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⁽¹⁾ Text with EEA relevance.

II

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

EUROPEAN COMMISSION

Withdrawal of notification of a concentration**(Case M.8907 — Aperam/VDM)****(Text with EEA relevance)**

(2019/C 9/01)

(Council Regulation (EC) No 139/2004)

On 23 October 2018, the European 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:

- Aperam SA ('Aperam', Luxembourg), and
- VDM Metals Holding GmbH ('VDM', Germany).

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

The concentration is accomplished by way of purchase of shares.

On 29 November 2018, the European Commission decided to initiate proceedings under Article 6(1)(c) of the Merger Regulation. On 21 December 2018, the notifying party(ies) informed the Commission that it/they withdrew its/their notification and demonstrated that it/they abandoned the concentration.

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

Non-opposition to a notified concentration**(Case M.9087 — Mondi Štětí/Holzindustrie Maresch/Eco-Investment/Labe Wood)****(Text with EEA relevance)**

(2019/C 9/02)

On 29 November 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 German language and will be made public after it is cleared of any business secrets it may contain. It will be available:

- in the merger section of the Competition website of the Commission (<http://ec.europa.eu/competition/mergers/cases/>). This website provides various facilities to help locate individual merger decisions, including company, case number, date and sectoral indexes,
- in electronic form on the EUR-Lex website (<http://eur-lex.europa.eu/homepage.html?locale=en>) under document number 32018M9087. EUR-Lex is the online access to the 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 persons subject to the travel restrictions provided for in Council
Decision (CFSP) 2017/1775 concerning restrictive measures in view of the situation in Mali**

(2019/C 9/03)

The following information is brought to the attention of the person designated in the Annex to Council Decision (CFSP) 2017/1775 ⁽¹⁾, as implemented by Council Implementing Decision (CFSP) 2019/29 ⁽²⁾, concerning restrictive measures in view of the situation in Mali.

On 20 December 2018, the United Nations Committee established by paragraph 9 of United Nations Security Council Resolution 2374 (2017) added three persons to the list of persons subject to the travel ban set out in paragraphs 1 to 3 of Resolution 2374 (2017).

The person concerned may submit at any time a request to the UN Committee established pursuant to paragraph 9 of UNSCR 2374 (2017), together with any supporting documentation, for the decision to include those persons onto the UN list to be reconsidered. Such request should be sent to the following address:

United Nations — Focal point for delisting
Security Council Subsidiary Organs Branch
Room S-3055 E
New York, NY 10017
UNITED STATES OF AMERICA

See for more information at:

https://www.un.org/sc/suborg/sites/www.un.org.sc.suborg/files/2374_mali_committee_guidelines_en.pdf

Further to the UN decision, the Council of the European Union has determined that the travel restrictions provided for in Article 1 of Decision (CFSP) 2017/1775 should apply to those persons.

The persons 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:

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

Email: sanctions@consilium.europa.eu

Your attention 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, 2nd paragraph, and Article 263, 4th and 6th paragraphs, of the Treaty on the Functioning of the European Union.

⁽¹⁾ OJ L 251, 29.9.2017, p. 23.

⁽²⁾ OJ L 8, 10.1.2019, p. 30.

Notice for the attention of the data subjects to whom the restrictive measures provided for in Council Decision (CFSP) 2017/1775 concerning restrictive measures in view of the situation in Mali apply

(2019/C 9/04)

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

The legal basis for this processing operation are Council Decision (CFSP) 2017/1775 ⁽²⁾, as implemented by Council Implementing Decision (CFSP) 2019/29 ⁽³⁾.

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

Council of the European Union

General Secretariat

RELEX.1.C

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 Decision (CFSP) 2017/1775, as implemented by Implementing Decision (CFSP) 2019/29.

The data subjects are the natural persons who fulfil the listing criteria as laid down in Decision (CFSP) 2017/1775.

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 pursuant to Article 25 of Regulation (EU) 2018/1725, the exercise of the rights of the data subjects such as the right of access, as well as the rights to rectification or to object will be answered in accordance with Regulation (EU) 2018/1725.

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 restrictive measures or the validity of the measure has expired, or for the duration of court proceedings in the event they had been started.

Without prejudice to any judicial, administrative or non-judicial remedy, data subjects may lodge a complaint with the European Data Protection Supervisor in accordance with Regulation (EU) 2018/1725.

⁽¹⁾ OJ L 295, 21.11.2018, p. 39.

⁽²⁾ OJ L 251, 29.9.2017, p. 23.

⁽³⁾ OJ L 8, 10.1.2019, p. 30.

EUROPEAN COMMISSION

Euro exchange rates ⁽¹⁾

9 January 2019

(2019/C 9/05)

1 euro =

Currency	Exchange rate	Currency	Exchange rate
USD US dollar	1,1455	CAD Canadian dollar	1,5172
JPY Japanese yen	124,70	HKD Hong Kong dollar	8,9789
DKK Danish krone	7,4661	NZD New Zealand dollar	1,6908
GBP Pound sterling	0,89913	SGD Singapore dollar	1,5533
SEK Swedish krona	10,2268	KRW South Korean won	1 284,16
CHF Swiss franc	1,1230	ZAR South African rand	16,0136
ISK Iceland króna	136,90	CNY Chinese yuan renminbi	7,8226
NOK Norwegian krone	9,7668	HRK Croatian kuna	7,4281
BGN Bulgarian lev	1,9558	IDR Indonesian rupiah	16 180,19
CZK Czech koruna	25,629	MYR Malaysian ringgit	4,7132
HUF Hungarian forint	321,85	PHP Philippine peso	59,887
PLN Polish zloty	4,2968	RUB Russian rouble	76,8925
RON Romanian leu	4,6737	THB Thai baht	36,662
TRY Turkish lira	6,3399	BRL Brazilian real	4,2245
AUD Australian dollar	1,5982	MXN Mexican peso	22,1006
		INR Indian rupee	80,6365

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

NOTICES CONCERNING THE EUROPEAN ECONOMIC AREA

EFTA SURVEILLANCE AUTHORITY

EFTA Surveillance Authority notice on State aid recovery interest rates and reference/discount rates for the EFTA States applicable as from 1 January 2019

(Published in accordance with the rules on reference and discount rates set out in Part VII of the Authority's State Aid Guidelines and Article 10 of the Authority's Decision No 195/04/COL of 14 July 2004 ⁽¹⁾)

(2019/C 9/06)

Base rates are calculated in accordance with the Chapter on the method for setting reference and discount rates of the Authority's State Aid Guidelines as amended by the Authority's Decision No 788/08/COL of 17 December 2008. To obtain the applicable reference rates, appropriate margins shall be added to the base rate in accordance with the State Aid Guidelines.

Base rates have been determined as follows:

	Iceland	Liechtenstein	Norway
1.1.2019 –	4,93	-0,53	1,25

⁽¹⁾ OJ L 139, 25.5.2006, p. 37 and EEA Supplement No 26, 25.5.2006, p. 1.

V

(Announcements)

COURT PROCEEDINGS

EFTA COURT

Action brought on 9 November 2018 by the EFTA Surveillance Authority against Iceland**(Case E-3/18)**

(2019/C 9/07)

An action against Iceland was brought before the EFTA Court on 9 November 2018 by the EFTA Surveillance Authority, represented by Carsten Zatschler, Catherine Howdle, and Ingibjörg Ólöf Vilhjálmsdóttir, acting as Agents of the EFTA Surveillance Authority, 35 Rue Belliard, B-1040 Brussels.

The EFTA Surveillance Authority requests the EFTA Court to:

1. Declare that Iceland has failed to adopt the measures necessary to make the Act referred to at point 7ja of Annex XIX to the Agreement on the European Economic Area (Commission Implementing Regulation (EU) 2015/1051 of 1 July 2015 on the modalities for the exercise of the functions of the online dispute resolution platform, on the modalities of the electronic complaint form and on the modalities of the cooperation between contact points provided for in Regulation (EU) No 524/2013 of the European Parliament and of the Council on online dispute resolution for consumer disputes), as adapted by Protocol 1 to the EEA Agreement, part of its internal legal order as required by Article 7 of the EEA Agreement.
2. Order Iceland to bear the costs of these proceedings.

Legal and factual background and pleas in law adduced in support:

- The application addresses Iceland's failure to comply, no later than 23 April 2018, with a reasoned opinion delivered by the EFTA Surveillance Authority on 21 February 2018 regarding that State's failure to implement into its national legal order *Commission Implementing Regulation (EU) 2015/1051 of 1 July 2015 on the modalities for the exercise of the functions of the online dispute resolution platform, on the modalities of the electronic complaint form and on the modalities of the cooperation between contact points provided for in Regulation (EU) No 524/2013 of the European Parliament and of the Council on online dispute resolution for consumer disputes*, as referred to at point 7ja of Annex XIX to the Agreement on the European Economic Area, and as adapted to that Agreement by way of Protocol 1 thereto ('the Act').
 - The EFTA Surveillance Authority submits that Iceland has failed to fulfil its obligations under Article 7 of the EEA Agreement by failing to adopt the measures necessary to implement the Act within the time prescribed.
-

Action brought on 9 November 2018 by the EFTA Surveillance Authority against Iceland**(Case E-4/18)**

(2019/C 9/08)

An action against Iceland was brought before the EFTA Court on 9 November 2018 by the EFTA Surveillance Authority, represented by Carsten Zatschler, Catherine Howdle, and Ingibjörg Ólöf Vilhjálmsdóttir, acting as Agents of the EFTA Surveillance Authority, 35 Rue Belliard, B-1040 Brussels.

The EFTA Surveillance Authority requests the EFTA Court to:

1. Declare that Iceland has failed to adopt the measures necessary to make the Act referred to at points 7d, 7f and 7j of Annex XIX to the Agreement on the European Economic Area (Regulation (EU) No 524/2013 of the European Parliament and of the Council of 21 May 2013 on online dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (Regulation on consumer ADR)), as adapted by Protocol 1 to the EEA Agreement, part of its internal legal order as required by Article 7 of the EEA Agreement.
2. Order Iceland to bear the costs of these proceedings.

Legal and factual background and pleas in law adduced in support:

- The application addresses Iceland's failure to comply, no later than 23 April 2018, with a reasoned opinion delivered by the EFTA Surveillance Authority on 21 February 2018 regarding that State's failure to implement into its national legal order Regulation (EU) No 524/2013 of the European Parliament and of the Council of 21 May 2013 on online dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (Regulation on consumer ADR), as referred to at points 7d, 7f and 7j of Annex XIX to the Agreement on the European Economic Area, and as adapted to that Agreement by way of Protocol 1 thereto ('the Act').
 - The EFTA Surveillance Authority submits that Iceland has failed to fulfil its obligations under Article 7 of the EEA Agreement by failing to adopt the measures necessary to implement the Act within the time prescribed.
-

Action brought on 9 November 2018 by the EFTA Surveillance Authority against Iceland**(Case E-5/18)**

(2019/C 9/09)

An action against Iceland was brought before the EFTA Court on 9 November 2018 by the EFTA Surveillance Authority, represented by Carsten Zatschler, Catherine Howdle, and Ingibjörg Ólöf Vilhjálmsdóttir, acting as Agents of the EFTA Surveillance Authority, 35 Rue Belliard, B-1040 Brussels.

The EFTA Surveillance Authority requests the EFTA Court to:

1. Declare that Iceland has failed to fulfil its obligations under the Act referred to at points 7d, 7f and 7k of Annex XIX to the Agreement on the European Economic Area (Directive 2013/11/EU of the European Parliament and of the Council of 21 May 2013 on alternative dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC), as adapted to the EEA Agreement by Protocol 1 and under Article 7 of the EEA Agreement, by failing to adopt the measures necessary to implement the Act within the time prescribed, or in any event, by failing to inform the EFTA Surveillance Authority thereof.
2. Order Iceland to bear the costs of these proceedings.

Legal and factual background and pleas in law adduced in support:

- The application addresses Iceland's failure to comply, no later than 23 April 2018, with a reasoned opinion delivered by the EFTA Surveillance Authority on 21 February 2018 regarding that State's failure to implement into its national legal order *Directive 2013/11/EU of the European Parliament and of the Council of 21 May 2013 on alternative dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC*, as referred to at points 7d, 7f and 7k of Annex XIX to the Agreement on the European Economic Area, and as adapted to that Agreement by way of Protocol 1 thereto ('the Act').
 - The EFTA Surveillance Authority submits that Iceland has failed to fulfil its obligations under the Act and under Article 7 of the EEA Agreement by failing to adopt the measures necessary to implement the Act within the time prescribed.
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Action brought on 9 November 2018 by the EFTA Surveillance Authority against Iceland**(Case E-6/18)**

(2019/C 9/10)

An action against Iceland was brought before the EFTA Court on 9 November 2018 by the EFTA Surveillance Authority, represented by Carsten Zatschler, Catherine Howdle, and Ingibjörg Ólöf Vilhjálmsdóttir, acting as Agents of the EFTA Surveillance Authority, 35 Rue Belliard, 1040 Brussels, Belgium.

The EFTA Surveillance Authority requests the EFTA Court to:

1. Declare that Iceland has failed to fulfil its obligations under the Act referred to at point 1a of Annex XX to the Agreement on the European Economic Area (Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment), as adapted to the EEA Agreement by Protocol 1 and under Article 7 of the EEA Agreement, by failing to adopt the measures necessary to implement the Act within the time prescribed, or in any event, by failing to inform the EFTA Surveillance Authority thereof.
2. Order Iceland to bear the costs of these proceedings.

Legal and factual background and pleas in law adduced in support:

- The application addresses Iceland's failure to comply, no later than 3 April 2018, with a reasoned opinion delivered by the EFTA Surveillance Authority on 31 January 2018 regarding that State's failure to implement into its national legal order *Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment*, as referred to at point 1a of Annex XX to the Agreement on the European Economic Area, and as adapted to that Agreement by way of Protocol 1 thereto ('the Act').
 - The EFTA Surveillance Authority submits that Iceland has failed to fulfil its obligations under the Act and under Article 7 of the EEA Agreement by failing to adopt the measures necessary to implement the Act within the time prescribed.
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PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.9221 — CMA CGM/CEVA)

(Text with EEA relevance)

(2019/C 9/11)

1. On 21 December 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:

- CMA CGM S.A. ('CMA CGM', France),
- CEVA Logistics AG ('CEVA', Switzerland).

CMA CGM acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of CEVA.

The concentration is accomplished by way of public bid announced on 26 November 2018.

2. The business activities of the undertakings concerned are:

- for CMA CGM: sea transportation, including container liner shipping, port terminal services and, to a lesser extent, freight forwarding services;
- for CEVA: (i) freight forwarding services, including air and ocean freight, ground transportation, customs brokerage and other value-added services and (ii) contract logistics, including warehousing services, transportation, inbound logistics and manufacturing support.

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.9221 — CMA CGM/CEVA

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.9232 — Ivanhoe Cambridge/Macquarie/RHP Manager/RHP Platform)
Candidate case for simplified procedure
(Text with EEA relevance)
(2019/C 9/12)

1. On 21 December 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:

- Ivanhoe Cambridge Inc. ('Ivanhoe', Canada),
- Macquarie Group Limited ('Macquarie', Australia),
- RHP Partners-Manager, LLC ('RHP Manager', United States of America),
- RHP Partners, LLC and RHP AM, LLC (together, the 'RHP Platform', United States of America), currently controlled by Macquarie and RHP Manager.

Ivanhoe, Macquarie and RHP Manager acquire within the meaning of Articles 3(1)(b) and 3(4) of the Merger Regulation joint control over RHP Platform.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- for Ivanhoe: a global real estate investor and a subsidiary of the Canadian pension manager Caisse de depot et placement du Québec;
- for Macquarie: a global provider of banking, financial, advisory, investment and funds management services, acting on behalf of institutional, corporate and retail clients and counterparties around the world;
- for RHP Manager: owns, manages and operates a portfolio of manufactured home communities in the United States;
- for RHP Platform: currently holds and manages a portfolio of nine real estate assets across the United States.

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.9232 — Ivanhoe Cambridge/Macquarie/RHP Manager/RHP Platform

⁽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:

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

