

Official Journal of the European Union

C 209



English edition

Information and Notices

Volume 58

25 June 2015

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⁽¹⁾ Text with EEA relevance

I

(Resolutions, recommendations and opinions)

OPINIONS

EUROPEAN COMMISSION

COMMISSION OPINION

of 24 June 2015

relating to the plan for the disposal of radioactive waste arising from the Sellafield Local Sludge Treatment Plant, located in the United Kingdom

(only the English text is authentic)

(2015/C 209/01)

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 18 March 2015, the European Commission received from the Government of the United Kingdom, in accordance with Article 37 of the Euratom Treaty, General Data relating to the plan for the disposal of radioactive waste arising from the Sellafield Local Sludge Treatment Plant.

On the basis of these data and additional information requested by the Commission on 23 March 2015 and provided by the United Kingdom authorities on 7 April 2015, and following consultation with the Group of Experts, the Commission has drawn up the following opinion:

1. The distance from the site to the nearest border of another Member State, in this case Ireland is 180 km.
2. Under normal operating conditions, the discharges of gaseous and liquid radioactive effluents are not liable to cause an exposure of the population in another Member State that would be significant from the point of view of health, in respect of the dose limit laid down in the new Basic Safety Standards (Council Directive 2013/59/Euratom ⁽²⁾).
3. Solid secondary radioactive waste will be temporarily stored on site before transfer to licensed disposal facilities within the United Kingdom.
4. In the event of unplanned releases of radioactive effluents, which may follow the accident of the type and magnitude considered in the General Data, the doses likely to be received by the population in another Member State would not be significant from the point of view of health, in respect of the reference levels laid down in the new Basic Safety Standards (Council Directive 2013/59/Euratom).

⁽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, 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.

⁽²⁾ Council Directive 2013/59/Euratom of 5 December 2013 laying down basic safety standards for protection against the dangers arising from exposure to ionising radiation, and repealing Directives 89/618/Euratom, 90/641/Euratom, 96/29/Euratom, 97/43/Euratom and 2003/122/Euratom (OJ L 13, 17.1.2014, p. 1).

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 Sellafield Local Sludge Treatment Plant, located in the United Kingdom, both in normal operation and in the event of the accident 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, in respect of the provisions laid down in the new Basic Safety Standards (Council Directive 2013/59/Euratom).

Done at Brussels, 24 June 2015.

For the Commission
Miguel ARIAS CAÑETE
Member of the Commission

III

(Preparatory acts)

EUROPEAN CENTRAL BANK

OPINION OF THE EUROPEAN CENTRAL BANK

of 1 June 2015

on a proposal for a Commission regulation amending Regulation (EC) No 1708/2005 laying down detailed rules for the implementation of Council Regulation (EC) No 2494/95 as regards the common index reference period for the harmonised index of consumer prices

(CON/2015/18)

(2015/C 209/02)

Introduction and legal basis

On 28 April 2015, the European Central Bank (ECB) received a request from the European Commission for an opinion on a proposal for a Commission regulation amending Commission Regulation (EC) No 1708/2005 laying down detailed rules for the implementation of Council Regulation (EC) No 2494/95 as regards the common index reference period for the harmonised index of consumer prices, and amending Regulation (EC) No 2214/96 ⁽¹⁾ (hereinafter the 'proposed regulation').

The ECB's competence to deliver an opinion is based on Articles 127(4) and 282(5) of the Treaty on the Functioning of the European Union. The proposed regulation lies within the ECB's fields of competence since it concerns the reference period for the harmonised index of consumer prices (HICP). This index is a key indicator for the ECB's achieving its primary objective of maintaining price stability in the euro area, as referred to in Article 127(1) of the Treaty and the first sentence of Article 2 of the Statute of the European System of Central Banks and of the European Central Bank. In accordance with the first sentence of Article 17.5 of the Rules of Procedure of the European Central Bank, the Governing Council has adopted this opinion.

1. General Observations

1.1. The ECB supports the proposed regulation's objective of updating the reference period for the HICP in order to ensure that the resulting indices are comparable and relevant. HICPs with well-defined reference periods are important indicators in the context of monetary policy. Sound monetary policy decisions depend on reliable and up-to-date HICP statistics, which support the Eurosystem's tasks in the area of financial stability.

1.2. The ECB points out that the duty to consult is based not only on Article 5(3) of Regulation (EC) No 2494/95 ⁽²⁾, but also on the abovementioned provisions of the Treaty. The ECB reiterates its recent suggestion that Recital 2 of the proposed Regulation of the European Parliament and of the Council on harmonised indices of consumer prices and repealing Regulation (EC) No 2494/95 ⁽³⁾ should reflect the duty to consult the ECB on any legal acts within the HICP framework ⁽⁴⁾.

Done at Frankfurt am Main, 1 June 2015.

The President of the ECB

Mario DRAGHI

⁽¹⁾ Ares(2015)1788320 – 28/04/2015.

⁽²⁾ Council Regulation (EC) No 2494/95 of 23 October 1995 concerning harmonized indices of consumer prices (OJ L 257, 27.10.1995, p. 1).

⁽³⁾ COM/2014/0724 final - 2014/0346 (COD).

⁽⁴⁾ See paragraph 2.3 of ECB Opinion CON/2015/10.

IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

EUROPEAN COMMISSION

Euro exchange rates ⁽¹⁾

24 June 2015

(2015/C 209/03)

1 euro =

Currency	Exchange rate	Currency	Exchange rate		
USD	US dollar	1,1213	CAD	Canadian dollar	1,3793
JPY	Japanese yen	138,93	HKD	Hong Kong dollar	8,6927
DKK	Danish krone	7,4619	NZD	New Zealand dollar	1,6297
GBP	Pound sterling	0,71180	SGD	Singapore dollar	1,5061
SEK	Swedish krona	9,2118	KRW	South Korean won	1 244,32
CHF	Swiss franc	1,0449	ZAR	South African rand	13,5958
ISK	Iceland króna		CNY	Chinese yuan renminbi	6,9619
NOK	Norwegian krone	8,7690	HRK	Croatian kuna	7,5880
BGN	Bulgarian lev	1,9558	IDR	Indonesian rupiah	14 917,43
CZK	Czech koruna	27,206	MYR	Malaysian ringgit	4,2182
HUF	Hungarian forint	311,11	PHP	Philippine peso	50,514
PLN	Polish zloty	4,1671	RUB	Russian rouble	60,9332
RON	Romanian leu	4,4675	THB	Thai baht	37,875
TRY	Turkish lira	2,9962	BRL	Brazilian real	3,4442
AUD	Australian dollar	1,4473	MXN	Mexican peso	17,2490
			INR	Indian rupee	71,3016

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

NOTICES CONCERNING THE EUROPEAN ECONOMIC AREA

EFTA SURVEILLANCE AUTHORITY

Notice in accordance with Article 2(2) of Commission Decision 2005/15/EC
Extension of period allowed to the EFTA Surveillance Authority to take a decision
Logistics in the postal sector (Norway)
(2015/C 209/04)

On 23 March 2015, the EFTA Surveillance Authority received a request pursuant to Article 30(5) of Directive 2004/17/EC.

This request, filed by Posten Norge AS, concerns the provision of various logistic services in the postal sector in Norway. The request was subject of a notice in OJ C 150, 7 May 2015, p. 4 and EEA Supplement No 26, 7 May 2015, p. 3. The initial period expires on 24 June 2015.

Given that the EFTA Surveillance Authority considered that additional information is needed in order to make a proper assessment of the request, it sent a request for information to Posten Norge AS on 6 May 2015. Hence, in compliance with the provisions laid down in the second sentence of Article 30(6), the period allowed to the EFTA Surveillance Authority to take a decision on this request is extended by one month.

The final period for the EFTA Surveillance Authority to take a decision therefore expires on 24 July 2015.

V

(Announcements)

COURT PROCEEDINGS

EFTA COURT

Action brought on 21 April 2015 by the EFTA Surveillance Authority against Iceland**(Case E-10/15)**

(2015/C 209/05)

An action against Iceland was brought before the EFTA Court on 21 April 2015 by the EFTA Surveillance Authority, represented by Auður Ýr Steinarsdóttir and Marlene Lie Hakkebo, acting as Agents of the EFTA Surveillance Authority, 35 Rue Belliard, B-1040 Brussels.

The EFTA Surveillance Authority requests the EFTA Court to:

1. Declare that Iceland has failed to fulfil its obligations under the Act referred to at point 21au of Chapter III of Annex XX to the Agreement on the European Economic Area, (Directive 2009/126/EC of the European Parliament and of the Council of 21 October 2009 on Stage II petrol vapour recovery during refuelling of motor vehicles at service stations), as adapted to the Agreement by way of Protocol 1 thereto, and under Article 7 of the Agreement, by failing to adopt the measures necessary to implement the Act within the time prescribed.
2. Order Iceland to bear the costs of these proceedings.

Legal and factual background and pleas in law adduced in support:

- The application addresses Iceland's failure to comply, no later than 10 February 2015, with a reasoned opinion delivered by the EFTA Surveillance Authority on 10 December 2014 regarding that State's failure to implement into its national legal order *Directive 2009/126/EC of the European Parliament and of the Council of 21 October 2009 on Stage II petrol vapour recovery during refuelling of motor vehicles at service stations*, as referred to at point 21au of Chapter III of Annex XX to the Agreement on the European Economic Area, and as adapted to that Agreement by way of Protocol 1 thereto ('the Act').
 - The EFTA Surveillance Authority submits that Iceland has failed to fulfil its obligations under the Act and under Article 7 of the EEA Agreement by failing to adopt the measures necessary to implement the Act within the time prescribed.
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Action brought on 21 April 2015 by the EFTA Surveillance Authority against Iceland**(Case E-11/15)**

(2015/C 209/06)

An action against Iceland was brought before the EFTA Court on 21 April 2015 by the EFTA Surveillance Authority, represented by Markus Schneider and Marlene Lie Hakkebo, acting as Agents of the EFTA Surveillance Authority, 35 Rue Belliard, B-1040 Brussels.

The EFTA Surveillance Authority requests the EFTA Court to:

1. Declare that Iceland has failed to fulfil its obligations under the Act referred to at points 7a, 7e and 7i of Annex XIX to the Agreement on the European Economic Area, (Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council), as adapted to the Agreement by way of Protocol 1 thereto, and under Article 7 of the Agreement, by failing to adopt the measures necessary to implement the Act within the time prescribed.
2. Order Iceland to bear the costs of these proceedings.

Legal and factual background and pleas in law adduced in support:

- The application addresses Iceland's failure to comply, no later than 24 November 2014, with a reasoned opinion delivered by the EFTA Surveillance Authority on 24 September 2014 regarding that State's failure to implement into its national legal order *Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council*, as referred to at points 7a, 7e and 7i of Annex XIX to the Agreement on the European Economic Area, and as adapted to that Agreement by way of Protocol 1 thereto ('the Act').
- The EFTA Surveillance Authority submits that Iceland has failed to fulfil its obligations under the Act and under Article 7 of the EEA Agreement by failing to adopt the measures necessary to implement the Act within the time prescribed.

Action brought on 21 April 2015 by the EFTA Surveillance Authority against the Principality of Liechtenstein

(Case E-12/15)

(2015/C 209/07)

An action against the Principality of Liechtenstein was brought before the EFTA Court on 21 April 2015 by the EFTA Surveillance Authority, represented by Markus Schneider and Marlene Lie Hakkebo, acting as Agents of the EFTA Surveillance Authority, 35 Rue Belliard, B-1040 Brussels.

The EFTA Surveillance Authority requests the EFTA Court to:

1. Declare that the Principality of Liechtenstein has failed to fulfil its obligations under the Act referred to at points 7a, 7e and 7i of Annex XIX to the Agreement on the European Economic Area, (Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council), as adapted to the Agreement by way of Protocol 1 thereto, and under Article 7 of the Agreement, by failing to adopt the measures necessary to implement the Act within the time prescribed.
2. Order Liechtenstein to bear the costs of these proceedings.

Legal and factual background and pleas in law adduced in support:

- The application addresses the failure by the Principality of Liechtenstein to comply, no later than on 24 November 2014, with a reasoned opinion delivered by the EFTA Surveillance Authority on 24 September 2014 regarding that State's failure to implement into its national legal order *Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council*, as referred to at points 7a, 7e and 7i of Annex XIX to the Agreement on the European Economic Area, and as adapted to that Agreement by way of Protocol 1 thereto ('the Act').
 - The EFTA Surveillance Authority submits that Liechtenstein has failed to fulfil its obligations under the Act and under Article 7 of the EEA Agreement by failing to adopt the measures necessary to implement the Act within the time prescribed.
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PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION
POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.7498 — Compagnie de Saint-Gobain/Sika)

(Text with EEA relevance)

(2015/C 209/08)

1. On 16 June 2015, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004⁽¹⁾ by which Saint-Gobain SA ('Saint-Gobain', France) acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of Sika AG ('Sika', Switzerland), by way of purchase of all shares in Schenkler-Winkler Holding AG.
2. The business activities of the undertakings concerned are:
 - for Saint-Gobain: manufacturing of glass, high performance materials, construction products (including mortars) and glass packaging, as well as distribution of building materials,
 - for Sika: manufacturing of specialty chemicals, in particular construction chemicals, sealants and adhesives, manufacturing of mortars.
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 email to COMP-MERGER-REGISTRY@ec.europa.eu or by post, under reference number M.7498 — Compagnie de Saint-Gobain/Sika, 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').

ISSN 1977-091X (electronic edition)
ISSN 1725-2423 (paper edition)



Publications Office of the European Union
2985 Luxembourg
LUXEMBOURG

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