

**ASSOCIATION
BETWEEN
THE EUROPEAN UNION
AND TURKEY**

The Association Council

**Brussels, 20 July 2017
(OR. en)**

UE-TR 4805/17

COVER NOTE

From:	Mr Joost KORTE, Deputy-Director General for Trade, European Commission
date of receipt:	14 July 2017
To:	President of the EU-Turkey Association Council
Subject:	Interim review of the countervailing measures on imports of certain rainbow trout originating in Turkey

Excellency,

I have the honour to inform you that the Commission has received a properly documented request for the initiation of review of the countervailing measures on imports of certain rainbow trout originating in Turkey.

Attached you will find a copy of the Note Verbale sent to the Permanent Representation of Turkey to the European Union, containing a summary of the request. You will also find attached a copy of the letter in which the government of Turkey is invited for consultation prior to the possible initiation of the review, in accordance with Article 10(7) of Regulation (EC) No 2016/1037 of the European Parliament and the Council (OJ L 176, 30.06.2016, p. 55), which reproduces the provision of Article 13.1 of the WTO Subsidies Agreement.

I would like to take this opportunity to renew to the President of the EU-Turkey Association Council the assurance of my highest consideration, and to remind you that you will be kept duly informed of any further developments.

Joost KORTE

Encl.



EUROPEAN COMMISSION
Directorate-General for Trade

NOTE VERBALE

The Directorate-General for Trade of the European Commission presents its compliments to the Permanent Representation of Turkey to the European Union and has the honour to notify it that the European Commission has received a properly documented request for a review of the anti-subsidy measures concerning imports of rainbow trout originating in Turkey.

The request was lodged by the Aegean Exporters Association on behalf of producers/exporters of rainbow trout of Turkey ('the applicant').

The product subject to this review is rainbow trout (*Oncorhynchus mykiss*)

- live weighing 1,2 kg or less each, or
- fresh, chilled, frozen and/or smoked:
 - in the form of whole fish (with heads on), whether or not gilled, whether or not gutted, weighing 1,2 kg or less each, or
 - with heads off, whether or not gilled, whether or not gutted, weighing 1 kg or less each, or
 - in the form of fillets weighing 400 g or less each,

currently falling within CN codes ex 0301 91 90, ex 0302 11 80, ex 0303 14 90, ex 0304 42 90, ex 0304 82 90 and ex 0305 43 00 (TARIC codes 0301 91 90 11, 0302 11 80 11, 0303 14 90 11, 0304 42 90 10, 0304 82 90 10 and 0305 43 00 11).

The applicant alleges that the continued imposition of the measure on imports of the product under review at its current level is no longer necessary to offset the countervailable subsidisation. In this respect, the applicant has provided evidence showing a significant change in the structure and the terms of the implementation of the direct subsidies granted to producers on a per kg of rainbow trout produced. With the new modalities eligibility limits are reached much faster, and for any production above that limit, no more subsidies are granted. Therefore the applicant alleges that this change resulted in a significant decrease of the subsidy amount received by, in particular, the large exporting producers of the product under review.

The Commission's services are currently examining this request and the supporting evidence submitted in order to assess whether the initiation of the review is warranted. The Commission has, in a separate letter to Permanent Representation of the Republic of Turkey to the European Union, invited the Government of Turkey for consultation in

Commission européenne, B-1049 Bruxelles / Europese Commissie, B-1049 Brussel - Belgium. Telephone: (32-2) 299 11 11.

accordance with Article 10(7) of Council Regulation 2016/1037 on protection against subsidised imports from countries not members of the European Union.

Should the European Commission decide to initiate a review investigation, information, including copies of the notice of initiation and the request for review, will be provided to the Permanent Representation of Turkey to the European Union immediately upon publication of the notice of initiation of the review investigation in the *Official Journal of the European Union*.

The Directorate-General for Trade of the European Commission wishes to bring to the attention of Permanent Representation of Turkey to the European Union that should the investigation be initiated, in view of the potentially large number of exporting producers in Turkey involved and in order to complete the investigation within the statutory time-limits, the Commission may limit the exporting producers that will be investigated to a reasonable number by selecting a sample. In such a case, the Commission's services would appreciate the cooperation of Turkey in the selection of a representative sample of exporting producers.

In addition, please find attached the above-mentioned list with the exporting producers that have been identified in the request. The Permanent Representation of Turkey to the European Union is requested to check this list for accuracy and completeness and to provide the Commission with the names and addresses of any other exporting producers that may be concerned but are not listed in the request no later than 14 July 2017 so that, should the European Commission decide to initiate a review investigation, it can contact them. The Commission appreciates the collaboration of the Permanent Representation of Turkey to the European Union in ensuring that all exporting producers have full opportunity to cooperate in the investigation.

The Directorate-General for Trade of the European Commission takes this opportunity to renew to the Permanent Representation of Turkey to the European Union the assurance of its highest consideration, and to notify that it will keep the Permanent Representation of Turkey to the European Union duly informed of any further developments.

Brussels,

**PERMANENT REPRESENTATION OF TURKEY
TO THE EUROPEAN UNION**

Att: Hatice Pinar ERSEN ROUSK
Chief Commercial Counsellor
AVENUE DES ARTS, 36-38
B-1040 BRUXELLES/BELGIQUE

Encl.: List of exporting producers identified in the request.

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Electronically signed on 06/07/2017 11:07 (UTC+02) in accordance with article 4.2 (Validity of electronic documents) of Commission Decision 2004/563



Brussels,
H.1/BFF/lwi (2017) 3847774

URGENT

**PERMANENT REPRESENTATION OF
TURKEY TO THE EUROPEAN UNION**

Att: Hatice Pinar ERSEN ROUSK
Chief Commercial Counsellor
AVENUE DES ARTS, 36-38,
B-1040 BRUXELLES/BELGIQUE
Email: tr-delegation.eu@mfa.gov.tr;
ersenp@skypro.be

Subject: Review of the countervailing measures concerning imports of rainbow trout originating in Turkey

Dear Mrs Ersen Rousk,

The Commission has received a properly documented request for the initiation of review of the countervailing measures on imports of certain rainbow trout originating in Turkey. A copy of the non-confidential version of this request is enclosed for your information.

The Commission has now to decide whether or not there is sufficient evidence to justify the initiation of the interim review of the countervailing measures with regard to the above imports. In accordance with Article 10(7) of Regulation (EC) No 2016/1037 of the European Parliament and the Council (OJ L 176, 30.06.2016, p.55), which reproduces the provision of Article 13.1 of the WTO Subsidies Agreement, the Government of Turkey is hereby notified of the receipt of the request, and is invited for consultations with the aim of clarifying the situation as regards its content with the aim to provide any clarifications it considers necessary.

The consultations may take place any time before the decision on initiation. However, if you wish to request consultations, you are advised that it is in your interest to do so as soon as possible so that the consultations leave the Commission with sufficient time to consider your representations prior to taking a final decision with regard to the opening of an investigation.

Commission européenne, B-1040 Bruxelles / Europese Commissie, B-1040 Brussel - Belgium. Telephone: (32-2) 299 11 11.

If you wish to take up this offer of consultations, please contact Mrs Begoña Fernandez Fernandez (e-mail: begona.fernandez-fernandez@ec.europa.eu, tel: 02/299 13 83, fax: 02/295 65 05) or myself to schedule a date.

Yours sincerely,

Wolfgang MÜLLER
Head of Unit

Encl. non-confidential version of the request
CC: H. König, DG TRADE

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■ Electronically signed on 06/07/2017 11:37 (UTC+02) in accordance with article 4.2 (Validity of electronic documents) of Commission Decision 2004/563

Annex-2

LIST OF EXPORTEERS/PRODUCERS

OPEN

	NAME OF THE EXPORTERS/PRODUCERS
1	ABALIOĞLU SU ÜRÜNLERİ GIDA TAR.İNŞ.İTH.İHR.SAN.TİC.LTD.ŞTİ.
2	ABALIOĞLU YEM SOYA VE TEKS.SAN .A.Ş.
3	ADASU ÜRÜN. TURZ.İNŞ. VE TİC. LTD. ŞTİ.
4	AHMET BEDİRİHANOĞLU KUZEY BALIK
5	AKGÖL BALIKÇILIK SU ÜRN.ÜR.HAY.HAY.ÜRN.BAK.İNŞ.MAL.İTH.İHR.LTD.ŞTİ.
6	ALİMA SU ÜRÜNLERİ VE GIDA SAN.TİC.A.Ş.
7	ANTALYA BALIK TURİZM GIDA TAŞ. İNŞ.SAN.VE TİC.A.Ş.
8	BAL-PI GIDA SAN.VE TİC.LTD.ŞTİ
9	BANDIRMA BALIKÇILIK GIDA NAKLIYAT SOĞUK HAVA TESİSLERİ AKARYAKIT TURİZM LTD.ŞTİ.
10	BAYPA BAYHAN SU ÜRÜNLERİ SAN.TİC.A.Ş.
11	BLUE FISH SU ÜRÜNLERİ VE PETROL İTHALAT İHRACAT SANAYİ VE TİCARET ANONİM ŞİRKETİ
12	CALLUT TARIM TURİZM VE SU ÜRÜN İTH.İHR.SAN TİC LTD ŞTİ.
13	DERSU ALABALIK ÜR.TUR.TİC.SAN. LTD.ŞTİ.
14	DRS GIDA VE SU ÜRÜNLERİ ÜRETİM SANAYİ VE TİCARET LİMİTED ŞİRKETİ
15	ERBA SU ÜRÜNLERİ İTHALAT İHRACAT SAN. VE TİC. LTD.ŞTİ
16	FOKACI SU ÜRÜNLERİ GIDA PAZ.NAK.SAN.VE TİC.LTD.ŞTİ
17	GLOBAL POINT LOJİSTİK TİC.LTD.ŞTİ
18	GÜLPORT LİMAN HİZMETLERİ TİC. A.Ş.
19	GÜMÜŞDOĞA SU ÜRÜN.ÜRETİM İHR VE İTH.AŞ
20	HAMBURG GIDA SANAYİ TİCARET ANONİM ŞİRKETİ
21	İLKER ÖZER ÖZER GIDA SU ÜRÜN. İTHALAT İHRACAT VE TİCARETİ
22	KAYHANLAR SU ÜRÜNLERİ PAZ VE NAK.TİC.LTD.ŞTİ
23	KEBAN ALABALIK SU ÜRÜNLERİ GIDA ÜRT.PAZ.SAN.VE TİC.A.Ş
24	KEMAL BALIKÇILIK İHR.LTD.ŞTİ.
25	KIRIŞ GIDA MADDELERİ SU ÜRÜNLERİ SANAYİ VE TİCARET ANONİM ŞİRKETİ
26	KLC GIDA ÜRÜNLERİ İTH.İHR.VE TİC.A.Ş.
27	KOCAMAN BALIKÇILIK İHRACAT VE İTHALAT TİCARET ANONİM ŞİRKETİ
28	KOPUZMAR SU ÜRÜNLERİ SAN.VE DİŞ TİC.A.Ş.
29	KUZEY BALIKÇILIK GIDA TUR.İTH.İHR.SAN. VE TİC.A.Ş.
30	LERÖY TURKEY SU ÜRÜN. SAN. VE TİC. A.Ş.
31	MER SU ÜRÜNLERİ HAYVANCILIK NAKLİYE PAZARLAMA İTH. İHR. SAN .VE T İ C. A.Ş.
32	MERSİN ÜNİVERSAL DENİZ.Gİ.İNŞ.PET.İTH.İHR.SAN.LTD.ŞTİ.
33	MİTTOS SU ÜRÜNLERİ TURİZM.PETROL NAK.ENERJ.HAYV.İHR.İTH.SAN.VE TİC.LTD.ŞTİ.
34	MORE SU ÜRÜNLERİ TİC.A.Ş.
35	NEBA DİŞ TİC.LTD.ŞTİ
36	ÖMER YAVUZ BALIKÇILIK SU ÜRÜNLERİ SAN.VE TİC.LTD.ŞTİ
37	ÖNDER SU ÜRÜNLERİ TURİZM.SAN. TİC.LTD.ŞTİ.
38	ÖZER GIDA SANAYİ VE DİŞ TİCARET LTD. ŞTİ.
39	ÖZPEKLER İTH.İHR. SU ÜRÜN.SAN VE TİC.LTD.ŞTİ.
40	PAKYÜREK DİŞ TİC.LTD.ŞTİ.
41	PENTA SU ÜRÜNLERİ ÜRETİM SANAYİ VE TİCARET ANONİM ŞİRKETİ
42	S.S.YAPAĞLI KÖYÜ TARIMSAL KAL. KOOPERATİFİ
43	SEARAY SU ÜRÜNLERİ SANAYİ VE TİCARET ANONİM ŞİRKETİ
44	SEÇKİN TURİZM BALIKÇILIK SAN. VE TİC.LTD.ŞTİ.
45	SELİNA BALIK İŞLEME TESİSİ İTHALAT İHRACAT VE TİCARET ANONİM ŞİRKETİ
46	SUSAN GIDA SAN.VE TİC. AŞ
47	ŞAHLANLAR GIDA SAN VE TİCARET LTD. ŞTİ
48	TRUST İÇ VE DİŞ TİCARET ANONİM ŞİRKETİ
49	TUMAY BALIKÇILIK GIDA DİŞ TİCARET SANAYİ ANONİM ŞİRKETİ