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# C 398



English edition

## Information and Notices

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

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

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## II

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

## EUROPEAN COMMISSION

**Non-opposition to a notified concentration****(Case M.10000 — PreZero International/SUEZ Nordic)****(Text with EEA relevance)**

(2020/C 398/01)

On 17 November 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 <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 32020M10000. 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.

**Non-opposition to a notified concentration****(Case M.9673 — Columbia Threadneedle Investments/Brittany Ferries/Condor)****(Text with EEA relevance)**

(2020/C 398/02)

On 17 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 <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 32020M9673. 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.

**Non-opposition to a notified concentration**  
**(Case M.9559 — Telefónica/Prosegur/Prosegur Alarmas España)**

(Text with EEA relevance)

(2020/C 398/03)

On 19 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 <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 32020M9559. 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.

**Initiation of proceedings**  
**(Case M.9730 — FCA/PSA)**

**(Text with EEA relevance)**

(2020/C 398/04)

On 17 June 2020, the Commission decided to initiate proceedings in the above-mentioned case after finding that the notified concentration raises serious doubts as to its compatibility with the internal market. The initiation of proceedings opens a second phase investigation with regard to the notified concentration, and is without prejudice to the final decision on the case. The decision is based on Article 6(1)(c) of Council Regulation (EC) No 139/2004 <sup>(1)</sup>.

The Commission invites interested third parties to submit their observations on the proposed concentration to the Commission.

In order to be fully taken into account in the procedure, observations should reach the Commission not later than 15 days following the date of this publication. Observations can be sent to the Commission by fax (+32 22964301), by email to [COMP-MERGER-REGISTRY@ec.europa.eu](mailto:COMP-MERGER-REGISTRY@ec.europa.eu) or by post, under reference M.9730 — FCA/PSA, to the following 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').



**Non-opposition to a notified concentration****(Case M.9790 — Blackstone/KP1)****(Text with EEA relevance)**

(2020/C 398/05)

On 27 July 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 <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 32020M9790. 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.

**Non-opposition to a notified concentration****(Case M.9967 — Kolhberg/Mubadala/Partners Group/Pioneer UK Midco 1)****(Text with EEA relevance)**

(2020/C 398/06)

On 29 October 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 <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 32020M9967. 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

**Notice for the attention of the persons subject to the restrictive measures provided for in Council Decision (CFSP) 2019/797, as amended by Council Decision (CFSP) 2020/1748, and in Council Regulation (EU) 2019/796, as implemented by Council Implementing Regulation (EU) 2020/1744 concerning restrictive measures against cyber-attacks threatening the Union or its Member States**

(2020/C 398/07)

The following information is brought to the attention of the persons that appear in the Annex to Council Decision (CFSP) 2019/797 <sup>(1)</sup>, as amended by Council Decision (CFSP) 2020/1748 <sup>(2)</sup>, and in Annex I to Council Regulation (EU) 2019/796 <sup>(3)</sup>, as implemented by Council Implementing Regulation (EU) 2020/1744 <sup>(4)</sup> concerning restrictive measures against cyber-attacks threatening the Union or its Member States.

The Council of the European Union has decided to update the information on two persons that appear in the abovementioned Annexes. The grounds for the listing of the persons concerned appear in the relevant entries in those Annexes.

The attention of the persons concerned is drawn to the possibility of making an application to the competent authorities of the relevant Member State(s) as indicated on the websites in Annex II to Regulation (EU) 2019/796 concerning restrictive measures against cyber-attacks threatening the Union or its Member States, in order to obtain an authorisation to use frozen funds for basic needs or specific payments.

The persons concerned may submit a request to the Council, together with supporting documentation, that the decision to include them on the abovementioned lists should be reconsidered, before 15 January 2021, to the following address:

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

Email: [sanctions@consilium.europa.eu](mailto:sanctions@consilium.europa.eu)

Any observations received will be taken into account for the purpose of the Council's periodic review, in accordance with Article 10 of Decision (CFSP) 2019/797 concerning restrictive measures against cyber-attacks threatening the Union or its Member States.

<sup>(1)</sup> OJ L 129 I, 17.5.2019, p. 13.

<sup>(2)</sup> OJ L 393, 23.11.2020, p. 19

<sup>(3)</sup> OJ L 129 I, 17.5.2019, p. 1.

<sup>(4)</sup> OJ L 393, 23.11.2020, p. 1

The attention of the persons concerned is also drawn to the possibility of challenging the Council's decision before the General Court of the European Union, in accordance with the conditions laid down in Article 275, second paragraph, and Article 263, fourth and sixth paragraphs, of the Treaty on the Functioning of the European Union.

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**Notice for the attention of the data subjects to whom the restrictive measures provided for in Council Decision (CFSP) 2019/797 and Council Regulation (EU) 2019/796 concerning restrictive measures against cyber-attacks threatening the Union or its Member States apply**

(2020/C 398/08)

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

The legal basis for this processing operation are Council Decision (CFSP) 2019/797 <sup>(2)</sup>, as amended by Council Decision (CFSP) 2020/1748 <sup>(3)</sup>, and in Council Regulation (EU) 2019/796 <sup>(4)</sup>, as implemented by Council Implementing Regulation (EU) 2020/1744 <sup>(5)</sup> concerning restrictive measures against cyber-attacks threatening the Union or its Member States.

The controller of this processing operation is the Council of the European Union represented by the Director General of RELEX (External Relations) of the General Secretariat of the Council and the department entrusted with the processing operation is RELEX.1.C that can be contacted at:

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

Email: [sanctions@consilium.europa.eu](mailto:sanctions@consilium.europa.eu)

The GSC's Data Protection Officer can be contacted at:

Data Protection Officer

[data.protection@consilium.europa.eu](mailto:data.protection@consilium.europa.eu)

The purpose of the processing operation is the establishment and updating of the list of persons subject to restrictive measures in accordance with Decision (CFSP) 2019/797, as amended by Decision (CFSP) 2020/1748, and in Regulation (EU) 2019/796, as implemented by Implementing Regulation (EU) 2020/1744.

The data subjects are the natural persons who fulfil the listing criteria as laid down in Decision (CFSP) 2019/797 and Regulation (EU) 2019/796.

The personal data collected includes data necessary for the correct identification of the person concerned, the statement of reasons and any other data related thereto.

The personal data collected may be shared as necessary with the European External Action Service and the Commission.

Without prejudice to restrictions pursuant to Article 25 of Regulation (EU) 2018/1725, the exercise of the rights of the data subjects such as the right of access, as well as the rights to rectification or to object will be answered in accordance with Regulation (EU) 2018/1725.

Personal data will be retained for 5 years from the moment the data subject has been removed from the list of persons subject to the restrictive measures or the validity of the measure has expired, or for the duration of court proceedings in the event they had been started.

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

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<sup>(1)</sup> OJ L 295, 21.11.2018, p. 39.

<sup>(2)</sup> OJ L 129 I, 17.5.2019, p. 13.

<sup>(3)</sup> OJ L 393, 23.11.2020, p. 19.

<sup>(4)</sup> OJ L 129 I, 17. 5.2019, p. 1.

<sup>(5)</sup> OJ L 393, 23.11.2020, p. 1

**Notice for the attention of the persons subject to the restrictive measures provided for in Council Decision 2011/72/CFSP and Council Regulation (EU) No 101/2011 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Tunisia**

(2020/C 398/09)

The following information is brought to the attention of the persons that appear in the Annex to Council Decision 2011/72/CFSP <sup>(1)</sup>, and in Annex I to Council Regulation (EU) No 101/2011 <sup>(2)</sup>, concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Tunisia.

The Council has received information from the Tunisian authorities that will be considered within the framework of the annual review of the restrictive measures concerning all persons listed in the Annex to Decision 2011/72/CFSP and in Annex I to Regulation (EU) No 101/2011. The persons concerned are hereby informed that they may submit a request to the Council to obtain the information that relates to them, before 30 November 2020, to the following address:

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

Email: [sanctions@consilium.europa.eu](mailto:sanctions@consilium.europa.eu)

Any observations received will be taken into account for the purpose of the Council's periodic review, in accordance with Article 5 of Decision 2011/72/CFSP and Article 12(4) of Regulation (EU) No 101/2011.

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<sup>(1)</sup> OJ L 28, 2.2.2011, p. 62.

<sup>(2)</sup> OJ L 31, 5.2.2011, p. 1.

**Notice for the attention of a person subject to the restrictive measures provided for in Council Decision 2014/119/CFSP and in Council Regulation (EU) No 208/2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine**

(2020/C 398/10)

The following information is brought to the attention of Mr Viktor Ivanovych Ratushniak who appears in the Annex to Council Decision 2014/119/CFSP <sup>(1)</sup> and in Annex I to Council Regulation (EU) No 208/2014 <sup>(2)</sup> concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine.

The Council has received information from the Ukrainian authorities that will be considered within the framework of the annual review of the restrictive measures. The above-mentioned person is hereby informed that he may submit a request to the Council to obtain the elements the Council holds in its file regarding his designation, before 30 November 2020, to the following address:

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

Email: [sanctions@consilium.europa.eu](mailto:sanctions@consilium.europa.eu)

In this regard, the attention of the person concerned is drawn to the regular review by the Council of the list of designated persons in Decision 2014/119/CFSP and Regulation (EU) No 208/2014.

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<sup>(1)</sup> OJ L 66, 6.3.2014, p. 26.

<sup>(2)</sup> OJ L 66, 6.3.2014, p. 1.

# EUROPEAN COMMISSION

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

**20 November 2020**

(2020/C 398/11)

### 1 euro =

Currency			Exchange rate		
Currency			Exchange rate		
USD	US dollar	1,1863	CAD	Canadian dollar	1,5484
JPY	Japanese yen	123,18	HKD	Hong Kong dollar	9,1972
DKK	Danish krone	7,4489	NZD	New Zealand dollar	1,7086
GBP	Pound sterling	0,89393	SGD	Singapore dollar	1,5934
SEK	Swedish krona	10,2168	KRW	South Korean won	1 323,26
CHF	Swiss franc	1,0811	ZAR	South African rand	18,2192
ISK	Iceland króna	161,30	CNY	Chinese yuan renminbi	7,7916
NOK	Norwegian krone	10,6613	HRK	Croatian kuna	7,5665
BGN	Bulgarian lev	1,9558	IDR	Indonesian rupiah	16 840,24
CZK	Czech koruna	26,340	MYR	Malaysian ringgit	4,8549
HUF	Hungarian forint	359,50	PHP	Philippine peso	57,206
PLN	Polish zloty	4,4639	RUB	Russian rouble	90,2622
RON	Romanian leu	4,8735	THB	Thai baht	35,922
TRY	Turkish lira	9,0470	BRL	Brazilian real	6,3347
AUD	Australian dollar	1,6227	MXN	Mexican peso	23,8656
			INR	Indian rupee	87,9410

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



## V

*(Announcements)*PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION  
POLICY

## EUROPEAN COMMISSION

**Prior notification of a concentration****(Case M. 9964 — Eurofiber Nederland/Vattenfall Wärme Berlin/Vattenfall Bitstream Infrastructure)****Candidate case for simplified procedure****(Text with EEA relevance)**

(2020/C 398/12)

1. On 13 November 2020, 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:

- Eurofiber Nederland B.V. ('Eurofiber', the Netherlands), controlled by Antin Infrastructure Partners,
- Vattenfall Wärme Berlin ('VWB', Germany), belonging to the group Vattenfall,
- Vattenfall Bitstream Infrastructure GmbH ('VBIG', Germany), currently belonging to VWB.

Eurofiber and VWB acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of VBIG.

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:

- for Eurofiber: provides digital infrastructure using its own fibre-optic networks and data centres,
- for VWB: owns and operates district heating, district cooling and electricity production plants in the Berlin region,
- for VBIG: will install a fibre network in Berlin and will offer wholesale network access to internet service providers and network and connectivity services to business 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.

Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under 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.9964 — Eurofiber Nederland/Vattenfall Wärme Berlin/Vattenfall Bitstream Infrastructure

<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.9936 — Imabari Shipbuilding/JFE/IHI/Japan Marine United Corporation)****(Text with EEA relevance)**

(2020/C 398/13)

1. On 11 November 2020, 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:

- Imabari Shipbuilding Co., Ltd. ('Imabari Shipbuilding', Japan),
- Japan Marine United Corporation ('JMU', Japan), jointly controlled by JFE Holdings, Inc. ('JFE', Japan) and IHI Corporation ('IHI', Japan).

Imabari Shipbuilding acquires within the meaning of Article 3(1)(b) of the Merger Regulation joint control of JMU.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- for Imabari Shipbuilding: development, design, construction, marketing, and repair of a wide range of commercial vessels, including bulk carriers, container ships, car carriers, LNG carriers, tankers and ferries;
- for JMU: development, design, construction, production and marketing of a wide range of commercial and military vessels, including bulk carriers, container ships, car carriers, LNG carriers, tankers, ferries and offshore support ships;
- for JFE: holding company with interests in steel, engineering and the trading of raw materials, machinery, electronics, real estate and food; and
- for IHI: heavy-industry manufacturer with activities in (i) resources, energy and environment, (ii) social infrastructure and offshore facilities, (iii) industrial systems and general-purpose machinery, and (iv) aero engine, space and defense.

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.9936 — Imabari Shipbuilding/JFE/IHI/Japan Marine United Corporation

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

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.10005 — CPPIB/Sixth Street/Clara)**  
**Candidate case for simplified procedure**

(Text with EEA relevance)

(2020/C 398/14)

1. On 13 November 2020, 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:

- Canada Pension Plan Investment Board ('CPPIB', Canada),
- Sixth Street Partners (US)

CPPIB and Sixth Street Partners acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of a newly created company constituting a joint venture ('Clara').

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- CPPIB is a professional investment management organisation based in Canada,
- Sixth Street Partners is a global investment firm that operates eight diversified, collaborative investment platforms in growth investing, adjacencies, direct lending, fundamental public strategies, infrastructure, special situations, agriculture and liquid credit, with offices in the US, UK, Luxembourg, China and Australia;
- Clara is a commercial consolidator of defined benefit pension schemes in the UK.

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.10005 — CPPIB/Sixth Street/Clara

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.

**Prior notification of a concentration**  
**(Case M.9829 — Aon/Willis Towers Watson)**

(Text with EEA relevance)

(2020/C 398/15)

1. On 16 November 2020, 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:

- Aon plc (Ireland, 'Aon'),
- Willis Towers Watson Public Limited Company (Ireland, 'WTW').

Aon acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of WTW.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- Aon is a global professional services firm active in five business segments: (i) commercial risk solutions, (ii) reinsurance solutions, (iii) retirement solutions, (iv) health solutions and (v) data and analytics services.
- WTW is also a global professional services firm active in four business segments: (i) human capital and benefits, (ii) corporate risk and broking, (iii) investment, risk and reinsurance, and (iv) benefits delivery and administration.

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.9829 — Aon/Willis Towers Watson

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').

**Prior notification of a concentration**  
**(Case M.9973 — SK Capital Partners/Venator Materials)**  
**Candidate case for simplified procedure**

(Text with EEA relevance)

(2020/C 398/16)

1. On 16 November 2020 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:

- SK Capital Partners, LP ('SKCP', USA),
- Venator Materials PLC ('Venator', UK).

SKCP acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of Venator.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- for SKCP: a private investment firm focused on the specialty materials, chemicals and pharmaceuticals sectors,
- for Venator: a producer of titanium dioxide for use in various end applications and is also active in the production of performance additives.

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.9973 — SK Capital Partners/Venator Materials

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.

**Prior notification of a concentration**  
**(Case M.10032 – Goldman Sachs Group/Insight Venture Management/InhabitIQ Parent)**  
**Candidate case for simplified procedure**

(Text with EEA relevance)

(2020/C 398/17)

1. On 16 November 2020, 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:

- Goldman Sachs Group, Inc. ('Goldman Sachs', USA),
- Insight Venture Management, LLC ('Insight', USA),
- InhabitIQ Parent, LLC ('InhabitIQ', USA)

Goldman Sachs acquires within the meaning of Articles 3(1)(b) and 3(4) of the Merger Regulation joint control of the whole of InhabitIQ. The concentration is accomplished by way of purchase of shares in InhabitIQ.

2. The business activities of the undertakings concerned are:

- for Goldman Sachs: global investment banking, securities and investment management. It provides a range of banking, securities and investment services worldwide to a substantial and diversified client base,
- for Insight: global venture capital and private equity. It specializes in investments in growth equity, buyout, capital for mergers and acquisitions. Insight primarily invests in the technology sector, focussing on consumer-facing technology, and software as a service (*SaaS*) based software infrastructure,
- for InhabitIQ: provider of property management software solutions for property managers of all sizes in the residential, vacation and commercial end markets. The company provides a comprehensive suite of integrated software solutions to address all customer workflows.

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.10032 - Goldman Sachs Group/Insight Venture Management/InhabitIQ Parent

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.



## OTHER ACTS

## EUROPEAN COMMISSION

**Publication of an application for approval of a non-minor amendment to a product specification  
pursuant to Article 50(2)(a) of Regulation (EU) No 1151/2012 of the European Parliament and of the  
Council on quality schemes for agricultural products and foodstuffs**

(2020/C 398/18)

This publication confers the right to oppose the amendment application pursuant to Article 51 of Regulation (EU) No 1151/2012 of the European Parliament and of the Council <sup>(1)</sup> within three months from the date of this publication

APPLICATION FOR APPROVAL OF A NON-MINOR AMENDMENT TO THE PRODUCT SPECIFICATION OF A PROTECTED  
DESIGNATION OF ORIGIN/PROTECTED GEOGRAPHICAL INDICATION

**Application for approval of an amendment in accordance with the first subparagraph of Article 53(2) of  
Regulation (EU) No 1151/2012**

**‘Münchener Bier’**

**EU No: PGI-DE-0516-AM04 – 25 July 2019**

**PDO ( ) PGI (X)**

**1. Applicant group and legitimate interest**

Name: Verein Münchener Brauereien e.V.

Address: Oskar-von-Miller-Ring 1, 80333 Munich, Germany

Tel.: +49 244184770

Fax: +49 244184780

Email: Manfred.newrzella@muenchener-bier.de

Legitimate interest:

The applicant is the same as the original applicant. It is an association of producers and processors of the product in question.

**2. Member State or third country**

Germany

**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

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

- ☒ Link with the geographical area
- ☐ Labelling
- ☐ Others (specify)

#### 4. Type of amendment(s)

- ☒ Amendment to product specification of a registered PDO or PGI not to be qualified as minor in accordance with the third subparagraph of Article 53(2) of Regulation (EU) No 1151/2012
- ☐ Amendment to product specification of a registered PDO or PGI for which a Single Document (or equivalent) has not been published, not to be qualified as minor in accordance with the third subparagraph of Article 53(2) of Regulation (EU) No 1151/2012

#### 5. Amendments

##### b) Description

###### (1) Point 3.2 Specification – Single Document

It is requested that the type and word 'Diät-Pils', along with the entire following description, be deleted from the beer types specified.

###### i) Original text:

'Diät-Pils

Original gravity in %: 8,5-9,3

Alcoholic strength in %: 4,3-4,9

Colour (EBC units): 5,0-6,5

European Bitterness Units: 26,0-30,0

Low in carbohydrates, slightly sharp, dry flavour.'

###### ii) Replacement text:

No text!

###### iii) Reasons:

The Sixteenth Amending Regulation (16. ÄndV) of 1 October 2010 (BGBl. I p. 1306) repealed Section 12 of the German Regulation on dietary foods (Verordnung über diätetische Lebensmittel, DiätV). In accordance with Section 28(4) of that Regulation, dietary foods for diabetics in conformity with the version of the Regulation in force until 8 October 2010 could be marketed until 9 October 2012. After the end of the transition period, dietary foods for diabetics that are not in conformity with the Regulation can be sold until their best-before date. Given that the transition periods have been over for some time, a product listed as 'Diät-Pils' ('diet Pils') is no longer marketable and must be removed from the specification.

###### (2) Point 3.2 Specification – Single Document

It is requested that the type and word 'ICE-Bier', along with the entire following description, be deleted from the beer types specified.

###### i) Original text:

'ICE-Bier

Original gravity in %: 11,2

Alcoholic strength in %: 4,9

Colour (EBC units): 6,5

European Bitterness Units: 20,0

Harmonious, mellow, full-bodied.'

###### ii) Replacement text:

No text!

###### iii) Reasons:

The beer type 'ICE-Bier' has not been produced for several years. For reasons of maintaining tradition, this type is deleted from the specification.

## (3) Point 3.2 Specification – Single Document

It is requested that the type and word 'Oktoberfestbier', along with the entire following description, be deleted from the beer types specified.

## i) Original text:

'Oktoberfestbier

Original gravity in %: 13,6-14,0

Alcoholic strength in %: 5,3-6,6

Colour (EBC units): 6,0-28,0

European Bitterness Units: 16,0-28,0

Light, golden, amber colours or dark, ranging from full-bodied, very mellow, smooth or malty aroma through to slightly hopped with a very mild bitterness or a powerful, slightly sweet taste.'

## ii) Replacement text:

No text!

## iii) Reasons:

'Oktoberfestbier' itself is not protected, only the PGI 'Münchener Bier'. The applicant has meanwhile submitted an application for 'Oktoberfestbier' to receive a separate protected geographical indication. In the context of this procedure of applying for a separate PGI for 'Oktoberfestbier', the European Commission considered the inclusion of 'Oktoberfestbier' in the lists of beers covered by the 'Münchener Bier' PGI to be in conflict with the requirements of Regulation (EU) No 1151/2012. In order for 'Oktoberfestbier' to be registered as a separate PGI, it can no longer be included under 'Münchener Bier'.

## (4) Point 3.2 Specification – Single Document

It is requested that the text following ii) be inserted at the end of that point, after the summary of the beer types specified following the list of beer types (i.e. after the section 'Nähr-/Malzbier'):

## i) Original text:

No text!

## ii) Replacement text:

'The specified values are subject to the tolerances laid down by law and recognised by the relevant food monitoring authorities in Bavaria. The tolerances must also be taken into account during analysis of the specified values.'

## ii-2) Replacement text added only to the specification and not to the Single Document

'Overview: Analytical and legal tolerances

## 1. Original gravity

a) Beers with a low original gravity => +/- 0,3% by weight

b) Draught beer => +/- 0,3% by weight

c) Regular beer => +/- 0,3% by weight

d) Strong beer => +/- 0,5% by weight

e) Bottle-fermented beer => +/- 0,5% by weight

## 2. Alcoholic strength

a) up to 5,5 % vol. => +/- 0,5 % vol.

b) over 5,5 % vol. => +/- 1,0 % vol.

## 3. Colour

EBC units => +/- 5 EBC

## 4. Bitterness

EBC bitterness units => +/- 5 EBC'

## iii) Reasons:

The investigating authorities wrongly accept the measurement tolerances and fluctuations laid down by law and recognised by the relevant food monitoring authorities in Bavaria only if they are indicated or referred to in the specification.

However, the European Commission was clearly of the opinion that in any case these tolerances apply and must be complied with. Therefore they are not to be listed in the 'Single Document' but should be given in the specification for clarification purposes. If the authorities consider the reference to the measurement tolerances to be in any way necessary, they must be included.

(5) Point 3.3 Single Document

It is requested that the current text be replaced by the text following ii).

i) Original text:

'The ingredients must be malt, hops, yeast and water. The water must come from tertiary layers of the gravel plain within the Munich city limits.'

ii) Replacement text:

'Production is carried out in accordance with the Munich Purity Law ("Münchener Reinheitsgebot") of 1487 in the form of Section 9 of the German Provisional Beer Act ("Vorläufiges Biergesetz"). The ingredients must be malt, hops, yeast and water.'

In addition, the water must be obtained from privately owned deep wells located within the Munich city limits and fed by an aquifer consisting of Tertiary Molasse sandstone and conglomerate deposits. At present these deep wells are approximately 140 m to 250 m deep, depending on location. Munich municipal water does not fulfil these conditions.'

iii) Reasons:

Limiting this to the most prominent ingredient does not seem appropriate and is contrary to the intent of Regulation (EU) No 1151/2012. Moreover, EU authorities and representatives have encouraged applicants to list all ingredients. The European Commission has also encouraged applicants to integrate this text under point 3.3 rather than stating it under point 3.2 as originally requested.

In addition, the differentiation from other breweries in terms of the raw material 'water' must be made clearer, particularly with regard to the Munich municipal water used by other breweries, which comes from various regions outside Munich.

e) *Method of production*

Specification

It is requested that the third sentence of this point be replaced by a different sentence and that two new sentences be added following it.

i) Original text:

'The water used by Munich's breweries comes from their own deep wells in the city, many of which are as deep as the strata dating from the tertiary period.'

ii) Replacement text:

'In addition, the water must be obtained from privately owned deep wells located within the Munich city limits and fed by an aquifer consisting of Tertiary Molasse sandstone and conglomerate deposits. At present these deep wells are approximately 140 m to 250 m deep, depending on location. Munich municipal water does not fulfil these conditions.'

iii) Reasons:

The clarification with regard to the raw material 'water' must be applied consistently throughout the document.

f) *Link with the geographical area*

(1) Single Document subheading 2. 'Specificity of the product', second paragraph, first and second sentences

It is requested that the last half of the first sentence and the second sentence be changed and that a new, third sentence be added following them.

i) Original text:

'...in particular on the fact that the Munich breweries obtain their brewing water from deep wells in the gravel plain of the city. These wells, which reach down to strata from the tertiary period, are as deep as 250 m in places.'

ii) Replacement text:

'...in particular on the fact that the Munich breweries obtain their brewing water from their own deep wells located within the city limits and fed by an aquifer consisting of Tertiary Molasse sandstone and conglomerate deposits.'

At present these deep wells are approximately 140 m to 250 m deep, depending on location. Munich municipal water does not fulfil these conditions.'

iii) Reasons:

The clarification with regard to the raw material 'water' must be applied consistently throughout the document.

(2) Specification – Single Document, subheading 3. 'Causal link', tenth paragraph (one sentence long)

It is requested that two words in this paragraph/sentence be replaced by a different word.

i) Original text:

'Of course those beer gardens, the "Oktoberfest" and the city's restaurants have also played their part in establishing the reputation of "Münchner Bier" in all parts of the world.'

ii) Replacement text:

'Of course those beer gardens, beer festivals and the city's restaurants have also played their part in establishing the reputation of "Münchener Bier" in all parts of the world.'

iii) Reasons:

If the term 'Oktoberfest' is deleted, there is no need for justifications relating to this beer or referring to its content. The text must be adjusted in this respect for reasons of clarity.

(3) Specification – Single Document, subheading 3. 'Causal link', twelfth paragraph

It is requested that this paragraph be deleted.

i) Original text:

'Just as imitated, though never equalled, is the "Oktoberfest", which was held for the first time in 1810 and evolved from a horse race. There are now more than 2 000 "Oktoberfeste" across the globe. The "Oktoberfest" and its beer, the "Oktoberfestbier", which may only be produced by the Munich breweries, also contribute to the good reputation of "Münchner Bier" throughout the world. Every year an average of over six million visitors come to Munich's "Oktoberfest" in order to sample the world-famous beer. The "Oktoberfest" with its "Oktoberfestbier" represents the refinement of "Münchner Bier" to its highest form. On one occasion the "Landgericht München" (Munich Regional Court) even declared the "Oktoberfest" to be the "festival of 'Münchner Bier'".'

ii) Replacement text:

No text!

iii) Reasons:

If the term 'Oktoberfest' is deleted, there is no need for justifications relating to this beer or referring to its content. The text must be adjusted in this respect for reasons of clarity.

(4) Specification – Single Document, subheading 3. 'Causal link', 21st paragraph, second sentence

It is requested that 12 words in the second sentence be deleted.

i) Original text:

'The rising export figures of the last 30 years, especially of the famous "Oktoberfestbier" (a name that only the Munich breweries are entitled to give their products), speak for themselves.'

ii) Replacement text:

'The rising export figures of the last 30 years speak for themselves.'

iii) Reasons:

If the term 'Oktoberfest' is deleted, there is no need for justifications relating to this beer or referring to its content. The text must be adjusted in this respect for reasons of clarity.

(5) Specification – Single Document, subheading 3. 'Causal link', 21st paragraph, third and fourth sentences

It is requested that these sentences be deleted.

i) Original text:

'The Oktoberfest, as the Munich beer festival, is known throughout the world. Its procession of festival goers in traditional regional and military costume, its opening ceremony and the daily reporting from the "Oktoberfest" tents have made "Münchner Bier" a household name.'

## ii) Replacement text:

No text!

## iii) Reasons:

If the term 'Oktoberfest' is deleted, there is no need for justifications relating to this beer or referring to its content. The text must be adjusted in this respect for reasons of clarity.

## SINGLE DOCUMENT

**'Münchener Bier'****EU No: PGI-DE-0516-AM04 – 25 July 2019****PDO ( ) PGI (X)****1. Name(s)**

'Münchener Bier'

**2. Member State or third country**

Germany

**3. Description of the agricultural product or foodstuff****3.1. Type of product**

Class 2.1. – Beers

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

Helles

Original gravity in %: 11,4-11,9

Alcoholic strength in % volume: 4,7-5,4

Colour (EBC units): 5,0-8,5

European Bitterness Units: 14,0-25,0

Light yellow, pale, palatable, pure, smooth, mildly to pleasantly hopped, delicately fragrant to aromatically fresh with a pleasant bitterness depending on the brewing process.

Export Hell

Original gravity in %: 12,5-12,8

Alcoholic strength in % volume: 5,5-6,0

Colour (EBC units): 5,5-7,5

European Bitterness Units: 15,0-26,0

Light yellow, thoroughly fermented, full-bodied, ranging from mild, mellow-smooth through to strongly fragrant, delicately hopped and delicate bitterness.

Export Dunkel

Original gravity in %: 12,5-13,7

Alcoholic strength in % volume: 5,0-5,9

Colour (EBC units): 42,0≤60,0

European Bitterness Units: 15,0-24,0

Full-bodied, smooth, malty aroma to strong, Munich malt sometimes dominant.

## Pils

Original gravity in %:	11,5-12,5
Alcoholic strength in % volume:	4,9-5,8
Colour (EBC units):	5,5-7,0
European Bitterness Units:	30,0-38,0

Slightly sharp, delicate, fine, hoppy bitterness, hoppy accents through to hoppy aroma, light, elegant, tart.

## Non-alcoholic Weißbier

Original gravity in %:	3,5-8,0
Alcoholic strength in % volume:	<0,5
Colour (EBC units):	8,0-21,0
European Bitterness Units:	7,0-19,0

Typical Weißbier: tangy, sweet, full-bodied, pale, golden to amber, ranging from fine yeast turbidity to naturally cloudy to cloudy with yeast, mildly hoppy to very slightly bitter.

## Leichtes Weißbier

Original gravity in %:	7,7-8,4
Alcoholic strength in % volume:	2,8-3,2
Colour (EBC units):	11,0-13,0
European Bitterness Units:	13,0-15,0

Refreshing, piquant, tangy, cloudy with yeast, typical top-fermented Weißbier taste.

## Kristall Weizen

Original gravity in %:	11,5-12,4
Alcoholic strength in % volume:	4,9-5,5
Colour (EBC units):	7,5-12,5
European Bitterness Units:	12,0-16,0

Piquant, very tangy, filtered bright, clear, tart, top-fermented notes, typically top-fermented.

## Hefeweizen Hell

Original gravity in %:	11,4-12,6
Alcoholic strength in % volume:	4,5-5,5
Colour (EBC units):	11,0-20,0
European Bitterness Units:	12,0-20,0

Highly fermented, naturally cloudy, typical top-fermented character, tangy, refreshing, piquant, tart, sometimes yeasty, Weißbier aroma.

## Hefeweizen Dunkel

Original gravity in %:	11,6-12,4
Alcoholic strength in % volume:	4,5-5,3
Colour (EBC units):	29,0-45,0
European Bitterness Units:	13,0-16,0

Naturally cloudy, full-bodied, malty taste/character, top-fermented notes/character.

## Märzen

Original gravity in %:	13,2-14,0
Alcoholic strength in % volume:	5,3-6,2
Colour (EBC units):	8,0-32,5
European Bitterness Units:	21,0-25,0

Very full-bodied, palatable, mild, 'altbayerisch' ('Old Bavarian') to malty aroma, very mild bitterness.

## Bockbier

Original gravity in %:	16,2-17,3
Alcoholic strength in % volume:	6,2-8,1
Colour (EBC units):	7,5-40,0
European Bitterness Units:	18,0-32,5

Highly fermented, ranging from round, full-bodied, palatable, smooth, aromatic, through delicately hopped, slightly sharp to well hopped, sometimes fruity in character.

## Doppelbock

Original gravity in %:	18,2-18,7
Alcoholic strength in % volume:	7,2-7,7
Colour (EBC units):	44,0-75,0
European Bitterness Units:	18,0-28,0

Strong, powerful, fragrant, full-bodied, malty taste.

## Non-alcoholic beer

Original gravity in %:	1,0-8,0
Alcoholic strength in % volume:	<0,5
Colour (EBC units):	4,0-13,0
European Bitterness Units:	13,0-29,0

Typical dry to sweet beer: fresh, rich, mild to full-bodied, clear, bright, pale to golden yellow, delicately fragrant to fragrant, mildly hoppy to a hoppy aroma.

## Leichtbier

Original gravity in %:	7,5-7,7
Alcoholic strength in % volume:	2,7-3,2
Colour (EBC units):	5,5-7,0
European Bitterness Units:	24,0-26,5

Slightly sharp, fine flavour.

## Schwarz-Bier

Original gravity in %:	11,3
Alcoholic strength in % volume:	4,8
Colour (EBC units):	70,0
European Bitterness Units:	17,0

Delicately fragrant, malty aroma.



Nähr-/Malzbier

Original gravity in %:	12,3-12,7
Alcoholic strength in % volume:	0,0-1,2
Colour (EBC units):	65,0-90,0
European Bitterness Units:	8,0-15,0

Low in alcohol, very mildly fermented, malty, fragrant, very delicately hopped.

The specified values are subject to the tolerances laid down by law and recognised by the relevant food monitoring authorities in Bavaria. The tolerances must also be taken into account during analysis of the specified values.

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

Production is carried out in accordance with the Munich Purity Law ('Münchener Reinheitsgebot') of 1487 in the form of Section 9 of the German Provisional Beer Act ('Vorläufiges Biergesetz').

The ingredients must be malt, hops, yeast and water. In addition, the water must be obtained from privately owned deep wells located within the Munich city limits and fed by an aquifer consisting of Tertiary Molasse sandstone and conglomerate deposits. At present these deep wells are approximately 140 m to 250 m deep, depending on location. Munich municipal water does not fulfil these conditions.

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

The entire production process for Münchener Bier must be carried out within the Munich city limits.

It starts with milling and mashing the malt and ends with storage, in which the young beer naturally produces carbon dioxide and ripens until it reaches its mature flavour.

The same is true of the entire production process of bottom-fermented and top-fermented non-alcoholic 'Münchener Biere'. However, depending on the type of production, vacuum distillation and evaporation or the preferred completion of the fermentation stage are also a part of this process.

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

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

Beer labelling is based on the product description 'Münchener Bier' or 'Münchner Bier' in conjunction with one of the types of beer listed under point 3.2.

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

Munich city limits.

## 5. **Link with the geographical area**

### 5.1. *Specificity of the geographical area*

Munich breweries have used the designation 'Münchener Bier' for centuries without any objections whatsoever from third parties. Evidence of the long tradition includes the fact that cash payments and payments in kind made by Munich brewers are recorded as early as 1280 in the estate register of Duke Louis the Stern (see 'München und sein Bier' by Heckhorn/Wiehr, Munich 1989, or the doctoral thesis by Dr Karin Hackel-Stehr – as above for point 4 – and 'Die "prewen" Münchens' by Sedlmayr/Grohsmann, Nuremberg 1969, extracts from which are enclosed. See also '125 Jahre Verein Münchener Brauereien e.V.' by Dr Christine Rädlinger, commemorative publication 1996).

Munich also has a long tradition of non-alcoholic beers. It was reported on page 1928 of the 17 August 1898 edition of the 'Allgemeine Brauer- und Hopfen-Zeitung' that non-alcoholic beer was being produced in Bavaria. Page 1590 of the 9 July 1898 edition of the same journal refers to non-alcoholic beer in Munich. This passage tells of an application filed by Mr Karl Michel, the owner of the Munich Praktische Brauerschule, who wished to sell a non-alcoholic beer (cf. p. 105 of 'Münchner Brauindustrie 1871-1945' by Christian Schäder). Although this application was at the time refused, non-alcoholic beer did not disappear from view in Munich, especially as the shortage of raw materials, as is known, prompted the brewing of low-alcohol beers in the times of need during and after the two World Wars. In any case, Munich breweries have resumed their continuous production of non-alcoholic beer and non-alcoholic Weißbier since 1986.

## 5.2. *Specificity of the product*

Consumers associate a special reputation and expectations of the highest quality with beer produced in Munich.

This quality is based not only on compliance with the Munich Purity Law of 1487, which was passed 29 years before the Bavarian Purity Law of 1516, but in particular on the fact that the Munich breweries obtain their brewing water from their own deep wells located within the city limits and fed by an aquifer consisting of Tertiary Molasse sandstone and conglomerate deposits. At present these deep wells are approximately 140 m to 250 m deep, depending on location. Munich municipal water does not fulfil these conditions.

## 5.3. *Causal link between the geographical area and a specific quality, the reputation or other characteristic of the product*

The population's strong attachment to 'Münchener Bier' and its associated reputation derive, in the Munich area, from the long tradition of beer production in Munich and the historical associations. As a result of its healthy growth 'Münchener Bier' achieved first local, then regional, then national and finally international renown.

Beer has always been popular in Munich. As far back as 815 the 'Kozrah' manuscript in 'Historia Frisingensis' recounts how the Church of St John of Oberföhring was lent to Deacon Huwetzi, who in return was required to send the Chapter a cartload of beer by way of annual tithe (tax).

The 'Salbuch der Stadt München' from 1280 confirms that 'brewing warrants' were issued to citizens of Munich even then.

In 1372 Duke Stephen II reformed the brewing privilege in Munich and established the first brewing constitution, enshrining the right of commoners to brew 'Greußing' (which appears to have been a type of low-gravity beer) 'should they so desire'. It is worth noting that this right, where bestowed on an individual, could be sold and bequeathed.

In the 14<sup>th</sup> and 15<sup>th</sup> centuries innumerable substances, some of which were poisonous, were constantly being added to beer in a bid to lengthen the beverage's storage life. For this reason the Municipal Office of the City of Munich issued in around 1453 a Beer Statute which stipulated that beer and Greußing must be boiled and brewed 'only from barley, hops, water and no other ingredients'. Such were the origins of the first 'purity law'.

Duke Albert IV of Bavaria then published in Munich, on 30 November 1487, a slightly modified version of the Beer Statute text as the Munich Purity Law. From then on only beer boiled from hops, barley and water was allowed to be served. Once this law had been enacted, it also became mandatory for beer to be subjected to a modern-day quality control-style inspection process. Food quality was therefore checked for the first time towards the end of the 15<sup>th</sup> century. The Munich Purity Law, which is the cornerstone of the success and reputation of 'Münchener Bier', ensures that only high-quality beer is produced.

In 1493 Duke George the Rich established a similar purity law for Lower Bavaria. In 1516, after his death and the Landshut War of Succession, the Bavarian Dukes William IV and Louis X, the sons of Duke Albert IV, promulgated the Munich Purity Law in almost identical form as the Bavarian Purity Law. The law was amended several times before becoming the German Beer Tax Act of 1906 and the current Provisional Beer Act. The Munich Purity Law is therefore still in force.

The reputation of 'Münchener Bier' spread further and further as the centuries went by. In the 16<sup>th</sup> century, for example, it became more famous thanks to the carriage drivers and carters who were able to keep their horses in the breweries. Eventually there was one brewery for roughly every 250 inhabitants.

Indeed, so devoted are the people of Munich to their beer that they are willing to take up arms in its name. In 1844, for example, a beer war was waged when the price of beer rose suddenly from 6 to 6,5 kreuzer. In May 1995 some 25 000 people demonstrated against a court ruling that would have obliged Munich's beer gardens to close at 9.30 p.m.

Of course those beer gardens, beer festivals and the city's restaurants have also played their part in establishing the reputation of 'Münchener Bier' in all parts of the world.

In the case of the city's genuine beer gardens, it is a famous right and much-loved custom of the people of Munich to take their own food with them to the beer garden or – as people would say in the past – to the beer cellar.

Of the city's public houses, mention need merely be made of the world-famous 'Hofbräuhaus'. It goes without saying that both the song 'In München steht ein Hofbräuhaus...' and the pub itself have made 'Münchener Bier' famous around the world.

In addition to this history, technical innovations have also raised the profile of Munich's beer.

In the 19<sup>th</sup> century Munich's brewers began brewing in genuine ice houses and cellars. The technical requirements that this entailed were of such complexity that the 'Königliche Baugewerkeschule' (Royal Building Trades School) started to offer courses in beer cellar design.

In 1873 Carl von Linde developed the world's first cooling machine for the Spaten Brewery in Munich. The machine was important because it allowed for the first time any desired amount of consistently high-quality beer to be continuously produced irrespective of climate and external temperature.

Around 1900 the Hacker Brewery in Munich even had refrigerated holds based on the Linde system installed on two Dutch ships which it used to export 'Münchener Bier' and its reputation overseas.

In addition, since the 19<sup>th</sup> century the Munich breweries have each owned their own fleet of up to 90 refrigerated railway wagons for transporting their products to sales areas further afield. These refrigerated wagons, which at the same time served as a means of advertising for the breweries, could be used in all parts of the European railway network, which was undergoing major expansion at the time. Much more important than the advertising effect was the preservation of quality that the wagons allowed. In terms of the storage life of the beer this was a huge step forward. High-quality 'Münchener Bier' was exported and could be enjoyed abroad, again enhancing the beverage's reputation. The export figures, which at the time were constantly increasing, are testimony to the renown of 'Münchener Bier'.

In order to be able to generate a constant temperature so as to ensure consistently high production standards, many of Munich's breweries started in the 19<sup>th</sup> century to use steam engines to generate power. The 'Dampfkessel-Revisionsverein' (Boiler Inspection Association) was founded with the involvement of Munich breweries to address the resulting safety issues and technical problems. This association became the present-day 'Technischer Überwachungsverein' (Technical Inspection Association), which is known around the world. The safety awareness of the Munich breweries also enhanced their reputation and that of the beer they produced.

In the 19<sup>th</sup> century the development of scientific methods was accompanied by the founding of brewing technology departments in agricultural colleges, universities and private educational and research institutes. Another significant development was the launch of specialist brewing publications. The hub of this development was Munich, which can from this stage on be described as a 'cerevisial' (beer-brewing) university city. To this day the Brewing Technology Faculty of the Technische Universität München-Weihenstephan and the Doemens Institute are the leading training institutions for brewers and brewing engineers who go on to work in all parts of the world.

The renown and reputation of 'Münchener Bier' have, as we have seen, grown continuously in Germany and other EU Member States over the last 550 years. Export figures have risen over the last 30 years. Sports sponsorship, e.g. of the German national bobsleigh team or in the 'Olympiahalle' arena, has carried the name of 'Münchener Bier' around the world in television broadcasts. In recent decades radio, television and especially the internet have introduced more and more people from many different countries to 'Münchener Bier', a beverage avidly discussed in online forums and fan clubs. The websites of the Munich breweries regularly receive hits with queries from around the globe.

#### **Reference to publication of the product specification**

(the second subparagraph of Article 6(1) of Commission Implementing Regulation (EU) No 668/2014)

Markenblatt (Trademark Journal), Volume 7 of 15 February 2019, Part 7a-bb, page 3197. <https://register.dpma.de/DPMAreger/geo/detail.pdfdownload/41737>

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**CORRIGENDA****Corrigendum to Notice of initiation of an anti-dumping proceeding concerning imports of aluminium converter foil originating in the People's Republic of China**

*(Official Journal of the European Union C 352 I of 22 October 2020)*

(2020/C 398/19)

On page 1, under point 1, Complaint, paragraph 1 shall read as follows:

'The complaint was lodged on 7 September 2020 by six Union producers ('the complainants'), representing more than 50 % of the total Union production of aluminium converter foil.'

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