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EN

Price:
EUR 3⁽¹⁾ Text with EEA relevance

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⁽¹⁾ Text with EEA relevance

IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

EUROPEAN COMMISSION

Euro exchange rates ⁽¹⁾

26 April 2012

(2012/C 122/01)

1 euro =

Currency	Exchange rate	Currency	Exchange rate		
USD	US dollar	1,3215	AUD	Australian dollar	1,2736
JPY	Japanese yen	106,96	CAD	Canadian dollar	1,2968
DKK	Danish krone	7,4393	HKD	Hong Kong dollar	10,2543
GBP	Pound sterling	0,81640	NZD	New Zealand dollar	1,6196
SEK	Swedish krona	8,8760	SGD	Singapore dollar	1,6409
CHF	Swiss franc	1,2016	KRW	South Korean won	1 501,14
ISK	Iceland króna		ZAR	South African rand	10,2582
NOK	Norwegian krone	7,5765	CNY	Chinese yuan renminbi	8,3069
BGN	Bulgarian lev	1,9558	HRK	Croatian kuna	7,5330
CZK	Czech koruna	24,758	IDR	Indonesian rupiah	12 140,68
HUF	Hungarian forint	287,90	MYR	Malaysian ringgit	4,0359
LTL	Lithuanian litas	3,4528	PHP	Philippine peso	56,192
LVL	Latvian lats	0,6997	RUB	Russian rouble	38,7420
PLN	Polish zloty	4,1820	THB	Thai baht	40,808
RON	Romanian leu	4,3775	BRL	Brazilian real	2,4873
TRY	Turkish lira	2,3359	MXN	Mexican peso	17,3843
			INR	Indian rupee	69,4510

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

Opinion of the Advisory Committee on restrictive agreements and dominant position given at its meeting of 5 December 2011 regarding a draft decision relating to Case COMP/39.600 — Refrigeration compressors

Rapporteur: Malta

(2012/C 122/02)

1. The Advisory Committee agrees with the Commission that the anticompetitive behaviour covered by the draft decision constitutes an agreement and/or concerted practice between undertakings within the meaning of Article 101 of the TFEU and Article 53 of the EEA Agreement.
2. The Advisory Committee agrees with the Commission's assessment of the product and geographic scope of the agreement and/or concerted practice contained in the draft decision.
3. The Advisory Committee agrees with the Commission that the undertakings concerned by the draft decision have participated in a single and continuous infringement of Article 101 of the TFEU and Article 53 of the EEA Agreement.
4. The Advisory Committee agrees with the Commission that the object of the agreement and/or concerted practice was to restrict competition within the meaning of Article 101 of the TFEU and Article 53 of the EEA Agreement.
5. The Advisory Committee agrees with the Commission that the agreement and/or concerted practice has been capable of appreciably affecting trade between the Member States of the EU and between other contracting parties to the EEA Agreement.
6. The Advisory Committee agrees with the Commission's assessment as regards the duration of the infringement.
7. The Advisory Committee agrees with the Commission's draft decision as regards the addressees.
8. The Advisory Committee agrees with the Commission that a fine should be imposed on the addressees of the draft decision.
9. The Advisory Committee agrees with the Commission on the application of the 2006 Guidelines on the method of setting fines imposed pursuant to Article 23(2)(a) of Regulation (EC) No 1/2003.
10. The Advisory Committee agrees with the Commission on the basic amounts of the fines.
11. The Advisory Committee agrees with the determination of the duration for the purpose of calculating the fines.
12. The Advisory Committee agrees with the Commission that there are no aggravating circumstances applicable in this case.
13. The Advisory Committee agrees with the Commission that a multiplier for deterrence should be applied to one addressee of the draft decision.
14. The Advisory Committee agrees with the Commission on the mitigating circumstances the Commission identifies for two of the addressees of the draft decision.
15. The Advisory Committee agrees with the Commission as regards the reduction of the fines based on the 2006 Leniency Notice.
16. The Advisory Committee agrees with the Commission as regards the reduction of the fines based on the 2008 Settlement Notice.

17. The Advisory Committee agrees with the European Commission's assessment on inability to pay.
 18. The Advisory Committee agrees with the Commission on the final amounts of the fines.
 19. The Advisory Committee recommends the publication of its opinion in the *Official Journal of the European Union*.
-

Final report of the Hearing Officer ⁽¹⁾
COMP/39.600 — Refrigeration compressors
(2012/C 122/03)

The draft decision concerns a settlement proceeding regarding a cartel between five producers of household and commercial refrigeration compressors (maximum 1,5 horsepower) that are predominantly used in the domestic refrigeration and freezing segment, but also in the commercial segment. The addressees of the draft decision are Appliances Components Companies SpA and Elettromeccanica SpA ('ACC'), Danfoss A/S and Danfoss Flensburg GmbH ('Danfoss'), Whirlpool SA and Embraco Europe S.r.l. ('Embraco'), Panasonic Corporation ('Panasonic') as well as Tecumseh Products Company Inc., Tecumseh do Brasil Ltda. and Tecumseh Europe SA ('Tecumseh'). The infringement covered the entire EEA and lasted from 13 April 2004 until 9 October 2007.

BACKGROUND

In October 2008, the Commission received an immunity application from Tecumseh, which was granted conditionally on 11 February 2009. In the same month, the Commission carried out unannounced inspections at the premises of Embraco, ACC and Danfoss.

One month later, three undertakings — Panasonic, ACC and Embraco — applied for immunity and alternatively for a reduction of fines under the Leniency Notice ⁽²⁾. Danfoss submitted an application for a reduction of fines in July 2010.

On 13 October 2010, the Commission initiated proceedings pursuant to Article 11(6) of Regulation (EC) No 1/2003 ⁽³⁾ with a view to engage in settlement discussions and formally requested the five undertakings concerned to indicate whether they were interested to engage in settlement discussions. Each of the parties declared its willingness to engage in such discussions.

THE SETTLEMENT PROCEDURE

The discussions between each party and the Commission took place between November 2010 and September 2011. During those meetings, the parties were informed of the objections that the Commission envisaged to raise against them as well as of the evidence supporting those objections. In November 2010, the parties had access to the relevant evidence in the Commission premises, including all oral statements. The parties were also given a paper copy of the list of all the documents in the file. Upon motivated request by Danfoss and Embraco, they were granted access to additional documents listed in the case file. Competition DG extended the additional access to the other three parties. The Commission also provided each of the five parties with an estimation of its range of fines likely to be imposed by the Commission. Following access to file, three parties brought forward arguments derived from the accessible file. They were taken into account, where it was considered justified.

In September 2011, all parties submitted to the Commission a formal request to settle pursuant to Article 10a(2) of Regulation (EC) No 773/2004 ⁽⁴⁾ and acknowledged their respective liability for an infringement of Article 101 of the TFEU and Article 53 of the EEA Agreement. Furthermore, the parties indicated that they would accept the maximum amount of the fine that they were informed of by the Commission. The parties thirdly confirmed (i) that they had been sufficiently informed of the objections and had been given sufficient opportunity to make their views known; (ii) that they did not envisage requesting access to file or to be heard in an oral hearing, subject to the condition that the statement of objections ('SO') and the final decision would reflect their settlement submissions; and (iii) that they agreed to receive the SO and the final decision in English.

⁽¹⁾ Pursuant to Articles 16 and 17 of Decision 2011/695/EU of the President of the European Commission of 13 October 2011 on the function and terms of reference of the hearing officer in certain competition proceedings (OJ L 275, 20.10.2011, p. 29).

⁽²⁾ Commission notice on immunity from fines and reduction of fines in cartel cases (OJ C 298, 8.12.2006, p. 17).

⁽³⁾ Council Regulation (EC) No 1/2003 of 16 December 2002 on the implementation of the rules on competition laid down in Articles 81 and 82 of the EC Treaty (OJ L 1, 4.1.2003, p. 1).

⁽⁴⁾ Commission Regulation (EC) No 773/2004 of 7 April 2004 relating to the conduct of proceedings by the Commission pursuant to Articles 81 and 82 of the EC Treaty (OJ L 123, 27.4.2004, p. 18).

The SO was adopted on 11 October 2011. All addressees replied that the SO corresponds to the content of their settlement submissions and that they therefore remain committed to following the settlement procedure. The Commission could therefore proceed directly to a decision pursuant to Articles 7 and 13 of Regulation (EC) No 1/2003.

INTERESTED THIRD PERSON

Aktiebolaget Electrolux has been admitted to the proceeding as a third person with sufficient interest pursuant to Article 27(3) of Regulation (EC) No 1/2003. Its initial request lodged in 2010 had to be rejected as inadmissible on three grounds. Since proceedings had not yet been initiated for this cartel case, there was no 'proceeding' to which a third person could have been admitted, secondly, an informed judgement on the existence of a sufficient interest for a third person to be admitted to the procedure was not possible and, thirdly, the third person would not yet have been able to exercise its rights pursuant to Article 13 of Regulation (EC) No 773/2004. The second request that was submitted over a year and a half later (i.e. after the proceeding was formally initiated) has been accepted. Subsequently, pursuant to Article 13(1) of Regulation (EC) No 773/2004, the company was informed in writing of the nature and subject matter of the procedure and afforded the opportunity to make known its views in writing.

THE DRAFT DECISION

The draft decision retains the objections raised in the SO. It relates thus only to objections in respect of which the parties have been afforded the opportunity to make known their views.

Taking furthermore into account that the parties have not addressed any issues concerning access to file or their rights of defence to me or to the member of the Hearing Office attending the settlement meetings, I consider that the right to be heard of all participants to the proceedings has been respected in this case.

Brussels, 5 December 2011.

Michael ALBERS

Summary of Commission Decision
of 7 December 2011
relating to a proceeding under Article 101 of the Treaty ⁽¹⁾ and Article 53 of the EEA Agreement
(Case COMP/39.600 — Refrigeration compressors)

(notified under document C(2011) 8923)

(Only the English text is authentic)

(Text with EEA relevance)

(2012/C 122/04)

On 7 December 2011, the Commission adopted a decision relating to a proceeding under Article 101 of the Treaty and Article 53 of the EEA Agreement. In accordance with the provisions of Article 30 of Council Regulation (EC) No 1/2003 ⁽²⁾, the Commission herewith publishes the names of the parties and the main content of the decision, including any penalties imposed, having regard to the legitimate interest of undertakings in the protection of their business secrets.

1. INTRODUCTION

- (1) The Decision relates to a single and continuous infringement of Article 101 of the Treaty and Article 53 of the EEA Agreement relating to the production and sale of household and commercial compressors (maximum 1,5 HP). The Decision is addressed to the following undertakings: (i) ACC ⁽³⁾; (ii) Danfoss ⁽⁴⁾; (iii) Embraco ⁽⁵⁾; (iv) Panasonic ⁽⁶⁾; and (v) Tecumseh ⁽⁷⁾.

2. CASE DESCRIPTION

2.1. Procedure

- (2) Following the immunity application of Tecumseh, the Commission carried out unannounced inspections in February 2009 at the premises of ACC, Danfoss and Embraco.
- (3) Panasonic, ACC, Embraco and Danfoss applied for a reduction of fines. Requests for information were sent by the Commission as of November 2009.
- (4) The Commission initiated proceedings in this case on 13 October 2010. Settlement discussions took place between 15 November 2010 and 14 September 2011. Subsequently, the cartel members submitted to the Commission their formal request to settle pursuant to Article 10a(2) of Regulation (EC) No 773/2004. On

11 October 2011, the Commission adopted a statement of objections and the parties all confirmed that its content reflected their submissions and that they remained committed to follow the settlement procedure. The Advisory Committee on restrictive practices and dominant positions issued a favourable opinion on 5 December 2011 and the Commission adopted the Decision on 7 December 2011.

2.2. Addressees and duration of the infringement

- (5) The following undertakings infringed Article 101 of the Treaty and Article 53 of the EEA Agreement by participating, during the periods indicated below, in anti-competitive activities with respect to the production and sale of household and commercial compressors (maximum 1,5 HP):
- (a) ACC, Danfoss, Embraco and Tecumseh from 13 April 2004 to 9 October 2007;
- (b) Panasonic from 13 April 2004 to 15 November 2006.

2.3. Summary of the infringement

- (6) ACC, Danfoss, Embraco, Panasonic and Tecumseh participated in an EEA-wide cartel relating to the production and sale of household and commercial compressors (maximum 1,5 HP) which was aimed at coordinating European pricing policies and keeping market shares stable in an attempt to recover cost increases.
- (7) The cartel members held bilateral, trilateral and multilateral meetings. Multilateral meetings took place in Europe between Tecumseh, Embraco, ACC and Danfoss (Panasonic attended on one occasion only). The parties convened these meetings 'in turn' (with the exception of Panasonic). The meetings were usually held in hotels located in the Frankfurt and Munich airports, sometimes under a fictitious name. In the course of the multilateral meetings, the cartel members discussed and agreed upon

⁽¹⁾ With effect from 1 December 2009, Articles 81 and 82 of the EC Treaty have become Articles 101 and 102, respectively, of the Treaty on the Functioning of the European Union ('the Treaty'). The two sets of provisions are, in substance, identical. References to Articles 101 and 102 of the Treaty should be understood as references to Articles 81 and 82, respectively, of the EC Treaty where appropriate.

⁽²⁾ OJ L 1, 4.1.2003, p. 1.

⁽³⁾ The relevant companies are Appliances Components Companies SpA and Elettromeccanica SpA.

⁽⁴⁾ The relevant companies are Danfoss A/S and Danfoss Flensburg GmbH (formerly Danfoss Compressors GmbH).

⁽⁵⁾ The relevant companies are Whirlpool SA and Embraco Europe S.r.l.

⁽⁶⁾ The relevant company is Panasonic Corporation.

⁽⁷⁾ The relevant companies are Tecumseh Products Company Inc., Tecumseh do Brasil Ltda. and Tecumseh Europe SA.

the need to increase prices of their compressor products in Europe to cover the increase in material costs. They discussed general ranges of price increases recently achieved for companies in Europe and agreed on timing and general ranges of target price increases in Europe. On certain occasions, the cartel members discussed the terms of their contracts with certain European customers and agreed not to enter into fixed term contracts and/or not to compromise price levels for the purpose of increasing sales volumes. They exchanged sensitive commercial information on capacity, production and sales trends relating to the European market.

- (8) Overall, the cartel lasted from 13 April 2004 until 9 October 2007 (15 November 2006 for Panasonic).

2.4. Remedies

- (9) The Decision applies the 2006 Guidelines on fines⁽¹⁾. With the exception of Tecumseh, the Decision imposes fines on all relevant companies of the undertakings listed under point 5 above.

2.4.1. Basic amount of the fine

- (10) The basic amount of fine is set at 17 % of the undertakings' sales of household and commercial compressors (maximum 1,5 HP) in the EEA.
- (11) The basic amount is multiplied by the number of years of participation in the infringement in order to take fully into account the duration of the participation for each undertaking in the infringement individually.
- (12) The duration of the undertakings' involvement in the alleged infringement is for ACC, Danfoss, Embraco and Tecumseh three years and five months and for Panasonic two years and seven months.

2.4.2. Adjustments to the basic amount

2.4.2.1. Aggravating circumstances

- (13) There are no aggravating circumstances in this case.

2.4.2.2. Mitigating circumstances

- (14) Due to mitigating circumstances, the fines for two undertakings are reduced.
- (15) Panasonic receives a reduction of the fine, as this company contributed only to a lesser extent maintaining the cartel and its involvement in the infringement was limited. The fine imposed on Embraco is reduced for cooperation outside leniency, because Embraco provided the Commission with evidence in relation to commercial refrigerators for a substantial period of the infringement, which allowed the Commission to take into account that

period as regards the commercial aspect of the single and continuous infringement for the purposes of calculating the fine for the relevant companies.

2.4.2.3. Specific increase for deterrence

- (16) In this case, a multiplier for deterrence was applied to Panasonic in view of its world-wide turnover.

2.4.3. Application of the 10 % turnover limit

- (17) ACC's adjusted basic amount of the fine exceeds 10 % of its total turnover. Therefore, ACC's fine is capped at 10 % of its total turnover in 2010.

2.4.4. Application of the 2006 Leniency Notice

- (18) Tecumseh is granted immunity from fines. The following reductions of the fine were granted to the other undertakings: Panasonic 40 %, ACC 25 %, Embraco 20 % and Danfoss 15 %.

2.4.5. Application of the Settlement Notice

- (19) As a result of the application of the Settlement Notice, the amount of the fine to be imposed on ACC, Embraco, Danfoss and Panasonic is reduced by 10 %.

2.4.6. Ability to pay

- (20) One of the undertakings in this case invoked its 'inability to pay' under point 35 of the 2006 Guidelines on the method of setting the fines. The Commission reviewed this application and carefully analysed the available financial data. As a result of this assessment, the Commission accepted the application and granted a reduction of the fine.

3. FINES IMPOSED BY THE DECISION

- (21) For the single and continuous infringement dealt with in this Decision, the following fines are imposed:
- (a) on Tecumseh Products Company Inc., Tecumseh do Brasil Ltda. and Tecumseh Europe SA, jointly and severally: EUR 0;
 - (b) on Appliances Components Companies SpA and Elettromeccanica SpA, jointly and severally: EUR 9 000 000;
 - (c) on Danfoss A/S and Danfoss Flensburg GmbH (formerly Danfoss Compressors GmbH), jointly and severally: EUR 90 000 000;
 - (d) on Whirlpool SA and Embraco Europe S.r.l., jointly and severally: EUR 54 530 000; and
 - (e) on Panasonic Corporation (formerly Matsushita): EUR 7 668 000.

⁽¹⁾ OJ C 210, 1.9.2006, p. 2.

NOTICES FROM MEMBER STATES

Decision on a portfolio transfer and authorisation withdrawal on-request in respect of Societatea de Asigurări Chartis România SA

(Publication made in accordance with Article 6 of Directive 2001/17/EC of the European Parliament and of the Council on the reorganisation and winding-up of insurance undertakings)

(2012/C 122/05)

Insurance undertaking	Societatea de Asigurări Chartis România SA (Chartis Insurance Company Romania), with its registered office at 145 Calea Victoriei, 8th floor, Victoria Center Building, Bucharest Sector 1, Romania, registered at the Trade Register Office under No J40/700/17.1.1994, Single Registration Number 5110314, legally represented by Mr Mihnea TOBESCU, in his capacity as general manager
Date, entry into force and nature of the decision	Decision No 159 of 15 March 2012 approving the insurance portfolio transfer from Societatea de Asigurări Chartis România SA to the Bucharest branch of Chartis Europe Ltd London and the withdrawal of the operating permit granted to Societatea de Asigurări Chartis România SA
Competent authorities	Article 11(3) of Act No 503/2004 Insurance Supervisory Commission, with its head office at 18 Str. Amiral Constantin Bălescu, Bucharest Sector 1, Romania, Tax Registration Number 14045240/1.7.2001
Supervisory authority	Article 11(3) of Act No 503/2004 Insurance Supervisory Commission, with its head office at 18 Str. Amiral Constantin Bălescu, Bucharest Sector 1, Romania, Tax Registration Number 14045240/1.7.2001
Applicable law	Law No 32/2000 on insurance and insurance supervision, as amended

V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMMON
COMMERCIAL POLICY

EUROPEAN COMMISSION

**Notice of initiation of an anti-subsidy proceeding concerning imports of bicycles originating in the
People's Republic of China**

(2012/C 122/06)

The European Commission ('the Commission') has received a complaint pursuant to Article 10 of Council Regulation (EC) No 597/2009 of 11 June 2009 on protection against subsidised imports from countries not members of the European Community⁽¹⁾ ('the basic Regulation'), alleging that imports of bicycles, originating in the People's Republic of China, are being subsidised and are thereby causing material injury to the Union industry.

1. Complaint

The complaint was lodged on 15 March 2012 by the European Bicycle Manufacturers Association (EBMA) ('the complainant') on behalf of producers representing a major proportion, in this case more than 25 % of the total Union production of bicycles.

2. Product under investigation

The product subject to this investigation is bicycles and other cycles (including delivery tricycles but excluding unicycles), not motorised ('the product under investigation').

3. Allegation of subsidisation

The product allegedly being subsidised is the product under investigation, originating in the People's Republic of China ('the country concerned'), currently falling within the CN codes 8712 00 30 and ex 8712 00 70. These CN codes are given for information only.

The complainant alleges that the producers of the product under investigation originating in the People's Republic of

China have benefited from a number of subsidies granted by the Government of the People's Republic of China.

The complainant further alleges that the subsidies consist, *inter alia*, in exemptions from income and other direct taxes (e.g. preferential corporate income tax for high and new technology industries, income tax exemptions or reductions under the two free/three half programme, local income tax exemption or reduction for 'productive Foreign Invested Enterprises (FIEs)', income tax reduction for FIEs purchasing domestically-produced equipment, income tax reduction for FIEs based on geographic location, preferential tax policies for R & D at FIEs, income tax credits for domestically-owned companies purchasing domestically-produced equipment, income tax exemption programme for export-oriented FIEs, corporate income tax refund programme for reinvestment of FIE profits in export-oriented enterprises), indirect tax and tariff exemptions (e.g. VAT and tariff exemptions on imported equipment, VAT rebates on domestically-produced equipment, exemption from city maintenance, construction taxes and education surcharges for FIEs), preferential loans and interest rate subsidies (e.g. low-interest policy loans granted by State-Owned Commercial Banks and Government Policy banks), government provision of goods for less than adequate remuneration (e.g. provision of raw material inputs, electricity and land use rights), grant programmes (e.g. Tianjin Cycle Industry Park Development Assistance Fund, Tianjin Binhai New Area Special Development and Construction Assistance Fund, Famous Brands Awards) as well as Economic Development Zone (EDZ) programmes (e.g. granted by Tianjin Binhai New Area, Tianjin Jinghai EDZ, Tianjin Economic-Technological Development Area, Da Gang EDZ, Wu Qing EDZ, Dongguan South China Industry Park).

The complainant also alleges that the above schemes are subsidies since they involve a financial contribution from the Government of the People's Republic of China or other regional Governments (including public bodies) and confer a benefit to

⁽¹⁾ OJ L 188, 18.7.2009, p. 93.

the recipients, i.e. to the exporting producers of the product under investigation. They are alleged to be contingent upon export performance and/or the use of domestic over imported goods and/or limited to certain types of enterprises and/or regions, and therefore specific and countervailable.

4. Allegation of injury

The complainant has provided evidence that imports of the product under investigation from the country concerned have increased overall in absolute terms and have increased in terms of market share.

The *prima facie* evidence provided by the complainant shows that the volume and the prices of the imported product under investigation have had, among other consequences, a negative impact on the quantities sold and the level of prices charged by the Union industry, resulting in substantial adverse effects on the overall performance and the financial situation of the Union industry.

5. Procedure

Having determined, after consulting the Advisory Committee, that the complaint has been lodged by or on behalf of the Union industry and that there is sufficient evidence to justify the initiation of a proceeding, the Commission hereby initiates an investigation pursuant to Article 10 of the basic Regulation.

The investigation will determine whether the product under investigation originating in the country concerned is being subsidised and whether this subsidisation has caused injury to the Union industry. If the conclusions are affirmative, the investigation will examine whether the imposition of measures would not be against the Union interest.

5.1. Procedure for the determination of subsidisation

Exporting producers⁽¹⁾ of the product under investigation from the country concerned are invited to participate in the Commission investigation.

5.1.1. Investigating exporting producers

(a) Sampling

In view of the potentially large number of exporting producers in the country concerned involved in this proceeding and in order to complete the investigation within the statutory time-limits, the Commission may limit the exporting producers to be investigated to a reasonable number by selecting a sample (this process is also referred to as 'sampling'). The sampling will be carried out in accordance with Article 27 of the basic Regulation.

In order to enable the Commission to decide whether sampling is necessary, and if so, to select a sample, all exporting producers, or representatives acting on their

behalf, are hereby requested to make themselves known to the Commission. These parties have to do so within 15 days of the date of publication of this notice in the *Official Journal of the European Union*, unless otherwise specified, by providing the Commission with information on their company(ies) requested in Annex A to this notice.

In order to obtain information it deems necessary for the selection of the sample of exporting producers, the Commission will also contact the authorities of the country concerned and may contact any known associations of exporting producers.

All interested parties wishing to submit any other relevant information regarding the selection of the sample, excluding the information requested above, must do so within 21 days of the publication of this notice in the *Official Journal of the European Union*, unless otherwise specified.

If a sample is necessary, the exporting producers may be selected based on the largest representative volume of exports to the Union which can reasonably be investigated within the time available. All known exporting producers, the authorities of the country concerned and associations of exporting producers will be notified by the Commission, via the authorities of the country concerned if appropriate, of the companies selected to be in the sample.

In order to obtain information it deems necessary for its investigation with regard to exporting producers, the Commission will send questionnaires to the exporting producers selected to be in the sample, to any known associations of exporting producers, and to the authorities of the country concerned.

All exporting producers selected to be in the sample will have to submit a completed questionnaire within 37 days from the date of notification of the sample selection, unless otherwise specified.

The questionnaire will request information on, *inter alia*, the structure of the exporting producer's company(ies), the activities of the company(ies) in relation to the product under investigation, the cost of production, the sales of the product under investigation on the domestic market of the country concerned and the sales of the product under investigation to the Union.

Companies that have agreed to their possible inclusion in the sample but are not selected to be in the sample will be considered to be cooperating ('non-sampled cooperating exporting producers') without prejudice to the application of Article 28 of the basic Regulation. Without prejudice to section 5.1.1.(b) below, the countervailing duty that may be applied to imports from non-sampled cooperating exporting producers will not exceed the weighted average margin of subsidisation established for the exporting producers in the sample⁽²⁾.

⁽¹⁾ An exporting producer is any company in the country concerned which produces and exports the product under investigation to the Union market, either directly or via a third party, including any of its related companies involved in the production, domestic sales or exports of the product under investigation.

⁽²⁾ Pursuant to Article 15(3) of the basic Regulation, any zero and *de minimis* amounts of countervailable subsidies and amounts of countervailable subsidies established in the circumstances referred to in Article 28 of the basic Regulation will be disregarded.

(b) Individual subsidy margin for companies not included in the sample

Non-sampled cooperating exporting producers may request, pursuant to Article 27(3) of the basic Regulation, that the Commission establish their individual subsidy margins. The exporting producers wishing to claim an individual subsidy margin must request a questionnaire and other applicable claim forms and return them duly completed within the deadlines specified in the following sentence. The completed questionnaire reply must be submitted within 37 days of the date of the notification of the sample selection, unless otherwise specified.

However, exporting producers claiming an individual subsidy margin should be aware that the Commission may nonetheless decide not to determine their individual subsidy margin if, for instance, the number of exporting producers is so large that such determination would be unduly burdensome and would prevent the timely completion of the investigation.

5.1.2. Investigating unrelated importers ⁽¹⁾ ⁽²⁾

Unrelated importers of the product under investigation from the country concerned to the Union are invited to participate in this investigation.

In view of the potentially large number of unrelated importers involved in this proceeding and in order to complete the investigation within the statutory time-limits, the Commission may limit to a reasonable number the unrelated importers that will be investigated by selecting a sample (this process is also referred to as 'sampling'). The sampling will be carried out in accordance with Article 27 of the basic Regulation.

In order to enable the Commission to decide whether sampling is necessary and, if so, to select a sample, all unrelated importers, or representatives acting on their behalf, are hereby requested to make themselves known to the Commission. These parties should do so within 15 days of the date of publication of this notice in the *Official Journal of the European Union*, unless

⁽¹⁾ Only importers not related to exporting producers can be sampled. Importers that are related to exporting producers have to fill in Annex 1 to the questionnaire for these exporting producers. In accordance with Article 143 of Commission Regulation (EEC) No 2454/93 concerning the implementation of the Community Customs Code, persons shall be deemed to be related only if: (a) they are officers or directors of one another's businesses; (b) they are legally recognized partners in business; (c) they are employer and employee; (d) any person directly or indirectly owns, controls or holds 5 % or more of the outstanding voting stock or shares of both of them; (e) one of them directly or indirectly controls the other; (f) both of them are directly or indirectly controlled by a third person; (g) together they directly or indirectly control a third person; or (h) they are members of the same family. Persons shall be deemed to be members of the same family only if they stand in any of the following relationships to one another: (i) husband and wife, (ii) parent and child, (iii) brother and sister (whether by whole or half blood), (iv) grandparent and grandchild, (v) uncle or aunt and nephew or niece, (vi) parent-in-law and son-in-law or daughter-in-law, (vii) brother-in-law and sister-in-law (OJ L 253, 11.10.1993, p. 1). In this context 'person' means any natural or legal person.

⁽²⁾ The data provided by unrelated importers may also be used in relation to aspects of this investigation other than the determination of subsidisation.

otherwise specified, by providing the Commission with the information on their company(ies) requested in Annex B to this notice.

In order to obtain information it deems necessary for the selection of the sample of unrelated importers, the Commission may also contact any known associations of importers.

All interested parties wishing to submit any other relevant information regarding the selection of the sample, excluding the information requested above, must do so within 21 days of the publication of this notice in the *Official Journal of the European Union*, unless otherwise specified.

If a sample is necessary, the importers may be selected based on the largest representative volume of sales of the product under investigation in the Union which can reasonably be investigated within the time available. All known unrelated importers and associations of importers will be notified by the Commission of the companies selected to be in the sample.

In order to obtain information it deems necessary for its investigation, the Commission will send questionnaires to the sampled unrelated importers and to any known association of importers. These parties must submit a completed questionnaire within 37 days from the date of the notification of the sample selection, unless otherwise specified.

The questionnaire will request information on, *inter alia*, the structure of their company(ies), the activities of the company(ies) in relation to the product under investigation and the sales of the product under investigation.

5.2. Procedure for the determination of injury and investigating Union producers

Union producers of the product under investigation are invited to participate in the Commission investigation.

A determination of injury is based on positive evidence and involves an objective examination of the volume of the subsidised imports, their effect on prices on the Union market and the consequent impact of those imports on the Union industry.

In view of the large number of Union producers involved in this proceeding and in order to complete the investigation within the set time-limits, the Commission has decided to limit to a reasonable number the Union producers that will be investigated by selecting a sample (this process is also referred to as 'sampling'). The sampling is carried out in accordance with Article 27 of the basic Regulation.

The Commission has provisionally selected a sample of Union producers. Details can be found in the file for inspection by interested parties. Interested parties are hereby invited to consult the file (for this they should contact the Commission using the contact details provided in section 5.6 below). Other Union producers, or representatives acting on their behalf, that consider that there are reasons why they should be included in

the sample must contact the Commission within 15 days of the date of publication of this notice in the *Official Journal of the European Union*.

All interested parties wishing to submit any relevant information regarding the selection of the sample must do so within 21 days of the publication of this notice in the *Official Journal of the European Union*, unless otherwise specified.

All known Union producers and/or associations of Union producers will be notified by the Commission of the companies finally selected to be in the sample.

In order to obtain information it deems necessary for its investigation, the Commission will send questionnaires to the sampled Union producers and to any known association of Union producers. These parties must submit a completed questionnaire within 37 days from the date of the notification of the sample selection, unless otherwise specified.

The questionnaire will request information on, *inter alia*, the structure of their company(ies), the financial situation of the company(ies), the activities of the company(ies) in relation to the product under investigation, the cost of production and the sales of the product under investigation.

5.3. Procedure for the assessment of Union interest

Should the existence of subsidisation and injury caused thereby be established, a decision will be reached, pursuant to Article 31 of the basic Regulation, as to whether the adoption of countervailing measures would be against the Union interest. Union producers, importers and their representative associations, users and their representative associations, and representative consumer organisations are invited to make themselves known within 15 days of the date of publication of this notice in the *Official Journal of the European Union*, unless otherwise specified. In order to participate in the investigation, the representative consumer organisations have to demonstrate, within the same deadline, that there is an objective link between their activities and the product under investigation.

Parties that make themselves known within the above deadline may provide the Commission with information on the Union interest within 37 days of the date of publication of this notice in the *Official Journal of the European Union*, unless otherwise specified. This information may be provided either in a free format or by completing a questionnaire prepared by the Commission. In any case, information submitted pursuant to Article 31 will only be taken into account if supported by factual evidence at the time of submission.

5.4. Other written submissions

Subject to the provisions of this notice, all interested parties are hereby invited to make their views known, submit information

and provide supporting evidence. Unless otherwise specified, this information and supporting evidence must reach the Commission within 37 days of the date of publication of this notice in the *Official Journal of the European Union*.

5.5. Possibility to be heard by the Commission investigation services

All interested parties may request to be heard by the Commission investigation services. Any request to be heard should be made in writing and should specify the reasons for the request. For hearings on issues pertaining to the initial stage of the investigation the request must be submitted within 15 days of the date of publication of this notice in the *Official Journal of the European Union*. Thereafter, a request to be heard must be submitted within the specific deadlines set by the Commission in its communication with the parties.

5.6. Instructions for making written submissions and sending completed questionnaires and correspondence

All written submissions, including the information requested in this notice, completed questionnaires and correspondence provided by interested parties for which confidential treatment is requested shall be labelled 'Limited' ⁽¹⁾.

Interested parties providing 'Limited' information are required to furnish non-confidential summaries of it pursuant to Article 29(2) of the basic Regulation, which will be labelled 'For inspection by interested parties'. These summaries should be sufficiently detailed to permit a reasonable understanding of the substance of the information submitted in confidence. If an interested party providing confidential information does not furnish a non-confidential summary of it in the requested format and quality, such confidential information may be disregarded.

Interested parties are required to make all submissions and requests in electronic format (non-confidential submissions via e-mail, confidential ones on CD-R/DVD), and must indicate the name, address, e-mail address, telephone and fax numbers of the interested party. However, any Powers of Attorney, signed certifications, and any updates thereof, accompanying questionnaire replies must be submitted on paper, i.e. by post or by hand, at the address below. If an interested party cannot provide its submissions and requests in electronic format, it must immediately contact the Commission in compliance with Article 18(2) of the basic Regulation. For further information concerning correspondence with the Commission, interested parties may consult the relevant web page on the website of the Directorate-General for Trade: <http://ec.europa.eu/trade/tackling-unfair-trade/trade-defence>

⁽¹⁾ A 'Limited' document is a document which is considered confidential pursuant to Article 29 of Council Regulation (EC) No 597/2009 (OJ L 188, 18.7.2009, p. 93) and Article 12 of the WTO Agreement on Subsidies and Countervailing Measures. It is also a document protected pursuant to Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council (OJ L 145, 31.5.2001, p. 43).

Commission address for correspondence:

European Commission
Directorate-General for Trade
Directorate H
Office: N105 04/092
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

Fax +32 22985353

E-mail: TRADE-AS589-BICYCLES-A@ec.europa.eu
(to be used by exporters, related importers, associations
and representatives of the People's Republic of China)

TRADE-AS589-BICYCLES-B@ec.europa.eu
(to be used by Union producers, unrelated importers,
users, consumers, associations in the Union)

6. Non-cooperation

In cases where any interested party refuses access to or does not provide the necessary information within the time-limits, or significantly impedes the investigation, provisional or final findings, affirmative or negative, may be made on the basis of facts available, in accordance with Article 28 of the basic Regulation.

Where it is found that any interested party has supplied false or misleading information, the information may be disregarded and use may be made of facts available.

If an interested party does not cooperate or cooperates only partially and findings are therefore based on facts available in accordance with Article 28 of the basic Regulation, the result may be less favourable to that party than if it had cooperated.

7. Hearing Officer

Interested parties may request the intervention of the Hearing Officer of Directorate-General for Trade. The Hearing Officer acts as an interface between the interested parties and the Commission investigation services. The Hearing Officer reviews requests for access to the file, disputes regarding the confidentiality of documents, requests for extension of time limits and requests by third parties to be heard. The Hearing

Officer may organise a hearing with an individual interested party and mediate to ensure that the interested parties' rights of defence are being fully exercised.

A request for a hearing with the Hearing Officer should be made in writing and should specify the reasons for the request. For hearings on issues pertaining to the initial stage of the investigation the request must be submitted within 15 days of the date of publication of this notice in the *Official Journal of the European Union*. Thereafter, a request to be heard must be submitted within specific deadlines set by the Commission in its communication with the parties.

The Hearing Officer will also provide opportunities for a hearing involving parties to take place which would allow different views to be presented and rebuttal arguments offered on issues pertaining, among other things, to subsidisation, injury, causal link and Union interest. Such a hearing would, as a rule, take place at the latest at the end of the fourth week following the disclosure of provisional findings.

For further information and contact details interested parties may consult the Hearing Officer's web pages on DG Trade's website: http://ec.europa.eu/trade/tackling-unfair-trade/hearing-officer/index_en.htm

8. Schedule of the investigation

The investigation will be concluded, pursuant to Article 11(9) of the basic Regulation within 13 months of the date of the publication of this notice in the *Official Journal of the European Union*. In accordance with Article 12(1) of the basic Regulation, provisional measures may be imposed no later than nine months from the publication of this notice in the *Official Journal of the European Union*.

9. Processing of personal data

Any personal data collected in this investigation will be treated in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council 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 ⁽¹⁾.

⁽¹⁾ OJ L 8, 12.1.2001, p. 1.

ANNEX A

<input type="checkbox"/>	Limited version ⁽¹⁾
<input type="checkbox"/>	Version for inspection by interested parties
(tick the appropriate box)	

ANTI-SUBSIDY PROCEEDING CONCERNING IMPORTS OF BICYCLES ORIGINATING IN THE PEOPLE'S REPUBLIC OF CHINA

INFORMATION FOR THE SELECTION OF THE SAMPLE OF EXPORTING PRODUCERS IN THE PEOPLE'S REPUBLIC OF CHINA

This form is designed to assist exporting producers in the People's Republic of China in responding to the request for sampling information made in point 5.1.1 of the notice of initiation.

Both the 'Limited version' and the 'Version for inspection by interested parties' should be returned to the Commission as set out in the notice of initiation.

1. IDENTITY AND CONTACT DETAILS

Supply the following details about your company:

Company name	
Address	
Contact person	
E-mail address	
Telephone	
Fax	

2. TURNOVER AND SALES VOLUME

Indicate the turnover in the accounting currency of the company during the period from 1 January 2011 till 31 December 2011 for sales (export sales to the Union for each of the 27 Member States ⁽²⁾ applicable separately and in total and domestic sales) of bicycles as defined in the notice of initiation and the corresponding volume. State the currency used.

	Volume (units)		Value in accounting currency
	Total		
Export sales to the Union, for each of the 27 Member States separately and in total, of the product under investigation, manufactured by your company	Total		
	Name each Member State ⁽³⁾		
Domestic sales of the product under investigation, manufactured by your company			

⁽¹⁾ This document is for internal use only. It is protected pursuant to Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council (OJ L 145, 31.5.2001, p. 43). It is a confidential document pursuant to Article 29 of Council Regulation (EC) No 597/2009 (OJ L 188, 18.7.2009 p. 93) and Article 12 of the WTO Agreement on Subsidies and Countervailing Measures.

⁽²⁾ The 27 Member States of the European Union are: Belgium, Bulgaria, the Czech Republic, Denmark, Germany, Estonia, Ireland, Greece, Spain, France, Italy, Cyprus, Latvia, Lithuania, Luxembourg, Hungary, Malta, the Netherlands, Austria, Poland, Portugal, Romania, Slovenia, Slovakia, Finland, Sweden, and the United Kingdom.

⁽³⁾ Add additional rows where necessary.

3. ACTIVITIES OF YOUR COMPANY AND RELATED COMPANIES ⁽¹⁾

Give details of the precise activities of the company and all related companies (please list them and state the relationship to your company) involved in the production and/or selling (export and /or domestic) of the product under investigation. Such activities could include but are not limited to purchasing the product under investigation or producing it under sub-contracting arrangements, or processing or trading the product under investigation.

Company name and location	Activities	Relationship

4. INFORMATION RELATED TO THE PURCHASE OF STEEL, ALUMINIUM AND INTERMEDIATE PARTS (E.G. ALUMINIUM EXTRUSIONS)

Please provide a full list of suppliers of steel, aluminium and intermediate parts (e.g. aluminium extrusions) in the investigation period. Indicate which, if any, of these suppliers are State-owned (directly or indirectly) and provide the percentage (share) of State ownership.

Company name and location	Input supplied (e.g. steel aluminium, aluminium extrusions)	State-owned (Yes/No)	Share of State ownership

5. INFORMATION RELATED TO LOANS

By providing the above information, the company agrees to its possible inclusion in the sample. If the company is selected to be part of the sample, this will involve completing a questionnaire and accepting a visit at its premises in order to verify its response. If the company indicates that it does not agree to its possible inclusion in the sample, it will be deemed to have not cooperated in the investigation. The Commission's findings for non-cooperating exporting producers are based on facts available and the result may be less favourable to that company than if it had cooperated.

Name of bank or other lending institution	State-owned (Yes/No)	% of State ownership

6. OTHER INFORMATION

Please provide any other relevant information which the company considers useful to assist the Commission in the selection of the sample.

7. INDIVIDUAL SUBSIDY MARGIN

The company declares that, in the event that it is not selected to be in the sample, it would like to receive a questionnaire and other claim forms in order to fill these in and thus claim an individual subsidy margin in accordance with section 5.1.1.1(b) of the notice of initiation.

Yes

No

⁽¹⁾ In accordance with Article 143 of Commission Regulation (EEC) No 2454/93 concerning the implementation of the Community Customs Code, persons shall be deemed to be related only if: (a) they are officers or directors of one another's businesses; (b) they are legally recognised partners in business; (c) they are employer and employee; (d) any person directly or indirectly owns, controls or holds 5 % or more of the outstanding voting stock or shares of both of them; (e) one of them directly or indirectly controls the other; (f) both of them are directly or indirectly controlled by a third person; (g) together they directly or indirectly control a third person; or (h) they are members of the same family. Persons shall be deemed to be members of the same family only if they stand in any of the following relationships to one another: (i) husband and wife; (ii) parent and child; (iii) brother and sister (whether by whole or half blood); (iv) grandparent and grandchild; (v) uncle or aunt and nephew or niece; (vi) parent-in-law and son-in-law or daughter-in-law; (vii) brother-in-law and sister-in-law (OJ L 253, 11.10.1993, p. 1). In this context, 'person' means any natural or legal person.

ANNEX B

<input type="checkbox"/>	Limited version ⁽¹⁾
<input type="checkbox"/>	Version for inspection by interested parties
(tick the appropriate box)	

ANTI-SUBSIDY PROCEEDING CONCERNING IMPORTS OF BICYCLES ORIGINATING IN THE PEOPLE'S REPUBLIC OF CHINA

INFORMATION FOR THE SELECTION OF THE SAMPLE OF UNRELATED IMPORTERS

This form is designed to assist unrelated importers in responding to the request for sampling information made in point 5.1.2 of the notice of initiation.

Both the 'Limited version' and the 'Version for inspection by interested parties' should be returned to the Commission as set out in the notice of initiation.

1. IDENTITY AND CONTACT DETAILS

Supply the following details about your company:

Company name	
Address	
Contact person	
E-mail address	
Telephone	
Fax	

2. TURNOVER AND SALES VOLUME

Indicate the total turnover in euros (EUR) of the company, and the turnover for imports into the Union ⁽²⁾ and resales on the Union market after importation from the People's Republic of China during the period from 1 January 2011 till 31 December 2011, of bicycles as defined in the notice of initiation and the corresponding volume.

	Volume (in units)	Value in euros (EUR)
Total turnover of your company in euros (EUR)		
Imports of the product under investigation into the Union		
Resales on the Union market after importation from the People's Republic of China of the product under investigation		

⁽¹⁾ This document is for internal use only. It is protected pursuant to Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council (OJ L 145, 31.5.2001, p. 43). It is a confidential document pursuant to Article 29 of Council Regulation (EC) No 597/2009 (OJ L 188, 18.7.2009, p. 93) and Article 12 of the WTO Agreement on Subsidies and Countervailing Measures.

⁽²⁾ The 27 Member States of the European Union are: Belgium, Bulgaria, the Czech Republic, Denmark, Germany, Estonia, Ireland, Greece, Spain, France, Italy, Cyprus, Latvia, Lithuania, Luxembourg, Hungary, Malta, the Netherlands, Austria, Poland, Portugal, Romania, Slovenia, Slovakia, Finland, Sweden, and the United Kingdom.

3. ACTIVITIES OF YOUR COMPANY AND RELATED COMPANIES ⁽¹⁾

Give details of the precise activities of the company and all related companies (please list them and state the relationship to your company) involved in the production and/or selling (export and/or domestic) of the product under investigation. Such activities could include but are not limited to purchasing the product under investigation or producing it under sub-contracting arrangements, processing or trading the product under investigation.

Company name and location	Activities	Relationship

4. OTHER INFORMATION

Please provide any other relevant information which the company considers useful to assist the Commission in the selection of the sample.

5. CERTIFICATION

By providing the above information, the company agrees to its possible inclusion in the sample. If the company is selected to be part of the sample, this will involve completing a questionnaire and accepting a visit at its premises in order to verify its response. If the company indicates that it does not agree to its possible inclusion in the sample, it will be deemed not to have cooperated in the investigation. The Commission's findings for non-cooperating importers are based on the facts available and the result may be less favourable to that company than if it had cooperated.

Signature of authorised official:

Name and title of authorised official:

Date:

⁽¹⁾ In accordance with Article 143 of Commission Regulation (EEC) No 2454/93 concerning the implementation of the Community Customs Code, persons shall be deemed to be related only if: (a) they are officers or directors of one another's businesses; (b) they are legally recognized partners in business; (c) they are employer and employee; (d) any person directly or indirectly owns, controls or holds 5 % or more of the outstanding voting stock or shares of both of them; (e) one of them directly or indirectly controls the other; (f) both of them are directly or indirectly controlled by a third person; (g) together they directly or indirectly control a third person; or (h) they are members of the same family. Persons shall be deemed to be members of the same family only if they stand in any of the following relationships to one another: (i) husband and wife, (ii) parent and child, (iii) brother and sister (whether by whole or half blood), (iv) grandparent and grandchild, (v) uncle or aunt and nephew or niece, (vi) parent-in-law and son-in-law or daughter-in-law, (vii) brother-in-law and sister-in-law. (OJ L 253, 11.10.1993, p. 1). In this context 'person' means any natural or legal person.

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION
POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case COMP/M.6339 — Freudenberg & CO/Trelleborg/JV)

(Text with EEA relevance)

(2012/C 122/07)

1. On 2 April 2012, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which the undertakings Freudenberg & Co. KG ('Freudenberg', Germany) and Trelleborg AB ('Trelleborg', Sweden) acquire within the meaning of Article 3(1)(b) of the Merger Regulation, joint control of a newly created company (constituting a joint venture) Trelleborg Vibracoustic ('TVJV', Germany) by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - for Freudenberg: development and production of seals, vibration technology components, filters, nonwovens, release agents, speciality lubricants and mechatronics products,
 - for Trelleborg: manufacture of anti-vibration systems for automotive and industrial applications, products and solutions for noise suppression in vehicles, wheel systems, industrial fluid systems and engineered solutions based on polymer materials,
 - for TVJV: development, manufacture and sale of anti-vibration systems for cars, busses, and trucks.
3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope the EC Merger Regulation. However, the final decision on this point is reserved.
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 e-mail to COMP-MERGER-REGISTRY@ec.europa.eu or by post, under reference number COMP/M.6339 — Freudenberg & CO/Trelleborg/JV, to the following address:

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

⁽¹⁾ OJ L 24, 29.1.2004, p. 1 (the 'EC Merger Regulation').

OTHER ACTS

EUROPEAN COMMISSION

Publication of an amendment 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

(2012/C 122/08)

This publication confers the right to object to the amendment 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.

AMENDMENT APPLICATION

COUNCIL REGULATION (EC) No 510/2006

AMENDMENT APPLICATION ACCORDING TO ARTICLE 9

'CABRITO TRANSMONTANO'

EC No: PT-PDO-0117-0225-10.03.2011

PGI () PDO (X)

1. Heading in the specification affected by the amendment:

- Product name
- Description of commodity
- Geographical area
- Proof of origin
- Method of production
- Report
- Labelling
- National requirements
- Other (to be specified)

2. Type of change:

- Amendment to single document or summary sheet
- Amendment to specification of registered PDO or PGI for which neither the single document nor summary has been published

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

- Amendment to specification that requires no amendment to the published single document (Article 9(3) of Regulation (EC) No 510/2006)
- Temporary amendment to specification resulting from imposition of obligatory sanitary or phytosanitary measures by public authorities (Article 9(4) of Regulation (EC) No 510/2006)

3. Amendment(s):

1. Definitions

The name 'Cabrito Transmontano' refers to the carcass/meat of animals of the Serrana goat breed, either male or female, born of animals entered in the zootechnical register and/or in the flock book for that breed, fed on mother's milk, between 30 and 90 days of age and reared in 13 municipalities of its area of origin.

2. Geographical area

Extension of the geographical area: the municipalities of Alijó, Vimioso and Bragança (only the parishes of Quintela de Lapaças, Santa Comba de Rossas, Failde, Mós, Grijó de Parada, Parada, Pinela, Salsas, Serapicos, Coelhooso, Calvelhe, Paradinha Nova, Macedo do Mato, Iseda and Sendas) should be included.

3. Marketing period

The marketing period should be extended to cover the whole year (to include May, September, October and November).

4. Carcass weight

Extend the weight range for the carcass of 'Cabrito Transmontano', which should be between 4 kg and 9 kg instead of between 5 kg and 9 kg.

5. Authorisation for marketing the carcass by the quarter or in whatever portion size, either chilled or frozen

Marketing of the carcass should not only be whole or in half but should also be allowed to be cut into quarters or any other portion size.

6. Authorisation to freeze the carcass for a maximum period of six months subject to the obligation that reference to its being a frozen product appears on the label.

7. Compulsory packaging when the carcass is sold as a whole, in quarters or in any smaller portions.

SINGLE DOCUMENT

COUNCIL REGULATION (EC) No 510/2006

'CABRITO TRANSMONTANO'

EC No: PT-PDO-0117-0225-10.03.2011

PGI () PDO (X)

1. Name:

'Cabrito Transmontano'

2. Member State or Third Country:

Portugal

3. Description of the agricultural product or foodstuff:

3.1. Product type:

Type 1.1. Fresh meat (and offal)

3.2. *Description of the product to which the name in point 1 applies:*

The name 'Cabrito Transmontano' refers to the carcass/meat of animals of the Serrana goat breed, either male or female, born of animals entered in the zootechnical register and/or in the flock book for that breed, fed on mother's milk, between 30 and 90 days of age and reared in 13 municipalities of its area of origin.

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

—

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

The goats feed on wild-growing plants, in particular plants that are present in uncultivated areas, waste land and fallow land. Pastures covered in trees (yearly shoots and leaves of certain trees) and shrubs (of various types such as heaths, heathers and carqueixa (*Pterospartum tridentatum*)) are those preferred by Serrana goats and, given a choice, these may provide 90 % of their nutrition needs.

Kids are fed on mother's milk.

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

Localisation of holdings, rearing and slaughtering of animals.

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

Packaging is compulsory when marketing the carcass in quarters or other portion sizes.

3.7. *Specific rules on labelling:*

The label to be affixed in the leg region (for marketing the carcass as a whole or half the carcass) should include the following information:

— D.O.P. 'Cabrito Transmontano'

Packaging is compulsory for marketing quarters and other portions sizes of the carcass and the label must contain the above text.

For the frozen product, the label must also state clearly that the product is frozen.

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

The production area of origin of 'Cabrito Transmontano' includes the municipalities of Mirandela, Macedo de Cavaleiros, Alfândega da Fé, Carrazeda de Ansiães, Vila Flor, Torre de Moncorvo, Freixo de Espada à Cinta, Mogadouro, Vimioso e Bragança (only the parishes of Quintela de Lampaças, Santa Comba de Rossas, Failde, Mós, Grijó de Parada, Parada, Pinela, Salsas, Serapicos, Coelhooso, Calvelhe, Paradinha Nova, Macedo do Mato, Iseda and Sendas) of the district of Bragança; and the municipalities of Alijó, Valpaços and Murça of the district of Vila Real.

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

5.1. *Specificity of the geographical area:*

As regards the geographical situation and the topographical and climate conditions, the region of Trás-os-Montes will need to be identified since this PDO covers over one third of the region, which is subdivided into the two following districts: Bragança and Vila Real.

This area within the Trás-os-Montes region includes 447 600 ha of fissures, deep erosion valleys and plateaux.

The Douro river basin dominates the whole region, where its right-bank tributaries, i.e. the rivers Sabor, Tua, Pinhão and Corgo, and its left-bank tributaries, i.e. the rivers Águeda, Côa, Távora and Varosa, separate mountain ranges running parallel to the coastline reaching at times 1 500 m above sea level.

The peculiar characteristics of the basin of the second main river of the Iberian peninsula in Portugal confer on the region as a whole features that are very special and at times unique in the world, giving rise to an incredible climate and cultural and even human diversity (LAGE, 1985).

These mountain ranges along the coastline protect the area from the onshore winds so that they blow less strongly inland, gradually increasing the influence of the continental climate. In a north-south direction towards the Douro, the influence of the Mediterranean climate is also greater.

There is a strict correlation between the geological and lithological structure, the terrain, the climate and the morphology of the land. The soil of the region derives primarily from granite, schist and graywacke with a loamy-sandy texture.

5.2. *Specificity of the product:*

Goat farming in the sector of kid meat production is an important activity in the 13 municipalities (in the municipality of Bragança only in 15 of its abovementioned parishes) covered by this PDO, which may be considered the most rural and marginal and having the lowest standards of living, suffering the greatest decrease in population of the last decade. Goat meat production in these areas is strictly related to the climatic cycle and the goat farmers' lifestyle, deprived of any external influence, who rear the animals as if they were in their natural environment (traditional extensive production system).

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 agri-environmental conditions of the mountain areas of the Trás-os-Montes region, combined with the peculiar characteristic of this age-old breed, which is so well adjusted to this Portuguese region, have helped to make 'Cabrito Transmontano' stand out on the basis of the organoleptic quality of its meat, such as its palatability, tenderness, succulence, taste and aroma.

Reference to publication of the specification:

(Article 5(7) of Regulation (EC) No 510/2006)

http://www.gpp.pt/Valor/DOP_IGP_ETG.html

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