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Contents

II *Information*

INFORMATION FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

European Commission

2018/C 95/01	Non-opposition to a notified concentration (Case M.8767 — CDPQ/Hyperion Insurance Group) ⁽¹⁾	1
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IV *Notices*

NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

Council

2018/C 95/02	Notice for the attention of the persons and entities subject to the restrictive measures provided for in Council Decision 2014/145/CFSP, as amended by Council Decision (CFSP) 2018/392, and in Council Regulation (EU) No 269/2014 as implemented by Council Implementing Regulation (EU) 2018/388 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine	2
2018/C 95/03	Notice for the attention of the data subjects to whom the restrictive measures provided for in Council Regulation (EU) No 269/2014, as implemented by Council Implementing Regulation (EU) 2018/388 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine apply	3

EN

⁽¹⁾ Text with EEA relevance.

European Commission

2018/C 95/04	Euro exchange rates	4
2018/C 95/05	Explanatory Notes to the Combined Nomenclature of the European Union	5

V Announcements

PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMMON COMMERCIAL POLICY

European Commission

2018/C 95/06	Notice of the impending expiry of certain anti-dumping measures	6
2018/C 95/07	Notice of the impending expiry of certain anti-subsidy measures	7
2018/C 95/08	Notice of initiation of an expiry review of the anti-dumping measures applicable to imports of certain aluminium foil in rolls originating in the People's Republic of China	8

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

European Commission

2018/C 95/09	Prior notification of a concentration (Case M.8771 — Total/Engie (Part of Liquefied Natural Gas Business)) ⁽¹⁾	21
2018/C 95/10	Prior notification of a concentration (Case M.8764 — Sedgwick/Cunningham Lindsey) ⁽¹⁾	22
2018/C 95/11	Prior notification of a concentration (Case M.8809 — Prime Credit 3/Oxalis Holding/Lennon/Tavani/Lo Giudice/Phoenix Asset Management) — Candidate case for simplified procedure ⁽¹⁾	23
2018/C 95/12	Prior notification of a concentration (Case M.8839 — GIP/NTV) — Candidate case for simplified procedure ⁽¹⁾	25
2018/C 95/13	Prior notification of a concentration (Case M.8834 — Brookfield/Saeta) — Candidate case for simplified procedure ⁽¹⁾	26

⁽¹⁾ Text with EEA relevance.

OTHER ACTS

European Commission

2018/C 95/14	Publication of an amendment 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	27
--------------	--	----

II

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

EUROPEAN COMMISSION

Non-opposition to a notified concentration**(Case M.8767 — CDPQ/Hyperion Insurance Group)****(Text with EEA relevance)**

(2018/C 95/01)

On 6 March 2018, 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 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 32018M8767. 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

COUNCIL

Notice for the attention of the persons and entities subject to the restrictive measures provided for in Council Decision 2014/145/CFSP, as amended by Council Decision (CFSP) 2018/392, and in Council Regulation (EU) No 269/2014 as implemented by Council Implementing Regulation (EU) 2018/388 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine

(2018/C 95/02)

The following information is brought to the attention of the persons and entities that appear in the Annex to Council Decision 2014/145/CFSP⁽¹⁾, as amended by Council Decision (CFSP) 2018/392⁽²⁾, and in Annex I to Council Regulation (EU) No 269/2014⁽³⁾, as implemented by Council Implementing Regulation (EU) 2018/388⁽⁴⁾ concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine.

The Council of the European Union has decided that the persons and entities that appear in the above-mentioned Annexes should be included in the list of persons and entities subject to restrictive measures provided for in Decision 2014/145/CFSP and in Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine. The grounds for designations of those persons appear in the relevant entries in those Annexes.

The attention of the persons and entities concerned is drawn to the possibility of making an application to the competent authorities of the relevant Member State(s) as indicated in the web sites in Annex II to Regulation (EU) No 269/2014, in order to obtain an authorisation to use frozen funds for basic needs or specific payments (cf. Article 4 of the Regulation).

The persons and entities concerned may submit a request to the Council, together with supporting documentation, that the decision to include them on the above-mentioned list should be reconsidered, to the following address before 1 June 2018:

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

Email: sanctions@consilium.europa.eu

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

⁽¹⁾ OJ L 78, 17.3.2014, p. 16.

⁽²⁾ OJ L 69, 13.3.2018, p. 48.

⁽³⁾ OJ L 78, 17.3.2014, p. 6.

⁽⁴⁾ OJ L 69, 13.3.2018, p. 11.

Notice for the attention of the data subjects to whom the restrictive measures provided for in Council Regulation (EU) No 269/2014, as implemented by Council Implementing Regulation (EU) 2018/388 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine apply

(2018/C 95/03)

The attention of data subjects is drawn to the following information in accordance with Article 12 of Regulation (EC) No 45/2001 of the European Parliament and of the Council ⁽¹⁾:

The legal basis for this processing operation is Council Regulation (EU) No 269/2014 ⁽²⁾, as implemented by Council Implementing Regulation (EU) 2018/388 ⁽³⁾.

The controller of this processing operation is the Council of the European Union represented by the Director General of DG C (Foreign Affairs, Enlargement, Civil Protection) of the General Secretariat of the Council and the department entrusted with the processing operation is the Unit 1C of DG C that can be contacted at:

Council of the European Union

General Secretariat

DG C 1C

Rue de la Loi/Wetstraat 175

1048 Bruxelles/Brussel

BELGIQUE/BELGIË

Email: sanctions@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 Regulation (EU) No 269/2014, as implemented by Implementing Regulation (EU) 2018/388.

The data subjects are the natural persons who fulfil listing criteria as laid down in that Regulation.

The personal data collected includes data necessary for the correct identification of the person concerned, the Statement of Reasons and any other data related thereto.

The personal data collected may be shared as necessary with the European External Action Service and the Commission.

Without prejudice to restrictions provided for in Article 20(1)(a) and (d) of Regulation (EC) No 45/2001, requests for access, as well as requests for rectification or objection will be answered in accordance with section 5 of Council Decision 2004/644/EC ⁽⁴⁾.

Personal data 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 for the duration of court proceedings in the event they had been started.

Data subjects may have recourse to the European Data Protection Supervisor in accordance with Regulation (EC) No 45/2001.

⁽¹⁾ OJ L 8, 12.1.2001, p. 1.

⁽²⁾ OJ L 78, 17.3.2014, p. 6.

⁽³⁾ OJ L 69, 13.3.2018, p. 11.

⁽⁴⁾ OJ L 296, 21.9.2004, p. 16.

EUROPEAN COMMISSION

Euro exchange rates ⁽¹⁾

12 March 2018

(2018/C 95/04)

1 euro =

Currency	Exchange rate	Currency	Exchange rate
USD US dollar	1,2302	CAD Canadian dollar	1,5782
JPY Japanese yen	131,04	HKD Hong Kong dollar	9,6447
DKK Danish krone	7,4496	NZD New Zealand dollar	1,6854
GBP Pound sterling	0,88590	SGD Singapore dollar	1,6172
SEK Swedish krona	10,1563	KRW South Korean won	1 312,16
CHF Swiss franc	1,1681	ZAR South African rand	14,5763
ISK Iceland króna	123,10	CNY Chinese yuan renminbi	7,7886
NOK Norwegian krone	9,5645	HRK Croatian kuna	7,4450
BGN Bulgarian lev	1,9558	IDR Indonesian rupiah	16 937,39
CZK Czech koruna	25,448	MYR Malaysian ringgit	4,8033
HUF Hungarian forint	311,89	PHP Philippine peso	64,070
PLN Polish zloty	4,2013	RUB Russian rouble	70,0482
RON Romanian leu	4,6618	THB Thai baht	38,542
TRY Turkish lira	4,7212	BRL Brazilian real	4,0087
AUD Australian dollar	1,5641	MXN Mexican peso	22,9816
		INR Indian rupee	79,9785

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

Explanatory Notes to the Combined Nomenclature of the European Union

(2018/C 95/05)

Pursuant to Article 9(1)(a) of Council Regulation (EEC) No 2658/87 ⁽¹⁾, the Explanatory Notes to the Combined Nomenclature of the European Union ⁽²⁾ are hereby amended as follows:

On page 198

4202 31 00

to

4202 39 00 Articles of a kind normally carried in the pocket or in the handbag

The following text is inserted after the existing text:

'Mobile phone cases of these subheadings are covered by the first part of the heading text and, consequently, may be made of any material.

They may be designed to fit a specific mobile phone or different models of mobile phones having the same measurements.

They may or may not have a closing mechanism. They encase the mobile phone by covering the back, the sides and the front side of the mobile phone in order to protect it. Simple cases covering only the back and the sides of the mobile phone are however excluded, as they do not have the characteristics of cases of heading 4202 and are classified according to their constituent material.

However, these subheadings do not include cases, whether or not with stands, for tablet Computers, mini-tablet Computers or e-books, because, due to their size, they are not considered as being articles normally carried in the pocket or in the handbag (classification under subheadings 4202 91 80 to 4202 99 00, according to the constituent material). These cases are covered by the first part of the heading text and may consist of any material.'

Page 327

The following text shall be inserted:

'8473 30 80 Other parts and accessories of the machines of heading 8471

This subheading does not include cases, whether or not with stands, for tablet Computers (tablet) or mini-tablet Computers (mini-tablet) (heading 4202 or, if they do not have a front cover, according to their constituent material). Such cases are principally designed to protect the back, the sides and the front of a tablet or a mini-tablet and are, therefore, not considered an accessory of the machines of heading 8471 because they do not increase the range of operations of a tablet or a mini-tablet nor do they perform a particular service relative to the main function of the machine.'

⁽¹⁾ Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1).

⁽²⁾ OJ C 76, 4.3.2015, p. 1.

V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMMON
COMMERCIAL POLICY

EUROPEAN COMMISSION

Notice of the impending expiry of certain anti-dumping measures

(2018/C 95/06)

1. As provided for in Article 11(2) of Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union⁽¹⁾, the Commission gives notice that, unless a review is initiated in accordance with the following procedure, the anti-dumping measures mentioned below will expire on the date mentioned in the table below.

2. Procedure

Union producers may lodge a written request for a review. This request must contain sufficient evidence that the expiry of the measures would be likely to result in a continuation or recurrence of dumping and injury. Should the Commission decide to review the measures concerned, importers, exporters, representatives of the exporting country and Union producers will then be provided with the opportunity to amplify, rebut or comment on the matters set out in the review request.

3. Time limit

Union producers may submit a written request for a review on the above basis, to reach the European Commission, Directorate-General for Trade (Unit H-1), CHAR 4/39, 1049 Brussels, Belgium⁽²⁾ at any time from the date of the publication of the present notice but no later than three months before the date mentioned in the table below.

4. This notice is published in accordance with Article 11(2) of Regulation (EU) 2016/1036.

Product	Country(ies) of origin or exportation	Measures	Reference	Date of expiry ⁽¹⁾
Crystalline silicon photovoltaic modules and key components (i.e. cells)	The People's Republic of China	Anti-dumping duty	Commission Implementing Regulation (EU) 2017/367 of 1 March 2017 imposing a definitive anti-dumping duty on imports of crystalline silicon photovoltaic modules and key components (i.e. cells) originating in or consigned from the People's Republic of China following an expiry review pursuant to Article 11(2) of Regulation (EU) 2016/1036 of the European Parliament and of the Council and terminating the partial interim review investigation pursuant to Article 11(3) of Regulation (EU) 2016/1036 (OJ L 56, 3.3.2017, p. 131)	3.9.2018

⁽¹⁾ The measure expires at midnight of the day mentioned in this column.

⁽¹⁾ OJ L 176, 30.6.2016, p. 21.

⁽²⁾ TRADE-Defence-Complaints@ec.europa.eu

Notice of the impending expiry of certain anti-subsidy measures

(2018/C 95/07)

1. As provided for in Article 18(4) of Regulation (EU) 2016/1037 of the European Parliament and of the Council of 8 June 2016 on protection against subsidised imports from countries not members of the European Union ⁽¹⁾, the Commission gives notice that, unless a review is initiated in accordance with the following procedure, the countervailing measures mentioned below will expire on the date mentioned in the table below.

2. Procedure

Union producers may lodge a written request for a review. This request must contain sufficient evidence that the expiry of the measures would be likely to result in a continuation or recurrence of subsidisation and injury. Should the Commission decide to review the measures concerned, importers, exporters, representatives of the exporting country and Union producers will then be provided with the opportunity to amplify, rebut or comment on the matters set out in the review request.

3. Time limit

Union producers may submit a written request for a review on the above basis, to reach the European Commission, Directorate-General for Trade (Unit H-1), CHAR 4/39, 1049 Brussels, Belgium ⁽²⁾ at any time from the date of the publication of the present notice but no later than three months before the date mentioned in the table below.

4. This notice is published in accordance with Article 18(4) of Regulation (EU) 2016/1037.

Product	Country(ies) of origin or exportation	Measures	Reference	Date of expiry ⁽¹⁾
Crystalline silicon photovoltaic modules and key components (i.e. cells)	People's Republic of China	Anti-subsidy duty	Commission Implementing Regulation (EU) 2017/366 of 1 March 2017 imposing a definitive countervailing duty on imports of crystalline silicon photovoltaic modules and key components (i.e. cells) originating in or consigned from the People's Republic of China following an expiry review pursuant to Article 18(2) of Regulation (EU) 2016/1037 of the European Parliament and of the Council and terminating the partial interim review investigation pursuant to Article 19(3) of Regulation (EU) 2016/1037 (OJ L 56, 3.3.2017, p. 1)	3.9.2018

⁽¹⁾ The measure expires at midnight of the day mentioned in this column.

⁽¹⁾ OJ L 176, 30.6.2016, p. 55.

⁽²⁾ TRADE-Defence-Complaints@ec.europa.eu

Notice of initiation of an expiry review of the anti-dumping measures applicable to imports of certain aluminium foil in rolls originating in the People's Republic of China

(2018/C 95/08)

Following the publication of a Notice of impending expiry⁽¹⁾ of the anti-dumping measures in force on the imports of certain aluminium foil in rolls originating in the People's Republic of China (the country concerned), the European Commission ('the Commission') has received a request for review pursuant to Article 11(2) of Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union, as amended by Regulation (EU) 2017/2321⁽²⁾ ('the basic Regulation').

1. Request for review

The request was lodged on 14 December 2017 by eight EU producers (ALEURO Converting Sp. Z o.o., CeDo Sp. z.o.o., Cuki Cofresco SpA, Fora Folienfabrik GmbH, ITS BV, Rul-Let A/S, SPHERE SA and Wrapex Ltd), jointly referred to as the 'applicants' representing more than 40 % of the total Union production of certain aluminium foil in rolls.

2. Product under review

The product subject to this review is aluminium foil of a thickness of 0,007 mm or more but less than 0,021 mm, not backed, not further worked than rolled, whether or not embossed, in low weight rolls of a weight not exceeding 10 kg ('the product under review'), currently falling within CN codes ex 7607 11 11 and ex 7607 19 10 (TARIC codes 7607 11 11 10 and 7607 19 10 10).

3. Existing measures

The measures currently in force are a definitive anti-dumping duty imposed by Council Regulation (EU) No 217/2013⁽³⁾.

4. Grounds for the review

The request is based on the grounds that the expiry of the measures would be likely to result in continuation or recurrence of dumping and injury to the Union industry.

4.1. Allegation of likelihood of continuation or recurrence of dumping

The applicants claimed that it is not appropriate to use domestic prices and costs in the country concerned due to the existence of significant distortions within the meaning of point (b) of Article 2(6a) of the basic Regulation.

To substantiate the allegations of significant distortions, the applicants referred to the findings in the original anti-dumping investigation, a market intelligence analysing Chinese State involvement in the non-ferrous metal sector, as well as other evidence and policy documents pointing towards the distortion of prices of the upstream product, aluminium, in the country concerned.

The information contained in the report produced by the Commission services on 20 December 2017 describing the specific market circumstances in the country concerned also tends to confirm the significant distortions alleged by the applicants. In particular, the production and sales of the product under review is potentially affected by the factors mentioned, inter alia, in chapter 'Aluminium Sector' of the report.

In light of the information available, the Commission considers that there is sufficient evidence pursuant to Article 5(9) of the basic Regulation of significant distortions within the meaning of point (b) of Article 2(6a) of the basic Regulation warranting the initiation of an investigation on that basis.

As a result, in view of Article 2(6a) of the basic Regulation, the allegation of continuation or recurrence of dumping is based on a comparison of a constructed normal value on the basis of costs of production and sale reflecting undistorted prices or benchmarks in an appropriate representative country, with the export price (at ex-works level) of the product under review from the country concerned when sold for export to the Union.

On that basis the dumping margins calculated are significant for the country concerned.

⁽¹⁾ OJ C 188, 14.6.2017, p. 21.

⁽²⁾ Regulation (EU) 2017/2321 of the European Parliament and of the Council of 12 December 2017 amending Regulation (EU) 2016/1036 on protection against dumped imports from countries not members of the European Union and Regulation (EU) 2016/1037 on protection against subsidised imports from countries not members of the European Union (OJ L 338, 19.12.2017, p. 1).

⁽³⁾ Council Implementing Regulation (EU) No 217/2013 of 11 March 2013 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of certain aluminium foils in rolls originating in the People's Republic of China (OJ L 69, 13.3.2013, p. 11).

4.2. *Allegation of likelihood of continuation or recurrence of injury*

The applicants have provided sufficient evidence showing that the prices of the imported product under review from the country concerned have, among other consequences, had a negative impact on the level of prices charged by the Union industry, resulting in substantial adverse effects on the overall performance and the financial situation of the Union industry.

The applicants also allege the likelihood of continuation or recurrence of injury. In this respect the applicants have also provided evidence that, should measures be allowed to lapse, the current import level of the product under review from the country concerned to the Union is likely to increase due to (i) the existence of unused capacity of the exporting producers in the country concerned; (ii) the attractiveness of the Union market in terms of volume and prices; and (iii) the existence of trade defence measures in other third countries. In addition, in the absence of measures, Chinese export prices would be at a level low enough to injure the Union industry.

In addition, the applicants allege that any substantial increase of imports at dumped prices from the country concerned would be likely to cause further injury to the Union industry should measures be allowed to lapse.

5. **Procedure**

Having determined, after consulting the Committee established by Article 15(1) of the basic Regulation, that sufficient evidence exists to justify the initiation of an expiry review, the Commission hereby initiates a review in accordance with Article 11(2) of the basic Regulation.

The expiry review will determine whether the expiry of the measures would be likely to lead to a continuation or recurrence of dumping of the product under review originating in the country concerned and a continuation or recurrence of injury to the Union industry.

5.1. *Review investigation period and period considered*

The investigation of a continuation or recurrence of dumping will cover the period from 1 January 2017 to 31 December 2017 ('the review investigation period'). The examination of trends relevant for the assessment of the likelihood of a continuation or recurrence of injury will cover the period from 1 January 2014 to the end of the review investigation period ('the period considered').

5.2. *Procedure for the determination of a likelihood of continuation or recurrence of dumping*

In an expiry review, the Commission examines exports that were made to the Union in the review investigation period and, irrespective of exports to the Union, considers whether the situation of the companies producing and selling the product under review in the country concerned is such that continuation or recurrence of exports at dumped prices to the Union would be likely to continue or recur if measures expire.

Therefore, all producers of the product under review in the country concerned, irrespective of whether or not they exported ⁽¹⁾ the product under review to the Union in the review investigation period, are invited to participate in the Commission investigation.

5.2.1. *Investigating producers in the country concerned*

In view of the potentially large number of producers in the country concerned involved in this expiry review and in order to complete the investigation within the statutory time limits, the Commission may limit the producers to be investigated to a reasonable number by selecting a sample (this process is also referred to as 'sampling'). The sampling will be carried out in accordance with Article 17 of the basic Regulation.

In order to enable the Commission to decide whether sampling is necessary, and if so, to select a sample, all producers, or representatives acting on their behalf, including the ones who did not cooperate in the investigation leading to the measures subject to this review, are hereby requested to make themselves known to the Commission. Those parties have to do so within 15 days of the date of publication of this Notice in the *Official Journal of the European Union*, unless otherwise specified, by providing the Commission with the information on their company(ies) requested in Annex I to this Notice.

In order to obtain the information it deems necessary for the selection of the sample of producers, the Commission will also contact the authorities of the country concerned and may contact any known associations of producers.

All interested parties wishing to submit any other relevant information regarding the selection of the sample, excluding the information requested above, must do so within 21 days of the publication of this Notice in the *Official Journal of the European Union*, unless otherwise specified.

⁽¹⁾ A producer is any company in the country concerned which produces the product under review, including any of its related companies involved in the production, domestic sales or exports of the product under review.

If a sample is necessary, the producers will be selected based on the largest representative volume of production, sales or exports which can reasonably be investigated within the time available. All known producers, the authorities of the country concerned and associations of producers will be notified by the Commission, via the authorities of the country concerned if appropriate, of the companies selected to be in the sample.

In order to obtain the information it deems necessary for its investigation with regard to producers, the Commission will send questionnaires to the producers selected to be in the sample, to any known association of producers and to the authorities of the country concerned.

All producers selected to be in the sample will have to submit a completed questionnaire within 37 days from the date of notification of the sample selection, unless otherwise specified.

Without prejudice to the possible application of Article 18 of the basic Regulation, companies that have agreed to their possible inclusion in the sample but are not selected to be in the sample will be considered to be cooperating ('non-sampled cooperating producers').

5.2.2. *Additional procedure with regard to the country concerned subject to significant distortions*

In accordance with point (e) of Article 2(6a), the Commission will shortly after initiation, by means of a note to the file for inspection by interested parties, inform parties to the investigation about the relevant sources, including the selection of an appropriate representative third country where appropriate, that it intends to use for the purpose of determining normal value pursuant to Article 2(6a) of the basic Regulation. Parties to the investigation shall be given 10 days to comment from the date at which that note is added to the file for inspection by interested parties. According to the information available to the Commission, a possible representative third country is Turkey. With the aim of finally selecting the appropriate representative third country the Commission will examine whether there is a similar level of economic development as the exporting country, whether there is production and sales of the product under review and whether relevant data are readily available. Where there is more than one such country, preference will be given, where appropriate, to countries with an adequate level of social and environmental protection.

With regard to the relevant sources, the Commission requests all producers in the country concerned to provide the information requested in Annex III to this Notice within 15 days of the date of publication of this Notice in the *Official Journal of the European Union*.

In order to obtain the information it deems necessary for its investigation with regard to the alleged significant distortions within the meaning of point (b) of Article 2(6a) of the basic Regulation, the Commission will also send a questionnaire to the Government of the country concerned.

Subject to the provisions of this Notice, all interested parties are hereby invited to make their views known, submit information and provide supporting evidence regarding the application of Article 2(6a) of the basic Regulation.

Unless otherwise specified, such information and supporting evidence must reach the Commission within 37 days of the date of publication of this Notice in the *Official Journal of the European Union*.

5.2.3. *Investigating unrelated importers* ⁽¹⁾ ⁽²⁾

Unrelated importers of the product under review from the country concerned to the Union, including those that did not cooperate in the investigation leading to the measures in force, are invited to participate in this investigation.

⁽¹⁾ Only importers not related to producers can be sampled. Importers that are related to producers have to fill in Annex I to the questionnaire for these producers. In accordance with Article 127 of Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code, two persons shall be deemed to be related if: (a) they are officers or directors of the other person's business; (b) they are legally recognised partners in business; (c) they are employer and employee; (d) a third party directly or indirectly owns, controls or holds 5 % or more of the outstanding voting stock or shares of both of them; (e) one of them directly or indirectly controls the other; (f) both of them are directly or indirectly controlled by a third person; (g) together they control a third person directly or indirectly; or (h) they are members of the same family (OJ L 343, 29.12.2015, p. 558). Persons shall be deemed to be members of the same family only if they stand in any of the following relationships to one another: (i) husband and wife, (ii) parent and child, (iii) brother and sister (whether by whole or half blood), (iv) grandparent and grandchild, (v) uncle or aunt and nephew or niece, (vi) parent-in-law and son-in-law or daughter-in-law, (vii) brother-in-law and sister-in-law. In accordance with Article 5(4) of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code, 'person' means a natural person, a legal person, and any association of persons which is not a legal person but which is recognised under Union or national law as having the capacity to perform legal acts (OJ L 269, 10.10.2013, p. 1).

⁽²⁾ The data provided by unrelated importers may also be used in relation to aspects of this investigation other than the determination of dumping.

In view of the potentially large number of unrelated importers involved in this expiry review and in order to complete the investigation within the statutory time limits, the Commission may limit to a reasonable number the unrelated importers that will be investigated by selecting a sample (this process is also referred to as 'sampling'). The sampling will be carried out in accordance with Article 17 of the basic Regulation.

In order to enable the Commission to decide whether sampling is necessary and, if so, to select a sample, all unrelated importers, or representatives acting on their behalf, including the ones who did not cooperate in the investigation leading to the measures subject to the present review, are hereby requested to make themselves known to the Commission. Those parties must do so within 15 days of the date of publication of this Notice in the *Official Journal of the European Union*, unless otherwise specified, by providing the Commission with the information on their company(ies) requested in Annex II to this Notice.

In order to obtain information it deems necessary for the selection of the sample of unrelated importers, the Commission may also contact any known associations of importers.

All interested parties wishing to submit any other relevant information regarding the selection of the sample, excluding the information requested above, must do so within 21 days of the publication of this Notice in the *Official Journal of the European Union*, unless otherwise specified.

If a sample is necessary, the importers may be selected based on the largest representative volume of sales of the product under review from the country concerned in the Union which can reasonably be investigated within the time available. All known unrelated importers and associations of importers will be notified by the Commission of the companies selected to be in the sample.

In order to obtain the information it deems necessary for its investigation, the Commission will send questionnaires to the sampled unrelated importers. Those parties must submit a completed questionnaire within 37 days from the date of the notification of the sample selection, unless otherwise specified.

5.3. Procedure for the determination of a likelihood of a continuation or recurrence of injury

In order to establish whether there is a likelihood of a continuation or recurrence of injury to the Union industry, Union producers of the product under review are invited to participate in the Commission investigation.

5.3.1. Investigating Union producers

In view of the large number of Union producers involved in this expiry review and in order to complete the investigation within the statutory time limits, the Commission has decided to limit to a reasonable number the Union producers that will be investigated by selecting a sample (this process is also referred to as 'sampling'). The sampling is carried out in accordance with Article 17 of the basic Regulation.

The Commission has provisionally selected a sample of Union producers. Details can be found in the file for inspection by interested parties. Interested parties are hereby invited to consult the file (for this they should contact the Commission using the contact details provided in Section 5.7 below). Other Union producers, or representatives acting on their behalf, including Union producers who did not cooperate in the investigation leading to the measures in force, that consider that there are reasons why they should be included in the sample must contact the Commission within 15 days of the date of publication of this Notice in the *Official Journal of the European Union*.

All interested parties wishing to submit any other relevant information regarding the selection of the sample must do so within 21 days of the publication of this Notice in the *Official Journal of the European Union*, unless otherwise specified.

All known Union producers and/or associations of Union producers will be notified by the Commission of the companies finally selected to be in the sample.

In order to obtain the information it deems necessary for its investigation, the Commission will send questionnaires to the sampled Union producers and to the European association of producers. These parties must submit a completed questionnaire within 37 days from the date of the notification of the sample selection, unless otherwise specified.

5.4. Procedure for the assessment of Union interest

Should the likelihood of continuation or recurrence of dumping and injury be confirmed, a decision will be reached, pursuant to Article 21 of the basic Regulation, as to whether maintaining the anti-dumping measures would not be against the Union interest. Union producers, importers and their representative associations, users and their representative associations, and representative consumer organisations are invited to make themselves known within 15 days of the date of publication of this Notice in the *Official Journal of the European Union*, unless otherwise specified. In order to participate in the investigation, the representative consumer organisations have to demonstrate, within the same deadline, that there is an objective link between their activities and the product under review.

Parties that make themselves known within the 15 days' deadline may provide the Commission with information on the Union interest within 37 days of the date of publication of this Notice in the *Official Journal of the European Union*, unless otherwise specified. That information may be provided either in a free format or by completing a questionnaire prepared by the Commission. In any case, information submitted pursuant to Article 21 will only be taken into account if supported by factual evidence at the time of submission.

5.5. Other written submissions

Subject to the provisions of this Notice, all interested parties are hereby invited to make their views known, submit information and provide supporting evidence.

Unless otherwise specified, such information and supporting evidence must reach the Commission within 37 days of the date of publication of this Notice in the *Official Journal of the European Union*.

5.6. Possibility to be heard by the Commission investigation services

All interested parties may request to be heard by the Commission investigation services. Any request to be heard must be made in writing and must specify the reasons for the request. For hearings on issues pertaining to the initial stage of the investigation the request must be submitted within 15 days of the date of publication of this Notice in the *Official Journal of the European Union*. Thereafter, a request to be heard must be submitted within the specific deadlines set by the Commission in its communication with the parties.

5.7. Instructions for making written submissions and sending completed questionnaires and correspondence

Information submitted to the Commission for the purpose of trade defence investigations shall be free from copyrights. Interested parties, before submitting to the Commission information and/or data which is subject to third party copyrights, must request specific permission to the copyright holder explicitly allowing (a) the Commission to use the information and data for the purpose of this trade defence proceeding; and (b) to provide the information and/or data to interested parties to this investigation in a form that allows them to exercise their rights of defence.

All written submissions, including the information requested in this Notice, completed questionnaires and correspondence provided by interested parties for which confidential treatment is requested shall be labelled 'Limited' ⁽¹⁾. Parties submitting information in the course of this investigation are invited to reason their request for confidential treatment.

Interested parties providing 'Limited' information are required to furnish non-confidential summaries of it pursuant to Article 19(2) of the basic Regulation, which will be labelled 'For inspection by interested parties'. Those summaries must be sufficiently detailed to permit a reasonable understanding of the substance of the information submitted in confidence. If a party providing confidential information fails to show good cause for a confidential treatment request or does not furnish a non-confidential summary of it in the requested format and quality, the Commission may disregard such information unless it can be satisfactorily demonstrated from appropriate sources that the information is correct.

Interested parties are invited to make all submissions and requests by email including scanned powers of attorney and certification sheets, with the exception of voluminous replies which shall be submitted on a CD-ROM or DVD by hand or by registered mail. By using email, interested parties express their agreement with the rules applicable to electronic submissions contained in the document 'CORRESPONDENCE WITH THE EUROPEAN COMMISSION IN TRADE DEFENCE CASES' published on the website of the Directorate-General for Trade: http://trade.ec.europa.eu/doclib/docs/2011/june/tradoc_148003.pdf. The interested parties must indicate their name, address, telephone and a valid email address and they should ensure that the provided email address is a functioning official business email which is checked on a daily basis. Once contact details are provided, the Commission will communicate with interested parties by email only, unless they explicitly request to receive all documents from the Commission by another means of communication or unless the nature of the document to be sent requires the use of a registered mail. For further rules and information concerning correspondence with the Commission including principles that apply to submissions by email, interested parties should consult the communication instructions with interested parties referred to above.

⁽¹⁾ A 'Limited' document is a document which is considered confidential pursuant to Article 19 of the basic Regulation and Article 6 of the WTO Agreement on Implementation of Article VI of the GATT 1994 (Anti-Dumping Agreement). It is also a document protected pursuant to Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council (OJ L 145, 31.5.2001, p. 43).

Commission address for correspondence:

European Commission
Directorate-General for Trade
Directorate H
Office: CHAR 04/039
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

Email:

TRADE-R684-ALU-FOIL-DUMPING@ec.europa.eu
TRADE-R684-ALU-FOIL-INJURY@ec.europa.eu

6. Non-cooperation

In cases where any interested party refuses access to or does not provide the necessary information within the time limits, or significantly impedes the investigation, findings, affirmative or negative, may be made on the basis of facts available, in accordance with Article 18 of the basic Regulation.

Where it is found that any interested party has supplied false or misleading information, the information may be disregarded and use may be made of facts available.

If an interested party does not cooperate or cooperates only partially and findings are therefore based on facts available in accordance with Article 18 of the basic Regulation, the result may be less favourable to that party than if it had cooperated.

Failure to give a computerised response shall not be deemed to constitute non-cooperation, provided that the interested party shows that presenting the response as requested would result in an unreasonable extra burden or unreasonable additional cost. The interested party should immediately contact the Commission.

7. Hearing Officer

Interested parties may request the intervention of the Hearing Officer in trade proceedings. The Hearing Officer acts as an interface between the interested parties and the Commission investigation services. The Hearing Officer reviews requests for access to the file, disputes regarding the confidentiality of documents, requests for extension of time limits and requests by third parties to be heard. The Hearing Officer may organise a hearing with an individual interested party and mediate to ensure that the interested parties' rights of defence are being fully exercised.

A request for a hearing with the Hearing Officer should be made in writing and should specify the reasons for the request. For hearings on issues pertaining to the initial stage of the investigation the request must be submitted within 15 days of the date of publication of this Notice in the *Official Journal of the European Union*. Thereafter, a request to be heard must be submitted within specific deadlines set by the Commission in its communication with the parties.

For further information and contact details interested parties may consult the Hearing Officer's web pages on DG Trade's website: <http://ec.europa.eu/trade/trade-policy-and-you/contacts/hearing-officer/>

8. Schedule of the investigation

The investigation will be concluded, pursuant to Article 11(5) of the basic Regulation within 15 months of the date of the publication of this Notice in the *Official Journal of the European Union*.

9. Possibility to request a review under Article 11(3) of the basic Regulation

As this expiry review is initiated in accordance with the provisions of Article 11(2) of the basic Regulation, the findings thereof will not lead to the existing measures being amended but will lead to those measures being repealed or maintained in accordance with Article 11(6) of the basic Regulation.

If any interested party considers that a review of the measures is warranted so as to allow for the possibility to amend the measures, that party may request a review pursuant to Article 11(3) of the basic Regulation.

Parties wishing to request such a review, which would be carried out independently of the expiry review mentioned in this Notice, may contact the Commission at the address given above.

10. **Processing of personal data**

Any personal data collected in this investigation will be treated in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data ⁽¹⁾.

⁽¹⁾ OJ L 8, 12.1.2001, p. 1.

ANNEX I

- ☐ 'Limited' version ⁽¹⁾
☐ Version 'For inspection by interested parties'
 (tick the appropriate box)

ANTI-DUMPING PROCEEDING CONCERNING IMPORTS OF CERTAIN ALUMINIUM FOIL IN ROLLS ORIGINATING IN THE PEOPLE'S REPUBLIC OF CHINA

INFORMATION FOR THE SELECTION OF THE SAMPLE OF PRODUCERS IN THE PEOPLE'S REPUBLIC OF CHINA

This form is designed to assist producers in the People's Republic of China in responding to the request for sampling information made in point 5.2.1 of the Notice of initiation.

Both the 'Limited' version and the version 'For inspection by interested parties' should be returned to the Commission as set out in the Notice of initiation.

1. IDENTITY AND CONTACT DETAILS

Supply the following details about your company:

Company name	
Address	
Contact person	
Email address	
Telephone	
Fax	

2. TURNOVER, SALES VOLUME, PRODUCTION AND PRODUCTION CAPACITY

For the review investigation period as defined in Section 5.1 of the Notice of initiation, indicate the production, production capacity, turnover in the accounting currency of the company (export sales to the Union for each of the 28 Member States ⁽²⁾ separately and in total, export sales to the rest of the world (total and the 5 biggest importing countries) and domestic sales) and the corresponding weight of the product under review as defined in the Notice of initiation and originating in the country concerned. State the weight in tonnes and the currency used.

Table I

Turnover and sales volume

	Tonnes		Value in accounting currency Specify the currency used
Export sales to the Union, for each of the 28 Member States separately and in total, of the product under review, manufactured by your company	Total:		
	Name each Member State:		
Export sales of the product under review, manufactured by your company to the rest of the world	Total:		
	Name the 5 biggest importing countries and give the respective volumes and values (*)		

⁽¹⁾ This document is for internal use only. It is protected pursuant to Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council (OJ L 145, 31.5.2001, p. 43). It is a confidential document pursuant to Article 19 of Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 (OJ L 176, 30.6.2016, p. 21) and Article 6 of the WTO Agreement on Implementation of Article VI of the GATT 1994 (Anti-Dumping Agreement).

⁽²⁾ The 28 Member States of the European Union are: Austria, Belgium, Bulgaria, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the United Kingdom.

	Tonnes	Value in accounting currency Specify the currency used
Domestic sales of the product under review, manufactured by your company		

(*) add additional rows where necessary

Table II
Production and production capacity

	Tonnes
Your company's overall production of the product under review	
Your company's production capacity of the product under review	

3. ACTIVITIES OF YOUR COMPANY AND RELATED COMPANIES ⁽¹⁾

Give details of the precise activities of the company and all related companies (please list them and state the relationship to your company) involved in the production and/or selling (export and/or domestic) of the product under review. Such activities could include but are not limited to purchasing the product under review or producing it under sub-contracting arrangements, or processing or trading the product under review.

Company name and location	Activities	Relationship

4. OTHER INFORMATION

Please provide any other relevant information which the company considers useful to assist the Commission in the selection of the sample.

5. CERTIFICATION

By providing the above information, the company agrees to its possible inclusion in the sample. If the company is selected to be part of the sample, this will involve completing a questionnaire and accepting a visit at its premises in order to verify its response. If the company indicates that it does not agree to its possible inclusion in the sample, it will be deemed not to have cooperated in the investigation. The Commission's findings for non-cooperating producers are based on facts available and the result may be less favourable to that company than if it had cooperated.

Signature of authorised official:

Name and title of authorised official:

Date:

⁽¹⁾ In accordance with Article 127 of Commission Implementing Regulation (EU) 2015/2447 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code, two persons shall be deemed to be related if one of the following conditions is fulfilled: (a) they are officers or directors of the other person's business; (b) they are legally recognised partners in business; (c) they are employer and employee; (d) a third party directly or indirectly owns or controls or holds 5 % or more of the outstanding voting stock or shares of both of them; (e) one of them directly or indirectly controls the other; (f) both of them are directly or indirectly controlled by a third person; (g) together they control a third person directly or indirectly; or (h) they are members of the same family (OJ L 143, 29.12.2015, p. 558). Persons shall be deemed to be members of the same family only if they stand in any of the following relationships to one another: (i) husband and wife, (ii) parent and child, (iii) brother and sister (whether by whole or half blood), (iv) grandparent and grandchild, (v) uncle or aunt and nephew or niece, (vi) parent-in-law and son-in-law or daughter-in-law, (vii) brother-in-law and sister-in-law. In accordance with Article 5(4) of Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code, 'person' means a natural person, a legal person, and any association of persons which is not a legal person but which is recognised under Union or national law as having the capacity to perform legal acts (OJ L 269, 10.10.2013, p. 1).

ANNEX II

<input type="checkbox"/>	'Limited' version ⁽¹⁾
<input type="checkbox"/>	Version 'For inspection by interested parties'
(tick the appropriate box)	

ANTI-DUMPING PROCEEDING CONCERNING IMPORTS OF CERTAIN ALUMINIUM FOIL IN ROLLS ORIGINATING IN THE PEOPLE'S REPUBLIC OF CHINA

INFORMATION FOR THE SELECTION OF THE SAMPLE OF UNRELATED IMPORTERS

This form is designed to assist unrelated importers in responding to the request for sampling information made in point 5.2.3 of the Notice of initiation.

Both the 'Limited' version and the version 'For inspection by interested parties' should be returned to the Commission as set out in the Notice of initiation.

1. IDENTITY AND CONTACT DETAILS

Supply the following details about your company:

Company name	
Address	
Contact person	
Email address	
Telephone	
Fax	

2. TURNOVER AND SALES VOLUME

For the review investigation period as defined in Section 5.1 of the Notice of initiation, indicate the total turnover in euros (EUR) of the company, and the turnover and weight for imports into the Union ⁽²⁾ and resales on the Union market after importation from the People's Republic of China and the corresponding weight of the product under review as defined in the Notice of initiation and originating in the country concerned. State the weight in tonnes.

	Tonnes	Value in euros (EUR)
Total turnover of your company in euros (EUR)		
Imports of the product under review into the Union		
Resales on the Union market after importation from the People's Republic of China of the product under review		

⁽¹⁾ This document is for internal use only. It is protected pursuant to Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council (OJ L 145, 31.5.2001, p. 43). It is a confidential document pursuant to Article 19 of Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 (OJ L 176, 30.6.2016, p. 21) and Article 6 of the WTO Agreement on Implementation of Article VI of the GATT 1994 (Anti-Dumping Agreement).

⁽²⁾ The 28 Member States of the European Union are: Belgium, Bulgaria, the Czech Republic, Denmark, Germany, Estonia, Croatia, Ireland, Greece, Spain, France, Italy, Cyprus, Latvia, Lithuania, Luxembourg, Hungary, Malta, the Netherlands, Austria, Poland, Portugal, Romania, Slovenia, Slovakia, Finland, Sweden and the United Kingdom.

3. ACTIVITIES OF YOUR COMPANY AND RELATED COMPANIES ⁽¹⁾

Give details of the precise activities of the company and all related companies (please list them and state the relationship to your company) involved in the production and/or selling (export and/or domestic) of the product under review. Such activities could include but are not limited to purchasing the product under review or producing it under sub-contracting arrangements, or processing or trading the product under review.

Company name and location	Activities	Relationship

4. OTHER INFORMATION

Please provide any other relevant information which the company considers useful to assist the Commission in the selection of the sample.

5. CERTIFICATION

By providing the above information, the company agrees to its possible inclusion in the sample. If the company is selected to be part of the sample, this will involve completing a questionnaire and accepting a visit at its premises in order to verify its response. If the company indicates that it does not agree to its possible inclusion in the sample, it will be deemed not to have cooperated in the investigation. The Commission's findings for non-cooperating importers are based on the facts available and the result may be less favourable to that company than if it had cooperated.

Signature of authorised official:

Name and title of authorised official:

Date:

⁽¹⁾ In accordance with Article 127 of Commission Implementing Regulation (EU) 2015/2447 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code, two persons shall be deemed to be related if one of the following conditions is fulfilled: (a) they are officers or directors of the other person's business; (b) they are legally recognised partners in business; (c) they are employer and employee; (d) a third party directly or indirectly owns or controls or holds 5 % or more of the outstanding voting stock or shares of both of them; (e) one of them directly or indirectly controls the other; (f) both of them are directly or indirectly controlled by a third person; (g) together they control a third person directly or indirectly; or (h) they are members of the same family (OJ L 143, 29.12.2015, p. 558). Persons shall be deemed to be members of the same family only if they stand in any of the following relationships to one another: (i) husband and wife, (ii) parent and child, (iii) brother and sister (whether by whole or half blood), (iv) grandparent and grandchild, (v) uncle or aunt and nephew or niece, (vi) parent-in-law and son-in-law or daughter-in-law, (vii) brother-in-law and sister-in-law. In accordance with Article 5(4) of Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code, 'person' means a natural person, a legal person, and any association of persons which is not a legal person but which is recognised under Union or national law as having the capacity to perform legal acts (OJ L 269, 10.10.2013, p. 1).

ANNEX III

<input type="checkbox"/>	'Limited' version ⁽¹⁾
<input type="checkbox"/>	Version 'For inspection by interested parties'
(tick the appropriate box)	

ANTI-DUMPING PROCEEDING CONCERNING IMPORTS OF CERTAIN ALUMINIUM FOIL IN ROLLS ORIGINATING IN THE PEOPLE'S REPUBLIC OF CHINA

INFORMATION REQUEST REGARDING THE INPUTS USED BY THE PRODUCERS IN THE PEOPLE'S REPUBLIC OF CHINA

This form is designed to assist producers in the People's Republic of China in responding to the request for input information made in point 5.2.2 of the Notice of initiation.

Both the 'Limited' version and the version 'For inspection by interested parties' should be returned to the Commission as set out in Section 5.2.2 of the Notice of initiation.

The requested information should be sent back to the Commission at the address specified in the Notice of initiation within 15 days of the date of publication of this Notice in the *Official Journal of the European Union*.

1. IDENTITY AND CONTACT DETAILS

Supply the following details about your company:

Company name	
Address	
Contact person	
Email address	
Telephone	
Fax	

2. INFORMATION ON THE INPUTS USED BY YOUR COMPANY AND RELATED COMPANIES

Please provide a short description of the production process(es) of the product under review.

Please list all materials (raw and processed) and energy used in the production of the product under review as well as all by-products and waste that are sold or (re)introduced in the production process of the product under review. Where appropriate, provide the corresponding Harmonised System (HS) classification code ⁽²⁾ for each of the items inserted in the two tables. Please fill in a separate Annex for each of the related companies that produce the product under review in case the production process differs.

Raw Materials/energy	HS Code
(Add additional rows where necessary)	

⁽¹⁾ This document is for internal use only. It is protected pursuant to Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council (OJ L 145, 31.5.2001, p. 43). It is a confidential document pursuant to Article 19 of Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union (OJ L 176, 30.6.2016, p. 21) and Article 6 of the WTO Agreement on Implementation of Article VI of the GATT 1994 (Anti-Dumping Agreement).

⁽²⁾ The Harmonised Commodity Description and Coding System generally referred to as 'Harmonised System' or simply 'HS' is a multipurpose international product nomenclature developed by the World Customs Organisation (WCO).

By-products and waste	HS Code
<i>(Add additional rows where necessary)</i>	

The company hereby declares that the information provided above is accurate to the best of its knowledge.

Signature of the authorised official:

Name and title of the authorised official:

Date:

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.8771 — Total/Engie (Part of Liquefied Natural Gas Business))

(Text with EEA relevance)

(2018/C 95/09)

1. On 2 March 2018, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾.

This notification concerns the following undertakings:

- Total S.A ('Total', France),
- Part of Engie's Liquefied Natural Gas Business ('Engie LNG', France).

Total acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of parts of the liquefied natural gas ('LNG') business currently carried on, directly or indirectly through entities in its corporate group, by Engie S.A.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- For Total: international integrated energy producer engaged in every segments of the oil and gas industry, both upstream and downstream, as well as in the renewable energy and power generation sectors;
- For Engie LNG: range of LNG assets owned by energy company Engie including contracts for the supply, sale and regasification of LNG, equity and contractual rights over LNG shipping assets and gas liquefaction plants, together with associated legal entities and relevant personnel in various jurisdictions.

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. The following reference should always be specified:

M.8771 — Total/Engie (Part of Liquefied Natural Gas Business)

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

E-mail:

COMP-MERGER-REGISTRY@ec.europa.eu

Fax

+32 22964301

Postal 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.8764 — Sedgwick/Cunningham Lindsey)
(Text with EEA relevance)
(2018/C 95/10)

1. On 6 March 2018, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾.

This notification concerns the following undertakings:

- Sedgwick, Inc. ('Sedgwick', United States), controlled by KKR & Co. L.P. ('KKR', United States),
- CL Intermediate Holdings I, BV ('Cunningham Lindsey', United States).

Sedgwick acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of Cunningham Lindsey.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- KKR: private equity investment firm,
- Sedgwick: global provider of risk management solutions. Sedgwick provides, inter alia, third party administrator (TPA) insurance claims management and loss adjusting services through its subsidiary T&H Holdings Inc ('Vericlim'),
- Cunningham Lindsey: global supplier of TPA insurance claims management, loss adjusting, loss consultancy and property reinstatement services.

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. The following reference should always be specified:

M.8764 — Sedgwick/Cunningham Lindsey

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

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

Fax +32 22964301

Postal address:

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

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

Prior notification of a concentration

(Case M.8809 — Prime Credit 3/Oxalis Holding/Lennon/Tavani/Lo Giudice/Phoenix Asset Management)

Candidate case for simplified procedure

(Text with EEA relevance)

(2018/C 95/11)

1. On 5 March 2018, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾.

This notification concerns the following undertakings:

- Prime Credit 3 S.à r.l. ('PC3', Luxembourg), controlled by AnaCap Financial Europe S.A. SICAV-RAIF (Luxembourg), which belongs to Anacap Group Holdings ('Anacap Group', Guernsey).
- Oxalis Holding S.à r.l. ('Oxalis', Luxembourg), controlled by Pacific Investment Management company LLC ('PIMCO', USA).
- Mr Steve Lennon (Italy),
- Mr Paolo Lo Giudice (Italy),
- Mr Roberto Tavani (Italy),
- Phoenix Asset Management S.p.A ('PAM', Italy).

PC3, Oxalis, Mr Steve Lennon, Mr Paolo Lo Giudice and Mr Roberto Tavani acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the whole of PAM.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- PC3: a private equity firm focused on the European financial services sector which predominantly invests in non-performing assets comprising loans, leases, securities or other obligations.
- Oxalis: a subsidiary of investment funds ultimately controlled by PIMCO, which is a global investment manager and provides financial services, among others, to governments, insurance companies, high-net-worth investors, financial institutions, retail investors and pooled investment vehicles.
- Mr Steve Lennon, Paolo Lo Giudice and Mr Roberto Tavani: original shareholders of PAM, who currently exercise joint control over PAM.
- PAM: an Italian company, focused predominantly on the management of secured and unsecured non-performing loan (NPL) portfolios.

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

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

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

M.8809 — Prime Credit 3/Oxalis Holding/Lennon/Tavani/Lo Giudice/Phoenix Asset Management

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

⁽²⁾ OJ C 366, 14.12.2013, p. 5.

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

E-mail:

COMP-MERGER-REGISTRY@ec.europa.eu

Fax

+32 22964301

Postal address:

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

Prior notification of a concentration**(Case M.8839 — GIP/NTV)****Candidate case for simplified procedure****(Text with EEA relevance)**

(2018/C 95/12)

1. On 5 March 2018, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾.

This notification concerns the following undertakings:

- Global Infrastructure Management, LLC ('GIP', USA),
- Italo — Nuovo Trasporto Viaggiatori SpA ('Italo', Italy).

GIP acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of Italo.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- for GIP: US-based global infrastructure investor in the energy, transport and water/waste sectors,
- for Italo: Italy's first privately owned high-speed rail passenger transport operator, operating under the brand 'Italo'. Currently, Italo connects 19 stations in 14 Italian cities.

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

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

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

M.8839 — GIP/NTV

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

E-mail:

COMP-MERGER-REGISTRY@ec.europa.eu

Fax

+32 22964301

Postal 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.

Prior notification of a concentration**(Case M.8834 — Brookfield/Saeta)****Candidate case for simplified procedure****(Text with EEA relevance)**

(2018/C 95/13)

1. On 6 March 2018, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾.

This notification concerns the following undertakings:

- TERP Spanish HoldCo S.L. ('TERP', Spain) controlled by Brookfield Asset Management Inc. ('Brookfield Group', Canada),
- Saeta Yield, S.A. ('Saeta', Spain), currently controlled by Cobra Concesiones S.L. ('Cobra', Spain), GIP II Helios, S.à.r.l. ('GIP', Luxembourg), Mutuactivos S.A.U., S.G.I.I.C. ('Mutuactivos', Spain) and Sinergia Advisors 2006, A.V., S.A. ('Sinergia', Spain).

Brookfield Group acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of Saeta.

The concentration is accomplished by way of public bid announced on 7 February 2018.

2. The business activities of the undertakings concerned are:

- For Brookfield: global asset management group focused on investing in real estate, infrastructure, renewable power and private equity. Within its energy portfolio, the Brookfield Group operates a diversified portfolio of assets that generate electricity from renewable sources, which consist of hydroelectric and wind power facilities in North America, Colombia, Brazil, Uruguay and Europe,
- For Saeta: active in the generation and wholesale supply of renewable energy. Its facilities comprise a number of wind farms and solar thermal plants in Spain. They also include wind portfolios in Portugal and Uruguay.

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

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

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

M.8834 — Brookfield/Saeta

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

E-mail:

COMP-MERGER-REGISTRY@ec.europa.eu

Fax

+32 22964301

Postal 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 amendment 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

(2018/C 95/14)

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⁾.

APPLICATION FOR APPROVAL OF NON-MINOR AMENDMENTS TO THE PRODUCT SPECIFICATION FOR A PROTECTED DESIGNATION OF ORIGIN OR PROTECTED GEOGRAPHICAL INDICATION

Application for approval of amendments in accordance with the first subparagraph of Article 53(2) of Regulation (EU) No 1151/2012**'BRIOCHE VENDÉENNE'****EU No: PGI-FR-02294 — 24.2.2017****PDO () PGI (X)****1. Applicant group and legitimate interest**

Vendée Qualité
Maison de l'Agriculture
21, boulevard Réaumur
85013 La Roche-sur-Yon Cedex
FRANCE

Tel. +33 251368251

Fax +33 251368454

Email: contact@vendeequalite.fr**Composition**

The association comprises all operators in the 'Brioche vendéenne' PGI sector (traditional bakers, distributor-manufacturers and small-scale manufacturers with a production line, industrial manufacturers, millers and egg processors). The association therefore has a legitimate right to request amendments to the product specification.

2. Member State or Third Country

France

3. Heading in the product specification affected by the amendment(s)

- ☐ Name of product
- ☒ Description of product
- ☐ Geographical area
- ☒ Proof of origin
- ☒ Method of production
- ☒ Link
- ☒ Labelling
- ☒ Other: Updated contact details, geographical area, inspection body, national requirements, annexes

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

4. Type of amendment(s)

- ☒ Amendments to the product specification of a registered PDO or PGI not to be qualified as minor within the meaning of the third subparagraph of Article 53(2) of Regulation (EU) No 1151/2012
- ☐ Amendments to the product specification of a registered PDO or PGI for which a Single Document (or equivalent) has not been published and which cannot be qualified as minor within the meaning of the third subparagraph of Article 53(2) of Regulation (EU) No 1151/2012

5. Amendment(s)

5.1. Heading ‘Product description’

Stylistic changes have been made to this section largely to eliminate repetition.

Furthermore, the paragraph:

‘Taste: matches its aroma, i.e. deriving predominantly from use of eau-de-vie or a mixture of eau-de-vie and flavouring (orange blossom or vanilla), combined with a secondary taste of butter.’

is replaced by:

‘taste dominated by an aroma deriving from use of eau-de-vie and sometimes another flavouring (orange blossom and/or vanilla), combined with a secondary taste of butter.’

In the sentences about aromas, the word ‘or’ is replaced by the words ‘and/or’: ‘orange blossom and/or vanilla’, ‘of vanilla and/or orange blossom’.

The possibility of combining two other flavourings in the same preparation is now explicitly stated. This corresponds to what is actually done by operators as they interpret the word ‘or’ as being able to mean ‘and’.

These changes have no impact on the product or the causal link.

5.2. Heading ‘Proof of origin’

The following paragraph is added:

‘The dough intended for freezing is wrapped and labelled before it is frozen. Where dough is frozen, this is entered on the production record.’

This addition was necessary as justification regarding the traceability of frozen dough which is authorised in the amended specification (see point 5.3 below regarding the method of production).

Stylistic changes have also been made to this section (repetition eliminated, distinction made between operator recognition and the keeping of records and documents on traceability, paragraph moved, etc.) in order to make the wording clearer.

The aspects proving the origin of the product are not called into question.

5.3. Heading ‘Method of production’

Raw materials (table of characteristics)

- Flour

The words: ‘Bread-making-quality wheat flour of type 55 or 45, at 45 to 55 %’

are replaced by:

‘42 to 52 %

Bread-making-quality wheat flour of type 65, 55 or 45’.

The specification currently in force allows two types of wheat flour to be used (type 45 and type 55). The amended specification adds a new type of wheat flour (type 65).

Richer in bran, type 65 flour is commonly used to make pastries such as ‘Brioche vendéenne’ PGI. This is a technological response to the lower protein content in current wheat varieties, made possible by progress in milling. The inclusion of this new type of flour does not change the organoleptic or technological characteristics such as the colour, the taste of the flour or the proper rising of the dough.

The current specification stipulates a percentage of flour of between 45 % and 55 % of the weight of the dough. The change reduces this percentage to a level of between 42 % and 52 %.

The better absorption rate of present-day flour, in particular type 65 flour, has made it possible to reduce this percentage. It allows the share of other ingredients having more of an impact on quality, such as eggs, butter, sugar or alcohol, to be increased. This change only serves to strengthen the specific organoleptic characteristics of 'Brioche vendéenne'.

— Butter

The specification currently in force refers to a level 'of fresh or concentrated butter' in excess of 12,5 %. The amended specification adds 'expressed as reconstituted butter'.

It is stated in the footnote how reconstituted butter is calculated.

'The minimum percentage of butter to be added to the recipe is indicated by referring to fine butter with 82 % butterfat content.

If concentrated butter with Y % butterfat content is used (Y greater than 96 %), the equivalent in reconstituted butter is calculated using the formula:

$$\text{Percentage reconstituted butter} = \frac{\text{Weight of concentrated butter used} \times Y \times 100}{\text{Total "kneaded" weight} \times 82},$$

These additions provide clarity as to the minimum proportion of butter in the dough, whether fresh or concentrated butter. The proportion is in line with the methods used by manufacturers and ensures that the specific characteristics of 'Brioche vendéenne' PGI are maintained.

— Alcohol aroma

The words: 'Minimum of 0,5 %:

Eau-de-vie or rum

Undenatured cognac of a minimum of 44°

are replaced by:

'≥ 0,5 %

Eau-de-vie or rum or undenatured cognac, of a minimum of 44 %'

This change removes any ambiguity. It lays down the practice adopted by operators in the sector who use an alcohol for each preparation and do not combine undenatured cognac with eau-de-vie or rum.

— Flavouring

The words: 'Optional. If used, natural or nature-identical vanilla flavouring, or orange-blossom water'

are replaced by:

'Optional. Natural vanilla flavouring or vanilla-flavoured flavouring and/or orange-blossom water'

This wording takes into account the legislative changes concerning the definition of flavourings and sets out the practices adopted by operators in the sector who may traditionally resort to using one of the flavourings or a combination of the two.

Production process (table)

— Dough freezing

The amended specification introduces the possibility of freezing the dough, specifying

'Temperature below – 12 °C

May be stored for a maximum of 15 days'.

The addition of a freezing stage in the production process involves changing a number of steps. For the first rise, it has been added that the first rise of the dough, if frozen, must last a minimum of 30 minutes. For the fermentation process between the end of the kneading and the beginning of the baking stage (the finishing stage), which takes place after the product has been defrosted, a minimum of 6 hours and maximum of 24 hours is allowed between removing the dough from the freezer and placing it in the oven. This period ensures optimum defrosting and proofing.

These additions have also been incorporated into the diagrams relating to production and duration types according to production method.

This amendment to the specification introduces a new technical itinerary which allows the dough to be steadily frozen after the rising and braiding processes. It will allow small-scale operators to take advantage of all their brioche preparation to make 'Brioche vendéenne' PGI. Many operators prepare large volumes of dough in order to obtain a uniform product which observes tradition. The dough intended for freezing is wrapped and labelled. Operators will be able to defrost the dough and bake smaller quantities as and when they proceed to market it. Limiting the maximum storage period to 15 days guarantees that freezing remains temporary and that the properties of the dough intended for making 'Brioche vendéenne' PGI are preserved to the greatest possible extent.

Freezing the dough, which temporarily stops the action of the yeast, has no impact on the end objective.

— Shaping and braiding

The sentences: 'Braided "3 brins" or "façon 3 brins" brioche' and 'Regarding how to produce and present "façon 3 brins", both techniques ("3 brins" and "1 brin" produced by hand and braided) are used without distinction by all producers (small-scale, industrial and retail). The weight of the dough is the same in both cases (i.e. minimum 300 g), as is the final result after baking (see photo at start of file).'

are replaced by:

'Hand-made, braided "3 brins" or "1 brin façon 3 brins" brioche'.

This amendment simplifies the wording of the specification without altering it or adding anything.

— Bagging

The specification currently in force states that bagging must take place within 'a minimum of 1 hour 30' and 'a maximum of 4 hours of the end of the baking process'.

In the amended specification, the minimum period before bagging of 1 hour 30 has been removed. By removing this reference, all operators will be able to package the product according to their own methods and working environment. The end objective for the brioche remains as before (preserving its aromas and softness).

The maximum cooling period has been maintained.

— Labelling

The sentence regarding the legal references featured on the labelling has been removed. The term DLUO (use-by date) has been replaced by DDM (minimum durability date). These changes reflect developments in the legislation in force.

— Transport

The reference to the conditions for transporting 'Brioche vendéenne' has been removed as this is covered by general legislation.

— Placing on the market

The provision on the conditions for placing products on the market ('brioche undamaged, on display in a dry place and away from sunlight') has been removed as it is covered by general legislation and does not relate to the production conditions for 'Brioche vendéenne'.

Production process (diagram)

The words 'first rising/fermentation'

are replaced by:

'rising/first fermentation'.

This is a stylistic change clarifying that the dough rises once and ferments twice.

The concept of ‘metrology’

is replaced by the more general term ‘traceability’.

The word ‘certification’ has been removed and replaced with a clearer term: ‘selection’.

Composition and recipe — production monitoring

This section has been removed from the specification as it contains non-binding provisions (advice, comparison with *brioche parisienne*). The parts referring to know-how (‘proofing’) are included in the section concerning the link with the geographical area.

5.4. **Heading ‘Link’**

In the specification in force, references to the link with the geographical area were contained in a number of sections. The link is described differently with, in particular, a section on the history of the region, the link between the regional history and the tradition of producing brioche, and the development of the ‘Brioche vendéenne’ sector. A second section relates to the growing and proven reputation of the product and a third section on the economic impact of the sector and producer engagement, closing with a reference to the enthusiasm of operators for obtaining the PGI. The changes consisted of bringing together all the relevant information and rearranging the section according to the required headings, i.e. ‘specificity of the geographical area’, ‘specificity of the product’ and ‘causal link’. Furthermore, since the recognition of ‘Brioche vendéenne’ PGI, the reputation of the brioche has continued to develop. This growing reputation has also led to growth in consumption, as the statistics on this show.

The change is therefore of a stylistic nature and makes the link between ‘Brioche vendéenne’ and its geographical area easier to understand, without calling into question the basis of the link.

5.5. **Heading ‘Labelling’**

The section on labelling has been updated in order to take into account the general legislation in force. According to the current specification, the following particulars must be indicated:

- Name under which product is sold: “Brioche vendéenne”
- Vendée origin
- Label number or date and time of production
- Name, address and logo of certifying body
- Name of group promoting the quality of the product which producer is a member of
- PGI logo (if necessary)

The summary sheet states with regard to labelling: ‘Product sold under the name “Brioche vendéenne”.’

The amended draft specification and Single Document state that labelling must include the following: ‘name and address of certifying body and name and contact details of producer’.

Since 4 January 2016, it has been necessary to label the product with the name under which it is sold, i.e. the PGI name and PGI logo. Consequently, it is no longer necessary to retain these provisions in the specification. Due to the reputation of ‘Brioche vendéenne’ PGI, the provision on the ‘Vendée origin’ is also not required. The provision concerning the ‘Label number or date and time of production’ relates to traceability information which businesses integrate into the way they operate so that batches can be traced. The provision relating to the ‘Name of group promoting the quality of the product which producer is a member of’ has been removed and replaced with ‘name and contact details of producer’, as these are details which better inform the consumer.

5.6. **Heading ‘Other’**

- Update of details

The contact details of the relevant Member State department have been added. The contact details of the applicant group and information on its composition have been updated.

— Geographical area

The following sentence has been added to the specification in order to clarify the stages carried out in the geographical area: 'The geographical area of production for "Brioche vendéenne", from the kneading to the bagging of the product, comprises the following municipalities:'

For each department, the list of cantons has been replaced by a list of the corresponding municipalities. The geographical area has not changed.

The map of the geographical area has also been updated. The paragraph justifying the boundaries of the 'Brioche vendéenne' PGI area has been removed and the content incorporated into the section concerning aspects justifying the link with the geographical area.

In the Single Document, the list of cantons has been updated in the light of an administrative change to canton names and boundaries. The update was considered necessary as the review of the cantons carried out across France in recent years had resulted in certain cantons changing name and/or boundaries. The wording of the list of cantons contained in the summary sheet has been amended in accordance with French legislation. The area covered by the list is nevertheless the same.

— Inspection body

The contact details of the inspection body have been replaced by those of the relevant control authority. This amendment aims to prevent changes being made to the specification in the event that the inspection body changes.

— National requirements

The main aspects subject to monitoring are not indicated in the specification in force. These have been added to the amended specification, in the section on national requirements.

— Annexes

The Annexes to the specification in force have been removed. They were in fact non-binding information enclosed for illustrative purposes (press review, labelling, historical studies, etc.).

SINGLE DOCUMENT

'BRIOCHE VENDÉENNE'

EU No: PGI-FR-02294 — 24.2.2017

PDO () PGI (X)

1. Name(s)

'Brioche vendéenne'

2. Member State or Third Country

France

3. Description of the agricultural product or foodstuff

3.1. Type of product

Class 2.3. Bread, pastry, cakes, confectionery, biscuits and other baker's wares

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

'Brioche vendéenne' is a brioche which is braided and golden on its upper side, available in a regular round, oval or loaf shape. It is always marketed fresh, whole or sliced, on food-quality paper and bagged. It has a minimum weight of 300 grams.

The inside is a homogenous colour and has a honeycombed structure, with a light, stringy but melting texture in the mouth.

It has a complex aroma, balancing a buttery flavour, an aroma derived from the use of eau-de-vie or rum, and sometimes a scent of vanilla and/or orange blossom. It has a rich, sweet, aromatic taste.

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

The flour is made from breadmaking wheats from the following cereal-growing regions: Centre, Grand Ouest (Loire Region, Brittany, Normandy, Poitou-Charentes), Beauce and Brie (geographical references: 'Code et nomenclature des régions agricoles de la France au 1^{er} janvier 1971', published in 1974 under the joint authority of INSEE and SCEES). Both small-scale and industrial manufacturers and distributors source their flour from wheats from those regions because of their technological characteristics and their quality. The flour must have a baking capacity of at least W = 180 and the total protein content must be at least 10,5 %.

The eggs and the milk are from the geographical area.

The butter is from the geographical area and the Grand Ouest region of France (Loire Region, Brittany, Normandy and Poitou-Charentes).

The salt is obtained from the Atlantic coast between the Gironde Estuary and the southern coast of Brittany, particularly l'île de Ré, Noirmoutier and Guérande.

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

All steps in the production of 'Brioche vendéenne', from the kneading to the baking of the product, take place in the geographical area.

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

Bagging takes place in the geographical area.

The product is bagged quickly, once baked, in order to guarantee that its organoleptic characteristics are maintained. By bagging the sugar-rich product at an early stage, this protects it from insects, ensures its microbiological protection and preserves the softness and aromas of 'Brioche vendéenne' as best as possible.

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

In addition to the requirements laid down by the legislation in force, the labelling includes:

- the name and address of the inspection body
- the name and contact details of the manufacturer.

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

Department of Vendée: Entire department.

Department of Loire-Atlantique: the cantons of Clisson, Machecoul, Pornic, Rezé-1, Rezé-2, Saint-Brevin-les-Pins, Saint-Philbert-de-Grand-Lieu, Saint-Sébastien-sur-Loire, Vallet, Vertou and the areas situated south of the Loire in the municipalities of Indre and Nantes.

Department of Maine-et-Loire: the municipalities of Chalonnes-sur-Loire, Chaudefonds-sur-Layon, Denée, Rochefort-sur-Loire and the cantons of Beaupréau, Chemillé-Melay, Cholet-1, Cholet-2, Doué-la-Fontaine, La Pommeraye, Les Ponts-de-Cé, Saint-Macaire-en-Mauges and Saumur, excluding the areas situated north of the Loire in the municipalities of Les Ponts-de-Cé and Saumur.

Department of Deux-Sèvres: the municipalities of Allonne, Azay-sur-Thouet, Beaulieu-sous-Parthenay, La Boissière-en-Gâtine, Le Bourdet, Clavé, Les Groseillers, Mauzé-sur-le-Mignon, Mazières-en-Gâtine, Niort, Pougne-Hérissou, Priaires, Prin-Deyrançon, Le Retail, La Rochénard, Saint-Aubin-le-Cloud, Saint-Georges-de-Noisné, Saint-Georges-de-Rex, Saint-Hilaire-la-Palud, Saint-Lin, Saint-Marc-la-Lande, Saint-Pardoux, Secondigny, Soutiers, Usseau, Vernoux-en-Gâtine, Verruyes, Vouhé and the cantons of Autize-Égray, Bressuire, Cerizay, the canton of Frontenay-Rohan-Rohan excluding the municipality of Granzay-Gript, the cantons of Mauléon, Parthenay, La Plaine Niortaise, Saint-Maixent-l'École, Thouars and the canton of Val du Thouet excluding the municipalities of Airvault, Assais-les-Jumeaux, Avoilles-Thouarsais, Boussais, Le Chillou, Irais, Louin, Maisontiers, Marnes, Saint-Généroux, Saint-Jouin-de-Marnes, Saint-Loup-Lamairé and Tessonnière.

Department of Charente-Maritime: the cantons of Aytré, Châtaillon-Plage, La Jarrie, Lagord, Marans, Rochefort, La Rochelle-1, La Rochelle-2, La Rochelle-3, Surgères and the canton of Tonnay-Charente excluding the municipalities of Échillais, Port-des-Barques, Saint-Nazaire-sur-Charente and Soubise.

5. **Link with the geographical area**

Specificity of the geographical area

Natural factors

Situated on the Atlantic coast, between the port cities of Nantes and La Rochelle, the geographical area of 'Brioche vendéenne' enjoys a temperate oceanic climate which promotes great production variety. Its geological diversity is responsible for the varied environment:

- the *Bocage vendéen* at the southern border of the Armorican Massif, characterised by a farming system geared towards all types of livestock farming,
- the *Plaine vendéenne*, on secondary sediment, where mostly cereal is farmed,
- marshland, mostly covered by pasture, in low-lying inland regions set back from the coast,

- celebrated salt marshes and seaside resorts, situated on the coast, as a result of which the Vendée department is the second most popular tourist destination in France.

Human factors

Removed from major transport connections, the geographical area is home to a society united by shared values and a rich, varied, culinary scene. In this region where religion has a strong presence, the Easter celebrations, which signalled the end of winter and Lent, would be an occasion when pastries rich in sugar, eggs and butter would be shared. In the Vendée, such cakes were distinguished by their dense inside, caused by cutting short the fermentation of the dough. They were referred to as 'pain de Pâques', 'galette pacaude', 'alizer' or 'gâche' (Association vendéenne du goût, *Produits du terroir et recettes traditionnelles de Vendée*, Éditions de l'Étrave, 1995). 'Easter Saturday was dedicated entirely to making such brioches, which were often enormous' (Anne-Christine Beauviala et Nicole Vielfaure, *Fêtes, coutumes et gâteaux*, Éditions C. Bonneton, 1978).

Having previously only been produced at home, the 19th century saw small-scale bakers start to produce the pastry. Around this time, the 'braided brioche' emerged in the Vendée, made from flour, eggs and butter, flavoured with eau-de-vie and sometimes with a hint of vanilla or orange blossom. The cake would be served at celebrations and associated with important events such as communions and weddings. It was tradition for the bride's godparents to offer an enormous brioche as a gift (Edmond Bocquier, *La Terre vendéenne*, janvier 1906). The cake would be served on a pallet held overhead, which people would dance around (Abel Hugo, *France pittoresque*, Éditions Delloye, 1835). In the Vendée, this is still done to this day.

With the introduction of the railway and the tourism boom of the 20th century, the economy of the Vendée began to look outwards. In the countryside, small-scale and industrial scale production developed, constituting an original economic model (Jean Renard, *La Vendée, un demi-siècle d'observation d'un géographe*, Presses universitaires de Rennes, 2004). Traditional bakers began producing on an industrial scale so they could supply brioches outside of the Vendée. In April 1949, the Association des Vendéens de Paris organised a charity sale in the capital. At that event, the name 'Brioche vendéenne' emerged as a way of distinguishing the product from other brioches (Frédéric Zégierman, *Le Guide des pays de France*, Éditions Fayard, 1999).

Since then, all operators have adopted the traditional recipe for the product which involves an extended double fermentation process, forming and braiding the dough by hand, baking at medium temperature and bagging the product shortly after removal from the oven. The geographical area, which includes the administrative region of the Vendée and the adjacent areas of the neighbouring departments, was determined based on where know-how can be found, in conjunction with the movement of bakers and apprentices trained in the Vendée.

Specificity of the product

'Brioche vendéenne' can be recognised from its braided shape, which is the result of a specific manual shaping process known as 'façon 3 brins'. It is mostly loaf-shaped but may, on occasions, be made into an elongated or round shape. It has a swollen, delicately golden crust. It may be marketed whole or sliced. It is placed on food-quality paper and packaged in a sealed transparent bag.

Once sliced, its honeycombed interior is revealed, which may be stringy but is always light. In the mouth, its soft, melting texture releases subtle aromas of butter and eau-de-vie or rum, sometimes with a hint of vanilla and/or orange blossom. It has a rich taste due to the high butter and egg content and is sweeter than most other brioches.

Causal link

The causal link between the specific characteristics of the product and geographical area are based on both the established qualities of the product (composition, taste, appearance, texture) and its reputation.

Composition and taste linked to the characteristics of the geographical area

There is an identifiable link between the characteristics of the area and the ingredients used to make 'Brioche vendéenne':

- the oceanic climate which the region enjoys is conducive to cattle farming, in particular in the *Bocage vendéen* and marshland areas. For this reason, butter and dairy production thrive,
- due to the temperate climate and farming system with a hedgerow structure, there is considerable poultry production and therefore a plentiful supply of eggs, in particular at Easter,
- cereal production has flourished since the Middle Ages, protected by the abbeys, thanks to the fertile soil in the *Plaine vendéenne* and drained marshland areas,

- Cognac, located south of the geographical area, is close by and explains why traditional eau-de-vie production has developed and why such alcohols are used in pastry-making,
- the area's coastal location, with its large ports, has influenced the use of foreign ingredients such as rum, vanilla and orange blossom flavourings and cane sugar,
- the Atlantic coast has long been an important area for salt production, in particular around the Guérande, Noirmoutier and île de Ré basins.

These raw materials, which have long been found in the area, are the basis of the product's specific characteristics, namely the soft, melting texture of the dough due to eggs, milk and butter, the appropriate amount of sugar and salt, the aromatic complexity created by the alcohol, vanilla, orange blossom.

Appearance and texture derived from local know-how found in the geographical area

A strong causal link associates certain qualities of the product derived from the original production methods and local know-how found in the geographical area:

- the product's appearance, shape and braiding are produced by hand,
- the very swollen appearance of 'Brioche vendéenne', its honeycombed interior and lightness in the mouth are the result of double fermentation, with a first rising stage followed by a final proofing stage,
- the golden colour and softness are testament to a baking process which is expertly understood, in a well-suited oven,
- the product's delicate aroma is preserved by quickly bagging the product.

These traditional methods date back to the time-honoured tradition of making cakes for Easter or weddings. They have transferred from the home to specialist producers, have in part become industrialised and are kept alive today through the training of apprentices. The geographical area of 'Brioche vendéenne' encompasses all operators who now have expert knowledge of how the product is made.

Reputation associated with the specific characteristics of the geographical area

The product's reputation is based both on the fact that it is strongly rooted in the local area and is widely distributed outside its place of origin. Both are linked to certain characteristics specific to the geographical area.

An attachment between the people and their culinary heritage is indeed a particular characteristic found in the Vendée and its surrounding areas. The feeling of belonging to a community and a strong regional identity are at the root of a long tradition of Easter baking from which 'Brioche vendéenne' is derived, a tradition which is still observed at celebrations and weddings. Competitions dedicated to this jewel of gastronomy have kept this passion alive.

Owing to its location, the geographical area is open to tourism which has developed considerably over recent decades. The Vendée's attractive coastline provides an incredible sounding board for the reputation of 'Brioche vendéenne'. With audacity and enthusiasm, small-scale and industrial producers have worked hard to promote the product, operating in an economic environment characterised by a high density of dynamic small and medium-sized rural businesses. The product accounts for more than 10 % of the national pastries' market (source: SECODIP panel, 2001). According to a study carried out by OSER, the Junior Enterprise of the Angers Higher School of Agriculture, 45 % of people are spontaneously aware of the product, and 77 % are aware when prompted (95 % in the West region and 50 % in the Parisian region).

In *L'Inventaire du patrimoine culinaire de la France* (Éditions Albin Michel, 1993), dedicated to the Loire region, 'Brioche vendéenne' is particularly celebrated by the National Council of Culinary Arts. 'It has been very successful for many decades, far beyond the borders of the region [...]'.

Reference to publication of the specification

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

https://info.agriculture.gouv.fr/gedei/site/bo-agri/document_administratif-14f3e5da-22af-4b8a-aca8-d88d7481ebb9/telechargement

