European Commission - Daily News





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La Commission engage des mesures pour assurer la transposition complète et dans les délais des directives de l'UE, dans le domaine de l'environnement

La Commission envoie une lettre de mise en demeure aux États membres qui n'ont pas notifié les mesures nationales de transposition des directives dont le délai de transposition a expiré récemment. En l'occurrence, trois États membres n'ont pas encore notifié de mesures de transposition complètes pour deux directives européennes dans le domaine de l'environnement, concernant des exemptions pour l'utilisation du plomb dans les dispositifs médicaux et du mercure dans les rhéomètres.

En mai 2023, la Commission a adopté deux directives déléguées modifiant la directive relative à la limitation de l'utilisation de certaines substances dangereuses dans les équipements électriques et électroniques (RoHS), autorisant respectivement l'utilisation du plomb et du mercure dans certaines conditions. La directive (EU) 2023/1526, qui modifie la directive 2011/65/EU, autorise l'utilisation du plomb comme stabilisateur thermique dans le polychlorure de vinyle utilisé comme matériau de base dans les capteurs utilisés dans les dispositifs médicaux de diagnostic in vitro. La substitution du plomb dans ces capteurs progresse. Toutefois, pour certaines cartes de capteurs spécifiques, les fabricants ont encore besoin d'une exemption et de plus de temps pour développer des matériaux conformes. De même, la directive (EU) 2023/1437, qui modifie l'annexe IV de la directive 2011/65/EU, autorise l'utilisation du mercure dans les capteurs de pression à l'état fondu pour les rhéomètres capillaires sous certaines conditions. De nombreux modèles ont déjà remplacé le mercure par d'autres substituts, mais comme il est utilisé à haute température et à haute pression, les substituts ne peuvent pas encore être utilisés de manière fiable. Pour continuer à autoriser l'utilisation du plomb et du mercure pour ces usages spécifiques, les États membres doivent d'abord transposer les directives déléquées. S'ils ne le font pas, les secteurs concernés risquent d'être mis à rude épreuve. La Belgique, Malte et la Slovénie n'ont transposé aucune de ces directives déléguées en droit national avant l'échéance du 29 février 2024. Les États membres concernés ont maintenant deux mois pour répondre aux lettres de mise en demeure et achever leur transposition, ou la Commission peut décider d'émettre un avis motivé.

(Pour plus d'informations: Adalbert Jahnz – Tél.: +32 229-53156; Kristyna Eeckels – Tél.: +32 2 295 10 65)

Commission endorses positive preliminary assessment of Malta's second payment request for €58.9 million under the Recovery and Resilience Facility

Today, the Commission has endorsed a positive preliminary assessment of Malta's second payment request for €58.9 million (net of pre-financing) under the Recovery and Resilience Facility, the centrepiece of NextGenerationEU.

Following its assessment of the payment request, submitted by Malta on 21 December 2023, the Commission has preliminarily concluded that Malta has satisfactorily completed the **29 milestones and five targets** set out in the <u>Council Implementing Decision</u> for the second instalment.

The payment request covers important steps in the delivery of **24 reforms and ten investments** that will drive positive change for citizens and businesses in Malta in the areas of construction, waste management, energy efficiency, transport, digitalisation, healthcare, education and training, justice, anti-corruption and taxation.

The Commission has sent its preliminary assessment of Malta's fulfilment of the milestones and targets required for this payment to the <u>Economic and Financial Committee</u> (EFC), which now has four weeks to deliver its opinion. Depending on the outcome, the payment to Malta can take place following the EFC's opinion and the adoption of a payment decision by the Commission. More information can be found in this <u>press release</u>.

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<u>Commission publishes guidelines under the DSA for the mitigation of systemic risks online for elections</u>

Today, the Commission has published guidelines on recommended measures to Very Large Online Platforms and Search Engines to mitigate systemic risks online that may impact the integrity of elections, with specific guidance for the upcoming European Parliament elections *in* June.

Margrethe **Vestager**, Executive Vice-President for a Europe Fit for the Digital Age, said: "We adopted the Digital Services Act to make sure technologies serve people, and the societies that we live in. Ahead of crucial European elections, this includes obligations for platforms to protect users from risks related to electoral processes – like manipulation, or disinformation. Today's guidelines provide concrete recommendations for platforms to put this obligation into practice."

Thierry **Breton**, Commissioner for Internal Market, said: "With the Digital Services Act, Europe is the first continent with a law to address systemic risks on online platforms that can have real-world negative effects on our democratic societies. 2024 is a significant year for elections. That is why with today's guidelines we are making full use of all the tools offered by the DSA to ensure platforms comply with their obligations and are not misused to manipulate our elections, while safeguarding freedom of expression."

Under the <u>Digital Services Act (DSA)</u>, <u>designated services</u> with more than 45 million active users in the EU have the obligation to mitigate the risks related to electoral processes, while safeguarding fundamental rights, including the right to freedom of expression.

The guidelines include **specific measures ahead of the upcoming European elections**. Given their unique cross-border and European dimension, Very Large Online Platforms and Search Engines should ensure that **sufficient resources and risk mitigation measures** are available and distributed in a way that is proportionate to the risk assessments.

The guidelines take into account the input received from the public consultation launched by the Commission on 8 February 2024 and also build on the ongoing work under the <u>Code of Practice on disinformation</u>. The Commission also cooperated with <u>Digital Services Coordinators</u> in the framework of the European Board for Digital Services on the guidelines.

You will find more information in our press release.

(For more information: Johannes Bahrke - Tel.: +32 2 295 86 15; Thomas Regnier - Tel.: +32 2 299 10 99)

Online platforms put special focus on elections in the third batch of reports under the Code of Practice on Disinformation

Today, the signatories of the <u>Code of Practice on Disinformation</u>, including major online platforms such as Google, Meta, Microsoft and TikTok, have published the third set of reports detailing the actions they are taking to combat the spread of disinformation online, with a particular focus on the upcoming European elections in June.

Available on the <u>Transparency Centre</u>, the reports feature the measures that signatories have already implemented or are planning to take ahead and during the European elections, as well as safeguards related to the risks of generative AI.

Věra **Jourová**, Vice-President for Values and Transparency, said: "The Code proves to be an agile tool, where the whole range of actors, including platforms, civil society, advertising industry, etc. come together to work on the best possible measures to counter disinformation and reduce risks of information manipulation. As platforms outline their ongoing measures, I urge them to intensify efforts in order to be prepared and respond swiftly to foreign information manipulation and disinformation threats during elections."

Thierry **Breton**, Commissioner for Internal Market, said: "With European citizens soon casting their votes for a new European Parliament, platforms must use every tool at their disposal, from content moderation to labelling deep fakes, to ensure a free and fair information environment. With the DSA electoral guidelines that we present today, we specify what we expect to them to translate those obligations into concrete action. This is not just about compliance; it's about safeguarding the very foundations of our democracies."

In these reports platforms provide their measures to protect the integrity of elections, such as

requiring advertisers or creators to clearly label whenever an image, video or audio has been digitally created or altered, cooperating with fact-checking organisations, promoting high-quality and authoritative information to voters, and developing targeted media literacy and pre-bunking campaigns. The first reports were published in February 2023 and September 2023. The next set is expected in autumn 2024.

The Commission foresees to swiftly launch the procedure regarding the recognition of the Code of Practice as a Code of Conduct under the <u>Digital Services Act</u>. Today, the Commission has also adopted the first ever DSA <u>guidelines on elections</u> to <u>designated very large online platforms and search engines</u>.

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<u>Commission approves amendment of Germany's commitments in recapitalisation of energy company SEFE</u>

The European Commission has approved, under EU State aid rules, an amendment of the commitments submitted by Germany in Commission decisions SA.104353 and SA.105001 which allowed Germany to take ownership of the systemic energy utility SEFE and grant a €6.3 billion cash capital injection for the company's recapitalisation.

In November 2022, the Commission approved the replacement of registered capital in SEFE in order to replace the Russian shareholder of SEFE with 100% State ownership by Germany. In December 2022, the Commission approved a cash capital injection of €6.3 billion to SEFE. The Commission found that without such support, SEFE risked ceasing operations which, given the crisis situation, could threaten the functioning of European energy markets. The Commission also found the aid to be necessary, appropriate and proportionate to avoid a sudden exit from the market of SEFE. In these decisions, Germany provided various commitments to balance the distortions to competition and trade from the capital injection. These commitments included notably divestments or wind-downs of business activities, limitations in sales volumes, and an acquisition ban for SEFE.

Germany has notified to the Commission a change to the acquisition ban, which will allow SEFE to take over the remaining shares in gas network operator WIGA GmbH & Co KG (which is already owned to almost 50% by SEFE). This amendment is counterbalanced by other additional commitments submitted by Germany, such as additional divestments and wind-downs, a decreased volume commitment and a third claw-back mechanism, which will allow to remedy the distortions of competition.

The Commission assessed the amended measure under EU State aid rules, in particular under $\frac{107(3)(b)}{107(3)(b)}$ of the Treaty on the Functioning of the European Union. The Commission found that the amended commitments do not alter the previous assessment of necessity, appropriateness and proportionality. Further, the Commission found that Germany's additional commitments will ensure that the overall set of commitments remains equivalent in terms of remedying the distortions to competition and maintains the balance of the previous decision. On this basis, the Commission concluded that the measure is compatible with EU State aid rules.

More information will be available on the Commission's <u>competition's website</u> in the <u>public case</u> <u>register</u> under the case number SA.112489 once any confidentiality issues have been resolved.

(For more information: Daniel Ferrie – Tel.: +32 460 79 28 34; Nina Ferreira - Tel.: +32 2 299 81 63)

Commission approves €600 million Italian State aid scheme to foster cooperation between operators in the fisheries and aquaculture sector

The European Commission has approved, under EU State aid rules, a €600 million Italian scheme to foster investments in the fisheries and aquaculture sector.

The aim of the scheme is to promote cooperation and integration between operators in the fisheries and aquaculture sector and to stimulate better market relations. In particular, the scheme will support the development of sectoral contracts, through investment aid which will be distributed among a variety of beneficiaries operating in the different segments of the sector, from production to the processing and the marketing of fishery and aquaculture products.

The scheme will be open to companies of all sizes active in the fisheries and aquaculture sector. Under the measure, which will run until 31 December 2029, the aid will take the form of direct

grants and/or subsidised financing.

The Commission assessed the scheme under EU State aid rules, in particular Article 107(3)(c) TFEU, which allows Member States to support the development of certain economic activities under certain conditions, and the <u>Guidelines for State aid in the fishery and aquaculture sector</u>. The Commission found that the scheme is **necessary and appropriate** to encourage the relevant investments in the fisheries and aquaculture sector. Furthermore, the Commission found that the scheme is **proportionate** as it is limited to the minimum necessary, and will have a limited impact on competition and trade between Member States. On this basis, the Commission approved the Italian scheme under EU State aid rules.

The non-confidential version of the decision will be made available under the case number SA.109663 in the <u>State aid register</u> on the Commission's <u>competition</u> website once any confidentiality issues have been resolved.

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Commission approves €180 million Polish State aid scheme under the Recovery and Resilience Facility to support development of intermodal transport

The European Commission has approved, under EU State aid rules, a €180 million Polish scheme to support the development of intermodal transport in Poland. The scheme will be fully funded through the <u>Recovery and Resilience Facility ('RRF')</u>.

The purpose of the scheme is to develop intermodal transport as an alternative to road transport and improve the competitiveness of intermodal transport services in Poland. The scheme will run until 30 June 2026 and will be open to companies wanting to implement certain intermodal transport projects in Poland. The aid will take the form of direct grants and may cover up to 50% of eligible costs.

The Commission assessed the measure under EU State aid rules, in particular Article 93 of the Treaty on the Functioning of the European Union on transport coordination. The Commission found that the scheme is necessary to coordinate transport and promote the use of intermodal transport, which is less polluting than road transport and reduces road congestion in line with the objectives of the EU Sustainable and Smart Mobility Strategy and the European Green Deal. In addition, the Commission found that the aid will have an 'incentive effect' as the beneficiaries would not carry out the investments in the absence of the public support. Furthermore, the Commission found that the scheme is proportionate, as it is limited to the minimum necessary, and has a limited impact on competition and trade between Member States. Finally, the Commission found that the aid under the scheme is granted on non-discriminatory terms, being open to undertakings with a branch or representative office in Poland. On this basis, the Commission approved the Polish scheme under EU State aid rules.

The non-confidential version of the decision will be made available under the number SA.109124 in the <u>State aid register</u> on the Commission's competition <u>website</u> once any confidentiality issues have been resolved.

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Commission clears creation of joint venture by AGCO and Trimble

The European Commission has approved, under the EU Merger Regulation, the creation of a joint venture, Trimble Solutions LLC, by AGCO Corporation ('AGCO') and Trimble Inc. ('Trimble'), all of the US.

The transaction relates primarily to the markets for the development and supply of precision agriculture products.

The Commission concluded that the notified transaction would not raise competition concerns, given its limited impact on competition in the markets where the companies are active. The notified transaction was examined under the normal merger review procedure.

More information is available on the Commission's <u>competition</u> website, in the public <u>case register</u> under the case number $\underline{M.11382}$.

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Commission clears acquisition of Byggfakta by TA Associates, SSCP and MEIHL

The European Commission has approved, under the EU Merger Regulation, the acquisition of joint control of Byggfakta Group Nordic Holdco AB ('Byggfakta') of Sweden by TA Associates Management L.P. ('TA Associates') of the US, Stirling Square Capital Partners Management Limited ('SSCP') of the UK, and Macquarie European Investment Holdings Limited ('MEIHL') of Australia.

The transaction relates primarily to the provision of integrated market data and software intelligence services to companies in the construction, property and healthcare industries.

The Commission concluded that the notified transaction would not raise competition concerns, given that the companies are not active in the same or vertically related markets. The notified transaction was examined under the simplified merger review procedure.

More information is available on the Commission's <u>competition</u> website, in the public <u>case register</u> under the case number <u>M.11466</u>.

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<u>La Commission autorise l'acquisition de Vantage EMEA par Silver Lake, AustralianSuper et DigitalBridge</u>

La Commission européenne a approuvé, en vertu du règlement européen sur les concentrations, l'acquisition du contrôle conjoint de Vantage Data Centers Europe S.a.r.l. (« Vantage EMEA »), basée au Luxembourg, par Silver Lake Group, L.L.C. (« Silver Lake »), basée aux États-Unis, AustralianSuper, basée en Australie, et DigitalBridge Group, Inc. (« DigitalBridge »), basée aux États-Unis.

L'opération concerne principalement la fourniture de services de centres de données de colocation.

La Commission a conclu que la concentration envisagée ne soulèverait pas de problèmes de concurrence, compte tenu que Silver Lake et Vantage EMEA ne sont pas présentes sur les mêmes marchés ou sur des marchés verticalement liés. L'opération notifiée a été examinée dans le cadre de la procédure simplifiée du contrôle des concentrations.

De plus amples informations sont disponibles sur le site internet <u>concurrence</u> de la Commission, dans le <u>registre public</u> des affaires sous le numéro d'affaire <u>M.11465</u>.

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ANNOUNCEMENTS

<u>Vice-President Jourová in the United States to discuss transatlantic cooperation on disinformation and information integrity</u>

Today, Vice-President for Values and Transparency, Věra **Jourová**, is on a country visit to Washington DC and New York City, in the United States. She will discuss common efforts in combating disinformation and foreign interference and ensuring transparency and trust in election processes, as well as EU-US cooperation on a number of justice matters. She will discuss ways to enhance cooperation with the US, especially when it comes to monitoring and analysis of the digital information space and support for independent media.

The Vice-President will meet US Attorney General, Merrick Garland, with whom she will discuss the use of frozen and immobilised Russian assets, e-evidence and data flows, among other issues.

The Vice-President will also meet with the US Under Secretary for Public Diplomacy and Public Affairs, Elizabeth Allen and the US Special Envoy and Coordinator for the US Global Engagement Center, James Rubin, to exchange on disinformation and Foreign Information Manipulation and Interference.

Furthermore, Vice-President **Jourová** will meet with representatives of the think tank Endowment for Democracy, with whom she will discuss ways to support to independent media and human rights defenders. The Vice-President will equally meet with representatives of the World Bank and participate in an event at the Atlantic Council on information integrity and media freedom in the framework of elections.

The Vice-President will then travel to New York City, where she will give a speech at an event organised by the World Jewish Congress. On Thursday, she will also meet with the US Commissioner of the Federal Election Commission, Dara Lindenbaum, to discuss electoral integrity, protection of electoral infrastructure and foreign interference. To conclude the visit, Vice-President **Jourová** will meet with the United Nations Under Secretary-General for Global Communications, Melissa Fleming, to discuss online platforms, disinformation, hate speech, electoral integrity and media business models.

(For more information: Christian Wigand — Tel.: + 32 2 296 22 53; Cristina Torres Castillo — Tel.: + 32 2 299 06 79)

Le commissaire Breton se rend à Lille pour ouvrir le Forum sur la cybersécurité

Le commissaire au marché intérieur, Thierry **Breton**, ouvrira aujourd'hui le <u>inCyber Forum Europe</u>, l'un des événements phares en Europe dédiés à la cybersécurité, qui se tiendra jusqu'au 28 mars à Lille (France). Cette édition `L'Europe est-elle prête pour l'IA' met en lumière les défis et les opportunités autour de l'intelligence artificielle qui révolutionne l'ère de la Cybersécurité.

Dans le cadre de ce Forum, la Commission organisera des sessions consacrées <u>aux Systèmes de</u> <u>certification</u> de l'UE, à la législation de l'UE en matière de cybersécurité, ainsi qu'au financement dans le cadre du programme <u>Europe numérique</u>.

Les discussions du Forum porteront également sur les initiatives législatives de l'UE qui ont été finalisées et approuvées par les colégislateurs au cours des derniers mois, notamment les nouvelles règles sur la cybersécurité des réseaux et des systèmes d'information (directive NIS2), le règlement sur l'intelligence artificielle, le règlement relatif à la cyber résilience, le règlement relatif à la cyber solidarité, ainsi que sur le portefeuille européen d'identité numérique.

La cybersécurité est une priorité absolue pour la Commission, qui entend exploiter et renforcer tous les outils et ressources disponibles dans l'UE afin de garantir que les entreprises et les citoyens européens soient bien protégés, en ligne comme hors ligne, contre les menaces et les incidents croissants liés à la cybercriminalité. Ce forum a pour but de permettre aux professionnels et aux parties prenantes d'échanger leurs points de vue dans ce domaine.

(Pour plus d'informations : Johannes Bahrke - Tél : +32 2 295 86 15 ; Roberta Verbanac - Tél : +32 2 298 24 98)

<u>Tentative agendas</u> for forthcoming Commission meetings

Note that these items can be subject to changes.

<u>Upcoming events</u> of the European Commission <u>Eurostat</u> press releases

MEX/24/1709