



Malta-EU Steering & Action Committee

COMPETITIVENESS AND CONSUMER AFFAIRS



22.05.09

Anti-dumping duties

COM(2009) 233 - Proposal for a Council Regulation amending Regulation (EC) No 1212/2005 imposing a definitive anti-dumping duty on imports of certain castings originating in the People's Republic of China

By Regulation (EC) No 1212/2005, the Council imposed a definitive anti-dumping duty on imports of certain castings originating in the People's Republic of China made of non-malleable cast iron.

In March 2008, the Commission initiated an interim review, pursuant to Article 11(3) of the basic Regulation. The review was limited to the examination of the product scope. The investigation concluded that the original investigation had covered castings made of grey and of ductile cast iron. It was confirmed that although there are slight differences between castings made of grey or ductile cast iron, they can be considered as one single product. Furthermore, it was concluded that castings made from ductile cast iron should not be qualified as "non-malleable" from a technical point of view as iron can be deformed under compressive stress without breaking.

Thus, the Commission is proposing that the Council adopt this proposal for a Regulation which sets out the amendment of Regulation (EC) No 1212/2005 in order to clarify the scope of the products covered by that Regulation and to exclude any possible ambiguity in the interpretation.



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Air Transport Agreement

COM(2009) 229 - Proposal for a Decision of the Council and the representatives of the Governments of the Member States of the European Union, meeting within the Council

On the conclusion of the of the Air Transport Agreement between the United States of America, for the one part, the European Community and its Member States, for the second part, Iceland, for the third part, and the Kingdom of Norway, for the fourth part; and

On the conclusion of the Ancillary Agreement between the European Community and its Member States, of the first part, Iceland, on the second part, and the Kingdom of Norway, of the third part, regarding the application of the Air Transport Agreement between the United States of America, of the first part; the European Community and its Member States, of the second part; Iceland, of the third part; and the Kingdom of Norway, of the fourth part

In 2007 the EU and the US signed the Air Transport Agreement ("the EU-US Air Transport Agreement"). This agreement entered into effect on 30 March 2008. It has removed all commercial barriers for flights between any point in the EU and any point in the US. The agreement has created uniform conditions for market access for all Community air carriers, and has established new arrangements for regulatory cooperation between the European Community and the US in fields essential for the safe, secure, and efficient operation of transatlantic air services.

Article 18 (5) of the agreement confirms both Parties' goal of "maximising the benefits for consumers, airlines, labour and communities on both sides of the Atlantic by *extending this Agreement to include third countries*". In 2007 Norway and Iceland formally requested the accession to the EU-US Air Transport Agreement. Since Norway and Iceland are an integral part of the European Common Aviation Area, these Agreements will ensure a consistent regulatory framework for flights between the US and the single aviation market in the EU – including Iceland and Norway. It will create commercial benefits for airlines and consumers in the EU and it will particularly ensure the consistency of the EU-US Air Transport Agreement with the common Scandinavian air transport policy. Norway and Iceland have adopted the complete *acquis communautaire* in aviation policy. Therefore, including both countries in the scope of the EU-US Air Transport Agreement will ensure that all European air carriers applying the *acquis communautaire* will operate transatlantic air services in a harmonised framework.



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This proposal thus approves the text of the Air Transport Agreement between the US, the European Community and its Member States, Iceland and Norway; as well as the text of the Ancillary Agreement between the European Community and its Member States, Iceland and Norway regarding the application of the Air Transport Agreement.

Air Transport Agreement

COM(2009) 226 - Proposal for a Decision of the Council and the representatives of the Governments of the Member States of the European Union, meeting within the Council

On the signature and provisional application of the Air Transport Agreement between the United States of America, for the one part, the European Community and its Member States, for the second part, Iceland, for the third part, and the Kingdom of Norway, for the fourth part; and

On the signature and provisional application of the Ancillary Agreement between the European Community and its Member States, of the first part, Iceland, on the second part, and the Kingdom of Norway, of the third part, regarding the application of the Air Transport Agreement between the United States of America, of the first part; the European Community and its Member States, of the second part; Iceland, of the third part; and the Kingdom of Norway, of the fourth part

In relation to the previous proposal (COM(2009)229), this proposal proposes the *signing* of the Air Transport Agreement between the US, the European Community and its Member States, Iceland and Norway; as well as the *signing* of the Ancillary Agreement between the European Community and its Member States, Iceland and Norway regarding the application of the Air Transport Agreement.

State aid: Commission authorises Maltese temporary aid scheme to grant compatible aid of up to €500 000

The European Commission has authorised a Maltese measure to help businesses to deal with the current economic crisis. Aid of up to €500 000 per firm may be granted in 2009 and 2010 to businesses facing funding problems because of the



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current credit squeeze.

The scheme is based on the provisions of the Temporary framework which deals with compatible aid of a limited amount. In particular, the maximum amount of aid does not exceed €500 000 per company and the scheme applies only to businesses which were not in difficulty on 1 July 2008.

The aid will be granted in the form of direct grants. Under the scheme, limited amounts of compatible aid can be granted as from its approval by the Commission until 31 December 2010.

[Read more](#)

COMMISSION CONSULTATION

Consultation on the Commission's Broadband Guidelines on the application of EU state aid rules to public funding of broadband networks

The Commission has launched a Consultation on the Commission's Broadband Guidelines on the application of EU state aid rules to public funding of broadband networks. The objective of this consultation is to gather information from stakeholders on the Broadband Guidelines, which lay down how the Commission will apply the EU state aid rules in relation to public support granted for broadband network infrastructure deployment. Stakeholders are invited to comment in particular on the Commission's proposed approach towards State aid for Next Generation Access network deployment.

The questionnaire is available at:

http://ec.europa.eu/competition/consultations/2009_broadband_guidelines/index.html

Responses should be sent by 22 June 2009 to the European Commission, attention: the State Aid Registry, 1049 Brussels, Belgium or to comp-broadband-guidelines@ec.europa.eu

COMMISSION CONSULTATION

Consultation on the follow up to the Green Paper on Consumer Collective Redress

The Commission has launched a consultation paper on the follow up to the Green



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Paper on Consumer Collective Redress. Collective redress could be a means to handle consumer mass claims. Expanding mass consumer markets with consumers shopping cross-border and on the internet create a high potential for large groups of consumers being harmed by the same or a similar illegal practice of a trader. Given that a trend can be identified towards an increasing scaling up of mass claims, the Commission is examining the possibility of collective redress as a solution to this.

The aim of the consultation is to present the first working analysis of the impact of the options in the light of the replies to the Green Paper on consumer collective redress and to gather further information, preferably with concrete examples and/or figures on the concrete impact of the policy options, in particular on each national redress systems.

The questionnaire is available at:

http://ec.europa.eu/consumers/redress_cons/collective_redress_en.htm

Responses should be sent by 3rd July to European Commission Directorate-General Health and Consumers, Rue de la Loi 200, 1049 Brussels, Belgium or to Sanco-consumer-collective-redress@ec.europa.eu

JUDGEMENTS OF THE EUROPEAN COURT OF JUSTICE

CASE 531/06 – Commission v Italy and Joined Cases C-171/07 and C-172/07 Apothekerkammer des Saarlandes and Others

In these judgements the Court held that the freedom of establishment and the free movement of capital do not preclude national legislation which prevents persons not having the status of pharmacist from owning and operating pharmacies.

The cases relate to the issue whether Community law precludes provisions contained in Italian and German legislation which provide that only pharmacists may own and operate a pharmacy.

The Court held that excluding the possibility for non-pharmacists to operate pharmacies or to acquire stakes in companies or firms operating pharmacies constitutes a restriction on the freedom of establishment and the free movement of capital. However, that restriction can be justified by the objective of ensuring that the provision of medicinal products to the public is reliable and of good quality. Holding that since no other less restrictive measure was presented before the Court that would make it possible to ensure that the



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objective is reached; and given the power accorded to the Member States to determine the level of protection of public health, the Court concluded that Member States *may* require that medicinal products be supplied by pharmacists enjoying genuine professional independence.

The full text of the judgments may be found on:

<http://curia.europa.eu/jurisp/cgi-bin/form.pl?lang=EN&Submit=rechercher&numaff=C-531/06>

<http://curia.europa.eu/jurisp/cgi-bin/form.pl?lang=EN&Submit=rechercher&numaff=C-171/07>



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INTRODUCTION OF THE ECONOMIC OPERATOR REGISTRATION AND IDENTIFICATION (EORI) NUMBER

As from **1st July 2009** every economic operator within the EU will, for Customs purposes, be identified by means of a unique number (the Economic Operator Registration and Identification (EORI) number). This will facilitate customs transactions throughout the EU and at the same time support security measures introduced by Council Regulation 648/2005 and its implementing provisions.

Traders will be required to quote this number in all their dealings with Customs authorities in any Member State. The EORI number will function as an ID number for traders based in the EU in their dealing with Customs authorities. It will allow them to derive maximum benefit from the various facilitations available through Customs *without having to register afresh with Customs administrations in other Member States*.

All economic operators having the status of legal entities – sole traders, partnerships, limited liability companies – will be issued with an EORI number. One number will be issued per legal entity; branches and company divisions will be required to use the EORI issued to the organisation of which they form a part, except where they are registered as separate companies.

In order to simplify the process for all concerned the EORI number will be identical to traders' existing VAT number. EORI numbers will be displayed on a publicly-accessible website. Traders will also be able to decide whether they want visitors to the website to view other information about their operations e.g. the identity of traders and their line of business.

Traders who would like their details to be accessible to the general public are to declare this to Customs by filling in and signing the appropriate consent form, which may be downloaded from the Customs Division's website:

<http://finance.gov.mt/page.aspx?site=CUST&page=form> .

Forms are to be mailed or delivered by hand to the **Customs Division at Custom House, Lascaris Wharf, Valletta VLT 1920**. These are to be addressed to the attention of the Director General, Customs Division, and marked '**EORI**'. Unsigned or incomplete forms will not be processed.



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Enquiries should be directed to eoricustoms.mfei@gov.mt or tel. no. **25685290**