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### Information and Notices

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Price:  
EUR 3

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

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

## II

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

## EUROPEAN COMMISSION

**Non-opposition to a notified concentration****(Case COMP/M.6857 — Crane Co./MEI Group)****(Text with EEA relevance)**

(2014/C 28/01)

On 19 July 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 English 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 32013M6857. EUR-Lex is the online access to the European law.

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**Non-opposition to a notified concentration****(Case COMP/M.7021 — Swissport/Servisair)****(Text with EEA relevance)**

(2014/C 28/02)

On 18 December 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 English 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 32013M7021. EUR-Lex is the online access to the European law.
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## IV

(Notices)

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

## COUNCIL

**Council conclusions on the global dimension of European higher education**

(2014/C 28/03)

THE COUNCIL OF THE EUROPEAN UNION,

WHEREAS:

1. The Bologna Declaration of 19 June 1999 established an intergovernmental process aimed at creating a European Higher Education Area (EHEA) which is actively supported by the European Union, and the Ministers responsible for higher education in the participating countries, meeting in Bucharest in April 2012, adopted the 'Mobility for Better Learning strategy 2020' for the EHEA as an integral part of efforts to promote the internationalisation of higher education <sup>(1)</sup>.
2. Council Directive 2004/114/EC of 13 December 2004 on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service recognises that one of the objectives of Community action in the field of education is to promote Europe as a whole as a world centre of excellence for studies and vocational training <sup>(2)</sup>.
3. Council Directive 2005/71/EC of 12 October 2005 on a specific procedure for admitting third-country nationals for the purposes of scientific research has a similar aim, that of making the Community more attractive to researchers from around the world and boosting the EU's position as an international centre for research <sup>(3)</sup>.
4. The international strategy adopted at the May 2007 meeting of Bologna ministers in London <sup>(4)</sup> highlighted the need for the European Higher Education Area to be open and attractive to other parts of the world, and to strengthen higher education cooperation and policy dialogue with countries outside Europe.
5. The Council conclusions of 12 May 2009 on a strategic framework for European cooperation in education and training stressed the importance of supporting Member States' efforts to modernise higher education through close synergy with the Bologna process, in particular with regard to quality assurance, recognition, mobility and transparency instruments.
6. The Europe 2020 strategy for smart, sustainable and inclusive growth adopted in June 2010 <sup>(5)</sup> set the specific objective of improving education levels, in particular by increasing the share of young people having successfully completed tertiary, or equivalent, education to at least 40 % by 2020.
7. The Council conclusions of 11 May 2010 on the internationalisation of higher education <sup>(6)</sup> emphasised that international cooperation programmes and policy dialogues with third countries in the field of higher education not only enable knowledge to flow more freely, but also contribute to enhancing the quality and international standing of European higher education, boosting research and innovation, fostering mobility and intercultural dialogue, and promoting international development in accordance with the EU's external policy objectives.
8. The Council conclusions of 28-29 November 2011 on a benchmark for learning mobility <sup>(7)</sup> established a benchmark whereby an EU average of at least 20 % of higher education graduates should, by 2020, have had a period of higher education-related study or training (including work placements) abroad.
9. The Council conclusions of 28-29 November 2011 on the modernisation of higher education welcomed the Commission's intention to develop an EU international higher

<sup>(1)</sup> Bucharest communiqué, 27 April 2012, p. 3.<sup>(2)</sup> OJ L 375, 23.12.2004, p. 12.<sup>(3)</sup> OJ L 289, 3.11.2005, p. 15.<sup>(4)</sup> The European Higher Education Area in a Global Setting.<sup>(5)</sup> EUCO 13/10.<sup>(6)</sup> OJ C 135, 26.5.2010, p. 12.<sup>(7)</sup> OJ C 372, 20.12.2011, p. 31.

education strategy aimed at increasing international outreach and visibility, and to engage with partners with a view to strengthening relationships and enhancing capacity-building in the higher education sector.

AND IN THE LIGHT OF:

The Presidency conference on the 'European Higher Education in the World' held in Vilnius on 5-6 September 2013, which underlined the need for Member States and higher education institutions to develop comprehensive internationalisation strategies that:

- enhance the quality and competitiveness of European higher education;
- go beyond mobility and take increasing account of the global dimension in the design and content of curricula and teaching and learning processes (often referred to as 'internationalisation at home');
- address a more diverse range and greater number of students by combining new digital resources with more traditional forms of teaching and learning, whilst ensuring high quality;
- strengthen development cooperation through strategic partnerships and capacity-building.

NOTES WITH INTEREST:

- The communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions entitled 'European higher education in the world' <sup>(1)</sup>; and
- The communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions entitled 'Opening up Education: Innovative teaching and learning for all through new technologies and Open Educational Resources' <sup>(2)</sup>.

ACKNOWLEDGES THAT:

1. Higher education has a key role to play in the development of engaged, fulfilled and articulate citizens and is a powerful driver of smart, sustainable and inclusive societies, individual prosperity and economic growth. The international mobility of individuals and inclusion of a global perspective in higher education programmes can further contribute to this development.
2. The strength of Europe's higher education systems lies in the provision of high quality education and research, in the diversity of its institutions, and in its support for cooperation in areas where this provides added value, such as joint and double degree programmes, doctoral schools and studies, and international partnerships.

3. In the current economic climate higher education, as well as tertiary vocational education and training, have a crucial role to play in strengthening Europe's capacity for research and innovation and providing it with the highly skilled human resources it needs in order to secure jobs, economic growth and prosperity.

4. Graduate competences do not always match the evolving needs of the labour market and society, and public and private employers report mismatches and difficulties in finding suitable candidates to meet the needs of a knowledge-based economy.

5. Demographic ageing within the EU is likely to have a major impact in the coming decades, as consistently low birth rates risk aggravating the problem of graduate skills shortages for European employers.

6. As sources of knowledge and innovation, higher education institutions also have a social responsibility to contribute to human development and the common good, both within the national context and in the wider world.

CONSIDERS THAT:

1. The active engagement of international staff, researchers and students in European higher education institutions, the provision of financial and organisational support for the international mobility of both students and staff, and increased efforts to internationalise curricula can help students to acquire competences relevant to the global labour market.
2. Member States and European higher education institutions have — with EU support — made significant progress in developing mechanisms for cross-border quality assurance and the recognition of qualifications within the Bologna Process, through networks such as the ENIC/NARIC as well as through actions such as the 'Erasmus Mundus' and 'Tempus' programmes.
3. The global rise of Open Educational Resources, Open Courseware and Massive Open Online Courses (MOOCs) is an international development that may have important implications for higher education systems and open up opportunities for innovative forms of global cross-border cooperation.

ACCORDINGLY INVITES THE MEMBER STATES, AS APPROPRIATE, TO COOPERATE WITH HIGHER EDUCATION INSTITUTIONS, WHILST PAYING DUE REGARD TO THEIR AUTONOMY, IN ORDER TO:

1. Pursue comprehensive strategic approaches towards internationalisation, in cooperation with the relevant stakeholders, which cover three main areas:

- (a) student and staff mobility;

<sup>(1)</sup> 12453/13.

<sup>(2)</sup> 14116/13 + ADD 1.

- (b) the internationalisation of curricula and digital learning;
  - (c) strategic cooperation, partnerships and capacity-building.
2. Promote two-way international degree and credit mobility for students, as well as provide opportunities for staff mobility between Europe and third countries, including by:
- (i) ensuring that internationalisation strategies contain a strong student, researcher and staff mobility component, supported by a quality framework that can include *inter alia* guidance and counselling services;
  - (ii) setting up two-way mobility schemes of mutual interest with third countries, which strike a reasonable balance between physical and virtual mobility, as well as between inward and outward mobility, which embrace a wide variety of subjects and, where appropriate, which target fields with skills shortages;
  - (iii) supporting the recognition of credits, degrees, qualifications and competences gained abroad by internationally mobile students, researchers and staff, in accordance with national legislation and practice;
  - (iv) strengthening the focus on learning outcomes, as well as coherence with European transparency tools such as the European Credit Transfer and Accumulation System, the Diploma Supplement and the European Qualifications Framework, and with quality assurance mechanisms; and
  - (v) accelerating progress on the proposed recast of the directives on the conditions of entry and residence of third-country nationals for the purposes of research and studies.
3. Promote internationalisation at home and digital learning to ensure that the large majority of European students who do not participate in physical mobility actions are also able to develop international skills, including by:
- (i) ensuring the provision of high quality facilities and student services in tertiary education which are relevant to students' needs;
  - (ii) making effective use of the international experience and competences held by the staff of higher education institutions (HEIs) and encourage them to contribute to the development of high quality internationally-oriented curricula for the benefit of both non-mobile and mobile learners;
  - (iii) providing increased opportunities for students, researchers and staff to develop their language competences, particularly by means of tuition in the host language for individuals following courses which are not in their mother tongue, with a view to maximising the benefits of European linguistic diversity and the social integration of students, researchers and staff in their host country;
  - (iv) offering expanded opportunities for international collaborative online learning and explore the use of Information and Communication Technologies and Open Educational Resources for new delivery modes with a view to widening access, internationalising curricula and paving the way for new forms of partnerships.
4. Promote the creation of partnerships both within and outside Europe, in order to reinforce institutional capacity in education, research and innovation, including by:
- (i) providing curricula that stimulate entrepreneurship and innovation, as well as promote the development of transferable skills, and creating international training opportunities through close collaboration with employers from inside and outside the EU;
  - (ii) promoting a focus on the particular strengths and priorities of each HEI as a means of ensuring the efficient and effective use of public investment;
  - (iii) tackling remaining obstacles which stand in the way of developing and implementing joint, double and multiple degree programmes, and improving provisions for quality assurance and cross-border recognition;
  - (iv) encouraging coherence between Member States' internationalisation strategies and EU development cooperation policies, by taking account of the principles of equity and partner country ownership, as well as the needs of HEIs;
  - (v) drawing on the experiences of students, researchers and staff from third countries as ambassadors of cooperation with HEIs in these countries;
  - (vi) encouraging HEIs to develop their own comprehensive internationalisation strategies, recognising the cross-cutting nature of internationalisation, which affects all areas of university life, including research, teaching, management, administration and services, and support them in their efforts.
- WELCOMES THE COMMISSION'S INTENTION TO:
1. Support Member States' and higher education institutions' efforts to pursue comprehensive strategic approaches towards internationalisation, and exploit the opportunities for international higher education cooperation within the 'Erasmus+' and 'Horizon 2020' programmes, including by:
- (i) providing increased financial support through 'Erasmus+' for learners and staff mobility to and from third countries, and through the Marie Skłodowska-Curie actions under 'Horizon 2020' for the mobility of researchers to and from third countries;

- (ii) supporting international HEI consortia to develop Joint Master and Doctoral degrees respectively through 'Erasmus+' and Marie Skłodowska-Curie actions, and providing opportunities for students and doctoral candidates to benefit from high-level scholarships and fellowships;
  - (iii) supporting strategic partnerships for cooperation and innovation in higher education, including capacity-building partnerships between EU and third-country HEIs.
2. In cooperation with Member States, make efforts to increase the attractiveness and promote the diversity of European higher education around the world, including by:
- (i) improving quality and transparency, promoting cross — border quality assurance mechanisms, and fostering the comparability of qualifications, credits and recognition systems through international cooperation and dialogue;
  - (ii) enhancing the quality of academic mobility through a reinforced Erasmus Charter for Higher Education including through guidelines for HEIs on self-assessment and monitoring;
  - (iii) promoting, where relevant and whilst respecting the autonomy of higher education institutions, the implementation of 'U-Multirank', the new multi-dimensional, international transparency tool aimed at enhancing comparability between HEIs;
3. Promote higher education cooperation for innovation and development between the EU and its global partners, including by:
- (i) undertaking bilateral and multilateral policy dialogues with key international partners, in accordance with the EU's external policies;
  - (ii) promoting the European Institute of Innovation and Technology and its Knowledge and Innovation Communities as gateways for international cooperation in innovation, research and higher education to address societal challenges;
  - (iii) supporting and improving evidence-based policymaking in the field of international education, through research, the collection and analysis of statistics, and dialogue with experts.
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**COUNCIL DECISION****of 28 January 2014****appointing one member of the Management Board of the European Chemicals Agency**

(2014/C 28/04)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC <sup>(1)</sup>, and in particular Article 79 thereof,

Whereas:

- (1) Article 79 of Regulation (EC) No 1907/2006 provides that the Council is to appoint as members of the Management Board of the European Chemicals Agency ('the Management Board') one representative from each Member State.
- (2) By its Decision of 17 May 2011 <sup>(2)</sup>, the Council appointed 15 members of the Management Board.

- (3) The Government of Cyprus has informed the Council of its intention to replace the Cypriot representative on the Management Board and has submitted a nomination for a new representative, who should be appointed for a period which runs until 31 May 2015,

HAS ADOPTED THIS DECISION:

*Article 1*

Mr Anastassios YIANNAKI, of Cypriot nationality, born on 27 September 1957, shall be appointed member of the Management Board of the European Chemicals Agency, in place of Mr Leandros NICOLAIDES, for the period from 28 January 2014 to 31 May 2015.

*Article 2*

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 28 January 2014.

*For the Council*

*The President*

G. STOURNARAS

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<sup>(1)</sup> OJ L 396, 30.12.2006, p. 1.

<sup>(2)</sup> OJ C 151, 21.5.2011, p. 1.

**Notice for the attention of the persons to whom measures provided for in Council Decision 2011/72/CFSP, as amended by Council Decision 2014/49/CFSP, and in Council Regulation (EU) No 101/2011, as implemented by Council Implementing Regulation (EU) No 81/2014 concerning restrictive measures directed against certain persons and entities in view of the situation in Tunisia apply**

(2014/C 28/05)

THE COUNCIL OF THE EUROPEAN UNION,

The following information is brought to the attention of the persons that appear in the Annex to Council Decision 2011/72/CFSP, as amended by Council Decision 2014/49/CFSP <sup>(1)</sup>, and in Annex I to Council Regulation (EU) No 101/2011, as implemented by Council Implementing Regulation (EU) No 81/2014 <sup>(2)</sup> concerning restrictive measures directed against certain persons and entities in view of the situation in Tunisia.

The Council of the European Union has decided that the persons that appear in the above-mentioned Annexes should continue to be included in the list of persons and entities subject to restrictive measures provided for in Council Decision 2011/72/CFSP concerning restrictive measures directed against certain persons and entities in view of the situation in Tunisia.

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

Council of the European Union  
General Secretariat  
DG C 1C  
Rue de la Loi/Wetstraat 175  
1048 Bruxelles/Brussel  
BELGIQUE/BELGIË

E-mail: [sanctions@consilium.europa.eu](mailto:sanctions@consilium.europa.eu)

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

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<sup>(1)</sup> OJ L 28, 31.1.2014, p. 38.

<sup>(2)</sup> OJ L 28, 31.1.2014, p. 2.

# EUROPEAN COMMISSION

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

30 January 2014

(2014/C 28/06)

1 euro =

Currency		Exchange rate	Currency		Exchange rate
USD	US dollar	1,3574	CAD	Canadian dollar	1,5176
JPY	Japanese yen	139,28	HKD	Hong Kong dollar	10,5421
DKK	Danish krone	7,4622	NZD	New Zealand dollar	1,6624
GBP	Pound sterling	0,82380	SGD	Singapore dollar	1,7323
SEK	Swedish krona	8,8347	KRW	South Korean won	1 469,53
CHF	Swiss franc	1,2233	ZAR	South African rand	15,2700
ISK	Iceland króna		CNY	Chinese yuan renminbi	8,2302
NOK	Norwegian krone	8,4680	HRK	Croatian kuna	7,6605
BGN	Bulgarian lev	1,9558	IDR	Indonesian rupiah	16 551,39
CZK	Czech koruna	27,594	MYR	Malaysian ringgit	4,5417
HUF	Hungarian forint	310,97	PHP	Philippine peso	61,527
LTL	Lithuanian litas	3,4528	RUB	Russian rouble	47,8025
PLN	Polish zloty	4,2312	THB	Thai baht	44,745
RON	Romanian leu	4,5110	BRL	Brazilian real	3,2955
TRY	Turkish lira	3,0808	MXN	Mexican peso	18,1111
AUD	Australian dollar	1,5459	INR	Indian rupee	85,0840

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

## NOTICES FROM MEMBER STATES

**Commission information notice pursuant to Article 16(4) of Regulation (EC) No 1008/2008 of the European Parliament and of the Council on common rules for the operation of air services in the Community**

**Repeal of public service obligations in respect of scheduled air services**

(Text with EEA relevance)

(2014/C 28/07)

Member State	Italy
Routes concerned	Alghero–Bologna and vice versa Alghero–Turin and vice versa
Original date of entry into force of the public service obligations	1 March 2007
Date of repeal	13 January 2014
Address where the text and any relevant information and/or documentation relating to the public service obligation can be obtained	Reference document: OJ C 93, 21.4.2006. For further information, please contact: Ministero delle Infrastrutture e dei Trasporti Direzione Generale per Aeroporti e il Trasporto Aereo Tel. +39 659084908 / 4041 / 4350 Fax +39 659083280 E-mail: segreteria_dgata@mit.gov.it Internet: <a href="http://www.mit.gov.it">http://www.mit.gov.it</a>

**Notice from the French authorities to the European Commission pursuant to Article 9 of Council Directive 2009/119/EC imposing an obligation on Member States to maintain minimum stocks of crude oil and/or petroleum products**

(2014/C 28/08)

In accordance with Article 9(4) of Council Directive 2009/119/EC of 14 September 2009 imposing an obligation on Member States to maintain minimum stocks of crude oil and/or petroleum products, the French authorities are pleased to provide the Commission with the following information.

1. The level of specific stocks the French authorities undertake to maintain is equivalent to 30 days of average daily consumption.
  2. This commitment applies to the period from 1 February 2014 to 31 January 2015.
  3. The specific stocks will be composed of the following product categories:
    - motor gasoline,
    - kerosene-type jet fuel, and
    - gas/diesel oil (distillate fuel oil).
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## 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 ceramic tiles originating in the People's Republic of China

(2014/C 28/09)

**1. Initiation of the review**

The European Commission ('the Commission') has received a request for 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<sup>(1)</sup> ('the basic Regulation'). The request was lodged by Foshan Gani Ceramic Co., Ltd and Qingyang Gani Ceramic Co., Ltd, exporting producers ('Gani Group' or 'the company concerned') from the People's Republic of China ('the country concerned').

The review is limited in scope to the examination of the ownership structure and if warranted, ex officio of the dumping margin as far as Gani Group is concerned.

In parallel, the Commission initiates ex officio a partial interim review pursuant to Article 11(3) of the Basic regulation with the same scope but as far as the allegedly former related companies of Gani Group — Dongguan City Wonderful Ceramics Industrial Park Co., Ltd and Guangdong Jiamei Ceramics Co., Ltd ('Wonderful Group' or 'the company concerned'), are concerned.

**2. Product under review**

The product subject to this review is glazed and unglazed ceramic flag and paving, hearth or wall tiles; glazed and unglazed ceramic mosaic cubes and the like, whether or not on a backing ('the product under review'), currently falling within CN codes 6907 10 00, 6907 90 20, 6907 90 80, 6908 10 00, 6908 90 11, 6908 90 20, 6908 90 31, 6908 90 51, 6908 90 91, 6908 90 93 and 6908 90 99.

**3. Existing measures**

The measures currently in force are a definitive anti-dumping duty imposed by Council Implementing Regulation (EU) No

917/2011<sup>(2)</sup>. Gani Group and Wonderful Group are subject to a single duty of 26,3 % as related parties.

**4. Grounds for the review**

The request is based on *prima facie* evidence provided by Gani Group, that, as far as Gani Group is concerned, the circumstances on the basis of which the existing measures were imposed have changed and that these changes are of a lasting nature.

It is alleged that the shareholding relationship between Gani Group and Wonderful Group has ceased. It allegedly follows that the continued imposition of the measures at the existing level which is the level of dumping previously established for the group of companies as a whole comprising both Gani Group and Wonderful Group, appears to no longer reflect the current situation in order to offset the effects of injurious dumping as previously established. Therefore, this alleged change of circumstances concerns Wonderful Group as well and it justifies the ex officio initiation of a review concerning Wonderful Group.

The cessation of the relationship of the two companies concerned allegedly has an economic impact on the functioning of the two companies concerned and therefore on their dumping margins. Therefore, if warranted, the dumping margins of the two companies concerned will be ex officio reviewed on an individual basis.

The change in the corporate structure had been communicated to the Commission following the disclosure of the provisional findings of the investigation to the parties (see recital 97 to Regulation (EU) No 917/2011).

<sup>(1)</sup> OJ L 343, 22.12.2009, p. 51.

<sup>(2)</sup> OJ L 238, 15.9.2011, p. 1.

## 5. Procedure

Having determined, after consulting the Advisory Committee, that sufficient evidence exists to justify the initiation of a partial interim review limited to the examination of the ownership structure and if warranted, the dumping, as far as Gani Group and Wonderful Group are concerned, the Commission hereby initiates a review in accordance with Article 11(3) of the basic Regulation.

The investigation will also assess the need for the continuation, removal or amendment of the existing measures in respect of the two companies concerned.

### 5.1. Procedure for the determination of dumping

#### 5.1.1. Investigating exporting producers

In order to obtain the information it deems necessary for its investigation, the Commission will send questionnaires to the two companies concerned in the People's Republic of China.

The two companies concerned must submit the completed questionnaire within 37 days of the date of publication of this notice in the *Official Journal of the European Union*, unless otherwise specified.

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

#### 5.1.2. Additional procedure with regard to exporting producers in the non-market economy country concerned

##### 5.1.2.1. Selection of a market economy third country

Subject to the provisions of section 5.1.2.2 below, in accordance with Article 2(7)(a) of the basic Regulation, in the case of imports from the People's Republic of China normal value will be determined on the basis of the price or constructed value in a market economy third country.

In the previous investigation the United States of America were used as a market economy third country for the purpose of establishing normal value in respect of the People's Republic of China. For the purpose of the current investigation, the Commission envisages using again the United States of America. Interested parties are hereby invited to comment on

the appropriateness of this choice within 10 days of the date of publication of this notice in the *Official Journal of the European Union*.

#### 5.1.2.2. Treatment of exporting producers in the non-market economy country concerned

In accordance with Article 2(7)(b) of the basic Regulation, individual exporting producers in the non-market economy country concerned, which consider that market economy conditions prevail for them in respect of the manufacture and sale of the product under review, may submit a properly substantiated claim to this effect ('MET claim'). MET will be granted if the assessment of the MET claim shows that the criteria laid down in Article 2(7)(c) of the basic Regulation<sup>(1)</sup> are fulfilled. The dumping margin of the exporting producers granted MET will be calculated, to the extent possible and without prejudice to the use of facts available pursuant to Article 18 of the basic Regulation, by using their own normal value and export prices in accordance with Article 2(7)(b) of the basic Regulation.

The Commission will send MET claim forms to the two companies concerned. If they claim MET, they must submit the completed MET claim form within 21 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 must be made in writing and must 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.

<sup>(1)</sup> The exporting producer(s) has/have to demonstrate in particular that: (i) business decisions and costs are made in response to market conditions and without significant State interference; (ii) firms have one clear set of basic accounting records which are independently audited in line with international accounting standards and are applied for all purposes; (iii) there are no significant distortions carried over from the former non-market economy system; (iv) bankruptcy and property laws guarantee legal certainty and stability and (v) exchange rate conversions are carried out at market rates.

#### 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' <sup>(1)</sup>.

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 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 MET claim forms or questionnaire replies must be submitted on paper, i.e. by post or by hand, at the address below. 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 22956505  
E-mail: [Trade-R586-Ceramic-Tiles@ec.europa.eu](mailto:Trade-R586-Ceramic-Tiles@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.

<sup>(1)</sup> 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).

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.

Failure to give a computerised response shall not be deemed to constitute non-cooperation, provided that the interested party shows that presenting the response as requested would result in an unreasonable extra burden or unreasonable additional cost. The interested party should immediately contact the Commission.

#### 7. Hearing Officer

Interested parties may request the intervention of the Hearing Officer for the 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 dumping.

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/commission\\_2010-2014/degucht/contact/hearing-officer/](http://ec.europa.eu/commission_2010-2014/degucht/contact/hearing-officer/)

#### 8. Schedule of the investigation

The investigation will be concluded, pursuant 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 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 <sup>(1)</sup>.

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<sup>(1)</sup> 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.7104 — Crown Holdings/Mivisa)**

**(Text with EEA relevance)**

(2014/C 28/10)

1. On 24 January 2014, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 <sup>(1)</sup> by which the undertaking Crown Holdings, Inc. ('Crown', USA) acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control over Mivisa Envases, S.A.U. ('Mivisa', Spain) by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- for Crown: design, manufacture and sale of packaging products for consumer goods, including metal food cans, can ends and closures,
- for Mivisa: manufacture and sale of metal food cans, can ends and closures.

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.7104 — Crown Holdings/Mivisa, to the following address:

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

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

## 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**

(2014/C 28/11)

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

## SINGLE DOCUMENT

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

**on the protection of geographical indications and designations of origin for agricultural products and foodstuffs <sup>(2)</sup>**

**‘CHAROLAIS’**

**EC No: FR-PDO-0005-0838-15.11.2010**

**PGI ( ) PDO ( X )**

**1. Name**

‘Charolais’

**2. Member State or Third Country**

France

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

Class 1.3 Cheeses

**3.2. Description of the product to which the name in (1) applies**

‘Charolais’ cheeses are made from raw, full-fat, lightly renneted goat’s milk.

The cheese is obtained from a lactic curd and has a vertical cylindrical shape, slightly convex, with a cream-coloured, firm and smooth paste. It is covered mainly with *geotrichum* mould. Marks of blue *penicillium* in particular may appear during the ripening process.

Its weight at the end of the minimum ripening period (16 days after renneting) is between 250 and 310 grams, and its dimensions are as follows:

— diameter in the centre, between 60 and 70 mm;

— a height of 70 mm or more but not more than 85 mm.

‘Charolais’ cheese contains at least 45 grams of dry matter per 100 grams of cheese.

<sup>(1)</sup> OJ L 343, 14.12.2012, p. 1.

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

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

Not applicable.

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

The feeding of the goats is based on a grazing system with fodder sourced exclusively from the geographical area.

The fodder consists of fresh grass (from grazing areas or provided in troughs) or hay. No fodder from monospecific pastures or annual crops may be used.

The forage area to be grazed only by the goat herd consists of a minimum 60 % of permanent and/or temporary pastures of more than 4 years old.

The minimum annual grazing and/or green feeding period is 150 consecutive or non-consecutive days, including change of fodder:

Grazing:

During a minimum grazing period of 120 days, the minimum share of fresh grass from grazing areas is one third of the daily forage consumption per goat, with additional hay not exceeding 1,2 kilograms of raw material.

Green feeding:

During a minimum green feeding period of 120 days, the minimum share of fresh grass from troughs is two thirds of the daily forage consumption per goat, with additional hay not exceeding 1 kilogram of raw material. The grass is consumed within 24 hours. All grass not consumed within 24 hours is removed from the troughs.

Complementary feed is composed of authorised raw materials in accordance with a positive list. The whey from the farm may be fed to the goats, but it is not included in the feed calculation. The annual quantity of complementary feed may not exceed one third of the annual quantity consumed per goat (including lucerne), calculated in kilograms of dry matter, and 600 grams per litre of milk produced per goat per year.

Only plants, by-products and supplementary feed derived from non-transgenic products are authorised in the goat feed. The planting of transgenic crops is prohibited in all areas of farms producing milk intended for processing into cheese with the protected designation of origin 'Charolais'. This prohibition extends to all plant species which may be included in animal feed and the cultivation of all species which may contaminate the latter.

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

The milk is produced and the cheese manufactured and ripened in the geographical area.

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

Not applicable.

### 3.7. *Specific rules concerning labelling*

In addition to the regulatory information requirements applicable to all cheeses, every 'Charolais' cheese is marketed with a label. This label has a personalised part showing the operator's name and address and a part common to all operators showing:

- the name 'Charolais' written in letters at least two thirds of the size of the largest characters appearing on the label;
- the European Union PDO logo.
- The labelling may also include the words 'Appellation d'origine protégée' (protected designation of origin).

However, in case of direct sales by the producer or any person under their direct responsibility, on farms or at markets, individual labelling is not mandatory; the corresponding information must simply appear on a sign.

The models to be used for labels and signs are produced by the group responsible for their distribution.

The name 'Charolais' followed by the words 'Appellation d'origine protégée' or 'AOP' must appear on invoices and commercial documents, as from the time of registration by the European Union.

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

The milk is produced and the cheese manufactured and ripened in the geographical area comprising the following municipalities:

Department of Allier (03):

The municipalities or part of the municipalities of the cantons of:

- Le Donjon: Avrilly, Chassenard, Le Bouchaud, Le Donjon, Lenax, Loddes, Luneau, Montaiguët-en-Forez, Neuilly-en-Donjon, Le Pin, Saint-Didier-en-Donjon, Saint-Léger-sur-Vouzance.
- Dompierre-sur-Besbre: Coulanges, Molinet, Monétay-sur-Loire.
- Jaligny-sur-Besbre: Liernolles.

Department of Loire (42):

The cantons of Belmont-de-la-Loire, Charlieu.

The municipalities or part of the municipalities of the cantons of:

- La Pacaudière: Changy, La Pacaudière, Sail-les-Bains, Urbise, Vivans.
- Perreux: Coutouvre, Montagny, Perreux.

Department of Rhône (69):

The canton of Monsols.

The municipalities or part of the municipalities of the cantons of:

- Beaujeu: Les Ardillats, Avenas, Saint-Didier-sur-Beaujeu, Vernay.
- Lamure-sur-Azergues: Chenelette, Claveisolles, Poule-les-Echarmeaux, Saint-Nizier-d'Azergues.

Department of Saône-et-Loire (71):

The cantons of Charolles, Chauffailles, Digoin, Gueugnon, Issy-l'Évêque, La Clayette, La Guiche, Le Creusot-Est, Marcigny, Matour, Montcenis, Montchanin, Palinges, Paray-le-Monial, Saint-Bonnet-de-Joux, Semur-en-Brionnais, Toulon-sur-Arroux.

The municipalities or part of the municipalities of the cantons of:

- Bourbon-Lancy: Bourbon-Lancy, Chalmoux, Gilly-sur-Loire, Maltat, Mont, Perrigny-sur-Loire, Saint-Aubin-sur-Loire.
- Buxy: Bissy-sur-Fley, Cersot, Chenôves, Culles-les-Roches, Fley, Germagny, Marcilly-lès-Buxy, Saint-Boil, Saint-Martin-d'Auxy, Saint-Martin-du-Tartre, Saint-Maurice-des-Champs, Saint-Privé, Saint-Vallerin, Saules, Savianges, Villeneuve-en-Montagne.
- Cluny: Bergesserin, Buffières, Chériset, Curtil-sous-Buffières, Donzy-le-National, Saint-André-le-Désert, Sainte-Cécile, Saint-Vincent-des-Prés.
- Couches: Essertenne, Saint-Pierre-de-Varennes.
- Mesvres: La Boulaye, La Chapelle-sous-Uchon, Charbonnat, Dettey, Saint-Eugène, Saint-Nizier-sur-Arroux, La Tagnière, Uchon.

- Montceau-les-Mines: Montceau-les-Mines, Saint-Vallier.
- Mont-Saint-Vincent: Genouilly, Gourdon, Marigny, Mary, Mont-Saint-Vincent, Le Puley, Saint-Micaud, Saint-Romain-sous-Gourdon.
- Saint-Gengoux-Le-National: Saily.
- Saint-Léger-sous-Beuvray: Etang-sur-Arroux, Saint-Didier-sur-Arroux, Thil-sur-Arroux.
- Tramayes: Clermain, Germolles-sur-Grosnes, Saint-Léger-sous-la-Bussière, Saint-Pierre-le-Vieux, Tramayes.

## 5. Link with the geographical area

### 5.1. Specificity of the geographical area

Surrounding the town of Charolles, the geographical area of 'Charolais' cheese is a region of hills which forms the transition between the Auvergne mountains to the south and the Morvan massif to the north. Its terrain is undulating, varying from 200 metres to around 900 metres.

The region has a cool oceanic climate characterised by annual rainfall of 750-900 mm throughout the year, and a moderate annual temperature variation. However, the climate is also influenced by the geography, the highest areas being subject to a mountain climate (cold winters).

The subsoil is mainly composed of granites and acidic rocks. Sedimentary soils, sometimes calcareous but more often clayey or sandy, occur locally on the eastern and western edges of the Charolles massif. Acid soils, often leached and deep, have formed on the mainly silicate rocks (granites, clays, sands).

The countryside is mainly characterised by hedgerows. This area is special in that it has not been affected by the trend towards replacing grasslands with large fields of crops; as a result almost 90 % of the fields in the geographical area are used for foraging, as opposed to less than 50 % in the rest of France. The pastures are characterised by a great variety of flora, with many acidophilous species; the eastern part is classified as a Natura 2000 site (Site of Community Interest 'Bocage, forêts et milieux humides du bassin de la Grosne et du Clunysois'). This floral diversity is also encouraged in the temporary pastures by the ban on single crop pastures and the obligation for them to be at least 4 years old; this allows various trample-resistant, grassland and pasture species to colonise the pastures.

At the end of the 19th century goatkeeping was common in the Saône-et-Loire region (40 000 goats in 1892) and the production of goat's milk cheeses was highly developed. These cheeses were 'very popular among the Charolles people' (*La fortune agricole du Charolais* — Raymond Boivin — 1924).

The production of 'Charolais' cheese has traditionally been carried out as a subsidiary activity to cattle farming, to which it is strongly linked. The quality of the cheese is a source of pride to the women who produce it. The lactic technology was the most appropriate way of using the milk, allowing more cheese to be produced. The dairy was next to the house so that in particular rennet could be injected into the cheese at intervals; this was necessary in order to produce this large-sized cheese.

This cheese is sought after because of its size, texture and keeping qualities. In the 1950s, for example, these cheeses were very popular with the local miners who worked on the land during the season. They bought the cheeses fresh and kept them in special containers called 'tsézires' or 'chazères'; these are still used by lovers of 'Charolais' cheese.

During the 1960s goat's milk cheese production increased due to the creation of specialised goat-keepers who did not have a herd of suckling or milk cattle.

The commercialisation of 'Charolais' cheese developed thanks to maturers or collectors, who bought the cheeses from the farmers to sell on to the dairies, butchers and grocers in the nearby cities of Lyon and Roanne. Finally, in the 1970s, 'Charolais' cheese, which had until then been limited to the Burgundy region and the northern Rhône-Alpes region, became more widely known as it was now sold in the major Parisian markets. It therefore progressed from a local cheese sold in the countryside to one sold in urban shops.

Today's production methods are much like those used in the past. Indeed, the enzymes used to make 'Charolais' cheese are special in that they are mostly those used to make the previous batch of 'Charolais' cheese. Moreover, the milk for cheese-making is kept raw and whole without any physical treatment. The curd is moulded using a ladle into Charolais containers which are tall and have a large diameter. The cheeses are salted on all sides and turned by hand. Ripening takes place in a cool and humid location to encourage the growth of *geotrichum* and sometimes of *penicillium*.

#### 5.2. Specificity of the product

The 'Charolais' cheese is characterised by its complex aromas, the density of its cream-coloured paste, and its soft, fine and smooth texture. Its flavour is strong, with hints of vegetation (grass, hay, fresh straw, mushrooms, etc.), dry fruit (hazelnuts) and butter which become clear during the minimum of 16 days in which 'Charolais' cheese is made and matured.

During ripening, which takes place in a cool and humid location, its rind, which at the beginning is a beige-ivory colour, above all because of *geotrichum* mould, may become blue mainly due to the development of *penicillium* mould. It is large for a goat's milk cheese, and its shape is that of a vertical cylinder, slightly convex, like a small barrel.

#### 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)

Due to its cool oceanic climate without dry summers, its moderate altitude and its deep soils on silicate subsoils, the geographical area favours the growth of high-quality grazing land with a rich flora. Its regular rainfall and fertile soils mean that pasture grass grows uniformly from spring until autumn. Haymaking and, in some sectors, second harvesting, lead to abundant grazing. The Charolles countryside is thus characterised by a network of parcels with hedgerows and mainly permanent pastures.

These pastures make up the vast majority of the grazing land producing the fodder eaten, either fresh or dried, by the goats. These characteristics make the geographical area a farming region, where goats graze alongside the cattle herd being fattened. The 'Charolais' is also the product of local farming history, its farm structure coming about as a result of the opposition between large cattle farms (mostly owned by regional industrialists) and a great number of small farms, whose owners have become specialised in goatkeeping in order to use the small area available.

The traditional, artisan production techniques have continued because of the producers' wealth of experience in making the best use of both the natural conditions and the raw material. In this process the inoculation of the cheese with lactic bacteria is best carried out using whey from a previous batch. The large amount of microbial flora which thus develops naturally on the surface of the cheeses is spread evenly thanks to the various tasks done by hand during ripening. These tasks also help create the typical barrel shape of the 'Charolais' cheese.

The Charolais cheese's large size allows it to be kept for a long period under good conditions. The ripening period, which is long for a goat's milk cheese, means that a slightly wrinkled rind can develop; this protects the large cheese from drying out and gives it a fine, soft texture and strong taste. During ripening, which takes place in a cool and humid location, its rind, which at the beginning is a beige-ivory colour, above all because of *geotrichum* mould, may become blue due to patches of *penicillium* mould.

The fact that the goats are fed on grass and fodder from pastures with a wide diversity of plant species, situated within the geographical area, contributes to the rich aromas and the colour of 'Charolais' cheese.

#### Reference to publication of the specification

<https://www.inao.gouv.fr/fichier/CDCCharolais.pdf>

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PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

**European Commission**

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

EUR-Lex (<http://new.eur-lex.europa.eu>) offers direct access to European Union legislation free of charge. The *Official Journal of the European Union* can be consulted on this website, as can the Treaties, legislation, case-law and preparatory acts.

For further information on the European Union, see: <http://europa.eu>



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