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<sup>(1)</sup> Text with EEA relevance

## IV

*(Notices)*

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

## COUNCIL

**Adoption of a Council Decision establishing the organisation and functioning of the European External Action Service**

(2010/C 210/01)

**Draft Declaration by the High Representative <sup>(1)</sup> on political accountability**

In her relationship with the European Parliament, the High Representative (HR) will build on the consultation, information and reporting engagements undertaken during the last legislature by the former Commissioner for external relations, the former High Representative for the Common Foreign and Security Policy, as well as by the rotating Council Presidency. Where necessary, these engagements will be adjusted in light of Parliament's role of political control and the redefinition of the role of the High Representative as set out by the Treaties and in accordance with Article 36 TEU.

In this regard:

1. On CFSP, the HR will seek the views of the European Parliament on the main aspects and basic choices of this policy in conformity with Article 36 TEU. Any exchanges of views prior to the adoption of mandates and strategies in the area of CFSP will take place in the appropriate format, corresponding to the sensitivity and confidentiality of the topics discussed. In this context, also the practice of Joint Consultation Meetings with the Bureaux of AFET and COBU will be enhanced. Briefings given at these meetings will relate in particular to CFSP missions financed out of the EU budget, both to those being implemented and those under preparation. If necessary, additional Joint Consultation Meetings may be arranged, on top of regular meetings. The EEAS presence (at all the meetings) will include in addition to the permanent Chair of the Political and Security Committee, senior officials responsible for the policy.
2. The results of the ongoing negotiations on the Framework Agreement between the European Parliament and the Commission on negotiations of international agreements will be applied *mutatis mutandis* by the HR for agreements falling under her area of responsibility, where the consent of the Parliament is required. The European Parliament will be, in accordance with Article 218(10) TFEU, immediately and fully informed at all stages of the procedure, including for agreements concluded in the area of CFSP.
3. The HR will continue the practice of holding in-depth dialogue on and of communicating all documents for the strategic planning phases of the financial instruments (except European Development Fund). The same will apply to all consultative documents submitted to Member States during the preparatory phase. This practice is without prejudice to the outcome of negotiations on the scope and application of Article 290 of the TFEU on delegated acts.

<sup>(1)</sup> The term High Representative in this declaration covers all functions of the High Representative of the Union for Foreign Affairs and Security Policy, who is also a Vice-President of the European Commission, and the President of the Foreign Affairs Council without prejudice to the specific responsibilities under the specific functions she exercises.

4. The present system of providing confidential information on CSDP missions and operations (through the IIA 2002 ESDP EP Special Committee) will be continued. The HR can also provide access to other documents in the CFSP area on a need to know basis to other MEPs, who, for classified documents, are duly security cleared in accordance with applicable rules, where such access is required for the exercise of their institutional function on the request of the AFET Chair, and, if needed, the EP President. The HR will, in this context, review and where necessary propose to adjust the existing provisions on access for Members of European Parliament to classified documents and information in the field of security and defence policy (2002 IIA ESDP). Pending this adjustment, the HR will decide on transitional measures that she deems necessary to grant duly designated and notified MEPs exercising an institutional function easier access to the above information.
  5. The HR will respond positively to requests from the European Parliament for newly appointed Heads of Delegations to countries and organisations which the Parliament considers as strategically important to appear before AFET for an exchange of views (differing from hearings) before taking up their posts. The same will apply to EUSRs. These exchanges of views will take place in a format agreed with the HR, corresponding to the sensitivity and confidentiality of the topics discussed.
  6. In cases where the High Representative cannot participate in a debate in the plenary of the European Parliament, she will decide on her replacement by a Member of an EU institution, that is either by a Commissioner for issues falling exclusively or prevalingly into Commission competence or a Member of the Foreign Affairs Council for issues falling exclusively or principally into the area of CFSP. In the latter case, that replacement will either come from the rotating Presidency or from the trio Presidencies, in conformity with Article 26 of the Council's Rules of Procedure. The European Parliament will be informed of the High Representative's decision on replacement.
  7. The HR will facilitate the appearance of Heads of Delegations, EUSRs, Heads of CSDP missions and senior EEAS officials in relevant parliamentary committees and subcommittees in order to provide regular briefings.
  8. For military CSDP operations, financed by the Member States, information will continue to be provided through the IIA 2002 ESDP EP Special Committee subject to any revision of the IIA, in accordance with point 4 above.
  9. The European Parliament will be consulted on the identification and planning of Election Observation Missions and their follow-up — in keeping with Parliament's budgetary scrutiny rights over the relevant funding instrument, i.e. the EIDHR. The appointment of EU Chief Observers will be done in consultation with the Election Coordination Group, in due time before the start of the Election Observation Mission.
  10. The HR will play an active role in the upcoming deliberations on the updating of existing arrangements regarding the financing of CFSP contained in the 2006 IIA on budgetary discipline and sound financial management, based on the engagement with regard to the issues set out in point 1. The new budgetary procedure introduced by the Lisbon Treaty will apply fully to the CFSP budget. The High Representative will also work for greater transparency on the CFSP budget, including, inter alia, the possibility to identify major CSDP-missions in the budget (like the present missions in Afghanistan, Kosovo and Georgia), while preserving flexibility in the budget and the need to ensure continuity of action for missions already engaged.
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## EUROPEAN COMMISSION

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

2 August 2010

(2010/C 210/02)

## 1 euro =

Currency	Exchange rate	Currency	Exchange rate		
USD	US dollar	1,3073	AUD	Australian dollar	1,4348
JPY	Japanese yen	113,27	CAD	Canadian dollar	1,3372
DKK	Danish krone	7,4507	HKD	Hong Kong dollar	10,1499
GBP	Pound sterling	0,82600	NZD	New Zealand dollar	1,7840
SEK	Swedish krona	9,3570	SGD	Singapore dollar	1,7704
CHF	Swiss franc	1,3660	KRW	South Korean won	1 532,80
ISK	Iceland króna		ZAR	South African rand	9,5021
NOK	Norwegian krone	7,8595	CNY	Chinese yuan renminbi	8,8559
BGN	Bulgarian lev	1,9558	HRK	Croatian kuna	7,2367
CZK	Czech koruna	24,680	IDR	Indonesian rupiah	11 687,40
EEK	Estonian kroon	15,6466	MYR	Malaysian ringgit	4,1330
HUF	Hungarian forint	281,65	PHP	Philippine peso	59,214
LTL	Lithuanian litas	3,4528	RUB	Russian rouble	39,4305
LVL	Latvian lats	0,7085	THB	Thai baht	42,115
PLN	Polish zloty	3,9890	BRL	Brazilian real	2,2843
RON	Romanian leu	4,2448	MXN	Mexican peso	16,4432
TRY	Turkish lira	1,9600	INR	Indian rupee	60,4560

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

**COMMISSION DECISION**  
**of 30 July 2010**  
**establishing the High Level Forum for a Better Functioning Food Supply Chain**  
(2010/C 210/03)

THE EUROPEAN COMMISSION,

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

Whereas:

- (1) Article 173(1) of the Treaty assigned the EU and the Member States the task of ensuring that the conditions necessary for the competitiveness of EU industry exist, in particular by encouraging an environment favourable to cooperation between undertakings. Article 173(2) in particular calls upon the Member States to consult each other in liaison with the Commission and, where necessary, to coordinate their actions. The Commission may take any useful initiative to promote such coordination.
- (2) The High Level Group on the Competitiveness of the Agro-Food Industry created by Commission Decision 2008/359/EC<sup>(1)</sup> of 28 April 2008 drafted a report containing 30 recommendations and a roadmap of key initiatives with the aim of promoting the competitiveness of the European food industry.
- (3) In its Communication entitled 'A better functioning food supply chain in Europe'<sup>(2)</sup>, the Commission presented ten policy initiatives aimed at correcting the problems identified during the single market review in the food sector and undertook to submit a report on their implementation, based on a discussion with stakeholders.
- (4) It is now necessary to ensure follow-up to the recommendations of the High Level Group on the Competitiveness of the Agro-Food Industry and to the Commission initiatives. A new expert group with extended competences must therefore be established in the form of a High Level Forum for a Better Functioning Food Supply Chain, which should be representative of all food chain operators. This Forum will make it possible to ensure consistency between the various Commission initiatives.
- (5) The Forum must be composed of high-level personalities representing the Member States, the agricultural sector,

the agro-food processing and food distribution industry, as well as non-governmental organisations with expertise in the food supply chain.

- (6) Rules on disclosure of information by members of the Forum should be laid down, without prejudice to the Commission provisions on security as set out in the Annex to Commission Decision 2001/844/EC, ECSC, Euratom<sup>(3)</sup>.
- (7) Personal data relating to members of the Forum should be processed in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data<sup>(4)</sup>.
- (8) Decision 2008/359/EC should be repealed.
- (9) It is appropriate to fix a period for the application of this Decision,

HAS DECIDED AS FOLLOWS:

*Article 1*

**The Forum**

A High Level Forum for a Better Functioning Food Supply Chain, hereinafter 'the Forum', shall be established.

*Article 2*

**Tasks**

The Forum shall assist the Commission with the development of industrial policy in the agro-food sector. For this purpose, it shall follow the recommendations of the High Level Group on the Competitiveness of the Agro-Food Industry established by Commission Decision 2008/359/EC on the one hand and, on the other hand, the implementation of the initiatives proposed by the Commission in its Communication 'A better functioning food supply chain in Europe'.

*Article 3*

**Consultation**

The Commission may consult the Forum regarding any issue linked to the competitiveness and functioning of the food supply chain in the internal market, in order to draw up new recommendations in accordance with developments in the food supply chain.

<sup>(1)</sup> OJ L 120, 7.5.2008, p. 15.

<sup>(2)</sup> COM(2009) 591 of 28.10.2009.

<sup>(3)</sup> OJ L 317, 3.12.2001, p. 1.

<sup>(4)</sup> OJ L 8, 12.1.2001, p. 1.

*Article 4***Composition — Appointment**

1. The Forum shall be composed of not more than 45 members.
2. The Forum shall comprise:
  - Member State national authorities responsible for the food sector at ministerial level,
  - businesses actively involved in the agro-food industry, and in the trade and distribution of agro-food products in the EU,
  - associations and federations representing agriculture, the agro-food industry and the trade and distribution of agro-food products in the EU,
  - non-governmental organisations with expertise in matters relating to the food supply chain.
3. Each member of the Forum shall nominate a permanent representative for the preparatory group referred to in Article 5(2).
4. Members shall be appointed for a one-year renewable term of office and shall remain in office until such time as they are replaced in accordance with paragraph 5 of this Article or until their term of office ends.
5. Members may be replaced for the remainder of their term of office in any of the following cases:
  - (a) where they resign;
  - (b) where they are no longer in a position to contribute effectively to the work of the Forum;
  - (c) where they do not comply with Article 339 of the Treaty.
6. The names of the members shall be published on the website of the Directorate-General for Enterprise and Industry and in the Commission's Register of Expert Groups.

Members' names shall be collected, managed and published in accordance with Regulation (EC) No 45/2001.

*Article 5***Functioning**

1. The Forum shall be chaired by the Commission. It shall produce an annual report on its activities, for the attention of the Commission, the Council and the European Parliament.
2. A preparatory group, hereinafter the 'sherpa group', shall prepare the debates, position papers and opinions with a view

to producing the Forum's annual report. It shall be chaired by the Commission.

3. The Commission may convene working groups responsible for examining specific issues under a mandate established in agreement with the Forum or with the sherpa group. Such working groups shall be dissolved as soon as their mandates are fulfilled.

4. The Commission may ask experts or observers with specific competence in a subject on the agenda to participate in the work of the Forum, or in the deliberations or work of the sherpa group or working groups.

At the request of the European Parliament, the Commission may ask the European Parliament to appoint one or more representatives to participate in the meetings of the Forum.

5. The Forum, the sherpa group and the working groups shall generally meet on Commission premises, in accordance with the procedures and schedule laid down by the Commission, which shall provide secretarial services. Commission officials with an interest in the proceedings may attend meetings of the Forum, the sherpa group and the working groups.

6. The members of the Forum, their representatives and the experts and observers invited shall comply with the professional secrecy obligations set out in the Treaties and in their implementing rules, and with the security rules of the Commission relating to the protection of EU classified information, as laid down in Commission Decision 2001/844/EC, ECSC, Euratom.

7. The Commission may publish, or place on the Internet, in the original language of the document concerned, any summary, conclusion, part of a conclusion or working document of the Forum, as well as any minutes and reports.

Where necessary, the Commission may translate all or part of these documents into all official EU languages.

*Article 6***Repeal**

Decision 2008/359/EC is repealed.

*Article 7***Applicability**

This Decision is applicable until 31 December 2012.

Done at Brussels, 30 July 2010.

*For the Commission*

Antonio TAJANI

*Vice-President*

## V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION  
POLICY

EUROPEAN COMMISSION

**Prior notification of a concentration**

**(Case COMP/M.5941 — BDMI/DuMont Venture/Learnship)**

**Candidate case for simplified procedure**

**(Text with EEA relevance)**

(2010/C 210/04)

1. On 23 July 2010, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004<sup>(1)</sup> by which the undertakings Bertelsmann AG ('Bertelsmann', Germany) through its subsidiary Bertelsmann Digital Media Investments, S.A. ('BDMI', Germany) and Mediengruppe M. DuMont Schauberg GmbH & Co. KG ('DuMont', Germany) through its subsidiary DuMont Venture Holding GmbH & Co. KG ('DuMont Venture', Germany) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the undertaking Learnship Networks GmbH ('Learnship', Germany) by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- for Bertelsmann: international media company with activities in the field of television and radio, book publishing, magazines, book clubs and other media and communication services,
- for BDMI: venture capital investor with a worldwide investment focus on innovative digital media technology companies, products and trading companies,
- for DuMont: production and distribution of daily newspapers and advertising papers,
- for DuMont Venture: corporate venture capital investor in the field of digital media and IT,
- for Learnship: online language courses.

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 Merger Regulation<sup>(2)</sup> 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.

<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1 (the 'EC Merger Regulation').

<sup>(2)</sup> OJ C 56, 5.3.2005, p. 32 ('Notice on a simplified procedure').



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 22964301), by e-mail to COMP-MERGER-REGISTRY@ec.europa.eu or by post, under reference number COMP/M.5941 — BDMI/DuMont Venture/Learnship, to the following address:

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

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