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IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS AND
BODIES

COMMISSION

Euro exchange rates ⁽¹⁾**31 July 2007**

(2007/C 179/01)

1 euro =

Currency	Exchange rate	Currency	Exchange rate
USD US dollar	1,3707	RON Romanian leu	3,159
JPY Japanese yen	163,59	SKK Slovak koruna	33,365
DKK Danish krone	7,4409	TRY Turkish lira	1,7498
GBP Pound sterling	0,674	AUD Australian dollar	1,5951
SEK Swedish krona	9,19	CAD Canadian dollar	1,454
CHF Swiss franc	1,6519	HKD Hong Kong dollar	10,7258
ISK Iceland króna	83,64	NZD New Zealand dollar	1,775
NOK Norwegian krone	7,9595	SGD Singapore dollar	2,0712
BGN Bulgarian lev	1,9558	KRW South Korean won	1 260,08
CYP Cyprus pound	0,5842	ZAR South African rand	9,74
CZK Czech koruna	28,037	CNY Chinese yuan renminbi	10,3795
EEK Estonian kroon	15,6466	HRK Croatian kuna	7,3085
HUF Hungarian forint	250,45	IDR Indonesian rupiah	12 644,71
LTL Lithuanian litas	3,4528	MYR Malaysian ringgit	4,7351
LVL Latvian lats	0,6967	PHP Philippine peso	62,093
MTL Maltese lira	0,4293	RUB Russian rouble	35,006
PLN Polish zloty	3,789	THB Thai baht	41,121

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

V

(Announcements)

ADMINISTRATIVE PROCEDURES

COMMISSION

CALL FOR PROPOSALS

Joint Harmonised European Union Programme of Business and Consumer Surveys

(2007/C 179/02)

1. CONTEXT

The European Commission is launching a call for proposals (**ref. ECFIN/2007/A3-012**) for carrying out surveys as part of the Joint EU Harmonised Programme of Business and Consumer Surveys (approved by the Commission on 12 July 2006 COM(2006) 379) in the 27 EU Member States and in the candidate countries: Croatia, Former Yugoslav Republic of Macedonia and Turkey. This co-operation shall take the form of a framework partnership agreement between the Commission and the specialised bodies over a period of three years.

The programme is designed to gather information on the state of the economies in the EU Member States and in the candidate countries so as to be able to compare their business cycles for Economic and Monetary Union (EMU) management purposes. It has become an indispensable tool in the EMU economic surveillance process, as well as for general economic policy purposes.

2. PURPOSE AND SPECIFICATIONS OF THE ACTION

2.1. Objectives

The joint harmonised EU programme involves specialised bodies/institutes carrying out opinion surveys on a joint financing basis. The Commission is looking to conclude agreements with bodies and institutes suitably qualified to carry out one or more of the following surveys for the next three years:

- Investment survey
- Construction survey
- Retail trade survey
- Services survey
- Industry survey
- Consumer survey
- *Ad hoc* surveys on topical economic issues. These *ad hoc* surveys are by definition more occasional and are carried out in addition to the monthly surveys, using the same established samples as the monthly surveys, to obtain information on specific economic policy issues.

The surveys target managers in the industry, investment, construction, retail trade and services sectors as well as consumers.

2.2 Technical specifications

2.2.1. Survey timing and reporting of results

The following table gives an overview of the surveys requested under this call for proposals:

Survey name	Number of activities/ size classes	Number of aggregates	Number of questions asked monthly	Number of questions asked quarterly
Industry	40/—	16	7	9
Investment	6/6	2	2 questions in March/April 4 questions in October/November	
Construction	3/—	2	5	1
Retail trade	7/—	2	6	—
Services	18/—	1	6	1
Consumer	24 breakdowns	1	14 (including 2 optional questions)	3

- The monthly surveys must be carried out in the first two weeks of each month and the results must be e-mailed to the Commission at least 4-6 working days before the end of the month and in accordance with the calendar that will be included in the specific grant agreement.
- The quarterly surveys must be carried out in the first two weeks of the first month of each quarter (January, April, July and October) and the results must be e-mailed to the Commission at least 4-6 working days before the end of January, April, July and October respectively and in accordance with the calendar that will be included in the specific grant agreement.
- The six-monthly surveys of investment must be carried out in March/April and October/November and the results must be e-mailed to the Commission at least 4-6 working days before the end of May and December, respectively, and in accordance with the calendar that will be included in the specific grant agreement.
- In the case of *ad hoc* surveys, the beneficiary must undertake to adhere to the specific timetables laid down for them.

A **detailed description of the action** (Annex I of the specific grant agreement) can be downloaded from the following internet address:

http://ec.europa.eu/economy_finance/tenders/2007/call2007_14en.htm

2.2.2. Methodology and questionnaires

Details on the methodology, questionnaires and international guidelines on the conduct of business and consumer surveys can be found in the user's guide on the Joint Harmonised EU Programme of Business and Consumer Surveys at:

http://ec.europa.eu/economy_finance/indicators/business_consumer_surveys/userguide_en.pdf

3. ADMINISTRATIVE PROVISIONS AND DURATION

3.1. Administrative provisions

The body or institute is to be selected for a maximum period of **3 years**. The Commission wishes to establish a long-term co-operation with the successful applicants. For this purpose a three-year framework partnership agreement will be concluded between the parties. Under this framework partnership agreement, which will specify the common objectives and the nature of the actions planned, three specific annual grant agreements may be concluded between the parties. The first of these specific grant agreements will concern the period from May 2008 to April 2009.

3.2. Duration

The surveys run from 1 May until 30 April, except for the investment survey which runs until 31 May. The duration of the action may not exceed 12 months (13 months for the **investment** survey).

4. FINANCIAL FRAMEWORK

4.1. Sources of Community funding

The operations selected will be financed from budget heading 01 02 02 — Coordination and surveillance of economic and monetary union.

4.2. Estimated total Community budget for this call

- The total annual budget available for the period May 2008-April 2009 for these surveys is EUR 5 000 000,00 (five million euros).
- Amounts for the following two years could be increased, subject to budgetary resources available, by about 3 %.

4.3. Percentage of Community co-financing

The Commission's share in the joint financing may not exceed 50 % of the eligible costs incurred by the beneficiary on each survey. The Commission determines the percentage of the co-financing on an individual basis.

4.4. Funding of the action by the beneficiary and eligible costs incurred

The beneficiary will be requested to submit a detailed budget for year 1 containing an estimate of the costs and funding of the action, expressed in euro. A detailed budget, respectively for year 2 and year 3 under the framework partnership agreement will be provided on the basis of an invitation by the Commission.

The budgeted grant amount requested from the Commission **should be rounded to the nearest ten**. The budget will be incorporated as an annex to the specific grant agreement. The Commission may subsequently use these figures for auditing purposes.

Eligible costs can be incurred only after signature of the specific grant agreement by all the parties, save in exceptional cases and, under no circumstances, before submission of the application for a grant. Contributions in kind are not regarded as eligible costs.

4.5. Payment arrangements

A request for pre-financing of 40 % of the maximum grant amount can be submitted by the beneficiary in the month of September. A request for payment of the balance together with a final financial statement and a detailed list of costs will be submitted within two months after the closing date of the action (see full details in Articles 5 and 6 of the specific grant agreement).

Both the request for pre-financing and the request for payment of the balance shall be preceded by the timely submission of the data resulting from the business and consumer surveys.

Only costs which are traceable and identifiable in the beneficiary's cost accounting system will be considered as eligible costs.

4.6. Subcontracting

- Where, in a proposal, the amount of the services executed by a subcontractor is equal to or exceeds 50 % of the tasks, the subcontractor must provide all the necessary documents for assessing the applicant's proposal as a whole with regard to the exclusion, selection and award criteria (see points 5, 6 and 7 below). This implies that the subcontractor has to prove that he fulfils the exclusion criteria, as well as the selection and award criteria relevant to the part of the tasks he will perform.

- The applicant for the grant shall award contract to tenderers offering the best price-quality ratio, while taking care to avoid any conflict of interest. In case subcontracting exceeds EUR 60 000,00, the applicant will have to document, once selected, that the subcontractor has been chosen on the best price-quality ratio basis.

4.7. Joint proposals

In all cases of joint proposals, the tasks and financial contribution of all members participating in the proposal must be clearly identified. All members must provide all the necessary documents for assessing the proposal as a whole with regard to the exclusion, selection and award criteria (see points 5, 6 and 7 below) related to their tasks.

One of the participating members will take the role of co-ordinator and shall:

- assume the overall responsibility for the partnership vis-à-vis the Commission,
- monitor the activities of the other participating member(s),
- ensure the overall coherence and timely submission of survey results,
- centralise the signature of the contract and deliver the contract duly signed by all participants to the Commission (proxy is possible),
- centralise the Commission's financial contribution and disburse payments to participants,
- collect supporting documents of expenditure incurred by each participant and present them in a single submission.

5. ELIGIBILITY CRITERIA

5.1. Legal status of applicants

The call for proposals is open to bodies and institutes (legal entities) with legal status in one of the EU Member States, Croatia, Former Yugoslav Republic of Macedonia or Turkey. Applicants must show that they exist as a legal entity and provide the required documentation by means of the standard legal entity form.

5.2. Grounds for exclusion

Applications will not be considered for a grant if the applicants are in any of the following situations ⁽¹⁾:

- they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- they have been convicted of an offence concerning their professional conduct by a judgment which has the force of *res judicata*;
- they have been guilty of grave professional misconduct proven by any means which the contracting authority can justify;
- they have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the contracting authority or those of the country where the contract is to be performed;
- they have been the subject of a judgment which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interests;
- following another procurement procedure or grant award procedure financed by the Community budget, they have been declared to be in serious breach of contract for failure to comply with their contractual obligations;

⁽¹⁾ In compliance with Articles 93 and 94 of the Financial Regulation applicable to the general budget of the European Communities.

- (g) they are faced with a conflict of interest;
- (h) they have been guilty of misrepresentation in supplying the information required or have failed to supply this information.

Applicants must certify that they are not in one of the situations listed under point 5.2 by means of the standard declaration form on eligibility.

5.3. Administrative and financial penalties

1. Without prejudice to the application of penalties laid down in the contract, candidates or tenderers and contractors who have been guilty of making false declarations or have been found to have seriously failed to meet their contractual obligations in an earlier procurement procedure shall be excluded from all contracts and grants financed by the Community budget for a maximum of two years from the time when the infringement is established, as confirmed after an adversarial procedure with the contractor. That period may be extended to three years in the event of a repeat offence within five years of the first infringement.

Tenderers or candidates who have been guilty of making false declarations shall also receive financial penalties representing 2 % to 10 % of the total value of the contract being awarded.

Contractors who have been found to have seriously failed to meet their contractual obligations shall receive financial penalties representing 2 % to 10 % of the total value of the contract in question. That rate may be increased to 4 % to 20 % in the event of a repeat offence within five years of the first infringement.

2. In the cases referred to in points 5.2(a), (c) and (d) the candidates or tenderers shall be excluded from all contracts and grants for a maximum of two years from the time when the infringement is established, as confirmed after an adversarial procedure with the contractor.

In the cases referred to in points 5.2(b) and (e), the candidates or tenderers shall be excluded from all contracts and grants for a minimum of one year and a maximum of four years from the date of notification of the judgment.

Those periods may be extended to five years in the event of a repeat offence within five years of the first infringement or the first judgment.

3. The cases referred to in point 5.2(e) shall be the following:
 - (a) cases of fraud as referred to in Article 1 of the Convention on the protection of the European Communities' financial interests drawn up by the Council Act of 26 July 1995;
 - (b) cases of corruption as referred to in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, drawn up by the Council Act of 26 May 1997;
 - (c) cases of participation in a criminal organisation, as defined in Article 2(1) of Joint Action 98/733/JHA of the Council ⁽¹⁾;
 - (d) cases of money laundering as defined in Article 1 of Council Directive 91/308/EEC ⁽²⁾.

6. SELECTION CRITERIA

Applicants must have stable and sufficient sources of funding to maintain their activity throughout the period during which the action is being carried out. They must have the professional competences and qualifications required to complete the proposed action or work programme.

⁽¹⁾ OJ L 351, 29.12.1998, p. 1.

⁽²⁾ OJ L 166, 28.6.1991, p. 77.

6.1. Financial capacity of applicants

Applicants must have the financial capacity to complete the proposed action and must provide their balance sheets and profit and loss accounts for the last two financial years for which the accounts have been closed. This provision does not apply to public bodies and international organisations.

6.2. Operational capability of applicants

Applicants must have the operational capability to complete the proposed action and should provide the appropriate supporting documentation.

The following criteria will be used to assess the applicant's ability:

- at least three years' proven experience in preparing and carrying out surveys,
- proven experience in evaluating survey results and addressing methodological questions (samples, questionnaires and scheduling),
- ability to apply the methodology of the Joint Harmonised EU Programme of Business and Consumer Surveys and to comply with the international guidelines on the conduct of business and consumer surveys jointly developed by the European Commission and the OECD (see point 2.2.2), as well as with the Commission's instructions: to meet the monthly reporting deadlines, implement improvements and changes to the survey programme as requested by the Commission services, in line with agreements reached at coordination meetings with representatives of collaborating bodies/institutes.

7. AWARD CRITERIA

The following criteria will be used to award the agreement to successful candidates:

- the candidate's degree of expertise and experience in the areas mentioned under point 6.2,
- the candidate's degree of expertise and experience in constructing indicators based on survey results and in using survey results for cyclical and economic analysis and research, including analysis by sector,
- the effectiveness of the proposed survey methodology including sample design, sample size, coverage rate, response rate, etc.,
- the candidate's level of competence and knowledge of the special survey features of the sector and country where they intend to carry out the survey(s),
- the efficiency of the candidate's work organisation, in terms of flexibility, infrastructure, qualified staff and facilities for carrying out the work, reporting the results, participating in preparing the surveys under the joint harmonised programme and liaising with the Commission.

8. PRACTICAL PROCEDURES

8.1. Drawing-up and submission of proposals

Proposals must contain the completed and **signed standard grant application form** and all supporting documents referred to in the form. Applicants can submit proposals for several surveys and several countries. However, a separate proposal should be submitted for each country.

The proposals must be presented in three sections:

- administrative proposal,
- technical proposal,
- financial proposal.

The following standard forms can be obtained from the Commission:

- standard grant application form,
- standard budget statement for providing estimates of the survey costs and financing plan,
- standard financial identification form,
- standard legal entity form,
- standard declaration form on eligibility,
- standard declaration form indicating willingness to sign the framework partnership agreement and the specific grant agreement,
- standard form regarding subcontracting,
- standard form for the description of the survey methodology,

as well as documentation regarding the financial aspects of the grant:

- *aide-memoire* for drawing up financial estimates and financial statements,
- model of the framework partnership agreement,
- model of the specific annual grant agreement.

(a) by downloading them from the following Internet address:

http://ec.europa.eu/economy_finance/tenders/2007/call2007_14en.htm

(b) in case the previous option is not possible, by writing to the Commission at:

European Commission
Directorate-General for Economic and Financial Affairs
Unit ECFIN-A-3 (Business surveys)
Call for proposals — ECFIN/2007/A3-012
BU-1 3/146
B-1049 Brussels
Fax (32-2) 296 36 50
E-mail: ecfin-bcs-mail@ec.europa.eu

Please mention 'Call for proposals — ECFIN/2007/A3-012'

The Commission reserves the right to amend these standard documents in line with the needs of the joint harmonised EU programme and/or budget management constraints.

Proposals must be submitted in one of the official languages of the European Community together with a translation in English, French or German, where appropriate.

One signed original proposal and three copies, preferably not stapled must be supplied by the applicant. This would facilitate the administrative work when preparing all the necessary copies/documents for the selection committee(s).

Proposals must be sent in a sealed cover contained in another sealed envelope.

The outside envelope should bear the address given at point 8.3 below.

The sealed inner envelope containing the proposal must be marked 'Call for Proposals — ECFIN/2007/A3-012, not to be opened by the internal mail department'.

The Commission will notify candidates that their proposal has been received by returning the acknowledgement of receipt slip submitted with the proposal.

8.2. Content of proposals

8.2.1. Administrative proposal

The administrative proposal must include:

- a duly signed *standard grant application form*,
- a duly completed and signed *standard legal entity form* and the requested supporting documentation proving the legal status of the body or institute,
- a duly completed and signed *standard financial identification form*,
- a duly signed *standard declaration form of the applicant's eligibility*,
- a duly signed *standard declaration form indicating willingness to sign the framework partnership agreement and the specific grant agreement*, if selected,
- the *organisation chart* of the body or institute, showing the names and positions of the management and of the operational service responsible for conducting the surveys,
- proof of sound *financial situation*: balance sheets and profit and loss accounts from the previous two financial years, i.e. 2006 and 2005 for which the accounts have been closed, should be attached.

8.2.2. Technical proposal

The technical proposal must include:

- a *description of the activities of the body or institute*, enabling the assessment of its qualifications and the scope and duration of its experience in the requested areas under point 6.2. This should mean any relevant studies, service contracts, consultancy work, surveys, publications or other work previously carried out, indicating the name of the client and stating which, if any, were done for the European Commission. The most relevant studies and/or results should be attached,
- a detailed *description of the operational organisation* for carrying out the surveys. Relevant documentation should be attached regarding the infrastructure, facilities, resources and qualified staff (concise cv's of the staff the most involved in carrying out the survey(s)) at the applicant's disposal,
- duly completed standard form(s) providing a detailed *description of the survey methodology*: sampling method, sampling error, targeted sample size, coverage rate, targeted response rate, etc.,
- a duly completed standard form regarding *subcontractors* involved in the action, including a detailed description of the tasks to be subcontracted.

8.2.3. Financial proposal

The financial proposal must include:

- a duly completed and detailed *standard budget statement* (in euro), covering a period of 12 months, for each survey, containing a financing plan for the action and a detailed breakdown of the total and unit eligible costs for conducting the survey, including subcontracting costs,
- a certificate of non-liability for VAT, if applicable,
- a document certifying the *financial contribution from other organisations* (co-financing), if applicable.

8.3. Address and closing date for submission of proposals

Applicants interested in these grants are invited to submit their applications to the European Commission.

Applications may be submitted:

- (a) either **by registered post or private delivery service** postmarked **no later than 10 October 2007**. The evidence of the date of dispatch shall be constituted by the postmark or the date of the deposit slip of the delivery service at the following address:

By registered post:

European Commission
Directorate-General for Economic and Financial Affairs
For the attention of Mr Johan VERHAEVEN
Call for Proposals ref. ECFIN/2007/A3-012
Unit R2, Office BU1 — 3/13
B-1049 Brussels

By private delivery service:

European Commission
Directorate-General for Economic and Financial Affairs
For the attention of Mr Johan VERHAEVEN
Call for Proposals ref. ECFIN/2007/A3-012
Unit R2, Office BU1 — 3/13
Avenue du Bourget, 1-3
B-1140 Brussels (Evere)

- (b) or **by delivery to the central mail service of the European Commission** (personal delivery or delivery by any authorised representative of the applicant, including private delivery services) at the following address:

European Commission
Directorate-General for Economic and Financial Affairs
For the attention of Mr Johan VERHAEVEN
Call for Proposals ref. ECFIN/2007/A3-012
Unit R2, Office BU1 — 3/13
Avenue du Bourget, 1-3
B-1140 Brussels (Evere)

no later than 10 October 2007 by 16.00 (Brussels time). In this case, proof of submission will be by means of a dated and signed receipt issued by the receiving official in the above mentioned department.

9. WHAT HAPPENS TO THE APPLICATIONS RECEIVED?

All applications will be checked to assess whether they meet the formal criteria of eligibility.

Proposals considered eligible will be evaluated according to the award criteria specified above.

The process of selecting the proposals will take place during the months October-December 2007. A selection committee is to be set up for this purpose under the authority of the Director-General for Economic and Financial Affairs. It will be made up of at least three persons representing at least two different specialised units with no hierarchical link between them and will have its own secretariat responsible for handling communication with the successful candidate following the selection procedure. Unsuccessful candidates will also be notified individually.

10. IMPORTANT

This call for proposals does not constitute any sort of contractual obligation on the part of the Commission towards any body/institute submitting a proposal on the basis of it. All communication regarding this call for proposals must be in writing.

Applicants should take note of the contractual provisions which will be obligatory in the event of award.

For the purposes of safeguarding the financial interest of the Communities, your personal data may be transferred to internal audit services, to the European Court of Auditors, to the Financial Irregularities Panel and/or to the European Anti-Fraud Office (OLAF).

Data of economic operators which are in one of the situations referred to in Articles 93, 94, 96(1)(b) and 96(2)(a) of the Financial Regulation may be included in a central database and communicated to the designated persons of the Commission, other institutions, agencies, authorities and bodies mentioned in Article 95(1) and (2) of the Financial Regulation. This refers as well to the persons with powers of representation, decision making or control over the said economic operators. Any party entered into the database has the right to be informed of the data concerning it, up on request to the accounting officer of the Commission.

PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMPETITION POLICY

COMMISSION

Prior notification of a concentration
(Case COMP/M.4818 — Citigroup/Nikko)
Candidate case for simplified procedure

(Text with EEA relevance)

(2007/C 179/03)

1. On 18 July 2007, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which Citigroup Inc. ('Citigroup', USA), acquires, within the meaning of Article 3(1)(b) of the Council Regulation, control of Nikko Cordial Corporation ('Nikko', Japan) by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- Citigroup: financial services including banking, lending, insurance and investment services, financial planning and brokerage, etc.;
- Nikko: financial services including retail and wholesale securities brokerage, investment banking, asset management and fund administration, etc.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of Regulation (EC) No 139/2004. However, the final decision on this point is reserved. Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under 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. Observations can be sent to the Commission by fax ((32-2) 296 43 01 or 296 72 44) or by post, under reference number COMP/M.4818 — Citigroup/Nikko, to the following address:

European Commission
Directorate-General for Competition
Merger Registry
J-70
B-1049 Bruxelles/Brussel

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

⁽²⁾ OJ C 56, 5.3.2005, p. 32.

Prior notification of a concentration
(Case COMP/M.4821 — CVC/Taminco)
Candidate case for simplified procedure

(Text with EEA relevance)

(2007/C 179/04)

1. On 23 July 2007, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which the undertaking CVC Capital Partners Sarl ('CVC', Luxembourg) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking Taminco N.V. ('Taminco', Belgium) by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— for CVC: private equity fund,

— for Taminco: manufacturer of chemicals, in particular chemicals derived from ammonia.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of Regulation (EC) No 139/2004. However, the final decision on this point is reserved. Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under 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. Observations can be sent to the Commission by fax ((32-2) 296 43 01 or 296 72 44) or by post, under reference number COMP/M.4821 — CVC/Taminco, to the following address:

European Commission
Directorate-General for Competition
Merger Registry
J-70
B-1049 Bruxelles/Brussel

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

⁽²⁾ OJ C 56, 5.3.2005, p. 32.

Prior notification of a concentration
(Case COMP/M.4659 — TF1/Artémis/JV)
Candidate case for simplified procedure

(Text with EEA relevance)

(2007/C 179/05)

1. On 24 July 2007, the Commission received a notification of a proposed concentration pursuant to Article 4 and following a referral pursuant to Article 4(5) of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which the undertakings TF1 SA ('TF1', France), controlled by the Bouygues group ('Bouygues', France), and Artémis SA ('Artémis', France), controlled by the Financière Pinault company ('Financière Pinault', France), acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of a newly created company constituting a joint venture by purchase of shares.

2. The business activities of the undertakings concerned are:

- for TF1: television and media,
- for Bouygues: construction, telecommunications, media,
- for Artémis: luxury goods, distribution, media,
- for Financière Pinault: holding company,
- for the joint venture: publishing of a monthly free coupon magazine and a website.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of Regulation (EC) No 139/2004. However, the final decision on this point is reserved. Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under 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. Observations can be sent to the Commission by fax ((32-2) 296 43 01 or 296 72 44) or by post, under reference number COMP/M.4659 — TF1/Artémis/JV, to the following address:

European Commission
Directorate-General for Competition
Merger Registry
J-70
B-1049 Bruxelles/Brussel

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

⁽²⁾ OJ C 56, 5.3.2005, p. 32.

OTHER ACTS

COMMISSION

Publication of an application pursuant to Article 6(2) of Council Regulation (EC) No 510/2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs

(2007/C 179/06)

This publication confers the right to object to the application pursuant to Article 7 of Council Regulation (EC) No 510/2006 ⁽¹⁾. Statements of objection must reach the Commission within six months from the date of this publication.

SUMMARY

COUNCIL REGULATION (EC) No 510/2006**‘MIÓD WRZOSOWY Z BORÓW DOLNOŚLĄSKICH’****EC No: PL/PGI/005/0449/18.02.2005****PDO () PGI (X)**

This summary sets out the main elements of the product specification for information purposes.

1. Responsible department in the Member State:

Name: Ministerstwo Rolnictwa i Rozwoju Wsi
Address: ul. Wspólna 30, PL-00-930 Warszawa
Tel. (48-22) 623 27 07
Fax (48-22) 623 25 03
E-mail: jakub.jasinski@minrol.gov.pl

2. Group:

Name: Regionalny Związek Pszczelarzy we Wrocławiu
The group includes heath-honey producers in the following organisations:
— Związek Pszczelarzy Ziemi Legnickiej
— Regionalny Związek Pszczelarzy w Jeleniej Górze
— Regionalne Zrzeszenie Pszczelarzy w Oławie
— Stowarzyszenie Pszczelarzy Rzeczypospolitej Polskiej we Wrocławiu
Address: ul. Mazowiecka 17, PL-50-412 Wrocław
Tel. (48-71) 363 28 99
Fax (48-71) 363 28 99
E-mail: hurtownia@oleje.net
Composition: Producer/processor (X) Other ()

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

3. *Type of product:*

Group 1.4 — Honey

4. *Specification:*

(summary of requirements under Article 4(2) of Regulation (EC) No 510/2006)

4.1. Name: 'Miód wrzosowy z Borów Dolnośląskich'

4.2. Description:

Organoleptic characteristics:

The honey before crystallisation is amber to reddish-brown in colour but after crystallisation it ranges from yellowish-orange to brown. It has a thick consistency and produces a gel-like gelatinous fluid. Heather honey crystallizes into medium-sized granules. The taste is a little sweet, sharp and bitter. Strong-smelling, the odour is similar to that of heather.

Physical and chemical characteristics:

- water content not more than 22 %,
- glucose and fructose content not less than 60 g/100 g,
- saccharose content not more than 4 g/100 g,
- insoluble substance content not more than 0,1 g/100 g,
- diastaze number (Schade scale) not less than 8,
- 5-hydroxymethylfurfural (HMF) content not more than 40 mg/kg,
- proline content not less than 30 mg/100 g,
- pH between 4 and 4,5.

An average content of free proline in heather honey is usually much higher — about 64,6 mg/100 g. However, its content ranges much: from 30,9 to 103,3 mg/100 g. The content of free amino acid in the 'Miód wrzosowy z Borów Dolnośląskich' is about 36 mg/100 g. The content of free amino acid with proteins aroused from hydrolysis is about 875 mg for 100 g of honey — it is responsible for thixotropy process.

Microscopic characteristics:

The proportion of heather pollen, as the primary pollen, should be not less than 50 %. The pollen in honey is derived from heathers — family 'Ericaceae'.

4.3. Geographical area: The boundaries of the area in which nutrient heather stands are to be found, from which the *Miód wrzosowy z Borów Dolnośląskich* product will be obtained:

- The southern boundary runs from the town of Zgorzelec along road No 353 to the E40 in the direction of Bolesławiec, then along the road from Bolesławiec to Chojnów (partly the E40 then at Lubkówek it changes into road No 94).
- The eastern boundary runs along road No 335 from the town of Chojnów then along the road through Brunów, Szklary Dolne, Trzmielów to Chocianów; from Chocianów it runs along road No 331 to Parchów, located at the south-eastern boundary of Chocianów forestry management zone; along the northern-eastern and southern boundary of the Przemków forestry management zone to the boundary of the Regional Directorate of National Forests (the southern canal) to road No 328 in the direction of Niegosławice.

- The northern boundary runs from Niegosławice along the road to Szprotawa, through Sucha Dolna and Henryków Wichlice. From Szprotawa it runs along road No 12 in the direction of Żagań and from there along the same road through Żary as far as Żarki Wielkie, located on Poland's western border with the Federal Republic of Germany.
- The western boundary runs along the Polish-German border from Żarki Wielkie in a southerly direction until it reaches the town of Zgorzelec.

- 4.4. Proof of origin: The control of the authenticity of the place of origin and quality of the 'Miód wrzosowy z Borów Dolnośląskich' is multiphased and is carried out at a number of stages, beginning with production and ending with the control of a ready product on the market. The control creates a coherent surveillance system of the appropriate quality of the final product.

Protected Geographical Indication 'Miód wrzosowy z Borów Dolnośląskich' concerns only honey originating in producers included in registers kept by the inspection body. The inspection body keeps the following registers:

- register of operators producing and pouring honey under the Protected Geographical Indication 'Miód wrzosowy z Borów Dolnośląskich',
- register of labels used by operators producing and pouring honey under the Protected Geographical Indication 'Miód wrzosowy z Borów Dolnośląskich'.

The operators listed in the registers are subject to a control of the inspection body aiming at verifying whether the products under the Protected Geographical Indication 'Miód wrzosowy z Borów Dolnośląskich' are manufactured in compliance with the regulation and the specification. Controls take form of inspection of operators producing and pouring honey. It is also verified whether a level of sell corresponds to a level of production.

- 4.5. Method of production: Before transport to the heather food source, the honey from other food sources must be centrifuged out. The colonies may be fed a sugar syrup supplement. Feed the colonies with small doses, not exceeding 0,5 kg per 24 hrs. Feeding should be ended not later than 7 days before taking the colonies to the heather. Feeding the bees during the period of gathering 'Miód wrzosowy z Borów Dolnośląskich' is inadmissible.

Transport is done in respect of hygienic rules and ensuring appropriate hive ventilation. The nectar collection takes place in the area of Bory Dolnośląskie when heather is in flower (late August into September). Centrifuging the honey using honey extractors (centrifugal — tangential or radial) is carried on in mobile workshops at the place of obtention or in fixed premises owned by beekeepers.

The honey is placed in containers in accordance with the Code of Good Beekeeping Practice and in conformity with the provisions in force. The honey is placed in various containers — mainly of a volume not exceeding 1 500 g. Filtering, creaming and pasteurizing, as well as artificial warming of honey is inadmissible. At any stage of production the temperature of honey inside the comb cannot exceed 45 °C.

Only bees of the following breeds or of their crossbreeds may be used for production of 'Miód wrzosowy z Borów Dolnośląskich':

- *Apis mellifera mellifera* (the Western/European honey-bee),
- *Apis mellifera carnica* (the Carniolan honeybee),
- *Apis mellifera caucasica* (the Caucasian honeybee).

- 4.6. Link: First references to beekeeping in records made for Charlemagne at the end of the 8th and beginning of the 9th centuries relates that a tribute in the form of honey and wax was imposed on conquered tribes.

The area of heathland appreciated by beekeepers was affected in 1900 by an enormous fire. This led to the degradation of the tree cover and the development of heathland. The examine of heather honey in 1958 showed that the highest heather pollen content as primary pollen was to be found in the heather honeys of the Bory Dolnośląskie, ranging from 59 % to 98 %.

The main factors influencing the reputation of 'Miód wrzosowy z Borów Dolnośląskich' are the long lasting tradition of picking honey in this area as well as the high quality of the honey itself. This reputation has also been confirmed by numerous prizes awarded to the honey on Honey and Wine Day in Przemków, results of a survey on the honey produced and sold, carried out among exhibitors, consumers and guest, as well as its price — PLN 3 to 8 higher than of others heather honeys.

The reputation of the honey has also been proved by the fact that this product, the only honey from the region, is included in a basket of regional specialties, which the Marshall of Dolnośląskie Voivodship usually presents to his foreign guests or takes abroad as a gift. 'Miód wrzosowy z Borów Dolnośląskich' is the most famous honey of Dolnośląskie Voivodship. It is displayed as a typical product for the region at the numerous fairs and exhibitions, where products from various voivodships are shown.

The fact that the Bory Dolnośląskie area is a heather land has been proved in many local initiatives referring to this plant. The 'Heather Cottage' is presently under construction in the little village of Borówki. And the Local Action Group which consists of representatives of this region is called 'Wrzosowa Kraina' (the 'Heather Land'). In the Bory Dolnośląskie, and in particular in the army range at Świętoszów and Przemków there is thick open heathland, which covers about 10 000 ha. A high average annual temperature and good sunlight are characteristic of the Bory Dolnośląskie area, offering excellent nectarisation, especially in very wet years. The Bory Dolnośląskie region is also characterised by extensive farming, considerable distances from the main urban centres and busy communication routes.

'Miód wrzosowy z Borów Dolnośląskich' is not only renowned, widely known and associated with the area of its origin, but it is also characterised by its unique composition. It has very high proline content (not less than 30 mg/100 g), a low saccharose content (no more than 4 g/100 g) and a low water content (no more than 22 %). This honey also has a stable pH (4 to 4,5), high level of heather pollen, as the primary pollen which should be not less than 50 % and using only chosen breeds of bees.

4.7. Inspection body:

Name: Inspekcja Jakości Handlowej Artykułów Rolno-Spożywczych

Address: ul. Wspólna 30, PL-00-930 Warszawa

Tel. (48-22) 623 29 00

Fax (48-22) 623 29 98, (48-22) 623 29 99

E-mail: sekretariat@ijhars.gov.pl

- 4.8. Labelling: Every manufacturer selling the 'Miód Wrzosowy z Borów Dolnośląskich' is obliged to use one common label on the containers with the honey. The labels are distributed by the Regionalny Związek Pszczelarzy in Wrocław. Rules and adopted procedures on distribution are transmitted to the inspection body. These rules and adopted procedures must not discriminate in any way producers not belonging to the Regionalny Związek Pszczelarzy in Wrocław.
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SUMMARY

COUNCIL REGULATION (EC) No 510/2006

‘ΣΤΑΦΙΔΑ ΖΑΚΥΝΘΟΥ’ (STAFIDA ZAKYNTHOU)

EC No: EL/PDO/005/0493/12.9.2005

PDO (X) PGI ()

This summary sets out the main elements of the product specification for information purposes.

1. *Responsible department in the Member State:*

Name: Ministry of Rural Development and Food — Organic Farming Directorate, Department PDO, PGI, TSG

Address: Acharnon 29, GR-101 76, Athènes

Tel. (30) 210 823 20 25

Fax (30) 210 882 12 41

E-mail: yp3popge@otenet.gr

2. *Group:*

Name: Producer Group i) Fruit and Vegetables, Union of Agricultural Cooperatives (Zante Currants)

Address: Lomvardou 42, GR-291 00, Zakynthos

Tel. (30) 269 502 76 11/504 24 26

Fax (30) 269 502 22 68

E-mail: easzakinthoy@aia.gr

Composition: Producers/processors (X) Other ()

3. *Type of product:*

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

4. *Specification:*

(summary of requirements under Article 4(2) of Regulation (EC) No 510/2006)

4.1. Name: ‘Σταφίδα Ζακύνθου’ (Stafida Zakynthou)

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

4.2. Description:

‘Σταφίδα Ζακύνθου’ (Stafida Zakynthou) comes exclusively from *Vitis corinthica* grapes, which are sun-dried naturally.

The main characteristics of the processed product are:

- the small uniform size, with a diameter of between 4 to 8 mm,
- the uniform dark purple colour,
- the maximum moisture content is 18 % of the product weight,
- the absence of seeds. Seeds may appear in up to 2 % of the currants.

The product is known on the European and international markets under the name ‘Zante currants’ and is marketed in the following types:

- ‘small’, with a currant diameter of from four to seven millimetres,
- ‘medium’, with a currant diameter of from six to eight millimetres,
- ‘blended’, with a currant diameter of from four to eight millimetres.

4.3. Geographical area: The ‘Σταφίδα Ζακύνθου’ (Stafida Zakynthou) product is grown and dried on the island of Zakynthos. The production area covers 16 700 stremmas and accounts for 10 % of the island’s agricultural land.

4.4. Proof of origin: The members of the producer group i) Fruit and Vegetables, Union of Agricultural Cooperatives of Zakynthos (Zante Currants) are obliged to register their currant grape plantations in a list created, kept and updated by the inspection body. The product is transported from the producer to the processor in stacked, numbered plastic boxes specifically intended for foodstuffs. Each numbered box corresponds to a specific producer. To ensure traceability of the product, the processor keeps an annual file in which the numbering of the cartons used for packaging of the final product corresponds to the numbering of the stacked plastic boxes.

4.5. Method of production:

Cultivation

The Zante currant is grown on Zakynthos without irrigation. The layout is linear. The vines are goblet-pruned. One important part of the production method is ‘the cut’, when the bark of the vine-stock is scored. As an alternative to the ‘cut’, the grape clusters are sprayed with a mixture of suitable plant regulatory substances approved by national and Community legislation.

Harvesting and drying

The crop is harvested by hand when the grapes have acquired their characteristic deep purple colour and sweetness and the clusters break off easily. On the same day, the harvested grapes are exposed to the sun to dry in special permanent formations on the ground — drying floors — on paper or on plastic grape racks. No chemicals are used to assist the drying. Once drying is complete, the clusters are rubbed gently on the drying floor with plastic forks to separate and remove the stalks. The product is stored by the producers.

Concentration and storage

The commencement time for concentration of the product is set for the first fortnight of September. The product is taken out of the stores, sieved and delivered to the processor for storage. The product remains in the processor’s storage facilities until processing.

Processing

The processing of the dried product encompasses the following operations:

- removal of very small currants, agglomerations of currants, bits of stalk and plant matter from the vineyard,
- separation of the product into the categories 'small', 'medium' or 'blended',
- washing of the fruits in nothing else but clean water,
- complete removal of moisture from the surface of the currants (drying), by directing an air current along the production line,
- detachment of the likio and final check.

Throughout the process, no substances are added.

Packaging and disinsectisation

The end product is packaged by the processor in sealed packages with a content volume between 0,2 kg and 1 kg for retail sale, and in sealed cartons with a content volume of 10-15 kg for wholesale sale. Before the load is dispatched for release to the market, the product is disinsectised.

- 4.6. Link: The production of the Zante Currant began in Zakynthos at the beginning of the 16th century and quickly spread to the entire island under the Venetians. From the beginning, the exceptional quality of the product led to increased European demand.

Then as now, the high demand made cultivation of the grape the main sector of the island's agricultural production, playing a prominent role in its economy.

The exceptional quality of the product is a result of the special soil and climate conditions of the region and of the methods applied in cultivation, drying and processing.

The alkaline and calcareous soils of Zakynthos, the lack of spring frost, the high amounts of sunshine and the high air temperature over the May-July period, and the minimal rainfall in July and August contribute to the high sugar content of the product and thus to its strong and characteristic sweet flavour. They also contribute to the maintenance of the uniformly small fruit size and increase the anthocyanic pigment content, which gives the final product its uniform blackish purple colour.

The high average air temperature combined with the predominance of northern winds during the drying period allow the grapes to dry to a desirable degree and within a desirable time from exposure to the sun alone and without the assistance of substances.

In addition, consumer safety and the exceptional quality of the product are ensured by the method of cultivation (adapted for full exploitation of the soil and climate conditions of the region), the careful and delicate methods of handling the product during harvesting and drying, the processing and the meticulous checks throughout.

- 4.7. Inspection body:

Name: Organisation for the Accreditation of Agricultural Products (OPEGEP) — AGROCERT

Address: Androu 1 & Patisision, GR-112 57, Athènes

Tel. (30) 210 823 12 77

Fax (30) 210 823 14 38

E-mail: agrocert@otenet.gr

Name: Zakynthos Prefectural Authority, Directorate for Rural Development

Address: Diikiritio, GR-291 00, Zakynthos

Tel. (30) 269 504 93 41

Fax (30) 269 504 83 12

E-mail: u14804@minagric.gr

- 4.8. Labelling: The packaging must bear the indication 'ΣΤΑΦΙΔΑ ΖΑΚΥΝΘΟΥ (ΠΟΠ)'. This indication must be written on a representation of the island of Zakynthos to the scale 1:300 000 in letters which are at least twice as thick as the letters used in any other indication.

In addition, the packaging must bear the indications required under national and Community legislation.

On the cartons for wholesale sale, the product type must be indicated with the words 'small' or 'medium' or 'blended' or a translation thereof.
