

NOTICES FROM MEMBER STATES

Information communicated by Member States regarding State aid granted under Commission Regulation (EC) No 1857/2006 on the application of Articles 87 and 88 of the Treaty to State aid to small and medium-sized enterprises active in the production of agricultural products and amending Regulation (EC) No 70/2001

(2010/C 117/03)

Aid No: XA 13/10

Member State: Italy

Region: Lombardy

Title of aid scheme or name of company receiving an individual aid: Piano assicurativo regionale in favore delle imprese agricole a tutela dei danni derivanti da avversità atmosferiche assimilabili alle calamità naturali sulle produzioni vegetali.

Legal basis:

- Bozza di deliberazione della Giunta regionale «Piano assicurativo regionale in favore delle imprese agricole a tutela dei danni derivanti da avversità atmosferiche assimilabili alle calamità naturali sulle produzioni vegetali»
- Notifica XA 396/08
- L.R. 31/08
- D.Lgs. 102/04
- D.LGS. 82/08
- D.M. 12939/08
- D.M. 102208/04

Annual expenditure planned under the scheme or overall amount of individual aid granted to the company: EUR 3 000 000 annually

Maximum aid intensity: Up to 50 % and 80 % of the cost of insurance premiums, under Article 12 of Regulation (EC) No 1857/2006

Date of implementation: From the date of publication of the registration number of the request for exemption on the website of the Commission's Directorate-General for Agriculture and Rural Development

Duration of scheme or individual aid award:

Five years

Until 30 June 2014

Objective of aid: Aid for the payment of insurance premiums to cover losses caused by adverse weather conditions

Sector(s) concerned: Crop products

Name and address of the granting authority:

Regione Lombardia — DG Agricoltura
Via Pola 12/14
20124 Milan MI
ITALIA

Website:

<http://www.regione.lombardia.it>, then click on 'Settori e politiche', 'Agricoltura', 'Argomenti', 'Aiuti di stato nel settore agricolo: pubblicazione dei regimi di aiuto'

Other information: The aid scheme will be implemented using the funding mechanisms, application procedure and system for granting aid established by Scheme XA 396/08. These two schemes run in parallel and are complementary. The region intends to fund any minor ministerial grants provided by law with its own resources, so as to guarantee that the initial incentive effect is maintained, while ensuring that the cap on aid laid down by Regulation (EC) No 1857/2006 is respected.

Aid No: XA 37/10

Member State: France

Region: —

Title of aid scheme or name of company receiving an individual aid: Indemnisation par le Fonds national de garantie contre les calamités agricoles (FNGCA) des dommages causés aux exploitations agricoles par les calamités

Legal basis:

- Article 11 of Commission Regulation (EC) No 1857/2006
- Articles L.361-1 et suivants du Code rural
- Articles D.361-1 et suivants du Code rural

Annual expenditure planned under the scheme or overall amount of individual aid granted to the company: EUR 180 million from the Fund on a multiannual basis, but the level of expenditure depends on the climatic claims experience. It is therefore unpredictable by nature.

Maximum aid intensity:

35 %

The rate of compensation for losses varies according to the nature of the loss and the production involved. The rate of compensation from the FNGCA varies in practice between 12 and 35 % of the amount of the losses.

Date of implementation: From the date of publication of the registration number of the exemption request on the website of the European Commission's Directorate-General for Agriculture and Rural Development

Duration of scheme or individual aid award: Until the end of 2010

Objective of aid:

Compensation for losses sustained by farmers following an exceptional climatic phenomenon which has significantly affected agricultural production and which may be classified as an agricultural disaster (or natural disaster) within the meaning of Article 2(8) of Regulation (EC) No 1857/2006.

Where a climatic phenomenon of exceptional significance occurs, the prefect of the department concerned may, if they consider it necessary, order an enquiry to be carried out in order to obtain the necessary information on the phenomenon responsible for the loss, in particular regarding its exact nature, exceptional character and the damage observed.

On the basis of the enquiry and the opinion of the departmental committee of experts that they have called upon, the prefect asks if appropriate, for the event under consideration to be acknowledged as an agricultural disaster.

After considering the matter and obtaining an opinion from the National Insurance Committee, the Minister of Agriculture issues a decree acknowledging that an agricultural disaster has effected specific property and a specific area.

In order for an event to be acknowledged, a loss must be observed which is significant in comparison with the calculated reference value for a given area and a given production.

This reference value, called a scale (*barème*) in the Rural Code, is drawn up at departmental level and corresponds to the yield over an average three-year period based on the five previous years, excluding the highest and the lowest values. The prices

included in the scale are those observed locally for the crop in question during the season preceding that in which the scale was drawn up.

Compensation can be granted by the FNGCA within the limits of the available budget to each farm only if the calculated production losses for each individual farm are greater than 30 % or 42 % if the production receives CAP coupled aid. The amount of losses eligible for compensation is reduced by any amount received under an insurance scheme and any costs not incurred as a result of the climatic loss.

Compensation is paid directly to the producer having sustained the losses.

Insurable farm buildings are not included in the list of property that is eligible for compensation following an agricultural disaster. Any sectors that are known to be insurable are also not included as there is already an appropriate insurance for them.

Sector(s) concerned: All agricultural holdings, excluding large enterprises, engaged in the primary production of fruit, vegetables, vines, feed, perfumed, aromatic and medicinal plants and industrial crops

Name and address of the granting authority:

Ministère de l'alimentation, de l'agriculture et de la pêche
Direction générale des politiques agricoles, agroalimentaire et des territoires
Sous-direction des entreprises agricoles — Bureau du crédit et de l'assurance
3 rue Barbet de Jouy
75349 Paris 07 SP
FRANCE

Website:

http://agriculture.gouv.fr/sections/thematiques/europe-international/aides-d-etat-projets/downloadFile/FichierAttache_2_f0/regimecalam16fev10_pour_site.pdf?nocache=1266389918.43

See: <http://agriculture.gouv.fr/sections/thematiques/europe-international>

Other information: —

Aid No: XA 45/10

Member State: Federal Republic of Germany

Region: Freistaat Bayern

Title of aid scheme or name of company receiving an individual aid:

Gewährung von Leistungen durch die Bayerische Tierseuchenkasse nach der „Dritten Satzung zur Änderung der Satzung über die Leistungen der Bayerischen Tierseuchenkasse (Leistungssatzung)“:

- Übernahme der Kosten für den Impfstoff bei Impfungen gegen die Blauzungenkrankheit bei Rindern und Schafen im Freistaat Bayern.
- Übernahme eines Teils der Einkommenseinbußen, die bayerische Rindermastbetriebe in anerkannt BHV1-freien Regionen (bayerische Regionen gemäß Anhang II der Entscheidung 2004/558/EG) wegen der Quarantäneauflagen aufgrund der Entscheidung der Kommission vom 15. Juli 2004 zur Umsetzung der Richtlinie 64/432/EWG des Rates hinsichtlich ergänzender Garantien im innergemeinschaftlichen Handel mit Rindern in Bezug auf die infektiöse bovine Rhinotracheitis und der Genehmigung der von einigen Mitgliedstaaten vorgelegten Tilgungsprogramme (2004/558/EG) erleiden.

Legal basis:

- § 71 Tierseuchengesetz der Bundesrepublik Deutschland
- Art. 5 Abs. 2, Art. 5 b Abs. 2 des Gesetzes über den Vollzug des Tierseuchenrechts des Freistaats Bayern
- Satzung über die Leistungen der Bayerischen Tierseuchenkasse (Leistungssatzung), registriert von der EU-Kommission unter der Identifikationsnummer XA 287/08

Annual expenditure planned under the scheme or overall amount of individual aid granted to the company: EUR 1,5 million (financed from contributions by livestock keepers to the Bavarian Animal Diseases Fund)

Maximum aid intensity: Up to a maximum of 100 %

Date of implementation: Ongoing annual grant

Duration of scheme or individual aid award: From the day following notification of the exemption until 31 December 2013

Objective of aid:

Aid to combat animal diseases under Article 10 of Regulation (EC) No 1857/2006.

The costs of vaccine for the vaccination of cattle and sheep in Bavaria against bluetongue will be reimbursed under

Article 10(1) of Regulation (EC) No 1857/2006 as a measure for the prevention and control of bluetongue. The purpose of the reimbursement is to encourage take-up of the vaccine among livestock keepers and achieve the most comprehensive vaccination coverage possible among Bavarian herds of cattle and flocks of sheep. This should give the livestock the best possible protection against bluetongue, which is classified as an animal disease in the OIE list and in the Annex to Decision 90/424/EEC.

Aid will be granted under Article 10(2) of Regulation (EC) No 1857/2006 to compensate Bavarian beef farmers in recognised BHV1-free areas (the Bavarian regions listed in Annex II to Decision 2004/558/EC) for part of the loss of income incurred as a result of quarantine obligations on the basis of the Commission Decision of 15 July 2004 implementing Council Directive 64/432/EEC as regards additional guarantees for intra-Community trade in bovine animals relating to infectious bovine rhinotracheitis and the approval of the eradication programmes presented by certain Member States (2004/558/EC). This should increase the effectiveness of the quarantine measures and ensure that the recognised BHV1-free areas remain free of the disease. BHV1 is an OIE-listed animal disease which causes serious damage to agriculture and against which Bavaria is engaged in an ongoing fight.

The beneficiaries are small and medium-sized enterprises within the meaning of Regulation (EC) No 1857/2006.

The aid does not concern measures for which Community law requires the costs to be borne by the agricultural holdings themselves.

Aid under Article 10(1) of Regulation (EC) No 1857/2006 will not be granted as direct payments to agricultural holdings but as subsidised services. The Bavarian Animal Diseases Fund will assume the costs of the services and pay the service providers. The gross aid intensity will not exceed 100 %. The services relate to the costs of purchasing bluetongue vaccine.

Aid under Article 10(2) of Regulation (EC) No 1857/2006 is intended to mitigate loss of income incurred as a result of quarantine obligations due to BHV1, an animal disease. Here too, the gross aid intensity will not exceed 100 %.

Sector(s) concerned: Livestock farmers (agricultural holdings) rearing cattle and sheep in Bavaria

Name and address of the granting authority:

Bayerische Tierseuchenkasse
Anstalt des öffentlichen Rechts
Arabellastraße 29
81925 München
DEUTSCHLAND

E-mail: info@btsk.de

Website:

For legal bases:

— Tierseuchengesetz:

<http://www.gesetze-im-internet.de/bundesrecht/viehseuchgesamt.pdf>

— Gesetz über den Vollzug des Tierseuchenrechts:

<http://portal.versorgungskammer.de/portal/page/portal/btsk/btskr/tierseuchengesetz-vollzug-2010.pdf>

— Satzung über die Leistungen der Bayerischen Tierseuchenkasse (Leistungssatzung):

<http://portal.versorgungskammer.de/portal/page/portal/btsk/btskr/1.1.2010-leistungssatzung.pdf>

For the aid scheme:

— 3. Satzung zur Änderung der Satzung über die Leistungen der Bayerischen Tierseuchenkasse (Leistungssatzung):

<http://portal.versorgungskammer.de/portal/page/portal/btsk/btskr/3.aenderungssatzungderleistungssatzung.pdf>

Other information: —

Aid No: XA 52/10

Member State: Federal Republic of Germany

Region: Brandenburg

Title of aid scheme or name of company receiving an individual aid:

Beihilfen zu den Kosten des Impfstoffes zur Impfung von Rinder-, Schaf- und

Ziegenbeständen gegen den Serotyp 8 des Virus der Blauzungkrankheit (BTV8)

Legal basis: Erlass des Ministeriums für Umwelt und Verbraucherschutz zur Gewährung einer Beihilfe für Impfungen gegen die Blauzungkrankheit des Serotyps 8

Annual expenditure planned under the scheme or overall amount of individual aid granted to the company: Total annual aid amounting to EUR 350 000 (financed from contributions by livestock owners to the Brandenburg Animal Diseases Fund and from federal state resources)

Maximum aid intensity:

100 % of the costs of the vaccine

The maximum aid intensity of 100 % will not be exceeded. Livestock owners do not receive direct payments; costs are settled directly with the service provider.

Date of implementation: As of the date of receipt from the European Commission, pursuant to Article 20 of Regulation (EC) No 1857/2006, of the notice of receipt with an identification number, from 1 March 2010.

Duration of scheme or individual aid award: Until 31 December 2013

Objective of aid:

The exemption is justified by Article 10(1) of Regulation (EC) No 1857/2006.

The purpose of the measure is to compensate for the cost of vaccine for the vaccination of herds of cattle, sheep and goats against bluetongue virus serotype 8.

No direct payments will be made to beneficiaries; aid will be granted in the form of a subsidised service.

In particular, it should be noted that Article 10(6) and (8) of Commission Regulation (EC) No 1857/2006 will be complied with.

The measure is linked to the prevention of bluetongue and is therefore compatible with the common market within the meaning of Article 87(3)(c) of the EC Treaty.

Sector(s) concerned: Agriculture/livestock farming

Name and address of the granting authority:

Landesamt für Verbraucherschutz
Landwirtschaft und Flurneuordnung
Tierseuchenkasse Brandenburg
Groß Gaglow
Am Seegraben 18
03051 Cottbus
DEUTSCHLAND

E-mail: info@tsk-BB.de

Website:

— Tierseuchengesetz:

<http://www.bgblportal.de/BGBL/bgb11f/bgb1104s1260.pdf>

— Ausführungsgesetz zum Tierseuchengesetz des Landes Brandenburg (AGTierSGBbg):

http://www.bravors.brandenburg.de/sixcms/detail.php?gsid=land_bb_bravors_01.c.23595.de

— Erlass des Ministeriums für Umwelt und Verbraucherschutz zur Gewährung einer Beihilfe für Impfungen gegen die Blauzungkrankheit des Serotyps 8 im Jahr 2010 (Veröffentlichung im Amtsblatt des Landes Brandenburg):

http://www.mugv.brandenburg.de/v/lbsvet/TEILA/A1_2_2_2.PDF

Other information: —