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I

(Resolutions, recommendations and opinions)

OPINIONS

EUROPEAN COMMISSION

COMMISSION OPINION

of 15 October 2014

relating to the plan for the disposal of radioactive waste arising from the first and second dismantling stages of the Saint-Laurent A Nuclear Power Station, located in France

(only the French text is authentic)

(2014/C 371/01)

The assessment below is carried out under the provisions of the Euratom Treaty, without prejudice to any additional assessments to be carried out under the Treaty on the Functioning of the European Union and the obligations stemming from it and from secondary legislation ([1]).

On 5 March 2014, the European Commission received from the French Government, in accordance with Article 37 of the Euratom Treaty, General Data relating to the plan for the disposal of radioactive waste arising from the first and second dismantling stages of the Saint-Laurent A Nuclear Power Station.

On the basis of these data and additional information requested by the Commission on 10 April 2014 and provided by the French authorities on 26 May 2014, and following consultation with the Group of Experts, the Commission has drawn up the following opinion:

1. The distance between the power station and the nearest border with another Member State, in this case Belgium is 320 km. The United Kingdom is at a distance of 360 km, whilst Luxembourg is situated at 375 km. The distance from the site to the nearest border of a neighbouring country, in this case the Channel Islands (British Crown Dependencies) is 300 km.

2. During normal dismantling operations the discharges of liquid and gaseous effluents are not liable to cause an exposure of the population in another Member State, or in a neighbouring country, that would be significant from the point of view of health.

3. Solid radioactive waste is temporarily stored on site before being transferred to licensed treatment or disposal facilities located in France. There are no plans to export radioactive waste out of France.

4. The Commission recommends that the residual activity concentration checks, carried out to confirm the conventional nature of the solid waste after decontamination, be such that compliance with the clearance criteria laid down in the basic safety standards directive (Directive 96/29/Euratom) is ensured.

5. In the event of unplanned releases of radioactive effluents that may follow the accidents of the type and magnitude considered in the General Data, the doses likely to be received by the population in another Member State, or in a neighbouring country, would not be significant from the point of view of health.

([1]) For instance, under the Treaty on the Functioning of the European Union, environmental aspects should be further assessed. Indicatively, the Commission would like to draw attention to the provisions of Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment, Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment, as well as to the Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora and Directive 2000/60/EC establishing a framework for Community action in the field of water policy.

In conclusion, the Commission is of the opinion that the implementation of the plan for the disposal of radioactive waste in whatever form, arising from the first and second stages of the dismantling of the Saint-Laurent A Nuclear Power Station in France, both in normal operation and in the event of the accidents of the type and magnitude considered in the General Data, is not liable to result in a radioactive contamination, significant from the point of view of health, of the water, soil or airspace of another Member State.

Done at Brussels, 15 October 2014.

For the Commission

Günther OETTINGER

Vice-President of the Commission

II

(Information)

INFORMATION FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

EUROPEAN COMMISSION

Communication from the Commission concerning the quantity not applied for to be added to the quantity fixed for the subperiod 1 January to 31 March 2015 under certain quotas opened by the Union for pigmeat products

(2014/C 371/02)

Commission Regulation (EC) No 442/2009 [1] opened tariff quotas for imports of pigmeat products. The import licence applications lodged during the first seven days of September 2014 for the subperiod 1 October to 31 December 2014 do not, for quotas 09.4038, 09.4170 and 09.4204, cover the quantities available. Pursuant to the second sentence of Article 7(4) of Commission Regulation (EC) No 1301/2006 [2], the quantities that were not applied for are to be added to the quantity fixed for the quota subperiod 1 January to 31 March 2015; they are set out in the Annex to this notice.

[1] OJ L 129, 28.5.2009, p. 13.
[2] OJ L 238, 1.9.2006, p. 13.

ANNEX

Quota order number	Quantities not applied for, to be added to the quantity fixed for the subperiod 1 January to 31 March 2015 (in kg)
09.4038	17 102 500
09.4170	2 461 000
09.4204	2 312 000

Communication from the Commission concerning the quantity not applied for to be added to the quantity fixed for the subperiod 1 January to 31 March 2015 under certain quotas opened by the Union for products in the poultrymeat, egg and egg albumin sectors

(2014/C 371/03)

Commission Regulations (EC) No 533/2007 [1], 536/2007 [2], and 539/2007 [3] opened tariff quotas for imports of products in the poultrymeat, egg and egg albumin sectors. The applications for import licences lodged during the first seven days of September 2014 for the subperiod 1 October to 31 December 2014 are, for quotas 09.4068, 09.4070, 09.4169, 09.4015, 09.4401, and 09.4402 for quantities smaller than those available. Pursuant to the second sentence of Article 7(4) of Commission Regulation (EC) No 1301/2006 [4], the quantities not applied for are to be added to the quantity fixed for the quota subperiod 1 January to 31 March 2015; they are set out in the Annex to this communication.

[1] OJ L 125, 15.5.2007, p. 9.
[2] OJ L 128, 16.5.2007, p. 6.
[3] OJ L 128, 16.5.2007, p. 19.
[4] OJ L 238, 1.9.2006, p. 13.

ANNEX

Quota order number	Quantities not applied for, to be added to the quantity fixed for the subperiod 1 January to 31 March 2015 (in kg)
09.4068	2 353 000
09.4070	890 500
09.4169	10 672 500
09.4015	67 500 000
09.4401	2 455 000
09.4402	6 824 500

Non-opposition to a notified concentration

(Case M.7402 — Klesch Refining/Milford Haven refinery assets)

(Text with EEA relevance)

(2014/C 371/04)

On 9 October 2014, the Commission decided not to oppose the above notified concentration and to declare it compatible with the internal market. This decision is based on Article 6(1)(b) of Council Regulation (EC) No 139/2004 [1]. The full text of the decision is available only in English language 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/homepage.html?locale=en) under document number 32014M7402. EUR-Lex is the online access to the European law.

[1] OJ L 24, 29.1.2004, p. 1.

IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

EUROPEAN COMMISSION

Euro exchange rates [1]

17 October 2014

(2014/C 371/05)

1 euro =

	Currency	Exchange rate		Currency	Exchange rate
USD	US dollar	1,2823	CAD	Canadian dollar	1,4416
JPY	Japanese yen	136,45	HKD	Hong Kong dollar	9,9478
DKK	Danish krone	7,4460	NZD	New Zealand dollar	1,6140
GBP	Pound sterling	0,79550	SGD	Singapore dollar	1,6326
SEK	Swedish krona	9,1532	KRW	South Korean won	1 362,20
CHF	Swiss franc	1,2074	ZAR	South African rand	14,2040
ISK	Iceland króna		CNY	Chinese yuan renminbi	7,8546
NOK	Norwegian krone	8,3815	HRK	Croatian kuna	7,6650
BGN	Bulgarian lev	1,9558	IDR	Indonesian rupiah	15 502,40
CZK	Czech koruna	27,492	MYR	Malaysian ringgit	4,1958
HUF	Hungarian forint	307,40	PHP	Philippine peso	57,513
LTL	Lithuanian litas	3,4528	RUB	Russian rouble	52,3111
PLN	Polish zloty	4,2318	THB	Thai baht	41,521
RON	Romanian leu	4,4195	BRL	Brazilian real	3,1491
TRY	Turkish lira	2,8817	MXN	Mexican peso	17,3136
AUD	Australian dollar	1,4597	INR	Indian rupee	78,7717

[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 4 September 2009 regarding a draft decision relating to Case C.39258 — Airfreight (1)

Rapporteur: Belgium

(2014/C 371/06)

1. The Advisory Committee agrees with the Commission that the facts give rise to agreements or concerted practices in the meaning of Article 81(1) of the Treaty, Article 53(1) of the EEA Agreement and Article 8(1) of the Agreement between the European Community and the Swiss Confederation on Air Transport (Swiss Agreement).

2. The Advisory Committee agrees with the Commission that the agreements and concerted practices referred to in the Articles of the draft decision restricted competition in the meaning of Article 81 of the Treaty, Article 53 of the EEA Agreement and Article 8 of the Swiss Agreement as a single and continuous infringement for the durations referred to in these Articles of the draft decision.

3. The Advisory Committee agrees with the Commission that the agreements and concerted practices referred to in the Articles of the draft decision may affect trade between EU Member States, between Contracting Parties to the EEA Agreement and between Contracting Parties to the Swiss Agreement.

4. The Advisory Committee agrees with the Commission that the provisions of Article 81(3) of the Treaty, Article 53(3) of the EEA Agreement and Article 8(3) of the Swiss Agreement are not applicable in the context of this case.

5. The Advisory Committee agrees with the Commission that the proceedings can be concluded by means of a decision pursuant to Articles 7(1) and 23(2) of Council Regulation (EC) No 1/2003 [1].

6. The Advisory Committee agrees that a fine should be imposed on the addressees of the draft decision.

7. The Advisory Committee asks the Commission to take into account any other points raised during the discussion.

8. The Advisory Committee recommends the publication of its opinion in the *Official Journal of the European Union*.

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[1] OJ L 1, 4.1.2003, p. 1.

Opinion of the Advisory Committee on restrictive agreements and dominant position given at its meeting of 5 November 2010 regarding a draft decision relating to Case C.39258 — Airfreight (2)

Rapporteur: Belgium

(2014/C 371/07)

1. The Advisory Committee agrees with the European Commission on the application of the 2006 Guidelines on the method of setting fines imposed pursuant to Article 23(2)(a) of Council Regulation (EC) No 1/2003 ([1]). A minority of the Advisory Committee abstain.

2. The Advisory Committee agrees with the European Commission on the basic amounts of the fines for each addressee of the draft decision. A minority of the Advisory Committee abstain.

3. The Advisory Committee agrees with the European Commission on the adjustments to the basic amounts applicable in this case for each addressee of the draft decision. A minority of the Advisory Committee abstain.

4. The Advisory Committee agrees with the European Commission as regards the amounts of reductions of the fines based on the 2002 Commission Notice on immunity from fines and reduction of fines in cartel cases. A minority of the Advisory Committee abstain.

5. The Advisory Committee agrees with the European Commission's assessment on inability to pay. A minority of the Advisory Committee abstain.

6. The Advisory Committee agrees with the European Commission on the final amounts of the fines. A minority of the Advisory Committee abstain.

7. The Advisory Committee asks the European Commission to take into account any other points raised during the discussion. A minority of the Advisory Committee abstain.

8. The Advisory Committee recommends the publication of its opinion in the *Official Journal of the European Union*. A minority of the Advisory Committee abstain.

([1]) OJ L 1, 4.1.2003, p. 1.

Final Report of the Hearing Officer [1]

Airfreight

(C.39258)

(2014/C 371/08)

This case concerns a cartel amongst air cargo carriers, which coordinated […] (*) their pricing behaviour in respect of fuel and security surcharges as well as commission to forwarders.

The draft decision gives rise to the following observations:

Statement of Objections

The Statement of Objections was adopted on 18 December 2007 and was addressed to 38 legal entities belonging to 27 groups of undertakings (hereinafter the Parties). In the Statement of Objections the Commission reached the preliminary conclusion that the addressees participated in a single and continuous infringement of Article 101 TFEU, Article 53 EEA Agreement and Article 8 of the Agreement between the European Community and the Swiss Confederation on Air Transport (the EC-Swiss Agreement) [2] between […] and 14 February 2006. The Parties coordinated […] their pricing behaviour in respect of six different pricing elements; fuel surcharges, security surcharges, […]. The Commission announced its intention to adopt an infringement decision and impose fines according to Articles 7 and 23 of Council Regulation (EC) No 1/2003 [3].

Deadline to respond to the Statement of Objections

The Parties were originally afforded approximately 10 weeks to respond to the Statement of Objections. However, the DVD containing the accessible investigation file was only made available to the Parties some time after the notification of the objections, following which DG Competition extended the original deadline by approximately three weeks.

Almost all Parties made requests to me for further extensions, which I partially accepted. These extensions ranged, depending on each individual reasoning and justification, from one to three additional weeks. All Parties responded to the Statement of Objections within the given time limits.

Access to file

The Parties had access to the main part of the Commission's investigation file by way of DVD. Access to corporate statements by the immunity and leniency applicants were made available on the Commission's premises. Subsequently, various corrections and clarifications with regard to the accessible investigation file were made and the Parties received two additional DVDs with information missing from the original DVD.

Several Parties requested additional access pursuant to point 27 of the Commission's Notice on access to file [4]. These requests referred, in particular, to other Parties' replies to the Statement of Objections. It follows from established jurisprudence that there exists no general right to access other Parties' replies [5]. Nevertheless, access may be granted to information received by the Commission after the notification of the SO, where such information may constitute new evidence of either incriminating or exculpatory nature. However, the relevance of such information can only be fully appraised once DG Competition has been able to fully consider the written replies as well as oral submission and the scope of a potential Commission decision has been clarified. In light of the above I rejected, in line with established Commission practice and jurisprudence, the requests for access to other Parties' replies.

DG Competition did provide, in accordance with point 27 of the Notice on access to file, additional access to some new evidence of potentially exculpatory nature, which it had received after the notification of the Statement of Objections.

(*) Confidential information.
(1) Pursuant to Articles 15 and 16 of Commission Decision 2001/462/EC, ECSC of 23 May 2001 on the terms of reference of Hearing Officers in certain competition proceedings (OJ L 162, 19.6.2001, p. 21).
(2) OJ L 114, 30.4.2002, p. 73.
(3) OJ L 1, 4.1.2003, p. 1.
(4) OJ C 325, 22.12.2005, p. 7.
(5) Cf CFI judgment of 8 July 2008 in T-53/03, paragraphs 39 et seq., *BPB*.

Oral Hearing

The Oral Hearing was held from 30 June to 4 July 2008. All addressees of the Statement of Objections attended the hearing with the exception of […], which declined its right to be heard orally.

Following the hearing I decided to provide all participants with non-confidential copies of visual presentations, which had been made during the hearing. I consider that such presentations are intrinsically linked with the oral presentations and that the recordings, to which all attending parties are entitled under Article 14(8) of Commission Regulation (EC) No 773/2004 ([1]), would be incomplete without the supporting visual presentations.

Post-hearing

Some Parties to the proceedings have made claims that the Statement of Objections had not sufficiently clarified the exact fining parameters and, unless they were given the opportunity to be heard on those parameters before the Commission adopts a final decision imposing fines, their right to be heard has been breached.

I found that, in line with established jurisprudence, these claims were unfounded as the Commission in the Statement of Objections had set out, in general terms, such parameters and explained to what extent the Fining Guidelines would be applied to the particular circumstances of this case.

In this regard it should be noted that according to established jurisprudence the Commission fulfils its obligation to respect an undertaking's right to be heard with regard to the calculation of fines, if it indicates expressly in the Statement of Objections that it will consider whether it is appropriate to impose fines on the undertaking concerned and that it sets out the main elements of fact and law that may give raise to a fine, such as the gravity and duration of the alleged infringement and the fact that it has been committed intentionally or negligently. In doing so, the Commission provides the undertaking with the necessary elements to defend themselves not only against a finding of an infringement but also against the imposition of fines ([2]).

The draft decision

Following the Parties' written and oral submissions, the Commission has retained its allegations against 15 groups of undertakings while it decided not to pursue its objections against 12 groups of undertakings. With regard to the Parties retained in the draft decision, the scope of the infringement has been reduced as compared to the objections set forth in the Statement of Objections. More particularly, the alleged illicit conduct in respect to three of the six pricing elements […] have not been pursued. On the other hand, the coordination of fuel surcharges, security surcharges and commission to forwarders are retained and considered to form part of a single and continuous infringement.

In light of the powers conferred upon the Commission under Article 101 TFEU, Article 53 of the EEA Agreement and Article 8 of the EC-Swiss Agreement, the overall duration of the infringement has been maintained with regard to air transport between EU airports as well as air transport between EEA airports while it has been reduced with regard to air transport services between EU/EEA airports and airports in third countries.

In my view the draft decision relates only to objections in respect of which the Parties have been afforded the opportunity to make known their views.

In view of the observations set out above, I consider that the right to be heard has been respected with regard to the addressees of the Decision.

Brussels, 14 April 2010.

Michael ALBERS

([1]) OJ L 123, 27.4.2004, p. 18.

([2]) See amongst others ECJ judgment in joined cases C-101/07P and C-110/07P of 18 December 2008, para. 48, *French Farmers* and CFI judgment of 18 June 2008, T-410/03, para. 420 et seq., *Hoechst*.

Summary of Commission Decision

of 9 November 2010

relating to a proceeding under Article 101 of the Treaty on the Functioning of the European Union, Article 53 of the EEA Agreement and Article 8 of the Agreement between the European Community and the Swiss Confederation on air transport

(Case C.39258 — Airfreight)

(notified under document number C(2010) 7694)

(Only the Dutch, English and French versions are authentic)

(Text with EEA relevance)

(2014/C 371/09)

On 9 November 2010, the Commission adopted a decision relating to a proceeding under Article 101 of the Treaty on the Functioning of the European Union. In accordance with the provisions of Article 30 of Council Regulation (EC) No 1/2003 ([1]), 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 is addressed to 21 legal entities belonging to 14 undertakings for infringing one or more of Article 101 of the Treaty, Article 53 of the EEA Agreement and Article 8 of the Agreement between the European Community and the Swiss Confederation on Air transport (hereafter 'the Swiss Agreement'). The overall duration of the infringement was from 7 December 1999 until 14 February 2006 (date of the Commission's inspection) and consisted of the coordination of pricing behaviour for airfreight services from, to and, in the case of some carriers, within the EEA with respect to fuel surcharges, security surcharges and the refusal to pay commission on surcharges.

2. CASE DESCRIPTION

2.1. Procedure

(2) The case was opened on the basis of an immunity application on behalf of Deutsche Lufthansa AG and its controlled subsidiaries Lufthansa Cargo AG and Swiss on 7 December 2005.

(3) The Commission obtained further evidence from the inspections that took place on 14 and 15 February 2006 at a number of premises of air freight providers throughout the EU.

(4) Between 3 March 2006 and 27 June 2007 the Commission received eleven further applications under the 2002 Leniency Notice. The Commission also received an application from an undertaking which is not an addressee of the Decision due to lack of sufficient evidence.

(5) The Statement of Objections was adopted on 18 December 2007, following which all undertakings involved were given the possibility to receive access to the file and defend themselves against the preliminary view of the Commission in writing and during an Oral Hearing that took place on 30 June-4 July 2008.

(6) The Advisory Committee on restrictive practices and dominant positions issued favourable opinions on 4 September 2009 and 5 November 2010.

(7) The Commission adopted the Decision on 9 November 2010.

2.2. Summary of the infringement

(8) This decision relates to a single and continuous infringement of Article 101 of the Treaty, Article 53 of the EEA Agreement and Article 8 of the Swiss Agreement, covering the EEA territory and Switzerland by which the addressees (to the extent described more specifically at paragraph 18 below) coordinated their pricing behaviour in the provision of airfreight services from, to, and, in the case of some carriers, within the EEA with respect to various surcharges and the payment of commission on surcharges.

([1]) OJ L 1, 4.1.2003, p. 1.

(9) Pricing contacts between airlines providing airfreight services ('carriers') initially started in respect of the introduction of a fuel surcharge (FSC). Carriers then contacted each other regarding the application of the FSC mechanism, the introduction of new trigger points raising the level of FSC and regarding anticipated increases (or decreases) in FSC levels. These contacts started initially with a smaller group of carriers and spread to include all addressees of the Decision. They aimed to ensure that the airfreight carriers imposed a flat rate surcharge per kilo for all shipments and that increases (or decreases) were applied in full and in a coordinated way.

(10) Cooperation spread to other areas without affecting the application of the FSC. Accordingly, carriers cooperated in the introduction and application of the security surcharge (SSC) as well. Like the FSC, SSC was an element of the overall price.

(11) Carriers extended their cooperation to refusing to pay commission to their customers (freight forwarders) on surcharges. By refusing to pay commission the carriers ensured that surcharges did not become subject to competition through the negotiation of discounts with customers.

(12) The contacts were held in particular via bilateral phone calls. They also included bilateral and multilateral meetings and exchanges of e-mails. In some instances, meetings of the local Board of Airline Representatives associations were used to coordinate surcharges. Contacts occurred at both head office and local levels.

2.3. **Legal assessment, addressees and duration of participation in the infringement**

(13) Although there is only one cartel the conduct infringed three legal bases, Article 101 of the TFEU, Article 53 of the EEA Agreement and Article 8 of the Swiss Agreement [1]. The Commission finds the infringement and imposes fines for different time periods with regard to different routes.

(14) For airfreight services on routes within the EEA, the Commission is competent to find an infringement and impose fines for the whole period of 1999-2006.

(15) Before 1 May 2004, Council Regulation (EEC) No 3975/87 of 14 December 1987 laying down the procedure for the application of the rules on competition to undertakings in the air transport sector [2] granted the Commission implementing powers to apply Article 101 of the TFEU with respect to air transport between EU airports. Air transport between EU airports and airports in third countries was, however, excluded from the scope of that Regulation. Under these circumstances, the Commission did not find an infringement or impose fines for anti-competitive agreements and practices concerning air transport between EU airports and airports in third countries before 1 May 2004.

(16) Regulation (EC) No 1/2003 became applicable for the implementation of the EEA Agreement by virtue of the Decision of the EEA Joint Committee No 130/2004 [3] and the Decision of the EEA Joint Committee No 40/2005 [4] which removed the exclusion of air transport between EEA airports and third countries from the scope of the provisions for the implementation of the EEA Agreement, in particular by amending Protocol 21. Decision No 130/2004 and Decision No 40/2005 entered into force on 19 May 2005 and from that date Council Regulation (EC) No 411/2004 [5] and Regulation (EC) No 1/2003 became applicable in the framework of the EEA Agreement. Under these circumstances the Commission did not find an infringement or impose fines for anti-competitive agreements and practices concerning routes between EEA countries that are not Member States of the EU and third countries before 19 May 2005.

(17) Regulation (EC) No 1/2003 became applicable for the application of the Swiss Agreement by virtue of Decision No 1/2007 of the Joint Community/Switzerland Air Transport Committee [6] which incorporated the regulation into the annex to the agreement with effect from 5 December 2007. Prior to such incorporation of Regulation (EC) No 1/2003, the applicable implementing regulation was Regulation (EEC) No 3975/87, which had been incorporated into the annex of the agreement since its entry into force on 1 June 2002. Under these circumstances the Commission did not find an infringement or impose fines for anti-competitive agreements and practices concerning routes between the EU and Switzerland before 1 June 2002. The Decision does not purport to find an infringement of Article 8 of the Swiss Agreement concerning airfreight services on routes between Switzerland and third countries.

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[1] Agreement between the European Community and the Swiss Confederation on Air Transport.
[2] OJ L 374, 31.12.1987, p. 1.
[3] OJ L 64, 10.3.2005, p. 57.
[4] OJ L 198, 28.7.2005, p. 38.
[5] OJ L 68, 6.3.2004, p. 1.
[6] Decision No 1/2007 of the Joint Community/Switzerland Air Transport Committee set up under the Agreement between the European Community and the Swiss Confederation on Air Transport of 5 December 2007 replacing the Annex to the Agreement between the European Community and the Swiss Confederation on Air Transport (OJ L 34, 8.2.2008, p. 19).

(18) As regards the duration of each addressee's participation, the infringement covered the following periods:

I) For airfreight services on routes between airports within the EEA:

(a) Air France-KLM from 7 December 1999 until 14 February 2006;

(b) Société Air France from 7 December 1999 until 14 February 2006;

(c) KLM NV from 21 December 1999 until 14 February 2006;

(d) British Airways plc from 22 January 2001 until 14 February 2006;

(e) Cargolux Airlines International SA from 22 January 2001 until 14 February 2006;

(f) Lufthansa Cargo AG from 14 December 1999 until 7 December 2005;

(g) Deutsche Lufthansa AG from 14 December 1999 until 7 December 2005;

(h) SWISS International Air Lines AG from 2 April 2002 to 7 December 2005;

(i) Martinair Holland NV from 22 January 2001 until 14 February 2006;

(j) SAS AB from 17 August 2001 until 14 February 2006;

(k) SAS Cargo Group A/S from 1 June 2001 until 14 February 2006;

(l) Scandinavian Airlines System Denmark — Norway — Sweden from 13 December 1999 until 28 December 2003.

II) For airfreight services on routes between airports within the European Union and airports outside the EEA:

(a) Air Canada from 1 May 2004 until 14 February 2006;

(b) Air France-KLM from 1 May 2004 until 14 February 2006;

(c) Société Air France from 1 May 2004 until 14 February 2006;

(d) KLM NV from 1 May 2004 until 14 February 2006;

(e) British Airways plc from 1 May 2004 until 14 February 2006;

(f) Cargolux Airlines International SA from 1 May 2004 until 14 February 2006;

(g) Cathay Pacific Airways Limited from 1 May 2004 until 14 February 2006;

(h) Japan Airlines Corporation from 1 May 2004 until 14 February 2006;

(i) Japan Airlines International Co., Ltd from 1 May 2004 until 14 February 2006;

(j) LAN Airlines SA from 1 May 2004 until 14 February 2006

(k) LAN Cargo SA from 1 May 2004 until 14 February 2006

(l) Lufthansa Cargo AG from 1 May 2004 until 7 December 2005;

(m) Deutsche Lufthansa AG from 1 May 2004 until 7 December 2005;

(n) SWISS International Air Lines AG from 1 May 2004 until 7 December 2005;

(o) Martinair Holland NV from 1 May 2004 until 14 February 2006;

(p) Qantas Airways Limited from 1 May 2004 until 14 February 2006;

(q) SAS AB from 1 May 2004 until 14 February 2006;

(r) SAS Cargo Group A/S from 1 May 2004 until 14 February 2006;

(s) Singapore Airlines Cargo Pte Ltd from 1 May 2004 until 14 February 2006;

(t) Singapore Airlines Limited from 1 May 2004 until 14 February 2006.

III) For airfreight services on routes between airports in countries that are Contracting Parties of the EEA Agreement but not Member States and third countries:

(a) Air Canada from 19 May 2005 until 14 February 2006;

(b) Air France-KLM from 19 May 2005 until 14 February 2006;

(c) Société Air France from 19 May 2005 until 14 February 2006;

(d) KLM NV from 19 May 2005 until 14 February 2006;

(e) British Airways plc from 19 May 2005 until 14 February 2006;

(f) Cargolux Airlines International SA from 19 May 2005 until 14 February 2006;

(g) Cathay Pacific Airways Limited from 19 May 2005 until 14 February 2006;

(h) Japan Airlines Corporation from 19 May 2005 until 14 February 2006;

(i) Japan Airlines International Co., Ltd from 19 May 2005 until 14 February 2006;

(j) Lufthansa Cargo AG from 19 May 2005 until 7 December 2005;

(k) Deutsche Lufthansa AG from 19 May 2005 until 7 December 2005;

(l) SWISS International Air Lines AG from 19 May 2005 until 7 December 2005;

(m) Martinair Holland NV from 19 May 2005 until 14 February 2006;

(n) Qantas Airways Limited from 19 May 2005 until 14 February 2006;

(o) SAS AB from 19 May 2005 until 14 February 2006;

(p) SAS Cargo Group A/S from 19 May 2005 until 14 February 2006;

(q) Singapore Airlines Cargo Pte Ltd from 19 May 2005 until 14 February 2006;

(r) Singapore Airlines Limited from 19 May 2005 until 14 February 2006.

IV) For airfreight services on routes between airports within the European Union and airports in Switzerland:

(a) Air France-KLM from 1 June 2002 until 14 February 2006;

(b) Société Air France from 1 June 2002 until 14 February 2006;

(c) KLM NV from 1 June 2002 until 14 February 2006;

(d) British Airways plc from 1 June 2002 until 14 February 2006;

(e) Cargolux Airlines International SA from 1 June 2002 until 14 February 2006;

(f) Lufthansa Cargo AG from 1 June 2002 until 7 December 2005;

(g) Deutsche Lufthansa AG from 1 June 2002 until 7 December 2005;

(h) SWISS International Air Lines AG from 1 June 2002 until 7 December 2005;

(i) Martinair Holland NV from 1 June 2002 until 14 February 2006;

(j) SAS AB from 1 June 2002 until 14 February 2006;

(k) SAS Cargo Group A/S from 1 June 2002 until 14 February 2006;

(l) Scandinavian Airlines System Denmark — Norway — Sweden from 1 June 2002 until 28 December 2003.

2.4. **Remedies**

2.4.1. *Basic amount of the fine*

(19) The basic amount of the fine was determined as a proportion of the value of the sales of air freight services made by each undertaking in the relevant geographic area during 2005, the last full year prior to the end of the cartel, multiplied by the number of years of involvement of each undertaking in the infringement (variable amount), plus an additional amount, also calculated as a proportion of the value of sales, in order to deter undertakings from engaging in cartel conduct.

(20) In order to calculate this basic amount, the Commission took into account the sales to which the infringement directly or indirectly relates, namely of airfreight services (i) between EEA airports; (ii) between airports in the EU and airports in third countries [1]; (iii) between airports in the EEA (excluding EU airports) and airports in third countries; and (iv) between airports in the EU and airports in Switzerland.

(21) In respect of services provided between the EEA and third countries (points (ii) and (iii) above), whilst both inbound and outbound routes are relevant for calculating the value of sales it must be recognised for the purpose of determining the basic amount that part of the harm resulting from the cartel in respect of these EEA-third country routes (both inbound and outbound) is likely to fall outside the EEA [2]. Therefore, an ad hoc reduction of 50 % to the basic amount of the fine with respect to these third country routes was applied in the Decision.

(22) Taking into account in particular the nature of the infringement, which consisted of price-fixing agreements and practices, as well as the EEA-wide geographic scope of the cartel, both the variable amount and the additional amount were set at 16 %.

2.4.2. *Adjustments to the basic amount*

2.4.2.1. Aggravating circumstance

(23) The Commission increased the fines for SAS by 50 % because this undertaking had already been fined once for prior cartel involvement [3].

2.4.2.2. Mitigating circumstances

(24) The Decision concludes that the carriers were authorised or encouraged to concert on prices with their direct competitors on certain routes by the regulatory approach of certain third country jurisdictions as well as the provisions of certain bilateral Air Service Agreements. This regulatory environment constitutes a mitigating circumstance which justifies a 15 % reduction for all addressees of the Decision.

(25) The Decision also concludes that four undertakings, namely Qantas, Air Canada, LAN Chile and SAS, participated in the infringement to a limited degree. This is due to the fact that these participants operated on the periphery of the cartel, entered into a limited number of contacts with other carriers and were involved in fewer aspects of the cartel. A reduction of 10 % was applied to these four undertakings.

2.4.3. *Application of the 10 % turnover limit*

(26) The fines on two undertakings would have exceeded the legal maximum of 10 % of their 2009 worldwide turnover, and were therefore reduced accordingly.

[1] References in this summary to 'third country' or 'third countries' should be taken to exclude Switzerland.

[2] This issue does not arise as concerns Switzerland where the Commission acts under the Swiss Agreement on behalf of both parties so all harm from the cartel on those routes is relevant.

[3] Commission Decision 2001/716/EC of 18 July 2001 (OJ L 265, 5.10.2001 p. 15). The increase for recidivism was not applied to the parent company SAS AB as it was not in control of the infringing entity, Scandinavian Airlines System Denmark — Norway — Sweden, at the time of the preceding infringement.

2.4.4. *Application of the 2002 Leniency Notice: reduction of fines*

(27) The Commission granted full immunity from the fine to Deutsche Lufthansa AG and its subsidiaries Lufthansa Cargo and SWISS and a reduction of the fine for cooperation under the 2002 Leniency Notice to Martinair (50 %), Japan Airlines (25 %), Air France and KLM (20 %), Cathay Pacific (20 %), Lan Chile (20 %), Qantas (20 %), Air Canada (15 %), Cargolux (15 %), SAS (15 %) and British Airways (10 %).

2.4.5. *Ability to pay*

(28) Finally, the Commission rejected five requests for inability to pay the fine received under the Commission's 2006 Guidelines on the setting of Fines. None of the undertakings concerned met the conditions for a reduction.

3. **FINES**

(29) The following fines were imposed pursuant to Article 23(2) of Regulation (EC) No 1/2003:

(a) Air Canada: EUR 21 037 500;

(b) Air France-KLM and Société Air France jointly and severally: EUR 182 920 000;

(c) KLM NV: EUR 2 720 000;

(d) KLM NV and Air France-KLM jointly and severally: EUR 124 440 000;

(e) British Airways plc: EUR 104 040 000;

(f) Cargolux Airlines International SA: EUR 79 900 000;

(g) Cathay Pacific Airways Ltd: EUR 57 120 000;

(h) Japan Airlines Corporation, and Japan Airlines International Co., Ltd jointly and severally: EUR 35 700 000;

(i) LAN Airlines SA and LAN Cargo SA jointly and severally: EUR 8 220 000;

(j) Lufthansa Cargo AG and Deutsche Lufthansa AG jointly and severally: EUR 0;

(k) SWISS International Air Lines AG: EUR 0;

(l) SWISS International Air Lines AG and Deutsche Lufthansa AG jointly and severally: EUR 0;

(m) Martinair Holland NV: EUR 29 500 000;

(n) Qantas Airways Limited: EUR 8 880 000;

(o) Scandinavian Airlines System Denmark — Norway — Sweden: EUR 5 355 000;

(p) SAS Cargo Group A/S and Scandinavian Airlines System Denmark — Norway — Sweden jointly and severally: EUR 4 254 250;

(q) SAS Cargo Group A/S, Scandinavian Airlines System Denmark — Norway — Sweden and SAS AB jointly and severally: EUR 5 265 750;

(r) SAS Cargo Group A/S and SAS AB jointly and severally: EUR 32 984 250;

(s) SAS Cargo Group A/S: EUR 22 308 250;

(t) Singapore Airlines Cargo Pte Ltd and Singapore Airlines Limited jointly and severally: EUR 74 800 000.

V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMMON COMMERCIAL POLICY

EUROPEAN COMMISSION

Notice of the impending expiry of certain anti-dumping measures

(2014/C 371/10)

1. As provided for in Article 11(2) 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 Commission gives notice that, unless a review is initiated in accordance with the following procedure, the anti-dumping measures mentioned below will expire on the date mentioned in the table below.

2. **Procedure**

Union producers may lodge a written request for a review. This request must contain sufficient evidence that the expiry of the measures would be likely to result in a continuation or recurrence of dumping and injury.

Should the Commission decide to review the measures concerned, importers, exporters, representatives of the exporting country and Union producers will then be provided with the opportunity to amplify, rebut or comment on the matters set out in the review request.

3. **Time limit**

Union producers may submit a written request for a review on the above basis, to reach the European Commission, Directorate-General for Trade (Unit H-1), CHAR 4/39, 1000 Brussels, Belgium [2] at any time from the date of the publication of the present notice but no later than three months before the date mentioned in the table below.

4. This notice is published in accordance with Article 11(2) of Regulation (EC) No 1225/2009.

Product	Country(ies) of origin or exportation	Measures	Reference	Date of expiry [1]
Silicon	The People's Republic of China The Republic of Korea Taiwan	Anti-dumping duty	Council Implementing Regulation (EU) No 467/2010 imposing definitive anti-dumping duties on imports of silicon originating in the People's Republic of China (OJ L 131, 29.5.2010, p. 1) as extended to imports consigned from the Republic of Korea and extended to imports consigned from Taiwan by Council Implementing Regulation (EU) No 311/2013 (OJ L 95, 5.4.2013, p. 1).	30.5.2015

[1] The measure expires at midnight of the day mentioned in this column.

[1] OJ L 343, 22.12.2009, p. 51.
[2] Fax +32 22956505.

Notice of the impending expiry of certain anti-dumping measures

(2014/C 371/11)

1. As provided for in Article 11(2) 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 Commission gives notice that, unless a review is initiated in accordance with the following procedure, the anti-dumping measures mentioned below will expire on the date mentioned in the table below.

2. **Procedure**

Union producers may lodge a written request for a review. This request must contain sufficient evidence that the expiry of the measures would be likely to result in a continuation or recurrence of dumping and injury.

Should the Commission decide to review the measures concerned, importers, exporters, representatives of the exporting country and Union producers will then be provided with the opportunity to amplify, rebut or comment on the matters set out in the review request.

3. **Time limit**

Union producers may submit a written request for a review on the above basis, to reach the European Commission, Directorate-General for Trade (Unit H-1), CHAR 4/39, 1000 Brussels, Belgium [2] at any time from the date of the publication of the present notice but no later than three months before the date mentioned in the table below.

4. This notice is published in accordance with Article 11(2) of Regulation (EC) No 1225/2009.

Product	Country(ies) of origin or exportation	Measures	Reference	Date of expiry [1]
Certain cargo scanning systems	The People's Republic of China	Anti-dumping duty	Council Implementing Regulation (EU) No 510/2010 (OJ L 150, 16.6.2010, p. 1).	17.6.2015

[1] The measure expires at midnight of the day mentioned in this column.

[1] OJ L 343, 22.12.2009, p. 51.
[2] Fax +32 22956505.

Notice of the impending expiry of certain anti-dumping measures

(2014/C 371/12)

1. As provided for in Article 11(2) of Council Regulation (EC) No 1225/2009 of 30 November 2009 [1] on protection against dumped imports from countries not members of the European Community, the Commission gives notice that, unless a review is initiated in accordance with the following procedure, the anti-dumping measures mentioned below will expire on the date mentioned in the table below.

2. **Procedure**

Union producers may lodge a written request for a review. This request must contain sufficient evidence that the expiry of the measures would be likely to result in a continuation or recurrence of dumping and injury.

Should the Commission decide to review the measures concerned, importers, exporters, representatives of the exporting country and Union producers will then be provided with the opportunity to amplify, rebut or comment on the matters set out in the review request.

3. **Time limit**

Union producers may submit a written request for a review on the above basis, to reach the European Commission, Directorate-General for Trade (Unit H-1), CHAR 4/39, 1000 Brussels, Belgium [2] at any time from the date of the publication of the present notice but no later than three months before the date mentioned in the table below.

4. This notice is published in accordance with Article 11(2) of Regulation (EC) No 1225/2009 of 30 November 2009.

Product	Country(ies) of origin or exportation	Measures	Reference	Date of expiry [1]
Certain molybdenum wires	The People's Republic of China Malaysia	Anti-dumping duty	Council Implementing Regulation (EU) No 511/2010 imposing definitive anti-dumping duties on imports of certain molybdenum wires originating in the People's Republic of China (OJ L 150, 16.6.2010, p. 17) as extended to imports consigned from Malaysia by Council Implementing Regulation (EU) No 14/2012 (OJ L 8, 12.1.2012, p. 22) and by Council Implementing Regulation (EU) No 871/2013 (OJ L 243, 12.9.2013, p. 2).	17.6.2015

[1] The measure expires at midnight of the day mentioned in this column.

[1] OJ L 343, 22.12.2009, p. 51.
[2] Fax +32 22956505.

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.7319 — KKR/Allianz/Selecta)

(Text with EEA relevance)

(2014/C 371/13)

1. On 13 October 2014, the European Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ([1]) by which KKR & CO L.P. ('KKR', USA) and Allianz SE ('Allianz', Germany) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of Selecta AG and affiliated companies ('Selecta') by other means. Selecta is currently indirectly solely controlled by Allianz.

2. The business activities of the undertakings concerned are:

— for KKR: a broad range of alternative asset management services to public and private market investors and capital markets solutions for the firm, its portfolio companies and other clients,

— for Allianz: international insurance and financial services; active in life insurance, property insurance, asset management and banking services,

— for Selecta: vending services in both public and private settings, such as the sale of consumables used to stock vending machines and other related supplies, as well as stocking and maintenance of vending machines, for both food and beverage vending.

3. On preliminary examination, the European Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved.

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

Observations must reach the European Commission not later than 10 days following the date of this publication. Observations can be sent to the European Commission by fax (+32 22964301), by e-mail to COMP-MERGER-REGISTRY@ec.europa.eu or by post, under reference number M.7319 — KKR/Allianz/Selecta, 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 'Merger Regulation').

Prior notification of a concentration

(Case M.7326 — Medtronic/Covidien)

(Text with EEA relevance)

(2014/C 371/14)

1. On 10 October 2014 the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ([1]) by which the undertaking Medtronic, Inc. ('Medtronic', US) acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of Covidien plc ('Covidien', Ireland) by way of a public bid.

2. The business activities of the undertakings concerned are:

— for Medtronic: development of medical technology and the provision of products, therapies and services treating a variety of medical conditions, including cardiac and vascular diseases, diabetes, and neurological and musculoskeletal conditions,

— for Covidien: development, manufacturing and sale of a diverse range of medical device and supply products, including for laparoscopic surgery, electrosurgery, biosurgery and vascular therapies.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the 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 M.7326 — Medtronic/Covidien, 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 'Merger Regulation').

OTHER ACTS

EUROPEAN COMMISSION

Publication of an amendment 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 371/15)

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

AMENDMENT APPLICATION

COUNCIL REGULATION (EC) No 510/2006

on the protection of geographical indications and designations of origin for agricultural products and foodstuffs [2]

AMENDMENT APPLICATION ACCORDING TO ARTICLE 9

'ASPARAGO BIANCO DI CIMADOLMO'

EC No: IT-PGI-0105-01202-4.3.2014

PGI (X) PDO ( )

1. **Heading in the product specification affected by the amendment**

— ☐ Name of product

— ☒ Description of product

— ☐ Geographical area

— ☒ Proof of origin

— ☒ Method of production

— ☐ Link

— ☒ Labelling

— ☐ National requirements

— ☒ Others (updated legal reference, packaging)

2. **Type of amendment**

— ☒ Amendment to single document or summary sheet

— ☐ Amendment to Specification of registered PDO or PGI for which neither the Single Document nor the Summary Sheet has been published

— ☐ 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)

[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. **Amendment(s)**

3.1. *Description of product*

— The following new cultivars and varieties have been introduced: Zeno and Vittorio (formerly AM840), Darbella, Voltaire and Cumulus. These cultivars and varieties have been produced from the old existing varieties used for 'Asparago Bianco di Cimadolmo' PGI, which have been developed for many years in the area, in order to maintain the organoleptic and physical characteristics of this well-known asparagus.

— The Gladio JM2001 and JM2004 cultivars have been deleted, as they are no longer sold by the seed producers.

— Following the repeal of Commission Regulation (EC) No 2377/1999 ([3]) laying down the marketing standard for asparagus, it has been decided to indicate the diameter and length requirements for the Extra and Premium categories in the specification for 'Asparago Bianco di Cimadolmo' PGI.

3.2. *Proof of origin*

The paragraph on proof of origin has been updated based on the requirements of Regulation (EU) No 1151/2012.

3.3. *Method of production*

Planting and production system

— The transplanting period has been indicated in the specification in order to make this clearer for the producers; the period from March to May is the most appropriate from the climate point of view for transplanting and for the subsequent success of the crop.

— The obligation to carry out parcel soil analyses and the frequency thereof have been clarified.

Soil management and plant nutrition

— The information on the crop's average nutrient requirements has been deleted from the specification as this was general in nature and therefore not relevant to fertiliser use. This must be based on the soil analyses and on the actual requirements of the plants.

— The fact that irrigation may take place only as an emergency measure has been clarified.

Phytosanitary protection

— The word 'chemical' has been replaced by the word 'phytosanitary', as this is more appropriate to organic production.

Harvesting

— The imprecise information on the date when harvesting is to begin has been deleted. The harvesting period itself has not been amended.

3.4. *Labelling*

— The paragraph on affixing the label both to the bundles and to the packages of loose asparagus has been reworded. Specifically, the label which goes around the bundle of asparagus is placed lower than at present, in order to make the tips of the asparagus more visible. The packages of loose asparagus are now to be closed and the label placed under the material used to close the packages. This avoids the asparagus being tampered with and gives the consumer the guarantee that the package has not been opened.

— To provide the consumer with more information, the obligation to indicate the commercial category and the relative diameter class on the label has been added.

— The option of replacing the words 'Indicazione Geografica Protetta' by the acronym 'IGP' on the label, in printed letters of the same size and colour, has been provided for.

— There is now the obligation to use the EU logo.

— The product logo now includes the acronym 'IGP' so as to improve the quality of the consumer information.

— Some references to the description of the logo's technical characteristics have been corrected.

([3]) OJ L 287, 10.11.1999, p. 6.

3.5. *Other*

Updated legal reference

The references to EU legislation have been updated. References to Council Regulation (EEC) No 2081/92 ([4]) have been replaced by references to Regulation (EU) No 1151/2012.

Packaging

In order to avoid tampering and to guarantee product quality for the consumer, the packaged non-bundled (or loose) product now has a maximum weight limit of 5 kg, and there is an obligation to close the package with nets or other suitable material and for it to have a band containing the PGI logo.

SINGLE DOCUMENT

COUNCIL REGULATION (EC) No 510/2006

on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ([5])

'ASPARAGO BIANCO DI CIMADOLMO'

EC No: IT-PGI-0105-01202-4.3.2014

PGI (X) PDO ( )

1. **Name**

'Asparago Bianco di Cimadolmo'

2. **Member State or Third Country**

Italy

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

3.1. *Type of product*

Class 1.6. Fruit, vegetables and cereals, fresh or processed

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

The 'Asparago Bianco di Cimadolmo' PGI is reserved for asparagus shoots from planting areas containing the following varieties: Precoce d'Argenteuil, Larac, Dariana, Cumulus, Darbella, Vittorio (ex AM 840), Voltaire, Zeno.

Other cultivars up to a maximum of 20 % may also be present in the areas.

'Asparago Bianco di Cimadolmo', when put up for sale, must present the following marketing and quality characteristics:

— The shoots must be completely white. They must also be whole, with a fresh, healthy appearance and aroma, free of rodent or insect damage, practically free of bruising, clean, free of external moisture, i.e. adequately 'dried' if they have been washed or cooled with cold water, and free of any foreign smell and/or taste; the shoots must not be hollow, split, peeled or broken. Small cracks which have appeared after harvesting are, however, allowed.

— 'Asparago Bianco di Cimadolmo' is classified in the following categories, each subdivided into two classes according to diameter:

  Extra Category:

  — Diameter class: from 19 to 24 mm

  — Diameter class: from 15 to 19 mm

  Premium Category:

  — Diameter class: from 12 to 15 mm

  — Diameter class: from 8 to 12 mm

  The asparagus must be between 20 and 22 cm long.

([4]) OJ L 208, 24.7.1992, p. 1.
([5]) Replaced by Regulation (EU) No 1151/2012.

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

—

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

—

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

All steps in producing 'Asparago Bianco di Cimadolmo', from planting to harvesting, must take place in the identified geographical area.

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

After harvesting, the asparagus shoots must be delivered to the processing centre within 12 hours, in bundles or loose.

For keeping, the product's metabolism must be slowed down by cooling the shoots quickly and keeping them at a suitable temperature.

The asparagus must be packed in such a way as to protect the produce adequately.

At the time of packaging the product must be free of any foreign body.

The shoots must be sold in one of the following forms:

(a) in tightly tied bundles of between 0,5 kg and 3 kg. The shoots on the outside of each bundle must have the same appearance and size as the average shoot within the bundle.

The bundles must be placed into the package in a regular fashion; each bundle may be protected by paper. The bundles in a package must have the same weight and length;

(b) loose, in packages weighing a maximum of 5 kg; these packages must be closed with a net or another material suitable for food products, and with a band containing the PGI logo, so as to protect the product from possible tampering.

The contents of each package or bundle within a package must be homogeneous and must contain only shoots of the same quality category and size.

3.7. *Specific rules concerning labelling*

The label must be placed on the band around the bundles or under the material used to close the packages in the case of loose asparagus.

To protect the consumer, each bundle's label must indicate both the category referred to in point 3.2 and the relative diameter class.

The PGI designation must be shown on the label by means of the words

'Asparago Bianco di Cimadolmo' and 'Indicazione Geografica Protetta', the latter possibly replaced by the acronym 'IGP', in printed letters of the same size and colour.

The label must bear the guarantee seal containing the logo, i.e. the distinctive symbol of the Protected Geographical Indication.

The use of the EU symbol is obligatory.

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

The geographical area of production of 'Asparago Bianco di Cimadolmo' falls within the Province of Treviso and comprises the whole of the municipalities of: Breda di Piave, Cimadolmo, Fontanelle, Mareno di Piave, Maserada sul Piave, Oderzo, Ormelle, Ponte di Piave, San Polo di Piave, Santa Lucia di Piave and Vazzola.

5. **Link with the geographical area**

5.1. *Specificity of the geographical area*

The climate of the production area is typically temperate and humid, with heavy rainfall in spring.

The production area is located in the flood plain of the river Piave, characterised by alluvial sandy-loamy soils which are loose, soft, neutral to subalkaline, permeable and well-drained.

5.2. *Specificity of the product*

'Asparago Bianco di Cimadolmo' is famous for its white, tender and non-fibrous shoots.

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 temperate, damp climate and the sandy, loamy, loose and fresh soil promote the growth of asparagus, enabling it to grow rapidly due to the soil's low resistance and produce shoots which are white, tender and non-fibrous.

The product's fame is also proven by the annual 'Asparago Bianco di Cimadolmo' fair, which since 1975 has attracted consumers and fans alike during the first weeks of May. There is also a tourist route called the 'strada dell'asparago' ('asparagus route') running through the municipalities which produce 'Asparago Bianco di Cimadolmo'.

Today 'Asparago Bianco di Cimadolmo' appears in numerous books on farming systems and on typical products from the Province of Treviso (L'asparago — la storia, le tradizioni e le ricette (Asparagus — history, traditions and recipes) by Paolo Morganti and Chiara Nardo, published by Morganti Editori; La qualità come risorsa: il caso delle produzioni tipiche della provincia di Treviso (Quality as an ingredient: the traditional products of the Province of Treviso) by V. Boatto, E. Defrancesco and A. Scudeller, 1995), as well as in a huge number of recipes and on the menus of the province's best restaurants.

The long historical tradition of cultivating 'Asparago Bianco di Cimadolmo' is illustrated by quotes found in the works of various writers of the past, such as Agostinetti's 'I centodieci ricordi che formano il buon fattore di Villa' (1679), which can be found in the Cimadolmo municipal archives.

Reference to publication of the specification

(Article 5(7) of Regulation (EC) No 510/2006 ([6]))

The Ministry launched the national opposition procedure with the publication of the proposal for amending the product specification for the 'Asparago Bianco di Cimadolmo' PGI in the Official Gazette of the Italian Republic No 5 of 8 January 2014.

The full text of the product specification is available on the internet:
http://www.politicheagricole.it/flex/cm/pages/ServeBLOB.php/L/IT/IDPagina/3335

or alternatively:

by going direct to the home page of the Ministry of Agricultural, Food and Forestry Policy (www.politicheagricole.it) and clicking on 'Prodotti DOP e IGP' (at the top right of the screen), then on 'Prodotti DOP, IGP e STG' (in the left-hand side column) and finally on 'Disciplinari di Produzione all'esame dell'UE'.

([6]) See footnote 5.

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