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⁽¹⁾ Text with EEA relevance.

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⁽¹⁾ Text with EEA relevance.

II

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

EUROPEAN COMMISSION

Non-opposition to a notified concentration**(Case M.9895 — KKR/Waves UK Divestco)****(Text with EEA relevance)**

(2020/C 331/01)

On 16 September 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 32020M9895. 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.9932 — Kaufland/SCP Real Digital Assets)

(Text with EEA relevance)

(2020/C 331/02)

On 24 September 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 German 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 32020M9932. EUR-Lex is the on-line 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

COUNCIL

**The EU list of non-cooperative jurisdictions for tax purposes — Report by the Code of Conduct
Group (business taxation) suggesting amendments to the Annexes to the Council conclusions of
18 February 2020**

(2020/C 331/03)

With effect from the day of publication in the *Official Journal of the European Union*, Annexes I and II to the Council conclusions of 18 February 2020 (OJ C 64, 27.2.2020, p. 8) on the revised EU list of non-cooperative jurisdictions for tax purposes, are replaced by the following new Annexes I and II:

‘ANNEX I

The EU list of non-cooperative jurisdictions for tax purposes**1. American Samoa**

American Samoa does not apply any automatic exchange of financial information, has not signed and ratified, including through the jurisdiction they are dependent on, the OECD Multilateral Convention on Mutual Administrative Assistance as amended, did not commit to apply the BEPS minimum standards and did not commit to addressing these issues.

2. Anguilla

Anguilla does not have a rating of at least “Largely Compliant” by the Global Forum on Transparency and Exchange of Information for Tax Purposes for Exchange of Information on Request and has not resolved this issue yet.

3. Barbados

Barbados does not have a rating of at least “Largely Compliant” by the Global Forum on Transparency and Exchange of Information for Tax Purposes for Exchange of Information on Request and has not resolved this issue yet.

4. Fiji

Fiji is not a member of the Global Forum on transparency and exchange of information for tax purposes (“Global Forum”), has not signed and ratified the OECD Multilateral Convention on Mutual Administrative Assistance as amended, has harmful preferential tax regimes, has not become a member of the Inclusive Framework on BEPS or implemented OECD anti-BEPS minimum standard, and has not resolved these issues yet.

5. Guam

Guam does not apply any automatic exchange of financial information, has not signed and ratified, including through the jurisdiction they are dependent on, the OECD Multilateral Convention on Mutual Administrative Assistance as amended, did not commit to apply the BEPS minimum standards and did not commit to addressing these issues.

6. Palau

Palau does not apply any automatic exchange of financial information, has not signed and ratified the OECD Multilateral Convention on Mutual Administrative Assistance as amended, and has not resolved these issues yet.

7. Panama

Panama does not have a rating of at least “Largely Compliant” by the Global Forum on Transparency and Exchange of Information for Tax Purposes for Exchange of Information on Request and has not resolved this issue yet.

8. Samoa

Samoa has a harmful preferential tax regime and has not resolved this issue yet.

Furthermore, Samoa committed to comply with criterion 3.1 by the end of 2018 but has not resolved this issue yet.

9. Seychelles

Seychelles has harmful preferential tax regimes and has not resolved these issues yet.

Furthermore, Seychelles does not have a rating of at least “Largely Compliant” by the Global Forum on Transparency and Exchange of Information for Tax Purposes for Exchange of Information on Request and has not resolved this issue yet.

10. Trinidad and Tobago

Trinidad and Tobago does not apply any automatic exchange of financial information, has a “Non-Compliant” rating by the Global Forum on Transparency and Exchange of Information for Tax Purposes for Exchange of Information on Request, has not signed and ratified the OECD Multilateral Convention on Mutual Administrative Assistance as amended, has harmful preferential tax regimes, and has not resolved these issues yet.

11. US Virgin Islands

US Virgin Islands does not apply any automatic exchange of financial information, has not signed and ratified, including through the jurisdiction they are dependent on, the OECD Multilateral Convention on Mutual Administrative Assistance as amended, has harmful preferential tax regimes, did not commit to apply the BEPS minimum standards and did not commit to addressing these issues.

12. Vanuatu

Vanuatu does not have a rating of at least “Largely Compliant” by the Global Forum on Transparency and Exchange of Information for Tax Purposes for Exchange of Information on Request, facilitates offshore structures and arrangements aimed at attracting profits without real economic substance and has not resolved these issues yet.

ANNEX II**State of play of the cooperation with the EU with respect to commitments taken by cooperative jurisdictions to implement tax good governance principles****1. Transparency****1.1. Commitment to implement the automatic exchange of information, either by signing the Multilateral Competent Authority Agreement or through bilateral agreements**

The following jurisdiction, which is expected to make tangible progress in the effective implementation of the automatic exchange of information with all EU Member States, was granted until 31 December 2020 to do so:

Turkey

1.2. *Membership of the Global Forum on transparency and exchange of information for tax purposes ("Global Forum") and satisfactory rating in relation to exchange of information on request*

The following jurisdiction, which committed to have a sufficient rating by the end of 2018, is waiting for a supplementary review by the Global Forum:

Turkey

The following developing country without a financial centre, which committed to have a sufficient rating by the end of 2019, is waiting for a supplementary review by the Global Forum:

Botswana

1.3. *Signatory and ratification of the OECD Multilateral Convention on Mutual Administrative Assistance (MAC) or network of agreements covering all EU Member States*

The following developing countries without a financial centre, which have made meaningful progress in the delivery of their commitments, were granted until 31 December 2020 to sign the MAC and until 31 December 2021 to ratify the MAC:

Botswana, Eswatini, Jordan, Maldives, Namibia, Thailand

2. **Fair Taxation**

2.1. *Existence of harmful tax regimes*

The following jurisdiction, which committed to amend or abolish its foreign source income exemption regime by the end of 2019, has adopted sufficient amendments in line with its commitments and has committed to address a remaining issue by 31 December 2020:

Saint Lucia

The following jurisdictions, which committed to amend or abolish their harmful tax regimes by end 2019 but were prevented from doing so due to a delayed process in the OECD Forum on Harmful Tax Practices, were granted until the end of 2020 to adapt their legislation:

Australia, Morocco

The following jurisdiction, which committed to amend or abolish its harmful tax regimes covering manufacturing activities and similar non-highly mobile activities by the end of 2019 and demonstrated tangible progress in initiating these reforms in 2019, was granted until 31 December 2020 to adapt its legislation:

Namibia

The following jurisdictions are committed to amend or abolish harmful tax regimes by the end of 2020:

Jordan'

EUROPEAN COMMISSION

Euro exchange rates ⁽¹⁾

6 October 2020

(2020/C 331/04)

1 euro =

Currency		Exchange rate	Currency		Exchange rate
USD	US dollar	1,1795	CAD	Canadian dollar	1,5630
JPY	Japanese yen	124,58	HKD	Hong Kong dollar	9,1412
DKK	Danish krone	7,4408	NZD	New Zealand dollar	1,7733
GBP	Pound sterling	0,91058	SGD	Singapore dollar	1,6032
SEK	Swedish krona	10,5138	KRW	South Korean won	1 368,49
CHF	Swiss franc	1,0781	ZAR	South African rand	19,4530
ISK	Iceland króna	162,80	CNY	Chinese yuan renminbi	8,0111
NOK	Norwegian krone	10,8603	HRK	Croatian kuna	7,5688
BGN	Bulgarian lev	1,9558	IDR	Indonesian rupiah	17 379,93
CZK	Czech koruna	27,035	MYR	Malaysian ringgit	4,8991
HUF	Hungarian forint	359,72	PHP	Philippine peso	57,137
PLN	Polish zloty	4,4872	RUB	Russian rouble	91,7720
RON	Romanian leu	4,8760	THB	Thai baht	36,795
TRY	Turkish lira	9,1625	BRL	Brazilian real	6,5363
AUD	Australian dollar	1,6472	MXN	Mexican peso	25,1631
			INR	Indian rupee	86,5715

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

AUTHORITY FOR EUROPEAN POLITICAL PARTIES AND EUROPEAN POLITICAL FOUNDATIONS

Decision of the Authority for European political parties and European political foundations of 2 September 2020

not to register European Alliance for Freedom and Democracy ASBL

(Only the English text is authentic)

(2020/C 331/05)

THE AUTHORITY FOR EUROPEAN POLITICAL PARTIES AND EUROPEAN POLITICAL FOUNDATIONS,

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

Having regard to Regulation (EU, Euratom) No 1141/2014 of the European Parliament and of the Council of 22 October 2014 on the statute and funding of European political parties and European political foundations ⁽¹⁾, in particular Article 9 thereof,

Having regard to the submissions received from European Alliance for Freedom and Democracy ASBL,

Whereas:

- (1) The Authority for European political parties and European political foundations (the 'Authority') received a number of submissions from European Alliance for Freedom and Democracy ASBL ('EAFD') for registration as a European political party on 27, 28 and 29 July 2020 ⁽²⁾.
- (2) On 1, 5 and 13 August 2020, the Authority received additional documentation from EAFD (together with the previous submissions hereinafter referred to as the 'application').
- (3) On 14 August 2020, the Authority adopted a preliminary assessment addressed to EAFD, whereby it set out its preliminary view that the application did not meet at least one of the conditions laid down in Article 3(1) of Regulation (EU, Euratom) No 1141/2014.
- (4) In particular, EAFD did not prove that it meets the condition laid down in point (b) of Article 3(1) of Regulation (EU, Euratom) No 1141/2014 (the 'minimum representation requirements').
- (5) According to that provision, registration as a European political party is contingent upon an applicant proving that its member parties are represented by, in at least one quarter of the Member States, members of the European Parliament, of national parliaments, of regional parliaments or of regional assemblies, or that it or its member parties received, in at least one quarter of the Member States, at least three per cent of the votes cast in each of those Member States at the most recent elections to the European Parliament.
- (6) Through the preliminary assessment, the Authority invited EAFD to provide any written observations it wished to submit by 31 August 2020 and also informed EAFD that the application was in any event incomplete.
- (7) On 20 August 2020, EAFD provided its reply to the preliminary assessment, and it submitted additional documents on 24, 26 and 27 August 2020.
- (8) Following a review of EAFD's reply to the preliminary assessment and the additional documents submitted, the Authority remains of the view that the application is to be rejected because EAFD did not prove that it meets the minimum representation requirements.
- (9) Prior to the preliminary assessment, EAFD produced membership forms regarding: (i) Austria, (ii) Croatia, (iii) Cyprus, (iv) Italy, (v) the Netherlands, (vi) Portugal and (vii) Sweden.

⁽¹⁾ OJ L 317, 4.11.2014, p. 1.

⁽²⁾ Due to the sanitary situation linked to the COVID-19 coronavirus in Europe, the Authority accepted, on an exceptional basis, to assess the submissions before receipt of signed originals.

- (10) With respect to Croatia and the Netherlands, EAFD did not submit documentation regarding representation of member parties in the European Parliament, or in national or regional parliaments or assemblies in those Member States. This is because the membership forms did not originate from a national or regional political party in Croatia or the Netherlands, respectively.
- (11) With respect to Italy, the Authority's checks and the opinion of the Italian National Contact Point under Regulation (EU, Euratom) No 1141/2014, *i.e.*, Commissione di Garanzia degli Statuti e per la Trasparenza e il Controllo dei Rendiconti dei Partiti Politici, led to the result that the political party claimed by EAFD in this Member State, *i.e.*, 10 Volte Meglio, was not represented in the Italian Parliament as stated in the respective membership form.
- (12) The membership forms produced by EAFD were also affected by a number of formal deficiencies (*e.g.*, multiple versions, wrong references, inconsistencies).
- (13) In response to the preliminary assessment, EAFD stated “*Currently, EAFD has members (member parties and natural persons, members of the European Parliament) from (i) Austria; (ii) Cyprus; (iii) Italy; (iv) Portugal; (v) Sweden; (vi) the Netherlands, and (vii) Croatia*”.
- (14) EAFD declared its intention to provide documents to prove that the parliamentarians that signed the membership forms for Croatia and the Netherlands were elected Members of the European Parliament ⁽³⁾.
- (15) EAFD also clarified that the membership form regarding Italy was the result of incorrect information provided to it, and that it would submit documentation for an additional member.
- (16) The Authority considers that EAFD's response does not contain elements that would be capable of altering the Authority's preliminary view.
- (17) With regard to representation via single parliamentarians, the first limb of point (b) of Article 3(1) of Regulation (EU, Euratom) No 1141/2014 provides that the applicant's “[...] *member parties must be represented by, in at least one quarter of the Member States, members of the European Parliament, of national parliaments, of regional parliaments or of regional assemblies*” (emphasis added).
- (18) In that regard, Recital 4 of Regulation (EU, Euratom) 2018/673 of the European Parliament and of the Council of 3 May 2018 amending Regulation (EU, Euratom) No 1141/2014 explicitly states “*only political parties, and no longer individuals, should be taken into account for the purpose of those minimum representation requirements*” ⁽⁴⁾.
- (19) EAFD did not put forward any political parties in Croatia and the Netherlands and could not avail itself of the political party in Italy as set out in Recital (11).
- (20) Equally, the second limb of point (b) of Article 3(1) of Regulation (EU, Euratom) No 1141/2014 provides that “[an applicant] *or its member parties must have received, in at least one quarter of the Member States, at least three per cent of the votes cast in each of those Member States at the most recent elections to the European Parliament*” (emphasis added).
- (21) EAFD did not submit documentation that would prove that it or its member parties meet this requirement, and in any event the same considerations set out in Recital (19) would apply *mutatis mutandis*.
- (22) In light of the above, the documentation that could potentially be retained for the purpose of representation relates to four Member States only: (i) Austria, (ii) Cyprus, (iii) Portugal and (iv) Sweden, and such a level of representation is not sufficient for meeting the minimum representation requirements, which demand representation in at least seven Member States.
- (23) This conclusion would not change even if EAFD were to produce documentation for an additional member, arguably from an additional Member State, as anticipated in EAFD's reply to the preliminary assessment.
- (24) In this light, there is no need for the Authority to assess the merits of the rest of the application,

⁽³⁾ The reply to the preliminary assessment contained such documents regarding the Netherlands only.

⁽⁴⁾ OJ L 114 I, 4.5.2018, p. 1.

HAS ADOPTED THIS DECISION:

Article 1

The application lodged by European Alliance for Freedom and Democracy ASBL for registration as a European political party is hereby rejected.

Article 2

This Decision shall take effect on the day of its notification.

Article 3

This Decision is addressed to

European Alliance for Freedom and Democracy ASBL
Avenue Louise/Louizalaan 65 box 11
1050 Bruxelles/Brussel
BELGIQUE/BELGIË

Done at Brussels, 2 September 2020.

*For the Authority for European political parties and
European political foundations*

The Director

M. ADAM

EUROPEAN COMMISSION

Summary of European Commission Decisions on authorisations for the placing on the market for the use and/or for use of substances listed in Annex XIV to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)

(Published pursuant to Article 64(9) of Regulation (EC) No 1907/2006 ⁽¹⁾)

(Text with EEA relevance)

(2020/C 331/06)

Decision granting an authorisation

Reference of the decision ⁽¹⁾	Date of decision	Substance name	Holder of the authorisation	Authorisation number	Authorised use	Date of expiry of review period	Reasons for the decision
C(2020) 6518	30 September 2020	Sodium dichromate EC No 234-190-3, CAS No 10588-01-9	Wesco Aircraft EMEA Limited, Lawrence House, Riverside Drive, BD19 4DH Cleckheaton, West Yorkshire, United Kingdom	REACH/20/14/0	Sealing after anodizing applications by the aerospace sector where the key functionalities of corrosion resistance or corrosion inhibition are necessary for the intended use.	21 September 2024	In accordance with Article 60(4) of Regulation (EC) No 1907/2006, the socio-economic benefits outweigh the risk to human health from the use of the substance and there are no suitable alternative substances or technologies.

⁽¹⁾ The decision is available on the European Commission website at: http://ec.europa.eu/growth/sectors/chemicals/reach/about/index_en.htm

⁽¹⁾ OJ L 396, 30.12.2006, p. 1.

NOTICES FROM MEMBER STATES

Information communicated by Member States regarding closure of fisheries

(2020/C 331/07)

In accordance with Article 35(3) of Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy ⁽¹⁾, a decision has been taken to close the fishery as set down in the following table:

Date and time of closure	9.9.2020
Duration	9.9.2020-31.12.2020
Member State	Poland
Stock or Group of stocks	MAC/2CX14- and special condition MAC/*8C910
Species	Mackerel (<i>Scomber scombrus</i>)
Zone	6, 7, 8a, 8b, 8d and 8e; Union and international waters of 5b; international waters of 2a, 12 and 14
Type(s) of fishing vessels	—
Reference number	15/TQ123

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

Information communicated by Member States regarding closure of fisheries

(2020/C 331/08)

In accordance with Article 35(3) of Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Union control system for ensuring compliance with the rules of the common fisheries policy ⁽¹⁾, a decision has been taken to close the fishery as set down in the following table:

Date and time of closure	28.8.2020
Duration	28.8.2020 – 31.12.2020
Member State	Spain
Stock or Group of stocks	RED/51214D
Species	Redfish (deep pelagic) (<i>Sebastes</i> spp.)
Zone	Union and international waters of 5; international waters of 12 and 14
Type(s) of fishing vessels	—
Reference number	14/TQ123

⁽¹⁾ OJ L 343, 22.12.2009, p. 1.

V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMMON
COMMERCIAL POLICY

EUROPEAN COMMISSION

Notice of the impending expiry of certain anti-dumping measures

(2020/C 331/09)

1. As provided for in Article 11(2) of Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union ⁽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 G-1), CHAR 4/39, 1049 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 (EU) 2016/1036.

Product	Country(ies) of origin or exportation	Measures	Reference	Date of expiry ⁽¹⁾
Silicon	The People's Republic of China	Anti-dumping duty	Commission Implementing Regulation (EU) 2016/1077 of 1 July 2016 imposing a definitive anti-dumping duty on imports of silicon originating in the People's Republic of China following an expiry review under Article 11(2) and a partial interim review under Article 11(3) of Council Regulation (EC) No 1225/2009 (OJ L 179, 5.7.2016, p. 1)	6.7.2021

⁽¹⁾ The measure expires at midnight of the day mentioned in this column.

⁽¹⁾ OJ L 176, 30.6.2016, p. 21.

⁽²⁾ TRADE-Defence-Complaints@ec.europa.eu

Notice of the impending expiry of certain anti-dumping measures

(2020/C 331/10)

1. As provided for in Article 11(2) of Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union ⁽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 G-1), CHAR 4/39, 1049 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 (EU) 2016/1036.

Product	Country(ies) of origin or exportation	Measures	Reference	Date of expiry ⁽¹⁾
Ring binder mechanisms	The People's Republic of China	Anti-dumping duty	Commission Implementing Regulation (EU) 2016/703 of 11 May 2016 imposing a definitive anti-dumping duty on imports of certain ring binder mechanisms originating in the People's Republic of China following an expiry review pursuant to Article 11(2) of Regulation (EC) No 1225/2009 (OJ L 122, 12.5.2016, p. 1)	13.5.2021

⁽¹⁾ The measure expires at midnight of the day mentioned in this column.

⁽¹⁾ OJ L 176, 30.6.2016, p. 21.

⁽²⁾ TRADE-Defence-Complaints@ec.europa.eu

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.9960 — KKR/Elsan)

Candidate case for simplified procedure

(Text with EEA relevance)

(2020/C 331/11)

1. On 29 September 2020, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾.

This notification concerns the following undertakings:

- KKR & Co. Inc. ('KKR', USA),
- Elsan Holding SAS ('Elsan', France)

KKR acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of Elsan.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- for KKR: global investment firm, which offers a broad range of alternative asset funds and other investment products to investors and provides capital markets services for the firm, its portfolio companies and third parties.
- for Elsan: French hospital care group, which operates clinics throughout France.

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.

Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under the Council Regulation (EC) No 139/2004 ⁽²⁾ it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

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

Observations must reach the Commission not later than 10 days following the date of this publication. The following reference should always be specified:

M.9960 – KKR/Elsan

Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:

Email: COMP-MERGER-REGISTRY@ec.europa.eu

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

⁽²⁾ OJ C 366, 14.12.2013, p. 5.

Fax +32 22964301

Postal address:

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

OTHER ACTS

EUROPEAN COMMISSION

Publication of an application for approval of amendments, which are not minor, to a product specification 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 331/12)

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⁾ within three months from the date of this publication.

APPLICATION FOR APPROVAL OF AMENDMENTS, WHICH ARE NOT MINOR, TO THE PRODUCT SPECIFICATION OF A PROTECTED DESIGNATION OF ORIGIN OR PROTECTED GEOGRAPHICAL INDICATION

Application for approval of amendments in accordance with the first subparagraph of Article 53(2) of Regulation (EU) No 1151/2012**'CORNOUAILLE'****EU No: PDO-FR-0043-AM02 -19.4.2019****PDO (X) PGI ()****1. Applicant group and legitimate interest**

Organisme de défense et de gestion du cidre AOC Cornouaille [Organisation for the protection and management of the Cornouaille cider controlled designation of origin]

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Tel. +33 298524801

Email: odgcornouaille@gmail.com

The applicant group consists of apple growers and 'Cornouaille' cider makers. It therefore has a legitimate right to propose the amendments.

2. Member State or third country

France

3. Heading in the product specification affected by the amendment(s)

- Name of product
- Description of product
- Geographical area
- Proof of origin
- Method of production

(¹) OJ L 343, 14.12.2012, p. 1.

- Link
- Labelling
- Other: Update of the contact details of the applicant group and the Member State's competent department, references to the inspection body, link, national requirements, changes to the wording of the 'Geographical area' section.

4. **Type of amendment(s)**

- Amendments to the product specification of a registered PDO or PGI not to be qualified as minor in accordance with the third subparagraph of Article 53(2) of Regulation (EU) No 1151/2012
- Amendments to the product specification of a registered PDO or PGI for which a Single Document (or equivalent) has not been published and which cannot be qualified as minor within the meaning of the third subparagraph of Article 53(2) of Regulation (EU) No 1151/2012

5. **Amendment(s)**

As the single document was not previously published, the amendments below apply to the specification only. The amendments to the specification are reflected in the single document.

5.1. *'Description of product' section*

— The provision

"'Cornouaille'" is an unpasteurised, ungasified keeved cider made from the pure juice of cider apples from local and traditional varieties grown in identified orchards in the geographical area'

has been replaced by:

"'Cornouaille'" is an unpasteurised, ungasified sparkling cider obtained through secondary fermentation in the bottle. It is made from the pure juice of cider apples from local and traditional varieties grown in identified orchards in the geographical area.'

The term 'keeved' used to define the cider has been replaced by 'sparkling [cider] obtained through secondary fermentation in the bottle'. The purpose of this amendment is to clarify the concept and make it easier to understand.

— A sub-heading 'Organoleptic characteristics' has been added.

— The provision

'"Cornouaille" cider is particularly rich in tannin, which gives it a reddish-brown orange colour and a characteristic flavour.'

has been replaced by:

'"Cornouaille" cider is particularly rich in tannins, which give it a golden to orange colour and a characteristic tannic flavour. It strikes a good balance between sweetness and bitterness.'

The purpose of these amendments is to clarify and expand on the organoleptic description: the term 'reddish-brown orange' used to describe the colour has been replaced by a variety of 'golden to orange' shades, which is more in keeping with the variable nature of the product. The qualifier 'tannic' has been added to describe the 'characteristic flavour' of 'Cornouaille'. The sentence 'It strikes a good balance between sweetness and bitterness.' has also been added, to better describe the flavours of 'Cornouaille'.

— The following paragraph has also been added to the description of the product:

'Physico-chemical characteristics:

"Cornouaille" has the following analytical characteristics:

- an actual alcoholic strength by volume greater than 3,5 % vol.;
- a total alcoholic strength by volume greater than 6 % vol.;
- a sugar content greater than or equal to 20 grams per litre;
- pressure of cider in the bottle: minimum 1,5 bar at 20 °C or 3 grams of CO₂'.

5.2. 'Geographical area' section

— The sentence

'The production of the apples and the making of the cider, including the removal of any sediment, must be performed in the geographical area approved by the National Institute of Origin and Quality (Institut national de l'Origine et de la Qualité, INAO) at the meetings of the competent national committee held on 7 and 8 November 1995 and 11 September 2014.'

has been added to clarify the steps that must take place in the geographical area and the dates on which the authorities decided on the geographical area.

— The following paragraphs of the registered specification describing the geographical area:

'The geographical area of production and processing of cider entitled to the designation "Cornouaille" is located in the department of Finistère and corresponds to part of the ancient county of Cornouaille, in Brittany.

The demarcated area covers the areas of Cornouaille that are best known for their cider production and have specific climate and soil characteristics. The south of Cornouaille and the Aulne Valley have therefore been selected.'

have been amended and replaced by the list of municipalities (based on the 2017 Official Geographic Code) that make up the geographical area, so as to define its boundaries more accurately. The new wording is as follows:

'The geographical area comprises the territory of the following 40 municipalities, based on the 2017 Official Geographic Code:

Department of Finistère:

Municipalities included in their entirety: Argol, Bénodet, Clohars-Carnoët, Clohars-Fouesnant, Combrit, Concarneau, Ergué-Gabéric, Le Faou, La Forêt-Fouesnant, Fouesnant, Gouesnach, Landévennec, Mellac, Moëlan-sur-Mer, Névez, Peumérit, Pleuven, Plogastel-Saint-Germain, Plomelin, Plonéour-Lanvern, Plovan, Pluguffan, Pont-l'Abbé, Pouldreuzic, Quimperlé, Rédené, Rosnoën, Saint-Evarzec, Saint-Jean-Trolimon, Tréguennec, Trégunc, Tréméoc, Tréogat.

Municipalities included in part only: Arzano (sections ZD, ZH, ZI), Crozon (sections DL and ZA), Elliant (sections H1, H2, I4), Quimper (the part corresponding to the former municipality of Ergué-Armel), Riec-sur-Bélon (sections YD and YI), Saint-Coulitz (section A2), Telgruc-sur-Mer (section ZA).'

— The geographical area has been extended to two adjacent municipalities of the current area (Crozon and Telgruc-sur-Mer) and to an additional part of the municipality of Riec-sur-Bélon. These municipalities and part of a municipality meet the demarcation criteria for the area currently registered.

— The sentence 'Maps showing the geographical area can be consulted on the website of the National Institute of Origin and Quality' has been added to inform readers that the information has been made available.

— The procedure for selecting and identifying the parcels that are suited to production of the apples used to make 'Cornouaille' has also been added under the 'Geographical area' section. The following sentences have been added:

'The cider apples used to produce the "Cornouaille" designation of origin come from orchards located within the geographical area that meet the site identification criteria approved by the National Institute of Origin and Quality at the meeting of the competent national committee held on 22 and 23 May 1997.

Producers wishing to have their orchards identified must apply to the National Institute of Origin and Quality by 1 April of the harvest year.

The list of new orchards identified is approved each year by the competent national committee of the National Institute of Origin and Quality following an opinion from the committee of experts appointed for that purpose.

The lists of criteria and identified orchards are available from the National Institute of Origin and Quality and from the applicant group.'

5.3. 'Proof of origin' section

— The paragraph

'The county of Cornouaille takes its name from the people originating from the south-west of the ancient Roman province of Britannia (Great Britain) who invaded it, replacing the Gallo-Roman authority.

While no longer an administrative unit, the county of Cornouaille has been kept alive by its distinctive customs, speech and folklore. It corresponds to a section of the Finistère department.

Apples have been grown in Cornouaille since the 6th century, as attested to by biographical accounts of St Guénolé, who founded the Landevennec Abbey in the Aulne Valley of the Finistère department.

Cider production in the county expanded in the 14th century, based on new varieties of apple trees bearing tannin-rich fruits from Galicia in Spain and North Africa, thanks to an increase in sea trade.

Alongside their antiseptic role, these tannins would facilitate clarification of the must through natural purification, ensuring more controlled fermentation, a characteristic technique of the traditional ciders of the north-west of France.

Over time, high-quality local varieties suited to the local climate would be selected. Numerous texts up to the end of the 19th century attest to the reputation of cider from Cornouaille (including the Aulne Valley, Fouesnant, Clohars-Carnoët, Pays Bigouden), which, despite a period of decline following the transformation of rural society in Brittany during the First and Second World Wars, retains considerable prestige among consumers.'

has been deleted, as it does not reflect the subject-matter of this section.

It has been replaced by the following:

'The documentation system in place, from the orchard to the very end of the production process for "Cornouaille" cider, and the defined procedure for conducting analytical and organoleptic checks, ensure that the product can be traced up to the point when it is placed on the market.

4.1. Declaration obligations

4.1.1. Identification declaration for operators

Operators wishing to be involved wholly or partly in the production and processing of "Cornouaille" are required to file an identification declaration.

The identification declaration contains a description of the parcels and instruments used for production under the designation of origin and an undertaking by the operator to comply with the specification of the designation. The identification declaration is submitted to the applicant group, which informs the inspection body.

Authorised operators must notify any change before commencing operations.

OPERATORS	DESCRIPTION OF PRODUCTION INSTRUMENTS	FILING DATE
Fruit producers	For each cultivation unit: land registry references for the parcel(s), number of trees, year planted, tending method, varieties, distance between trees. Map of the orchard indicating the position of the varieties.	If the operator intends to produce fruit during year N: before 1 April of the harvest year for each new parcel or modified cultivation unit
Cider makers	Address where the fruit is stored Address of production site(s) Presence of crushing or grating equipment Presence of pressing equipment	Before commencing production using the designation of origin, and by 1 September of the harvest year if the operator wishes to produce during year N

4.1.2. Claim declaration

The claim declaration must be submitted within 10 months of bottling. It contains:

- the date and
- the quantities bottled, by batch.

The claim declaration is submitted to the applicant group, which informs the inspection body.

4.1.3. Summary declaration of fruit purchases

The summary declaration of fruit purchases must be completed by any cider maker who purchased fruit during the harvest year.

It is submitted each year by 15 February following the harvest to the applicant group, which informs the inspection body. It contains the quantities of fruit purchased by each supplier.

4.2. Keeping of registers

4.2.1. Registers and documents accompanying the fruit

When transported from the supplier to the cider maker, the fruit must be accompanied by a document indicating:

- the designation of origin claimed;
- the quantity;
- the locality or parcel;
- the harvest date.

Operators must record the following in the harvest register:

- the harvest date;
- the reference details of the locality or parcel;
- the quantity harvested, and
- the variety.

4.2.2. Production register

The production register contains the following information in particular:

- The procedure for extracting the juice:
 - the date of brewing;
 - the varieties used and the corresponding quantities;
 - the density and volume of the must obtained.
- Treatments applied to the must during fermentation:
 - bottling;
 - the date of bottling;
 - the blending of varieties (cuvées);
 - the volume;
 - the batch identification number.

4.3. Checks on the product

Checks on the characteristics of products bearing the designation of origin include analytical and organoleptic, visual and taste tests conducted to ascertain the quality and specificity of “Cornouaille”.

These checks are carried out at random. The ciders are sampled at the end of the minimum secondary fermentation period.’

This amendment is the result of changes in national legislation and regulations and aims to describe the quantitative and qualitative traceability system in place. The declaration obligations of operators have been clarified, in particular the content and intended recipients of the declarations. The following declaration obligations are provided for in particular:

- an identification declaration for operators with a view to certifying their ability to meet the requirements of the specification;
- a claim declaration;
- a summary declaration of fruit purchases;
- the procedure for keeping registers has been clarified, in particular the registers and documents accompanying the fruit, and the production register.

These declarations are necessary for identifying, tracing and checking the products to be sold using the designation of origin.

5.4. 'Method of production' section

A heading has been added: 5.1 'Obtaining of fruit and juices', and in that paragraph:

— The following sentence has been added:

'The orchard consists of all the holding's apple trees the fruit of which may be processed to produce "Cornouaille".'

in order to define the concept of an orchard and clarify the level at which compliance with the rules that apply to the orchard are evaluated, i.e. at holding, and not parcel, level.

A sub-heading has been added: 5.1.1. 'Varietal composition of the orchard', and in that paragraph:

— The sentence 'In line with traditional practice, the varieties of apple are divided into various categories according to the flavour of their must: bitter, bitter-sweet, sweet and acidic.'

is amended as follows:

'In line with traditional practice, the varieties of apple are divided into various categories according to the flavour of their must: phenolic (bitter and bitter-sweet), sweet and acidic.'

The categories of 'bitter' and 'bitter-sweet' cider apples are recategorised as 'phenolic', which corresponds to current practice in the cider product sector.

— The sentence 'The bitter and bitter-sweet varieties account for 70 % of the volume of each blend (cuvée).' has been deleted from this section. This rule has been transferred to the rules on blending in point 5.2.2, because the provision relates to blends rather than orchards.

— The sentence 'Cider bearing the controlled designation of origin "Cornouaille" is made in Cornouaille using local and traditional varieties of cider apple that must come from identified orchards located in the geographical area.'

has been amended as follows: "Cornouaille" cider is made using local and traditional varieties of cider apple.'

The purpose of this amendment is to simplify the wording. The words 'that must come from identified orchards located in the geographical area' have been deleted because, as mentioned above, the origin of the cider apples and the procedure for selecting the parcels suited to production of the fruit are now described in the 'Geographical area' section.

— The following list of authorised varieties has been added to the specification to better define the local and traditional varieties authorised:

'The authorised varieties are the following:

Phenolic varieties:

Amère Saint-Jacques	C'Huero Ruz Per Lae	Kermerrien
Avalou Bigouden	Carabine	Kroc'hen Ki or Peau de chien
Avalou Daoulas	Chevalier Jaune	Marie Ménard
Bedan	Douce Möen	Médaille d'or
Beleien	Dous Bloc'hig	Penn du
Botell Bihan	Dous Bras	Perscao
Botell Stank	Dous-Rouz	Prat Yod
Brank Kamm	Dous-Rouz-Bihan	Rouz koumoullen Bihan
Bramtôt	Dous-Rouz-Bras	Rouz Koumoullenn Bras
C'Huéro Briz	Goarimig Ruz	Seac'h Biniou
C'Huero Gwenn	Jaketig	Stang-Ruz
C'Huero Ruz	Jambi	Trojenn Hir
C'Huero Ruz Bihan	Jeanne Renard	Ty Ponch
C'Huero Ruz Mod Kozh	Jobig	

Acidic varieties:

Briz Kannig	Locard Vert
Fil Jaune	Mirblaz
Fil rouge	Petit Jaune
Judor	Rouget de dol

Sweet varieties:

Avalou Spoue
Douce Koêtligné
Dous Bihan'

Dous E Veg Briz
Guillevig or Guillevic

— The sentence

'To preserve varietal diversity, the presence of local cider apple varieties not listed above is authorised up to a maximum limit of 20 % of the orchard's surface area. These are considered as phenolic varieties.'

has been added to reflect the current spontaneous diversity of varieties, which makes it impossible to list the local varieties exhaustively, and to preserve this diversity, which represents an interesting genetic reservoir.

— The following provision has been added:

'The proportion of the surface area of apple trees belonging to the phenolic varieties must be greater than or equal to 70 % of the entire surface area of the orchard, and the proportion of the surface area of apple trees belonging to the acidic varieties must be less than or equal to 15 % of the entire surface area of the orchard.'

The purpose of this rule is to bring the surface areas planted into line with the rules on the proportion of the different categories of apple in the blend.

A sub-heading has been added: 5.1.2. 'Tending method', and in that paragraph:

— The following paragraph has been added:

'The maximum planting density of the orchards is:

- for tall-stemmed apple trees: 250 trees per hectare, with a minimum distance of 6 metres between the trees;
- for short-stemmed apple trees: 750 trees per hectare.'

It describes the two methods authorised for the tending of orchards: short-stemmed and tall-stemmed orchards.

— The following provisions have been added:

'The orchard is tended so as to ensure that the trees are kept in good overall condition, which involves controlling the development of the trees, grassing of the soil and combating the presence of mistletoe in the apple trees.

Irrigation is prohibited once the trees enter into production.

Tall-stemmed orchards are kept under grass, except in the immediate vicinity of the trees, which may be cleared of grass up to a maximum radius of 0,50 metres.

Short-stemmed orchards are kept under grass, with the exception of the row, which may be cleared of grass over a strip not exceeding a width of 1 metre.'

These provisions set out the rules for the tending of orchards that enable cider apples of the quality required to produce 'Cornouaille' to be grown. They cover tree maintenance, the prohibition of irrigation and the control of grassing. As explained in the section 'Link with the geographical environment', grassing creates competition between the grass and the apple tree, limiting the tree's vigour and helping it to bear sugar- and tannin-rich fruit. Irrigation, on the other hand, is authorised only for young trees. The rainfall conditions of the geographical area cover the water needs of the trees in production.

A sub-heading has been added: 5.1.3. *Harvest and storage*, and in that paragraph:

— The provisions

'The cider apples must be harvested when ripe. They are stored separately by variety in containers allowing air to circulate, until they are sufficiently ripe for mashing.'

have been replaced by:

'The apples are harvested when ripe, by variety. The different varieties of apple are stored in such a way that they can be quantified separately at the time of pressing. The fruit is in healthy condition when the juice is extracted.'

The purpose of this amendment is to simplify the wording, by distinguishing between the criteria that apply to the harvest and those that apply to storage. Harvesting the apples by variety and storing them separately ensures traceability and enables the rules on the blending of varieties to be met. The obligation regarding how the apples should be stored has been replaced by an obligation regarding the condition of the fruit when it is ready for processing.

A sub-heading has been added: 5.1.4. 'Productivity of the orchards and entry into production', and in that paragraph:

- The paragraph 'The maximum average yield of orchards in production is verified using the ratio of the average quantity of fruit produced during the last two harvests to the surface area under cultivation of the parcels identified. This surface area is obtained by multiplying the total number of trees in production by the projected average surface area of each tree defined according to the distance between the trees during plantation on the row and between the rows.' has been added.

The method for calculating yields has been revised to take account of the phenomenon of alternation in fruit production: cider apples generally yield high quantities every other year and lower quantities the following year. Yields therefore level out over two consecutive years, giving an 'average yield'.

- The paragraph

'The yields of these orchards must not exceed 20 tonnes per hectare for tall-stemmed orchards in production and 30 tonnes per hectare for short-stemmed orchards in production.'

has been replaced by:

'The maximum average yield of orchards in production is fixed at:

- 25 tonnes of apple or 187,50 hectolitres of must per hectare for tall-stemmed orchards;
- 30 tonnes of apple or 225 hectolitres of must per hectare for short-stemmed orchards.'

The wording has been changed to make the paragraph easier to read. The concept of average yield explained above has been added. The maximum average yield for high-stemmed orchards has been increased to 25 tonnes to take account of the yields observed. In addition to the yield of apples expressed in tonnes, its equivalence in hectolitres of must has been added to facilitate checks.

- The paragraph

'Young apple trees are taken into account for the production of fruit intended for the "Cornouaille" designation of origin only from:

- the seventh year following the year in which planting took place before 31 May for tall-stemmed trees;
- the third year following the year in which planting took place before 31 May for short-stemmed trees.'

has been added. The purpose of this amendment is to specify as of when young trees are taken into account to calculate yields. Before 3 years for short-stemmed trees and 7 years for tall-stemmed trees, any quantity produced will be very low.

A sub-heading has been added: 5.1.5. 'Juice extraction, pressing, processing of the must', and in that paragraph:

- The paragraph 'The cider apples are crushed or grated. The addition of water is not allowed.'

has been amended as follows: 'The cider apples are crushed or grated to obtain a pulp and are then pressed. The addition of water is not allowed.'

The purpose of these amendments is to clarify the steps in production.

- The following provision has been added: 'Pressing by mixing the pulp in a worm gear is prohibited.'

The purpose of this amendment is to prohibit an extraction procedure that would have a negative effect on the quality of the juice obtained.

- The following provision has been added: 'The must obtained has a minimum natural sugar content of 108 grams per litre.'

This criterion is used to ensure that the apples used are ripe.

A sub-heading has been added: 5.2.1. Fermentation, and in that paragraph:

- The paragraph ‘Clarification of the must is obligatory and can only be obtained using the traditional purification method.’

has been replaced by: ‘Clarification of the must is obligatory and can be obtained only through purification performed either naturally or using purifying salts or specific enzymes authorised by the regulations in force.’

The purpose of this amendment is to clarify the treatments authorised.

- The sentence ‘The must is fermented slowly.’

has been amended as follows:

‘The clarified must is fermented slowly without the addition of substances designed to promote or inhibit the development of yeast.’

This amendment clarifies the conditions to be met for conducting the first fermentation.

- The sentences

‘Any operation that modifies the natural sugar content of the must is prohibited.’ and ‘Sweetening, pasteurisation and gasification are prohibited.’

have been merged to form the following sentence: ‘Pasteurisation and any other operation aimed at modifying the natural sugar content or the colour of the must and cider are prohibited at all stages of production.’

The purpose of this amendment is to list the operations that are prohibited in the production of ‘Cornouaille’. As colour is one of the specific characteristics of the ‘Cornouaille’ PDO, modifying the colour is also prohibited. The methods referred to are prohibited for both the must and the cider, at all stages of production. As for the prohibition of gasification, it is referred to in point 5-2-2 on bottling and secondary fermentation; it does not apply to the first fermentation stage.

A sub-heading has been added: ‘5.2.2. Bottling and secondary fermentation’, and in that paragraph:

- The provision ‘Bottling takes place at least six weeks after pressing.’ has been added.

The purpose of this provision is to ensure that the must has undergone first alcoholic fermentation in a tank before being bottled.

- The sentence ‘The blending of varieties can take place only during crushing or grating or by mixing the must or cider during fermentation.’ has been deleted, because it is implicit, as blending can only occur before bottling.
- The provision ‘The bitter and bitter-sweet varieties account for 70 % of the volume of each blended variety (cuvée).’

has been replaced by:

‘Cider ready to be bottled for secondary fermentation must come from a blend of apples harvested and used during the same harvest year, in which:

- the proportion of apples belonging to phenolic varieties is greater than or equal to 70 %;
- the proportion of apples belonging to acidic varieties is less than or equal to 15 %;
- the proportion of apples belonging to local varieties is less than 20 %;
- the proportion of apples belonging to the same variety of cider apple is less than or equal to 60 %.’

The rules on blending have been made more stringent so as to better regulate the organoleptic profile of the finished product using the designation of origin. The provision on bitter and bitter-sweet, i.e. phenolic, varieties has been retained, with the addition of criteria for the other types of apple.

- The following provision has been added: ‘Bottling must take place by 31 October of the year following the harvest year.’

The reason for adding this final date for bottling is to prevent the cider from ageing too much before it is bottled.

- The sentence ‘Secondary fermentation must be obtained through bottle-fermentation of part of the residual sugar’ has been amended as follows:

‘Secondary fermentation is obtained through bottle-fermentation of part of the residual sugar, possibly after the addition of active dry yeast.’

This amendment clarifies the possibility of adding active dry yeast, which makes it easier to control the restart of fermentation and ensure the success of the secondary fermentation.

- The provision ‘The minimum duration of secondary fermentation in the bottle is six weeks.’ has been added to allow the bottles to rest sufficiently long to allow secondary fermentation to occur.
- The provision ‘The cider can only be passed from one operator to another or be placed on the market for sale to the consumer at the end of the minimum duration of secondary fermentation.’ has been added to clarify that ‘Cornouaille’ cannot be marketed before the end of the six-week period.

A sub-heading has been added: ‘5.2.3. Methods for removing sediment’, and in that paragraph:

‘At the end of the minimum secondary fermentation period, the sediment may be removed:

- by disgorging or
- by isobaric filtration, ‘from bottle to bottle’, or
- by decanting into a single recipient and isobaric filtration.’

has been added.

The purpose of this amendment is to authorise removal of the sediment of ‘Cornouaille’ cider. This technique makes it easier to control the ageing of ‘Cornouaille’ over time and to preserve its specific organoleptic characteristics. The sediment is the equivalent of lees in sparkling wines and may result in the development of unwanted flavours in the cider.

5.5. *The section ‘Elements justifying the link with the geographical environment’*

This chapter has been almost entirely reworded. It is now divided into three parts so as to better define the specificity of the geographical area, the specificity of the product, and the causal link. The amendments are textual only and do not entail any substantive changes.

5.6. *‘Labelling’ section*

- The following sentences have been added:

“‘Cornouaille’ ciders must not be declared after their manufacture, offered to the public, shipped, offered for sale or sold, unless, in the declarations, advertisements, leaflets, labelling, invoices and any other containers, the designation referred to above is written and accompanied by the words “Appellation d’origine protégée” [Protected Designation of Origin].

The name of the designation and the words “Appellation d’origine protégée” must be in lettering which is clear, legible, indelible and sufficiently large to be clearly distinguishable from all other writing and designs on the label.’

The purpose of this amendment is to clarify the procedure for affixing the name of the designation and the words ‘Appellation d’origine protégée’.

- The sentence ‘The words “appellation d’origine contrôlée” must be placed immediately below the name of the controlled designation of origin, with no words in between’ has been amended as follows:

‘On the label, the words “appellation d’origine protégée” [Protected Designation of Origin] must be placed immediately below the name of the designation, with no other words in between.’

The word ‘contrôlée’ [controlled] has been replaced by the word ‘protégée [protected] so as to comply with European regulations.

5.7. *The section ‘Other’*

- Competent department in the Member State:

The words:

‘Institut national des appellations d’origine [National Institute of Origin Designations]
138, avenue des Champs-Élysées
75008 Paris
FRANCE
TEL. +33 153898000
FAX +33 142255797’

have been replaced by the words:

'Institut national de l'origine et de la qualité (INAO) [National Institute of Origin and Quality]
Arborial – 12, rue Rol-Tanguy
TSA 30003 – 93555 Montreuil Cedex
FRANCE
Tel. +33 173303800
Fax +33 173303804
Email: info@inao.gouv.fr'

The purpose of this amendment is to update and complete the name and contact details of the INAO.

— Applicant group

The words:

'Name: Comité Cidricole de Développement et de Recherche Fouesnantais et Finistérien (CIDREF) [Fouesnant and Finistère Cider Development and Research Committee]
Address: 5, allée Sully - 29 322 QUIMPER CEDEX - FRANCE
Composition: CIDREF is a professional trade union composed of producers and makers of "Cornouaille" cider. Formed on 13 October 1980, it now has some 60 members.'

have been replaced by:

'Name: Organisme de défense et de gestion du cidre AOC Cornouaille [Organisation for the protection and management of the Cornouaille cider controlled designation of origin]
Address: Chambre d'agriculture [Chamber of Agriculture] – Kergadalen - 29590 SAINT-SEGAL - FRANCE
Tel. +33 298865993
Email: odgcornouaille@gmail.com
Composition: The group consists of apple producers and "Cornouaille" cider makers.'

The group now in charge of the PDO and applying for the amendment is the 'Organisme de défense et de gestion du cidre AOC Cornouaille'. The information on the group 'Comité cidricole de développement et de recherche fouesnantais et finistérien (CIDREF)', which originally applied for the registration, has therefore been deleted and replaced by the name of the current applicant group.

— Type of product

The sentence 'Class 1-8 - Other products of Annex II: Ciders' has been replaced by the sentence 'Class 1-8 - Other products of Annex I to the Treaty (spices etc.)'.

The class to which the PDO belongs remains unchanged. The purpose of this amendment is to update the wording of Class 1.8.

— Section 7 References to the inspection body

The words:

'Institut national des appellations d'origine [National Institute of Origin Designations]
138, avenue des Champs-Élysées
75008 Paris
FRANCE
Direction générale de la concurrence, de la consommation et de la répression des fraudes [Directorate-General for Competition, Consumer Affairs and Fraud Control]
59, boulevard Vincent Auriol
Teledoc 251
75703 Paris Cedex 13
FRANCE'

have been replaced by the words:

'Institut national de l'Origine et de la Qualité (INAO) [National Institute of Origin and Quality]
Address: Arborial – 12, rue Rol Tanguy
TSA 30003 – 93555 Montreuil Cedex
FRANCE
Tel. +33 173303800
Fax +33 173303804
Email: info@inao.gouv.fr'

Direction générale de la concurrence, de la consommation et de la répression des fraudes (DGCCRF) [Directorate-General for Competition, Consumer Affairs and Fraud Control]
 Address: 59 boulevard Vincent Auriol - 75703 Paris Cedex 13, France
 Tel. +33 144871717
 Fax +33 144973037
 The DGCCRF is a Directorate of the Ministry of Economic Affairs.'

The purpose of this amendment is to update and complete the name and contact details of the official inspection bodies (INAO and DGCCRF).

The following paragraph has been added:

'In accordance with the provisions of Article 37 of Regulation (EU) No 1151/2012, verification of compliance with the specification, before the product is placed on the market, is carried out by a product certification body whose name and contact details are available on the INAO's website and in the European Commission's database.'

This paragraph refers to the procedure in place for inspecting the PDO.

— Section 9 National requirements

In accordance with the above-mentioned national reform of the inspection system for designations of origin, a table has been added which sets out the main points to be checked and the relevant evaluation method to be used.

SINGLE DOCUMENT

'CORNOUAILLE'

EU No: PDO-FR-0043-AM02 -19.4.2019

PDO (X) PGI ()

1. **Name(s)**

'Cornouaille'

2. **Member State or third country**

France

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

3.1. *Type of product*

Class 1.8. Other products listed in Annex I to the Treaty (spices etc.)

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

'Cornouaille' is an unpasteurised, ungasified sparkling cider obtained through secondary fermentation in the bottle. It is made from the pure juice of cider apples from local and traditional varieties.

Organoleptic characteristics

'Cornouaille' cider is particularly rich in tannins, which give it a golden to orange colour and a characteristic tannic flavour. It strikes a good balance between sweetness and bitterness.

Physico-chemical characteristics

'Cornouaille' has the following analytical characteristics:

- an actual alcoholic strength by volume greater than 3,5 % vol.;
- a total alcoholic strength by volume greater than 6 % vol.;
- a sugar content greater than or equal to 20 grams per litre;
- pressure of cider in the bottle: minimum 1,5 bar at 20 °C or 3 grams of CO₂.

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

The cider apples used to make 'Cornouaille' come from orchards located in the geographical area that have been identified as suited to the production of 'Cornouaille' based on approved criteria for the designation.

These orchards are kept under grass, except for the soil at the foot of the trees (over a radius of 0,50 metres or over a 1 metre strip under the row), which may be cleared of grass.

The apples belong to a positive list of local varieties:

Phenolic varieties:

Amère Saint-Jacques	C'Huero Ruz Per Lae	Kermerrien
Avalou Bigouden	Carabine	Kroc'hen Ki or Peau de chien
Avalou Daoulas	Chevalier jaune	Marie Ménard
Bedan	Douce Mœn	Médaille d'or
Beleien	Dous Bloc'hig	Penn du
Botell Bihan	Dous Bras	Perscao
Botell Stank	Dous-Rouz	Prat Yod
Bramtôt	Dous-Rouz-Bihan	Rouz Koumoullen Bihan
Brank Kamm	Dous-Rouz-Bras	Rouz Koumoulenn Bras
C'Huéro Briz	Goarimig Ruz	Seac'h Biniou
C'Huero Gwenn	Jaketig	Stang-Ruz
C'Huero Ruz	Jambi	Trojenn Hir
C'Huero Ruz Bihan	Jeanne Renard	Ty Ponch
C'Huero Ruz Mod	Jobig	

Acidic varieties:

Briz Kannig	Judor	Petit jaune
Fil jaune	Locard vert	Rouget de dol
Fil rouge	Mirblaz	

Sweet varieties:

Avalou Spoue	Dous E Veg Briz
Douce Koëtligné	Guillevig or Guillevic
Dous Bihan	

To preserve varietal diversity, local cider apple varieties not listed above are authorised up to a maximum limit of 20 % of the orchard's total surface area. They are considered as phenolic varieties.

The phenolic varieties account for at least 70 % of the orchard's surface area; the acidic varieties account for at most 15 %.

Each blend (or *cuvée*) originates from the blending of apples from the same harvest year and is composed:

- at least 70 % of phenolic variety apples;
- at most 15 % of acidic variety apples;
- at most 60 % of apples of the same variety;
- at most 20 % of local variety apples not included on the list.

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

The production of the apples and the making of the cider, including the removal of any sediment, must be performed in the geographical area.

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*

In addition to the mandatory information provided for in the rules on the labelling and presentation of foodstuffs, the labelling of 'Cornouaille' contains the name of the designation and the words 'Appellation d'Origine Protégée' [Protected Designation of Origin] in lettering which is clear, legible, indelible and sufficiently large to be clearly distinguishable from all other writing and designs on the label.

4. Concise definition of the geographical area

The geographical area covers the territory of the following municipalities:

Department of Finistère:

Municipalities included in their entirety: Argol, Bénodet, Clohars-Carnoët, Clohars-Fouesnant, Combrit, Concarneau, Ergué-Gabéric, Le Faou, La Forêt-Fouesnant, Fouesnant, Gouesnach, Landévennec, Mellac, Moëlan-sur-Mer, Névez, Peumerit, Pleuven, Plogastel-Saint-Germain, Plomelin, Plonéour-Lanvern, Plovan, Pluguffan, Pont-l'Abbé, Pouldreuzic, Quimperlé, Rédené, Rosnoën, Saint-Evarzec, Saint-Jean-Trolimon, Tréguennec, Trégunc, Tréméoc, Tréogat.

Municipalities included in part only: Arzano (sections ZD, ZH, ZI), Crozon (sections ZA and DL), Elliant (sections H1, H2, I4), Quimper (the part corresponding to the former municipality of Ergué-Armel), Riec-sur-Bélon (sections YD and YI), Saint-Coulitz (section A2), Telgruc-sur-Mer (section ZA).

5. Link with the geographical area

'Cornouaille' owes its specific characteristics to the area's soil and climate conditions, which interact with the local varieties to produce mature cider apples that are rich in sugar and phenolic compounds. Traditional practices are reflected above all in the selection of varieties and the production method for this cider obtained by secondary fermentation in the bottle.

Specificity of the geographical area

The geographical area of the 'Cornouaille' PDO covers 40 municipalities located in the Finistère department of Brittany. It is made up of four sectors: the Aulne Valley, Pays Bigouden, Fouesnant-Odet Valley and Pont-Aven.

It is characterised by low altitude (less than 100 m), a sunny and very mild oceanic climate (average temperature above 10 °C) and regular but not excessive rainfall (less than 1 100 mm). The rough terrain provides shelter from the prevailing winds, which prevents premature fruit fall in the autumn.

The most common soils of the cider orchards are those that developed on a granitic substrate or (frequently sanded) phyllocrystallines. For orchards used in the making of 'Cornouaille' cider, the minimum depth of the soil is 50 cm. The region is therefore well suited, by virtue of its soil and climate, to the regular production of cider apples.

Varieties rich in phenolic compounds are thought to have been introduced from Spain to the Finistère as early as the sixth century, either by navigation along the Atlantic coast or overland through the Ille-et-Vilaine region. This new plant material led to significant advances in cider-making techniques. The phenolic compounds present in these new varieties slowed down and protected fermentation and facilitated clarification of the must.

After a series of crises afflicting the wine sector, cider with some degree of added water had become a staple drink among farmers, labourers and sailors in Brittany by the end of the 19th century, whereas keeved cider obtained through secondary fermentation in the bottle was at that time a festive drink reserved for special occasions.

Numerous texts from that era attest to the reputation of cider made in Cornouaille, where numerous small-scale orchards were developing, especially around Fouesnant. In 1905 the author Crochetelle drew up a list of the varieties specific to the southern Finistère.

During the 20th century, demand for alcohol to meet the needs of the arms industry led Brittany's cider makers to shift production towards high-yield varieties noted mainly for their high alcoholic strength. Many of Brittany's apple orchards were cleared after the Second World War, which was followed by a period of intensification starting in the 1980s. Fearful for their stocks, cideries encouraged farmers to plant short-stemmed orchards. These orchards were planted using high-yield, often acidic, varieties, with scant regard for traditional practices, leading to overproduction and a weakening of the cider industry.

The Finistère, however, was unaffected by this industrial-scale production. Essentially used for cider production, its orchards expanded thanks to tourism and the small-scale and farm-based production of quality cider for festive occasions. In 1987, the publication of a decree authorising cider makers to add a portion of concentrated juice to their cider apple juice provoked a reaction among traditional producers in the Fouesnant region, who saw it as a risk to the quality of their cider. They demanded that 'Cornouaille' cider be recognised as a controlled designation

of origin to preserve the specificity and reputation of the production method built up over time using traditional techniques. As a result, 'Cornouaille' is now produced, using locally selected varieties, from the pure juice of these cider apples, without the use of any concentrated juice, and secondary fermentation is obtained naturally thanks to the fermentation of sugar in the bottle. These practices help to develop the flavours of 'Cornouaille' cider.

Specificity of the product

'Cornouaille' is a cider obtained through secondary fermentation in the bottle. It has:

- a golden to orange colour;
- a lively yet subtle effervescence;
- an actual alcoholic strength greater than 3,5 % and a sugar content greater than 20 grams per litre;
- a characteristic tannic flavour combined with a good balance between sweetness and bitterness.

Causal link

By virtue of its location, Cornouaille is well suited to the specific cultivation of cider apple trees. The soil and climate conditions of the geographical area provide its apple trees with a regular and sufficient water supply (especially during the growing period in the summer) thanks to the soils' minimum 50 cm depth, the low altitude, which limits rainfall, and competition from grass. These elements limit the trees' vigour, enabling them to bear fruit that is rich in valuable substances.

The region is also exposed to violent winds, however. For this reason, the production of cider apples has been traditionally confined to the sunnier, more sheltered slopes. This allows the apples to stay ripe on the tree into the autumn.

The must produced by cider apples from local varieties well adapted to this environment is therefore particularly rich in sugar and tannins. Despite the consumption of sugar for secondary fermentation in the bottle, the high sugar content of the must enables ciders to be produced, without enrichment, with an alcoholic strength by volume greater than 3,5 % and a residual sugar content greater than 20 grams per litre.

'Cornouaille' owes its aromatic complexity to the traditional production method that has been preserved and refined over time: the choice of varieties, using only the pure juice of cider apples, and secondary fermentation in the bottle. The bitter and robust qualities of the cider are obtained by using a blend of mostly phenolic varieties. These varieties, which account for at least 70 % of the blend, dominate the orchards of Cornouaille and are the result of centuries of selective breeding of local varieties including Beleien, C'Huéro Briz, Prat Yod and Trojenn Hir. The phenolic compounds and tannins also give the cider its golden to orange colour.

Finally, 'Cornouaille' cider owes its subtle effervescence to production by secondary fermentation in the bottle, which has been traditionally reserved for producing festive drinks. In addition to this natural effervescence, fermentation in the bottle also develops the cider's aromas and helps it to achieve its complexity.

Reference to publication of the specification

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

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