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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.10797 – PCG / PERSTORP)****(Text with EEA relevance)**

(2023/C 64/01)

On 8 September 2022, 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 policy’ 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 32022M10797. EUR-Lex is the online point of access to European Union law.

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

Non-opposition to a notified concentration**(Case M.10989 – BLACKSTONE / EMERSON (HVAC AND REFRIGERATION TECHNOLOGY BUSINESS))****(Text with EEA relevance)**

(2023/C 64/02)

On 31 January 2023, 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 policy’ 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 32023M10989. EUR-Lex is the online point of access to European Union law.

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

COMMUNICATION FROM THE COMMISSION
pursuant to Article 11(5) of the Monetary Agreement between the European Union and the
Principality of Monaco

(2023/C 64/03)

Annex B to the Monetary Agreement between the European Union and the Principality of Monaco ⁽¹⁾ has been replaced by the text in the Annex to this Communication, in accordance with Article 11(5) of the Agreement.

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⁽¹⁾ OJ C 23, 28.1.2012, p. 13.

ANNEX

'ANNEX B

	Legal provisions to be implemented	Deadline for implementing
	<i>Prevention of money laundering</i>	
1	Regulation (EU) 2015/847 of the European Parliament and of the Council of 20 May 2015 on information accompanying transfers of funds and repealing Regulation (EC) No 1781/2006 (OJ L 141, 5.6.2015, p. 1)	30 June 2017 ⁽²⁾
2	Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC (OJ L 141, 5.6.2015, p. 73) Amended by:	30 June 2017 ⁽²⁾
2-1	Directive (EU) 2018/843 of the European Parliament and of the Council of 30 May 2018 amending Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, and amending Directives 2009/138/EC and 2013/36/EU (OJ L 156, 19.6.2018, p. 43) Supplemented and implemented by:	31 December 2020 ⁽⁴⁾
2-2	Commission Delegated Regulation (EU) 2016/1675 of 14 July 2016 supplementing Directive (EU) 2015/849 of the European Parliament and of the Council by identifying high-risk third countries with strategic deficiencies (OJ L 254, 20.9.2016, p. 1) Amended by:	1 December 2017 ⁽²⁾
2-2-1	Commission Delegated Regulation (EU) 2018/105 of 27 October 2017 amending Delegated Regulation (EU) 2016/1675, as regards adding Ethiopia to the list of high-risk third countries in the table in point I of the Annex (OJ L 19, 24.1.2018, p. 1)	31 March 2019 ⁽⁴⁾
2-2-2	Commission Delegated Regulation (EU) 2018/212 of 13 December 2017 amending Delegated Regulation (EU) 2016/1675 supplementing Directive (EU) 2015/849 of the European Parliament and of the Council, as regards adding Sri Lanka, Trinidad and Tobago, and Tunisia to the table in point I of the Annex (OJ L 41, 14.2.2018, p. 4)	31 March 2019 ⁽⁴⁾
2-2-3	Commission Delegated Regulation (EU) 2018/1467 of 27 July 2018 amending Delegated Regulation (EU) 2016/1675 supplementing Directive (EU) 2015/849 of the European Parliament and of the Council, as regards adding Pakistan to the table in point I of the Annex (OJ L 246, 2.10.2018, p. 1)	31 December 2019 ⁽²⁾

2-2-4	Commission Delegated Regulation (EU) 2020/855 of 7 May 2020 amending Delegated Regulation (EU) 2016/1675 supplementing Directive (EU) 2015/849 of the European Parliament and of the Council, as regards adding the Bahamas, Barbados, Botswana, Cambodia, Ghana, Jamaica, Mauritius, Mongolia, Myanmar/Burma, Nicaragua, Panama and Zimbabwe to the table in point I of the Annex and deleting Bosnia-Herzegovina, Ethiopia, Guyana, Lao People's Democratic Republic, Sri Lanka and Tunisia from this table (OJ L 195, 19.6.2020, p. 1)	31 December 2022 ⁽⁷⁾
2-2-5	Commission Delegated Regulation (EU) 2021/37 of 7 December 2020 on amending Delegated Regulation (EU) 2016/1675 supplementing Directive (EU) 2015/849 of the European Parliament and of the Council, as regards deleting Mongolia from the table in point I of the Annex (OJ L 14, 18.1.2021, p. 1)	31 December 2023 ⁽⁷⁾
2-2-6	Commission Delegated Regulation (EU) 2022/229 of 7 January 2022 on amending Delegated Regulation (EU) 2016/1675 supplementing Directive (EU) 2015/849 of the European Parliament and of the Council, as regards adding Burkina Faso, Cayman Islands, Haiti, Jordan, Mali, Morocco, the Philippines, Senegal, and South Sudan to the table in point I of the Annex and deleting the Bahamas, Botswana, Ghana, Iraq and Mauritius from this table (OJ L 39, 21.2.2022, p. 4)	31 December 2024 ⁽⁸⁾
2-3	Commission Delegated Regulation (EU) 2019/758 of 31 January 2019 supplementing Directive (EU) 2015/849 of the European Parliament and of the Council with regard to regulatory technical standards for the minimum action and the type of additional measures credit and financial institutions must take to mitigate money laundering and terrorist financing risk in certain third countries (OJ L 125, 14.5.2019, p. 4)	31 December 2020 ⁽⁹⁾
3	Regulation (EU) 2018/1672 of the European Parliament and of the Council of 23 October 2018 on controls on cash entering or leaving the Union and repealing Regulation (EC) No 1889/2005 (OJ L 284, 12.11.2018, p. 6)	31 December 2021 ⁽⁵⁾
4	Directive (EU) 2018/1673 of the European Parliament and of the Council of 23 October 2018 on combating money laundering by criminal law (OJ L 284, 12.11.2018, p. 22)	31 December 2021 ⁽⁵⁾
	<i>Prevention of fraud and counterfeiting</i>	
5	Council Regulation (EC) No 1338/2001 of 28 June 2001 laying down measures necessary for the protection of the euro against counterfeiting (OJ L 181, 4.7.2001, p. 6) Amended by:	
5-1	Council Regulation (EC) No 44/2009 of 18 December 2008 amending Regulation (EC) No 1338/2001 laying down measures necessary for the protection of the euro against counterfeiting (OJ L 17, 22.1.2009, p. 1)	
6	Council Decision 2001/887/JHA of 6 December 2001 on the protection of the euro against counterfeiting (OJ L 329, 14.12.2001, p. 1)	

7	Council Regulation (EC) No 2182/2004 of 6 December 2004 concerning medals and tokens similar to euro coins (OJ L 373, 21.12.2004, p. 1) Amended by:	
7-1	Council Regulation (EC) No 46/2009 of 18 December 2008 amending Regulation (EC) No 2182/2004 concerning medals and tokens similar to euro coins (OJ L 17, 22.1.2009, p. 5)	
8	With regard to the offences referred to in its Article 3(b) to (e): Directive 2014/42/EU of the European Parliament and of the Council of 3 April 2014 on the freezing and confiscation of instrumentalities and proceeds of crime in the European Union (OJ L 127, 29.4.2014, p. 39)	31 December 2022 ⁽⁶⁾
9	Directive 2014/62/EU of the European Parliament and of the Council of 15 May 2014 on the protection of the euro and other currencies against counterfeiting by criminal law, and replacing Council Framework Decision 2000/383/JHA (OJ L 151, 21.5.2014, p. 1)	30 June 2016 ⁽¹⁾
10	Directive (EU) 2019/713 of the European Parliament and of the Council of 17 April 2019 on combating fraud and counterfeiting of non-cash means of payment and replacing Council Framework Decision 2001/413/JHA (OJ L 123, 10.5.2019, p. 18)	31 December 2021 ⁽⁵⁾
	<i>Banking and financial legislation</i>	
11	Directive 97/9/EC of the European Parliament and of the Council of 3 March 1997 on investor-compensation schemes (OJ L 84, 26.3.1997, p. 22)	

⁽¹⁾ The Joint Committee agreed on this deadline in 2014 pursuant to Article 11(5) of the Monetary Agreement between the European Union and the Principality of Monaco.

⁽²⁾ The Joint Committee agreed on this deadline in 2015 pursuant to Article 11(5) of the Monetary Agreement between the European Union and the Principality of Monaco.

⁽³⁾ The Joint Committee agreed on this deadline in 2017 pursuant to Article 11(5) of the Monetary Agreement between the European Union and the Principality of Monaco.

⁽⁴⁾ The Joint Committee agreed on this deadline in 2018 pursuant to Article 11(5) of the Monetary Agreement between the European Union and the Principality of Monaco.

⁽⁵⁾ The Joint Committee agreed on this deadline in 2019 pursuant to Article 11(5) of the Monetary Agreement between the European Union and the Principality of Monaco.

⁽⁶⁾ The Joint Committee agreed on this deadline in 2020 pursuant to Article 11(5) of the Monetary Agreement between the European Union and the Principality of Monaco.

⁽⁷⁾ The Joint Committee agreed on this deadline in 2021 pursuant to Article 11(5) of the Monetary Agreement between the European Union and the Principality of Monaco.

⁽⁸⁾ The Joint Committee agreed on this deadline in 2022 pursuant to Article 11(5) of the Monetary Agreement between the European Union and the Principality of Monaco.'

COMMUNICATION FROM THE COMMISSION

Guidelines to facilitate the application of the IPI Regulation by contracting authorities and contracting entities and by economic operators

(2023/C 64/04)

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Regulation (EU) 2022/1031 (‘IPI Regulation’) ⁽¹⁾ lays down procedures for the Commission to undertake investigations into alleged third-country measures or practices against Union economic operators, goods and services and to enter into consultations with the third countries concerned. It also provides for the possibility for the Commission to impose IPI measures in relation to such third-country measures or practices to restrict the access of economic operators, goods or services from third countries to Union’s public procurement procedures.

Article 12 of the IPI Regulation provides that the Commission should issue guidelines, within 6 months from 29 August 2022, to facilitate its application by contracting authorities and contracting entities and by economic operators.

Recital 34 of this Regulation states that the guidance should provide information, in particular, on the notions of the origin of natural and legal persons, the origin of goods and services, additional obligations and the application of those provisions within the framework of this Regulation. Those guidelines should also take into account the specific information needs of SMEs, in their application of this Regulation, with a view to preventing their overburdening.

⁽¹⁾ Regulation (EU) 2022/1031 of the European Parliament and of the Council of 23 June 2022 on the access of third-country economic operators, goods and services to the Union’s public procurement and concession markets and procedures supporting negotiations on access of Union economic operators, goods and services to the public procurement and concession markets of third countries (International Procurement Instrument – IPI) (OJ L 173, 30.6.2022, p. 1).

1. **Determination of the origin of an economic operator**

For the purposes of the application of the IPI Regulation, the origin of an economic operator should be determined as follows:

In case an economic operator is a natural person, its origin is the country of which the person is a national or where that person has a right of permanent residence.

In case an economic operator is a legal person, its origin is the country where the legal person is constituted or otherwise organised, provided that the legal person is engaged in substantive business operations in that territory.

The criterion of substantive business operations serves to avoid potential circumvention of any IPI measure adopted under this Regulation through the creation, by natural or legal persons originating in a country subject to an IPI measure, of shell or letterbox companies in the territory of a country other than the country subject to an IPI measure.

1.1. ***Elements of evidence that can be used to determine whether a legal person is engaged in 'substantive business operations' in a given country***

A legal person is engaged in 'substantive business operations' in a given country if it carries out, in the territory of that country, business operations that are not an artificial arrangement set up mainly for tax purposes or for the purpose of circumventing an IPI measure.

In order to demonstrate that it is engaged in 'substantive business operations' in a given country, the economic operator may invoke, inter alia, the following elements:

- type of business operations (e.g. production facility, representation office, R&D centre, etc.);
- volume / intensity / percentage of business operations in that country;
- capital investment in that country;
- number of employees in that country;
- information on customer / clients in that country;
- duration of establishment of the company in that country;
- business or correspondence address in that country;
- payment of taxes in that country.

These non-exhaustive elements should be assessed as a whole on a case by case basis. For the purposes of this assessment, other elements could be taken into account, depending on the characteristics of each case.

1.2. ***Documentary evidence that may be used to determine 'substantive business operations'***

Examples of documentary evidence that may be required from economic operators, including SMEs, for consideration in case of doubt as to their engagement in 'substantive business operations' in the territory of the country where they are constituted or otherwise organised, include the following:

- business records (sales and other operations) - invoices, receipts, business contracts, letters of credit, shipping documents, business plans, correspondence with and list of suppliers/creditors and buyers, records of stock purchased and goods sold, company visit report, etc.;

- financial information – audited account, financial statement, bank statement, tax returns and assessments issued by relevant bodies, etc.; and
- employees' information – records of contribution to medical insurance or pension/retirement schemes, employment contracts, etc.

The above lists of examples is non-exhaustive. Contracting authorities and contracting entities may require any type of documentary evidence they consider appropriate with a view to determining the country in which an economic operator has its substantive business operations.

2. Determination of the origin of services

For the purposes of the IPI Regulation, the origin of a service is determined on the basis of the origin of the economic operator providing it. Thus the guidance relevant to determine the origin of the economic operator is also relevant for the determination of the origin of services.

3. Determination of the origin of goods

For the purposes of the IPI Regulation, the origin of goods supplied in the execution of a public procurement contract should be determined based on the non-preferential rules of origin which are laid down in the Union Customs Code ('UCC')⁽²⁾, as further specified by the relevant provisions of Commission Delegated Regulation (EU) 2015/2446 ('UCC-DA')⁽³⁾.

In essence, non-preferential rules of origin are used to determine the country of origin of goods for the application of the most-favoured nation treatment (MFN) (i.e. Union standard tariff treatment), but also for the implementation of a number of commercial policy measures such as anti-dumping and countervailing duties, trade embargoes, safeguard measures and quantitative restrictions or tariff quotas. They are also used for trade statistics, public tenders and origin marking. The Union applies its own set of non-preferential rules of origin provisions, which may be different from those of any other third country.

The non-preferential origin can be different from the preferential origin which is determined in the context of a preferential trade arrangement for goods, such as the Union Generalized Scheme of Preferences or a free trade agreement, which provides for a preferential tariff treatment. It needs to be borne in mind that even if the goods used in the execution of a contract have obtained a tariff preference upon importation into the Union and the origin of such goods was determined on the basis of the preferential rules of origin applicable to trade with the exporting country, the origin of those goods, in the context of the application of IPI measures, should be nevertheless declared to the contracting authority or entity on the basis of non-preferential rules of origin. In this context, it needs to be noted that the country of origin is not necessarily the country from which the goods were shipped and/or supplied.

At the outset, it is important to know the correct classification of the final good in the 'Harmonised System'⁽⁴⁾ ('HS'), because a specific rule of origin is linked to each good based on its classification in the HS.

Two basic concepts are used to determine the non-preferential origin of goods, namely the concept of 'wholly obtained' products and the concept of products having undergone a 'last substantial transformation'.

3.1. Origin of goods on the basis of the concept of goods wholly obtained in a single country

According to Article 60(1) UCC 'goods wholly obtained in a single country or territory shall be regarded as having their origin in that country or territory'.

⁽²⁾ Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).

⁽³⁾ Commission Delegated Regulation (EU) 2015/2446 of 28 July 2015 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards detailed rules concerning certain provisions of the Union Customs Code (OJ L 343, 29.12.2015, p. 1).

⁽⁴⁾ <https://trade.ec.europa.eu/access-to-markets/en/content/harmonised-system-0>

Article 31 of the UCC DA includes an exhaustive list of goods that shall be considered as wholly obtained in a single country or territory. This list refers mostly to products obtained in their natural state and products derived from wholly obtained products. Thus, also for the purposes of the IPI Regulation, these products can be considered as wholly obtained in a single country and territory.

3.2. *Origin of the goods which involves more than one country and the concept of ‘last substantial transformation’*

According to Article 60(2) UCC ‘goods the production of which involves more than one country or territory shall be deemed to originate in the country or territory where they underwent their last, substantial, economically justified processing or working, in an undertaking equipped for that purpose, resulting in the manufacture of a new product or representing an important stage of manufacture’.

The concept of ‘last substantial transformation’ means that the last substantial processing or working should result in the manufacture of a new product or represent an important stage of manufacture.

In practice, in order to assess where the last substantial transformation took place, it is necessary to obtain information by the economic operators participating in the procurement procedure on all the materials used. In particular, the non-originating materials used in the last country of production must be identified. Indeed, those non-originating materials must have been substantially processed or worked in the last country in order to assign the origin of the relevant goods to that country of production of the final product.

Essentially, the newly produced good in one country should possess distinct characteristics and functionalities, which should differ from the materials used in its production in order to obtain the origin of that same country of production.

The ‘last substantial transformation’ criterion must be checked in two different ways, depending on whether the product concerned is included in the Annex 22-01 UCC-DA (see point 3.2.1) or not (see point 3.2.2) ⁽ⁱ⁾.

3.2.1. *Determination of origin for products which are included in the Annex 22-01 UCC-DA*

The rules set out in Annex 22-01 (including in its introductory notes) only apply to goods specifically listed at minimum 4 HS digit level in that Annex.

Goods listed in that Annex shall be considered to have undergone their last substantial processing or working, resulting in the manufacture of a new product or representing an important stage of manufacture, in the country or territory in which the primary or residual rules set out in that Annex are fulfilled or which is identified by those rules. For example, goods listed in Annex 22-01 UCC-DA include certain agricultural products (e.g. meats, coffee, milled cereals), certain chemical products, textile products, clothing and apparel, footwear as well as certain iron and steel products, metal tools, machinery products, including electrical machinery. The list, in fact, is quite limited and does not cover the entire spectrum of products that are classified in the Union Combined Nomenclature.

The rules applicable to products of Annex 22-01 are listed and highlighted in the table of ‘list rules’ ⁽ⁱⁱ⁾. Where the last country of production cannot be determined on the basis of the specifically listed primary rules, it should be determined by application of the ‘residual rules’ laid down at the beginning of each Chapter.

3.2.2. *Determination of origin for products not included in the Annex 22-01 UCC-DA*

For goods not listed in Annex 22-01 UCC-DA, the origin is determined on a case-by-case basis by evaluating any process or operation in relation to the concept of the last substantial processing or working as defined in Article 60(2) UCC.

⁽ⁱ⁾ See also Guidance on non-preferential rules of origin: <https://taxation-customs.ec.europa.eu/system/files/2022-03/Guidance%20on%20non-preferential%20rules%20of%20origin.pdf>

⁽ⁱⁱ⁾ https://taxation-customs.ec.europa.eu/table-list-rules-conferring-non-preferential-origin-products-following-classification-cn_en

In an effort to increase the harmonised interpretation of the basic principle of 'last substantial transformation' for goods not listed in Annex 22-01 UCC-DA, specific non-legally binding guidance for those products has been elaborated. The guidance for those products is also listed (but not highlighted) in the table of 'list rules' mentioned above.

When the list rule is not fulfilled in the last country of production, the country of origin is determined by application of the 'residual rules' laid down at the beginning of each Chapter.

The contracting authorities and contracting entities, as well as the contractors, including SMEs, should follow the respective rules and take into account the guidelines referring to non-preferential origin (see the Guidance on non-preferential rules of origin) ⁽⁷⁾.

In case of doubts as to the origin of goods or in order to ensure legal certainty, contractors, and in particular SMEs that may lack the necessary expertise, may apply for Binding Origin Information. For more information: <https://trade.ec.europa.eu/access-to-markets/en/content/binding-origin-information-2>

4. **Obligations upon successful tenderers**

Article 8 of the IPI Regulation imposes a number of obligations upon successful tenderers in public procurement procedures, which are subject to an IPI measure, as well as in the case of contracts awarded on the basis of framework agreements (so called call-offs) that were subject to the IPI measure, regarding: i) subcontracting; ii) the origin of goods used in the execution of the contract; iii) the provision of adequate evidence in relation to the subcontracting and the origin of goods, upon request; and iv) the payment of proportionate charge for non-observance of the subcontracting and origin obligations.

Contracting authorities and contracting entities have to include in the public procurement documents, to which an IPI measure applies, a reference to these obligations, so that economic operators participating in relevant procedures, and in particular SMEs, are fully aware of the applicable requirements in case they are awarded the contract.

4.1. ***Obligations regarding subcontracting in the execution of the contract***

Subcontracting means arranging the execution of a part of a contract by a third party and does not include the mere delivery of goods or parts that are necessary for the provision of a service.

Economic operators who have been awarded a contract for the provision of services (including public works) are required not to subcontract more than 50 % of the total contract value to economic operators originating in a third country that is subject to an IPI measure.

In case of public works contracts, the mere use of materials, goods and components to be incorporated into or to form part of permanent works under a works contract does not constitute subcontracting and as such should not be included in the calculation for the 50 % threshold requirement. For example, if the awarded contract concerns the construction of a bridge, the cost of the materials used (such as steel, concrete, stone, asphalt etc.) should not be included in the calculation of the contract value for the purposes of the 50 % threshold.

In addition, goods purchased by the contractor for use during the execution of the contract (such as machinery used by a supply contractor for testing and installing the goods supplied, equipment used by a works contractor for building a road, computer(s) used by a service contractor to draft a study) should not be included in the calculation of the contract value for the purposes of the 50 % threshold.

⁽⁷⁾ <https://taxation-customs.ec.europa.eu/system/files/2022-03/Guidance%20on%20non-preferential%20rules%20of%20origin.pdf>

4.2. *Obligations regarding the origin of goods used in the execution of the contract*

For contracts whose subject matter covers the supply of goods, operators who have been awarded the contract are required to ensure that goods or services supplied or provided in the execution of the contract and originating in the third country, which is subject to the IPI measure represent no more than 50 % of the total value of the contract.

Therefore, more than 50 % of the goods used in the execution of contracts of supply of goods must originate in the Union or in a third country not subject to the IPI measure.

All goods to be delivered under a supply contract fall under this threshold. Goods are defined as goods referred to in the object of a public procurement procedure and in the specifications of the relevant contract, but do not cover any input, material or ingredient incorporated in the supplied goods. Consequently, materials, goods and components to be incorporated into or to form part of the procured goods do not fall under this threshold. For example, if the procurement concerns delivery of electronic devices, semi-conductors used in the production of such devices will not be counted towards the 50 % value threshold, but more than 50 % of such electronic devices procured must originate in a country which is not subject to the IPI measure.

The information on the origin of the goods used may be requested by the contracting authority or contracting entity anytime during the execution of a contract.

If requested, the successful tenderer who is awarded the contract must state expressly that the goods supplied in execution of the contract meet the requirements concerning the threshold regarding the origin of the goods supplied. To this effect, the contractor should provide the contracting authority with a statement, which may be drafted in the following way: 'I hereby certify that no more than 50 % of the goods supplied in the execution of contract XXX are originating in country [X] subject to [XYZ] IPI measure of [date: xx.yy.zz]'.

The Commission recommends, as part of the risk-assessment and controls procedures on the implementation of Article 8 of the IPI Regulation, that contracting authorities and contracting entities invite the successful bidder to provide a voluntary declaration by indicating the percentage of goods or services originating in countries subject to IPI measures in the total value of the contract.

This voluntary declaration should in principle be provided prior to the final payment of the contract and can be based on the existing supply chain and traceability control systems that the company has in place as part of normal course of business. When such declarations are provided, the risk of circumvention can be considered as lower than in the absence of any such information.

4.3. *Obligations regarding provision of adequate evidence upon request*

The contractor is obliged to provide, at the request of the contracting authority or contracting entity, adequate evidence to prove compliance with the threshold regarding the origin of the goods. In this respect, it is sufficient to provide evidence that more than 50 % of the total value of the contract originates in the Union or in other third countries not subject to the IPI measure.

In practice, in a contract for the supply of goods two situations may occur:

- a) The contractor may purchase the final goods, which have been used for the execution of the contract, in the Union (or a third country) or in a country subject to the IPI measure, or
- b) The contractor may have produced those goods with the use of components or ingredients originating in the Union (or a third country) or in a country subject to the IPI measure.

Non-preferential rules of origin as explained above apply equally in both cases.

In the first case, if the imported final goods originate in a country subject to an IPI measure, their share in the total value of the contract cannot exceed 50 % of the value of the contract. This means that more than 50 % of goods supplied on the basis of the contract should be originating in the Union or in third countries (other than countries subject to the IPI measure). The contractor may prove compliance with this threshold by producing relevant invoices and/or accompanying statements from external suppliers. Where a foreign currency was used on the invoices, their value shall be converted into EUR on the basis of the EUR exchange rate valid at the moment of purchase.

In the second case, the contractor must demonstrate that a majority (more than 50 %) of goods produced and supplied on the basis of the contract have acquired Union or third country (other than a country subject to the IPI measure) origin. Although components originating in a country subject to the IPI measure may be used, they must have undergone substantial transformation in the production process so that the final product obtains Union or third country (other than a country subject to the IPI measure) origin, in line with the non-preferential rules of origin as explained above.

The contractor should provide any information, certificate, supporting document or statement that proves compliance with the threshold regarding origin. Such evidence consists of documents showing that more than 50 % of the goods originate in the Union or a third country not subject to an IPI measure. It can also contain a description of manufacturing processes, including samples, descriptions or photographs, enabling the determination of the origin of the supplied goods. The evidence can also consist of a statement or another form of evidence from a supplier of goods in the Union, if the contractor has purchased the goods on the Union market.

Relevant documents could also be declarations or certificates of origin. Such documents could be issued by the competent body of the declared country of origin of the goods (for example the chamber of commerce). However, such declarations or certificates of origin provide no information about the accuracy of the origin declared, insofar as third countries could have different rules concerning the determination of the origin of goods. This kind of certificate merely gives an indication about the place of production or provenance of the goods. Therefore, declarations/certificates of origin are not to be regarded as legal proof, but as a useful element for the determination of the origin, which may, in case of doubt, facilitate further checks.

4.4. *Obligations regarding the payment of proportionate charge*

Where the contracting authority or contracting entity established that the contractor failed to meet the obligations under Article 8.1(a-b) or where it has reasonable doubts about the reliability of the evidence submitted by the contractor under Article 8.1(c), it may impose a proportionate charge between 10 % and 30 % of the value of the contract (as per Article 8.1(d)). The actual amount of that charge will have to be established on a case-by-case basis and may depend on, but not be limited to, a share of goods or services, in respect of which reasonable doubts exist.

5. *How and when should contracting authorities and contracting entities apply an IPI measure*

The IPI Regulation provides in its Article 6(4) that the IPI measure only apply to public procurement procedures with an estimated value above a threshold to be determined by the Commission in light of the results of the investigation and consultations and taking into consideration the criteria set out in paragraph 3⁽⁸⁾. That estimated value should be equal to or above EUR 15 000 000 net of VAT for works and concessions, and equal to or above EUR 5 000 000 net of VAT for goods and services.

For the application of the thresholds in this Regulation, the relevant estimated values of the contracts should be calculated in accordance with Article 8 of the Directive 2014/23/EU, Article 5 of the Directive 2014/24/EU and Article 16 of the Directive 2014/25/EU respectively.

⁽⁸⁾ In particular; (a) the proportionality of the IPI measure with regards to the third-country measure or practice and (b) the availability of alternative sources of supply for the goods and services concerned, in order to avoid or minimise a significant impact on contracting authorities and contracting entities.

An IPI measure shall apply only to covered public procurement procedures, which have been launched between the entry into force of that IPI measure and its expiry, withdrawal or suspension.

For framework contracts, IPI measures will be applied only once at the award of the framework agreement. IPI measures do not apply to contracts based on a framework agreement (at the so called call-off stage).

The IPI Regulation provides in its Article 13(2) that contracting authorities and contracting entities should report to the Commission through the Tenders Electronic Daily about the application of IPI measures, as part of the information on contract awards. Such report will include, for each relevant procedure, information on the application of IPI measures, the number of tenders received from third countries subject to the relevant IPI measure, the number of tenders for which the exclusion of the tender or score adjustment were applied and the application of specific exceptions from the IPI measure.

There will be specific fields in TED that contracting authorities will need to fill in.

An IPI measure in the form of score adjustment should be applied at the stage of evaluation of the award criteria (more precisely at the moment of calculation of the final score).

An IPI measure in the form of exclusion should be applied at the stage of evaluation of the selection criteria.

IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

COUNCIL

COUNCIL DECISION

of 14 February 2023

appointing one alternate member of the Advisory Committee on Freedom of Movement for Workers for Italy

(2023/C 64/05)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Regulation (EU) No 492/2011 of the European Parliament and of the Council of 5 April 2011 on freedom of movement for workers within the Union ⁽¹⁾, and in particular Articles 23 and 24 thereof,

Having regard to the lists of candidates submitted to the Council by the Governments of Member States,

Whereas:

- (1) By means of its Decisions of 20 September 2022 ⁽²⁾ and 25 October 2022 ⁽³⁾, the Council appointed the members and alternate members of the Advisory Committee on Freedom of Movement for Workers for the period from 25 September 2022 to 24 September 2024.
- (2) The government of Italy has submitted one nomination for a post to be filled,

HAS ADOPTED THIS DECISION:

Article 1

The following is hereby appointed as alternate member of the Advisory Committee on Freedom of Movement for Workers for the period ending on 24 September 2024:

I. GOVERNMENT REPRESENTATIVES

Country	Members	Alternates
Italy		Mr Niccolò FRANGIONE

⁽¹⁾ OJ L 141, 27.5.2011, p. 1.

⁽²⁾ Council Decision of 20 September 2022 appointing the members and alternate members of the Advisory Committee on Freedom of Movement for Workers (OJ C 393, 13.10.2022, p. 5).

⁽³⁾ Council Decision of 25 October 2022 appointing members and alternate members of the Advisory Committee on Freedom of Movement for Workers for Denmark, Germany, Greece, Croatia, Italy, Cyprus, Luxembourg, Malta and Portugal (OJ C 481, 19.12.2022, p. 1).

Article 2

The members and alternate members not yet nominated will be appointed by the Council at a later date.

Article 3

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 14 February 2023.

For the Council
The President
E. SVANTESSON

Council conclusions
on the revised EU list of non-cooperative jurisdictions for tax purposes

(2023/C 64/06)

THE COUNCIL OF THE EUROPEAN UNION,

1. UNDERLINES the importance of promoting and strengthening tax good governance standards, including in the area of fair taxation and tax transparency, and of fighting against tax fraud, evasion and avoidance, both at the EU level and globally;
2. APPRECIATES the continuous productive cooperation on tax matters between the Code of Conduct Group on Business Taxation ('Code of Conduct Group') and most jurisdictions around the world;
3. WELCOMES the progress in the relevant jurisdictions through the active steps taken by the agreed deadlines and the new commitments taken towards resolving the deficiencies that the Code of Conduct Group had identified;
4. WELCOMES the update of criterion 1.1 on the automatic exchange of financial account information and the commitments taken by the jurisdictions engaged in a dialogue with the Code of Conduct Group in the framework of this update; REGRETS that some jurisdictions failed to take a commitment to the Group within the set deadline, which has resulted in their inclusion in the EU list of non-cooperative jurisdictions for tax purposes, or were downgraded by the Global Forum in relation to their rating on exchange of information on request;
5. REGRETS that some jurisdictions remain non-cooperative for tax purposes and that a number of jurisdictions failed to fulfil their commitments to the Code of Conduct Group with regard to economic substance requirements under criterion 2.2 or the reform of harmful tax regimes under criterion 2.1; INVITES these jurisdictions to engage with the Code of Conduct Group in order to resolve the remaining issues;
6. APPROVES the assessment made by the Code of Conduct Group of the Russian Federation's amended International Holding Companies regime against the technical criteria of the Code of Conduct on business taxation in the context of the EU list, in particular the assessment of the treatment of income from intellectual property and the grandfathering provisions, and CONSIDERS that the Russian Federation has not fulfilled its commitment to amend its harmful preferential tax regime and should therefore be included in the EU list of non-cooperative jurisdictions for tax purposes; UNDERLINES that the Russian Federation's unprovoked military aggression against Ukraine, which the European Council has strongly condemned on multiple occasions ⁽¹⁾, prevents the Code of Conduct Group from maintaining a dialogue with the Russian authorities;
7. REGRETS that Türkiye has not made any progress with one Member State on the effective automatic exchange of information; REITERATES its call on Türkiye to begin the outstanding automatic information exchange relationships with one Member State and to fully comply with the requirements set in the conclusions of the Ecofin Council of 22 February 2021, 5 October 2021, 24 February 2022 and 4 October 2022; REITERATES that the effective automatic exchange of information with all Member States is a condition for Türkiye to fulfil criterion 1.1 of the EU list; INVITES the Group to inform the Council about developments in this regard and to continue addressing the outstanding issues where no progress has been made;
8. APPROVES the Code of Conduct Group Report set out in doc. 5922/23;

⁽¹⁾ EUCO 18/22, EUCO 1/22, 21/22, 31/22, 34/22, as well as ST 9873/22.

9. APPROVES accordingly the revised EU list of non-cooperative jurisdictions for tax purposes ('EU list') set out in Annex I;
 10. ENDORSES the state of play set out in Annex II with respect to commitments taken by cooperative jurisdictions to implement tax good governance standards.
-

ANNEX I

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

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

2. Anguilla

Anguilla facilitates offshore structures and arrangements aimed at attracting profits without real economic substance by failing to take all necessary actions to ensure the effective implementation of substance requirements under criterion 2.2.

Anguilla is waiting for a supplementary review by the Global Forum on Transparency and Exchange of Information for Tax Purposes ('Global Forum') in relation to exchange of information on request (criterion 1.2).

3. The Bahamas

The Bahamas facilitates offshore structures and arrangements aimed at attracting profits without real economic substance by failing to take all necessary actions to ensure the effective implementation of substance requirements under criterion 2.2.

4. British Virgin Islands

British Virgin Islands does not have a rating of at least 'Largely Compliant' by the Global Forum for exchange of information on request.

5. Costa Rica

Costa Rica has a harmful foreign source income exemption regime, and has not resolved this issue yet.

Costa Rica has committed to addressing the Global Forum recommendations with regard to automatic exchange of information (criterion 1.1) in due time, so as to achieve determinations of at least 'In place, but needs improvement' on core requirements 1 and 2 in the Global Forum peer review report in the autumn of 2024.

6. Fiji

Fiji is not a member of the Global Forum, has not signed and ratified the OECD Multilateral Convention on Mutual Administrative Assistance as amended, has harmful preferential tax regimes (Exporting Companies, Income Communication Technology (ICT) Incentive, Concessionary rate of tax for regional or global headquarters), has not become a member of the Inclusive Framework nor implemented the BEPS minimum standards, and has not resolved these issues yet.

7. Guam

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

8. Marshall Islands

Marshall Islands facilitates offshore structures and arrangements aimed at attracting profits without real economic substance by failing to take all necessary actions to ensure the effective implementation of substance requirements under criterion 2.2.

9. Palau

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

10. Panama

Panama does not have a rating of at least 'Largely Compliant' by the Global Forum for exchange of information on request, has a harmful foreign source income exemption regime and has not resolved these issues yet.

Panama has committed to addressing the Inclusive Framework recommendations with regard to the implementation of criterion 3.2 on CbCR in due time, so that this is reflected in the Inclusive Framework Action 13 peer review report in the autumn of 2023.

11. Russian Federation

The Russian Federation has a harmful preferential tax regime (International Holding Companies) and has not resolved this issue.

12. Samoa

Samoa has a harmful preferential tax regime (Offshore Business) and has not resolved this issue yet.

13. Trinidad and Tobago

Trinidad and Tobago does not apply any automatic exchange of financial information, does not have a rating of at least 'Largely Compliant' by the Global Forum for exchange of information on request, has not signed and ratified the OECD Multilateral Convention on Mutual Administrative Assistance as amended, has harmful preferential tax regimes (Free Zones), and has not resolved these issues yet.

Trinidad and Tobago has committed to addressing the Inclusive Framework recommendations with regard to the implementation of criterion 3.2 on CbCR in due time, so that this is reflected in the Inclusive Framework Action 13 peer review report in the autumn of 2023.

Trinidad and Tobago has also committed to addressing the Global Forum recommendations with regard to automatic exchange of information (criterion 1.1) in due time, so as to achieve determinations of at least 'In place, but needs improvement' on core requirements 1 and 2 in the Global Forum peer review report in the autumn of 2024.

14. Turks and Caicos Islands

Turks and Caicos Islands facilitates offshore structures and arrangements aimed at attracting profits without real economic substance by failing to take all necessary actions to ensure the effective implementation of substance requirements under criterion 2.2.

15. US Virgin Islands

US Virgin Islands does not apply any automatic exchange of financial information, has not signed and ratified, including through the jurisdiction they are dependent on, the OECD Multilateral Convention on Mutual Administrative Assistance as amended, has harmful preferential tax regimes (Economic Development Programme, Exempt companies, International Banking Center Regulatory Act), has not committed to apply the BEPS minimum standards and has not committed to addressing these issues.

16. Vanuatu

Vanuatu facilitates offshore structures and arrangements aimed at attracting profits without real economic substance and has not resolved this issue yet.

Vanuatu is waiting for a supplementary review by the Global Forum in relation to exchange of information on request.

ANNEX II

State of play of the cooperation with the EU with respect to commitments taken by cooperative jurisdictions to implement tax good governance principles**1. Transparency****1.1 Automatic exchange of information**

The following jurisdiction is expected to effectively exchange information with all 27 Member States according to the timeline referred to in paragraph 6 of the Council conclusions of 22 February 2021, paragraph 4 of the Council conclusions of 5 October 2021, paragraph 4 of the Council conclusions of 24 February 2022 and paragraph 4 of the Council conclusions of 4 October 2022.

Türkiye

The following jurisdictions committed to address the Global Forum recommendations with regard to automatic exchange of information in due time, so as to achieve determinations of at least 'In place, but needs improvement' on core requirements 1 and 2 in the Global Forum peer review report in the autumn of 2024.

Aruba, Belize, Curaçao and Israel**1.2 Membership of the Global Forum and satisfactory rating in relation to exchange of information on request**

The following jurisdictions are waiting for a supplementary review by the Global Forum:

Botswana, Dominica and Seychelles**2. Fair Taxation****2.1 Existence of harmful tax regimes**

The following jurisdiction, which committed to amend or abolish its harmful foreign source income exemption regime by the end of 2022, faced constitutional reform constraints and demonstrated tangible progress in 2022, was granted until 31 March 2023 to adapt its legislation as regards the anti-abuse rules and the economic substance requirements. This jurisdiction committed to applying the amended legislation with effect from 1 January 2023:

Qatar

The following jurisdictions, which committed to amend or abolish their harmful foreign source income exemption regimes by the end of 2022 and demonstrated tangible progress with these reforms in 2022, were granted until the end of 2023 to adapt their legislation as regards the treatment of capital gains:

Hong Kong and Malaysia

The following jurisdictions, which committed to amend or abolish a preferential tax regimes in the scope of the Forum on Harmful Tax Practices (FHTP) by 31 December 2022, was granted until the end of April 2023 to adapt its legislation:

Jordan (Aqaba special economic zone)

The following jurisdictions committed to amending or abolishing preferential tax regimes in the scope of the Forum on Harmful Tax Practices (FHTP), by 31 December 2023:

Albania (Industrial Incentives), Armenia (Free economic zones and Information technology projects) and Eswatini (Special economic zone)

3. **Prevention of base erosion and profit shifting**

3.2 *Implementation of the CbCR minimum standard (BEPS Action 13)*

The following jurisdictions committed to implement the CbCR minimum standard by addressing the Inclusive Framework recommendations in due time, so that this is reflected in the Inclusive Framework Action 13 peer review report in the autumn of 2023 and/or activating CbCR exchange relationships with all EU Member States according to the agreed deadline:

Belize, Israel, Montserrat, Thailand, Vietnam

Notice for the attention of the persons, entities and bodies subject to the restrictive measures provided for in Council Decision 2013/184/CFSP, as amended by Council Decision (CFSP) 2023/380, and in Regulation (EU) No 401/2013, as implemented by Council Implementing Regulation (EU) 2023/378 concerning restrictive measures in view of the situation in Myanmar/Burma

(2023/C 64/07)

The following information is brought to the attention of the persons, entities and bodies that appear in the Annex to Council Decision 2013/184/CFSP ⁽¹⁾, as amended by Council Decision (CFSP) 2023/380 ⁽²⁾, and in Annex IV to Regulation (EU) No 401/2013 ⁽³⁾, as implemented by Council Implementing Regulation (EU) 2023/378 ⁽⁴⁾ concerning restrictive measures in view of the situation in Myanmar/Burma.

The Council of the European Union has decided that the persons, entities and bodies that appear in the above-mentioned Annexes should be included in the list of persons, entities and bodies subject to the restrictive measures provided for in Decision 2013/184/CFSP and Regulation (EU) No 401/2013 concerning restrictive measures in view of the situation in Myanmar/Burma. The grounds for the listing of the persons, entities and bodies concerned appear in the relevant entries in those Annexes.

The attention of the persons, entities and bodies concerned is drawn to the possibility of making an application to the competent authorities of the relevant Member State(s) as indicated on the websites in Annex II to Regulation (EU) No 401/2013 concerning restrictive measures in view of the situation in Myanmar/Burma, in order to obtain an authorisation to use frozen funds for basic needs or specific payments (cf. Article 4b of the Regulation).

The persons, entities and bodies concerned may submit a request to the Council, together with supporting documentation, that the decision to include them on the above-mentioned lists should be reconsidered, by 14 March 2023, to the following address:

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

Email: sanctions@consilium.europa.eu

Any observations received will be taken into account for the purpose of the Council's periodic review, in accordance with Article 12 of Decision 2013/184/CFSP and Article 4i(4) of Regulation (EU) No 401/2013.

The attention of the persons, entities and bodies concerned is also drawn to the possibility of challenging the Council's decision before the General Court of the European Union, in accordance with the conditions laid down in Article 275, second paragraph, and Article 263, fourth and sixth paragraphs, of the Treaty on the Functioning of the European Union.

⁽¹⁾ OJ L 111, 23.4.2013, p. 75.

⁽²⁾ OJ L 51 I, 20.2.2023, p. 27.

⁽³⁾ OJ L 121, 3.5.2013, p. 1.

⁽⁴⁾ OJ L 51 I, 20.2.2023, p. 1.

Notice for the attention of the data subjects to whom the restrictive measures provided for in Council Decision 2013/184/CFSP and Council Regulation (EU) No 401/2013 concerning restrictive measures in view of the situation in Myanmar/Burma apply

(2023/C 64/08)

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

The legal bases for this processing operation are Decision 2013/184/CFSP ⁽²⁾, as amended by Council Decision (CFSP) 2023/380 ⁽³⁾, and Regulation (EU) No 401/2013 ⁽⁴⁾, as implemented by Council Implementing Regulation (EU) 2023/378 ⁽⁵⁾.

The controller of this processing operation is the Council of the European Union represented by the Director-General of Directorate-General for External Relations (RELEX) of the General Secretariat of the Council and the department entrusted with the processing operation is RELEX.1 that can be contacted at:

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

Email: sanctions@consilium.europa.eu

The Data Protection Officer of the Council can be contacted at:

Data Protection Officer

data.protection@consilium.europa.eu

The purpose of the processing operation is the establishment and updating of the list of persons subject to restrictive measures in accordance with Decision 2013/184/CFSP, as amended by Council Decision (CFSP) 2023/380, and Regulation (EU) No 401/2013, as implemented by Council Implementing Regulation (EU) 2023/378.

The data subjects are the natural persons who fulfil the listing criteria as laid down in Decision 2013/184/CFSP and Regulation (EU) No 401/2013.

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

The legal bases for the handling of personal data are the Council Decisions adopted under Article 29 TEU and Council Regulations adopted under Article 215 TFEU designating natural persons (data subjects) and imposing the freezing of assets and travel restrictions.

Processing is necessary for the performance of a task carried out in the public interest in accordance with Article 5(1)(a) and for compliance with legal obligations laid down in above-mentioned legal acts to which the controller is subject in accordance with Article 5(1)(b) of Regulation (EU) 2018/1725.

Processing is necessary for reasons of substantial public interest in accordance with Article 10(2)(g) of Regulation (EU) 2018/1725.

⁽¹⁾ OJ L 295, 21.11.2018, p. 39.

⁽²⁾ OJ L 111, 23.4.2013, p. 75.

⁽³⁾ OJ L 51 I, 20.2.2023, p. 27.

⁽⁴⁾ OJ L 121, 3.5.2013, p. 1.

⁽⁵⁾ OJ L 51 I, 20.2.2023, p. 1.

The Council may obtain personal data of data subjects from Member States and/or the European External Action Service. The recipients of the personal data are Member States, the European Commission and the European External Action Service.

All personal data processed by the Council in the context of EU autonomous restrictive measures will be retained for 5 years from the moment the data subject has been removed from the list of persons subject to the asset freeze or the validity of the measure has expired or, if a legal action is brought before the Court of Justice, until a final judgment has been handed down. Personal data contained in documents registered by the Council are kept by the Council for archiving purposes in the public interest, within the meaning of Art. 4(1)(e) of Regulation (EU) 2018/1725.

The Council may need to exchange personal data regarding a data subject with a third country or international organisation in the context of the Council's transposition of UN designations or in the context of international cooperation regarding the EU's restrictive measures policy.

In the absence of an adequacy decision, or of appropriate safeguards, transfer of personal data to a third country or an international organisation is based on the following condition(s), pursuant to Article 50 of Regulation (EU) 2018/1725:

- the transfer is necessary for important reasons of public interest;
- the transfer is necessary for the establishment, exercise or defence of legal claims.

No automated decision-making is involved in the processing of the data subject's personal data.

Data subjects have the right of information and the right of access to their personal data. They also have the right to correct and complete their data. Under certain circumstances, they may have the right to obtain the erasure of their personal data, or the right to object to the processing of their personal data or to ask for it to be restricted.

Data subjects can exercise these rights by sending an e-mail to the controller with a copy to the Data Protection Officer as indicated above.

Attached to their request, the data subjects must provide a copy of an identification document to confirm their identity (ID card or passport). This document should contain an identification number, country of issue, period of validity, name, address and date of birth. Any other data contained in the copy of the identification document such as photo or any personal characteristics may be blacked out.

Data subjects have the right to lodge a complaint with the European Data Protection Supervisor in accordance with Regulation (EU) 2018/1725 (edps@edps.europa.eu).

Before doing so, it is recommended that data subjects first try to obtain a remedy by contacting the controller and/or the Data Protection Officer of the Council.

Notice for the attention of the persons and entities to whom measures provided for in Council Decision 2011/235/CFSP, as implemented by Council Implementing Decision (CFSP) 2023/381 and in Council Regulation (EU) No 359/2011, as implemented by Council Implementing Regulation (EU) 2023/379 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Iran apply

(2023/C 64/09)

The following information is brought to the attention of the persons and entities that appear in the Annex to Council Decision 2011/235/CFSP ⁽¹⁾, as implemented by Council Implementing Decision (CFSP) 2023/381 ⁽²⁾, and in Annex I to Council Regulation (EU) No 359/2011 ⁽³⁾, as implemented by Council Implementing Regulation (EU) 2023/379 ⁽⁴⁾ concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Iran.

The Council of the European Union has decided that those persons and entities should be included on the list of persons and entities subject to restrictive measures provided for in Decision 2011/235/CFSP and in Regulation (EU) No 359/2011.

The attention of the persons and entities concerned is drawn to the possibility of making an application to the competent authorities of the relevant Member State(s) as indicated on the websites in Annex II to Regulation (EU) No 359/2011, in order to obtain an authorisation to use frozen funds for basic needs or specific payments (cf. Article 4 of the Regulation).

The persons and entities concerned may submit a request to the Council before 14 March 2023, together with supporting documentation that the decision to include them on the above-mentioned list should be reconsidered to the following address:

Council of the European Union
General Secretariat
RELEX.1
Rue de la Loi/Wetstraat 175
1048 Bruxelles/Brussel
BELGIQUE/BELGIË
Email: sanctions@consilium.europa.eu

The attention of the persons and entities concerned is also drawn to the possibility of challenging the Council's decision before the General Court of the European Union, in accordance with the conditions laid down in Article 275, second paragraph, and Article 263, fourth and sixth paragraphs, of the Treaty on the Functioning of the European Union.

⁽¹⁾ OJ L 100, 14.4.2011, p. 51.

⁽²⁾ OJ L 51 I, 20.2.2023, p. 36.

⁽³⁾ OJ L 100, 14.4.2011, p. 1.

⁽⁴⁾ OJ L 51 I, 20.2.2023, p. 13.

Notice for the attention of the data subjects to whom the restrictive measures provided for in Council Decision 2011/235/CFSP and Council Regulation (EU) No 359/2011 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Iran apply

(2023/C 64/10)

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

The legal bases for this processing operation are Decision 2011/235/CFSP ⁽²⁾, as implemented by Council Implementing Decision (CFSP) 2023/381 ⁽³⁾, and Regulation (EU) No 359/2011 ⁽⁴⁾, as implemented by Council Implementing Regulation (EU) 2023/379 ⁽⁵⁾.

The controller of this processing operation is the Council of the European Union represented by the Director-General of Directorate-General for External Relations (RELEX) of the General Secretariat of the Council and the department entrusted with the processing operation is RELEX.1 that can be contacted at:

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

Email: sanctions@consilium.europa.eu

The Data Protection Officer of the Council can be contacted at:

Data Protection Officer data.protection@consilium.europa.eu

The purpose of the processing operation is the establishment and updating of the list of persons subject to restrictive measures in accordance with Decision 2011/235/CFSP, as implemented by Implementing Decision (CFSP) 2023/381, and Regulation (EU) No 359/2011, as implemented by Implementing Regulation (EU) 2023/379.

The data subjects are the natural persons who fulfil the listing criteria as laid down in Decision 2011/235/CFSP and Regulation (EU) No 359/2011.

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

The legal bases for the handling of personal data are the Council Decisions adopted under Article 29 TEU and Council Regulations adopted under Article 215 TFEU designating natural persons (data subjects) and imposing the freezing of assets and travel restrictions.

Processing is necessary for the performance of a task carried out in the public interest in accordance with Article 5(1)(a) and for compliance with legal obligations laid down in above-mentioned legal acts to which the controller is subject in accordance with Article 5(1)(b) of Regulation (EU) 2018/1725.

Processing is necessary for reasons of substantial public interest in accordance with Article 10(2)(g) of Regulation (EU) 2018/1725.

The Council may obtain personal data of data subjects from Member States and/or the European External Action Service. The recipients of the personal data are Member States, the European Commission and the European External Action Service.

⁽¹⁾ OJ L 295, 21.11.2018, p. 39.

⁽²⁾ OJ L 100, 14.4.2011, p. 51.

⁽³⁾ OJ L 51 I, 20.2.2023, p. 36.

⁽⁴⁾ OJ L 100, 14.4.2011, p. 1.

⁽⁵⁾ OJ L 51 I, 20.2.2023, p. 13.

All personal data processed by the Council in the context of EU autonomous restrictive measures will be retained for 5 years from the moment the data subject has been removed from the list of persons subject to the asset freeze or the validity of the measure has expired or, if a legal action is brought before the Court of Justice, until a final judgment has been handed down. Personal data contained in documents registered by the Council are kept by the Council for archiving purposes in the public interest, within the meaning of Art. 4(1)(e) of Regulation (EU) 2018/1725.

The Council may need to exchange personal data regarding a data subject with a third country or international organisation in the context of the Council's transposition of UN designations or in the context of international cooperation regarding the EU's restrictive measures policy.

In the absence of an adequacy decision, or of appropriate safeguards, transfer of personal data to a third country or an international organisation is based on the following condition(s), pursuant to Article 50 of Regulation (EU) 2018/1725:

- the transfer is necessary for important reasons of public interest;
- the transfer is necessary for the establishment, exercise or defence of legal claims.

No automated decision-making is involved in the processing of the data subject's personal data.

Data subjects have the right of information and the right of access to their personal data. They also have the right to correct and complete their data. Under certain circumstances, they may have the right to obtain the erasure of their personal data, or the right to object to the processing of their personal data or to ask for it to be restricted.

Data subjects can exercise these rights by sending an e-mail to the controller with a copy to the Data Protection Officer as indicated above.

Attached to their request, the data subjects must provide a copy of an identification document to confirm their identity (ID card or passport). This document should contain an identification number, country of issue, period of validity, name, address and date of birth. Any other data contained in the copy of the identification document such as photo or any personal characteristics may be blacked out.

Data subjects have the right to lodge a complaint with the European Data Protection Supervisor in accordance with Regulation (EU) 2018/1725 (edps@edps.europa.eu).

Before doing so, it is recommended that data subjects first try to obtain a remedy by contacting the controller and/or the Data Protection Officer of the Council.

EUROPEAN COMMISSION

Euro exchange rates ⁽¹⁾

20 February 2023

(2023/C 64/11)

1 euro =

Currency	Exchange rate	Currency	Exchange rate		
USD	US dollar	1,0674	CAD	Canadian dollar	1,4367
JPY	Japanese yen	143,09	HKD	Hong Kong dollar	8,3623
DKK	Danish krone	7,4461	NZD	New Zealand dollar	1,7087
GBP	Pound sterling	0,88738	SGD	Singapore dollar	1,4259
SEK	Swedish krona	11,0620	KRW	South Korean won	1 384,38
CHF	Swiss franc	0,9861	ZAR	South African rand	19,3471
ISK	Iceland króna	154,70	CNY	Chinese yuan renminbi	7,3191
NOK	Norwegian krone	10,9683	IDR	Indonesian rupiah	16 178,69
BGN	Bulgarian lev	1,9558	MYR	Malaysian ringgit	4,7291
CZK	Czech koruna	23,693	PHP	Philippine peso	58,675
HUF	Hungarian forint	382,83	RUB	Russian rouble	
PLN	Polish zloty	4,7435	THB	Thai baht	36,708
RON	Romanian leu	4,9180	BRL	Brazilian real	5,5162
TRY	Turkish lira	20,1379	MXN	Mexican peso	19,6555
AUD	Australian dollar	1,5456	INR	Indian rupee	88,3060

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

COMMISSION DECISION**of 21 December 2022****instructing the Central Administrator of the European Union Transaction Log to enter corrections to the national allocation tables of Czechia, Denmark, Germany, Ireland, Spain, France, Italy, Latvia, Hungary, the Netherlands, Romania and Sweden into the European Union Transaction Log**

(2023/C 64/12)

THE EUROPEAN COMMISSION,

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

Having regard to Commission Delegated Regulation (EU) 2019/1122 of 12 March 2019 supplementing Directive 2003/87/EC of the European Parliament and of the Council as regards the functioning of the Union Registry ⁽¹⁾, and in particular Article 46(2) thereof,

Whereas:

- (1) Member States submitted to the Commission the list of installations in their territory pursuant to Article 11(1) of Directive 2003/87/EC ⁽²⁾.
- (2) In accordance with Article 2 of Commission Decision (EU) 2021/355 ⁽³⁾, the Commission raised no objections to the lists of installations covered by Directive 2003/87/EC as submitted by Belgium, Bulgaria, Czechia, Denmark, Germany, Estonia, Ireland, Greece, Spain, France, Croatia, Italy, Cyprus, Latvia, Lithuania, Luxembourg, Hungary, the Netherlands, Austria, Poland, Portugal, Romania, Slovenia, Slovakia, Finland and Sweden, except as set out in Article 1 and Annexes of that Decision.
- (3) Member States determined and notified the preliminary annual amounts of free allowances per installation using the revised benchmark values determined in Commission Implementing Regulation (EU) 2021/447 ⁽⁴⁾, pursuant to Article 14(5) of Commission Delegated Regulation (EU) 2019/331 ⁽⁵⁾.
- (4) In Article 1 of Commission Implementing Decision (EU) 2021/927 ⁽⁶⁾, it was determined that no adjustment needed to be applied to the preliminary annual amounts of free allowances pursuant to Article 10a(5) of Directive 2003/87/EC, as demand did not exceed the maximum amount.
- (5) Czechia notified changes to its national allocation table, by letter dated 6 July 2022. Installation CZ-127 was reported in the initial national allocation table with the wrong identification number of the registry account. The correct permanent number replaces identification number CZ-126.
- (6) Denmark notified changes to its national allocation table, by letter dated 2 December 2022. The historical activity levels of the heat sub-installations to installations DK-265, DK-305 and DK-375 were corrected.

⁽¹⁾ OJ L 177, 2.7.2019, p. 3.

⁽²⁾ Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32).

⁽³⁾ Commission Decision (EU) 2021/355 of 25 February 2021 concerning national implementation measures for the transitional free allocation of greenhouse gas emission allowances in accordance with Article 11(3) of Directive 2003/87/EC of the European Parliament and of the Council (OJ L 68, 26.2.2021, p. 221).

⁽⁴⁾ Commission Implementing Regulation (EU) 2021/447 of 12 March 2021 determining revised benchmark values for free allocation of emission allowances for the period from 2021 to 2025 pursuant to Article 10a(2) of Directive 2003/87/EC of the European Parliament and of the Council (OJ L 87, 15.3.2021, p. 29).

⁽⁵⁾ Commission Delegated Regulation (EU) 2019/331 of 19 December 2018 determining transitional Union-wide rules for harmonised free allocation of emission allowances pursuant to Article 10a of Directive 2003/87/EC of the European Parliament and of the Council (OJ L 59, 27.2.2019, p. 8).

⁽⁶⁾ Commission Implementing Decision (EU) 2021/927 of 31 May 2021 determining the uniform cross-sectoral correction factor for the adjustment of free allocations of emission allowances for the period 2021 to 2025.

- (7) Germany notified changes to its national allocation table, by letter dated 29 November 2022. Adjustments to the heat flows that are exchanged with a heat network have been reported to installations DE-43 and DE-2495, leading to corrected factors for non-ETS heat and free allocation being moved between heat sub-installations to installation DE-43. A correction concerning acetylene led to the correction of the historical activity levels of the fuel sub-installation and the process emissions sub-installation to installation DE-235. Errors in the calculation of the historical activity level for heat sub-installations in the installations DE-892, DE-941, DE-203778, DE-203812 and DE-206021 were identified and corrected. The historical activity levels for the heat sub-installation and the fuel sub-installation to installation DE-205609 were corrected, after the detection of mistakes in the measurement of natural gas. The electricity generator status of installation DE-4111 was corrected to electricity generator. One exporter of heat is no longer part of the EU ETS leading to a decrease of allocation to installation DE-4170. Errors in electricity consumption and the electricity exchange factor were corrected for sub-installation ethylene oxide/ethylene glycols to installation DE-202606. The origin of measurable heat import to installation DE-1439 was corrected from EU ETS installation to non-ETS installation. Part of the exported heat from installation DE-1439 was identified and corrected to carbon leakage status leading to the creation of a carbon leakage heat sub-installation. Inclusion of non-reported waste heat led to an increase in the historical activity level to the heat sub-installation and a decrease in the historical activity level of the fuel sub-installation to installation DE-205540. Following a court proceeding, installation DE-204581 is split into installation DE-204581 and installation DE-493. Installation DE-204581 falls out of EU ETS since it carries out no activities causing GHG emissions. Installation DE-493 is covered under the EU ETS for production and export of measurable heat to different users including installation DE-204581.
- (8) Ireland notified changes to its national allocation table, by letter dated 24 May 2022. The electricity generator status of installation IE-130 was corrected to 'not' electricity generator.
- (9) Spain notified changes to its national allocation table, by letter dated 2 December 2022. The start date of operation of the sintered dolime sub-installation to installation ES-158 was corrected. Incorrect measurements of measurable heat flows led to overestimation of the historical activity level of the heat sub-installation to installation ES-890. Corrected measurements set a new historical activity level. Errors in the calculation of the historical activity levels for the heat sub-installations to installations ES-932 and ES-201855 were identified and corrected. Exported heat to a non-ETS installation was wrongly attributed to the ammonia sub-installation, while it should have been attributed to the heat sub-installation within installation ES-201855. Correction concerning the exported heat also entails adjustments to that sub-installation's emissions and to the exchangeability of fuel and electricity factor to the ammonia sub-installation. Correction of a PRODCOM code led to change the carbon leakage status to non-carbon leakage to installation ES-202877.
- (10) France notified changes to its national allocation table, by letter dated 1 December 2022. The historical activity level of the heat benchmark sub-installation to installation FR-1020 was corrected. Corrections to the heat balance and the carbon leakage status of part of the production led to an increase in the historical activity level of the carbon leakage heat benchmark sub-installation and a decrease in the historical activity level of the non-carbon leakage heat benchmark sub-installation to installation FR-182. Corrections led to a reduction in historical activity level of the mineral wool sub-installation and the addition of a carbon leakage fuel benchmark sub-installation in installation FR-1163.
- (11) Italy notified changes to its national allocation table, by letters dated 11 July 2022, 22 November 2022 and 2 December 2022. The historical activity level of the float glass sub-installation in installation IT-493 was corrected. The technical connection to installation IT-654 was corrected, leading to change the heat sub-installation into district heating sub-installation. IT-217620 is reintroduced to free allocation under the Emissions Trading System with corrected registry identification number. Corrections to the measurable heat data led to a decrease in the historical activity level of the heat benchmark sub-installation and an increase in the historical activity level of the fuel benchmark sub-installation to installation IT-457.
- (12) Hungary notified changes to its national allocation table, by letter dated 1 December 2022. The exothermic heat from the neutralisation process was included in the activity level of the heat sub-installation in installation HU-153.

- (13) Latvia notified changes to its national allocation table, by letter dated 1 December 2022. Corrections to the heat balance led to an increase in the historical activity level of the district heating sub-installation to installation LV-206234.
- (14) The Netherlands notified changes to its national allocation table, by letters dated 8 March 2022, 23 March 2022, 16 June 2022, 14 October 2022 and 24 October 2022. A source of heat was mistakenly treated as eligible heat under the heat sub-installation to installation NL-366. In addition, no reported heat was fed into the hydrogen sub-installation to installation NL-366. Both issues were corrected. The historical activity level of the carbon leakage heat sub-installation to installation NL-54 was corrected. The historical activity level of the process emissions sub-installation to installation NL-110 was corrected. Errors in electricity consumption and the electricity exchange factor were corrected for the styrene sub-installation to installation NL-205924. The waste gas balance and the heat balance were also corrected to installation NL-205924. Inconsistencies over the boundaries and calculations regarding the process emissions sub-installation to installation NL-205926 were corrected.
- (15) Romania notified changes to its national allocation table, by letter dated 14 November 2022. Corrections to the heat balance led to a decrease of the historical activity level for the district heating sub-installation to installation RO-207234.
- (16) Sweden notified corrections to its national allocation table by letter dated 1 December 2022. The historical activity level of the uncoated fine paper sub-installation was reduced to installation SE-471. Earlier data included unsold products which went back to the process. This part has been deducted from the historical activity level. The historical activity level of the uncoated and coated carton board sub-installations to installation SE-475 was reduced. Earlier data included unsold products which went back to the process. This part has been deducted from the historical activity level.
- (17) The notified national allocation tables are in conformity with Directive 2003/87/EC and Commission Delegated Regulation (EU) 2019/331 and Commission Decision (EU) 2021/355,

HAS DECIDED AS FOLLOWS:

Sole article

The central administrator of the European Union Transaction Log is instructed to enter corrections to the national allocation tables of Czechia, Denmark, Germany, Ireland, Spain, France, Italy, Latvia, Hungary, the Netherlands, Romania and Sweden, with the final annual amounts for the transitional free allocation of emission allowances for the period from 2021 to 2025, as set out in the Annex, into the European Union Transaction Log.

Done at Brussels, 21 December 2022.

For the Commission
Frans TIMMERMANS
Executive Vice-President

ANNEX I

National allocation table for the period 2021-2025 pursuant to Article 10a of Directive 2003/87/EC

Member State: Czechia

Installation ID	Installation ID (Union registry)	Installation name	Operator name	Quantity to be allocated					Quantity to be allocated by installation
				2021	2022	2023	2024	2025	
CZ000000000000127	127	Elektrárny Prunéřov	ČEZ, a.s.	13 089	12 753	12 416	12 080	11 744	62 082
CZ000000000000126	126	Elektrárny Prunéřov	ČEZ, a.s.						0

TOTAL	13 089	12 753	12 416	12 080	11 744	62 082
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ANNEX II

National allocation table for the period 2021-2025 pursuant to Article 10a of Directive 2003/87/EC

Member State: Denmark

Installation ID	Installation ID (Union registry)	Installation name	Operator name	Quantity to be allocated					Quantity to be allocated by installation
				2021	2022	2023	2024	2025	
DK000000000000375	375	Siri feltet omfattende anlæg på Siri platformen	INEOS E&P A/S	21 515	21 515	21 515	21 515	21 515	107 575
DK000000000000305	305	Brødrene Hartmann A/S	Brødrene Hartmann A/S	6 659	6 659	6 659	6 659	6 659	33 295
DK000000000000265	265	Dansk Salt A/S	Dansk Salt A/S	51 258	51 258	51 258	51 258	51 258	256 290
TOTAL				79 432	79 432	79 432	79 432	79 432	397 160

National allocation table for the period 2021-2025 pursuant to Article 10a of Directive 2003/87/EC

Member State: Germany

Installation ID	Installation ID (Union registry)	Installation name	Operator name	Quantity to be allocated					Quantity to be allocated by installation
				2021	2022	2023	2024	2025	
DE000000000000043	43	Glocke	Salzgitter Flachstahl GmbH	6 044 087	6 044 087	6 044 087	6 044 087	6 044 087	30 220 435
DE000000000000235	235	Wanne7 mit Feedern und Kühlbahnen	SP Spezialglas Piesau GmbH	16 265	16 265	16 265	16 265	16 265	81 325
DE000000000000493	493	Essity Mannheim, HKW	Essity Operations Mannheim GmbH	124 800	121 593	118 386	115 180	111 973	591 932
DE000000000000892	892	Kesselhaus (K2 + K5)	MVV Industriepark Gersthofen GmbH	1 902	1 902	1 902	1 902	1 902	9 510
DE000000000000941	941	Kraftwerk Grenzach-Wyhlen	DSM Nutritional Products GmbH	35 837	34 917	33 995	33 075	32 154	169 978
DE000000000001439	1439	Heiz- und Wärmezentrale	Speira GmbH - Werk Grevenbroich	10 591	10 591	10 591	10 591	10 591	52 955
DE000000000002495	2495	Warmbreitbandwalzwerk	Salzgitter Flachstahl GmbH	260 105	260 105	260 105	260 105	260 105	1 300 525
DE000000000004111	4111	DMK Deutsches Milchkontor GmbH Werk Edeweicht	DMK Deutsches Milchkontor GmbH	15 467	15 070	14 672	14 275	13 878	73 362
DE000000000004170	4170	Papierfabrik Papiermaschine 1, Strichaufträge mit Luft- und IR-Trockner	Hamburger Rieger GmbH Papierfabrik Spremberg	28 389	28 389	28 389	28 389	28 389	141 945
DE000000000202606	202606	Ethylenoxid-Anlage	Sasol Germany GmbH	58 759	58 759	58 759	58 759	58 759	293 795

Installation ID	Installation ID (Union registry)	Installation name	Operator name	Quantity to be allocated					Quantity to be allocated by installation
				2021	2022	2023	2024	2025	
DE000000000203778	203778	AEG	Inovyn Deutschland GmbH	47 021	47 021	47 021	47 021	47 021	235 105
DE000000000203812	203812	VC	INOVYN Deutschland GmbH	40 880	40 880	40 880	40 880	40 880	204 400
DE000000000204581	204581	Essity Mannheim, Zellstofffabrik	Essity Operations Mannheim GmbH						0
DE000000000205540	205540	Kaltwalzwerk Dillenburg	Outokumpu Nirosta GmbH	21 338	21 338	21 338	21 338	21 338	106 690
DE000000000205609	205609	Anlage zur Herstellung von Stärkeprodukten	Ingredion Germany GmbH	15 015	15 015	15 015	15 015	15 015	75 075
DE000000000206021	206021	Produktionskomplex (Ziegler, TAM, NFA)	Sasol Germany GmbH	147 106	147 106	147 106	147 106	147 106	735 530

TOTAL	6 867 562	6 863 038	6 858 511	6 853 988	6 849 463	34 292 562
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ANNEX IV

National allocation table for the period 2021-2025 pursuant to Article 10a of Directive 2003/87/EC

Member State: Ireland

Installation ID	Installation ID (Union registry)	Installation name	Operator name	Quantity to be allocated					Quantity to be allocated by installation
				2021	2022	2023	2024	2025	
IE000000000000130	130	DuPont Nutrition Ireland	Dupont Nutrition Manufacturing Ireland Limited	20 976	20 976	20 976	20 976	20 976	104 880
TOTAL				20 976	20 976	20 976	20 976	20 976	104 880

National allocation table for the period 2021-2025 pursuant to Article 10a of Directive 2003/87/EC

Member State: Spain

Installation ID	Installation ID (Union registry)	Installation name	Operator name	Quantity to be allocated					Quantity to be allocated by installation
				2021	2022	2023	2024	2025	
ES000000000000158	158	DOLOMIAS DE ARAGON S.L.	DOLOMIAS DE ARAGÓN S.L.	20 285	20 285	20 285	20 285	20 285	101 425
ES000000000000890	890	TEXTIL SANTANDERINA, S.A.	TEXTIL SANTANDERINA, S. A.	9 572	9 326	9 080	8 834	8 588	45 400
ES000000000000932	932	CARGILL S.L.U. MARTORELL FABRICA	CARGILL S.L.U.	47 674	47 674	47 674	47 674	47 674	238 370
ES000000000202877	202877	PEPSICO MANUFACTURING, A.I.E.	PEPSICO MANUFACTURING, A.I.E.	4 265	4 265	4 265	4 265	4 265	21 325
ES000000000201855	201855	Fertiberia - Fábrica de Palos	FERTIBERIA,S.A.	557 921	557 921	557 921	557 921	557 921	2 789 605
TOTAL				639 717	639 471	639 225	638 979	638 733	3 196 125

National allocation table for the period 2021-2025 pursuant to Article 10a of Directive 2003/87/EC

Member State: France

Installation ID	Installation ID (Union registry)	Installation name	Operator name	Quantity to be allocated					Quantity to be allocated by installation
				2021	2022	2023	2024	2025	
FR000000000000182	182	ENTREMONT ALLIANCE MONTAUBAN DE BRETAGNE	ENTREMONT ALLIANCE S.A.S.	4 278	4 278	4 278	4 278	4 278	21 390
FR0000000000001020	1020	BONILAIT PROTEINES	BONILAIT PROTEINES	7 592	7 592	7 592	7 592	7 592	37 960
FR0000000000001163	1163	KNAUF INSULATION LANNEMEZAN	KNAUF INSULATION LANNEMEZAN	22 405	22 405	22 405	22 405	22 405	112 025
TOTAL				34 275	34 275	34 275	34 275	34 275	171 375

ANNEX VII

National allocation table for the period 2021-2025 pursuant to Article 10a of Directive 2003/87/EC

Member State: Italy

Installation ID	Installation ID (Union registry)	Installation name	Operator name	Quantity to be allocated					Quantity to be allocated by installation
				2021	2022	2023	2024	2025	
IT000000000000457	457	Burgo Group S.p.A. Stabilimento di Sora	Burgo Group S.p.A.	87 679	87 679	87 679	87 679	87 679	438 395
IT000000000000493	493	Pilkington Italia S.p.A.	Pilkington Italia S.p. A.	91 275	91 275	91 275	91 275	91 275	456 375
IT000000000000654	654	CENTRALE TERMOELETTRICA DI CASSANO D'ADDA	A2A gencogas Spa	877	854	832	809	787	4 159
IT000000000217620	217620	Sterilgarda Alimenti SpA	Sterilgarda Alimenti SpA	0	3 316	3 316	3 316	3 316	13 264
TOTAL				179 831	183 124	183 102	183 079	183 057	912 193

ANNEX VIII

National allocation table for the period 2021-2025 pursuant to Article 10a of Directive 2003/87/EC

Member State: Hungary

Installation ID	Installation ID (Union registry)	Installation name	Operator name	Quantity to be allocated					Quantity to be allocated by installation
				2021	2022	2023	2024	2025	
HU000000000000153	153	Nitrogénművek Zrt.	Nitrogénművek Zrt.	825 352	825 352	825 352	825 352	825 352	4 126 760
TOTAL				825 352	825 352	825 352	825 352	825 352	4 126 760

ANNEX IX

National allocation table for the period 2021-2025 pursuant to Article 10a of Directive 2003/87/EC

Member State: Latvia

Installation ID	Installation ID (Union registry)	Installation name	Operator name	Quantity to be allocated					Quantity to be allocated by installation
				2021	2022	2023	2024	2025	
LV00000000206234	206234	Biokoģenerācijas stacija	SIA 'SIA Gren Latvija'	6 856	6 679	6 503	6 327	6 151	32 516
TOTAL				6 856	6 679	6 503	6 327	6 151	32 516

National allocation table for the period 2021-2025 pursuant to Article 10a of Directive 2003/87/EC

Member State: The Netherlands

Installation ID	Installation ID (Union registry)	Installation name	Operator name	Quantity to be allocated					Quantity to be allocated by installation
				2021	2022	2023	2024	2025	
NL000000000000366	366	Nyrstar Budel B.V.	Nyrstar Budel B.V.	99 012	99 012	99 012	99 012	99 012	495 060
NL000000000000054	54	FarmFrites B.V. Oudenhoorn	FarmFrites B.V. Oudenhoorn	22 374	22 374	22 374	22 374	22 374	111 870
NL000000000000110	110	Emerald Kalama Chemical B.V.	Emerald Kalama Chemical B.V.	50 641	50 641	50 641	50 641	50 641	253 205
NL000000000205926	205926	Lyondell Chemie Nederland b.v. - Botlek locatie	Lyondell Chemie Nederland b.v.	408 210	408 210	408 210	408 210	408 210	2 041 050
NL000000000205924	205924	Lyondell Chemie Nederland B.V. - Maasvlakte locatie	LyondellBasell Covestro Manufacturing Maasvlakte V.O.F.	394 094	394 094	394 094	394 094	394 094	1 970 470
TOTAL				974 331	974 331	974 331	974 331	974 331	4 871 655

ANNEX XI

National allocation table for the period 2021-2025 pursuant to Article 10a of Directive 2003/87/EC

Member State: Romania

Installation ID	Installation ID (Union registry)	Installation name	Operator name	Quantity to be allocated					Quantity to be allocated by installation
				2021	2022	2023	2024	2025	
RO000000000207234	207234	SC BIOENERGY SUCEAVA SA	SC BIOENERGY SUCEAVA SA	8 981	8 750	8 519	8 288	8 058	42 596
TOTAL				8 981	8 750	8 519	8 288	8 058	42 596

National allocation table for the period 2021-2025 pursuant to Article 10a of Directive 2003/87/EC

Member State: Sweden

Installation ID	Installation ID (Union registry)	Installation name	Operator name	Quantity to be allocated					Quantity to be allocated by installation
				2021	2022	2023	2024	2025	
SE000000000000471	471	Stora Enso Paper AB, Kvarnsveden Mill	Stora Enso Paper AB, Kvarnsveden Mill	136 831	136 831	136 831	136 831	136 831	684 155
SE000000000000475	475	Stora Enso Skoghalls bruk	Stora Enso AB	152 009	152 009	152 009	152 009	152 009	760 045
TOTAL				288 840	288 840	288 840	288 840	288 840	1 444 200

EUROPEAN DATA PROTECTION SUPERVISOR

Summary of the Opinion of the European Data Protection Supervisor on the Proposals for Directives on standards for equality bodies in the field of equal treatment

(2023/C 64/13)

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

On 7 December 2022, the European Commission issued a Proposal for a Council Directive on standards for equality bodies in the field of equal treatment between persons irrespective of their racial or ethnic origin, equal treatment in the field of employment and occupation between persons irrespective of their religion or belief, disability, age or sexual orientation, equal treatment between women and men in matters of social security and in the access to and supply of goods and services, and deleting Article 13 of Directive 2000/43/EC and Article 12 of Directive 2004/113/EC ⁽¹⁾ and a Proposal for a Directive of the European Parliament and of the Council on standards for equality bodies in the field of equal treatment and equal opportunities between women and men in matters of employment and occupation, and deleting Article 20 of Directive 2006/54/EC and Article 11 of Directive 2010/41/EU ⁽²⁾.

The objective of the proposals is to lay down minimum requirements for the functioning of equality bodies to improve their effectiveness and guarantee their independence in order to strengthen the application of the principle of equal treatment.

The present Opinion of the EDPS is issued in response to a consultation by the European Commission of 8 December 2022, pursuant to Article 42(1) of EUDPR ⁽³⁾.

The EDPS welcomes such objectives. He notes that the reports, which the equality bodies would provide under Article 15, should not contain personal data and that the cooperation set out under Article 12, as well as the monitoring under Article 16 should not involve the processing of personal data.

He focuses therefore his recommendations on Article 18 concerning the processing of personal data. In particular, he recommends enhancing legal certainty for the equality bodies by considering Article 18 of the Proposals as the legal basis for the data processing and to make an explicit link to Article 9 GDPR ⁽⁴⁾ with regard to special categories of personal data. He recommends clarifying the scope of Article 18(1) of the Proposals to cover not only the collection but also the subsequent processing of personal data by equality bodies, as necessary, exhaustively listing all special categories of personal data within the meaning of the GDPR that may be processed on the basis of the Proposals as well as clarifying the suitable and specific measures to safeguard the fundamental rights and the interests of the data subject required in Article 9(2)(g) GDPR.

⁽¹⁾ COM(2022) 689 final.

⁽²⁾ COM(2022) 688 final.

⁽³⁾ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

⁽⁴⁾ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

1. INTRODUCTION

1. On 7 December 2022, the European Commission issued a Proposal for a Council Directive on standards for equality bodies in the field of equal treatment between persons irrespective of their racial or ethnic origin, equal treatment in the field of employment and occupation between persons irrespective of their religion or belief, disability, age or sexual orientation, equal treatment between women and men in matters of social security and in the access to and supply of goods and services, and deleting Article 13 of Directive 2000/43/EC ⁽⁵⁾ and Article 12 of Directive 2004/113/EC ⁽⁶⁾ ('the Equal Treatment Proposal') and a Proposal for a Directive of the European Parliament and of the Council on standards for equality bodies in the field of equal treatment and equal opportunities between women and men in matters of employment and occupation and deleting Article 20 of Directive 2006/54/EC ⁽⁷⁾ and Article 11 of Directive 2010/41/EU ⁽⁸⁾ ('the Equal Opportunities Proposal').
2. The objective of the Equal Treatment Proposal ⁽⁹⁾ is to lay down minimum requirements for the functioning of equality bodies to improve their effectiveness and guarantee their independence in order to strengthen the application of the principle of equal treatment as derived from Council Directives 79/7/EEC ⁽¹⁰⁾ (which prohibits discrimination based on sex, in matters of social security), 2000/43/EC (which prohibits discrimination based on racial or ethnic origin), 2000/78/EC ⁽¹¹⁾ (which prohibits discrimination on the grounds of religion or belief, disability, age or sexual orientation as regards employment, occupation and vocational training) and 2004/113/EC (which prohibits discrimination based on sex in access to and supply of goods and services).
3. The Equal Treatment Proposal is part of several strategies and action plans adopted to achieve a Union of Equality: the gender equality strategy ⁽¹²⁾, the anti-racism action plan ⁽¹³⁾, the Roma strategic framework for equality, inclusion and participation ⁽¹⁴⁾, the LGBTIQ equality strategy ⁽¹⁵⁾, and the strategy for the rights of persons with disabilities ⁽¹⁶⁾. It was also referred to in the strategy on combating antisemitism and fostering Jewish life ⁽¹⁷⁾.
4. The objective of the Equal Opportunities Proposal ⁽¹⁸⁾ is to lay down minimum requirements for the functioning of equality bodies to improve their effectiveness and guarantee their independence in order to strengthen the application of the principle of equal treatment as derived from Directives 2006/54/EC and 2010/41/EU. This Proposal is

⁽⁵⁾ Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin (OJ L 180, 19.7.2000, p. 22).

⁽⁶⁾ Council Directive 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services (OJ L 373, 21.12.2004, p. 37).

⁽⁷⁾ Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast) (OJ L 204, 26.7.2006, p. 23).

⁽⁸⁾ Directive 2010/41/EU of the European Parliament and of the Council of 7 July 2010 on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity and repealing Council Directive 86/613/EEC (OJ L 180, 15.7.2010, p. 1).

⁽⁹⁾ Article 1(1) and recitals 3 to 7 of the Equal Treatment Proposal.

⁽¹⁰⁾ Council Directive 79/7/EEC of 19 December 1978 on the progressive implementation of the principle of equal treatment for men and women in matters of social security (OJ L 6, 10.1.1979, p. 24).

⁽¹¹⁾ Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation (OJ L 303, 2.12.2000, p. 16).

⁽¹²⁾ COM(2020) 152 final (https://ec.europa.eu/info/policies/justice-and-fundamental-rights/gender-equality/gender-equality-strategy_en).

⁽¹³⁾ COM(2020) 565 final (https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/racism-and-xenophobia/eu-anti-racism-action-plan-2020-2025_en).

⁽¹⁴⁾ https://ec.europa.eu/info/publications/new-eu-roma-strategic-framework-equality-inclusion-and-participation-full-package_en.

⁽¹⁵⁾ COM(2020) 698 (https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/lesbian-gay-bi-trans-and-intersex-equality/lgbtiq-equality-strategy-2020-2025_en).

⁽¹⁶⁾ COM(2021) 101 (<https://ec.europa.eu/social/main.jsp?catId=1484>).

⁽¹⁷⁾ COM(2021) 615 (https://ec.europa.eu/commission/presscorner/detail/en/ip_21_4990). See Explanatory memorandum, page 4.

⁽¹⁸⁾ Article (1)(1) of the Proposal.

complementary to EU legislation adopted in the field of victims' rights ⁽¹⁹⁾, access to justice ⁽²⁰⁾ and to combat strategic lawsuits against public participation ⁽²¹⁾. The 2022 Rule of Law Report highlights that equality bodies need structural guarantees of independence and sufficient resources to work effectively, and several of these bodies in the Member States continue to face challenges ⁽²²⁾ ⁽²³⁾.

5. The present Opinion of the EDPS is issued in response to a consultation by the European Commission of 8 December 2022, pursuant to Article 42(1) EUDPR. The EDPS welcomes the reference to this consultation in recital 50 of the Equal Treatment Proposal and recital 49 of the Equal Opportunities Proposal. In this regard, the EDPS also positively notes that he was already previously informally consulted pursuant to recital 60 EUDPR on the Equal Treatment draft Proposal.

5. CONCLUSIONS

19. In light of the above, the EDPS makes the following recommendations:

- (1) to enhance legal certainty for the equality bodies by considering Article 18 of the Proposals as the legal basis for the data processing and to make an explicit link to Article 9 GDPR with regard to the processing of special categories of personal data;
- (2) to clarify the scope of Article 18(1) of the Proposals to cover not only the collection but also the subsequent processing of personal data by equality bodies, as necessary;
- (3) to exhaustively list all special categories of personal data within the meaning of the GDPR that may be processed on the basis of the Proposals as well as clarify the suitable and specific measures to safeguard the fundamental rights and the interests of the data subject required in Article 9(2)(g) GDPR.

Brussels, 2 February 2023.

Wojciech Rafał WIEWIÓROWSKI

⁽¹⁹⁾ Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA (OJ L 315, 14.11.2012, p. 57).

⁽²⁰⁾ Council Directive 2003/8/EC of 27 January 2003 to improve access to justice in cross-border disputes by establishing minimum common rules relating to legal aid for such disputes (OJ L 26, 31.1.2003, p. 41).

⁽²¹⁾ Commission Recommendation (EU) 2022/758 of 27 April 2022 on protecting journalists and human rights defenders who engage in public participation from manifestly unfounded or abusive court proceedings ('Strategic lawsuits against public participation') (OJ L 138, 17.5.2022, p. 30).

⁽²²⁾ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, 2022 Rule of Law Report (COM(2022) 500 final) (https://ec.europa.eu/info/policies/justice-and-fundamental-rights/upholding-rule-law/rule-law-mechanism/2022-rule-law-report_en).

⁽²³⁾ Explanatory memorandum, page 6.

V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION
POLICY

EUROPEAN COMMISSION

Prior notification of a concentration
(Case M.11007 – REGAL REXNORD / ALTRA)
Candidate case for simplified procedure

(Text with EEA relevance)

(2023/C 64/14)

1. On 10 February 2023, 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:

- Regal Rexnord Corporation ('Regal Rexnord', US),
- Altra Industrial Motion Corp ('Altra', US),

Regal Rexnord will acquire within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of Altra.

The concentration is accomplished by way of purchase of shares.

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

- Regal Rexnord Regal Rexnord supplies industrial powertrain solutions, power transmission components, electric motors and electronic controls, air moving products, and specialty components and systems,
- Altra Industrial Motion supplies of power transmission and motion control solutions.

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 Council Regulation (EC) No 139/2004 ⁽²⁾ it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

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

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

M.11007 – REGAL REXNORD / ALTRA

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

⁽²⁾ OJ C 366, 14.12.2013, p. 5.

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

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

Postal address:

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

OTHER ACTS

EUROPEAN COMMISSION

Publication of a communication of approval of a standard amendment to a product specification for a name in the wine sector referred to in Article 17(2) and (3) of Commission Delegated Regulation (EU) 2019/33

(2023/C 64/15)

This communication is published in accordance with Article 17(5) of Commission Delegated Regulation (EU) 2019/33 ⁽¹⁾.

COMMUNICATION OF APPROVAL OF A STANDARD AMENDMENT

‘Anjou-Coteaux de la Loire’**PDO-FR-A0405-AM03****Date of communication: 23.11.2022**

DESCRIPTION OF AND REASONS FOR THE APPROVED AMENDMENT

1. Official Geographic Code

The municipalities making up the geographical area and the area in immediate proximity have been updated in line with the *Code officiel géographique* [Official Geographic Code].

This does not affect the boundary of the demarcated geographical area.

Points 6 and 9 of the single document have been amended.

2. Spacing between vines

The minimum spacing between the individual vines in the same row has been changed from 1 m to 0,90 m.

The purpose of this amendment is to allow greater planting density without altering the spacing between the rows of vines.

A special provision has also been added for vines located on slopes of over 10 %, for which a minimum spacing of 0,80 m between plants is permitted.

This addition has been made to take into account the particular situation of vines planted on steep slopes, which require special arrangements during planting: rows parallel rather than perpendicular to the slope.

Point 5 of the single document has been amended.

3. Size

The pruning rules have been aligned with those of the other designations in the Anjou Saumur area in the Val de Loire.

This alignment is intended to ensure that winegrowers are better informed, and to simplify inspections. This amendment gives winegrowers the possibility of adapting when frosts occur, which is happening later and later in the year.

Point 5 of the single document has been amended.

⁽¹⁾ OJ L 9, 11.1.2019, p. 2.

4. **Maturity**

The minimum sugar content of the grapes has been raised from 221 to 238 grams per litre. This increase was made to improve the quality of the wines, which are wines with residual sugars.

In order to take account of the difficulty of fermenting musts with the highest sugar content, the actual alcoholic strength by volume is no longer subject to a ceiling in the case of wines with a natural alcoholic strength by volume of at least 18 %.

Point 4 of the single document has been amended.

5. **Link**

The Link section has been edited, and the reference to the year 2018 has been changed to 2021.

Point 8 of the single document has been amended.

6. **Transitional measures**

Transitional measures no longer in force have been deleted.

The single document has not been amended.

7. **Main points for checking**

Harvesting by hand in multiple passes has been added to the main points to be checked.

The single document has not been amended.

8. **Editorial amendments**

A number of editorial amendments have been made to the specification.

These amendments do not require any amendments to the single document.

9. **Reference to the inspection body**

The reference to the inspection body has been reworded to align it with the wording used in other product specifications. This is a purely editorial amendment.

This amendment does not lead to any changes to the single document.

10. **Labelling**

The rules on labelling have been clarified and aligned with those of the other designations in the Anjou Saumur area in the Val de Loire. This is a purely editorial amendment.

Point 9 of the single document has been amended.

SINGLE DOCUMENT

1. **Name(s)**

Anjou-Coteaux de la Loire

2. **Geographical indication type**

PDO – Protected Designation of Origin

3. **Categories of grapevine product**

1. Wine

4. Description of the wine(s)

CONCISE TEXTUAL DESCRIPTION

These are still white wines made from grapes harvested when overripe (natural concentration on the vine, with or without noble rot). They are elegant wines, with highly complex aromas (of flowers, fresh or even dried or candied fruit), combining smoothness and freshness in the mouth. They have: a minimum natural alcoholic strength by volume of 14 %; a fermentable sugar (glucose and fructose) content after fermentation greater than or equal to 34 g/l. The minimum actual alcoholic strength by volume is 11 % for wines with a natural alcoholic strength by volume below 18 %. The total acid and total sulphur dioxide content are those set out in EU legislation.

General analytical characteristics	
Maximum total alcoholic strength (in % volume)	18
Minimum actual alcoholic strength (in % volume)	
Minimum total acidity	in milliequivalents per litre
Maximum volatile acidity (in milliequivalents per litre)	25
Maximum total sulphur dioxide (in milligrams per litre)	

5. Wine-making practices

5.1. Specific oenological practices

1. Enrichment

Specific oenological practice

Enrichment is permitted according to the rules set out in the specification.

2. Use of wood chips

Specific oenological practice

The use of wood chips is forbidden. In addition to the above provisions, the oenological practices concerning these wines must meet the requirements laid down at EU level and in the Rural and Maritime Fishing Code.

3. Density

Growing method

The minimum vine planting density is 4 000 plants per hectare. Spacing between vine rows must not exceed 2,50 metres, and spacing between plants in the same row must be at least 0,90 metres.

Grape harvests are eligible for the controlled designation of origin if they come from vineyard parcels with spacing of at least 0,80 metres but less than 0.90 metres between plants in the same row, where they are on slopes of more than 10 %.

In the case of vineyard parcels where the planting density is at least 3 300 but less than 4 000 plants per hectare, the harvests are eligible for the controlled designation of origin provided that they comply with the rules on trellising and foliage height laid down in this specification. The spacing between the rows of the vines must not exceed 3 metres, and the spacing between plants in the same row must be at least 1 metre.

4. Size

Growing method

The vines are pruned with a maximum of 12 buds per plant, regardless of whether spur pruning, cane pruning or mixed pruning is used.

At the phenological stage corresponding to 11 or 12 leaves (separate buds), the number of fruit-bearing branches for the year per plant must not exceed 12.

5. Harvesting

Growing method

The grapes are harvested by hand in multiple passes.

6. Irrigation

Growing method

Irrigation is prohibited.

7. Ageing

Specific oenological practice

The wines must be aged until at least 15 January of the year following the harvest.

5.2. *Maximum yields*

40 hectolitres per hectare

6. **Demarcated geographical area**

All stages of production take place in the geographical area, which encompasses the municipalities of the Maine-et-Loire department named below, on the basis of the Official Geographic Code of 2021: Bouchemaine, Chalonnes-sur-Loire, Champtocé-sur-Loire, Ingrandes-Le Fresne-sur-Loire (only the territory of the former municipality of Ingrandes), Mauges-sur-Loire (only the territory of the delegated municipalities of Mesnil-en-Vallée, Montjean-sur-Loire and La Pommeraye), La Possonnière, Saint-Georges-sur-Loire, Saint-Germain-des-Prés. Maps showing the geographical area can be viewed on the website of the National Institute of Origin and Quality.

7. **Wine grape variety(-ies)**

Chenin B

8. **Description of the link(s)**

8.1. *Information on the geographical area*

a) Description of the natural factors relevant to the link

The geographical area corresponds to the shale slopes lining the banks of the River Loire. It is the most westerly part of the vineyards to which the 'Anjou' controlled designation of origin applies. In 2021, it covered eight western municipalities of the Maine-et-Loire department. It begins on the outskirts of Angers, in the municipality of Bouchemaine, where the Loire and Maine rivers meet, before continuing either side of the river, as far as Ingrandes and Le Mesnil-en-Vallée, towards Nantes.

The mesoclimate is greatly influenced by the river. The vineyards are located on the slopes closest to the river bank and do not extend more than 3 kilometres beyond it. Beyond that, to the north and the south, the landscape mainly consists of meadows and woodland. The name 'Coteaux de la Loire' [*coteaux* = slopes] evokes the topography of the vineyards, with their varied inclinations. The very steep slopes of the municipality of Bouchemaine contrast with the much more gentle slopes of the municipalities of Ingrandes and Saint-Georges-sur-Loire.

The soils of parcels specifically demarcated for harvesting grapes are derived from the various primary formations of the Armorican Massif. These are poorly developed shale or shale/sandstone soils. Some developed soils derived from volcanic rock and some Devonian brown limestone soils can also be found here. These are very shallow soils, the bedrock usually lying at a depth of less than 0,40 m. They are devoid of any sign of hydromorphy and have very low water reserves.

The climate is oceanic. The oceanic nature of the climate is moderated by the Foehn effect of the Mauges uplands to the west of the vineyards. Mean annual precipitation is 650 millimetres, the geographical area as a whole being sheltered from humid winds; it exceeds 800 millimetres over the Mauges uplands. The Loire also plays a role in regulating temperatures throughout the year.

Alongside topography, the exposure of the slopes is also a key factor. On the right bank, the south-facing vineyards are well positioned, as they are sheltered from the cold northerly winds. On the left bank, the draining effect of the river on the cold air plays a prominent role in warming the north-facing slopes. Some valley locations are protected from the wind and enjoy a heat gain. Finally, the Loire plays a key role during the harvesting period by helping to form morning mists, which are essential for the development of 'noble rot'.

b) Description of the human factors relevant to the geographical link

The history of the Anjou vineyards dates as far back as the 9th century, although the first exact reference to the 'Coteaux de la Loire' vineyards appears in 1749 in *Traité sur la nature et la culture de la vigne*, a treatise by Messrs Bidet and Duhamel de Monceau, which states that in these vineyards 'The land, which is very difficult to clear, has now been fully developed and planted with vines ...'.

A bill before the Council of State on administrative measures taken in 1804 reveals that the region produces only white wines: 'The slopes of the Loire are suited only to the production of white wines, and these wines form a significant branch of the local economy ...'. The bill also refers to Belgium, which at that time was partial to 'Coteaux de la Loire' wines.

More recently, in 1842, Mr Auguste Petit-Lafitte wrote that 'Gros Pineau, or Chenin, is the main grape variety.' The Anjou vineyards are the cradle of the Chenin B grape variety. A hardy variety, its potential varies greatly according to the type of soil or, more generally, where it is planted. Producers were very quick to understand that this variety should be harvested at an advanced stage of ripeness, using specific techniques. Count Odart wrote the following in his 1845 *Traité des cépages* treatise: 'We should also add the condition of not harvesting the grapes until around All Saints Day, when the grapes are overripe and their skin sphaecelous after being softened by the rains.'

Overripeness therefore forms an integral part of the harvest. In his 1816 work *Topographie de tous les vignobles connus*, Jullien noted that 'In good vintages, the grapes are harvested several times; the first two times, only the ripest of grapes are harvested, to produce wines for export; the third harvest produces wines for domestic French consumption ...'.

- 8.2. *Nonetheless, vine-growing in these vineyards would evolve the same way as in the rest of the Anjou. The arrival of Dutch merchants in the 16th century led to the growth of a market in 'wines for the sea', i.e. for export, produced from short-pruned vines (one or two nodes). This period also saw the growth of the domestic French – mainly Parisian – market, with wines of a lesser reputation produced from long-pruned vines (six or seven nodes).*

At the end of the Second World War, production shifted mainly towards 'semi-dry' wines, similar to the 'wines for Paris' of old. Efforts to produce wines with a strong identity, and a high sugar concentration, re-emerged during the 1980s.

Wines bearing the controlled designation of origin 'Anjou-Coteaux de la Loire' are considered to be great 'sweet' (known locally as 'syrupy') wines of the Anjou.

Information on the quality and characteristics of the product

These wines are mainly characterised by their elegance. With their highly complex aromas, mostly of flowers, fresh or even dried or candied fruit, these wines recall the *douceur angevine* – the gentleness of the Anjou region. In the mouth, they combine smoothness and freshness. Docile like the Loire in summer, or pervasive like when it floods in winter, wines with the controlled designation of origin 'Anjou-Coteaux de la Loire' reveal their charm over time.

Causal interactions

The combination of shallow soils and a topography that provides outstanding exposure, ensuring a regular water supply, allows the Chenin B variety to reach its full potential.

The position of the vineyards – in immediate proximity to the Loire, which regulates temperatures throughout the growing cycle – aided by suitable management, in particular spur pruning, allows the grapes to reach their optimum ripeness level. The presence of the Loire also allows the grapes to reach overripeness, through the winds channelled by the river, mechanically favouring the drying of the grapes through the formation of morning mists, which are key to the development of *Botrytis cinerea* and, therefore, ‘noble rot’.

Waiting for the grapes to become overripe; leaving the harvest until well into the autumn; and harvesting by hand in multiple passes within a single parcel in order to select berries that are naturally concentrated or affected by ‘noble rot’ (‘roasted’): these practices reveal both the know-how of producers and the particular aptitude of the Chenin B variety. This aptitude was described by Guillory senior in 1861: ‘With very few exceptions, harvesting takes place in October, once the grapes are deemed perfectly ripe and at least a quarter of them are affected by noble rot.’

The combination of such a specific environment, a grape variety perfectly suited to it, and local expertise in exploiting all the qualities it has to offer, helps produce especially original wines. There are numerous references to the reputation of these wines, including one by Mr Petit-Lafitte, who writes that ‘When these vines are trained into one or two nodes, they produce syrupy, delicate wines destined for Belgium.’

As for Guillory senior, in 1861, he wrote the following in an Angers Agricultural and Industrial Company Bulletin: ‘The land here is not well suited to other crops without incurring considerable expense, as it is not very fertile; for that very reason, it does not produce an abundance of wine; thus, were it not for the quality of the wine, which keeps the price rather high, vine-growing itself would have had to be abandoned here.’

9. Essential further conditions (packaging, labelling, other requirements)

Area in immediate proximity

Legal framework:

National legislation

Type of further condition:

Derogation concerning production in the demarcated geographical area

Description of the condition:

The area in immediate proximity, defined by derogation for the production and ageing of wines, comprises the territory of the following municipalities, on the basis of the Official Geographic Code of 2021:

- department of Loire-Atlantique: Vair-sur-Loire (only the territory of the delegated municipality of Anetz);
- department of Maine-et-Loire: Chaudefonds-sur-Layon, Denée, Mauges-sur-Loire (only the territory of the delegated municipalities of La Chapelle-Saint-Florent, Le Marillais, Saint-Florent-le-Vieil and Saint-Laurent-du-Mottay), Rochefort-sur-Loire, Savennières, Val-du-Layon (only the territory of the delegated municipality of Saint-Aubin-de-Luigné).

Labelling

Legal framework:

National legislation

Type of further condition:

Additional provisions relating to labelling

Description of the condition:

Under EU rules, the use of optional terms may be regulated by the Member States. On the labels, the size of the letters used for such terms must not be larger, either in height, width or thickness, than double the size of the letters forming the name of the controlled designation of origin.

Specificity of the name 'Val de Loire'

Legal framework:

National legislation

Type of further condition:

Additional provisions relating to labelling

Description of the condition:

The size of the letters of the geographical name 'Val de Loire' may not be larger, either in height or width, than two thirds of the size of the letters forming the name of the controlled designation of origin.

Labelling: Smaller geographical unit

Legal framework:

National legislation

Type of further condition:

Additional provisions relating to labelling

Description of the condition:

Wines with the controlled designation of origin may specify a smaller geographical unit on their label, provided that: - it is a place name listed in the land registry; - it appears on the harvest declaration. The place name must be printed in letters no larger, either in height or in width, than half the size of the letters forming the name of the controlled designation of origin.

Link to the product specification

https://info.agriculture.gouv.fr/gedei/site/bo-agri/document_administratif-875a2642-735c-41b5-9f24-f1587eff7895

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