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## Information and Notices

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## II

*(Information)*INFORMATION FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES  
AND AGENCIES

## EUROPEAN COMMISSION

**Non-opposition to a notified concentration****(Case M.7582 — Goldman Sachs Group/Altares/Pascal Défense)****(Text with EEA relevance)**

(2015/C 212/01)

On 17 April 2015, the Commission decided not to oppose the above notified concentration and to declare it compatible with the internal market. This decision is based on Article 6(1)(b) of Council Regulation (EC) No 139/2004 <sup>(1)</sup>. The full text of the decision is available only in the English language and will be made public after it is cleared of any business secrets it may contain. It will be available:

- in the merger section of the Competition website of the Commission (<http://ec.europa.eu/competition/mergers/cases/>). This website provides various facilities to help locate individual merger decisions, including company, case number, date and sectoral indexes,
- in electronic form on the EUR-Lex website (<http://eur-lex.europa.eu/homepage.html?locale=en>) under document number 32015M7582. EUR-Lex is the online access to European law.

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<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1.

## IV

(Notices)

## NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

## EUROPEAN COMMISSION

Euro exchange rates <sup>(1)</sup>

26 June 2015

(2015/C 212/02)

1 euro =

Currency	Exchange rate	Currency	Exchange rate
USD US dollar	1,1202	CAD Canadian dollar	1,3851
JPY Japanese yen	138,58	HKD Hong Kong dollar	8,6842
DKK Danish krone	7,4608	NZD New Zealand dollar	1,6347
GBP Pound sterling	0,71230	SGD Singapore dollar	1,5100
SEK Swedish krona	9,2641	KRW South Korean won	1 258,49
CHF Swiss franc	1,0447	ZAR South African rand	13,6412
ISK Iceland króna		CNY Chinese yuan renminbi	6,9553
NOK Norwegian krone	8,7730	HRK Croatian kuna	7,5875
BGN Bulgarian lev	1,9558	IDR Indonesian rupiah	14 925,51
CZK Czech koruna	27,230	MYR Malaysian ringgit	4,2416
HUF Hungarian forint	312,66	PHP Philippine peso	50,510
PLN Polish zloty	4,1757	RUB Russian rouble	61,8070
RON Romanian leu	4,4575	THB Thai baht	37,868
TRY Turkish lira	2,9848	BRL Brazilian real	3,5157
AUD Australian dollar	1,4631	MXN Mexican peso	17,4219
		INR Indian rupee	71,2458

<sup>(1)</sup> Source: reference exchange rate published by the ECB.

**Opinion of the Advisory Committee on restrictive agreements and dominant position at its meeting on 28 April 2015 concerning a preliminary draft decision relating in Case AT.39964 — Air France-KLM/Alitalia/Delta ('SkyTeam')**

**Rapporteur: Latvia**

(2015/C 212/03)

1. The Advisory Committee shares the Commission's assessment under Article 101(1) on the Functioning of the European Union ('TFEU') in its draft Decision as communicated to the Advisory Committee on 16 April 2015. All Member States are in agreement.
  2. The Advisory Committee agrees with the Commission that the proceedings can be concluded by means of a decision pursuant to Article 9(1) of Regulation (EC) No 1/2003. A majority of Member States agree. A minority abstains.
  3. The Advisory Committee agrees with the Commission that the commitments offered by Air France, KLM, Alitalia and Delta are suitable, necessary and proportionate. A majority of Member States agree. A minority abstains.
  4. The Advisory Committee agrees with the Commission that, in light of the commitments offered by Air France, KLM, Alitalia and Delta, there are no longer grounds for action by the Commission, without prejudice to Article 9(2) of Regulation (EC) No 1/2003. A majority of Member States agree. A minority abstains.
  5. The Advisory Committee asks the Commission to take into account any other points raised during the discussion. A minority of Member States suggest that the Commission reviews point 42 of the draft decision.
  6. The Advisory Committee recommends the publication of its opinion in the *Official Journal of the European Union*. All Member States are in agreement.
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**Final Report of the Hearing Officer <sup>(1)</sup>****Air France/KLM/Alitalia/Delta****(AT.39964)**

(2015/C 212/04)

- (1) This case concerns a transatlantic joint venture agreement (the 'TAJV Agreement') concluded between Société Air France, Alitalia Società Aerea Italiana SpA, Delta Air Lines Inc. and Koninklijke Luchtvaart Maatschappij NV (the 'Parties') in relation to the establishment of a profit/loss-sharing joint venture, which covers, among other things, all passenger air transport services operated by the Parties on routes between Europe and North America <sup>(2)</sup>. The TAJV Agreement provides for extensive cooperation between the Parties, including on pricing, capacity, scheduling and revenue management coordination.
- (2) On 23 January 2012, the European Commission (the 'Commission') opened proceedings with a view to adopting a decision under Chapter III of Regulation (EC) No 1/2003 <sup>(3)</sup> in relation to the TAJV Agreement.
- (3) On 26 September 2014, the Commission adopted a Preliminary Assessment pursuant to Article 9(1) of Regulation (EC) No 1/2003, expressing its concerns as to the compatibility of the TAJV Agreement with Article 101 of the Treaty, in particular in relation to the market for premium passengers on the Paris-New York route and the markets for premium and non-premium passengers on the Amsterdam-New York and Rome-New York routes.
- (4) On 3 October 2014, the Parties submitted commitments to the Commission in response to the Preliminary Assessment. On 23 October 2014, the Commission published a notice in the *Official Journal of the European Union* <sup>(4)</sup> pursuant to Article 27(4) of Regulation (EC) No 1/2003, summarising the case and the commitments and inviting interested third parties to give their observations on the commitments.
- (5) On 8 December 2014, the Commission provided the Parties with non-confidential versions of the observations made by interested third parties. On 23 February 2015, the Parties submitted amended commitments ('the Final Commitments').
- (6) The draft decision makes the Final Commitments binding on the Parties and concludes that in light of these, there are no longer grounds for action by the Commission and therefore the proceedings in this case should be brought to an end.
- (7) Having received no request or complaint from any party to the proceedings <sup>(5)</sup>, I consider that the effective exercise of the procedural rights of all Parties in this case has been respected.

Brussels, 30 April 2015.

Joos STRAGIER

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<sup>(1)</sup> Pursuant to Articles 16 and 17 of Decision 2011/695/EU of the President of the European Commission of 13 October 2011 on the function and terms of reference of the hearing officer in certain competition proceedings (OJ L 275, 20.10.2011, p. 29) ('Decision 2011/695/EU').

<sup>(2)</sup> Mexico, USA and Canada.

<sup>(3)</sup> Council Regulation (EC) No 1/2003 of 16 December 2002 on the implementation of the rules on competition laid down in Articles 81 and 82 of the Treaty (OJ L 1, 4.1.2003, p. 1) ('Regulation 1/2003').

<sup>(4)</sup> OJ C 376, 23.10.2014, p. 12.

<sup>(5)</sup> According to Article 15(1) of Decision 2011/695/EU, parties to the proceedings offering commitments pursuant to Article 9 of Regulation (EC) No 1/2003 may call upon the hearing officer at any stage of the procedure in order to ensure the effective exercise of their procedural rights.

**Summary of Commission Decision**  
**of 12 May 2015**  
**relating to a proceeding under Article 101 of the Treaty on the Functioning of the European Union**  
**(Case AT.39964 — Air France/KLM/Alitalia/Delta)**  
(notified under document number C(2015) 3125)  
(Only the English text is authentic)  
(2015/C 212/05)

On 12 May 2015, the Commission adopted a decision relating to a proceeding under Article 101 of the Treaty on the Functioning of the European Union. In accordance with the provisions of Article 30 of Council Regulation (EC) No 1/2003 <sup>(1)</sup>, the Commission herewith publishes the names of the parties and the main content of the decision, having regard to the legitimate interest of undertakings in the protection of their business secrets.

### Introduction

- (1) The Decision makes legally binding the commitments offered by Société Air France ('AF'), Koninklijke Luchtvaart Maatschappij NV ('KLM'), Alitalia Società Aerea Italiana SpA ('AZ') and Delta Air Lines Inc. ('Delta') (together 'the Parties') under Article 9 of Council Regulation (EC) No 1/2003 ('Regulation 1/2003') in a proceeding under Article 101 of the Treaty on the Functioning of the European Union ('the Treaty'). This Decision concerns the agreements concluded between the Parties in relation to the establishment of a profit/loss-sharing joint venture called the Transatlantic Joint Venture Agreement ('the TAJV Agreement'), which covers, among other things, all passenger air transport services operated by the Parties on routes between Europe and North America ('the Transatlantic Routes').

### Procedure

- (2) On 23 January 2012, the Commission opened antitrust proceedings with a view to taking a decision under Chapter III of Regulation (EC) No 1/2003. On 26 September 2014, the Commission adopted a preliminary assessment ('the Preliminary Assessment'), which set out the Commission's competition concerns in relation to the Paris-New York premium market, the Amsterdam-New York premium and non-premium markets and the Rome-New York premium and non-premium markets ('the Routes of Concern') <sup>(2)</sup>.
- (3) On 3 October 2014, the Parties proposed commitments to address the Commission's preliminary concerns. On 23 October 2014 the Commission published a notice in the *Official Journal of the European Union* pursuant to Article 27(4) of Regulation (EC) No 1/2003, summarising the case and the proposed commitments and inviting interested third parties to give their observations ('the Market Test Notice'). Following the comments received from third parties, on 4 May 2015, the Parties submitted the signed version of the final commitments.
- (4) On 28 April 2015, the Advisory Committee on Restrictive Practices and Dominant Positions was consulted and gave a positive opinion. On 30 April 2015 the Hearing Officer issued his final report.

### Concerns expressed in the Preliminary Assessment

#### *Assessment under Article 101(1) and 101(3) of the Treaty*

- (5) The Preliminary Assessment of 26 September 2014 set out the preliminary concerns of the Commission that the Parties may have restricted competition on the Paris-New York route in relation to premium passengers and on the Amsterdam-New York and Rome-New York routes in relation to premium and non-premium passengers both by object and by effect through their cooperation under the TAJV Agreement.
- (6) In its Preliminary Assessment, the Commission provisionally concluded that the TAJV Agreement has an anti-competitive object, as it provides for extensive cooperation between the Parties in relation to all key parameters of airline competition, including price, capacity, scheduling and quality of service. Within the metal-neutral profit/loss-sharing joint venture, the Parties' individual incentives on the Transatlantic Routes are replaced by the common interest and benefit of the joint venture and of all the Parties combined.

<sup>(1)</sup> OJ L 1, 4.1.2003, p. 1.

<sup>(2)</sup> The premium market includes passengers buying first class, business class and flexible economy tickets, while the non-premium market includes passengers buying restricted economy tickets.

- (7) The Commission also provisionally considered that the TAJV Agreement has the effect of appreciably restricting competition for (i) premium passengers on the Paris-New York route and (ii) premium and non-premium passengers on the Amsterdam-New York and Rome-New York routes respectively. The Commission provisionally concluded that the competition that existed between the respective Parties on the Routes of Concern before their cooperation is eliminated and is unlikely to be replaced by competition from other airlines, due to substantial barriers to entry and expansion.
- (8) Therefore, in the Commission's preliminary view, the cooperation between the Parties under the TAJV Agreement infringes Article 101(1) of the Treaty on the Paris-New York route in relation to premium passengers and on the Amsterdam-New York and Rome-New York routes in relation to premium and non-premium passengers.
- (9) The Parties did not provide any arguments concerning the creation of efficiencies in relation to the Routes of Concern. Therefore, the Commission provisionally concluded that there are no efficiencies that would offset the appreciable restriction of competition that is likely to result from the TAJV Agreement on the Routes of Concern.

#### **Initial and the final commitments**

- (10) On 3 October 2014, the Parties offered commitments to address the competition concerns set out in the Preliminary Assessment. The Parties offered:
- (a) to make arrival and departure slot pairs available at Amsterdam airport and/or New York JFK/Newark Liberty airports, as well as at Rome airport and/or New York JFK/Newark Liberty airports – at the competitor's choice – to allow one or more eligible competitor(s) to operate or increase up to seven (7) new or additional frequencies weekly on each of Amsterdam-New York and Rome New-York. The offer is subject to certain conditions, including that the competitor has exhausted all reasonable efforts to obtain the necessary slots through the general slot allocation process;
  - (b) to enter into fare combinability agreements <sup>(1)</sup> with competitors for all classes of passengers on each Route of Concern, except on Paris-New York, where the agreements will cover premium passengers only. Eligible competitors are all competitors which start to operate new or increased non-stop services on the relevant Route of Concern, and which, alone or in combination with their alliance partners, do not operate a hub/focus-city airport at both ends of the route. In the case of Paris-New York, this commitment also covers competitors which already operate non-stop services on the route;
  - (c) to enter into special prorated agreements <sup>(2)</sup> with competitors for all classes of passengers on each Route of Concern, except on Paris-New York, where the agreements will cover premium passengers only, for traffic with an origin and a destination in Europe or North America/the Caribbean/Central America, provided that part of the journey involves one of the three Routes of Concern. Eligible competitors are all competitors which start to operate new or increased non-stop services on the relevant Route of Concern, and which, alone or in combination with their alliance partners, do not operate a hub/focus-city airport at both ends of the route. In the case of Paris-New York, this commitment also covers competitors which already operate non-stop services on the route;
  - (d) to open their frequent flyer programmes to a competitor which commences or increases services on any of the Routes of Concern, if such competitor does not have a comparable programme of its own and does not already participate in any of the Parties' frequent flyer programmes.
- (11) The Parties offer to give responsibility to a trustee to monitor the application of the commitments. In case of disagreement between an applicant airline and the Parties concerning the commitments, the Parties offer a dispute resolution process, under which an arbitral tribunal will ultimately decide on the matter.
- (12) In response to the comments received by the Commission following publication of the Market Test Notice, the Parties submitted the signed version of the final commitments on 4 May 2015. Other than some clarifications, these revised commitments differ from the initially offered commitments only as regards the scope of the special prorated agreement commitment. The geographical scope of this commitment was extended to cover traffic with

<sup>(1)</sup> A fare combinability agreement allows a competitor (or travel agents) to offer a return trip to a group of passengers covered by the commitment, thus comprising a non-stop service provided one way by one of the Parties, and the other way by the competitor.

<sup>(2)</sup> Special prorated agreements allow eligible competitor airlines to obtain favourable terms from the Parties to carry passengers who travel on connecting flights operated by the Parties on routes in Europe and North America (and selected other countries), in order to 'feed' the competitor's own transatlantic services on the relevant Route of Concern, by transferring such passengers onto the competitor's transatlantic flights.



a true origin/destination in Lebanon and Israel, in addition to traffic with origin/destination in Europe or North America/the Caribbean/Central America. Furthermore, a clarification was included whereby the special prorate agreement commitment, which includes a right of the competitor to select up to twenty (20) behind/beyond routes operated by the Parties, also includes behind/beyond routes that are marketed by the Parties and operated by certain subsidiaries of the Parties (i.e. KLM Cityhopper, Alitalia CityLiner, HOP operated flights wet-leased by AF, and connecting flights marketed under the Delta Connection brand).

#### **Assessment and proportionality of the proposed commitments**

- (13) The commitments in their final form are sufficient to address the concerns identified by the Commission in its Preliminary Assessment, without being disproportionate. They facilitate entry or expansion on the Routes of Concern, by lowering barriers to entry or expansion and strengthening the services of competitors, by granting them access to connecting traffic and the possibility of concluding fare combinability agreements and cooperation agreements on frequent flyer programmes.
- (14) For the Amsterdam-New York and Rome-New York routes, the Commission considers that the combination of the slot commitments, on the one hand, together with the fare combinability, special prorate agreements and frequent flyer programmes commitments, on the other, is adequate and sufficient to remedy the competition concerns identified in the Preliminary Assessment. In particular, the conditions attached to the slot commitments make them effective and attractive enough to encourage competitors to actually take them up, while the other commitments should enable competitors to increase the sustainability of their new services. As regards the Paris-New York route, the Commission notes that competitors operate more frequencies per day than the Parties combined and that competitors have recently been able to add frequencies on the route. Therefore, the Commission considers that the fare combinability agreement, special prorate agreement and frequent flyer programme commitments offered by the Parties, for both existing and new competitors, are adequate and sufficient to remedy its concerns on this route.

#### **Conclusion**

- (15) The Decision makes the commitments proposed by the undertakings concerned legally binding upon them.
  - (16) In light of the final commitments offered by the Parties, the Commission considers that there are no longer grounds for action on its part. The Decision shall be binding for a period of 10 years from the date of its adoption.
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## V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMMON  
COMMERCIAL POLICY

## EUROPEAN COMMISSION

## Notice of the impending expiry of certain anti-dumping measures

(2015/C 212/06)

1. As provided for in Article 11(2) of Council Regulation (EC) No 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Community <sup>(1)</sup>, the Commission gives notice that, unless a review is initiated in accordance with the following procedure, the anti-dumping measures mentioned below will expire on the date mentioned in the table below.

**2. Procedure**

Union producers may lodge a written request for a review. This request must contain sufficient evidence that the expiry of the measures would be likely to result in a continuation or recurrence of dumping and injury.

Should the Commission decide to review the measures concerned, importers, exporters, representatives of the exporting country and Union producers will then be provided with the opportunity to amplify, rebut or comment on the matters set out in the review request.

**3. Time limit**

Union producers may submit a written request for a review on the above basis, to reach the European Commission, Directorate-General for Trade (Unit H-1), CHAR 4/39, 1049 Brussels, Belgium <sup>(2)</sup> at any time from the date of the publication of the present notice but no later than three months before the date mentioned in the table below.

4. This notice is published in accordance with Article 11(2) of Regulation (EC) No 1225/2009.

Product	Country(ies) of origin or exportation	Measures	Reference	Date of expiry <sup>(1)</sup>
Tungsten carbide, tungsten carbide simply mixed with metallic powder and fused tungsten carbide	The People's Republic of China	Anti-dumping duty	Council Implementing Regulation (EU) No 287/2011 imposing a definitive anti-dumping duty on imports of tungsten carbide, tungsten carbide simply mixed with metallic powder and fused tungsten carbide originating in the People's Republic of China (OJ L 78, 24.3.2011, p. 1)	25.3.2016

<sup>(1)</sup> The measure expires at midnight of the day mentioned in this column.

<sup>(1)</sup> OJ L 343, 22.12.2009, p. 51.

<sup>(2)</sup> Fax: +32 22956505.

## OTHER ACTS

## EUROPEAN COMMISSION

**Publication of a registration application pursuant to Article 50(2)(a) of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs**

(2015/C 212/07)

This publication confers the right to oppose the application pursuant to Article 51 of Regulation (EU) No 1151/2012 of the European Parliament and of the Council <sup>(1)</sup>.

## SINGLE DOCUMENT

**COUNCIL REGULATION (EC) No 510/2006****on the protection of geographical indications and designations of origin for agricultural products and foodstuffs <sup>(2)</sup>****‘OBERLAUSITZER BIOKARPFEN’****EC No: DE-PGI-0005-01070 — 13.12.2012****PGI (X) PDO ( )****1. Name**

‘Oberlausitzer Biokarpfen’

**2. Member State or Third Country**

Germany

**3. Description of the agricultural product or foodstuff****3.1. Type of product**

Class 1.7 — Fresh fish, molluscs and crustaceans and products derived therefrom

**3.2. Description of product to which the name in (1) applies**

‘Oberlausitzer Biokarpfen’ (Upper Lusatian organic carp) is sold as a table carp (*Cyprinus carpio*), either alive, slaughtered or processed (into cuts, smoked fish or fillets, either loose or prepacked).

‘Oberlausitzer Biokarpfen’ is a mirror carp, with a dark green, grey or greyish blue back, yellow-green to gold sides and a somewhat yellowy white belly. Its dorsal and caudal fins are grey, the caudal and anal fins have a reddish tone and the pectoral and belly fins are yellowish or reddish in colour. It is distinguished as a mirror carp on account of its uniform scales. In addition to the uniform rows of scales on its back, there are individual mirror scales at the base of the fins and behind the gill cover. The length of this carp variety’s head is very short compared to other varieties (body-length to height ratio of less than 3,0). On account of its small head, a considerable neck formation is visible.

The live weight of this table carp is between 1 300 and 2 500 g, attained in the third or fourth summer. Its flesh is light to soft-pink in colour, robust/firm, tender and low in fat, with a species-specific, pure, characteristically mild nutty taste and aromatic odour.

The chemical composition of the flesh is as follows:

- |           |             |
|-----------|-------------|
| 1. water: | 75 – 85 %   |
| 2. fat:   | 0,5 – 4,0 % |

<sup>(1)</sup> OJ L 343, 14.12.2012, p. 1.

<sup>(2)</sup> OJ L 93, 31.3.2006, p. 12. Replaced by Regulation (EU) No 1151/2012.

3. protein: 15 – 19 %

4. crude ash: 0 – 1,5 %

The use of controlled organic feed supplements (cereals, legumes) ensures that the flesh is free from residue and damage.

3.3. *Raw materials (for processed products only)*

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3.4. *Feed (for products of animal origin only)*

At least 50 % of the feed (by weight) must originate from natural sources (bed nutrients, zooplankton, or similar). Feeding must take place using only organically produced cereals and legumes (particularly lupins and/or peas) from the geographical area, in accordance with the certification regulations (Council Regulation (EC) No 834/2007 <sup>(3)</sup> and Commission Regulation (EC) No 889/2008 <sup>(4)</sup>), constituting up to at most 50 % of the fish's diet.

3.5. *Specific steps in production that must take place in the defined geographical area*

'Oberlausitzer Biokarpfen' must be bred only in accordance with the applicable legislation (Regulation (EC) No 834/2007 and Commission Regulation (EC) No 710/2009 <sup>(5)</sup>) and the definition of aquaculture within the meaning of Council Regulation (EC) No 1198/2006 <sup>(6)</sup> and must be monitored and certified by a state-approved inspection body each year.

The carp grow over the warm summer months, so their age is calculated in summers. Table carp in the Oberlausitz (Upper Lusatia) area generally reach maturity in the space of three summers. From eggs, within the geographical area, in the first year so-called K1 are produced. Once the K1 have lived through a winter, the fish become K2. The K2 must then live through another winter and in the third or fourth summer they reach the desired weight.

The spawning carp must originate from reproduction within the geographical area. In exceptional cases, spawning carp from other regions may be used to freshen the blood stock. However, such carp must have spent at least 6 months in the geographical area before they first spawn.

3.6. *Specific rules concerning slicing, grating, packaging, etc.*

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3.7. *Specific rules concerning labelling*

The following pictured quality seal must be used on the visible upper surface of the packaging:



Proof of origin must be provided by the applicant issuing producer-specific inspection numbers and the depicted quality seal. Each product labelled with the quality seal can therefore be traced to an individual producer.

4. **Concise definition of the geographical area**

The geographical area covers all carp ponds in the rural districts of Bautzen and Görlitz (after the Act of 29 January 2008 on the reorganisation of the areas of Saxony's rural districts, which entered into force on 1 August 2008).

<sup>(3)</sup> OJ L 189, 20.7.2007, p. 1.

<sup>(4)</sup> OJ L 250, 18.9.2008, p. 1.

<sup>(5)</sup> OJ L 204, 6.8.2008, p. 15.

<sup>(6)</sup> OJ L 223, 15.8.2006, p. 1.

## 5. Link with the geographical area

### 5.1. Specificity of the geographical area

Upper Lusatia is the most easterly carp area in Germany and characterised by a continental climate. However, high evaporation rates in the large pond areas create a localised 'pseudo-Atlantic' climate. Pond-focused economic activity has existed as a specific, traditional agricultural sector in Upper Lusatia for over 750 years without interruption. In the aforementioned geographical area, the carp ponds form part of a centuries-old man-made landscape.

Today, Upper Lusatia contains 2 050 ha of utilised pond area. Around the mid-thirteenth Century, when river fishing yields proved insufficient to meet fish demand, ponds started being constructed in Upper Lusatia for fish breeding. The natural conditions were particularly favourable in the region as the gradient of the land to the north of the Upper Lusatian mountains was highly suitable for larger ponds to be built.

Substantial areas, particularly in northern Upper Lusatia, could barely be used for agriculture on account of their poor sandy soils and high groundwater levels. It is not by chance that the name Lusatia (German: Lausitz) derives from the Sorbian 'Łuciza' (Łužica), meaning something like 'swampland'. On account of the low gradient of the land, particularly in northern Upper Lusatia, high groundwater levels, poor sandy soils, or low-moor soils, and large areas of land being owned by the nobility, pond aquaculture was able to develop throughout almost all the territory in Upper Lusatia, which in large parts still shapes the landscape to this day. The ponds were constructed on low-moor soils.

The process of drying out in winter and the accompanying mineralisation and release of nutrients, combined with often nutrient-rich feeder water, makes most ponds eutrophic. Ponds with a mineral-rich base fed by water low in nutrients have mesotrophic properties. The pond groups are primarily fed by the following large watercourses: the Spree, the Kleine Spree, the Löbauer Wasser and the Schwarzer Schöps.

The Upper Lusatian pond region is especially characterised by the limited variation between near-natural habitats and those altered by land usage. In the geographical area, the traditionally damp habitats resulting from utilisation are particularly significant: pond soil meadows as well as species that float and have leaves beneath the water are common in the ponds and their siltation zones. This is also the case for source meadows, watercourses and ditches with near-natural vegetation, swampy and marshy forests, old-growth forests with numerous tree holes, damp coppices, swampland, banks and siltation zones in the area around the ponds and on numerous pond islands.

The establishment of fish ponds was particularly boosted by a rise in population density and the conversion to Christianity between 1100 and 1300, and the limited availability of arable and grazing land. When the pagan, Sorbian population became Christian, fish became a ritual meal for all citizens on the many fasting days.

Upper Lusatia consequently developed particularly specialised knowledge of fish breeding. Hence, fish breeding was already part of the curriculum at the agricultural training institute established in Bautzen in 1875. At least since 1885, Inspector Kintze successfully fed carp on lupins in ponds in the feudal district of Kreba.

In the nowadays relatively sparsely populated heathland and pond areas of Upper Lusatia, there are no significant industrial or urban sources of contaminants jeopardising the ecologically highly valuable landscape and its water bodies.

### 5.2. Specificity of the product

'Oberlausitzer Biokarpfen' is distinct on account of its high vitality and good processing of its feed (no more than 50 % feed supplements required), as well as its particular resilience with regard to the aforementioned climatic conditions. Over the centuries, this carp variety has become especially well-adapted to the continental climatic conditions (long, cold winters and high summer temperatures). The flesh of 'Oberlausitzer Biokarpfen' is high quality and light to soft-pink in colour, robust/firm, tender and low in fat, displaying a species-specific, pure and characteristically mild, slightly nutty taste and aromatic odour. 'Oberlausitzer Biokarpfen' is distinct from other carp species (8,7 – 12,7 % fat content) specifically on account of its very low fat content (0,5 – 4 %); it stands out on account of its flesh being more firm and robust than average, with a fine, mildly nutty taste.

The use of monitored organic feed supplements (cereals, legumes) ensures that the flesh is free from residues and pollution.

'Oberlausitzer Biokarpfen' is generally known at regional level and known within the context of organic foods at trans-regional level and enjoys a high reputation among consumers.

On account of its high-quality taste and sustainable organic breeding, customers are prepared to pay a higher price for 'Oberlausitzer Biokarpfen' than for conventionally reared carp.

5.3. *Causal link between the geographical area and the quality or characteristics of the product (for PDO) or a specific quality, the reputation or other characteristic of the product (for PGI)*

'Oberlausitzer Biokarpfen' is of particular quality on account of the water quality, the climatic conditions, the near-natural ponds in the geographical area and the high proportion of natural feed in its diet as well as the fact that it is bred according to certified organic standards.

The specific natural, economic and social conditions have favoured the development of pond aquaculture and the centuries-old tradition of carp breeding. The knowledge hereby obtained by carp breeders, the exceptional water quality and the specific, extensive and sustainable breeding conditions, particularly the low stocking density of almost 3 000 K1(20-50 g)/ha and almost 600 K2(200-500 g)/ha, and the significant influence of the continental climate guarantee the characteristic features of 'Oberlausitzer Biokarpfen'.

The Upper Lusatian ponds are of high water quality and are primarily fed by the following watercourses: the Spree, the Kleine Spree, the Löbauer Wasser, the Schwarzwasser and the Schwarzer Schöps. The high buffer capability of near-natural ponds with their many reeds and aquatic plants more than compensates for quality variations in the feeder watercourses.

Suitable pond bank areas (at least 80 % of the overall bank length) in the earthy ponds maintained in a near-natural state (natural soil) for historic reasons with natural refuge zones display reed bands measuring at least 3-5 m wide. Moreover, the high water quality of the feeder watercourses favours the characteristic growth of diverse aquatic plant species in the near-natural ponds. These in turn act as a buffer against any short-term water quality variations in the feeder watercourses. 'Oberlausitzer Biokarpfen' does not only find sufficient refuge among the aquatic plants and reeds, fostering stress-free growth, but a variety of small organisms grow there providing diverse natural feed, significantly influencing the species-specific flavour of the carp. Moreover, the carp's well-being is improved by the diverse water depths, bank vegetation and aquatic plants, which provide natural cover and help to minimise stress.

The nutrients present in the ponds mean that the diet of 'Oberlausitzer Biokarpfen' is primarily based on natural foodstuffs present in the water (e.g. zooplankton, zoobenthos).

On account of the specific climatic, pond bed and water conditions in the geographical area, the flesh of 'Oberlausitzer Biokarpfen' is light, robust and especially firm, tender and low in fat (0,5 – 4 %), due to the guaranteed high proportion of natural feed (at least 50 %), combined with the organically produced cereal supplementary feed; this also gives 'Oberlausitzer Biokarpfen' a species-specific, pure, characteristically mild nutty taste and odour.

The aforementioned quality traits, combined with the traditional significance of the carp for gastronomy in the geographical area contribute to the fact that consumers view 'Oberlausitzer Biokarpfen' as a valued speciality, whose reputation is closely linked to the region.

On account of many press articles referring to its excellent taste, the reputation of 'Oberlausitzer Biokarpfen' has steadily been further enhanced ever since it was first marketed.

**Reference to publication of the specification**

(Article 5(7) of Regulation (EC) No 510/2006 <sup>(7)</sup>)

<http://register.dpma.de/DPMAreister/geo/detail.pdfdownload/35550>

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<sup>(7)</sup> See footnote 2.

**CORRIGENDA****Corrigendum to Notice of initiation of an anti-dumping proceeding concerning imports of high fatigue performance steel concrete reinforcement bars originating in the People's Republic of China**

(Official Journal of the European Union C 143 of 30 April 2015)

(2015/C 212/08)

On page 19, Annex I, point 2. Turnover and sales volume:

- for:* 'Indicate the turnover in the accounting currency of the company during the period 1 April 2013 – 31 March 2014 for sales (export sales to the Union for each of the 28 Member States separately and in total and domestic sales) of high fatigue performance steel concrete reinforcing bars as defined in the notice of initiation and the corresponding weight or volume. State the unit of weight or volume and the currency used.'
- read:* 'Indicate the turnover in the accounting currency of the company during the period 1 April 2014-31 March 2015 for sales (export sales to the Union for each of the 28 Member States separately and in total and domestic sales) of high fatigue performance steel concrete reinforcing bars as defined in the notice of initiation and the corresponding weight or volume. State the unit of weight or volume and the currency used.'

On page 21, Annex II, point 2. Turnover and sales volume:

- for:* 'Indicate the turnover in euros (EUR) of the company, and the turnover and weight or volume for imports into the Union and resales on the Union market after importation from the People's Republic of China, during the period 1 April 2013 – 31 March 2014, of high fatigue performance steel concrete reinforcing bars as defined in the notice of initiation and the corresponding weight or volume. State the unit of weight or volume used.'
- read:* 'Indicate the turnover in euros (EUR) of the company, and the turnover and weight or volume for imports into the Union and resales on the Union market after importation from the People's Republic of China, during the period 1 April 2014-31 March 2015, of high fatigue performance steel concrete reinforcing bars as defined in the notice of initiation and the corresponding weight or volume. State the unit of weight or volume used.'
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