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II

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

COMMUNICATION FROM THE COMMISSION

on the European Citizens' Initiative (ECI) 'Stop Finning – Stop the Trade'

(2023/C 275/01)

1. INTRODUCTION: THE CITIZENS' INITIATIVE

By means of a European citizens' initiative (ECI) under Article 11(4) of the Treaty on the European Union, a million or more nationals of at least seven EU Member States may invite the European Commission, within the framework of its powers, to submit any appropriate proposal on a matter on which they consider that an EU legal act is required for the purpose of implementing the Treaties.

'Stop Finning – Stop the Trade' ⁽¹⁾ is the eighth ECI to reach the thresholds required by the Treaty and Regulation (EU) No 2019/788 on the European citizens' initiative (the ECI Regulation) ⁽²⁾. It calls on the Commission to take action on ending the trade of loose shark fins in the EU, including the import, export and transit of fins, in the following terms:

Although the removal of fins on board of EU vessels and in EU waters is prohibited and sharks must be landed with their fins naturally attached, the EU is among the biggest exporters of fins and a major transit hub for the global fin trade.

EU is a major player in the exploitation of sharks and as inspections at sea are scarce fins are still illegally retained, transhipped, or landed in EU.

We aim to end the trade of fins in the EU including the import, export and transit of fins other than if naturally attached to the animal's body.

As finning prevents effective shark conservation measures, we request to extend REGULATION (EU) No 605/2013 also to the trade of fins and therefore ask the Commission to develop a new regulation, extending 'fins naturally attached' to all trading of sharks and rays in the EU.

⁽¹⁾ Commission registration number ECI(2020)000001 (https://europa.eu/citizens-initiative/initiatives/details/2020/000001_en).

⁽²⁾ Regulation (EU) No 2019/788 of the European Parliament and of the Council of 17 April 2019 on the European citizens' initiative (OJ L 130, 17.5.2019, p. 55).

The Commission registered the ECI on 17 December 2019 ⁽³⁾. As the initiative was collecting statements of support during the COVID-19 pandemic, it could benefit from an extension of 12 months to the regulatory 12-month collection period (i. e. it was thus possible to collect signatures from 31 January 2020 until 31 January 2022) ⁽⁴⁾. After Member States' authorities verified the collected signatures, on 11 January 2023 the organisers submitted their initiative to the Commission.

The organisers explained in detail the initiative's objectives in a meeting with the responsible member of the Commission on 6 February 2023 and in a public hearing in the European Parliament on 27 March 2023.

The European Parliament held a plenary debate on the initiative on 11 May 2023. During the debate, the Commission confirmed that it shares the concerns of citizens and is very active, both within and outside the EU, to protect and sustainably fish sharks. The Commission recalled the international context – where the EU actively promotes the conservation and sustainable management of sharks in the relevant international fora – as well as the EU rules already in place to enforce a 'fins-naturally-attached' policy.

This Communication sets out the Commission's legal and political assessment of the initiative, the action it intends to take, its reasons for doing so and the envisaged timeline, in accordance with Article 15(2) of the ECI Regulation.

2. CONTEXT

2.1. Overview of the global situation

Sharks encompass about 500 different species with various ecological and biological features. They form an important group in marine biodiversity and as top predators, they play a vital role in maintaining the balance of marine ecosystems, which are essential for climate mitigation and adaptation. Given their generally long life span and low reproduction rate, sharks are vulnerable to human activities, in particular fishing and habitat loss.

They are also a source of food similar to other fish and many people depend on sharks for their livelihoods. People have caught and consumed sharks for many hundreds of years, but in recent decades increasing demand and economic globalization have created a truly global market for shark fishing and consumption. Today, industrial and artisanal fleets from all over the world supply traditional Asian markets with shark fins, while the meat of the same captured sharks is increasingly being diverted along separate supply channels to growing markets such as Brazil.

Despite efforts to improve shark conservation in recent years, many shark populations are in a critical situation. Global assessments are difficult to make given the high number of shark species and because populations differ in different regions. However, shark population assessments for many regions are becoming increasingly robust. The most recent global IUCN Red List of Threatened Species™ assessment estimated that over one third of shark species are threatened with extinction (i.e. considered critically endangered, endangered, or vulnerable) ⁽⁵⁾.

Therefore, the ECI rightly points out that it is important to urgently address the worrying situation of sharks globally and the role that demand for shark fins plays in increasing fishing pressure and compromising conservation efforts for these species.

⁽³⁾ Commission Decision (EU) 2019/2252 of 17 December 2019 on the proposed citizens' initiative entitled Stop Finning — Stop the trade (notified under document C(2019) 9203) (OJ L 336, 30.12.2019, p. 312).

⁽⁴⁾ Regulation (EU) 2020/1042 of the European Parliament and of the Council of 15 July 2020 laying down temporary measures concerning the time limits for the collection, the verification and the examination stages provided for in Regulation (EU) 2019/788 on the European citizens' initiative in view of the COVID-19 outbreak (OJ L 231, 17.7.2020, p. 7); Commission Implementing Decision (EU) 2020/2200 of 17 December 2020 on the extension of the periods for the collection of statements of support for certain European citizens' initiatives pursuant to Regulation (EU) 2020/1042 of the European Parliament and of the (OJ L 434, 23.12.2020, p. 56); Commission Implementing Decision (EU) 2021/360 of 19 February 2021 on the extension of the periods for the collection of statements of support for certain European citizens' initiatives pursuant to Regulation (EU) 2020/1042 of the European Parliament and of the Council (notified under document C(2021) 1121) (OJ L 69, 26.2.2021, p. 9).

⁽⁵⁾ IUCN Red List of Threatened Species.

2.2. Fishery and trade in shark fins

According to FAO data ⁽⁶⁾, global shark catches have tripled since 1950 reaching an all-time high in 2000 with 868 000 tonnes. Since then, there has been a downward trend with catches falling to 665 622 tonnes in 2020. According to the same data, the value of global trade approached USD 1 billion per year for shark commodities, and around 7 100 tonnes in 2021 for shark fins.

Regarding the EU, it registered few imports of shark fins between 2017 and 2021, while EU exports were significant, averaging around 2 300 tonnes and EUR 170 million per year ⁽⁷⁾. In 2021, the average price of shark fins exports was EUR 16 per kg, while it was EUR 1.43 per kg for shark meat ⁽⁸⁾. Spain is by far the main player among the EU Member States, both for imports and exports of fins, representing more than 99 % of total EU exports, around 96 % of these exports being frozen shark fins ⁽⁹⁾.

During the same period, the main destination countries for EU's exports of shark fins ⁽¹⁰⁾, in annual average, were Singapore (985 tonnes, EUR13 million), China (893 tonnes, EUR 11 million), Hong Kong (194 tonnes, EUR 7 million). Around 82 % of EU exports go to Singapore and China, while other relevant trade flows happen with Hong Kong, and, recently, Japan. Around 85 % of exports of frozen shark fins go to Singapore and China.

Regarding EU fisheries, between 2019 and 2021, EU vessels reported a total of catches amounting to 248 392 tonnes of sharks ⁽¹¹⁾, an average of 82 797 tonnes per year. The single most important species was Blue Shark (*Prionace glauca*) which made up 56 % of catches during this period. It was followed by Small-spotted Catshark, Thornback Ray and Shortfin Mako (*Isurus oxyrinchus*) which made up 7 %, 6 % and 3 % of the total catches respectively. For many other species, the total catches were less than 100 kg during this period, suggesting only incidental catches.

Most catches are from EU longliners in international waters in all oceans, especially South Atlantic and South Pacific. Catches in international waters represent 60 % of the volume of catches. Blue shark and Shortfin Mako are almost exclusively caught in international waters under the remit of regional fisheries management organisations (RFMOs), for 87 % and 88 % of their catches respectively ⁽¹²⁾.

Sharks fished by EU vessels or in the EU waters must be landed with their fins attached to the carcass (see section 2.3). They are processed on land and, as shown in the above statistics, the fins and carcasses are subsequently shipped to different markets. The vast majority of shark fins are destined for consumption in countries in East and Southeast Asia. Meanwhile, the meat and other parts of the carcasses are consumed in the EU, and some is exported to third countries, in particular to Latin American countries.

2.3. Current EU and international policy and legal frameworks

The ECI specifically requests that Regulation (EU) No 605/2013 be extended to cover the trade of fins. It therefore asks the Commission to extend the 'fins naturally attached' requirement to all trading of sharks and rays in the EU. The ECI claims that fins are the main driver behind shark fishing given their value in the Asian market. It further argues that worldwide, enforcement and compliance systems are too weak, including in the EU, because the control tools and resources deployed as well as the training and coordination of the relevant authorities are not sufficient to identify species based on their fins only and to ensure compliance with relevant regulations along the value chain. Therefore, to facilitate customs checks and help deter trade in shark fins, the proponents request that only the whole shark be traded, de facto banning trade of loose parts of sharks (fins or carcasses) in the EU.

The EU implements a rich policy and legal framework as regards trade in sharks and shark fisheries.

⁽⁶⁾ Sharks | International Plan of Action for Conservation and Management of Sharks | Food and Agriculture Organization of the United Nations (fao.org).

⁽⁷⁾ See Annex

⁽⁸⁾ Source: EUMOFA European Market Observatory for Fisheries and Aquaculture Products (EUMOFA)

⁽⁹⁾ Source: EUMOFA European Market Observatory for Fisheries and Aquaculture Products (EUMOFA)

⁽¹⁰⁾ Source: EUMOFA European Market Observatory for Fisheries and Aquaculture Products (EUMOFA)

⁽¹¹⁾ Source: Eurostat Fisheries Statistics

⁽¹²⁾ Source: Member States' reports to the Commission. Ray species do not fall under the Shark Finning Regulation, however, are caught almost exclusively in EU waters.

The **Convention on International Trade in Endangered Species of Wild Fauna and Flora** (CITES) aims to protect wild animals and plants against over-exploitation due to international trade. The EU is party to CITES and actively promotes protection of marine species. At the last Conference of the Parties in November 2022, nearly 100 additional species of sharks and rays were added to the CITES appendices. Amongst the sharks, the EU co-sponsored Panama's proposal to list the family of Requiem Sharks in Appendix II of CITES, including the Blue Shark. This listing will enter into force on 25 November 2023. In total, there are currently 174 species of sharks and rays listed under CITES, most of them in Appendix II, which means trade must be controlled in order to avoid a utilization level which is incompatible with their survival.

In the EU, trade of protected and endangered species, including marine species, is regulated through a set of regulations that implement the CITES. Regulation (EC) No 338/97 on the **protection of species of wild fauna and flora by regulating trade therein** ⁽¹³⁾ establishes a set of provisions for import, export and re-export of specimens of species, including parts or derivatives, listed in its four Annexes. The Annexes of the Regulation include all CITES listed species as well as non-CITES species.

Shark finning ⁽¹⁴⁾ is one of the main threats to the conservation of sharks and the EU was the first to consider it as an unacceptable fishing practice. Since 2003, Regulation (EC) No 1185/2003 (**Shark Finning Regulation**) ⁽¹⁵⁾ forbids shark finning on board of all fishing vessels in EU waters and everywhere for vessels under an EU Member State's flag. This Regulation was strengthened by a strict 'fins-naturally-attached' policy (FNAP) through Regulation (EU) No 605/2013 ⁽¹⁶⁾. It prohibits to remove shark fins on board vessels and to retain on board, transship or land shark fins. This means that the fins can be removed only upon landing.

Monitoring and control activities are conducted by EU Member States to ensure the full implementation of the Shark Finning Regulation. Member States must report on the monitoring of their compliance with the Regulation in EU and non-EU waters. The report must include information on the: (i) number of landings of sharks; (ii) number, date and place of the inspections carried out; (iii) number and nature of cases of non-compliance detected, including a full identification of the vessel(s) involved and the penalty applied for each case of non-compliance; (iv) total landing by species (weight/number) and by port.

In 2016, the Commission reported on the implementation of the Shark Finning Regulation ⁽¹⁷⁾. The Commission concluded that there appeared to be a very limited number of infringements, implementing the FNAP incurred additional costs on vessels concerned, and it was important to pursue the FNAP in international fora. The most recent review of the Shark Finning Regulation and the EU Action plan on sharks was carried out in 2019, upon the Commission's request, by the Scientific, Technical and Economic Committee for Fisheries (STECF) ⁽¹⁸⁾. The STECF concluded that non-compliance by Member States who reported was at a low level and that progress has been made in implementing conservation and management measures for sharks. Nevertheless, it noted that better information was needed on activities carried out by the EU fleets outside EU waters.

The EU actively promotes the FNAP at international level, and more generally the minimization of impacts of fisheries on sharks. Through the years, the **Regional Fisheries Management Organisations** (RFMOs) of which the EU is a member have implemented specific binding measures for conserving and managing shark species.

⁽¹³⁾ Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein (OJ L 61, 3.3.1997, p. 1).

⁽¹⁴⁾ 'Shark finning' is the practice whereby the fins are removed from sharks on board fishing vessels, with the remainder of the shark being discarded at sea.

⁽¹⁵⁾ Council Regulation (EC) No 1185/2003 of 26 June 2003 on the removal of fins of sharks on board vessels (OJ L 167, 4.7.2003, p. 1).

⁽¹⁶⁾ Regulation (EU) No 605/2013 of the European Parliament and of the Council of 12 June 2013 amending Council Regulation (EC) No 1185/2003 on the removal of fins of sharks on board vessels (OJ L 181, 29.6.2013, p. 1).

⁽¹⁷⁾ Commission report to the Parliament and the Council on the implementation of the Shark Finning Regulation (COM (2016) 207 final).

⁽¹⁸⁾ SCIENTIFIC, TECHNICAL AND ECONOMIC COMMITTEE FOR FISHERIES (STECF), Review of the implementation of the shark finning regulation and assessment of the impact of the 2009 European Community Action Plan for the Conservation and Management of Sharks (CPOA) (STECF-19-17).

Shark finning was initially regulated through the adoption of a fin-to-carcass ratio (FCR), meaning fins on board up to the point of first landing cannot count for more than 5 % of the whole carcass landed. Over the years, the FCR's scientific basis and effectiveness were challenged and the EU has been consistently pushing to adopt the FNAP in all RFMOs to which it is a member as the most effective means to end finning. These efforts have led to the adoption by some RFMOs of the FNAP as the only option ⁽¹⁹⁾ or as one of the options ⁽²⁰⁾ for enforcing the finning ban. The EU continues its efforts to eliminate the FCR requirement where it still applies ⁽²¹⁾ and replace it with the FNAP across all RFMOs.

While many species of sharks require strict protection including through a retention ban, others can be fished in accordance with internationally agreed rules, in particular with rules adopted by RFMOs. RFMOs take management measures, such as total allowable catches, on the basis of stock assessments and scientific advice provided by their respective scientific bodies, and vessels report their catches. Fishing activities that involve interactions with sharks must also be reported in line with the corresponding RFMO data reporting procedures (including estimates of dead discards and size frequencies). These data are available on the databases of the various RFMOs and support the scientific advice underpinning the management decisions taken on the various species. However, there is uneven requirements among the different RFMOs and there are weaknesses in data reporting on the by-catch of non-targeted sharks, particularly species-specific data.

To strengthen scientific advice in RFMOs, the EU supports scientific work through voluntary financial contributions aimed at developing suitable methodologies to assess the conservation status of key shark species and improving the regulatory framework on shark conservation.

3. EVALUATION OF THE PROPOSAL IN THE INITIATIVE

3.1. Response to the initiative

The ECI raises important issues that are relevant to the EU's policy of protecting the marine environment, protecting and conserving fisheries resources and ensuring sustainable fishing in the EU and globally. Maintaining the status quo would result in the same products continuing to be traded and in preserving the activities for EU fleet and operators. However, it would not represent yet another major step forward in restoring global shark populations and, more specifically, in countering the negative effects the trade in shark fins has on the situation of sharks' populations.

The prohibition of trade in loose shark fins in the EU would apply to those species that are fished by the EU fleet in accordance with internationally agreed rules, in particular with rules adopted by RFMOs. The trade of shark fins is the main outlet of the EU fleet fishing sharks in international waters and the EU is an important actor globally. A ban on the trade of loose fins could mean that the EU fleet concerned would fish less sharks in international waters, thus raising concerns about its socio-economic impacts. In addition, due to the nature of separate markets for shark fins and shark meat and logistical issues, as these species are predominantly caught by the EU fleet in international waters, regulated under the remit of RFMOs, such reduction of activity could pave the way for less sustainable practices of non-EU fisheries. Therefore, any action taken at EU level needs to be supplemented by action at international level to ensure a level playing field and positive environmental effects.

An EU ban of trade in loose shark fins must be compatible with the EU's international commitments, including the World Trade Organisation's (WTO) rules. The WTO does not question the right of countries to take actions with respect to concerns such as the conservation of exhaustible natural resources or animal welfare, provided certain conditions are met. In particular, such measures need to (a) genuinely pursue one of the objectives listed in Article XX of the GATT 1994, (b) satisfy the so-called necessity test, meaning that no less trade restrictive measure is available to achieve the said objective, and (c) ensure that the measure is even-handed in design and does not result in unjustifiable or arbitrary discrimination or a disguised restriction to international trade.

⁽¹⁹⁾ North East Atlantic Fisheries Commission (NEAFC), General Fisheries Commission for the Mediterranean (GFCM), Northwest Atlantic Fisheries Organisation (NAFO)

⁽²⁰⁾ International Commission for the Conservation of Atlantic Tuna (ICCAT), Indian Ocean Tuna Commission (IOTC), Inter-American Tropical Tuna Commission (IATTC), South East Atlantic Fisheries Organisation (SEAFO), CCSBT, Western and Central Pacific Ocean Fisheries Commission (WCPFC), North Pacific Fisheries Commission (NPFCC)

⁽²¹⁾ South Pacific Regional Fisheries Management Organisation (SPRFMO), Southern Indian Ocean Fisheries Agreement (SIOFA), Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR)

The ECI Regulation requires the Commission to set out its legal and political conclusions as well as the action that it intends to take within a period of six months from the receipt of the initiative. Within that timeframe, the Commission has not been able to collect all the data needed and to carry out all the appropriate analysis to fully evaluate the pertinence of initiating a measure such as that requested by the ECI. Moreover, any legislative proposal would need to be preceded by an impact assessment on its possible environmental, social and economic effects.

Therefore, **the Commission will launch, by the end of 2023, an impact assessment** on the environmental, social and economic consequences of **applying the ‘fins naturally attached’ policy to the placement on the market of sharks in the EU**, whether for consumption within the EU or for international trade (imports and exports). The assessment will allow for a well informed and facts-based possible future action ⁽²²⁾. This will comprise analysing the economic, environmental and social impacts for the EU stakeholders and third countries that might be affected, potential change in global market dynamics, the environmental and socio-economic benefits of better protected shark populations, and an evaluation of possible alternative means to achieve the aimed objective as well as a detailed assessment of the most appropriate legal basis and instrument. The impact assessment should frame the Commission’s way forward in line with its priorities, particularly regarding the European Green Deal, an economy that works for the people, a stronger Europe in the world and the European way of life.

The Commission recognises that tracing commercial routes and intersections is difficult due to the insufficient disaggregation of data on landings and trade in shark meat and fins at species level. This lack of standardisation in taxonomy makes it challenging to analyse trends in catch and trade dynamics on a global scale. The Commission has identified that there is room to supplement the information on exports and imports submitted by operators to the national customs systems. The information generated by customs declarations would help analysing trends in catch and trade dynamics at a more granular level and investigating the alleged high levels of fraud identified by the ECI organisers.

Therefore, the Commission will examine, by the end of 2023, the best legal means to **request more detailed information to identify species of sharks and their respective products at import and export**. It will take a decision with a view to entry into force by 1st January 2025 at the latest.

3.2. Accompanying actions at both EU and international level

The EU deploys a wide range of actions which directly or indirectly target shark conservation and sustainable management. In this respect, the ECI has highlighted a number of important topics that can be addressed by further efforts in enforcing the EU law and by strengthening action at international level.

3.2.1. Enforcement of existing EU law

The **Common Fisheries Policy (CFP)** provides the tools and the framework to adopt science-based measures to minimise negative impact of fishing activities on marine species and habitats ⁽²³⁾. It must be coherent ⁽²⁴⁾ with the objective of the **Marine Strategy Framework Directive** ⁽²⁵⁾ to ensure EU seas achieve Good Environmental Status, which includes ensuring healthy abundance levels and allowable bycatch of all marine species ⁽²⁶⁾, including non-commercially exploited fish such as elasmobranchs. The Commission monitors the state of sharks and, in line with the CFP objectives, ensures a coherent approach between the internal and external fishery policy for sharks.

⁽²²⁾ See Commission Staff Working Document; Better Regulation Guidelines, SWD(2021) 305 final.

⁽²³⁾ Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC (OJ L 354, 28.12.2013, p 22). The CFP aims at ensuring that fishing activities are environmentally sustainable and managed according to economic, social, and employment targets (Article 2(1)). It applies precautionary and ecosystem-based approaches to fisheries management (Article 2(2) and 2(3)).

⁽²⁴⁾ Article 2(5) j of the CFP Regulation.

⁽²⁵⁾ Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive) (OJ L 164, 25.6.2008, p 19).

⁽²⁶⁾ MSFD Descriptor D1C1 of the Commission Decision 2017/848 on the mortality rate by bycatch of marine species

Since 2009, an **EU Plan of Action for the Conservation and Management of Sharks** (EUPOA sharks) ⁽²⁷⁾, inspired by the International Plan of Action for Conservation and Management of Sharks (see section 3.2.2), aims to broaden the knowledge on shark fisheries and shark species as well as their role in the ecosystem, ensuring that shark fishing is sustainable and that by-catches of shark resulting from other fisheries are properly regulated. It informs the action taken both at EU (fishing opportunities, technical measures, effort and capacity limits, data collection) and international level (RFMOs, CITES, CMS, regional sea conventions).

For several shark species, even a limited fishing activity could pose a serious risk to their conservation. Such species are protected under EU measures. The successive annual regulations on fishing opportunities, such as Regulation (EU) No 2023/194, ban EU fishing vessels and vessels from non-EU countries fishing in EU waters from fishing, retaining on board, transshipping or landing **species listed as prohibited**, including shark species ⁽²⁸⁾. The specimens caught have to be promptly released unharmed, thus further preventing fins of at-risk species ending up on the market place. The same provisions apply to deep-sea sharks.

While some species of sharks require strict protection, some can be fished sustainably when supported by science. For these stocks, landings are managed through a series of **Total Allowable Catches** (TACs) under the regulations on the annual fishing opportunities in EU waters and for EU vessels in non-EU waters. TACs, proposed by the Commission and adopted by the Council, are based on scientific advice and the precautionary principle and take into account biological and socio-economic aspects.

Regulation (EU) No 2019/1241 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures (**Technical Measures Regulation**) ⁽²⁹⁾ contains a general prohibition on fishing for certain rare/sensitive shark and rays (Article 10(2) and Annex I) ⁽³⁰⁾ and provisions restricting the use of static nets and driftnets to catch several shark species or families (Article 9(4) and Annex III).

The ECI organizers have highlighted difficulties in tracing sharks and products thereof at species level throughout the trade and market chains. Traceability of shark products and transparent consumer information plays a pivotal role in the EU's shark policy. To ensure traceability, Regulation (EC) No 1224/2009 ⁽³¹⁾ established a **Community control system** for fisheries, imposing traceability rules on EU operators. Each lot of fishery product landed by EU vessels has to include the following minimum traceability information: i) identification number, external identification number and name of the fishing vessel; ii) the FAO alpha-3 code of each species; iii) the commercial designation and Latin name of the species; and iv) the relevant geographical area, the production method, the date of catch, and the quantities of each species. Such information should be made available at any stage of the value

⁽²⁷⁾ Communication from the Commission to the European Parliament and the Council on a European Community Action Plan for the Conservation and Management of Sharks (COM/2009/0040 final).

⁽²⁸⁾ Recitals 19 and 20 of Council Regulation (EU) 2023/194 of 30 January 2023 fixing for 2023 the fishing opportunities for certain fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters, as well as fixing for 2023 and 2024 such fishing opportunities for certain deep-sea fish stocks (OJ L 28, 31.1.2023, p. 1).

⁽²⁹⁾ Regulation (EU) 2019/1241 of the European Parliament and of the Council of 20 June 2019 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures, amending Council Regulations (EC) No 1967/2006, (EC) No 1224/2009 and Regulations (EU) No 1380/2013, (EU) 2016/1139, (EU) 2018/973, (EU) 2019/472 and (EU) 2019/1022 of the European Parliament and of the Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC) No 2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No 2187/2005 (OJ L 198, 25.7.2019, p. 105).

⁽³⁰⁾ Species for which there is a prohibition to fish for, retain on board, transship, land, store, display or offer for sale.

⁽³¹⁾ Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 (OJ L 343, 22.12.2009, p. 1).

chain to the authorities in charge of control and enforcement and business operators. An ongoing revision of the EU fisheries control system ⁽³²⁾, for which a political agreement between the European parliament and the Council was reached in May 2023, includes additional provisions on traceability information. It sets out improvements in the reporting of catches, fisheries activities and in checks of the supply chain, including of preserved and prepared products as well as imported products, namely: the electronic recording of catch data, including the reporting of discards of sensitive species; and the monitoring of fisheries activities with the use of remote electronic means including CCTVs.

Regarding consumer information, Regulation (EC) No 1169/2011 on the provision of **food information to consumers** ⁽³³⁾ sets out that food information must not be misleading. In addition, specific provisions in the fisheries sector ensure a high degree of consumer information. Regulation (EU) No 1379/2013 on the **Common Market Organisation (CMO) in fishery and aquaculture products** ⁽³⁴⁾ sets out that shark products that are not prepared or preserved, including fillets and fins, may be marketed only with their commercial designation of the species and its scientific name. There are indications pointing at uneven implementation of the mandatory information requirements under Article 35 of the CMO Regulation, as reported by the Commission following an open public consultation on the implementation of the CMO Regulation ⁽³⁵⁾. This concerns the identification of the scientific and commercial name of a species. As such, this potential issue is not directly relevant in the context of finning, but improvements in the implementation of the labelling requirements could help to better identify shark products more generally.

The ECI pointed to the existence of illegal trade. Apart from limited data on seizures of CITES listed species ⁽³⁶⁾, the Commission did not collect evidence on the extent to which the alleged illegal trade of threatened species occurs in the EU. Nevertheless, it recognises that wildlife trafficking is a major issue and has put forward a new EU Action Plan against Wildlife Trafficking ⁽³⁷⁾ to strengthen EU action against this widespread phenomenon.

More generally, the ECI points to the fact that improving traceability of catch, landings, imports and exports of sharks and fins at EU and international levels along the entire value chain requires:

- 1) **strengthening the enforcement of EU law** on: i) **monitoring** fishing and market activities, ii) **control measures** regarding processing, marketing, transport and storage, iii) **import and exports** of shark products, including in particular fins, for the concerned shark species, and iv) **traceability and labelling** rules in place across the Member States, and

⁽³²⁾ Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Council Regulation (EC) No 1224/2009, and amending Council Regulations (EC) No 768/2005, (EC) No 1967/2006, (EC) No 1005/2008, and Regulation (EU) No 2016/1139 of the European Parliament and of the Council as regards fisheries control (COM/2018/368 final).

⁽³³⁾ Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004 (OJ L 304, 22.11.2011, p. 18).

⁽³⁴⁾ Regulation (EU) No 1379/2013 of the European Parliament and of the Council of 11 December 2013 on the common organisation of the markets in fishery and aquaculture products, amending Council Regulations (EC) No 1184/2006 and (EC) No 1224/2009 and repealing Council Regulation (EC) No 104/2000 (OJ L 354, 28.12.2013, p. 1).

⁽³⁵⁾ Report from the Commission to the European Parliament and the Council on Implementation of Regulation (EU) No 1379/2013 on the common organisation of the markets in fishery and aquaculture products (COM(2023) 101 final), Revision of the EU action plan against wildlife trafficking (COM(2022) 581 final).

⁽³⁶⁾ In 2021, 3 seizures were reported by the EU Member States, with a total of 8 fins or parts thereof.

⁽³⁷⁾ Communication from the Commission to the European Parliament, the Council the European Economic and Social Committee and the Committee of the Regions, Revision of the EU action plan against wildlife trafficking (COM(2022) 581 final).

2) **ensuring complete and reliable information** on fisheries and trade is collected.

To this end, the Commission:

- calls on Member States to ensure appropriate control of CITES permits and certificates and invites them to ensure capacities are sufficient in the area of control and traceability of protected sharks and products thereof, such as: i) trainings in identification of relevant shark species and products thereof; ii) developing and using technologies, tools (including digital) and DNA analysis protocols for sharks' species identification; iii) appropriate traceability systems; and iv) sharing of good practices ⁽³⁸⁾;
- will send, by the end of 2023, a mutual assistance request to Member States under Regulation (EC) No 1005/2008 against illegal, unreported and unregulated fishing ⁽³⁹⁾ to draw their attention to shark products;
- will liaise, by the end of 2023, with Europol to examine the extent of illegal trade of shark fins into and from the EU;
- will swiftly start working on the implementation of the revised control regulation, as soon as it is adopted, to ensure that the improvements it includes become applicable as soon as possible;
- calls on Member States to strengthen the monitoring and enforcement of the EU Control and Shark Finning regulations and the RFMOs rules, an essential step being to improve the recording and reporting of catches and incidental catches of sharks. This applies equally to EU vessels fishing in EU waters and in international waters;
- calls on Member States ⁽⁴⁰⁾ to set threshold values by the end of 2023 for the maximum levels of by-catch of non-commercially exploited fish, such as elasmobranch species, in EU waters under the Marine Strategy Framework Directive and adopt appropriate fisheries management measures to comply with those thresholds;
- will put in place, as of 2024, data quality control measures and cross-checks between monthly catch reports sent by Member States under the Control Regulation, on the one hand, and annually reported shark landing data and information required under the Shark Finning Regulation, on the other hand; and
- will analyse, by the end of 2023, the Member States' replies to a recently launched survey on the implementation of labelling requirements under the CMO regulation, paying particular attention to the specific issue of mislabelling of commercial name of a species.

Other ongoing initiatives and actions are important supportive frameworks for an improved EU shark policy.

The **'Marine Action Plan' under the 2030 Biodiversity Strategy** ⁽⁴¹⁾, adopted by the Commission on 21 February 2023, includes calls for action addressed to Member States to improve the protection of sensitive species, including certain vulnerable shark species, by aiming to reduce incidental catches in fisheries, protecting their feeding and nursery grounds, improving monitoring systems to identify the extent and distribution of incidental catches.

The Commission's proposal for a **regulation on nature restoration** ⁽⁴²⁾, adopted in June 2022, aims, among other things, to restore degraded marine habitats and the habitats of iconic marine species such as dolphins and porpoises, sharks and seabirds. The list of shark species concerned is provided in Annex III of the proposal and it is based on Annex I (List of prohibited species) of the Technical Measures Regulation No 2019/1241.

⁽³⁸⁾ See Identification materials on sharks | CITES.

⁽³⁹⁾ Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulations (EEC) No 2847/93, (EC) No 1936/2001 and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No 1447/1999 (OJ L 286, 29.10.2008, p. 1).

⁽⁴⁰⁾ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Action Plan: Protecting and restoring marine ecosystems for sustainable and resilient fisheries (COM/2023/102 final).

⁽⁴¹⁾ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, EU Action Plan: Protecting and restoring marine ecosystems for sustainable and resilient fisheries (COM/2023/102 final).

⁽⁴²⁾ Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on nature restoration (COM/2022/304 final).

The **EU Mission to restore our Ocean and Waters** ⁽⁴³⁾ aims to protect and restore the health of our ocean and waters by 2030. As part of its first pillar, protection and restoration, it will look at habitats restoration and supporting assemblage of species, including predators that support them, like sharks. Specific research for faster and cheaper DNA-based identification of species from shark fins is necessary to enforce controls, and an Horizon Europe project ⁽⁴⁴⁾ on fighting illegal fishing and discards already includes rapid DNA-based assay for fisheries control.

The **Farm-to-Fork strategy** under the European Green Deal recognises the strong link between healthy people, healthy societies and a healthy planet and the need to ensure the livelihood of primary producers to successfully transition to a sustainable EU food system.

3.2.2. *Stepping-up action at global level*

Trade in shark fins is global, as is shark fishing and the dramatic deterioration of shark populations. This is why the **International Plan of Action for Conservation and Management of Sharks** (IPOA – Sharks ⁽⁴⁵⁾) was adopted in 1999 under the auspices of the UN Food and Agriculture Organisation (FAO). Its main objective is the sustainable conservation and management of sharks. The IPOA provides a framework that helps develop national, sub-regional, and regional plans of action for conserving and managing sharks. It banned for the first time shark finning and it served as a model for other international plans of action such as the European one.

The **Convention on the Conservation of Migratory Species of Wild Animals** (CMS) is a United Nations' environmental treaty. It contains provisions for conserving and managing migratory species, their habitats and their migratory routes. CMS contracting parties commit to abide by the Convention's principles (i.e. acknowledging the importance of migratory species, and working to conserve such species and their habitat) and take immediate action to protect species by signing international agreements or Memoranda of Understanding. The EU is a signatory of the **Memorandum of Understanding on the Conservation of Migratory Sharks** and advocates research, sustainable fishing, habitat protection and international cooperation in this context.

While the EU exports shark fins from managed shark fisheries, this is often not the case for many of the fins exported by other countries into the biggest consumer markets. Although most RFMOs and many countries have adopted and implemented conservation and management measures for sharks, much improvement is needed to ensure that trade practices do not undermine the efforts and progress achieved in the conservation of several shark species. Therefore, it is necessary to further promote the **effective ban of shark finning** worldwide, ensure **effective controls of trade flows** of shark products globally, and seek to **curb demand** of these products.

To that end, the Commission will, all along 2023 and beyond:

- encourage relevant third countries to effectively implement sharks' listings following the recent CITES CoP19 decisions of including nearly 100 additional species of sharks and rays (and products thereof) in Appendix II of CITES;
- support the CITES Secretariat in building up the capacities of range States ⁽⁴⁶⁾ to implement the CITES listings of sharks and other marine species;
- step up EU's efforts in regional fisheries management bodies to adopt new and/or to strengthen and effectively implement current conservation and management measures for shark species, as well as to assess the effectiveness of the measures adopted and strengthen control measures to ensure current rules are properly applied and enforced. This includes adopting the fins-naturally-attached policy as the most effective means to end finning;
- in all other relevant international bodies and organisations, propose to Member States to start a discussion about new and/or strengthened current conservation and management measures for sharks species, as well as their effective implementation through reinforcing controls. The Commission will propose to Member States to raise the issue in the 19th session of the FAO Sub-Committee on Fish Trade that will take place in September 2023 in Norway; and

⁽⁴³⁾ Restore our Ocean and Waters (europa.eu)

⁽⁴⁴⁾ CL6-2023-FARM2FORK-01-8

⁽⁴⁵⁾ 1. INTERNATIONAL PLANS OF ACTION - SHARKS (fao.org)

⁽⁴⁶⁾ A State whose territory is within the natural range of distribution of a species.

- engage with non-EU countries to encourage, including by means of funding projects, the reduction of demand for illegally sourced shark fins, and support key third countries to build capacities to fight wildlife trafficking.

4. CONCLUSION AND OUTLOOK

The European citizens' initiative '*Stop Finning – Stop the Trade*' reflects societal and environmental concerns about the worrying situation of sharks globally and the role played by demand for shark fins. The Commission sees it relevant to the EU's policy of protecting the marine environment, protecting and conserving fisheries resources and ensuring sustainable fishing in the EU and globally. This initiative aligns with the EU Green Deal and the EU's commitment towards protecting marine ecosystems and endangered species globally and promoting international ocean governance.

The EU was the first to consider shark finning as an unacceptable fishing practice. According to EU law, sharks fished by EU vessels or in the EU waters must be landed with their fins attached to the carcass.

A ban on the trade of loose fins could mean that the EU fleet concerned would fish less sharks in international waters, thus raising concerns about its socio-economic impacts. In addition, as the species concerned are predominantly caught by the EU fleet in international waters, regulated under the remit of RFMOs, such reduction of activity could pave the way for less sustainable practices of non-EU fisheries. However, further assessment on the wider economic, social and environmental impacts for the EU stakeholders and third countries that might be affected is necessary. In order to take informed decisions, the Commission needs a set of fuller and more detailed data and statistics to analyse trends in catch and trade dynamics.

Therefore, the Commission will:

- start without delay preparatory work with a view to launch, by the end of 2023, an impact assessment on the environmental, social and economic consequences of applying the 'fins naturally attached' policy to the placement on the market of sharks in the EU, whether for EU consumption within the EU or for international trade (imports and exports).
- examine, by the end of 2023, the best legal means to request more detailed information to identify species of sharks and their respective products at import and export, and take a decision with a view to entry into force by 1st January 2025 at the latest.

The ECI also highlighted a number of important topics that can be addressed by further efforts in enforcing EU law and by strengthening action at international level. Therefore, the Commission will, in parallel:

- strengthen the way EU law is enforced as regards monitoring fishing and market activities, control measures regarding processing and marketing as well as import and exports of shark products, and traceability and labelling rules.
- take further action at international level and advocate for increased action to protect endangered sharks and ensure that the commercial shark populations remain healthy. It will aim for an effective ban of finning worldwide, ensuring effective controls of trade flows of shark products globally, and curbing the demand for shark products deriving from unsustainable fisheries.

ANNEX

EU trade in shark products (2017-2021) (Source: ESTAT Comext)							
Imports							
Commodity code	Product	Import value (1000 EUR)					Average
		2017	2018	2019	2020	2021	
0302 92	Fresh or chilled shark fins	5,91	13,36	27,82	2,62	0,02	9,946
0302 93	Frozen shark fins	350,05	619,05	461,04	217,97	361,24	401,87
0302 94	Shark fins, smoked, dried, salted or in brine	540,01	481,94	517,77	350,54	73,53	392,758
0302 95	Prepared or preserved shark fins, whole or in pieces (excl. minced)	47,25	219,08	400,2	534,38	0,08	240,198
Total		943,22	1333,43	1406,83	1105,51	434,87	1044,772
		Import volume (1000 Kg)					
		2017	2018	2019	2020	2021	Average
0302 92	Fresh or chilled shark fins	2,81	0,98	3,92	0,65	0,01	1,674
0302 93	Frozen shark fins	41,84	70,95	43,04	26,99	46,97	45,958
0302 94	Shark fins, smoked, dried, salted or in brine	28,88	22,42	24,51	16,08	2,32	18,842
0302 95	Prepared or preserved shark fins, whole or in pieces (excl. minced)	4,09	33,76	91,7	120,51	0,01	50,014
Total		77,62	128,11	163,17	164,23	49,31	116,488
Exports							
		Export value (1000 EUR)					
		2017	2018	2019	2020	2021	Average
0302 92	Fresh or chilled shark fins	11,36	0	1,75	0	12,39	25,5
0302 93	Frozen shark fins	19359,31	24935,42	34335,52	26053,85	27341,44	132025,5
0302 94	Shark fins, smoked, dried, salted or in brine	5908,84	7247,72	8902,36	7124,15	5510,6	34693,67
0302 95	Prepared or preserved shark fins, whole or in pieces (excl. minced)	2,99	7,83	6,65	2,86	1,6	21,93
Total		25282,5	32190,97	43246,28	33180,86	32866,03	166766,6
		Export volume (1000 Kg)					
		2017	2018	2019	2020	2021	Average
0302 92	Fresh or chilled shark fins	12,45	0	0,04	0	1,17	2,732
0302 93	Frozen shark fins	1782,8	2173,4	2503,28	2296,64	2007,6	2152,744
0302 94	Shark fins, smoked, dried, salted or in brine	116,11	129,16	151,84	108,86	80,55	117,304
0302 95	Prepared or preserved shark fins, whole or in pieces (excl. minced)	0,49	0,68	0,57	0,59	0,1	0,486
Total		1911,85	2303,24	2655,73	2406,09	2089,42	2273,266

Non-opposition to a notified concentration
(Case M.11202 – FORTUM MARKETS / TELGE ENERGI)

(Text with EEA relevance)

(2023/C 275/02)

On 31 July 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 (<https://competition-cases.ec.europa.eu/search>). 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 32023M11202. EUR-Lex is the online point of access to European Union law.

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⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

Non-opposition to a notified concentration**(Case M.11137 – EMIL FREY FRANCE / SACAPUCE / JAM PROD / GROUPE KERTRUCKS FINANCE)****(Text with EEA relevance)**

(2023/C 275/03)

On 3 July 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 French 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 (<https://competition-cases.ec.europa.eu/search>). 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 32023M11137. 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.11181 – MACQUARIE / BCI / ENDEAVOUR ENERGY)

(Text with EEA relevance)

(2023/C 275/04)

On 26 July 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 (<https://competition-cases.ec.europa.eu/search>). 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 32023M11181. 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.11096 – MAPFRE / VAS / JV)****(Text with EEA relevance)**

(2023/C 275/05)

On 28 July 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 (<https://competition-cases.ec.europa.eu/search>). 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 32023M11096. EUR-Lex is the online point of access to European Union law.

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

IV

*(Notices)*NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND
AGENCIES

COUNCIL

**Notice for the attention of certain persons and entities subject to the restrictive measures provided
for in Council Decision (CFSP) 2016/849 and Council Regulation (EU) 2017/1509 concerning
restrictive measures against the Democratic People's Republic of Korea**

(2023/C 275/06)

The following information is brought to the attention of PAK Jae-gyong (no. 4), KIM Yong Chol (no. 7), HONG Sung-Mu (no. 10), JO Kyongchol (no. 11), PAK Jong-chon (no. 17), Kim Su Gil (no. 28), JON Il Ho (no. 29), YU Jin (no. 31), Yongbyon Nuclear Scientific Research Centre (no. 4), persons and entity appearing in section I of Annex II to Decision (CFSP) 2016/849 ⁽¹⁾ and in Annex XV to Regulation (EU) 2017/1509 ⁽²⁾, as well as KIM Chang Hyok a.k.a.: James Kim (no. 8), RYANG Su Nyo (no. 10), PYON Won Gun (no. 11), PAE Won Chol (no. 12), RI Sin Song (no. 13), KIM Sung Su (no. 14), KIM Pyong Chol (no. 15), O Yong Ho (no. 31), Pan Systems Pyongyang a.k.a. Wonbang Trading Co.; Glocom; International Golden Services; International Global System (no. 4), Eritech Computer Assembly & Communication Technology PLC (no. 5), Korea General Corporation for External Construction (Aliases: KOGEN, GENCO) (no. 6), persons and entities appearing in Annex III to Council Decision (CFSP) 2016/849 and in Annex XVI to Regulation (EU) 2017/1509.

The Council intends to maintain the restrictive measures against the above-mentioned persons and entities with new statements of reasons. Those persons are hereby informed that they may submit a request to the Council to obtain the intended statements of reasons for their designation, before 11 August 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

⁽¹⁾ OJ L 141, 28.5.2016, p. 79.

⁽²⁾ OJ L 224, 31.8.2017, p. 1.

COUNCIL DECISION
of 25 July 2023
appointing the Executive Director of the European Union Intellectual Property Office
(2023/C 275/07)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Regulation (EU) 2017/1001 of the European Parliament and of the Council of 14 June 2017 on the European Union trade mark ⁽¹⁾, and in particular Article 158(2) thereof,

Whereas:

- (1) The term of office of the current Executive Director of the European Union Intellectual Property Office (EUIPO) ends on 30 September 2023. It is therefore necessary to appoint a new Executive Director of the EUIPO.
- (2) By letter of 6 June 2023, the Management Board of the EUIPO submitted to the Council a list of candidates for the post of Executive Director of the EUIPO,

HAS ADOPTED THIS DECISION:

Article 1

1. Mr João Nuno MAROCO AMARAL NEGRÃO is hereby appointed as Executive Director of the European Union Intellectual Property Office for a term of five years.
2. The five-year term referred to in paragraph 1 shall commence on 1 October 2023.

Article 2

This Decision shall enter into force on the date of its publication in the *Official Journal of the European Union*.

Done at Brussels, 25 July 2023.

For the Council
The President
L. PLANAS PUCHADES

⁽¹⁾ OJ L 154, 16.6.2017, p. 1.

COUNCIL DECISION**of 14 July 2023****amending Decision 98/481/EC approving the external auditors of the European Central Bank**

(2023/C 275/08)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Protocol on the Statute of the European System of Central Banks and of the European Central Bank annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union, and in particular to Article 27.1 thereof,

Having regard to Recommendation ECB/2023/15 of the European Central Bank of 6 June 2023 to the Council of the European Union on the external auditors of the European Central Bank ⁽¹⁾,

Whereas:

- (1) The accounts of the European Central Bank (ECB) and of the national central banks of the Member States whose currency is the euro are to be audited by independent external auditors recommended by the ECB's Governing Council and approved by the Council of the European Union.
- (2) In 2017, the ECB selected Baker Tilly GmbH & Co. KG Wirtschaftsprüfungsgesellschaft as its external auditors for the financial years 2018 to 2022, with an option to extend the mandate to the financial years 2023 and 2024 ⁽²⁾.
- (3) The mandate of Baker Tilly GmbH & Co. KG Wirtschaftsprüfungsgesellschaft ended following the audit for the financial year 2022. It is therefore necessary to appoint external auditors from the financial year 2023.
- (4) The ECB intends to extend the mandate of Baker Tilly GmbH & Co. KG Wirtschaftsprüfungsgesellschaft to the financial years 2023 and 2024. This extension is possible in accordance with the contractual arrangements between the ECB and Baker Tilly GmbH & Co. KG Wirtschaftsprüfungsgesellschaft.
- (5) The Governing Council of the ECB recommended that Baker Tilly GmbH & Co. KG Wirtschaftsprüfungsgesellschaft be appointed as the external auditors of the ECB for the financial years 2023 and 2024.
- (6) It is appropriate to follow the recommendation of the Governing Council of the ECB and amend Council Decision 98/481/EC ⁽³⁾ accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Article 1 of Decision 98/481/EC is replaced by the following:

'Article 1

Baker Tilly GmbH & Co. KG Wirtschaftsprüfungsgesellschaft is hereby approved as the external auditors of the ECB for the financial years 2023 and 2024.'

⁽¹⁾ OJ C 208, 15.6.2023, p. 1.

⁽²⁾ Recommendation ECB/2017/42 of the European Central Bank of 15 December 2017 to the Council of the European Union on the external auditors of the European Central Bank (OJ C 444, 23.12.2017, p. 1).

⁽³⁾ Council Decision 98/481/EC of 20 July 1998 approving the external auditors of the European Central Bank (OJ L 216, 4.8.1998, p. 7).

Article 2

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

Article 3

This Decision is addressed to the ECB.

Done at Brussels, 14 July 2023.

For the Council
The President
L. PLANAS PUCHADES

Notice for the attention of the natural and legal persons, entities and bodies subject to the restrictive measures provided for in Council Decision 2012/642/CFSP, as amended by Council Decision (CFSP) 2023/1592, and Council Regulation (EU) No 765/2006, as implemented by Council Implementing Regulation (EU) 2023/1591 concerning restrictive measures in respect of Belarus and the involvement of Belarus in the Russian aggression against Ukraine

(2023/C 275/09)

The following information is brought to the attention of the persons, entities and bodies that appear in the Annex to Council Decision 2012/642/CFSP ⁽¹⁾, as amended by Council Decision (CFSP) 2023/1592 ⁽²⁾, and in Annex I to Council Regulation (EU) No 765/2006 ⁽³⁾, as implemented by Council Implementing Regulation (EU) 2023/1591 ⁽⁴⁾ concerning restrictive measures in respect of Belarus and the involvement of Belarus in the Russian aggression against Ukraine.

The Council of the European Union has decided that those persons, entities and bodies should be included on the list of persons, entities and bodies subject to restrictive measures provided for in Decision 2012/642/CFSP and in Regulation (EU) No 765/2006 concerning restrictive measures in respect of Belarus and the involvement of Belarus in the Russian aggression against Ukraine. The grounds for the designation of those persons, entities and bodies appear in the relevant entries in those Annexes.

The attention of those persons, entities and bodies is drawn to the possibility of making an application to the competent authorities of the relevant Member State(s) as indicated in the websites in Annex II to Council Regulation (EU) No 765/2006, in order to obtain an authorisation to use frozen funds for basic needs or specific payments (cf. Article 3 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 list should be reconsidered, to the following address before 30 November 2023.

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, 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 285, 17.10.2012, p. 1.

⁽²⁾ OJ L 195 I, 3.8.2023, p. 31.

⁽³⁾ OJ L 134, 20.5.2006, p. 1.

⁽⁴⁾ OJ L 195 I, 3.8.2023, p. 1.

Notice for the attention of the data subjects to whom the restrictive measures provided for in Council Decision 2012/642/CFSP and Council Regulation (EU) No 765/2006 concerning restrictive measures in respect of Belarus and the involvement of Belarus in the Russian aggression against Ukraine apply

(2023/C 275/10)

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 Council Decision 2012/642/CFSP ⁽²⁾, as amended by Council Decision (CFSP) 2023/1592 ⁽³⁾, and Regulation (EU) No 765/2006 ⁽⁴⁾, as implemented by Council Implementing Regulation (EU) 2023/1591 ⁽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 GSC's Data Protection Officer 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 2012/642/CFSP, as amended by Decision (CFSP) 2023/1592, and Regulation (EU) No 765/2006, as implemented by Implementing Regulation (EU) 2023/1591.

The data subjects are the natural persons who fulfil the listing criteria as laid down in Decision 2012/642/CFSP and Regulation (EU) No 765/2006.

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 285, 17.10.2012, p. 1.

⁽³⁾ OJ L 195 I, 3.8.2023, p. 31.

⁽⁴⁾ OJ L 134, 20.5.2006, p. 1.

⁽⁵⁾ OJ L 195 I, 3.8.2023, p. 1.

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.

Without prejudice to any judicial, administrative or non-judicial remedy, data subjects may lodge a complaint with the European Data Protection Supervisor in accordance with Regulation (EU) No 2018/1725 (edps@edps.europa.eu).

EUROPEAN COMMISSION

Euro exchange rates ⁽¹⁾

3 August 2023

(2023/C 275/11)

1 euro =

Currency	Exchange rate	Currency	Exchange rate		
USD	US dollar	1,0932	CAD	Canadian dollar	1,4619
JPY	Japanese yen	156,24	HKD	Hong Kong dollar	8,5331
DKK	Danish krone	7,4517	NZD	New Zealand dollar	1,7985
GBP	Pound sterling	0,86468	SGD	Singapore dollar	1,4678
SEK	Swedish krona	11,7415	KRW	South Korean won	1 422,79
CHF	Swiss franc	0,9579	ZAR	South African rand	20,3700
ISK	Iceland króna	144,70	CNY	Chinese yuan renminbi	7,8397
NOK	Norwegian krone	11,2765	IDR	Indonesian rupiah	16 582,02
BGN	Bulgarian lev	1,9558	MYR	Malaysian ringgit	4,9795
CZK	Czech koruna	24,034	PHP	Philippine peso	60,744
HUF	Hungarian forint	390,85	RUB	Russian rouble	
PLN	Polish zloty	4,4598	THB	Thai baht	37,852
RON	Romanian leu	4,9390	BRL	Brazilian real	5,2996
TRY	Turkish lira	29,4774	MXN	Mexican peso	18,8294
AUD	Australian dollar	1,6748	INR	Indian rupee	90,4965

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

New national side of euro coins intended for circulation

(2023/C 275/12)



National side of the new commemorative 2-euro coin intended for circulation and issued by Croatia

Euro coins intended for circulation have legal tender status throughout the euro area. For the purpose of informing the public and all parties who handle the coins, the Commission publishes a description of the designs of all new coins ⁽¹⁾. In accordance with the Council conclusions of 10 February 2009 ⁽²⁾, euro-area Member States and countries that have concluded a monetary agreement with the European Union providing for the issuing of euro coins are allowed to issue commemorative euro coins intended for circulation, provided that certain conditions are met, particularly that only the 2-euro denomination is used. These coins have the same technical characteristics as other 2-euro coins, but their national face features a commemorative design that is highly symbolic in national or European terms.

Issuing country: Croatia

Subject of commemoration: The introduction of the euro as the official currency of Croatia on 1 January 2023

Description of the design: The design features the inscriptions of the issuing country 'HRVATSKA' (Croatia) and the year of issuance '2023.', depicted horizontally, as well as the words 'ČLANICA EUROPODRUČJA' (member of the euro area), which are inscribed along the outer edge of the coin's core. These inscriptions symbolically form a stylised symbol of the euro '€'. The other central motive of the coin is Croatia's distinctive and recognisable symbol, the Croatian checkerboard, which represents part of the coat of arms of the Republic of Croatia.

The coin's outer ring depicts the 12 stars of the European flag.

Estimated number of coins to be issued: 250 000

Date of issue: September 2023

⁽¹⁾ See OJ C 373, 28.12.2001, p. 1 for the national faces of all the coins issued in 2002.

⁽²⁾ See the conclusions of the Economic and Financial Affairs Council of 10 February 2009 and the Commission Recommendation of 19 December 2008 on common guidelines for the national sides and the issuance of euro coins intended for circulation (OJ L 9, 14.1.2009, p. 52).

COMMISSION IMPLEMENTING DECISION**of 28 July 2023****on the publication in the *Official Journal of the European Union* of the application for registration of a name referred to in Article 49 of Regulation (EU) No 1151/2012 of the European Parliament and of the Council 'Irish Grass Fed Beef' (PGI)**

(2023/C 275/13)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 50(2)(a) thereof,

Whereas:

- (1) Pursuant to Article 50(2)(a) of Regulation (EU) No 1151/2012, the application from Ireland to register the name 'Irish Grass Fed Beef' as Protected Geographical Indication was published in the *Official Journal of the European Union* ⁽²⁾.
- (2) On 21 February 2022 the Commission received the notice of opposition including the related reasoned statement of opposition from the United Kingdom (Northern Ireland). The opposition was deemed admissible. Ireland and the United Kingdom (Northern Ireland) carried out appropriate consultations and reached an agreement substantially amending the single document.
- (3) In accordance with Article 51 of Regulation (EU) No 1151/2012 Ireland sent to the Commission the documents and the information relevant to the agreement reached with the United Kingdom (Northern Ireland) in the opposition procedure concerning the application for registration of the name 'Irish Grass Fed Beef' as protected geographical indication, including the substantially amended single document.
- (4) In accordance with Article 50 and 51(4) of Regulation (EU) No 1151/2012 the Commission has examined that application and concluded that it fulfils the conditions laid down in that Regulation.
- (5) In order to allow for the submission of notices of opposition in accordance with Article 51 of Regulation (EU) No 1151/2012, the single document and the reference to the publication of the product specification referred to in Article 50(2)(a) of that Regulation for the name 'Irish Grass Fed Beef' should be published in the *Official Journal of the European Union*,

HAS DECIDED AS FOLLOWS:

Sole Article

The single document and the reference to the publication of the product specification referred to in Article 50(2)(a) of Regulation (EU) No 1151/2012 for the name 'Irish Grass Fed Beef' (PGI) (EU No: PGI-IE+UK(NI)-02647 — 27.11.2020) shall be published in the *Official Journal of the European Union*.

In accordance with Article 51 of Regulation (EU) No 1151/2012, the publication referred in the first paragraph of this Article shall confer the right to oppose to the registration of the name 'Irish Grass Fed Beef'.

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ C 492, 8.12.2021, p. 12.

Done at Brussels, 28 July 2023.

For the Commission
Janusz WOJCIECHOWSKI
Member of the Commission

ANNEX

SINGLE DOCUMENT

'Irish Grass Fed Beef'

EU No: PGI-IE+UK(NI)-02647 – 27.11.2020

PDO () PGI (X)

1. Name(s) (of PDO or PGI)

'Irish Grass Fed Beef'

2. Member State or Third Country

Ireland

United Kingdom (Northern Ireland)

3. Description of the agricultural product or foodstuff**3.1. Type of product [listed in Annex XI]**

Class 1.1 Fresh meat (and offal)

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

'Irish Grass Fed Beef' is the name given to fresh and frozen bone-in and boneless beef, including carcasses, quarters, bone-in cuts, boneless primal, minced beef of those cuts, and retail packs.

'Irish Grass Fed Beef' has (i) low overall fat levels (ii) an even distribution of fat (as intermuscular marbling); (iii) a pronounced cherry-red meat colour; and (iv) a high degree of creaminess/yellowness of fat. It has a rich, complex, grassy, succulent, and juicy meat with a true beefy flavour and is tender.

Carcasses must be from the following two categories:

- i. Steers and heifers aged up to 36 months with conformation better than O- and fat score between 2+ and 4+;
- ii. Beef cows of up to 120 months with conformation better than O+ and with fat score between 2+ and 5.

'Irish Grass Fed Beef' from category (i.) exhibits all the attributes in relation to a cherry-red meat colour and a cream/yellow fat colour, and external fat levels as described.

'Irish Grass Fed Beef' described in category (ii.) has an even more pronounced yellow fat and with deeper red meat colour than the steer and heifer category. Average fat levels are higher than in category (i.). High pH (>5.8) carcasses are identified and excluded.

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

'Irish Grass Fed Beef' only includes cattle that:

- a) Derive at least 90 % of their feed intake from grass. This is primarily grazed grass, with winter feeding of conserved grass.
- b) Spend a minimum of 220 days per year throughout their lifetime grazing pasture. Each year, as soon as conditions permit, 'Irish Grass Fed Beef' cattle are sent to pasture and spend up to 10 months, of entire days, grazing grass. Typically, cattle are housed in late November/early December when weather and ground conditions no longer facilitate active grass growth and/or grazing. A tolerance of up to 40 days is allowed due to mitigating circumstances, defined as: where weather, soil condition, other environmental conditions or animal welfare considerations are impeding factors.

Conserved Grass is only fed during the housing period (maximum (*)145 days). The nutritional quality of Conserved Grass is assessed by all producers. Cattle can be fed non-grass forage (e.g. Straw; Fodder Beet; Maize; other Grains) and concentrated feedstuff but this is restricted to a maximum of 10 % feed intake over the animal's lifetime. These non-grass feeds are only used when necessary, e.g. at weaning, during winter, extreme weather episodes and during the final finishing period, but only where the nutritional quality of the grass/grass forage is insufficient to ensure optimum meat eating quality. All conserved grass must be harvested in the geographical area.

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

Cattle must be born, raised on grass, finished, slaughtered, chilled, and quartered within the geographical area.

The meat maturation process (a minimum of 3 days or in the case of speciality manufacturing cuts, 2 days), which is essential to ensure the eating quality of 'Irish Grass Fed Beef' takes place within the geographical area.

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

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

Products that may be labelled as PGI 'Irish Grass Fed Beef'

- Fresh and frozen bone-in and boneless beef, including carcasses, quarters, bone in cuts, boneless primal cuts, and retail packs, from qualifying categories of beef cattle.
- Minced beef containing 100 % beef sourced from qualifying categories of beef cattle and containing a minimum of 90 % visual lean beef.
- Minced beef products(e.g. Burgers) containing 100 % beef sourced from qualifying categories of beef cattle and containing a minimum of 90 % visual lean beef.

Products that may be labelled 'as derived' from PGI 'Irish Grass Fed Beef'

- Composite beef products containing 100 % beef sourced from qualifying categories of 'Irish Grass Fed Beef' cattle and containing a minimum of 90 % visual lean beef.
- Premium Offal (Cheek, Tail, Thick-Skirt and Tongue) sourced from qualifying categories of 'Irish Grass Fed Beef' cattle.

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

The geographical area is the island of Ireland comprising of Ireland and Northern Ireland ⁽¹⁾.

5. **Link with the geographical area**

The causal link between the product and the area in which it is produced is based on its consistently high eating quality which in turn has led to a well-established reputation. 'Irish Grass Fed Beef' has established a reputation amongst European consumers, retailers, chefs, journalists, and opinion leaders, which is based on a pasture grazing and grass forage production system that is employed to raise and 'finish' the qualifying categories of beef animals, processed to a strict protocol, resulting in a meat with a differentiated visual appearance and renowned eating quality.

Specificities of the geographical area : natural factors and know how

The island of Ireland's unique dependence on grass-based agriculture, and its grass growing potential has been recognised for centuries. Cattle rearing has long been recognised an integral part of the Irish economy.

(*) See also Section 3.3 b)

(1) References to the 'island' includes smaller islands of Ireland and Northern Ireland.

The geographical area has a temperate climate, winters are mild, harsh frosts are rare, as are high summer temperatures. The prevalent, moist, westerly winds from the warm waters of the Gulf Stream ensure that the island has a markedly oceanic climate with frequent rain (up to 246 rain days/year) and a low annual temperature range (rarely below 0°C or higher than 25°C). Irish grassland can produce some of the highest non-irrigated herbage yields (12-16 t dry matter (DM)/ha per annum) in Europe.

The Irish beef herd differs from other beef systems, as it results from the practice of crossing traditional breeds (e.g. Hereford, Angus and Shorthorn) with both dairy breeds (with strong maternal traits) and Continental European beef breeds (e.g. Limousin, Charolais and Simmental). The resultant hardy, crossbred animal is optimally adapted to finish on the varied climatic and geographical conditions of the geographical area.

Integrated agricultural education and strong on-farm support provides access to cutting edge scientific research, allowing farmers to achieve maximum advantage for their beef cattle from the grasslands. Services are available to all farmers and new entrants to farming. This scientific support is an important input in the continuous improvement in eating quality of 'Irish Grass Fed Beef'. While the primary focus is the production of a visually distinctive and superior tasting beef, recent industry initiatives also assist the 'Irish Grass Fed Beef' producer to focus on reducing the carbon footprint of their beef enterprise.

'Irish Grass Fed Beef' farms are central to the Irish rural landscape and communities. Historically, the structure is built up around small to medium residential farm holdings, which have been handed down inter-generationally. In this structure, the farmstead is centrally located to the grazing and forage areas for the livestock allowing regular visual assessment of livestock ('herding') and a continuous focus on the animals wellbeing which is a significant contributor to meat eating quality.

To this day, this rural patchwork is a recognised feature of the Irish landscape. While the Irish Grass Fed Beef production model is not exclusive to family farms and does not exclude new entrants, over 99 % of farms can be classified as 'family farms' ⁽²⁾, ⁽³⁾. However, intensive feedlot operations employing industrial farming methods, without evidence of the family farm type pasture based and grass fed practices, are not eligible for the production of 'Irish Grass Fed Beef'.

A traditional beef production system based around extensive pasture rearing, persists on 'Irish Grass Fed Beef' farms. Data indicate an average land availability of over 3,000 sq. metres per animal. The farming system has been derived from herds built up and stockmanship skills handed down, over generations. This process has preserved the knowledge and experience in beef production, both of which are sensitive to the local geographic and climatic conditions as well as animals' welfare requirements. Pasture based beef is associated internationally with better animal welfare, less stress and improved animal health.

Moreover grazed grass and all grass based winter forage are from the geographical area.

'Irish Grass Fed Beef' production systems prioritise:

- the greatest possible weight gain from grazed grass,
- the harvesting of surplus summer grass at its optimum growing stage (May/June) to produce high-quality winter feed, thus
- maximising the Dry Matter Digestibility (DMD) of this conserved grass. This is essential in order to ensure that grass silage can provide the vast majority of the animal's winter nutritional requirements.

Recent studies have confirmed that 'Irish Grass Fed Beef' has significantly higher concentrations of beneficial minerals and vitamins including: Calcium, Manganese, Iron, Zinc, Selenium, Sodium, Magnesium, Potassium, Phosphorus and Vitamin E than non or low-grass feed systems.

⁽²⁾ In Ireland, a 2016 Farm Structures Survey published by the Irish Central Statistics Office classified 99.6 % of Irish Farms as Family farms." Family farms are operated as family based enterprises (including any registered as commercial concerns)". (Ref. CSO). Family farm type pasture based and grass fed practices must be evident for PGI purposes

⁽³⁾ In Northern Ireland, the EU Farm Structure Survey 2016 showed farms are primarily family run businesses, with 99 % of farm managers being farm occupiers, spouses and other family members.

Specificity of Product

The links between the land, people and animals show the importance placed on herdsmanhip, the small family farm, local know how and grassland management by 'Irish Grass Fed Beef' farmers and give the following specificities to the meat.

It has been found that 'Irish Grass Fed Beef' have specific nutritional properties that differentiate them from non or low-grass feed systems: 'Irish Grass Fed Beef' has a lower saturated fatty acid profile and higher levels of omega 3 than beef from cattle fed from non or low-grass feed systems. Research also found that the differences in fatty acid content will give grass-fed beef a distinct grass flavour and unique cooking qualities such as more complex, 'nutty' undertones.

Both categories of 'Irish Grass Fed Beef' are visually different in terms of meat and fat colour from beef produced in non or low-grass fed systems.

A recent study found that the subcutaneous fat of 'Irish Grass Fed Beef' cattle is around 63 % more yellow than that of cereal concentrate-fed animals. The higher yellowness can be related to higher levels of carotenoids (e.g. beta-carotene and lutein) in pasture from the geographical area than in cereal concentrates.

The muscle colour in 'Irish Grass Fed Beef' is reported to be darker (deeper red) than that of cereal concentrate fed animals.

The flavour which is rich, complex, grassy and juicy and properties of 'Irish Grass Fed Beef' are a consequence of the predominantly outdoor, traditional pasture grazing system where animals spend over 220 days (*) of the year at pasture and consume over 90 % of their diet as grass from the geographical area.

Meat tenderness (texture) is one of the most important organoleptic properties influencing acceptability and eating satisfaction of meat products for consumers. The high tenderness associated with 'Irish Grass Fed Beef' is achieved because the pre-slaughter handling of livestock and post slaughter chilling and maturation of carcasses and cuts follows an exacting blueprint which Irish farmers and processors follow meticulously. This allows the natural fibre maturation/ decomposition process to occur resulting in greater tenderness and an accentuation of the natural flavours of the beef. It is also achieved thanks to proven meat technology and controlled maturation process that enhance tenderness and eliminates the risk of cold shortening is used. High pH (>5.8) carcasses are identified and excluded.

Causal link: Reputation

The links between the land, people, and animals, combined with the human factors associated with the region's traditional herdsmanhip, the Irish farming system and the grassland management techniques practised by 'Irish Grass Fed Beef' farmers creates 'Irish Grass Fed Beef'.

This results in a differentiated high quality, tender beef with a unique appearance, flavour, and nutritional profile. These properties are highly valued by consumers, chefs, and food buyers.

'Irish Grass Fed Beef' has established two distinct premium markets, based on regional culinary differences and preferences:

- i. 'Irish Grass Fed Beef' from steers and heifers has found favour in various markets including the Netherlands, Germany, Belgium, and Luxemburg; it is positioned in these markets at a premium price.
- ii. 'Irish Grass Fed Beef' from qualifying cows has been the beef of choice in areas of Europe with a preference for richer, highly flavoured beef from mature animals (e.g. France and Northern Spain). This market niche has expanded substantially recently, as evidenced by the high-end culinary trend towards 'mature' cow beef (e.g. Galician) among leading European chefs.

Consumer research confirms the clear visual, taste and compositional differences between 'Irish Grass Fed Beef' and beef from non-or-low grass feed systems. Taste tests were carried out in 2011 in three European markets (Germany, the Netherlands, and Italy) to establish the consumer perception of the eating quality of 'Irish Grass Fed Beef', which was judged against competitors. Across all three markets 'Irish Grass Fed Beef' scored higher on taste intensity, texture, and balance of fat cover/marbling in the meat.

(*) See also Section 3.3. b).

'Irish Grass Fed Beef' is described as having a differentiated and specific eating quality by various professionals:

- 'a rich flavour'
- 'succulent'
- 'some of the world's tastiest beef'.

Tenderness is also appreciated:

- 'conquered by the quality (and) tenderness...of this meat'
- 'meat is extremely tender'

Irish steaks, in the Grass Fed Category, won more medals than any other country 2018 and 2019 World Steak Challenge. In 2019, when assessed by expert tasting panels against steak from 25 countries, striploins, rib eyes and fillets from 'Irish Grass Fed Beef' won a record 83 medals, more than any other competing country, including the World's Best Fillet. A further 85 medals were won in the 2021 World Steak Challenge, of which 52 were gold.

'High Marbling from grass fed beef – Wonderful.' 'Tender and flavoursome, lightly nutty, short fibres, low acidity, extremely juicy – Wow'. Judges' comments on 'Irish Grass Fed Beef' winning World's Best Steak Contest, BEEF Magazine, 2009.

'Irish Grass Fed Beef' features at many leading restaurants around the world. The CIBC (Chefs Irish Beef Club) with nine chapters in Europe and internationally has over 100 participating chefs who chose to use and endorse 'Irish Grass Fed Beef' as their beef of choice. An International gathering of CIBC chefs and Bocuse d'Or winners (June 2013) heard numerous endorsements of 'Irish Grass Fed Beef' including:

- Mario Corti, Chef, Germany: 'I like the grass-fed beef and for me the Irish grass-fed beef is the best you can find actually...'
- Jean-Paul Jeunet, Chef: 'I want the best for my guests and in Ireland you have the grass and you have the climate and all of the year the beef are outside – it is very interesting.'

Reference to publication of the specification

<https://assets.gov.ie/202726/824a7d14-f441-4bf4-95d1-6b33a55af041.pdf>

V

(Announcements)

OTHER ACTS

EUROPEAN COMMISSION

Publication of an application for the modification of a traditional term in the wine sector pursuant to Articles 28(3) and 34 of Commission Delegated Regulation (EU) 2019/33 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards applications for protection of designations of origin, geographical indications and traditional terms in the wine sector, the objection procedure, restrictions of use, amendments to product specifications, cancellation of protection, and labelling and presentation

‘Vino generoso’

(2023/C 275/14)

This publication confers the right to object to the application in accordance with Articles 22(1) and 27(1) of Commission Implementing Regulation (EU) 2019/34 ⁽¹⁾. Statements of objection must reach the Commission within 2 months of the date of this publication.

MODIFICATION REQUEST CONCERNING THE TRADITIONAL TERM

‘Vino generoso’

Date of receipt: 5 May 2023

Number of pages (including this page): 4

Language of the request for modification: Spanish

File number: Ares(2023) 3171190

Traditional term for which the modification is requested: Vino generoso

Applicant: Directorate-General for the Food Industry, Spanish Ministry of Agriculture, Fisheries and Food

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

Pº Infanta Isabel, 1

28071 Madrid

ESPAÑA

Nationality: Spanish

⁽¹⁾ OJ L 9, 11.1.2019, p. 46.

Telephone, fax, email:

Tel. +34 91 3475 397

Fax +34 91 3475 410

Email: dgia@mapa.es; sgccala@mapa.es

Description of the modification

The summary of the definition/conditions of use for the traditional term 'vino generoso' in *e*Ambrosia establishes that:

'[Part B, point 8, of Annex III to Commission Regulation (EC) No 606/2009] or the wine with the "Montilla-Moriles" PDO, with the definition given above, on condition that no alcohol is added during the production process, with the actual alcoholic strength of no less than 15 % vol. having been reached naturally.'

This definition/these conditions of use is/are associated with Commission Regulation (EC) No 606/2009, which has been repealed by Commission Delegated Regulation (EU) 2019/934, which lays down rules for the traditional term 'vino generoso' in its Annex III, part B, point 8:

'In the case of liqueur wines, the specific traditional name "vino generoso" shall be used only for dry liqueur wines bearing a protected designation of origin developed totally or partly under flor and:

- obtained only from white grapes obtained from the Palomino de Jerez, Palomino fino, Pedro Ximénez, Verdejo, Zalema and Garrido Fino vine varieties,
- released to the market after it has been matured for an average of two years in oak barrels.

Development under flor as referred to in the first subparagraph means the biological process which, occurring when a film of typical yeasts develops spontaneously at the free surface of the wine after total alcoholic fermentation of the must, gives the product specific analytic and organoleptic characteristics.'

The definition/conditions of use is/are replaced by the following:

'The name "vino generoso" shall be used only for wines and dry liqueur wines, of grapevine product categories 1 and 3 under Part II of Annex VII to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013, with the protected designations of origin "Condado de Huelva", "Jerez-Xérès-Sherry", "Lebrija", "Málaga", "Manzanilla-Sanlúcar de Barrameda", "Montilla-Moriles" and "Rueda":

1. Produced only from white grapes obtained from the vine varieties authorised for each of the aforementioned protected designations of origin;
2. Released to the market after it has been aged for an average of at least two years in oak barrels;
3. That spontaneously develop a film of typical yeasts (known as the "flor") at the free surface of the wine after total alcoholic fermentation of the must, which give the product specific analytic and organoleptic characteristics, with the exception of the traditional dry wines of the PDO "Málaga";
4. With a minimum actual alcoholic strength of 14 % volume for category 1, and 15 % volume for category 3, apart from the exceptions laid down in EU law currently in force;
5. With a maximum reducing sugar content (glucose and fructose) of:
 - a) 4 grams per litre;
 - b) or 9 grams per litre provided that the total acidity expressed as grams of tartaric acid per litre is not more than 2 grams below the residual sugar content;
 - c) or, exclusively for liqueur wines, the level established for "dry" in the specification.'

Explanation of the grounds for the modification

The traditional term 'vino generoso' is among those enjoying the greatest prestige and tradition of the protected designations of origin of Andalusia. It has been referred to in the various legal texts recognising the PDOs.

The traditional term is currently protected, and its use regulated, at European Union level under Articles 112(a) and 113 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007.

It is also defined in Part B, point 8, of Annex III to Commission Delegated Regulation (EU) 2019/934 of 12 March 2019 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards wine-growing areas where the alcoholic strength may be increased, authorised oenological practices and restrictions applicable to the production and conservation of grapevine products, the minimum percentage of alcohol for by-products and their disposal, and publication of OIV files. In addition, the term was originally included in the European Commission's electronic database 'e-Bacchus', which has been replaced by the electronic register 'eAmbrosia'. The definition used is based on a reference to Part B, point 8, of Annex III to Commission Regulation (EC) No 606/2009 of 10 July 2009 laying down certain detailed rules for implementing Council Regulation (EC) No 479/2008 as regards the categories of grapevine products, oenological practices and the applicable restrictions, subsequently repealed by Commission Delegated Regulation (EU) 2019/934 of 12 March 2019, maintaining the definitions laid down in Commission Regulation (EC) No 606/2009 of 10 July 2009.

For the purposes of clarity, transparency and legal certainty, certain traditional terms for wines of protected designations of origin of Andalusia have been subject to regulation under the Order of the Regional Ministry of Agriculture, Fisheries, Water and Rural Development of 22 February 2023, published in Andalusian Official Gazette (BOJA) No 42 of 3 March 2023. The Order is the appropriate legal instrument for approving the traditional terms and for their subsequent amendment in the EU register. In order to ensure the legal transition from the current legislative framework of the traditional term 'vino generoso' and of the associated protected traditional terms, the definition has been established and published. The definition describes the characteristic and shared features of the protected designations of origin using the traditional term. In this way, it allows for fair competition between producers while also giving clear information to consumers. One of the new features of the new definition is that it identifies the specific protected designations of origin which have the right to use this traditional term. In addition to the six designations of origin from Andalusia, 'Rueda' is also identified as its specification has always included use of the traditional term.

Name of signatory: Director-General for the Food Industry

Publication of an approved standard amendment to a product specification of a protected designation of origin or protected geographical indication in the agricultural products and foodstuffs sector, as referred to in Article 6b(2) and (3) of Commission Delegated Regulation (EU) No 664/2014

(2023/C 275/15)

This communication is published in accordance with Article 6b(5) of Commission Delegated Regulation (EU) No 664/2014 ⁽¹⁾.

COMMUNICATING THE APPROVAL OF A STANDARD AMENDMENT TO THE PRODUCT SPECIFICATION OF A PROTECTED DESIGNATION OF ORIGIN OR PROTECTED GEOGRAPHICAL INDICATION ORIGINATING IN A MEMBER STATE

(Regulation (EU) No 1151/2012)

‘Volailles de Licques’

EU No: PGI-FR-0162-AM01 - 11.5.2023

PDO () PGI (X)

1. Name of product

‘Volailles de Licques’

2. Member State to which the geographical area belongs

France

3. Member State authority communicating the standard amendment

Ministry of Agriculture and Food Sovereignty

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4. Description of the approved amendment(s)

1. Responsible department in the Member State:

The contact details of the National Institute for Quality and Origin (INAO), which is the competent authority of the Member State, have been added.

The amendment does not affect the single document.

2. Applicant Group:

The contact details and legal form of QUALICNOR are provided.

The amendment affects the single document.

3. Description of the product

For products covered by the PGI, the amendment provides for the production of the following additional species:

— Poularde,

— Guinea fowl capon

The applicant group has been producing these two species in the area for many years. The reputation of the poularde dates back to 1987, and the guinea fowl capon to 2010.

The section is supplemented by conformity criteria and an organoleptic description for each species.

⁽¹⁾ OJ L 179, 19.6.2014, p. 17.

Deep-freezing and the various possible forms of packaging have been added. Processors will be able to diversify their range of presentations in order to meet consumer expectations while ensuring product quality.

The amendment affects the single document.

4. Geographical area

The amendment to the area is the result of administrative changes following the amalgamation of municipalities in the area defined in the current product specification.

These amendments do not affect the original geographical area.

The amendment affects the single document.

5. Evidence that the product originates in the area

The following parts are added:

- the 'operators operating in the geographical area' category;
- the identification declaration to authorise operators before the start of the activity concerned;

a bottom-up and top-down traceability table.

The amendment does not affect the single document.

6. Method of production

Subsection 5.2 'Strains used'

This subsection defines the criteria for selecting strains or hybrid strains.

All of the strains grow slowly, and are suited to outdoor rearing. Under the feeding and rearing conditions laid down in the specifications, the strains and hybrid strains used must enable the minimum carcass weight to be reached at the minimum slaughter age. A table summarising the phenotype for each species has also been added.

Subsection 5.3 'Rearing method'

Specific rules have been added for rearing capons and guinea fowl capons, whereby castration takes place no later than 63 days of age in the case of capons and no later than 91 days in the case of guinea fowl capons. During the fattening period capons are kept indoors from, at the earliest, the 125th day of rearing and for up to four weeks. A lighting pattern must be set up in poultry houses.

Subsection 5.4 'Nutrition'

The percentage of cereals decreases from 75 % by weight of the feed formula to 70 %.

A list of raw materials that the supplied feed may contain has been added.

Subsection 5.5 'Poultry houses and runs'

The description of the runs is not included in the product specification currently in force. Runs must, as a rule, be tree-lined. Details are given of the planting of the areas (type and number of trees). A minimum run area per bird is provided for each species, the latter being changed from the date of partial removal for poulardes and capons. A fallowing period which must be observed between each batch and an obligation to maintain runs have been added.

As regards guinea fowl, specific criteria have been added concerning the installation of an outside aviary and perches in the poultry houses.

Criteria for indoor rearing are also laid down. As a rule, for all poultry, single-batch rearing takes place in a fixed or mobile poultry house. Each poultry house must be no more than 400 m² in the case of fixed housings and 150 m² in the case of mobile housings. To complete the section, there is a table showing the maximum density of animals per building:

Sub-section 5.6. 'Minimum duration of fallowing in poultry houses'

An obligation has been added whereby as soon as the poultry leaves the holding, cleaning and disinfection must take place and there must be a period of following.

Subsection 5.7 'Condition for removal, transport and slaughter'

An obligation has been added whereby the poultry's feed is withdrawn at least five hours prior to their removal.

An obligation has been added whereby transport time must not exceed three hours. A recovery period of 30 minutes at the slaughterhouse has also been laid down.

The amendment affects the single document.

7. Link

The section entitled 'Link with the geographical area' of the current product specification has been comprehensively revised. It has been reorganised into three parts to distinguish the specific characteristics of the geographical area, the product and the causal link. The wording is more succinct and many illustrations and historical references have been deleted.

The amendment affects the single document.

8. Labelling

The current paragraph is deleted and replaced by a sentence describing the mandatory elements.

The amendment affects the single document.

9. Inspection body

The contact details of the authorities responsible for inspections at national level are now provided, i.e.: the National Institute of Origin and Quality (INAO) and the Directorate-General for Competition, Consumer Affairs and Fraud Prevention (DGCCRF). The name and contact details of the certification body can be consulted via the website of the INAO and the European Commission's database.

The amendment affects the single document.

10. National requirements

The section takes the form of a table of the main points to be checked and their means of evaluation.

The amendment affects the single document.

SINGLE DOCUMENT

Volailles de Licques

EU No: PGI-FR-0162-AM01 - 11.5.2023

PDO () PGI (X)

1. **Name(s) [of PDO or PGI]**

Volailles de Licques

2. **Member State or Third Country**

France

3. Description of the agricultural product or foodstuff

3.1. Type of product [as in Annex XI]

Class 1.1. Fresh meat (and offal)

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

'Volailles de Licques' are birds of the Galliformes order. They are from robust, slow-growing strains allowing a long rearing period and slaughter just before sexual maturity.

Features of 'Volailles de Licques':

- good conformation;
- well-fattened, meaty carcasses, firm flesh;
- good muscle development of the breast and thighs.

'Volailles de Licques' includes the following animal types:

Chicken: reared for at least 81 days. The minimum carcass weight is 1,3 kg when presented 'gutted' and 0,95kg when presented 'eviscerated' without giblets, oven ready.

Guinea fowl: reared for at least 94 days. The minimum carcass weight is 1,1 kg when presented 'gutted' and 0,85 kg when presented 'eviscerated' i.e. without giblets, oven ready.

Turkey: reared for at least 140 days. The minimum carcass weight is 2,7 kg when presented 'gutted' and 2,3 kg when presented 'eviscerated' i.e. without giblets, oven ready.

Capon: reared for at least 150 days. The minimum carcass weight is 2,9 kg when presented 'gutted' and 2,5 kg when presented 'eviscerated' i.e. without giblets, oven ready.

Poularde: reared for at least 120 days. The minimum carcass weight is 1,95 kg when presented 'gutted' and 1,65 kg when presented 'eviscerated' i.e. without giblets, oven ready.

Guinea fowl capon: reared for at least 150 days. The minimum carcass weight is 1,80 kg when presented 'gutted' and 1,40 kg when presented 'eviscerated' i.e. without giblets, oven ready.

'Volailles de Licques' is sold as carcasses or in the form of cuts, fresh or deep-frozen (except where gutted). The carcasses must meet the criteria for Class A presentation. Cuts must comply with the Class A presentation criteria and must come from carcasses that comply with the minimum oven-ready weight. Volailles de Licques are sold unpackaged or film-wrapped, vacuum-packed or in modified-atmosphere packaging.

They are presented as follows:

- 'oven ready';
- 'gutted';
- in the form of cuts.

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

The feed provided must contain at least 70 % cereals and derived products at the fattening stage, calculated as a weighted average.

The proportion of cereal-derived products shall not exceed 15 % by weight of the total feed formula.

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

Rearing of poultry starting from the introduction of young animals.

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

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

The labelling includes the name 'Volailles de Licques' and the European Union PGI symbol in the same field of vision.

4. Concise definition of the geographical area

The geographical area is located entirely in the *département* (region) of Pas de Calais and comprises the following administrative entities:

the whole *arrondissements* (districts) of: Boulogne-sur-Mer, Calais, Montreuil and Saint-Omer

and the whole *communes* (municipalities) of: Anvin, Aubrometz, Auchy-au-Bois, Aumerval, Auxi-le-Château, Bailleul-lès-Pernes, Beauvoir-Wavans, Bergueneuse, Blessy, Boffles, Bonnières, Boubers-sur-Canche, Bourecq, Bouret-sur-Canche, Bours, Boyaval, Buire-au-Bois, Conchy-sur-Canche, Conteville-en-Ternois, Eps, Equirre, Erin, Estrée-Blanche, Fiefs, Fleury, Floringhem, Fontaine-l'Étalon, Fontaine-lès-Boulans, Fontaine-lès-Hermans, Fortel-en-Artois, Frévent, Gennes-Ivergny, Ham-en-Artois, Haravesnes, Hestrus, Heuchin, Huclier, Isbergues, Lambres, Le Ponchel, Liettes, Ligny-lès-Aire, Ligny-sur-Canche, Lingham, Lisbourg, Marest, Mazinghem, Monchel-sur-Canche, Monchy-Cayeux, Nédon, Nédonchel, Noeux-lès-Auxi, Norrent-Fontes, Pernes, Prédefin, Pressy, Quoeux-Haut-Maînil, Quernes, Rely, Rombly, Rougefay, Sachin, Sains-lès-Pernes, Saint-Hilaire-Cottes, Tangry, Teneur, Tilly-Capelle, Tollent, Vacquerie-le-Boucq, Valhuon, Vaulx, Villers-l'Hôpital, Westrehem, Willencourt and Witternesse.

5. Link with the geographical area

The link to the origin of the 'Volaille de Licques' PGI is based on natural and human factors in the area around [the village of] Licques, where the poultry production has certain characteristics on which its reputation has been built over time.

The geographical area occupies a large part of the *département* of Pas de Calais in northern France. The area is bordered to the west by the English Channel (from the border with the *département* of la Somme to the city of Calais) and the North Sea (from Calais to the *département* of Nord), and flows eastwards into farmland.

The area's climate is oceanic. The temperature range is narrow, with mild winters and summers, sea breezes and regular rainfall (600 to 800 mm per year). The average annual temperature is around 11 °C.

The mild climate and the absence of dramatic temperature peaks means that the poultry are regularly outside.

The area has a varied topography, alternating between plateaux and valleys, with an altitude of between 0 and 200m above sea level. The agricultural and natural areas are diverse, with *bocage* (hedgerow landscape) and a large amount of pasture land. There is a major network of waterways, including the Rivers Authie, Canche, Ternoise, Liane, Scarpe, Lys and Aa.

The geographical area is characterised by its range of crops and livestock, and its traditions of rearing poultry and cultivating cereals are still widely upheld. These activities have shaped the diversity of the landscape, which alternates between natural areas, varied farmland and forests.

There are numerous outdoor grassy and wooded runs for the poultry to use.

'Volailles de Licques' are from robust, slow-growing strains allowing a long rearing period and slaughter just before sexual maturity. They are adapted to life in the open air, and have access to free-range runs in wooded pastures.

Features of 'Volailles de Licques':

- good conformation,
- well-fattened, meaty carcasses, firm flesh;
- good muscle development of breast and thighs.

The mild climate and low altitude make the geographical area particularly suited to rearing poultry, especially on grassy runs. The oceanic nature of the climate, which includes regular rainfall, is conducive to the steady growth of grass and perennial plants on the runs. The narrow range and mildness of temperatures means that the poultry can go out on the runs throughout the year, and can therefore supplement their nutrition. These conditions are also conducive to regular cereal production, which historically forms the basis of poultry feed.

Breeders have adapted to changes in the environment, and so their know-how is based on:

- the use of slow-growing strains;
- being in control of when the birds go outside;
- the use of cereal-based feed.

It is these traditional methods, still in use today, that lie at the heart of the reputation of 'Volailles de Licques'.

The origins of the 'Volailles de Licques' can be traced back to the Abbaye de Licques [Abbey], which was established in 1051. In the 13th Century it was entrusted to Prémontré monks, who cleared the forests and developed poultry farming – including turkey, which was popular at the time and remains popular today – and cultivated cereals.

In the 17th and 18th centuries, 90 % of the population was made up of small farmers who produced what they consumed. Poultry enabled them to meet their families' needs and to have barter currency. According to *La vie agricole sous l'Ancien Régime dans le Nord de la France* (Agricultural life in olden times in Northern France) by Albéric de Callone 'if, in other countries, they killed in one year the number of capons, hens and chickens that we slaughter here in one day, one would be forgiven for fearing for the future of the species.'

During the 19th and 20th centuries, the rearing of 'Volailles de Licques' developed alongside the improvement in cereal crops (such as wheat and barley), which in turn helped improve the feed and therefore the quality of the meat. The reputation of 'Volailles de Licques' began to extend beyond the borders of the Pays de Licques, and even as far as England, as Jean Tribondeau highlighted in his farming monograph entitled '*L'agriculture du Pas-de-Calais*' (Agriculture in Pas de Calais): 'The rearing of turkey is not only held in high regard in the Boulonnais region, it is also the subject of a large amount of trade with England.'

Even so, poultry production has retained its traditional, family character, which is based on the area's history of rearing.

From the 1950s onwards, structural changes in the rural environment have led to a gradual change in the method of rearing. The producers of 'Volailles de Licques' wanted to keep extensive livestock farming going. They met in 1965 under the auspices of the Licques Breeders' Union with a view to maintaining traditional poultry production.

Nowadays, the production of 'Volailles de Licques' remains a source of diversification and additional revenue for breeders.

Reference to publication of the specification

https://info.agriculture.gouv.fr/gedei/site/bo-agri/document_administratif-070fab1c-4223-4f7f-bacb-2218e19ecec7

Publication of an application for the modification of a traditional term in the wine sector pursuant to Articles 28(3) and 34 of Commission Delegated Regulation (EU) 2019/33 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards applications for protection of designations of origin, geographical indications and traditional terms in the wine sector, the objection procedure, restrictions of use, amendments to product specifications, cancellation of protection, and labelling and presentation

‘Vino generoso de licor’

(2023/C 275/16)

This publication confers the right to object to the application in accordance with Articles 22(1) and 27(1) of Commission Implementing Regulation (EU) 2019/34 ⁽¹⁾. Statements of objection must reach the Commission within 2 months of the date of this publication.

MODIFICATION REQUEST CONCERNING THE TRADITIONAL TERM

‘Vino generoso de licor’

Date of receipt: 5 May 2023

Number of pages (including this page): 4

Language of the request for modification: Spanish

File number: Ares(2023) 3171348

Traditional term for which the modification is requested: Vino generoso de licor

Applicant: Directorate-General for Agri-Food Industries, Innovation and the Food Supply Chain of the Andalusian Ministry of Agriculture, Fisheries, Water and Rural Development

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

C/Tabladilla, s/n,
41071 Seville
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Description of the modification

The summary of the definition/conditions of use for the traditional term ‘vino generoso de licor’ in eAmbrosia establishes that:

‘(Part B, point 10, of Annex III to Commission Regulation (EC) No 606/2009)’

This definition/these conditions of use is/are associated with Commission Regulation (EC) No 606/2009, which has been repealed by Commission Delegated Regulation (EU) 2019/934, which lays down rules for the traditional term ‘vino generoso de licor’ in its Annex III, part B, point 10:

‘The specific traditional name “vino generoso de licor” shall be used only for liqueur wines bearing a protected designation of origin:

- obtained from “vino generoso”, as referred to in point 8, or from wine under flor capable of producing such a “vino generoso”, to which has been added either must of raisined grapes to which neutral alcohol of vine origin has been added to prevent fermentation, or rectified concentrated grape must or “vino dulce natural”,
- released to the market after it has been matured for an average of two years in oak barrels.’

⁽¹⁾ OJ L 9, 11.1.2019, p. 46.

The definition/conditions of use is/are replaced by the following:

“The name “vino generoso de licor” shall be used only for liqueur wines of the protected designations of origin “Condado de Huelva”, “Jerez-Xérès-Sherry”, “Lebrija”, “Málaga” and “Montilla-Moriles”:

1. Obtained from:

- a) “vino generoso”;
- b) or wine which has had a film of flor capable of producing such a “vino generoso”;
- c) or wine of the PDO “Málaga” capable of producing such a “vino generoso” to which has been added one or more of the following products, on condition that their use has been authorised by the European Commission where required:
 - “vino dulce natural”,
 - wine covered by the derogation in Part II, point 1(b), of Annex VII to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013, known locally as “vino tierno”,
 - partially fermented grape must,
 - must of raisined grapes to which has been added wine alcohol or dried-grape alcohol with an actual alcoholic strength of not less than 95 % vol. and not more than 96 % vol., or neutral alcohol of vine origin with an actual alcoholic strength of not less than 96 % vol.,
 - concentrated grape must,
 - rectified concentrated grape must,
 - concentrated grape must obtained by the action of direct heat, complying, with the exception of this operation, with the definition of concentrated grape must.

2. Released to the market after it has been matured for an average of two years in oak barrels.’

Explanation of the grounds for the modification

The traditional term ‘vino generoso de licor’ is among those enjoying the greatest prestige and tradition of the protected designations of origin of Andalusia. It has been referred to in the various legal texts recognising the PDOs.

The traditional term is currently protected, and its use regulated, at European Union level under Articles 112(a) and 113 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007.

It is also defined in Part B, point 10, of Annex III to Commission Delegated Regulation (EU) 2019/934 of 12 March 2019 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards wine-growing areas where the alcoholic strength may be increased, authorised oenological practices and restrictions applicable to the production and conservation of grapevine products, the minimum percentage of alcohol for by-products and their disposal, and publication of OIV files. In addition, the term was originally included in the European Commission’s electronic database ‘e-Bacchus’, which has been replaced by the electronic register ‘eAmbrosia’. The definition used is based on a reference to Part B, point 10, of Annex III to Commission Regulation (EC) No 606/2009 of 10 July 2009 laying down certain detailed rules for implementing Council Regulation (EC) No 479/2008 as regards the categories of grapevine products, oenological practices and the applicable restrictions, subsequently repealed by Commission Delegated Regulation (EU) 2019/934 of 12 March 2019, maintaining the definitions laid down in Commission Regulation (EC) No 606/2009 of 10 July 2009.

For the purposes of clarity, transparency and legal certainty, certain traditional terms for wines of protected designations of origin of Andalusia have been subject to regulation under the Order of the Regional Ministry of Agriculture, Fisheries, Water and Rural Development of 22 February 2023, published in Andalusian Official Gazette (BOJA) No 42 of 3 March 2023. The Order is the appropriate legal instrument for approving the traditional terms and for their subsequent amendment in the EU register.

In order to ensure the legal transition from the current legislative framework of the traditional term 'vino generoso de licor', the definition has been established and published. The definition describes the characteristic and shared features of the protected designations of origin using the traditional term. In this way, it allows for fair competition between producers while also giving clear information to consumers.

Name of signatory: Director-General for Agri-Food Industries, Innovation and the Food Supply Chain

Publication of an application for registration of a name pursuant to Article 50(2)(a) of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs

(2023/C 275/17)

This publication confers the right to oppose the application pursuant to Article 51 of Regulation (EU) No 1151/2012 of the European Parliament and of the Council ⁽¹⁾ within three months from the date of this publication.

SINGLE DOCUMENT

'Ayaş Domatesi'

EU No: PDO-TR-02883 – 9.1.2023

PDO (x) PGI ()

1. Name(s)

'Ayaş Domatesi'

2. Member State or Third Country

Türkiye

3. Description of the agricultural product or foodstuff

3.1. Type of product

Class 1.6. Fruit, vegetables and cereals, fresh or processed

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

'Ayaş Domatesi' is a thin-skinned and very juicy tomato grown using local ecotype seeds and seedlings in Ayaş district of Ankara province. 'Ayaş Domatesi' is large and fleshy, weighs 250-300 g its skin has a dull pink-red color. On the outer surface of the tomato, there are slight ridges. There is also a white patch on the flesh of the fruit when divided into two. Due to its high acidity, it has a slightly salty and lemony aroma. 'Ayaş Domatesi' has a high lycopene content, approximately 5 916 mg/100 g.

Physical and chemical properties of 'Ayaş Domatesi'

Water Soluble Dry Matter (°Bx)		At least 4,20
pH value		4,20-4,70
Total Acidity (% Citric Acid)		At least 0,40 %
Hunter Color Value (min-max)	*L	28,0-29,0
	*a	14,0-17,0
	*b	8,0-12,0

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

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

All steps in production must take place in the defined geographical area.

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

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

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

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

The demarcated geographical area is Ayaş district of Ankara province in Central Anatolia in Türkiye.

5. **Link with the geographical area**

The application for registration of the designation of origin 'Ayaş Domatesi' is based solely on the specific quality and characteristics of the product, which result from the natural factors present in the geographical area.

'Ayaş Domatesi' has been grown in Ayaş since the 1960s. 'Ayaş Domatesi' is a thin-skinned and very juicy tomato, grown using seeds and seedlings in the local ecotype. 'Ayaş Domatesi' is large and fleshy, weighs 250-300 g its skin has a dull pink-red color. On the outer surface of the tomato, there are slight ridges. There is also a white patch on the flesh of the fruit when divided into two. Due to its high acidity, it has a slightly salty and lemony aroma. The fruit shape and structure of 'Ayaş Domatesi' depend on the local seeds and seedlings transferred from generation to generation at the geographical area. The leaf feature is narrow and the plant has a dwarf structure. The plant height is about 120 cm and it shows development in late season. The leaves of the tomato are covered with hairs that have an intense tomato aroma, just like the stem. The leaves have compound form and large. Although there is a lot of sun exposure in the region, sunburn does not occur on the fruits due to the large leaf blade and abundant leaves of 'Ayaş Domatesi'.

The district of Ayaş, which is located in the Central Anatolia Region, differs from the climatic characteristics of this region and shows microclimate climatic characteristics. This climate is effective on the product properties.

Typical features of the continental climate are seen in Ayaş, with cold winters and hot and dry summers. The altitude is 910 m. Annual average temperature is 11,4 °C, average relative humidity is 54 %. The lowest average temperature of 0,5 °C belongs to January and the highest average temperature of 22,2 °C belongs to the months of July and August.

The highest precipitation falls in December with 57,2 mm and the lowest precipitation in August with 9,6 mm. 'Ayaş Domatesi' is openly pollinated and shows late development. For 'Ayaş Domatesi' to germinate successfully pollination temperatures of 10 °C and higher is necessary, and percentage of fruit setting decreases when the temperature drops below 15 °C during maturation. The optimum temperature for pollen germination and fruit setting is 18-26 °C and 50-80 % relative air humidity. At low temperature, very little pollen dust is formed, partially fertilized amorphous fruits occur. During the fruit ripening process, the temperature should be between 18-26 °C. Color substances and therefore lycopene are best synthesized at this temperature as well. 'Ayaş Domatesi' has a high lycopene content, approximately 5 916 mg/100 g.

The climate of Ayaş district provides the most suitable conditions for pollination and fruit development. Seedlings are planted with 50-60 cm spacing for table tomatoes, 25-30 cm row spacing if the product is to be given to industry, and 1,8-2,0 m distance between two rows. This sparse planting method used by the producers and soil of geographical areas has high potassium and iron content increases the yield and thus the fruit size by providing air circulation and sun exposure.

Reference to publication of the specification

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

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