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European Commission

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(¹) Text with EEA relevance.
NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

COUNCIL

COUNCIL DECISION
of 27 May 2019
appointing the members and alternate members of the Management Board of the European Institute for Gender Equality
(2019/C 185/01)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Regulation (EC) No 1922/2006 of the European Parliament and of the Council of 20 December 2006 on establishing a European Institute for Gender Equality (1), and in particular Article 10 thereof,

Whereas:

(1) Article 10 of Regulation (EC) No 1922/2006 provides, inter alia, that the Council should appoint 18 members, as well as alternate members, of the Management Board of the European Institute for Gender Equality for a period of three years.

(2) 18 Member States (Belgium, Bulgaria, Czechia, Germany, Estonia, Spain, France, Croatia, Luxembourg, Malta, Netherlands, Austria, Portugal, Romania, Slovenia, Slovakia, Finland and Sweden) are due to nominate members and alternate members for the period from 1 June 2019 to 31 May 2022.

(3) The Governments of those Member States have submitted lists of nominations for appointment to the Council,

HAS ADOPTED THIS DECISION:

Article 1

The following are hereby appointed members and alternate members of the Management Board of the European Institute for Gender Equality for the period from 1 June 2019 to 31 May 2022:

GOVERNMENT REPRESENTATIVES

<table>
<thead>
<tr>
<th>Country</th>
<th>Members</th>
<th>Alternate members</th>
</tr>
</thead>
<tbody>
<tr>
<td>Belgium</td>
<td>Mr Michel PASTEEL</td>
<td>Ms Liesbet STEVENS</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>Ms Irina Tsekova IVANOVA</td>
<td>Ms Elena Ivanova GYUROVA</td>
</tr>
<tr>
<td>Czechia</td>
<td>Mr Radan ŠAFARÍK</td>
<td>Ms Lenka GRÚNBERGOVÁ</td>
</tr>
<tr>
<td>Germany</td>
<td></td>
<td>Ms Birgit SCHWEIKERT</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Country</th>
<th>Members</th>
<th>Alternate members</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estonia</td>
<td>Ms Käthlin Sander</td>
<td>Ms Liina KANTER</td>
</tr>
<tr>
<td>Spain</td>
<td>Ms Silvia BUABENT VALLEJO</td>
<td>Ms María VÁZQUEZ SELLÁN</td>
</tr>
<tr>
<td>France</td>
<td>Ms Hélène FURNON-PETRESCU</td>
<td>Mr Alexis RINCKENBACH</td>
</tr>
<tr>
<td>Croatia</td>
<td>Ms Helena ŠTIMAC RADIN</td>
<td>Ms Gordana OBRADOVIĆ DRAGIŠIĆ</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>Ms Maryse FISCH</td>
<td>Ms Valérie DEBOUCHÉ</td>
</tr>
<tr>
<td>Malta</td>
<td>Mr Silvan AGIUS</td>
<td>Ms Simone AZZOPARDI</td>
</tr>
<tr>
<td>Netherlands</td>
<td>Mr Elmer Christiaan BURKE</td>
<td>Ms Sabine Vanessa KRAUS</td>
</tr>
<tr>
<td>Austria</td>
<td>Ms Jacqueline NIAVARANI</td>
<td>Ms Eva-Maria BURGER</td>
</tr>
<tr>
<td>Portugal</td>
<td>Mr Carlos Miguel RODRIGUES DUARTE</td>
<td>Ms Teresa Margarida FRAGOSO</td>
</tr>
<tr>
<td>Romania</td>
<td>Mr Dan MOLDOVAN</td>
<td>Mrs Maria ULCAN</td>
</tr>
<tr>
<td>Slovenia</td>
<td>Ms Maruša GORTNAR</td>
<td>Ms Jasna JERAM</td>
</tr>
<tr>
<td>Slovakia</td>
<td>Ms Oľga PIETRUCHOVÁ</td>
<td>Ms Anna MONDEKOVÁ</td>
</tr>
<tr>
<td>Finland</td>
<td>Ms Tanja AUVINEN</td>
<td>Ms Eeva RAFVAARA</td>
</tr>
<tr>
<td>Sweden</td>
<td>Ms Lenita FREIDENVALL</td>
<td>Ms Charlotta ÖSTERBORG</td>
</tr>
</tbody>
</table>

**Article 2**

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 27 May 2019.

For the Council
The President
N. HURDUC
COUNCIL DECISION
of 27 May 2019
appointing a member and alternate members of the Advisory Committee on Safety and Health at Work for Luxembourg
(2019/C 185/02)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the Council Decision of 22 July 2003 setting up an Advisory Committee on Safety and Health at Work (1), and in particular Article 3 thereof,

Having regard to the lists of nominations for appointment submitted to the Council by the Governments of the Member States,

Whereas:

(1) By its Decision of 12 March 2019 (2), the Council appointed the members and alternate members of the Advisory Committee on Safety and Health at Work for the period from 1 March 2019 to 28 February 2022.

(2) By its Decisions of 15 April 2019 (3) and 14 May 2019 (4), the Council appointed further members and alternate members of the Advisory Committee on Safety and Health at Work for some Member States.

(3) The Government of Luxembourg has submitted further nominations for several posts to be filled,

HAS ADOPTED THIS DECISION:

Article 1

The following are hereby appointed members and alternate members of the Advisory Committee on Safety and Health at Work for the period ending on 28 February 2022:

I. GOVERNMENT REPRESENTATIVES

<table>
<thead>
<tr>
<th>Country</th>
<th>Member</th>
<th>Alternate members</th>
</tr>
</thead>
<tbody>
<tr>
<td>Luxembourg</td>
<td>Mr Marco BOLY</td>
<td>Ms Patrice FURLANI</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mr Armin KOEGEL</td>
</tr>
</tbody>
</table>

Article 2

The Council shall appoint the members and alternate members not yet nominated at a later date.

Article 3

This Decision shall be published for information in the Official Journal of the European Union.

Done at Brussels, 27 May 2019.

For the Council
The President
N. HURDUC

(2) OJ C 100, 15.3.2019, p. 1.
COUNCIL DECISION
of 27 May 2019
appointing 15 members of the Management Board of the European Chemicals Agency
(2019/C 185/03)

THE COUNCIL OF THE EUROPEAN UNION,

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


Whereas:

(1) Article 79 of Regulation (EC) No 1907/2006 provides that the Council is to appoint as members of the Management Board of the European Chemicals Agency (the Management Board) one representative from each Member State.

(2) The members of the Management Board are to be appointed on the basis of their relevant experience and expertise in the field of chemical safety or the regulation of chemicals whilst also ensuring that relevant expertise is available amongst the members of the Management Board in the fields of general, financial and legal matters.

(3) The duration of the term of office is four years. It is possible to renew the term of office once.

(4) By its Decision of 7 June 2007 (2), the Council appointed 27 members of the Management Board.

(5) The members of the Management Board nominated by Belgium, Bulgaria, Denmark, Germany, Estonia, Greece, Cyprus, Latvia, Lithuania, Malta, Poland, Portugal, Romania, Slovakia and the United Kingdom, were all appointed for a period ending on 31 May 2019. Members of the Management Board from those Member States should therefore be nominated and appointed for a period from 1 June 2019 to 31 May 2023.

(6) The Council has received nominations from all the Member States concerned,

HAS ADOPTED THIS DECISION:

Article 1

The following persons are hereby appointed members of the Management Board for a second term from 1 June 2019 to 31 May 2023 (name, nationality, date of birth):

— Ms Anne-France Marie RIOUX, Belgian, 12 June 1964,

— Ms Enda VESKIMÄE, Estonian, 17 May 1956,

— Ms Judite DIPANE, Latvian, 10 April 1971,

— Ms Ana Lílía GOMES MARTINS, Portuguese, 20 August 1973,

— Mr Keith Anthony Trevor BAILEY, British, 2 June 1965.

Article 2

The following persons are hereby appointed members of the Management Board for a first term from 1 June 2019 to 31 May 2023 (name, nationality, date of birth):

— Ms Teodora Todorova VALKOVA, Bulgarian, 5 December 1976,
— Mr Magnus Buhl LØFSTEDT, Danish, 19 February, 1977,
— Mr Axel Otto VORWERK, German, 13 May 1960,
— Ms Sofia ZISSI, Greek, 24 November 1965,
— Ms Tasoula KYPRIANIDOU-LEONTIDOU, Cypriot, 2 November 1961,
— Ms Donata PIPRAITĖ-VALIŠKIENĖ, Lithuanian, 28 May 1983,
— Ms Ingrid BORG, Maltese, 8 April 1981,
— Ms Anna Katarzyna GRACZYK, Polish, 27 March 1978,
— Ms Claudia-Sorina DUMITRU, Romanian, 25 July 1981,
— Ms Helena POLAKOVIČOVÁ, Slovak, 22 July 1958.

Article 3

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 27 May 2019.

For the Council
The President
N. HURDUC
EUROPEAN COMMISSION

Euro exchange rates (1)
28 May 2019
(2019/C 185/04)

1 euro =

<table>
<thead>
<tr>
<th>Currency</th>
<th>Exchange rate</th>
<th>Currency</th>
<th>Exchange rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>USD US dollar</td>
<td>1,1192</td>
<td>CAD Canadian dollar</td>
<td>1,5071</td>
</tr>
<tr>
<td>JPY Japanese yen</td>
<td>122,45</td>
<td>HKD Hong Kong dollar</td>
<td>8,7839</td>
</tr>
<tr>
<td>DKK Danish krone</td>
<td>7,4689</td>
<td>NZD New Zealand dollar</td>
<td>1,7088</td>
</tr>
<tr>
<td>GBP Pound sterling</td>
<td>0,88373</td>
<td>SGD Singapore dollar</td>
<td>1,5420</td>
</tr>
<tr>
<td>SEK Swedish krona</td>
<td>10,6865</td>
<td>KRW South Korean won</td>
<td>1 329,89</td>
</tr>
<tr>
<td>CHF Swiss franc</td>
<td>1,1254</td>
<td>ZAR South African rand</td>
<td>16,3494</td>
</tr>
<tr>
<td>ISK Iceland króna</td>
<td>138,70</td>
<td>CNY Chinese yuan renminbi</td>
<td>7,7345</td>
</tr>
<tr>
<td>NOK Norwegian krone</td>
<td>9,7165</td>
<td>HRK Croatian kuna</td>
<td>7,4255</td>
</tr>
<tr>
<td>BGN Bulgarian lev</td>
<td>1,9558</td>
<td>IDR Indonesian rupiah</td>
<td>16 088,50</td>
</tr>
<tr>
<td>CZK Czech koruna</td>
<td>25,843</td>
<td>MYR Malaysian ringgit</td>
<td>4,6878</td>
</tr>
<tr>
<td>HUF Hungarian forint</td>
<td>326,60</td>
<td>PHP Philippine peso</td>
<td>58,489</td>
</tr>
<tr>
<td>PLN Polish zloty</td>
<td>4,2951</td>
<td>RUB Russian rouble</td>
<td>72,2891</td>
</tr>
<tr>
<td>RON Romanian leu</td>
<td>4,7623</td>
<td>THB Thai baht</td>
<td>35,602</td>
</tr>
<tr>
<td>TRY Turkish lira</td>
<td>6,7530</td>
<td>BRL Brazilian real</td>
<td>4,5305</td>
</tr>
<tr>
<td>AUD Australian dollar</td>
<td>1,6162</td>
<td>MXN Mexican peso</td>
<td>21,3797</td>
</tr>
</tbody>
</table>

(1) Source: reference exchange rate published by the ECB.
Opinion of the Advisory Committee on restrictive practices and dominant positions at its meeting on 17 January 2019 concerning a draft decision in Case AT.40049 — Mastercard II

Rapporteur: Malta
(Text with EEA relevance)
(2019/C 185/05)

1. The Advisory Committee agrees with the Commission that the anticompetitive behaviour covered by the draft decision amounted to a decision by an association of undertakings within the meaning of Article 101 of the TFEU and Article 53 of the EEA Agreement.

2. The Advisory Committee agrees with the Commission that the decision by the association of undertakings infringes Article 101 of the TFEU and Article 53 of the EEA Agreement.

3. The Advisory Committee agrees with the Commission that the object of the decision by the association of undertakings was to restrict competition within the meaning of Article 101 of the TFEU and Article 53 of the EEA Agreement.

4. The Advisory Committee agrees with the Commission that the decision by the association of undertakings has been capable of appreciably restricting competition.

5. The Advisory Committee agrees with the Commission that the decision by the association of undertakings was not objectively necessary.

6. The Advisory Committee agrees with the Commission that the decision by the association of undertakings has been capable of appreciably affecting trade between the Member States of the EU and EEA.

7. The Advisory Committee agrees that the decision by the association of undertakings does not meet the conditions for an exemption under Article 101(3) TFEU.

8. The Advisory Committee agrees with the Commission as regards the duration of the infringement.

9. The Advisory Committee agrees with the Commission as regards the addressees of the decision.

10. The Advisory Committee agrees with the Commission that a fine should be imposed on the addressees of the draft decision.

11. The Advisory Committee agrees with the Commission on the basic amount of the fine.

12. The Advisory Committee agrees with the determination of the duration for the purpose of calculating the fine.

13. The Advisory Committee agrees with the Commission that there are aggravating circumstances applicable in this case (i.e. recidivism).

14. The Advisory Committee agrees with the Commission on the reduction of the fine for cooperation based on point 37 of the 2006 Guidelines on Fines.

15. The Advisory Committee agrees with the Commission on the final amount of the fine.

16. The Advisory Committee agrees with the Commission as regards the reference to Article 23(4) of Regulation (EC) No 1/2003.

17. The Advisory Committee recommends the publication of its Opinion in the Official Journal of the European Union.
1. Case AT.40049 concerns two aspects of the Mastercard card payment system. The present report is made in connection with a draft decision (the ‘Draft Decision’) concerning one of these aspects: the previously applicable rules concerning ‘cross-border acquiring’ within that system.

2. Cross-border acquiring takes place when a merchant is located in a different country than its acquirer. Under the rules at issue, unless a cross-border acquirer located in a different EEA Member State from that of the merchant had previously agreed an interchange fee with the issuer, that cross-border acquirer was obliged to pay the issuer the domestic default multilateral interchange fee of the merchant’s country.

3. The Draft Decision is addressed to MasterCard Europe S.A., MasterCard Incorporated and MasterCard International Incorporated (together, ‘MasterCard’).

4. According to the Draft Decision, from 27 February 2014 to 8 December 2015 inclusive, MasterCard infringed Article 101 TFEU and Article 53 of the EEA Agreement when adopting decisions regulating the applicable multilateral interchange fee in respect of cross-border acquiring in the cards payments sector in the EEA.

5. On 9 April 2013, the Commission initiated proceedings in respect of MasterCard. On 9 July 2015, it adopted a statement of objections covering both aspects of Case AT.40049.

6. On 24 July and 3 August 2015, MasterCard was granted access to the non-confidential documents in the investigation file. Following requests from MasterCard in August 2015, DG Competition organised, with the consent of the information providers concerned, a data room procedure whereby specified external advisers of MasterCard advisers could access, in a ‘data room’, sensitive information obtained in the context of the Commission’s investigation, albeit in anonymised form where relevant.

7. MasterCard objected to the level of redactions imposed by DG Competition on the draft report prepared for MasterCard’s attention by its external advisers in the data room. In relation to a subset of these redactions, applied to a specific section of that report, MasterCard referred its objections to me in accordance with Article 7(1) of Decision 2011/695/EU. MasterCard also sought a deferral of the deadline for its written response to the statement of objections.

8. In my decision of April 2016, I disagreed with DG Competition’s assessment as confidential of the redacted information in that section. I also set a revised deadline for MasterCard’s written response to the statement of objections at two weeks following receipt by MasterCard of an unredacted version of that section. MasterCard’s written response of 21 April 2016 respected that revised deadline.
9. On 22 April 2016, DG Competition provided MasterCard with the last instalment of other passages of the data room report whose confidential nature MasterCard had not referred to me for independent review and which DG Competition had undertaken to release if relevant third parties consented.


11. I admitted three interested third persons to the proceedings, the first two of which accounted for three entities representing the Visa card payment system. When admitting the third interested third person, I explained why its request to take part in an oral hearing had come too late for me to be able to accede to it.

12. MasterCard developed its arguments at an oral hearing held on 31 May 2016. The two interested third persons representing the Visa card payment system took part.

13. On 3 December 2018, MasterCard submitted a formal offer of cooperation with the Commission. Among other things, MasterCard acknowledged in this offer that it had received the statement of objections, been granted full access to the file and been given sufficient opportunity to make its views known to the Commission.

14. Overall, I consider that the effective exercise of procedural rights has been respected during the present proceedings.
On 22 January 2019, the Commission adopted a decision relating to a proceeding under Article 101 of the Treaty on the Functioning of the European Union and Article 53 of the EEA Agreement.

(1) The Decision is addressed to Mastercard Incorporated, Mastercard International Incorporated and Mastercard Europe SA (together referred to as ‘Mastercard’), which operate the Mastercard card payment scheme.

(2) Mastercard Incorporated has its registered office in the State of Delaware (United States of America) and is the holding company of the fully owned subsidiaries Mastercard International Incorporated and Mastercard Europe SA. Mastercard International Incorporated is a membership corporation that has its offices in Wilmington, State of Delaware, United States of America. Its members are banks and payment service providers that are card acquirers or card issuers, or both. Mastercard Europe SA is a fully consolidated subsidiary of Mastercard Incorporated.

(3) The Decision establishes that Mastercard's cross-border acquiring rules constituted an infringement of Article 101 of the Treaty on the Functioning of the European Union (‘Treaty’) and Article 53 of the Agreement on the European Economic Area (‘EEA Agreement’).

2. CASE DESCRIPTION

2.1. Procedure

(4) On 9 April 2013, the Commission opened proceedings against Mastercard.


(6) On 31 May 2016, an Oral Hearing took place during which Mastercard developed its arguments.

(7) On 3 December 2018, Mastercard submitted a signed settlement submission acknowledging the infringement and its liability for the period covered by the Decision.

(8) The Advisory Committee on Restrictive Practices and Dominant Positions issued a favourable opinion on 17 January 2019.


2.2. Addressees and duration

(10) Mastercard Europe SA, Mastercard Incorporated and Mastercard International Incorporated have infringed Article 101 TFEU and Article 53 EEA Agreement by adopting decisions regulating the applicable Multilateral Interchange Fee (‘MIF’) in respect of cross-border acquiring in the card payments sector in the EEA.

Having regard to the Commission's 2014 Visa Europe Decision (2) making binding commitments on Visa Europe, the Commission finds an infringement in this case from 27 February 2014. The Commission finds that the last date of the infringement was 8 December 2015, as Mastercard’s amendment of its cross-border acquiring rules came into effect on 9 December 2015. Therefore, the period covered by the present Decision is from 27 February 2014 to 8 December 2015.

2.3. Summary of the infringement

Mastercard maintained a set of cross-border acquiring rules, which created an obstacle to cross-border trade in acquiring services within the EEA. Cross-border acquiring takes place when the acquiring bank (the acquirer) is located in a different country than the merchant. According to Mastercard rules, a card payment transaction that has been cleared and settled gives rise to an ‘interchange fee’ to be paid by the acquirer to the cardholder’s bank (the issuer). Mastercard rules stipulated that, unless the acquirer had agreed bilaterally with the issuer on the interchange fee, a cross-border acquirer was obliged to apply a domestic MIF applicable at the country of the merchants.

Mastercard’s cross-border acquiring rules meant that acquirers offering services in Member States where the domestic MIF were lower were prevented from offering cheaper services based on the MIFs in their ‘home’ countries to merchants based in Member States where the domestic MIFs were higher. The merchants were also prevented from taking advantage of the internal market and benefiting from less expensive services from card acquirers established in Member States where MIF were lower. Therefore, Mastercard’s cross-border acquiring rules created an obstacle to cross-border trade in the market for acquiring card payment transactions within the EEA.

Mastercard and its members constituted an association of undertakings and its decisions with respect to the cross-border acquiring rules amounted to decisions by an association of undertakings within the meaning of Article 101(1) of the Treaty and Article 53(1) of the EEA Agreement.

2.4. Remedies

The Decision applies the 2006 Guidelines on Fines (3).

2.4.1. Basic amount of the fine

In setting the fines, the Commission took into account the value of sales of Mastercard’s acquiring members, since Mastercard remained a standing body of an association of undertakings and the infringement relates to the activities of its acquiring members. As the infringement lasted from 27 February 2014 to 8 December 2015, the Commission took into account the turnover generated during the period of the infringement (the actual sales), to create a representative full business year.

The Commission took into account the fact that the cross-border acquiring rules were a result of a decision by an association of undertakings, restricted cross-border trade, hindered the achievement of the internal market, covered the entire EEA and constituted a serious infringement of Article 101 of the Treaty. Taking account these factors and the market position of Mastercard, the proportion of the values of sales taken into account was set at 11 %.

The Commission took into account the duration of the infringement, as mentioned above (see paragraph (11)).

2.4.2. Adjustments to the basic amount

The Commission applied an aggravating circumstance and increased the basic amount of the fine by 50 % to take account of Mastercard’s recidivism. This is because on 19 December 2007, the Commission adopted a prohibition decision under Article 7 of Regulation (EC) No 1/2003 addressed to Mastercard finding that intra-regional MIFs infringed Article 101 of the Treaty. The decision was upheld by the Union Courts.

2.4.3. Application of the 10% turnover limit

(20) The fine does not exceed 10% of the sum of the total turnover of Mastercard’s acquiring members active in the EEA.

2.4.4. Reduction for cooperation

(21) The Commission concluded that, in order to reflect that Mastercard has effectively cooperated with the Commission beyond its legal obligation to do so, the fine that would otherwise have been imposed should, pursuant to point 37 of the Guidelines on Fines, be reduced by 10%.

3. CONCLUSION

(22) In light of the above, the final amount of the fine imposed on Mastercard pursuant to Article 23(2) of Regulation (EC) No 1/2003 amounts to EUR 570 566 000.
### Decisions refusing an authorisation

<table>
<thead>
<tr>
<th>Reference of the decision (*)</th>
<th>Date of decision</th>
<th>Substance name</th>
<th>Addressee of the decision</th>
<th>Authorisation number</th>
<th>Use</th>
<th>Date of expiry of review period</th>
<th>Reasons for the decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>C(2019) 3786</td>
<td>22 May 2019</td>
<td>Sodium dichromate EC No 234-190-3 CAS No 7789-12-0, 10588-01-09</td>
<td>Hapoc GmbH &amp; Co KG, In der Neuen Welt 8, 87700 Memmingen, Germany</td>
<td>Not applicable</td>
<td>Use in molten bath form to modify surfaces, especially by blackening, of delicate medical products, specifically micro-surgical instruments</td>
<td>Not applicable</td>
<td>The application did not include the necessary information specified in Article 62(4)(d) of Regulation (EC) No 1907/2006.</td>
</tr>
</tbody>
</table>

(*) The decision is available on the European Commission website at: [http://ec.europa.eu/growth/sectors/chemicals/reach/about/index_en.htm](http://ec.europa.eu/growth/sectors/chemicals/reach/about/index_en.htm)

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COMMISSION IMPLEMENTING DECISION

of 22 May 2019

on the publication in the Official Journal of the European Union of the application for registration of a name referred to in Article 49 of Regulation (EU) No 1151/2012 of the European Parliament and of the Council

‘Cârnaţi de Pleşcoi’ (PGI)

(2019/C 185/09)

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 (1), and in particular Article 50(2)(a) thereof,

Whereas:

(1) Romania has sent to the Commission an application for protection of the name ‘Cârnaţi de Pleşcoi’ in accordance with Article 49(4) of Regulation (EU) No 1151/2012.

(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 single document and the reference to the publication of the product specification referred to in Article 50(2)(a) of that Regulation for the name ‘Cârnaţi de Pleşcoi’ should be published in the Official Journal of the European Union,

HAS DECIDED AS FOLLOWS:

Sole Article

The single document and the reference to the publication of the product specification referred to in Article 50(2)(a) of Regulation (EU) No 1151/2012 for the name ‘Cârnaţi de Pleşcoi’ (PGI) are 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 registration of the name 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, 22 May 2019.

For the Commission

Phil HOGAN

Member of the Commission

ANNEX

SINGLE DOCUMENT

‘CĂRNAŢI DE PLEŞCOI’
PDO ( ) PGI ( X )

1. Name(s)
‘Cărnaţi de Pleşcoi’

2. Applicant country(ies)
Romania

3. Description of the agricultural product or foodstuff

3.1. Type of product
Class 1.2 Meat products (cooked, salted, smoked, etc.)

3.2. Description of product to which the name in (1) applies
‘Cărnaţi de Pleşcoi’ are smoked sausages of sheep meat and beef. The proportion of sheep meat required is a minimum of 55 %, with a 45 % maximum for beef. In autumn and winter, sheep meat may be replaced by goat meat up to a maximum proportion of 10 % without significantly changing the organoleptic qualities.

Two types of ‘Cărnaţi de Pleşcoi’ are produced and marketed: smoked and raw-dried and smoked.

The red chilli included in the recipe makes both types of ‘Cărnaţi de Pleşcoi’ spicy. They have a clean, intact and non-sticky surface, and in cross-section they have a homogenous, dense and uniform consistency both at the edges and at the centre.

Physical and chemical characteristics
Smoked ‘Cărnaţi de Pleşcoi’ have the following characteristics:

— cylindrical in shape;
— long strings of sausage between 15 and 18 cm long;
— weight of 40-50 grams;
— moisture content: maximum 60 %;
— fat content: maximum 35 %;
— protein content: minimum 14 %;
— salt content: maximum 4,5 %;

Raw-dried and smoked ‘Cărnaţi de Pleşcoi’ have the following characteristics:

— flattened in shape;
— long strings of sausage between 15 and 18 cm long;
— weight of 25-40 grams;
— moisture content: maximum 40 %;
— fat content: maximum 38 %;
— protein content: minimum 14 %;
— salt content: maximum 4,5 %;
Organoleptic characteristics:

Taste and aroma: pleasant, lightly spicy, moderately salty, specific mix of sheep meat and seasoning (garlic, chilli, thyme). Colour: Colour — smoked ‘Cârnați de Pleșcoi’ is light reddish-brown while the raw-dried and smoked sausage is dark brown.

Appearance when cutting: compact and coarse-grained without lumps of fat or holes; pieces of red chilli are visible.

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

The raw materials and ingredients used to produce ‘Cârnați de Pleșcoi’ are sheep/goat meat and beef, sheep/goat bones broth, natural sheep intestines and seasoning (garlic, chilli, thyme).

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

All the steps in the ‘Cârnați de Pleșcoi’ production process take place within the defined geographical area. The production process for ‘Cârnați de Pleșcoi’ comprises the following specific steps: preparation of raw materials/ingredients, cutting and boning of selected meat, mincing, mixing, filling sheep intestine casings, drying and smoking.

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

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

The labelling for ‘Cârnați de Pleșcoi’ PGI must always include the following:

— ‘CÂRNAȚI DE PLEȘCOI’, followed by the words ‘Indicație Geografică Protejată’ [Protected Geographical Indication] or the abbreviation ‘IGP’ [PGI];
— product type (smoked or raw-dried and smoked);
— the logo of the inspection and certification body.

4. Concise definition of the geographical area

The geographical area comprises the administrative territories of the municipalities of Berca, Săpoca, Cernătești and Mărăcineni and the city of Buzău.

5. Link with the geographical area

The reputation of ‘Cârnați de Pleșcoi’ can be attributed to the fact that it is a traditional regional product. The local recipe and craftsmanship were handed down from father to son, since making and selling the sausages was the main source of income for the local communities of Pleșcoi.

The tradition of sheep, goat and cattle farming in the Buzău area stems from the region’s topography (comprising mountains, hills and plains) and its location in the curvature of the Carpathians. This combination makes for a series of climatic nuances specific to the mountains, hills and plains, endowing them with pastures and meadows for all categories of herbivores.

‘Cârnați de Pleșcoi’ are distinguished from other sausages in the same category by their specific taste, which stems from the combination of sheep/goat meat, beef, chilli, salt (curing mix), garlic and thyme. The spicy flavour of ‘Cârnați de Pleșcoi’ is the result of the mix of garlic, red chilli and thyme. It is therefore a unique product whose identity and specificity are recognised throughout Romania.

Bone broth is added to the mixture of meat, seasoning and salt (curing mix), and after the maturation stage the mixture is smoked over hardwood

This product is distinguishable from other sausages thanks to a combination of practices which are characteristic of the recipe and contribute directly to the product’s organoleptic and physico-chemical properties.

In order to obtain smoked ‘Cârnați de Pleșcoi’, the sausages are smoked for 2-3 hours at a temperature of 50-80 °C (hot smoking), until they turn a light reddish brown.

For smoked ‘Cârnați de Pleșcoi’, the smoking stage is completed when the strings of sausage rustle when touched, making a sound typical of dry casings.
In order to obtain raw-dried and smoked 'Cârnați de Pleșcoi', the sausages are smoked at a temperature of 25-40 °C (cold smoking), with the first lengthwise pressing taking place after two days. This is followed by another smoking stage which lasts 2-3 days, and then the sausages are pressed again. Applying the local skills handed down over generations, the local sausage makers may continue the smoking process for 1-2 days, until the sausages turn dark brown. Repeatedly pressing the sausages lengthwise using wooden rolling pins, in alternation with smoking in order to eliminate the surplus water, is specific to raw-dried and smoked Cârnați and gives them their characteristic shape and consistency.

The recipe for 'Cârnați de Pleșcoi' has been kept by the local population of the Pleșcoi-Berca area, where the legend of the outlaws known as 'hajduks' was born. The legend holds that, in order to help the needy, the 'hajduks' would steal the sheep of rich Wallachians on their way to market in Buzău and then make pastrami and sausages during the night, when the temperature had fallen and the meat could cool more easily. The villagers then took over this method of producing 'Cârnați de Pleșcoi' from the 'hajduks'.

Sausages were produced in every household and stored as a dry, non-perishable food reserve. Since a certain amount of the sausages would be consumed within a matter of days, these were just smoked, while the rest were dried and stored as a food reserve over a longer period of time. A raw-dried product was thus obtained.

The recipe, handed down from generation to generation, and the skills of the residents of the defined geographical area in preparing the product, have cemented the renown of 'Cârnați de Pleșcoi' in Romania and abroad.

These sausages were already famous in the 13th and 14th centuries, and especially so after the founding of Wallachia under Basarab I (1324-1352), when they were sold at the 'Târgul Drăgăicii' fair — in the area of what is now the city of Buzău.

Thanks to the geographical location of Buzău and the fact that it was a customs post in 1431, the fair also took on a cultural aspect and provided an opportunity for inhabitants of several regions to exchange products, traditions and customs.

In his work 'The history of journalism in Buzău county' dedicated to Târgul Drăgăicii', the publicist and historian Viorel Frâncu writes:

...All kinds of merchants came to the intersection of trading routes linking Dobrogea to Brașov and Transylvania. At first, the residents of Wallachia and Ardeal would exchange cereals and animals, but the fair also had a mystical connotation, linked to the beginning of harvest and marked with various rituals and ceremonies. The fair emerged at a point along the old droving route. Since their very first meeting at Târgul Drăgăicii, people have been learning how to treat themselves to gingerbread, "Cârnați de Pleșcoi" and "Tămâioasă de Pietroasele";

...The tradition has not been lost, and the fair is still organised to this day. Târgul Drăgăicii' is held for two weeks before the celebration of the birth of Saint John the Baptist (24 June).

In 1890, Buzău was renowned for being a city with more public houses than streets, and in those pubs people would enjoy their 'Cârnați de Pleșcoi', as noted by Constantin Trenea in his manuscript 'The Tradition of Literacy in Pleșcoi Village — Buzău 1600-1900' written in Bucharest in 1975. The manuscript describes in detail the celebratory feast laid on by the 'idealul' cultural society on 28 August 1924 in the commune of Pleșcoi, Buzău county. 'It was a wonderful spread (…) and the famous Pleșcoi sausages were being roasted'.

The 'Cârnați de Pleșcoi' recipe takes a place of honour in Radu Anton Roman's book 'Romanian dishes, wines and customs', published by the Paideia publishing house in 2001. Roman was a journalist, a writer and a TV producer especially well known for his cooking programmes.

In Ioan Boldea's 'Dictionary of Essential Words', which brings into focus the key reflections of personalities from the worlds of culture, science and art, Andrei Pleșu states on page 219, point 4803: 'I read for pleasure, I like ideas and I look for God. But I also take delight in "Cârnați de Pleșcoi", crude bufonery, crumbling cheeses, merrymaking, courtesans and sentimental songs'. Andrei Pleșu is a Romanian writer and essayist, an aesthete, art historian and a stylist of the Romanian language.
From 2000 to 2014, a series of local and national mass-media broadcasts was produced which had a particular focus on ‘Cărnați de Pleșcoi’. Presentations of Romania’s national cuisine always include recipes with ‘Cărnați de Pleșcoi’, and the regional almanac ‘Renașterea Buzoiană 2006’ dedicated pages and pages to this local product.

Over the years, ‘Cărnați de Pleșcoi’ have become a favourite appetiser for Romanians sitting down to a festive meal marking a special occasion. This fact has in turn spawned a ‘Cărnați de Pleșcoi’ festival that has been held annually since 2008. The festival includes various types of contests: Miss Oița (Miss Little Sheep), the longest ‘Cărnați de Pleșcoi’ sausage, a ‘Cărnați de Pleșcoi’ eating contest, etc.

Reference to publication of the specification
(the second subparagraph of Article 6(1) of this Regulation)

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration
(Case M.9388 — Clearlake Capital Group/Francisco Partners Management/Perforce Software Holdings)
Candidate case for simplified procedure
(Text with EEA relevance)
(2019/C 185/10)

1. On 21 May 2019, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 (1).

This notification concerns the following undertakings:
— Francisco Partners, L.P. (‘Francisco Partners’, USA),
— Clearlake Capital Group, L.P. (‘Clearlake’, USA),
— Perforce Software Holdings, Inc. (‘Perforce’, USA), controlled by Clearlake,

Francisco Partners and Clearlake acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the whole of Perforce.

The concentration is accomplished by way of purchase of shares by Francisco Partners.

2. The business activities of the undertakings concerned are:
— for Francisco Partners: private equity firm,
— for Clearlake: private investment firm,

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved.

Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under the Council Regulation (EC) No 139/2004 (2) it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

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

Observations must reach the Commission not later than 10 days following the date of this publication. The following reference should always be specified:
M.9388 — Clearlake Capital Group/Francisco Partners Management/Perforce Software Holdings

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/BELGIE
Prior notification of a concentration
(Case M.9205 — IBM/Red Hat)
(Text with EEA relevance)
(2019/C 185/11)

1. On 20 May 2019, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 (1).

This notification concerns the following undertakings:
— International Business Machines Corporation (‘IBM’, USA),
— Red Hat Inc. (‘Red Hat’, USA).

IBM acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of Red Hat. The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:
— for IBM: development, production, and marketing of a wide variety of information technology (IT) solutions, namely enterprise IT software and systems (such as servers, storage systems, cloud, and cognitive offerings) and IT implementation services (such as business consulting and IT infrastructure services),
— for Red Hat: supply of open-source software and support services, using a community-powered approach to develop and offer a wider range of open-source software solutions for enterprise customers.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved.

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

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

M.9205 — IBM/Red Hat

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

Prior notification of a concentration
(Case M.9338 — Primonial/Samsung SRA/Building Lumière)
Candidate case for simplified procedure
(Text with EEA relevance)
(2019/C 185/12)

1. On 21 May 2019, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 (1).

This notification concerns the following undertakings:
— New Primonial Holding SAS ('Primonial', France) belonging to the Bridgepoint group (United Kingdom),
— Samsung SRA Asset Management Co., Ltd ('SRA', South Korea), belonging to the Samsung group (South Korea),
— 'Building Lumière' (France).

Primonial and SRA acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of 'Building Lumière'.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:
— for Primonial: wealth management services,
— for SRA: general partner and manager of several real estate funds,
— for 'Building Lumière': a real estate property located in Paris.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved.

Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under the Council Regulation (EC) No 139/2004 (2) it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

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

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

M.9338 — Primonial/Samsung SRA/Building Lumière

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
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1049 Bruxelles/Brussel
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(1) OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').
Prior notification of a concentration

(Case M.9392 — EQT/Parques Reunidos)

Candidate case for simplified procedure

(Text with EEA relevance)

(2019/C 185/13)

1. On 23 May 2019, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 (1).

This notification concerns the following undertakings:
— EQT Fund Management SARL (‘EQT’, Luxembourg),
— Parques Reunidos Servicios Centrales SA (Parques Reunidos’, Spain).

EQT acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of Parques Reunidos.

The concentration is accomplished by way of public bid announced on 26 April 2019.

2. The business activities of the undertakings concerned are:
— for EQT: investments in infrastructure and infrastructure-related assets and businesses primarily in Europe and North America,
— for Parques Reunidos: leisure park operator (theme parks, zoos, marine parks, water parks, indoor entertainment centres and other attractions).

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 (1,2) it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

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

Observations must reach the Commission not later than 10 days following the date of this publication. The following reference should always be specified:
M.9392 — EQT/Parques Reunidos

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
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1049 Bruxelles/Brussel
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CORRIGENDA

Corrigendum to Call for proposals — GR/002/19 — Support for awareness-raising activities on the value of intellectual property and the damage caused by counterfeiting and piracy

(Official Journal of the European Union C 181 of 27 May 2019)
(2019/C 185/14)

On page 2 and on the cover page, in the title:

for: ‘GR/002/19’,
read: ‘GR/001/19’.

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