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# C 184



English edition

## Information and Notices

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<sup>(1)</sup> Text with EEA relevance.

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<sup>(1)</sup> Text with EEA relevance.

## II

*(Information)*INFORMATION FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES  
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## EUROPEAN COMMISSION

**Non-opposition to a notified concentration****(Case M.10237 — Bridgepoint/Infinigate)****(Text with EEA relevance)**

(2021/C 184/01)

On 6 May 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 <sup>(1)</sup>. 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 32021M10237. EUR-Lex is the online access to European law.

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<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1.

**Non-opposition to a notified concentration**  
**(Case M.10200 — Blackstone/GIP/Cascade/Signature)**

(Text with EEA relevance)

(2021/C 184/02)

On 7 May 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 <sup>(1)</sup>. 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 32021M10200. EUR-Lex is the online access to European law.

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<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1.

**Non-opposition to a notified concentration**  
**(Case M.10197 — CSS/Visana/Zur Rose/medi24/WELL JV)**

(Text with EEA relevance)

(2021/C 184/03)

On 6 May 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 <sup>(1)</sup>. 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 32021M10197. EUR-Lex is the online access to the European law.

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<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1.

## IV

(Notices)

## NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

## EUROPEAN COMMISSION

Euro exchange rates <sup>(1)</sup>

11 May 2021

(2021/C 184/04)

1 euro =

Currency	Exchange rate	Currency	Exchange rate		
USD	US dollar	1,2170	CAD	Canadian dollar	1,4729
JPY	Japanese yen	132,12	HKD	Hong Kong dollar	9,4527
DKK	Danish krone	7,4360	NZD	New Zealand dollar	1,6718
GBP	Pound sterling	0,86013	SGD	Singapore dollar	1,6125
SEK	Swedish krona	10,1130	KRW	South Korean won	1 361,23
CHF	Swiss franc	1,0976	ZAR	South African rand	16,9847
ISK	Iceland króna	150,90	CNY	Chinese yuan renminbi	7,8177
NOK	Norwegian krone	10,0320	HRK	Croatian kuna	7,5387
BGN	Bulgarian lev	1,9558	IDR	Indonesian rupiah	17 254,20
CZK	Czech koruna	25,571	MYR	Malaysian ringgit	5,0122
HUF	Hungarian forint	358,34	PHP	Philippine peso	58,230
PLN	Polish zloty	4,5522	RUB	Russian rouble	89,9947
RON	Romanian leu	4,9270	THB	Thai baht	37,849
TRY	Turkish lira	10,0811	BRL	Brazilian real	6,3576
AUD	Australian dollar	1,5509	MXN	Mexican peso	24,1364
			INR	Indian rupee	89,2890

<sup>(1)</sup> Source: reference exchange rate published by the ECB.

**Opinion of the Advisory Committee on restrictive agreements and dominant positions at its meeting on 18 March 2021 concerning a draft decision in Case AT.40023 – Cross-border access to pay-TV**

**Rapporteur: Poland**

(Text with EEA relevance)

(2021/C 184/05)

1. The Advisory Committee (13 Member States) agrees with the Commission to withdraw its decision of 7 March 2019, notified under document C(2019) 1772 final, by adopting the draft withdrawal decision, communicated to the Advisory Committee, under Article 101 of the Treaty on the Functioning of the European Union and Article 53 of the EEA Agreement.
  2. The Advisory Committee (13 Member States) recommends the publication of its opinion in the *Official Journal of the European Union*.
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**Final Report of the Hearing Officer <sup>(1)</sup>****Case AT.40023 – Cross-border access to pay-TV – Withdrawal****(Text with EEA relevance)**

(2021/C 184/06)

The draft decision, addressed to The Walt Disney Company, The Walt Disney Company Limited, Comcast Corporation, Universal Studios International B.V., Universal Studios Limited, Sony Group Corporation, CPT Holdings Inc., Colgems Productions Limited, Warner Media LLC, Warner Bros. International Television Distribution Inc. Sky Limited and Sky UK Limited (together 'the parties'), concerns the withdrawal of the Commission's 2019 Decision in Case AT.40023 – *Cross border access to pay-TV* (the '2019 Decision') <sup>(2)</sup> that made certain commitments binding on the parties.

On 21 January 2021, the Directorate-General for Competition wrote to the parties, informing them that it was considering proposing that the Commission withdraw the 2019 Decision and discharge the monitoring trustees from their obligation to monitor compliance with the commitments ('21 January 2021 Letter'), in light of the judgment in Case C-132/19 P <sup>(3)</sup> that annulled the commitments in the Commission's 2016 Decision in Case AT.40023 – *Cross border access to pay-TV*, <sup>(4)</sup> that were essentially identical in scope to the commitments in the 2019 Decision. The 21 January 2021 Letter invited the parties to submit any observations regarding the potential withdrawal of the 2019 Decision by 5 February 2021. None of the parties objected to the withdrawal of the 2019 Decision.

I consider that all parties have been able to effectively exercise their procedural rights in this case.

Brussels, 18 March 2021.

Wouter WILS

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<sup>(1)</sup> Pursuant to Articles 16 and 17 of Decision 2011/695/EU of the President of the European Commission of 13 October 2011 on the function and terms of reference of the hearing officer in certain competition proceedings (OJ L 275, 20.10.2011, p. 29).

<sup>(2)</sup> Commission Decision of 7 March 2019 relating to a proceeding under Article 101 of the Treaty on the Functioning of the European Union and Article 53 of the EEA Agreement (Case AT.40023 — *Cross- border access to pay-TV*), C(2019) 1772 final (OJ C 132, 9.4.2019, p. 8).

<sup>(3)</sup> Case C-132/19 P - *Groupe Canal + v Commission*, EU:C:2020:1007.

<sup>(4)</sup> Commission Decision of 26 July 2016 relating to a proceeding under Article 101 of the Treaty on the Functioning of the European Union and Article 53 of the EEA Agreement (Case AT.40023 — *Cross- border access to pay-TV*), C(2016) 4740 final (OJ C 437, 25.11.2016, p. 5).



**Summary of Commission Decision**  
**of 31 March 2021**  
**relating to a proceeding under Article 101 of the Treaty on the Functioning of the European Union**  
**and Article 53 of the EEA Agreement**

**(Case AT.40023 - Cross-border access to pay-TV)**

*(notified under document C(2021) 2076)*

**(Only the English text is authentic)**

**(Text with EEA relevance)**

(2021/C 184/07)

*On 31 March 2021, the Commission adopted a decision relating to a proceeding under Article 101 of the Treaty on the Functioning of the European Union and Article 53 of the EEA agreement. In accordance with the provisions of Article 30 of Council Regulation (EC) No 1/2003 <sup>(1)</sup>, the Commission herewith publishes the names of the parties and the main content of the decision, having regard to the legitimate interest of undertakings in the protection of their business secrets.*

- (1) By decision of 26 July 2016, notified under document C(2016) 4740 final (the '2016 Decision'), the Commission made commitments binding on Viacom Inc. and Paramount Pictures International Limited (formerly Viacom Global (Netherlands) B.V.).
- (2) By decision of 7 March 2019, notified under document C(2019) 1772 final (the '2019 Decision'), the Commission made similar commitments binding on The Walt Disney Company and The Walt Disney Company Limited (together 'Disney'), Comcast Corporation, Universal Studios International B.V. and Universal Studios Limited (together 'NBCUniversal'), Sony Corporation (currently Sony Group Corporation), CPT Holdings Inc. and Colgems Productions Limited (together 'Sony Pictures'), Warner Media LLC and Warner Bros. International Television Distribution Inc. (together 'Warner Bros.'), and Sky UK Limited and Sky Limited (together 'Sky').
- (3) By judgment of 9 December 2020 in Case C-132/19 P Groupe Canal + v Commission <sup>(2)</sup>, the Court of Justice of the European Union annulled the 2016 Decision.
- (4) Since the scope of the commitments made binding by the 2019 Decision were essentially identical to those of the 2016 Decision, the Commission considers appropriate to withdraw the 2019 Decision.
- (5) The Advisory Committee on Restrictive Practices and Dominant Positions issued a favourable opinion on 18 March 2021.
- (6) By this Decision, addressed to Disney, NBCUniversal, Sony Pictures, Warner Bros. and Sky, the Commission withdraws Decision C(2019) 1772 final of 7 March 2019.

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<sup>(1)</sup> OJ L 1, 4.1.2003, p. 1. Regulation as amended by Regulation (EC) No 411/2004 (OJ L 68, 6.3.2004, p. 1).

<sup>(2)</sup> EU:C:2020:1007.

## NOTICES FROM MEMBER STATES

**Update of the list of border crossing points as referred to in Article 2(8) 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)**

(2021/C 184/08)

The publication of the list of border crossing points as referred to in Article 2(8) 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) <sup>(1)</sup> is based on the information notified by the Member States to the Commission pursuant to Article 39 of the Schengen Borders Code.

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

**LIST OF BORDER CROSSING POINTS**

FRANCE

*Replacement of the information published in OJ C 231, 14.7.2020, p. 2.*

**Air borders**

- (1) Ajaccio-Napoléon-Bonaparte
- (2) Albert-Bray
- (3) Angers-Marcé
- (4) Angoulême-Brie-Champniers
- (5) Annecy-Methet
- (6) Auxerre-Branches
- (7) Avignon-Caumont
- (8) Bâle-Mulhouse
- (9) Bastia-Poretta
- (10) Beauvais-Tillé
- (11) Bergerac-Dordogne-Périgord
- (12) Béziers-Vias
- (13) Biarritz-Pays Basque
- (14) Bordeaux-Mérignac
- (15) Brest-Bretagne
- (16) Brive-Souillac
- (17) Caen-Carpiquet
- (18) Calais-Dunkerque
- (19) Calvi-Sainte-Catherine
- (20) Cannes-Mandelieu
- (21) Carcassonne-Salvaza
- (22) Châlons-Vatry

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<sup>(1)</sup> OJ L 77, 23.3.2016, p. 1.

- (23) Chambéry-Aix-les-Bains
- (24) Châteauroux-Déols
- (25) Cherbourg-Mauperthus
- (26) Clermont-Ferrand-Auvergne
- (27) Colmar-Houssen
- (28) Deauville-Normandie
- (29) Dijon-Longvic
- (30) Dinard-Pleurtuit-Saint-Malo
- (31) Dôle-Tavaux
- (32) Epinal-Mirecourt
- (33) Figari-Sud Corse
- (34) Grenoble-Alpes-Isère
- (35) Hyères-le Palivestre
- (36) Paris-Issy-les-Moulineaux
- (37) La Môle-Saint-Tropez (from 1 July to 15 October)
- (38) La Rochelle-Ile de Ré
- (39) La Roche-sur-Yon
- (40) Laval-Entrammes
- (41) Le Havre-Octeville
- (42) Le Mans-Arnage
- (43) Le Touquet-Côte d'Opale
- (44) Lille-Lesquin
- (45) Limoges-Bellegarde
- (46) Lorient-Lann-Bihoué
- (47) Lyon-Bron
- (48) Lyon-Saint-Exupéry
- (49) Marseille-Provence
- (50) Metz-Nancy-Lorraine
- (51) Monaco-Héliport
- (52) Montpellier-Méditerranée
- (53) Nantes-Atlantique
- (54) Nice-Côte d'Azur
- (55) Nîmes-Garons
- (56) Orléans-Bricy
- (57) Orléans-Saint-Denis-de-l'Hôtel
- (58) Paris-Charles de Gaulle
- (59) Paris-le Bourget
- (60) Paris-Orly
- (61) Pau-Pyrénées
- (62) Perpignan-Rivesaltes
- (63) Poitiers-Biard
- (64) Quimper-Pluguffan (open from the beginning of May to the beginning of September)

- (65) Rennes Saint-Jacques
- (66) Rodez-Aveyron
- (67) Rouen-Vallée de Seine
- (68) Saint-Brieuc-Armor
- (69) Saint-Etienne Loire
- (70) Saint-Nazaire-Montoir
- (71) Strasbourg-Entzheim
- (72) Tarbes-Lourdes-Pyrénées
- (73) Toulouse-Blagnac
- (74) Toulouse-Francazal
- (75) Tours-Val de Loire
- (76) Troyes-Barbèrey

**Sea borders**

- (1) Ajaccio
- (2) Bastia
- (3) Bayonne
- (4) Bordeaux
- (5) Boulogne
- (6) Brest
- (7) Caen-Ouistreham
- (8) Calais
- (9) Cannes-Vieux Port
- (10) Carteret
- (11) Cherbourg
- (12) Dieppe
- (13) Douvres
- (14) Dunkerque
- (15) Granville
- (16) Honfleur
- (17) La Rochelle-La Pallice
- (18) Le Havre
- (19) Les Sables-d'Olonne-Port
- (20) Lorient
- (21) Marseille
- (22) Monaco-Port de la Condamine
- (23) Nantes-Saint-Nazaire
- (24) Nice
- (25) Port-de-Bouc-Fos/Port-Saint-Louis
- (26) Port-la-Nouvelle
- (27) Port-Vendres
- (28) Roscoff
- (29) Rouen

- (30) Saint-Brieuc
- (31) Saint-Malo
- (32) Sète
- (33) Toulon

**Land borders**

- (1) Bourg Saint Maurice railway station (open from the beginning of December to mid-April)
- (2) Moutiers railway station (open from the beginning of December to mid-April)
- (3) Ashford International railway station
- (4) Cheriton/Coquelles
- (5) Chessy-Marne-la-Vallée railway station
- (6) Fréthun railway station
- (7) Lille-Europe railway station
- (8) Paris-Nord railway station
- (9) St-Pancras railway station
- (10) Ebbsfleet railway station
- (11) Pas de la Case-Porta

**List of previous publications**

- |                               |                              |
|-------------------------------|------------------------------|
| OJ C 247, 13.10. 2006, p. 25. | OJ C 356, 6.12.2011, p. 12.  |
| OJ C 77, 5.4. 2007, p. 11.    | OJ C 111, 18.4.2012, p. 3.   |
| OJ C 153, 6.7. 2007, p. 22.   | OJ C 183, 23.6.2012, p. 7.   |
| OJ C 164, 18.7. 2008, p. 45.  | OJ C 313, 17.10.2012, p. 11. |
| OJ C 316, 28.12.2007, p. 1.   | OJ C 394, 20.12.2012, p. 22. |
| OJ C 134, 31.5.2008, p. 16.   | OJ C 51, 22.2.2013, p. 9.    |
| OJ C 177, 12.7.2008, p. 9.    | OJ C 167, 13.6.2013, p. 9.   |
| OJ C 200, 6.8.2008, p. 10.    | OJ C 242, 23.8.2013, p. 2.   |
| OJ C 331, 31.12.2008, p. 13.  | OJ C 275, 24.9.2013, p. 7.   |
| OJ C 3, 8.1.2009, p. 10.      | OJ C 314, 29.10.2013, p. 5.  |
| OJ C 37, 14.2.2009, p. 10.    | OJ C 324, 9.11.2013, p. 6.   |
| OJ C 64, 19.3.2009, p. 20.    | OJ C 57, 28.2.2014, p. 4.    |
| OJ C 99, 30.4.2009, p. 7.     | OJ C 167, 4.6.2014, p. 9.    |
| OJ C 229, 23.9.2009, p. 28.   | OJ C 244, 26.7.2014, p. 22.  |
| OJ C 263, 5.11.2009, p. 22.   | OJ C 332, 24.9.2014, p. 12.  |
| OJ C 298, 8.12.2009, p. 17.   | OJ C 420, 22.11.2014, p. 9.  |
| OJ C 74, 24.3.2010, p. 13.    | OJ C 72, 28.2.2015, p. 17.   |
| OJ C 326, 3.12.2010, p. 17.   | OJ C 126, 18.4.2015, p. 10.  |
| OJ C 355, 29.12.2010, p. 34.  | OJ C 229, 14.7.2015, p. 5.   |
| OJ C 22, 22.1.2011, p. 22.    | OJ C 341, 16.10.2015, p. 19. |
| OJ C 37, 5.2.2011, p. 12.     | OJ C 84, 4.3.2016, p. 2.     |
| OJ C 149, 20.5.2011, p. 8.    | OJ C 236, 30.6.2016, p. 6.   |
| OJ C 190, 30.6.2011, p. 17.   | OJ C 278, 30.7.2016, p. 47.  |
| OJ C 203, 9.7.2011, p. 14.    | OJ C 331, 9.9.2016, p. 2.    |
| OJ C 210, 16.7.2011, p. 30.   | OJ C 401, 29.10.2016, p. 4.  |
| OJ C 271, 14.9.2011, p. 18.   | OJ C 484, 24.12.2016, p. 30. |

OJ C 32, 1.2.2017, p. 4.

OJ C 74, 10.3.2017, p. 9.

OJ C 120, 13.4.2017, p. 17.

OJ C 152, 16.5.2017, p. 5.

OJ C 411, 2.12.2017, p. 10.

OJ C 31, 27.1.2018, p. 12.

OJ C 261, 25.7.2018, p. 6.

OJ C 264, 26.7.2018, p. 8.

OJ C 368, 11.10.2018, p. 4.

OJ C 459, 20.12.2018, p. 40.

OJ C 43, 4.2.2019, p. 2.

OJ C 64, 27.2.2020, p. 17.

OJ C 231, 14.7.2020, p. 2.

OJ C 58, 18.2.2021, p. 35.

OJ C 81, 10.3.2021, p. 27.

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**List of customs offices empowered to handle formalities for the exportation of cultural goods,  
published in accordance with Article 5(2) of Council Regulation (EC) No 116/2009 <sup>(1)</sup>**

(2021/C 184/09)

Member State	Name of customs	Region (if applicable)
BELGIUM	All customs offices	
BULGARIA	All customs offices	
CZECH REPUBLIC	All customs offices	
DENMARK	All customs offices	
GERMANY	All customs offices	
ESTONIA	All customs offices	
IRELAND	All customs offices	
GREECE	1) Customs office of Athens, 12th km of national road Athens-Lamia (A1) 144 10 Metamorphosi	
	2) 1st Customs Office of Thessaloniki, Port of Thessaloniki 54110 Thessaloniki	
SPAIN	All Customs offices	
FRANCE	All customs offices	
CROATIA	All customs offices	
ITALY	All customs offices	
CYPRUS	District Customs House of Nicosia	Nicosia
	District Customs House of Larnaca	Larnaca
	District Customs House of Limassol	Limassol
LATVIA	All customs offices	
LITHUANIA	All customs offices	
LUXEMBOURG	Luxembourg Aéroport (LU715000)	
	Bettembourg (LU701000)	
HUNGARY	Nemzeti Adó- és Vámhivatal megyei (fővárosi) adó-és vámigazgatóságai [all County Directorates and Budapest Capital Directorate of National Tax and Customs Authority]	
	Nemzeti Adó- és Vámhivatal Kiemelt Adó- és Vámigazgatóság [Directorate of Priority Taxpayers of National Tax and Customs Authority]	
	Nemzeti Adó- és Vámhivatal Repülőtéri Igazgatóság [Budapest Airport Directorate of National Tax and Customs Authority]	

(<sup>1</sup>) OJ L 39, 10.2.2009, p. 1.

MALTA	Export Supervision Unit Lascaris Wharf, Valletta VLT 1920	
NETHERLANDS	All customs offices	
AUSTRIA	All customs offices	
POLAND	All customs offices	
PORTUGAL	Alfândega Marítima de Lisboa	
	Alfândega do Aeroporto de Lisboa	
	Alfândega de Alverca	
	Alfândega de Leixões	
	Alfândega do Aeroporto de Sá Carneiro (Porto)	
	Alfândega do Funchal	
	Alfândega de Ponta Delgada	
ROMANIA	All customs offices	
SLOVENIA	All customs offices	
SLOVAK REPUBLIC	All customs offices	
FINLAND	All customs offices	
SWEDEN	All customs offices	



## V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION  
POLICY

EUROPEAN COMMISSION

**Prior notification of a concentration**

**(Case M.10122 — Mayr-Melnhof Karton/Kotkamills)**

(Text with EEA relevance)

(2021/C 184/10)

1. On 4 May 2021, the Commission received notification of a proposed concentration pursuant to Article 4 and following a referral pursuant to Article 4(5) of Council Regulation (EC) No 139/2004 <sup>(1)</sup>.

This notification concerns the following undertakings:

- Mayr-Melnhof Cartonboard International GmbH ('Mayr-Melnhof Cartonboard International', Austria), belonging to the group Mayr-Melnhof Karton AG ('MM'; together with its subsidiaries the 'MM Group'),
- Kotkamills Group Oyj (together with its subsidiaries 'Kotkamills', Finland).

MM acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of Kotkamills.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- for MM: production of cartonboard and packaging products, in particular folding cartons and, to a limited extent, (mechanical) pulp,
- for Kotkamills: manufacture of virgin-fibre cartonboard, Saturating Base Kraft ('SBK') and sawn softwood.

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

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

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

M.10122 — Mayr-Melnhof Karton/Kotkamills

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

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<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').

Postal address:

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

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**Prior notification of a concentration**  
**(Case M.10267 — Hellman & Friedman/Genstar/Enverus)**  
**Candidate case for simplified procedure**

(Text with EEA relevance)

(2021/C 184/11)

1. On 5 May 2021, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 <sup>(1)</sup>.

This notification concerns the following undertakings:

- Hellman & Friedman LLC ('Hellman & Friedman', USA),
- Genstar Capital Partners, LLC ('Genstar', USA), and
- Titan DI Holdings, Inc., the holding company of the Enverus group ('Enverus', USA) currently solely controlled by Genstar.

Hellman & Friedman and Genstar acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of Enverus.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- for Hellman & Friedman: private equity firm with investments in a variety of sectors worldwide, focused on market-leading firms with growth potential,
- for Genstar: private equity firm specializing in investments in middle market companies in financial services, healthcare, industrial technology and software industries, and
- for Enverus: a software-as-a-service ("SaaS") provider of business-critical insights to the energy, power, and commodities industries, whose SaaS solutions are focused on upstream, midstream and downstream markets, empowering exploration and production, oilfield services, midstream, utilities, trading and risk, and capital markets companies to be more collaborative, efficient, and competitive.

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 <sup>(2)</sup> 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.10267 — Hellman & Friedman/Genstar/Enverus

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

<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').

<sup>(2)</sup> OJ C 366, 14.12.2013, p. 5.

Postal address:

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

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## OTHER ACTS

## EUROPEAN COMMISSION

**Publication of an application pursuant to Article 17(6) of Regulation (EC) No 110/2008 of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89 <sup>(1)</sup>**

(2021/C 184/12)

This publication confers the right to oppose the application pursuant to Article 27 of Regulation (EU) 2019/787 of the European Parliament and of the Council <sup>(2)</sup>.

## MAIN SPECIFICATIONS OF THE TECHNICAL FILE

**‘NAGYKUNSÁGI BIRSPÁLINKA’**

**File number: PGI-HU-02233 – 18 October 2016**

**1. Geographical indication to be registered**

‘Nagykunsági birspálinka’

**2. Category of the spirit drink**

Fruit spirit (category 9 in Annex II to Regulation (EC) No 110/2008)

**3. Description of the spirit drink****3.1. Physical, chemical and/or organoleptic characteristics**

Chemical and physical characteristics:

‘Nagykunsági birspálinka’ has a minimum alcoholic strength of 40,0 % V/V; a maximum permitted methanol content of 1 100 g/hl of 100 % vol. alcohol; a volatile substance content of at least 400 g/hl of 100 % vol. alcohol; and a maximum hydrocyanic acid content of 3 g/hl.

Organoleptic characteristics:

Colour: clear, lustrous and colourless.

Aroma: clear, fruit-oriented, complemented primarily by the quince’s typical lively, fresh, citrusy notes. Slightly scented and floral notes also appear.

<sup>(1)</sup> OJ L 39, 13.2.2008, p. 16.

<sup>(2)</sup> OJ L 130, 17.5.2019, p. 1.

Taste: it has a dry, medium-bodied, and distinctly alcoholic character, and an intensely fruity taste. The tastes of the primary fruit, the quince, appear alongside lively, fresh, citrusy notes, complemented by pleasant tannins and discreet tones of stewed fruit or jam. The scented, fragrant notes reach the palate through the nose, complemented by a moderate spiciness. It has a smooth, velvety texture with a pronounced aftertaste.

'Nagykunsági birspálinka', 'érlelt' [matured]

Colour: straw- to golden-yellow.

Aroma: characterised by the fruitiness of pure quince and a discreet spiciness derived from the wooden cask, which preserves the fruit's citrusy, fragrant notes.

Taste: it has a full-bodied, distinctly alcoholic, fruity taste, with a spiciness derived from the wooden cask and richer tannin tones. It has a jam-like, sweet spiciness and leaves a rich aftertaste.

'Nagykunsági birspálinka', 'gyümölcságyon érlelt' or 'ágyas' [matured on a bed of fruit]

Colour: clear, pale- to amber-yellow, even in the presence of the fruit bed.

Aroma: clear, distinct, silky tones of quince and a rich, jam-like aroma, with a discreetly citrusy and scented background aroma.

Taste: dry, ripe tones, but with a delicious sweetness derived from the fruit bed, with notes reminiscent of quince and quince jam, discreet tannins and scentedness, and a very smooth, velvety, jam-like texture.

### 3.2. *Specific characteristics (compared to spirit drinks of the same category)*

The basic ingredient, the quince, gives the pálinka its mild, creamy, primarily waxy, spicy aroma and taste. Its tart, sweet taste is complemented by citrusy, spicy, sugary-jam notes. 'Nagykunsági birspálinka' consists at least 50 % of distillates of Mezőtúr quince varieties, which gives the pálinka scented, fragrant notes of rose.

## 4. **Geographical area concerned**

'Nagykunsági birspálinka' may be produced using quince originating from and in distilleries located within the administrative boundaries of the following municipalities of Jász-Nagykun-Szolnok County to the east of the Tisza River:

Tiszafüred, Tiszaszőlős, Tiszaigar, Tiszaderzs, Tiszaörs, Abádszalók, Tizzaszentimre, Nagyiván, Tiszabura, Tomajmonostora, Kunmadaras, Tiszaroff, Tiszagyenda, Kunhegyes, Berekfürdő, Tiszabő, Karcag, Fegyvernek, Kenderes, Kisújszállás, Tiszapüspöki, Örményes, Szolnok, Szajol, Törökszentmiklós, Túrkeve, Tiszatenyő, Kuncsorba, Rákóczifalva, Rákócziújfalu, Kengyel, Kétpó, Martfű, Mezőhék, Mezőtúr, Cibakháza, Tiszaföldvár, Mesterszállás, Nagyrév, Ócsöd, Tiszainoka, Tizsakürt, Cserkeszőlő, Kunszentmárton, Tizzasas, Csépa, Szelevény.

## 5. **Method for obtaining the spirit drink**

'Nagykunsági birspálinka' may be mashed, fermented, distilled, rested, matured and placed on a bed of fruit only in distilleries located in the defined area, from fruit grown there.

The main stages of obtaining the pálinka are as follows:

1. Selection and acceptance of the fruit
2. Mashing and fermentation
3. Distillation
4. Resting, maturation
5. Production and treatment of the pálinka

### 5.1. *Selection and acceptance of the fruit*

The pálinka is made from suitably ripened quince (ripe/overripe, with a dry matter content of at least 12 ref. %) of good or excellent quality. The main physical characteristics of the fruit are its medium-sized or large, spherical (apple) or elongated (pear) shape, greenish-yellow or yellow colour, pectin-rich, firm flesh and prominent fragrance and aroma. The fruit has an average sugar content of 7-13 %. Quantitative acceptance of the quince is based on weight. During acceptance, fruit quality is evaluated based on sampling. Organoleptic evaluation (ripeness, cleanness, mould, rot, damage or bruising, etc.) and the examination of dry matter content form the basis of quality control and acceptance. The fruit must be accompanied by documents attesting its origin. A fundamental requirement is that the fruit be free from deteriorating flaws and extraneous matter.

### 5.2. *Mashing and fermentation*

The clean, infection-free, ripe quinces are ground into a pulp. The optimum pH value is 2,8-3,5.

The optimum aroma and alcohol content is achieved, while the temperature is monitored and kept at a constant level (18-22 °C). The optimum duration of fermentation, depending on the internal qualities of the fruit, is 10–30 days.

The fermented mash must be distilled as soon as possible, or the basic conditions for proper storage ensured until such time as distillation can commence. Containers with an appropriate food industry rating must be used for the fermentation processes and for storage.

### 5.3. *Distillation*

'Nagykunsági birspálinka' can be produced using distillation equipment suitable for a double fractional distillation process based on methods using a still pot that incorporates a copper surface (distilling, refining), or any other technical solution that ensures the necessary organoleptic quality.

### 5.4. *Resting, maturation*

#### 5.4.1. *Resting*

'Nagykunsági birspálinka' must be rested until it becomes well-balanced.

#### 5.4.2. *Maturing*

##### 5.4.2.1. 'Nagykunsági birspálinka', 'érlelt' [matured]

If the term 'érlelt' [matured] is used, maturing must take place in carefully prepared and cleaned wooden casks, to ensure that the pálinka attains a harmonious flavour and aroma. If the outside temperature is above 25 °C, the air of the storage room must be humidified using a water spray at least once a week. 'Nagykunsági birspálinka' must be matured for at least three months in wooden casks of 1 000 litres or less, and for at least one year in wooden casks larger than 1 000 litres.

##### 5.4.2.2. 'Nagykunsági birspálinka', 'gyümölcságyon érlelt' or 'ágyas' [matured on a bed of fruit]

In the case of 'Nagykunsági birspálinka', 'gyümölcságyon érlelt' or 'ágyas' [matured on a bed of fruit], at least 10 kg of ripe or at least 5 kg of dried fruit from the geographical area specified in point 4 is added to every 100 litres of pálinka during maturation (the fruit bed must consist of the same type of fruit as that of the pálinka). Maturing on a bed of fruit takes at least 3 months. The process of maturing on a bed of fruit must be documented in a way that is verifiable on-site.

### 5.5. *Production and treatment of the pálinka*

In keeping with the very strict requirements for bottled products ( $\pm 0.3$  % V/V, or  $\pm 1.5$  % V/V for pálinka matured on a bed of fruit), the alcoholic strength of the rested and matured distillate must be adjusted to a level suitable for consumption by adding drinking-grade water. The water can be distilled, desalinated, demineralised or softened water.

The matured pálinka may be cooled and filtered. If necessary, treatment using appropriate technical auxiliary materials may be carried out to filter the product and remove any heavy metals. The pálinka may then be bottled.

Once the appropriate alcoholic strength has been achieved, the pálinka can be poured into washed bottles and closed using sealed aluminium screw-cap closures or corks that meet food packaging criteria. The bottles may be made of glass or ceramic.

The maximum permitted packaging unit is 2 litres; any volume larger than that may be packaged only as a one-off sample intended as a gift. The sealed product may also be placed in a decorative box.

## 6. **Link with the geographical environment or origin**

### 6.1. *Details of the geographical area or origin relevant to the link*

The link between 'Nagykunsági birspálinka' and the geographical area is based on the product's quality and reputation.

The almost entirely flat landscape of the Nagykovácsok is broken up only by mounds and rivers and their tributaries. Its loess, sandy but humus-rich soil is conducive to quince-growing. The number of sunshine hours exceeds 2 350 hours per year, while the annual mean temperature is 12 °C. It has a higher average summer temperature than the national average.

The region has its own quince variety, the Mezőtúr quince. Its mother tree was collected by Sándor Brózik in Mezőtúr in 1955. The current variant was produced by means of soil selection (variety). It has been included in the National Catalogue of Varieties since 1995.

### 6.2. *Specific characteristics of the spirit drink attributable to the geographical area*

The Nagykovácsok region has a higher number of sunshine hours and a higher average summer temperature than the national average. The humus-rich soil provides the fruit trees with plenty of nutrients, so the quince varieties grown here have a much more intense aroma and taste and a higher sugar content (average sugar content of 7-13 %). The characteristics of the fruit are therefore more prominent in pálinka made from this fruit. These characteristics include lively, fresh, citrusy notes, complemented by pleasant tannins and discreet tones of stewed fruit or jam.

The Mezőtúr quince variety accounts for at least 50 % of the raw ingredients of 'Nagykunsági birspálinka'. This variety largely determines the aromas of the pálinka it produces, since the scented, fragrant notes of rose dominate the pálinka.

Given the peculiarities of the quince (which accepts the stamen of both the apple and the pear), 'Nagykunsági birspálinka' can be produced using not only Mezőtúr quince, but also other quince varieties originating from the area. That said, 'Nagykunsági birspálinka' owes its unique properties primarily to the Mezőtúr quince variety.

The outstanding quality of 'Nagykunsági birspálinka' is also attested by the numerous awards it has won in national and international pálinka contests. Organised every year since 2008, the Nagykovácsok Pálinka Festival attracts a large number of visitors and is helping to increase the popularity of 'Nagykunsági birspálinka'. The product is also known and recognised internationally, with exports covering a wide range of countries, from Romania to Canada.

The reputation and quality of 'Nagykunsági birspálinka' is also attested by the following awards it has won in contests:

- National Pálinka and Grape Marc Pálinka Contest 2018, silver medal
- National Pálinka and Grape Marc Pálinka Contest 2017, silver medal
- National Pálinka and Grape Marc Pálinka Contest 2016, bronze medal
- 2012, First Pálinka, Fruit Spirit and Wine Brandy World Cup, Gyula, bronze medal
- 2012, First Regional Palóc Pálinka and Spirit Contest, silver medal
- 2011, Nineteenth International Small-Batch Pálinka Festival, Show and Fair, Gyula, gold medal



- 2010, Eighteenth International Small-Batch Pálinka Festival, Show and Fair, Gyula, silver medal
- 2009, Seventeenth Hungarian National Pálinka and International Fruit Spirit Contest, silver medal
- 2008, Sixteenth Hungarian National Pálinka and International Fruit Spirit Contest, Gyula, bronze medal
- 2008 HunDeszt Pálinka Contest, silver medal
- 2007 HunDeszt Pálinka Contest, gold medal
- 2007, Fifteenth National Pálinka and International Fruit Spirit Contest, Gyula, gold medal
- 2006 HunDeszt Pálinka Contest, bronze medal
- 2005 HunDeszt Pálinka Contest, silver medal
- 2005, Thirteenth Hungarian National Pálinka Contest, gold medal
- 2004 VinAgora International Wine and Pálinka Contest, silver medal

On 11 November 2016 'Nagykunsági birspálinka' was presented to officials and the press at the Third Pálinka-Tasting Day organised by the Ministry of Agriculture (<https://2015-2019.kormany.hu/hu/foldmuvelesugyi-miniszterium/hirek/eredetvedett-lehet-a-nagykunsagi-szilva-es-birspalinka>).

In 2017 'Nagykunsági birspálinka' was presented to professionals from the trade, producers and consumers at a conference entitled '15 years of protection of origin of pálinka', held as part of the 78th National Agriculture and Food Industry Exhibition (OMÉK).

'Nagykunsági birspálinka' was also presented at the Berlin Internationale Grüne Woche and the Bucharest Indagra exhibitions in 2017.

## 7. **European Union or national/regional provisions**

- Act XI of 1997 on the protection of trademarks and geographical indications
- Act LXXIII of 2008 on pálinka, grape marc pálinka and the National Pálinka Council
- Government Decree No 158/2009 of 30 July 2009 laying down detailed rules for protecting the geographical indications of agricultural products and foodstuffs and on verifying the products
- Government Decree No 22/2012 of 29 February 2012 on the National Food Chain Safety Office
- Regulation (EC) No 110/2008 of the European Parliament and of the Council of 15 January 2008 on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89
- Commission Implementing Regulation (EU) No 716/2013 of 25 July 2013 laying down rules for the application of Regulation (EC) No 110/2008 of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks

## 8. **Applicant**

### 8.1. *Member State, Third Country or legal/natural person:*

Name: Szicsek Pálinkafőzde Korlátolt Felelősségű Társaság [Szicsek Pálinka Distillery Ltd]

### 8.2. *Full address (street number and name, town/city and postal code, country):*

Address: Ókincsem III. keresztút 10–14, H-5461 Tiszaföldvár

9. **Supplement to the geographical indication**

The supplement must be indicated separately from the name.

supplement: 'Érlelt' [matured]

'Nagykunsági birspálinka' can bear the supplement 'érlelt' [matured] if it is matured in the manner specified in point 5.4.2.1.

supplement: 'Gyümölcságyon érlelt' or 'Ágyas' [matured on a bed of fruit]

'Nagykunsági birspálinka' can bear the supplement 'Gyümölcságyon érlelt' or 'Ágyas' [matured on a bed of fruit] if it is matured in the manner specified in point 5.4.2.2.

10. **Specific labelling rules**

The following information must be displayed on the packaging:

'földrajzi árujelző' [geographical indication] (separate from the name)

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**INFORMATION NOTICE – PUBLIC CONSULTATION****Geographical Indications from Chile to be protected as Geographical Indications in the European Union**

(2021/C 184/13)

Within the on-going negotiations with Chile for a Modernised Free Trade Agreement (hereafter 'the Agreement') including a chapter on Geographical Indications, the Chilean authorities have presented, for protection under the Agreement, the attached list of geographical indications. The European Commission is currently considering whether these Geographical Indications shall be protected under the future Agreement.

The Commission invites any Member State or third country or any natural or legal person having a legitimate interest, resident or established in a Member State or in a third country, to submit oppositions to such protection by lodging a duly substantiated statement.

Statements of opposition must reach the Commission within one month of the date of this publication. Statements of opposition should be sent to the following e-mail address: AGRI-A3@ec.europa.eu

Statements of opposition shall be examined only if they are received within the time-limit set out above and if they show that the protection of the name proposed would:

- (a) conflict with the name of a plant variety or an animal breed and as a result is likely to mislead the consumer as to the true origin of the product;
- (b) be wholly or partially homonymous with that of a name already protected in the Union (under Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs <sup>(1)</sup>) available here:

<https://ec.europa.eu/info/food-farming-fisheries/food-safety-and-quality/certification/quality-labels/geographical-indications-register/>

or with one of the geographical indications from non-EU countries protected in the EU under bilateral agreements publicly available on GIview, available here: <https://www.tmdn.org/giview/> or in the list available here:

[https://ec.europa.eu/info/sites/info/files/food-farming-fisheries/food\\_safety\\_and\\_quality/documents/list-gis-non-eu-countries-protected-in-eu\\_en.pdf](https://ec.europa.eu/info/sites/info/files/food-farming-fisheries/food_safety_and_quality/documents/list-gis-non-eu-countries-protected-in-eu_en.pdf)

- (c) in the light of a trade mark's reputation and renown and the length of time it has been used, be liable to mislead the consumer as to the true identity of the product;
- (d) jeopardise the existence of an entirely or partly identical name or of a trade mark or the existence of products which have been legally on the market for at least five years preceding the date of the publication of this notice;
- (e) or if they can give details from which it can be concluded that the name for which protection is considered is generic.

The criteria referred to above shall be evaluated in relation to the territory of the Union, which in the case of intellectual property rights refers only to the territory or territories where the said rights are protected. The possible protection of these geographical indications in the European Union is subject to the successful conclusion of these negotiations and subsequent legal act.

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

**List of Geographical Indications from Chile to be protected as Geographical Indications in the EU for agricultural products and foodstuffs <sup>(?)</sup>**

Name as registered in Chile	Short description
1. SAL DE CAHUIL - BOYERUCA LO VALDIVIA	Salt
2. PROSCIUTTO DE CAPITAN PASTENE	Cured ham
3. LIMON DE PICA	Lemons
4. LANGOSTA DE JUAN FERNANDEZ	Lobsters
5. ATUN DE ISLA DE PASCUA	Tuna – Fish/Fish fillets/Live fish
6. CANGREJO DORADO DE JUAN FERNANDEZ	Crab – Live/Not live
7. CORDERO CHILOTE	Lamb meat
8. DULCES DE LA LIGUA	Pastries
9. MAIZ LLUTEÑO	Corn
10. SANDIA DE PAINE	Watermelon
11. ACEITUNAS DE AZAPA	Preserved/Fresh olives
12. OREGANO DE LA PRECORDILLERA DE PUTRE	Oregano
13. TOMATE ANGOLINO	Tomatoes
14. DULCES DE CURACAVÍ	Pastries
15. ACEITE DE OLIVA DEL VALLE DEL HUASCO	Olive oil
16. PUERRO AZUL DE MAQUEHUE	Leeks
17. SIDRA DE PUNUCAPA	Cider
18. CHICHA DE CURACAVI	Fermented Beverage

<sup>(?)</sup> List provided by the Chilean authorities in the framework of the on-going negotiations, registered in Chile.

## CORRIGENDA

**Corrigendum to Call for expression of interest for the selection of the standing high-level Chair of the Panel referred to in Article 143 of Regulation (EU, Euratom) 2018/1046 and his/her Deputy**

*(Official Journal of the European Union C 147 A of 26 April 2021)*

(2021/C 184/14)

On page 4, point XI. Deadline:

*for:* 'The closing deadline for applications is 10 working days from the date of the publication of the call for expression of interest in the Official Journal of the European Union.'

*read:* 'The closing deadline for applications is 20 working days from the date of the publication of the call for expression of interest in the *Official Journal of the European Union*.'

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