

# Official Journal

## of the European Union

C 225

Volume 48

English edition

### Information and Notices

14 September 2005

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# EN

## I

(Information)

## COMMISSION

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

13 September 2005

(2005/C 225/01)

1 euro =

Currency	Exchange rate	Currency	Exchange rate		
USD	US dollar	1,2276	SIT	Slovenian tolar	239,43
JPY	Japanese yen	136,17	SKK	Slovak koruna	38,510
DKK	Danish krone	7,4562	TRY	Turkish lira	1,6400
GBP	Pound sterling	0,67410	AUD	Australian dollar	1,5988
SEK	Swedish krona	9,3090	CAD	Canadian dollar	1,4552
CHF	Swiss franc	1,5474	HKD	Hong Kong dollar	9,5288
ISK	Iceland króna	76,48	NZD	New Zealand dollar	1,7483
NOK	Norwegian krone	7,8210	SGD	Singapore dollar	2,0638
BGN	Bulgarian lev	1,9558	KRW	South Korean won	1 259,52
CYP	Cyprus pound	0,5729	ZAR	South African rand	7,8444
CZK	Czech koruna	29,310	CNY	Chinese yuan renminbi	9,9362
EEK	Estonian kroon	15,6466	HRK	Croatian kuna	7,4300
HUF	Hungarian forint	245,55	IDR	Indonesian rupiah	12 368,07
LTL	Lithuanian litas	3,4528	MYR	Malaysian ringgit	4,627
LVL	Latvian lats	0,6961	PHP	Philippine peso	68,654
MTL	Maltese lira	0,4293	RUB	Russian rouble	34,8490
PLN	Polish zloty	3,9383	THB	Thai baht	50,293
RON	Romanian leu	3,4905			

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

**COMMISSION OPINION****of 13 September 2005****concerning the plan for the disposal of radioactive waste arising from the decommissioning and dismantling of the TRIGA — Mark I Research Reactor at the Medical University of Hannover located in Lower Saxony in the Federal Republic of Germany, in accordance with Article 37 of the Euratom Treaty**

(2005/C 225/02)

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

On 11 January 2005, the European Commission received from the Government of the Federal Republic of Germany, in accordance with Article 37 of the Euratom Treaty, General Data relating to the plan for the disposal of radioactive waste arising from the decommissioning and dismantling of the TRIGA — Mark I Research Reactor at the Medical University of Hannover.

On the basis of these data and the additional information requested by the Commission on 22 April 2005 and provided by the German Government on 27 May 2005, and following consultation with the Group of Experts, the Commission has drawn up the following opinion:

1. The distance between the plant and the nearest point of another Member State, in this case the Netherlands is approximately 180 km.
2. During normal decommissioning operation, discharges of liquid and gaseous effluents will not cause an exposure of the population in other Member States that is significant from the point of view of health.
3. Solid radioactive waste arising from the dismantling operations will be transferred to the regional collection facility at the Jülich Research Centre for treatment and interim storage. Non-radioactive solid waste and materials in compliance with clearance levels will be released from regulatory control for disposal as conventional waste or for recycling or reuse. This will be done in compliance with the criteria laid down in the Basic Safety Standards (Directive 96/29/Euratom).
4. In the event of unplanned discharges of radioactive waste, which may follow an accident of the type and magnitude considered in the General Data, the doses likely to be received by the population in other Member States would not be significant from the point of view of health.

In conclusion, the Commission is of the opinion that the implementation of the plan for the disposal of radioactive waste in whatever form arising from the decommissioning and dismantling of the TRIGA — Mark I Research Reactor at the Medical University of Hannover located in Lower Saxony in the Federal Republic of Germany, both in normal operation and in the event of an accident of the type and magnitude considered in the General Data, is not liable to result in radioactive contamination, significant from the point of view of health, of the water, soil or airspace of another Member State.

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**Publication of an application for registration pursuant to Article 6(2) of Regulation (EEC) No 2081/92 on the protection of geographical indications and designations of origin**

(2005/C 225/03)

This publication confers the right to object to the application pursuant to Articles 7 and 12d of the above-mentioned Regulation. Any objection to this application must be submitted via the competent authority in a Member State, in a WTO member country or in a third country recognized in accordance with Article 12(3) within a time limit of six months from the date of this publication. The arguments for publication are set out below, in particular under 4.6, and are considered to justify the application within the meaning of Regulation (EEC) No 2081/92.

SUMMARY

**COUNCIL REGULATION (EEC) No 2081/92**

**'HUILE D'OLIVE DE NIMES'**

**EC No: FR/00441/18.11.2004**

**PDO (X) PGI ( )**

This summary has been drawn up for information purposes only. For full details, in particular the producers of products covered by the PDO or PGI concerned, please consult the complete version of the product specification obtainable at national level or from the European Commission (<sup>1</sup>).

1. *Responsible department in the Member State*

Name: Institut National des Appellations d'Origine  
Address: 138, Champs Elysées, F-75008 Paris  
As of 1 January 2005: 51 rue d'Anjou, F-75008 Paris  
Tel: 01 53 89 80 00  
Fax: 01 42 25 57 97

2. *Applicant*

- 2.1 Name: Syndicat des Oléiculteurs du Gard et Environs pour la Défense et la Promotion des Appellations d'Origine Contrôlées Huile d'Olive de Nîmes et Olive de Nîmes.
2. Address: Mas des Abeilles, F-30000 Nîmes  
Tel.: 04 66 04 50 34  
Fax: 04 66 04 50 31
- 2.3 Composition: producers/processors (X) other ( )

3. *Type of product*

Class 1.5 Olive oil

4. *Specification*

(Summary of requirements under Article 4(2))

(<sup>1</sup>) European Commission, Directorate-General for Agriculture, Agricultural product quality policy, B-1049 Brussels.

#### 4.1 Name:

'Huile d'olive de Nîmes'

#### 4.2 Description:

The Picholine variety predominates in 'Huile d'olive de Nîmes', giving it a strong flavour, sometimes with a hint of bitterness. It is perfumed with scents of artichoke and green vegetable. Those green vegetable scents become echoes of garrigue and red fruit in the mouth.

It is green in colour, sometimes with hints of yellow.

#### 4.3 Geographical area:

The production area of 'Huile d'olive de Nîmes' comprises 183 municipalities in the Gard department and 40 in the Hérault department. The full list of municipalities can be found in the product specification.

The geographical area is characterised by hills and slopes, generally lower than 350 metres in altitude; the land is largely made up of Tertiary molasse, Cretaceous limestone and limestone clay, and alluvial terraces.

The climate is Mediterranean, affected by the mistral.

#### 4.4 Proof of origin:

Olive oil may not be marketed under the protected designation of origin 'Huile d'olive de Nîmes' unless an approval certificate has been issued by the *Institut national des appellations d'origine* pursuant to the requirements set out in national legislation on the approval of olive products which benefit from a protected designation of origin.

Every part of the production process of the raw material and the preparation of the olive oil must take place within the defined geographical area.

In terms of production of the raw material, the procedure requires:

- the land parcel to be identified from the list of land parcels that are suitable for production of 'Huile d'olive de Nîmes', that abide by the criteria for planting olive trees and the production requirements;
- a harvest declaration to be made annually by the olive-grower, declaring the surface under production, the amount of olives produced in compliance with the specified yield, and the destination of the olives (oil-mill, processing area).

In terms of processing, the procedure requires:

- an annual manufacture declaration to be made by the professional, declaring the total quantity of the product processed;
- a request to be made for an approval certificate which allows the storage area of the products and all product containers to be identified.

The procedure is completed by a scientific analysis and taste test to ensure that the products are typical and of high quality.

In addition, each professional, once an approval certificate has been obtained, is obliged to make an annual stock declaration.

#### 4.5 Method of production:

The olives must be produced and processed in the production area defined at point 4.3.

##### **Varieties:**

The olive oil should be obtained from the Picholine, Négrette and Noirette olive varieties. Between them, these varieties should account for at least 85 % of the trees in the holdings' olive groves. The proportion of Picholine trees should be at least 70 % for all the holdings' olive groves. However, this proportion may be 60 % up to and including 2015.

The secondary varieties are Sauzen vert, Rougette, Olivastre, Broutignan, Cul blanc, Verdale de l'Hérault or Groussaldo, Aglandau, Amellau, Pigalle, Piquette, and the other longstanding local varieties present before the 1956 frost.

Within each olive grove, pollinating olive varieties may be planted provided that they are arranged in a coordinated way and do not exceed 5 % of the number of trees in the grove. Olives from these varieties may be used provided that the proportion does not exceed 5 % of the total mass of olives used.

##### **Management of the olive grove:**

Olive groves should be maintained either by planting crops or sowing grass which is mown every year. Every tree must have an area of at least 24 m<sup>2</sup> around it. There must be a distance of at least 4 metres between each tree.

Pruning must take place at least every two years.

While the olive trees are in leaf, the grove may be irrigated until the olives ripen.

Yield may not exceed 10 tonnes per hectare. If there are exceptional weather conditions, the yield for a specified harvest may be decreased or increased, provided that it does not exceed 12 tonnes of olives per hectare.

Only olives from trees which are at least five years old may be used for the production of oil.

##### **Harvesting:**

The start of the harvest is determined by a prefectural decree following a proposal from INAO.

Oil is produced from olives harvested when ripe, when at least 25 % of the olives have gone from a clear green to yellow.

The olives are picked directly from the tree or harvested mechanically through vibration, beating, suction or any other method which does not damage the external appearance of the olives, which are then caught in nets or other receptacles underneath the tree. Products for causing abscission are prohibited.

Olives picked up from the ground must be kept separately from the olives that are suitable for use in PDO oil production.

The olives are stored and transported in crates or bins.

**Processing requirements:**

Olives must be kept for no more than eight days from picking to use.

Different varieties of olive may be mixed before grinding, although the Picholine variety must account for at least 60 % of olives used.

Oil is extracted mechanically without heating the olive paste beyond a maximum of 30° C.

Washing, settling and decanting, centrifuging and filtering are permitted. Apart from water, adjuvants to facilitate oil extraction may not be used.

The free acidity content of the olive oil obtained, expressed as oleic acid, should not exceed 0,8 grammes per 100 grammes of oil.

4.6 Link:

The combination of elements from the natural environment, history and human expertise make 'Huile d'olive de Nîmes' a unique and original product.

**Natural environment:**

The production area is characterised by hills and slopes, generally lower than 350 metres in altitude. The land is largely made up of Tertiary molasse, Cretaceous limestone and limestone clay, and alluvial terraces. The climate is Mediterranean with very dry summers and heavy rainfall in autumn. The region is affected by the mistral and can be subject to harsh winters.

**History:**

The presence of olive trees since antiquity shows the close relationship between the Nîmes region and olive-growing.

Oil production is very ancient in this region where olive trees could be used to develop poor land and produce the only possible fat. The olive was introduced during the Greek occupation, then olive-growing intensified when the Roman colonies took over. It reached its greatest extent in the 16th century.

In 1789, the olive oil produced in the Aramon sector was considered one of the best, and Nîmes was an important centre for selling the oil.

However, the area planted with olive trees diminished as vine-growing and oil imports increased.

The 19th century was marked by a decline in olive-growing as it suffered in competition with vines and imports of other fats. The decline continued until the Second World War when five years of conflict led to a renewed interest in olive oil production due to the shortage of imported oils and fats.

The great frost of 1956 decimated olive groves in the Nîmes region.

Olive-growing has taken off again since the 1990s and production of 'Huile d'olive de Nîmes' is again making progress.

**Expertise:**

'Huile d'olive de Nîmes' is mainly produced from the Picholine variety, preferred due to its hardiness which allows it to adapt perfectly to the soil and climatic conditions. This variety demonstrates a certain resistance to the winter cold and its fruits resist the strong winds of autumn.

Picholine trees can be found mainly in the Nîmes basin, the cradle of the variety, while other local varieties can be found in the Cévennes foothills.

The wind meant that farmers kept olive trees relatively low which, in addition to giving them better wind resistance, also made it easier to harvest green olives for the table. Harvesting is mainly done by hand firstly because the dominant variety, Picholine, is used for two purposes (oil production and table olives) and is too resistant to vibration, and, secondly, due to the configuration of traditional olive groves (small area, presence of low walls, and often limited accessibility).

The suitability of the land for the Picholine variety in particular, and the quality of the resulting oil, have encouraged the relaunch and development of Nîmes olive production beyond the historic nucleus around Nîmes and Sommières.

**4.7 Inspection body:**

Name: I.N.A.O.

Address: 138, Champs Elysées, F-75008 Paris  
As of 1 January 2005: 51 rue d'Anjou, F-75008 Paris

Name: D.G.C.C.R.F.

Address: 59, Bd V. Auriol, F-75703 Paris Cedex 13

**4.8 Labelling:**

In addition to the compulsory information provided for by legislation on labelling and the presentation of food products, PDO 'Huile d'olive de Nîmes' labels should include the following:

- the PDO name 'Huile d'olive de Nîmes';
- the words 'appellation d'origine contrôlée' or the letters 'AOC'. If the name of a holding or a brand appears on the label independently of the address, the PDO name is repeated between the words 'appellation' and 'contrôlée'.

These details must all be in the same visible area and on the same label.

They must be in visible, legible, indelible, sufficiently large print that clearly stands out from the rest of the information and illustrations on the label.

**4.9 National requirements:**

Decree on the protected designation of origin 'Huile d'olive de Nîmes'.

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**Information procedure — Technical rules**

(2005/C 225/04)

**(Text with EEA relevance)**

Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations and of rules on Information Society services. (OJ L 204, 21.7.1998, p. 37; OJ L 217, 5.8.1998, p. 18).

## Notifications of draft national technical rules received by the Commission

Reference <sup>(1)</sup>	Title	End of three-month standstill period <sup>(2)</sup>
2005/0410/D	Draft General Order relating to the Test Firing Act [German designation: BeschV]	25.11.2005
2005/0411/F	Decree No ... of .../2005 on the protection of buildings against termites and other wood-eating insects and to amend the Buildings and Dwellings Code	28.11.2005
2005/0412/F	Decree on the implementation of Articles R. 112-2 to R. 112-6 of the Building and Dwellings Code	28.11.2005
2005/0413/P	Second amendment of Decree-Law No 366-A/97, of 20 December, laying down the legal system for the management of packaging and packaging waste	28.11.2005
2005/0416/F	Technical notes Pro Pharmacopoeia subject to public inquiry	30.11.2005
2005/0417/F	Decision No 05-xxx of the Posts and Electronic Communications Regulatory Authority of xxx 2005 laying down the technical conditions for use of the frequency band 3410-3600 MHz for fixed service point-to-multipoint transmission links	30.11.2005
2005/0418/F	Decision No 05-xxx of the Electronic Communications and Posts Regulatory Authority of xxx 2005 laying down the conditions for use of wireless access systems including radio local area networks in the 5 GHz band Decision No 05-xxx of the Electronic Communications and Posts Regulatory Authority of xxx 2005 assigning frequencies to wireless access systems including radio local area networks in the 5 GHz band	30.11.2005
2005/0419/CZ	Draft Decree of ..., amending Ministry of Industry and Trade Decree No 345/2002 Coll., specifying meters for compulsory verification and meters subject to type approval	1.12.2005

<sup>(1)</sup> Year — registration number — Member State of origin.

<sup>(2)</sup> Period during which the draft may not be adopted.

<sup>(3)</sup> No standstill period since the Commission accepts the grounds of urgent adoption invoked by the notifying Member State.

<sup>(4)</sup> No standstill period since the measure concerns technical specifications or other requirements or rules on services linked to fiscal or financial measures, pursuant to the third indent of the second paragraph of Article 1(11) of Directive 98/34/EC.

<sup>(5)</sup> Information procedure closed.

The Commission draws attention to the judgement delivered on 30 April 1996 in the 'CIA Security' case (C-194/94 — ECR I, p. 2201), in which the Court of Justice ruled that Articles 8 and 9 of Directive 98/34/EC (formerly 83/189/EEC) are to be interpreted as meaning that individuals may rely on them before national courts which must decline to apply a national technical regulation which has not been notified in accordance with the Directive.

This judgement confirms the Commission's communication of 1 October 1986 (OJ C 245, 1.10.1986, p. 4).

Accordingly, breach of the obligation to notify renders the technical regulations concerned inapplicable, and consequently unenforceable against individuals.

For more information on the notification procedure, please write to:

European Commission  
DG Enterprise and Industry, Unit C3  
B-1049 Brussels  
e-mail: Dir83-189-Central@cec.eu.int

Also consult the website: <http://europa.eu.int/comm/enterprise/tris/>

If you require any further information on these notifications, please contact the national departments listed below:

## LIST OF NATIONAL DEPARTMENTS RESPONSIBLE FOR THE MANAGEMENT OF DIRECTIVE 98/34/EC

**BELGIUM**

BELNotif  
Qualité et Sécurité  
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**Commission notice pursuant to Article 4(1)(a) of Council Regulation (EEC) No 2408/92  
Imposition of a public service obligation in respect of scheduled air services within Italy**

(2005/C 225/05)

(Text with EEA relevance)

Pursuant to Article 4(1)(a) of Council Regulation (EEC) No 2408/92 of 23 July 1992 on access for Community air carriers to intra-Community air routes, the Italian Government, in accordance with Article 52(35) of Law No 448 of 28 December 2001, has decided to impose a public service obligation in respect of scheduled air services operated on the following route:

**1. Route**

Crotone-Rome-Milan and vice versa.

- 1.1. By virtue of Article 9 of Council Regulation (EEC) No 95/93 of 18 January 1993 on common rules for the allocation of slots at Community airports, as amended by Commission Regulation (EC) No 793/2004, the competent authorities may reserve certain slots for the performance of services under the arrangements specified in this notice.
- 1.2. With a view to meeting the objectives being pursued through the imposition of the public service obligation, ENAC will check that accepting carriers have the appropriate structure and that they meet the minimum requirements for access to the service.

**2 The public service obligation in question is as follows:**

**2.1 Minimum frequency**

At least two outward and two return flights per day all year round on the route in question.

The entire capacity of each aircraft must be offered for sale under the PSO terms with no quotas. At the intermediate airport of Rome on the Rome-Milan leg, and at Milan airport on the Milan-Rome leg, seats which have not been reserved for the entire Crotone-Milan and Milan-Crotone journey may be sold at the market rate. To this end, open-rate bookings must be accepted no more than ten hours prior to the aircraft's departure from Crotone airport on the Crotone-Rome-Milan route and from Milan airport on the Milan-Rome-Crotone route.

**2.2 Timetables**

On the Crotone-Rome-Milan route:

- 1 flight departing between 06.45 and 07.45
- 1 flight departing between 14.30 and 15.30

Except in cases of *force majeure*, departure for Milan must occur within 60 minutes of arrival in Rome.

On the Milan-Rome-Crotone route:

- 1 flight departing between 10.30 and 11.30
- 1 flight departing between 18.30 and 19.30

Except in cases of *force majeure*, departure for Crotone must occur within 60 minutes of arrival in Rome.

**2.3 Type of aircraft used**

The aircraft used must provide a minimum capacity of 90 places all year round on the Crotone-Rome-Milan service and on the Milan-Rome-Crotone service.

#### 2.4. Capacity

The minimum daily capacity provided all year round must be 180 places on the Crotone-Rome-Milan service and 180 places on the Milan-Rome-Crotone service.

#### 2.5. Fares

(a) The maximum fares to be applied on each route are as follows:

- Crotone-Rome: EUR 66,00
- Crotone-Milan (via Rome ): EUR 94,00
- Milan-Crotone (via Rome): EUR 94,00
- Rome-Crotone: EUR 66,00

All the above fares are net of VAT, airport taxes and charges; no form of surcharge may be levied.

At least one form of ticket distribution and sale must be provided which is entirely free of charge and places no additional economic burden on passengers.

All passengers travelling on the Crotone-Rome, Crotone-Milan, Milan-Crotone and Rome-Crotone routes are entitled to the fares described above. Only passengers using the Rome-Milan and Milan-Rome routes are subject to payment of tickets at the market rate.

(b) Every year the competent authorities will adjust the maximum fares in accordance with the rate of inflation of the previous year calculated on the basis of the ISTAT/FOI general index of consumer prices. Adjustments will be notified to all carriers operating the services in question, and to the European Commission for publication in the *Official Journal of the European Union*.

(c) If the average recorded in each half-year of the euro/US dollar exchange rate and/or the cost of aviation spirit changes by more than 5 %, fares must be adjusted in proportion to the change recorded and in proportion to the share of flight costs represented by fuel.

Any fare adjustments will be carried out every six months by the Ministry of Infrastructure and Transport on the basis of a review performed by ENAC. Any adjustment will enter into force as of the next half-year.

Adjustments will be notified to all carriers operating the services in question, and to the European Commission for publication in the *Official Journal of the European Union*.

#### 2.6. Continuity of service

For the purpose of guaranteeing the continuation, regular execution and punctuality of the service, the carriers which accept the public service obligation must:

- provide a performance security for the correct execution and continuation of the service. The security amounting to at least EUR 2 million must be guaranteed by an insurance surety payable to ENAC (*Ente Nazionale dell'Aviazione Civile*), which will use the payment to ensure the continuation of the services concerned.
  - carry out at least 98 % of the flights scheduled in any year, with the number of cancellations for reasons directly attributable to the carrier, excluding cases of *force majeure*, limited to a maximum 2 %;
  - pay the regulatory body a penalty of EUR 3 000 for every flight cancelled over the 2 % limit. The sums received as penalties will be allocated to the territorial continuity heading of the Crotone municipal budget. The penalties must be paid on top of the sums paid to passengers under current legislation as denied boarding compensation (DBC).
  - undertake to provide the service for at least 12 consecutive months.
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**Imposition of a public service obligation pursuant to Council Regulation (EEC) No 2408/92 for scheduled air services within Germany**

(2005/C 225/06)

(Text with EEA relevance)

1. Pursuant to Article 4(1)(a) of Council Regulation (EEC) No 2408/92 of 23 July 1992 on access for Community air carriers to intra-Community air routes, the German Government has decided to impose a public service obligation in respect of scheduled air services on the Rostock-Laage — Munich and Rostock-Laage — Cologne/Bonn routes with effect from 1 January 2006.

2. The public service obligation is as follows:

2.1. *Frequency, flight times and slots*

A regular air service providing two round trips to Munich and at least one round trip to Cologne/Bonn daily from Monday to Friday must be provided. Arrival times in Munich should be before 08.00 and at approximately 17.30; return flights to Rostock-Laage should depart before 9.00 and at approximately 18.30. The round trip from/to Cologne/Bonn should operate between 11.00 and 15.00. This requirement applies throughout the year, although a limited service can be provided between Christmas and the New Year. One daily round trip on each route is sufficient on Sundays and public holidays.

An application for the corresponding slots has been made to the competent authority in accordance with Article 9(1) of Council Regulation (EEC) No 95/93 of 18 January 1993.

2.2. *Capacity*

Aircraft having at least 30 passenger seats must be used for the flights involved.

2.3. *Aircraft types*

The aircraft type used should have a turboprop or jet engine and a pressurised cabin. Flights must be carried out in accordance with instrument flight rules.

2.4. *Fares*

The maximum basic fare for a single flight may not exceed EUR 250 (final consumer price) from Rostock-Laage to Munich and EUR 200 (final consumer price) from Rostock-Laage to Cologne/Bonn.

2.5. *Reservations*

It should be possible to book flights via at least one international reservation system (CRS) and on the Internet.

2.6. *Continuity of air services*

The number of flights cancelled for reasons that can be directly attributed to the air carrier may not exceed 2 % of the planned annual number of flights.

3. The attention of Community air carriers is drawn to the following: if on 1 December 2005 no air carrier has submitted to the Ministry of Economic Affairs of Mecklenburg-Western Pomerania written proof of commencement of scheduled air services with effect from 1 January 2006 in accordance with the public service obligation imposed and without requesting compensation, Germany will, under the procedure laid down in Article 4(1)(d) of the abovementioned Regulation, limit access on one or both routes to a single air carrier and put out the right to operate such services from 1 January 2006 to public tender.



An invitation to tender for these services pursuant to Article 4(1)(d) will shortly be published in the *Official Journal of the European Union*.

Further information can be obtained from:

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