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<sup>(1)</sup> Text with EEA relevance.

## II

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

## EUROPEAN COMMISSION

**Non-opposition to a notified concentration****(Case M.9067 — Equinor Refining Norway/Danske Commodities)****(Text with EEA relevance)**

(2019/C 55/01)

On 7 December 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 <sup>(1)</sup>. 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 32018M9067. EUR-Lex is the online access to European law.

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<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1.

**Non-opposition to a notified concentration****(Case M.9230 — Allianz/DIF/InfraRed Capital Partners/Daiwater)****(Text with EEA relevance)**

(2019/C 55/02)

On 4 February 2019, 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 <sup>(1)</sup>. 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 32019M9230. EUR-Lex is the online access to European law.

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<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1.

**Non-opposition to a notified concentration**  
**(Case M.9242 — EDF/Ares/Real estate asset)**  
**(Text with EEA relevance)**  
(2019/C 55/03)

On 6 February 2019, 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 <sup>(1)</sup>. 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 32019M9242. EUR-Lex is the online access to European law.

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<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1.

**Communication on the publication of the amounts of raw milk production as referred to in Article 149(5) of Regulation (EU) No 1308/2013 of the European Parliament and of the Council<sup>(1)</sup>**

(2019/C 55/04)

*Annual data (1 000 t)(\*)*

Amounts of raw milk production (**) as referred to in Article 149(5) of Regulation (EU) No 1308/2013				
2017	Cow	Ewe	Goat	Buffalo
BE	4 031,00	0,00	34,00	0,00
BG	968,18	69,38	43,54	10,38
CZ	3 079,21	0,02	0,05	0,00
DK	5 502,20	0,00	0,00	0,00
DE	32 598,20	0,01	15,97	0,00
EE	790,00	0,00	0,60	0,00
IE	7 498,94	0,00	0,00	0,00
EL	670,00	806,00	331,00	0,00
ES	7 229,35	564,78	506,43	0,00
FR	25 007,64	303,91	631,71	0,00
HR	648,00	9,00	11,00	0,00
IT	12 198,88	480,08	61,28	242,99
CY	216,39	32,29	30,36	0,00
LV	998,00	0,00	2,10	0,00
LT	1 566,65	0,00	4,06	0,00
LU	387,18	0,09	3,18	0,00
HU	1 967,50	1,81	3,68	0,00
MT	41,03	0,86	0,00	0,00
NL	14 501,00	0,00	320,00	0,60
AT	3 712,73	11,98	23,08	0,00
PL	13 694,47	0,55	7,36	0,00
PT	1 921,21	73,77	25,79	0,00
RO	3 797,70	386,80	238,30	16,40
SI	647,99	0,50	1,48	0,00
SK	911,73	11,41	0,26	0,00
FI	2 405,76	0,00	0,00	0,00

<sup>(1)</sup> OJ L 347, 20.12.2013, p. 671.

Annual data (1 000 t) (\*)

Amounts of raw milk production (\*\*) as referred to in Article 149(5) of Regulation (EU) No 1308/2013

2017	Cow	Ewe	Goat	Buffalo
SE	2 816,66	0,00	0,00	0,00
UK	15 443,00	6,76 (***)	44,25 (***)	0,00
EU-28	165 250,60	2 760,00	2 339,48	270,37

(\*) 0,0: zero or less than half the unit

(\*\*) 2017 Milk Production on the farm Eurostat — NewCronos Products Obtained.

(\*\*\*) Communicated by Member State and/or estimated/calculated production.

## IV

(Notices)

## NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

## EUROPEAN COMMISSION

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

11 February 2019

(2019/C 55/05)

## 1 euro =

Currency	Exchange rate	Currency	Exchange rate		
USD	US dollar	1,1309	CAD	Canadian dollar	1,5005
JPY	Japanese yen	124,63	HKD	Hong Kong dollar	8,8750
DKK	Danish krone	7,4637	NZD	New Zealand dollar	1,6768
GBP	Pound sterling	0,87615	SGD	Singapore dollar	1,5364
SEK	Swedish krona	10,4858	KRW	South Korean won	1 272,60
CHF	Swiss franc	1,1351	ZAR	South African rand	15,5344
ISK	Iceland króna	136,60	CNY	Chinese yuan renminbi	7,6781
NOK	Norwegian krone	9,8190	HRK	Croatian kuna	7,4075
BGN	Bulgarian lev	1,9558	IDR	Indonesian rupiah	15 924,05
CZK	Czech koruna	25,836	MYR	Malaysian ringgit	4,6056
HUF	Hungarian forint	319,66	PHP	Philippine peso	58,974
PLN	Polish zloty	4,3158	RUB	Russian rouble	74,1735
RON	Romanian leu	4,7405	THB	Thai baht	35,533
TRY	Turkish lira	5,9588	BRL	Brazilian real	4,2270
AUD	Australian dollar	1,5983	MXN	Mexican peso	21,5907
			INR	Indian rupee	80,4480

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

**COMMISSION IMPLEMENTING DECISION****of 7 February 2019****on the publication in the *Official Journal of the European Union* of the single document referred to in Article 94(1)(d) of Regulation (EU) No 1308/2013 of the European Parliament and of the Council and of the publication reference of the product specification for a name in the wine sector****(Nizza (PDO))**

(2019/C 55/06)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007<sup>(1)</sup>, and in particular Article 97(3) thereof,

Whereas:

- (1) Italy submitted an application for protection of the name 'Nizza' in accordance with Section 2 of Chapter I of Title II of Part II of Regulation (EU) No 1308/2013.
- (2) In accordance with Article 97(2) of Regulation (EU) No 1308/2013, the Commission examined the application and found that the conditions laid down in Articles 93 to 96, 97(1), 100, 101 and 102 of the Regulation had been met.
- (3) In order to allow statements of objection to be submitted in accordance with Article 98 of Regulation (EU) No 1308/2013, the single document referred to in Article 94(1)(d) of that Regulation and the publication reference of the product specification given during the national procedure for examining the application for protection of the name 'Nizza' should be published in the *Official Journal of the European Union*,

HAS DECIDED AS FOLLOWS:

*Sole Article*

The single document drawn up in accordance with Article 94(1)(d) of Regulation (EU) No 1308/2013 and the publication reference of the specification for the name 'Nizza' (PDO) are contained in the Annex to this Decision.

In accordance with Article 98 of Regulation (EU) No 1308/2013, objections to the protection of the name specified in the first paragraph of this Article may be submitted within two months of the date of publication of this Decision in the *Official Journal of the European Union*.

Done at Brussels, 7 February 2019.

*For the Commission*

Phil HOGAN

*Member of the Commission*

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<sup>(1)</sup> OJ L 347, 20.12.2013, p. 671.



## ANNEX

## SINGLE DOCUMENT

## 'Nizza'

## PDO-IT-01896

Submission date of application: 2.12.2014

## 1. Name to be registered

Nizza

## 2. Geographical indication type

PDO — Protected Designation of Origin

## 3. Categories of grapevine products

1. Wine

## 4. Description of the wine(s)

Nizza and Nizza riserva (Wine Category 1)

Colour: intense ruby red, tending towards garnet with age;

Aroma: intense, distinctive, ethereal;

Taste: dry, full-bodied, harmonious and round.

Minimum total alcoholic strength by volume: 13 % by volume;

Minimum sugar-free extract: 26 g/l;

Any analytical parameters not shown in the table below comply with the limits laid down in national and EU legislation.

## General analytical characteristics

Maximum total alcoholic strength (in % volume):	
Minimum actual alcoholic strength (in % volume):	
Minimum total acidity:	5,0 grams per litre expressed as tartaric acid
Maximum volatile acidity (in milliequivalents per litre):	
Maximum total sulphur dioxide (in milligrams per litre):	

Nizza with the 'vigna' indication and Nizza riserva with the 'vigna' indication (Wine category 1)

Colour: intense ruby red, tending towards garnet with age;

Aroma: intense, distinctive, ethereal;

Taste: dry, full-bodied, harmonious and round.

Minimum total alcoholic strength by volume: 13,5 % by volume;

Minimum sugar-free extract: 28 g/l;

Any analytical parameters not shown in the table below comply with the limits laid down in national and EU legislation.

General analytical characteristics

Maximum total alcoholic strength (in % volume):	
Minimum actual alcoholic strength (in % volume):	
Minimum total acidity:	5,0 grams per litre expressed as tartaric acid
Maximum volatile acidity (in milliequivalents per litre):	
Maximum total sulphur dioxide (in milligrams per litre):	

5. **Wine making practices**

5.1. *Specific oenological practice*

Ageing

Specific oenological practice

Nizza: must be aged for at least 18 months, of which at least 6 months in wooden barrels from 1 January of the year following the harvest.

Nizza 'vigna': must be aged for at least 18 months, of which at least 6 months in wooden barrels from 1 January of the year following the harvest.

Nizza riserva: must be aged for at least 30 months, of which at least 12 months in wooden barrels from 1 January of the year following the harvest.

Nizza riserva 'vigna': must be aged for at least 30 months, of which at least 12 months in wooden barrels from 1 January of the year following the harvest.

Topping up of barrels

Specific oenological practice

Throughout the mandatory ageing period barrels may be topped up with the same wine of the same vintage, which may be stored in containers other than wooden barrels, for up to 10 % of the total volume.

Enrichment

Relevant restriction on making the wines

There is no provision for any form of enrichment to increase the alcoholic strength of Nizza DOCG wines.

5.2. *Maximum yields:*

Nizza and Nizza riserva

49 hectolitres per hectare

Nizza with the 'vigna' indication in the third year after planting

26,60 hectolitres per hectare

Nizza with the 'vigna' indication in the fourth year after planting

30,80 hectolitres per hectare

Nizza with the 'vigna' indication in the fifth year after planting

35 hectolitres per hectare

Nizza with the 'vigna' indication in the sixth year after planting

39,90 hectolitres per hectare

Nizza with the 'vigna' indication from the seventh year after planting onwards

44,10 hectolitres per hectare

#### 6. **Demarcated geographical area**

The production area for 'Nizza' DOCG (PDO) includes all of the territory of the following municipalities: Agliano Terme, Belveglio, Calamandrana, Castel Boglione, Castelnuovo Belbo, Castelnuovo Calcea, Castel Rocchero, Cortiglione, Incisa Scapaccino, Mombaruzzo, Mombercelli, Nizza Monferrato, Vaglio Serra, Vinchio, Bruno, Rocchetta Palafea, Moasca and San Marzano Oliveto

#### 7. **Main wine grapes variety(ies)**

Barbera N.

#### 8. **Description of the link(s)**

Nizza DOCG (PDO) (Wine category 1)

*Natural factors relevant to the link*

A) The production area comprises 18 municipalities adjacent to the municipality of Nizza in the Province of Asti; this has traditionally been the area of choice for the cultivation of the Barbera vine variety.

It is an area of low hills with an altitude of between 150 and 400 metres, characterised by a temperate climate with little wind and average annual rainfall of around 700 mm. The soil is mainly calcareous, of medium depth and resting on a marly calcareous-arenaceous rock groundmass. The terrain of the Nizza winegrowing area is geologically part of the Pliocene basin in the Asti region; it is mostly sedimentary in origin, with predominantly tertiary arenaceous marl formations. The soils have a high calcium carbonate content, with generally little organic matter, and low but perfectly balanced nutrient levels.

*Human factors relevant to the link*

The perfect synergy between the environment and man in the Nizza area is summed up by the use of the traditional 'contour' system, the double Guyot and with adequate thinning of the bunches, gives the Nizza vineyard a very low yield, of a maximum of 7 tonnes or less and sometimes spurred cordon pruning systems, the containment of yields and a rational management of foliage which, together with the south-facing exposure, maximise the quality of the Barbera grape. The utmost care is taken in the harvesting of the grapes, which is done entirely by hand so as to preserve the characteristic quality as much as possible. The winemaking technique has been perfected for this excellent raw material. It is followed by an appropriate minimum ageing period of 18 months, up to over 30 months for the Nizza Riserva. The vineyard landscape of the Nizza winegrowing area is the exceptional result of a winemaking tradition which has evolved and been handed down since antiquity; it underpins the local community and economy.

This cultural tradition has produced a well-established heritage of expertise and vine growing, winemaking and ageing techniques based on a thorough knowledge of the Barbera variety historically grown there and its ability to adapt to the particular environmental conditions.

B) Details of the quality or characteristics of the product essentially or exclusively attributable to the geographical environment.

Nizza DOCG (PDO) is the most valuable wine produced in the area. The final product is distinguished by the characteristics of the soils in the production area. In particular, the Nizza wines from areas consisting mainly of clay-sandy marl soils have greater intensity and shades of colour, a medium-high pH and lower acidity, very intense 'earthy' aromas ('tuf' is the name of the marl in the local dialect). They are elegant, highly-structured and long-lived. Those from areas with predominantly sandy soils have a more pronounced acidity, lower colour intensity and a variegation of fine and elegant aromas with scents that are more balsamic, of aromatic grasses, coupled with a harmonious structure.

Optimum sun exposure and soil and climate conditions and the soil types described above make for well-structured wines which are rich in colour and suitable for ageing, and which keep well over time. The vineyards' exposure, from south to south-west and south-east, also affects the absorption of sun rays and benefits the ripening and quality of grapes, increasing the concentration of sugars and polyphenols.

C) Description of the causal interaction between the aspects referred to under (A) and those referred to under (B).

'Nizza' wines owe their specific quality characteristics to the interaction between the natural environment and human factors of tradition and knowledge with regard to cultivation, wine-making and ageing. In particular, producers have made highly qualitative choices for the cultivation of grapes (limited yields, in particular for types carrying the 'vigna' indication) and the production of 'Nizza' DOCG (PDO) wines by refraining from using the practice of enrichment.

The cultural knowledge dating back to antiquity with the cultivation of the vines in the 'contour' system, expertly managed through the traditional double Guyot pruning system. These factors, combined with fairly high daily temperature ranges allow for optimal ripening of the grapes, which gives the 'Nizza' its typical organoleptic and analytical characteristics.

The district of Nizza is a historic centre for the production of Barbera wines in Piemonte, with an impressive tradition of processing, ageing and marketing the final product, a precondition for the production and subsequent establishment on the market of structured red wines for medium to long ageing.

#### 9. Essential further conditions

Bottling within the demarcated area

*Legal framework:*

In EU legislation

*Type of further condition:*

Bottling in the demarcated geographical area

*Description of the condition:*

In accordance with Article 8 of Regulation (EC) No 607/2009, bottling or packaging must take place in the demarcated geographical area to safeguard quality, guarantee the origin and ensure the effectiveness of checks.

In fact, the qualities and particular characteristics of the wines 'Nizza' DOCG (PDO), related to the geographical area of origin, are better insured with bottling in the demarcated area since the application of all the technical rules concerning transport and bottling and compliance with such rules falls under the responsibility and professional competence of the companies producing in the demarcated area.

This obligation enables to avoid possible risks that the transport outside the DOCG (PDO) wine area could entail, such as: oxidation and thermal stress from high or low temperatures, with deterioration of the product, with consequent negative effects on the chemical-physical characteristics (acidity, polyphenols and colouring substances) and organoleptic (colour, flavour) and stability. In particular, the risk of microbiological contamination (from bacteria, viruses, fungi, moulds and yeasts) is reduced.

The aforesaid risks are avoided with this obligation because the control system by the competent bodies, to which the operators are subjected in all the production phases, in particular during the bottling phase, is more effective in the demarcated area.

Therefore, this condition is introduced to the benefit of the operators responsible for safeguarding the quality of Nizza DOCG (PDO), in order to offer the consumers the guarantee of the origin, quality and compliance with the Product Specification, and to maintain high reputation of the name.

#### Link to the product specification

<https://www.politicheagricole.it/flex/cm/pages/ServeBLOB.php/L/IT/IDPagina/12401>

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**COMMISSION IMPLEMENTING DECISION****of 11 February 2019****on the initiation of the procedure for temporary withdrawal of the tariff preferences provided to the Kingdom of Cambodia under Article 19 of Regulation (EU) No 978/2012**

(2019/C 55/07)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 978/2012 of the European Parliament and of the Council of 25 October 2012 applying a scheme of generalised tariff preferences and repealing Council Regulation (EC) No 732/2008 <sup>(1)</sup>, and in particular Article 19(3) thereof,

After consulting the Generalised Preferences Committee,

Whereas:

- (1) Part A of Annex VIII to Regulation (EU) No 978/2012 lists the core human and labour rights Conventions of the United Nations (UN) and of the International Labour Organisation (ILO).
- (2) Article 19(1) of Regulation (EU) No 978/2012 provides for the temporary withdrawal of the special incentive arrangement referred to in Article 1(2) of that Regulation in respect of all or of certain products originating in a beneficiary country, for reasons of serious and systematic violation of the principles laid down in the conventions listed in Part A of Annex VIII thereof.
- (3) Reports, statements and information of the UN and of the ILO available to the Commission, as well as other publicly available reports and information from other relevant sources <sup>(2)</sup>, point to serious and systematic violations by Cambodia of the principles of, in particular, the International Covenant on Civil and Political Rights, the International Covenant on Economic Social and Cultural Rights, the Convention concerning Freedom of Association and Protection of the Right to Organise, No 87, and the Convention concerning the Application of the Principles of the Right to Organise and to Bargain Collectively, No 98.
- (4) The Commission has examined the information available and found that it constitutes sufficient grounds to justify the initiation of the procedure for temporary withdrawal of the tariff preferences provided under Article 1(2) of Regulation (EU) No 978/2012. The procedure would further allow the Commission to determine whether a temporary withdrawal of the special incentive arrangement is justified,

HAS DECIDED AS FOLLOWS:

*Article 1*

The procedure set out in Article 19 of Regulation (EU) No 978/2012 for temporary withdrawal of the tariff preferences provided to the Kingdom of Cambodia under Article 1(2) of that Regulation is initiated.

The Notice of initiation of the procedure for temporary withdrawal of the tariff preferences provided to the Kingdom of Cambodia under Regulation (EU) No 978/2012, as set out in the Annex to this Decision, is approved.

<sup>(1)</sup> OJ L 303, 31.10.2012, p. 1.<sup>(2)</sup> See most recently the Report by the United Nations' Special Rapporteur on the situation of human rights in Cambodia of 15 August 2018 (A/HRC/39/73), the addendum thereto of 7 September 2018 (A/HRC/39/73/Add. 1) and the 2018 ILO Report of the Committee of Experts on the Application of the Conventions and Recommendations (CEACR) p. 60.

*Article 2*

The Notice of initiation of the procedure for temporary withdrawal of the tariff preferences provided to the Kingdom of Cambodia under Regulation (EU) No 978/2012, as set out in the Annex to this Decision, shall be published in the *Official Journal of the European Union*.

Done at Brussels, 11 February 2019.

*For the Commission*

*The President*

Jean-Claude JUNCKER

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## ANNEX

**1. Introduction**

- (1) The Kingdom of Cambodia ('Cambodia' or 'the Beneficiary Country') benefits from tariff preferences provided under the special arrangement for the least-developed countries — Everything But Arms ('EBA') — under Article 1(2) of Regulation (EU) No 978/2012 of the European Parliament and of the Council applying a Scheme of Generalised Preferences <sup>(1)</sup>.
- (2) In accordance with Article 19(1) of Regulation (EU) No 978/2012, the tariff preferences granted under that Regulation may be temporarily withdrawn in whole or in part for reasons of serious and systematic violations of the principles laid down in the United Nations (UN) and the International Labour Organisation (ILO) conventions listed in Part A of Annex VIII to Regulation (EU) No 978/2012.
- (3) Since 2017, the European Commission ('the Commission') and the European External Action Service have engaged actively with the Kingdom of Cambodia and involving relevant stakeholders, including non-governmental organisations, civil society organisations, international organisations, social partners, and businesses on several issues affecting human and labour rights <sup>(2)</sup>.

**2. Legal basis**

- (4) Where the Commission considers that there are sufficient grounds justifying temporary withdrawal of those tariff preferences on the basis of the reasons referred to in Article 19(1) of Regulation (EU) No 978/2012, it is to adopt an implementing act to initiate the procedure for temporary withdrawal in accordance with the advisory procedure referred to in Article 39(2) of that Regulation <sup>(3)</sup>.
- (5) Recent information as well as reports of the UN and ILO available to the Commission, including the Cambodia UN Country Team Report in the context of Cambodia's third Universal Periodic Review cycle, the report on the Role and Achievements of the Office of the United Nations High Commissioner for Human Rights in assisting the Government and people of Cambodia in the promotion and protection of human rights <sup>(4)</sup>, the Report of the UN Special Rapporteur on the situation of human rights in Cambodia on 27 July 2017 <sup>(5)</sup>, the UNSR end of mission statement of 14 March 2018, the Report of the UN Special Rapporteur on the situation of human rights in Cambodia of 15 August 2018 <sup>(6)</sup>, the Addendum thereto of 7 September 2018 <sup>(7)</sup> and the reiteration by the UN Special Rapporteur in her end-of-mission statement of 8 November 2018 of the concerns expressed in her addendum report of 7 September 2018, as well as other publicly available reports and information from other relevant sources, including non-governmental organisations, point to serious and systematic violations of the principles laid down in the conventions listed in Annex VIII to Regulation (EU) No 978/2012, and in particular the following:
  - International Covenant on Civil and Political Rights,
  - Convention concerning Freedom of Association and Protection of the Right to Organise, No 87,
  - Convention concerning the Application of the Principles of the Right to Organise and to Bargain Collectively, No 98,
  - International Covenant on Economic, Social and Cultural Rights.
- (6) Having analysed the abovementioned information and determined that there are sufficient grounds to justify the initiation of a proceeding, the Commission has initiated the procedure for temporary withdrawal pursuant to Article 19 of Regulation (EU) No 978/2012.

<sup>(1)</sup> Regulation (EU) No 978/2012 of the European Parliament and of the Council of 25 October 2012 applying a scheme of generalised tariff preferences and repealing Council Regulation (EC) No 732/2008 (OJ L 303, 31.10.2012, p. 1).

<sup>(2)</sup> Report on the Generalised Scheme of Preferences covering the period 2016-2017 (COM(2018) 36 final of 19.1.2018).

<sup>(3)</sup> The Generalised Preferences Committee was consulted on 29.1.2019.

<sup>(4)</sup> A/HRC/36/32 and A/HRC/37/64

<sup>(5)</sup> A/HRC/36/61.

<sup>(6)</sup> A/HRC/39/73.

<sup>(7)</sup> A/HR/39/73/Add.1.

### 3. Procedure <sup>(8)</sup>

#### 3.1. Monitoring and Evaluation Period

- (7) The Commission shall monitor and evaluate the situation in the Beneficiary Country concerned for six months from the date of publication of the present notice in the *Official Journal of the European Union*.
- (8) The Commission shall seek all information it considers necessary, inter alia, the available assessments, comments, decisions, recommendations and conclusions of the relevant monitoring bodies of the conventions, as appropriate.
- (9) In drawing its conclusions, the Commission shall assess all relevant information. The adopted act shall be based, inter alia, on evidence received.

#### 3.2. Report on findings

- (10) Within three months from the expiry of the monitoring and evaluation period, the Commission shall submit a report on its findings and conclusions to the Beneficiary Country. The Beneficiary Country has the right to submit its comments on the report. The period for comments shall not exceed one month.

#### 3.3. End of the procedure

- (11) The present procedure shall be concluded within 12 months from the date of publication of the present notice in the *Official Journal of the European Union*. The Commission shall decide to either terminate the temporary withdrawal procedure or temporarily withdraw tariff preferences provided under the preferential arrangements referred to in Article 1(2) of Regulation (EU) No 978/2012.

#### 3.4. Parties to the Procedure

- (12) Parties to the present procedure are the Beneficiary Country and third parties that make their views known in writing by sending to the Commission all relevant information.

##### 3.4.1. Beneficiary Country

- (13) The Commission shall provide the Beneficiary Country concerned with every opportunity to cooperate during the monitoring and evaluation period.

##### 3.4.2. Third parties

- (14) Subject to the provisions of this Notice, third parties may make their views known in writing, submit information and provide supporting evidence. Unless otherwise specified, this information and supporting evidence must reach the Commission within one month of the date of publication of this Notice in the *Official Journal of the European Union*. The Commission shall take into account the views submitted by those third parties where they are backed by sufficient evidence.

#### 3.5. Possibility to be heard by the Commission investigation services

- (15) The Beneficiary Country concerned and third parties which have submitted information supported by sufficient evidence may request to be heard by the Commission services. Any request to be heard should be made in writing and should specify the reasons to be heard orally. The request must reach the Commission at the latest one month after the date of publication of this Notice in the *Official Journal of the European Union*.

#### 3.6. Instructions for making written submissions, sending correspondence and access the constituted file

- (16) All written submissions and correspondence exchanged within this procedure are to be made in English or in one of the other official languages of the Union.
- (17) All written submissions, including the information requested in this Notice for which confidential treatment is requested shall be labelled 'Confidential' <sup>(9)</sup>.
- (18) Each request for confidential treatment shall state the reasons why the information is confidential. If the supplier of the information wishes neither to make it public nor to authorise its disclosure in general terms or in the form of a summary and if it appears that the request for confidentiality is unjustified, the information concerned may be disregarded. Information shall in any case be considered to be confidential if its disclosure is likely to have a significantly adverse effect upon the supplier or the source of such information or natural or legal persons mentioned in the information.

<sup>(8)</sup> Commission Delegated Regulation (EU) No 1083/2013 of 28 August 2013 establishing rules related to the procedure for temporary withdrawal of tariff preferences and adoption of general safeguard measures under Regulation (EU) No 978/2012 of the European Parliament and the Council applying a scheme of generalised tariff preferences (OJ L 293, 5.11.2013, p. 16).

<sup>(9)</sup> A 'Confidential' document is a document which is considered confidential pursuant to Article 38(4) of Regulation (EU) No 978/2012.



- (19) Parties to the procedure providing 'Confidential' information are required to furnish non-confidential summaries of it, which shall be labelled 'For inspection by the parties to the procedure'. These summaries should be sufficiently detailed to permit a reasonable understanding of the substance of the information submitted in confidence. Neither information of a confidential nature nor any information provided on a confidential basis received shall be disclosed without specific permission from the supplier of such information. Information received pursuant to Regulation (EU) No 978/2012 shall be used only for the purpose for which it was requested.
- (20) Parties to the procedure are invited to make all submissions and requests by email including scanned powers of attorney, with the exception of voluminous replies which shall be submitted on a CD-ROM or DVD by hand or by registered mail.
- (21) By using email, parties to the procedure express their agreement with the rules applicable to electronic submissions contained in the document 'CORRESPONDENCE WITH THE EUROPEAN COMMISSION IN GSP procedures' published on the website of the Directorate-General for Trade.
- (22) Parties to the procedure 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 <sup>(10)</sup> email, which is checked on a daily basis. Once contact details are provided, the Commission will communicate with the parties to the procedure 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, parties to the procedure should consult the communication instructions referred to in point 21.

Commission address for correspondence:

European Commission  
Directorate-General for Trade  
Directorate D  
Office: CHAR 08/173  
1049 Bruxelles/Brussel  
BELGIQUE/BELGIË

Email: TRADE-EBA-CAMBODIA-TW@ec.europa.eu

Parties to the procedure may request access to the constituted file using the above contact details.

### 3.7. *Hearing Officer*

- (23) Beneficiary country and third parties which have submitted information supported by sufficient evidence may also request the intervention of the Hearing Officer. The Hearing Officer reviews requests for access to the constituted file, disputes regarding the confidentiality of documents, requests for extension of time limits, requests to be heard and any other request concerning the rights of defence of parties to the procedure as may arise during the proceeding. The Hearing Officer may organise hearings with the Beneficiary Country or third parties concerned and mediate between the Beneficiary Country or third parties and the Commission services to ensure that the rights of defence are being fully exercised.
- (24) A request for a hearing with the Hearing Officer should be submitted in writing and should specify the reasons for the request. The Hearing Officer will examine the reasons for the requests. These hearings should only take place if the issues have not been settled with the Commission services in due course.
- (25) Third parties which have submitted information supported by sufficient evidence may request the intervention of the Hearing Officer to verify whether their observations have been considered by the Commission. The written request shall be submitted no later than 10 days after expiry of the period provided to make their views known referred to in point 14. Where hearing requests are submitted outside the relevant timeframes, the Hearing Officer will also examine the reasons for such late requests, the nature of the issues raised and the impact of those issues on the rights of defence, having due regard to the interests of good administration and the timely completion of the procedure.

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<sup>(10)</sup> If relevant.

(26) The relevant Commission services shall participate at all oral hearings of the Hearing Officer with the Beneficiary Country or with third parties concerned. For further information and contact details parties to the procedure 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/>

3.8. *Processing of personal data*

(27) 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 <sup>(1)</sup>.

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<sup>(1)</sup> 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 (OJ L 8, 12.1.2001, p. 1).

**Commission notice on current State aid recovery interest rates and reference/discount rates for  
28 Member States applicable as from 1 March 2019**

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

(2019/C 55/08)

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

Modified rates are indicated in bold.

Previous table published in OJ C 24, 21.1.2019, p. 18.

From	To	AT	BE	BG	CY	CZ	DE	DK	EE	EL	ES	FI	FR	HR	HU	IE	IT	LT	LU	LV	MT	NL	PL	PT	RO	SE	SI	SK	UK
1.3.2019	...	<b>-0,13</b>	<b>-0,13</b>	0,00	<b>-0,13</b>	1,98	<b>-0,13</b>	0,03	<b>-0,13</b>	<b>-0,13</b>	<b>-0,13</b>	<b>-0,13</b>	<b>-0,13</b>	0,28	0,56	<b>-0,13</b>	<b>-0,13</b>	<b>-0,13</b>	<b>-0,13</b>	<b>-0,13</b>	<b>-0,13</b>	<b>-0,13</b>	1,87	<b>-0,13</b>	3,56	<b>-0,13</b>	<b>-0,13</b>	<b>-0,13</b>	1,09
1.2.2019	28.2.2019	-0,16	-0,16	0,00	-0,16	1,98	-0,16	<b>0,03</b>	-0,16	-0,16	-0,16	-0,16	-0,16	0,28	0,56	-0,16	-0,16	-0,16	-0,16	-0,16	-0,16	-0,16	1,87	-0,16	3,56	<b>-0,24</b>	-0,16	-0,16	1,09
1.1.2019	31.1.2019	<b>-0,16</b>	<b>-0,16</b>	<b>0,00</b>	<b>-0,16</b>	<b>1,98</b>	<b>-0,16</b>	<b>0,02</b>	<b>-0,16</b>	<b>-0,16</b>	<b>-0,16</b>	<b>-0,16</b>	<b>-0,16</b>	<b>0,28</b>	<b>0,56</b>	<b>-0,16</b>	<b>-0,16</b>	<b>-0,16</b>	<b>-0,16</b>	<b>-0,16</b>	<b>-0,16</b>	<b>-0,16</b>	<b>1,87</b>	<b>-0,16</b>	<b>3,56</b>	<b>-0,31</b>	<b>-0,16</b>	<b>-0,16</b>	<b>1,09</b>

## V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION  
POLICY

EUROPEAN COMMISSION

**Prior notification of a concentration**

**(Case M.9275 — Intermediate Capital Group/Grupo Konectanet/Konecta Activos Inmobiliarios)**

**Candidate case for simplified procedure**

**(Text with EEA relevance)**

(2019/C 55/09)

1. On 5 February 2019, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 <sup>(1)</sup>.

This notification concerns the following undertakings:

- Intermediate Capital Group, plc. ('ICG', United Kingdom),
- Grupo Konectanet (Spain) and Konecta Activos Inmobiliarios (Spain) (together, 'Konecta Group').

ICG acquires within the meaning of Article 3(1)(b) of the Merger Regulation control over the whole of Konecta Group.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- ICG is an investment firm active in the structuring and provision of mezzanine finance, leveraged credit and minority equity, managing assets from third party investors and its balance sheet with investment portfolios in Europe, Asia Pacific and the US,
- Konecta Group is active globally in the provision of business process outsourcing and contact centre services to telecommunications, utilities, banking, insurance, public administration or transport companies.

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 <sup>(2)</sup> 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.9275 — Intermediate Capital Group/Grupo Konectanet/Konecta Activos Inmobiliarios

<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').

<sup>(2)</sup> 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](mailto:COMP-MERGER-REGISTRY@ec.europa.eu)

Fax: +32 22964301

Postal address:

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

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**Prior notification of a concentration****(Case M.9163 — DA Agravis Machinery Holding/Konekesko Eesti/Sia Konekesko Latvija/UAB Konekesko Lietuva)****(Text with EEA relevance)**

(2019/C 55/10)

1. On 4 February 2019, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 <sup>(1)</sup>.

This notification concerns the following undertakings:

- DA Agravis Machinery Holding A/S (Denmark), controlled by the Danish Agro Group,
- Danish Agro Machinery Holding A/S (Denmark), controlled by the Danish Agro Group,
- Konekesko Eesti (Estonia), controlled by Konekesko Oy,
- Oy Sia Konekesko Latvija (Latvia), controlled by Konekesko Oy,
- UAB Konekesko Lietuva (Lithuania), controlled by Konekesko Oy,
- Assets of Konekesko Oy (Finland), which belongs to the Kesko Group.

Danish Agro Group, through its subsidiaries DA Agravis Machinery Holding A/S and Danish Agro Machinery Holding A/S, acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of Konekesko Eesti, Oy Sia Konekesko Latvija, UAB Konekesko Lietuva, and assets of Konekesko Oy, which constitute the whole of Kesko Group's agrimachinery business in Finland, Estonia, Latvia and Lithuania.

The concentration is accomplished by way of purchase of shares and purchase of assets.

2. The business activities of the undertakings concerned are:

- for Danish Agro Group: mainly sale of animal feedstuff mixes, premix and vitamin mixes, fertiliser, crop protection, seed, energy and the purchase of crops from farmers. Danish Agro is also active in the sale of agricultural machinery and provision of after-sales services.
- for Kesko Group's agrimachinery business: import, sale and provision of after-sales services of agricultural machinery to farmers and independent entrepreneurs who offer services to farmers, such as harvesting 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.9163 — DA Agravis Machinery Holding/Konekesko Eesti/Sia Konekesko Latvija/UAB Konekesko Lietuva

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

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<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').



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