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II

(InInformationformation)

INFORMATION FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

EUROPEAN COMMISSION

Non-opposition to a notified concentration
(Case M.9127 — Carlyle/Sedgwick)
(Text with EEA relevance)
(2019/C 36/01)

On 20 December 2018, 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 ('). 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,


Non-opposition to a notified concentration
(Case M.9208 — WorleyParsons/Jacobs ECR)
(Text with EEA relevance)
(2019/C 36/02)

On 21 January 2019, 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 ('). 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,


IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

COUNCIL


(2019/C 36/03)


The Council of the European Union, after having reviewed the list of designated persons, has decided that the persons that appear in the above-mentioned Annexes should continue to be included in the list of persons and entities subject to restrictive measures provided for in Decision 2011/72/CFSP and Regulation (EU) No 101/2011.

The attention of the persons concerned is drawn to the possibility of making an application to the competent authorities of the relevant Member State(s) as indicated in the websites in Annex II to Regulation (EU) No 101/2011, in order to obtain an authorisation to use frozen funds for basic needs or specific payments (cf. Article 4 of the Regulation).

The persons concerned may submit a request to the Council before 30 September 2019, together with supporting documentation that the decision to include them on the above-mentioned list should be reconsidered to the following address:

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

Any observations received will be taken into account for the purpose of the Council’s next review, pursuant to Article 5 of Decision 2011/72/CFSP and Article 12(4) of Regulation (EU) No 101/2011, of the list of designated persons.

(1) OJ L 28, 2.2.2011, p. 62.

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 controller of this processing operation is the Council of the European Union represented by the Director-General of RELEX (Foreign Affairs, Enlargement, Civil Protection) of the General Secretariat of the Council and the department entrusted with the processing operation is RELEX.1.C 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 purpose of the processing operation is the establishment and updating of the list of persons subject to restrictive measures in accordance with Decision 2011/72/CFSP, as amended by Decision (CFSP) 2019/135, and Regulation (EU) No 101/2011, as implemented by Implementing Regulation (EU) 2019/132.

The data subjects are the natural persons who fulfil the listing criteria as laid down in Decision 2011/72/CFSP and Regulation (EU) No 101/2011.

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.

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.

(2) OJ L 28, 2.2.2011, p. 62.
EUROPEAN COMMISSION

**Euro exchange rates (1)**

28 January 2019

(2019/C 36/05)

1 euro =

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(1) Source: reference exchange rate published by the ECB.
COMMISSION IMPLEMENTING DECISION
of 21 January 2019

on the publication in the Official Journal of the European Union of the application for approval of an amendment, which is not minor, to a product specification referred to in Article 53 of Regulation (EU) No 1151/2012 of the European Parliament and of the Council for the name "Pruneaux d'Agen"/"Pruneaux d'Agen mi-cuits" (PGI)

(2019/C 36/06)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (1), and in particular Article 50(2)(a) in conjunction with Article 53(2) thereof,

Whereas:

(1) France has sent an application for approval of an amendment, which is not minor, to the product specification of "Pruneaux d'Agen"/"Pruneaux d'Agen mi-cuits" (PGI) in accordance with Article 49(4) of Regulation (EU) No 1151/2012. The changes include a change of name from "Pruneaux d'Agen"/"Pruneaux d'Agen mi-cuits" to "Pruneaux d'Agen".

(2) In accordance with Article 50 of Regulation (EU) No 1151/2012 the Commission has examined that application and concluded that it fulfils the conditions laid down in that Regulation.

(3) In order to allow for the submission of notices of opposition in accordance with Article 51 of Regulation (EU) No 1151/2012, the application for approval of an amendment, which is not minor, to the product specification, as referred to in the first subparagraph of Article 10(1) of Commission Implementing Regulation (EU) No 668/2014 (2), including the amended single document and the reference to the publication of the relevant product specification, for the registered name "Pruneaux d'Agen"/"Pruneaux d'Agen mi-cuits" (PGI) should be published in the Official Journal of the European Union,

HAS DECIDED AS FOLLOWS:

Sole Article

The application for approval of an amendment, which is not minor, to the product specification, referred to in the first subparagraph of Article 10(1) of Commission Regulation (EU) No 668/2014, including the amended single document and the reference to the publication of the relevant product specification, for the registered name "Pruneaux d'Agen"/"Pruneaux d'Agen mi-cuits" (PGI) is contained in the Annex to this Decision.

In accordance with Article 51 of Regulation (EU) No 1151/2012, the publication of this Decision shall confer the right to oppose to the amendment referred to in the first paragraph of this Article within three months from the date of publication of this Decision in the Official Journal of the European Union.

Done at Brussels, 21 January 2019.

For the Commission
Phil HOGAN
Member of the Commission

ANNEX

APPLICATION FOR APPROVAL OF NON-MINOR AMENDMENTS TO THE PRODUCT SPECIFICATION FOR A PROTECTED DESIGNATION OF ORIGIN OR PROTECTED GEOGRAPHICAL INDICATION

Application for approval of amendments in accordance with the first subparagraph of Article 53(2) of Regulation (EU) No 1151/2012

‘PRUNEAUX D’AGEN’/‘PRUNEAUX D’AGEN MI-CUITS’
EU No: PGI-FR-0149-AM01 — 18.5.2017
PDO ( ) PGI (X)

1. Applicant group and legitimate interest
SYNDICAT DU PRUNEAU D’AGEN
2 rue des Magnolias — BP 130
47303 Villeneuve-sur-Lot
FRANCE
Tel. +33 553415555
Fax +33 553402936
Email: contact@pruneau.fr

Composition and legitimate interest: The applicant group comprises an upstream committee of plum producers and dryers and a downstream committee of undertakings preparing or processing the prunes. It therefore has a legitimate right to request amendments to the product specification.

2. Member State or Third Country
France

3. Heading in the product specification affected by the amendment(s)
— ☑ Name of product
— ☑ Description of product
— ☐ Geographical area
— ☑ Proof of origin
— ☑ Method of production
— ☐ Link
— ☑ Labelling
— ☑ Other: updating of the contact details, type of product, geographical area, editorial changes in the ‘Link to the origin’ section, inspection bodies, national requirements.

4. Type of amendment(s)
— ☑ Amendments to the product specification of a registered PDO or PGI not to be qualified as minor within the meaning of the third subparagraph of Article 53(2) of Regulation (EU) No 1151/2012
— ☐ Amendments to the product specification of a registered PDO or PGI for which a Single Document (or equivalent) has not been published and which cannot be qualified as minor within the meaning of the third subparagraph of Article 53(2) of Regulation (EU) No 1151/2012

5. Amendment(s)
5.1. Heading ‘Name of product’
The name ‘Pruneaux d’Agen/Pruneaux d’Agen mi-cuits’ has been replaced by ‘Pruneaux d’Agen’, because the word ‘mi-cuits’ (‘semi-dried’) corresponds to ‘Pruneaux d’Agen’ that are characterised solely by a lower degree of drying. They are not rehydrated. The reference ‘semi-dried’ has become a labelling indication.
5.2. **Heading ‘Description of product’**

— It has been added that the Ente plums used for the production of ‘Pruneaux d’Agen’ are ‘harvested at optimal ripeness’. This clarification is already present in the part of the specification concerning the production method.

— It has been added that ‘Pruneaux d’Agen’ are obtained ‘without adding sweeteners’, as this condition is only implicit in the specification. This addition has no effect on the product, whose production method remains the same.

— As regards ‘Pruneaux d’Agen’ marketed with the reference ‘semi-dried’, it has been added that they are obtained ‘without subsequent rehydration’. This amendment sets out the practice of the producers, even though it has not been specified in the registered specification. It is not necessary to rehydrate these prunes, as they have not been completely cooked.

— A distinction has been made between ‘Pruneaux d’Agen’ ‘eaten fresh’ and ‘Pruneaux d’Agen’ ‘intended for subsequent food processing’. The purpose of this amendment is to clarify the two categories of prunes: those intended for immediate sale to consumers and those intended for processing.

In the case of prunes eaten fresh intended for sale to consumers, the ‘size of at most 66 fruit per 500 g with a moisture content of 35 %’ has been specified in the description. This size replaces that of at most 77 fruit laid down in the section on the production method in the registered specification. The minimum size for ‘Pruneaux d’Agen’ eaten fresh, in other words, intended for consumers, has been amended: it goes from 77 fruit to 66 fruit per 500 g, which means a reduction of their number per 500 g and consequently an increase in their size.

In the case of pitted prunes, the size is measured before removal of the pit. Furthermore, it has been added that they may be sold ‘whole or pitted’. These amendments aim to allow the sale of bigger prunes and also to take into account the sale of pitted prunes. It does not call into question the specificities of the product or its link to the origin.

‘Pruneaux d’Agen’ intended for processing has been clearly identified in the following paragraph:

“‘Pruneaux d’Agen’ intended for subsequent food processing must have a size of at most 98 fruit per 500 g when non-hydrated and with a moisture content of 21 %.

They may not have any very serious defects and must be at least partially intact. They are broken down before dispatch to another agri-food processing undertaking. These prunes are not intended for sale to the final consumer.’

This addition serves a dual purpose: it characterises plums with the specificities of ‘Pruneaux d’Agen’ that are no longer marketed as prunes eaten fresh and are intended for food processing, and prevents these prunes from re-entering the distribution chain for prunes eaten fresh. The size of these prunes is expressed as at most 98 fruit per 500 grams when non-hydrated and with a moisture content of 21 %. This non-hydrated size corresponds to a rehydrated size with a moisture content of 35 % of at most 77 fruit per 500 g, with a moisture content of 35 %, as required in the registered specification for prunes eaten fresh.

In addition, ‘Pruneaux d’Agen’ intended for food processing are broken down if they are not processed in the undertaking producing the prunes. The specificities of ‘Pruneaux d’Agen’ are thus preserved.

Expressions such as ‘sun drying is not practised in France’, ‘nowadays, the Agen prune is hardly ever sold to consumers in its unprocessed state’, ‘the range of finished products based on Agen prunes is broad and constantly growing’, ‘the pH of the Agen prune is about 4’, ‘indicative average values are presented below’ have been deleted, as they are not binding provisions.

The part relating to the presentation of the product has been deleted, as it refers to the general regulations.
5.3. **Heading ‘Proof of origin’**

The provisions on declaration requirements and the keeping of registers have been set out in a single paragraph, to which has been added a declaration identifying each operator involved in the production, drying, processing, pitting and packaging of ‘Pruneaux d’Agen’. This declaration makes it possible to identify the operators with a view to carrying out checks.

In connection with the description of the production method, the number of harvesting stages has been recorded in the cultivation register in order to monitor whether the harvest of the plums is carried out in several stages.

The definition of the batch has been supplemented so that the lot is defined at all stages of processing. The following clarifications have been added:

“Batch” means:

— until the sizing stage, a set of prunes obtained in the same crop year delivered by the same producer to the same processor, except when the fruit are divided into several sub-sets according to criteria such as quality or variety, or fruit pooled through a collective property scheme.

— from sizing until entry into production, a set of prunes having common characteristics defined by the processor. During this process, a batch can be sub-divided into several new batches.

— from entry into production and until and including packaging, a homogeneous set of fruit processed simultaneously according to the same process and then packaged in identical packaging bearing the same batch number.’

The following clarifications have been introduced as regards traceability:

— the reference to the crop year on the delivery note to the processor by the individual dryer who only dries his own production

— an indication of PGI eligibility, to be included on the box pallet labels when storing the sized raw materials,

— an indication of the weight on the labelling of the containers if the fruit are pitted outside the processing plant.

These amendments aim at reinforcing product monitoring.

Henceforth a summary statement of production runs, shipments and stocks of finished products is due only once a year, on 31 August, instead of four times a year (31 March, 30 June, 31 August and 31 December). This new text aims at reducing a frequency that is burdensome and unnecessary. The date of 31 August has been chosen, because it corresponds to the end of the previous marketing year. This is sufficient to ensure traceability at the processor level.

5.4. **Heading ‘Method of production’**

A diagram showing the preparation of the product has been added in order to illustrate each step of the production method, depending on whether the ‘Pruneaux d’Agen’ are eaten fresh, semi-dried or not, or whether they are intended for food processing.

— **Requirements at the fruit-growing stage**

  **Variety**

The paragraph ‘The only variety that is permitted for the production of Agen prunes is the Ente plum, including the mutant variety Spurdente Ferco, but not the Primacotes, Tardicotes and Lorida varieties. The Stanley, Impériale Épineuse and other quetsche varieties are not eligible for the PGI.’

has been replaced by the following:

‘Only cultivars of the ‘Prune d’Ente’ variety in the strict sense of the term are permitted for the production of ‘Pruneaux d’Agen’, and this excludes hybrids of any other variety.’
The purpose of the wording is to simplify the paragraph. It does not question the principle of production on the basis of the Ente plum and certified plant material alone.

Ripeness of harvested fruit

The indication stating that the fruit are harvested when optimal ripeness is achieved, that ripening is attained over a period of time, with the fruit on a single tree varying in ripeness, and that harvesting must be carried out in several stages by the pickers or machines has been supplemented by the following provisions:

The producers regularly check the Brix degree of a few plums using a refractometer in order to monitor the progress of ripening orchard by orchard and start the harvest at the right time.

Each year, the group or the body designated by it for that purpose determines, for the most common cultivars and, if necessary, by broad geographical area, start dates for the harvest. This information is disseminated to all producers by the group or the body delegated by it for that purpose.

Any forecasting of these dates must be justified, in particular by tracing the refractometric measures carried out, which in this case must be recorded each day in the cultivation register.

This addition aims at defining accurately the start date of the harvest to coincide as closely as possible with the optimal ripeness of the fruit, taking into account the varying situations of the operators. The start date of the harvest is set keeping in mind the empirical finding that there is a fixed period of 145 days between full flowering and the start of the harvest.

However, although they cover most situations, the actual ripeness dates may vary slightly depending on the sub-variety, the exposure of the orchard, the nature of the soil, the care provided to the trees, and, though rarely, the conditions throughout the year.

Therefore, if a producer decides to start the harvest before the date published by the group, he must keep proof of the refractometric measures he has carried out daily so that he can justify his decision.

— Requirements at the drying stage

The provisions on compliance with the general rules of hygiene have been deleted, as they refer to the ‘provisions of the Consumer Code’ and consequently to general regulatory provisions.

The wording used for the storage period of the plums after harvesting has been amended: the period of ‘72 hours in a normal year’ has been replaced by a period that does not ‘extend beyond the 2nd day after the harvest (J + 2)’. Cold storage at above zero remains an alternative allowing a derogation from this rule.

The purpose of this amendment is to facilitate checks: it removes any room for interpretation of the concept ‘normal year’ and sets a more precise duration of storage than the 72-hour period, whose starting point was not clear.

As regards drying, the phrase ‘until the residual moisture content is below 23 %’ in the registered specification has been replaced by ‘until the moisture content is 35 % or less, allowing long-term storage in accordance with the storage equipment used.’ The sentence ‘By way of exception, however, the product known as ‘pruneau d’Agen mi-cuit’, or semi-dried Agen prune, is obtained by merely drying the plums until the moisture content is between 30 % and 35 %’ has been deleted.

The purpose of this wording is to set a single upper limit for the residual moisture content, regardless of the category of prunes. The moisture content of 23 % set in the registered specification was laid down in order to be able to preserve the prunes in ambient air. However, the conditions for cold storage at below zero make it possible to limit the drying rate to a moisture content of 35 %.

— Requirements at the processing stage

The registered specification is limited to a description of the product (the number of fruit per 500 g is at most 77 and the maximum moisture content is 35 %) and to references to general regulations (Interministerial Order of 28 August 1972, UNECE Standard DF-07, food legislation).

Consequently this part has been replaced entirely by amendments where the requirements at processing stage are described in greater detail. Those amendments set out the practices and know-how of the operators.
Therefore, as regards sizing, it has been specified that it takes place after drying. The smallest prunes are excluded from the PGI, while the others are to be used as prunes eaten fresh or prunes intended for food processing, depending on their size. The paragraph has been worded as follows:

‘— Size

After drying, the batches are sized. The category of the box pallet immediately after sizing is defined by calculating from a sample the average number of fruit in 500 grams expressed in increments of two (e.g. 40, 42, 44, etc.).

For “Pruneaux d’Agen” intended for food processing, the usable sizes are limited to at most 98 fruit per 500 g with a moisture content of 21%, when counted by 2s. Smaller prunes are excluded from the PGI.’

Furthermore, a paragraph has been added relating to the mixing of sizes, which is one of the most technical aspects of the processing of ‘Pruneaux d’Agen’. The purpose of this operation is to anticipate the effects of rehydration on the size of the prunes and to comply with the rule on uniform size as defined at the time of packaging. That paragraph reads as follows:

‘For “Pruneaux d’Agen” eaten fresh, the different sizes taken from the stock of raw materials are mixed before rehydration. The purpose is to anticipate the effects of rehydration to a moisture content of 35% on the size of the prunes and to comply with the rule on uniform size as defined in the paragraph on packaging. The size sought is the marketing size based on a scale by 5s per 500 g of fruit with a moisture content of 35% up to size 33 (the largest) and then by increments of eleven up to size 66 (the smallest allowed as a PGI).’

As regards the sorting of the prunes, information on defects is presented in this paragraph and classified as follows according to their nature: very serious defects, serious defects, blemishes. This provision is worded as follows in the specification:

‘— Sorting:

All prunes with very serious defects are excluded from the PGI. The following are considered very serious defects:

— the presence of mould, rot, live or dead insects, live mites, foreign matter;
— fruit that show inadequate ripeness or nutritional deficiencies (called “immature”) or are soiled, completely crushed, caramelised or Monilia-attacked.

Whole or pitted “Pruneaux d’Agen” eaten fresh may have a maximum of 5% of serious defects.

The following, in particular, are considered serious defects: damage caused by parasites or fermentation affecting the pulp as well as significant damage to the skin (whether or not it affects the pulp) the surface of which exceeds one sixteenth of the visible surface of the prune.

“Pruneaux d’Agen” intended for food processing may have certain blemishes that do not affect the quality of the pulp. They must be at least partially intact.’

A paragraph has been added about rehydration, which is an essential step in the preparation of the prunes. The text specifies the rehydration limit of the prunes beyond which they lose the PGI. The provision is as follows:

‘— Rehydration

With the exception of semi-dried prunes and, where appropriate, prunes that have been broken down, “Pruneaux d’Agen” are rehydrated with water or steam.

After rehydration, the size limit for batches of whole or pitted “Pruneaux d’Agen” has been set at not more than 66 fruit per 500 g with a moisture content of 35%. The moisture content does not exceed 35%.’
The provisions on pitting and on the tolerance margins for pits and fragments of pit under the UNECE standard referred to in the specification have been worded as follows:

‘— Pitting

This operation is optional. It consists in removing the pit mechanically or manually.

Pitting may be carried out either by the processor in his own facilities or by one or more subcontractor(s) identified by the group. In the event of subcontracting, specific traceability rules have been provided for in Chapter 4.2.

The tolerance margins for pits and fragments of pit are limited to 2 % by weight of the quantity included in the same packaging.’

A paragraph on the storage of the semi-dried prunes has been worded as follows:

‘— Storage of the semi-dried prunes

The semi-dried prunes may be cold-stored at below zero.

In order to best preserve the product’s organoleptic qualities, the return to an above-zero temperature is done without any process of acceleration or heating.’

The purpose is to allow the semi-dried prunes to be marketed over a longer period of time by introducing a period of cold storage at below zero.

A provision on the breaking down of the prunes has been added. The purpose of that operation is to ensure that prunes intended for food processing do not end up in the same market as prunes eaten fresh by providing for an alteration of the prunes so that they can no longer be presented directly to the consumer. This provision has been worded as follows:

‘— Breaking down

“Pruneaux d’Agen” intended for food processing are broken down before dispatch to another agri-food processing undertaking.

The breaking down is a physical operation carried out on the fruit of a batch of prunes intended for processing. It has the effect of preventing them from being presented to the final consumer. This operation brings about an irreversible change in the shape, texture or structure of the fruit.’

As regards packaging, the following rule on uniform sizes has been defined:

‘— Packaging of the “Pruneaux d’Agen” eaten fresh

The contents of a package or batch of packages of “Pruneaux d’Agen” eaten fresh of the same description must be uniform, in particular as regards their quality, appearance and size.

As regards uniform size:

The size of the packaged prunes must be essentially uniform. The average size difference between palloxes of raw material used in the production of the same batch may not exceed 16 points. For example: range of 44 to 60 inclusive, or 46 to 62, etc.

As regards quality and appearance:

Except for perforations caused by pitting, the whole or pitted ‘Pruneaux d’Agen’ are fleshy with a wrinkled, unbroken skin, and are uncaramelised.

The tolerance margin for fruit not satisfying all of the above provisions is 10 %. However, the percentage of fruit with serious defects may not exceed 5 %. There are no tolerances for very serious defects.’
A paragraph on stabilisation has been introduced, as that step is indispensable for the preservation of re-hydrated prunes. That paragraph has been worded as follows:

‘— Stabilisation

Once rehydrated, prunes lose their keeping quality and must be stabilised. The finished products can be stabilised either by adding a preservative before packaging or by pasteurising the packaged product.’

All the amendments are such as to ensure the maintenance of the PGI characteristics.

5.5. Heading ‘Labelling’

The paragraph: The definitions shown on the packaging are as follows: “Pruneaux d’Agen” or “Pruneaux d’Agen mi-cuits”. In all other respects, the labelling must comply with current regulations.’ has been replaced by:

“The indications shown on the packaging are as follows:

— “Pruneaux d’Agen” supplemented, where necessary, by the word “semi-dried”,

— Supplementary indications, in addition to the regulatory information:

‘— Solely for prunes eaten fresh

— Size, expressed by the appropriate description, whether or not supplemented by the minimum and maximum number of fruit per 500 g, in the following form: “x/y fruit per 500 g”:

— “Super Géants”: not more than 33 per 500 g
— “Géants”:
— “Très gros”:
— “Gros”:

— Maximum moisture content expressed as a percentage

— either by one of the following:

— “Maximum moisture content 26 %” (water content — not more than 26 %)
— “Maximum moisture content 29 %” (water content between 26 % and the maximum of 29 %)
— “Maximum moisture content 35 %” (water content between 29 % and the maximum of 35 %)
— or by indicating the exact water content at the time of packaging.’

‘— For all “Pruneaux d’Agen”

— Clear identification of a seller in the European Union and, if it is not the processor, the code making it possible to directly identify the processing undertaking that carried out the final packaging of the product intended for sale,

— If the name of the processor is not clearly marked on the packaging, the following is indicated:

In compliance with the specification for the “Pruneaux d’Agen” PGI

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— Production batch number

— “Pruneaux d’Agen” cannot be offered for sale to the public, shipped, put on sale or sold unless the indication “Pruneaux d’Agen” is printed in advertisements, on leaflets, labels and invoices and on any containers.

— Documents referring to prunes reserved for food processing must show clearly the word “déstructurés” (‘broken down’) next to “Pruneaux d’Agen” when they accompany the dispatch to another agri-food processing undertaking.”
These changes are intended to provide consumers with better information on the characteristics of the 'Pruneaux d'Agen' marketed and to make it easier to trace the product upstream in case of a complaint.

5.6. Heading ‘Other’

— Tidying up of the specification

The specification has undergone numerous editorial changes (changes of place, merging of paragraphs, re-writing of the link to the origin to make it possible to distinguish the specificities of the geographical area, the specificities of the product and the causal link, deleting of annexes that do not constitute binding provisions), which do not affect the provisions in force of the specifications.

— Competent authority of the Member State

The contact details of the national quality and origin institute, the Institut national de la qualité et de l'origine — INAO, have been added as a competent authority of the Member State in accordance with Regulation (EU) No 1151/2012.

— Applicant group

The contact details of the applicant group have been updated because they have changed.

— Type of product

The reference to the product class has been amended to comply with Annex XI to Implementing Regulation (EU) No 668/2014.

— Geographical area

There have been no changes to the definition of the geographical area. Any changes that may appear are formal: the map and a list of the cantons have been replaced by a list of the corresponding municipalities, which is more precise.

The requirement that packaging take place in the area is already stated explicitly in the registered specification. It has been added that the pitting units must also be located in the geographical area. This is a clarification, since all the operations up to packaging take place in the geographical area. Packaging in the area only concerns prunes eaten fresh and has not been extended to prunes intended for food processing. In addition, the specification has been supplemented by the necessary justification. Therefore the provision has been worded as follows:

‘Packaging in the geographical area is essential for maintaining the qualities of “Pruneaux d'Agen” eaten fresh. Once rehydrated, or even just dried in the case of semi-dried prunes, prunes lose their keeping quality and must be stabilised. They are therefore packaged and then pasteurised in the final packaging. These operations follow each other and form part of the process of preparing “Pruneaux d’Agen”. Therefore pasteurisation, which is the most common treatment to stabilise finished products, can only be done on the hermetically sealed final packaging. In addition, certain substantial operations relating to the presentation of the products create a seamless link between the preparation of the batches and their packaging. This is the case, for example, with the rule on uniform sizes, because compliance requires specific preparation of the product before rehydration and during packaging. Furthermore, packaging in the area makes it easier to trace and monitor the products.’

— Inspection body

The contact details of the inspection body have been replaced by those of the relevant control authority. This amendment aims to prevent changes being made to the specification in the event that the inspection body changes.

— National requirements

The ‘National requirements’ are presented as a table summarising the main points of the specification to be checked and the evaluation method to be used. This aim of this addition is to facilitate controls.
1. Name(s)
   ‘Pruneaux d’Agen’

2. Member State or Third Country
   France

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
      ‘Pruneaux d’Agen’ are obtained by drying (followed in some cases by rehydration) Ente plums harvested when optimal ripeness is achieved, without adding sweeteners. They are egg-shaped and dark-brown to black in colour, with a shiny appearance. They have a smooth texture and an uncaramelised, brown-yellow to golden-yellow pulp.

      ‘Pruneaux d’Agen’ obtained by stopping the drying process when the moisture content of the fruit has dropped to between 30 and 35 %, and without further rehydration, may be marketed with the reference ‘semi-dried’.

      ‘Pruneaux d’Agen’ may be sold whole, pitted or broken-down.

      ‘Pruneaux d’Agen’ eaten fresh are sold whole or pitted and have a size of at most 66 fruit per 500 g with a moisture content of 35 %. In the case of pitted prunes, the size is measured before removal of the pit.

      They are presented by uniform size. They are fleshy with a wrinkled, unbroken skin (except for perforations caused by pitting). Less than 10 % (by weight) of the prunes may have defects, of which less than 5 % serious defects, and none may have very serious defects.

      ‘Pruneaux d’Agen’ intended for subsequent food processing must have a size of at most 98 fruit per 500 g when non-hydrated and with a moisture content of 21 %. They may not have any very serious defects and must be at least partially intact. They are broken down before dispatch to another agri-food processing undertaking. These prunes are not intended for sale to the final consumer.

      The following are considered very serious defects:

      — the presence of mould, rot, live or dead insects, live mites, foreign matter;

      — fruit that show inadequate ripeness or nutritional deficiencies (called ‘immature’) or are soiled, completely crushed, caramelised or Monilia-attacked.

      ‘Pruneaux d’Agen’ are never mixed with prunes of other origins or varieties.

   3.3. Feed (for products of animal origin only) and raw materials (for processed products only)
      ‘Pruneaux d’Agen’ are obtained from Ente plums produced and harvested in the geographical area, the soil and climate conditions of which favour the production of large, extremely sweet plums.

      In this area, the Ente plum tree finds a suitable climate that gives the plums a specific balance between sweet and sour and endows their skin with a smooth and fine quality.
3.4. **Specific steps in production that must take place in the defined geographical area**

The production and drying of plums and the processing and pitting of the prunes must take place in the geographical area of the PGI.

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

Packaging in the geographical area is essential for maintaining the qualities of ‘Pruneaux d’Agen’ eaten fresh. Once rehydrated, or even just dried in the case of semi-dried prunes, the prunes lose their keeping quality and must be stabilised. They are therefore packaged and then pasteurised in the hermetically sealed final packaging. These operations follow each other and form an integral part of the production process, which also makes it easier to trace and monitor the products.

In addition, certain substantial operations relating to the presentation of the products create a seamless link between the preparation of the batches and their packaging. This is the case, for example, with the rule on uniform sizes, because compliance requires specific preparation of the product before rehydration and during packaging.

‘Pruneaux d’Agen’ intended for subsequent food processing does not need to be packaged in the area.

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

The indications shown on the packaging are as follows:

— ‘Pruneaux d’Agen’ supplemented, where necessary, by the words ‘semi-dried’,

— **Solely for prunes eaten fresh**

— Size, expressed by the appropriate description, whether or not supplemented by the minimum and maximum number of fruit per 500 g, in the following form: ‘x/y fruit per 500 g’:

  — ‘Super Géants’: not more than 33 per 500 g
  — ‘Géants’: 33 to 44 fruit in 500g
  — ‘Très gros’: 44 to 55 fruit in 500g
  — ‘Gros’: 55 to 66 fruit in 500 g

— Maximum moisture content expressed as a percentage

  — either by one of the following:

    — ‘Maximum moisture content 26 %’ (water content — not more than 26 %)
    — ‘Maximum moisture content 29 %’ (water content between 26 % and the maximum of 29 %)
    — ‘Maximum moisture content 35 %’ (water content between 29 % and the maximum of 35 %)

  — or by indicating the exact water content at the time of packaging.

— **For all ‘Pruneaux d’Agen’**

— Clear identification of a seller in the European Union and, if they are not the processor, the code making it possible to directly identify the processing undertaking that carried out the final packaging of the product intended for sale

— If the name of the processor is not clearly marked on the packaging, the following is indicated:

  In compliance with the specification for the ‘Pruneaux d’Agen’ PGI

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— Production batch number.

— ‘Pruneaux d’Agen’ cannot be offered for sale to the public, shipped, put on sale or sold unless the indication ‘Pruneaux d’Agen’ is printed in advertisements, on leaflets, labels and invoices and on any containers.
— Documents referring to prunes set aside for food processing must show clearly the word ‘déstructurés’ (‘broken down’) next to ‘Pruneaux d’Agen’ when they accompany the dispatch to another agri-food processing undertaking.

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

The geographical area of the ‘Pruneaux d’Agen’ PGI covers all the municipalities belonging to the following cantons:


Department of Gers: Condom, Eauze, Fleurance, Jegun, Lectoure, Mauvezin, Miradoux, Montréal, Saint-Clar, Valence-sur-Baise, Vic-Fezensac.


Department of Lot-et-Garonne: The entire department except for the canton of Houillès.

Department of Tarn-et-Garonne: The entire department except for the cantons of Caylus, Saint-Antonin-Noble-Val, Villebrumier.

5. **Link with the geographical area**

**Specificity of the geographical area**

Located in the south-west of France, the geographical area of the ‘Pruneaux d’Agen’ PGI lies close to the town of Agen, which, since the 18th century, has been a port of shipment for prunes produced nearby and has given its name to these prunes.

The geographical area corresponds to the traditional production area of the Ente plum variety, whose orchards grow mainly on the hillsides of this highland area, which is interspersed with rivers that converge towards the Garonne. The region is characterised by predominantly limey-clayey soil. Plum trees do not do well in wet ground and prefer permeable and fresh soils.

The production area is situated in an area of climate transition between Mediterranean and oceanic influences and is characterised by rainfall spread throughout the year. As regards temperatures, winters are cold, springs fairly warm with very few frosts and summers hot, with nights cooled by rainstorms.

It was in the 18th century that the production of ‘Pruneaux d’Agen’ really took off. On the one hand, Ente plum trees were widely planted on hillsides, as it is a variety exceptionally well suited to drying and it replaced other varieties. On the other hand, the technique of alternating between drying in the sun and in a bread oven to finalise the drying of the prunes became widespread.

Finally, thanks to its nutritional qualities and ease of preservation and transport, ‘Pruneaux d’Agen’ quickly came to be widely traded. It was then that the first regulations governing the plum market appeared in some of the market towns of the region – a sign of the importance of plum production to the regional economy.

Plum-growing developed throughout the 19th century, as did the use of special drying ovens for the drying of plums. ‘Pruneaux d’Agen’ became renowned worldwide during this period, as shown in Leo Tolstoy’s work ‘The Death of Ivan Ilyich’ (1886, chapter X):

‘If he thought of the stewed prunes that had been offered him that day, his mind went back to the raw shrivelled French prunes of his childhood, their peculiar flavour and the flow of saliva when he sucked their stones.’

In 1894, in the department of Lot-et-Garonne alone, there were five million plum trees in production and a million young trees. What is more, the neighbouring departments of Gers, Tarn-et-Garonne, Lot, Dordogne and Gironde were also producing plums.
In the first half of the 20th century, competition from new producer countries and the impact of the First World War on the farming population led to a sharp decline in the production of ‘Pruneaux d’Agen’.

In the aftermath of the Second World War, French production was revived by planting modern orchards using a selection of new varieties within the Ente plum family. There was progress in technical equipment as well, for example with the introduction of drying tunnels. However, know-how aspects remain crucial for this production: managing the size, harvesting when optimal ripeness is achieved, and monitoring the drying of the plum to obtain the required final moisture content without burning the fruit.

In order to obtain beautiful plums, the plum trees are pruned every year (fructification pruning). Pruning allows the sun to penetrate the tree better and ensures that the fruit ripen and remain in good health. It also reduces the number of fruit and promotes more homogeneous, better-quality production (bigger fruit) and an improved yield.

Harvesting takes place when the plum is fully ripe and the fruit falls naturally or by gently shaking the tree. Nowadays another technique is also used to decide the best time for harvesting: a few drops of juice are collected into a device called a refractometer. It determines the sugar content of the plum.

At the same time, processors are developing rehydration and preservation techniques in order to be able to present a ‘ready-to-eat’ product, although ‘Pruneaux d’Agen’ are still traditionally sold ‘dry’ to consumers, who then rehydrate them at home. The aim is to obtain a tenderer pulp while making sure not to ‘dilute’ the flavours of the prune. The method, duration and temperature are all factors that, combined, allow the processors to produce a prune that retains all its aromas but also has a smoother pulp.

Finally, the local artisanal agri-food sector uses ‘Pruneaux d’Agen’ to make confectionery or food preparations that boost the image of the product. These products are an outlet for the smallest fruit and for fruit that have some blemishes and are therefore difficult to sell as prunes eaten fresh.

Specificity of the product
‘Pruneaux d’Agen’ is characterised by a smooth texture and an uncaramelised, brown-yellow to golden-yellow pulp, with a shiny, non-sticky appearance.

‘Pruneaux d’Agen’ eaten fresh are also distinguished by their size.

They have a long-standing reputation.

Causal link
The causal link is based on the quality and reputation of ‘Pruneaux d’Agen’.

The soil and climate conditions of the area favour the production of large, extremely sweet plums necessary to make ‘Pruneaux d’Agen’.

The Ente plum tree has established itself firmly in this area. It grows optimally well in the clayey-limey soils that contribute to the tree’s vegetative well-being. It also benefits from a suitable climate, with sufficiently cold weather in the winter, a minimum of spring frosts at the time of fructification and an alternation of hot days and cool nights in the summer, which gives the plums a specific balance between sweet and sour and endows their skin with a smooth and fine quality.

These natural conditions, together with the know-how of the producers, particularly as regards the size of the trees and the ripeness of the fruit when harvested, make it possible to produce large, very sweet plums that make ‘Pruneaux d’Agen’ distinctive.

Drying is a determining factor in the quality of ‘Pruneaux d’Agen’, involving the specific know-how of the dryers, who must master the art of ‘cooking’ the fresh plums, depending on their quality, in order to obtain the desired moisture content. This results in prunes that have an uncaramelised, brown-yellow to golden-yellow pulp.

Finally, the processors have developed rehydration techniques that result in a prune with a smooth texture and shiny, non-sticky appearance.
In addition, thanks to its nutritional qualities and ease of preservation and transport, ‘Pruneaux d’Agen’ has been widely renowned internationally since the end of the 18th century.

A number of local events are organised in connection with the marketing of ‘Pruneaux d’Agen’ and contribute to its reputation. Examples include the Pruneau Show at Agen or the fair of Saint-Aubin (47), situated in the heart of the production area, which highlight the link between the product and its area of origin.

Reference to publication of the specification
(the second subparagraph of Article 6(1) of this Regulation)

https://extranet.inao.gouv.fr/fichier/3-20171106CDCIGPPruneauxdAgenrevu-nelleversion.pdf
COMMISSION IMPLEMENTING DECISION
of 23 January 2019

on the publication in the Official Journal of the European Union of the application for registration of a name referred to in Article 49 of Regulation (EU) No 1151/2012 of the European Parliament and of the Council
‘Jambon du Kintoa’ (PDO)
(2019/C 36/07)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (1), and in particular Article 50(2)(a) thereof,

Whereas:

(1) France has sent to the Commission an application for protection of the name ‘Jambon du Kintoa’ in accordance with Article 49(4) of Regulation (EU) No 1151/2012.

(2) In accordance with Article 50 of Regulation (EU) No 1151/2012 the Commission has examined that application and concluded that it fulfils the conditions laid down in that Regulation.

(3) In order to allow for the submission of notices of opposition in accordance with Article 51 of Regulation (EU) No 1151/2012, the single document and the reference to the publication of the product specification referred to in Article 50(2)(a) of that Regulation for the name ‘Jambon du Kintoa’ should be published in the Official Journal of the European Union,

HAS DECIDED AS FOLLOWS:

Sole Article

The single document and the reference to the publication of the product specification referred to in Article 50(2)(a) of Regulation (EU) No 1151/2012 for the name ‘Jambon du Kintoa’ (PDO) are contained in the Annex to this Decision.

In accordance with Article 51 of Regulation (EU) No 1151/2012, the publication of this Decision shall confer the right to oppose to the registration of the name referred to in the first paragraph of this Article within three months from the date of publication of this Decision in the Official Journal of the European Union.


For the Commission
Phil HOGAN
Member of the Commission

ANNEX

SINGLE DOCUMENT

‘JAMBON DU KINTOA’
PDO (X) PGI ( )

1. Name(s)
   ‘Jambon du Kintoa’

2. Member State or Third Country
   France

3. Description of the agricultural product or foodstuff
   3.1. Type of product
      Class 1.2. Meat products (cooked, salted, smoked, etc.)

   3.2. Description of the product to which the name in (1) applies
      ‘Jambon du Kintoa’ is a dry-cured ham produced according to a lengthy process lasting at least 16 months, including at least 10 months of maturing under natural conditions.

      It can be marketed whole, boneless and whole, boneless and quartered, or sliced.

      When marketed whole, with the bone and the entire trotter, ‘Jambon du Kintoa’ has an oval shape, and the length between the head of the femur and the tip of the leg must exceed 10 cm. It is presented with a specific ‘Kintoa’ label attached to the head of the femur. The ham is rubbed in powder of the PDO pepper ‘Piment d’Espelette’ before being packaged.

      ‘Jambon du Kintoa’ has the following characteristics: salt (NaCl) content less than or equal to 7 % in the semimembranosus muscle; maximum moisture content of 60 %; intramuscular-lipid content greater than or equal to 4 % in the semimembranosus muscle; a pronounced red-meat colour; a white-to-pinkish fat colour; a marbled appearance; a smooth, tender texture of the fat; an intensity and high level of aromatic complexity (butter, undergrowth, preserved meat, dried fruits including hazelnut, jam); and an intense taste that lingers on the palate.

   3.3. Feed (for products of animal origin only) and raw materials (for processed products only)
      ‘Jambon du Kintoa’ comes from Basque Black Pied pigs bred for their meat, which are slaughtered at between 12 and 24 months of age. The cold carcass weight must be at least 100 kg. The thickness of the back fat (excluding rind) between the 4th and the 5th vertebra must be greater than or equal to 25 mm.

      The raw material is a fresh ham from a carcass bearing the ‘Kintoa’ designation of origin that has not been frozen or deep-frozen and has no defects, such as petechiae, fractures, abscesses, bruising or split rind; it has been trimmed into an elongated shape (Iberian cut) that includes the entire trotter, and weighs at least 10 kg.

      It is dry-salted with salt of the PGI ‘Sel de Salies-de-Béarn’. Before being packaged, the inner side of the dry-cured ham is rubbed in powder of the PDO pepper ‘Piment d’Espelette’/‘Piment d’Espelette — Ezpeletako Biperra’.

      Throughout the pigs’ life, only plants, by-products and complementary feed derived from non-transgenic products are authorised in the animal feed. The planting of transgenic crops is prohibited on all areas of farms producing animals intended for the production of ‘Jambon du Kintoa’.

      During the suckling period and until the age of 8 weeks, the total amount of animal feed that may be given cannot exceed 5 kg gross weight per piglet. Processed animal proteins are not permitted.

      After weaning, only the following plant-based raw materials are permitted:
      — wheat grains, maize, barley, rye, triticale, sorghum, oats; and products derived from them;
      — pea seeds, field beans, lupins, vetches, flax; and products derived from them;
      — soya beans, sunflower seeds, rapeseed; and their cakes and oils;
      — cane and beet molasses;
— lucerne, beet pulp.

The distribution of whey is allowed, except during the two months prior to the pigs being slaughtered. The whey must come from the geographical area.

Animal feed must be sourced primarily from the defined geographical area. Certain feed is allowed to come from outside the geographical area due to the very undulating topography that is unsuited to intensive farming and crops.

For an estimated total consumption of 848 kg of dry matter per pig from birth to slaughter, the share of feed originating in the geographical area may be estimated to be at least 69.5%.

In the period between weaning and until the age of 3 months, the feed must contain at least 20% (in dry matter) cereals from the geographical area; the total amount of feed given may not exceed 60 kg gross weight per piglet.

For pigs over the age of 3 months, the feed must comprise at least 70% (in dry matter) raw material from the geographical area; the feed formula must contain at least 60% (in dry matter) cereals and their derived products. The maximum daily amount of feed that may be given is 3.2 kg gross weight per pig between 3 and 8 months, and 2.7 kg gross weight per pig from 8 months on.

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

All steps in the production of ‘Jambon du Kintoa’, from the birth of the pigs to maturing, take place in the geographical area.

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

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

Irrespective of the regulatory references applicable to the labelling of prepared meat products, labels must include the following references:

— the date of salting;
— the name ‘Jambon du Kintoa’ in characters at least the same size as the largest characters on the label;
— the ‘Kintoa’ colour logo made available by the group, comprising the word ‘Kintoa’, surmounted by the crown of the kings of Navarre and a drawing of the head of a Basque-breed pig;
— on each ham sold whole, a unique number identifying it.

4. Concise definition of the geographical area

The geographical area comprises the following cantons, municipalities or parts of municipalities:

— Municipalities included in their entirety:
  Department of Landes: Hastingues, Oeyregave, Sorde-L’Abbaye
  Department of Pyrénées-Atlantiques:
  The municipalities of the following cantons: Baïgura et Mondarrain; Hendaye-Côte Basque-Sud; Montagne Basque (except for Alcây-Alcâbêhéty-Sunharette, Haux, Lacarry-Arhan-Charritte-de-Haut, Larrau, Mendive, and Sainte-Engrâce, in parts); Nive-Adour; Pays de Bidache, Amikuze et Ostibarre; Saint-Jean-de-Luz.

— Municipalities included in part:
  Department of Landes: Cauneille, Peyrehorade.
5. **Link with the geographical area**

The geographical area of 'Jambon du Kintoa' extends over the entire French Basque country and some adjacent cantons and/or municipalities on the border to the east and the north. This area is the western part of the pre-Pyrenees, which borders it to the south. It is bounded to the west by the Atlantic Ocean.

Its oceanic climate is characterised by high levels of rainfall (1 200 to 2 000 mm/year), which is evenly spread throughout the year, without any dry period. It is also characterised by mild temperatures, even in winter. The southerly Föhn-type wind intermittently brings intense heat and dry air throughout the year — especially in spring and autumn — alternating with wetter and cooler periods tied to the passing of oceanic disturbances.

The dominant landscape is made up of cultivated areas and grasslands at the bottom of basins and in all the low-lying areas close to residential areas; a jumble of grasslands; heaths and woods over hillsides; and heaths and natural grassland on mountain and summit peaks.

The term 'Kintoa' originates in the levy for grazing pigs, commonly referred to as the 'one-fifth levy' [droit de quinta], imposed by the kings of Navarre from at least the 13th century on pigs that were herded in transhumance into the royal mountains of Navarre. The kings collected a tax on one pig out of every five, hence the name given to the levy.

'Jambon du Kintoa' comes from Basque Black Pied pigs, a Mediterranean-type breed also called the Iberian type. It has a slow rate of growth. It is incredibly hardy and able to cope with considerable variations in climate and feed, and is quickly able to build up its fat reserves when food is abundant.

The pigs spend at least their final seven months in a specific ranging area. This is where they put on their fat cover and intramuscular fat. The food they find in the ranging area is varied. Above all, it includes grass and herbaceous plants, as well as — disparately and less consistently — dried fruits (acorns, chestnuts, etc.), insects, worms, roots and other plants.

The pigs are slaughtered relatively old (at 12-24 months, compared to 5-6 months for industrial meat-producing pigs), having exercised their muscles considerably by the end of their lifetime.

The geographical area (especially Salies-de-Béarn) is notable for the production of salt, which is traditionally used for the salting of hams produced in the region. It is also where the powder of the pepper 'Piment d'Espelette'/'Piment d'Espelette — Ezpeletako Biperra' is produced. This powder is traditionally used to cover the inner face of the ham that has had its coating removed at the end of the maturing phase.

It takes a long time — at least 16 months — to produce the ham. After a preliminary drying, the ham is coated in a lard-based fat mix. At least 6 months must pass from the week when the ham undergoes salting to the week when maturing begins. Production continues with at least 10 months of maturing in rooms connected to the outside through openings allowing air to circulate. These rooms are located on different sides of the building and have pre-defined minimum sizes. The openings allow the temperature and humidity conditions to change in line with the local climate.

When eaten, the ham has a smooth, tender texture of the fat, and aromas of butter, undergrowth, preserved meat, dried fruit (including hazelnut) and jam. It has an intense taste that lingers on the palate.

**Causal link**

In the mild and humid climate of the geographical area, the grass for grazing grows almost continuously, allowing the ranging area to provide the pigs with feed throughout their time outdoors, for at least 7 months. This feed may be supplemented by fruits under trees that are typical of the Basque natural environment (common oak, chestnut trees and beech).

The Basque Black Pied breed is adapted to grazing in this landscape because of its physical characteristics: the pig is hardy, well suited to roaming and makes very good use of the plants in the ranging area. This feed contribution from the ranging area varies naturally depending on the season. However, during the finishing period it accounts for some 50 % of the pigs' daily intake. It contains antioxidants and aromatic compounds that go on to influence the ham's organoleptic characteristics.

It has been shown that fatty tissue accumulates the compounds contained in the plants consumed. These substances have an effect on the oxidation kinetics of the fat, slowing down the onset of rancidity and enabling the ham to mature for longer, thereby affecting in a specific way the distribution of sapid and aromatic compounds. The longer the drying and maturing phase, the greater this effect will be, depending largely on the type of vegetation grazed.
The traditional methods for salting, drying and maturing the ham in the geographical area involve the use of a local salt, from Salies-de-Béarn, which has specific characteristics (rich in trace elements, large crystals, and so on) that are especially well suited to salting. ‘Piment d’Espelette’, which is used to cover the inner face of the ham, is particularly well suited, given the relatively low intensity of the spice.

The characteristics of the raw material produce a ham with intramuscular fat, which gives it its marbled appearance and smooth, tender texture.

The climate is exposed to ocean flux, characterised by high levels of rainfall spread evenly throughout the year and southerly Föhn-type winds, helping to provide the ham with its particular organoleptic characteristics. The lengthy period (at least 10 months) of maturing in a room open to the influence of the outdoor climate, with variations in temperature and humidity linked to the natural climatic cycles, allows the ham to express its potential to the full, affecting above all its aroma and taste.

Reference to publication of the product specification
(the second subparagraph of Article 6(1) of this Regulation)

https://www.inao.gouv.fr/fichier/PNOCDCJambonduKintoa2017QCOMUE.pdf
COMMISSION IMPLEMENTING DECISION
of 24 January 2019

on the publication in the Official Journal of the European Union of the application for approval of an amendment, which is not minor, to a product specification referred to in Article 53 of Regulation (EU) No 1151/2012 of the European Parliament and of the Council for the name ‘Antequera’ (PDO)

(2019/C 36/08)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (1), and in particular Article 50(2)(a) in conjunction with Article 53(2) thereof,

Whereas:

(1) Spain has sent an application for approval of an amendment, which is not minor, to the product specification of ‘Antequera’ (PDO) in accordance with Article 49(4) of Regulation (EU) No 1151/2012.

(2) In accordance with Article 50 of Regulation (EU) No 1151/2012 the Commission has examined that application and concluded that it fulfils the conditions laid down in that Regulation.

(3) In order to allow for the submission of notices of opposition in accordance with Article 51 of Regulation (EU) No 1151/2012, the application for approval of an amendment, which is not minor, to the product specification, as referred to in the first subparagraph of Article 10(1) of Commission Implementing Regulation (EU) No 668/2014 (2), including the amended single document and the reference to the publication of the relevant product specification, for the registered name ‘Antequera’ (PDO) should be published in the Official Journal of the European Union.

HAS DECIDED AS FOLLOWS:

Sole Article

The application for approval of an amendment, which is not minor, to the product specification, referred to in the first subparagraph of Article 10(1) of Implementing Regulation (EU) No 668/2014, including the amended single document and the reference to the publication of the relevant product specification, for the registered name ‘Antequera’ (PDO) is contained in the Annex to this Decision.

In accordance with Article 51 of Regulation (EU) No 1151/2012, the publication of this Decision shall confer the right to oppose to the amendment referred to in the first paragraph of this Article within three months from the date of publication of this Decision in the Official Journal of the European Union.

Done at Brussels, 24 January 2019.

For the Commission

Phil HOGAN

Member of the Commission

ANNEX

APPLICATION FOR APPROVAL OF A NON-MINOR AMENDMENT TO THE PRODUCT SPECIFICATION FOR A PROTECTED DESIGNATION OF ORIGIN OR PROTECTED GEOGRAPHICAL INDICATION

Application for approval of an amendment in accordance with the first subparagraph of Article 53(2) of Regulation (EU) No 1151/2012

‘Antequera’
EU No: PDO-ES-00327-AM03 — 19.3.2018

PDO (X) PGI ( )

1. Applicant group and legitimate interest
Regulatory Board for the ‘Antequera’ Protected Designation of Origin
Carretera de Córdoba, S/N
29200 Antequera — Málaga
ESPAÑA
Tel. +34 952841451
Email: info@doantequera.org

The Regulatory Board for the ‘Antequera’ Protected Designation of Origin is a non-profit organisation recognised by the competent authority in the Member State as the management body for the designation of origin. It operates on democratic principles and represents the operators involved in producing the protected product. It represents the economic and sectoral interests of its members, with special concern for minority interests, thus ensuring equal representation of all the various interests.

Moreover, the Regulatory Board has the legal capacity to submit this application for amendment in accordance with Spanish national legislation – specifically Article 13(2)(a) of Law 2/2011 of 25 March 2011 on fisheries and food quality in Andalusia.

2. Member State or Third Country
Spain

3. Heading in the product specification affected by the amendment(s)
   - ☑ Product name
   - ☑ Description of product
   - ☑ Geographical area
   - ☑ Proof of origin
   - ☑ Method of production
   - ☑ Link
   - ☑ Labelling
   - ☑ Other [to be specified]

4. Type of amendment(s)
   - ☑ Amendment to the product specification of a registered PDO or PGI not to be qualified as minor within the meaning of the third subparagraph of Article 53(2) of Regulation (EU) No 1151/2012.
   - ☑ Amendment to the product specification of a registered PDO or PGI for which a Single Document (or equivalent) has not been published and which cannot be qualified as minor within the meaning of the third subparagraph of Article 53(2) of Regulation (EU) No 1151/2012.

5. Amendment(s)
Point B.3.) Physical, chemical and organoleptic characteristics of the oils in the product specification, together with point 3.2 of the Single Document. The product specification to which the Single Document links has been updated.

The physical/chemical parameter K270 (absorbency 270 nm) has been changed from 0,15 to 0,18.
Reason: Some years ago it was found that as the harvest season has been brought forward for cultural reasons by the ‘Antequera’ PDO producers with a view to achieving higher-quality, more fruity oils, there has been a slight increase in the K270 value. For high fruitiness median scores, the K270 parameter is equal to or higher than the upper limit of 0.15 but without reaching the limit set out in the relevant legislation.

The K270 parameter is generally linked to the state of oxidation of the oil, but various scientific studies on this aspect have shown that there is a close link between the K270 value and the natural composition of olive oil: oils that are harvested earlier have significantly higher values for this parameter, but this can be explained by the presence of the higher content of phenolic compounds, which absorb at a wavelength of 280 nm, thus distorting the data. Paradoxically, the presence of these phenolic compounds largely determines the oxidation stability and most of the sensory attributes that are characteristic of virgin olive oil.

SINGLE DOCUMENT
‘Antequera’
EU No: PDO-ES-00327-AM03 — 19.3.2018
PDO (X) PGI ( )

1. Name
‘Antequera’

2. Member State or Third Country
Spain

3. Description of the agricultural product or foodstuff

3.1. Type of product
Class 1.5. Oils and fats (butter, margarine, oil, etc.)

3.2. Description of product to which the name in (1) applies
Extra virgin olive oil, obtained from the fruit of the olive tree (Olea europaea L.) using exclusively physical or mechanical procedures at a temperature that does not affect the natural chemical composition of the oil, thus preserving the taste, aroma and characteristics of the fruit from which it is produced.

As regards their organoleptic properties, these oils have the fruitiness of green olives, other ripe fruits, almond, banana and green grass in intensities ranging from medium to high. They also present light to medium levels of bitterness and spiciness, perfectly complementing other slightly sweet tastes.

The oils covered by the ‘Antequera’ Protected Designation of Origin must be extra virgin olive oils and have the following specifications:

<table>
<thead>
<tr>
<th>Physico-chemical parameters:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Acidity (%)</td>
<td>Maximum 0.3</td>
</tr>
<tr>
<td>Peroxide value (meq oxygen per kg of oil)</td>
<td>Maximum 10</td>
</tr>
<tr>
<td>K270 (Absorbency 270 nm)</td>
<td>Maximum 0.18</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Organoleptic characteristics:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Median score for fruitiness</td>
<td>Equal to or greater than 4</td>
</tr>
<tr>
<td>Median defect</td>
<td>Equal to 0</td>
</tr>
</tbody>
</table>

3. Feed (for products of animal origin only) and raw materials (for processed products only)
Extra virgin olive oil, obtained from the fruit of the olive tree (Olea europaea L) of the Hojiblanca variety, with the possible addition of minority varieties such as Picual or Marteñito, Arbequina, Picudo, Lechín de Sevilla or Zorzaleño, Gordal de Archidona, Verdal de Vélez Málaga and Verdal de Huévar.
3.4. Specific steps in production that must take place in the defined geographical area

The olives used to obtain the product are approved varieties from registered olive groves located within the production area. The oil must be extracted in registered mills located within the production area that meet the conditions laid down. Production is divided into the following phases: cleaning, washing and weighing the olives; beating the pomace; separating solids and liquids by continuous centrifugation; separating liquids by continuous centrifugation; decanting and storing.

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

The oil is packaged in containers made of dark glass, dark plastic, metal lined with food-grade material or of ceramic. In all cases they must be food-grade containers compliant with existing legislation, as they maintain the physical/chemical and organoleptic properties of the oil for longer and prevent the quality of the content from being altered, since they limit the incidence of light, which would increase the rate of oxidation of the oil.

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

The commercial labels of each registered company must be checked by the Regulatory Board as regards the use of the designation logo. Labels must bear the wording ‘Denominación de Origen Protegida Antequera’ or the logo of the designation or origin, and the Union symbol. All packaging in which the protected oil is released for consumption must bear a guarantee seal, a label or a secondary label, which must be numbered and issued by the Regulatory Board or checked by it as regards the use of the designation logo. These secondary labels must be affixed exclusively in the registered bottling plant in such a way that they cannot be reused.

4. Concise definition of the geographical area

The production area comprises the territories located in the following municipalities in the Province of Málaga: Alameda, Almargen, Antequera, Archidona, Campillos, Cañete La Real, Cuevas Bajas, Cuevas de San Marcos, Fuente de Piedra, Humilladero, Mollina, Sierra de Yeguas, Teba, Villanueva de Algaidas, Villanueva del Rosario, Villanueva del Trabuco and Villanueva de Tapia, and the Municipality of Palenciana in the Province of Córdoba.

5. Link with the geographical area

Specificity of the geographical area

The oils are produced in the natural area formed by the Antequera depression, on the western edge of the Andalusian Intrabética depressions. In the north it borders the provinces of Córdoba and Seville, in the west the provinces of Seville and Cádiz, and in the east that of Granada. In the south it is bordered by the Subbaetic mountain ranges, which separate it from the Montes de Málaga, Hoyas in Valle del Guadalhorce and Serranía de Ronda, all districts of the Province of Málaga.

This area has particular geomorphological and climatic characteristics. It covers an area of depressions with smooth topography at an altitude of 400-600 m, surrounded by a series of mountain ranges to the north (the Subbaetic System) and south (the Penibaetic System) which give the area a micro-climate and soil conditions suitable for olive cultivation.

The olives are grown between 450 and 600 metres above sea level, on medium-depth, very clayey soil (20-70% carbonate of lime). What is more, as the Antequera depression is an endorheic basin, various levels of river terrace have developed, all bearing large quantities of tertiary deposits, including Middle Pliocene red clay, which provide the olive trees with plentiful amounts of potassium and have high levels of moisture retention, promoting vegetation in the olive trees, which is important given that more than 90% of the plantation land is not irrigated. The Antequera area has a temperate to warm Mediterranean climate, with some continental characteristics due to...
its location in the Andalusian Intraebetic depressions. This situation produces great contrasts in temperature between summer and winter and between day and night. The average temperatures in the coldest month (January or December) vary between 6 °C and 9 °C. The warmest months are July and August, with average temperatures ranging between 22 °C and 27 °C.

**Specificity of the product**

As regards its organoleptic properties, ‘Antequera’ PDO extra virgin olive oil presents medium to high intensities of green olive fruitiness, with a median score of 4 or more, and a range of positive attributes of other ripe fruits, almonds, banana and green grass. These oils present light to medium levels of bitterness and spiciness, perfectly complementing other slightly sweet tastes. As regard its physical/chemical properties, the product has low acidity (less than 0.3 %), a low peroxide content (less than 10) and low ultraviolet absorbency (K270) (less than 0.18).

It has a well-balanced fatty acid composition. Its oleic acid content is high at 78 to 81 % and it has medium levels of linoleic acid at 5 to 8 %. The ratio of mono-unsaturated to saturated fatty acids is high (between 11 and 15) and it has a medium value for the ratio of oleic to linoleic fatty acids (15 and 12), which gives the oil a lightness on the palate.

They are moderately stable oils thanks to their high concentrations of tocopherols. This makes Antequera oils rich in vitamin E.

The fraction of unsaponifiable matter of Antequera oils is notable for high levels of methyl sterols, more than 30 mg per 100 g of oil.

**Causal link between the area and the characteristics of the product**

The tolerance of the Hojiblanca indigenous variety to the clayey soils of the geographical area, because of the tree's need to extract calcium from the soil, together with the continental Mediterranean climate of the natural area of the Andalusian depression with its cold, dry winters, means that this variety, harvested in the area's olive groves during the months of low temperatures, produces oils with the fruitiness of green olives, with a median of 4 or more, and a range of positive attributes of other ripe fruits, almonds, banana and green grass and light to medium levels of bitterness and spiciness. As regards their physical/chemical properties, the oils have low acidity (less than 0.3), a peroxide value of less than 10 and ultraviolet absorbency of less than 0.18.

The low temperatures in winter characteristic of the geographical area delay the ripening period of the Hojiblanca indigenous variety, altering the acid profile of the oils produced to give higher levels of oleic acid (between 78 and 81 %) and lower levels of saturated and unsaturated fatty acids.

**Reference to the publication of the specification**

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

The full text of the product specification can be found at:

http://www.juntadeandalucia.es/export/drupaljda/Pliego_Antequera_modificado.pdf

or

http://www.juntadeandalucia.es/organismos/agriculturapescaydesarrollorural/areas/industrias-agroalimentarias/calidad-promocion/paginas/denominaciones-calidad-aceite-oliva.html The product specification is located under the name of the quality designation.

or

ADMINISTRATIVE COMMISSION FOR THE COORDINATION OF SOCIAL SECURITY SYSTEMS

AVERAGE COSTS OF BENEFITS IN KIND

(2019/C 36/09)

AVERAGE COSTS OF BENEFITS IN KIND — 2016

Application of Article 64 of Regulation (EC) No 987/2009

I. The amounts to be refunded with regard to the benefits in kind provided in 2016 to family members who do not reside in the same Member State as the insured person, as referred to in Article 17 of Regulation (EC) No 883/2004, will be determined on the basis of the following average costs:

<table>
<thead>
<tr>
<th>Age group</th>
<th>Annual</th>
<th>Net monthly x = 0.20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cyprus</td>
<td></td>
<td></td>
</tr>
<tr>
<td>under 20 y</td>
<td>EUR 312,55</td>
<td>EUR 20,84</td>
</tr>
<tr>
<td>20 - 64 y</td>
<td>EUR 315,66</td>
<td>EUR 21,04</td>
</tr>
<tr>
<td>65 y and over</td>
<td>EUR 1 371,96</td>
<td>EUR 91,46</td>
</tr>
<tr>
<td>Finland</td>
<td></td>
<td></td>
</tr>
<tr>
<td>under 20 y</td>
<td>EUR 1 176,45</td>
<td>EUR 78,43</td>
</tr>
<tr>
<td>20 - 64 y</td>
<td>EUR 1 962,51</td>
<td>EUR 130,83</td>
</tr>
<tr>
<td>65 y and over</td>
<td>EUR 6 027,07</td>
<td>EUR 401,80</td>
</tr>
</tbody>
</table>

II. The amounts to be refunded with regard to benefits in kind provided in 2016 to pensioners and members of their family, as provided for in Article 24(1) and Articles 25 and 26 of Regulation (EC) No 883/2004, will be determined on the basis of the following average costs:

<table>
<thead>
<tr>
<th>Age group</th>
<th>Annual</th>
<th>Net monthly x = 0.20</th>
<th>Net monthly x = 0.15 (*)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cyprus</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>under 20 y</td>
<td>EUR 312,55</td>
<td>EUR 20,84</td>
<td>EUR 22,14</td>
</tr>
<tr>
<td>20 – 64 y</td>
<td>EUR 315,66</td>
<td>EUR 21,04</td>
<td>EUR 22,36</td>
</tr>
<tr>
<td>65 y and over</td>
<td>EUR 1 371,96</td>
<td>EUR 91,46</td>
<td>EUR 97,18</td>
</tr>
<tr>
<td>Finland</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>under 20 y</td>
<td>EUR 1 176,45</td>
<td>EUR 78,43</td>
<td>EUR 83,33</td>
</tr>
<tr>
<td>20 – 64 y</td>
<td>EUR 1 962,51</td>
<td>EUR 130,83</td>
<td>EUR 139,01</td>
</tr>
<tr>
<td>65 y and over</td>
<td>EUR 6 027,07</td>
<td>EUR 401,80</td>
<td>EUR 426,92</td>
</tr>
</tbody>
</table>

(*) The reduction applied to the monthly fixed amount shall be equal to 15 % (x = 0.15) for pensioners and members of their family when the competent Member State is not listed in Annex IV of Regulation (EC) No 883/2004 (according to Article 64(3) of Regulation (EC) No 987/2009).

AVERAGE COSTS OF BENEFITS IN KIND — 2017

Application of Article 64 of Regulation (EC) No 987/2009

I. The amounts to be refunded with regard to the benefits in kind provided in 2017 to family members who do not reside in the same Member State as the insured person, as referred to in Article 17 of Regulation (EC) No 883/2004, will be determined on the basis of the following average costs:

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<thead>
<tr>
<th>Age group</th>
<th>Annual</th>
<th>Net monthly x = 0.20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spain</td>
<td></td>
<td></td>
</tr>
<tr>
<td>under 20 y</td>
<td>EUR 602,11</td>
<td>EUR 40,14</td>
</tr>
<tr>
<td>20 - 64 y</td>
<td>EUR 836,17</td>
<td>EUR 55,74</td>
</tr>
<tr>
<td>65 y and over</td>
<td>EUR 4 344,94</td>
<td>EUR 289,66</td>
</tr>
</tbody>
</table>

II. The amounts to be refunded with regard to benefits in kind provided in 2017 to pensioners and members of their family, as provided for in Article 24(1) and Articles 25 and 26 of Regulation (EC) No 883/2004, will be determined on the basis of the following average costs:

<table>
<thead>
<tr>
<th>Age group</th>
<th>Annual</th>
<th>Net monthly $x = 0,20$</th>
<th>Net monthly $x = 0,15$ ($^1$)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spain under 20 years</td>
<td>EUR 602,11</td>
<td>EUR 40,14</td>
<td>EUR 42,65</td>
</tr>
<tr>
<td>20 – 64 years</td>
<td>EUR 836,17</td>
<td>EUR 55,74</td>
<td>EUR 59,23</td>
</tr>
<tr>
<td>65 years and over</td>
<td>EUR 4 344,94</td>
<td>EUR 289,66</td>
<td>EUR 307,77</td>
</tr>
</tbody>
</table>

($^1$) The reduction applied to the monthly fixed amount shall be equal to 15% ($x = 0,15$) for pensioners and members of their family when the competent Member State is not listed in Annex IV of Regulation (EC) No 883/2004 (according to Article 64(3) of Regulation (EC) No 987/2009).
EUROPEAN SYSTEMIC RISK BOARD

DECISION OF THE EUROPEAN SYSTEMIC RISK BOARD

of 14 November 2018

on a coordination framework for consultation by a supervisory authority with the European Systemic Risk Board on an extension of the period under Article 138(4) of Directive 2009/138/EC of the European Parliament and of the Council (Solvency II)

(ESRB/2018/7)

(2019/C 36/10)

THE GENERAL BOARD OF THE EUROPEAN SYSTEMIC RISK BOARD,

Having regard to Regulation (EU) No 1092/2010 of the European Parliament and of the Council of 24 November 2010 on European Union macro-prudential oversight of the financial system and establishing a European Systemic Risk Board (1), and in particular Article 3(2)(j) and Article 4(2) thereof,

Having regard to Directive 2009/138/EC of the European Parliament and of the Council of 25 November 2009 on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II) (2), and in particular Article 138(4) thereof,

Whereas:

(1) Article 138 of Directive 2009/138/EC establishes the rules and procedures in the event of a non-compliance or risk of non-compliance with the Solvency Capital Requirement (SCR). In these cases, specific procedures need to be followed to re-establish the level of eligible own funds covering the SCR or to reduce the insurance undertaking's or reinsurance undertaking's risk profile to ensure compliance with the SCR within a specified period.

(2) In accordance with Article 138(4) of Directive 2009/138/EC, if the European Insurance and Occupational Pensions Authority (EIOPA) declares the existence of an exceptional adverse situation affecting insurance and reinsurance undertakings representing a significant share of the market or of the affected lines of business, the supervisory authority concerned may extend the recovery period for the affected undertakings by a maximum period of seven years.

(3) Under Article 138(4) of Directive 2009/138/EC the supervisory authority concerned may consult with the European Systemic Risk Board (ESRB) with respect to the extension of the recovery period for undertakings affected by an exceptional adverse situation declared by EIOPA. A supervisory authority may decide on the need for, and the exact content of, the request for consultation with the ESRB regarding the extension of the recovery period.

(4) The ESRB is responsible for macroprudential oversight within the Union. In this regard, the ESRB aims to contribute to the prevention and mitigation of systemic risks to financial stability in the Union, including risks that stem from outside the Union. Therefore, following its mandate, the ESRB's input should focus on the macroprudential aspects and impact of extending or not extending the recovery period for the affected undertakings. To the extent possible, the ESRB shall assess the impact on financial markets, other insurance or reinsurance undertakings and the real economy.

(5) In order to facilitate the consultation process on the extension of a recovery period, it is necessary to set up a coordination framework within the ESRB. This coordination framework can benefit from the existing coordination framework under Decision ESRB/2015/4 of the European Systemic Risk Board (3) for the notification of national macroprudential policy measures by relevant authorities and the issuing of opinions and recommendations by the ESRB, which has been successfully tested on several occasions.

(3) Decision of the European Systemic Risk Board of 16 December 2015 on a coordination framework for the notification of national macroprudential policy measures by relevant authorities, the issuing of opinions and recommendations by the ESRB, and repealing Decision ESRB/2014/2 (ESRB/2015/4) (OJ C 97, 12.3.2016, p. 28).
(6) Finally, in carrying out its assessment, the ESRB must involve the necessary level of expertise on insurance and reinsurance and ensure the close cooperation of the ESRB with EIOPA.

HAS ADOPTED THIS DECISION:

Article 1

Subject matter and scope
This Decision establishes a common procedural framework for the consultation of the ESRB by a requesting authority on the extension of the recovery period under Article 138(4) of Directive 2009/138/EC.

Article 2

Definitions
For the purposes of this Decision, the following definitions shall apply:

(1) ‘assessment team’ means the team of experts of the ESRB responsible for performing an assessment and drafting a response to a request for consultation, which is a substructure of the Advisory Technical Committee;

(2) ‘Darwin’ means the internal document management system of the ESRB;

(3) ‘ECB working day’ means any day other than a Saturday, a Sunday or a public holiday in the ECB;

(4) ‘insurance undertaking’ means an insurance undertaking as defined in Article 13 of Directive 2009/138/EC;

(5) ‘recovery period’ means, in respect of an affected undertaking, the period referred to in Article 138(4) of Directive 2009/138/EC within which that undertaking must achieve the re-establishment of its level of eligible own funds covering the Solvency Capital Requirement or the reduction of its risk profile to ensure compliance with the Solvency Capital Requirement;

(6) ‘reinsurance undertaking’ means a reinsurance undertaking as defined in Article 13 of Directive 2009/138/EC;

(7) ‘request for consultation’ means a consultation addressed to the ESRB by a supervisory authority under Article 138(4) of Directive 2009/138/EC;

(8) ‘requesting authority’ means a supervisory authority submitting a request for consultation;

(9) ‘supervisory authority’ means a supervisory authority as defined in Article 13 of Directive 2009/138/EC.

Article 3

Procedure to prepare and approve a response to a request for consultation
1. Once a request for consultation has been received pursuant to Article 138(4) of Directive 2009/138/EC, the ESRB Secretariat shall immediately notify the members of the General Board, the Steering Committee and the assessment team via Darwin of such request.

2. Within ten ECB working days following the request for consultation, the assessment team shall prepare a draft response to the request for consultation which shall be submitted by the ESRB Secretariat to the Steering Committee for consideration via written procedure.

3. Within the timeline referred to in the previous paragraph, a member of the General Board may indicate, within the first two ECB working days following the notification of General Board, that its authority would like to participate in the assessment team, as an observer, if it is not yet represented.
4. The Steering Committee shall provide comments on the draft response within two ECB working days following its submission by the ESRB Secretariat. Substantial comments which have been provided by the Steering Committee shall be assessed by the assessment team and may be reflected in the draft response to the General Board.

5. Within four ECB working days following the date of submission of the draft response to the Steering Committee, the ESRB Secretariat shall submit the draft response to the General Board for comments. Within four ECB working days following the date of the submission of the draft response to the General Board, its members may provide comments prior to taking a General Board decision. In the absence of any substantial comments, the draft response to the request for consultation is deemed to be approved.

6. If substantial comments are provided by the General Board on the draft response, the assessment team shall consider whether the draft response should be revised in the light of those comments. Within four ECB working days of receipt of the comments from the General Board, the assessment team shall submit, via the ESRB Secretariat, the final draft response to the General Board.

7. Based on the final draft response prepared by the assessment team, the General Board shall take a decision on its approval. Unless a General Board meeting is convened in accordance with the Rules of Procedure of the ESRB (\(^\text{4}\)), the decision by the General Board shall be taken by written procedure, within two ECB working days following the submission of the final draft response by the assessment team.

8. The timeline of the procedure for the response to the request for consultation may be shortened in exceptional circumstances on request by the requesting authority or if deemed necessary by the General Board.

9. In accordance with Articles 5(2a) and 13(7) of the Rules of Procedure of the ESRB, representatives of Iceland, Norway and Liechtenstein in the ESRB may be asked not to participate in the discussion of the draft response, unless the request for consultation has been submitted by the supervisory authority of their respective country.

**Article 4**

**Information to be provided by a requesting authority**

1. A request for consultation shall contain all the necessary information on which the response provided by the ESRB will be based and it shall specify the confidentiality requirements, if any, which apply to the transmission of that information.

2. A requesting authority shall provide the ESRB with information explaining the economic reasons supporting the extension of the recovery period and the expected overall economic implications of not extending the recovery period.

3. The information on the economic reasons supporting the extension of the recovery period shall include:

   (a) data on the current financial situation and the interconnections of each affected insurance undertaking or reinsurance undertaking, including its investment exposures;

   (b) additional information on items such as the structure of the insurance market, the main characteristics of the competitors and the distribution of the losses following the adverse event; and

   (c) financial projections illustrating the potential recovery of each affected insurance undertaking or reinsurance undertaking under a set of different economic scenarios.

4. The information on the expected overall economic implications of not extending the recovery period shall include:

   (a) the adverse impact on financial markets of each affected insurance undertaking's or reinsurance undertaking's strategy to reduce its risk profile including possible second round effects;

   (b) the adverse impact on the real economy caused by, for example, among other things, a temporary disruption in insurance services as a result of the potential lack of substitutability or the possible negative effects on consumer confidence.

5. The Annex to the Decision details the minimum set of information to be provided by the requesting authority.

6. Notwithstanding paragraphs 4 and 5 above, the ESRB may require the requesting authority to provide further information if deemed necessary.

7. Unless the information provided is already in the public domain, the information received by the ESRB shall be deemed and treated as confidential, in accordance with Article 8(3) of Regulation (EU) No 1092/2010, and access to it shall be restricted to those persons and authorities that need to know in the course of their duties or performing their tasks.

8. The ESRB Secretariat shall set up a dedicated Darwin structure for information exchange with the requesting authority.

Article 5

Assessment team

1. The assessment team shall perform an assessment and draft a response to a request for consultation.

2. The composition of the assessment team shall be the same as the assessment team created under Decision ESRB/2015/4 as appointed by the General Board with the following differences:

   a) the representative of the European Banking Authority (EBA) shall be replaced by a representative of EIOPA who will be appointed by the General Board; and

   b) each authority represented in the assessment team may indicate one insurance expert that will act as an observer in the assessment team.

3. To avoid conflicts of interest in the preparation of a response to a request for consultation, the status of assessment team members and observers shall temporarily cease, without those members being replaced, for representatives of a supervisory authority which is a requesting authority.

4. The assessment team shall strive to reach consensus among its members, but where circumstances so require, the assessment team may provide a majority and a minority view assessment with the draft response it submits to the General Board.

Article 6

Confidentiality of the response to a request for consultation

The ESRB’s response to a request for consultation shall not be public and shall be provided only to the requesting authority.

Article 7

Entry into force

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

Done at Frankfurt am Main, 14 November 2018.

Francesco MAZZAFERRO

Head of the ESRB Secretariat

on behalf of the General Board of the ESRB
ANNEX

Information to be provided by a requesting authority

I. Information relating to the requesting authority
   — Name of the Supervisory Authority
   — Member State
   — Signatory of the request (Name, position, contact details)
   — Contact person (Name, position, contact details)

II. Precise content of the request – scope of the request of consultation

III. Information related to each undertaking within the scope of the request

III.1. Basic information
   For each of the affected undertakings (definitions according to the relevant Solvency II template S01.02.01 or S01.02.04, as applicable):
   — Undertaking name;
   — Undertaking identification code;
   — Type of undertaking;
   — Country of authorisation;
   — Method of Calculation of the (Group) solvency capital requirements (SCR);
   — Use of undertaking specific parameters;
   — Ring-fenced funds;
   — Matching adjustment;
   — Volatility adjustment;
   — Transitional measure on the risk-free interest rate;
   — Transitional measure on technical provisions.

III.2. Financial information
   An overview of the latest relevant financial situation of each of the affected undertakings including the main structure of assets, liabilities, own funds (with and without Long Term Guarantee measures) and SCR.

III.3. Information on the position of each affected undertaking in the national insurance market
   For each of the affected undertakings:
   — Information on the national market share of that undertaking including non-life activities (in terms of gross written premium) total and per line of business, life activities (in terms of gross technical provisions) total and per line of business, size of balance sheet (in terms of total assets);
   — Information on number of undertakings active in the national market for those lines of business (life and non-life) in which the affected undertaking is active;
   — Information on the cumulative market share of the top 3 -5 -10 insurance undertakings for those lines of business in which the affected undertaking is active;
   — An estimate of the distribution of the losses across the affected undertakings active in the national insurance market following the event(s) which have led to the declaration of an exceptional adverse situation by EIOPA.
IV. Information supporting the extension of the recovery period of each affected undertaking

For each of the affected undertakings:

— Financial projections illustrating the recovery of the breach of the SCR under a set of different economic scenarios;

— A description of the assumptions and an estimate of the impact of the recovery measures included in these financial projections. This could include:

   — An estimate of the (planned) reduction of the risk profile of the asset portfolio (including its potential impact on financial markets);

   — An estimate of the amount the undertaking is planning to recapitalise and in what form (e.g. in the form of equity, debt);

   — An estimate of the amount of planned reinsurance and/or other risk mitigation techniques which would be introduced;

   — An estimate of the amount of technical provisions and premiums of the insurance portfolios which are planned to be sold and/or put into run-off.

V. Information on the expected economic implications of not extending the recovery period of each affected undertaking

For each of the affected undertakings:

— An assessment of the adverse impact on the real economy and/or financial markets if the recovery period is not extended. This includes:

   — An estimate of the degree of potential disruption of insurance services if the recovery period is not extended, based on, for example, an analysis of the number of undertakings already providing similar products/services, an estimate of the speed at which policyholders can be expected to switch between insurance companies, a description of the entry barriers for potential new players to enter the market;

   — An estimate of the effect of a potential disruption of insurance services on the real economy, for example, among other things a description of the real economy activities that may be disrupted when insurance coverage is lost;

   — A description of the possible negative effects on consumer confidence caused by not extending the recovery period;

   — An estimate of the impact on financial markets (including second round effects) caused by the recovery period not being extended and the resulting liquidation of the undertaking.

All quantitative information above should be provided on the basis of the most up-to-date data available and in the form of an Excel sheet.
PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration
(Case M.9243 — KKR/China Resources/Genesis Care)
Candidate case for simplified procedure
(Text with EEA relevance)
(2019/C 36/11)

1. On 22 January 2019, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 (1).

This notification concerns the following undertakings:

— KKR & Co. Inc. (‘KKR’, United States of America),

— China Resources (Holdings) Company Limited (‘China Resources’, Hong Kong).

KKR and China Resources acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of Genesis Care Pty Limited (‘Genesis Care’, Australia), China Resources’ subsidiary active in the provision of cancer care primarily oncology services in the United Kingdom, Spain and Australia, radiation therapy treatments for benign diseases in Spain and Australia, and cardiology, sleep and respiratory treatment services in Australia.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— for KKR: global investment firm which offers a broad range of alternative asset management services to public and private market investors and provides capital markets solutions for the firm, its portfolio companies and clients,

— for China Resources: diversified holding company ultimately supervised by the State-owned Assets Supervision and Administration Commission of the State Council of the People’s Republic of China, which serves as the top level holding company for a group of companies operating a wide variety of businesses, such as consumer products (including retail, beer, food and beverages), power, real estate, cement, gas and pharmaceuticals, as well as various other businesses.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved.

Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under the Council Regulation (EC) No 139/2004 (2) it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. The following reference should always be specified:

M.9243 — KKR/China Resources/Genesis Care

Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:

Email: COMP-MERGER-REGISTRY@ec.europa.eu
Fax +32 22964301
Postal address:
European Commission
Directorate-General for Competition
Merger Registry
1049 Bruxelles/Brussel
BELGIQUE/BELGIË
Prior notification of a concentration  
(Case M.9266 — IIF/Kuwait Investment Authority/North Sea Midstream Partners)  
Candidate case for simplified procedure  
(Text with EEA relevance)  
(2019/C 36/12)

1. On 22 January 2019, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 (1).
   This notification concerns the following undertakings:
   — Kuwait Investment Authority (‘KIA’, Kuwait),
   — IIF Int’l Holding L.P. (‘IIF’, Cayman Islands),
   — North Sea Midstream Partners Limited (‘NSMP’, UK).
   KIA and IIF acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of NSMP via a special purpose vehicle, Selkie Investments Midstream Topco Limited. NSMP is currently solely controlled by KIA.
   The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:
   — KIA is a global investor, investing in real estate, private and public equity, fixed income and alternative investment markets across the globe,
   — IIF is a limited partnership investment fund specialised in infrastructure investments, which focuses on long-term investments in infrastructure assets in OECD countries,
   — NSMP owns natural gas transportation and processing assets in and around the UK North Sea.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved.
   Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under the Council Regulation (EC) No 139/2004 (2) it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.
   Observations must reach the Commission not later than 10 days following the date of this publication. The following reference should always be specified:
   M.9266 — IIF/Kuwait Investment Authority/North Sea Midstream Partners
   Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:
   Email: COMP-MERGER-REGISTRY@ec.europa.eu
   Fax +32 22964301
   Postal address:
   European Commission
   Directorate-General for Competition
   Merger Registry
   1049 Bruxelles/Brussel
   BELGIQUE/BELGIË
