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### Information and Notices

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<u>Notice No</u>	<u>Contents</u>	<u>Page</u>
IV Notices		
NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES		
<b>Council</b>		
2011/C 227/01	Notice for the attention of the persons to which restrictive measures provided for in Council Decision 2011/486/CFSP and Council Regulation (EU) No 753/2011 concerning restrictive measures in view of the situation in Afghanistan apply .....	1
2011/C 227/02	Notice for the attention of the persons to which restrictive measures provided for in Council Decision 2011/273/CFSP, as implemented by Council Implementing Decision 2011/488/CFSP, and in Council Regulation (EU) No 442/2011, as implemented by Council Implementing Regulation (EU) No 755/2011 concerning restrictive measures against Syria apply .....	3
<b>European Commission</b>		
2011/C 227/03	Euro exchange rates .....	4
2011/C 227/04	Explanatory Notes to the Combined Nomenclature of the European Union .....	5
2011/C 227/05	Explanatory Notes to the Combined Nomenclature of the European Union .....	6

EN

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(Continued overleaf)

V *Announcements*

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

**European Commission**

2011/C 227/06	Prior notification of a concentration (Case COMP/M.6308 — VFC/Timberland) — Candidate case for simplified procedure <sup>(1)</sup> .....	7
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**Note to the reader** (see page 3 of the cover)




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

## IV

(Notices)

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

## COUNCIL

**Notice for the attention of the persons to which restrictive measures provided for in Council Decision 2011/486/CFSP and Council Regulation (EU) No 753/2011 concerning restrictive measures in view of the situation in Afghanistan apply**

(2011/C 227/01)

THE COUNCIL OF THE EUROPEAN UNION,

The following information is brought to the attention of the persons that appear in the Annex to Council Decision 2011/486/CFSP <sup>(1)</sup> and in Annex I to Council Regulation (EU) No 753/2011 <sup>(2)</sup> concerning restrictive measures in view of the situation in Afghanistan.

The United Nations Security Council has adopted Resolution 1988 (2011), imposing restrictive measures with respect to individuals and entities designated, prior to the date of adoption of this Resolution, as the Taliban, and other individuals, groups, undertakings and entities associated with them, as specified in section A ('Individuals associated with the Taliban') and section B ('entities and other groups and undertaking associated with the Taliban') of the Consolidated List of the Committee established pursuant to Resolutions 1267 (1999) and 1333 (2000), as well as other individuals, groups, undertakings and entities associated with the Taliban.

The persons concerned may submit at any time a request to the UN Committee established pursuant to paragraph 30 of UNSCR 1988 (2011), together with any supporting documentation, for the decisions to include them in the UN list to be reconsidered. Such request should be sent to the following address:

United Nations — Focal point for delisting  
Security Council Subsidiary Organs Branch  
Room S-3055 E  
New York, NY 10017  
UNITED STATES OF AMERICA

See for more information at: <http://www.un.org/sc/committees/751/comguide.shtml>

Further to the UN decision, the Council of the European Union has determined that the persons that designated in the above-mentioned Resolution should be included in the lists of persons, groups, undertakings and entities which are subject to the restrictive measures provided for in Council Decision 2011/486/CFSP and Council Regulation (EU) No 753/2011. The grounds for listing of the persons concerned appear in the relevant entries in Annex to the Council Decision and in Annex I to the Council Regulation.

<sup>(1)</sup> OJ L 199, 2.8.2011, p. 57.

<sup>(2)</sup> OJ L 199, 2.8.2011, p. 1.

The attention of the persons and entities concerned is drawn to the possibility of making an application to the competent authorities of the relevant Member State(s) as indicated in the web-sites in Annex II to Regulation (EU) No 753/2011, in order to obtain an authorisation to use frozen funds for basic needs or specific payments (cf. Article 5 of the Regulation).

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

Council of the European Union  
General Secretariat  
DG K Coordination  
Rue de la Loi/Wetstraat 175  
1048 Bruxelles/Brussel  
BELGIQUE/BELGIË

The attention of the persons and entities concerned is also drawn to the possibility of challenging the Council's Decision before the General Court of the European Union, in accordance with the conditions laid down in Article 275, second paragraph, and Article 263, fourth and sixth paragraphs, of the Treaty on the Functioning of the European Union.

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**Notice for the attention of the persons to which restrictive measures provided for in Council Decision 2011/273/CFSP, as implemented by Council Implementing Decision 2011/488/CFSP, and in Council Regulation (EU) No 442/2011, as implemented by Council Implementing Regulation (EU) No 755/2011 concerning restrictive measures against Syria apply**

(2011/C 227/02)

THE COUNCIL OF THE EUROPEAN UNION,

The following information is brought to the attention of the persons that appear in the Annex to Council Decision 2011/273/CFSP, as implemented by Council Implementing Decision 2011/488/CFSP <sup>(1)</sup>, and in Annex II to Council Regulation (EU) No 442/2011, as implemented by Council Implementing Regulation (EU) No 755/2011 <sup>(2)</sup> concerning restrictive measures against Syria.

The Council of the European Union has decided that the persons that appear in the above-mentioned Annexes should be included in the list of persons and entities subject to restrictive measures provided for in Council Decision 2011/273/CFSP and in Council Regulation (EU) No 442/2011 concerning restrictive measures against Syria. The grounds for designations of those persons appear in the relevant entries in those Annexes.

The attention of the persons concerned is drawn to the possibility of making an application to the competent authorities of the relevant Member State(s) as indicated in the web-sites in Annex III to Council Regulation (EU) No 442/2011, in order to obtain an authorisation to use frozen funds for basic needs or specific payments (cf. Article 6 of the Regulation).

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

Council of the European Union  
General Secretariat  
DG K Coordination  
Rue de la Loi/Wetstraat 175  
1048 Bruxelles/Brussel  
BELGIQUE/BELGIË

The attention of the persons concerned is also drawn to the possibility of challenging the Council's Decision before the General Court of the European Union, in accordance with the conditions laid down in Article 275, second paragraph, and Article 263, fourth and sixth paragraphs, of the Treaty on the Functioning of the European Union.

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<sup>(1)</sup> OJ L 199, 2.8.2011, p. 74.

<sup>(2)</sup> OJ L 199, 2.8.2011, p. 33.

# EUROPEAN COMMISSION

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

1 August 2011

(2011/C 227/03)

1 euro =

Currency			Exchange rate		
Currency			Exchange rate		
USD	US dollar	1,4415	AUD	Australian dollar	1,3041
JPY	Japanese yen	110,84	CAD	Canadian dollar	1,3713
DKK	Danish krone	7,4501	HKD	Hong Kong dollar	11,2310
GBP	Pound sterling	0,87955	NZD	New Zealand dollar	1,6348
SEK	Swedish krona	9,0070	SGD	Singapore dollar	1,7299
CHF	Swiss franc	1,1270	KRW	South Korean won	1 511,39
ISK	Iceland króna		ZAR	South African rand	9,6076
NOK	Norwegian krone	7,6935	CNY	Chinese yuan renminbi	9,2746
BGN	Bulgarian lev	1,9558	HRK	Croatian kuna	7,4300
CZK	Czech koruna	24,160	IDR	Indonesian rupiah	12 193,12
HUF	Hungarian forint	267,90	MYR	Malaysian ringgit	4,2373
LTL	Lithuanian litas	3,4528	PHP	Philippine peso	60,449
LVL	Latvian lats	0,7093	RUB	Russian rouble	39,7390
PLN	Polish zloty	3,9828	THB	Thai baht	42,827
RON	Romanian leu	4,2215	BRL	Brazilian real	2,2296
TRY	Turkish lira	2,4116	MXN	Mexican peso	16,7930
			INR	Indian rupee	63,5340

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

**Explanatory Notes to the Combined Nomenclature of the European Union**

(2011/C 227/04)

Pursuant to the second indent of Article 9(1)(a) of Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff <sup>(1)</sup>, the Explanatory Notes to the Combined Nomenclature of the European Union <sup>(2)</sup> are hereby amended as follows:

Page 55

The Explanatory Notes to subheading **0904 20 10** are amended as follows:

**'0904 20 10 Sweet peppers**

The peppers of this subheading (*Capsicum annuum*) are relatively large in size and have a sweet flavour (without a burning taste). They can have different colours. This subheading covers only dry peppers, whole or in pieces but neither crushed nor ground.'

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<sup>(1)</sup> OJ L 256, 7.9.1987, p. 1.

<sup>(2)</sup> OJ C 137, 6.5.2011, p. 1.

**Explanatory Notes to the Combined Nomenclature of the European Union**

(2011/C 227/05)

Pursuant to the second indent of Article 9(1)(a) of Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff <sup>(1)</sup>, the Explanatory Notes to the Combined Nomenclature of the European Union <sup>(2)</sup> are hereby amended as follows:

Page 46

The following paragraph is added before heading **'0711'**:

**'0710 Vegetables (uncooked or cooked by steaming or boiling in water), frozen**

The expression "frozen" as defined in the HS Explanatory Notes to this chapter, third paragraph, is also to be seen by the criteria set out in the judgment of the Court of Justice of the European Union in Case 120/75. By analogy, following the Court's interpretation of these criteria in its judgment in Case C-423/09, the process of freezing must give rise to substantial and irreversible changes, with the result that the product is no longer in the natural state.

Therefore products are "frozen" when the products which are subjected to the freezing processes undergo certain irreversible changes as a result of this very process, in particular to the structure of the cells, with the result that these products are no longer in the natural state, even after they have started to thaw or have thawed out.'

Page 53

The first paragraph of heading **'0811'** is replaced by the following:

'The expression "frozen" as defined in the HS Explanatory Notes to this chapter, second paragraph, is also to be seen by the criteria set out in the judgment of the Court of Justice of the European Union in Case 120/75. By analogy, following the Court's interpretation of these criteria in its judgment in Case C-423/09, the process of freezing must give rise to substantial and irreversible changes, with the result that the product is no longer in the natural state.

Therefore products are "frozen" when the products which are subjected to the freezing processes undergo certain irreversible changes as a result of this very process, in particular to the structure of the cells, with the result that these products are no longer in the natural state, even after they have started to thaw or have thawed out.'

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<sup>(1)</sup> OJ L 256, 7.9.1987, p. 1.

<sup>(2)</sup> OJ C 137, 6.5.2011, p. 1.



## V

*(Announcements)*PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION  
POLICY

## EUROPEAN COMMISSION

**Prior notification of a concentration****(Case COMP/M.6308 — VFC/Timberland)****Candidate case for simplified procedure****(Text with EEA relevance)**

(2011/C 227/06)

1. On 27 July 2011, 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 V.F. Corporation ('VF', USA) acquire sole control of The Timberland Company ('Timberland' USA) and all of its subsidiaries within the meaning of Article 3(1)(b) of the Merger Regulation by way of purchase of shares.
2. The business activities of the undertakings concerned are:
  - for VF: the design, development and distribution of branded lifestyle apparel and related goods through a number of consumer brands such as 'The North Face', 'Lee', 'Wrangler', 'Reef', 'Vans' and 'Napapijri'. VF is a publicly listed company on the New York Stock Exchange and operates worldwide,
  - for Timberland: the design, development and marketing of premium quality footwear and apparel and accessories for men, women and children. Timberland is a publicly listed company on the New York Stock Exchange and operates in North America, Europe and Asia.
3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the EC 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 EC 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.

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 email to COMP-MERGER-REGISTRY@ec.europa.eu or by post, under reference number COMP/M.6308 — VFC/Timberland, to the following address:

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

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<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').



## NOTICE

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