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Information and Notices

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⁽¹⁾ Text with EEA relevance.

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⁽¹⁾ Text with EEA relevance.

I

(Resolutions, recommendations and opinions)

RECOMMENDATIONS

EUROPEAN CENTRAL BANK

RECOMMENDATION OF THE EUROPEAN CENTRAL BANK

of 31 March 2017

**to the Council of the European Union on the external auditors of the Nationale Bank van België/
Banque Nationale de Belgique****(ECB/2017/8)**

(2017/C 120/01)

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

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

Having regard to the Statute of the European System of Central Banks and of the European Central Bank, and in particular Article 27.1 thereof,

Whereas:

- (1) The accounts of the European Central Bank (ECB) and national central banks of the Member States whose currency is the euro are audited by independent external auditors recommended by the ECB's Governing Council and approved by the Council of the European Union.
- (2) The mandate of the Nationale Bank van België/Banque Nationale de Belgique's current external auditors, Ernst & Young Bedrijfsrevisoren/Réviseurs d'Entreprises, ended after the audit for the financial year 2016. It is therefore necessary to appoint external auditors from the financial year 2017.
- (3) The Nationale Bank van België/Banque Nationale de Belgique has selected Mazars Réviseurs d'entreprises/Mazars Bedrijfsrevisoren SCRL/CVBA as its external auditors for the financial years 2017 to 2022,

HAS ADOPTED THIS RECOMMENDATION:

It is recommended that Mazars Réviseurs d'entreprises/Mazars Bedrijfsrevisoren SCRL/CVBA should be appointed as the external auditors of the Nationale Bank van België/Banque Nationale de Belgique for the financial years 2017 to 2022.

Done at Frankfurt am Main, 31 March 2017.

The President of the ECB

Mario DRAGHI

RECOMMENDATION OF THE EUROPEAN CENTRAL BANK
of 4 April 2017
on common specifications for the exercise of some options and discretions available in Union law
by national competent authorities in relation to less significant institutions
(ECB/2017/10)
(2017/C 120/02)

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

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

Having regard to Council Regulation (EU) No 1024/2013 of 15 October 2013 conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions⁽¹⁾, and in particular Article 4(3) and Article 6(1) and (5)(c) thereof,

Whereas:

- (1) The European Central Bank (ECB) is responsible for the effective and consistent functioning of the Single Supervisory Mechanism (SSM). It oversees the functioning of the system to ensure the consistent application of high supervisory standards and the consistency of supervisory outcomes across the participating Member States.
- (2) The ECB has to ensure the consistent application of prudential requirements for credit institutions within the participating Member States under Regulation (EU) No 1024/2013 and Regulation (EU) No 468/2014 of the European Central Bank (ECB/2014/17)⁽²⁾.
- (3) As the competent authority to do so pursuant to Regulation (EU) No 1024/2013, in relation to credit institutions that are classified as significant, the ECB has exercised a number of options and discretions, which are set out in Regulation (EU) 2016/445 of the European Central Bank (ECB/2016/4)⁽³⁾. In addition, in its guide of November 2016 on options and discretions available in Union law (hereinafter the 'ECB Guide'), the ECB sets out a common set of specifications for the exercise on a case-by-case basis of certain other options following individual assessment of applications by credit institutions that are classified as significant under Article 6(4) of Regulation (EU) No 1024/2013 as well as under Part IV and Article 147(1) of Regulation (EU) No 468/2014.
- (4) In order to foster a common supervisory approach by national competent authorities (NCAs) when assessing individual exercise of options and discretions, the ECB may adopt, pursuant to Article 4(3) of Regulation (EU) No 1024/2013, a recommendation on the specifications to be applied in the assessment of applications from less significant institutions.
- (5) A common set of specifications for the individual exercise of options and discretions is necessary, on the one hand, in order to promote consistency, effectiveness and transparency in the supervision of less significant institutions within the SSM and, on the other hand, to foster, where needed, equal treatment of significant and less significant institutions as well as a level playing field for all credit institutions across the participating Member States. At the same time, the principle of proportionality and the legitimate expectations of supervised credit institutions must be taken into account.
- (6) To this end, the ECB has identified some options and discretions among those included in the ECB Guide which would be appropriate to exercise in an identical manner in relation to significant institutions and less significant institutions. The ECB has further identified other options and discretions, among which are two options and discretions of a general nature provided for in Article 380 and Article 420(2) of Regulation (EU) No 575/2013, for whose exercise it recommends a specific approach in relation to less significant institutions.
- (7) With respect to the options and discretions related to consolidated supervision and waivers of prudential requirements, in line with the recommendations contained in Chapter 1 of Section II of the ECB Guide, NCAs should be encouraged to adopt a prudent approach when granting such waivers on an individual basis. With regard to liquidity waivers at the cross border level, the ECB recommends a specific approach for less significant institutions given that not all the specifications for the assessment of applications included in the ECB Guide are relevant for these institutions.

⁽¹⁾ OJ L 287, 29.10.2013, p. 63.

⁽²⁾ Regulation (EU) No 468/2014 of the European Central Bank of 16 April 2014 establishing the framework for cooperation within the Single Supervisory Mechanism between the European Central Bank and national competent authorities and with national designated authorities (SSM Framework Regulation) (ECB/2014/17) (OJ L 141, 14.5.2014, p. 1).

⁽³⁾ Regulation (EU) 2016/445 of the European Central Bank of 14 March 2016 on the exercise of options and discretions available in Union law (ECB/2016/4) (OJ L 78, 24.3.2016, p. 60).

- (8) There should be a consistent and prudent approach across the SSM regarding the options and discretions related to own funds and capital requirements, as set out in Chapters 2 and 3 of Section II of the ECB Guide, given that these supervisory decisions have an impact on the amount of available own funds and their quality. The same applies for Additional Tier 1 and Tier 2 instruments or minority interests that may be included in eligible own funds under certain conditions. Furthermore, to ensure a level playing field, the standardised approach, the internal ratings based approach, internal model method and internal model approach for the calculation of own funds requirements should be applied consistently to all credit institutions across the SSM. To this end also, the assessment of compliance with the requirements laid down in Regulation (EU) No 575/2013 of the European Parliament and of the Council⁽¹⁾ to allow the application of a zero per cent risk weight for the calculation of own fund requirements for intra-group exposures should be based on a common set of specifications. However, the ECB has identified some options and discretions related to own funds and capital requirements for which a specific approach in relation to less significant institutions is necessary.
- (9) For the options and discretions concerning institutions that have entered into an institutional protection scheme, the use of a common set of specifications for the assessment of applications for prudential waivers, as set out in Chapter 4 of Section II of the ECB Guide, is recommended in order to attain supervisory consistency, given that institutional protection schemes typically comprise both significant and less significant institutions. However, with regard to holdings in institutions that fall within institutional protection schemes under Article 49(3) of Regulation (EU) No 575/2013, a specific approach in relation to less significant institutions is recommended to reduce the administrative burden on these institutions as much as possible.
- (10) With regard to compliance with the large exposures requirements, the approach set out in Chapter 5 of Section II of the ECB Guide in relation to significant institutions should be taken also in relation to less significant institutions to foster a prudent treatment of large exposures for all credit institutions within the SSM so that concentration risks are adequately managed and limited.
- (11) The ECB recommends a consistent and prudent approach with respect to the options and discretions related to liquidity requirements, as set out in Chapter 6 of Section II of the ECB Guide, as these options and discretions have an impact on the calculation of liquidity coverage ratio requirements, for example by specifying the treatment of specific inflows and outflows. Regarding the outflow rates for trade finance off-balance sheet related products NCAs may apply an outflow rate below 5 % if the applicable outflow rate has been calibrated based on statistical evidence.
- (12) As regards the exercise of the waiver for credit institutions permanently affiliated to a central body specified in Article 21(1) of Directive 2013/36/EU of the European Parliament and of the Council⁽²⁾, the approach set out in Chapter 8 of Section II of the ECB Guide is recommended in relation to less significant institutions to attain a level playing field.
- (13) With respect to the options and discretions related to governance arrangements and prudential supervision, a prudent and consistent approach, as set out in Chapter 11 of Section II of the ECB Guide, is recommended to promote that all credit institutions are subject to appropriate governance requirements. However, a specific approach in relation to less significant institutions with regard to the combination of risk committee and audit committee is considered appropriate in view of the principle of proportionality.
- (14) Furthermore, this Recommendation covers options and discretions relating to the cooperation between authorities, as smooth cooperation within the SSM needs to be ensured.
- (15) As regards bilateral agreements on the supervision of credit institutions in non-participating Member States pursuant to Article 115(2) of Directive 2013/36/EU, a specific approach is needed in relation to less significant institutions as this option is available for the competent authority that is responsible for the authorisations. According to Article 4(1)(a) and Article 9 of Regulation (EU) No 1024/2013, the ECB is exclusively competent within the SSM to authorise credit institutions and to withdraw authorisations of credit institutions, and therefore needs to be involved to establish bilateral agreements on the supervision of credit institutions in non-participating Member States,

⁽¹⁾ Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and investment firms and amending Regulation (EU) No 648/2012 (OJ L 176, 27.6.2013, p. 1).

⁽²⁾ Directive 2013/36/EU of the European Parliament and of the Council of 26 June 2013 on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms, amending Directive 2002/87/EC and repealing Directives 2006/48/EC and 2006/49/EC (OJ L 176, 27.6.2013, p. 338).

HAS ADOPTED THIS RECOMMENDATION:

PART ONE

GENERAL PROVISIONS

I.

1. Subject matter and scope

This Recommendation lays down principles for the exercise by NCAs of some options and discretions available in Union law in relation to less significant institutions.

2. Definitions

For the purposes of this Recommendation, the definitions set out in Regulation (EU) No 1024/2013, Regulation (EU) No 468/2014 (ECB/2014/17), Regulation (EU) No 575/2013, Directive 2013/36/EU, and Commission Delegated Regulation (EU) 2015/61⁽¹⁾ apply.

PART TWO

OPTIONS AND DISCRETIONS FOR WHICH A SPECIFIC APPROACH FOR LESS SIGNIFICANT INSTITUTIONS IS RECOMMENDED

II.

Waivers of prudential requirements

1. Article 8(3) of Regulation (EU) No 575/2013: liquidity waivers at cross border level

When examining applications for liquidity waivers at the cross border level, NCAs should assess compliance with all of the conditions set out in Article 8(1) and (3) of Regulation (EU) No 575/2013, applying the assessment specifications laid down in Section II, Chapter 1, paragraph 4 of the ECB Guide with the exception of the specifications for letter (b) of Article 8(3).

III.

Capital requirements

1. Article 129(1) of Regulation (EU) No 575/2013: exposures in the form of covered bonds

With regard to exposures in the form of covered bonds, an NCA should coordinate with the ECB regarding the assessment of significant potential concentration problems in the participating Member State concerned, before deciding whether to partly waive the application of Article 129(1)(c) of Regulation (EU) No 575/2013 and allow credit quality step 2 for up to 10 % of the total exposure of the nominal amount of outstanding covered bonds of the issuing institution.

2. Article 311(2) of Regulation (EU) No 575/2013: treatment of exposures to central counterparties

2.1 An NCA should allow a credit institution to apply the treatment set out in Article 310 of Regulation (EU) No 575/2013 to its trade exposures and default fund contributions to a central counterparty where that central counterparty has notified the credit institution that it has stopped calculating K_{CCP} (hypothetical capital) as provided for in Article 311(1)(a) of Regulation (EU) No 575/2013.

2.2 For the purposes of paragraph 2.1, when assessing the validity of the reasons for which the central counterparty has stopped calculating K_{CCP} (hypothetical capital), NCAs should apply the conclusions reached by the ECB with respect to the same central counterparty in its verification of the reasons.

⁽¹⁾ Commission Delegated Regulation (EU) 2015/61 of 10 October 2014 to supplement Regulation (EU) No 575/2013 of the European Parliament and the Council with regard to liquidity coverage requirement for credit institutions (OJ L 11, 17.1.2015, p. 1).

3. **Article 380 of Regulation (EU) No 575/2013: waiver in case of system failure**

- 3.1 Where a system wide failure within the meaning of Article 380 of Regulation (EU) No 575/2013 occurs, as confirmed by an ECB public statement, and until the ECB issues a public statement that the situation referred to therein is rectified, the ECB should assess this failure and NCAs should apply the conclusions of the ECB's assessment and make use of the option provided for in Article 380 of Regulation (EU) No 575/2013. In such case:
 - (a) credit institutions should not be required to comply with the own funds requirements laid down in Articles 378 and 379 of Regulation (EU) No 575/2013; and
 - (b) the failure of a counterparty to settle a trade should not be deemed a default for the purposes of credit risk.
- 3.2 If an NCA plans to issue a public statement confirming the event of a system wide failure within the meaning of Article 380 of Regulation (EU) No 575/2013, it should coordinate this with the ECB before publishing such statement.

IV.

Institutional protection schemes

1. **Article 49(3) of Regulation (EU) No 575/2013: deduction of holdings in institutions that fall within institutional protection schemes**
 - 1.1 Where applications are made for permission not to deduct holdings of own funds instruments, NCAs should use the specifications laid down in Section II, Chapter 4, paragraph 4 of the ECB Guide to assess whether the conditions set out in Article 49(3) of Regulation (EU) No 575/2013 are met.
 - 1.2 An NCA may allow an institutional protection scheme to submit an application for permission under Article 49(3) of Regulation (EU) No 575/2013 on behalf of all less significant institutions that are members of the scheme. In this case, the NCA may issue a decision granting the permission in accordance with Article 49(3) of Regulation (EU) No 575/2013 which applies to all the less significant institutions listed in the application.

V.

Liquidity

1. **Article 420(2) of Regulation (EU) No 575/2013: liquidity outflows**
 - 1.1 Consistently with Article 11 of Regulation (EU) 2016/445, NCAs should determine a liquidity outflow rate of 5 % for trade finance off-balance sheet items, as referred to in Article 429 of Regulation (EU) No 575/2013 and in Annex I thereto, to be used by credit institutions in assessing liquidity outflows. An NCA should require credit institutions to report to it the corresponding outflows in accordance with Commission Implementing Regulation (EU) No 680/2014 ⁽¹⁾.
 - 1.2 By derogation from paragraph 1.1, an NCA may determine an outflow rate below 5 % on the basis of statistical evidence for less significant institutions established in the Member State concerned.

VI.

Prudential supervision

1. **Article 76(3) of Directive 2013/36/EU: combining the risk committee and the audit committee**
 - 1.1 With regard to less significant institutions (including credit institutions that are group subsidiaries) that are not considered significant within the meaning of Article 76(3) of Directive 2013/36/EU, NCAs should exercise the option to allow the combination of the risk and audit committees.
 - 1.2 NCAs should carry out the assessment of significance within the meaning of Article 76(3) of Directive 2013/36/EU, in terms of the size, internal organisation and the nature, scope and complexity of the credit institution's activities, in accordance with the assessment specifications laid down in Section II, Chapter 11, paragraph 3 of the ECB Guide.
 - 1.3 If national law transposing Directive 2013/36/EU already provides for criteria other than the specifications set out in Section II, Chapter 11, paragraph 3 of the ECB Guide, NCAs should apply the criteria laid down in national law.

⁽¹⁾ Commission Implementing Regulation (EU) No 680/2014 of 16 April 2014 laying down implementing technical standards with regard to supervisory reporting of institutions according to Regulation (EU) No 575/2013 of the European Parliament and of the Council (OJ L 191, 28.6.2014, p. 1).

2. Article 115(2) of Directive 2013/36/EU: bilateral agreement on the supervision of credit institutions in non-participating Member States

2.1 Given the ECB's competence for the initial authorisation of credit institutions within the SSM and the NCAs' competence for the prudential supervision of less significant institutions, NCAs should notify the ECB of their intention to delegate their responsibility for the direct supervision of less significant institutions to the competent authority which authorised and supervises the parent undertaking of the less significant institution, or to assume responsibility for supervising the subsidiary credit institution authorised in another Member State. The ECB as competent authority responsible for authorising credit institutions will cooperate, together with the relevant NCA, in the establishment of a bilateral agreement for the delegation or assumption of supervisory responsibilities on behalf of the NCA responsible for the ongoing supervision of the parent or subsidiary within the participating Member States.

2.2 Paragraph 2.1 applies in the following situations:

- (a) an NCA is considering delegating its responsibility for direct supervision of a less significant institution to the NCA that authorised and supervises the parent undertaking; and
- (b) an NCA seeks or has been solicited, in its capacity as direct supervisor of a parent undertaking that is a credit institution, to assume responsibility for the supervision of a subsidiary credit institution authorised in another Member State.

PART THREE

OPTIONS AND DISCRETIONS EXERCISED ON A CASE-BY-CASE BASIS FOR WHICH A COMMON APPROACH SHOULD BE TAKEN IN RELATION TO ALL CREDIT INSTITUTIONS

VII.

The options and discretions to be exercised on a case-by-case basis for which a common approach should be taken in relation to significant and less significant institutions are set out in the Annex. NCAs should exercise these options and discretions in relation to less significant institutions in accordance with the reference table set out in the Annex.

PART FOUR

FINAL PROVISION

VIII.

Final provision

This Recommendation is addressed to the NCAs of participating Member States.

Done at Frankfurt am Main, 4 April 2017.

The President of the ECB

Mario DRAGHI

ANNEX

Legal basis of the option and/or discretion	Approach recommended: consistency with the policy on options and discretions for significant institutions
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Consolidated supervision and waivers of prudential requirements

Article 7(1), (2) and (3) of Regulation (EU) No 575/2013: capital waivers	Section II, Chapter 1 paragraph 3 of the ECB Guide
Article 8(1) and (2) of Regulation (EU) No 575/2013: liquidity waivers	Section II, Chapter 1 paragraph 4 of the ECB Guide
Article 9 of Regulation (EU) No 575/2013: individual consolidation method	Section II, Chapter 1 paragraph 5 of the ECB Guide
Article 10(1) and (2) of Regulation (EU) No 575/2013: waivers for credit institutions permanently affiliated to a central body	Section II, Chapter 1 paragraph 6 of the ECB Guide
Article 24(2) of Regulation (EU) No 575/2013: valuation of assets and off-balance sheet items – use of International Financial Reporting Standards for prudential purposes	Section II, Chapter 1 paragraph 8 of the ECB Guide

Own funds

Article 49(1) of Regulation (EU) No 575/2013: deduction of insurance holdings	Section II, Chapter 2 paragraph 4 of the ECB Guide
Article 49(2) of Regulation (EU) No 575/2013: deduction of holdings of financial sector entities	Section II, Chapter 2 paragraph 5 of the ECB Guide
Article 78(1)(b) of Regulation (EU) No 575/2013: reduction of own funds – excess capital margin requirement	Section II, Chapter 2 paragraph 6 of the ECB Guide
Article 78(3) of Regulation (EU) No 575/2013: reduction of own funds – mutuals, savings and cooperatives	Section II, Chapter 2 paragraph 7 of the ECB Guide
Article 83(1) of Regulation (EU) No 575/2013: waiver for additional Tier 1 and Tier 2 Instruments issued by a special purpose entity	Section II, Chapter 2 paragraph 9 of the ECB Guide
Article 84(5) of Regulation (EU) No 575/2013: minority interests included in consolidated Common Equity Tier 1 capital	Section II, Chapter 2 paragraph 10 of the ECB Guide

Capital requirements

Article 113(6) of Regulation (EU) No 575/2013: calculation of risk weighted exposure amounts – intragroup exposures	Section II, Chapter 3 paragraph 3 of the ECB Guide
Article 162(1) of Regulation (EU) No 575/2013: maturity of exposures	Section II, Chapter 3 paragraph 5 of the ECB Guide

Legal basis of the option and/or discretion	Approach recommended: consistency with the policy on options and discretions for significant institutions
Article 225(2) of Regulation (EU) No 575/2013: own estimate of volatility adjustments	Section II, Chapter 3 paragraph 7 of the ECB Guide
Article 243(2) and the second subparagraph of Article 244(2) of Regulation (EU) No 575/2013: significant risk transfer	Section II, Chapter 3 paragraph 8 of the ECB Guide
Article 283(3) of Regulation (EU) No 575/2013: implementation of the Internal Model Method	Section II, Chapter 3 paragraph 9 of the ECB Guide
Article 284(4) and (9) of Regulation (EU) No 575/2013: calculation of the exposure value for counterparty credit risk	Section II, Chapter 3 paragraph 10 of the ECB Guide
Article 311(3) of Regulation (EU) No 575/2013: market risk (exposures to central counterparties)	Section II, Chapter 3 paragraph 11 of the ECB Guide
Article 366(4) of Regulation (EU) No 575/2013: calculation of the value-at-risk number	Section II, Chapter 3 paragraph 12 of the ECB Guide

Institutional protection schemes

Article 8(4) of Regulation (EU) No 575/2013: liquidity waiver for members of institutional protection schemes	Section II, Chapter 4 paragraph 3 of the ECB Guide
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Large exposures

Article 396(1) of Regulation (EU) No 575/2013: compliance with large exposures requirements	Section II, Chapter 5 paragraph 3 of the ECB Guide
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Liquidity

Article 422(8) of Regulation (EU) No 575/2013 and Article 29 of Delegated Regulation (EU) 2015/61: intragroup liquidity outflows	Section II, Chapter 6 paragraph 11 of the ECB Guide
Article 425(4) of Regulation (EU) No 575/2013 and Article 34 of Delegated Regulation (EU) 2015/61: intragroup liquidity inflows	Section II, Chapter 6, paragraph 15 of the ECB Guide
Article 8(1) of Delegated Regulation (EU) 2015/61: diversification of holdings of liquid assets	Section II, Chapter 6 paragraph 5 of the ECB Guide
Article 8(3)(c) of Delegated Regulation (EU) 2015/61: management of liquid assets	Section II, Chapter 6 paragraph 6 of the ECB Guide
Article 8(6) of Delegated Regulation (EU) 2015/61: currency mismatches	Section II, Chapter 6 paragraph 4 of the ECB Guide
Article 10(2) of Delegated Regulation (EU) 2015/61: haircuts on extremely high quality covered bonds	Section II, Chapter 6 paragraph 7 of the ECB Guide

Legal basis of the option and/or discretion	Approach recommended: consistency with the policy on options and discretions for significant institutions
Article 24(6) of Delegated Regulation (EU) 2015/61: multiplier for retail deposits covered by a deposit guarantee scheme	Section II, Chapter 6 paragraph 8 of the ECB Guide
Article 25(3) of Delegated Regulation (EU) 2015/61: higher outflow rates	Section II, Chapter 6, paragraph 9 of the ECB Guide
Article 26 of Delegated Regulation (EU) 2015/61: outflows with inter-dependent inflows	Section II, Chapter 6 paragraph 10 of the ECB Guide
Article 30(2) of Delegated Regulation (EU) 2015/61: additional collateral outflows from downgrade triggers	Section II, Chapter 6 paragraph 12 of the ECB Guide
Article 33(2) of Delegated Regulation (EU) 2015/61: cap on inflows	Section II, Chapter 6 paragraph 13 of the ECB Guide
Article 33(3)(4) and (5) of Delegated Regulation (EU) 2015/61: specialised credit institutions	Section II, Chapter 6 paragraph 14 of the ECB Guide

Leverage

Article 429(7) of Regulation (EU) No 575/2013: exclusion of intragroup exposures from the calculation of the leverage ratio	Section II, Chapter 7 paragraph 3 of the ECB Guide
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General requirements for access to the activity of credit institutions

Article 21(1) of Directive 2013/36/EU: waiver for credit institutions permanently affiliated to a central body	Section II, Chapter 9 paragraph 1 of the ECB Guide
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Governance arrangements and prudential supervision

Article 88(1) of Directive 2013/36/EU: combining the functions of the chairman and CEO	Section II, Chapter 11 paragraph 4 of the ECB Guide
Article 91(6) of Directive 2013/36/EU: additional non-executive directorship	Section II, Chapter 11 paragraph 5 of the ECB Guide
Article 108(1) of Directive 2013/36/EU: internal capital adequacy assessment process for credit institutions permanently affiliated to a central body	Section II, Chapter 11 paragraph 7 of the ECB Guide
Article 111(5) of Directive 2013/36/EU: supervision of financial holding companies or mixed financial holding companies with part of the group in non-participating Member States	Section II, Chapter 11 paragraph 8 of the ECB Guide
Articles 117 and 118 of Directive 2013/36/EU: cooperation obligations	Section II, Chapter 11 paragraph 10 of the ECB Guide
Article 142 of Directive 2013/36/EU: capital conservation plans	Section II, Chapter 11 paragraph 13 of the ECB Guide

II

(Information)

INFORMATION FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES
AND AGENCIES

EUROPEAN COMMISSION

COMMUNICATION FROM THE COMMISSION

Updating the Annex to Commission Communication C(2004) 43 — Community guidelines on State aid to maritime transport

(2017/C 120/03)

INTRODUCTION

The Maritime Transport Guidelines ⁽¹⁾ (the 'Guidelines') provide criteria for the compatibility of State aid to maritime transport with the internal market, under Article 107(3)(c) and Article 106(2) of the Treaty on the Functioning of the European Union.

In particular, the Guidelines list a number of specific objectives in the Union maritime interest, including *'the flagging or re-flagging to Member States' registers'*.

The flagging or re-flagging of eligible ships is thus connected with registration in Member States' ship registers.

The Guidelines make a distinction, for the purposes of Union State aid law, between different categories of ship registers created by Member States, namely 'first registers' and 'second registers'. For the purposes of the Guidelines, second registers comprise, firstly, 'offshore registers' belonging to territories which have a greater or lesser autonomy in relation to the Member State, and secondly, 'international registers', attached directly to the State which created them (sixth paragraph of point 1 of the Guidelines).

The Annex to the Guidelines defines the term 'Member States' registers'. According to that definition, in order to qualify as Member States' registers, ship registers must be *'governed by the law of a Member State applying to their territories forming part of the European Community [Union]'* (first sentence of the Annex to the Guidelines).

On the basis of that definition, points 1 to 4 of the Annex spell out which registers are considered to be Member States' registers, and which are not.

Point 2 of the Annex provides an exhaustive list of second registers, located in Member States and subject to their laws, which are considered to be Member States' registers.

The current version of the Annex, and thus the exhaustive list in point 2 thereof, was adopted at the same time as the Guidelines, which have been applied since 17 January 2004. Since then, it has not been updated.

The Commission is aware that Member States may create new ship registers or alter or abolish existing ones. For instance, France created its *'Registre International Français'* in 2005. Therefore, the exhaustive list of second registers that qualify as Member States' registers in point 2 of the Annex to the Guidelines is liable to change over time. In order to keep pace with the situation in all register-keeping Member States, the list would have to be regularly updated.

For those reasons, the character of the list in point 2 of the Annex should be changed from exhaustive to non-exhaustive, while maintaining the definition in the first sentence of the Annex, on the basis of which second registers can qualify as Member States' registers.

⁽¹⁾ Commission Communication 'Community guidelines on State aid to maritime transport' (OJ C 13, 17.1.2004, p. 3).

The change will ensure both the necessary flexibility in the implementation of the Guidelines with respect to second registers of Member States and legal certainty regarding the treatment of second registers of Member States that were created after the adoption of the Guidelines and thus would otherwise not fall under any of the points of the Annex. Overall, the change will achieve the State aid control objectives of the Guidelines with a minimum of administrative burden, in full respect of the Treaties.

In the light of the foregoing, point 2 of the Annex to the Guidelines should be updated and is to be read as follows:

‘2. In addition, registers located in Member States and subject to their laws, are Member States’ registers, if they are located in and subject to the law of territories where the Treaty applies. For example, at the time these Guidelines were adopted, the following registers were considered to fall under this category:

- the Danish International Register of Shipping (DIS),
- the German International Shipping Register (ISR),
- the Italian International Shipping Register,
- the Madeira International Ship Register (MAR),
- the Canary Islands register.’

This update will apply from the date of its publication in the *Official Journal of the European Union*.

Non-opposition to a notified concentration**(Case M.8412 — Engie Services Holding UK/Keepmoat Regeneration Holdings)****(Text with EEA relevance)**

(2017/C 120/04)

On 6 April 2017, 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 32017M8412. 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⁾

12 April 2017

(2017/C 120/05)

1 euro =

Currency	Exchange rate	Currency	Exchange rate
USD US dollar	1,0605	CAD Canadian dollar	1,4114
JPY Japanese yen	116,22	HKD Hong Kong dollar	8,2416
DKK Danish krone	7,4369	NZD New Zealand dollar	1,5320
GBP Pound sterling	0,84840	SGD Singapore dollar	1,4869
SEK Swedish krona	9,5553	KRW South Korean won	1 209,26
CHF Swiss franc	1,0678	ZAR South African rand	14,5185
ISK Iceland króna		CNY Chinese yuan renminbi	7,3090
NOK Norwegian krone	9,1035	HRK Croatian kuna	7,4385
BGN Bulgarian lev	1,9558	IDR Indonesian rupiah	14 087,68
CZK Czech koruna	26,697	MYR Malaysian ringgit	4,6954
HUF Hungarian forint	311,97	PHP Philippine peso	52,446
PLN Polish zloty	4,2485	RUB Russian rouble	60,5067
RON Romanian leu	4,5205	THB Thai baht	36,555
TRY Turkish lira	3,8965	BRL Brazilian real	3,3330
AUD Australian dollar	1,4163	MXN Mexican peso	19,9384
		INR Indian rupee	68,5895

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

New national side of euro coins intended for circulation

(2017/C 120/06)



National side of the new commemorative 2-euro coin intended for circulation and issued by the Republic of San Marino

Euro coins intended for circulation have legal tender status throughout the euro area. For the purpose of informing the public and all parties who handle the coins, the Commission publishes a description of the designs of all new coins ⁽¹⁾. In accordance with the Council conclusions of 10 February 2009 ⁽²⁾, euro-area Member States and countries that have concluded a monetary agreement with the European Union providing for the issuance of euro coins are authorised to issue commemorative euro coins intended for circulation, provided that certain conditions are met, one of these being that only the 2-euro denomination is used. These coins have the same technical characteristics as other 2-euro coins, but their national side features a commemorative design that is highly symbolic in national or European terms.

Issuing country: The Republic of San Marino

Subject of commemoration: 750th anniversary of the birth of Giotto

Description of the design: On the left a detail from the clock tower of Santa Maria del Fiore in Florence, one of Giotto's architectural works; vertically, the words SAN MARINO, GIOTTO and the dates 1267-2017; on the right a detail from the portrait of Giotto and the abbreviation of the artist Luciana De Simoni (LDS); on the bottom, the letter R, indicating the 'Zecca' (mint) of Rome.

The coin's outer ring depicts the 12 stars of the European flag.

Number of coins to be issued: 80 000

Date of issue: March 2017

⁽¹⁾ See OJ C 373, 28.12.2001, p. 1 for the national sides of all the coins issued in 2002.

⁽²⁾ See the conclusions of the Economic and Financial Affairs Council of 10 February 2009 and the Commission recommendation of 19 December 2008 on common guidelines for the national sides and the issuance of euro coins intended for circulation (OJ L 9, 14.1.2009, p. 52).

New national side of euro coins intended for circulation

(2017/C 120/07)



National side of the new commemorative 2-euro coin intended for circulation and issued by the Vatican City State

Euro coins intended for circulation have legal tender status throughout the euro area. For the purpose of informing the public and all parties who handle the coins, the Commission publishes a description of the designs of all new coins ⁽¹⁾. In accordance with the Council conclusions of 10 February 2009 ⁽²⁾, euro-area Member States and countries that have concluded a monetary agreement with the European Union providing for the issuing of euro coins are allowed to issue commemorative euro coins intended for circulation, provided that certain conditions are met, particularly that only the 2-euro denomination is used. These coins have the same technical characteristics as other 2-euro coins, but their national face features a commemorative design that is highly symbolic in national or European terms.

Issuing country: The Vatican City State

Subject of commemoration: 1950th anniversary of the martyrdom of Saint Peter and Saint Paul

Description of the design: The design features Saint Peter and Saint Paul and their symbols, respectively the keys and the sword. At the top is the inscription 'CITTÀ DEL VATICANO', in semi-circle. At the bottom, in semi-circle is the inscription '1950° DEL MARTIRIO DEI SANTI PIETRO E PAOLO'. At the bottom left is the year of issuance '2017' and at the bottom right is the mint mark 'R'. Between them is the name of the artist 'G. TITOTTO'.

The coin's outer ring depicts the 12 stars of the European flag.

Number of coins to be issued: 105 000

Date of issue: June 2017

⁽¹⁾ See OJ C 373, 28.12.2001, p. 1 for the national faces of all the coins issued in 2002.

⁽²⁾ See the conclusions of the Economic and Financial Affairs Council of 10 February 2009 and the Commission Recommendation of 19 December 2008 on common guidelines for the national sides and the issuance of euro coins intended for circulation (OJ L 9, 14.1.2009, p. 52).

New national side of euro coins intended for circulation

(2017/C 120/08)

*National side of the new commemorative 2-euro coin intended for circulation and issued by Portugal*

Euro coins intended for circulation have legal tender status throughout the euro area. For the purpose of informing the public and all parties who handle the coins, the Commission publishes a description of the designs of all new coins ⁽¹⁾. In accordance with the Council conclusions of 10 February 2009 ⁽²⁾, euro-area Member States and countries that have concluded a monetary agreement with the European Union providing for the issuing of euro coins are allowed to issue commemorative euro coins intended for circulation, provided that certain conditions are met, particularly that only the 2-euro denomination is used. These coins have the same technical characteristics as other 2-euro coins, but their national face features a commemorative design that is highly symbolic in national or European terms.

Issuing country: Portugal

Subject of commemoration: 150 Years of Public Security

Description of the design: The design shows human figures and buildings, symbolic representations of citizens and cities, where the public security is mainly assured and the simplified police symbol. The legends include the year '1867' and the year of issue '2017', the country of issue 'PORTUGAL', the subject of commemoration ('SEGURANÇA PÚBLICA' – Public Security), the three main issues related to citizenship ('DIREITOS', 'LIBERDADES' e 'GARANTIAS' – Rights, Freedoms and Warranties), and the author's name JOSÉ DE GUIMARÃES.

The coin's outer ring depicts the 12 stars of the European flag.

Number of coins to be issued: 520 000

Date of issue: July 2017

⁽¹⁾ See OJ C 373, 28.12.2001, p. 1 for the national faces of all the coins issued in 2002.

⁽²⁾ See the conclusions of the Economic and Financial Affairs Council of 10 February 2009 and the Commission Recommendation of 19 December 2008 on common guidelines for the national sides and the issuance of euro coins intended for circulation (OJ L 9, 14.1.2009, p. 52).

NOTICES FROM MEMBER STATES

Update of the list of border crossing points as referred to in Article 2(8) of Regulation (EU) 2016/399 of the European Parliament and of the Council on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code) ⁽¹⁾

(2017/C 120/09)

The publication of the list of border crossing points as referred to in Article 2(8) of Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code) ⁽²⁾ is based on the information communicated by the Member States to the Commission in conformity with Article 39 of the Schengen Borders Code.

In addition to the publication in the Official Journal, a regular update is available on the website of the Directorate-General for Migration and Home Affairs.

FRANCE

Replacement of the information published in OJ C 401, 29.10.2016.

LIST OF BORDER CROSSING POINTS***Air borders***

- (1) Ajaccio-Napoléon-Bonaparte
- (2) Albert-Bray
- (3) Angers-Marcé
- (4) Angoulême-Brie-Champniers
- (5) Annecy-Methet
- (6) Auxerre-Branches
- (7) Avignon-Caumont
- (8) Bâle-Mulhouse
- (9) Bastia-Poretta
- (10) Beauvais-Tillé
- (11) Bergerac-Roumanière
- (12) Béziers-Vias
- (13) Biarritz-Pays Basque
- (14) Bordeaux-Mérignac
- (15) Brest-Bretagne
- (16) Brive-Souillac
- (17) Caen-Carpiquet
- (18) Calais-Dunkerque
- (19) Calvi-Sainte-Catherine
- (20) Cannes-Mandelieu
- (21) Carcassonne-Salvaza
- (22) Châlons-Vatry

⁽¹⁾ See the list of previous publications at the end of this update.

⁽²⁾ OJ L 77, 23.3.2016, p. 1.

- (23) Chambéry-Aix-les-Bains
- (24) Châteauroux-Déols
- (25) Cherbourg-Mauperthus
- (26) Clermont-Ferrand-Auvergne
- (27) Colmar-Houssen
- (28) Deauville-Normandie
- (29) Dijon-Longvic
- (30) Dinard-Pleurtuit-Saint-Malo
- (31) Dôle-Tavaux
- (32) Epinal-Mirecourt
- (33) Figari-Sud Corse
- (34) Grenoble-Isère
- (35) Hyères-le Palivestre
- (36) Paris-Issy-les-Moulineaux
- (37) La Môle – Saint-Tropez, from 15 June to 30 September 2017
- (38) La Rochelle-Ile de Ré
- (39) Laval-Entrammes
- (40) Le Havre-Octeville
- (41) Le Mans-Arnage
- (42) Le Touquet-Côte d'Opale
- (43) Lille-Lesquin
- (44) Limoges-Bellegarde
- (45) Lorient-Lann-Bihoué
- (46) Lyon-Bron
- (47) Lyon-Saint-Exupéry
- (48) Marseille-Provence
- (49) Metz-Nancy-Lorraine
- (50) Monaco-Héliport
- (51) Montpellier-Méditerranée
- (52) Nantes-Atlantique
- (53) Nice-Côte d'Azur
- (54) Nîmes-Garons

- (55) Orléans-Bricy
- (56) Orléans-Saint-Denis-de-l'Hôtel
- (57) Paris-Charles de Gaulle
- (58) Paris-le Bourget
- (59) Paris-Orly
- (60) Pau-Pyrénées
- (61) Perpignan-Rivesaltes
- (62) Poitiers-Biard
- (63) Quimper-Pluguffan (open from the beginning of May to the beginning of September)
- (64) Rennes Saint-Jacques
- (65) Rodez-Aveyron
- (66) Rouen-Vallée de Seine
- (67) Saint-Brieuc-Armor
- (68) Saint-Etienne Loire
- (69) Saint-Nazaire-Montoir
- (70) Strasbourg-Entzheim
- (71) Tarbes-Lourdes-Pyrénées
- (72) Toulouse-Blagnac
- (73) Tours-Val de Loire
- (74) Troyes-Barbère

Sea borders

- (1) Ajaccio
- (2) Bastia
- (3) Bayonne
- (4) Bordeaux
- (5) Boulogne
- (6) Brest
- (7) Caen-Ouistreham
- (8) Calais
- (9) Cannes-Vieux Port
- (10) Carteret
- (11) Cherbourg
- (12) Dieppe

- (13) Douvres
- (14) Dunkerque
- (15) Granville
- (16) Honfleur
- (17) La Rochelle-La Pallice
- (18) Le Havre
- (19) Les Sables-d'Olonne-Port
- (20) Lorient
- (21) Marseille
- (22) Monaco-Port de la Condamine
- (23) Nantes-Saint-Nazaire
- (24) Nice
- (25) Port-de-Bouc-Fos/Port-Saint-Louis
- (26) Port-la-Nouvelle
- (27) Port-Vendres
- (28) Roscoff
- (29) Rouen
- (30) Saint-Brieuc
- (31) Saint-Malo
- (32) Sète
- (33) Toulon

Land borders

- (1) Bourg Saint Maurice railway station (open from the beginning of December to mid-April)
- (2) Moûtiers railway station (open from the beginning of December to mid-April)
- (3) Ashford International railway station
- (4) Avignon-Centre railway station
- (5) Cheriton/Coquelles
- (6) Chessy-Marne-la-Vallée railway station
- (7) Fréthun railway station
- (8) Lille-Europe railway station
- (9) Paris-Nord railway station
- (10) St-Pancras railway station
- (11) Ebbsfleet railway station
- (12) Pas de la Case-Porta

List of previous publications

OJ C 316, 28.12.2007, p. 1.	OJ C 313, 17.10.2012, p. 11.
OJ C 134, 31.5.2008, p. 16.	OJ C 394, 20.12.2012, p. 22.
OJ C 177, 12.7.2008, p. 9.	OJ C 51, 22.2.2013, p. 9.
OJ C 200, 6.8.2008, p. 10.	OJ C 167, 13.6.2013, p. 9.
OJ C 331, 31.12.2008, p. 13.	OJ C 242, 23.8.2013, p. 2.
OJ C 3, 8.1.2009, p. 10.	OJ C 275, 24.9.2013, p. 7.
OJ C 37, 14.2.2009, p. 10.	OJ C 314, 29.10.2013, p. 5.
OJ C 64, 19.3.2009, p. 20.	OJ C 324, 9.11.2013, p. 6.
OJ C 99, 30.4.2009, p. 7.	OJ C 57, 28.2.2014, p. 4.
OJ C 229, 23.9.2009, p. 28.	OJ C 167, 4.6.2014, p. 9.
OJ C 263, 5.11.2009, p. 22.	OJ C 244, 26.7.2014, p. 22.
OJ C 298, 8.12.2009, p. 17.	OJ C 332, 24.9.2014, p. 12.
OJ C 74, 24.3.2010, p. 13.	OJ C 420, 22.11.2014, p. 9.
OJ C 326, 3.12.2010, p. 17.	OJ C 72, 28.2.2015, p. 17.
OJ C 355, 29.12.2010, p. 34.	OJ C 126, 18.4.2015, p. 10.
OJ C 22, 22.1.2011, p. 22.	OJ C 229, 14.7.2015, p. 5.
OJ C 37, 5.2.2011, p. 12.	OJ C 341, 16.10.2015, p. 19.
OJ C 149, 20.5.2011, p. 8.	OJ C 84, 4.3.2016, p. 2.
OJ C 190, 30.6.2011, p. 17.	OJ C 236, 30.6.2016, p. 6.
OJ C 203, 9.7.2011, p. 14.	OJ C 278, 30.7.2016, p. 47.
OJ C 210, 16.7.2011, p. 30.	OJ C 331, 9.9.2016, p. 2.
OJ C 271, 14.9.2011, p. 18.	OJ C 401, 29.10.2016, p. 4.
OJ C 356, 6.12.2011, p. 12.	OJ C 484, 24.12.2016, p. 30.
OJ C 111, 18.4.2012, p. 3.	OJ C 32, 1.2.2017, p. 4.
OJ C 183, 23.6.2012, p. 7.	OJ C 74, 10.3.2017, p. 9.

V

(Announcements)

COURT PROCEEDINGS

EFTA COURT

JUDGMENT OF THE COURT

of 2 August 2016**in Case E-33/15****EFTA Surveillance Authority v Iceland***(Failure by an EEA/EFTA State to fulfil its obligations — Failure to implement Directive 2012/26/EU amending Directive 2001/83/EC as regards pharmacovigilance)**(2017/C 120/10)*

In Case E-33/15, EFTA Surveillance Authority v Iceland — APPLICATION for a declaration that Iceland has failed to fulfil its obligations under the Act referred to at point 15q of Chapter XIII of Annex II to the Agreement on the European Economic Area (Directive 2012/26/EU of the European Parliament and of the Council of 25 October 2012 amending Directive 2001/83/EC as regards pharmacovigilance) as adapted to the Agreement under Protocol 1 thereto, and under Article 7 of the Agreement, by failing to adopt the measures necessary to implement the Act within the time prescribed, or in any event by failing to inform the EFTA Surveillance Authority thereof, the Court, composed of Carl Baudenbacher, President (Judge-Rapporteur), Per Christiansen and Páll Hreinsson, Judges, gave judgment on 2 August 2016, the operative part of which is as follows:

The Court hereby:

1. Declares that Iceland has failed to fulfil its obligations under the Act referred to at point 15q of Chapter XIII of Annex II to the Agreement on the European Economic Area (Directive 2012/26/EU of the European Parliament and of the Council of 25 October 2012 amending Directive 2001/83/EC as regards pharmacovigilance) as adapted to the Agreement under its Protocol 1, and under Article 7 of the Agreement, by failing to adopt the measures necessary to implement the Act within the time prescribed.
 2. Orders Iceland to bear the costs of the proceedings.
-

JUDGMENT OF THE COURT**of 2 August 2016****in Case E-34/15****EFTA Surveillance Authority v Iceland**

(Failure by an EFTA State to fulfil its obligations — Failure to implement — Directive 2012/46/EU amending Directive 97/68/EC on the approximation of the laws of the Member States relating to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery)

(2017/C 120/11)

In Case E-34/15, EFTA Surveillance Authority v Iceland — APPLICATION for a declaration that Iceland has failed to fulfil its obligations under the Act referred to at point 1a of Chapter XXIV of Annex II to the Agreement on the European Economic Area (Commission Directive 2012/46/EU of 6 December 2012 amending Directive 97/68/EC of the European Parliament and of the Council on the approximation of the laws of the Member States relating to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery) as adapted to the Agreement by way of Protocol 1 thereto, and under Article 7 of the Agreement, by failing to adopt the measures necessary to implement the Act within the time prescribed or, in any event, by failing to inform the EFTA Surveillance Authority thereof, the Court, composed of Carl Baudenbacher, President, Per Christiansen (Judge-Rapporteur) and Páll Hreinsson, Judges, gave judgment on 2 August 2016, the operative part of which is as follows:

The Court hereby:

1. Declares that Iceland has failed to fulfil its obligations under the Act referred to at point 1a of Chapter XXIV of Annex II to the Agreement on the European Economic Area (Commission Directive 2012/46/EU of 6 December 2012 amending Directive 97/68/EC of the European Parliament and of the Council on the approximation of the laws of the Member States relating to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery) as adapted to the agreement under its Protocol 1, and under Article 7 of the Agreement, by failing to adopt the measures necessary to implement the Act within the time prescribed.
 2. Orders Iceland to bear the costs of the proceedings.
-

JUDGMENT OF THE COURT**of 2 August 2016****in Case E-35/15****EFTA Surveillance Authority v The Kingdom of Norway***(Failure by an EFTA State to fulfil its obligations — Directive 2000/59/EC on port reception facilities for ship-generated waste and cargo residues)*

(2017/C 120/12)

In Case E-35/15, EFTA Surveillance Authority v The Kingdom of Norway — APPLICATION for a declaration that the Kingdom of Norway has failed to fulfil its obligations under the Act referred at point 56i of Annex XIII to the Agreement on the European Economic Area (Directive 2000/59/EC of the European Parliament and of the Council of 27 November 2000 on port reception facilities for ship-generated waste and cargo residues) by failing to (i) develop and implement an appropriate waste reception and handling plan for each port as required by Article 5(1) of Directive 2000/59/EC; (ii) evaluate and approve the waste reception and handling plans, monitor their implementation and ensure their re-approval at least every three years as required by Article 5(3) of Directive 2000/59/EC; and (iii) ensure the availability of port reception facilities in all ports in Norway adequate to meet the needs of the ships normally using the ports without causing undue delay to ships as required by Article 4(1) of Directive 2000/59/EC, the Court, composed of Carl Baudenbacher, President (Judge-Rapporteur), Per Christiansen and Páll Hreinsson, Judges, gave judgment on 2 August 2016, the operative part of which is as follows:

The Court hereby:

1. Declares that the Kingdom of Norway has failed to fulfil its obligation arising under the Act referred to at point 56i of Annex XIII to the Agreement on the European Economic Area (Directive 2000/59/EC of the European Parliament and of the Council of 27 November 2000 on port reception facilities for ship-generated waste and cargo residues) within the time-limit prescribed by:
 - a. failing to develop and implement an appropriate waste reception and handling plan for each port in Norway as required by Article 5(1) of Directive 2000/59/EC;
 - b. failing to evaluate and approve the waste reception and handling plans for all ports in Norway, monitor their implementation and ensure their re-approval at least every three years as required by Article 5(3) of Directive 2000/59/EC; and
 - c. failing to ensure the availability of port reception facilities in all ports in Norway adequate to meet the needs of the ships normally using the port without causing undue delay to ships as required by Article 4(1) of Directive 2000/59/EC.
 2. Orders the Kingdom of Norway to bear the costs of the proceedings.
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JUDGMENT OF THE COURT**of 3 August 2016****in joined Cases E-26/15 and E-27/15****Criminal proceedings against B and B v Finanzmarktaufsicht***(Freedom to provide services — Article 36 EEA — Directive 2005/60/EC — Proportionality)**(2017/C 120/13)*

In joined Cases E-26/15 and E-27/15, Criminal proceedings against B and B v Finanzmarktaufsicht — REQUESTS to the Court under Article 34 of the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice by the Princely Court of Appeal of the Principality of Liechtenstein (*Fürstliches Obergericht*) and the Appeals Board of the Financial Market Authority (*Beschwerdekommision der Finanzmarktaufsicht*) concerning the interpretation of Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing, the Court, composed of Carl Baudenbacher, President, Per Christiansen and Páll Hreinsson (Judge-Rapporteur), Judges, gave judgment on 3 August 2016, the operative part of which is as follows:

1. Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing must be interpreted as not precluding a host EEA State from making a trust and company service provider operating in its territory under the freedom to provide services subject to due diligence requirements laid down in its national legislation.
 2. However, in so far as such legislation gives rise to difficulties and additional costs for activities carried out under the rules governing the freedom to provide services and is liable to be additional to the controls already conducted in the home EEA State of the trust and company service provider, thus dissuading the latter from carrying out such activities, it constitutes a restriction on the freedom to provide services. Article 36 EEA must be interpreted as not precluding such legislation provided that it is applied in a non-discriminatory manner, justified by the objective of combating money laundering and terrorist financing, suitable for securing the attainment of that aim and does not go beyond what is necessary in order to attain it. In particular, for national supervisory measures of the host EEA State to be considered proportionate, there should be no general presumption of fraud, leading to full, systematic checks of all those who are established in other EEA States and provide services on a temporary basis in the host EEA State. Furthermore, the host EEA State must, when requesting information, such as documents, located in the EEA State of establishment, grant the service provider a reasonable period of time to provide that information, e.g. by handing over copies of documents. In this regard, the appropriate length of the notice will depend on the volume of documents requested and the medium on which they are stored.
 3. The Court's answers to the first and second questions do not differ where the company to which administrative services are provided is not incorporated in an EEA State.
-

Request for an advisory opinion from the EFTA Court by Oslo tingrett dated 31 August 2016 in the case of Mobil Betriebskrankenkasse v Tryg Forsikring

(Case E-11/16)

(2017/C 120/14)

A request has been made to the EFTA Court by a letter dated 31 August 2016 from Oslo tingrett (the Oslo District Court), which was received at the Court Registry on 7 September 2016, for an advisory opinion in the case of Mobil Betriebskrankenkasse v Tryg Forsikring on the following questions:

Question 1, concerning the interpretation of Article 85(1)(a) of the Coordination Regulation:

When an institution in the injured party's home country that is responsible for providing benefits, under that country's legislation 'is subrogated to' the injured party's right against a 'third party', other EEA States must recognise the institution's subrogation to the claim. Does this mean:

- that other EEA States must recognise that the claim has passed from the injured party to the institution and that the existence and scope of the claim depends on the home country's legislation,
- that other EEA States must recognise that the claim has passed from the injured party to the institution and that the existence and scope of the claim depends on the legislation in the country where the injury occurred, or
- that other EEA States must recognise that the claim has passed from the injured party to the institution, but that the Coordination Regulation has no bearing on the choice of law as regards the existence and scope of the claim?

Question 2, concerning the interpretation of Article 85(1)(b) of the Coordination Regulation:

Where the institution responsible for providing benefits has a direct right against the third party, other EEA States shall recognise such rights. Does this mean:

- that other EEA States must recognise the right in full, including that its existence and scope depends on the home country's legislation, or
 - that other EEA States must recognise the right, subject to those limitations that follow from the rules of law in the country where the injury occurred?
-

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.8455 — STRABAG/Rohöl-Aufsuchungs AG/JV)

Candidate case for simplified procedure

(Text with EEA relevance)

(2017/C 120/15)

1. On 5 April 2017 the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which the undertakings ILBAU Liegenschaftsverwaltung AG, ultimately controlled by STRABAG SE ('STRABAG', Austria) and Rohöl-Aufsuchungs Aktiengesellschaft, ultimately controlled by EVN AG ('EVN', Austria) acquire within the meaning of Article 3(1)(b) and Article 3(4) of the Merger Regulation joint control over the whole of the undertaking Projektgesellschaft Geoenergie Bayern Projekt Garching a.d. Alz GmbH & Co. KG ('JV', Germany) 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 STRABAG: active worldwide in all segments of the construction business, especially in structural, construction and civil engineering, as well as road construction.
- for EVN: mainly active in the exploration and production of oil and gas, gas storage and distribution of electricity, gas and district heating.
- for the JV: holds the rights for the development of the deep geothermal energy project 'Bruck' in Garching a.d. Alz in Bavaria. The JV will further develop the Bruck project and will generate and supply electricity and district heating to third parties. Moreover, the JV is foreseen to develop other deep geothermal projects.

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 ⁽²⁾ it should be noted that this case is a candidate for treatment under the procedure set out in this 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. Observations can be sent to the Commission by fax (+32 22964301), by email to COMP-MERGER-REGISTRY@ec.europa.eu or by post, under reference M.8455 — STRABAG/Rohöl-Aufsuchungs AG/JV, to the following address:

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

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

⁽²⁾ OJ C 366, 14.12.2013, p. 5.

Prior notification of a concentration**(Case M.8384 — Carlyle/CITIC/McDonald's/McDonald's China)****Candidate case for simplified procedure****(Text with EEA relevance)**

(2017/C 120/16)

1. On 7 April 2017, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which The Carlyle Group ('Carlyle', United States), CITIC Capital and CITIC Limited ('CITIC', China) together with McDonald's Corporation ('McDonald's', United States) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the whole of McDonald's China Management Limited ('Target'), which comprises the Mainland China and Hong Kong businesses of McDonald's, by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - for Carlyle: manages funds that invest globally across four investment disciplines, namely Corporate Private Equity (buyout and growth capital), Real Assets (real estate, infrastructure and energy), Global Market Strategies (structured credit, mezzanine, distressed, hedge funds, and middle market debt) and Solutions (private equity fund of funds program and related co-investment and secondary activities).
 - for CITIC: is engaged in both financial and non-financial businesses. The group's financial businesses cover a full range of services including commercial banking, investment banking, trust, insurance, fund management and asset management. The group's non-financial businesses include real estate, engineering contracting, energy and resources, infrastructure construction, machinery manufacturing and IT industry.
 - for McDonald's: is active worldwide in the quick service restaurant industry, operating and franchising McDonald's restaurants, which serve a locally-relevant menu of food and drinks in over 36 000 locations in more than 100 countries. McDonald's global system is comprised of both McDonald's-owned and franchised restaurants with more than 80 % of McDonald's restaurants owned and operated by independent franchisees.
 - for the Target: the Target business includes over 2 000 McDonald's restaurants in Mainland China and Hong Kong.
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 ⁽²⁾ it should be noted that this case is a candidate for treatment under the procedure set out in this 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. Observations can be sent to the Commission by fax (+32 22964301), by email to COMP-MERGER-REGISTRY@ec.europa.eu or by post, under reference M.8384 — Carlyle/CITIC/McDonald's/McDonald's China, to the following address:

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

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

⁽²⁾ OJ C 366, 14.12.2013, p. 5.

OTHER ACTS

EUROPEAN COMMISSION

Publication of an amendment application 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

(2017/C 120/17)

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 ⁽¹⁾.

AMENDMENT APPLICATION

Council Regulation (EC) No 510/2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽²⁾

AMENDMENT APPLICATION ACCORDING TO ARTICLE 9

‘TERNERA DE EXTREMADURA’**EU No: ES-PGI-0105-01129 — 8.7.2013****PGI (X) PDO ()****1. Heading in the product specification affected by the amendment(s)**

- ☐ Name of product
- ☒ Description
- ☐ Geographical area
- ☒ Proof of origin
- ☒ Method of production
- ☐ Link
- ☒ Labelling
- ☒ National requirements
- ☒ Other [inspection body]

2. Type of amendment(s)

- ☒ Amendment to Single Document or Summary Sheet
- ☐ Amendment to specification of registered PDO or PGI for which neither the single document nor the summary sheet have been published
- ☐ Amendment to Specification that requires no amendment to the published Single Document (Article 9(3) of Regulation (EC) No 510/2006).
- ☐ Temporary amendment to Specification resulting from imposition of obligatory sanitary or phytosanitary measures by public authorities (Article 9(4) of Regulation (EC) No 510/2006).

3. Amendment(s)*Description of product*

In order to clarify the terminology and avoid confusion throughout the document, the following sentence is deleted: ‘The breeds resulting from second generation crosses covered by this PGI may not be reproductive breeds’. It is replaced by the following sentence: ‘The females resulting from crosses by absorption may not be reproductive females covered by this PGI’.

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ L 93, 31.3.2006, p. 1. Replaced by Regulation (EU) No 1151/2012.

The paragraphs describing the conditions for rearing and feeding the animals which are repeated in point E 'Description of the production method of the product' are deleted.

The expression 'food supplements previously authorised' is deleted and replaced by 'authorised food supplements'. The type of food supplements allowed is specified later in point E 'Description of the production method of the product'.

Given the working system of the operators, the period in which the pH value can be measured has been extended from 24 to 48 hours. This is because the animals are slaughtered at different times and brought into the cutting plant at the same time. Other areas for measuring the pH in order to check this parameter in the carcasses destined for cutting have also been included.

Elements guaranteeing that the product originates in the area.

D.2 Certification checks

The paragraph describing the breeds permitted for the supply of meat under the PGI 'Ternera de Extremadura', which is repeated and described in Point B 'Product description', is deleted.

Under the new certification system in accordance with Standard UNE-EN-40511, some paragraphs are amended to describe control by the operators in accordance with the Specification and the checking for compliance with the Specification by the Control and Certification Body of the Regulatory Council.

The mixing of animals belonging to the registered livestock farms intended for the PGI and other animals is permitted in order to facilitate transport from small holdings, provided that they belong to the same batch for transport and their identification is safeguarded. This is due to the fact that the same vehicle is used for transport to the slaughterhouse by different holdings belonging to cooperatives or groups of producers. Furthermore, in some of these, the installations are shared by animals which are not covered and animals which are. It is not considered necessary to separate them at the time of loading and transportation for slaughter.

Description of the production method of the product

The wording of the paragraph on feeding the dams is amended in order to clarify its content.

For this reason, the following paragraphs have been deleted and re-written:

- the words 'and legumes and authorised concentrated fibres' are deleted and replaced by the words 'protein crops and other raw materials, provided they are of vegetable origin, and the necessary minerals and vitamins',
- the following paragraph is deleted: 'The Regulatory Council must publish the lists of permitted raw materials in the feed of these animals'.

The simultaneous slaughter of animals and dressing of the carcasses is permitted, both for those covered under the Protected Geographical Indication and those which are not, provided that their separation and identification is safeguarded. This amendment is made in accordance with the practices of slaughterhouses, without affecting the identification and traceability of the product.

In this section, there are amendments to the paragraphs describing the control by the Regulatory Council, which did not comply with the current certification scheme. The new version describes the current control by the operators in accordance with the Specification and the verification of compliance with that Specification by the Control and Certification Body of the Regulatory Council in accordance with the new certification system required by Standard UNE-EN-45011.

Inspection body

The details of the Regulatory Council have been updated, with the establishment of the Control and Certification Body, an independent applications body accredited for the certification of food products by E.N.A.C in accordance with the criteria contained in the standard UNE-EN 45.011 (Accreditation 109/C-PR188).

The criteria have subsequently been adapted to the standard UNE-EN ISO/IEC 17065:2012.

Labelling

In order to provide consumers with more precise information on the final product in regard to first or second generation cross-breeding (which is difficult to verify and is not reflected in the final identification of the product), the label indicates whether the meat comes from cross-breeding at any generation.

All references to traceability are deleted from this section as they are not part of the labelling.

In the paragraph: 'The simultaneous slaughter of the animals and dressing of the carcasses ...' the word 'not' is deleted and the following phrase is inserted: 'provided that their separation and identification remains safeguarded'.

Reference to the use of mark is deleted.

Legislation

This section is deleted as it became obsolete following adoption of 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 ⁽³⁾.

Formal amendments:

The word 'present' is deleted in paragraphs which included it with reference to the Specification, i.e.:

- the second paragraph of 'Evidence that the product originates from the geographical area',
- the third paragraph of 'Description of the method of production of the product', and
- the second paragraph of 'Labelling'.

The box 'Link between quality and geographical environment' on the application was not ticked as the amendments are purely formal, i.e. relocations and deletions due to repetition.

The first, fourth, and fifth paragraphs of point 3, 'Production and processing system' are deleted as they are repeated in point B 'Description of the product'.

The second and third paragraphs of point 3, 'Production and processing system' are deleted as they are repeated in point E 'Description of the production method of the product'.

SINGLE DOCUMENT

Council Regulation (EC) No 510/2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽⁴⁾

'TERNERA DE EXTREMADURA'

EU No: ES-PGI-0105-01129 — 8.7.2013

PGI (X) PDO ()

1. Designation

'Ternera de Extremadura'

2. Member State or Third Country

Spain

3. Description of the agricultural product or foodstuff

3.1. Type of product

Class 1.1. Fresh meat (and offal)

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

'Ternera de Extremadura' means those carcasses exclusively from livestock from the native breeds 'Retinta', 'Avileña Negra-Ibérica', 'Morucha', 'Blanca Cacerëña', 'Berrendas' and crosses among them or with the breeds 'Charolais' and 'Limousin', which are perfectly adapted to the environment, as well as crosses with the aforementioned native breeds when reared as part of an extensive production system.

The characteristics of the meat covered under the Protected Geographical Indication 'Ternera de Extremadura' are as follows:

- (I) Veal: meat from the animal intended for slaughter at an age of between 7 and 12 months less one day. It is bright red in colour, with white fat, a firm consistency, slightly moist and with a fine texture.
- (II) Baby beef: meat from the animal intended for slaughter at an age of between 12 and 16 months less one day. It is between light red and purple-red in colour, with white fat, a consistency which is firm to the touch, slightly moist and with a fine texture.

⁽³⁾ See footnote 1.

⁽⁴⁾ See footnote 2.

- (III) Young bulls: meat from the animal intended for slaughter at an age of between 16 and 36 months. It is cherry red in colour, with creamy-coloured fat, a consistency which is firm to the touch and slightly moist, a fine texture, and moderate amounts of intramuscular fat.

The types of carcasses defined are adjusted in line with the following standards:

1. — Carcasses of Categories A and E as described in Council Regulation (EEC) No 1208/81 ⁽⁵⁾.
2. — Conformation: E.U.R.O.
3. — Fat cover 2, 3, and 4.
4. — Hygiene: application of European and national standards.
5. — At 24 to 48 hours after slaughter, the pH must be below 6 in the *longissimus dorsi* muscle at the level of the 5th-6th rib, and/or the muscular bundles of the shoulder and/or rib and/or flank, for those carcasses intended for cutting.

3.3. *Raw materials (for processed products only)*

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3.4. *Feed (for products of animal origin only)*

The rearing practices for dams must represent the techniques and practices for exploiting natural resources in an extensive farming system. The dams are fed on the pastures of the 'dehesa' and other native pasture of the Extremadura eco-system, where they graze throughout the year. Where necessary, their feed is supplemented with straw, hay, cereals, protein crops and other raw materials provided they are of vegetable origin, as well as with the necessary minerals and vitamins.

The calves are not weaned until they are at least five months old.

In any case, it remains expressly prohibited to use products which could interfere with the normal rhythm of growth and development of the animal, in accordance with the legislation in force.

3.5. *Specific steps in production that must take place in the identified geographical area*

Specific phases in production: birth, rearing, slaughter and cutting must be carried out in the area.

3.6. *Specific rules concerning slicing, grating, packaging, etc.*

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3.7. *Specific rules concerning labelling*

In order to provide consumers with more precise information on the final product in regard to cross-breeding, the label indicates whether the meat comes from cross-breeding at any generation.

4. Concise definition of the geographical area

The geographical area for the production of the animals whose meat will be chosen for the Protected Geographical Indication 'Ternera de Extremadura', comprises the districts listed below and their corresponding municipalities:

Alburquerque, Almendralejo, Azuaga, Badajoz, Brozas, Cáceres, Castuera, Coria, Don Benito, Herrera del Duque, Hervás, Jaraíz de la Vera, Jerez de los Caballeros, Logrosán, Llerena, Mérida, Navalmoral de la Mata, Olivenza, Plasencia, Puebla de Alcocer, Trujillo and Valencia de Alcántara.

Processing is carried out in the geographical production area.

5. Link with the geographical area

5.1. *Specificity of the geographical area*

Of the area in question, 35 % is covered by bushes (such as rockrose, gorse and heather) and scrubland (oak, cork oak, gall-oak and Pyrenean oak, etc.). The rest is made up of surfaces with a herbaceous layer suitable for livestock.

The fauna of domestic animal species found in Extremadura largely comprises native breeds, which are connected and closely linked to the most typical environment of the region (the 'dehesa'). All of them, due to their sturdiness and high capacity for adaptation to difficult environments contribute to maintaining and improving the eco-system, fertilising the soil, improving the quality of pastures and slowing the advance of scrubland. However, it should be pointed out that in most herds these breeds are reared by crossing them with Spanish meat breeds, in order to adapt production to current market requirements.

⁽⁵⁾ OJ L 123, 7.5.1981, p. 3.

The extreme temperature and rain conditions mean that the breeds which make up the 'Ternera de Extremadura' have adjusted in the best possible manner since they are capable of resisting both the cold and the heat, and the scarcity of water in periods of drought.

The eco-system of the 'dehesa' is the result of human activity in Mediterranean woodland throughout the centuries. The system covers vast areas of Extremadura. Traditionally livestock production there has centred on extensive production, where animal species (both domestic and wild), the environment and human intervention have always been in balance. This concept of 'extensification' is closely linked to using large surface areas for pastures for livestock which, on account of its sturdiness, has adapted perfectly to the environment. The harshness of the climate and low quality of the soils have favoured the establishment of livestock farming.

The systems of the 'dehesa' are characterised by the use of the environment by the livestock as pasture, with its herbaceous production covering a large part of the energetic needs of the animals which it sustains. The grassland contributes to a greater supply of energy resources for the system and is made up of a diverse flora rich in self-seeding annuals.

The significance of the trees on the holdings in the 'dehesa' lies in the diversity of uses and production alternatives which the environment offers for the human management of the system.

The tree-covered part of the 'dehesa' is made up of two main species: the holm oak (*Quercus ilex*) and the cork-oak (*Quercus suber*), plus a few less prevalent species such as gall oak (*Quercus lusitanica*), the Spanish chestnut (*Castanea sativa*) and the common oak (*Quercus robur*). The tree-covered area offers various forms of production such as acorns, browse and forest litter, which sustain the livestock when the herbaceous element is scarce.

The most representative species amongst the bushes are common rockrose (*Cistus ladaniferus*), common broom (*Sarothamnus scoparius*), Montpellier cistus (*Cistus monspeliense*), and gorse (*Genista* spp.).

The grassland areas may be classified according to the soil on which they are found, as:

- pasture on granite soils,
- pasture on shale soils,
- pasture on soils with tertiary and quaternary sedimentation,
- pasture for 'majadeo' (folding), and
- other pasture located in special enclaves, i.e. pastures in the mountains.

It should also be remembered that, in addition to pastures, the eco-system of the 'dehesa' produces acorns, cereal-feed (wheat, barley, oats, rye and triticale), pulses (chick peas, beans, etc.), cork, fuel wood, charcoal and other resources. Therefore, there is no doubt that within the context of a largely agricultural community such as Extremadura, the 'dehesa' is a phenomenon of primary economic importance, which generates 45 % of the final agricultural production.

Various studies (Espejo Diaz, M. García Torres, S., *Características específicas y diferenciadoras de las carnes de ganado Bovino de las dehesas españolas* ('Specific and distinguishing characteristics of meat of cattle raised on Spanish dehesas')) have shown that the qualities principally sought by the consumer are significantly greater in 'dehesa' breeds.

5.2. Specificity of the product

The study 'Specific and distinguishing characteristics of meat of cattle raised on Spanish dehesas' was presented at the International Symposium for Characterising Livestock Products from the 'dehesa', which is held in Mérida (Badajoz, Spain), EAAP publication No 90 of 1998. The study demonstrates that there is a particular quality to the meat covered by the PGI 'Ternera de Extremadura', which comes from breeds known as 'dehesa breeds'. Sensory testing by panels of trained testers and consumers clearly shows that such meat has distinctive characteristics that are much appreciated.

Therefore, the meat covered by the designation 'Ternera de Extremadura' is defined as a high-quality product on account of its sensory characteristics of tenderness, juiciness and flavour.

5.3. Causal link between the geographical area and the quality or characteristics of the product (for PDO) or a specific quality, the reputation or other characteristic of the product (for PGI)

The co-existence of the different breeds meant that both ancient and current breeds, and their crosses, have been recognised as the 'Extremadura' breed in the Iberian Peninsula.

The cross of the 'Blanca Cacereña' with the 'Tronco de capa negra' gave rise to the 'Ganado barroso cacereño' and the 'Colorada extremeña' breed evident today in the 'Retinta' breed. These crosses were very well represented at the National Livestock Competitions of 1913. The breed evolved into 'Cacereña' in the years 1922, 1926 and 1930, in the last two years under the guise of 'paradas de Cabestros'. It continued in the years 1953, 1956 and 1959, subsequently disappearing before returning in 1975 at an exhibition with a consignment from a State herd (Sánchez Belda A., Publicaciones de Extensión Agraria, 1984).

We also find references to it in gastronomy linking the veal to Extremadura cooking in numerous recipes: 'Ternera asada al estilo de la Vera' (Vera-style roast veal) (in *Cocina Tradicional de la Vera*, José V. Serradilla Muñoz, 1992, 3rd edition 1999, Gráficas Romero de Jaraíz de la Vera (Cáceres)); 'Envueltillos de Ternera' (Veal parcels) (in *La cocina día a día, Cocina extremeña*, Ana María Calera, 1987, Plaza y Janes SA); 'Chuletas de vaca a la extremeña' (Extremadura beef chops) (in *Gran Enciclopedia de la Cocina*, ABC, 1994, Ediciones Nobel SA, Madrid), or 'Entrecot al modo de Cáceres' (Caceres-style entrecôte) (in *Cocina Extremeña*, Teclo Villalón y Pedro Plasencia, 1999, Everest).

In the twentieth century we also find references to our livestock, such as on 10 January 1927 when the 'Sociedad Productos de la Ganadería Extremeña' was formed in order to operate the future Mérida slaughterhouse. There is another reference slightly later, around 1930, amongst the various surplus products sold beyond Extramadura. At that time, the meat cattle appeared at markets outside the region, where 62 % of its total live weight was sold (*Extremadura: la historia*, Archivo Ediciones Extremeñas, S.L.1997).

Reference to publication of the product specification

(Article 5(7) of Regulation (EC) No 510/2006)

http://www.gobex.es/files/cms/con03/uploaded_files/SectoresTematicos/Agroalimentario/Denominacionesdeorigen/IGP_TerneraDeExtremadura_PliegoCondiciones.pdf

