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### Information and Notices

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Price:  
EUR 3<sup>(1)</sup> Text with EEA relevance

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## I

(Resolutions, recommendations and opinions)

## OPINIONS

## EUROPEAN CENTRAL BANK

## OPINION OF THE EUROPEAN CENTRAL BANK

of 9 August 2010

on a proposal for a Commission regulation laying down detailed rules for the implementation of Council Regulation (EC) No 2494/95 as regards minimum standards for the quality of HICP weightings and repealing Commission Regulation (EC) No 2454/97

(CON/2010/67)

(2010/C 252/01)

**Introduction and legal basis**

On 13 July 2010, the European Central Bank (ECB) received a request from the European Commission for an opinion on a proposal for a Commission regulation laying down detailed rules for the implementation of Council Regulation (EC) No 2494/95 as regards minimum standards for the quality of HICP weightings and repealing Commission Regulation (EC) No 2454/97 (hereinafter the 'draft regulation').

The ECB's competence to deliver an opinion is based on Article 127(4) of the Treaty on the Functioning of the European Union and on Article 5(3) of Council Regulation (EC) No 2494/95 of 23 October 1995 concerning harmonized indices of consumer prices <sup>(1)</sup> (hereinafter the 'HICP Regulation'). In accordance with the first sentence of Article 17.5 of the Rules of Procedure of the European Central Bank, the Governing Council has adopted this opinion.

**1. General observations**

1.1. According to the draft regulation, the harmonized indices of consumer prices (HICP) will be based on product weightings that aim to reflect the previous year's, i.e. t-1, expenditure pattern in a respective Member State. The ECB welcomes the draft regulation's objective of tightening the minimum quality standards with which the product weightings underlying the HICP have to comply. The implementation of the draft regulation will make the HICP in the Member States a true annually chained Laspeyres-type price index recognising that consumers may change their expenditure behaviour over a shorter timespan.

1.2. The ECB notes that the updated minimum standards for the quality of HICP specified in the draft regulation will result in a more relevant and accurate measurement of inflation and are expected to enhance both the comparability across Member States and the reliability of the HICP data.

<sup>(1)</sup> OJ L 257, 27.10.1995, p. 1.

## 2. **Drafting proposals**

Where the ECB recommends that the draft regulation is amended, specific drafting proposals are set out in the Annex accompanied by explanatory text to this effect.

Done at Frankfurt am Main, 9 August 2010.

*The Vice-President of the ECB*  
Vitor CONSTÂNCIO

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## ANNEX

## Drafting proposals

Text proposed by the Commission	Amendments proposed by the ECB <sup>(1)</sup>
<b>Amendment 1</b> (proposed new citation)	
<p>'Having regard to the Treaty on the Functioning of the European Union,</p> <p>Having regard to Council Regulation (EC) No 2494/95 of 23 October 1995 concerning harmonized indices of consumer prices, and in particular Article 3 thereof,'</p>	<p>'Having regard to the Treaty on the Functioning of the European Union,</p> <p>Having regard to Council Regulation (EC) No 2494/95 of 23 October 1995 concerning harmonized indices of consumer prices, and in particular <del>Article 3</del> <b>Article 5(3)</b> thereof,</p> <p><b>Having regard to the opinion of the European Central Bank;</b></p>
<p><i>Explanation:</i></p> <p>The second citation of the draft regulation refers to the legal basis for the draft legislation. In doing so, it refers to Article 5(3) of the HICP Regulation, according to which the Commission shall (i) adopt implementing measures necessary in order to ensure the comparability of HICPs and to maintain and improve their reliability and relevance, and (ii) request the ECB to provide an opinion on such measures which it proposes to submit to the Committee. It is, therefore, Article 5(3) of the HICP Regulation, and not Article 3 of the HICP Regulation concerning its scope of application, which should be referred to in the second citation of the draft regulation.</p> <p>Since the ECB is required to be consulted on the draft regulation under Article 127(4) of the Treaty, a citation to this effect should be inserted in the draft regulation in line with the second paragraph of Article 296 of the Treaty, according to which legal acts shall state the reasons on which they are based and shall refer to, inter alia, opinions required by the Treaties.</p>	
<b>Amendment 2</b> (proposed amendment of recital 1)	
<p>'(1) Harmonized Indices of Consumer Prices (HICP) are harmonized inflation measures required by the Commission and the European Central Bank for the performance of their functions under Article 140 of the Treaty on the Functioning of the European Union. HICPs are designed to facilitate international comparisons of consumer price inflation. They serve as important indicators for the management of monetary policy.'</p>	<p>'(1) Harmonized Indices of Consumer Prices (HICP) are harmonized inflation measures required by the Commission and the European Central Bank for the performance of their functions under Article 140 of the Treaty on the Functioning of the European Union. HICPs are designed to facilitate international comparisons of consumer price inflation. They serve as important indicators <b>used by the European System of Central Banks</b> for the <del>management</del> <b>conduct</b> of monetary policy <b>pursuant to Article 127(2) of the Treaty on the Functioning of the European Union.</b>'</p>
<p><i>Explanation:</i></p> <p>The European System of Central Banks uses the HICP not only for the purpose referred to in Article 140 of the Treaty, but also for its conduct of monetary policy under Article 127(2) of the Treaty.</p>	
<b>Amendment 3</b> (proposed amendment of recital 4)	
<p>'(4) Article 9 of Regulation (EC) No 2494/95 requires HICPs to be price indices of the Laspeyres-type. When relative prices of different goods and services change, consumers expenditure patterns can change to an extent that makes it necessary for the weights of the corresponding expenditure groups, and in particular their underlying quantities, to be updated in order to ensure their relevance.'</p>	<p>'(4) Article 9 of Regulation (EC) No 2494/95 requires HICPs to be price indices of the Laspeyres-type. When <del>relative prices of different goods and services</del> <b>economic conditions</b> change, consumers expenditure patterns can change to an extent that makes it necessary for the weights of the corresponding expenditure groups, <del>and in particular their underlying quantities,</del> to be updated in order to ensure their relevance.'</p>
<p><i>Explanation:</i></p> <p>Changes to the weights of expenditure groups may not only be triggered by changes in relative prices of different goods and services but may be triggered by any changes in economic conditions.</p>	

Text proposed by the Commission	Amendments proposed by the ECB <sup>(1)</sup>
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**Amendment 4**

(proposed amendment of recital 8)

<p>'(8) This Regulation should not require Member States to carry out new statistical surveys or to carry out family budget surveys more frequently than once every five years, taking into consideration that Member States are required to compile national accounts in accordance with the European System of Accounts (ESA 1995)<sup>7</sup> and that the country weights, which are necessary for producing euro area, EU and other HICP aggregates, are based on national accounts data.'</p>	<p>'(8) This Regulation should not require Member States to carry out new statistical surveys or to carry out family budget surveys more frequently than once every five years, taking into consideration that Member States <b>might be able to update the results from family budget surveys on the basis of other existing information or to have recourse to</b> <del>are required to compile</del> national accounts <b>data compiled</b> in accordance with the European System of Accounts (ESA 1995)<sup>7</sup> and that the country weights, which are necessary for producing euro area, EU and other HICP aggregates, are based on national accounts data.'</p>
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*Explanation:*

*With a view to avoiding the conduct of additional statistical surveys it should be clarified that Member States may also update the results from family budget surveys on the basis of other existing information.*

**Amendment 5**

(deletion of recital 10)

<p>'(10) The European Central Bank has been consulted in accordance with Article 5(3) of Regulation (EC) No 2494/95.'</p>	<p><del>'(10) The European Central Bank has been consulted in accordance with Article 5(3) of Regulation (EC) No 2494/95.'</del></p>
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*Explanation:*

*Since the ECB is required to be consulted on the draft regulation under the Treaty, a citation to this effect should be inserted in the draft regulation in line with Article 296 of the Treaty and recital 10 should be deleted.*

**Amendment 6**

(proposed amendment of Article 3(2))

<p>'2. Each year, Member States shall therefore review and update HICP sub-index weights taking into account preliminary national accounts data on consumption patterns of year <b>t-2</b>, except in exceptional and in duly motivated circumstances, as well as any available and relevant information from household budget surveys and other data sources which are sufficiently reliable for the purposes of the HICP.'</p>	<p>'2. Each year, Member States shall therefore review and update HICP sub-index weights taking into account preliminary national accounts data on consumption patterns of year <b>t-2</b>, except in <b>cases where exceptional and in duly motivated circumstances</b>, as well as any <del>available and</del> relevant information from household budget surveys and other data sources <b>is available for year t-2 and deemed to be more appropriate</b> <del>which are sufficiently reliable</del> for the purposes of the HICP.'</p>
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*Explanation:*

*The wording of Article 3(2) should be amended. As data sources other than preliminary national accounts data on consumption patterns of year t-2 may prove to be more reliable, it should be clarified that such other information may be used where it is deemed more appropriate for the purposes of the HICP.*

<sup>(1)</sup> Bold in the body of the text indicates where the ECB proposes inserting new text. Strikethrough in the body of the text indicates where the ECB proposes deleting text.

## II

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

## EUROPEAN COMMISSION

**Authorisation for State aid pursuant to Articles 107 and 108 of the TFEU****Cases where the Commission raises no objections****(Text with EEA relevance)**

(2010/C 252/02)

Date of adoption of the decision	20.5.2010
Reference number of State Aid	N 256/09
Member State	Belgium
Region	—
Title (and/or name of the beneficiary)	Ethias SA
Legal basis	—
Type of measure	Individual aid
Objective	Aid to remedy serious disturbances in the economy
Form of aid	Other forms of equity intervention
Budget	Overall budget: EUR 1 500 million
Intensity	100 %
Duration (period)	20.4.2009-31.12.2013
Economic sectors	Financial intermediation
Name and address of the granting authority	Belgian Federal State, Flemish region and Walloon region
Other information	—

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at:

[http://ec.europa.eu/community\\_law/state\\_aids/state\\_aids\\_texts\\_en.htm](http://ec.europa.eu/community_law/state_aids/state_aids_texts_en.htm)

## IV

(Notices)

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

## EUROPEAN COMMISSION

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

17 September 2010

(2010/C 252/03)

1 euro =

Currency	Exchange rate	Currency	Exchange rate		
USD	US dollar	1,3060	AUD	Australian dollar	1,3886
JPY	Japanese yen	111,98	CAD	Canadian dollar	1,3410
DKK	Danish krone	7,4468	HKD	Hong Kong dollar	10,1425
GBP	Pound sterling	0,83575	NZD	New Zealand dollar	1,7940
SEK	Swedish krona	9,2295	SGD	Singapore dollar	1,7442
CHF	Swiss franc	1,3210	KRW	South Korean won	1 515,90
ISK	Iceland króna		ZAR	South African rand	9,3307
NOK	Norwegian krone	7,9650	CNY	Chinese yuan renminbi	8,7809
BGN	Bulgarian lev	1,9558	HRK	Croatian kuna	7,2845
CZK	Czech koruna	24,680	IDR	Indonesian rupiah	11 713,52
EEK	Estonian kroon	15,6466	MYR	Malaysian ringgit	4,0512
HUF	Hungarian forint	282,82	PHP	Philippine peso	57,700
LTL	Lithuanian litas	3,4528	RUB	Russian rouble	40,4850
LVL	Latvian lats	0,7087	THB	Thai baht	40,153
PLN	Polish zloty	3,9622	BRL	Brazilian real	2,2419
RON	Romanian leu	4,2580	MXN	Mexican peso	16,7075
TRY	Turkish lira	1,9606	INR	Indian rupee	59,8530

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



## WITHDRAWAL OF OBSOLETE COMMISSION PROPOSALS

(2010/C 252/04)

### List of proposals withdrawn

Document	Inter-institutional procedure	Title	OJ publication <sup>(1)</sup>
<b>Agriculture</b>			
COM(1980) 298	—	Proposal for a Council Regulation (EEC) fixing the basic price, the intervention price and the reference price for sheepmeat for the 1980/81 marketing year	OJ C/1980/148/3
<b>International development cooperation</b>			
COM(2007) 239	—	Proposal for a Council Decision fixing the financial contributions to be paid by the Member States contributing to the European Development Fund (supplementary instalment for 2007)	—
<b>Budget</b>			
COM(1979) 345	—	Proposal for a Council Decision allocating to the European Coal and Steel Community (ECSC) a special financial contribution from the general budget of the European Communities	OJ C/1979/170/3
<b>Climate Action</b>			
COM(1998) 96	—	Proposal for a Council Decision concerning the signature by the European Community of a Protocol to the United Nations Framework Convention on Climate Change	—
COM(2006) 602	—	Proposal for a Council Decision establishing the position to be adopted on behalf of the European Community with regard to a proposal for amendment of the Kyoto Protocol to the United Nations Framework Convention on Climate Change	—
<b>Economic and Monetary Affairs</b>			
COM(1980) 863/2	—	Proposal for a Council Regulation (EEC) regarding interest subsidies on certain loans granted in the context of special Community aid towards reconstruction of the areas devastated by the earthquake in Italy in November 1980	OJ C/1980/353/34
SEC(2002) 1110	—	Recommendation for a Council recommendation to Portugal with a view to bringing an end to the situation of an excessive government deficit — Application of Article 104(7) of the Treaty	—
SEC(2002) 1118	—	Recommendation for a Council Decision on the existence of a deficit in Portugal — Application of Article 104(6) of the Treaty establishing the European Community	—
SEC(2002) 1246/1	—	Recommendation for a Council Decision with a view to giving early warning to France in order to prevent the occurrence of an excessive deficit	—
SEC(2002) 1246/2	—	Proposal for a Council Decision on making public the recommendation with a view to giving early warning to France in order to prevent the occurrence of an excessive deficit	—
SEC(2005) 994	—	Recommendation for a Council recommendation to Portugal with a view to bringing an end to the situation of an excessive government deficit	—

Document	Inter-institutional procedure	Title	OJ publication (1)
<b>Enlargement</b>			
COM(2002) 615	2002/0262/ACC	Proposal for a Council Decision on the Community position in relation to the establishment of a Joint Consultative Committee to be decided on by the Association Council established by the Europe Agreement between the European Communities and Lithuania	OJ C E/2003/45/270
<b>Employment and Social Affairs</b>			
COM(1986) 14	—	Proposal for a Council Regulation (EEC) amending Regulation (EEC) No 1365/75 on the creation of a European Foundation for the Improvement of Living and Working Conditions	—
COM(2001) 344	2001/0137/COD	Proposal for a European Parliament and Council Regulation amending, for the benefit of European parliamentary assistants, Council Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, self-employed persons and to members of their families moving within the Community, and Council Regulation (EEC) No 574/72 laying down the procedure for implementing Regulation (EEC) No 1408/71	OJ C E/2001/270/141
<b>Energy</b>			
SEC(1993) 1465	—	Draft Council decision adopting directives for the negotiation by the Commission for an international convention on nuclear safety	—
COM(2003) 32/1	2003/0021/CNS	Proposal for a Council (Euratom) Directive setting out basic obligations and general principles on the safety of nuclear installations	OJ C/2003/311/37
COM(2004) 716	2004/0249/CNS	Proposal for a Council Directive on the supervision and control of shipments of radioactive waste and spent fuel	OJ C/2005/52/48
COM(2006) 179	—	Draft interinstitutional agreement on interinstitutional cooperation in the framework of international Conventions to which the European Atomic Energy Community and its Member States are parties	—
COM(2007) 748	—	Proposal for a Council Decision on establishing the European Community position within the Ministerial Council of the Energy Community (Belgrade, 18 December 2007)	OJ C/2008/55/7
<b>Environment</b>			
COM(1979) 179	—	Recommendation for a Council Decision authorising the Commission to take part in the negotiations for a convention on the conservation of migratory species of wild animals	—
COM(1985) 281	—	Recommendation for a Council Decision authorising the Commission to negotiate on behalf of the Community the adoption of programmes and measures under the convention for the prevention of marine pollution from land-based sources	—
COM(1986) 362/3	1986/1019/CNS	Recommendation for a Council Decision authorising the Commission to negotiate on behalf of the Community within the framework of the OECD and UNEP the notification and consultation procedures concerning trade in dangerous chemicals	OJ C/1986/177/9
COM(1995) 325/2	1995/0184/CNS	Draft Council resolution on the development and implementation of the European Environment Agency	—

Document	Inter-institutional procedure	Title	OJ publication (1)
COM(1998) 344	—	Proposal for a Council Decision on the signature by the European Community of the UN/ECE Convention on access to information, public participation and access to justice in environmental matters	—

#### Digital Agenda

COM(2007) 367	2007/0126/COD	Proposal for a Directive of the European Parliament and of the Council repealing Council Directive 87/372/EEC on the frequency bands to be reserved for the coordinated introduction of public pan-European cellular digital land-based mobile communications in the Community	OJ C/2007/191/14
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#### Justice, Freedom and Security

COM(2006) 255	—	Proposal for a Council Decision on the conclusion of the agreement between the European Community and the Government of the Republic of Bulgaria on the participation of Bulgaria in the work of the European Monitoring Centre for Drugs and Drug Addiction	—
COM(2006) 256	—	Proposal for a Council Decision on the conclusion of the agreement between the European Community and Romania on the participation of Romania in the work of the European Monitoring Centre for Drugs and Drug Addiction	—
COM(2006) 752/3	—	Proposals for Council Decisions on the conclusion on behalf of the European Union of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis	OJ C/2007/181/3
COM(2005) 276/1	2005/0127/COD	Proposal for a European Parliament and Council Directive on criminal measures aimed at ensuring the enforcement of intellectual property rights	OJ C/2006/49/37
COM(2007) 306	2007/0104/CNS	Proposal for a Council Decision on the installation, operation and management of a Communication Infrastructure for the Schengen Information System (SIS) environment	OJ C/2007/246/5
COM(2007) 311	2007/0108/CNS	Proposal for a Council Regulation on the installation, operation and management of a Communication Infrastructure for the Schengen Information System (SIS) environment	OJ C/2007/191/7

#### Fisheries and Maritime Policy

COM(1980) 722	1980/1031/CNS	Proposal for a Council Regulation (EEC) concerning, for certain fish stocks occurring in the Community fishing zone, the fixing of the total allowable catches for 1981 and the conditions for taking these catches together with shares available to the Community	—
COM(2007) 595	2007/0222/APP	Proposal for a Council Regulation authorising the Commission to approve modifications to protocols of fisheries partnership agreements concluded between the European Community and third countries	OJ C/2008/4/10
COM(2007) 782	—	Proposal for a Council Decision on the termination of the Protocol setting out the fishing opportunities and financial contribution under the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania	OJ C/2008/106/7

Document	Inter-institutional procedure	Title	OJ publication (1)
COM(2008) 324	2008/0112/CNS	Proposal for a Council Regulation concerning the conservation of fisheries resources through technical measures	OJ C/2009/10/12
<b>Transport</b>			
COM(1975) 490	1975/1012/CNS	Proposal for a Council Regulation (EEC) concerning a system for monitoring the markets for the carriage of goods by rail, road and inland waterways between the Member States	OJ C/1976/1/37
COM(2005) 158/2	2005/0060/CNS	Proposal for a Council Decision on the conclusion of the Agreement between the European Community and the Republic of Bulgaria on certain aspects of air services	OJ C/2005/146/12
COM(2005) 369/2	2005/0148/APP	Proposal for a Council Decision on conclusion of the Agreement between the European Community and Romania on certain aspects of air services	OJ C/2005/236/16
COM(2006) 79/2	2006/0025/COD	Proposal for a Regulation of the European Parliament and of the Council on enhancing supply chain security	—
<b>Foreign Affairs</b>			
COM(2005) 468	2005/0198/APP	Proposal for a Council Decision authorising the conclusion, on behalf of the European Community, of a Memorandum of Understanding between the European Community and the Swiss Federal Council on a contribution by the Swiss Confederation towards reducing economic and social disparities in the enlarged European Union, and authorising certain Member States to conclude individually agreements with the Swiss Confederation on the implementation of the Memorandum	OJ C/2006/49/37
<b>Health and Consumer Policy</b>			
COM(1998) 339	—	Proposal for a Council Decision concerning the provisional prohibition of the sale in Austria of genetically modified maize ( <i>Zea mays</i> L.) with the combined modification for insecticidal properties conferred by the BT-endotoxin gene and increased tolerance to the herbicide glufosinate ammonium	—
COM(1998) 340	—	Proposal for a Council Decision concerning the provisional prohibition of the use and sale in Luxembourg of genetically modified maize ( <i>Zea mays</i> L.) with the combined modification for insecticidal properties conferred by the BT-endotoxin gene and increased tolerance to the herbicide glufosinate ammonium	—
<b>Codification</b>			
COM(2003) 537	2003/0208/COD	Proposal for a Council Regulation introducing exceptional trade measures for countries and territories participating in or linked to the European Union's Stabilisation and Association process (Codified version)	OJ C/2004/96/16
COM(2004) 232	2004/0074/COD	Proposal for a Directive of the European Parliament and of the Council on the licensing of railway undertakings (Codified version)	OJ C/2004/122/54
COM(2006) 286	2006/0100/COD	Proposal for a Directive of the European Parliament and of the Council on the contained use of genetically modified micro-organisms	—
COM(2006) 497	2006/0164/COD	Proposal for a Regulation of the European Parliament and of the Council on the submission of nominal catch statistics by Member States fishing in the north-east Atlantic (Codified version)	OJ C/2006/303/97
COM(2007) 344	2007/0119/COD	Proposal for a Directive of the European Parliament and of the Council on statutory plates and inscriptions for motor vehicles and their trailers, and their location and method of attachment (Codified version)	OJ C/2007/191/8

Document	Inter-institutional procedure	Title	OJ publication <sup>(1)</sup>
COM(2007) 451	2007/0162/COD	Proposal for a Directive of the European Parliament and of the Council on rear registration plate lamps for motor vehicles and their trailers (Codified version)	OJ C/2007/246/6
COM(2007) 867	2007/0298/COD	Proposal for a Decision of the European Parliament and of the Council on Community guidelines for the development of the trans-European transport network (Codified version)	—
COM(2007) 873	2007/0299/COD	Proposal for a Directive of the European Parliament and of the Council on the return of cultural objects unlawfully removed from the territory of a Member State (Codified version)	OJ C/2008/106/10

#### Taxation and Customs Union

COM(2003) 841	2003/0331/CNS	Proposal for a Council Directive amending Directive 2003/49/EC on a common system of taxation applicable to interest and royalty payments made between associated companies of different Member States	OJ C/2004/96/37
COM(2004) 227/2	2004/0072/CNS	Proposal for a Council Directive amending Directive 92/12/EEC on the general arrangements for products subject to excise duty and on the holding, movement and monitoring of such products	OJ C/2004/122/54
SEC(2004) 1015	—	Draft decision No 1/2004 of the EC-EFTA Joint Committee on 'Common Transit' amending the Convention of 20 May 1987 on a common transit procedure — Draft common position of the Community	—
COM(2006) 263	—	Proposal for a Council Decision authorising Greece and Portugal to introduce special measures derogating from Article 21(1) of Directive 77/388/EEC on the harmonisation of the laws of the Member States relating to turnover taxes	OJ C/2006/176/30

#### Trade

COM(2007) 712	2007/0246/ACC	Proposal for a Council Decision on the conclusion of the Agreement between the European Community and Australia on trade in wine	OJ C/2008/55/5
COM(1995) 245/1	1996/0053/APP	Proposal for a Council Decision on the conclusion by the European Community of the interim agreement between the European Community, the European Coal and Steel Community and the European Atomic Energy Community, of the one part, and the Republic of Belarus, of the other part, on trade and trade-related matters	—
COM(2005) 326	2005/0132/COD	Proposal for a Council Regulation on the negotiation of agreements on trade in services other than transport	OJ C/2005/211/8
COM(2006) 559/2	2006/0176/NLE	Proposal for a Council Decision on the conclusion of an additional Protocol to the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part, on Conformity Assessment and Acceptance of Industrial Products — PECA	OJ C/2007/181/2
COM(2006) 147	2006/0052/COD	Proposal for a Council Regulation concerning the implementation of the Agreement concluded by the EC following negotiations in the framework of Article XXIV.6 of GATT 1994, amending Annex I to Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff	OJ C/2006/104/23

<sup>(1)</sup> For certain proposals no data for OJ publication are available.

## V

(Announcements)

## OTHER ACTS

## EUROPEAN 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**

(2010/C 252/05)

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

SINGLE DOCUMENT

**COUNCIL REGULATION (EC) No 510/2006**

**'FAGIOLO CUNEO'**

**EC No: IT-PGI-0005-0775-18.05.2009**

**PGI ( X ) PDO ( )**

**1. Name:**

'Fagiolo Cuneo'

**2. Member State or Third Country:**

Italy

**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:**

The 'Fagiolo Cuneo' Protected Geographical Indication (PGI) covers the pods at the waxy stage for shelling and the dried seeds of the Bianco di Bagnasco and Vedetta ecotypes and the Billò, Corona, Stregonta, Bingo, Rossano, Barbarossa, Solista and Millenium varieties of the climbing bean species *Phaseolus vulgaris* L. and *Phaseolus coccineus*.

(a) The pods at the waxy stage for shelling must have the following characteristics:

- they must be of the Vedetta ecotype or the Stregonta, Bingo, Rossano, Solista, Millenium or Barbarossa varieties,
- the length of the pod at the waxy stage of the Vedetta ecotype and the Stregonta, Bingo, Rossano, Solista and Millenium varieties must be between 15 and 28 mm; and that of the Barbossa variety between 12 and 22 mm,
- they must be intensely streaked with red.

<sup>(1)</sup> OJ L 93, 31.3.2006, p. 12.

The seed within the pods at the waxy stage must:

- be a creamy colour with pinky-red streaks,
- have minimum vertical and horizontal diameters of 9 and 15 mm respectively,
- show no signs of attacks by parasites or disease, although a maximum of 1 % of seeds may show visible signs of deterioration.

(b) The dried seed must have the following characteristics:

- it must be of the Bianco di Bagnasco ecotype of the Billò or Corona varieties,
- a maximum moisture content of 15 %,
- minimum vertical and horizontal diameters of 9 and 14 mm respectively for the Billò variety, 13 and 20 mm for the Corona variety and 8 and 14 mm for the Bianco di Bagnasco ecotype,
- the seeds of the Billò variety must be cream in colour with brown/purplish veining and those of the Corona variety and the Bianco di Bagnasco ecotype must be white,
- it must not show any deterioration in colour or appearance that compromises those characteristics, with a permitted maximum tolerance of 1,5 % of impurities (split, stained, affected by weevils or with defective colouring). In addition, it is permissible for a maximum of 1,5 % of the dried beans not to comply with the size criteria,
- an iron content of between 80 and 105 ppm for the Billò variety and between 65 and 75 ppm for the Corona variety and the Bianco di Bagnasco ecotype,
- a protein content of between 23 % and 30 % (as a percentage of the dry matter).

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

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

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

All steps in the production of 'Fagiolo Cuneo', from sowing to harvest, must take place in the geographical area specified in point 4.

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

'Fagiolo Cuneo' PGI pods at the waxy stage for shelling are released for consumption in suitable food-quality plastic or cardboard packaging or sealed packaging (trays, boxes, bags and the like) bearing a non-reusable guarantee seal, of a capacity of 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 or 15 kg.

'Fagiolo Cuneo' PGI dried seeds are released for consumption in suitable food-quality packaging bearing a non-reusable guarantee seal, of a capacity of 0,100, 0,200, 0,300, 0,400, 0,500, 0,800, 1, 2, 3, 4, 5, 10, 15 and 25 kg.

3.7. *Specific rules concerning labelling:*

The label on the packaging must bear in clear and legible type, in addition to the Community logo and the information required under current legislation, the words 'IGP Fagiolo Cuneo' together with the logo described below.

The circular logo shows a sketch of a bean of a creamy-white colour with red streaks against a background of the Maritime Alps. All the colours in the logo are obtained using the four-colour process to produce a range of shades.

The words 'Fagiolo Cuneo I.G.P.' are prominent in the logo, while the words 'Indicazione Geografica Protetta' lie along its circumference.



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

The production area of 'Fagiolo Cuneo' Protected Geographical Indication comprises all 183 municipalities of the Province of Cuneo. The area is an exclusively piedmont area, lying at between 200 and 800 metres above sea-level and is surrounded by the Maritime Alps.

**5. Link with the geographical area:**

*5.1. Specificity of the geographical area:*

The production area is the only area of any size in Italy and, indeed, in Europe (around 4 000 hectares) where climbing beans are grown.

This is because the area has ideal soil and climate conditions for growing the crop and because of historical and socio-economic factors that for more than a century have promoted the widespread cultivation of 'Fagiolo Cuneo'.

The extensive areas planted with 'Fagiolo Cuneo' benefit from the cool climate, the high number of days of sunshine, light breezes, an absence of sultry weather and haze in summer and a marked difference between day-time and night-time temperatures, producing beans of excellent quality. The changes in temperature during the day together with the high levels of light give the pods more pronounced colour and firmness. In addition, the low temperatures at the end of winter significantly delay sowing and flowering, thus extending the ripening and marketing periods when compared with other Italian production areas.

*5.2. Specificity of the product:*

The characteristics of 'Fagiolo Cuneo' differ from those of other beans. Both the dried seed and the pod at the waxy stage show excellent firmness. The dried seed has a high iron content of between 80 and 105 ppm for the Billò variety and between 65 and 75 ppm for the Corona variety and the Bianco di Bagnasco ecotype, with a high protein content of between 23 % and 30 % of the dry matter for all types.

The pods at the waxy stage and the seeds inside have a pronounced colouring.

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

The application for registration of 'Fagiolo Cuneo' as a PGI is justified by the product's fame and reputation which are attested to by abundant documentary references.



Market reports found in the Municipality of Centallo prove that these beans were being marketed as early as 1823. According to a regulation on the use of public land adopted by the Cuneo Municipal Council in 1894, there was a specific market for these beans, which, trade reports from 1901 show, commanded higher prices than ordinary beans because of their particular characteristics.

Over the past 50 years, bean production for consumption both fresh and dried has grown consistently because of the excellent yields, in terms of quality and quantity, of the genotypes used in the area. All this demonstrates the importance of the Cuneo area's soil and climate characteristics, which are ideal for the cultivation of this unique product. 'Fagiolo Cuneo' is distinguished by the colour of the pod at the waxy stage and of the seed inside caused by the wide temperate range during the day and the strong light levels, which promote the synthesis of anthocyanins, and by the organoleptic characteristics of the dried seed. As they have increased their yields and production, growers have sold more and more of their beans through specially established markets.

The cultivation of 'Fagiolo Cuneo' has been and continues to be sustained by these large growers' markets held in Caraglio (CN), Boves (CN), Centallo (CN), Castelletto Stura (CN), Valgrana (CN) and Roccavione (CN), some of which started up in the 1960s and 1970s, as municipal records show. The attachment of the local population to 'Fagiolo Cuneo' is also shown by one particular event: at the 1982 Cuneo Carnival, the float of the Municipality of Castelletto Stura was dedicated entirely to 'Fagiolo Cuneo'.

Human factors, deeply rooted in the area, also play an important role. Traditional cultivation methods, handed down from father to son, are one example. This being a climbing bean, its cultivation is labour-intensive and labour in the production area is essentially provided by members of the family, which has meant that there has always been a certain link between local people and the product. One example of this today are the 'raduni famiglia' (family gatherings), when relatives and friends join the family of the farmer to help harvest the 'Fagiolo Cuneo' when they have dried on the plant before they are threshed, to sow and to put up bean poles. This is done using a traditional method seen only in the Cuneo area and to which growers are particularly attached: four poles are fastened together at the top to form a sort of tepee, which makes a more solid frame that can cope with the weather and the weight of the plants.

RAI (Italian Radio and Television) carried a long report on the particular organoleptic and nutritional properties of 'Fagiolo Cuneo' in its programme 'Occhio alla spesa' on 15 October 2003.

#### **Reference to publication of the specification:**

The Ministry launched the national objection procedure with the publication of the proposal for recognising 'Fagiolo Cuneo' as a protected geographical indication in *Official Gazette of the Italian Republic* No 52 of 4 March 2009.

The full text of the product specification is available:

— at the following site: [http://www.politicheagricole.it/DocumentiPubblicazioni/Search\\_Documenti\\_Elenco.htm?txtTipoDocumento=Disciplinare%20in%20esame%20UE&txtDocArgomento=Prodotti%20di%20Qualit%20E0>Prodotti%20Dop,%20Igp%20e%20Stg](http://www.politicheagricole.it/DocumentiPubblicazioni/Search_Documenti_Elenco.htm?txtTipoDocumento=Disciplinare%20in%20esame%20UE&txtDocArgomento=Prodotti%20di%20Qualit%20E0>Prodotti%20Dop,%20Igp%20e%20Stg)

or

— by going directly to the home page of the Ministry (<http://www.politicheagricole.it>) and clicking on 'Prodotti di Qualità' (on the left of the display) and then on 'Disciplinari di Produzione all'esame dell'UE [regolamento (CE) n. 510/2006]'.

**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**

(2010/C 252/06)

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

SINGLE DOCUMENT

**COUNCIL REGULATION (EC) No 510/2006**

**‘陕西苹果’ (SHAANXI PING GUO)**

**EC No: CN-PDO-0005-0629-16.07.2007**

**PGI ( ) PDO ( X )**

**1. Name:**

‘陕西苹果’ (Shaanxi ping guo)

**2. Member State or third country:**

P. R. China

**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 product to which the name in (1) applies:**

Shaanxi ping guo grows in the Loess Plateau in the Weibei region, with high altitudes and plenty of sunshine and fertile soil. All these natural conditions contribute to its characteristics such as ‘bright colour for red varieties, beautiful for yellowish-green variety, thick cuticle, crisp flesh, appropriate sweet and sour taste, long storage life and convenient for transport’.

The sensory indexes of the five different varieties suitable for producing Shaanxi apples are as follows: the apple (five varieties) should grow adequately to fullness with clean peel, free of any peculiar odour or unusual moisture content from outside sources. It should reach the proper maturity fit for eating fresh or for storage. The mature fruit should show the distinctive colour and lustre. The ‘moderate configuration’ index should be  $\geq 0,7$ .

The physiochemical indexes of the five varieties suitable for producing Shaanxi ping guo apples are as follows:

Variety	Minimum fruit diameter (mm) ( $\geq$ )			Minimum coloration area (%) ( $\geq$ )			Fruit hardness (kgf/cm <sup>2</sup> )	Soluble solids (%)	Acidity (%)
	Extra grade	Grade I	Grade II	Extra grade	Grade I	Grade II	$\geq$	$\geq$	$\leq$
Fuji	80	75	70	bright red 85	bright red 80	bright red 70	7,5	14	0,4

<sup>(1)</sup> OJ L 93, 31.3.2006, p. 12.

Variety	Minimum fruit diameter (mm) (≥)			Minimum coloration area (%) (≥)			Fruit hardness (kgf/cm <sup>2</sup> )	Soluble solids (%)	Acidity (%)
	Extra grade	Grade I	Grade II	Extra grade	Grade I	Grade II	≥	≥	≤
Qinguan	80	75	70	bright red 90	bright red 85	bright red 80	7	14	0,3
Yuanshuai	80	75	70	bright red 95	bright red 90	bright red 80	7	13	0,3
Gala	75	70	65	bright red 80	bright red 70	bright red 65	7	13	0,4
Jinguan	80	75	70	yellowish green	yellowish green	yellowish green	7	13	0,4

3.3. *Raw materials:*

—

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

—

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

—

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

Packaging, storage and transportation

The product is packaged by enterprises granted the Shaanxi ping guo GI mark, under the supervision of the Office of Place of Origin for the Protection of Geographical Indications; a quality traceability card is placed in each box so that the product can be traced for quality control purposes.

3.7. *Specific rules concerning labelling:*

3.7.1. The packing mark on each individual consignment should be of uniform form and content.

3.7.2. Besides the company's registered trademark, every box should be clearly labelled on the outside with the special place of origin mark (label) to protect the product Shaanxi ping guo. The label should also indicate the variety, grade (specification), net weight, growing area and dealer or consignor. The wording should be clear and correct and the colour should be conspicuous. The details on the outside of the box should match the products inside and every product in the box should bear a special label/mark.

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

The delimited protected area of Shaanxi ping guo is located at a latitude of 34° 38' -37° 02' north and longitude of 105° 35' -110° 37' east, in the centre of the Loess Plateau in north-eastern China. The terrain mainly consists of ravines and gullies with loose soil as the primary soil type. The climate is semi-humid to semi-arid.

The delimited protected production area for Shaanxi ping guo covers all the towns and villages in the 15 counties and regions in Shaanxi province, including Baota Region, Fu County, Yichuan, Luochuan, Huangling, Yintai District, Yaozhou District, Yijun, Fengxiang, Baishui, Heyang, Xunyi, Yongshou, Changwu and Chunhua along with parts of the towns and villages in another 14 'counties' (cities or regions), i.e. Chencang District, Jintai District, Weinan District, Qishan, Fufeng, Longxian County, Qianyang, Pucheng, Chengcheng, Hancheng, Fuping, Liquan, Qianxian County and Binxian County.

## 5. **Link with the geographical area:**

### 5.1. *Specificity of the geographical area:*

The Loess Plateau part of the Weiwei region in Shaanxi spans (based on latitude) the warm zone, the warm temperate zone and the north subtropical zone. It lies just south of the Yellow River and just north of the Yangtze River. The area is located at high altitudes and has a wide range of diurnal temperatures; it is covered by a dusty soil layer rich in microelements such as K, Ca, Mn, Zn, Se, etc. The terrain mainly consists of ravines and gullies with loess as the primary type of soil. The climate is semi-humid to semi-arid.

### 5.2. *Specificity of the product:*

#### 5.2.1. **Brightly coloured**

Colour is one of the most important indexes for the apple's appearance and commercial value. The excellent colour of Shaanxi ping guo is largely due to its early and easy colouring. As a result, it is brightly coloured over a large area.

#### 5.2.2. **Thick cuticular layer**

The cuticular layer provides many of the nutrients and other substances that contribute to the health value of the apple. The thickness of the cuticular layer is reflected by the thick stratum, clean, unblemished surface and high pectin content of Shaanxi apples.

#### 5.2.3. **Strong flavour**

Flavour is one of the most important indexes for the apple's intrinsic quality. The strong flavour of Shaanxi ping guo is due to its high sugar content, its crisp fruit flesh, its strong fragrance and its abundant nutrients.

#### 5.2.4. **Tolerance for storage and transport**

Suitability for storage and transportation is a very important factor for ensuring year-round sales, which can prolong the apple's shelf life, make it convenient for international trade and add to its value. Shaanxi apple has a thick skin, numerous waxy substances in the flesh, compact fruit, a high level of solidness and a high content of dissolvable solids. All these features make the Shaanxi apple highly tolerant for storage and transportation.

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

The part of the Loess Plateau north of the Weihe River in Shaanxi is an area where ravines and gullies criss-cross, with a thick layer of fertile soil spreading across the vast hilltops and dry tablelands. The climate there is ideal for growing apple trees. The unique natural conditions and cultural heritage have given rise to the specific quality of Shaanxi ping guo.

#### 5.3.1. **Natural conditions**

##### 5.3.1.1. **Soil**

The thick soil layer that covers the apple-growing area of Shaanxi province is as deep as 80 to 200 metres. The soft loess, apart from containing many microelements (e.g. iron, calcium, etc.) that are good for human health, also contributes to the good air flow, moisture and fertility, creating conditions highly conducive to the development of the root system of the apple trees. It also guarantees the water and nutrients to meet the growth needs of the tree and fruit. As such, the soil in this region meets the basic conditions for the fruit quality and, hence, specificity of Shaanxi ping guo.

#### 5.3.1.2. Climate

The growing area for Shaanxi apples is 800 to 1 200 metres above sea level, with a luminous intensity of 3 500-50 000 cd and 2 200 to 2 400 hours of sunshine per year. From August to September, over 300 hours of sunlight are recorded. The high altitudes ensure sufficient sunshine for the fruit, making it brightly coloured with a thick layer of cuticular wax and added sugar, acid and vitamin C content. They also contribute to the greater hardness of the apple.

The wide range of diurnal temperatures contributes to the relatively high level of nutrient content accumulation in the apple trees, giving the fruit a high sugar content and special flavour, which have made it popular.

The water needed for apple-growing comes from natural rainfall. The apple-growing area of Shaanxi Province has a moderate rainfall all year round, with annual rainfall of 560-750 mm. The air humidity is relatively low, which is unfavourable for propagation and growth of pests and insects, reducing the number of varieties and the risk of diseases and pests in the area.

#### 5.3.2. Human dimension

Popularisation and application of the four key techniques, namely 'big reshaping, strong branching, skilful fertilisation and nuisance-free production', have greatly increased the quality and the safety standards of Shaanxi ping guo.

#### **Reference to publication of the specification:**

EU-LINK with DOOR application

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