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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.10156 — TIAA/AP1/AP2/GPIF/Target)**(Text with EEA relevance)**

(2021/C 102/01)

On 18 March 2021, 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 32021M10156. EUR-Lex is the online access to European law.

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

Non-opposition to a notified concentration
(Case M.10121 — Platinum Equity Group/Ingram Micro)

(Text with EEA relevance)

(2021/C 102/02)

On 18 March 2021, 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 32021M10121. EUR-Lex is the online access to European law.

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

EUROPEAN COMMISSION

Euro exchange rates ⁽¹⁾

23 March 2021

(2021/C 102/03)

1 euro =

Currency			Exchange rate		
Currency			Exchange rate		
USD	US dollar	1,1883	CAD	Canadian dollar	1,4938
JPY	Japanese yen	128,99	HKD	Hong Kong dollar	9,2290
DKK	Danish krone	7,4360	NZD	New Zealand dollar	1,6918
GBP	Pound sterling	0,86198	SGD	Singapore dollar	1,5955
SEK	Swedish krona	10,1813	KRW	South Korean won	1 342,48
CHF	Swiss franc	1,1066	ZAR	South African rand	17,5818
ISK	Iceland króna	148,30	CNY	Chinese yuan renminbi	7,7367
NOK	Norwegian krone	10,1783	HRK	Croatian kuna	7,5755
BGN	Bulgarian lev	1,9558	IDR	Indonesian rupiah	17 105,58
CZK	Czech koruna	26,198	MYR	Malaysian ringgit	4,8988
HUF	Hungarian forint	366,51	PHP	Philippine peso	57,779
PLN	Polish zloty	4,6191	RUB	Russian rouble	90,2781
RON	Romanian leu	4,8893	THB	Thai baht	36,819
TRY	Turkish lira	9,3638	BRL	Brazilian real	6,5562
AUD	Australian dollar	1,5491	MXN	Mexican peso	24,5926
			INR	Indian rupee	86,1025

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

EUROPEAN DATA PROTECTION SUPERVISOR

Summary of the Opinion of the European Data Protection Supervisor on the Proposal for temporary derogations from Directive 2002/58/EC for the purpose of combatting child sexual abuse online

(The full text of this Opinion can be found in English, French and German on the EDPS website www.edps.europa.eu)

(2021/C 102/04)

On 10 September 2020, the Commission published a Proposal for a Regulation on a temporary derogation from certain provisions of the ePrivacy Directive 2002/58/EC as regards the use of technologies by number-independent interpersonal communications service providers for the processing of personal and other data for the purpose of combatting child sexual abuse online. The derogation concerns Articles 5(1) and 6 of the ePrivacy Directive in relation to the processing of personal data in connection with the provision of 'number-independent interpersonal communications services' necessary for the use of technology for the sole purpose of removing child sexual abuse material and detecting or reporting child sexual abuse online to authorities.

In this Opinion the EDPS provides his recommendations related to the Proposal in response to a formal consultation by the Commission pursuant to Article 42 of Regulation (EU) 2018/1725.

In particular, he notes that the measures envisaged by the Proposal would constitute an interference with the fundamental rights to respect for private life and data protection of all users of very popular electronic communications services, such as instant messaging platforms and applications. Confidentiality of communications is a cornerstone of the fundamental rights to respect for private and family life. Even voluntary measures by private companies constitute an interference with these rights when the measures involve the monitoring and analysis of the content of communications and processing of personal data.

The EDPS wishes to underline that the issues at stake are not specific to the fight against child abuse but to any initiative aiming at collaboration of the private sector for law enforcement purposes. If adopted, the Proposal, will inevitably serve as a precedent for future legislation in this field. The EDPS therefore considers it essential that the Proposal is not adopted, even in the form a temporary derogation, until all the necessary safeguards set out in this Opinion are integrated.

In particular, in the interest of legal certainty, the EDPS considers that it is necessary to clarify whether the Proposal itself is intended to provide a legal basis for the processing within the meaning of the GDPR, or not. If not, the EDPS recommends clarifying explicitly in the Proposal which legal basis under the GDPR would be applicable in this particular case. In this regard, the EDPS stresses that guidance by data protection authorities cannot substitute compliance with the requirement of legality. It is insufficient to provide that the temporary derogation is 'without prejudice' to the GDPR and to mandate prior consultation of data protection authorities. The co-legislature must take its responsibility and ensure that the proposed derogation complies with the requirements of Article 15(1), as interpreted by the CJEU.

In order to satisfy the requirement of proportionality, the legislation must lay down clear and precise rules governing the scope and application of the measures in question and imposing minimum safeguards, so that the persons whose personal data is affected have sufficient guarantees that data will be effectively protected against the risk of abuse.

Finally, the EDPS is of the view that the five-year period as proposed does not appear proportional given the absence of (a) a prior demonstration of the proportionality of the envisaged measure; and (b) the inclusion of sufficient safeguards within the text of the legislation. He considers that the validity of any transitional measure should not exceed 2 years.

I. INTRODUCTION AND BACKGROUND

1.1 Background

1. On 24 July 2020, the Commission adopted a Communication 'EU strategy for a more effective fight against child sexual abuse' ⁽¹⁾. The Communication notes that as from December 2020, Directive 2002/58/EC of the European Parliament and of the Council ('the e-Privacy Directive') ⁽²⁾ will have an extended scope as a result of the already adopted Electronic Communications Code ('ECC') ⁽³⁾. The ECC extends the scope of the e-Privacy Directive to over the top (OTT) inter-personal communication services such as messaging services and email. According to the Communication, this would prevent certain companies (in the absence of national legislative measures adopted in accordance with Article 15(1) of the e-Privacy Directive) from continuing their own voluntary measures for detection, removal and reporting of child sexual abuse online ⁽⁴⁾.
2. On 10 September 2020, the Commission published ⁽⁵⁾ a Proposal for an Interim Regulation on the processing of personal and other data for the purpose of combatting child sexual abuse, which provides for a temporary derogation from Article 5(1) and Article 6 of the ePrivacy Directive ('the Proposal'). The Commission considers that such a derogation is necessary in order to allow current voluntary activities to continue after December 2020. The derogation would concern the processing of personal data in connection with the provision of 'number-independent interpersonal communications services' ⁽⁶⁾ (e.g., voice over IP, messaging and web-based e-mail services) strictly necessary for the use of technology for the sole purpose of removing child sexual abuse material and detecting or reporting child sexual abuse online to law enforcement authorities and to organisations acting in the public interest against child sexual abuse. The Proposal enumerates a number of conditions for the derogation to be applicable, which will be analysed later in this Opinion.
3. The EDPS was formally consulted by the Commission on 16 September 2020. On 30 September, the Commission launched a public consultation inviting feedback in relation to its Proposal.

1.2 Relationship to Directive 2011/93/EU

4. The EU has previously adopted a comprehensive legal instrument to combat the sexual abuse and sexual exploitation of children and child pornography, namely Directive 2011/93/EU of the European Parliament and of the Council ('Child Sexual Abuse Directive') ⁽⁷⁾.
5. The Child Sexual Abuse Directive establishes minimum rules concerning the definition of criminal offences and sanctions in the area of sexual abuse and sexual exploitation of children and child sexual abuse material. It requires Member States to ensure that inter alia the following intentional conduct, when committed without right ⁽⁸⁾, shall be punishable:
 - intentionally and knowingly obtaining access, by means of information and communication technology, to child pornography,
 - distribution, dissemination or transmission of child pornography,
 - offering, supplying or making available child pornography ⁽⁹⁾.
6. The Child Sexual Abuse Directive also obliges Member States to take the necessary measures to ensure that certain conduct amounting to solicitation of children for sexual purposes, including by means of information and communication technology, shall be punishable.
7. The Child Sexual Abuse Directive requires Member States to take the necessary measures to ensure the prompt removal of web pages containing or disseminating child pornography hosted in their territory and to endeavour to obtain the removal of such pages hosted outside of their territory as well as to seize and confiscate instrumentalities and proceeds from such offences ⁽¹⁰⁾. In addition, Member States may take measures to block access to web pages containing or disseminating child pornography towards the Internet users within their territory ⁽¹¹⁾.

8. In 2010, the EDPS issued an own-initiative Opinion on the proposal for a Directive on combating the sexual abuse, sexual exploitation of children and child pornography ⁽¹³⁾. This Opinion contains considerations and recommendations that are also relevant to the Proposal for an Interim Regulation. Where appropriate, the EDPS shall reiterate and/or make reference to his 2010 Opinion.

III. CONCLUSIONS

52. The measures envisaged by the Proposal would constitute an interference with the fundamental rights to respect for private life and data protection of all users of very popular electronic communications services, such as instant messaging platforms and applications. Even voluntary measures by private companies constitute an interference with these rights when the measures involve the monitoring and analysis of the content of communications and processing of personal data.
53. The issues at stake are not specific to the fight against child abuse but to any initiative aiming at collaboration of the private sector for law enforcement purposes. If adopted, the Proposal will inevitably serve as a precedent for future legislation in this field. The EDPS therefore considers it essential that the Proposal is not adopted, even in the form a temporary derogation, until all the necessary safeguards set out in this Opinion are integrated.
54. In the interest of legal certainty, the EDPS considers that it is necessary to clarify whether the Proposal itself is intended to provide a legal basis for the processing within the meaning of the GDPR, or not. If not, the EDPS recommends clarifying explicitly in the Proposal which legal basis under the GDPR would be applicable in this particular case. In this regard, the EDPS stresses that guidance by data protection authorities cannot substitute compliance with the requirement of legality. It is insufficient to provide that the temporary derogation is 'without prejudice' to the GDPR and to mandate prior consultation of data protection authorities. The co-legislature must take its responsibility and ensure that the proposed derogation complies with the requirements of Article 15(1), as interpreted by the CJEU.
55. In order to satisfy the requirement of proportionality, the legislation must lay down clear and precise rules governing the scope and application of the measures in question and imposing minimum safeguards, so that the persons whose personal data is affected have sufficient guarantees that data will be effectively protected against the risk of abuse.
56. The lack of precise identification of the measures subject to the derogation is likely to undermine legal certainty.
57. Finally, the EDPS is of the view that the five-year period as proposed does not appear proportional given the absence of (a) a prior demonstration of the proportionality of the envisaged measure; and (b) the inclusion of sufficient safeguards within the text of the legislation. He considers that the validity of any transitional measure should not exceed 2 years.

Brussels, 10 November 2020.

Wojciech WIEWIORSKI

⁽¹³⁾ COM(2020) 607 final, https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-security/20200724_com-2020-607-commission-communication_en.pdf

⁽¹⁾ Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications) (OJ L 201, 31.7.2002, p. 37).

⁽²⁾ Directive (EU) 2018/1772 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code (Recast) (OJ L 321, 17.12.2018, p. 36).

⁽⁴⁾ COM(2020) 607 final, p. 4. The Communication notes that because the ePrivacy Directive does not contain a legal basis for voluntary processing of content and traffic data for the purpose of detecting child sexual abuse, providers can only apply such measures if based on a national legislative measure, that meets the requirements of Article 15 of the ePrivacy Directive for restricting the right to confidentiality. In the absence of such legislative measures, measures to detect child sexual abuse undertaken by these providers, which process content or traffic data, would lack a legal basis.

⁽⁵⁾ COM(2020) 568 final, 2020/0259 (COD), Proposal for a Regulation of the European Parliament and of the Council on a temporary derogation from certain provisions of Directive 2002/58/EC of the European Parliament and of the Council as regards the use of technologies by number-independent interpersonal communications service providers for the processing of personal and other data for the purpose of combating child sexual abuse online, <https://ec.europa.eu/digital-single-market/en/news/interim-regulation-processing-personal-and-other-data-purpose-combatting-child-sexual-abuse>

⁽⁶⁾ Article 2 (5) EEC defines an 'interpersonal communications service' as 'a service normally provided for remuneration that enables direct interpersonal and interactive exchange of information via electronic communications networks between a finite number of persons, whereby the persons initiating or participating in the communication determine its recipient(s) and does not include services which enable interpersonal and interactive communication merely as a minor ancillary feature that is intrinsically linked to another service'. A 'number-independent interpersonal communications service' means an interpersonal communications service which does not connect with publicly assigned numbering resources, namely, a number or numbers in national or international numbering plans, or which does not enable communication with a number or numbers in national or international numbering plans (Article 2(7) ECC).

- (7) Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA (OJ L 335, 17.12.2011, p. 1).
- (8) The term 'without right' allows Member States to provide a defence in respect of conduct relating to pornographic material having for example, a medical, scientific or similar purpose. It also allows activities carried out under domestic legal powers, such as the legitimate possession of child pornography by the authorities in order to conduct criminal proceedings or to prevent, detect or investigate crime. Furthermore, it does not exclude legal defences or similar relevant principles that relieve a person of responsibility under specific circumstances, for example where telephone or Internet hotlines carry out activities to report those cases. Recital (25) of Directive 2011/93/EU.
- (9) Article 5(3), 5(4) and 5(5) of Directive 2011/93/EU.
- (10) Articles 11 and 25(1) of Directive 2011/93/EU.
- (11) Article 25(2) of Directive 2011/93/EU.
- (12) Opinion of the European Data Protection Supervisor on the proposal for a Directive of the European Parliament and of the Council on combating the sexual abuse, sexual exploitation of children and child pornography, repealing Framework Decision 2004/68/JHA, 10 May 2010, https://edps.europa.eu/sites/edp/files/publication/10-05-10_child_abuse_en.pdf
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NOTICES FROM MEMBER STATES

Update of reference amounts for the crossing of the external borders, as referred to in Article 6(4) of Regulation (EU) 2016/399 of the European Parliament and of the Council on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code) ⁽¹⁾

(2021/C 102/05)

The publication of reference amounts for the crossing of the external borders, as referred to in Article 6(4) of Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code) ⁽²⁾, is based on the information communicated by the Member States to the Commission in conformity with Article 39 of the Schengen Borders Code.

In addition to the publication in the Official Journal, a monthly update is available on the website of the Directorate-General for Migration and Home Affairs.

CZECH REPUBLIC

Replacement of the information published in OJ C 21, 20.1.2018, p. 3.

Reference amounts are provided in Section 13 of Act No 326/1999 Coll., on residence of foreigners in the territory of the Czech Republic, as amended, in connection with Section 5 of Act No 110/2006 Coll., on living and subsistence minimum, as amended. They depend on the current level of the subsistence minimum and vary according to the duration of the intended short-term stay in the territory of the Czech Republic:

- For stays not exceeding 30 days – 0,5 times the subsistence minimum (current amount – December 2020 – 2 490 CZK) for each day of stay, i.e. 1 245 CZK per day;
- For stays exceeding 30 days – 15 times the subsistence minimum (current amount – December 2020 – 2 490 CZK), i.e. 37 350 CZK; this sum shall be subject to increase of double the subsistence minimum for each whole month of the intended stay in the territory, i.e. plus 4 980 CZK per each month;
- The third-country national under 18 years shall prove half the amounts mentioned above.

The assessment of sufficient means of subsistence may be based on the cash, credit cards or traveller's cheques in the third-country national's possession, or on a document confirming the payment of services connected with the stay in the territory or on a document confirming that services will be provided free of charge. Declarations of sponsorship and letters of guarantee from hosts (in the form 'Letter of Invitation' certified by the Police of the Czech Republic – see Annex 33 to the Schengen handbook) may also constitute evidence of sufficient means of subsistence.

The third country national who is going to study in the territory may submit, as a proof of availability of sufficient funds for his stay, a commitment made by a state authority or a legal entity to cover his/her stay by providing funds equivalent to the subsistence minimum (current amount – December 2020 – 2 490 CZK) for 1 month of the intended stay, or a document confirming that all costs related to his studies and stay shall be covered by the receiving organisation (school). If the sum referred to in the commitment does not reach this amount, the third country national shall be obliged to submit a document proving the possession of funds equivalent to the difference between the subsistence minimum (current amount – December 2020 – 2 490 CZK) and the amount of the commitment for the period of his/her intended stay, however, not more than 6 times the subsistence minimum (currently 14 940 CZK). Document on the provision of means for one's residence may be replaced by a decision or an agreement on the allocation of a grant acquired pursuant to an international treaty by which the Czech Republic is bound.

⁽¹⁾ See the list of previous publications at the end of this update.

⁽²⁾ OJ L 77, 23.3.2016, p. 1.

SPAIN

Replacement of the information published in OJ C 178, 28.5.2020, p. 3.

The Order of the Prime Minister's Office (PRE/1282/2007) of 10 May 2007 on the financial means foreign nationals are required to have in order to enter Spain specifies the amount that third-country nationals must prove is available to them in order to be able to enter Spain:

- (a) To support them during their stay in Spain, the proven daily amount must be at least 10 % of the gross statutory minimum wage multiplied by the intended number of days of the stay in Spain and by the number of dependants travelling in the applicant's care. Royal Decree 231/2020 of 4 February 2020 setting the statutory minimum wage for 2020, the validity of which has been extended for 2021 ⁽³⁾, sets this wage at EUR 950, meaning that an amount of EUR 95 per person per day or its legal equivalent in foreign currency must be proven. In any event, this amount must be 90 % of the gross statutory minimum wage, meaning that in any event a minimum of EUR 855 or its legal equivalent in foreign currency per person must be proven, regardless of the length of stay.
- (b) For the return to their country of provenance or for transit to third countries, foreign nationals may be required to produce a non-transferable and fixed-date ticket or tickets in their name for the intended means of transport.'

SLOVENIA

Replacement of the information published in OJ C 247, 13.10.2006, p. 19.

In accordance with Article 2 of the Rules implementing the Regulation (EC) establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code) (*Uradni List RS* (UL RS; Official Gazette of the Republic of Slovenia) No 29/07), there is a required means of subsistence defined for third-country nationals entering Slovenia for the duration of their stay in Slovenia, until they return to their native country or travel on to a third country.

As adequate proof of existence of the required means of subsistence, a third country national has to present the prescribed amount of money in cash, or traveller's cheques, internationally recognised debit or credit cards, letters of credit, or any other verified proof of existence of such means in Slovenia.

If the third country national does not have a secured means of subsistence (such as a declaration of sponsorship, letter of guarantee, or paid accommodation as part of a tourist arrangement), the daily subsistence amount shall be used to determine the required means of subsistence.

The daily subsistence amount in Slovenia for individuals is EUR 70.

The prescribed amount for minors accompanied by their parents or legal representatives is 50 % of the amount set out in the previous paragraph.

List of previous publications

OJ C 247, 13.10.2006, p. 19	OJ C 98, 29.4.2009, p. 11
OJ C 77, 5.4.2007, p. 11	OJ C 35, 12.2.2010, p. 7
OJ C 153, 6.7.2007, p. 22	OJ C 304, 10.11.2010, p. 5
OJ C 164, 18.7.2007, p.45	OJ C 24, 26.1.2011, p. 6
OJ C 182, 4.8.2007, p.18	OJ C 157, 27.5.2011, p. 8
OJ C 57, 1.3.2008, p. 38	OJ C 203, 9.7.2011, p. 16
OJ C 134, 31.5.2008, p. 19	OJ C 11, 13.1.2012, p. 13
OJ C 331, 31.12.2008, p. 13	OJ C 72, 10.3.2012, p. 44
OJ C 33, 10.2.2009, p.1	OJ C 199, 7.7.2012, p. 8
OJ C 36, 13.2.2009, p.100	OJ C 298, 4.10.2012, p. 3
OJ C 37, 14.2.2009, p. 8	OJ C 56, 26.2.2013, p. 13

⁽³⁾ Additional Provision No 6 of Royal Decree-Law 38/2020 of 29 December 2020.

OJ C 98, 5.4.2013, p. 3

OJ C 269, 18.9.2013, p. 2

OJ C 57, 28.2.2014, p. 2

OJ C 152, 20.5.2014, p. 25

OJ C 224, 15.7.2014, p. 31

OJ C 434, 4.12.2014, p. 3

OJ C 447, 13.12.2014, p. 32

OJ C 38, 4.2.2015, p. 20

OJ C 96, 11.3.2016, p. 7

OJ C 146, 26.4.2016, p.12

OJ C 248, 8.7.2016, p.12

OJ C 111, 8.4.2017, p.11

OJ C 21, 20.1.2018, p.3

OJ C 93, 12.3.2018, p.4

OJ C 153, 2.5.2018, p.8

OJ C 186, 31.5.2018, p.10

OJ C 264, 26.7.2018, p.6

OJ C 366, 10.10.2018, p.12

OJ C 459, 20.12.2018, p.38

OJ C 140, 16.4.2019, p.7

OJ C 178, 28.5.2020, p.3

V

*(Announcements)*PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION
POLICY

EUROPEAN COMMISSION

Prior notification of a concentration
(Case M.10081— KION/Jungheinrich/HSP)
Candidate case for simplified procedure*(Text with EEA relevance)*

(2021/C 102/06)

1. On 15 March 2021, 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:

- KION Group AG ('KION', Germany), controlled by Shandong Heavy Industry Group Co., Ltd., ('SHIG', China),
- Jungheinrich AG ('Jungheinrich', Germany),
- Hoesch Schwerter Profile GmbH ('HSP', Germany), belonging to Calvi Holding S.p.A. (Italy).

KION and Jungheinrich acquire within the meaning of Article 3(1)(b) of the Merger Regulation control of parts of HSP.

The concentration is accomplished by way of purchase of assets.

2. The business activities of the undertakings concerned are:

- for KION: manufacture and supply of forklift trucks, warehouse equipment and other industrial trucks, as well as related services. SHIG is a producer of commercial vehicles and construction machinery.
- for Jungheinrich: manufacture, supply, refurbishment and rental of forklift trucks and warehouse equipment, as well as related services.
- for HSP: manufacture and supply of special steel profiles used inter alia in the manufacturing of counterbalanced forklift trucks and warehouse equipment.

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.

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

⁽²⁾ OJ C 366, 14.12.2013, p. 5.

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.10081— KION/Jungheinrich/HSP

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

Fax +32 22964301

Postal address:

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

OTHER ACTS

EUROPEAN COMMISSION

Publication of an application for approval of an amendment, which is 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

(2021/C 102/07)

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 AN AMENDMENT TO THE PRODUCT SPECIFICATION OF PROTECTED DESIGNATIONS OF ORIGIN/PROTECTED GEOGRAPHICAL INDICATIONS WHICH IS NOT MINOR

Application for approval of an amendment in accordance with the first subparagraph of Article 53(2), of Regulation (EU) No 1151/2012

‘Asparago di Badoere’

EU No: PGI-IT-0495-AM01 – 25.11.2019

PDO () PGI (X)

1. Applicant group and legitimate interest

Consorzio dell'Asparago di Badoere ['Asparago di Badoere' Association]

Registered office and headquarters: Municipio di Morgano, Piazza Indipendenza, 2

31050 Badoere di Morgano (TV), Italy; tel. +39 3282143228.

Email address: info@asparagodibadoere.it

www.asparagodibadoere.it

The 'Asparago di Badoere' Association is entitled to submit an amendment application pursuant to Article 13(1) of Ministry of Agricultural, Food and Forestry Policy Decree No 12511 of 14 October 2013.

2. Member State or third country

Italy

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
- ☐ Link
- ☒ Labelling
- ☒ Other: editorial revisions, compliance checks, updating of references to legislation

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

4. Type of amendment(s)

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

5. Amendment(s)

Description of the product

1. Article 2 of the current product specification

“Asparago di Badoere” consists of asparagus spears grown from plants of the Liliaceae family (white varieties “Dariana”, “Thielim”, “Zeno”, “Avalim” or “Grolim” or green varieties “Eros”, “Thielim”, “Grolim”, “Dariana” or “Avalim” of the species *officinalis* from the genus *Asparagus*).’

has been amended and expanded to read as follows:

“Asparago di Badoere” consists of asparagus spears grown from plants of the Liliaceae family (white varieties “Thielim”, “Zeno”, “Grolim”, “Cumulus”, “Darzilla”, “Hercolim”, “Marco”, “Vittorio” or “Giove” or green varieties “Eros”, “Thielim”, “Grolim”, “Cumulus”, “Magnus”, “Giove” or “Vittorio” of the species *Officinalis* from the genus *Asparagus*).

Other asparagus cultivars resulting from varietal research can be used provided that there is experimental and bibliographic evidence that the production method and characteristics of “Asparago di Badoere” PGI are respected.

The Ministry of Agricultural, Food and Forestry Policy must be notified before any such cultivar is used to produce “Asparago di Badoere” PGI.’

Point 4.2 of the summary:

“Asparago di Badoere” consists of asparagus spears grown from plants of the Liliaceae family (white varieties “Dariana”, “Thielim”, “Zeno”, “Avalim” or “Grolim” or green varieties “Eros”, “Thielim”, “Grolim” or “Dariana” of the species *Officinalis* from the genus *Asparagus*).’

has been amended to read:

“Asparago di Badoere” consists of asparagus spears grown from plants of the Liliaceae family (white varieties “Thielim”, “Zeno”, “Grolim”, “Cumulus”, “Darzilla”, “Hercolim”, “Marco”, “Vittorio” or “Giove” or green varieties “Eros”, “Thielim”, “Grolim”, “Cumulus”, “Magnus”, “Giove” or “Vittorio” of the species *Officinalis* from the genus *Asparagus*).

Other asparagus cultivars resulting from varietal research can be used provided that there is experimental and bibliographic evidence that the production method and characteristics of “Asparago di Badoere” PGI are respected.

The Ministry of Agricultural, Food and Forestry Policy must be notified before any such cultivar is used to produce “Asparago di Badoere” PGI.’

The list of varieties that can be used to produce ‘Asparago di Badoere’ has been updated.

Varieties that are no longer used due to scarcity or because they have become agronomically obsolete over the years have been deleted. New varieties have been added that, while maintaining the characteristics of ‘Asparago di Badoere’, give better yields, are better at developing the product’s characteristic features, are more tolerant to disease and do not need as much fertiliser or plant protection treatment, thus benefiting consumers, the environment and local biodiversity. The text also now allows the use of new cultivars, provided that there is experimental and bibliographic evidence that the characteristics described in the product specification for ‘Asparago di Badoere’ PGI are respected and the Ministry of Agricultural, Food and Forestry Policy is notified accordingly. This gives farmers the possibility of using new varieties that become available on the market while ensuring that the established product characteristics are respected.

This amendment applies to point 3.2 of the single document.

2. In the section of the product specification on white ‘Asparago di Badoere’ PGI, the following has been added after the description of Class I:

‘Class II

Form: full asparagus spear with tip, which may be slightly feathered;

Colour: white (may have hints of pink);

Taste: sweet, not sour or salty; tender and not at all fibrous, with a slight aroma of fresh legumes and ripe wheat, and a barely perceptible hint of bitterness;

Diameter: 8 to 30 mm — all the asparagus making up a bundle or package should be uniformly prepared; Length: up to 22 cm — all the asparagus making up a bundle or package should be uniformly prepared.

Class II asparagus may only be used in the processing industry.’

The product specification now includes a Class II, covering all asparagus spears which cannot be categorised in either the ‘Extra’ Class or Class I because of differences in their form and/or measurements, but which still have the required organoleptic characteristics as a result of being grown in the same soil and climate conditions and using the same techniques.

The new Class II responds to the specific demands of the market segment that uses the semi-prepared product and is therefore reserved exclusively for the processing industry.

This amendment applies to point 4.2 of the summary and point 3.2 of the single document.

3. In the section of the product specification on green ‘Asparago di Badoere’ PGI, the following has been added after the description of Class I:

‘Class II

Form: full asparagus spear with slightly feathered tip;

Colour: green (may have hints of violet);

Diameter: 8 to 30 mm — all the asparagus making up a bundle or package should be uniformly prepared; Length: up to 27 cm — all the asparagus making up a bundle or package should be uniformly prepared.

Class II asparagus may only be used in the processing industry.’

The reasons for this amendment are the same as those given for white ‘Asparago di Badoere’ PGI in point 2 above. It applies to point 4.2 of the summary and point 3.2 of the single document.

4. The following sentence:

‘The maximum accepted tolerance for deviation from the requirements for the different classes described above is 3 % for each type.’

has been amended to read:

‘The maximum accepted tolerance for deviation from the length and diameter requirements described above for the different classes is 3 % of weight.’

This is an editorial revision to make the product specification more precise by clarifying the basis on which the tolerance limit is calculated and the parameters to which it applies.

This amendment applies to point 4.2 of the summary and point 3.2 of the single document.

Method of production

Article 5 of the current product specification

5. The following sentences from the end of Article 5:

‘After the establishment period, “Asparago di Badoere” must be harvested between 1 February and 31 May each year.

The maximum yield per hectare after cleaning may not exceed 7 000 kg.’

have been amended to read:

'After the establishment period, "Asparago di Badoere" must be harvested between 1 February and 30 June each year.

The maximum yield per hectare after cleaning may not exceed 10 000 kg for all three classes combined (Extra, I and II).'

The harvest end date has been pushed back to 30 June. As a result of climate change in recent years, coupled with the presence of later-sprouting varieties, the same yield levels and quality standards of 'Asparago di Badoere' PGI are now ensured for at least 30 days after 31 May.

The maximum yield per hectare has increased from 7 000 kg to 10 000 kg, as some varieties that can be used for 'Asparago di Badoere' are higher-yielding and have longer harvest periods. This amendment is also made to account for the new Class II, which has to be added to the 'Extra' Class and Class I yields. The increase in yield per hectare does not in any way affect the organoleptic characteristics of the product, and the same quality standards continue to apply.

Labelling

Article 8 of the current product specification

6. The following passage:

'To be marketed under the name "Asparago di Badoere" PGI, the asparagus must be packaged in the production area defined in Article 3 of this product specification, respecting the following conditions:

a) White "Asparago di Badoere" PGI

- in tight raffia-tied bundles weighing between 0,7 and 1,2 kg;
- in food-grade packaging, weighing no more than 2,0 kg per package.

b) Green "Asparago di Badoere" PGI

- in tight raffia- or elastic-tied bundles weighing between 0,5 and 1,2 kg;
- in food-grade packaging, weighing no more than 2,0 kg per package.

The contents of each package must be uniform and comprise only asparagus of the same type, category and diameter range.'

has been amended to read:

'To be marketed under the name "Asparago di Badoere" PGI, the asparagus must be packaged into bundles or food-grade packaging within the production area defined in Article 3 of this product specification.

Each package must comprise only asparagus of the same category and diameter range.'

The following passage from point 4.8 of the summary:

'Asparagus bearing the name "Asparago di Badoere" PGI must be packaged in tight raffia-tied bundles or in suitable food-grade packaging. The contents of each package must be uniform and comprise only asparagus of the same type, category and diameter range.'

has been amended to read as follows (the same text has also been added to point 3.5 of the single document):

'In order to preserve the quality characteristics referred to in point 3.2, "Asparago di Badoere" PGI asparagus may only be marketed if it has been packaged within the production area into either bundles or food-grade packaging.

"Asparago di Badoere" must be packaged in the area described in point 4 in order to ensure traceability and control and to prevent deterioration in the quality of "Asparago di Badoere" as a result of impact or bruising during the transportation of the unpackaged product, which can cause the asparagus to blacken and impair its quality characteristics.

Each package must comprise only asparagus of the same category and diameter range.'

This amendment is needed in order to meet the changing requirements of domestic and foreign markets for a more diverse range of packaging types and more flexibility to respond to demand.

The market demands single packages: bundles or boxes of different sizes that are tailored to the various different target customers.

Moreover, as both white and green asparagus are covered by the name 'Asparago di Badoere', it has become clear that both types of asparagus need to be promoted, and this also means using the same packaging for both, so uniformity is still required in terms of category and diameter range, but no longer in terms of type.

Finally, the relevant point of the single document has been expanded by providing justification for the requirement — already present in the product specification — that the product be packaged in the production area.

7. This sentence:

'The marketing class, either Extra Class or Class I (under the conditions established in Article 2 of this product specification);'

has been amended to read:

'The marketing class, either Extra Class or Class I, or Class II accompanied by the words "for processing only", in accordance with Article 2 of this product specification;'

The following passage from point 4.8 of the summary:

'Bundles and packs must be labelled with the words "Asparago di Badoere" IGP [PGI] in letters of uniform size, with specific reference to the type of asparagus (green or white) that the pack contains, the (company) name and the address of the grower and packager, the marketing class ("Extra" or "I"), the diameter range and any other information required by the legislation in force.'

has been amended to read as follows (the same text has also been added to point 3.6 of the single document):

'Bundles and packs must be labelled with the words "Asparago di Badoere" IGP [PGI] in letters of uniform size, with specific reference to the type of asparagus (green, white or green and white) that the pack contains, the (company) name and the address of the grower and packager, the marketing class ("Extra", "I", or "II" along with the words "for processing only"), the diameter range and any other information required by the legislation in force.'

This revision consists of including references to Class II for both types of 'Asparago di Badoere' PGI and providing the possibility of including both types of asparagus (white and green) in a single package or bundle.

Other

Editorial revisions

8. Article 4 has been renamed 'Proof of origin'.
9. Article 5 has been renamed 'Method of production'.
10. Article 6 has been renamed 'Link with the environment'.
11. Article 7 has been renamed 'Compliance checks'.
12. Article 8 has been renamed 'Labelling'.

Compliance checks

Article 7 of the current product specification

13. The body responsible for checking compliance with the product specification is not currently named in Article 7. Following the proposed amendment, Article 7 reads as follows:

'Compliance with this product specification is checked in accordance with Regulation (EU) No 1151/2012; The inspection body is CSQA Certificazioni S.r.l. (address: Thiene (VI) -I- Via San Gaetano n. 74, Italy; telephone number: +39 0445313011; email address: csqa@csqa.it; certified email address: csqa@legalmail.it).'

Updating of references to legislation

14. The references to Council Regulation (EEC) No 2081/92 in Articles 1 and 7 have been replaced with references to the legislation that is currently in force.

SINGLE DOCUMENT

‘ASPARAGO DI BADOERE’**EU No: PGI-IT-0495-AM01 - 25.11.2019****PDO () PGI (X)****1. Name(s)**

‘Asparago di Badoere’

2. Member State or third country

Italy

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

Class 1.6: Fruit, vegetables and cereals fresh or processed

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

‘Asparago di Badoere’ consists of asparagus spears grown from plants of the Liliaceae family (white varieties ‘Thielim’, ‘Zeno’, ‘Grolim’, ‘Cumulus’, ‘Darzilla’, ‘Hercolim’, ‘Marco’, ‘Vittorio’ or ‘Giove’ or green varieties ‘Eros’, ‘Thielim’, ‘Grolim’, ‘Cumulus’, ‘Magnus’, ‘Giove’ or ‘Vittorio’ of the species *Officinalis* from the genus *Asparagus*).

Other asparagus cultivars resulting from varietal research can be used provided that there is experimental and bibliographic evidence that the production method and characteristics of ‘Asparago di Badoere’ PGI are respected.

The Ministry of Agricultural, Food and Forestry Policy must be notified before any such cultivar is used to produce ‘Asparago di Badoere’ PGI.

When released onto the market, the asparagus spears of either type covered by ‘Asparago di Badoere’ PGI must be intact, sound, free from damage caused by unsuitable washing practices, clean, fresh in appearance and colour, free from pests or damage caused by pests, unbruised, free of abnormal external moisture or any foreign smell and/or taste, crunchy, not hollow and unpeeled. The cut at the base must be clean and perpendicular to the stem.

‘Extra’ Class white ‘Asparago di Badoere’ PGI consists of straight spears with tightly closed tips. The spears are white, but may develop a pink tinge after packaging. They taste sweet, not sour or salty, and are tender and not at all fibrous, with a slight scent of fresh legumes and ripe wheat, and a barely perceptible hint of bitterness. The spears measure between 12 and 20 mm in diameter, with a maximum variation of 6 mm between the thickest and thinnest spears in a single bundle or package, and between 14 and 22 cm in length, with a maximum variation of 1 cm between the shortest and longest spears in a single bundle or package.

Class I white ‘Asparago di Badoere’ PGI is the same as the ‘Extra’ Class in terms of form, colour, taste and length, but can range from 10 to 22 mm in diameter, with a maximum difference of 8 mm between the thickest and thinnest spears in the same bundle or package.

Class II white ‘Asparago di Badoere’ PGI consists of full asparagus spears with tips, which may be slightly feathered. The spears are white, with a possible pink tinge, measuring between 8 and 30 mm in diameter (all the asparagus making up a bundle or package being uniformly prepared) and up to 22 cm long (all the asparagus making up a bundle or package being uniformly prepared).

Class II asparagus may only be used in the processing industry.

'Extra' Class green 'Asparago di Badoere' PGI consists of straight asparagus spears that may be slightly curved at the tip. Their tips are tightly closed and are a dark, shiny green in colour, possibly with a violet tinge. The butt at the base of the spear (no more than 5 % of the total length) is green with a violet to white tinge. This asparagus has a strong sweet taste, and is not sour, salty or bitter. It is tender, not fibrous and has a persistent fruity, grassy aroma. The spears measure between 12 and 20 mm in diameter, with a maximum variation of 6 mm between the thickest and thinnest spears in a single bundle, and between 18 and 27 cm in length, with a maximum variation of 1 cm between the shortest and longest spears in a single bundle.

Class I green 'Asparago di Badoere' PGI is the same as the 'Extra' Class in terms of form, colour, taste, but can range from 8 to 22 mm in diameter, with a maximum difference of 8 mm between the thickest and thinnest spears in the same bundle and between 16 and 27 cm in length, with a maximum variation of 1 cm between the shortest and longest spears in a single bundle.

Class II green 'Asparago di Badoere' PGI consists of full asparagus spears with slightly feathered tips. The spears are green, with a possible violet tinge, measuring between 8 and 30 mm in diameter (all the asparagus making up a bundle or package being uniformly prepared) and up to 27 cm long (all the asparagus making up a bundle or package being uniformly prepared).

Class II asparagus may only be used in the processing industry.

The maximum accepted tolerance for deviation from the length and diameter requirements described above for the different classes is 3 % of weight.

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

—

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

All stages of the production of 'Asparago di Badoere', from growing to harvesting, take place in the defined geographical area.

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

In order to preserve the quality characteristics referred to in point 3.2, 'Asparago di Badoere' PGI asparagus may only be marketed if it has been packaged within the production area into either bundles or food-grade packaging.

'Asparago di Badoere' must be packaged in the area described in point 4 in order to ensure traceability and control and to prevent deterioration in the quality of 'Asparago di Badoere' as a result of impact or bruising during the transportation of the unpackaged product, which can cause the asparagus to blacken and impair its quality characteristics.

Each package must comprise only asparagus of the same category and diameter range.

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

Bundles and packs must be labelled with the words 'Asparago di Badoere' IGP [PGI] in letters of uniform size, with specific reference to the type of asparagus (green, white or green and white) that the pack contains, the (company) name and the address of the grower and packager, the marketing class ('Extra', 'I', or 'II' along with the words 'for processing only'), the diameter range and any other information required by the legislation in force.

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

The 'Asparago di Badoere' PGI production area comprises the municipalities of Piombino Dese and Trebaseleghe in the Province of Padua; Casale sul Sile, Casier, Istrana, Mogliano Veneto, Morgano, Paese, Preganziol, Quinto di Treviso, Resana, Treviso, Vedelago and Zero Branco in the province of Treviso; and Scorzè in the province of Venice.

5. Link with the geographical area

The link between the geographical area and the 'Asparago di Badoere' is based on quality.

Both types of 'Asparago di Badoere' are characterised by rapid development. This gives the spears certain properties, both physical (barely any fibrousness and particularly bright colouring) and organoleptic (the distinctive properties described in point 3.2).

The combination of soil and climate conditions in the production area, as evidenced below, is essential for ensuring the quality and uniqueness of 'Asparago di Badoere', since it helps to shape the product's distinguishing physical and organoleptic features.

The 'Asparago di Badoere' production area is characterised by a weighted average temperature of around 15 °C, with temperature swings of up to 30 °C over the course of the year. Average annual rainfall is around 900 mm, normally concentrated in the spring and autumn. These conditions eliminate the need to water the crop during the harvest period, so the plants are not subjected to water stress, a factor which contributes to the excellent quality of 'Asparago di Badoere'. Moreover, slow-flowing rivers from karst springs — the Rivers Sile, Zero and Dese and their tributaries — run through the production area, rendering the land fertile and productive. This makes the plants highly vigorous, removing the need for fertilisation other than the applications that are normally required. The fact that the soil is nitrogen-poor helps the spears to grow intact, without visible splits or cracks. The soil in the production area is loose. 'Asparago di Badoere' can only be grown in deep soils with a fairly coarse to medium texture, that are barely calcareous at the surface, subalkaline to neutral in terms of soil pH, and have good to medium drainage, possibly with calcium carbonate deposits deeper down.

The Veneto region has a long tradition of asparagus-growing, which seemingly dates back to the time the Romans conquered land there.

There are countless documentary sources mentioning 'Asparago di Badoere', both white and green, as one of the most sought-after local products of the Veneto region. It is also worth remembering that Badoere was of such importance in asparagus-growing in the province that the local authorities of Morgano, the municipality to which Badoere belongs, organised the first local asparagus festival in 1968, a tradition which has carried on to the present day. Asparagus-growing is deeply rooted in the culture of the local people, with growing techniques passed down from one generation to the next. The specific blend of production factors — such as the manual, artisanal nature of this activity — and the soil and climate conditions in the defined area results in a product that stands out clearly from the rest of the sector. The fact that the product is so widely distributed and well known, thanks to a series of promotional campaigns, also attests to the acclaim of 'Asparago di Badoere'.

Reference to publication of the product specification

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

The consolidated text of the product specification can be consulted by visiting: <http://www.politicheagricole.it/flex/cm/pages/ServeBLOB.php/L/IT/IDPagina/3335>

or alternatively:

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

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

(2021/C 102/08)

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

‘TUZSÉRI ALMA’

EU No: PDO-HU-02483 – 20.9.2018

PDO (X) PGI ()

1. Name(s)

‘Tuzséri alma’

2. Applicant country(ies)

Hungary

3. Description of the agricultural product or foodstuff

3.1. Type of product

Class 1.6: Fruit, vegetables and cereals fresh or processed

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

The protected designation of origin (PDO) ‘Tuzséri alma’ may be used for apples for fresh consumption of the Gala, Jonagold, Red Delicious, Golden Delicious, Mutsu, Idared, Jonathan and Granny Smith varieties of the species *Malus domestica*.

Physical properties:

Each variety in the defined geographical area is characterised by higher-than-average flesh firmness (min. 6 kg/cm²) and consequently crisp flesh, a long shelf life and a higher-than-average sugar content (min. 10 ° Brix).

Typically, only the red apple varieties (Gala, Jonagold, Red Delicious, Idared, Jonathan) have a higher colour coverage (min. 40 %) and an intensely coloured epicarp.

At the time of entry into storage, the physical and organoleptic characteristics of the different varieties are summarised in the table below:

Variety: Flesh firmness (minimum, kg/cm²); Sugar content (minimum °Brix); Colour coverage (min. %)

Gala:	7;	11;	40
Jonagold:	6;	12;	40
Red Delicious:	7;	11;	50
Golden delicious:	6, 5;	12;	not relevant
Mutsu:	7;	11;	not relevant
Idared:	6;	11;	40
Jonathan:	6, 5;	12;	40
Granny Smith:	7;	10;	not relevant

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

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

—

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

‘Tuzséri alma’ must be grown and harvested exclusively in the geographical area specified 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 logo below must be affixed to every product placed on the market, either on the apples individually or on the closed and sealed packaging units.

Where the apples are labelled individually, at least 70 % of the apples must be labelled.

The logo features, in a semi-circle, under the words ‘Tuzséri alma’, a whole red apple on the left with a green leaf pointing towards another apple, which is cut in half and has yellowy flesh and green skin, with a pip in each half of its white core in the middle.



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

The administrative boundaries of the village of Tuzsér in the Rétköz region of Szabolcs-Szatmár-Bereg County.

5. **Link with the geographical area**

The quality of ‘Tuzséri alma’ is due exclusively to the natural and human factors linked to the defined geographical area.

Natural factors:

Tuzsér is located by the River Tisza, at between 100 and 113 metres above sea level. It is bordered by the Zemplén Mountains in the north and the Outer Eastern Carpathians in the north-east. Another important natural feature is that the area is located in the U-shaped embrace of the River Tisza, known as the ‘Tisza Elbow’.

It has a moderately warm and dry climate, with a high number of hours of sunshine during the growing season. Daily temperature fluctuation is high.

Before the River Tisza was regulated, the production area was part of the river floodplain. Consequently, it has alluvial soil rich in humus and phosphorus.

Owing to the proximity of the river in the Tisza Elbow, the production area has a high level of humidity due to the natural evaporation of water.

Specificity of the product:

At the time of entry into storage, ‘Tuzséri alma’ has a high sugar content (min. 10 ° Brix) and higher flesh firmness (min 6 kg/cm²) than other apples. Consequently, ‘Tuzséri alma’ stores better than average, during which it retains its taste and flavour. Colour coverage is higher (min. 40 %) in the red varieties and the red more intense and brighter than in apples grown elsewhere.

Causal link between the geographical area and the characteristics of the product (The causal link between the geographical area and the product's special quality)

The mountain ranges surrounding the area afford protection from the north and east during the flowering of the trees and the development of the fruit.

High supplies of phosphorus and low-nitrogen fertilisation make the fruit flesh firmer than average.

The production area of 'Tuzséri alma' is characterised by a slower pace of ripening, which is clearly due to its geographical location. Combined, alluvial soil and high humidity slow down sugar incorporation. Therefore ripening is not a sudden process.

The high number of hours of sunshine, high daily temperature fluctuation caused by hot days and cool nights, and tree-crown pruning result in a high sugar content. Thanks to the alluvial soil with an abundant water supply, the fruit is juicy and, accordingly, the presence of sugar is less pronounced, which results in a harmonious, acidic taste.

Natural evaporation of the river in the Tisza Elbow makes the production area more humid. Morning dew is also considerably higher due to the proximity of the river. High humidity, dewdrops developing on the surface of the fruit during the night, high daily temperature fluctuation, high sunshine hours in the growing season and tree-crown pruning make for a high colour coverage, since these natural factors promote a high level of anthocyanin of the skin, increasing the intense red tone of the apples.

A description of the human factors relevant to the given geographical environment and which contribute to the development of the specific properties of the product:

The following human skills contribute to the characteristics of 'Tuzséri alma':

The cultivation of 'Tuzséri alma' takes place in a human and professional environment that goes back 300 years and successfully draws on growing experience that has been handed down for generations. Apple trees are grown in rows with grassy areas between, which promotes better water-holding capacity, as opposed to regularly tilled rows elsewhere. The 'Sándor Nagy' pruning technique that is applied here creates a breezier and more open foliage structure, which helps the sun to better reach the fruit growing in the crown of the tree. Fertilisers low in nitrogen are used. Sound cultivation allows farmers to be active in the production process from the first to the last phase. Harvesting, pre-selection and sorting are carried out by hand, making sure only ripe fruit is picked, meaning that human experience and expertise take on a crucial role in the harvest. The knowledge of fruit pickers and sorters has also been handed down for generations. The Sándor Nagy Garden Club (Nagy Sándor Kertbarát Klub Egyesület) in the village of Tuzsér is an important professional body that brings together know-how and promotes the development of apples producers in the area.

Reference to publication of the product specification

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

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