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## Information and Notices

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### Contents

#### II *Information*

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

###### **European Commission**

2019/C 176/01	Non-opposition to a notified concentration (Case M.9335 — Triton/Luxinva/IFCO Systems) <sup>(1)</sup> .....	1
2019/C 176/02	Non-opposition to a notified concentration (Case M.9329 — TDR Capital/NKD Group) <sup>(1)</sup> .....	1

#### IV *Notices*

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

###### **Council**

2019/C 176/03	The EU list of non-cooperative jurisdictions for tax purposes .....	2
---------------	---	---

###### **European Commission**

2019/C 176/04	Euro exchange rates .....	6
---------------	---------------------------	---

EN

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

2019/C 176/05	Commission Implementing Decision of 14 May 2019 on the publication in the <i>Official Journal of the European Union</i> of the application for approval of an amendment, which is not minor, to a product specification referred to in Article 53 of Regulation (EU) No 1151/2012 of the European Parliament and of the Council for the name 'Crème d'Isigny' (PDO) .....	7
---------------	---	---

## NOTICES FROM MEMBER STATES

2019/C 176/06	Call for expressions of interest for a strategic investor and/or acquisition of a minority shareholding and/or purchase of electricity .....	18
---------------	--	----

## V Announcements

### PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMMON COMMERCIAL POLICY

#### **European Commission**

2019/C 176/07	Notice of initiation of a partial interim review of the countervailing measures applicable to imports of certain rainbow trout originating in the Republic of Turkey .....	24
---------------	--	----

### PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

#### **European Commission**

2019/C 176/08	Prior notification of a concentration (Case M.9350 — Santander Group/Mapfre Group/JV) — Candidate case for simplified procedure <sup>(1)</sup> .....	29
2019/C 176/09	Prior notification of a concentration (Case M.9378 — Apax Partners/GNB) — Candidate case for simplified procedure <sup>(1)</sup> .....	31

<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.9335 — Triton/Luxinva/IFCO Systems)****(Text with EEA relevance)**

(2019/C 176/01)

On 8 May 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 32019M9335. 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.9329 — TDR Capital/NKD Group)****(Text with EEA relevance)**

(2019/C 176/02)

On 15 May 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 32019M9329. EUR-Lex is the on-line access to European law.

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

## IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND  
AGENCIES

## COUNCIL

**The EU list of non-cooperative jurisdictions for tax purposes**

(2019/C 176/03)

**1. American Samoa**

American Samoa does not apply any automatic exchange of financial information, has not signed and ratified, including through the jurisdiction they are dependent on, the OECD Multilateral Convention on Mutual Administrative Assistance as amended, did not commit to apply the BEPS minimum standards and did not commit to addressing these issues.

**2. Belize**

Belize has not yet amended or abolished one harmful preferential tax regime.

Belize's commitment to amend or abolish its newly identified harmful preferential tax regime by the end of 2019 will be monitored.

**3. Dominica**

Dominica does not apply any automatic exchange of financial information and has not yet resolved this issue.

**4. Fiji**

Fiji has not yet amended or abolished its harmful preferential tax regimes.

Fiji's commitment to comply with criteria 1.2, 1.3 and 3.1 by the end of 2019 will continue to be monitored.

**5. Guam**

Guam does not apply any automatic exchange of financial information, has not signed and ratified, including through the jurisdiction they are dependent on, the OECD Multilateral Convention on Mutual Administrative Assistance as amended, did not commit to apply the BEPS minimum standards and did not commit to addressing these issues.

**6. Marshall Islands**

Marshall Islands facilitates offshore structures and arrangements aimed at attracting profits without real economic substance and has not yet resolved this issue.

Marshall Islands' commitment to comply with criterion 1.2 will continue to be monitored: it is waiting for a supplementary review by the Global Forum.

**7. Oman**

Oman does not apply any automatic exchange of financial information, has not signed and ratified the OECD Multilateral Convention on Mutual Administrative Assistance as amended, and has not yet resolved these issues.

**8. Samoa**

Samoa has a harmful preferential tax regime and did not commit to addressing this issue.

Furthermore, Samoa committed to comply with criterion 3.1 by the end of 2018 but has not resolved this issue.

**9. Trinidad and Tobago**

Trinidad and Tobago has a 'Non-Compliant' rating by the Global Forum on Transparency and Exchange of Information for Tax Purposes for Exchange of Information on Request.

Trinidad and Tobago's commitment to comply with criteria 1.1, 1.2, 1.3 and 2.1 by the end of 2019 will be monitored.

**10. United Arab Emirates**

United Arab Emirates facilitates offshore structures and arrangements aimed at attracting profits without real economic substance and has not yet resolved this issue.

**11. US Virgin Islands**

US Virgin Islands does not apply any automatic exchange of financial information, has not signed and ratified, including through the jurisdiction they are dependent on, the OECD Multilateral Convention on Mutual Administrative Assistance as amended, has harmful preferential tax regimes, did not commit to apply the BEPS minimum standards and did not commit to addressing these issues.

**12. Vanuatu**

Vanuatu facilitates offshore structures and arrangements aimed at attracting profits without real economic substance and has not yet resolved this issue.

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## ANNEX

**State of play of the cooperation with the EU with respect to commitments taken to implement tax good governance principles****1. Transparency****1.1. *Commitment to implement the automatic exchange of information, either by signing the Multilateral Competent Authority Agreement or through bilateral agreements***

The following jurisdictions are committed to implement automatic exchange of information by end 2019:

**Palau and Turkey.****1.2. *Membership of the Global Forum on transparency and exchange of information for tax purposes ('Global Forum') and satisfactory rating in relation to exchange of information on request***

The following jurisdictions, which committed to have a sufficient rating by end 2018, are waiting for a supplementary review by the Global Forum:

**Anguilla and Curaçao.**

The following jurisdictions are committed to become member of the Global Forum and/or have a sufficient rating by end 2019:

**Jordan, Namibia, Palau, Turkey and Vietnam.****1.3. *Signatory and ratification of the OECD Multilateral Convention on Mutual Administrative Assistance (MAC) or network of agreements covering all EU Member States***

The following jurisdictions are committed to sign and ratify the MAC or to have in place a network of agreements covering all EU Member States by end 2019:

**Armenia, Bosnia and Herzegovina, Botswana, Cabo Verde, Eswatini, Jordan, Maldives, Mongolia, Montenegro, Morocco, Namibia, Republic of North Macedonia, Palau, Serbia, Thailand and Vietnam.****2. Fair Taxation****2.1. *Existence of harmful tax regimes***

The following jurisdictions, which committed to amend or abolish their harmful tax regimes covering manufacturing activities and similar non-highly mobile activities by end 2018 and demonstrated tangible progress in initiating these reforms in 2018, were granted until end 2019 to adapt their legislation:

**Costa Rica and Morocco.**

The following jurisdictions, which committed to amend or abolish their harmful tax regimes by end 2018 but were prevented from doing so due to genuine institutional or constitutional issues despite tangible progress in 2018, were granted until end 2019 to adapt their legislation:

**Cook Islands, Maldives and Switzerland.**

The following jurisdiction is committed to amend or abolish the identified harmful tax regimes by 9 November 2019:

**Namibia.**

The following jurisdictions are committed to amend or abolish harmful tax regimes by end 2019:

**Antigua and Barbuda, Australia, Curaçao, Mauritius, Morocco, Saint Kitts and Nevis, Saint Lucia and Seychelles.**

The following jurisdictions are committed to amend or abolish harmful tax regimes by end 2020:

**Jordan.**

## 2.2. *Existence of tax regimes that facilitate offshore structures which attract profits without real economic activity*

The following jurisdictions, which committed to addressing the concerns relating to economic substance in the area of collective investment funds, have engaged in a positive dialogue with the Group and have remained cooperative, but require further technical guidance, were granted until end 2019 <sup>(1)</sup> to adapt their legislation:

### **Bahamas, Bermuda, British Virgin Islands and Cayman Islands.**

The following jurisdiction is committed to addressing the concerns related to economic substance by end 2019:

### **Barbados.**

## 3. **Anti-BEPS Measures**

### 3.1. *Membership of the Inclusive Framework on BEPS or commitment to implementation of OECD anti-BEPS minimum standards*

The following jurisdictions are committed to become member of the Inclusive Framework on BEPS or implement OECD anti-BEPS minimum standards by end 2019:

### **Albania, Bosnia and Herzegovina, Eswatini, Jordan, Montenegro and Namibia.**

The following jurisdictions are committed to become member of the Inclusive Framework on BEPS or implement OECD anti-BEPS minimum standards if and when such commitment will become relevant:

### **Nauru, Niue and Palau.**

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<sup>(1)</sup> This deadline may be reviewed depending on the technical guidance to be agreed by the Group and ongoing dialogue with the jurisdictions concerned.

# EUROPEAN COMMISSION

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

21 May 2019

(2019/C 176/04)

### 1 euro =

Currency	Exchange rate	Currency	Exchange rate
USD US dollar	1,1161	CAD Canadian dollar	1,4966
JPY Japanese yen	123,27	HKD Hong Kong dollar	8,7609
DKK Danish krone	7,4685	NZD New Zealand dollar	1,7142
GBP Pound sterling	0,87610	SGD Singapore dollar	1,5382
SEK Swedish krona	10,7743	KRW South Korean won	1 331,88
CHF Swiss franc	1,1274	ZAR South African rand	16,0909
ISK Iceland króna	137,80	CNY Chinese yuan renminbi	7,7081
NOK Norwegian krone	9,7913	HRK Croatian kuna	7,4265
BGN Bulgarian lev	1,9558	IDR Indonesian rupiah	16 164,48
CZK Czech koruna	25,775	MYR Malaysian ringgit	4,6720
HUF Hungarian forint	326,52	PHP Philippine peso	58,653
PLN Polish zloty	4,3060	RUB Russian rouble	71,9646
RON Romanian leu	4,7633	THB Thai baht	35,643
TRY Turkish lira	6,7485	BRL Brazilian real	4,5688
AUD Australian dollar	1,6223	MXN Mexican peso	21,2841
		INR Indian rupee	77,7830

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



## COMMISSION IMPLEMENTING DECISION

of 14 May 2019

**on the publication in the *Official Journal of the European Union* of the application for approval of an amendment, which is not minor, to a product specification referred to in Article 53 of Regulation (EU) No 1151/2012 of the European Parliament and of the Council for the name ‘Crème d’Isigny’ (PDO)**

(2019/C 176/05)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs<sup>(1)</sup>, and in particular Article 50(2)(a) in conjunction with Article 53(2) thereof,

Whereas:

- (1) France has sent an application for approval of an amendment, which is not minor, to the product specification of ‘Crème d’Isigny’ (PDO) in accordance with Article 49(4) of Regulation (EU) No 1151/2012. The changes include a change of name from ‘Crème d’Isigny’ to ‘Crème d’Isigny’/‘Crème fraîche d’Isigny’.
- (2) In accordance with Article 50 of Regulation (EU) No 1151/2012 the Commission has examined that application and concluded that it fulfils the conditions laid down in that Regulation.
- (3) In order to allow for the submission of notices of opposition in accordance with Article 51 of Regulation (EU) No 1151/2012, the application for approval of an amendment, which is not minor, to the product specification, as referred to in the first subparagraph of Article 10(1) of Commission Implementing Regulation (EU) No 668/2014<sup>(2)</sup>, including the amended single document and the reference to the publication of the relevant product specification, for the registered name ‘Crème d’Isigny’ (PDO) should be published in the *Official Journal of the European Union*,

HAS DECIDED AS FOLLOWS:

*Sole Article*

The application for approval of an amendment, which is not minor, to the product specification, referred to in the first subparagraph of Article 10(1) of Commission Implementing Regulation (EU) No 668/2014, including the amended single document and the reference to the publication of the relevant product specification, for the registered name ‘Crème d’Isigny’ (PDO) is contained in the Annex to this Decision.

In accordance with Article 51 of Regulation (EU) No 1151/2012, the publication of this Decision shall confer the right to oppose to the amendment referred to in the first paragraph of this Article within three months from the date of publication of this Decision in the *Official Journal of the European Union*.

Done at Brussels, 14 May 2019.

*For the Commission*

Phil HOGAN

*Member of the Commission*

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<sup>(1)</sup> OJ L 343, 14.12.2012, p. 1.

<sup>(2)</sup> Commission Implementing Regulation (EU) No 668/2014 of 13 June 2014 laying down rules for the application of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs (OJ L 179, 19.6.2014, p. 36).

## ANNEX

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**

**‘Crème D’Isigny’**

**EU No: PDO-FR-0139-AM01 — 18.10.2017**

**PDO ( X ) PGI ( )**

**1. Applicant group and legitimate interest**

Syndicat Professionnel de Défense des Producteurs de Lait et Transformateurs de Beurre et Crème d’Isigny-sur-Mer – Baie des Veys  
2, rue du Docteur Boutrois  
14230 Isigny-sur-Mer  
FRANCE

[Professional Union defending the interests of the Milk Producers and Butter and Cream Makers of Isigny-sur-Mer — Baie des Veys]

Tel. +33 231513310

Fax +33 231923397

Email: ODG.beurrecremeisigny@isysme.com

Composition: The group is made up of producers of milk and manufacturers of butter. It therefore has a legitimate right to propose the amendments.

**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 [contact details of the relevant Member State department and of the applicant group, contact details of the inspection body, national requirements]

**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. ‘Name of product’ section**

The sole name of ‘Crème d’Isigny’ has been supplemented with the option of also using ‘Crème fraîche d’Isigny’.

An alternative to ‘Crème d’Isigny’ has been put forward, namely ‘Crème fraîche d’Isigny’. This name has been used for many years to designate products complying with the regulatory definition of crème fraîche [a type of sour cream with high fat content]. This amendment therefore enables one of the ways in which cream is marketed to be included under the PDO. *Crème fraîche* is cream which has undergone no treatment other than pasteurisation and been packaged on the production site no later than 24 hours after pasteurisation.

## 5.2. **'Description of product' section**

When the product specification was first registered in 1996, it covered both products: 'Beurre d'Isigny' and 'Crème d'Isigny'; the section describing the product has now been amended to place the focus solely on the characteristics of the cream.

The paragraph:

'These two dairy products boast unique characteristics. Their natural colour is buttercup yellow. They are fragrant and have a smooth texture.'

has been replaced as follows:

"Crème d'Isigny" is fresh or matured pasteurised cream with a glossy appearance, ivory to pale yellow in colour, and with a minimum fat content of 35 g per 100 g of product.

Fresh "Crème d'Isigny" is liquid and has milky and slightly sweet aromatic notes.

Matured "Crème d'Isigny" is solid and marked by its fresh, milky and sweet flavour, accompanied by a slight sourness.

"Crème fraîche d'Isigny" is "Crème d'Isigny" that has undergone no treatment other than pasteurisation and been packaged on the production site within 24 hours of pasteurisation.'

A correction has been made with regard to the product's visual appearance: The reference in the current product specification of the colour 'buttercup yellow', which actually refers more specifically to 'Beurre d'Isigny', has been deleted.

The term 'glossy', which better defines the cream's appearance, has been added.

Furthermore, as described in the current product specification under the section on the method of production ('The only heat treatment of the cream allowed is pasteurisation'), the product description will henceforth explicitly state that the cream has been pasteurised.

This section has also been amended to state that the cream has a minimum fat content of 35 g per 100 g of product; in the current specification, this is mentioned solely in the section relating to the method.

The sole description of organoleptic properties in the current specification ('it is fragrant and has a smooth texture') has turned out to be too laconic and partially incorrect, as it does not enable a sufficiently clear distinction to be drawn between the fresh cream and the matured cream. Descriptions of the organoleptic properties of the fresh cream and the matured cream have therefore been added.

This amendment has been made to point 3.2. of the single document, replacing the wording 'Cream with a rich and smooth fat content that is yellow in colour'.

## 5.3. **'Geographical area' section**

Under the heading 'Definition of the geographical area', all the steps that must take place in the geographical area have been added. The names of the different municipalities belonging to the area have also been updated.

The purpose of these amendments is to clarify the various steps and update the list of municipalities, without altering the boundaries of the geographical area.

The product must be packaged within the area. Packaging must therefore take place as soon as possible after production, partly to avoid fraud (adulteration through mixing the cream with cheaper alternatives) and partly to avoid the cream deteriorating in quality due to oxidation of the fat, which often occurs if the product is transported for long periods. Fresh 'crème d'Isigny' or 'crème fraîche d'Isigny' (a type of high fat sour cream) may nonetheless be transported in tankers from one creamery to another within the geographical area, although solely for the purpose of processing into matured [sour] cream or butter.

## 5.4. **'Proof of origin' section**

In the light of national legislative and regulatory developments, the text of the product specification under the heading 'Evidence that the product originates from the defined geographical area' has been consolidated to bring together provisions on declaration requirements and keeping registers for product traceability and monitoring production conditions.

New paragraphs have therefore been added concerning:

- the operator ID declaration and operators' various other declaration obligations, particularly as regards temporary cessation of production ('prior declaration of non-intent to produce' and 'prior declaration of resumption of production');

- ‘record keeping’, setting out livestock farmers’ obligations and replicating existing national provisions applicable to cream manufacturers; and
- the control mechanisms already provided for in existing national provisions: ‘The final stage of this entire procedure is that analytical and organoleptic tests are carried out without warning on a random samples of packaged, ready-to-sell products.’

#### 5.5. ‘Production method’ section

The product specification provides more details on a number of aspects of the production method to better describe the production conditions for the milk and for making it into ‘Crème d’Isigny’. These aspects strengthen the link with the geographical area.

Provisions on management of the dairy herd (breed, feed) have been added to enable the traditional practices to be recorded.

##### *Herd management*

The following definition of the dairy herd has been added, as follows: ‘For the purpose of this product specification, “herd” means the entire bovine dairy herd of a holding, composed of lactating cows and dry cows.’

This definition in the product specification aims to clearly set out what livestock is referred to when using the terms ‘dairy herd’ and ‘dairy cows’, thus providing a framework for checks and avoiding any confusion.

The following paragraphs have been added:

‘The herd must be put out to pasture for a period of at least seven months.’

‘At least 50 % of the main forage area of each holding must comprise grass. Each lactating cow must be allocated at least 0,35 hectares of meadow (natural, temporary or annual) available, of which at least 0,2 hectares are pasture, or at least 0,1 hectares are pasture supplemented with hay.’

In order to establish the link between the product and the geographical area, the requirement that grass constitutes the herd’s diet (whether through grazing or hay), in accordance with the local tradition in the geographical area of grassland-based livestock farming, has been ensured by the following provisions:

##### *Breed*

The following paragraphs have been added:

‘Milk from each collection used by the manufacturer to make “Crème d’Isigny” must come from herds where at least 30 % of the cows are dairy cows of the Normande breed.’

‘A “collection” is defined as the total amount of milk collected and used by a manufacturer within a 48-hour period.’

These requirements ensure that a significant amount of the milk used to make ‘Crème d’Isigny’ comes from cows of the Normande breed.

These elements are also referred to under point 3.3. of the single document.

##### *The herd’s diet*

The following paragraphs have been added:

‘80 % of the herd’s basic ration, expressed as dry matter, must come from the geographical area. It must consist of the following fresh or preserved fodder: grass, corn, cereals or protein crops that are immature (the entire plant), straw, lucerne, fodder beet, root vegetables and dehydrated beet pulp.’

‘For the minimum period of 7 months when the cows are put out to pasture, on average at least 40 % of the feed ration, expressed as dry matter, must consist of fresh grass or hay. For the rest of the year, the proportion of grass in the daily feed ration may not be less than 20 %, expressed as dry matter.’

These provisions have been included with the aim of establishing a link between the product and the geographical area by requiring the majority of the dairy cows' diet to come from the geographical area. In addition, a positive list of authorised fodder has been drawn up in order to better define the type of fodder used.

These provisions on the herd's diet are also included under point 3.3. of the single document.

The following paragraph has been added: 'The amount of supplementary feed provided is restricted to 1 800 kg, expressed as dry weight, per cow in the herd per calendar year.'

This restriction makes it possible to avoid this feed constituting too large a proportion of the food supply, and to ensure that the basic ration comes from the geographical area.

This provision has also been added to point 3.3. of the single document.

The following paragraph has been added:

'The following may not be used in the basic ration or as supplementary feed: cabbage, turnip, turnip rape and rapeseed given as green-feed.

The following raw materials may not be used in supplementary feed pursuant to the classification in Part C of Regulation (EU) No 68/2013 on the Catalogue of feed materials:

- Palm, groundnut, sunflower and olive oils, as such or isomers thereof (Class 2.20.1);
- Milk products and products derived thereof (Class 8);
- Land animal products and products derived thereof;
- Fish, other aquatic animals and products derived thereof (Class 10), with the exception of cod liver oil;
- Miscellaneous (Class 13), with the exception of glucose molasses.

Lastly, urea and its derivatives, being nutritional additives defined in Annex 1 to Regulation (EC) No 1831/2003 on additives for use in animal nutrition, are prohibited.'

Several products and raw materials may not be used to feed lactating cows, owing to their adverse impact on the organoleptic characteristics of the milk.

These various provisions have been added under point 3.3. of the single document.

To better describe traditional practices, provisions referring to the different stages in the manufacture of the cream have been added.

#### *Collection and receipt of the milk*

The following paragraph is added:

'Collection takes place a maximum of 48 hours after the first milking. The milk collected on the holdings is transported and unloaded without transshipment at the site where the milk is skimmed. Upon receipt, the acidity of the raw milk must be between 14 and 16° Dornic, i.e. a pH of between 6,6 and 6,85.'

To avoid any deterioration in quality of the raw material on the farm, the time that the milk used to make 'Crème d'Isigny' or 'Crème fraîche d'Isigny' can be stored has been limited. Furthermore, to improve traceability, no transshipment of milk may take place between the holdings and the creamery. Lastly, a parameter specifying the acidity of the raw milk has been added to guarantee that the raw material has not suffered any deterioration in quality.

This phrase has also been added under paragraph 3.3. of the Single Document.

#### *Production and packaging*

The sentence 'The cream must conform to the legal and regulatory provisions on both livestock and cream' has been removed, as this is a regulatory matter.

### Skimming and pasteurisation

The following paragraph has been added: 'The milk may be left to stand prior to skimming for a maximum of 48 hours following receipt.'

This restriction enables the quality of the raw material to be preserved.

The following paragraph has been added:

'Prior to skimming, the full-cream milk collected may be subjected to initial pre-pasteurisation at 74 °C. After skimming, the cream is pasteurised at a temperature of between 86 and 95 °C for 30 to 180 seconds.'

Thus two-stage pasteurisation method used to make the product in question has thus been described.

The paragraph:

'The cream must be pasteurised within 36 hours of the milk being skimmed.'

has been replaced by:

'To obtain fresh "Crème d'Isigny", the cream must be pasteurised within 36 hours of the milk being skimmed.'

A maximum period of time between the completion of skimming of the milk and pasteurisation has been added to preserve the quality of the raw material. Specifying the time limits for completing the steps involved in making each type of cream also makes it easier for those steps to be verified.

The paragraph:

'Use of the following substances with a view to manufacturing and marketing "Crème d'Isigny" is prohibited:

- whey or brine cream or reconstituted, frozen or deep-frozen cream,
- colourings or antioxidants,
- deacidifiers intended to lower the acidity of the milk or cream,
- or any other ingredient, with the exception of milk starter cultures.'

has been replaced as follows:

'Whey cream, buttermilk, reconstituted, frozen or deep-frozen cream, colourings or antioxidants, deacidifiers intended to lower the acidity of the milk or cream, additives, processing aids or any other ingredient, with the exception of milk starter cultures, may not be used for the production of fresh "Crème d'Isigny".'

The list of ingredients that cannot be used to make 'Crème d'Isigny' or 'Crème fraîche d'Isigny' has been corrected and supplemented; buttermilk may not be used, nor is it allowed to add any additives, processing aids or any other ingredient, with the exception of milk starter cultures. The erroneous prohibition of the use of brine in the current product specification has been removed.

### Seeding and maturation

The following paragraph has been added:

To make matured 'Crème d'Isigny', fresh 'Crème d'Isigny' is heated to a temperature of between 12 °C and 23 °C in preparation for seeding with lactic cultures.

Fresh 'Crème d'Isigny' is seeded with lactic culture no later than 72 hours after the milk has been skimmed, and no later than 96 hours after receipt of the milk.

Maturation lasts for a minimum of 12 hours at a temperature of between 12 °C and 23 °C.'

The parameters of the maturation stage are specified in order for traditional practices to be recorded.

Lastly, a provision has been added to the effect that the cream may be packaged only in containers of up to 1 000 l, though fresh 'Crème d'Isigny' may be transported from one creamery to another within the geographical area by tanker, but only for the purpose of making it into matured 'Crème d'Isigny' or 'Beurre d'Isigny'.

These elements are also referred to under point 3.5. of the single document.

#### 5.6. **Labelling**

The paragraphs:

'A logo bearing the words 'Crème d'Isigny — Appellation d'Origine Contrôlée' must be affixed to or printed on wrappers or containers; it is the operator's responsibility to ensure this is done.

Using the words "Isigny", "Isigny-sur-Mer" or any other word, graphic or illustration evoking that area for the purpose of marketing butter which has not been produced, packaged and marketed in conformity with the decree conferring the designation is prohibited.'

have been replaced by:

'Each container of the PDO "Crème d'Isigny" or "Crème fraîche d'Isigny" placed on the market must bear an individual label that includes the name of the designation of origin written in letters at least two thirds the size of the largest characters on the label.

A logo bearing the words "Crème d'Isigny" or "Crème fraîche d'Isigny" – Appellation d'Origine Protégée' must be must be affixed to or printed on the packaging or containers; it is the operator's responsibility to ensure this is done.

The European Union's PDO symbol is placed right next to the logo, the one adjacent to or above the other, with no other information between them. The minimum dimensions of the designation of origin do not apply to the logo if the designation can already be found elsewhere on the labelling.

The labelling includes an indication of the fat content per 100 g of product.'

These elements enable the requirements for identifying the product to be clarified.

The provision prohibiting use of the words 'Isigny' and 'Isigny-sur-mer' or any other word, graphic or illustration evoking that area to refer to products not meeting the conditions laid down in the product specification has been removed, as this does not fall within the scope of the product specification.

These amendments have been made to point 3.6. of the single document.

#### 5.7. **'Link' section**

The section of the product specification entitled 'Link to the geographical area' has been entirely rewritten to make the link between 'Crème d'Isigny' and its geographical area more explicit without making any fundamental changes to it. The milk production conditions have been specifically highlighted, especially the fact the cows' diet being based on the optimal use of grass, together with a long grazing period, makes it possible to achieve the milk fat content suitable for making the cream, a process which requires skill and experience. We are taking this opportunity to delete the reference to 'Crème d'Isigny' being rich in oleic acid has also been removed, as it is not considered to be sufficiently specific.

The point on the 'Specificity of the geographical area' restates the geographical area's natural and human factors, summarising historical aspects and highlighting relevant specific know-how. The point on the 'Specificity of the product' showcases some of the elements introduced in the description of the product. Finally, the point 'Causal link' explains the interactions between the natural and human factors and the product.

This amendment has also been made to the Single Document.

#### 5.8. **'Other' section**

The address of the INAO has been updated.

The contact details of the group have been updated.

Under the heading 'References to the inspection body', the name and contact details of the official bodies have been updated. Under this heading, the contact details of the French authorities responsible for inspections at the national level are now provided, i.e. the National Institute of Origin and Quality (INAO) and the Directorate-General for Competition, Consumer Affairs and Fraud Prevention (DGCCRF). The name and contact details of the certification body can be consulted via the website of the INAO and on the European Commission's database.

As regards the section on 'National requirements', a table displaying the main points to be checked and the method of evaluating them has been added to the product specification. It sets out in tabular form the main points to check, their reference values and method of evaluation.

SINGLE DOCUMENT

**'Crème d'Isigny'/'Crème fraîche d'Isigny'**

**EU No: PDO-FR-0139-AM01 — 18.10.2017**

**PDO (X) PGI ( )**

**1. Name(s)**

'Crème d'Isigny'/'Crème fraîche d'Isigny'

**2. Member State or Third Country**

France

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

**3.1. Type of product**

Class 1.4. Other products of animal origin (eggs, honey, various dairy products except butter, etc.)

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

'Crème d'Isigny'/'Crème fraîche d'Isigny' is a sweet or matured pasteurised cream with a glossy appearance, ivory to pale yellow in colour, and with a minimum fat content of 35 g per 100 g of product.

Fresh 'Crème d'Isigny'/'Crème fraîche d'Isigny' is fluid and has milky and slightly sweet aromatic notes.

Matured 'Crème d'Isigny'/'Crème fraîche d'Isigny' is solid and marked by its fresh, milky and sweet flavour, accompanied by a slight sourness.

'Crème fraîche d'Isigny' is 'Crème d'Isigny' that has undergone no treatment other than pasteurisation and been packaged on the production site within 24 hours of pasteurisation.

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

To guarantee a close link between the locality and the product through the herd being fed on grass from the geographical area, the dairy cows graze for at least seven months of the year and the holding must have a minimum area under grass of 0,35 ha for each dairy cow milked, of which a minimum of 0,2 ha is accessible from the milking parlours, or a minimum of 0,1 ha of grassland is accessible from the milking parlours with grass or hay provided as supplementary fodder. Each holding must have a main forage area comprising at least 50 % grass.

The entirety of the dairy cows' diet cannot be sourced from the geographical area. Indeed, the dairy cows' protein requirements cannot always be sourced from land cultivated within the geographic area. Neither can the origin of the raw materials constituting the supplementary feed be guaranteed. At least 80 % of the fodder-based basic ration, expressed as dry matter, of the herd per year is produced within the geographical area. Given that the basic ration comprises around 70 % of the dairy cows' total diet, the proportion of the feed originating from the area can be estimated as at least approximately 56 %.

Grass in its different forms comprises at least 40 % on average of the basic ration during the minimum 7-month-long grazing period and at least 20 % of the daily ration for the rest of the year. The amount of supplementary feed provided is restricted to 1 800 kg per cow in the herd per calendar year.



The types of authorised fodder are: grass, corn, cereals or protein crops that are immature (the entire plant), straw and lucerne (fresh or preserved), fodder beet, root vegetables and dehydrated beet pulp.

Cabbage, turnip, turnip rape and rapeseed given as green-feed and urea and its derivatives may not form part of the basic ration or supplementary feed.

The following raw materials may not form part of supplementary feed:

- Palm, groundnut, sunflower and olive oils, as such or isomers thereof;
- Milk products and products derived thereof;
- Land animal products and products derived thereof;
- Fish, other aquatic animals and products derived thereof, with the exception of cod liver oil;
- Miscellaneous ingredients, with the exception of glucose molasses.

Milk from each collection used by the manufacturer to make 'Crème d'Isigny'/'Crème fraîche d'Isigny' must come from herds where at least 30 % of the cows are dairy cows of the Normande breed, 'collection' being defined as the total amount of milk collected and used by a manufacturer within a 48-hour period.

Collection takes place a maximum of 48 hours after the first milking. The milk collected on the holdings is transported and unloaded without transhipment at the site where the milk is skimmed. Upon receipt, the acidity of the raw milk must be between 14 and 16° Dornic, i.e. a pH of between 6,6 and 6,85.

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

The milk is produced and the cream made within the defined geographical area described under point 4.

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

The cream must be packaged in the geographical area. Packaging of the creams is actually extremely important for ensuring the quality of the products, as their fat content is susceptible to oxidation. The product must therefore be packaged very soon after manufacture. Consequently, the product is packaged within the defined geographical area referred to under point 4 in containers with a maximum capacity of 1 000 litres.

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

Each package of 'Crème d'Isigny'/'Crème Fraîche d'Isigny' marketed must bear an individual label that includes the name of the designation of origin written in letters at least two thirds the size of the largest characters on the label.

A logo bearing the words 'Crème d'Isigny' or 'Crème fraîche d'Isigny' – Appellation d'Origine Protégée' must be affixed to or printed on the packaging or containers; it is the operator's responsibility to ensure this is done.

The European Union's PDO symbol is placed right next to the logo, the one adjacent to or above the other, with no other information between them. The minimum dimensions of the designation of origin do not apply to the logo if the designation can already be found elsewhere on the labelling.

The labelling includes an indication of the fat content per 100 g of product.

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

The defined geographical area covers the territory of all the municipalities of the following departments:

In the Department of Calvados (82 municipalities):

All the municipalities in the canton of Bayeux with the exception of Chouain, Condé-sur-Seulles, Ellon, Esquay-sur-Seulles, Juaye-Mondaye, Le Manoir, Manvieux, Ryes, Tracy-sur-Mer, Vaux-sur-Seulles and Vienne-en-Bessin.

All the municipalities in the canton of Trévières with the exception of La Bazoque, Cahagnolles, Cormolain, Foulognes, Litteau, Planquery, Sainte-Honorine-de-Drucy and Sallen.

In the Department of La Manche (93 municipalities):

In the canton of Agon-Coutainville, the municipalities of Auxais, Feugères, Gonfreville, Gorges, Marchésieux, Nay, Périers, Raids, Saint-Germain-sur-Sèves, Saint-Martin-d'Aubigny and Saint-Sébastien-de-Raids.

In the canton of Bricquebec, the municipalities of Etienville, Les Moitiers-en-Bauptois and Orglandes.

All of the municipalities in the canton of Carentan-les-Marais.

In the canton of Créances, the municipalities of Montsenelle (solely the territories of the former municipalities of Coigny, Prétot-Sainte-Suzanne and Saint-Jores) and Le Plessis-Lastelle.

All the municipalities in the canton of Pont-Hébert, with the exception of Bérigny, Saint-André-de-l'Epine, Saint-Georges-d'Elle, Saint-Germain-d'Elle and Saint-Pierre-de-Semilly.

All the municipalities in the canton of Saint-Lô-1, with the exception of Agneaux, Le Lorey, Marigny-Le-Lozon (solely the territory of the former commune of Lozon), Le Mesnil-Amey, Saint-Gilles and Saint-Lô.

All the municipalities of the canton of Valognes, with the exception of Brix, Huberville, Lestre, Lieusaint, Montaigu-la-Brisette, Saint-Germain-de-Tournebut, Saint-Joseph, Saint-Martin-d'Audouville, Saussemesnil, Tamerville, Valognes, Vaudreville and Yvetot-Bocage.

## 5. Link with the geographical area

The geographical area of production of 'Crème d'Isigny'/'Crème fraîche d'Isigny' is crescent-shaped, situated on sedimentary terrain and at a low altitude (< 50 m). This area, known as the Col du Cotentin, constitutes a remarkable geological area sculpted by multiple marine transgressions and regressions. Within that area, a distinction is made between the 'Bas Pays', consisting of large tidelands and alluvial marshes which, although drained, may flood, and, to the east, the 'Haut Pays', a landscape characterised by hedgerows, consisting of a plateau, limestone blocks and low clay and stony hills. The high quantities of marine alluvial deposits (coastal sediment deposited by the English Channel) and fluvial deposits, mainly confined to the Baie des Veys and, its associated river valleys, constitute the key characteristics of the soil.

Receiving around 800 mm of precipitation and having more than 170 days of rainfall evenly spread throughout the year, as well as cool summer temperatures and mild winters and more restricted temperature ranges than Saint-Lô or Caen, the Col du Cotentin is referred to as having a temperate oceanic climate. Owing to the absence of hills, this humid, foggy and mild climate is homogeneous. The influence of the ocean also manifests itself in the prevalence of spray coming off the sea and condensing on the pastures.

The Col du Cotentin is one of the areas of Normandy with a high concentration of pastureland that predates the trend of converting arable land to pasture, which started in 1800. Livestock farmers made the Isigny region a pastoral area of some prestige; in 1874, the Association Normande described it as possessing 'rich pastures, veritable fountains of cream and butter'.

From the mid-19th century, Cotentin Peninsula livestock farmers began defending the purity of the Cotentine breed of cattle which, primarily because of its milk production capacity, ended up becoming the main source of the Normande breed. However, this status of 'origin of the breed' penalises local breeders who have been slow to benefit from progress in artificial insemination and hence are reverting to using the productive and homogenous Prim'Holstein breed.

The population of the Col du Cotentin quickly learnt to benefit from the dairy herd's optimal use of grass by making the most of the milk to make and sell cream.

Today, grazing once again forms the basis of the dairy cows' diet; they graze on grass for at least seven months and consume it as hay the rest of the year. Producers' predilection for the Normande breed, an excellent butter producer owing to its milk being rich in fats and proteins, has enabled it to survive in the geographical area and make up a significant proportion of the local herd. The manufacturers apply their know-how, particularly with regard to the natural of the cream.

'Crème d'Isigny'/'Crème fraîche d'Isigny' is rich and creamy, without any lumps, fluid in the case of the fresh cream and solid in the case of the matured cream [a type of sour cream with high fat content]. It has a minimum fat content of 35 g per 100 g of product and contains high levels of iodine and trace elements. It is ivory to pale yellow in colour, has a glossy appearance, and has a delicate yet clearly perceptible aroma in which milk predominates. It has a fluid consistency in the mouth and a fresh, pleasant and sweet taste, while the matured cream has a perceptible sourness.

The geographical location (proximity to the sea) and morphology (absence of hills) of the geographical area explains why rainfall is evenly spread throughout the year and temperatures are favourably mild even in winter. These elements are favourable to the growth of grass throughout the year and a long grazing period for the live-stock. The clay-limestone soils, derived from recent marine sediments and rich in minerals, produce an abundance of pasture, whereas the loamy soils surmounting the 'Haut Pays' are noteworthy for their regulation of the water content, which favours regular grass growth.

The quality of the fat content of the milk from the geographical area is produced by the combined effect of the cows being grass-fed, which gives the PDO product its specific organoleptic qualities and expected smoothness, and the supply of fodder with a higher energy value which promotes the formation of large fat globules; these enable the fixation of the milk's aromatic compounds, conferred by the grass.

'Crème d'Isigny'/'Crème fraîche d'Isigny' is therefore characterised by an optimal use of the area's grassland, along with a long grazing period for the dairy herd, and the provision of preserved fodder during the winter in conjunction with other types of feed. Transporting fodder from the 'Bas-Pays' to the 'Haut-Pays' and its preservation is a traditional practice locally, because the farms were generally located in the 'Haut-Pays', while also having pasture in the 'Bas-Pays'.

It is the diet of the herds, which are partly composed of Normande cows, that results in high-quality milk with the high fat content that gives the product its superbly smooth texture.

The continuation of traditional cream-making techniques, i.e. seeding with lactic cultures and only using naturally maturation but excluding the use, inter alia, of reconstituted cream, deacidifiers or any other ingredient or additive, is the key to preserving and expressing the characteristics of the raw material produced by the dairy herds in the final product.

#### **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-ba1010a1-bc3a-4468-a1d2-7578d8fd5494](https://info.agriculture.gouv.fr/gedei/site/bo-agri/document_administratif-ba1010a1-bc3a-4468-a1d2-7578d8fd5494)

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## NOTICES FROM MEMBER STATES

### **Call for expressions of interest for a strategic investor and/or acquisition of a minority shareholding and/or purchase of electricity**

(2019/C 176/06)

#### **BELENE NUCLEAR POWER PLANT PROJECT**

**March 2019**

#### **IMPORTANT INFORMATION**

In accordance with the Decision of the National Assembly of the Republic of Bulgaria of 7 June 2018 and Decision No 447 of 29 June 2018 of the Council of Ministers of the Republic of Bulgaria, Natsionalna Elektricheska Kompania EAD (NEK) announces this call for participation in a procedure to select a strategic investor for the construction of the Belene nuclear power plant, as well as a call for expressions of interest in acquiring a minority shareholding in the future project company which will be set up to build, own and operate the Belene nuclear power plant in Bulgaria on a market basis and/or expressions of interest in the purchase of electricity from the future power plant.

The Bulgarian side, through NEK, will participate in the future project company with an in-kind contribution of the assets related to the Belene nuclear power plant project, including the licensed site, the long-cycle equipment, the issued decisions, permits, licences and other documents and rights concerning the project.

The Bulgarian side, through NEK, reserves the right to a blocking quota when deciding on certain matters within the competence of the General Assembly of shareholders in the project company throughout the whole period of the power plant construction, operation and subsequent decommissioning.

#### **OBJECTIVE OF THE CALL**

The only purpose of this call is to provide certain information to the parties that wish to participate in the procedure for acquiring a certain percentage of equity shares in the project company, as well as to assist them in deciding whether to submit an expression of interest in connection with this call. The call does not purport to contain all the information that a potential subscriber of shares in the project company may need, and the information in the call is provided for guidance only.

Neither NEK, nor Bulgarian Energy Holding EAD (BEH), nor the Ministry of Energy, nor the Government of the Republic of Bulgaria make any representations or provide any warranties regarding the accuracy or completeness of the information contained in this call and have no obligation to correct any errors in it that may be brought to their attention. No responsibility or liability is assumed, and any responsibility and/or obligation is expressly denied by the Government of the Republic of Bulgaria, the Ministry of Energy, BEH, NEK, affiliates, directors, board members, partners, officers, agents, advisors and employees regarding errors, inaccurate statements, misrepresentations or omissions in this call or in any other document.

With the publication of this call, neither the Government of the Republic of Bulgaria, nor the Ministry of Energy, BEH, NEK, their affiliates, directors, board members, partners, officers, agents, advisors or employees shall undertake to provide the recipient with any additional information or send an invitation to a party to participate in a share acquisition process.

Subject to confidentiality obligations, NEK intends to provide an information memorandum to some of the parties (each referred to as a 'shortlisted party') that submit an expression of interest in response to this call and that, on the basis of an assessment made regarding the compliance and substance of the submitted expressions of interest, best meet the requirements for experience in investment and construction of large power facilities and have the adequate financial capacity to secure their commitments for investment and participation in the project company. NEK also intends to provide the shortlisted parties (also subject to confidentiality obligations) with information gathered in a data room which may be wholly or partly in an electronic form.

Potential investors in the project company must make their own investigations to establish the financial position and prospects of the project company and its future business activities, as well as regarding the accuracy and completeness of the statements contained in this document.

## RESPONSIBILITY DISCLAIMERS

Although NEK and the Ministry of Energy have made diligent efforts to prepare the information contained in this document, neither they, nor any of their directors, partners, employees, subcontractors, intermediaries or agents will provide any assurances or warranties directly or indirectly with respect to this call. No statement or warranty, explicit or implied, will be given by the above parties or by any of their respective directors, partners, employees, subcontractors, intermediaries or agents regarding the accuracy or completeness of the contents of this call or any other document, or information supplied at any time in connection with this procedure. The only statements and warranties that will be made are those that may eventually be included in a final contract for acquiring a certain percentage of equity shares in the project company.

By publishing this call, none of the above parties undertakes to provide additional information or to correct inaccuracies in this call or to remove any flaws identified at any time. NEK and the Ministry of Energy reserve the right, without prior notice, to change the procedure for acquiring a certain percentage of equity shares in the project company, or to suspend or terminate the procedure at any time before the conclusion of a binding agreement. Any costs and expenses incurred by the persons that have expressed an interest in subscribing shares in the project company and/or in purchasing electricity, or such costs incurred by their agents or advisors will be the sole responsibility of these persons. Neither the Ministry of Energy, nor BEH, nor NEK, nor the Government of the Republic of Bulgaria undertake to cover such costs if the procedure is changed, suspended or terminated at any time.

## Contact Person

All inquiries regarding the procedure should be referred to:

Bianka Kalcheva

Junior Expert at Energy Projects & International Cooperation Directorate, Ministry of Energy

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## INVESTMENT OPPORTUNITIES

Natsionalna Elektricheska Kompania EAD (NEK) has developed a project for construction of a 2 000 MW nuclear power plant at Belene (Belene NPP) in northern Bulgaria. Belene NPP will be owned by a newly created project company, in which NEK will be a shareholder. NEK calls for expressions of interest from potential equity investors to participate in the ownership, financing, construction, management and operation of Belene NPP and/or expressions of interest in purchasing electricity from the future power plant.

The call gives an opportunity for an expression of interest by parties (each referred to as an 'interested party') wishing to participate in the procedure for acquiring a certain percentage of equity shares in the project company that will be created to build, own and operate Belene NPP, and/or express interest in purchasing electricity.

An application for participation in the procedure to select a strategic investor or to express interest in acquiring a minority shareholding in the project company may be submitted by Bulgarian or foreign legal entities, as well as by consortia of such companies.

Any Bulgarian or foreign legal entity or consortium, or any other form of entity, may submit an expression of interest in purchasing electricity.

Participation in the procedure for the selection of an investor is not open to persons and/or companies registered in jurisdictions with a preferential tax regime, unless the exceptions under Article 4 of the Law on economic and financial relations with companies registered in jurisdictions with preferential tax regimes, persons controlled by them and their actual owners apply, nor is it open to persons for whom there are other restrictions under Bulgarian legislation.

## SHORT DESCRIPTION OF THE PROJECT

The Belene NPP construction project in northern Bulgaria (at the Belene site, located 4 km from the town of Belene and 11 km from the town of Svishtov) includes construction of two 1 000 MW units, each using third-generation A-92 designs of the most commonly used nuclear reactors in the world, pressurized water reactors. Until the project suspension in 2012, the main contractor for engineering, procurement and construction was Atomstroyexport JSC, the technical design of Belene NPP was prepared by the chief designer Atomenergoprojekt JSC – Moscow, and Areva NP GmbH was a subcontractor for the electrical systems, safety systems, management and control, heating, ventilation & air-conditioning, etc. The equipment manufactured and delivered in 2017 for the nuclear island was manufactured by Izhora Plants JSC, ZiO – Podolsk PJSC and Atommasheksport OJSC.

This is an evolutionary project that uses the best of experience gained over decades in the design and operation of light-water reactors (LWR) and combines it with state-of-the-art technical solutions and unique innovations. The reactor unit of the Belene NPP project uses a pressurized water reactor (PWR) with four circulating loops. The nominal heat power is 3 000 MW and the net useful power is 1 000 MW. The fuel recharging process lasts 14 days and the planned annual outage for maintenance purposes is reduced and lasts 20 to 50 days depending on the scope of current repairs.

The Belene NPP project is an optimal combination of several features — increased production efficiency, shortened time for construction and implementation, competitive electricity prices and long design life, and at the same time safety and care for people and the environment remain a top priority.

The safety systems are designed to withstand failures, including general failures, and are able to perform their functions in the event of power supply interruption.

The selected design for Belene NPP ensures more efficient use of nuclear fuel than the second-generation light-water reactors. This allows generation of 20 % more electricity using 25 % less fuel. At the same time, the high burn-up achieved reduces the annual amount of spent nuclear fuel by 50 %.

Developed by leading design and engineering companies, on the basis of knowledge and experience gained in the design, construction and operation of nuclear power plants with VVER reactors, the A-92 design is licensed by the regulatory authorities in the manufacturing country and meets the modern national safety requirements and the recommendations of IAEA, as well as the requirements of the international consulting group INSAG, etc.

#### **CONDITIONS SET BY THE BULGARIAN SIDE FOR THE BELENE NPP CONSTRUCTION**

For the purposes of maximum protection of the property and financial interests of the Bulgarian side, and of ensuring energy security in the Republic of Bulgaria, and in order to guarantee the safe use of nuclear energy, the following conditions are set by the Bulgarian side in the procedure for the Belene NPP construction:

- Construction of Belene nuclear power plant (Belene NPP) in northern Bulgaria, using third-generation A-92 designs of pressurised-water reactors under Russian design VVER-1000/V-466: two units with installed capacity of 2 000 MW.
- The construction of Belene NPP shall be carried out by a project company created for the purpose.
- The construction of the power plant shall be carried out on a market basis (no contracts for mandatory purchase of energy to be concluded by the Bulgarian State, no preferential prices to be provided by the Bulgarian State for purchase of electricity, no contracts for differences to be concluded by the Bulgarian State, no corporate guarantees to be provided by the Bulgarian State, no other non-market mechanisms to guarantee the investment) and without any state guarantees.
- The construction must be carried out with the equipment and assets available at the licensed site.
- The project shall be implemented with maximum and full use of the reactor equipment already supplied and the design documentation.
- In the course of the project implementation, no changes may be made to the safety elements of the design – this is to ensure its licensing.
- The owner of the VVER-1000 technology must be involved in the obtaining of licences and permits for the project construction and operation.
- The project company must undertake commitments with a supplier of fresh nuclear fuel that will supply fuel for the VVER-1000 reactors in accordance with the existing licensing agreements and applicable legislation.
- The operator of the built power plant must be experienced in the operation of VVER-1000 reactors.
- Maximal shareholding for the Bulgarian side in the project company that will implement the project — only in the amount of the in-kind contribution of the assets related to the Belene NPP Project.

- The Bulgarian side, through NEK, reserves the right to a blocking quota when deciding on certain matters within the competence of the General Assembly of shareholders in the project company throughout the whole period of the power plant construction, operation and subsequent decommissioning.
- Ensuring of possibilities for negotiations with large industrial and other consumers of electricity in the country and the region, which have declared their willingness to conclude power purchase agreements.
- Maximum cost of the project construction - not more than EUR 10 billion.
- Maximum commissioning period - 10 (ten) years from signing a shareholders' agreement.
- Possibility for local companies to participate in the project implementation under the conditions of the applicable legislation.

**INFORMATION REQUIRED FOR SUBMISSION OF APPLICATIONS FOR PARTICIPATION IN THE PROCEDURE OR LETTERS OF INTEREST FOR ACQUISITION OF A MINORITY SHAREHOLDING AND/OR PURCHASE OF ELECTRICITY**

1. Applications for participation in the procedure for selection of a strategic investor should contain the following information about the potential investors, as indicated in the call:

- Applicant's profile with organisational structure (including subsidiaries), as well as shareholders' structure;
- Corporate connections of the Applicant with companies providing supplies, construction works and other companies involved in construction and/or operation of nuclear power plants;
- Credit rating(s) awarded and audited financial statements for the past 3 years for which such reports are prepared. The financial statements should include the following documents: profit and loss account, balance sheet, cash flow statement, equity statement, audit report, as well as explanatory notes to them;
- Description of the Applicant's investment activities over the past 10 years, mentioning type and value of investments, including investments in nuclear capacity construction and other large energy/infrastructure projects;
- A concept suggested for the project development, including the power plant construction period, as well as a proposal for nuclear fuel supply and a proposal for the spent nuclear fuel;
- Sources suggested for project financing, including the way proposed for raising debt finance for the project, as well as the Applicant's own financial capacity;
- Maximum/minimum percentage of equity ownership in the project that the Applicant would like to acquire, if any;
- Duration of the investment, if any.

The required information will be used for preparation of a shortlist of preferred applicants who will be invited to submit a binding offer.

2. The Letter of Interest for acquisition of a minority shareholding in the project company and/or for purchase of electricity shall contain obligatory information about the specific interest, as follows:

- Interest in acquiring only a minority shareholding in the project company.
- Interest in acquiring a minority shareholding in the project company and purchase of electricity.
- Only interested in purchase of electricity.

2.1. Together with the Letter of Interest for acquiring a minority shareholding in the project company and for the purchase of electricity, the following information shall be provided:

- Applicant's profile, with organisational structure (including subsidiaries), as well as shareholders' structure;
- Audited financial statements for the past 3 years for which such reports are prepared. The financial statements should include the following documents: profit and loss account, balance sheet, cash flow statement, equity statement, audit report, as well as explanatory notes to them.

2.2. In the case of interest expressed for purchase of electricity, the Letter shall indicate quantities, purchase period and other relevant information, as well as the electricity demand profile.

**GUIDELINES FOR PREPARATION AND SUBMISSION OF APPLICATIONS FOR PARTICIPATION IN THE PROCEDURE, OR FOR PREPARATION AND SUBMISSION OF LETTERS OF INTEREST FOR ACQUISITION OF MINORITY SHAREHOLDING AND/OR PURCHASE OF ELECTRICITY**

1. Applications for participation in the procedure for selection of a strategic investor shall be submitted in accordance with the templates attached to the call.

The applications for participation must be prepared in Bulgarian and English and submitted in original on paper, as well as in an electronic form.

The application for participation shall be signed by the legal representative of the Applicant or by an explicitly authorised person. In the case of an Applicant-Consortium which is not a legal entity, the application for participation should be signed by the legal representative of the partner who is designated to represent the Consortium.

2. The Letters of Interest for acquisition of a minority shareholding in the project company and/or purchase of electricity shall be prepared in Bulgarian and English and submitted in original on paper, signed by the legal representative of the Applicant or by an explicitly authorised person. In the case of an Applicant-Consortium that is not a legal entity, the Letter of Interest shall be signed by the legal representative of the partner who is designated to represent the Consortium.

**MANNER, PLACE AND DEADLINE FOR SUBMISSION OF APPLICATIONS FOR PARTICIPATION IN THE PROCEDURE, OR LETTERS OF INTEREST FOR ACQUISITION OF MINORITY SHAREHOLDING AND/OR PURCHASE OF ELECTRICITY**

The applications for participation, or the letters of interest, as the case may be, shall be submitted by the Applicant or by a representative authorised by him in one of the following ways:

- (a) personally, against signature, or
- (b) by postal service with registered delivery with acknowledgment of receipt, or
- (c) another courier service with registered delivery with acknowledgment of receipt.

The applications/letters of interest shall be submitted by the Applicant to the address of NEK EAD: 5, Veslets St., Sofia.

The deadline for receipt of applications/letters of interest is 5:30 p.m. Sofia time on the 90th day from the date of publication of this Call in the Official Journal of the EU.

If the Applicant sends the application for participation/letter of interest by registered mail or courier, he must send it so as to secure its receipt by NEK EAD by the deadline.

Upon receipt of the application for participation/letter of interest, the packing will be marked by an incoming reference number, date and time of receipt and the bearer will be issued a document to this effect.

**Attachments:**

- 1. Brief information about Natsionalna Elektricheska Kompania EAD.
- 2. Brief history of the project.
- 3. Documentary status of Belene NPP project, including the documents issued by the time of the call – orders, decisions, permits, etc., concerning its implementation (including construction).



4. Brief information about the electricity market in Bulgaria.
5. Information on the stages of the procedure for selection of a strategic investor for construction of Belene NPP.
6. Template for Application for participation in the strategic investor selection procedure.
7. Template for Letter of Interest for acquisition of minority shareholding in the project company.
8. Template for Letter of Interest for acquisition of minority shareholding in the project company and purchase of electricity.
9. Template for Letter of Interest for purchase of electricity.

*This Call and all Attachments in Bulgarian and English are available on the website of the Ministry of Energy of the Republic of Bulgaria ([www.me.government.bg](http://www.me.government.bg)) and on the website of Natsionalna Elektricheska Kompania EAD ([www.nek.bg](http://www.nek.bg)).*

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## V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMMON  
COMMERCIAL POLICY

## EUROPEAN COMMISSION

**Notice of initiation of a partial interim review of the countervailing measures applicable to  
imports of certain rainbow trout originating in the Republic of Turkey**

(2019/C 176/07)

The European Commission ('the Commission') has received a request for an interim review pursuant to Article 19 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 <sup>(1)</sup> ('the basic anti-subsidy Regulation').

**1. Request for review**

The request for review was lodged by 'BAFA Su Ürünleri Yavru Üretim Merkezi Sanayi Ticaret AŞ', part of the KLC Group ('the applicant'), an exporting producer from the Republic of Turkey ('the country concerned').

The request for a partial interim review is limited in scope to the examination of subsidisation as far as the applicant is concerned.

**2. Product under review**

The product subject to this review is rainbow trout (*Oncorhynchus mykiss*)

- live weighing 1,2 kg or less each, or
- fresh, chilled, frozen and/or smoked:
  - in the form of whole fish (with heads on), whether or not gilled, whether or not gutted, weighing 1,2 kg or less each, or
  - with heads off, whether or not gilled, whether or not gutted, weighing 1 kg or less each, or
  - in the form of fillets weighing 400 g or less each,

originating in Turkey and currently falling under CN codes ex 0301 91 90, ex 0302 11 80, ex 0303 14 90, ex 0304 42 90, ex 0304 82 90 and ex 0305 43 00 (TARIC codes 0301 91 90 11, 0302 11 80 11, 0303 14 90 11, 0304 42 90 10, 0304 82 90 10 and 0305 43 00 11) ('product under review').

**3. Existing measures**

The measures currently in force are a definitive countervailing duty imposed by Commission Implementing Regulation (EU) 2015/309 <sup>(2)</sup>. On 4 June 2018, the measures were maintained following a partial interim review concerning subsidisation of all exporting producers, where the Commission found that the constant changes in the implementation of direct subsidies could not be deemed to be of a lasting nature <sup>(3)</sup>.

<sup>(1)</sup> OJ L 176, 30.6.2016, p. 55.

<sup>(2)</sup> Commission Implementing Regulation (EU) 2015/309 of 26 February 2015 imposing a definitive countervailing duty on imports of certain rainbow trout originating in Turkey (OJ L 56, 27.2.2015, p. 12).

<sup>(3)</sup> Commission Implementing Regulation (EU) 2018/823 of 4 June 2018 terminating the partial interim review of the countervailing measures applicable to imports of certain rainbow trout originating in the Republic of Turkey (OJ L 139, 5.6.2018, p. 14).

#### 4. Grounds for the review

The applicant has provided sufficient evidence that the circumstances with regard to subsidisation on the basis of which the existing measures were imposed in relation to the applicant have changed and that these changes are of a lasting nature insofar as the applicant is concerned.

The applicant alleges that the continued imposition of the measures at their current levels is no longer necessary to offset the injurious subsidisation in its particular situation. The applicant has provided sufficient evidence that the amount of subsidy the applicant receives has decreased well below the duty rate currently applicable to the applicant. This decrease is caused by changes in the structure and the terms of the implementation of the direct subsidies granted to producers of the product under review per kg produced affecting the situation of the applicant. In addition, the applicant argues that no benefits are received under other subsidies and other subsidy programmes have expired.

In the light of the above, the Commission considers that there is sufficient evidence that the circumstances with regard to subsidisation, as far as the applicant is concerned, have changed significantly and are of a lasting nature and, therefore, the measures should be reviewed.

The Commission reserves the right to investigate other relevant subsidy practices which may be revealed during the course of the investigation.

#### 5. Procedure

Having determined, after informing the Member States that sufficient evidence exists to justify the initiation of a partial interim review limited to the examination of subsidisation as far as the applicant is concerned, the Commission initiates a review in accordance with Article 19(1) of the basic anti-subsidy Regulation. The purpose of the review is to establish the rate of subsidisation which prevails for the applicant as a result of the subsidy practices of which it is found to benefit.

Following the review, it may be necessary to amend the rate of duty imposed on imports of the product under review originating in Turkey for the applicant. The Commission does not intend to amend the subsidy rates other than that of the applicant as a result of this partial interim review, if warranted.

However, if any interested party considers that a review of the measures applicable to it is warranted, that party may request a review pursuant to Article 19 of the basic anti-subsidy Regulation.

The Government of the Republic of Turkey has been invited for consultations in accordance with Article 10(7) of the basic anti-subsidy Regulation.

Regulation (EU) 2018/825 of the European Parliament and of the Council<sup>(4)</sup> which entered into force on 8 June 2018, (TDI Modernisation package) introduced a number changes to the timetable and deadlines previously applicable in anti-subsidy proceedings<sup>(5)</sup>. Therefore, the Commission invites interested parties to respect the procedural steps and deadlines provided in this Notice as well as in further communications from the Commission.

##### 5.1. Questionnaires

In order to obtain the information it deems necessary for its investigation, the Commission will send questionnaires to the applicant and to the authorities of the country concerned. This information and supporting evidence must reach the Commission within 37 days from the date of publication of this Notice in the *Official Journal of the European Union*.

A copy of the above-captioned questionnaire is available in the file for inspection by interested parties and on DG Trade's website [http://trade.ec.europa.eu/tdi/case\\_details.cfm?id=2396](http://trade.ec.europa.eu/tdi/case_details.cfm?id=2396).

##### 5.2. 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, this 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*.

<sup>(4)</sup> Regulation (EU) 2018/825 of the European Parliament and of the Council of 30 May 2018 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 143, 7.6.2018, p. 1).

<sup>(5)</sup> 'Short overview of the deadlines and timelines in the investigative process' in DG TRADE's website [http://trade.ec.europa.eu/doclib/docs/2018/june/tradoc\\_156922.pdf](http://trade.ec.europa.eu/doclib/docs/2018/june/tradoc_156922.pdf)

### 5.3. *Interested parties*

In order to participate in the investigation, interested parties, such as exporting producers, Union producers, importers and their representative associations, users and their representative associations, trade unions and representative consumer organisations first have to demonstrate that there is an objective link between their activities and the product under review.

Being considered as an interested party is without prejudice to the application of Article 28 of the basic anti-subsidy Regulation.

Access to the file available for inspection for interested parties is made via Tron.tdi at the following address: <https://webgate.ec.europa.eu/tron/TDI>. Please follow the instructions on that page to get access.

### 5.4. *Possibility to be heard by the Commission investigation services*

All interested parties may request to be heard by the Commission's investigation services.

Any request to be heard must be made in writing and must specify the reasons for the request as well as a summary of what the interested party wishes to discuss during the hearing. The hearing will be limited to the issues set out by the interested parties in writing beforehand.

For hearings on issues pertaining to the initiation 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.

The outlined timeframe is without prejudice to the right of the Commission services to accept hearings outside the timeframe in duly justified cases and to the right of the Commission to deny hearings in duly justified cases. Where the Commission services refuse a hearing request, the party concerned will be informed of the reasons for such refusal.

In principle, hearings will not be used to present factual information which is not yet on file. Nevertheless, in the interest of good administration and to enable Commission services to progress with the investigation, interested parties may be directed to provide new factual information after a hearing.

### 5.5. *Instructions for making written submissions and sending completed questionnaires and correspondence*

Information submitted to the Commission for the purpose of trade defence investigations should 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, should be labelled 'Limited' <sup>(9)</sup>. Parties submitting information in the course of this investigation are invited to reason their request for confidential treatment.

Parties providing 'Limited' information are required to furnish non-confidential summaries of it pursuant to Article 29(2) of the basic anti-subsidy Regulation, which will be labelled 'For inspection by interested parties'. These summaries should 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.

<sup>(9)</sup> A 'Limited' document is a document which is considered confidential pursuant to Article 29 of Regulation (EU) 2016/1037 (OJ L 176, 30.6.2016, p. 55.) and Article 12 of the WTO Agreement on Subsidies and Countervailing Measures. It is also a document protected in accordance with Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council (OJ L 145, 31.5.2001, p. 43).

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 <sup>(7)</sup>. 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.

Commission address for correspondence:

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

Email: TRADE-R703-TROUT-REVIEW@ec.europa.eu

#### **6. Schedule of the investigation**

The investigation will be concluded, pursuant to Article 22(1) of the basic anti-subsidy Regulation within 15 months from the date of the publication of this Notice in the *Official Journal of the European Union*.

#### **7. Possibility to comment on other parties' submissions**

In order to guarantee the rights of defence, interested parties should have the possibility to comment on information submitted by other interested parties. When doing so, interested parties may only address issues raised in the other interested parties' submissions and may not raise new issues.

Comments on the information provided by other interested parties in reaction to the disclosure of the definitive findings should be submitted within 5 days from the deadline to comment on the definitive findings, unless otherwise specified. If there is an additional final disclosure, comments on the information provided by other interested parties in reaction to this further disclosure should be made within 1 day from the deadline to comment on this further disclosure, unless otherwise specified.

In order to complete the investigation within the mandatory deadlines, the Commission will not accept submissions from interested parties after the deadline to provide comments on the final disclosure.

#### **8. Extension to time limits specified in this Notice**

Any extension to the time limits provided for in this Notice can only be requested in exceptional circumstances and will only be granted if duly justified.

Extensions to the deadline to reply to questionnaires may be granted, if duly justified, and will be normally limited to 3 additional days. As a rule, such extensions will not exceed 7 days. Regarding time limits for the submission of other information specified in this Notice, extensions will be limited to 3 days unless exceptional circumstances are demonstrated.

#### **9. 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 28 of the basic anti-subsidy 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.

<sup>(7)</sup> [http://trade.ec.europa.eu/doclib/docs/2011/june/tradoc\\_148003.pdf](http://trade.ec.europa.eu/doclib/docs/2011/june/tradoc_148003.pdf)

If an interested party does not cooperate or cooperates only partially and findings are therefore based on facts available in accordance with Article 28 of the basic anti-subsidy 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.

#### 10. Hearing Officer

Interested parties may request the intervention of the Hearing Officer for trade proceedings. The Hearing Officer reviews requests for access to the file, disputes regarding the confidentiality of documents, requests for extension of time limits and any other request concerning the rights of defence of interested parties and third parties as may arise during the proceeding.

The Hearing Officer may organise hearings and mediate between the interested party/-ies and Commissions services 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. 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.

Any request must be submitted in good time and expeditiously so as not to jeopardise the orderly conduct of proceedings. To that effect, interested parties should request the intervention of the Hearing Officer at the earliest possible time following the occurrence of the event justifying such intervention. In principle, the timeframes set out in section 5.4 to request hearings with the Commission services apply *mutatis mutandis* to requests for hearings with the Hearing Officer. 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 investigation.

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/>

#### 11. Processing of personal data

Any personal data collected in this investigation will be treated in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council<sup>(8)</sup>.

A data protection notice that informs all individuals of the processing of personal data in the framework of Commission's trade defence activities is available on DG Trade's website: <http://trade.ec.europa.eu/doclib/html/157639.htm>

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<sup>(8)</sup> Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

## PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

### EUROPEAN COMMISSION

#### **Prior notification of a concentration** **(Case M.9350 — Santander Group/Mapfre Group/JV)**

#### **Candidate case for simplified procedure**

**(Text with EEA relevance)**

(2019/C 176/08)

1. On 15 May 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:

- Banco Santander, S.A., and subsidiaries ('Santander Group', Spain),
- Mapfre, S.A., and subsidiaries ('Mapfre Group', Spain),
- Santander Global Seguros y Reaseguros, S.A.U. ('JV', Spain), controlled by the Santander Group.

Santander Group and Mapfre Group acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of a JV.

The concentration is accomplished by way of purchase of shares in a newly created company constituting a joint venture.

2. The business activities of the undertakings concerned are:

- Santander Group, which is active in retail banking, corporate banking, investment banking, asset management and treasury across Europe, the United States, Latin America and Asia,
- Mapfre Group, which is active in insurance and reinsurance provision and distribution across 45 countries,
- the JV, which is intended to be active on the market for the provision of certain categories of non-life insurance, mainly to commercial entities and small and medium-sized enterprises, in Spain.

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.9350 — Santander Group/Mapfre Group/JV

<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:

Email: [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.9378 — Apax Partners/GNB)**  
**Candidate case for simplified procedure**  
**(Text with EEA relevance)**  
(2019/C 176/09)

1. On 15 May 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:

- Apax Partners LLP ('AP', UK),
- GNB — Companhia de Seguros de Vida SA ('GNB', Portugal).

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

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- AP provides investment advisory services to private equity funds investing in a range of industry sectors,
- GNB provides life insurance products exclusively in Portugal.

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.9378 — Apax Partners/GNB

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').

<sup>(2)</sup> OJ C 366, 14.12.2013, p. 5.





