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

## II

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

## COUNCIL

**Statement by the Commission***(2022/C 412/01)*

The Commission acknowledges the importance of competitiveness, innovation and investment in digital services, in particular with regard to micro, small and medium sized enterprises and start-ups. For that purpose, the Commission is committed to facilitate compliance with the Digital Services Act by micro, small and medium sized enterprises and start-ups, notably through mobilising relevant programmes in favour of innovation, deployment of digital technologies and standardisation.

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## IV

(Notices)

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

## EUROPEAN COMMISSION

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

26 October 2022

(2022/C 412/02)

1 euro =

Currency	Exchange rate	Currency	Exchange rate		
USD	US dollar	1,0023	CAD	Canadian dollar	1,3568
JPY	Japanese yen	147,32	HKD	Hong Kong dollar	7,8678
DKK	Danish krone	7,4381	NZD	New Zealand dollar	1,7249
GBP	Pound sterling	0,86603	SGD	Singapore dollar	1,4104
SEK	Swedish krona	10,9530	KRW	South Korean won	1 422,11
CHF	Swiss franc	0,9917	ZAR	South African rand	18,0212
ISK	Iceland króna	143,50	CNY	Chinese yuan renminbi	7,1948
NOK	Norwegian krone	10,3408	HRK	Croatian kuna	7,5320
BGN	Bulgarian lev	1,9558	IDR	Indonesian rupiah	15 589,27
CZK	Czech koruna	24,535	MYR	Malaysian ringgit	4,7262
HUF	Hungarian forint	408,09	PHP	Philippine peso	58,493
PLN	Polish zloty	4,7548	RUB	Russian rouble	
RON	Romanian leu	4,8806	THB	Thai baht	37,862
TRY	Turkish lira	18,6461	BRL	Brazilian real	5,2944
AUD	Australian dollar	1,5466	MXN	Mexican peso	19,8501
			INR	Indian rupee	82,2060

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

**Opinion of the Advisory Committee on Restrictive Practices and Dominant Positions at its meeting  
on 17 November 2021 concerning a draft Decision**

**in case AT.40127 – Canned vegetables**

**Rapporteur: Ireland**

**(Text with EEA relevance)**

(2022/C 412/03)

1. The members of the Advisory Committee (eight Member States) agree with the Commission that the anti-competitive behaviour covered by the draft Decision constitutes an agreement and/or concerted practice between undertakings within the meaning of Article 101 of the TFEU and Article 53 of the EEA Agreement.
  2. The members of the Advisory Committee (eight Member States) agree with the Commission that the object of the agreement and/or concerted practice was to restrict competition within the meaning of Article 101 of the TFEU and Article 53 of the EEA Agreement.
  3. The members of the Advisory Committee (eight Member States) agree with the Commission's assessment as regards the duration of the infringement.
  4. The members of the Advisory Committee (eight Member States) agree with the Commission's draft Decision as regards the addressees.
  5. The members of the Advisory Committee (eight Member States) agree with the Commission that a fine should be imposed on the addressees of the draft Decision for the infringement in which they were involved.
  6. The members of the Advisory Committee (eight Member States) agree with the Commission on the final amount of the fine, based on the 2006 Guidelines on the method of setting fines imposed pursuant to Article 23(2)(a) of Regulation No 1/2003 and the 2006 Leniency Notice.
  7. The members of the Advisory Committee (eight Member States) recommend the publication of its Opinion in the *Official Journal of the European Union*.
-

**Final Report of the Hearing Officer <sup>(1)</sup>****AT.40127 – Canned vegetables****(Text with EEA relevance)**

(2022/C 412/04)

**Introduction**

1. The draft decision, addressed to Conserve Italia Soc. coop. agricola and Conserves France SA (together, 'Conserve Italia'), concerns an infringement of Article 101 TFEU and Article 53 of the EEA Agreement relating to the supply of certain types of canned vegetables to retailers and/or food service industry customers within the EEA.
2. In this case, further to a settlement procedure <sup>(2)</sup>, the Commission adopted on 27 September 2019 a decision pursuant to Article 7(1) and 23(2) of Regulation No 1/2003 <sup>(3)</sup> with regard to [...] <sup>(4)</sup>, [...] <sup>(5)</sup> and [...] <sup>(6)</sup> (collectively, the 'settling parties') <sup>(7)</sup>.
3. Conserve Italia, after initial participation in the settlement procedure, informed the Commission that it would not introduce a settlement submission pursuant to Article 10a(2) of Regulation (EC) No 773/2004. The Commission therefore continued the investigation into Conserve Italia's behaviour under the standard procedure.

**Written procedure**

4. The investigation started as a result of an application for immunity from fines submitted by [...] on 11 June 2013, pursuant to points 14 and 15 of the Leniency Notice <sup>(8)</sup>.
5. From 1 to 4 October 2013, the Commission carried out inspections under Article 20(4) of Regulation No 1/2003 at the premises of the settling parties and of Conserve Italia.
6. On 17 October 2013, Conserve Italia applied for immunity from fines under point 14 of the Leniency Notice, or in the alternative for a reduction of fines under point 27 of the Leniency Notice.
7. On 17 February 2017, the Commission initiated proceedings pursuant to Article 11(6) of Regulation No 1/2003 and Article 2(1) of Regulation No 773/2004 against all parties.
8. On 22 February 2017, the Commission informed Conserve Italia of its preliminary intention to apply a reduction of a fine within a specified band, as provided for in point 26 of the Leniency Notice.

<sup>(1)</sup> Pursuant to Article 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) ('Decision 2011/695/EU').

<sup>(2)</sup> Pursuant to Article 10a of Commission Regulation (EC) No 773/2004 of 7 April 2004 relating to the conduct of proceedings by the Commission pursuant to Articles 81 and 82 of the Treaty (OJ L 123, 27.4.2004, p. 18), as amended ('Regulation No 773/2004').

<sup>(3)</sup> Council Regulation (EC) No 1/2003 of 16 December 2002 on the implementation of the rules on competition laid down in Articles 81 and 82 of the Treaty ('Regulation No 1/2003').

<sup>(4)</sup> The legal entities subject to the proceedings were [...].

<sup>(5)</sup> The legal entities subject to the proceedings were [...].

<sup>(6)</sup> The legal entities subject to the proceedings were [...].

<sup>(7)</sup> Decision of the Commission of 27 September 2019, Summary published in OJ C 434/8 of 15.12.2020. The hearing officer already presented a final report pursuant to Article 16 of Decision 2011/695/EU at the occasion of the adoption of the Decision of the Commission of 27 September 2019, published in OJ C 434/7 of 15.12.2020.

<sup>(8)</sup> Commission Notice on immunity from fines and reduction of fines in cartel cases (OJ C 298, 8.12.2006, p. 17).

9. Between March 2017 and June 2019, the Commission conducted settlement discussions with the parties in accordance with the provisions set out in points 14 to 19 of the Settlement Notice <sup>(9)</sup>.
10. On 7 May 2019, Conserve Italia informed the Commission that it would not introduce a settlement submission. The Commission therefore continued the investigation into Conserve Italia's behaviour under the standard procedure.
11. A Statement of Objections ('SO') under the standard procedure was adopted on 5 October 2020 and notified to Conserve Italia on 6 October 2020.
12. Conserve Italia was given access to the file at the Commission's premises from 7 to 11 December 2020, as well as via electronic support on 7 December 2020. The hearing officer did not receive any request regarding access to the file.
13. The Directorate-General for Competition ('DG Competition') initially granted a deadline of six weeks to reply to the SO. Conserve Italia requested an extension of the time limit and was granted by DG Competition an extension until 1 March 2021.
14. Conserve Italia submitted its reply to the SO on 1 March 2021. In its reply, Conserve Italia also requested to develop its arguments at an oral hearing.

### **Oral procedure**

15. The oral hearing took place on 4 May 2021 <sup>(10)</sup>. The hearing proceeded smoothly and there were no procedural complaints.

### **The draft decision**

16. The draft decision finds that Conserve Italia infringed Article 101(1) TFEU and Article 53(1) of the EEA Agreement by participating, from 15 March 2000 until 1 October 2013, in a single and continuous infringement covering the whole of the EEA and consisting in price coordination, market sharing and the exchange of commercially sensitive information in relation to the sale of certain types of canned vegetables to retailers and/or the food service industry in the EEA.
17. Pursuant to Article 16 of Decision 2011/695/EU, I have examined whether the draft decision deals only with objections in respect of which the parties have been afforded the opportunity of making known their views. I conclude that it does so.
18. In view of the above, I consider that the effective exercise of the procedural rights of the parties to the proceedings in this case has been respected.

Brussels, 8 November 2021.

Dorothe DALHEIMER

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<sup>(9)</sup> Commission Notice on the conduct of settlement procedures in view of the adoption of Decisions pursuant to Article 7 and Article 23 of Council Regulation (EC) No 1/2003 in cartel cases (OJ C 167, 2.7.2008, p. 1).

<sup>(10)</sup> Due to the ongoing coronavirus pandemic, the oral hearing was held remotely by encrypted videoconference as well as via a password protected (web streamed) virtual listening room for persons who did not need to speak at the oral hearing.

**Summary of Commission Decision**  
**of 19 November 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.40127 – Canned vegetables)**  
*(notified under document number C(2021) 8259 final)*  
**(Only the Italian text is authentic)**  
  
**(Text with EEA relevance)**  
  
(2022/C 412/05)

On 19 November 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, including any penalties imposed, having regard to the legitimate interest of undertakings in the protection of their business secrets.

## 1. INTRODUCTION

- (1) The Decision relates to a single and continuous infringement of Article 101(1) of the Treaty and Article 53(1) of the EEA Agreement.
- (2) The Decision is addressed to the following legal entities (referred to collectively as 'addressees'): Conserve Italia Soc. coop. agricola ('Conserve Italia SCA') and Conserves France S.A. ('Conserves France') (together, 'Conserve Italia'). The addressees form part of the Conserve Italia group.

## 2. CASE DESCRIPTION

### 2.1. Procedure

- (3) Following an immunity application in June 2013 by a canned vegetables producer not addressed by the Decision, the Commission carried out unannounced inspections from 1 October to 4 October 2013 at the premises of Conserve Italia and other canned vegetables producers. On 17 October 2013, Conserve Italia applied for immunity from fines under point (14) of the Leniency Notice or, in the alternative, a reduction of fine under point (27) of the Leniency Notice <sup>(2)</sup>.
- (4) On 17 February 2017, the Commission initiated proceedings under Article 11(6) of Regulation (EC) No 1/2003 and Article 2(1) of Regulation (EC) No 773/2004 <sup>(3)</sup> against Conserve Italia and other canned vegetables producers ('the parties') with a view to engaging in settlement discussions with them under the Settlement Notice <sup>(4)</sup>. Settlement discussions with the parties took place between March 2017 and June 2019. Subsequently the parties except Conserve Italia submitted each a formal request to settle pursuant to Article 10a (2) of Regulation (EC) No 773/2004.
- (5) In light of Conserve Italia having chosen not to submit a formal request to settle, the Commission continued the investigation into Conserve Italia's conduct under the standard procedure.

<sup>(1)</sup> OJ L 1, 4.1.2003, p. 1.

<sup>(2)</sup> OJ C 298, 8.12.2006, p. 17.

<sup>(3)</sup> Commission Regulation (EC) No 773/2004 of 7 April 2004 relating to the conduct of proceedings by the Commission pursuant to Articles 81 and 82 of the EC Treaty (OJ L 123, 27.4.2004, p. 18), as amended by Commission Regulation (EC) No 622/2008 (OJ L 171, 1.7.2008, p. 3) and by Commission Regulation (EU) 2015/1348 (OJ L 208, 5.8.2015, p. 3).

<sup>(4)</sup> Commission Notice on the conduct of settlement procedures in view of the adoption of Decisions pursuant to Article 7 and Article 23 of Council Regulation (EC) No 1/2003 in cartel cases (OJ C 167, 2.7.2008, p. 1).



- (6) The Advisory Committee on Restrictive Practices and Dominant Positions issued a favourable opinion on 17 November 2021 and the Commission adopted the Decision against Conserve Italia on 19 November 2021.

## 2.2. Summary of the infringement

- (7) The Decision concerns an infringement relating to the sale of certain types of canned vegetables to retailers and/or the food service industry.
- (8) The single and continuous infringement concerned three closely inter-related horizontal agreements through which Conserve Italia and the other canned vegetables producers involved coordinated their commercial conduct on the market: (i) an agreement covering private label sales (sold under retailers' brands) of canned vegetables such as green beans, peas, peas and carrots mix, and vegetable macedoine <sup>(5)</sup> to retailers in the EEA, in particular in Belgium, Germany, France and the Netherlands; (ii) an agreement covering private label sales (sold under retailers' brands, as above) of canned sweetcorn to retailers in the EEA, in particular in Belgium, Germany, Denmark, Ireland, Spain, France, Italy, Luxembourg, the Netherlands, Austria, Portugal, Norway, Finland, Sweden and the United Kingdom; and (iii) an agreement covering both own brands and private label sales of all types of canned vegetables <sup>(6)</sup>, including mixes of vegetables and canned vegetable preparations and dishes (but excluding mixes, salads and preparations that do not have vegetables as their main ingredient) to retailers <sup>(7)</sup> and to the food service industry in France. Conserve Italia participated only in the first two agreements.
- (9) The infringement consisted in the fixing of selling prices (price increases, minimum prices, target prices) and the coordination of pricing policy and pricing structure; the allocation of volume quotas and market shares; the allocation of customers and markets; the coordination of tenders and price offers to be submitted to retailers and/or the food service industry; the coordination of other sales conditions and rebates, including marketing strategy and promotional policy; and the exchange of commercially sensitive information.
- (10) The infringement covered the entire EEA and lasted from 19 January 2000 until 1 October 2013.

## 2.3. Addressees and duration

- (11) The addressees of the Decision are Conserve Italia Soc. coop. agricola and Conserves France S.A. They are held liable for the infringement for the following duration: from 15 March 2000 (and from 20 October 2000 related solely to the agreement on canned sweetcorn) to 1 October 2013.

## 2.4. Remedies

- (12) The Decision applies the 2006 Fines Guidelines <sup>(8)</sup> and imposes fines on the addressees.

### 2.4.1. Basic amount of the fine

- (13) In setting the fines, the Commission took into account the average of Conserve Italia's sales of the canned vegetables covered by the cartel within the EEA for the period 2000-2013, the fact that price coordination and market sharing are among the most harmful restrictions of competition, the duration of the infringement, the fact that the infringement covered the entire EEA and that it was thoroughly implemented, and an additional amount to deter undertakings from entering into such practices.

<sup>(5)</sup> Conserve Italia only produced canned green beans, peas, and peas and carrots mix.

<sup>(6)</sup> Except canned tomatoes, mushrooms, condiments or olives, and canned products having these as main ingredients.

<sup>(7)</sup> Sales of private label products to retailers concerned only the products not covered by the other two agreements.

<sup>(8)</sup> Guidelines on the method of setting fines imposed pursuant to Article 23(2)(a) of Regulation (EC) No 1/2003 (OJ C 210, 1.9.2006, p. 2).

2.4.2. *Adjustments to the basic amount*

- (14) The Commission applied mitigating circumstances to Conserve Italia, given that it had a more limited role in the infringement and did not participate in the infringement in the same manner as the other parties.

2.4.3. *Application of the 10 % turnover limit*

- (15) The basic amount of the fine (before the application of the leniency reduction) exceeded 10 % of the total worldwide turnover of Conserve Italia group in the business year preceding the date of the Decision. The basic amount of the fine was therefore capped to this limit.

2.4.4. *Application of the 2006 Leniency Notice*

- (16) The Commission granted Conserve Italia a 50 % reduction of its fine.

2.4.5. *Inability to pay*

- (17) Conserve Italia submitted an application for a reduction of its fine on the grounds of inability to pay. The Commission assessed this application and concluded that it should be partially accepted.

**3. CONCLUSION**

- (18) Pursuant to Article 23(2) of Regulation (EC) No 1/2003, the following fine was imposed on Conserve Italia Soc. coop. agricola and Conserves France S.A., jointly and severally liable: EUR 20 000 000.
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**Summary of European Commission Decisions on authorisations for the placing on the market for the use and/or for use of substances listed in Annex XIV to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)**

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

**(Text with EEA relevance)**

(2022/C 412/06)

**Decision granting an authorisation**

Reference of the decision <sup>(1)</sup>	Date of decision	Substance name	Holder(s) of the authorisation	Authorisation number	Authorised use	Date of expiry of review period	Reasons for the decision
C(2022) 7381	20 October 2022	4-(1,1,3,3-Tetra methylbutyl)phenol, ethoxylated (4-tert-OPnEO) EC No: -, CAS No:-	Merck KGaA, Frankfurter Strasse, 64293 Darmstadt, Germany	REACH/22/34/0	As raw material for the manufacturing of GMP Triton® X-100 Emprove® Expert in accordance with International Pharmaceutical Excipients Council Europe standards	4 January 2033	In accordance with Article 60(4) of Regulation (EC) No 1907/2006, the socio-economic benefits outweigh the risk to human health and the environment from the uses of the substance and there are no suitable alternative substances or technologies.

<sup>(1)</sup> The decision is available on the European Commission website at: [Authorisation \(europa.eu\)](http://europa.eu).

<sup>(1)</sup> OJ L 396, 30.12.2006, p. 1.

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

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

**(Text with EEA relevance)**

(2022/C 412/07)

**Decision granting an authorisation**

Reference of the decision <sup>(1)</sup>	Date of decision	Substance name	Holder(s) of the authorisation	Authorisation number	Authorised use	Date of expiry of review period	Reasons for the decision
C(2022) 7405	20 October 2022	4-(1,1,3,3-Tetra methylbutyl)phenol, ethoxylated (4-tert-OPnEO) EC No: -, CAS No:-	Wallac Oy, Mustionkatu 6, 20750 Turku, Finland	REACH/22/39/0	Formulation of 4-tert-OPnEO into enhancement solutions and DELFIA standard and maintenance solutions used in In Vitro Diagnostic assays and RUO products as well as maintenance of instruments as a critical ingredient for detection process while measuring europium (or other lanthanide) content of the assay solution	4 January 2033	In accordance with Article 60(4) of Regulation (EC) No 1907/2006, the socio-economic benefits outweigh the risk to human health and the environment from the uses of the substance and there are no suitable alternative substances or technologies.
				REACH/22/39/1	In enhancement solutions and DELFIA standard and maintenance solutions as a critical ingredient for detection process while measuring europium (or other lanthanide) content in In Vitro Diagnostic assays and RUO products or during maintenance of instruments		

<sup>(1)</sup> The decision is available on the European Commission website at: [Authorisation \(europa.eu\)](http://europa.eu).

<sup>(1)</sup> OJ L 396, 30.12.2006, p. 1.

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

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

**(Text with EEA relevance)**

(2022/C 412/08)

**Decision granting an authorisation**

Reference of the decision <sup>(1)</sup>	Date of decision	Substance name	Holder(s) of the authorisation	Authorisation number	Authorised use	Date of expiry of review period	Reasons for the decision
C(2022) 7411	20 October 2022	4-(1,1,3,3-Tetra methylbutyl)phenol, ethoxylated  (4-tert-OPnEO) EC No: -, CAS No:-	Lonza Biologics Porriño SL, La Relba s/n, 36400 Porriño (Pontevedra), Spain	REACH/22/35/0	Virus inactivation via solvent/detergent treatment in the manufacture of recombinant medicinal active pharmaceutical ingredients (APIs) from mammalian cell cultures	4 January 2033	In accordance with Article 60(4) of Regulation (EC) No 1907/2006, the socio-economic benefits outweigh the risk to human health and the environment from the uses of the substance and there are no suitable alternative substances or technologies.

<sup>(1)</sup> The decision is available on the European Commission website at: [Authorisation \(europa.eu\)](https://europa.eu).

<sup>(1)</sup> OJ L 396, 30.12.2006 , p. 1.

# COURT OF AUDITORS

## **Annual report on EU agencies for the financial year 2021**

(2022/C 412/09)

The European Court of Auditors will publish its annual report for the 2021 financial year on EU agencies, together with their replies, on 27 October 2022.

The report can be consulted directly or downloaded, from 17:00 on 27 October 2022, at the European Court of Auditors' website:

<https://www.eca.europa.eu/en/Pages/DocItem.aspx?did=62271>

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## NOTICES FROM MEMBER STATES

**Commission information notice pursuant to Article 17(5) of Regulation (EC) No 1008/2008 of the European Parliament and of the Council on common rules for the operation of air services in the Community****Invitation to tender in respect of the operation of scheduled air services in accordance with public service obligations**

(Text with EEA relevance)

(2022/C 412/10)

Member State	France
Route concerned	Castres – Paris (Orly)
Period of validity of the contract	1 June 2023 to 31 May 2027
Deadline for the submission of applications and tenders	6 January 2023, 17.00 Paris time
Address where the text of the invitation to tender and any relevant information and/or documentation relating to the public tender and the public service obligation can be obtained	Syndicat Mixte de l'aéroport régional de Castres-Mazamet CCI Tarn 40 allée Alphonse Juin 81 100 Castres FRANCE Tel. +33 563514614 Email: f.chambert@tarn.cci.fr Or on the platform containing the buyer profile: <a href="http://marches-publics.maires81.asso.fr/">http://marches-publics.maires81.asso.fr/</a>

## V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION  
POLICY

EUROPEAN COMMISSION

**Prior notification of a concentration**

**(Case M.10953 – ADD / TOTALENERGIES / TOTAL EGYPT)**

**Candidate case for simplified procedure**

(Text with EEA relevance)

(2022/C 412/11)

1. On 19 October 2022, 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:

- Abu Dhabi National Oil Company for Distribution PJSC ('ADD', United Arab Emirates), owned by Abu Dhabi National Oil Company PJSC ('ADNOC'),
- TotalEnergies Marketing Afrique SAS ('TotalEnergies', France), a wholly-owned subsidiary of TotalEnergies S.E.,
- TotalEnergies Marketing Egypt LLC ('Total Egypt', Egypt), a subsidiary of TotalEnergies.

ADD and TotalEnergies will acquire within the meaning of Article 3(1)(b) and Article 3(4) of the Merger Regulation joint control of Total Egypt.

The concentration is accomplished by way of purchase of quotas <sup>(2)</sup>.

2. The business activities of the undertakings concerned are the following:

- ADD markets and distributes petroleum products across a diverse range of business sectors,
- TotalEnergies is active in the research, industry and trade of hydrocarbons and their derivatives in all their forms and, more generally, similar activities in the field of energy throughout the world and particularly on the African continent.

3. Total Egypt is active in fuel retail, non-fuel retail (food retail and car wash services), lubricants, aviation fuel, and bulk fuel distribution in Egypt.

4. 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.

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

<sup>(2)</sup> TotalEnergies is owned via quotas, as opposed to shares and, as a result, the proposed acquisition entails the acquisition of quotas, rather than shares.



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

5. 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.10953 – ADD / TOTALENERGIES / TOTAL EGYPT

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

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

**Prior notification of a concentration**  
**(Case M.10892 – APOLLO / HINES / VI-BA / AEDES)**  
**Candidate case for simplified procedure**

(Text with EEA relevance)

(2022/C 412/12)

1. On 18 October 2022, 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:

- Apollo Global Real Estate Management, L.P. ('Apollo', USA),
- Hines International Real Estate Holdings L.P. ('Hines', USA),
- VI-BA S.r.l. ('VI-BA', Italy),
- Aedes SIIQ S.p.A. ('Aedes', Italy).

Apollo, Hines and VI-BA ('the Acquirers') will acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of Aedes.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are the following:

- Apollo is a global alternative asset manager,
- Hines is a global real estate investment, development and management firm,
- VI-BA is active in investment, construction, development, leasing and sale of real estate.

3. Aedes is a real estate investment company, which owns a portfolio of 65 real estate properties mainly located in the north of Italy used predominantly for retail and office space.

4. 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 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.

5. 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.10892 – APOLLO / HINES / VI-BA / AEDES

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](mailto:COMP-MERGER-REGISTRY@ec.europa.eu)

<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.

Fax +32 22964301

Postal address:

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

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## CORRIGENDA

**Corrigendum to Communication from the Commission concerning Council Regulation (Euratom)  
No 1493/93 on shipments of radioactive substances between Member States***(Official Journal of the European Union C 288 of 29 July 2022)*

(2022/C 412/13)

On page 1, 'Belgium':

*for:* 'Rue Ravensteinstraat 36  
1000 Brussels',

*read:* 'Rue du Marquis/Markiesstraat 1  
Boîte/bus 6 A  
1000 Bruxelles/Brussel';

on page 2, 'Finland':

*for:* 'P.O. Box 14  
FI-00881 Helsinki',

*read:* 'Jokiniemenkuja 1  
FI-01370 Vantaa';

on page 3, 'Poland':

*for:* 'Email: sekretariat.dor@paa.gov.pl',

*read:* 'Email: sekretariat.dor@paa.gov.pl'.

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