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II

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

Communication from the Commission

**Updating of data used to calculate lump sum and penalty payments to be proposed by the
Commission to the Court of Justice of the European Union in infringement proceedings**

(2020/C 301/01)

I. Introduction

The 2005 Commission Communication on the application of Article 228 of the EC Treaty ⁽¹⁾ (now Article 260(1) and (2) TFEU) established the basis on which the Commission calculates the amount of the financial sanctions (either lump sum or penalty payments) that it requests the Court of Justice to apply when the Commission brings a case before the Court under Article 260(2) TFEU, in the context of infringement proceedings against a Member State.

In its Communication of 2010 ⁽²⁾ on the updating of the data used for this calculation, the Commission established that these macroeconomic data should be adjusted every year, in order to take into account inflation and gross domestic product (GDP) movements.

The 2011 Commission Communication on the implementation of Article 260(3) TFEU ⁽³⁾ and the 2017 Commission Communication 'EU law: Better results through better application' ⁽⁴⁾ emphasise that the same method as established by the 2005 Communication applies for the calculation of the financial sanctions which the Commission requests the Court of Justice to apply under Article 260(3) TFEU.

The update provided in this Communication ⁽⁵⁾ is based on developments in the inflation and GDP of each Member State and of the United Kingdom ⁽⁶⁾, reflecting their payment capacity. The relevant statistics that are to be used relating to the rate of inflation and GDP are those established two years prior to the update ('t-2 rule'), i.e. 2018, as two years is the minimum period of time necessary for gathering relatively stable macroeconomic data. In addition, for this year's update, another factor is the benchmark revision of national accounts ⁽⁷⁾ performed by 17 Member States and the United Kingdom, in the second semester of 2019, to incorporate new data sources and changes in international statistical methodology.

Pursuant to Articles 127 and 131 of the EU-UK Withdrawal Agreement ⁽⁸⁾, during the transition period, the status quo ante is maintained vis-à-vis the United Kingdom as regards the application and enforcement of EU law. The Commission may initiate new and pursue existing infringement procedures against the United Kingdom. The updates presented in this Communication therefore include updates of the United Kingdom data.

⁽¹⁾ SEC(2005) 1658 (OJ C 126, 7.6.2007, p. 15).

⁽²⁾ SEC(2010) 923/3. This Communication has been updated in 2011 [SEC(2011) 1024 final], in 2012 [C(2012) 6106 final], in 2013 [C(2013) 8101 final], in 2014 [C(2014) 6767 final], in 2015 [C(2015) 5511 final], in 2016 [C(2016) 5091 final], in 2017 [C(2017) 8720 final] and in 2018 [C(2018) 5851 final] for the yearly adjustment of economic data.

⁽³⁾ OJ C 12, 15.1.2011, p. 1.

⁽⁴⁾ OJ C 18, 19.1.2017, p. 10.

⁽⁵⁾ The GDP data for this year's update were extracted on 11 June 2020.

⁽⁶⁾ According to the general rules set out in the Communications of 2005 and 2010.

⁽⁷⁾ https://ec.europa.eu/eurostat/documents/737960/9861115/Benchmark_revisions_2019.pdf

⁽⁸⁾ Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community (OJ C 384 I, 12.11.2019, p. 1).

As already stated in the Communication of February 2019, the Commission will recalculate the figures at the end of the transition period.

II. Components of the update

The list of economic criteria to be updated is as follows:

- the standard flat-rate amount for the penalty payment ⁽⁹⁾, currently fixed at EUR 3 116, to be revised in line with inflation,
- the standard flat-rate amount for calculating the daily amount in order to determine the lump sum ⁽¹⁰⁾, currently fixed at EUR 1 039, to be revised in line with inflation,
- the special 'n' factor, to be revised in line with the GDP of the Member State in question, taking into account the number of seats it has in the European Parliament; the 'n' factor is identical for the calculation of lump sum and daily penalty payments,
- minimum lump sum payments ⁽¹¹⁾ to be revised in line with inflation.

III. Updates

The Commission will apply the following updated figures to calculate the amount of the financial sanctions (lump sum or penalty payments) when it brings a case to the Court of Justice under Article 260(2) and (3) TFEU:

- (1) the standard flat rate for calculating the penalty payment is EUR 3 154;
- (2) the standard flat rate for calculating the daily amount in order to determine the lump sum is EUR 1 052;
- (3) the special 'n' factor and the minimum lump sum for the 27 EU Member States and the United Kingdom are set as follows:

Member State	Special 'n' factor	Minimum lump sum (EUR 1 000)
Belgium	0,80	2 088
Bulgaria	0,25	653
Czechia	0,53	1 384
Denmark	0,51	1 331
Germany	4,59	11 982
Estonia	0,10	261
Ireland	0,48	1 253
Greece	0,50	1 305
Spain	2,06	5 377
France	3,39	8 849
Croatia	0,19	496
Italy	2,91	7 596

⁽⁹⁾ The standard or uniform flat-rate amount for daily penalty payments is defined as the fixed basic amount to which certain multiplier weightings are applied. The weightings are the coefficients for the seriousness and the duration of the infringement and the special 'n' factor corresponding to the Member State concerned.

⁽¹⁰⁾ The flat-rate amount is to be applied when calculating the lump sum. As regards Article 260(2) TFEU, the lump sum will result from multiplying a daily amount (resulting from multiplying the standard flat-rate amount by the coefficient for seriousness, and the result of this calculation being multiplied by the special 'n' factor) by the number of days the infringement persists between the date of the first judgment and the date that the infringement comes to an end or the date of delivery of the judgment under Article 260(2) TFEU. As regards Article 260(3) TFEU, according to point 28 of the Commission Communication on 'Implementation of Article 260(3) of the Treaty' [SEC(2010) 1371 final] (OJ C 12, 15.1.2011, p. 1), the lump sum will result from multiplying a daily amount (resulting from multiplying the standard flat-rate amount by the coefficient for seriousness, and the result of this calculation being multiplied by the special 'n' factor) by the number of days from the day after the expiry of the time limit for transposition set out in the directive until the date that the infringement comes to an end or the date of delivery of the judgment under Articles 258 and 260(3) TFEU. The lump sum calculated on the basis of the daily amount should apply when the result of the above-mentioned calculation exceeds the minimum lump sum.

⁽¹¹⁾ The minimum fixed lump sum payment is determined for each Member State and the UK according to the special 'n' factor. The minimum fixed lump sum will be proposed to the Court when the summed-up daily lump sum payments do not exceed the minimum fixed lump sum.

Member State	Special 'n' factor	Minimum lump sum (EUR 1 000)
Cyprus	0,09	235
Latvia	0,12	313
Lithuania	0,18	470
Luxembourg	0,15	392
Hungary	0,43	1 122
Malta	0,07	183
Netherlands	1,15	3 002
Austria	0,67	1 749
Poland	1,29	3 367
Portugal	0,53	1 384
Romania	0,66	1 723
Slovenia	0,15	392
Slovakia	0,28	731
Finland	0,45	1 175
Sweden	0,79	2 062
United Kingdom	3,41	8 901

The Commission will apply the updated figures to decisions it takes to bring a case before the Court of Justice under Article 260 TFEU as from the adoption of this Communication.

Non-opposition to a notified concentration**(Case M.9920 – EQT/TA Associates/IFS)****(Text with EEA relevance)**

(2020/C 301/02)

On 4 September 2020, 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 ⁽¹⁾. The full text of the decision is available only in English 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 32020M9920. EUR-Lex is the online access to European law.

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

IV

*(Notices)*NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND
AGENCIES

COUNCIL

Notice for the attention of the persons and entities subject to the restrictive measures provided for in Council Decision 2014/145/CFSP, as amended by Council Decision (CFSP) 2020/1269, and in Council Regulation (EU) No 269/2014 as implemented by Council Implementing Regulation (EU) 2020/1267 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine

(2020/C 301/03)

The following information is brought to the attention of the persons and entities that appear in the Annex to Council Decision 2014/145/CFSP ⁽¹⁾, as amended by Council Decision (CFSP) 2020/1269 ⁽²⁾, and in Annex I to Council Regulation (EU) No 269/2014 ⁽³⁾, as implemented by Council Implementing Regulation (EU) 2020/1267 ⁽⁴⁾ concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine.

The Council of the European Union, after having reviewed the list of persons and entities designated in the above-mentioned Annexes, has determined that the restrictive measures provided for in Decision 2014/145/CFSP and in Regulation (EU) No 269/2014 should continue to apply to those persons and entities.

The attention of the persons and entities concerned is drawn to the possibility of making an application to the competent authorities of the relevant Member State(s) as indicated in the web sites in Annex II to Regulation (EU) No 269/2014, in order to obtain an authorisation to use frozen funds for basic needs or specific payments (cf. Article 4 of the Regulation).

The persons and entities concerned may submit a request to the Council, together with supporting documentation, that the decision to include them on the above-mentioned list should be reconsidered, to the following address before 2 November 2020:

Council of the European Union
General Secretariat
RELEX.1.C
Rue de la Loi/Wetstraat 175
1048 Bruxelles/Brussel
BELGIQUE/BELGIË

⁽¹⁾ OJ L 78, 17.3.2014, p. 16.

⁽²⁾ OJ L 298, 11.9.2020, p. 23.

⁽³⁾ OJ L 78, 17.3.2014, p. 6.

⁽⁴⁾ OJ L 298, 11.9.2020, p. 1.

Email: sanctions@consilium.europa.eu

The attention of the persons and entities concerned is also drawn to the possibility of challenging the Council's decision before the General Court of the European Union, in accordance with the conditions laid down in Article 275, 2nd paragraph, and Article 263, 4th and 6th paragraphs, of the Treaty on the Functioning of the European Union.

Notice for the attention of the data subjects to whom the restrictive measures provided for in Council Decision 2014/145/CFSP and Council Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine apply

(2020/C 301/04)

The attention of data subjects is drawn to the following information in accordance with Article 16 of Regulation (EU) 2018/1725 of the European Parliament and of the Council ⁽¹⁾.

The legal bases for this processing operation are Council Decision 2014/145/CFSP ⁽²⁾, as amended by Council Decision (CFSP) 2020/1269 ⁽³⁾, and Council Regulation (EU) No 269/2014 ⁽⁴⁾, as implemented by Council Implementing Regulation (EU) 2020/1267 ⁽⁵⁾.

The controller of this processing operation is the Department RELEX.1.C in the Directorate-General for Foreign Affairs, Enlargement and Civil Protection – RELEX of the General Secretariat of the Council (GSC), that can be contacted at:

Council of the European Union
General Secretariat
RELEX.1.C
Rue de la Loi/Wetstraat 175
1048 Bruxelles/Brussel
BELGIQUE/BELGIË

Email: sanctions@consilium.europa.eu

The GSC's Data Protection Officer can be contacted at:

Data Protection Officer

data.protection@consilium.europa.eu

The purpose of the processing operation is the establishment and updating of the list of persons subject to restrictive measures in accordance with Decision 2014/145/CFSP, as amended by Decision (CFSP) 2020/1269 and Regulation (EU) No 269/2014, as implemented by Council Implementing Regulation (EU) 2020/1267.

The data subjects are the natural persons who fulfil the listing criteria as laid down in Decision 2014/145/CFSP and Regulation (EU) No 269/2014.

The personal data collected includes data necessary for the correct identification of the person concerned, the statement of reasons and any other data related thereto.

The personal data collected may be shared as necessary with the European External Action Service and the Commission.

Without prejudice to restrictions pursuant to Article 25 of Regulation (EU) 2018/1725, the exercise of the rights of the data subjects such as the right of access, as well as the rights to rectification or to object will be answered in accordance with Regulation (EU) 2018/1725.

⁽¹⁾ OJ L 295, 21.11.2018, p. 39.

⁽²⁾ OJ L 78, 17.3.2014, p. 16.

⁽³⁾ OJ L 298, 11.9.2020, p. 23.

⁽⁴⁾ OJ L 78, 17.3.2014, p. 6.

⁽⁵⁾ OJ L 298, 11.9.2020, p. 1.

Personal data will be retained for 5 years from the moment the data subject has been removed from the list of persons subject to the restrictive measures or the validity of the measure has expired, or for the duration of court proceedings in the event they had been started.

Without prejudice to any judicial, administrative or non-judicial remedy, data subjects may lodge a complaint with the European Data Protection Supervisor in accordance with Regulation (EU) 2018/1725 (edps@edps.europa.eu).

EUROPEAN COMMISSION

Euro exchange rates ⁽¹⁾

10 September 2020

(2020/C 301/05)

1 euro =

Currency			Exchange rate		
Currency			Exchange rate		
USD	US dollar	1,1849	CAD	Canadian dollar	1,5586
JPY	Japanese yen	125,76	HKD	Hong Kong dollar	9,1834
DKK	Danish krone	7,4404	NZD	New Zealand dollar	1,7737
GBP	Pound sterling	0,91590	SGD	Singapore dollar	1,6199
SEK	Swedish krona	10,3703	KRW	South Korean won	1 405,84
CHF	Swiss franc	1,0766	ZAR	South African rand	19,8598
ISK	Iceland króna	163,70	CNY	Chinese yuan renminbi	8,1022
NOK	Norwegian krone	10,6870	HRK	Croatian kuna	7,5370
BGN	Bulgarian lev	1,9558	IDR	Indonesian rupiah	17 714,00
CZK	Czech koruna	26,585	MYR	Malaysian ringgit	4,9339
HUF	Hungarian forint	357,85	PHP	Philippine peso	57,592
PLN	Polish zloty	4,4525	RUB	Russian rouble	88,8900
RON	Romanian leu	4,8579	THB	Thai baht	37,046
TRY	Turkish lira	8,8371	BRL	Brazilian real	6,2919
AUD	Australian dollar	1,6282	MXN	Mexican peso	25,3147
			INR	Indian rupee	87,0340

⁽¹⁾ Source: reference exchange rate published by the ECB.

New national side of euro coins intended for circulation

(2020/C 301/06)



National side of the new commemorative 2-euro coin intended for circulation and issued by Andorra

Euro coins intended for circulation have legal tender status throughout the euro area. For the purpose of informing the public and all parties who handle the coins, the Commission publishes a description of the designs of all new coins ⁽¹⁾. In accordance with the Council conclusions of 10 February 2009 ⁽²⁾, euro-area Member States and countries that have concluded a monetary agreement with the European Union providing for the issuing of euro coins are allowed to issue commemorative euro coins intended for circulation, provided that certain conditions are met, particularly that only the 2-euro denomination is used. These coins have the same technical characteristics as other 2-euro coins, but their national face features a commemorative design that is highly symbolic in national or European terms.

Issuing country: Andorra

Subject of commemoration: 50 years of Universal Female Suffrage

Description of the design: The design of the coin shows a female face inside a wrapper of endless moving lines. These lines are formed by female names in Catalan language close together, making it difficult to read them individually, as a tribute to solidarity of women in the fight for their rights. There is one repeated name only, that of 'VICTORIA' and symbolises the victory of gaining the right to vote.

The inscriptions '50 ANYS DEL SUFRAGI UNIVERSAL FEMENÍ' (50 years of Universal Female Suffrage) and 'ANDORRA 1970 - 2020' complete the design. These inscriptions are also incorporated into the movement of the lines in a way, in order to give more importance to the anniversary that is being commemorated.

The coin's outer ring depicts the 12 stars of the European flag.

Estimated number of coins to be issued: 60 000

Date of issue: 2nd half of 2020

⁽¹⁾ See OJ C 373, 28.12.2001, p. 1 for the national faces of all the coins issued in 2002.

⁽²⁾ See the conclusions of the Economic and Financial Affairs Council of 10 February 2009 and the Commission Recommendation of 19 December 2008 on common guidelines for the national sides and the issuance of euro coins intended for circulation (OJ L 9, 14.1.2009, p. 52).

New national side of euro coins intended for circulation

(2020/C 301/07)

*National side of the new commemorative 2-euro coin intended for circulation and issued by Finland*

Euro coins intended for circulation have legal tender status throughout the euro area. For the purpose of informing the public and all parties who handle the coins, the Commission publishes a description of the designs of all new coins ⁽¹⁾. In accordance with the Council conclusions of 10 February 2009 ⁽²⁾, euro-area Member States and countries that have concluded a monetary agreement with the European Union providing for the issuance of euro coins are authorised to issue commemorative euro coins intended for circulation, provided that certain conditions are met, one of these being that only the 2-euro denomination is used. These coins have the same technical characteristics as other 2-euro coins, but their national side features a commemorative design that is highly symbolic in national or European terms.

Issuing country: Finland

Subject of commemoration: Universities and society – University of Turku 100 years

Description of the design: The grid-like design represents the interaction between universities and the society. At the top of the design, there is the year of issuance '2020', at the right side the mintmark and underneath the mintmark is the indication of the issuing country 'FI'.

The coin's outer ring depicts the 12 stars of the European flag.

Number of coins to be issued: maximum 800 000

Date of issue: Spring/Summer 2020

⁽¹⁾ See OJ C 373, 28.12.2001, p. 1 for the national sides of all the coins issued in 2002.

⁽²⁾ See the conclusions of the Economic and Financial Affairs Council of 10 February 2009 and the Commission Recommendation of 19 December 2008 on common guidelines for the national sides and the issuance of euro coins intended for circulation (OJ L 9, 14.1.2009, p. 52).

New national side of euro coins intended for circulation

(2020/C 301/08)

*National side of the new commemorative 2-euro coin intended for circulation and issued by Slovenia*

Euro coins intended for circulation have legal tender status throughout the euro area. For the purpose of informing the public and all parties who handle the coins, the Commission publishes a description of the designs of all new coins ⁽¹⁾. In accordance with the Council conclusions of 10 February 2009 ⁽²⁾, euro-area Member States and countries that have concluded a monetary agreement with the European Union providing for the issuing of euro coins are allowed to issue commemorative euro coins intended for circulation, provided that certain conditions are met, particularly that only the 2-euro denomination is used. These coins have the same technical characteristics as other 2-euro coins, but their national face features a commemorative design that is highly symbolic in national or European terms.

Issuing country: Slovenia

Subject of commemoration: The 500th anniversary of the birth of Adam Bohorič

Description of the design: The design has at its core a multilingual slogan from the cover of Bohorič's Latin – Slovenian grammar titled "Proste zimske urice". The slogan in Slovenian, written in bohoričica (the type of writing named after Adam Bohorič), which is easily recognizable due to the use of a typical letter f, is positioned in the lower half of the coin's core. Behind is the Slovenian slogan in Latin – presenting Bohorič's contribution to the international academic sphere. At the top of the design, in semi-circle, is the inscription 'ADAM BOHORIC 1520 / SLOVENIJA 2020'.

The coin's outer ring depicts the 12 stars of the European flag.

Estimated number of coins to be issued: 1 000 000

Estimated date of issue: 2nd half of 2020

⁽¹⁾ See OJ C 373, 28.12.2001, p. 1 for the national faces of all the coins issued in 2002.

⁽²⁾ See the conclusions of the Economic and Financial Affairs Council of 10 February 2009 and the Commission Recommendation of 19 December 2008 on common guidelines for the national sides and the issuance of euro coins intended for circulation (OJ L 9, 14.1.2009, p. 52).

New national side of euro coins intended for circulation

(2020/C 301/09)



National side of the new commemorative 2-euro coin intended for circulation and issued by the Republic of San Marino

Euro coins intended for circulation have legal tender status throughout the euro area. For the purpose of informing the public and all parties who handle the coins, the Commission publishes a description of the designs of all new coins ⁽¹⁾. In accordance with the Council conclusions of 10 February 2009 ⁽²⁾, euro-area Member States and countries that have concluded a monetary agreement with the European Union providing for the issuing of euro coins are authorised to issue commemorative euro coins intended for circulation, provided that certain conditions are met, particularly that only the 2-euro denomination is used. These coins have the same technical characteristics as other 2-euro coins, but their national side features a commemorative design that is highly symbolic in national or European terms.

Issuing country: The Republic of San Marino

Subject of commemoration: 250th anniversary of the death of Giambattista Tiepolo

Description of the design: The left part of the coin features the bust of an angel, a detail from Tiepolo's painting 'Angel Succouring Hagar', which hangs in the Scuola Grande di San Rocco, Venice, and the initials of the designer Claudia Momoni 'C.M.'. Above is the inscription 'TIEPOLO' and the letter 'R' identifying the Mint of Rome; on the right are the dates 1770 and 2020 and the inscription 'San Marino'.

The coin's outer ring depicts the 12 stars of the European flag.

Number of coins to be issued: 54 000

Date of issue: August-September 2020

⁽¹⁾ See OJ C 373, 28.12.2001, p. 1 for the national faces of all the coins issued in 2002.

⁽²⁾ See the conclusions of the Economic and Financial Affairs Council of 10 February 2009 and the Commission Recommendation of 19 December 2008 on common guidelines for the national sides and the issuance of euro coins intended for circulation (OJ L 9, 14.1.2009, p. 52).

New national side of euro coins intended for circulation

(2020/C 301/10)



National side of the new commemorative 2-euro coin intended for circulation and issued by the Vatican City State

Euro coins intended for circulation have legal tender status throughout the euro area. For the purpose of informing the public and all parties who handle the coins, the Commission publishes a description of the designs of all new coins ⁽¹⁾. In accordance with the Council conclusions of 10 February 2009 ⁽²⁾, euro-area Member States and countries that have concluded a monetary agreement with the European Union providing for the issuing of euro coins are allowed to issue commemorative euro coins intended for circulation, provided that certain conditions are met, particularly that only the 2-euro denomination is used. These coins have the same technical characteristics as other 2-euro coins, but their national face features a commemorative design that is highly symbolic in national or European terms.

Issuing country: The Vatican City State

Subject of commemoration: 500th Anniversary of the death of Raphael Sanzio

Description of the design: The design features a portrait of Raphael and two angels. At the right, in semi-circle, is the inscription 'RAFFAELLO SANZIO'. Above the image of the two angels are the years '1520' and '2020' and underneath it is the name of the issuing country 'CITTA' DEL VATICANO'. At the bottom is the mintmark 'R' and the artist's name 'D. LONGO'.

The coin's outer ring depicts the 12 stars of the European flag.

Number of coins to be issued: 101 000

Date of issue: 5 October 2020

⁽¹⁾ See OJ C 373, 28.12.2001, pp. 1 for the national faces of all the coins issued in 2002.

⁽²⁾ See the conclusions of the Economic and Financial Affairs Council of 10 February 2009 and the Commission Recommendation of 19 December 2008 on common guidelines for the national sides and the issuance of euro coins intended for circulation (OJ L 9, 14.1.2009, p. 52).

COURT OF AUDITORS

Special Report 14/2020**‘EU development aid to Kenya’**

(2020/C 301/11)

The European Court of Auditors hereby informs you that Special Report 14/2020 ‘EU development aid to Kenya’ has just been published.

The report can be accessed for consultation or downloading on the European Court of Auditors’ website: <http://eca.europa.eu>

V

(Announcements)

OTHER ACTS

EUROPEAN COMMISSION

Publication of an application for registration of a name 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

(2020/C 301/12)

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 ⁽¹⁾ within three months from the date of this publication.

SINGLE DOCUMENT

‘BASMATI’**EU No: PGI-IN-02425 – 18.7.2018****PDO () PGI (X)****1. Name(s) (of PDO or PGI)**

‘Basmati’

2. Member State or third country

Republic of India

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

Class 1.6: Fruit, vegetables and cereals, fresh or processed

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

‘Basmati’ is a special long grain aromatic rice grown and produced in a particular geographical region of the Indian sub-continent. In India, this region is a part of northern India, below the foothills of the Himalayas forming part of the Indo-Gangetic Plains (IGP).

The special characteristics of ‘Basmati’ are its long slender kernels with a high length to breadth ratio, an exquisite aroma, sweet taste, soft texture, delicate curvature, intermediate amylose content, high integrity of grain on cooking, and linear kernel elongation with least breadth-wise swelling on cooking.

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

The primary characteristics of 'Basmati' are the following:

S. No	Parameter	Value
1.	Minimum average precooked milled rice length (mm)	6,61
2.	Average precooked milled rice breadth (mm)	≤2,00
3.	Minimum length/breadth ratio of precooked milled rice (L/B Ratio)	3,50
4.	Minimum average cooked rice length (mm)	12,00
5.	Minimum cooked rice length/precooked rice length ratio OR Minimum elongation ratio	1,70
6.	Average volume expansion ratio	>3,5
7.	Aroma: 'Basmati' has a typical <i>pandan</i> -like flavour	Inherently present in 'Basmati'
8.	Taste and mouth feel: The sweet taste and distinct mouth feel of cooked 'Basmati': soft and fluffy texture with high integrity of the cooked grain.	Inherently present in 'Basmati'

3.3. *Feed (for products of animal origin only) and raw materials (for processed products only)*

'Basmati' rice is grown from traditional 'Basmati' varieties and evolved varieties of 'Basmati' rice plant developed through breeding. The traditional varieties of 'Basmati' are long duration varieties, which come to maturity in the month of October. The 'photoperiod sensitivity' of traditional 'Basmati' rice varieties makes them vulnerable to an erratic climate, which sometimes reduces the productivity. Further, traditional 'Basmati' rice varieties may be vulnerable to lodging. These limitations have been overcome to a great extent in the evolved varieties using scientific, genetic and plant breeding methodologies. The evolved varieties can withstand variations in the climate within the defined growing area. The evolved varieties come to maturity towards the end of September to the first half of October in the defined growing areas when the temperature is conducive for accumulation and retention of aroma during the grain filling process. The evolved varieties come to the harvesting stage about 20-30 days earlier than traditional varieties.

Currently, the notified varieties of 'Basmati' under the Indian Seeds Act 1966 include Basmati 217, Punjab Basmati 1, Basmati 386, Punjab Basmati 2, Punjab Basmati 3, Basmati 370, Haryana Basmati 1, Taraori Basmati, Type 3 (Dehraduni Basmati), Pant Basmati 1, Pant Basmati 2, Kasturi, Mahi Sugandha, Basmati CSR 30, Malviya Basmati Dhan 10-9, Ranbir Basmati, Basmati 564, Pusa Basmati 1, Improved Pusa Basmati 1 (Pusa 1460), Pusa Basmati 1121, Pusa Basmati 1509, Pusa Basmati 6 (Pusa 1401), Pusa Basmati 1609, Pusa Basmati -1637, Pusa Basmati -1728, Vallabh Basmati 22, Vallabh Basmati 21, Vallabh Basmati 23, Vallabh Basmati 24, Pusa Basmati 1718, Punjab Basmati -4, Punjab Basmati 5 and Haryana Basmati 2.

3.4. *Specific steps in production that must take place in the identified geographical area*

The following steps of production of 'Basmati' take place in the defined Geographical Area:

- propagation,
- transplantation of seeds,
- cultivation,
- plantation management,
- harvesting

3.5. *Specific rules concerning slicing, grating, packaging, etc. of the product the registered name refers to*

None for the EU

3.6. *Specific rules concerning labelling of the product the registered name refers to*

None for the EU

4. Concise definition of the geographical area

In India, 'Basmati' is grown and produced in all districts of the states of Punjab, Haryana, Delhi, Himachal Pradesh, Uttarakhand, as well as in specific districts of western Uttar Pradesh and Jammu & Kashmir. For information only, the States of Punjab, Haryana and Himachal Pradesh were originally part of the area known as Punjab.

In the State of Uttar Pradesh, 'Basmati' is grown in the following districts: Meerut; Bulandshahr; Gautam Buddha Nagar; Ghaziabad; Hapur; Baghpat; Saharanpur; Muzaffarnagar; Shamli; Moradabad; Bijnor; Rampur; Amroha; Sambhal; Bareilly; Badaun; Pilibhit; Shahjahanpur; Agra; Firozabad; Mainpuri; Mathur; Aligarh; Etah; Hathras; Kannauj; Etawah; Auraiya; Farrukhabad; and Kasganj.

In the State of Jammu & Kashmir, 'Basmati' is grown in the following districts: Jammu; Kathua and Samba.

5. Link with the geographical area

5.1. Specificity of the geographical area

The reputation, given quality and specific characteristics of 'Basmati' rice are the basis of the application for registration as a protected geographical indication.

The name 'Basmati' is derived from two Sanskrit word roots, 'Vas' meaning 'aroma' and 'Mati' meaning 'ingrained from the origin'. In Hindi, the equivalent of 'Vas' is 'Bas' and, therefore, 'Basmati'. Essentially, 'Basmati' means, 'the one containing aroma'. It is a non-geographical name which, by virtue of its centuries old reputation, identifies rice coming from the IGP. 'Basmati' rice is considered a gift of nature, and the farmers have been growing this aromatic rice variety for many centuries.

Historical origin and reputation

The first recorded reference to 'Basmati' rice can be found in the epic Punjabi poem Heer Ranjha by the great Punjabi Poet Varis Shah dated 1766.

Historically, 'Basmati' rice has been associated in the public mind as a special long grain aromatic rice grown and produced in a particular geographical region situated in the foothills of the Himalayas. This public perception and recognition is evident from the general body of information such as the following:

1. The Oxford Dictionary defines 'Basmati' as a 'kind of long-grain Indian rice with a delicate fragrance'.
2. The French dictionary Larousse defines 'Basmati' as an 'Indian, long grain rice, very appreciated'.
3. The Cassell food dictionary defines 'Basmati' rice as 'a superior type of Indian white rice which is long grained and slender. It is traditionally served with curries and comes from the area of Himalayas'.
4. Reports of the UK House of Commons refer to 'Basmati'. Of note is volume 73, Part 4, p. 197 (1874) stating 'the Kangra Valley possess a celebrated kind known as Basmati'.
5. The report 'a classified and descriptive catalogue of the Indian department' written by J. Forbes Watson on the products of India mentions 'Basmati' of particular importance.
6. The report on the revision of settlement in the Kumaon district (India) carried out from 1863 to 1873 mentions that in some of the valley the finest Basmuttee rice is produced.
7. In the catalogue of the Paris Universal exhibition of 1867 'Basmuttee rice' is mentioned as a government contribution from India. The Vienna universal exhibition 1873 mentions Basmuttee rice as being a rice product from Burdwan (an Indian province).
8. Judgements of French, Moroccan and Spanish courts in relation to the trade mark Basmati. In these judgements the courts cancel, for several reasons, including the strong link between India and 'Basmati', the trade marks for Basmati in respect of rice grown outside India.

Owing to its special flavour, aroma and cooking properties that are best suited for Asian dishes such as *biryani* and *pulao*; 'Basmati' has become very popular in numerous foreign countries. In fact, the demand for 'Basmati' rice has been increasing over the last few decades. 'Basmati' rice has been and continues to be exported to major countries all over the world including Saudi Arabia, Kuwait, United Arab Emirates, the United Kingdom, the United States of America, Canada and Europe.

Environmental factors

High humidity: During the grain filling period, which is the most crucial for the best expression of 'Basmati' quality traits, average relative humidity in the 'Basmati' growing region ranges from 60-65 %. However, humidity is not a standalone factor to decide quality parameters. The interplay of environment, water and edaphic factors are important in deciding quality traits of 'Basmati' rice.

Solar radiation and day length: In the 'Basmati' growing regions, the day length at a given period in a calendar month are longer than in central or southern India. Further, since rice is a 'short day' plant, the process of maturity of paddy is further delayed in areas where there are longer days. In areas that experience longer light hours, the maturation of the grain is further delayed. Effectively, as explained, on the same given date of a month, the physiological development of a variety of 'Basmati' rice at a place that has longer days will be behind the physiological development of the same variety at a place that has shorter days. It is the interplay of the photoperiod which exposes the growing grains to optimal solar radiation, with other factors such as temperature and humidity in the IGP that enable 'Basmati' rice to accumulate and retain its aromatic compounds and other characteristics.

Sufficient water supply: By and large, irrigation water is canal water coming from rains/snow-melt water of the Himalayas. The availability of abundant water is essential for the cultivation, and aroma, of 'Basmati' (described in more detail below in this section).

Normal soil: The soils of the geographical area are developed from Indo-Gangetic alluvium. These are slightly alkaline in reaction (pH 7,3-8,5), deep (>1m), well-drained and generally sandy loam to loam in texture. These soils are generally low (<0,5 %) to medium (0,5-0,75 %) in organic carbon content. The clay fraction of soil is dominated with illite – a potassium-rich mineral. Hence, these soils are well-supplied with potassium (K) as revealed by medium (120-280 Kg K/ha) to high (>280 Kg K/ha) K fertility status. (described in more detail below in this section).

Temperature: In the IGP, the temperature during the grain-filling period remains mild (day: 25-32 degrees Celsius/night: 20-22 degrees Celsius) giving a strong aroma to the grains. The principal chemical constituent of the aroma of 'Basmati' is 2-acetylcysteine, which is volatile in nature. The maximum retention of the aroma happens when the grain-filling period coincides with mild temperature.

Human factors

The quality of 'Basmati' is greatly influenced by the timing of transplanting. In normal conditions, if the traditional tall varieties of 'Basmati' are transplanted before 30 June, they would attain excessive vegetative growth and are prone to lodging at the flowering or the grain filling stage. Also, the early transplantation of seedlings impairs cooking quality as grains become extremely opaque or exhibit abdominal whiteness due to improper development under high temperature caused by loose packing of starch molecules. Hence, the optimum time for transplanting the seedlings is during the first half of July.

Seedlings are transplanted in rows with 1-2 seedlings per hill. For a timely transplanted crop, row-to-row and plant-to-plant at 20×15 cm and in case of late transplanted crops, a spacing of 15×15 cm is maintained. Seedlings should be planted shallow (2 to 3 cm deep) as deep planting takes more time for establishment and gives less tillering.

Standing water is maintained in paddy fields for up to 2-3 weeks after planting, which helps in the establishment of good plants and weed control. After this period, fields are irrigated only after the absorption of the standing water.

'Basmati' is grown with carbon enriched soil through farm yard manure application of 8-10 tons/ ha or green manuring with legumes.

Harvesting of 'Basmati' takes place as soon as 90 % of the grain matures so as to avoid loss by shattering, lodging and physical damage to the grains. The harvested crop is generally threshed the same day or as soon as possible and dried to a moisture content of 12-14 % to prevent the development of grain moulds or any other fungal attack or insect damage during storage.

5.2. Specificity of the product

The special characteristics of 'Basmati' are its long slender kernels with high length-breadth ratio, an exquisite aroma, sweet taste, soft texture, delicate curvature (minimum length/breadth ratio of precooked milled rice is 3,50 mm), intermediate amylose content (about 22 %), high integrity of grain on cooking, and linear kernel elongation with least breadth-wise swelling on cooking.

'Basmati' has a length/breadth ratio of at least 3:5 whereas other types of rice usually have a length/breadth ratio of < 3:5. For example, the length/breadth ratio of Thai Jasmine Rice is 3:4 and Ponni rice is 3:2.

'Basmati' emits a specific aroma in the field, at harvesting, in storage, during milling, cooking and eating. This aroma is due to a harmonious combination of more than 200 chemical compounds among which, 2-acetyl-1-pyrroline (2AP) is the most predominant.

'Basmati' grains contain about 0,09 ppm of this aromatic chemical compound naturally, a level that is about 12 times more than non-'Basmati' rice varieties, giving 'Basmati' its distinctive fragrance and flavour.

Cooked 'Basmati' grains retain high integrity due to the low glycaemic index, which is typical of 'Basmati'. The sweet taste and distinct mouth feel of cooked 'Basmati' is due to various factors including intermediate amylose content leading to soft and fluffy texture with high integrity of the cooked grain.

5.3. *Causal link between the geographical area and a specific quality, the reputation or other characteristics of the product*

These special characteristics are attributable to the various natural and human factors involved in the sowing, harvesting and processing of 'Basmati'.

'Basmati' acquires its aroma, among other characteristics, as a result of the interplay of the longer light hours prevalent in the geographical area where it is grown, with other factors such as mild temperature during grain filling, humidity and solar radiation in the geographical area.

Taste and mouth feel characteristics are due to the prolonged sunshine in the longer days in the flowering months of 'Basmati' in the geographic area. Ageing and pre-soaking of 'Basmati' is known to enhance these characteristics.

Timing and spacing of the seeds as well as ensuring there is carbon-enriched soil and the maintenance of standing water and irrigation techniques significantly influence the physiology of the Basmati crop.

Historical, traditional, cultural and social elements associated with 'Basmati' give it the global reputation as a geographical indication. Any member of the trade or public in India or abroad ordering 'Basmati' or seeing rice advertised or offered for sale as 'Basmati' will expect the rice so ordered, advertised or offered for sale to be the rice cultivated, grown and produced in the geographical area with the special characteristics as set out in Sections 3.2 and 5 of this Single Document.

Reference to publication of the specification

(the second subparagraph of Article 6(1) of this Regulation)

<http://ipindiaservices.gov.in/GirPublic/Application/Details/145>

Page No 27, Sl. No. 261, 145-GI-Annex-12-26-11-2008.

CORRIGENDA**Corrigendum to Prior notification of a concentration (Case M.9913 – Hella/Minth/JV) Candidate case for simplified procedure**

(Official Journal of the European Union C 298 of 8 September 2020)

(2020/C 301/13)

On page 4, in the first paragraph:

for:

‘This notification concerns the following undertakings:

- Hella Holding International GmbH (“Hella”, GERMANY), controlled by Hella GmbH & Co. KGaA,
- Minth Investment Co. (“Minth”, CAYMAN ISLANDS), controlled by Minth Group Limited,
- Hella Minth Jiaxing Automotive Parts Co. Ltd (“JV”, CHINA).’;

read:

‘This notification concerns the following undertakings:

- Hella Holding International GmbH (“Hella”, GERMANY), controlled by Hella GmbH & Co. KGaA,
 - Minth Investment Co. (“Minth”, CHINA), controlled by Minth Group Limited,
 - Hella Minth Jiaxing Automotive Parts Co. Ltd (“JV”, CHINA).’.
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