

Authorisation for State aid pursuant to Articles 87 and 88 of the EC Treaty

Cases where the Commission raises no objections

(2006/C 199/03)

Date of adoption of the decision: 27.6.2006

Member State: Spain

Aid No: N 78/2005, 202/2005, 432/2005 and 152/2006

Title: Compensation for damage caused by frosts during the first quarter of 2005

Objective: To compensate for the damage caused to farms by the heavy frosts in the first quarter of 2005, which affected plant and tree crops

Legal basis:

— Régimen de ayudas del Gobierno central (N 78/2005)

«Real Decreto Ley 1/2005, de 4 de febrero, por el que se adoptan medidas urgentes para paliar los daños ocasionados en el sector agrario por las heladas acaecidas en el mes de enero de 2005», modificado *rationae temporis* por el «Real Decreto Ley 6/2005, de 8 de abril 2005, por el que se establece la aplicación del Real Decreto Ley 1/2005»⁽¹⁾;

— Régimen complementario de la Comunidad Autónoma de Andalucía

«Decreto 56/2005, de 1 de marzo, por el que se adoptan medidas urgentes para paliar los daños producidos en el sector agrario por las heladas ocurridas en el mes de enero de 2005 en Andalucía», modificado *rationae temporis* por el «Decreto 125/2005 de 10 de mayo»⁽²⁾;

— Régimen complementario de la Comunidad Autónoma de Murcia

«Decreto 22/2005, de 11 de febrero, por el que se establecen ayudas para paliar los daños producidos por las heladas padecidas desde el pasado mes de enero de 2005»⁽³⁾;

— Régimen complementario de la Comunidad Autónoma de Valencia

«Decreto 22/2005, de 4 de febrero, del Consell de la Generalitat, por el que establecen ayudas para paliar los daños producidos por las heladas ocurridas durante los últimos días del mes de enero 2005», modificado por el «Decreto 37/2005, de 25 de febrero, del Consell de la Generalitat, por el que se modifica el Decreto 22/2005, de 4 de febrero, del Consell de la Generalitat, por el que se establecen ayudas para paliar los daños producidos por las heladas ocurridas durante los últimos días del mes de enero 2005», así como por el «Decreto 75/2005, de 15 de abril, del Consell de la Generalitat, por el que se declaran aplicables las medidas contenidas en el Decreto 22/2005, de 4 de febrero, del Consell de la Generalitat, modificado por el Decreto 37/2005, de 25 de febrero, por el que se establecen ayudas para paliar los daños producidos por las heladas y el pedrisco durante los meses de enero y febrero de 2005, a los daños ocasionados por las heladas que tuvieron lugar durante el mes de marzo de 2005»⁽⁴⁾.

Budget: The overall budget for the aid scheme provided for at national level by 'Real Decreto-Ley 1/2005' cannot be established as it can vary according to the demand for loans; the budget item provided for compensation in the form of capital grants totals EUR 24,049 million (N 78/2002). The Autonomous Community of Andalusia has provided for a budget of EUR 20 million (N 202/2005), that of Murcia a budget of EUR 23,420 million and that of Valencia a budget of EUR 30 million

Aid intensity or amount: Less than the losses suffered

Duration: *Ad hoc* aid

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at:

http://ec.europa.eu/community_law/state_aids/

⁽¹⁾ El Real Decreto Ley 1/2005 se ha aplicado mediante los instrumentos jurídicos siguientes: «Orden APA/1109/2005, de 25 de abril, por la que se delimitan los ámbitos territoriales afectados por las heladas acaecidas durante los meses de enero, febrero y marzo 2005, y se establecen criterios para la aplicación de las líneas de préstamos del Instituto de Crédito Oficial, de conformidad con lo previsto en el Real Decreto Ley 1/2005, de 4 de febrero» (modificado *rationae territoriae* por la «Orden APA/2168/2005, de 30 de junio»), y «Orden APA/1110/2005, de 30 de junio, que modifica el ámbito territorial establecido en la Orden APA/1109/2005, de 25 de abril».

⁽²⁾ El Decreto de la Consejería de Agricultura y Pesca se ha aplicado mediante la «Orden de 1 de junio de 2005, por la que se establecen normas para la aplicación de las medidas para paliar los daños producidos en el sector agrario por las heladas de los meses de enero a marzo de 2005 en desarrollo de las normas que se citan».

⁽³⁾ El Decreto de la Consejería de Agricultura y Agua se ha aplicado mediante el «proyecto de Orden de 12 de mayo de 2005 de la Consejería de Agricultura y Agua, por la que se establecen las bases reguladoras y se convocan ayudas para paliar los daños producidos en la agricultura por las heladas padecidas desde el mes de enero hasta el mes de marzo de 2005».

⁽⁴⁾ El Decreto 22/2005, de 4 de febrero, del Consell de la Generalitat se ha aplicado mediante los instrumentos jurídicos siguientes: «Orden de 14 de marzo de 2005, de la Conselleria de Agricultura, Pesca y Alimentación, de desarrollo del Decreto 22/2005, de 4 de febrero, del Consell de la Generalitat, por el que se establecen ayudas para paliar los daños producidos por las heladas y el pedrisco ocurridos entre enero y febrero de 2005», «Orden de 15 de abril de 2005, de la Conselleria de Agricultura, Pesca y Alimentación, por la que se modifica la Orden de 14 de marzo de 2005, de la Conselleria de Agricultura, Pesca y Alimentación, de desarrollo del Decreto 22/2005, de 4 de febrero, del Consell de la Generalitat, por el que se establecen ayudas para paliar los daños producidos por las heladas y el pedrisco ocurridos entre enero y febrero de 2005» y «Orden de 18 de mayo de 2005, de la Conselleria de Agricultura, Pesca y Alimentación, por la que adecúan los baremos establecidos en la Orden de 14 de marzo, de la Conselleria de Agricultura, Pesca y Alimentación, de desarrollo del Decreto 22/2005, de 4 de febrero, del Consell de la Generalitat».

Date of adoption of the decision: 27.6.2006

Member State: Italy (Abruzzi)

Aid No: N 86/2006

Title: Aid for measures to genetically improve species of zootechnical interest

Objective: To step up measures to genetically improve species of zootechnical interest (excluding pigs and poultry)

Legal basis: Legge 15 gennaio 1991, n. 30 e Legge regionale 3 marzo 2005, n. 16

Budget: EUR 4 million is provided for 2006. The budget for following years will be set by a Regional Budget Law

Aid intensity or amount: Variable according to the measure (aid for investment, technical assistance and aid to help maintain and improve the genetic quality of livestock)

Duration: 6 years (31 December 2012)

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at:

http://ec.europa.eu/community_law/state_aids/

Date of adoption of the decision: 12.7.2006

Member State: The Republic of Latvia

No of the aid: N 159/2006

Title: Aid for the purchase of breeding material in Latvia — Alteration to Aid N94/2005 Aid for the purchase of breeding material abroad

Objective: Investment aid for the purchase of animals of higher genetic quality

Legal basis: 1998. gada 5. maija Ciltsdarba likums (*Latvijas Vēstnesis*, 1998. gada 21. aprīlis) un Ministru kabineta 2006. gada 3. janvāra noteikumi Nr. 21 "Noteikumi par valsts atbalstu lauksaimniecībai 2006. gadā un tā piešķiršanas kārtību" (*Latvijas Vēstnesis* Nr. 14, 2006. gada 24. janvāris)

Budget: LVL 2 200 000 (approximately EUR 3 170 000)

Aid intensity or amount: 40 %, 50 % in less-favoured areas

Duration: 2008

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Date of adoption of the decision: 27.6.2006

Member State: Italy (Emilia-Romagna)

Aid No: N 222/A/03

Title: Measures to support guarantee systems in the agricultural sector

Objective: To provide technical assistance and guarantees on short, medium and long-term loans

Legal basis: Deliberazione regionale n. 316 del 3 marzo 2003 «Modifica della legge regionale 12 dicembre 1997, n. 43 sugli interventi a favore di forme collettive di garanzia nel settore agricolo. Abrogazione della legge regionale n. 37/95»

Budget: EUR 2-3 million per year

Aid intensity or amount: 40-70 %

Duration: Indefinite

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Date of adoption of the decision: 27.6.2006

Member State: Austria (Niederösterreich)

No of the aid: Aid No N 243/2006

Title: Aid for the damage caused by natural disasters

Objective: The Guidelines approved by the Commission in State aid case N 564a/2004 ('the approved national Guidelines') lay down the conditions and modalities of compensation to agricultural producers in the event of damage caused to agricultural production by flood, landslide, rockslide, mudflow, avalanches, earthquake, snow pressure and hurricane. As stated in the Commission Decision C(2005)6036 of 26.12.2005 (State aid case N 564a/2004) approving the national Guidelines, the Austrian authorities had given assurances that every exceptional emergency situation giving rise to compensation to agricultural producers under the approved national Guidelines would be individually notified to the Commission. No compensation would be paid until the Commission has approved the existence of a natural catastrophe in such an individually notified case. In the case at hand, the Austrian authorities have notified a number of exceptional emergency situations in 2006 (floods) verified by the hydrological services of the government of the Land Niederösterreich. The Austrian authorities have specified that the damage would be assessed and compensation granted according to the provisions of the approved national Guidelines. The compensation would be 30 % of the assessed damage, or 50 % in proven particular cases of hardship

Legal basis: Richtlinien für die Gewährung von Beihilfen zur Behebung von Katastrophenschäden des Landes Niederösterreich

Budget: Not communicated

Aid intensity or amount: Maximum 50 %

Duration: One-off

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Date of adoption of the decision: 27.6.2006

Member State: Italy (Tuscany)

Aid No: N 288/06

Title: Assistance in farming areas affected by natural disasters (hail-storms of 6 December 2005 in Piancastagnaio, province of Sienna, Tuscany)

Objective: To compensate for damage to agricultural production and farming structures as a result of bad weather

Legal basis: Decreto legislativo n. 102/2004

Budget: See the approved scheme (NN 54/A/04)

Aid intensity or amount: Up to 100 %

Duration: Until the final payment is made

Other details: Measure applying the scheme approved by the Commission under State aid NN 54/A/2004 (Commission letter C(2005)1622 final, dated 7 June 2005)

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Date of adoption of the decision: 27.6.2006

Member State: The Republic of Estonia

No of the aid: N 338/2005

Title: Aid to implement the national programme for the eradication and control of outbreaks of harmful plant diseases and pests

Objective: Combating plant diseases

Legal basis:

- Taimekaitseeadus, vastu võetud 21. aprillil 2004, jõustunud 1. mail 2004 (RT I, 28.04.2004, 32, 226), § 4, 9, 15;
- Ministeeriumi määrus "Ohtlike taimekahjustajate nimekiri" (RT L, 15.7.2004, 96, 1503);
- Ministeeriumi määrus "Ohtliku taimekahjustajaga saastunud, saastumisohus või saastumiskahtasel taimel, taimsel saadusel või muul objektil leiduva ohtliku taimekahjustaja liigile kohased törjeabinõud" (RT L, 24.3.2005, 33, 469);
- Ministeeriumi määruse eelnõu "Törjeabinõude rakendamisega seotud kulude osaline hüvitamine"

Budget: 3 million EEK per annum (approximately EUR 191 000)

Aid intensity or amount: Up to 100 %

Duration: Unlimited

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Date of adoption of the decision: 27.6.2006

Member State: Italy (Lazio)

Aid No: N 494/03

Title: Protection of indigenous genetic resources of agricultural interest

Objective: Aid relating to the protection of plant varieties and animal species threatened with extinction; technical assistance; aid for investment in agricultural holdings

Legal basis:

- Deliberazione della Giunta regionale n. 759 del 1 agosto 2003;
- Legge regionale 1 marzo 2000, n. 15 «Tutela delle risorse genetiche autoctone di interesse agrario». Approvazione della bozza di Piano settoriale di intervento per la tutela delle risorse genetiche di interesse agrario. Triennio 2004-2006

Budget: EUR 586 000

Aid intensity or amount: From 40 to 100 % (some measures do not constitute State aid)

Duration: 2 years

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Date of adoption of the decision: 27.6.2006

Member State: The Republic of Hungary

No of the aid: N 589/2005

Title: Amendment of the FVM Decree 84/2003 (VII.22) on granting aid to compensate for frost and drought damage suffered by agricultural producers in 2003

Objective: Compensation of damage caused by adverse weather conditions

Legal basis:

— 1072/2003. (VII.18.) Korm. határozat, 84/2003. (VII.22) FVM rendelet, 125/2003. (XII.10) FVM rendelet;

— Draft Government Resolution

Budget: 2006: 1,5 billion HUF, Total: 5,2 billion HUF

Aid intensity: Maximum 100 % of the eligible damage

Duration: 31 December 2013

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Date of adoption of the decision: 27.6.2006

Member State: Italy

Aid No: N 603/05

Title: Programme to combat tristeza in citrus fruit from Apulia

Objective: Preventive and compensatory measures concerning a plant disease; technical assistance; computerisation of records

Legal basis: Decreto del MIPAF n. S/25486 sull'assegnazione di risorse alle regioni agrumicole

Budget: EUR 803 090,45

Aid intensity or amount: 100 % for technical assistance and computerisation (the latter does not constitute State aid); from EUR 5 to EUR 25 per plant, to compensate losses

Duration: 2 years

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Date of adoption of the decision: 27.6.2006

Member State: Germany (Thuringia)

Aid No: NN 21/2004 (ex N 12/2004)

Title: Disposal of fallen stock in Thuringia

Objective: Aid for the removal and disposal of fallen stock of 66,67 % of costs

Legal basis: Thüringer Tierkörperbeseitigungsgesetz (GVBl. 2002 S. 169)

Budget: 2002: EUR 1,515 million, 2003: EUR 1,400 million, 2004: EUR 1,500 million, 2005: EUR 1,092 million

Aid intensity or amount: 66,67 %

Duration: 2002 to 2013

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