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⁽¹⁾ Text with EEA relevance

II

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

EUROPEAN COMMISSION

Non-opposition to a notified concentration**(Case M.7666 — Repsol Química/Grupo Kuo/Synthetic Rubber in Emulsion & Rubber Chemicals
Business)****(Text with EEA relevance)**

(2015/C 333/01)

On 6 August 2015, 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 the Spanish language and will be made public after it is cleared of any business secrets it may contain. It will be available:

- in the merger section of the Competition website of the Commission (<http://ec.europa.eu/competition/mergers/cases/>). This website provides various facilities to help locate individual merger decisions, including company, case number, date and sectoral indexes,
- in electronic form on the EUR-Lex website (<http://eur-lex.europa.eu/homepage.html?locale=en>) under document number 32015M7666. EUR-Lex is the online access to European law.

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

EUROPEAN COMMISSION

Euro exchange rates ⁽¹⁾

8 October 2015

(2015/C 333/02)

1 euro =

Currency	Exchange rate	Currency	Exchange rate		
USD	US dollar	1,1254	CAD	Canadian dollar	1,4683
JPY	Japanese yen	134,92	HKD	Hong Kong dollar	8,7220
DKK	Danish krone	7,4611	NZD	New Zealand dollar	1,7050
GBP	Pound sterling	0,73660	SGD	Singapore dollar	1,5890
SEK	Swedish krona	9,2790	KRW	South Korean won	1 305,49
CHF	Swiss franc	1,0935	ZAR	South African rand	15,1556
ISK	Iceland króna		CNY	Chinese yuan renminbi	7,1507
NOK	Norwegian krone	9,2185	HRK	Croatian kuna	7,6135
BGN	Bulgarian lev	1,9558	IDR	Indonesian rupiah	15 619,12
CZK	Czech koruna	27,117	MYR	Malaysian ringgit	4,7500
HUF	Hungarian forint	312,17	PHP	Philippine peso	51,923
PLN	Polish zloty	4,2321	RUB	Russian rouble	70,3304
RON	Romanian leu	4,4162	THB	Thai baht	40,500
TRY	Turkish lira	3,3012	BRL	Brazilian real	4,3574
AUD	Australian dollar	1,5664	MXN	Mexican peso	18,6929
			INR	Indian rupee	73,2592

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

**Commission notice on current State aid recovery interest rates and reference/discount rates for
28 Member States applicable as from 1.11.2015**

*(Published in accordance with Article 10 of Commission Regulation (EC) No 794/2004 of 21 April 2004
(OJ L 140, 30.4.2004, p. 1))*

(2015/C 333/03)

Base rates calculated in accordance with the Communication from the Commission on the revision of the method for setting the reference and discount rates (OJ C 14, 19.1.2008, p. 6). Depending on the use of the reference rate, the appropriate margins have still to be added as defined in this communication. For the discount rate this means that a margin of 100 basispoints has to be added. The Commission Regulation (EC) No 271/2008 of 30 January 2008 amending Regulation (EC) No 794/2004 foresees that, unless otherwise provided for in a specific decision, the recovery rate will also be calculated by adding 100 basispoints to the base rate.

Modified rates are indicated in bold.

Previous table published in OJ C 281, 26.8.2015, p. 3.

From	To	AT	BE	BG	CY	CZ	DE	DK	EE	EL	ES	FI	FR	HR	HU	IE	IT	LT	LU	LV	MT	NL	PL	PT	RO	SE	SI	SK	UK
1.11.2015	...	0,17	0,17	1,85	0,17	0,52	0,17	0,37	0,17	0,17	0,17	0,17	0,17	1,58	1,53	0,17	0,17	0,17	0,17	0,17	0,17	0,17	1,76	0,17	1,67	-0,21	0,17	0,17	1,02
1.9.2015	31.10.2015	0,17	0,17	1,85	0,17	0,52	0,17	0,29	0,17	0,17	0,17	0,17	0,17	1,58	1,53	0,17	0,17	0,17	0,17	0,17	0,17	0,17	1,76	0,17	1,67	-0,17	0,17	0,17	1,02
1.8.2015	31.8.2015	0,17	0,17	1,85	0,17	0,52	0,17	0,24	0,17	0,17	0,17	0,17	0,17	1,58	1,80	0,17	0,17	0,17	0,17	0,17	0,17	0,17	1,76	0,17	1,67	-0,13	0,17	0,17	1,02
1.7.2015	31.7.2015	0,22	0,22	1,85	0,22	0,52	0,22	0,24	0,22	0,22	0,22	0,22	0,22	1,58	1,80	0,22	0,22	0,22	0,22	0,22	0,22	0,22	1,76	0,22	1,67	-0,07	0,22	0,22	1,02
1.6.2015	30.6.2015	0,22	0,22	2,18	0,22	0,52	0,22	0,17	0,22	0,22	0,22	0,22	0,22	1,58	2,21	0,22	0,22	0,22	0,22	0,22	0,22	0,22	1,76	0,22	1,67	0,00	0,22	0,22	1,02
1.5.2015	31.5.2015	0,26	0,26	2,18	0,26	0,52	0,26	0,27	0,26	0,26	0,26	0,26	0,26	1,58	2,21	0,26	0,26	0,26	0,26	0,26	0,26	0,26	2,16	0,26	2,04	0,13	0,26	0,26	1,02
1.4.2015	30.4.2015	0,34	0,34	2,18	0,34	0,52	0,34	0,42	0,34	0,34	0,34	0,34	0,34	1,58	2,21	0,34	0,34	0,34	0,34	0,34	0,34	0,34	2,16	0,34	2,04	0,23	0,34	0,34	1,02
1.3.2015	31.3.2015	0,34	0,34	2,18	0,34	0,52	0,34	0,66	0,34	0,34	0,34	0,34	0,34	1,58	2,21	0,34	0,34	0,34	0,34	0,34	0,34	0,34	2,16	0,34	2,04	0,33	0,34	0,34	1,02
1.1.2015	28.2.2015	0,34	0,34	2,18	0,34	0,52	0,34	0,66	0,34	0,34	0,34	0,34	0,34	1,58	2,21	0,34	0,34	0,34	0,34	0,34	0,34	0,34	2,16	0,34	2,63	0,46	0,34	0,34	1,02

NOTICES FROM MEMBER STATES

Notice from the Government of the Republic of Poland concerning Directive 94/22/EC of the European Parliament and of the Council on the conditions for granting and using authorisations for the prospection, exploration and production of hydrocarbons in the 'Moszczenica' area

(2015/C 333/04)

This procedure concerns the granting of a concession for the prospection or exploration of coal-bed methane in the 'Moszczenica' area of Śląskie province:

Name	2000 coordinate system	
	X	Y
Moszczenica	5 536 180,58	6 537 551,72
	5 534 963,28	6 537 566,01
	5 533 784,88	6 539 829,49
	5 536 110,35	6 541 152,16
	5 535 734,19	6 543 029,12
	5 535 025,71	6 542 901,34
	5 533 132,15	6 542 559,78
	5 532 937,96	6 539 390,94
	5 532 375,39	6 538 685,86
	5 532 812,60	6 536 463,98
	5 533 786,70	6 536 942,74
	5 534 805,65	6 537 051,67

Applications must cover the same area.

Concession applications must be submitted to the central office of the Ministry of the Environment no later than 12:00 noon (CET/CEST) on the last day of the 91-day period commencing on the day following the date of publication of this notice in the *Official Journal of the European Union*.

Applications received will be assessed on the basis of the following criteria:

- (a) the technology proposed for the work (40 %);
- (b) the technical and financial capacities of the applicant (50 %);
- (c) the fee proposed for the establishment of mining usufruct rights (10 %).

The minimum fee for the establishment of mining usufruct rights for the 'Moszczenica' area is:

1. for the prospection of coal-bed methane:

- during a three-year base period: PLN 2 000,00 per year;
- for the fourth and fifth years of validity of a mining usufruct contract: PLN 2 000,00 per year;
- for the sixth and subsequent years of validity of a mining usufruct contract: PLN 2 098,28 per year;

2. for the exploration of coal-bed methane:
 - during a three-year base period: PLN 4 000,00 per year;
 - for the fourth and fifth years of validity of a mining usufruct contract: PLN 4 000,00 per year;
 - for the sixth and subsequent years of validity of a mining usufruct contract: PLN 4 196,55 per year;
3. for the prospection and exploration of coal-bed methane:
 - during a five-year base period: PLN 6 000,00 per year;
 - for the sixth, seventh and eighth years of validity of a mining usufruct contract: PLN 6 000,00 per year;
 - for the ninth and subsequent years of validity of a mining usufruct contract: PLN 6 000,00 per year.

The application evaluation procedure will be completed within a period of six months from the deadline for submitting applications. Applicants will receive written notification of the outcome of the procedure.

Applications must be drawn up in Polish.

The licensing authority will grant concessions for the prospection and/or exploration of coal-bed methane to the successful applicant after taking account of the opinion of the relevant authorities, and will conclude a mining usufruct contract with it.

In order to be able to carry out activity involving the prospection or exploration of coal-bed methane in Poland, an operator must hold both mining usufruct rights and a concession.

Applications should be sent to the following address:

Ministry of the Environment
Departament Geologii i Koncesji Geologicznych [Geology and Geological Concessions Department]
ul. Wawelska 52/54
00-922 Warszawa
POLSKA/POLAND

Information may be obtained from:

- the website of the Ministry of the Environment: www.mos.gov.pl
 - Geology and Geological Concessions Department
Ministry of the Environment
ul. Wawelska 52/54
00-922 Warszawa
POLSKA/POLAND
Tel. +48 223692449
Fax +48223692460
Email: dgikg@mos.gov.pl
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V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION
POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.7763 — TCCC/Cobega/CCEP)

(Text with EEA relevance)

(2015/C 333/05)

1. On 2 October 2015, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004⁽¹⁾ by which the undertakings The Coca-Cola Company ('The Coca-Cola', United States) and Cobega SA ('Cobega', Spain) acquire within the meaning of Article 3(1)(b) and Article 3(4) of the Merger Regulation joint control of the newly created undertaking Coca-Cola European Partners Plc ('CCEP', United Kingdom) by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - for The Coca-Cola: brand owner, licensor of trademarks and producer of soft drinks concentrates and syrups,
 - for Cobega: bottling and distribution of beverages,
 - for CCEP: bottling and distribution of beverages. CCEP will combine the activities of the following bottlers of non-alcoholic beverages: Coca-Cola Erfrischungsgetränke AG, Coca-Cola Enterprises Inc., Coca-Cola Iberian Partners SA and Vifilfell hf.
3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved.
4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent to the Commission by fax (+32 22964301), by email to COMP-MERGER-REGISTRY@ec.europa.eu or by post, under reference number M.7763 — TCCC/Cobega/CCEP, to the following address:

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

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

Prior notification of a concentration
(Case M.7750 — Delphi/HellermannTyton)
Candidate case for simplified procedure
(Text with EEA relevance)
(2015/C 333/06)

1. On 2 October 2015, the Commission received a notification of a proposed concentration pursuant to Article 4 and following a referral pursuant to Article 4(5) of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which the undertaking Delphi Automotive PLC ('Delphi', United Kingdom) acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of the undertaking HellermannTyton Group PLC ('HellermannTyton', United Kingdom) by way of public bid announced on 30 July 2015.
2. The business activities of the undertakings concerned are:
 - for Delphi: the global manufacture and supply of automotive components to original equipment manufacturers as well as the distribution of automotive replacement parts. Delphi's automotive components are mainly used as part of the electrical architecture, powertrain and safety systems of vehicles,
 - for HellermannTyton: the manufacture and supply of cable management solutions for the automotive, electrical and telecommunication sectors. HellermannTyton's cable management solutions encompass fixings, identification, insulation and protection products, network connectivity products and installer solutions.
3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved. Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004 ⁽²⁾ it should be noted that this case is a candidate for treatment under the procedure set out in this Notice.
4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent to the Commission by fax (+32 22964301), by email to COMP-MERGER-REGISTRY@ec.europa.eu or by post, under reference number M.7750 — Delphi/HellermannTyton, to the following address:

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

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

⁽²⁾ OJ C 366, 14.12.2013, p. 5.

OTHER ACTS

EUROPEAN COMMISSION

Publication of an application 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

(2015/C 333/07)

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⁾.

SINGLE DOCUMENT

Council Regulation (EC) No 510/2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ^(*)**'ALHEIRA DE MIRANDELA'****EU No: PT-PGI-0005-0864 – 10.3.2011****PGI (X) PDO ()****1. Name**

'Alheira de Mirandela'

2. Member State or Third Country

Portugal

3. Description of the agricultural product or foodstuff**3.1. Type of product**

Class 1.2. Meat products (cooked, salted, smoked, etc.)

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

'Alheira de Mirandela' is a traditional smoked sausage that is cylindrical and shaped like a horseshoe. The inside of the sausage consists of a fine-grained and lumpy paste in which small pieces of shredded meat are visible. The casing is made from a natural, salted cow's intestine, the ends of which are tied with cotton thread.

It has the following characteristics:

Physical and chemical characteristics:

The sausage is around 20 cm to 25 cm long and is varying shades of yellowish-brown in colour.

Diameter: 2 cm to 3 cm

Weight: between 150 g and 200 g

Protein content: greater than 14 %

Moisture content: less than 50 %

Fat content: less than 18 %

Sensory and organoleptic characteristics:

Aroma: slightly smoky.

Flavour: slightly smoky, tastes of very fruity and spicy olive oil, with garlic being the most prominent seasoning.

Texture: uneven, with pieces of shredded meat visible.

^(*) OJ L 93, 31.3.2006, p. 12. Replaced by Regulation (EU) No 1151/2012.

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

3.3. Raw materials (for processed products only)

The following raw materials are used to make 'Alheira de Mirandela':

Pork

'Alheira de Mirandela' is made using the whole carcass of pure-bred Bísaro pigs or crosses with pigs of the Landrace, Large White, Duroc or Pietrain breeds (provided that they have 50 % Bísaro blood). Only the entrails are not used.

Poultry

Chicken is used to enrich the stock and is then mixed into the sausage mass. The meat may be obtained from all parts of the carcass except the entrails.

Game (optional)

Duck, partridge, rabbit, hare or pheasant may be used.

Meat stock

The seasoned meat is simmered in water to produce a stock which is known locally as 'calda'. It is extremely aromatic and protein-rich and is used to soak the bread, thus producing a moist, highly flavoured and aromatic mass.

Regional wheat bread

The bread is soaked in the stock after being cut into slices. It must be stored for a minimum amount of time, usually 48 hours, before use.

This bread is the traditional wheat bread of the region. The loaf is made from wheat flour ('type-55' milled bread-making wheat flour), is round, weighs approximately 1,5 kg and is the result of a long baking process with little or no yeast.

Olive oil

The olive oil used is PDO 'Trás-os-Montes', or olive oil with similar organoleptic characteristics. It is an olive oil with the aroma and flavour of fresh fruit, the occasional hint of almonds and a noticeably sweet, tart, bitter and spicy element, which gives 'Alheira de Mirandela' its characteristic spicy taste.

Natural casing

The casing is made from an intact, natural, salted cow's intestine, which clings to the sausage mass, its two ends being tied with cotton thread.

Lard

Seasonings

Edible salt (NaCl)

Dried, unsprouted cloves of garlic (*Allium sativum* L.)

Sweet/hot paprika or chilli

The minimum percentage of meat is 60 %, with pork accounting for between 10 % and 15 % and poultrymeat accounting for between 45 % and 50 %. The percentage of bread in the sausage varies between 15 % and 25 %, and the percentage of PDO 'Trás-os-Montes' olive oil, or olive oil with similar organoleptic characteristics, can vary between 4 % and 8 %.

3.4. Feed (for products of animal origin only)

—

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

The specific steps in production that must take place in the defined geographical area are: cutting the bread, cutting and washing the meat, cooking and shredding the meat, preparing the sausage mass, stuffing the sausage and smoking.

3.6. Specific rules concerning slicing, grating, packaging, etc.

—

3.7. Specific rules concerning labelling

The following must appear on the labelling of PGI 'Alheira de Mirandela':

'Alheira de Mirandela – IGP' or 'Alheira de Mirandela — Indicação Geográfica Protegida',

the 'Alheira de Mirandela' logo.



4. Concise definition of the geographical area

The area in which 'Alheira de Mirandela' is produced is limited to the municipality of Mirandela.

5. Link with the geographical area

5.1. Specificity of the geographical area

The natural conditions in the geographical area are conducive to the production of 'Alheira de Mirandela'.

The climate is characterised by hot, dry summers, with an annual average maximum temperature of 20 °C, and very severe winters, with an annual average minimum temperature of 7 °C. These conditions are closely linked to the presence of the tree species typical of the municipality of Mirandela, such as the oak and the olive, which are used to smoke 'Alheira de Mirandela', and to the production of olive oil.

The techniques used to make 'Alheira de Mirandela' are linked, on the one hand, to the use of the region's wheat bread, the secrets of the production of which have been handed down, unchanged, through generations of bakers in Trás-os-Montes, and on the other hand, to the know-how of the area's inhabitants, which is based on authentic, unchanging local methods that are still used to this day.

5.2. Specificity of the product

'Alheira de Mirandela' is distinguished from other sausages in the same category by its slightly smoky aroma and taste, by the flavour of garlic and of the very spicy and fruity olive oil used (PDO 'Trás-os-Montes' or olive oil with similar organoleptic characteristics), and by the uneven texture of the sausage mass, in which pieces of meat are clearly visible. The sausage mass is fine-grained and lumpy, because of the addition of the regional wheat bread, which is made from 'type-55' wheat flour and is kneaded and baked specifically to make 'Alheira de Mirandela'. The characteristic colour, flavour and aroma which distinguish 'Alheira de Mirandela' also stem from the seasonings used and the length of time for which it is smoked and matured, i.e. approximately eight days.

'Alheira de Mirandela' is also distinguished by the fact that the sausage mass is prepared using a highly aromatic stock made from whole chicken and pig carcasses (minus the entrails) and not just specific parts, and by the fact that only natural, salted cow's intestines are used as casings. The regional wheat bread is soaked in the stock to produce a moist, highly flavoured and aromatic mass.

5.3. Causal link between the geographical area and the quality or characteristics of the product (for PDO) or a specific quality, the reputation or other characteristic of the product (for PGI)

'Alheira de Mirandela' is renowned for its texture and flavour, which are the result of the way in which the sausage mass is made and the proportions in which its ingredients are combined, and it has long been one of the region's best-loved sausages in autumn and winter.

The product's renown and consumer preference for 'Alheira de Mirandela' have always been inextricably linked to the manufacturing practices, namely how and in what proportions the various raw materials are combined, and to the smoking techniques used, with the sausage being smoked for around eight days in the smoke produced by burning wood from species typical of the region, such as oak and olive, slowly and at low heat. As a result of the hot, dry summers, the wood is very dry and compact, which is a determining factor in obtaining the flavour and aroma profile that gives the product its authentic, slightly smoky taste.

The local production techniques, which are still used to this day, namely the manual shredding of the meat, the mixing of the sausage mass, the proportions in which the meats are combined and the use of traditional bread, olive oil (PDO 'Trás-os-Montes' or olive oil with similar organoleptic characteristics), garlic and other seasonings, produce an uneven sausage mass with a pronounced flavour of garlic and olive oil (PDO 'Trás-os-Montes' or olive oil with similar organoleptic characteristics), which distinguishes 'Alheira de Mirandela' from other products of the same category.

The process of thinly slicing the traditionally baked regional wheat bread and soaking it in the meat stock is a key factor in the final characteristics of the product, as it allows the bread to absorb the aromas of the various meats from the stock, so that, when it is mixed with the other ingredients, the resulting sausage mass has the desired consistency, flavour and aroma.

The product owes its texture to the use of natural, salted cow's intestines and the compacting of the sausage mass during filling.

Clear testimony to the causal link between the geographical area and the characteristics of 'Alheira de Mirandela' is provided by evidence drawn from the local press, stretching back to at least 1957, with references to the product as a local speciality made in a cottage industry.

The reputation of 'Alheira de Mirandela' has always been linked to the area in which it is produced, as is shown by an article that appeared in the weekly newspaper *Notícias de Mirandela* on 29 May 1960. The article cited issue No 4 of the fortnightly agricultural publication *O Campo* and deplored the imitation, at that time, of genuine 'Alheira de Mirandela' in other geographical areas, expressing the need to put a stop to the abuse and calling for a register to be set up 'of local or regional designations to be complied with'. The newspaper had the following to say on the subject: 'It is a real pity that other areas are misusing the name of Mirandela by associating it with sausages that are similar to "alheira", but which undoubtedly damage its reputation, because when they are sold, they lack the flavour and quality that have for many years set our local speciality apart'.

There are also countless references to 'Alheira de Mirandela' today and numerous quotations in which it is associated with the cuisine of the municipality of Mirandela and referred to as one of the region's best-loved sausages.

Owing to its renown, reputation, tradition and flavour, 'Alheira de Mirandela' is the municipality's most important food product and is always on the menu in local and national restaurants and at various gastronomic events, be they competitions, trade fairs or exhibitions of food products.

Reference to publication of the specification

(Article 5(7) of Regulation (EC) No 510/2006)

http://www.dgadr.mamaot.pt/IMAGES/DOCS/VAL/DOP_IGP_ETG/VALOR/ALHEIRA_MIRANDELA.PDF

Notice for the attention of Aqsa Mahmood, Nasser Ahmed Muthana, Omar Ali Hussain, Sally-Anne Frances Jones, Boubaker Ben Habib Ben al-Hakim, Peter Cherif, Maxime Hauchard, Amru Al-Absi, Mu'tassim Yahya 'Ali Al-Rumaysh, Tarad Mohammad Aljarba, Lavdrim Muhaxheri, Aseel Muthana, Mujahidin Indonesian Timur (MIT), Jund Al-Khilafah in Algeria (JAK-A), Maghommed Maghommedzakirovich Abdurakhmanov, Islam Seit-Umarovich Atabiev, Akhmed Rajapovich Chataev, Tarkhan Ismailovich Gaziev, Zaurbek Salimovich Guchaev and Shamil Magomedovich Ismailov which were added to the list referred to in Articles 2, 3 and 7 of Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the Al-Qaeda network, by virtue of Commission Implementing Regulation (EU) 2015/1815

(2015/C 333/08)

1. Common Position 2002/402/CFSP⁽¹⁾ calls upon the Union to freeze the funds and economic resources of the members of the Al-Qaeda organisation and other individuals, groups, undertakings and entities associated with them, as referred to in the list drawn up pursuant to UNSCR 1267(1999) and 1333(2000) to be updated regularly by the UN Committee established pursuant to UNSCR 1267(1999).

The list drawn up by this UN Committee comprises:

- Al Qaeda,
- natural or legal persons, entities, bodies and groups associated with Al Qaeda, and
- legal persons, entities and bodies owned or controlled by, or otherwise supporting, any of these associated persons, entities, bodies and groups.

Acts or activities indicating that an individual, group, undertaking, or entity is 'associated with' Al-Qaeda include:

- (a) participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of Al-Qaeda, or any cell, affiliate, splinter group or derivative thereof;
- (b) supplying, selling or transferring arms and related materiel to any of them;
- (c) recruiting for any of them; or
- (d) otherwise supporting acts or activities of any of them.

2. The UN Security Council approved on 28, 29, 30 September and 2 October 2015 the addition of Aqsa Mahmood, Nasser Ahmed Muthana, Omar Ali Hussain, Sally-Anne Frances Jones, Boubaker Ben Habib Ben al-Hakim, Peter Cherif, Maxime Hauchard, Amru Al-Absi, Mu'tassim Yahya 'Ali Al-Rumaysh, Tarad Mohammad Aljarba, Lavdrim Muhaxheri, Aseel Muthana, Mujahidin Indonesian Timur (MIT), Jund Al-Khilafah in Algeria (JAK-A), Maghommed Maghommedzakirovich Abdurakhmanov, Islam Seit-Umarovich Atabiev, Akhmed Rajapovich Chataev, Tarkhan Ismailovich Gaziev, Zaurbek Salimovich Guchaev and Shamil Magomedovich Ismailov to the Al-Qaida Sanctions Committee's list.

Aqsa Mahmood, Nasser Ahmed Muthana, Omar Ali Hussain, Sally-Anne Frances Jones, Boubaker Ben Habib Ben al-Hakim, Peter Cherif, Maxime Hauchard, Amru Al-Absi, Mu'tassim Yahya 'Ali Al-Rumaysh, Tarad Mohammad Aljarba, Lavdrim Muhaxheri, Aseel Muthana, Mujahidin Indonesian Timur (MIT), Jund Al-Khilafah in Algeria (JAK-A), Maghommed Maghommedzakirovich Abdurakhmanov, Islam Seit-Umarovich Atabiev, Akhmed Rajapovich Chataev, Tarkhan Ismailovich Gaziev, Zaurbek Salimovich Guchaev and Shamil Magomedovich Ismailov may submit at any time a request to the UN Ombudsperson, together with any supporting documentation, for the decision to include them in the UN list referred to above, to be reconsidered. Such request should be sent to the following address:

United Nations — Office of the Ombudsperson
Room TB-08041D
New York, NY 10017
UNITED STATES OF AMERICA

Tel. +1 2129632671
Fax +1 2129631300/3778

Email: ombudsperson@un.org

⁽¹⁾ OJ L 139, 29.5.2002, p. 4.

See for more information at <http://www.un.org/sc/committees/1267/delisting.shtml>

3. Further to the UN decision referred to in paragraph 2, the Commission has adopted Implementing Regulation (EU) 2015/1815 ⁽¹⁾, which amends Annex I to Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the Al-Qaeda network ⁽²⁾. The amendment, made pursuant to Article 7(1)(a) and 7a(1) of Regulation (EC) No 881/2002, adds Aqsa Mahmood, Nasser Ahmed Muthana, Omar Ali Hussain, Sally-Anne Frances Jones, Boubaker Ben Habib Ben al-Hakim, Peter Cherif, Maxime Hauchard, Amru Al-Absi, Mu'tassim Yahya 'Ali Al-Rumaysh, Tarad Mohammad Aljarba, Lavdrim Muhaxheri, Aseel Muthana, Mujahidin Indonesian Timur (MIT), Jund Al-Khilafah in Algeria (JAK-A), Maghommed Maghommedzakirovich Abdurakhmanov, Islam Seit-Umarovich Atabiev, Akhmed Rajapovich Chataev, Tarkhan Ismailovich Gaziev, Zaurbek Salimovich Guchaev and Shamil Magomedovich Ismailov to the list in Annex I of that Regulation ('Annex I').

The following measures of Regulation (EC) No 881/2002 apply to the individuals and entities included in Annex I:

- (1) the freezing of all funds and economic resources belonging to the individuals and entities concerned, or owned or held by them, and the prohibition (on everyone) on making funds and economic resources available to any of the individuals and entities concerned or for their benefit, whether directly or indirectly (Articles 2 and 2a); and
- (2) the prohibition on granting, selling, supplying or transferring technical advice, assistance or training related to military activities to any of the individuals and entities concerned, whether directly or indirectly (Article 3).

4. Article 7a of Regulation (EC) No 881/2002 provides for a review process where observations on the grounds for listing are submitted by those listed. Individuals and entities added to Annex I by Implementing Regulation (EU) 2015/1815 may make a request for the grounds for their listing to the Commission. This request should be sent to:

European Commission
'Restrictive measures'
Rue de la Loi/Wetstraat 200
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

5. The attention of the individuals and entities concerned is also drawn to the possibility of challenging Implementing Regulation (EU) 2015/1815 before the General Court of the European Union, in accordance with the conditions laid down in the fourth and sixth paragraphs of Article 263 of the Treaty on the Functioning of the European Union.

6. For good order, the attention of the individuals and entities included in Annex I is drawn to the possibility of making an application to the competent authorities in the relevant Member State(s), as listed in Annex II to Regulation (EC) No 881/2002, in order to obtain an authorisation to use frozen funds and economic resources for essential needs or specific payments in accordance with Article 2a of that Regulation.

⁽¹⁾ OJ L 264, 9.10.2015, p. 6.

⁽²⁾ OJ L 139, 29.5.2002, p. 9.

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