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⁽¹⁾ Text with EEA relevance.

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⁽¹⁾ 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.9719 — FFHL/OMERS/Riverstone)****(Text with EEA relevance)**

(2020/C 86/01)

On 25 February 2020, the Commission decided not to oppose the above notified concentration and to declare it compatible with the internal market. This decision is based on Article 6(1)(b) of Council Regulation (EC) No 139/2004 ⁽¹⁾. The full text of the decision is available only in English and will be made public after it is cleared of any business secrets it may contain. It will be available:

- in the merger section of the Competition website of the Commission (<http://ec.europa.eu/competition/mergers/cases/>). This website provides various facilities to help locate individual merger decisions, including company, case number, date and sectoral indexes,
- in electronic form on the EUR-Lex website (<http://eur-lex.europa.eu/homepage.html?locale=en>) under document number 32020M9719. EUR-Lex is the online access to European law.

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

Non-opposition to a notified concentration
(Case M.9649 — TSR Recycling/Sims Metal Management (Certain Recycling Assets))

(Text with EEA relevance)

(2020/C 86/02)

On 6 March 2020, the Commission decided not to oppose the above notified concentration and to declare it compatible with the internal market. This decision is based on Article 6(1)(b) of Council Regulation (EC) No 139/2004 ⁽¹⁾. The full text of the decision is available only in English and will be made public after it is cleared of any business secrets it may contain. It will be available:

- in the merger section of the Competition website of the Commission (<http://ec.europa.eu/competition/mergers/cases/>). This website provides various facilities to help locate individual merger decisions, including company, case number, date and sectoral indexes,
- in electronic form on the EUR-Lex website (<http://eur-lex.europa.eu/homepage.html?locale=en>) under document number 32020M9649. EUR-Lex is the online access to European law.

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

Non-opposition to a notified concentration**(Case M.9417 — Volvo Cars/AB Volvo/World of Volvo JV)****(Text with EEA relevance)**

(2020/C 86/03)

On 23 January 2020, the Commission decided not to oppose the above notified concentration and to declare it compatible with the internal market. This decision is based on Article 6(1)(b) of Council Regulation (EC) No 139/2004 ⁽¹⁾. The full text of the decision is available only in English and will be made public after it is cleared of any business secrets it may contain. It will be available:

- in the merger section of the Competition website of the Commission (<http://ec.europa.eu/competition/mergers/cases/>). This website provides various facilities to help locate individual merger decisions, including company, case number, date and sectoral indexes,
- in electronic form on the EUR-Lex website (<http://eur-lex.europa.eu/homepage.html?locale=en>) under document number 32020M9417. EUR-Lex is the online access to European law.

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

EUROPEAN COMMISSION

Euro exchange rates ⁽¹⁾

13 March 2020

(2020/C 86/04)

1 euro =

Currency			Exchange rate		
Currency			Exchange rate		
USD	US dollar	1,1104	CAD	Canadian dollar	1,5389
JPY	Japanese yen	119,11	HKD	Hong Kong dollar	8,6255
DKK	Danish krone	7,4732	NZD	New Zealand dollar	1,8120
GBP	Pound sterling	0,89070	SGD	Singapore dollar	1,5684
SEK	Swedish krona	10,8453	KRW	South Korean won	1 341,38
CHF	Swiss franc	1,0608	ZAR	South African rand	17,9235
ISK	Iceland króna	150,00	CNY	Chinese yuan renminbi	7,7587
NOK	Norwegian krone	11,0966	HRK	Croatian kuna	7,5630
BGN	Bulgarian lev	1,9558	IDR	Indonesian rupiah	16 400,61
CZK	Czech koruna	26,042	MYR	Malaysian ringgit	4,7508
HUF	Hungarian forint	338,88	PHP	Philippine peso	56,453
PLN	Polish zloty	4,3570	RUB	Russian rouble	80,7385
RON	Romanian leu	4,8213	THB	Thai baht	35,244
TRY	Turkish lira	6,9850	BRL	Brazilian real	5,2042
AUD	Australian dollar	1,7684	MXN	Mexican peso	23,7835
			INR	Indian rupee	81,8765

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

Appointment of a Hearing Officer

(2020/C 86/05)

Following the retirement of Mr Joos STRAGIER, the Commission has appointed Ms Dorothe DALHEIMER to the post of Hearing Officer with effect as from 16 March 2020, in accordance with Article 1 of the Decision of the President of the European Commission of 13 October 2011 on the function and terms of reference of the hearing officer in certain competition proceedings (OJ L 275, 20.10.2011, p. 29).

V

*(Announcements)*PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMMON
COMMERCIAL POLICY

EUROPEAN COMMISSION

On the consequences of the COVID-19 outbreak on anti-dumping and anti-subsidy investigations*(2020/C 86/06)***1. Background**

The safety measures applied due to the threat of COVID-19 transmission may impact trade defence investigations in two main ways: (1) on spot verifications, and (2) deadlines within which interested parties have to respond to Commission's information requests.

The COVID-19 outbreak originally affecting mostly the People's Republic of China, has spread to many other locations around the world. The safety measures aimed at limiting the spread of COVID-19 have an impact on parties involved in trade defence investigations located or closely interlinked with the areas affected by the virus. This notice therefore applies to all those parties.

2. Impact of COVID-19 on anti-dumping and anti-subsidy investigations**a) On spot verifications**

Article 16 of Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union ⁽¹⁾ and Article 26 of Regulation (EU) No 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 ⁽²⁾ ('the basic Regulations') state that 'the Commission shall, where it considers it appropriate, carry out visits to examine the records of importers, exporters, traders, agents, producers, trade associations and organizations and to verify information provided'.

As a result of the COVID-19 outbreak, the European Commission decided to suspend all non-essential travel to the affected areas and to postpone all face-to-face meetings with visitors from these areas.

In case information provided by exporting producers located in the areas affected by COVID-19 is not subject to verification on spot because of travel restrictions or other safety measures, the Commission will endeavour to consider the information properly submitted by the parties and to cross-check such information with other information available if feasible. If the Commission is not satisfied with the accuracy or completeness of the information submitted, it will have to base its findings only on the verified or other proven facts on the record of the investigation.

⁽¹⁾ Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union (OJ L 176, 30.6.2016, p. 21).

⁽²⁾ 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 (OJ L 176, 30.6.2016, p. 55).

For this purpose, the Commission will carefully examine, *inter alia*, the following information when making its finding with respect to the imports under investigation:

- the complaint and the verified information contained therein submitted on behalf of the Union industry pursuant to Articles 5 or 10 of the respective basic Regulations,
- the information submitted pursuant to Articles 6(2) or 11(2) of the respective basic Regulations by other interested parties, in particular exporting producers, which can be properly verified by the Commission services in Brussels.

In this respect, the utmost cooperation will be required from interested parties, in particular in providing information which is sufficiently detailed, can be crosschecked from independent and verifiable sources and is fully and properly certified.

As concerns questionnaire responses submitted by exporting producers subject to the methodology falling under Article 2(6a) of the basic anti-dumping Regulation, the exporting producers are requested to pay particular attention to ensure they comply with the General Instructions of the questionnaire, in particular Point (1): 'To be able to verify your response and link it to your accounting and management records, submit all worksheets (usually Excel files and/or other extractions from your company's databases) used for preparing data for this questionnaire together with your questionnaire reply and provide a detailed explanation on how the worksheets were compiled and how to reconcile the figures and data in the worksheets with the figures and data submitted in the questionnaire and the annexed tables'.

If such necessary information cannot be provided by interested parties, the Commission may make its findings on the basis of the facts available in accordance with Articles 18 and 28 of the respective basic Regulations.

In this context, the Commission will take particular care that due process and transparency requirements are observed.

b) *Impact on time-limits*

Exporting producers and other parties located in areas affected by COVID-19 may be subject to safety measures preventing or limiting their ability to conduct business activities for extended periods of time. This may have an impact on the ability of parties to reply on time to questionnaires and other requests for information sent in the course of trade defence investigations. Articles 6(2) and 11(2) of the respective basic Regulations specify the time limit for replying to questionnaires. Sections 5 through 9 of Notices of Initiation set out additional provisions for the submission of information and the timeline of the investigation.

Section 9 of the Notices of Initiation provides for a possibility to grant a 7-day extension in case of exceptional circumstances. Since the COVID-19 outbreak is an unforeseen event constituting *force majeure* likely to impede the affected economic entities from complying with the relevant deadlines for submission of information, an extension of 7 days may be granted. For that purpose, the requesting parties must explain in detail how the measures linked to the COVID-19 affect their capacity to provide the information requested.

Furthermore, economic operators located in regions particularly affected by the COVID-19 outbreak may be subject to additional substantial safety measures impeding their capacity to comply with the Commission's requests, such as quarantine periods and/or mandatory factory closures. In such extraordinary cases, the Commission may exceptionally decide to extend the deadline beyond the 7-day period. The requesting party must duly substantiate how additional substantial safety measures affect their capacity to provide the specific information requested. In those exceptional situations, the requesting parties should also indicate how the additional time would allow them to prepare a meaningful reply to the Commission's questionnaire or other requests for information. The Commission will then decide on a case-by-case basis whether this further extension should be granted.

It should be noted that, if these longer extensions for *force majeure* or additional safety measures would risk jeopardising the timely conclusion of the investigation, the Commission may reject the extension requests or shorten the time granted.

c) *Conduct of investigations affected and decision-making*

The approach described in this notice concerning verification visits and extensions of timeline will apply until the areas affected by COVID-19 have been deemed safe to travel or there are no restrictive prevention measures applying to parties located in those areas or otherwise affected by the measures linked to COVID-19. Although the Commission will monitor the developments in this situation closely, interested parties are also requested to inform the Commission of any change which may improve the verification process as well as the submission of information.

If in the course of an investigation, certain areas affected by COVID-19 are no longer considered unsafe for travelling, verification visits will again be carried out provided this is still feasible in view of the deadlines applicable to investigations.

In the case where an investigation has been concluded and definitive measures were imposed on the basis of the facts available, the Commission may, as soon as certain areas where the exporting producers are located are no longer considered unsafe for travelling, initiate ex officio a review pursuant to Article 11(3) or Article 19(1) of the basic Regulations.

Parties concerned may wish to comment on the abovementioned approach. These comments must reach the Commission within 10 days of the date of publication of this notice in the *Official Journal of the European Union*.

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.9662 — Generali/Klesia/JV)

Candidate case for simplified procedure

(Text with EEA relevance)

(2020/C 86/07)

1. On 9 March 2020, 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:

- Assicurazioni Generali S.p.A. ('Generali', Italy), which notably controls Generali Vie S.A. ('Generali Vie', France) and
- Groupe paritaire de protection sociale Klesia ('Klesia', France), which notably controls Klesia Prévoyance, CARCEPT Prévoyance, IPRIAC, and la Mutuelle Klesia Mut' (all together 'Klesia Prévoyance', France).

Generali and Klesia acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control over the pension and collective healthcare business of Generali Vie and the pension and healthcare business of Klesia Prévoyance (the 'JV').

The concentration is accomplished by way of contract or any other means.

2. The business activities of the undertakings concerned are:

- for Generali: the provision of insurance products for individuals and undertakings — including individual insurance policies, life insurance products as well as insurance policies intended to cover commercial and industrial risks of companies — as well as reinsurance and the distribution of insurance product.
- for Klesia : primarily the provision of life insurance and complementary retirement products.
- for the JV: the provision of retirement and healthcare products through Generali Vie and Klesia Prévoyance.

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.9662 — Generali/Klesia/JV

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

⁽²⁾ OJ C 366, 14.12.2013, p. 5.

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

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

Fax +32 22964301

Postal address:

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

Prior notification of a concentration

(Case M.9675 — Apollo Capital Management/Lopesan Group/IFA Faro Hotel/IFA Buenaventura Hotel)

Candidate case for simplified procedure

(Text with EEA relevance)

(2020/C 86/08)

1. On 6 March 2020, 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:

- Apollo Capital Management L.P. ('Apollo', USA),
- Invertur Helsan, S.L.U. ('Lopesan', Spain), ultimately controlling the Lopesan Group,
- Hotel Faro, a Lopesan Collection Hotel ('IFA Faro Hotel') and Abora Buenaventura By Lopesan Hotels ('IFA Buenaventura Hotel') (together 'the Target Hotels', Gran Canaria, Spain).

Apollo and Lopesan acquire within the meaning of Articles 3(1)(b) and 3(4) of the Merger Regulation joint control of Hotel Faro and Hotel Buenaventura.

The concentration is accomplished by way of purchase of shares and a hotel management agreement.

2. The business activities of the undertakings concerned are:

- for Apollo: investment in companies involved in various businesses throughout the world, inter alia, companies in the chemical, hospital, security, insurance, financial services, and real estate businesses,
- for Lopesan Group: Spanish conglomerate based in Gran Canaria that owns companies in the construction, tourism, real estate development, leisure and agriculture sectors. It owns and manages 15 hotels distributed in Gran Canaria, Fuerteventura, Germany, Austria, and the Dominican Republic. Lopesan Group also manages six third-party-owned hotels in Gran Canaria,
- for the Target Hotels: four and five star hotels offering bedrooms, as well as restaurant, bar and conference facilities in San Barthomome de Tirajana in Gran Canaria, 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 ⁽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.9675 — Apollo Capital Management/Lopesan Group/IFA Faro Hotel/IFA Buenaventura Hotel

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

⁽²⁾ OJ C 366, 14.12.2013, p. 5.

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

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

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