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⁽¹⁾ Text with EEA relevance

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II

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

EUROPEAN COMMISSION

Non-opposition to a notified concentration**(Case COMP/M.6896 — Spar/Allianz/JV)****(Text with EEA relevance)**

(2013/C 160/01)

On 28 May 2013, the Commission decided not to oppose the above notified concentration and to declare it compatible with the common market. This decision is based on Article 6(1)(b) of Council Regulation (EC) No 139/2004. The full text of the decision is available only in German and will be made public after it is cleared of any business secrets it may contain. It will be available:

- in the merger section of the Competition website of the Commission (<http://ec.europa.eu/competition/mergers/cases/>). This website provides various facilities to help locate individual merger decisions, including company, case number, date and sectoral indexes,
 - in electronic form on the EUR-Lex website (<http://eur-lex.europa.eu/en/index.htm>) under document number 32013M6896. EUR-Lex is the on-line access to the European law.
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IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

EUROPEAN COMMISSION

Euro exchange rates ⁽¹⁾

5 June 2013

(2013/C 160/02)

1 euro =

Currency	Exchange rate	Currency	Exchange rate		
USD	US dollar	1,3067	AUD	Australian dollar	1,3647
JPY	Japanese yen	130,13	CAD	Canadian dollar	1,3509
DKK	Danish krone	7,4545	HKD	Hong Kong dollar	10,1414
GBP	Pound sterling	0,85105	NZD	New Zealand dollar	1,6331
SEK	Swedish krona	8,6255	SGD	Singapore dollar	1,6313
CHF	Swiss franc	1,2371	KRW	South Korean won	1 463,45
ISK	Iceland króna		ZAR	South African rand	12,9501
NOK	Norwegian krone	7,6050	CNY	Chinese yuan renminbi	8,0071
BGN	Bulgarian lev	1,9558	HRK	Croatian kuna	7,5195
CZK	Czech koruna	25,846	IDR	Indonesian rupiah	12 813,67
HUF	Hungarian forint	294,67	MYR	Malaysian ringgit	4,0236
LTL	Lithuanian litas	3,4528	PHP	Philippine peso	54,872
LVL	Latvian lats	0,7024	RUB	Russian rouble	41,9595
PLN	Polish zloty	4,2452	THB	Thai baht	39,880
RON	Romanian leu	4,4258	BRL	Brazilian real	2,7483
TRY	Turkish lira	2,4592	MXN	Mexican peso	16,6510
			INR	Indian rupee	74,2010

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

V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMMON
COMMERCIAL POLICY

EUROPEAN COMMISSION

**Notice of initiation of a partial interim review of the anti-dumping measures applicable to imports
of certain stainless steel fasteners and parts thereof originating in the People's Republic of China
and Taiwan**

(2013/C 160/03)

The European Commission ('the Commission') has decided to initiate a partial interim review pursuant to Article 11(3) of Council Regulation (EC) No 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Community ⁽¹⁾ ('the basic Regulation').

The review is limited to the examination of the product scope as regards the clarification of whether certain product types fall within the scope of the anti-dumping measures applicable to imports of certain stainless steel fasteners and parts thereof originating in the People's Republic of China and Taiwan.

1. Request for review and *ex-officio* initiation

A request for review was lodged by Sheh Kai Precision Co., Ltd ('the applicant'), an exporting producer from Taiwan, for imports originating in Taiwan.

As the measures also apply to imports originating in the People's Republic of China, the Commission has decided on its own initiative to initiate the review for imports originating in the People's Republic of China.

2. Product

The product subject to this review is certain stainless steel fasteners and parts thereof, currently falling within CN codes 7318 12 10, 7318 14 10, 7318 15 30, 7318 15 51, 7318 15 61 and 7318 15 70 ('the product under review').

3. Existing measure

The measure currently in force is a definitive anti-dumping duty imposed by Council Implementing Regulation (EU) No 2/2012 ⁽²⁾.

⁽¹⁾ OJ L 343, 22.12.2009, p. 51.

⁽²⁾ OJ L 5, 7.1.2012, p. 1.

4. Grounds for the review

The applicant requests the exclusion of certain stainless steel fasteners from the scope of the current anti-dumping measure. The product alleged to be excluded is bi-metal self-tapping and self-drilling screws, having a shank and head of stainless steel and a point of carbon steel which allows the screw to self-drill its own pilot hole and cut its own thread into hard steel metal, currently falling within CN code ex 7318 14 10.

The request pursuant to Article 11(3) is based on *prima facie* evidence demonstrating that the basic physical, technical and chemical characteristics of the product to be excluded significantly differ from those of the product under review.

Therefore, it is appropriate to review the case as far as the scope of the product under review is concerned. Any regulation which may result from this review might possibly have a retroactive effect as of the date of imposition of the relevant measures, or possibly from a later date, for instance the date after publication of this notice. All operators, and in particular importers, are invited to make their views known on this issue, and submit any evidence supporting those views.

5. Procedure

Having determined, after consulting the Advisory Committee, that sufficient evidence exists to justify the initiation of a partial interim review, the Commission hereby initiates a review in accordance with Article 11(3) of the basic Regulation, limited to the examination of the product scope.

5.1. Questionnaires

In order to obtain information it deems necessary for its investigation, the Commission will send questionnaires to the applicant, as an exporting producer, to the known exporting

producers in the People's Republic of China and Taiwan and to the authorities of those countries, to the Union industry, to other known producers in the Union, to known importers and users. 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*, unless otherwise specified.

5.2. **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*.

5.3. **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 review 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.

5.4. **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 19(2) of the basic Regulation, which will be labelled 'For inspection by interested parties'. These summaries must 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

their name, address, e-mail address, telephone and fax numbers. However, any powers of attorney, signed certifications, and any updates thereof, accompanying questionnaire replies shall 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>

Commission address for correspondence:

European Commission
Directorate-General for Trade
Directorate H
Office: N105 08/020
1049 Bruxelles/Brussel
BELGIQUE/BELGIË
Fax +32 22962219
E-mail: TRADE-FASTENERS-PRODUCT-SCOPE@ec.europa.eu

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, findings, affirmative or negative, may be made on the basis of facts available, in accordance with Article 18 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 18 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 on 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

⁽¹⁾ A 'Limited' document is a document which is considered confidential pursuant to Article 19 of Council Regulation (EC) No 1225/2009 (OJ L 343, 22.12.2009, p. 51) and Article 6 of the WTO Agreement on Implementation of Article VI of the GATT 1994 (Anti-Dumping Agreement). 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).

of the review 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 and rebuttal arguments to be presented.

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 review investigation

The review investigation will be concluded, according to Article 11(5) of the basic Regulation, within 15 months of the date of the publication of this notice in the *Official Journal of the European Union*.

9. Processing of personal data

Any personal data collected in this review 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.

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION
POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case COMP/M.6897 — Shell/Repsol (Major Part of LNG Business))

Candidate case for simplified procedure

(Text with EEA relevance)

(2013/C 160/04)

1. On 31 May 2013, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which Shell Gas BV ('Shell Gas', the Netherlands) and Shell España SA ('SESA', Spain), ultimately controlled by Royal Dutch Shell plc ('Shell', the Netherlands), acquire within the meaning of Article 3(1)(b) of the Merger Regulation sole control over a significant part of the liquefied natural gas ('LNG') business division (the 'Target') of Repsol SA ('RSA', Spain) and Repsol Exploración SA ('REX', Spain), a wholly-controlled RSA subsidiary, by way of a purchase of shares.

2. The business activities of the undertakings concerned are:

- for Shell: active worldwide in oil and gas exploration and production, production and marketing of liquefied natural gas, manufacturing, marketing and shipping of oil products and chemicals, and renewable energy projects,
- for the Target: active worldwide in the production and in the wholesale supply of LNG; active in Spain in the electricity generation.

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 ⁽²⁾ it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent to the Commission by fax (+32 22964301), by email to COMP-MERGER-REGISTRY@ec.europa.eu or by post, under reference number COMP/M.6897 — Shell/Repsol (Major Part of LNG Business), to the following address:

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

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

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

OTHER ACTS

EUROPEAN COMMISSION

Publication of an application pursuant to Article 50(2)(a) of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs

(2013/C 160/05)

This publication confers the right to oppose to the application pursuant to Article 51 of Regulation (EU) No 1151/2012 of the European Parliament and of the Council ⁽¹⁾.

SINGLE DOCUMENT

COUNCIL REGULATION (EC) No 510/2006**on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽²⁾****'MOHANT'****EC No: SI-PDO-0005-0424-29.10.2004****PGI () PDO (X)****1. Name**

'Mohant'

2. Member State or third country

Slovenia

3. Description of the agricultural product or foodstuff**3.1. Type of product**

Group 1.3. Cheeses

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

'Mohant' is a soft cheese of a whitish yellow, beige or pale buttery colour, with a distinctive piquant, sharp, pungent and very marked smell and taste. The surface of the cheese is smooth, even, dry and malleable. The paste is uniform, smooth, partly elastic, hard to spread to spreadable, kneaded and can be slightly lumpy. Given the traditional method of skimming the milk, mature 'Mohant' must contain at least 35 % fat in dry matter, at least 17 % protein and 0,5 % to 2,5 % salt.

3.3. Raw materials (for processed products only)

'Mohant' is made from raw cow's milk produced in the geographical area.

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ L 93, 31.3.2006, p. 12. Replaced by Regulation (EU) No 1151/2012.

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

The dairy cows are fed mainly forages and roughage (pasture, hay and silage), produced in the geographical area, which must account for at least 75 % of the dry matter of the daily ration. Vitamin and mineral supplements are also permitted.

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

The milk must be produced and the 'Mohant' must be made in the defined geographical area.

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

'Mohant' is ripened in large casks under anaerobic conditions. After ripening, it is soft and spreadable, without any rind to protect it from drying and oxidation. To preserve the characteristic organoleptic properties of 'Mohant' after it has ripened, the cheese must be placed straight from the large casks into its packaging. During anaerobic ripening, gas is produced which causes air pockets to form inside the cheese; it is therefore extremely important that care be taken when placing the cheese into its packaging, and pockets of air, which could cause microbiological deterioration of the product, must be pressed out immediately.

'Mohant' is kneaded and cut up immediately before it is packaged. After packaging, the jar and lid must be fastened with a sealing label, which proves that the packaging has not been opened.

Only packaging 'Mohant' in the geographical area ensures that it is packaged as soon as possible, thus preserving its specific organoleptic properties as well as its microbiological safety.

3.7. *Specific rules concerning labelling*

'Mohant' must be labelled with the name 'Mohant', the logotype 'Samo eden je Mohant, Bohinj' ('There is only one Mohant, Bohinj'), the indication 'protected designation of origin' and the national quality symbol.



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

The geographical area where the milk is produced and 'Mohant' is made is situated in the heart of the Julian Alps within the boundary running from the summit of Kobla across Bohinjsko Sedlo to the Pečana mountain pasture, to Rovtarica in the direction of Soteska, to Kranjska Dolina across Pleša in the direction of Mrzli Studenec to Debela Peč, to Rjavina across Triglav into the valley of the Triglav Lakes, across Zgornja Komna to Lepa Komna, across Tolminski Kuk to Vogel, across the Raskovec mountain pasture via Črna Prst to Kobla.

5. **Link with the geographical area**

5.1. *Specificity of the geographical area*

The geographical area in which the milk is produced and 'Mohant' is made is located within the Triglav National Park and a Natura 2000 site. It is surrounded on three sides by high hills, the valley opening only towards the east, where the river Sava Bohinjka has cut a deep channel.

An Alpine climate, with relatively harsh cold winters and short summers, prevails in the geographical area. Rapid changes in the weather, with large amounts of rainfall in the form of downpours, are typical. The average annual temperature in the valley is 7,7 °C and 3,6 °C on the mountains. The warmest month is July, and the coldest month is January in the valley, but February in the mountains.

Such pedoclimatic and weather conditions have a direct bearing on the native Alpine flora of the pastures and grasslands in the geographical area. The alpine limestone flora in the geographical area is amongst the richest in Europe, as over a thousand different plant species grow there, including some groups of plants that do not flourish elsewhere. Many of them are also protected.

The proximity of the Mediterranean can be seen in the thermophilous vegetation on the southern slopes of the Lower Bohinj mountains and of Pršivec. The plants have adapted to the harsh conditions, displaying a dwarf or prostrate habit, rapid development and perennial reproduction, with thickened, often hairy, leaves. Long roots enable them to obtain a firm grip in the soil and their flowers are more colourful.

Alpine dairy farming in the geographical area, and the cheese-making associated with it, date back to the 13th century. The lack of arable land, the long winters and the short summers explain why the inhabitants have long focused more on rearing livestock. The people of Bohinj have developed it to a fine art. In spring the shepherds started to graze livestock on the hay-field slopes, which were the lowest-lying pastures, then they would drive the animals up to the medium-altitude and high-altitude mountain pastures, bringing them back down to the valley in autumn.

Right up to the middle of the 19th century, each mountain dairy farmer would process milk into dairy products on the mountain pastures. At that time 'Mohant' had already acquired a special place amongst the dairy products produced by the farmers on the mountain pastures.

Various written and oral sources attest to the history of making 'Mohant' and the use of the name 'Mohant' in the geographical area. Dr Marko Snoj states in the *Slovenski etimološki slovar (Slovenian Etymological Dictionary)*, published in 2003, that the name 'Mohant' dates back to the 18th century. The production of 'Mohant' in Bohinj is mentioned in a lengthy chapter on this subject in Anton Pevč's book *Sirarstvo (Cheese-making)*, published in 1925. The traditional way of making 'Mohant' was also described by Anka Novak in the *Bohinjski zbornik* of 1987. Two stages of the traditional production method are particularly distinctive: the stage at which the curd grains are allowed to settle on the bottom of the vat after drying, and the stage at which ripening takes place in special casks (*deže*), where anaerobic conditions are guaranteed. 'Mohant' is still produced by the traditional method.

5.2. Specificity of the product

The specificity of 'Mohant' is its typical, very intense smell and its piquant taste, which may also be somewhat bitter. The smell and taste of the cheese can be repellent to many people, but they are characteristic of 'Mohant' and therefore also make it unique amongst cheeses.

Another specific characteristic is its texture, which is spreadable and can be slightly lumpy.

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 properties which distinguish 'Mohant' from other cheeses are closely linked to the geographical area where it is produced. The native flora of the grasslands, pastures and mountain pastures in the geographical area is influenced by their pedoclimatic characteristics and weather. The alpine limestone flora in the geographical area is amongst the richest in Europe, as over a thousand different plant species grow there, including some groups of plants that do not flourish elsewhere. Certain of these plants are also protected. The dairy cows' feed is produced in the geographical area. The rich native flora has a great influence on the specificity of 'Mohant'. Due to this flora, the raw milk from which 'Mohant' is made possesses special organoleptic properties which play a part in determining the specific smell and taste of 'Mohant' that distinguish it from other cheeses. As the milk is not thermised or subjected to intensive, restrictive or harsh technological procedures (excessively low cooling temperatures, heat treatment at excessively high temperatures, long milk maturation procedures), spontaneous varied and beneficial native microflora prevents undesirable pathogenic microorganisms from developing.

The traditional production method, which is passed down from generation to generation, also has a considerable influence on the smell, taste and texture of 'Mohant'. The cheese is traditionally ripened in anaerobic conditions in special large casks (*deže*). During ripening the proteins are broken down into amino acids. This releases gas, which is why the cheese becomes spreadable and develops its characteristic smell and taste.

Reference to publication of the specification

(Article 5(7) of Regulation (EC) No 510/2006 ⁽³⁾)

http://www.mko.gov.si/fileadmin/mko.gov.si/pageuploads/podrocja/Varna_in_kakovostna_hrana_in_krma/zasciteni_kmetijski_pridelki/Specifikacije/MOHANT_SP_EU.pdf

⁽³⁾ See footnote 2.

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