

# Daily News 21 / 12 / 2017

## **Commission proposes to improve transparency and predictability of working conditions**

As part of the follow-up to the [European Pillar of Social Rights](#), the European Commission has adopted today a proposal for a [new Directive for more transparent and predictable working conditions across the EU](#). The Commission's proposal complements and modernises existing obligations to inform each worker of his or her working conditions. In addition, the proposal creates new minimum standards to ensure that all workers, including those on atypical contracts, benefit from more predictability and clarity as regards their working conditions. Valdis **Dombrovskis**, Vice-President responsible for the Euro and Social Dialogue, Financial Stability, Financial Services and Capital Markets Union said: *"The consultations of social partners confirmed the need for more transparent and predictable working conditions in the EU. This proposal respects the compromise of more secure employment in current and future types of working arrangements, allowing for flexibility, and ensuring a level playing field. This proposal fully respects national social dialogue practises, by allowing social partners to implement the new minimum requirements relating to working conditions through collective agreements."* Marianne **Thyssen**, Commissioner for Employment, Social Affairs, Skills and Labour Mobility, added: *"With today's proposal we are taking action to improve transparency and predictability of working conditions. The world of work is changing fast with a growing number of non-standard jobs and contracts. This means that more and more people are at risk of not being covered by basic rights anymore, starting from the right to know the terms under which they work. Increased transparency and predictability will benefit to both workers and businesses."* The Commission estimates that 2 to 3 million additional workers on atypical contracts will be covered and protected by the proposal compared to existing legislation. More information is available in the online [press release](#), [memo](#) and [factsheet](#). (For more information: Christian Wigand – Tel.: +32 229 62253; Sara Soumillion – Tel.: +32 229 67094)

## **MiFID II: Commission adopts equivalence decision on Swiss share trading venues**

The European Commission has adopted a decision to recognise trading venues in Switzerland as eligible for compliance with the trading obligation for shares set out in the new Markets in Financial Instruments Directive and Regulation (MiFID II/MiFIR), which will apply in the EU as of 3 January 2018. Today's decision ensures that businesses and markets can continue to operate smoothly and without any market disruptions after 3 January 2018. Going forward, the Commission will closely monitor the impact of today's decision and consider the broader political context, notably the progress in the negotiation of the institutional agreement with Switzerland. The decision is limited to one year, until 31 December 2018. Valdis **Dombrovskis**, Vice President for Financial Stability, Financial Services and Capital Markets Union, said: *"With today's decision, we are ensuring continuity for businesses and*

markets. Even after 3 January, Swiss operators will continue enjoying access to the EU market, and EU investment firms will be able to trade shares in Switzerland. This equivalence is limited to one year, and can be extended provided there is sufficient progress on a common institutional framework. We will be assessing progress on that by end of next year.” Today’s decision takes the form of a [Commission Implementing Act](#). It received the backing of 27 EU Member States in a consultation on 20 December. It will be published in the Official Journal on 23 December 2017. A full press release is available [here](#). (For more information: Vanessa Mock – Tel.: +32 229 56194; Letizia Lupini – Tel.: +32 229 51958)

### **State aid: Commission concludes in-depth investigation on support to Italy’s largest steelmaker ILVA S.p.A. in A.S. and orders recovery on two measures that involved illegal State aid**

The European Commission has completed its in-depth investigation of support measures to steelmaker ILVA S.p.A. It has concluded that two loans granted by Italy in 2015 to support ILVA involved illegal State aid. Italy must now recover this undue benefit of about €84 million from ILVA. The Commission found that a number of other support measures were not State aid. Commissioner Margrethe **Vestager**, in charge of competition policy, said “*The best guarantee for a sustainable future of steel production in the Taranto region is the sale of ILVA’s assets at market terms – it cannot rely on artificial State support. Our investigation found that two public measures gave ILVA an undue advantage to finance its current operations. This does not change the fact that, in the right hands, ILVA has a sustainable future. As the sales process run by the Italian government showed, there were several potential bidders ready to invest in ILVA’s future and upgrade the site in line with environmental standards. When the Commission opened the investigation, we made clear that our State aid probe will not stand in the way of or slow down the urgent environmental clean-up works in the Taranto Region. This essential de-pollution work should continue without any delay to protect the health of Taranto’s inhabitants.*” This State aid decision also does not interfere with the sales process of ILVA assets, in relation to which [a separate Commission investigation](#) is ongoing under EU merger rules. The full press release is available online in [EN](#), [FR](#), [DE](#), [IT](#). (For more information: Lucía Caudet – Tel. +32 229 56182; Yizhou Ren – Tel.: +32 229 94889)

### **Mergers: Commission opens in-depth investigation into proposed acquisition of Cristal by Tronox**

The European Commission has opened an in-depth investigation to assess the proposed takeover of Cristal by Tronox under the EU Merger Regulation. The Commission is concerned that the deal may reduce competition in titanium dioxide pigment, a critical input for many consumer products. Tronox and Cristal are both active in manufacturing titanium dioxide pigment. They also own titanium feedstock facilities, from which they source the raw material for their pigment production. The proposed merger would create the largest supplier of chloride-based titanium dioxide in the European Economic Area and

globally. The Commission's initial market investigation raised several issues relating in particular to a reduction in the number of suppliers of titanium dioxide pigment produced via the chloride-based process. The market is already concentrated and Tronox and Cristal are close competitors. The Commission is concerned that the transaction could lead to less choice for customers and potentially to higher prices for the products concerned. Moreover, the Commission is concerned that the acquisition would reduce the number of effective competitors in the respective markets from four to three. Commissioner Margrethe **Vestager**, responsible for competition policy, said: *"Titanium dioxide is used in everyday products, including paints, plastics and paper, and many different manufacturers need to buy it from a small number of suppliers. We will carefully assess whether the proposed merger between Cristal and Tronox would affect competition in the titanium dioxide market and ultimately lead to higher prices for many everyday products, or less choice for consumers."* A press release is available in [EN](#), [FR](#), [DE](#). (For more information: Lucía Caudet – Tel. +32 229 56182; Maria Sarantopoulou – Tel.: +32 229 13740)

### **La Commission approuve pour la première fois une appellation d'origine protégée transfrontalière pour un vin**

La Commission européenne a approuvé la première appellation d'origine protégée (AOP) transfrontalière pour un vin, le «Maasvallei Limburg» (Belgique/Pays-Bas). Les vins produits sous cette appellation sont en effet produits à partir de cépages cultivés sur les deux berges de la Meuse dans les régions belge et néerlandaise du Limbourg. Bien qu'il existe déjà d'autres dénominations protégées transfrontalières pour des produits alimentaires ou des spiritueux tels que la Rosée des Pyrénées Catalanes (France/Espagne) ou la Jonge jenever/Jonge genever (également Belgique/Pays-Bas), il s'agit de la première dénomination de vin à être transfrontalière. Les vins [«Maasvallei Limburg»](#) peuvent être blancs, rouges ou rosés. Une deuxième AOP est approuvée aujourd'hui, le [«Picpoul de Pinet»](#) de France, qui se décline, quant à elle, exclusivement en vin blanc, issu d'un cépage unique, le Piquepoul Blanc. La récolte des raisins, la vinification, l'élaboration et l'élevage des vins, sont assurés sur le territoire des communes suivantes du département de l'Hérault dans le sud de la France: Castelnaud-de-Guers, Florensac, Mèze, Montagnac, Pinet, Pomerols. Ces deux nouvelles appellations vont rejoindre plus de 1750 appellations de vins déjà protégées dont la liste est disponible dans la base de données [e-bacchus](#). Pour plus d'informations, voir aussi les pages sur la [politique de qualité](#). (pour plus d'information: Daniel Rosario – Tel: +32 2 29 56185; Clémence Robin – Tel: +32 229 52 509)

### **Increasing vaccination: consulting the public on possible EU actions**

Today, the Commission launches a [public consultation](#) on possible activities to be included in a proposal for stronger EU cooperation against vaccine preventable diseases, which will be adopted in 2018. Interested individuals and organisations can now help shape this important initiative by completing the questionnaire structured under three pillars: tackling vaccine hesitancy; sustainable vaccine policies in the EU; and EU coordination, including the

promotion of stakeholder dialogue, and contribution to global health. Announcing the launch of the consultation, Vytenis **Andriukaitis**, Commissioner for Health and Food Safety, underlined: *"In September, President Juncker said he found it unacceptable that in 2017 there are still children dying of diseases that should long have been eradicated in Europe. Needless to say that I not only echo the President's statement but also am fully committed to support Member States increase vaccination coverage in the EU. The consultation we launch today is an opportunity for you – citizens and organisations – to tell us which EU actions you think are helpful for strengthening cooperation against vaccine preventable diseases. But let me be clear: this is not a debate about the merits of vaccination. The benefits of vaccines are a matter of fact, not a matter of opinion. The growing scepticism towards vaccines threatens to reverse the strides we have made in public health. I count on your constructive input."* The consultation will run for 12 weeks until 15 March 2018, after which a consultation report will be drawn up. For more information on EU vaccination policy and tools see [here](#). Follow us on Twitter: [@V\\_Andriukaitis](#) [@EU\\_Health](#) (For more information: Anca Paduraru – Tel.: +32 229 91269; Aikaterini Apostola – Tel.: +32 229 87624)

### **Fight against cyber threats: EU establishes a permanent Computer Emergency Response Team for EU institutions**

An inter-institutional arrangement was signed yesterday that establishes CERT-EU as a permanent Computer Emergency Response Team for the EU institutions, bodies and agencies. This decision follows the successful operation of CERT-EU as a task-force over the last six years. CERT-EU reinforces the protection against the cyberattacks, which are often targeted also against the EU institutions, agencies and bodies. CERT-EU works very closely with the internal IT security teams of the EU institutions and liaises with the community of computer emergency response teams and IT security companies in all Member States, exchanging information on threats and how to handle them. It also cooperates closely with its counterpart at NATO (NCIRC) and with the Hybrid Fusion Cell at EEAS. Vice-President for the Digital Single Market Andrus **Ansip** said: *"CERT-EU is a key actor in the protection of the EU institutions against cyber threats. It demonstrates how much the EU institutions can accomplish when they act together."* Commissioner for Digital Economy and Society, Mariya **Gabriel** added: *"Now all EU bodies can count on a permanent operational cybersecurity team to help them respond effectively to the increasing number of advanced cyber threats also affecting citizens."* Further details on the official signature are available [here](#). An overview of EU actions to scale up the Union's responses to cyber-attacks is available in the [press release](#) and [factsheet](#). (For more information: Nathalie Vandystadt – Tel. +32 229 67083; Inga Höglund – Tel.: +32 229 50698)

### **Internet Governance Forum: European Commission and European Parliament commit to an open internet**

Commissioner for Digital Economy and Society Mariya **Gabriel** signed together with Members of the European Parliament a joint declaration following this week's [Internet Governance Forum](#) in Geneva, Switzerland. The representatives of the two institutions confirmed that *"on net neutrality, the Commission and European Parliament made it clear that this is a core value for the European*

*Union, and one that we will continue to implement for the benefit of all citizens. We believe Europe has a fundamental role to play in ensuring that the internet ecosystem remains open, is inclusive and has transparent rules for its governance and allows to safeguard EU's fundamental values. [...] An open and independent internet as a global, common resource, together with non-discriminatory access to knowledge, hence the importance of enhancing digital skills and competences."* You can read the full declaration by Commissioner **Gabriel** and Michał Boni MEP, Cristian Silviu Buşoi MEP, Eva Kaili MEP, Tiemo Wölken MEP, Jan Philip Albrecht MEP, Marisa Matias MEP, Barbara Kappel MEP [here](#). Adopted in November 2015 and applicable since April 2016, [EU rules on net neutrality](#) give end-users the right to access and distribute the information, content, applications and services of their choice and ban blocking, throttling and discrimination between content, applications and services, or categories. The EU delegation on the Internet Governance Forum reiterated additionally that fundamental freedoms and human rights must be protected both online and offline and stressed the economic and social importance of online rights for privacy and of users' control of their personal data. (For more information: Nathalie Vandystadt – Tel. +32 229 67083; Inga Höglund – Tel.: +32 229 50698)

### **Des fonds européens supplémentaires pour prévenir le risque sismique et soutenir l'intégration des migrants en Italie**

Les Abruzzes et les Marches, deux des régions touchées par les tremblements de terre de 2016 et 2017, recevront respectivement 40 millions et 248 millions d'euros supplémentaires, ces montants venant pour moitié des fonds de la politique de Cohésion de l'UE et pour moitié du budget italien. Dans les deux régions, cet argent servira à améliorer la résistance sismique des bâtiments publics et à redynamiser l'activité économique, notamment touristique. Dans les Marches, les fonds soutiendront également la recherche, l'innovation et la compétitivité des entreprises locales pour que l'économie régionale regagne sa prospérité. L'Italie recevra par ailleurs 232,6 millions d'euros à travers son programme national "[Legalità](#)", venant à 70% des fonds de la politique de Cohésion et complété par le budget italien. Ces investissements serviront à améliorer l'accueil et l'intégration des migrants, notamment à travers la rénovation de bâtiments publics visant à les recevoir, et à financer davantage de projets d'inclusion sociale. La Commissaire à la politique régionale Corina **Creţu** a déclaré: "*L'Europe, à travers les fonds de la politique de Cohésion, investit pour soutenir l'Italie face à ses défis, qui sont aussi des défis européens; accompagner les italiens dans l'épreuve des terribles tremblements de terre et aider les migrants à trouver refuge au sein de la société européenne. Ces investissements supplémentaires sont des exemples concrets de la solidarité européenne, à l'œuvre.*" L'argent provient de l'enveloppe supplémentaire d'1,6 milliard d'euros de fonds européens que l'Italie va recevoir suite à [l'ajustement technique](#), c'est-à-dire la réévaluation en 2016 de tous les budgets nationaux de la politique de Cohésion pour la période 2014-2020, afin de prendre en compte l'impact de la crise. (Pour plus d'informations: Johannes Bahrke – Tel.: +32 229 58615; Sophie Dupin de Saint-Cyr – Tel.: +32 229 56169)

## **EU agri-food imports and exports further increased in October 2017**

Published today by the European Commission, the [latest monthly trade report](#) shows that the value of EU agri-food exports in October 2017 reached €12.3 billion, maintaining their high performance. EU agri-food imports also increased with a monthly value in October 2017 of €9.6 billion. Today's report presents the trade balance and its development by product category in the last 12 months. The largest gains in net exports were achieved in wine, while the net exports reduced most for wheat and net imports increased most for palm oil and unroasted coffee over the last 12 months. The main destination for EU wine exports is the USA, followed by China, Switzerland, Canada, Japan and Hong Kong. The full report is [online](#). (For more information: Daniel Rosario – Tel.: +32 229 56185; Clémence Robin – Tel: +32 229 52509)

## **New rules on EU budget ensure more flexibility and less red tape**

Following a Commission initiative in 2016, the European Parliament and the Council have agreed on a significant reform for EU funding to simplify the rules under which Member States and other beneficiaries receive money. In particular, access to EU funds will be easier. For example, researchers or students will no longer need to spend time on filling in the forms of their travel expenses and will instead be able to dedicate more time to research. To facilitate cooperation, the Commission will be allowed to rely on already existing audits and controls by other donors, like the UN. Additionally, for the first time ever in the history of EU budget, the number of financial rules has been reduced by 50%, their overall volume cut by 25% and there is a common core of rules applicable by the Commission and Member States.

Commissioner in charge of Budget and Human Resources, Günther H.

**Oettinger**, said: *“I am pleased that we have reached an agreement on the EU funding rules before the end of this year. The new rules will simplify access to EU funding and cut red tape for the benefit of all. This entails less paperwork, lower risk of errors, no duplication of audits and improved controls at lower costs. It is a solid basis for preparing the next generation of EU programmes, making sure that every euro from the EU budget delivers maximum added value.”* More information is available on [DG BUDG website](#). (For more information: Alexander Winterstein – Tel.: +32 229 93265; Maria Sarantopoulou – Tel.: +32 229 13740)

## **Aides d'État: la Commission autorise une mesure permettant le développement de plus d'un gigawatt d'énergie renouvelable en France**

La Commission européenne a autorisé l'organisation de deux appels d'offres pour la construction et l'exploitation d'installations photovoltaïques en France, pour une capacité totale de 1.040 mégawatts. Cette mesure permettra à la France d'augmenter la part d'électricité produite à partir de sources d'énergie renouvelables et de réduire ses émissions de CO<sub>2</sub>, conformément aux [objectifs environnementaux de l'UE](#). La Commission a conclu que la mesure était conforme aux règles de l'UE en matière d'aides d'État, et en particulier aux [lignes directrices de 2014 concernant les aides d'État à la](#)

[protection de l'environnement et à l'énergie](#). Plus d'informations seront disponibles dans le [registre des aides d'État](#) sur le [site internet de la DG Concurrence](#) sous le numéro SA.47752. (Pour plus d'informations: Lucía Caudet – Tel. +32 229 56182; Maria Sarantopoulou – Tel.: +32 229 13740)

### **State aid: Commission approves modifications to broadband network project in Eastern Poland**

The European Commission has endorsed, under EU State aid rules, modifications to the operation of a high speed broadband (backhaul) network in Eastern Poland. Backhaul networks do not reach the end user but carry data to and from the global networks and function as information highways. The project will increase the coverage of high speed broadband and significantly improve the access to broadband services and competition in the region, which is characterised by high prices and low broadband subscriptions rates by households and businesses compared to the EU average. The original €346 million scheme for the roll-out of the next generation backhaul network (capable of sustaining speeds above 30 Mbps) in un-served or under-served areas in Eastern Poland was approved by the Commission in [2011](#). The Commission assessed the revised measure under EU State aid rules, in particular its [2013 Broadband Guidelines](#). The modifications broaden the scope of the operation of the network. In particular, they will not only allow vertically integrated private operators providing both wholesale and retail services to participate in the selection process for the management of the network but also introduce an alternative, public model for the management of the network. Furthermore, a better identification of areas that can connect to the backhaul network and the possibility for operators to also serve areas in other regions in Poland will increase the use of the backhaul infrastructure and encourage investments to connect consumers, improving the efficiency of the original scheme. The improved scheme will thus contribute to the achievement of the EU objectives for the [Digital Single Market](#). More information will be made available under the case number SA.46203 in the [State Aid Register](#) on the [competition](#) website once any confidentiality issues have been resolved. (For more information: Lucía Caudet – Tel. +32 229 56182; Maria Sarantopoulou – Tel.: +32 229 13740)

### **Mergers: Commission clears the merger of aerospace equipment suppliers Safran and Zodiac**

The European Commission has approved unconditionally under the EU Merger Regulation the proposed acquisition of Zodiac Aerospace by Safran, both global suppliers of aerospace equipment. The Commission concluded that the transaction would raise no competition concerns in the relevant markets. Both Safran and Zodiac are active worldwide in the aerospace equipment industry. The Commission carried out a broad investigation of the markets where the companies are active and concluded that the proposed transaction would raise no competition concerns in any of the markets concerned. Commissioner Margrethe **Vestager**, in charge of competition policy, said: “Both Safran and

*Zodiac are significant French actors in the aeronautics markets but competition in these markets in Europe will remain strong. We can green light this transaction and the emergence of a strong European player with our EU merger rules.” A full press release is available in [EN](#), [FR](#), [DE](#). (For more information: Lucía Caudet – Tel. +32 229 56182; Maria Sarantopoulou – Tel.: +32 229 13740)*

### **Mergers: Commission clears acquisition of TMA Logistics by HPN and TMA Holding**

The European Commission has approved, under the EU Merger Regulation, the acquisition of TMA Logistics B.V. by Hutchison Ports Netherlands B.V. (“HPN”) and TMA Holding B.V., all of the Netherlands. TMA Logistics is currently solely controlled by TMA Holding. It provides solutions for land, sea and air transport, stevedoring for containers and bulk goods, cargo transshipment, project cargoes, storage and customs handling, including the provision of stevedoring services at two container terminals in the Netherlands (Velsen and Amsterdam), and roll-on/roll-off stevedoring services in Velsen. HPN is a subsidiary of Hutchison Port Holdings (“HPH”) – owned by CK Hutchison Holding Limited of Hong Kong – operating ports and deep-sea container terminals. In Europe, the HPH Group provides stevedoring services in ports in Belgium, Germany, Poland, Spain, Sweden, the Netherlands and the UK. TMA Holding provides stevedoring services (mainly at an inland container terminal in Harlingen, the Netherlands), freight forwarding services and contract logistics services. The Commission concluded that the proposed acquisition would raise no competition concerns because of its limited impact on the market structure. The transaction was examined under the simplified merger review procedure. More information is available on the Commission’s [competition](#) website, in the [public case register](#) under the case number [M.8654](#). (For more information: Lucía Caudet – Tel. +32 229 56182; Maria Sarantopoulou – Tel.: +32 229 13740)

### **Mergers: Commission clears acquisition of Teva’s International Women’s Health Business by CVC**

The European Commission has approved, under the EU Merger Regulation, the acquisition of the International Women’s Health Business of Teva of Israel by the CVC Group of Luxembourg. The International Women’s Health Business of Teva includes the production and supply of women’s health pharmaceutical products worldwide, with the exception of the US. The CVC Group is active in the management and provision of advice to investment funds and platforms. The Commission concluded that the proposed transaction would raise no competition concerns given the moderate overlaps between the activities of the International Women’s Health Business of Teva and those of Alvogen of the US and DOC Generici of Italy, two portfolio companies controlled by CVC, in the markets of pharmaceutical products. In particular, for risedronic acid, a drug used to treat osteoporosis, the Commission noted that the presence of generics suppliers with market shares is significantly higher than the increments brought about by the transaction. More information is available on the Commission’s [competition](#) website, in the public [case register](#) under the

case number [M.8675](#). (For more information: Lucía Caudet – Tel. +32 229 56182; Maria Sarantopoulou – Tel.: +32 229 13740)

### **Concentrations: la Commission autorise l'acquisition du contrôle exclusif de Rossini Holding SAS par TDR Capital LLP**

La Commission Européenne a approuvé, en vertu du règlement européen sur les concentrations, l'acquisition du contrôle exclusif de Rossini Holding SAS par TDR Capital LLP. Rossini est une société immatriculée en France. Ses filiales directes et indirectes exploitent, et franchisent en partie, une chaîne de restaurants sous la marque Buffalo Grill, dont la majorité des activités est réalisée en France. TDR Capital, immatriculée en Angleterre et au pays de Galles, est une société financière privée qui investit dans divers secteurs. La Commission a conclu que l'opération envisagée ne soulèverait pas de problème de concurrence compte tenu de son impact limité sur la structure du marché. L'opération a été examinée dans le cadre de la procédure simplifiée du contrôle des concentrations. De plus amples informations sont disponibles sur le site internet [concurrence](#) de la Commission, dans le [registre public](#) des affaires sous le numéro d'affaire [M.8690](#). (Pour plus d'informations: Lucía Caudet – Tel. +32 229 56182; Maria Sarantopoulou – Tel.: +32 229 13740)

### **ANNOUNCEMENTS**

#### **Commission launches #EUEducationEmpowers campaign**

The European Commission has launched the #EUEducationEmpowers communication campaign, aimed at raising awareness about the EU's role in providing access to education for children caught up in humanitarian crises. The campaign features a short film projected in cinemas, outdoor advertising, and social media activities, to highlight the crucial role of education in giving children in emergencies a sense of normalcy and safety. "We cannot tolerate lost generations, and must not leave a single child behind. Education saves lives in emergencies and it also provides girls and boys with real skills for the future. The EU is a world leader in providing education for children in crises situations. For every child, life should be a story they wish to write", said EU Commissioner for Humanitarian Aid and Crisis Management Christos **Stylianides**. As part of its humanitarian assistance, the EU has allocated over €200 million globally to education in emergencies between 2012 and 2017. Over 4.7 million children in 52 countries benefited from this funding. This has enabled children to access education, as well as learning materials and helping to train teachers and caregivers. In 2018, the EU will dedicate a record 8% of its humanitarian [aid budget to education in emergencies](#). The video is available [here](#). You can follow the campaign via #EUEducationEmpowers and you will find more information [here](#). (For more information: Carlos Martin Ruiz De Gordejuela – Tel.: +32 229 65322; Daniel Puglisi – Tel.: +32 229 69140)

[Upcoming events](#) of the European Commission (ex-Top News)