



## Daily News 01 / 09 / 2016

Brussels, 1 September 2016

### EU-U.S. Privacy Shield up and running for one month

Since 1 August, U.S. companies have been able to sign up to the EU-U.S. Privacy Shield with the [U.S. Department of Commerce](#), which has been verifying that their privacy policies comply with the high data protection standards required by the Privacy Shield. Already 103 have been certified. This means that these U.S. companies can receive personal data from the EU in full compliance with EU data protection rules. European companies can easily check on the Privacy Shield [list](#) whether their American partner companies, to whom they are transferring personal data, are certified. The Department of Commerce is currently reviewing the privacy policies of 190 further companies that have signed up to the Shield while an additional 250 companies are in the process of submitting their application. Věra **Jourová**, the EU's Commissioner for Justice, Consumers and Gender Equality, said: *"The EU-U.S. Privacy Shield is a robust new framework protecting fundamental rights of Europeans, and also facilitating business across the Atlantic. I'm pleased that many companies have already signed up and brought their privacy policies in line with the Privacy Shield. I encourage many others to continue to do so to ensure Europeans can have full confidence in the protection of their personal data when transferred to the U.S."* The Commission welcomes the choice made by a third of the certified companies to opt for the EU Data Protection Authorities as their dispute resolution body (which is compulsory for human resource data but optional for other personal data). This will provide individuals with an easy and accessible way to obtain redress, if they consider their data has been misused and their data protection rights have not been respected. All details on the different redress possibilities are available in the [citizens' guide](#) published by the Commission. More information on the Privacy Shield are available in the 12 July [press release](#) and a [Q&A](#), as well as in the [Official Journal](#). (For more information: Christian Wigand – Tel.: +32 229 6225; Mélanie Voin – Tel.: +32 229 58659)

### EU customs investigators get new, powerful tools to combat fraud

As of today, customs investigators across the European Union will be able to use new electronic tools to combat customs fraud more effectively. Through an [update of customs rules](#), authorities will be able to access new IT systems that record the physical movements of containers transported on maritime vessels and gather information on the goods entering, transiting and leaving the EU. These new instruments will allow the EU and its Member States to better track and trace suspicious shipments and to better detect customs fraud. *"Customs fraud is a drain on public budgets and we need to counter it with an effective and smart response"* said European Commission Vice-President Kristalina **Georgieva**, welcoming the implementation of the new legal provisions. *"Thanks to new IT tools, public authorities will be better equipped to address this challenge without disrupting legitimate trade"* she added. Customs fraud – for example, the misdeclaration of product origin, undervaluation, or misdescription of goods at import – causes significant damage to the EU's financial interests. Given the transnational nature of such fraud, cooperation between customs authorities is essential. The amended legislation will help speed up OLAF investigations by setting out deadlines for Member States to provide investigation-related documents. It will also facilitate the use of information obtained on the basis of mutual assistance as evidence in national judicial proceedings. More details available [here](#). (For more information: Alexander Winterstein – Tel.: +32 229 93265; Andreana Stankova – Tel.: +32 229 57857)

### Des routes plus sûres en Slovaquie grâce aux Fonds ESI

Hier, la Commission a approuvé un [grand projet](#) d'infrastructure routière en Slovaquie, avec une contribution du [Fonds de Cohésion](#) de €238 millions. Initié pendant la période 2007-2013 et situé au cœur de la région montagneuse de Žilina, le projet a pour objectif d'améliorer les connexions routières vers la frontière polonaise ainsi que vers l'Est de la Slovaquie, le long du [corridor Rhin-Danube](#), sur le [Réseau Transeuropéen de Transport](#). Le projet vise également à désengorger les routes vers les villes de Žilina et de Martin, améliorant ainsi la sécurité routière dans la région. *"Ce nouveau projet soutenu par l'UE en Slovaquie a le double objectif d'améliorer la sécurité routière et de contribuer au*

*développement économique de la région,"* a commenté la Commissaire à la politique régionale Corina **Crețu**. La Slovaquie bénéficie de plus de €15 milliards au titre des Fonds ESI pour la période 2014-2020. Plus d'informations sur les investissements des Fonds ESI en Slovaquie sont disponibles en ligne sur [la plateforme Open Data](#) et dans cette [fiche thématique](#). (Pour plus d'informations: *Jakub Adamowicz – Tel.: +32 229 50595; Sophie Dupin de Saint-Cyr – Tel.: +32 229 56169*)

### **Mergers: Commission approves Hutchison/VimpelCom joint venture in Italy, subject to conditions**

The European Commission has approved under the EU Merger Regulation a proposed telecommunications joint venture between Hutchison and VimpelCom in Italy. The approval is conditional on the divestment of sufficient assets that will allow a new operator to enter the market. Today's decision follows an [in-depth review](#) of the deal that combines VimpelCom's subsidiary WIND with Hutchison's subsidiary H3G, respectively the third and fourth largest operators in the Italian retail mobile market. The effective structural remedies offered by Hutchison and VimpelCom fully address the Commission's competition concerns. They will ensure the market entry of French telecom operator Iliad as a new mobile network operator in Italy. This means that the parties can grow and reap the benefits of combining their assets, whilst Italian mobile customers will continue to profit from effective competition. Commissioner Margrethe **Vestager**, in charge of competition policy, said: *"Mobile services are an important part of our daily lives. Today's decision ensures that the Italian mobile sector remains competitive, so that consumers can continue to enjoy innovative mobile services at fair prices and on high quality networks. We can approve the deal because Hutchison and VimpelCom have offered a strong remedy that enables a new mobile network operator, Iliad, to enter the Italian market. This case shows that telecom companies in Europe can grow by consolidation within the same country, provided effective competition is preserved. It also shows they can grow by cross-border expansion, such as Iliad in this case."* A full press release is available online in [EN](#), [FR](#), [DE](#) and [IT](#). Commissioner Vestager will present the decision in a press conference, streamed [here](#). (For more information: *Lucía Caudet – Tel.: +32 229 56182; Yizhou Ren – Tel.: +32 229 94889*)

### **Mergers: Commission clears joint venture Encory by BMW and ALBA**

The European Commission has approved under the EU Merger Regulation the creation of a joint venture, Encory GmbH, by Bayerische Motoren Werke Aktiengesellschaft (BMW) and ALBA Group plc & Co. KG, all of Germany. Encory will be active in the recycling, processing and resale of used car parts and provide waste management services for car parts and residues. BMW produces cars and motorcycles of the brands BMW, Mini and Rolls-Royce. ALBA is a global waste management company, also active in the supply of raw materials. The Commission concluded that the proposed acquisition would raise no competition concerns given the limited activities of the joint venture within the European Economic Area (EEA). 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.8033](#). (For more information: *Lucía Caudet – Tel.: +32 229 56182; Yizhou Ren – Tel.: +32 229 94889*)

### **Mergers: Commission approves OpenGate Funds' acquisition of joint control over Umicore Zinc Chemicals**

The Commission has approved under the EU Merger Regulation the acquisition of a controlling stake in seven companies, together Umicore Zinc Chemicals, by OpenGate Capital Partners I, LP and OpenGate Capital Partner I-A, LP (together "OpenGate Funds"), of the Cayman Islands. Umicore Zinc Chemicals produces zinc oxides, fine zinc powders and fine zinc powders for batteries and has operations in Belgium, the Netherlands, Norway, China, Malaysia and the US. OpenGate Funds is a global private equity firm that invests in companies in a wide range of economic sectors across the world. The Commission concluded that the proposed acquisition would raise no competition concerns, because Umicore Zinc Chemicals' activities do not overlap with those of OpenGate Funds and its portfolio companies. 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.8118](#). (For more information: *Lucía Caudet – Tel.: +32 229 56182; Yizhou Ren – Tel.: +32 229 94889*)

### **Mergers: Commission clears acquisition of discount retailer Poundland by Steinhoff group**

The European Commission has approved under the EU Merger Regulation the acquisition of the Poundland Group of the United Kingdom by the Steinhoff group of South Africa. Poundland sells food

and non-food goods in its discount retail outlets "Poundland" and "Dealz" in the UK and Spain. Steinhoff is a manufacturer, wholesaler and retailer primarily of non-food products. In the UK and Spain, Steinhoff's retail activities focus on furniture, home decoration and clothing, whereas it has only a limited presence in the discount retail segment. The Commission concluded that the proposed acquisition would raise no competition concerns, because there are only minimal overlaps between the companies' activities and a number of strong competitors remain in the market after the transaction. 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.8168](#). (For more information: *Lucía Caudet* – Tel.: +32 229 56182; *Yizhou Ren* – Tel.: +32 229 94889)

### **Mergers: Commission clears acquisition of Nuplex by Advent International**

The European Commission has approved under the EU Merger Regulation the proposed acquisition of Nuplex of New Zealand by Advent International of the US. Nuplex is a global producer of industrial coating resins, specialising in the development and manufacture of resins used in surface coatings. Advent is a private equity investor controlling, among others, Allnex of Belgium, which is a global producer of industrial coating resins for architectural, industrial, protective, automotive and special purpose coatings and inks. The Commission concluded that the proposed transaction would raise no competition concerns. This is because the overlap between the companies' activities in the various markets for resins is rather limited in the European Economic Area (EEA). The companies compete closely on the markets for some resins used to produce coatings for the automotive industry; however, they will continue to face competition from numerous other suppliers active in the EEA with sufficient capacity to serve European customers. The transaction was examined under the normal merger review procedure. More information is available on the Commission's [competition](#) website, in the public [case register](#) under the case number [M.8019](#). (For more information: *Lucía Caudet* – Tel.: +32 229 56182; *Yizhou Ren* – Tel.: +32 229 94889)

## **ANNOUNCEMENTS**

### **First Vice-President Timmermans visits Italy for discussions on migration and the future of Europe**

On 1-3 September, First Vice-President Frans **Timmermans** will visit Italy to hold a Citizens' Dialogue meeting with members of the public in Sicily and a series of meetings. The First Vice-President will meet with staff from EU agencies at the European Regional Task Force in Catania, which was set up in June 2015 as part of the European Agenda on Migration to coordinate the work of the EU agencies involved in the management of migration crises in the most affected Member States. He will then engage with the public in the open forum format of a Citizens' Dialogue at the Teatro Greco in Siracusa, Sicily at 19:00 on Thursday 1 September. The event will be live streamed [here](#). On 2 September the First Vice-President will be in Milan meeting business and political leaders as well as innovative entrepreneurs turning the circular economy into a reality. He will then participate in the Ambrosetti Forum on 2-3 September. First Vice-President Timmermans will deliver a speech at the Forum on Saturday morning during a session on 'The Agenda to Change Europe', and will then take part in a question and answer session with young business leaders. (For more information: *Natasha Bertaud* – Tel.: +32 229 67456; *Tim McPhie* – Tel.: +32 229 58602)

### **Vice-President Katainen in Romania**

Vice-President **Katainen** is in Bucharest today and tomorrow. During his visit he will meet with Prime Minister Dacian Ciolos, Deputy Prime Minister and Minister of the Economy, Trade and Business Environment Costin Borc, Minister of Public Finance Anca Dragu, Minister of European Funds Christian Ghinea, and representatives of the Romanian banking industry. Vice-President Katainen will also use the opportunity to hold a [citizens' dialogue](#) where he will discuss how to boost investment levels, the modernisation of the EU economy and the future of Europe. (For more information: *Annika Breidthardt* – Tel.: +32 229 56153; *Siobhán Millbright* – Tel.: + 32 229 57361)

### **Commissioner Avramopoulos in Turkey**

Commissioner **Avramopoulos** is in Turkey today to meet with Foreign Affairs Minister Mevlüt Çavuşoğlu and Minister for EU Affairs Ömer Çelik. Discussions will focus on the implementation of the visa liberalisation process and on the return and readmission aspects of the EU-Turkey Statement of 18

March 2016. (For more information: *Natasha Bertaud* – Tel.: [+32 229 67456](tel:+3222967456); *Tove Ernst* – Tel.: [+32 229 86764](tel:+3222986764); *Markus Lammert* – Tel.: +32 229 58602)

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

MEX/16/2933