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⁽²⁾ Text with EEA relevance.

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I

(Resolutions, recommendations and opinions)

RECOMMENDATIONS

EUROPEAN CENTRAL BANK

RECOMMENDATION OF THE EUROPEAN CENTRAL BANK

of 17 January 2020

on dividend distribution policies

(ECB/2020/1)

(2020/C 30/01)

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 127(6) and Article 132 thereof,

Having regard to the Statute of the European System of Central Banks and of the European Central Bank, and in particular Article 34 thereof,

Having regard to Council Regulation (EU) No 1024/2013 of 15 October 2013 conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions ⁽¹⁾, and in particular Article 4(3) thereof,

Having regard to Regulation (EU) No 468/2014 of the European Central Bank of 16 April 2014 establishing the framework for cooperation within the Single Supervisory Mechanism between the European Central Bank and national competent authorities and with national designated authorities (SSM Framework Regulation) (ECB/2014/17) ⁽²⁾,

Whereas:

Credit institutions need to continue preparing for a timely and full application of Regulation (EU) No 575/2013 of the European Parliament and of the Council ⁽³⁾ and Directive 2013/36/EU of the European Parliament and of the Council ⁽⁴⁾, and prepare for the expiration of the transitional period provided by the Regulation (EU) 2017/2395 of the European Parliament and of the Council ⁽⁵⁾ to mitigate the potentially significant negative impact on Common Equity Tier 1 capital resulting from expected credit loss accounting under IFRS 9 in a challenging macroeconomic and financial environment, which exerts pressure on credit institutions' profitability and, as a result, on their capacity to build up their capital bases. Moreover, while credit institutions need to finance the economy, a conservative distribution policy is part of an adequate risk management and sound banking system. The same method that was set out in Recommendation ECB/2019/1 of the European Central Bank ⁽⁶⁾ should be applied,

⁽¹⁾ OJ L 287, 29.10.2013, p. 63.

⁽²⁾ OJ L 141, 14.5.2014, p. 1.

⁽³⁾ Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 (OJ L 176, 27.6.2013, p. 1).

⁽⁴⁾ Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 27.6.2013, p. 338).

⁽⁵⁾ Regulation (EU) 2017/2395 of the European Parliament and of the Council of 12 December 2017 amending Regulation (EU) No 575/2013 as regards transitional arrangements for mitigating the impact of the introduction of IFRS 9 on own funds and for the large exposures treatment of certain public sector exposures denominated in the domestic currency of any Member State (OJ L 345, 27.12.2017, p. 27).

⁽⁶⁾ Recommendation ECB/2019/1 of the European Central Bank of 7 January 2019 on dividend distribution policies (OJ C 11, 11.1.2019, p. 1).

HAS ADOPTED THIS RECOMMENDATION:

I.

1. Credit institutions should establish dividend policies using conservative and prudent assumptions in order, after any distribution, to satisfy the applicable capital requirements and the outcomes of the supervisory review and evaluation process (SREP).
 - (a) Credit institutions are required to satisfy the applicable minimum capital requirements ('Pillar 1 requirements') at all times. This includes a Common Equity Tier 1 capital ratio of 4,5 %, a Tier 1 capital ratio of 6 % and a total capital ratio of 8 % as provided for by Article 92 of Regulation (EU) No 575/2013.
 - (b) Moreover, credit institutions are required to satisfy at all times the capital requirements that are imposed by the decision following the SREP in application of Article 16(2)(a) of Regulation (EU) No 1024/2013 and which go beyond the Pillar 1 requirements ('Pillar 2 requirements').
 - (c) Credit institutions are also required to satisfy the combined buffer requirement as defined in Article 128(6) of Directive 2013/36/EU.
 - (d) Credit institutions are also required to satisfy their required 'fully loaded' ⁽⁷⁾ Common Equity Tier 1 capital ratio, their Tier 1 capital ratio and their total capital ratio by the applicable full phase-in date. This refers to the full application of the abovementioned ratios after application of the transitional provisions and the combined buffer requirement as defined in Article 128(6) of Directive 2013/36/EU. The transitional provisions are set out in Title XI of Directive 2013/36/EU and in Part Ten of Regulation (EU) No 575/2013.
 - (e) Credit institutions that decided to apply the arrangements set out in Regulation (EU) 2017/2395 during the transitional period are also required to satisfy their 'fully loaded' Common Equity Tier 1 capital ratio by the end of the transitional period provided by that Regulation.

These requirements are to be met on a consolidated, and if applicable, on a sub-consolidated level, as well as on an individual basis unless the application of prudential requirements has been waived on an individual basis, as provided for in Articles 7 and 10 of Regulation (EU) No 575/2013.

2. With regard to credit institutions paying dividends ⁽⁸⁾ in 2020 for the financial year 2019, the ECB recommends that:
 - (a) Category 1: Credit institutions that (i) satisfy the applicable capital requirements as referred to in paragraph 1(a), (b) and (c); and (ii) have already reached their fully loaded ratios as referred to in paragraphs 1(d) and 1(e), as applicable, as at 31 December 2019 should distribute their net profits in dividends in a conservative manner to enable them to continue to fulfil all requirements and outcomes of the SREP even in the case of deteriorated economic and financial conditions;
 - (b) Category 2: Credit institutions that satisfy the applicable capital requirements as referred to in paragraph 1(a), (b) and (c) as at 31 December 2019, but have not reached their fully loaded ratios as referred to in paragraphs 1(d) and 1(e), as applicable, as at 31 December 2019 should distribute their net profits in dividends in a conservative manner to enable them to continue to fulfil all requirements and outcomes of SREP, even in the case of deteriorated economic and financial conditions. Furthermore, they should in principle only pay-out dividends to the extent that paragraph 1(d) is also fulfilled and, at a minimum, a linear ⁽⁹⁾ path towards the required fully loaded capital requirements as referred to in paragraph 1(e) and outcomes of the SREP is secured;
 - (c) Category 3: Credit institutions in breach of the requirements referred to in paragraph 1(a), (b) or (c) should in principle not distribute any dividend.

⁽⁷⁾ All buffers at fully loaded levels.

⁽⁸⁾ Credit institutions may have various legal forms, e.g. listed companies and non-joint stock companies such as mutuals, cooperatives or savings institutions. The term 'dividend' as used in this recommendation refers to any type of cash pay-out that is subject to the approval of the general assembly.

⁽⁹⁾ In practice, this means that for the remainder of the transitional period, credit institutions should in principle retain at least the pro rata amount per year of the gap towards their fully loaded Common Equity Tier 1 capital ratio, their Tier 1 capital ratio and their total capital ratio, as referred to in paragraph 1(e).

Credit institutions that are not able to comply with this Recommendation because they consider themselves legally required to pay-out dividends should immediately contact their joint supervisory team.

Credit institutions in categories 1, 2, and 3 as referred to in paragraph 2(a), (b) and (c) are also expected to meet Pillar 2 guidance. If a credit institution operates or expects to operate below Pillar 2 guidance, it should immediately contact its joint supervisory team. The ECB will review the reasons why the credit institution's capital level has fallen, or is expected to fall, and will consider taking appropriate and proportionate institution-specific measures.

In their dividend policy and capital management, institutions are also expected to take into account the potential impact on capital demand due to future changes in the Union's legal, regulatory and accounting frameworks. In the absence of specific information to the contrary, the future Pillar 2 requirements and Pillar 2 guidance used in capital planning are expected to be at least as high as the current levels.

II.

This Recommendation is addressed to significant supervised entities and significant supervised groups as defined in points (16) and (22) of Article 2 of Regulation (EU) No 468/2014 (ECB/2014/17).

III.

This Recommendation is also addressed to the national competent authorities and designated authorities with regard to less significant supervised entities and less significant supervised groups as defined in points (7) and (23) of Article 2 of Regulation (EU) No 468/2014 (ECB/2014/17). The national competent and designated authorities are expected to apply this Recommendation to such entities and groups, as deemed appropriate ⁽¹⁰⁾.

Done at Frankfurt am Main, 17 January 2020.

The President of the ECB
Christine LAGARDE

⁽¹⁰⁾ If this Recommendation is applied to less significant supervised entities and less significant supervised groups that consider themselves unable to comply because they regard themselves legally required to pay out dividends, they should immediately contact their national competent authorities.

II

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

EUROPEAN COMMISSION

Non-opposition to a notified concentration**(Case M.9574 — Associated British Foods/Wilmar International/AB Mauri Yihai Kerry China
Investment Holding Company)***(Text with EEA relevance)*

(2020/C 30/02)

On 22 January 2020, 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 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 32020M9574. EUR-Lex is the on-line access to European law.

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

Non-opposition to a notified concentration**(Case M.9658 — Daiwa Securities Group/Aquila Holding/Aquila Capital Holding)****(Text with EEA relevance)**

(2020/C 30/03)

On 22 January 2020, 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 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 32020M9658. EUR-Lex is the on-line access to European law.

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

COUNCIL

Notice for the attention of the persons subject to the restrictive measures provided for in Council Decision 2014/145/CFSP, as amended by Council Decision (CFSP) 2020/120, and in Council Regulation (EU) No 269/2014 as implemented by Council Implementing Regulation (EU) 2020/119 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine

(2020/C 30/04)

The following information is brought to the attention of the persons that appear in the Annex to Council Decision 2014/145/CFSP ⁽¹⁾, as amended by Council Decision (CFSP) 2020/120 ⁽²⁾, and in Annex I to Council Regulation (EU) No 269/2014 ⁽³⁾, as implemented by Council Implementing Regulation (EU) 2020/119 ⁽⁴⁾ concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine.

The Council of the European Union has decided that those persons should be included in the list of persons subject to restrictive measures provided for in Decision 2014/145/CFSP and in Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine. The grounds for designations of those persons appear in the relevant entries in those Annexes.

The attention of the persons concerned is drawn to the possibility of making an application to the competent authorities of the relevant Member State(s) as indicated in the websites in Annex II to Regulation (EU) No 269/2014, in order to obtain an authorisation to use frozen funds for basic needs or specific payments (cf. Article 4 of the Regulation).

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

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

Email: 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, 2nd paragraph, and Article 263, 4th and 6th paragraphs, of the Treaty on the Functioning of the European Union.

⁽¹⁾ OJ L 78, 17.3.2014, p. 16.

⁽²⁾ OJ L 22 I, 28.1.2020, p. 5

⁽³⁾ OJ L 78, 17.3.2014, p. 6.

⁽⁴⁾ OJ L 22 I, 28.1.2020, p. 1

Notice for the attention of the data subjects to whom the restrictive measures provided for in Council Decision 2014/145/CFSP and Council Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine apply

(2020/C 30/05)

The attention of data subjects is drawn to the following information in accordance with Article 16 of Regulation (EU) 2018/1725 of the European Parliament and of the Council ⁽¹⁾.

The legal bases for this processing operation are Council Decision 2014/145/CFSP ⁽²⁾, as amended by Council Decision (CFSP) 2020/120 ⁽³⁾, and Council Regulation (EU) No 269/2014 ⁽⁴⁾, as implemented by Council Implementing Regulation (EU) 2020/119 ⁽⁵⁾.

The controller of this processing operation is the Department RELEX.1.C in the Directorate-General for Foreign Affairs, Enlargement and Civil Protection – RELEX of the General Secretariat of the Council (GSC), that can be contacted at:

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

Email: sanctions@consilium.europa.eu

The GSC's Data Protection Officer can be contacted at:

Data Protection Officer

data.protection@consilium.europa.eu

The purpose of the processing operation is the establishment and updating of the list of persons subject to restrictive measures in accordance with Decision 2014/145/CFSP, as amended by Decision (CFSP) 2020/120, and Regulation (EU) No 269/2014, as implemented by Implementing Regulation (EU) 2020/119.

The data subjects are the natural persons who fulfil the listing criteria as laid down in Decision 2014/145/CFSP and Regulation (EU) No 269/2014.

The personal data collected includes data necessary for the correct identification of the person concerned, the statement of reasons and any other data related thereto.

The personal data collected may be shared as necessary with the European External Action Service and the Commission.

Without prejudice to restrictions pursuant to Article 25 of Regulation (EU) 2018/1725, the exercise of the rights of the data subjects such as the right of access, as well as the rights to rectification or to object will be answered in accordance with Regulation (EU) 2018/1725.

Personal data will be retained for 5 years from the moment the data subject has been removed from the list of persons subject to the restrictive measures or the validity of the measure has expired, or for the duration of court proceedings in the event they had been started.

Without prejudice to any judicial, administrative or non-judicial remedy, data subjects may lodge a complaint with the European Data Protection Supervisor in accordance with Regulation (EU) 2018/1725 (edps@edps.europa.eu).

⁽¹⁾ OJ L 295, 21.11.2018, p. 39.

⁽²⁾ OJ L 78, 17.3.2014, p. 16.

⁽³⁾ OJ L 22 I, 28.1.2020, p. 5

⁽⁴⁾ OJ L 78, 17.3.2014, p. 6.

⁽⁵⁾ OJ L 22 I, 28.1.2020, p. 1.

EUROPEAN COMMISSION

Euro exchange rates ⁽¹⁾

28 January 2020

(2020/C 30/06)

1 euro =

Currency	Exchange rate	Currency	Exchange rate		
USD	US dollar	1,1005	CAD	Canadian dollar	1,4516
JPY	Japanese yen	120,02	HKD	Hong Kong dollar	8,5578
DKK	Danish krone	7,4728	NZD	New Zealand dollar	1,6844
GBP	Pound sterling	0,84603	SGD	Singapore dollar	1,4949
SEK	Swedish krona	10,5993	KRW	South Korean won	1 297,20
CHF	Swiss franc	1,0703	ZAR	South African rand	16,1249
ISK	Iceland króna	137,20	CNY	Chinese yuan renminbi	7,6338
NOK	Norwegian krone	10,0758	HRK	Croatian kuna	7,4410
BGN	Bulgarian lev	1,9558	IDR	Indonesian rupiah	15 008,07
CZK	Czech koruna	25,221	MYR	Malaysian ringgit	4,4972
HUF	Hungarian forint	337,18	PHP	Philippine peso	55,878
PLN	Polish zloty	4,2731	RUB	Russian rouble	68,9032
RON	Romanian leu	4,7784	THB	Thai baht	33,945
TRY	Turkish lira	6,5475	BRL	Brazilian real	4,6196
AUD	Australian dollar	1,6290	MXN	Mexican peso	20,7316
			INR	Indian rupee	78,4545

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

V

(Announcements)

OTHER ACTS

EUROPEAN COMMISSION

Publication of an application for registration of a name 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

(2020/C 30/07)

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 ⁽¹⁾ within three months from the date of this publication.

SINGLE DOCUMENT

'Aceite de Jaén'**EU No PGI-ES-02322 – 22.9.2017****PDO () PGI (X)****1. Name(s)**

'Aceite de Jaén'

2. Member State or Third Country

Spain

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

Class 1.5. Oils and fats (butter, margarine, oil, etc.)

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

'Aceite de Jaén' is an extra virgin olive oil obtained directly from the fruit of the olive tree (*Olea europaea* L.) and exclusively by mechanical means from olive tree plantations located in the geographical area defined in point 4, which at the time of packaging presents the following physico-chemical and organoleptic characteristics:

Acidity	Maximum 0,5 %
Peroxide value	Maximum 15 mEq O ₂ /kg
K ₂₇₀	Maximum 0,18
K ₂₃₂	Maximum 2

(1) OJ L 343, 14.12.2012, p. 1.

Waxes	Maximum 120 mg/kg
Total polyphenols	Minimum 300 mg/kg
Total tocopherols	Minimum 150 mg/kg

Fatty acid composition

Palmitic acid	9-13 %
Oleic acid	> 75 %
Linoleic acid	≤ 6 %

Organoleptic characteristics

Median score for fruitiness	Greater than 3
Median score for bitterness	3-6,5
Median score for pungency	3-6,5
Median score for defects	Equal to 0

- Aroma: a perceptible aroma of fresh, healthy olives with hints of vegetables or other plant-based products such as green leaves or grasses, combined with distinctively fruity notes which are moderately to heavily pronounced (median for fruitiness on a continuous linear scale greater than 3).
- Taste: clean, fragrant taste of fresh, healthy olives with bitter, pungent notes of the following intensity:
 - Bitterness: moderately or clearly perceptible (median on a continuous linear scale between 3 and 6,5),
 - Pungency: moderately or clearly perceptible (median on a continuous linear scale between 3 and 6.5).

In short, the organoleptic characteristics of the oils covered by the 'Aceite de Jaén' designation are defined by aromas of fresh, clean and healthy olives picked before 31 December, when the bitterness and pungency attributes are highly pronounced.

3.3. Feed (for products of animal origin only) and raw materials (for processed products only)

'Aceite de Jaén' must be made from the following olive varieties grown on an individual or combined basis in olive tree plantations located within the geographical area defined in point 4:

Main variety: Picual, an indigenous variety which accounts for over 90 % of the olive trees grown in the geographical area.

Secondary varieties. Indigenous varieties: Manzanilla de Jaén, Royal de Cazorla and Carrasqueño de Alcaudete. Non-indigenous varieties: Hojiblanca, Arbequina and Picudo.

'Aceite de Jaén' is the extra-virgin olive oil obtained from olives of the above-mentioned varieties harvested before 31 December, as long as at least 85 % of the oil is from indigenous varieties.

In both cases, these oils must have the physico-chemical and organoleptic characteristics stated in point 3.2.

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

The olives are grown and the oil is produced within the geographical area described in point 4.

3.5. Specific rules concerning slicing, grating, packaging, etc. of the product the registered name refers to

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3.6. *Specific rules concerning labelling of the product the registered name refers to*

The labels must necessarily have the words 'Indicación Geográfica Protegida "Aceite de Jaén"' printed prominently in clear, indelible characters, as well as the specific PGI logo and the European Union logo, along with the details and information required under the applicable legislation.

The containers in which the 'Aceite de Jaén' oil is marketed must bear a non-reusable, numbered secondary label as a guarantee of compliance and origin. These secondary labels must be verified and issued by the Regulatory Board, the management body for the Protected Geographical Indication. It must not take any measures concerning the use of these secondary labels that might in any way discriminate against any operator that complies with the specification.

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

The defined geographical area covers the whole of Jaén province, located in the southeastern Iberian Peninsula.

5. **Link with the geographical area**

The link between the product and the geographical area is based on the reputation of the name 'Aceite de Jaén', which on the one hand is a consequence of the material value of the product (the physico-chemical and organoleptic characteristics described in point 3.2), which is derived in turn from a combination of the olive varieties, the geographical location, the soil and climate conditions. The reputation is also due to the perception of its intangible value, which is based on the history of olive plantations and oil in Jaén over many centuries.

Thanks to the physico-chemical and organoleptic characteristics described in point 3.2, 'Aceite de Jaén' has a very high reputation in both national and international markets and has become an indispensable element in the gastronomy of many places. According to a survey by the company Global Investigación & Marketing in 2002 for the Andalusian Conference on Designations of Origin, conducted on a sample of 539 people in five provincial capitals of Spain (Madrid, Barcelona, Valencia, Seville and Zaragoza) with a confidence level of 95 %, when interviewees were asked to name the designations of origin with which they were familiar, it appeared that 'Aceite de Jaén' ranked as the fifth best-known Spanish designation of origin among consumers and first out of all Andalusian designations of origin, despite not being an officially recognised quality mark. The Permanent Observatory on Olive Oil run by the Spanish Association of Olive Municipalities also held a telephone survey spanning every province of Spain in 2009. When asked the question '*In which Spanish province is the best quality olive oil produced?*', over 63 % of interviewees replied 'Jaén'.

Olive plantations cover a surface area of 582 427 hectares in Jaén province (89,75 % of cultivated land) divided into over 100 000 holdings, of which 76 % are smaller than 5 hectares. Olive-growing is not just a source of income for most families in Jaén but also part of their socio-cultural heritage. Olive-growing and olive oil production are present in the 97 municipalities in the province. Olive trees are grown in every one of them and all except for three have at least one olive mill. This proves that the entire province of Jaén is directly linked and involved in producing the product.

The olive-lined landscape of Jaén is the result of the age-old interplay between the geomorphology of the province and the attempts made by its human inhabitants to harness the territory, aided by the physical environment. The particular relief to be found in the province means that the cultivated area is located between Marmolejo (altitude 250 m) and Noalejo (1 000 m)

The olive-growing soils in Jaén province are clearly similar to the inceptisol (USDA) or cambisol and regosol (FAO) soil types, all of which have a distinctively high calcium carbonate content and therefore a high pH ranging between 6 and 8.

Moreover, as the province is located in the very heart of the Mediterranean area, it offers ideal climatic and temperature conditions and rainfall patterns that are mostly optimal for olive-growing (Csa in the Köppen climate classification). The average mean temperatures range between 14,5 °C and 17 °C. The maximum mean temperatures in summer are over 30 °C (around 35 °C in July and August) and the minimum mean temperatures in the winter months are about 2° or 3 °C. The average thermal range recorded is 13 °C. Average annual rainfall is about 410 mm-620 mm, albeit with the significant variations from year to year which are typical of the Mediterranean climate. In the last 20 years, rainfall has been low (about 475 mm per year), more abundant in autumn than in winter and springtime, and very scarce in the summer months (less than 10 % of total annual precipitation). In short, the summers are very dry and with low rainfall, with very high maximum temperatures, a high level of sunshine and minimum relative humidity below 20 %.

The typical environment in the production area for 'Aceite de Jaén' and more specifically, the altitude, the limestone soils with high levels of carbonate compounds and the climate (high temperatures and almost no rain in summer and the annual rainfall pattern) make it possible to link the characteristics described in point 3.2 to the geographical environment. These conditions mean that olives grown without irrigation suffer water stress, which leads to oils with a higher concentration of polyphenols, tocopherols and oleic acid, with very pronounced scores for the sensorial attributes of bitterness, pungency and fruitiness. Even irrigated olive plantations, where stress levels are maintained due to irrigation being insufficient, oils also present medium to high levels of polyphenols, as well as greater stability and intensity in the fruitiness, bitterness and pungency attributes than those obtained from FAO or high-dose water irrigation (Salas et al, 'Influencia del riego sobre la composición y características organolépticas del aceite de oliva [The influence of irrigation on the composition and organoleptic characteristics of olive oil]' *Grasas y Aceites*, vol. 48, Fasc. 2, 1997, pages 74 and 82).

The ripening of the fruit is largely dependent on the climate conditions and relief and how they affect the varieties described in point 3.3. The harvesting period – for both the main variety and those others – commences in October in the case of oils that are harvested 'green' or as 'early oils' and ends in late December when the ripest olives are harvested. This harvesting period guarantees the existence of quality healthy olives, as well as the composition and the unique sensorial characteristics of 'Aceite de Jaén' as defined in point 3.2.

Over the course of history, the word 'Jaén' has been perceived by both the market and consumers as synonymous with good olive oil. There are extensive references in historical and archaeological literature to the presence and importance of olive trees and their oil in Jaén province in Roman times, as well as to the demand in Rome for oil from Jaén. For example, see article by P. Berni Millet (2015): 'Viaje en el tiempo por la producción y el comercio del aceite bético con la iconografía romana' [A journey in time tracing the production and trade of Andalusian oil with Roman iconography], in the journal of the Sociedad de Estudios de la Cerámica Antigua en Hispania (SECAH) pp. 49-62, which expressly mentions the oil from the Cástulo region (Linares, Jaén) and the huge oil-producing industrial complex of Marroquíes Bajos in the city of Jaén, which was opened in the era of Augustus and consisted of a 'monumental' complex for producing olive oil with six huge mills lined up side by side. This paper also mentions the discovery of amphorae at Monte Testaccio featuring cursive inscriptions from the fiscal district of Cástulo (CIL XV 4137). A peculiar epigraph engraved in stone was also found in this ancient city, featuring the words 'RESCRIPTUM SACRUM DE RE OLEARIA', which formed the heading of an imperial rescript on the subject of oil that has been attributed to Hadrian.

In 1849 Queen Isabella II ordered the publication of a circular from the Ministry of Trade, Instruction and Public Works listing the weights and measures most commonly used in trade in Spain, including two containers made of tin, the 'MEDIA ARROBA DE ACEITE DE JAÉN' and the 'MEDIA LIBRA DE ACEITE DE JAÉN' (Museum of the Spanish Centre for Metrology in Tres Cantos-Madrid).

Jaén's reputation in the oil sector is backed up by the numerous acknowledgements awarded to the extra virgin olive oil produced in the province.

Further evidence of its reputation lies in the fact that the restriction on geographical marks contained in the EU legislation on the marketing of olive oils has not prevented certain producers from running the risk of using and registering the place name 'Jaén' in their trademarks. A review of the archives at the Spanish Patents and Trade Marks Office (OEPM), the European Union Intellectual Property Office (EUIPO) and the World Intellectual Property Organization (WIPO) reveals that this place name has been included in a total of 68 distinctive marks. See also the sanctioning procedures launched by the Regional Government of Andalusia against olive oil packaging firms for non-compliance with European legislation due to the unlawful inclusion of the place name 'Jaén' on their labels.

The following references provide evidence that the name is used in popular parlance and for commercial purposes, and is always linked to a prestigious, high-quality product:

1. An article from the 'La Vanguardia' newspaper from Barcelona on 9 August 1938 describing how Spanish riches were being pawned off to cover the costs of the Spanish Civil War: '*...The preponderant currency is German war material. Any Spanish wealth that has not already been distributed and given away has been promised: olive oil from Jaén, oranges from Valencia...*'
2. A report from page 6 of Barcelona's 'La Vanguardia' newspaper on 14 June 1970 on a visit by French President de Gaulle to Spain, including a stop in Jaén: '*...Moments before his departure, the French President took an interest in 'Aceite de Jaén and his entourage contacted the Territorial Union of Countryside Cooperatives to provide them with two tins of pure olive oil...*'
3. An interview in the 'El País' newspaper on 5 November 2014 featuring Lucio Blázquez, founder and owner of 'Casa Lucio', one of the most traditional and most prestigious restaurants in Madrid, where he reveals the secret behind the establishment's emblematic 'huevos rotos' (broken eggs) dish: '*A coal fire, good frying pans and the raw material: potatoes from Galicia, eggs from a farm in Ávila and oil from Jaén.*'

4. An article published in the 'Prnoticias' digital newspaper on 14 September 2016 about an international sales platform in which its Vice-President for Europe explains that it includes 'over 500 product references, from Iberian ham to oil from Jaén'.
5. A review from the Seville edition of the 'ABC' newspaper on 30 November 2007, stating as follows: 'The "Casa de Jaén" in Seville became a torch-bearer last night for the world-famous virgin olive oil from Jaén, which those in attendance were able to taste and savour (...) There is no need for surveys to confirm it. It is a case of "liquid gold". Nobody questions that oil from Jaén tops the ranking of best oils in the world...'
6. Camilo José Cela, Nobel Prize for Literature, mentions oil from Jaén in his book 'La cruz de San Andrés' [Saint Andrew's Cross]. '... they brought oil from Jaén and wheat from Palencia and Valladolid and she earned her living by distributing it among the buyers...'
7. Almudena Grandes, Spanish National Fiction Prize, mentions oil from Jaén in her book 'Inés y la alegría' [Inés and Joy]: '...the pantry at Casa Inés held ninety litres of the extraordinary olive oil produced in the mountains south of Jaén.'
8. Article entitled 'The olive oil in Jaen is one of the most renowned products of Andalucia and whole Spain.'[sic] on blog entry posted on 12 December 2016 on the Ruralidays.com holiday rental web portal.

Reference to publication of the specification

(the second subparagraph of Article 6(1) of this Regulation)

http://www.juntadeandalucia.es/export/drupaljda/Pliego_Aceite_Jaen.pdf

or via the homepage of the website of the Regional Ministry of Agriculture, Livestock Farming, Fisheries and Sustainable Development (<https://www.juntadeandalucia.es/organismos/agriculturaganaderiapescaydesarrollosostenible.html>), by following this path:

Areas de actividad ['Areas of activity'] then Industrias y Cadena Agroalimentaria ['Agri-food Industries'] then Calidad ['Quality'] then Denominaciones de Calidad ['Quality Designations'] and finally Aceite de Oliva Virgen Extra ['Extra Virgin Olive Oil'].

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