alcoholic strength at least 16,5 % vol. [Regulamento nº 36/2005, de 18.4.2005]	
			“Madeira” PDO wine little full-bodied but with balanced consistency. [Portaria nº 125/98 de 29.7.1998]	
Nobre	Portuguese	PDO (1)	Term reserved to designation of origin “Dão” that meets the conditions set out in the statute of the Region of “Dão” Wine. [Decreto-Lei nº 376/93, de 5.11.1993]	
Reserva	Portuguese	PDO/PGI (1, 3, 4, 5)	Term reserved for wine with a geographical indication and designation of origin, packed in glass bottles, associated with the harvest year, of distinctive organoleptic characteristics, an actual alcoholic strength higher than the minimum legally fixed by at least 0,5 % vol, must appear on a specific current account. [Portaria nº 924/2004, de 26.7.2004]	
			Term reserved for quality sparkling wine, sparkling wine with a geographical indication and designation of origin, having between 12 and 24 months of bottling before the racking method, disgorging or wine lees removal. [Portaria nº 924/2004, de 26.7.2004]	
			Term reserved for liqueur wine with a geographical indication and designation of origin, packed in glass bottles, associated with the harvest year, which can not be marketed with less than three years, must appear on a specific current account. [Portaria nº 924/2004, de 26.7.2004]	
		PDO (1, 3, 4, 5)	“Port” wine with distinctive organoleptic characteristics, displaying aroma and flavour complexity, obtained by the blending of wines of various degrees of stage, giving it specific organoleptic characteristics. [Regulamento nº 36/2005, de 18.4.2005]	
			“Madeira” PDO wine in compliance with 5 years pattern. [Portaria nº 125/98, de 29.7.1998]	

Reserva velha (ou grande reserva)	Portuguese	PDO/PGI (1, 3, 4, 5)	Term reserved for quality sparkling wine, sparkling wine with a geographical indication and designation of origin, having more than 36 months of bottling before the racking method, disgorging or wine lees removal. [Portaria n° 924/2004, de 26.7.2004]	
Ruby	English	PDO (3)	“Port” wine that appears red or full red coloured. Are wines in which the winemaker looks to restrain the evolution of their deep red colour and maintain the fruit and strength of a young wine. [Regulamento n° 36/2005, de 18.4.2005]	South Africa (*)
Solera	Portuguese	PDO (3)	“Madeira” PDO wine associated with a harvest date which is the basis of the lot, taking up each year for bottling an amount not exceeding 10 % of the stock, quantity which is replaced by another quality wine. The maximum of allowed additions is 10, after which all the wine then existing could be bottled at once. [Portaria n° 125/98 de 29.7.1998]	
Super reserva	Portuguese	PDO/PGI (4, 5)	Term reserved for quality sparkling wine, sparkling wine with a geographical indication and designation of origin having between 24 and 36 months of bottling before the racking method, disgorging or wine lees removal. [Portaria n° 924/2004, de 26.7.2004]	
Superior	Portuguese	PDO/PGI (1, 3)	Term reserved for wine with a geographical indication and designation of origin packed in glass bottles, of distinctive organoleptic characteristics, an actual alcoholic strength higher than the legally fixed minimum by, at least 1 % vol, and must appear on a specific current account. [Portaria n° 924/2004, de 26.7.2004]	
			Term reserved for liqueur wine with geographical indication and designation of origin, packed in glass bottles, cannot be marketed with less than five years, must appear on specific current account. [Portaria n° 924/2004, de 26.7.2004]	
Tawny	English	PDO (3)	Red “Port” wine having staged in wood for a minimum of seven years. Are obtained from lots of different wines that have aged for different lengths of time in casks or in vats. With age, the colour of the wines slowly develops into tawny, medium tawny or light tawny, with a bouquet of dried fruits and wood; the older the wine, the stronger these aromas. [Regulamento n° 36/2005, de 18.4.2005]	South Africa (*)
Vintage, whether or not supplemented by Late Bottle (LBV) or Character	English	PDO (3)	“Port” wine with high quality organoleptic characteristics, from a single harvest, red and full-bodied at the time of approval, fine aroma and taste, recognised by Port and Douro Wine Institute with entitled to use the designation. The adoption of the name “Late Bottled Vintage” or “LBV” starts in the fourth year following the year of harvest, and the last bottling can be made until 31 December of the sixth year following the year of their harvest. [Regulamento n° 36/2005, de 18.4.2005]	

Vintage	English	PDO (3)	“Port” wine with exceptional organoleptic characteristics, from a single harvest, red and full-bodied at the time of approval, very fine aroma and taste, recognised by Port and Douro Wine Institute with entitled to use the designation and corresponding date. The adoption of the name “Vintage” starts in the second year following the harvest year and the last bottling must be made until 30 July of the third year from its harvest. The marketing can only take place from 1 May of the second year from its harvest. [Regulamento n° 36/2005, de 18.4.2005]	South Africa (*)
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(*) The terms “Ruby”, “Tawny” and “Vintage” are used in combination with the South African geographical indication “CAPE”

ROMANIA

Rezervă	Romanian	PDO/PGI (1)	Wine matured at least 6 month in oak vessel and aged in bottle at least six months.	
Vin de vinotecă	Romanian	PDO (1, 15, 16)	Wine matured at least one year in oak vessel and aged in bottle at least four years.	
Vin tânăr	Romanian	PDO/PGI (1)	Wine marketed by the end of the year in which it was approved.	

SLOVAKIA

Mladé víno	Slovak	PDO (1)	Wine has to be bottled before the end of the calendar year, which was the year of harvesting the grapes used for production of the wine. Putting wine into circulation is allowed from the first Monday in November in the same vintage year.	
Archívne víno	Slovak	PDO (1)	Wine has matured at least three years after harvesting the grapes used for producing the wine.	
Panenská úroda	Slovak	PDO (1)	Grapes used for production were from the first harvest of a vineyard. The first harvest is to be the one from the third year, forth at latest, after planting.	

SLOVENIA

Mlado vino	Slovenian	PGI/PGO (1)	Wine which can be put on a market not before 30 days after harvest and only until 31 January.	
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Explanatory notes:

(1) PDO (protected designation of origin) or PGI (protected geographical indication), supplemented by the reference to the categories of grapevine products as referred to in Annex XIb of Regulation (EC) No 1234/2007.

(2) Words in italics are only for information or explanatory purposes, or both and are not subject to the provisions of Article 3 of this Regulation. Since they are indicative, in no circumstances are they substitutable for the relevant national legislations.’

ANNEX II

ANNEX XV

LIST OF WINE GRAPE VARIETIES AND THEIR SYNONYMS THAT MAY APPEAR ON THE LABELLING OF WINES

PART A: List of wine grape varieties and their synonyms that may appear on the labelling of wines in accordance with Article 62(3)

	Name of a protected designation of origin or geographical indication	Variety name or its synonyms	Countries that may use the variety name or one of its synonyms ⁽¹⁾
1	Alba (IT)	Albarossa	Italy°
2	Alicante (ES)	Alicante Bouschet	Greece°, Italy°, Portugal°, Algeria°, Tunisia°, United States°, Cyprus°, South Africa N.B.: The name "Alicante" may not be used on its own to designate wine.
3		Alicante Branco	Portugal°
4		Alicante Henri Bouschet	France°, Serbia and Montenegro (6)
5		Alicante	Italy°
6		Alikant Buse	Serbia and Montenegro (4)
7	Avola (IT)	Nero d'Avola	Italy
8	Bohotin (RO)	Busuioacă de Bohotin	Romania
9	Borba (PT)	Borba	Spain°
10	Bourgogne (FR)	Blauburgunder	Former Yugoslav Republic of Macedonia (13-20-30), Austria (18-20), Canada (20-30), Chile (20-30), Italy (20-30), Switzerland
11		Blauer Burgunder	Austria (10-13), Serbia and Montenegro (17-30)
12		Blauer Frühburgunder	Germany (24)
13		Blauer Spätburgunder	Germany (30), Former Yugoslav Republic of Macedonia (10-20-30), Austria (10-11), Bulgaria (30), Canada (10-30), Chile (10-30), Romania (30), Italy (10-30)
14		Burgund Mare	Romania (35, 27, 39, 41)
15		Burgundac beli	Serbia and Montenegro (34)
16		Burgundac Crni	Croatia°
17		Burgundac crni	Serbia and Montenegro (11-30)
18		Burgundac sivi	Croatia°, Serbia and Montenegro°
19		Burgundec bel	Former Yugoslav Republic of Macedonia°
20		Burgundec crn	Former Yugoslav Republic of Macedonia (10-13-30)
21		Burgundec siv	Former Yugoslav Republic of Macedonia°
22		Early Burgundy	United States°
23		Fehér Burgundi, Burgundi	Hungary (31)
24		Frühburgunder	Germany (12), Netherlands°
25		Grauburgunder	Germany, Bulgaria, Hungary°, Romania (26)
26		Grauer Burgunder	Canada, Romania (25), Germany, Austria
27		Grossburgunder	Romania (37, 14, 40, 42)
28		Kisburgundi kék	Hungary (30)
29		Nagyburgundi	Hungary°
30		Spätburgunder	Former Yugoslav Republic of Macedonia (10-13-20), Serbia and Montenegro (11-17), Bulgaria (13), Canada (10-13), Chile, Hungary (29), Moldavia°, Romania (13), Italy (10-13), United Kingdom, Germany (13)
31		Weißburgunder	South Africa (33), Canada, Chile (32), Hungary (23), Germany (32, 33), Austria (32), United Kingdom°, Italy
32		Weißer Burgunder	Germany (31, 33), Austria (31), Chile (31), Slovenia, Italy

	Name of a protected designation of origin or geographical indication	Variety name or its synonyms	Countries that may use the variety name or one of its synonyms ⁽¹⁾
33		Weissburgunder	South Africa (31), Germany (31, 32), United Kingdom, Italy, Switzerland [°]
34		Weisser Burgunder	Serbia and Montenegro (15)
35	Calabria (IT)	Calabrese	Italy
36	Cotnari (RO)	Grasă de Cotnari	Romania
37	Franken (DE)	Blaifränkisch	Czech Republic (39), Austria [°] , Germany, Slovenia (Modra frankinja , Frankinja), Hungary, Romania (14, 27, 39, 41)
38		Frâncușă	Romania
39		Frankovka	Czech Republic (37), Slovakia (40), Romania (14, 27, 38, 41)
40		Frankovka modrá	Slovakia (39)
41		Kékfrankos	Hungary, Romania (37, 14, 27, 39)
42	Friuli (IT)	Friulano	Italy
43	Graciosa (PT)	Graciosa	Portugal [°]
44	Мелник (BU) <i>Melnik</i>	Мелник <i>Melnik</i>	Bulgaria
45	Montepulciano (IT)	Montepulciano	Italy [°]
46	Moravské (CZ)	Cabernet Moravia	Czech Republic [°]
47		Moravia dulce	Spain [°]
48		Moravia agria	Spain [°]
49		Muškát moravský	Czech Republic [°] , Slovakia
50	Odobești (RO)	Galbenă de Odobești	Romania
51	Porto (PT)	Portogheze	Italy [°]
52	Rioja (ES)	Torrontés riojano	Argentina [°]
53	Sardegna (IT)	Barbera Sarda	Italy
54	Sciaccia (IT)	Sciaccarello	France

PART B: List of wine grape varieties and their synonyms that may appear on the labelling of wines in accordance with Article 62(4)

	Name of a protected designation of origin or geographical indication	Variety name or its synonyms	Countries that may use the variety name or one of its synonyms ⁽¹⁾
1	Mount Athos — Agioritikos (GR)	Agiorgitiko	Greece [°] , Cyprus [°]
2	Aglianico del Taburno (IT)	Aglianico	Italy [°] , Greece [°] , Malta [°] , United States
3	Aglianico del Vulture (IT)	Aglianicone	Italy [°]
4	Aleatico di Gradoli (IT) Aleatico di Puglia (IT)	Aleatico	Italy , Australia , United States
5	Ansonica Costa dell'Argentario (IT)	Ansonica	Italy , Australia
6	Conca de Barbera (ES)	Barbera Bianca	Italy [°]
7		Barbera	South Africa [°] , Argentina [°] , Australia [°] , Croatia [°] , Mexico [°] , Slovenia [°] , Uruguay [°] , United States [°] , Greece [°] , Italy [°] , Malta [°]
8		Barbera Sarda	Italy [°]
9	Malvasia di Castelnuovo Don Bosco (IT) Bosco Eliceo (IT)	Bosco	Italy [°]
10	Brachetto d'Acqui (IT)	Brachetto	Italy , Australia
11	Etyek-Buda (HU)	Budai	Hungary [°]
12	Cesanese del Piglio (IT) Cesanese di Olevano Romano (IT) Cesanese di Affile (IT)	Cesanese	Italy , Australia

	Name of a protected designation of origin or geographical indication	Variety name or its synonyms	Countries that may use the variety name or one of its synonyms ⁽¹⁾
13	Cortese di Gavi (IT) Cortese dell'Alto Monferrato (IT)	Cortese	Italy, Australia, United States
14	Duna (HU)	Duna gyöngye	Hungary
15	Dunajskostredský (SK)	Dunaj	Slovakia
16	Côte de Duras (FR)	Durasa	Italy
17	Korinthos-Korinthiakos (GR)	Corinto Nero	Italy°
18		Korinthiaki	Greece°
19	Fiano di Avellino (IT)	Fiano	Italy, Australia, United States
20	Fortana del Taro (IT)	Fortana	Italy, Australia
21	Freisa d'Asti (IT) Freisa di Chieri (IT)	Freisa	Italy, Australia, United States
22	Greco di Bianco (IT) Greco di Tufo (IT)	Greco	Italy, Australia
23	Grignolino d'Asti (IT) Grignolino del Monferrato Casalese (IT)	Grignolino	Italy, Australia, United States
24	Izsáki Arany Sárfehér (HU)	Izsáki Sáfeher	Hungary
25	Lacrima di Morro d'Alba (IT)	Lacrima	Italy, Australia
26	Lambrusco Grasparossa di Castelvetro	Lambrusco grasparossa	Italy
27		Lambrusco	Italy, Australia ⁽²⁾, United States
28	Lambrusco di Sorbara (IT)		
29	Lambrusco Mantovano (IT)		
30	Lambrusco Salamino di Santa Croce (IT)		
31		Lambrusco Salamino	Italy
32	Colli Maceratesi	Maceratino	Italy, Australia
33	Nebbiolo d'Alba (IT)	Nebbiolo	Italy, Australia, United States
34	Colli Orientali del Friuli	Picolit	Italy
35	Picolit (IT)	Pikolit	Slovenia
36	Colli Bolognesi Classico Pignoletto (IT)	Pignoletto	Italy, Australia
37	Primitivo di Manduria	Primitivo	Italy, Australia, United States
38	Rheingau (DE)	Rajnai rizling	Hungary ⁽⁴¹⁾
39	Rheinhessen (DE)	Rajnski rizling	Serbia and Montenegro (40-41- 46)
40		Renski rizling	Serbia and Montenegro (39-43- 46), Slovenia° (45)
41		Rheinriesling	Bulgaria°, Austria, Germany (43), Hungary (38), Czech Republic (49), Italy (43), Greece, Portugal, Slovenia
42		Rhine Riesling	South Africa°, Australia°, Chile (44), Moldavia°, New Zealand°, Cyprus, Hungary°
43		Riesling renano	Germany (41), Serbia and Montenegro (39-40- 46), Italy (41)
44		Riesling Renano	Chile (42), Malta°
45		Radgonska ranina	Slovenia
46		Rizling rajnski	Serbia and Montenegro (39-40-43)
47		Rizling Rajnski	Former Yugoslav Republic of Macedonia°, Croatia°
48		Rizling rýnsky	Slovakia°
49		Ryzlink rýnský	Czech Republic (41)
50	Rossese di Dolceacqua (IT)	Rossese	Italy, Australia
51	Sangiovese di Romagna (IT)	Sangiovese	Italy, Australia, United States
52	Štajerska Slovenija (SV)	Štajerska belina	Slovenia

	Name of a protected designation of origin or geographical indication	Variety name or its synonyms	Countries that may use the variety name or one of its synonyms ⁽¹⁾
53	Teroldego Rotaliano (IT)	Teroldego	Italy, Australia, United States
54	Vinho Verde (PT)	Verdea	Italy°
55		Verdeca	Italy
56		Verdese	Italy°
57	Verdicchio dei Castelli di Jesi (IT) Verdicchio di Matelica (IT)	Verdicchio	Italy, Australia
58	Vermentino di Gallura (IT) Vermentino di Sardegna (IT)	Vermentino	Italy, Australia
59	Vernaccia di San Gimignano (IT) Vernaccia di Oristano (IT) Vernaccia di Serrapetrona (IT)	Vernaccia	Italy, Australia
60	Zala (HU)	Zalagyöngye	Hungary

(*) **LEGEND:**

- terms in italic: reference to the synonym for the wine grape variety
- [°] no synonym
- terms in bold: column 3: name of the wine grape variety
- terms not in bold: column 4: country where the name corresponds to a variety and reference to the variety
- terms in bold: column 3: name of the synonym of a vine variety
- terms not in bold: column 4: name of country using the synonym of a vine variety

⁽¹⁾ For the states concerned, the derogations provided for in this Annex are authorised only in the case of wines bearing a protected designation of origin or geographical indication produced with the varieties concerned.

⁽²⁾ Use authorised in accordance with the provisions of Article 22(4) of the Agreement of 1 December 2008 between the European Community and Australia on trade in wine (OJ L 28, 30.1.2009, p. 3).'

COMMISSION REGULATION (EU) No 402/2010**of 10 May 2010****entering a name in the register of protected designations of origin and protected geographical indications (Pintadeau de la Drôme (PGI))**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, and in particular the first subparagraph of Article 7(4) thereof,

Whereas:

- (1) Pursuant to the first subparagraph of Article 6(2) and in accordance with Article 17(2) of Regulation (EC) No 510/2006, France's application to register the name 'Pintadeau de la Drôme' was published in the *Official Journal of the European Union* ⁽²⁾.

- (2) As no statement of objection pursuant to Article 7 of Regulation (EC) No 510/2006 has been received by the Commission, that name should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name contained in the Annex to this Regulation is hereby entered in the register.

*Article 2*This Regulation shall enter into force on the 20th 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, 10 May 2010.

*For the Commission**The President*

José Manuel BARROSO

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 222, 15.9.2009, p. 12.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.1. Fresh meat (and offal)

FRANCE

Pintadeau de la Drôme (PGI)

COMMISSION REGULATION (EU) No 403/2010**of 10 May 2010****entering a name in the register of protected designations of origin and protected geographical indications (Tarta de Santiago (PGI))**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, and in particular the first subparagraph of Article 7(4) thereof,

Whereas:

- (1) Pursuant to the first subparagraph of Article 6(2) of Regulation (EC) No 510/2006, Spain's application to register the name 'Tarta de Santiago' was published in the *Official Journal of the European Union* ⁽²⁾.

- (2) As no statement of objection pursuant to Article 7 of Regulation (EC) No 510/2006 has been received by the Commission, that name should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name contained in the Annex to this Regulation is hereby entered in the register.

Article 2

This Regulation shall enter into force on the 20th 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, 10 May 2010.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 223, 16.9.2009, p. 23.

ANNEX

Foodstuffs listed in Annex I to the Regulation (EC) No 510/2006:

Class 2.4. Bread, pastry, cakes, confectionery, biscuits and other baker's wares

SPAIN

Tarta de Santiago (PGI)

COMMISSION REGULATION (EU) No 404/2010

of 10 May 2010

imposing a provisional anti-dumping duty on imports of certain aluminium wheels originating in the People's Republic of China

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Community ⁽¹⁾ (the 'basic Regulation') and in particular Article 7 thereof,

After consulting the Advisory Committee,

Whereas:

A. PROCEDURE**1. Initiation**

- (1) On 13 August 2009, the Commission announced, by a notice published in the *Official Journal of the European Union* ⁽²⁾, the initiation of an anti-dumping proceeding with regard to imports into the Union of certain aluminium road wheels originating in the People's Republic of China (the 'country concerned' or 'the PRC').
- (2) The proceeding was initiated as a result of a complaint lodged on 30 June 2009 by the Association of European wheel manufacturers (EUWA) ('the complainant') on behalf of producers representing a major proportion, in this case more than 50 %, of the total Union production of certain aluminium wheels. The complaint contained evidence of dumping of the said product and of material injury resulting there from, which was considered sufficient to justify the initiation of a proceeding.

2. Parties concerned by the proceeding

- (3) The Commission officially advised the complainant, the Union producers mentioned in the complaint, other known producers in the Union, exporting producers in the PRC, importers, traders, users, suppliers and associations known to be concerned, and the representatives of the PRC of the initiation of the proceeding. Interested parties were given the opportunity to make their views known in writing and to request a hearing within the time limit set in the notice of initiation.
- (4) All interested parties who so requested and showed that there were particular reasons why they should be heard, were granted a hearing.

(5) In view of the large number of exporting producers in the PRC, importers and Union producers, sampling was envisaged in the notice of initiation for the determination of dumping and injury in accordance with Article 17 of the basic Regulation. In order to enable the Commission to decide whether sampling would be necessary and, if so, to select a sample, all exporting producers, importers and Union producers were asked to make themselves known to the Commission and to provide information specified in the notice of initiation.

(6) A total of 36 companies or groups of related companies ('groups') in the PRC came forward and provided the requested information within the given deadline. These 36 companies or groups produced and/or exported the product concerned to the European Union market during the investigation period and expressed a wish to be included in the sample. They were regarded as co-operating companies and were considered for inclusion in the sample. The level of cooperation from the PRC, i.e. the percentage of exports to the EU by the Chinese cooperating companies as compared to all Chinese exports to the EU, was more than 90 %.

(7) After consulting the parties concerned in accordance with Article 17(2) of the basic Regulation, the Commission selected, in accordance with Article 17 of the basic Regulation, a sample based on the largest representative volume of exports which can reasonably be investigated within the time available and also taking into account the geographical spread of the co-operating companies or groups. The sample selected consists of four (groups of) companies, representing 47 % of the exports to the EU of the 36 co-operating companies or groups, and around 43 % of the total exports to the EU from the PRC. The authorities of the PRC and the Chinese Chamber of Commerce agreed on the choice of sample made by the Commission but requested the inclusion of at least two additional (groups of) companies in the sample. However, given the fact that the sample initially selected consists of 20 companies belonging to 4 groups, it was decided that no more companies or groups could be added since this would not permit completion of investigations within the statutory time limits.

(8) Five exporting producers in the PRC, which were not included in the sample, requested individual examination and provided the relevant information within the given deadline, with a view to the application of Articles 9(6) and 17(3) of the basic Regulation. However, in view of the size of the sample which concerned 4 groups with many companies involved, the Commission concludes, in accordance with Article 17(3) of the basic Regulation, that no individual examination of exporting producers in the PRC not included in the sample can be granted because this would be unduly burdensome and would prevent completion of the investigation in good time.

⁽¹⁾ OJ L 343, 22.12.2009, p. 51.

⁽²⁾ OJ C 190, 13.8.2009, p. 22.

- (9) In order to allow exporting producers in the PRC to submit a claim for market economy treatment ("MET") or individual examination in accordance with Article 17(3) of the basic Regulation, if they so wished, the Commission sent claim forms to the Chinese exporting producers that made such request and to the Chinese authorities.
- (10) The Notice of initiation was sent to around 40 Union producers of aluminium road wheels (ARWs). 17 replies were received. 5 groups of companies were sampled as they were found to be representative of the total Union production in terms of sales volumes and production in the EU (more than 75 %) geographical coverage and type of activity, i.e. Original Equipment Manufacturer (OEM) and so-called aftermarket (AM) sales, see recital (19) *et seq* for further details. Although the majority of sales of the sampled EU producers' sales were directed to the OEM segment, 2 of the sampled producers also sold to the AM segment. Non-complaining companies were also represented in the sample.
- (11) During the investigation, parties put forward further arguments concerning alleged differences between the OEM and AM segments. In order to obtain more relevant information, it was decided to extend the sample to one additional (major) producer active in the AM segment.
- (12) Complainants requested that their names be kept confidential for fear that they could face retaliation by customers or competitors. The Commission took the view that there was indeed a significant possibility of retaliation and accepted that the names should not be disclosed. After initiation, all cooperating companies agreed to release their names in their capacity as co-operators but not, where applicable, in their capacity as complainants.
- (13) The Notice of initiation was sent to around 80 importers and importers/users of ARWs. 40 replies were received from companies representing around one third of total imports from China. 12 of these replies were received from importers and the rest from importing users. 7 companies were sampled (5 importers and 2 importing users).
- (14) The Commission sent questionnaires to the 6 Union producers selected in the sample, to the exporting producers in the sample selected for the PRC and to those who requested IT, to the 7 importers selected in the sample. In addition, questionnaires were sent to users and cooperating other producers.
- (15) Questionnaire replies were received from the 4 sampled Chinese exporting producers and from 5 Chinese exporting producers requesting IT in accordance with Article 17(3) of the basic Regulation. Replies were also received from the 6 sampled Union producers, 3 importers not related to an exporting producer, from 9 other EU producers and 13 users. Submissions were also received from the Chinese Chamber of Commerce, and from two associations of users.
- (16) The Commission sought and verified all the information deemed necessary for a provisional determination of dumping, resulting injury and Union interest and carried out verifications at the premises of the following companies:
- (a) Union producers:
- Borbet group:
Borbet Solingen GmbH — Germany
 - Heyes Lemmerz group:
Heyes Lemmerz Alukola, s.r.o. — Czech Republic
Heyes Lemmerz Italy Holding s.r.l. — Italy
 - Ronal group:
Ronal AG — Switzerland
Ronal Polska Sp. z o.o. — Poland
 - Speedline s.r.l. — Italy
 - Mapsa S. Coop. L. — Spain
 - AEZ — Germany
 - Française de Roues S.A.S.V. — France
- (b) Exporting producer and their related companies in the PRC:
- Baoding Lizhong Wheels manufacturing Co. Ltd. (Baoding)
 - Zhejiang Wanfeng Auto Wheel Co. Ltd (Wanfeng)
 - YHI Manufacturing (Shanghai) Co., Ltd (YHI)
 - CITIC Dicastal Wheel Manufacturing (CITIC)
- (c) Related companies in the Union:
- OZ Deutschland, Biberbach (Germany)
 - OZ SpA, Bassano del Grappa (Italy)
- (d) Related companies in Singapore:
- OZ Asia
 - YHI Manufacturing
- (e) Users:
- Renault — France
 - BMW — Germany
- (17) In view of the need to establish a normal value for exporting producers to which MET might not be granted, a verification to establish normal value on the basis of data from Turkey as analogue country took place at the premises of the following companies:
- (f) Producers in Turkey:
- CMS Jant ve Makina Sanayi A.Ş.
 - Hayes Lemmerz İnci Alüminyum.

3. Investigation period

- (18) The investigation of dumping and injury covered the period from 1 July 2008 to 30 June 2009 (the investigation period or IP). The examination of trends relevant for the assessment of injury covered the period from 1 January 2006 to the end of the IP (the period considered).

B. PRODUCT CONCERNED AND LIKE PRODUCT

1. Product concerned

- (19) The product concerned is defined as aluminium road wheels of the motor vehicles of CN headings 8701 to 8705, whether or not with their accessories and whether or not fitted with tyres originating in the People's Republic of China (the product concerned), currently falling within CN codes ex 8708 70 10 and ex 8708 70 50.
- (20) The product concerned is sold in the Union via two distribution channels: to the Original Equipment Manufacturer (OEM) segment and to the so-called aftermarket (AM) segment. In the OEM segment, car manufacturers organize tender procedures for ARWs (around two years before the launch of a new car model) and are involved in the process of developing a new wheel which will bear their brand name. Both Union producers and Chinese exporters compete in the same tenders. In the AM sector, ARWs are designed, developed and branded by ARW producers to be then sold to wholesalers, retailers, tuning companies, car repair shops, etc.
- (21) One exporter claimed that the ARWs destined for the OEM segment should be excluded from the product scope of the proceeding because they are fitted only on a new car while the ARWs destined to the AM segment are meant to replace the OEM wheel during the lifetime of a car model. The argument is self-contradictory because it confirms that 'AM ARWs' are made to fit and perform to the same degree as 'OEM ARWs'. In fact the 'AM ARWs' can be produced by means of different production processes⁽¹⁾, in all diameters and weights, with all different types of finishing, etc. The difference between the 'OEM and AM' ARWs relates solely to the different channels of distribution which result in the involvement of the car industry in the process of developing and designing the wheel. It has also been claimed that the price setting of 'OEM and AM' ARWs differs, the former being linked to the changing London Metal Exchange (LME) price. Indeed, the car manufacturers use a so called zero-base price formula. It consists of three elements: (1) aluminium price (variable, linked to LME), (2) value added, transformation costs, and (3) a fixed quality premium. This

price setting method is adjusted to the needs of the car industry, but the cost components of both 'OEM and AM' ARW are the same.

- (22) Consequently, although the 'OEM and AM' ARW have different channels of distribution they share the same physical and technical characteristics and are interchangeable. They are thus considered to constitute one single, homogenous product. In addition, ARWs are sold and imported from China in significant quantities via both sales channels. In the light of these findings, it is provisionally concluded that the exclusion of the 'OEM ARW' from the product scope of the investigation is not warranted.
- (23) An interested party claimed that wheels for go-karts should be excluded because go-karts would fall out of CN headings 8701 to 8705. Nevertheless, the party failed to conclusively show that go-karts cannot be included within the above-mentioned CN headings; therefore, the claim was provisionally rejected.
- (24) The same party claimed that wheels for all-terrain vehicles (ATVs) should also be excluded from the product scope, because those wheels would be fundamentally different from wheels manufactured for other motor vehicles. Nevertheless, certain ATVs could be classified in the CN headings 8701 to 8705 and therefore their wheels fall within the product scope of this investigation. As a consequence, this claim was provisionally rejected.

2. Like product

- (25) The product concerned and the aluminium road wheels produced and sold on the domestic market of the PRC, and on the domestic market of Turkey, which served provisionally as an analogue country, as well as the aluminium road wheels produced and sold in the Union by the Union industry were found to have the same basic physical, chemical and technical characteristics and uses. Therefore, these products are provisionally considered to be alike within the meaning of Article 1(4) of the basic Regulation.

C. DUMPING

1. Market Economy Treatment

- (26) Pursuant to Article 2(7)(b) of the basic Regulation, in anti-dumping investigations concerning imports originating in the PRC, normal value shall be determined in accordance with paragraphs 1 to 6 of the said Article for those producers which were found to meet the criteria laid down in Article 2(7)(c) of the basic Regulation. Briefly and for ease of reference only, these criteria are set out in summarised form below:

⁽¹⁾ Cast, flow-formed, forged and two- and three-part wheels.

- Business decisions are made in response to market signals, without significant State interference, and costs reflect market values;
 - Firms have one clear set of basic accounting records, which are independently audited in line with international accounting standards (IAS) and are applied for all purposes;
 - There are no significant distortions carried over from the former non-market economy system;
 - Bankruptcy and Property laws guarantee stability and legal certainty; and
 - Exchange rate conversions are carried out at market rates.
- (27) In the present investigation, all sampled exporting groups requested MET pursuant to Article 2(7)(b) of the basic Regulation and replied to the MET claim form within the given deadlines.
- (28) For all sampled exporting groups, the Commission sought all information deemed necessary and verified information submitted in the MET claim at the premises of the groups in question.
- (29) The investigation revealed that MET could not be granted to any of the four Chinese company groups as none of them fulfilled all the criteria set out in Article 2(7)(c) of the basic Regulation, for the following reasons.
- Criterion 1*
- (30) All sampled exporting groups failed to demonstrate that they fulfil Criterion 1 because of State interference in decisions concerning the main raw material (aluminium).
- (31) Indeed, in all sampled groups, it appears that the vast majority of aluminium used for the production of aluminium road wheels is acquired in the Chinese domestic market on the basis of long term contracts. Prices are based on quotations of primary aluminium on the Chinese spot markets plus a transformation fee (and in the case of one company also on the Shanghai Futures Exchange (SHFE)). In this respect, it has to be pointed out that quotation on the spot markets run in parallel with the SHFE.
- (32) In this regard, it has to be noted that the Chinese State has a primary role in the setting of prices of primary aluminium and interferes in the market continuously with a number of tools.
- (33) First, primary aluminium for export is subject to a 17 % VAT (while VAT on exports of finished goods is refunded) plus a 15 % export tax.
- (34) Secondly, the State interferes with the price setting mechanisms in the Shanghai Futures Exchange (SHFE) which is a closed exchange for Chinese-registered companies and Chinese citizens. This State interference with the price setting mechanisms in the SHFE is linked to its position both as a seller of primary aluminium and as a purchaser via the State Reserve Bureau and other State Bodies. In addition, the State sets daily price limits via the rules of the SHFE which have been approved by the State Regulator, the China Securities Regulatory Commission (the CSRC).
- (35) Another example of State interference is the recent stimulus package of the Chinese Government aiming at limiting the effects of the economic crisis. End of 2008, the State Reserves Bureau started a scheme to buy aluminium from smelters to help their operations as the global financial crisis cut demand. Those State-backed purchases absorbed most of the stocks in the domestic market, driving up prices during the first half of 2009.
- (36) This was considered as an underlying factor of State interference in decisions of firms regarding raw materials. Indeed, the current Chinese system of high export duties and lack of VAT reimbursement for export of primary aluminium and other raw materials, combined with no export taxes and VAT reimbursement on exports of the downstream product and State interference in the setting of prices in the SHFE, has essentially led to a situation where Chinese aluminium prices continue to be the result of State intervention. This has led to the situation that, historically, prices in the LME have diverged significantly from those in the Chinese market⁽¹⁾. Between half 2005 and the end of 2008, LME prices have been significantly higher compared to the Chinese markets, underlining the lack of any meaningful arbitrage between Chinese markets and markets in the rest of the world.
- (37) Thus, the multiple State-induced distortions in the Chinese primary aluminium prices affect the decisions of Chinese producers of aluminium wheels when acquiring raw materials. In addition, these enjoy an advantage from these distortions, in the sense that they normally make their purchases in the Chinese market from local suppliers using Chinese spot markets prices (or SHFE) as a benchmark but can also buy certain quantities at LME prices when prices in the Chinese market are higher as a result of State intervention.
- ⁽¹⁾ Exceptionally, this has not been the case for some months of the investigation period of the present proceeding. This rise in prices in the Chinese aluminium markets has been the result of a stimulus package of the Chinese Government aiming at limiting the effects of the economic crisis (End of 2008, the State Reserves Bureau started a scheme to buy aluminium from smelters to help their operations as the global financial crisis cut demand. Those State-backed purchases absorbed most of the stocks in the domestic market in March and April, driving up prices during the first half of 2009).

- (38) Moreover, in addition to the general situation described above, three other groups do not fulfil other requirements of Criterion 1 because of significant State interference in relation to important business decisions. For one of the groups, a State-owned company has veto rights disproportionate to its shareholding in two of its companies on certain main decisions. For most of the companies of another group, some main decisions are subject to significant State interference either because the companies are 100 % State-owned or because the director representing the State-owned shareholder has veto rights on important company decisions. Moreover, despite the companies' assertion to the contrary, the investigation has revealed that the local State labour Department has veto rights concerning employment of workers in two of these companies. Finally, in the case of a third group, the family that controls the group has links with the ruling party and one of the companies belonging to the group is subject to significant State interference for certain important decisions given that the director representing a State-owned shareholder has a veto right on important company decisions.

Criterion 2

- (39) For one group, there is a clear breach of the basic accounting principles in all its companies. In particular IAS 1 (Presentation of Financial Statements), IAS 12 (Income taxes) and IAS 16 (Property, Plant and Equipment) were not respected. It is therefore considered that the accounts were not prepared and audited in line with International Accounting Standards. For another group the Commission's services found non-compliance with IAS 1 and IAS 31.

Criterion 3

- (40) For one group, there are clear distortions in relation to land use rights and acquisition of fixed assets for several companies and most companies belonging to the group have benefited from preferential tax regimes, tax refunds and subsidies which constitute distortions carried over from the non-market economy system. These distortions were significant, measured for example in terms of turnover.
- (41) Concerning another sampled group, three of its companies have benefited from preferential tax regimes which constitute distortions carried over from the non-market economy system. These distortions can be considered as significant for example in terms of turnover.
- (42) It also appears for another group that two of its companies do not comply with Criterion 3. The first one has paid the land use right with a long delay after the due date, without incurring any penalty, despite the fact that penalties were clearly stated in the contract. This meant a direct support by the State (which is the ultimate owner of the land) in the start-up phase of the company. As for the second company, it was established following a purchase of the assets of a State-owned producer of

aluminium wheels at non-market conditions which translated into an undue advantage in the initial phase of the company's life.

- (43) A group claimed that the purchase of assets from a State-owned producer was carried out under market conditions. Nevertheless, the party failed to demonstrate that the whole of the operation could be considered as free from distortions carried over from the former non-market economy system.
- (44) Finally companies belonging to another group enjoyed significant tax exemptions and financial support which had significant impact on their financial situation, measured for example in terms of turnover.
- (45) The Commission officially disclosed the results of the MET findings to the exporting groups concerned in the PRC, the authorities of the PRC, the Chinese Chamber of Commerce and the complainant. They were also given an opportunity to make their views known in writing and to request a hearing if there were particular reasons to be heard.
- (46) One group challenged the fact that the Commission had failed to decide on MET within the three-months deadline established in the basic Regulation, claiming that the exporters had taken all the necessary steps before this deadline to make it possible for the Commission to know what effect its decision concerning that status might have on the calculation of the dumping margin. In other words, it is claimed MET should be assessed within the three months deadline whenever answers to the anti-dumping questionnaires have been provided within that deadline. Otherwise, there is a risk that the information provided in the anti-dumping questionnaire can have an impact on the decision to grant MET.
- (47) However, in the circumstances of the present case, it should be stressed that a decision on MET could not be taken within the 3 months deadline because most of the information regarding MET was collected during the verification visits which finished beyond the three month deadline. In any event, as explained above, the decision to refuse MET to the sample exporting groups was exclusively based on a thorough assessment of the relevant 5 MET criteria laid out in Article 2(7)(c) of the basic Regulation.
- (48) In relation to Criterion 1 it has been claimed that there is indeed arbitrage between the Chinese markets and the LME because there have been some minor exports of aluminium to/from China during the Investigation Period. This argument cannot be accepted in view of divergences of price levels between the Chinese markets and the LME.

- (49) As for Criterion 2 a number of issues were raised regarding some of the incompatibilities with different IAS found by the Commission in the accounts of two companies. However, nothing in the arguments put forward allow concluding that any of these two companies has a clear set of accounting records independently audited in line with International Accounting Standards.
- (50) In relation to Criterion 3 several arguments have been put forward. First it has been claimed that the impact of financial support, land rights and other advantages such as tax exemptions did not cause significant distortions on the financial situation of the companies. This argument cannot be accepted since the impact of those schemes is significant if measured in terms of turnover.
- (51) It has also been pointed out that a number of support schemes and fiscal advantages were not company specific and therefore, it cannot be considered that they are the result of a carry-over effect of the non-market economy system. In this respect, it has to be underlined that the analysis in MET pertains to whether there is State interference whether or not it is specific to any company. In any event, the factual basis of the allegation is incorrect. Indeed, advantages enjoyed by the companies in the present case can be considered as company-specific because they are all targeted to a certain type of companies: e.g.: being a foreign company, being established in a given area and having carried out *ad hoc* negotiations with the local authorities to receive subsidies, purchasing domestic equipment, technology upgrading, participation on fairs, R&D investments etc.
- (52) Finally, it has been put forward that income tax exemptions and deductions for foreign companies that entered into force in 2005 do not constitute a distortion carried over from the non-market economy system. This interpretation cannot be accepted. Indeed, Criterion 3 does not refer to actions limited in time (up to 1998 when China started to apply Market Economy rules) or in their scope, but to actions that imply the involvement of the State in shaping the business environment through measures that are typical of a non-market economy, such as discriminatory tax rates.
- (53) On the basis of the above, none of the PRC companies that had requested MET could show that they fulfilled the criteria set out in Article 2(7)(c) of the basic Regulation. It was therefore considered that MET should be rejected for all these companies. The Advisory Committee was consulted and did not object to these conclusions.

2. Individual Treatment

- (54) Pursuant to Article 2(7)(a) of the basic Regulation a country-wide duty, if any, is established for countries falling under Article 2(7) of the basic Regulation, except in those cases where companies are able to demonstrate, in accordance with Article 9(5) of the basic Regulation, that their export prices and quantities as well as the conditions and terms of the sales are freely

determined, that exchange rates are carried out at market rates, and that any State interference is not such as to permit circumvention of measures if exporters are given different rates of duty.

- (55) All exporting groups which requested MET also claimed individual treatment in the event they would not be granted MET. On the basis of the information available, it is provisionally established that two of the four sampled groups in the PRC meet all the requirements for individual treatment. Two sampled groups are denied individual treatment. Indeed, State interference in CITIC Dicastal and Baoding is such that it permits circumvention of measures if individual exporters are given different rates of duty in particular having regard to the fact that these two groups have two common joint ventures producing the product concerned.
- (56) Of the four sampled exporting groups in the PRC, individual examination should be granted to the following groups:

— Zhejiang Wanfeng Auto Wheel Co. Ltd.

— YHI Manufacturing (Shanghai) Co., Ltd.

3. Normal value

3.1. Choice of analogue country

- (57) According to Article 2(7)(a) of the basic Regulation, normal value for the exporting producers not granted MET has to be established on the basis of the domestic prices or constructed normal value in an analogue country.
- (58) In the notice of initiation, the Commission indicated its intention to use Turkey as an appropriate analogue country for the purpose of establishing normal value and interested parties were invited to comment on this.
- (59) Only one exporter has objected to this choice and has proposed Malaysia as an alternative country but stated at a later stage that Malaysian companies were not willing to co-operate with the Commission.
- (60) The Commission examined whether Turkey was a reasonable choice of analogue country. It was concluded that Turkey, with five national producers and significant imports from third countries is a market with a high degree of competition. Furthermore, there were no significant differences in the production process between producers in Turkey and in the People's Republic of China. Having regard to the above, the investigation showed no reason, to consider that Turkey was not adequate for the purpose of establishing normal value. Moreover, Turkish producers sell product types comparable to those exported by the PRC.

(61) Two producers in Turkey responded to the questionnaire sent to all producers of aluminium wheels in Turkey.

(62) The data submitted in the cooperating Turkish producers' replies were verified *in situ* and were found to be reliable information on which a normal value could be based.

(63) It is therefore provisionally concluded that Turkey is an appropriate and reasonable analogue country in accordance with Article 2(7)(a) of the basic Regulation.

3.2. Determination of normal value

(64) Pursuant to Article 2(7)(a) of the basic Regulation, normal value was established on the basis of verified information received from the producer in the analogue country as set out below:

(65) The product concerned was sold in representative quantities on the Turkish domestic market.

(66) It was analysed whether it could be considered as being sold in the ordinary course of trade pursuant to Article 2(4) of the basic Regulation. This was done by establishing for each product type the proportion of profitable sales to independent customers on the domestic market during the investigation period.

(67) Where sales volume of a product type, sold at net sales price equal to or above the calculated cost of production, represented more than 80 % of the total sales volume of that type, and where the weighted average price of that type was equal to or above the cost of production, normal value was based on the actual domestic price. This price was calculated as a weighted average of the prices of all domestic sales of that type made during the IP, irrespective of whether the sales were profitable or not.

(68) Where the volume of profitable sales of a product type represent 80 % or less of the total sales volume of that type, or where the weighted average price of that type was below the cost of production, normal value was based on the actual domestic price, calculated as a weighted average of profitable sales of that type only.

(69) For one product type where no profitable sales were made, normal value was based on the manufacturing costs of the product type sold in the domestic market, plus selling, general and administrative costs ('SG&A costs') and a reasonable value for profit on the domestic market.

(70) Finally, for a limited number of product types, normal value was calculated on the basis of normal value for comparable types of products making adjustments for physical differences.

3.3. Export prices

(71) In all cases where the product concerned was exported to independent customers in the Union, the export price was established in accordance with Article 2(8) of the basic Regulation, namely, on the basis of export prices actually paid or payable.

(72) In cases where sales were made via a related importer or trader, the export prices were constructed in accordance with Article 2(9) of the basic Regulation on the basis of the resale prices of that related importer/importer to first independent customers in the Union. Adjustments were made for all costs incurred between importation and resale including sales, general and administrative expenses and profit. With respect to profit margin, the profit realised by an unrelated importer/trader of the product concerned was used since the actual profit of the related importer/trader was not considered reliable because of the relationship between the exporting producers and the related importer/trader.

3.4. Comparison

(73) The normal value and export prices were compared on an ex-works basis. For the purpose of ensuring a fair comparison between the normal value and the export price, due allowance in the form of adjustments was made for differences affecting prices and price comparability in accordance with Article 2(10) of the basic Regulation.

(74) The price comparison between the wheels exported from the PRC and those sold on the Turkish market by the Turkish cooperating producers was made by distinguishing sales to OEMs and sales in the After-market.

(75) In addition to the above, appropriate adjustments concerning transport, insurance, handling and ancillary costs, packing, credit, indirect taxation and bank charges were granted in all cases where they were found to be reasonable, accurate and supported by verified evidence.

4. Dumping margins

4.1. For the sampled cooperating exporting producers granted IT

(76) For the two sampled companies granted IT, dumping margins were established by comparing the weighted average normal value established for the Turkish producers who cooperated fully with each company's weighted average export price to the Union, as provided for in Article 2(11) of the basic Regulation.

- (77) The dumping margins expressed as a percentage of the import price at the European Union border, duty unpaid, are the following:

Company	Dumping Margin
YHI Manufacturing (Shanghai) Co. Ltd	36,7 %
Zhejiang Wanfeng Auto Wheel Co. Ltd	61,8 %

4.2. For all other cooperating exporting producers

- (78) The dumping margin for sampled companies not granted MET or IT and for the non-sampled cooperating companies was calculated as a weighted average of the results of all sampled companies. For the two companies not granted MET nor IT the calculations were made in the same manner as described in paragraph 76. The dumping margin expressed as a percentage of the import price at the European Union border, duty unpaid is 48,7 %.

4.3. For all other exporting producers

- (79) Given that cooperation from the PRC was very high, the country-wide dumping margin applicable to all other exporters in the PRC was calculated using the highest dumping margin established on the basis of transactions made by one cooperating exporting producer. Therefore, the residual dumping margin expressed as a percentage of the import price at the European Union border, duty unpaid amounts to 69,3 %.

D. INJURY

1. Union production

- (80) ARWs are produced by around 30 companies, located in many EU countries. The companies that supported the complaint and co-operated in the investigation represented more than 85 % of the total Union production in the IP.
- (81) The total Union production and the support for the investigation has been established on the basis of all available information, including information provided in the complaint, data collected from Union producers before and after the initiation of the investigation, information obtained from the sampled producers, and other co-operating producers. This information allowed confirming the existence and the level of production also of those producers which did not cooperate in the investigation.
- (82) One sampled producer was found to import and resell the product concerned on the Union market from the

PRC. However, by comparison to its overall sales, the imports remain marginal and do not affect its qualification as Union producer.

2. Union Consumption

- (83) During the period considered the Union consumption developed as follows.

Union Consumption	2006	2007	2008	IP
Units (in 000)	58 607	62 442	58 313	49 508
Index 2006 = 100	100	107	99	84

- (84) Union consumption ⁽¹⁾ has been established by adding imports based on Eurostat data to the EU sales from Union producers. Imports of ARWs are covered by 2 ex CN codes which include also other products. In order to assess the part of ARWs under each CN code, their share imported under CN codes 8708 70 10 and 8708 70 50 was established country by country on the basis of the methodology suggested in the complaint. As imports were reported in weight, the conversion into units was also made with reference to the methodology suggested in the complaint (using an average weight per unit). These data were cross-checked with and confirmed by data supplied by the sampled Chinese exporters. EU deliveries were calculated by adding those made by the sampled Union producers with those made by the other producers (data collected at the pre-initiation stage, obtained from the complaint, certain estimates made on the basis of data of sampled producers).

- (85) Overall, consumption decreased by 15,5 % over the period considered but it followed an uneven trend, with a major decrease of 15,1 % between 2008 and the IP. It increased from 58,6 million units in 2006, to 62,4 million units in 2007 to then drop to 58,3 million units in 2008 and to 49,5 million units in the IP.

3. Imports from the PRC

3.1. Volume and market share of imports of the product concerned

- (86) The evolution of imports from the PRC, in volume and market share, has been the following:

⁽¹⁾ Two calculations of consumption were compared and yielded similar results. As most production is 'on order', stocks do not play a major role in terms of volumes as compared to total consumption. In the first calculation EU production was added to imports and exports were deducted. In the second calculation imports and EU sales (data from sampled producers, mini questionnaires, and assumption for the rest of producers) were summed up. The second option was preferred as it allows a higher level of precision in this case.

Import volumes in 000 units	2006	2007	2008	IP
PRC	3 703	5 144	5 809	6 137
Index 2006 = 100	100	139	157	166
Market share (%)	6,3	8,2	10	12,4

Source: Eurostat and data on Union sales of Union producers.

- (87) The volume of Chinese imports increased from 3,7 million units in 2006, to 5,1 million units in 2007, 5,8 million units in 2008 and to 6,1 million units in the IP. It thus increased more than 66 % between 2006 and the IP.
- (88) The market share of Chinese imports doubled. It increased from 6,3 % in 2006, to 8,2 % in 2007, to 10 % in 2008 and 12,4 % in the IP. Overall, the Chinese imports gained 6,1 percentage points of market share over the period considered.

3.2. Prices of imports

- (89) The table below compares the average Chinese import prices (based on Eurostat as exporter questionnaires only relate to the IP but not to the preceding years) with the average sales prices of the sampled Union producers.

Euros/unit	2006	2007	2008	IP
China	34,7	33,5	31,4	31,9
Sampled EU producers	49,7	49,7	48	46,5
Differential	15	16,2	16,6	14,6

- (90) The average import prices from the PRC fell continuously between 2006 and 2008 by 9,5 % to then increase slightly in the IP by 0,5 %. Over the period considered prices fell by 8 %.
- (91) Based on this price comparison, it can be concluded that the Chinese import prices, in overall terms, were continuously and significantly below the sampled producers' prices over the period considered, forcing the latter to important reductions of their own prices.

3.3. Price undercutting

3.3.1. General remarks

- (92) The current case is characterised by the segmental split into two distribution channels, i.e. the OEM and the AM segment. In addition, the majority of Union producers' sales concentrate on the OEM segment, whereas Chinese

imports are directed mainly to the AM segment (around 70 % of imports from the PRC). Thus, there is an asymmetry in the segmental channelling of sales from the Union industry on the one hand and Chinese imports on the other hand.

3.3.2. Undercutting

- (93) A comparison of sales prices on the Union market was made between the prices of the sampled Union industry and imports from the country concerned. The relevant sales prices of the sampled Union industry were those to independent customers, adjusted where necessary to an ex-works level, i.e. excluding freight costs in the Union and after deduction of discounts and rebates.
- (94) These prices were compared with prices charged by the Chinese exporting producers net of discounts and adjusted where necessary to CIF Union frontier with an appropriate adjustment for the customs clearance costs and post-importation costs.
- (95) The comparison showed that during the IP, imports of the product concerned were sold in the Union at prices which undercut the Union industry's prices, when expressed as a percentage of the latter by between 22 and 37 %, based on the data submitted by the cooperating exporting producers. From this level of undercutting and the negative price development of the Union industry, it is clear that substantial price depression had taken place.
- (96) Some parties claimed that the level of undercutting should be calculated by reference to the 'value added' component of the price only (excluding aluminium cost). Indeed, using this methodology would lead to an even higher level of undercutting. However, given that the levels of undercutting calculated with reference to the full price were already substantial, this method was not further explored.
- (97) The high level of undercutting coupled with the price depression (see recital (89) *et seq*) on the part of the Union industry demonstrates the pronounced effect of dumping in this case.
- (98) In order to pre-empt any possible questions as to differences between the two segments a separate analysis based on the same methodology as described above has been made for both segments. Undercutting remains substantial both those segments (between 13 and 30 % for OEM sales and between 56 and 63 % for AM sales).

4. Imports from third countries other than PRC

- (99) The following table demonstrates the developments of imports from third countries other than the PRC.

Import volumes in 000 units	2006	2007	2008	IP
Turkey	4 140	4 522	4 021	3 426
<i>Index 2006 = 100</i>	100	109	97	83
Market share (%)	7,1	7,2	6,9	6,9
Norway	1 079	1 210	1 106	520
<i>Index 2006 = 100</i>	100	112	102	48
Market share (%)	1,8	1,9	1,9	1,1
South Africa	490	851	790	700
<i>Index 2006 = 100</i>	100	173	161	143
Market share (%)	0,8	1,4	1,4	1,4
Others	3 746	4 029	3 690	2 928
<i>Index 2006 = 100</i>	100	108	99	78
Market share (%)	6,4	6,5	6,3	5,9

- (100) As seen in the above, Turkey is the second largest importer after PRC with a substantial but relatively stable market share. Imports from third countries other than the PRC and Turkey decreased their market share from 9 % in 2006 to 8,4 % in the IP. The impact of prices of those imports on the situation of the Union industry is discussed in recitals (136) *et seq.*

5. Situation of the Union industry

5.1. General

- (101) Pursuant to Article 3(5) of the basic Regulation, the examination of the impact of the dumped imports on the Union industry included an evaluation of all economic factors and indices having a bearing on the state of the Union industry from 2006 to the IP.
- (102) As explained above, the provisions on sampling had to be used. For the purpose of the injury analysis, the injury indicators have been analysed at the following two levels.

— The macro-economic indicators (production, production capacity, capacity utilisation, sales volumes, market share, employment, productivity, wages and magnitude of dumping margins) were assessed at the level of the entire Union production. They are principally derived from questionnaires submitted by the six sampled companies and from the additional mini-questionnaires. These questionnaires relate to companies representing more than 80 % of the total Union production. In order to cover the entire Union production certain extrapolations have been made for the remaining production in addition to data available from various sources, most notably data from the complaint and data collected at the pre-initiation stage. All these factors were cross-checked whenever possible with overall information provided in relevant statistics.

— The analysis of micro-economic elements (stocks, sales prices, profitability, cash flow, return on investment, ability to raise capital and investments, production costs) was carried out for individual companies, i.e. at the level of those Union producers that were included in the sample.

5.2. Macro-economic indicators

5.2.1. Production, production capacity and capacity utilisation

- (103) The table below indicates the evolution of production, production capacity and capacity utilisation on the basis of the total Union production:

	2006	2007	2008	IP
Production (units)	49 711	49 511	45 269	37 687
<i>Indices 2006 = 100</i>	100	100	91	76
Production capacity (units)	53 762	53 378	53 819	51 588
<i>Indices 2006 = 100</i>	100	99	100	96
Capacity utilisation (%)	92,5	92,8	84,1	73,1
<i>Indices 2006 = 100</i>	100	100	91	79

- (104) As shown in the table above, production remained relatively stable at around 49,5 million units in 2006 and 2007, and then dropped to 45,2 million units in 2008 and 37,6 million units in the IP, a decrease of 24 % over the period considered. The capacity utilisation rate dropped 19,4 percentage points over the same period.
- (105) The main cause of the decrease in capacity utilisation, in the presence of a decrease in capacity, can only be attributed to the significant decrease in production.

5.2.2. Sales volumes and market share

- (106) The figures below present the sales volume, market share and average unit sales prices on the basis of all Union producers.

	2006	2007	2008	IP
Sales volume entire Union industry in 000 units	45 447	46 684	42 895	35 794
<i>Indices 2006 = 100</i>	100	103	94	79
Market share (%)	78	75	74	72
<i>Indices 2006 = 100</i>	100	97	95	93

(107) EU sales increased from 45,4 million units in 2006 to 46,6 million units in 2007 and then dropped to 42,8 million units in 2008 and 35,7 million units in the IP. In total, EU sales decreased by 21 % over the period considered.

(108) All EU producers lost market share continuously, from 78 % in 2006 to 75 % in 2007, 74 % in 2008 and 72 % in the IP. It is a total loss of 6 percentage points over the period considered. At the same time Chinese imports gained around 6 percentage points of market share.

5.2.3. Employment, productivity and wages

	2006	2007	2008	IP
Number of employees	14 204	14 818	14 309	12 981
<i>Indices 2006 = 100</i>	100	104	101	91
Productivity (unit/ employee)	3 500	3 341	3 164	2 903
<i>Indices 2006 = 100</i>	100	95	90	83
Yearly wages (EUR)	22 371	20 007	18 649	18 420
<i>Indices 2006 = 100</i>	100	89	83	82

(109) Employment increased from 14 204 employees at the end of 2006 to 14 818 employees at the end of 2007, decreased to 14 309 employees at the end of 2008 and further dropped to 12 981 employees at the end of the IP. Notably between 2008 and the IP, there is a loss of 1 328 jobs corresponding to more than one tenth of the workforce in six months.

(110) In parallel, productivity developed from 3 500 units per employee in 2006 to 3 341 units per employee in 2007, 3 164 units per employee in 2008 and 2 903 units per employee in the IP. The drop of productivity in particular between 2008 and the IP can be explained with the fact that the resizing of the workforce did not go at the same pace as the drop in production. This is explained by the limited possibility for this industry for reconversion or temporary shutting down of machinery and heavy costs related to personnel contributions in case of lay offs. The investigation showed that in particular between 2008 and the IP, the employment numbers declined. The cost of wages decreased in the period considered. The

investments made by the Union industry during the IP are expected to further increase its efficiency and productivity in the mid and long term.

5.2.4. Magnitude of the actual margin of dumping

(111) The dumping margins are specified above in the dumping section. All margins established are significantly above the *de minimis* level. Furthermore, given the volumes and the prices of the dumped imports, the impact of the actual margin of dumping cannot be considered to be negligible.

5.2.5. Contract landscape

(112) As indicated in recital (20) *et seq* the majority of Union-produced ARWs are sold through tender procedures organized on average two years before the launch of a new car model. The Commission therefore also investigated contracts concluded in the period considered (which would be executed after the IP) in order to establish whether any conclusions can be drawn on the likely development of deliveries on the part of the Union industry post IP. The data collected does however not allow for well-founded conclusions at this stage and will be hence further investigated.

5.3. Micro-economic indicators

5.3.1. General remark

(113) 3 of the 6 sampled producers are large groups with production facilities in several Member States while the three others have lighter structures concentrated in one or two Member States. During the period under investigation, 3 production sites of the sampled producers were closed down, the first one in 2006, the second in 2008 slightly before the IP and the last one towards the end of the IP.

5.3.2. Stocks

(114) The figures below represent the volume of stocks of the sampled Union producers at the end of each period:

	2006	2007	2008	IP
Stocks (in 000 units)	2 204	2 444	2 359	2 173
<i>Index 2006 = 100</i>	100	111	107	99

(115) Stocks remained below 12 % of the production. It is recalled that this indicator is not very relevant as production of ARWs takes place by the Union industry to a very large extent to order; stock at a determined point in time is mostly the result of goods sold but not yet delivered.

5.3.3. Sales prices

- (116) Unit selling prices of EU sampled producers were stable in 2006 and 2007 at around 49 Euros per unit but decreased to 48 Euros per unit in 2008 and 46,5 Euros per unit in the IP. This corresponds to a decrease of over 6 % over the period considered, and also shows a very substantial drop in the IP (see table at recital (89)).

5.3.4. Profitability, cash flow, return on investment, ability to raise capital and investments

- (117) Profitability for the like product was established by expressing the pre-tax net profit of the sales of the like product, by the sampled companies, as the percentage of the turnover of such sales. Whilst the profitability for 2006 and 2007 was still over break-even, the situation drastically changed in 2008 and the IP due to a combination of decreasing sales volumes and a reduction in sales prices, with an inelastic cost structure of the industry with high fixed costs.

	2006	2007	2008	IP
Profitability (%)	3,2	0,7	- 1,5	- 5,4

- (118) The trend for the investments in the product concerned of the sampled Union producers is shown in the following table.

EUR	2006	2007	2008	IP
Investments (in 000 Euros)	96 335	99 279	161 803	153 724
Indices 2006 = 100	100	103	168	160

- (119) The table demonstrates that the Union industry has increased its investments in the product concerned, even when facing decreasing profitability. The investments were mainly made for machinery in order to improve efficiency. These increasing investments show that the industry still had the ability to raise capital.
- (120) However, despite these efforts, the return on investments (ROI) of the product concerned collapsed during the period considered, reaching - 40 % in the IP. This confirms the erosion of profitability of the industry and its inability to generate profit from investments.

	2006	2007	2008	IP
Return on Investments (RoI)	50,8 %	12,2 %	- 13,5 %	- 40,8 %
Indices 2006 = 100	100	24	- 27	- 80

	2006	2007	2008	IP
Cash Flow (as percentage of turnover)	9,3 %	4,4 %	3,6 %	1,2 %
Indices 2006 = 100	100	47	39	13

- (121) The sampled producers experienced also a drop in operational cash flow of 8.1 percentage points over the period considered which reflects to a large extent the decrease in profitability. The collapse of such indicator cannot be attributed to the increase in investments but has to be derived from the operational business generating less cash. In fact, as the industry structurally requires constant injections of cash for fixed assets, the drop in cash flow reveals the increasing weakness of the Union industry and its inability to rely on self-financing.

5.3.5. Production costs and cost of raw materials

- (122) The table below develops the average cost per tonne of product concerned for the sampled producers.

In Euros	2006	2007	2008	IP
Average cost of production (per unit)	49,3	49,7	50,5	49,2

- (123) The average cost remained constant over the period considered at a level of around 50 Euros per unit on average.

6. Conclusion on injury

- (124) On these grounds, it is provisionally concluded that Union industry suffered material injury. This conclusion is indeed reinforced by the number of companies or production sites that would have closed (5 in the OEM segment) or that would have gone under insolvency procedures (21 in the AM and 4 in the OEM segment) over the period considered.

E. CAUSATION

1. Introduction

- (125) In accordance with Article 3(6) and (7) of the basic Regulation it was examined whether the material injury suffered by the Union industry has been caused by the dumped imports from the countries concerned. Furthermore, known factors other than dumped imports, which might have injured the Union industry, were examined to ensure that any injury caused by those factors was not attributed to dumped imports.

2. Impact of the imports from the PRC

2.1. General

- (126) There is a clear coincidence in time between the increase of dumped imports which gained 6 percentage points of market share between 2006 and the IP, and a parallel loss of market share of 6 percentage points suffered by the Union producers over the same period. The investigation has also established the existence of negative price effects of dumped imports which continuously undercut prices of Union producers.
- (127) One party claimed that the market share of Chinese imports is too small to cause material injury. However, an overall market share of 12 % in a price sensitive market (and especially so on the OEM segment) cannot be considered small.
- (128) It is further recalled that import volumes from the PRC increased by around 65 % and their estimated market share almost doubled during the period considered. In addition, as has been explained at recital (86) *et seq*, import prices from the PRC fell by 8 % (see recital (89) *et seq*) and substantial price undercutting was taking place (see recital (93) *et seq*). Indeed, it is the steep increase of imports and the substantial price undercutting found that are the chief factors to be considered in this case.
- (129) The Union industry reacted to the injurious dumping by reducing its prices since 2007. However, due to the price pressure exerted by the Chinese imports, the Union industry was not in a position to keep its market share even at reduced prices. In the tendering processes on the OEM segment, it has been found that the low-priced Chinese offers have played a key role in the reduction of the prices offered by the Union industry. However, despite price reductions on the part of the Union industry, the average sales price of the Chinese imports remained lower than the Union industry's prices. As a result, sales by the Union industry fell significantly in the period considered. Given that Chinese prices in the IP had dropped further in comparison to 2006, the Union industry had again to decrease its prices in order to remain in business. Its profitability dropped below the break even point — which will not allow it to continue its operations over time.
- (130) It is therefore evident that there is a strong link between the significant increase in import volumes at ever lower

prices and the injury observed with the Union industry. It can therefore be concluded, at this stage, that there is a causal link between Chinese low-priced imports and the material injury suffered by the Union industry.

2.2. Segmental split within the product concerned

- (131) It has been argued that OEM and AM are two separate sales channels, without any significant interaction between them. On this basis, it has notably been claimed that the injury of the Union industry, which channels most of its sales to the OEM segment (85 % for sampled producers), could not have been caused by Chinese imports which concentrate predominantly on the AM segment and have limited OEM presence.
- (132) Although the distribution channels are indeed separate, according to the Commission's findings, some interaction, although not direct, may nevertheless be taking place. However, in order to have the most complete picture possible of the situation at hand, the two segments have also been considered separately.
- (133) On the AM segment, the injury found can certainly be attributed to the high volumes of low-priced Chinese imports which account for up to 34 % on this segment. In the OEM segment, which constitutes the major part of the EU consumption (35 million units out of around 50), the Chinese presence in terms of volumes is much smaller (with a maximum of 6 %). However, as already explained it has to be borne in mind that the injury suffered in relation to OEM sales is triggered by the low Chinese prices and is indeed price-related. More specifically, there are indications that the car makers use the Chinese offers as a benchmark with the effect of forcing down the prices of the EU ARWs producers in the tendering processes. In order to remain present on the market, the Union producers indeed have no choice but to give in and reduce their prices.
- (134) Further, it cannot be excluded that downward price trends on the AM segment have an effect on the OEM prices. Indeed, a comparison of average AM and OEM prices showed that while the latter were on average higher than the former until 2007, this has changed in 2008 and the IP. This shows that the price pressure on the OEM segment has been much more pronounced over the last years.

- (135) Therefore, it is provisionally considered that Chinese imports have caused injury to the Union industry both on the AM and the OEM segments. This will in any event be further investigated.

3. Effects of other factors

3.1. Impact of imports from third countries other than the PRC

3.1.1. Impact of imports from Turkey

- (136) As shown in recital (99) *et seq*, Turkey is the second largest importer after China. Over the period considered, Turkish imports held a market share of around 7 % on the EU market. The table below compares the prices of imports from all third countries with those of the EU producers.

In Euros/unit	2006	2007	2008	IP
Turkey	40,8	42,6	52,4	40,7
Sampled EU producers	49,7	49,7	48	46,5
China	34,7	33,5	31,4	31,9
Differential Turkey/EU producers	8,9	7,1	4,4	5,8
Differential China/EU producers	15	16,2	16,6	14,6

- (137) Over the period considered, Turkish prices were continuously lower than those of the sampled EU producers, except in 2008. In the IP, the price differential between Turkish and Union producers prices amounted at EUR 5,7 (+/- 12,3 % of EU prices) while the corresponding price differential for China amounted at EUR 14,5 (+/- 31 %). On these grounds, it is reasonable to provisionally conclude that in the IP, the lower prices of imports from Turkey had some negative impact on the situation of the EU industry, but not to a significant extent susceptible of breaking the causal link between dumped imports from China and the injury suffered by the Union industry.

3.1.2. Impact of imports from third countries other than Turkey

- (138) As far as imports from countries other than China and Turkey are concerned, their cumulated market share

decreased from 9 % in 2006 to 8,3 % in the IP (see recital (99)). Corresponding prices remained close to those of the Union producers over the same period. On these grounds, it is considered that imports from third countries other than China and Turkey did not contribute to the injury suffered by the Union industry.

3.2. Impact of the economic crisis

- (139) Some parties claimed that imports from China were absorbed by an increase in EU consumption in 2007 and that the decrease in consumption in 2008 coincided with the economic downturn and the parallel contraction of sales of the car industry. According to this argument, these factors were the key causes of the weak performance by the Union industry.

- (140) The economic crisis indeed negatively affected the situation of the Union industry due to shrinking consumption levels and downward price effects. Between 2008 and the IP, consumption dropped by 14,5 %.

- (141) The ARWs producers operate in symbiosis with the car industry which was seriously affected by the crisis. The table below shows the development of car production volumes in Europe in the period considered. It is true that cars incorporate either aluminium or steel ARWs, with the proportion being difficult to establish. However, there are no indications that this proportion would have significantly changed over the period considered. Therefore, it cannot be excluded that the drop in the volume of production of cars — which indeed decreased dramatically from the end of 2008 to the IP, would have an impact on the sales volume of ARWs producers. The table below shows that the decrease in production volume was indeed more than 15 % between 2008 and the IP.

In EU 27	2006	2007	2008	IP
Production in Europe (in 000 units)	16 198	17 103	15 947	13 443

- (142) However, the analysis of the economic indicators of the Union industry shows that the downward trend started well before the economic crisis and coincided in time with the start of the market penetration by Chinese imports. The profitability figures for example demonstrate that the downward trend began between 2006 and 2007 (decrease by 2,5 percentage points), continued between 2007 and 2008 (another decrease by 2,2 percentage points) to reach an extreme decrease by 6,9 percentage points between 2008 and the IP.

(143) Further, the Chinese imports continued to increase their presence on the market despite the contracting consumption, reaching 12,4 % in the IP. Their volumes and market share were steadily growing and their prices continuously undercut those of the EU industry. However, one would reasonably have expected that the crisis should affect all market operators in a similar way. Yet, as explained above, Chinese imports increased at prices that substantially undercut EU prices in the situation at hand. Therefore, it is not unreasonable to conclude that if it had not been for the economic crisis, the volumes and market share of Chinese imports would have increased even more.

(144) On these grounds, it is reasonable to assume that the economic downturn, even if it contributed to the injury suffered by the Union industry, does not appear on its own to be a factor that would break the causal link between the dumped imports and the material injury. To the contrary, volumes of imports from China should normally have decreased in line with the drop of consumption as did imports from other third countries and most notably the sales by the EU industry (which, it is recalled decreased commensurately with the Chinese imports increase).

3.3. Impact of changes in export performance of the Union industry

(145) Export activity of the Union producers remained low over the period considered (less than 2 % of total sales of EU sampled producers). It could not therefore have any negative impact on the weak situation of the Union industry and cannot break the causal link.

3.4. Competition between Union producers and concentration on the EU market

(146) The number of producers of ARWs (about thirty) operating on the EU market suggests that the EU market is very competitive although it is also characterised by a high level of industrial concentration with the 3 largest companies holding a share of 60 % of total production, 2 others of around 8 % and then 4 of around 4 %. Available data on production volumes shows that the other producers are small or medium size companies.

(147) It should be noted that a number of smaller producers closed down their production before 2008, in 2008 and in the IP. This could suggest that the competition amongst Union producers — and the apparent ongoing concentration process — have contributed to the injury suffered by the Union industry. However, the data of the investigation show that it is not only the small producers that are affected. Indeed larger and smaller producers are

similarly influenced by the developments at hand. Therefore, it cannot be concluded that competition amongst Union producers has contributed in any significant manner to the material injury suffered by the Union industry.

3.5. Consumer preferences regarding steel and ARWs

(148) It was argued that the shrinking demand for ARWs could be an economic crisis-related change in consumer preferences which might turn to less expensive steel wheels. No element was however submitted in support of this allegation. At this stage, and in the absence of any data on file supporting the argument, no such development could be confirmed.

3.6. Product mix

(149) Some parties claimed that the increase of Chinese imports was due to an increased demand for specific high end technology types of wheels produced in the PRC (i.e. forged or flow-formed wheels), which would not be (in any significant quantity) produced in the EU. Therefore, the imports from the PRC could not have caused injury to the Union industry. The investigation has however established that those imports constituted only a very small fraction of total imports from the PRC. Therefore the argument had to be rejected.

4. Conclusion on causation

(150) It should be recalled that in this case, it has been found there has been a significant decrease of production and sales, loss of market share, as well as price depression leading to losses of the Union industry. Import volumes from the PRC, which undercut substantially the Union industry prices, as well as their market share have increased during the same period of time.

(151) The Commission has also analysed all other factors that might have contributed to the material injury suffered by the Union industry. In this respect, it was found that the economic crisis, the imports from Turkey and the competition between Union producers leading to a concentration process may have had some impact on the injury situation. However, it is provisionally concluded that their impact is not such as to break the causal link between the dumped imports and the injury found, as detailed above.

(152) Based on the above analysis of the effects of all known factors on the situation of the Union industry, it is therefore provisionally concluded that there is a causal link between the dumped imports from the PRC and the material injury suffered by the Union industry.

F. UNION INTEREST

1. Interest of the Union industry

- (153) This case found a high level of cooperation and support from the Union production (more than 70 %). This suggests that the imposition of measures is clearly in the interest of the EU producers.
- (154) The investigation showed that the Union industry is suffering material injury because of the effects of dumped imports which undercut its prices as elaborated in recital (93) *et seq.*
- (155) It can be expected that the Union industry will benefit from the measures which would likely prevent a further surge of dumped, low-priced imports.
- (156) Should measures not be imposed, it can be expected that the increase of low-priced, dumped ARWs, in particular on the AM segment, will continue if not increase. It can further not be excluded that the increasing price pressure on and penetration of the AM segment will have at least an indirect effect on the situation on the OEM segment. In this respect, it has been found that certain producers in the country concerned are moving or have already moved to the middle and upper end of the AM segment and then further on to the OEM segment — with very low prices. This development can be expected to continue and in turn will very likely endanger also the large group of Union producers active in the OEM segment. As the financial situation and profitability of those producers is not robust enough to withstand further price pressure exerted by dumped imports that considerably undercut their prices, this would lead very likely to the progressive demise of a large number of Union producers, if not their totality.

2. Interest of importers

- (157) In the sampling exercise (see recital (13) above), 5 unrelated importers and 2 importing users were chosen on the basis of their volume of imports.
- (158) The cooperation of unrelated importers in general accounts for less than 10 % of the total volume of imports from the PRC.
- (159) The investigation showed that most of the importers are traders specialized in car accessories. Amongst them, 2 categories can be distinguished. One category consists of companies that import and resell their own branded ARWs, the production of which they have outsourced

to the PRC. However they are not related to the Chinese exporters. This category of importers usually has not insignificant 'added value' activities in the EU (e.g. design, research and development), and sometimes even their own distribution chain, with a corresponding level of employment. The second category consists of importers/distributors which are traders focussing more on volumes and less on the brand. These importers in general have lower cost structures and less added value activities in the Union.

- (160) The low level of co-operation of unrelated importers suggests that the imposition of measures would not have any significant impact on their activity. Indeed, for the cooperating importers/distributors it was found that re-sales of Chinese ARWs represent between 1 % and 6 % of their total turnover. The situation of outsourcing companies is more complex as Chinese ARW re-sales can represent almost the totality of their business. Measures, if any would certainly have an impact on their activity — even if it is difficult to evaluate the exact magnitude at this stage. This matter will be further investigated.

3. Interest of users

3.1. General

- (161) Users' questionnaires were sent to around 20 identified users. 13 car manufacturers co-operated with the investigation. Two associations representing users and importers of 'OEM and AM' ARWs also co-operated.
- (162) The imports of co-operating users account for 19 % of total imports from the PRC based on Eurostat data. Eurostat figures do not allow for a precise identification whether import sales were made to the OEM or the AM segment. As mentioned above in recital (133) a differentiation between the OEM and AM segments could nevertheless be made, showing that the OEM segment would account for between 20 and 30 % of the total imports from the PRC. On these grounds it is reasonable to assume that cooperation from the OEM segment was very high.
- (163) Car manufacturers on average appear to rely on Chinese supplies only to a limited extent. When considered individually, the co-operating car manufacturers employ different business models. Some do not import from China at all, others import less than 5 %, but some import up to 30 % of their needs.

- (164) Both importing and non-importing users oppose measures. One of their main arguments is that car manufacturers have an interest in retaining diverse sources of supply and in benefiting from competition on the wheel market. Measures would make them overly dependent on a limited number of European producers. However, this argument in itself does not appear decisive because of the existence of significant imports from other third countries.

3.2. Cost of measures

- (165) ARWs represent about 1 % of the cost of a car. A measure of 20 % on ARWs would thus lead to a cost increase of 0,2 %. For those car makers which import at the maximum 5 % of their ARWs from China, the total cost increase in terms of overall car production would thus be 5 % of 0,2 %, i.e. 0,01 %. But even for those car makers which import up to 30 % of their ARWs from China, the total cost increase would be 30 % of 0,2 %, i.e. 0,06 %. Hence, measures would have a very limited cost impact. In addition, it is apparently not an uncommon feature that ARWs imported by car makers at a given price (50 Euros for arguments' sake) are sold to the final consumer at the three-to fourfold price (i.e. 200 Euros).

3.3. Cost of switching the supplier

- (166) As explained above, OEM ARWs are usually developed 2 years before the launch of a new car model. Any change of supplier requires time (at least 6 months) and could also trigger additional costs of tooling. However, the investigation has shown that most car manufacturers diversify their sources of supply as a matter of course, i.e. they share the production of a specific ARW between 2 (or more) producers. This dual sourcing is also undertaken in relation to those models which are sourced from the PRC, in order to ensure the security of supply. It seems therefore that the risk of having to switch supplier is already factored into the decision to source from the PRC. Furthermore, contracts collected during the investigation show that car manufacturers generally may terminate the contract at any time without penalty.

3.4. Additional arguments raised by parties

- (167) Some parties claimed that the imposition of duties on ARWs originating in the PRC would give an advantage to South Korean car manufacturers, in addition to the 0 % duty on cars under the forthcoming Free Trade Agreement (FTA). According to this argument, South Korean car manufacturers would continue to have access to low-priced Chinese ARWs, and could even claim duty drawback for cars exported to the EU (duty paid on imports of certain car parts can be claimed back

upon exportation of that car). An anti-dumping measure on Chinese ARWs would put European car makers at a competitive disadvantage with respect to South Korean cars imported into the EU at 0 % duty.

- (168) In this respect it has to be noted that the market share of cars originating in South Korea amounts currently to only 3 % of the EU car market. While it is difficult to foresee the import evolution for Korean cars, but having regard to the very limited direct cost impact of measures on the EU car makers, it cannot at this stage be concluded that the imposition of an anti-dumping on ARWs from China would play any meaningful role in that respect.

4. Interest of consumers

- (169) No argument has been raised as regards the impact of measures on final consumers. This fact, as well as the low cost impact and the pricing strategies of car makers found in the investigation, indeed speak against the likelihood of any appreciable effect on consumer prices.

5. Interest of suppliers

- (170) 5 suppliers of raw materials/equipment to ARW producers in the Union replied to the suppliers' questionnaire. They are supplying aluminium/primary foundry ingots, paint/primer or low pressure machines. With respect to suppliers of ingots, sales to the Union industry constitute only a small fraction of their activity (below 6 % of their total turnover) which shows their relatively moderate interest in the setting of anti-dumping measures on ARWs from China. For other suppliers (of machinery or paint or low pressure machines), their sales to the Union industry range between 30 % and 50 % of their total turnover. Given that these companies are SMEs, the viability of the Union industry is essential to their operations.

6. Conclusion on Union interest

- (171) In view of the above, it was provisionally concluded that overall, based on the information available on Union interest, there are no compelling reasons against the imposition of provisional measures on imports of ARWs originating in the PRC.

G. PROVISIONAL MEASURES

1. Injury elimination level

- (172) In view of the conclusions reached with regard to dumping, resulting injury, causation and Union interest, provisional measures should be imposed in order to prevent further injury being caused to the Union industry by the dumped imports from the PRC.

(173) For the purpose of determining the level of these duties, account was taken of the dumping margins found and the amount of duty necessary to eliminate the injury sustained by the Union industry.

(174) As outlined in recital (20), the ARW market is characterised by the existence of two relatively distinct market segments. The investigation further found that sales by the Union producers were concentrated in the OEM segment, counting for 85 % of all Union industry sales.

(175) For the sake of imposing provisional measures, it was therefore found appropriate to assess an injury margin that takes into account this specific market situation.

(176) In the OEM segment, ARW purchasers (which are carmakers) typically place their orders pursuant to tender proceedings. As a result, the same wheel model, meant to be mounted on the same car model, may in a not insignificant number of cases be ordered from several sources, often from a Chinese and an EU supplier at the same time. It was provisionally considered that this tendering process offered an accurate and reliable reflection of the average price competition existing during the IP between the Chinese and Union suppliers when competing for the same tender.

(177) It was therefore found appropriate to calculate the underselling margin on the basis of the prices identified from the data submitted by EU producers and Chinese exporters when they compete for such tenders.

(178) When calculating the amount of duty necessary to remove the effects of the injurious dumping, it was considered that any measures should allow the Union industry to cover its costs of production and achieve a reasonable profit. As to cost of production, adjustment was made for the actual loss incurred by the Union industry during the IP (– 5,4 %). Further, it was considered that a reasonable profit before tax that could be reasonably achieved by an industry of this type under normal conditions of competition, i.e. in the absence of dumped imports, on sales of the like product in the Union should be assessed by reference to the profitability achieved in 2006 which amounted to + 3,2 %. Indeed in this year volume of imports from China were still relatively low. On this basis, a non-injurious price was calculated for the Union industry for the like product.

(179) On that basis, the underselling margin is 20,6 %.

(180) This result was further confirmed by an additional calculation based on a comparison of some tender contracts provided by certain car makers in the course of the investigation. Indeed when car makers ordered the same ARW model to both a Chinese producer and a

Union producer, the underselling margin found, taking into account adjustments made as explained in recital (93) *et seq* above, was in the same order of magnitude as that established in preceding recital.

(181) It is noted that this underselling margin is lower than the margins of dumping established above in recitals (76) *et seq* and should therefore serve as the basis to establish the level of the duty in accordance with the lesser-duty rule.

(182) Given the methodology applied in this case to determine the injury elimination level, it is considered impracticable to specify individual anti-dumping duty rates pursuant to the second sentence of Article 9(5) of the basic Regulation. This is due in particular to the absence of reliable data to perform the analysis on a company-specific basis. In consequence, it is provisionally decided to impose a countrywide anti-dumping duty on all imports from China at the level of the underselling margin level of 20,6 %.

2. Provisional measures

(183) In the light of the foregoing, it is considered that, in accordance with Article 7(2) of the basic Regulation, a provisional anti-dumping duty should be imposed on imports originating in the PRC. In this case, the duty rate should accordingly be set at the level of the injury margin found.

(184) The proposed anti-dumping duty amounts therefore to 20,6 %.

H. DISCLOSURE

(185) The above provisional findings will be disclosed to all interested parties which will be invited to make their views known in writing and request a hearing. Their comments will be analysed and taken into consideration where warranted before any definitive determinations are made. Furthermore, it should be stated that the findings concerning the imposition of anti-dumping duties made for the purposes of this Regulation are provisional and may have to be reconsidered for the purposes of any definitive findings,

HAS ADOPTED THIS REGULATION:

Article 1

1. A provisional anti-dumping duty is hereby imposed on imports of aluminium road wheels of the motor vehicles of CN headings 8701 to 8705, whether or not with their accessories and whether or not fitted with tyres, currently falling within CN codes ex 8708 70 10 and ex 8708 70 50 (TARIC codes 8708 70 10 10 and 8708 70 50 10) and originating in the People's Republic of China.

2. The rate of the provisional anti-dumping duty applicable to the net, free-at-Union-frontier price before duty, of the product described in paragraph 1 shall be 20,6 %.

3. The release for free circulation in the Union of the product referred to in paragraph 1 shall be subject to the provision of a security equivalent to the amount of the provisional duty.

4. Unless otherwise specified, the provisions in force concerning customs duties shall apply.

Article 2

Without prejudice to Article 20 of Regulation (EC) No 1225/2009 interested parties may request disclosure of the

essential facts and considerations on the basis of which this Regulation was adopted, make their views known in writing and apply to be heard orally by the Commission within one month of the date of entry into force of this Regulation.

Pursuant to Article 21(4) of Regulation (EC) No 1225/2009, the parties concerned may comment on the application of this Regulation within one month of the date of its entry into force.

Article 3

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

Article 1 of this Regulation shall apply for a period of six months.

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

Done at Brussels, 10 May 2010.

For the Commission

The President

José Manuel BARROSO

COMMISSION REGULATION (EU) No 405/2010**of 10 May 2010****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 Regulation (EC) No 1580/2007 of 21 December 2007 laying down implementing rules for Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector ⁽²⁾, and in particular Article 138(1) thereof,

Whereas:

Regulation (EC) No 1580/2007 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 XV, Part A thereto,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 138 of Regulation (EC) No 1580/2007 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 11 May 2010.

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

Done at Brussels, 10 May 2010.

*For the Commission,
On behalf of the President,*

Jean-Luc DEMARTY
*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 350, 31.12.2007, p. 1.

ANNEX

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

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	MA	66,8
	TN	108,2
	TR	104,6
	ZZ	93,2
0707 00 05	MA	50,9
	MK	59,4
	TR	118,9
	ZZ	76,4
0709 90 70	TR	104,9
	ZZ	104,9
0805 10 20	EG	47,6
	IL	64,5
	MA	55,4
	TN	47,1
	TR	52,3
	US	67,7
	ZZ	55,8
0805 50 10	TR	72,0
	ZA	78,1
	ZZ	75,1
0808 10 80	AR	86,7
	BR	78,3
	CA	119,3
	CL	85,5
	CN	81,0
	CR	59,1
	NZ	120,8
	US	131,0
	UY	72,1
	ZA	87,8
	ZZ	92,2

⁽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'.

DECISIONS

COMMISSION DECISION

of 30 April 2010

amending Decisions 92/260/EEC, 93/195/EEC, 93/197/EEC and 2004/211/EC as regards the importation of registered horses from certain parts of China and adapting certain third country denominations

*(notified under document C(2010) 2635)***(Text with EEA relevance)**

(2010/266/EU)

THE EUROPEAN COMMISSION,

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

for imports of registered equidae and equidae for breeding and production⁽⁴⁾ assigns third countries, from which the imports of such equidae into the Union is authorised, to sanitary groups for the application of specific animal health and certification requirements.

Having regard to Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and import from third countries of equidae⁽¹⁾, and in particular Article 12(1) and (4), Article 15(a), Article 16(2) and the introductory phrase and Article 19(i) and (ii) thereof,

(4) Commission Decision 2004/211/EC of 6 January 2004 establishing the list of third countries and parts of territory thereof from which Member States authorise imports of live equidae and semen, ova and embryos of the equine species⁽⁵⁾ establishes a list of third countries, or parts thereof, from which Member States authorise, amongst others, the temporary admission of registered horses, the re-entry of registered horses after temporary export for racing, competition and cultural events and the import of registered equidae and equidae for breeding and production. That list, set out in Annex I to that Decision, also assigns those third countries and parts thereof to certain specified sanitary groups.

Whereas:

(1) Commission Decision 92/260/EEC of 10 April 1992 on animal health conditions and veterinary certification for temporary admission of registered horses⁽²⁾ assigns third countries, from which the temporary admission into the Union of registered horses is authorised, to sanitary groups of countries for the application of specific animal health and certification requirements.

(5) Decisions 92/260/EEC, 93/195/EEC and 93/197/EEC take into account regionalisation as provided for in Commission Decision 92/160/EEC⁽⁶⁾. That Decision was repealed by Decision 2004/211/EC. Accordingly, it is necessary to amend Annex I to those three Decisions on the basis of regionalisation as now provided for in Decision 2004/211/EC, as well as the sanitary groups laid in that Decision.

(2) Commission Decision 93/195/EEC of 2 February 1993 on animal health conditions and veterinary certification for the re-entry of registered horses for racing, competition and cultural events after temporary export⁽³⁾ assigns third countries from which the re-entry of such horses into the Union is authorised to sanitary groups for the application of specific animal health requirements and provides model animal health certificates to be used for registered horses that have participated in specific equestrian events.

(6) In order to host the equestrian events of the 16th Asian Games, the competent authorities of China have requested the recognition of an equine disease-free zone which they have established in the administrative district of Conghua City, Guangzhou Municipality, Guangdong Province in China. In January 2010, the Commission carried out a veterinary inspection in China, including the equine disease free zone, which consists of a core zone, which is embedded in a

(3) Commission Decision 93/197/EEC of 5 February 1993 on animal health conditions and veterinary certification

⁽¹⁾ OJ L 224, 18.8.1990, p. 42.

⁽²⁾ OJ L 130, 15.5.1992, p. 67.

⁽³⁾ OJ L 86, 6.4.1993, p. 1.

⁽⁴⁾ OJ L 86, 6.4.1993, p. 16.

⁽⁵⁾ OJ L 73, 11.3.2004, p. 1.

⁽⁶⁾ OJ L 71, 18.3.1992, p. 27.

surveillance zone surrounded by a protection zone, and which is connected to an airport and a harbor by biosecurity highway passages.

- (7) The Chinese authorities have provided a number of guarantees in particular as regards the notifiability of the diseases listed in Annex A to Directive 90/426/EEC in their country and the undertaking to fully comply with Article 12(2)(f) as regards the immediate disease notification to the Commission and the Member States.
- (8) In order to ensure the sustainable protection of the health status of the equine population within the equine disease-free zone, the Chinese authorities have undertaken to operate a quarantine facility in the protection zone to control the entry of equidae from holdings in other parts of China or from countries not listed in Annex I to Decision 2004/211/EC. During this pre-entry quarantine the animals are subjected to the animal health tests in line with EU import conditions.
- (9) Prior to the pre-entry quarantine, the movement of these equidae is controlled to ensure that the standards laid down in Article 4 of Directive 90/426/EEC can be certified for the holdings outside the equine disease free zone in which they have been kept during the 180 days prior to dispatch to the European Union.
- (10) Taking into account the satisfactory results reported from this inspection, together with the information and guarantees provided by China, it is appropriate to include China in the list set out in Annex I to Decision 2004/211/EC, but at the same time to regionalise China for certain equine diseases and to authorise only the introduction of registered horses from the equine disease-free zone in Guangzhou, Province of Guangdong.
- (11) From an epidemiological point of view the equine disease-free zone in Guangzhou, Province of Guangdong, in China should be assigned to sanitary group C in the list in Annex I to Decision 2004/211/EC. That Annex should therefore be amended accordingly.
- (12) Consequently, it is necessary to amend Decision 92/260/EEC to include this part of China in the list of countries in Annex I to that Decision and to adapt the title and certain testing requirements of the Health Certificate C of Annex II to that Decision.
- (13) For the purpose of re-entry of registered horses, it is necessary to update Article 1, to include this part of China in the list of countries in Annex I, to adapt the title of the health certificate in Annex II and to replace the model health certificate in Annex VII to Decision 93/195/EEC.
- (14) It is also necessary to amend Decision 93/197/EEC to include this part of China in the list of countries in

Annex I and to adapt the title of and certain testing requirements of the Health Certificate C of Annex II to that Decision.

- (15) At the same time certain third country denominations in Decisions 92/260/EEC, 93/195/EEC and 93/197/EEC are adapted to the corresponding denominations in the list of third countries established by Decision 2004/211/EC.
- (16) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee of the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

Amendments to Decision 92/260/EEC

Decision 92/260/EEC is amended as follows:

- 1. Annex I is replaced by the text in Annex I to this Decision.
- 2. In the title of each of the animal health certificates A to F of Annex II the words following the words 'HEALTH CERTIFICATE' are replaced by the following:

'for the temporary admission into the European Union of registered horses for a period of less than 90 days in accordance with Decision 2004/211/EC.'

- 3. Point (l) in Section III of the health certificate C of Annex II is replaced by the following:

'(l) If the horse comes from China ⁽¹⁾ ⁽³⁾ or Thailand ⁽³⁾, it was subjected to a complement fixation test for glanders and for dourine carried out with negative results at a serum dilution of 1 in 10 on a sample of blood collected within 10 days of export on ⁽⁴⁾ ⁽⁵⁾;'.

Article 2

Amendments to Decision 93/195/EEC

Decision 93/195/EEC is amended as follows:

- 1. The seventh indent of Article 1 is replaced by the following:
 - '— have taken part in the equestrian events of the Asian Games or the Endurance World Cup, irrespective of in which of the third countries, territories or parts thereof the competition takes place, and from which re-entry into the Union is authorised as provided for by the second indent of Article 3 of Decision 2004/211/EC and indicated in column 7 of Annex I to that Decision, and meet the requirements laid down in the health certificate in accordance with the model set out in Annex VII to this Decision,'

2. The title of the animal health certificate in Annex II is replaced by the following:

'HEALTH CERTIFICATE

for the re-entry into the European Union of registered horses for racing, competition and cultural events after temporary export for a period of less than 30 days.'

3. Annexes I and VII are replaced in accordance with Annex II to this Decision.

Article 3

Amendments to Decision 93/197/EEC

Decision 93/197/EEC is amended as follows:

1. Annex I is replaced by the text in Annex III to this Decision.
2. In the title of each of the animal health certificates A to F of Annex II the words following the words 'HEALTH CERTIFICATE' are replaced by the following:

'for imports into the European Union of registered equidae and equidae for breeding and production in accordance with Decision 2004/211/EC'.

3. Point (m) in Section III of the health certificate C of Annex II is replaced by the following:

'(m) If the horse comes from China ⁽¹⁾ ⁽³⁾ or Thailand ⁽³⁾, it was subjected to a complement fixation test for glanders and for dourine carried out with negative results at a serum dilution of 1 in 10 on a sample of blood collected within 21 days of export on ⁽⁴⁾;'.

Article 4

Amendments to Decision 2004/211/EC

Annex I to Decision 2004/211/EC is amended in accordance with Annex IV to this Decision.

Article 5

Addressees

This Decision is addressed to the Member States.

Done at Brussels, 30 April 2010.

For the Commission

John DALLI

Member of the Commission

ANNEX I

'ANNEX I

Sanitary Group A ⁽¹⁾

Switzerland (CH), Greenland (GL), Iceland (IS)

Sanitary Group B ⁽¹⁾

Australia (AU), Belarus (BY), Croatia (HR), Montenegro (ME), former Yugoslav Republic of Macedonia ⁽²⁾ (MK), New Zealand (NZ), Serbia (RS), Russia ⁽³⁾ (RU), Ukraine (UA)

Sanitary Group C ⁽¹⁾

Canada (CA), China ⁽³⁾ (CN), Hong Kong (HK), Japan (JP), Korea Republic (KR), Macao (MO), Malaysia (peninsula) (MY), Singapore (SG), Thailand (TH), United States of America (US)

Sanitary Group D ⁽¹⁾

Argentina (AR), Barbados (BB), Bermuda (BM), Bolivia (BO), Brazil ⁽³⁾ (BR), Chile (CL), Cuba (CU), Jamaica (JM), Mexico ⁽³⁾ (MX), Peru ⁽³⁾ (PE), Paraguay (PY), Uruguay (UY)

Sanitary Group E ⁽¹⁾

United Arab Emirates (AE), Bahrain (BH), Algeria (DZ), Egypt ⁽³⁾ (EG), Israel (IL), Jordan (JO), Kuwait (KW), Lebanon (LB), Libya (LY), Morocco (MA), Oman (OM), Qatar (QA), Saudi Arabia ⁽³⁾ (SA), Syria (SY), Tunisia (TN), Turkey ⁽³⁾ (TR)

Sanitary Group F ⁽¹⁾

South Africa ⁽³⁾ (ZA)

⁽¹⁾ Sanitary group as indicated in column 5 of Annex I to Decision 2004/211/EC. Third countries, territories or parts thereof assigned to that sanitary group shall use the health certificate with the same letter set out in Annex II to this Decision.

⁽²⁾ Provisional code that does not affect the definitive denomination of the country to be attributed after the conclusion of the negotiations currently taking place in the United Nations.

⁽³⁾ Part of the third country or territory in accordance with Article 13(2)(a) of Directive 90/426/EEC as indicated in columns 3 and 4 of Annex I to Decision 2004/211/EC.'

ANNEX II

Annexes I and VII to Decision 93/195/EEC are amended as follows:

1. Annex I is replaced by the following:

‘ANNEX I

Sanitary Group A ⁽¹⁾

Switzerland (CH), Greenland (GL), Iceland (IS)

Sanitary Group B ⁽¹⁾

Australia (AU), Belarus (BY), Croatia (HR), Montenegro (ME), former Yugoslav Republic of Macedonia ⁽²⁾ (MK), New Zealand (NZ), Serbia (RS), Russia ⁽³⁾ (RU), Ukraine (UA)

Sanitary Group C ⁽¹⁾

Canada (CA), China ⁽³⁾ (CN), Hong Kong (HK), Japan (JP), Korea Republic (KR), Macao (MO), Malaysia (peninsula) (MY), Singapore (SG), Thailand (TH), United States of America (US)

Sanitary Group D ⁽¹⁾

Argentina (AR), Barbados (BB), Bermuda (BM), Bolivia (BO), Brazil ⁽³⁾ (BR), Chile (CL), Costa Rica ⁽³⁾ (CR), Cuba (CU), Jamaica (JM), Mexico ⁽³⁾ (MX), Peru ⁽³⁾ (PE), Paraguay (PY), Uruguay (UY)

Sanitary Group E ⁽¹⁾

United Arab Emirates (AE), Bahrain (BH), Algeria (DZ), Egypt ⁽³⁾ (EG), Israel (IL), Jordan (JO), Kuwait (KW), Lebanon (LB), Libya (LY), Morocco (MA), Oman (OM), Qatar (QA), Saudi Arabia ⁽³⁾ (SA), Syria (SY), Tunisia (TN), Turkey ⁽³⁾ (TR)

⁽¹⁾ Sanitary group as indicated in column 5 of Annex I to Decision 2004/211/EC.

⁽²⁾ Provisional code that does not affect the definitive denomination of the country to be attributed after the conclusion of the negotiations currently taking place in the United Nations.

⁽³⁾ Part of the third country or territory in accordance with Article 13(2)(a) of Directive 90/426/EEC as indicated in columns 3 and 4 of Annex I to Decision 2004/211/EC.’

2. Annex VII is replaced by the following:

'ANNEX VII

HEALTH CERTIFICATE

for re-entry of registered horses after temporary export for less than 60 days to participate in the equestrian events of the Asian Games or in the Endurance World Cup

Certificate No:

Specific event:

Asian Games in ⁽¹⁾
Endurance World Cup in ⁽¹⁾

Exporting third country:
(insert name of Ministry)

Responsible ministry:
(insert name of Ministry)

I. Identification of horse

(a) No of identification document:

(b) Validated by:
(name of competent authority)

II. Origin of horse

The horse is to be sent from:
(place whence consigned)

to:
(place of destination)

by air ⁽¹⁾:
(give flight number)

by road transport ⁽¹⁾:
(give licence plate number)

Name and address of consignor:

Name and address of consignee:

III. Health information

I, the undersigned, certify that the horse described above meets the following requirements:

(a) it comes from a third country, territory or, where regionalisation applies in accordance with Article 13(2)(a) of Directive 90/426/EEC, a part of a third country or territory listed in Annex I to Commission Decision 2004/211/EC in which the following diseases are compulsorily notifiable in the entire third country or territory: African horse sickness, dourine, glanders, equine encephalomyelitis (of all types including Venezuelan equine encephalomyelitis), equine infectious anaemia, vesicular stomatitis, rabies, anthrax;

(b) it has been examined today and shows no clinical signs of disease ⁽²⁾;

(c) it is not intended for slaughter under a national programme of infectious or contagious disease eradication;

(d) since its entry into the third country, territory or part thereof of dispatch, it has been resident on holdings under veterinary supervision, accommodated in separated stables without coming into contact with equidae of a lower health status, except during the competitions held in the framework of the equestrian events specified above;

(e) it comes from a third country, territory or, where regionalisation applies in accordance with Article 13(2)(a) of Directive 90/426/EEC, a part of a third country or territory in which:

(i) Venezuelan equine encephalomyelitis has not occurred during the last two years;

(ii) dourine has not occurred during the last six months;

(iii) glanders has not occurred during the last six months;

(f) it does not come from a third country, territory or part thereof considered, in accordance with Article 13(2)(a) of Directive 90/426/EEC, as not being free from African horse sickness;

- (g) it does not come from a holding which was subject to prohibition for animal health reasons nor had contact with equidae from a holding which was subject to a prohibition for animal health reasons;
- (i) during the six months in the case of equine encephalomyelitis, beginning on the date on which the equidae suffering from the disease are slaughtered;
- (ii) in the case of infectious anaemia, until the date on which, the infected equidae having been slaughtered, the remaining equidae have shown a negative reaction to two Coggins tests carried out three months apart;
- (iii) during six months in the case of vesicular stomatitis;
- (iv) during six months in the case of equine viral arteritis;
- (v) during one month from the last recorded case, in the case of rabies;
- (vi) during 15 days from the last recorded case, in the case of anthrax.

If all the animals of species susceptible to the disease located on the holding have been slaughtered and the premises disinfected, the period of prohibition shall be 30 days, beginning on the day on which the animals were destroyed and the premises disinfected, except in the case of anthrax, where the period of prohibition shall be 15 days;

- (h) to the best of my knowledge, it has not been in contact with equidae suffering from an infectious or contagious disease in the 15 days prior to the date of this Declaration.

IV. Residence and quarantine information:

- (a) The horse entered the third country, territory or part thereof of dispatch on (insert date).
- (b) The horse arrived in the third country, territory or part thereof of dispatch from either a Member State of the European Union ⁽¹⁾ or from ⁽¹⁾ (insert name of third country, territory or part thereof from where the horse arrived in the third country, territory or part thereof of dispatch), the latter being one of the third countries, territories or parts thereof listed in the same sanitary group in column 5 of Annex I to Commission Decision 2004/211/EC as the third country, territory or part thereof of dispatch.
- (c) The horse entered the third country, territory or part thereof of dispatch under animal health conditions at least as strict as those laid down in this certificate.
- (d) As far as can be ascertained and based on the attached Declaration (which forms part of this Certificate) by the owner ⁽¹⁾ or the representative of the owner ⁽¹⁾ of the horse, the horse has not been continuously outside the European Union for 60 days or more, including the date of scheduled return in accordance with this Certificate, and has not been outside the third countries, territories or parts thereof referred to in point (b).

- V. The horse will be sent in a vehicle cleansed and disinfected in advance with a disinfectant officially recognised in the third country, territory or part thereof of dispatch and designed in a way that droppings, litter or fodder cannot escape during transportation.

VI. This Certificate is valid for 10 days.

Date	Place	Stamp and signature of the official veterinarian ⁽¹⁾

Name in block capitals and capacity.

⁽¹⁾ The colour of the stamp and the signature must be different from that of the printed model.

DECLARATION

I, the undersigned
(insert name of owner ⁽¹⁾ or representative ⁽¹⁾ of owner of the horse described above in block letters)

declare:

- the horse will be sent directly from the premises of dispatch to the premises of destination without coming into contact with other equidae of a lower health status;
- during its stay in the third country, territory or part thereof of dispatch the horse has been moved only between premises under the supervision of the competent authorities of the third country of dispatch;
- the horse was exported from a Member State of the European Union on (insert date);
- since the horse left the European Union less than 60 days ago it has only been in third countries, territories or parts thereof assigned to the same sanitary group indicated in column 5 of Annex I to Commission Decision 2004/211/EC as the third country, territory or part thereof of dispatch and was introduced into the country, territory or part thereof of dispatch from (insert name of third country, territory or part thereof).

.....
(Place, date)

.....
(Signature)

⁽¹⁾ Delete as appropriate.

⁽²⁾ This certificate must be issued on the date of loading of the horse for dispatch to the European Union or on the last working day before embarkation.'

ANNEX III

‘ANNEX I

Sanitary Group A ⁽¹⁾

Switzerland (CH), Falkland Islands (FK), Greenland (GL), Iceland (IS)

Sanitary Group B ⁽¹⁾

Australia (AU), Belarus (BY), Croatia (HR), Kyrgyzstan ⁽²⁾ ⁽³⁾ (KG), Montenegro (ME), former Yugoslav Republic of Macedonia ⁽⁴⁾ (MK), New Zealand (NZ), Serbia (RS), Russia ⁽²⁾ (RU), Ukraine (UA)

Sanitary Group C ⁽¹⁾

Canada (CA), China ⁽²⁾ ⁽³⁾ (CN), Hong Kong ⁽³⁾ (HK), Japan ⁽³⁾ (JP), Korea Republic ⁽³⁾ (KR), Macao ⁽³⁾ (MO), Malaysia (peninsula) ⁽³⁾ (MY), Singapore ⁽³⁾ (SG), Thailand ⁽³⁾ (TH), United States of America (US)

Sanitary Group D ⁽¹⁾

Argentina (AR), Barbados ⁽³⁾ (BB), Bermuda ⁽³⁾ (BM), Bolivia ⁽³⁾ (BO), Brazil ⁽²⁾ (BR), Chile (CL), Cuba ⁽³⁾ (CU), Jamaica ⁽³⁾ (JM), Mexico ⁽²⁾ (MX), Peru ⁽²⁾ ⁽³⁾ (PE), Paraguay (PY), Uruguay (UY)

Sanitary Group E ⁽¹⁾

United Arab Emirates ⁽³⁾ (AE), Bahrain ⁽³⁾ (BH), Algeria (DZ), Egypt ⁽²⁾ ⁽³⁾ (EG), Israel (IL), Jordan ⁽³⁾ (JO), Kuwait ⁽³⁾ (KW), Lebanon ⁽³⁾ (LB), Morocco (MA), Mauritius ⁽³⁾ (MU), Oman ⁽³⁾ (OM), Qatar ⁽³⁾ (QA), Saudi Arabia ⁽²⁾ ⁽³⁾ (SA), Syria ⁽³⁾ (SY), Tunisia (TN), Turkey ⁽²⁾ ⁽³⁾ (TR)

Sanitary Group F ⁽¹⁾

South Africa ⁽²⁾ ⁽³⁾ (ZA)

Sanitary Group G ⁽¹⁾

Saint Pierre and Miquelon (PM)

⁽¹⁾ Sanitary group as indicated in column 5 of Annex I to Decision 2004/211/EC.

Third countries, territories or parts thereof assigned to that group shall use the Health Certificate with the same letter set out in Annex II to this Decision.

⁽²⁾ Part of the third country or territory in accordance with Article 13(2)(a) of Directive 90/426/EEC as indicated in columns 3 and 4 of Annex I to Decision 2004/211/EC.

⁽³⁾ Only registered horses.

⁽⁴⁾ Provisional code that does not affect the definitive denomination of the country to be attributed after the conclusion of the negotiations currently taking place in the United Nations.’

ANNEX IV

Annex I to Decision 2004/211/EC is amended as follows:

1. The following row is inserted after the entry for Chile (CL):

CN	China	CN-0	Whole country		—	—	—	—	—	—	—	—	—	—
		CN-1	The equine disease-free zone in Conghua City, Guangzhou Municipality, Guangdong Province including the Biosecurity Highway Passage from and to the airport in Guangzhou and Hong Kong (see box 3 for details)	C	X	X	X	—	—	—	—	—	—	—

2. The following Box 3 shall be added:

Box 3:				
CN	China	CN-1	The specific equine disease-free zone in the Guangdong Province with the following delimitation:	
			Core zone:	equestrian site in Reshui Village, Lingkou Town of Conghua City with the surrounding area within a five km radius controlled by the road control post at State Highway 105;
			Surveillance zone:	all administrative divisions in Conghua City surrounding the core zone covering an area of 2 009 km ² ;
			Protection zone:	outwards boundaries of the following contiguous administrative divisions surrounding the surveillance zone: — Baiyun District, Luogang District of Conghua City, — Huadu District of Guangzhou City, — Zengcheng City, — administrative divisions in Qingcheng District of Qingyuan City, — Fogang County, — Xinfeng County, — Longmen County;
			Biosecurity highway passage:	— from the equestrian site in the core zone to Guangzhou Baiyun International Airport through to the State Highway 105, Jiebei Highway, airport expressway, including the equine exclusion zone of one km around Baiyun International Airport in Guangzhou City; — from the equestrian site in the core zone to Shenzhen Huanggang Port at the border of China with Hong Kong through State Highway 105, Jiebei highway, No 2 north ring expressway and Guang-Shen highway with the equine exclusion zone on both sides of that highway of at least one km width;
			Pre-entry quarantine:	the quarantine facilities in the protection zone designated by the competent authority for the preparation of equidae from other parts of China for entry into the equine disease free zone.'

COMMISSION DECISION

of 6 May 2010

on harmonised technical conditions of use in the 790-862 MHz frequency band for terrestrial systems capable of providing electronic communications services in the European Union*(notified under document C(2010) 2923)***(Text with EEA relevance)**

(2010/267/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Decision No 676/2002/EC of the European Parliament and of the Council of 7 March 2002 on a regulatory framework for radio spectrum policy in the European Community (Radio Spectrum Decision) ⁽¹⁾, and in particular Article 4(3) thereof,

Whereas:

- (1) The Commission Communication 'Transforming the digital dividend into social benefits and economic growth' ⁽²⁾ stressed the importance of coherent opening of the 790-862 MHz band (the '800 MHz band') for electronic communications services by adopting technical conditions of use. The 800 MHz band is part of the digital dividend, i.e. radio frequencies that are freed up as a result of more efficient spectrum use through the switchover from analogue to digital terrestrial TV. The identified socioeconomic benefits are based on the assumption of a Community approach that releases the 800 MHz band by 2015 and imposes technical conditions preventing high power cross-border interference.
- (2) Technological neutrality and service neutrality have been confirmed by Directive 2009/140/EC of the European Parliament and of the Council of 25 November 2009 amending Directives 2002/21/EC on a common regulatory framework for electronic communications networks and services, 2002/19/EC on access to, and interconnection of, electronic communications networks and associated facilities, and 2002/20/EC on the authorisation of electronic communications networks and services ⁽³⁾ (Better Regulation Directive). Moreover, the RSPG opinion of 18 September 2009 on the digital dividend encourages the application of the WAPECS principles and recommends that the Commission acts on the recommendations contained therein as soon as possible in order to minimise EU-level uncertainty regarding the ability of Member States to make available the 800 MHz band.
- (3) The European Parliament in its resolution of 24 September 2008 on reaping the full benefits of the digital dividend in Europe: a common approach to the use of the spectrum released by the digital switchover, urges Member States to release their digital dividends as quickly as possible and calls for a response at Community level. The Council conclusions of 18 December 2009 on transferring the digital dividend into social benefits and economic growth confirm the Council's position stated in 2008, which invited the Commission to support and assist the Member States in the process of achieving close cooperation between Member States and with third countries in coordinating spectrum usage and of reaping the full benefits of the digital dividend.
- (4) Noting the strong impact of broadband communications on growth, the Economic Recovery Plan ⁽⁴⁾ has set a target of 100 % broadband coverage by between 2010 and 2013 ⁽⁵⁾. This cannot be achieved without a significant role being played by wireless infrastructures, including in the provision of broadband to rural areas, part of which can be done by giving early access to the digital dividend to the benefit of such areas.
- (5) The designation of the 800 MHz band for terrestrial systems capable of providing electronic communications services would be an important element addressing the convergence of the mobile, fixed and broadcasting sectors and reflecting technical innovation. The services provided in this frequency band should mainly target end-user access to broadband communications, including broadcasting content.
- (6) Pursuant to Article 4(2) of the Radio Spectrum Decision, on 3 April 2008 the Commission gave a mandate to the European Conference of Postal and Telecommunications Administrations (hereinafter 'the CEPT') to define the technical conditions to be applied to the 800 MHz band optimised for, but not limited to, fixed and/or mobile communications networks, with a

⁽¹⁾ OJ L 108, 24.4.2002, p. 1.

⁽²⁾ COM(2009) 586.

⁽³⁾ OJ L 337, 18.12.2009, p. 37.

⁽⁴⁾ *Presidency Conclusions*, Council of the European Union, Brussels, 12 December 2008, 17271/08.

⁽⁵⁾ Endorsed by the Council: *Competitiveness Council Key Issues Paper*, March 2009.

particular focus on common and minimal (least restrictive) technical conditions, the most appropriate frequency arrangement and a recommendation on how to handle Programme Making and Special Events (PMSE) services.

- (7) In response to that mandate, the CEPT has adopted four reports (CEPT Reports 29, 30, 31 and 32). These contain technical conditions for base stations and terminal stations operating in the 800 MHz band. Such harmonised technical conditions will facilitate economies of scale without requiring any type of particular technology to be used, based on optimised parameters for the most likely use of the band.
- (8) CEPT Report 29 gives guidance on cross-border coordination issues which are of particular relevance during the coexistence phase, i.e. when some Member States may have implemented the technical conditions optimised for fixed and/or mobile communications networks, while other Member States still have high-power broadcasting transmitters in operation in the 800 MHz band. CEPT considers that the Final Acts of the International Telecommunication Union Regional Radiocommunication Conference for planning of the digital terrestrial broadcasting service in parts of Regions 1 and 3, in the frequency bands 174-230 MHz and 470-862 MHz (GE06 Agreement) provides the necessary regulatory procedures for cross-border coordination.
- (9) CEPT Report 30 identifies least restrictive technical conditions through the concept of Block-Edge Masks (BEMs), which are regulatory requirements aimed at managing the risk of harmful interference between neighbouring networks and are without prejudice to limits set in equipment standards under Directive 1999/5/EC of the European Parliament and of the Council of 9 March 1999 on radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity ⁽¹⁾ (the R&TTE Directive). Based on this CEPT Report the BEMs are optimised for, but are not limited to, fixed and/or mobile communications networks using Frequency-Division Duplexing (FDD) and/or Time-Division Duplexing (TDD).
- (10) In cases where harmful interference has been caused or where it is reasonably considered that it could be caused, the measures identified in CEPT Report 30 could also be supplemented by proportionate national measures that could be imposed.
- (11) The avoidance of harmful interference and disturbance to television receiver equipment, including cable TV equipment, may depend on more effective interference rejection in such equipment. Conditions related to television receiver equipment should be addressed as a matter of urgency within the framework of the Directive 2004/108/EC of the European Parliament and of the Council of 15 December 2004 on the approximation of the laws of the Member States relating to electromagnetic compatibility and repealing Directive 89/336/EEC ⁽²⁾ (EMC Directive).
- (12) The avoidance of harmful interference to television receiver equipment, including cable TV equipment, may also depend on in-block and out-of-band emission limits for terminal stations. Conditions related to terminal stations should be addressed as a matter of urgency within the framework of the R&TTE Directive in line with the elements developed in CEPT Report 30.
- (13) CEPT Report 31 concludes that the preferred frequency arrangement for the 800 MHz band should be based on the FDD mode in order to facilitate cross-border coordination with broadcasting services, noting that such an arrangement would not discriminate in favour of or against any currently envisaged technology. This does not exclude the possibility for Member States to use other frequency arrangements with the aim of (a) achieving general interest objectives, (b) ensuring greater efficiency through market-based spectrum management, (c) ensuring greater efficiency when sharing with existing rights of use during a coexistence period, or (d) avoiding harmful interference, e.g. in coordination with third countries. When designating or making available the 800 MHz band for terrestrial systems capable of providing electronic communications services, Member States are therefore to use the preferred frequency arrangement or alternative arrangements described in CEPT Report 31.
- (14) CEPT Report 32 recognises the interest in the continued operation of applications for PMSE and identifies a number of potential frequency bands and innovative technical developments as a solution to the current use of the 800 MHz band by these applications. Administrations should continue to study the available options and the efficiency of PMSE systems with the aim of including their findings in the regular reports to the Commission on effective use of spectrum.
- (15) The results of the mandate to the CEPT should be made applicable in the European Union and implemented by the Member States from the moment they designate the 800 MHz band for networks other than high-power broadcasting networks, given the urgency identified by the European Parliament, the Council and the RSPG as well as the increasing demand identified in studies at European and global levels for terrestrial electronic communications services providing broadband communications.

⁽¹⁾ OJ L 91, 7.4.1999, p. 10.

⁽²⁾ OJ L 390, 31.12.2004, p. 24.

- (16) While there is an urgent need to have common technical conditions for the efficient use of the 800 MHz band by systems capable of providing electronic communications services, in order to ensure that any action taken in the immediate future by one or more Member States does not diminish the benefit of a harmonised European approach, the timing has direct implications for the organisation of broadcasting services by Member States in their national territories.
- (17) Member States may decide individually whether and at what point in time they designate or make available the 800 MHz band for networks other than high-power broadcasting networks, and this Decision is without prejudice to the use of the 800 MHz band for public order and public security purposes and defence in some Member States.
- (18) No deadline should be defined by the Commission by which the Member States must allow the use of the 800 MHz band for systems capable of providing electronic communications services; this will be decided if and when appropriate by the Parliament and Council, upon a proposal from the Commission.
- (19) The designation and making available of the 800 MHz band in accordance with the results of the mandate to the CEPT recognises the fact that there are other radio applications not covered by this Decision. In so far as coexistence with a radio application is not addressed in CEPT Reports 29, 30, 31 or 32, appropriate sharing criteria for coexistence may be based on national considerations.
- (20) Optimal use of the 800 MHz band in cases where neighbouring Member States or third countries have decided on different uses will require constructive coordination of cross-border transmissions with the objective of an innovative approach by all parties, taking into account the RSPG opinions of 19 June 2008 on spectrum issues concerning outer EU borders and of 18 September 2009 on the digital dividend. Member States should have due regard for the need to coordinate with Member States that continue to avail of existing high-power broadcasting rights. They should also facilitate future reorganisation of the 800 MHz band to allow, in the long term, optimum use by low- and medium-power systems capable of providing electronic communications services. In the particular case of coexistence with aeronautical radio navigation systems, which requires technical measures in addition to BEMs, Member States should develop bilateral or multilateral agreements.
- (21) The use of the 800 MHz band by other existing applications in third countries can limit the introduction and use of this band for terrestrial systems capable of providing electronic communications services in several Member States, and this will have to be taken into account in any future decision to set a deadline by which the Member States must allow the use of the 800 MHz band for such terrestrial systems. Information on such limitations will be notified to the Commission pursuant to Article 7 and Article 6(2) of the Radio Spectrum Decision and published in accordance with Article 5 of this Decision.
- (22) In order to ensure effective use of the 800 MHz band also in the longer term, administrations should continue to study solutions that may increase efficiency and innovative use. Such studies should be taken into account when considering a review of this Decision.
- (23) The measures provided for in this Decision are in accordance with the opinion of the Radio Spectrum Committee,
- HAS ADOPTED THIS DECISION:
- Article 1*
- This Decision aims to harmonise the technical conditions for the availability and efficient use of the 790-862 MHz band (800 MHz band) for terrestrial systems capable of providing electronic communications services in the European Union.
- Article 2*
1. When they designate or make available the 800 MHz band for networks other than high-power broadcasting networks, Member States shall do so, on a non-exclusive basis, for terrestrial systems capable of providing electronic communications services in compliance with the parameters set out in the Annex to this Decision.
 2. Member States shall ensure that systems referred to in paragraph 1 give appropriate protection to systems in adjacent bands.
 3. Member States shall facilitate cross-border coordination agreements with the aim of enabling the operation of systems referred to in paragraph 1, taking into account existing regulatory procedures and rights.
 4. Member States shall not be bound to implement the obligations under this Decision in geographic areas where spectrum coordination with third countries requires a deviation from the parameters set out in the Annex to this Decision, provided that they notify the relevant information to the Commission, including the affected geographic areas, and publish it pursuant to Radio Spectrum Decision. Member States shall make all practicable efforts to resolve such deviations and inform the Commission thereof.

Article 3

Member States shall keep the use of the 800 MHz band under scrutiny and report their findings to the Commission upon request. The Commission shall, where appropriate, proceed to a review of this Decision.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 6 May 2010.

For the Commission

Neelie KROES

Vice-President

ANNEX

PARAMETERS REFERRED TO IN ARTICLES

The technical conditions presented in this Annex are in the form of frequency arrangements and block-edge masks (BEMs). A BEM is an emission mask that is defined, as a function of frequency, relative to the edge of a block of spectrum for which rights of use are granted to an operator. It consists of in-block and out-of-block components which specify the permitted emission levels over frequencies inside and outside the licensed block of spectrum, respectively.

The BEM levels are built up by combining the values listed in the tables below in such a way that the limit at any frequency is given by the highest (least stringent) value of (a) the baseline requirements, (b) the transition requirements, and (c) the in-block requirements (where appropriate). The BEMs are presented as upper limits on the mean equivalent isotropically radiated power (EIRP) or total radiated power (TRP)⁽¹⁾ over an averaging time interval, and over a measurement frequency bandwidth. In the time domain, the EIRP or TRP is averaged over the active portions of signal bursts and corresponds to a single power control setting. In the frequency domain, the EIRP or TRP is determined over the measurement bandwidth specified in the following tables⁽²⁾. In general, and unless stated otherwise, the BEM levels correspond to the power radiated by the relevant device irrespective of the number of transmit antennas, except in the case of transition requirements for base stations, which are specified per antenna.

BEMs shall be applied as an essential component of the technical conditions necessary to ensure coexistence between services at national level. However, it should be understood that the derived BEMs do not always provide the required level of protection of victim services and additional mitigation techniques would need to be applied in a proportionate manner at national level in order to resolve any remaining cases of interference.

Member States shall also ensure that operators of terrestrial systems capable of providing electronic communications services in the 800 MHz band can use less stringent technical parameters than those set out below provided that the use of these parameters is agreed among all affected parties and that these operators continue to comply with the technical conditions applicable for the protection of other services, applications or networks and with obligations resulting from cross-border coordination.

Equipment operating in this band may also make use of power limits other than those set out below provided that appropriate mitigation techniques are applied which comply with Directive 1999/5/EC and which offer at least an equivalent level of protection to that provided by these technical parameters.

The term block edge refers to the frequency boundary of an authorised right of use. The term band edge refers to the boundary of a range of frequencies designated for a certain use.

A. General parameters

1. Within the band 790-862 MHz the frequency arrangement shall be as follows:

- (a) the assigned block sizes shall be in multiples of 5 MHz;
- (b) the duplex mode of operation shall be FDD with the following arrangements. The duplex spacing shall be 41 MHz with base station transmission (down link) located in the lower part of the band starting at 791 MHz and finishing at 821 MHz and terminal station transmission (up link) located in the upper part of the band starting at 832 MHz and finishing at 862 MHz.

2. Notwithstanding Part A(1), but provided the technical conditions of Part B and Part C of this Annex are applied, Member States may implement alternative frequency arrangements with the aim of (a) achieving general interest objectives, (b) ensuring greater efficiency through market-based spectrum management, (c) ensuring greater efficiency when sharing with existing rights of use during a coexistence period, or (d) avoiding interference.

B. Technical conditions for FDD or TDD base stations (BS)

1. In-block limits:

An in-block EIRP limit for base stations is not obligatory. However, Member States may set limits and, unless otherwise justified, such limits would normally lie within the range 56 dBm/5 MHz to 64 dBm/5 MHz.

2. Out-of-block limits:

⁽¹⁾ TRP is a measure of how much power the antenna actually radiates. The TRP is defined as the integral of the power transmitted in different directions over the entire radiation sphere.

⁽²⁾ The actual measurement bandwidth of the measurement equipment used for purposes of compliance testing may be smaller than the measurement bandwidth provided in the tables.

Table 1

Baseline requirements — BS BEM out-of-block EIRP limits

Frequency range of out-of-block emissions	Maximum mean out-of-block EIRP	Measurement bandwidth
Frequencies used for FDD uplink	– 49,5 dBm	5 MHz
Frequencies used for TDD	– 49,5 dBm	5 MHz

Table 2

Transition requirements — BS BEM out-of-block EIRP limits per antenna ⁽³⁾ over frequencies of FDD downlink and TDD

Frequency range of out-of-block emissions	Maximum mean out-of-block EIRP	Measurement bandwidth
– 10 to – 5 MHz from lower block edge	18 dBm	5 MHz
– 5 to 0 MHz from lower block edge	22 dBm	5 MHz
0 to + 5 MHz from upper block edge	22 dBm	5 MHz
+ 5 to + 10 MHz from upper block edge	18 dBm	5 MHz
Remaining FDD downlink frequencies	11 dBm	1 MHz

Table 3

Transition requirements — BS BEM out-of-block EIRP limits per antenna ⁽⁴⁾ over frequencies used as guard band

Frequency range of out-of-block emissions	Maximum mean out-of-block EIRP	Measurement Bandwidth
Guard band between broadcasting band edge at 790 MHz and FDD downlink band edge ⁽¹⁾	17,4 dBm	1 MHz
Guard band between broadcasting band edge at 790 MHz and TDD band edge	15 dBm	1 MHz
Guard band between FDD downlink band edge and FDD uplink band edge (duplex gap) ⁽²⁾	15 dBm	1 MHz
Guard band between FDD downlink band edge and TDD band edge	15 dBm	1 MHz
Guard band between FDD uplink band edge and TDD band edge	15 dBm	1 MHz

⁽¹⁾ 790 MHz to 791 MHz for the frequency arrangement described in Part A(1).

⁽²⁾ 821 MHz to 832 MHz for the frequency arrangement described in Part A(1).

⁽³⁾ For one to four antennas.

⁽⁴⁾ See footnote 3.

Table 4

Baseline requirements — BS BEM out-of-block EIRP limits over frequencies below 790 MHz

Case		Condition on base station in-block EIRP, P dBm/10 MHz	Maximum mean out-of-block EIRP	Measurement bandwidth
A	For TV channels where broadcasting is protected	$P \geq 59$	0 dBm	8 MHz
		$36 \leq P < 59$	$(P - 59)$ dBm	8 MHz
		$P < 36$	- 23 dBm	8 MHz
B	For TV channels where broadcasting is subject to an intermediate level of protection	$P \geq 59$	10 dBm	8 MHz
		$36 \leq P < 59$	$(P - 49)$ dBm	8 MHz
		$P < 36$	- 13 dBm	8 MHz
C	For TV channels where broadcasting is not protected	No conditions	22 dBm	8 MHz

Cases A, B, and C listed in Table 4 can be applied per broadcasting channel and/or per region so that the same broadcasting channel may have different levels of protection in different geographic areas and different broadcasting channels may have different levels of protection in the same geographic area. Member States shall apply the baseline requirement in case A in circumstances where digital terrestrial broadcasting channels are in use at the time of deployment of terrestrial systems capable of providing electronic communications services. Member States may apply the baseline requirements in cases A, B or C in circumstances where the relevant broadcasting channels are not in use at the time of deployment of terrestrial systems capable of providing electronic communications services. They shall take into account that cases A and B reserve the option of bringing relevant broadcasting channels into use for digital terrestrial broadcasting at a future date, while case C is appropriate where there are no plans to bring the relevant broadcasting channels into use.

C. Technical conditions for FDD or TDD terminal stations (TS)

Table 5

In-block requirements — TS BEM in-block emission limit over frequencies of FDD uplink and TDD

Maximum mean in-block power	23 dBm ⁽¹⁾
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⁽¹⁾ This power limit is specified as EIRP for terminal stations designed to be fixed or installed and as TRP for terminal stations designed to be mobile or nomadic. EIRP and TRP are equivalent for isotropic antennas. It is recognised that this value is subject to a tolerance of up to + 2 dB, to take account of operation under extreme environmental conditions and production spread.

Member States may relax the limit in Table 5 for specific deployments, e.g. fixed terminal stations in rural areas, provided that protection of other services, networks and applications is not compromised and cross-border obligations are fulfilled.

DECISION OF THE EUROPEAN CENTRAL BANK**of 6 May 2010****on temporary measures relating to the eligibility of marketable debt instruments issued or guaranteed by the Greek Government****(ECB/2010/3)****(2010/268/EU)**

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first indent of Article 127(2) thereof,

Having regard to the Statute of the European System of Central Banks and of the European Central Bank (hereinafter the 'Statute of the ESCB'), and in particular Article 12.1 and the second indent of Article 34.1, in conjunction with the first indent of Article 3.1 and Article 18.2 thereof,

Whereas:

- (1) Pursuant to Article 18.1 of the Statute of the ESCB, the European Central Bank (ECB) and the national central banks of Member States whose currency is the euro may conduct credit operations with credit institutions and other market participants, with lending being based on adequate collateral. The criteria determining the eligibility of collateral for the purposes of Eurosystem monetary policy operations are laid down in Annex I to Guideline ECB/2000/7 of 31 August 2000 on monetary policy instruments and procedures of the Eurosystem⁽¹⁾ (hereinafter referred to as the 'General Documentation').
- (2) Pursuant to Section 1.6 of the General Documentation, the Governing Council of the ECB may, at any time, change the instruments, conditions, criteria and procedures for the execution of Eurosystem monetary policy operations. Pursuant to Section 6.3.1 of the General Documentation, the Eurosystem reserves the right to determine whether an issue, issuer, debtor or guarantor fulfils its requirements for high credit standards on the basis of any information it may consider relevant.
- (3) There are exceptional circumstances prevailing in the financial market, arising from the fiscal position of the Greek Government and discussions for an adjustment plan supported by the euro area Member States and the International Monetary Fund, and there is a disruption of the normal assessment by the market of securities issued by the Greek Government, with negative effects on the stability of the financial system. This exceptional situation requires a swift and temporary adaptation of the Eurosystem monetary policy framework.

- (4) The Governing Council has assessed the fact that the Greek Government has approved an economic and financial adjustment programme which it has negotiated with the European Commission, the ECB and the International Monetary Fund, as well as the strong commitment of the Greek Government to fully implement such programme. The Governing Council has also assessed, from a Eurosystem credit risk management perspective, the effects of such a programme on the securities issued by the Greek Government. The Governing Council considers the programme to be appropriate, so that, from a credit risk management perspective, the marketable debt instruments issued by the Greek Government or guaranteed by the Greek Government retain a quality standard sufficient for their continued eligibility as collateral for Eurosystem monetary policy operations, irrespective of any external credit assessment. These positive assessments are the bases for this exceptional and temporary suspension, put in place with a view to contributing to the soundness of financial institutions, thereby strengthening the stability of the financial system as a whole and protecting the customers of those institutions. However, the ECB should closely monitor the continued strong commitment by the Greek Government to fully implement the economic and financial adjustment programme underlying these measures.

- (5) This exceptional measure was decided and publicly announced by the Governing Council on 3 May 2010. It will apply temporarily, until the Governing Council considers that the stability of the financial system allows the normal application of the Eurosystem framework for monetary policy operations,

HAS ADOPTED THIS DECISION:

*Article 1***Suspension of certain provisions of the General Documentation**

1. The Eurosystem's minimum requirements for credit quality thresholds, as specified in the Eurosystem credit assessment framework rules for marketable assets in Section 6.3.2 of the General Documentation, shall be suspended in accordance with Articles 2 and 3.

2. In the event of any discrepancy between this Decision and the General Documentation, the former shall prevail.

⁽¹⁾ OJ L 310, 11.12.2000, p. 1.

*Article 2***Continued eligibility as collateral of marketable debt instruments issued by the Greek Government**

The Eurosystem's credit quality threshold shall not apply to marketable debt instruments issued by the Greek Government. Such assets shall constitute eligible collateral for the purposes of Eurosystem monetary policy operations, irrespective of their external credit rating.

*Article 3***Continued eligibility as collateral of marketable debt instruments guaranteed by the Greek Government**

The Eurosystem's credit quality threshold shall not apply to marketable debt instruments issued by entities established in Greece and fully guaranteed by the Greek Government. A guarantee provided by the Greek Government shall continue

to be subject to the requirements contained in Section 6.3.2 of the General Documentation. Such assets shall constitute eligible collateral for the purposes of Eurosystem monetary policy operations, irrespective of their external credit rating.

*Article 4***Entry into force**

This Decision shall enter into force on 6 May 2010.

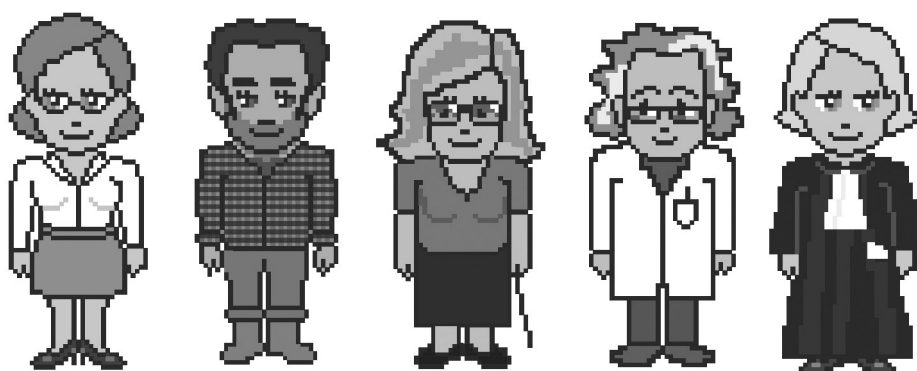
Done at Lisbon, 6 May 2010.

The President of the ECB

Jean-Claude TRICHET

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