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Notice



I

(Information)

COMMISSION

Euro exchange rates ⁽¹⁾

28 June 2005

(2005/C 158/01)

1 euro =

Currency	Exchange rate	Currency	Exchange rate		
USD	US dollar	1,2095	SIT	Slovenian tolar	239,44
JPY	Japanese yen	132,94	SKK	Slovak koruna	38,439
DKK	Danish krone	7,4494	TRY	Turkish lira	1,6349
GBP	Pound sterling	0,6646	AUD	Australian dollar	1,5790
SEK	Swedish krona	9,3930	CAD	Canadian dollar	1,4919
CHF	Swiss franc	1,5445	HKD	Hong Kong dollar	9,3984
ISK	Iceland króna	78,98	NZD	New Zealand dollar	1,7238
NOK	Norwegian krone	7,9465	SGD	Singapore dollar	2,0330
BGN	Bulgarian lev	1,9558	KRW	South Korean won	1 234,57
CYP	Cyprus pound	0,5737	ZAR	South African rand	8,0365
CZK	Czech koruna	30,038	CNY	Chinese yuan renminbi	10,0104
EEK	Estonian kroon	15,6466	HRK	Croatian kuna	7,3160
HUF	Hungarian forint	247,77	IDR	Indonesian rupiah	11 732,15
LTL	Lithuanian litas	3,4528	MYR	Malaysian ringgit	4,597
LVL	Latvian lats	0,6960	PHP	Philippine peso	67,339
MTL	Maltese lira	0,4293	RUB	Russian rouble	34,6180
PLN	Polish zloty	4,0548	THB	Thai baht	49,892
ROL	Romanian leu	36 056			

⁽¹⁾ Source: reference exchange rate published by the ECB.

Information procedure — Technical rules

(2005/C 158/02)

(Text with EEA relevance)

Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations and of rules on Information Society services. (OJ L 204, 21.7.1998, p. 37; OJ L 217, 5.8.1998, p. 18).

Notifications of draft national technical rules received by the Commission

Reference (1)	Title	End of three-month standstill period (2)
2005/0246/D	Technical Terms of Delivery for marking materials [German designation: TL M 05]	29.8.2005
2005/0247/EE	Amendment to Regulation No. 106 of the Minister of Economic Affairs and Communications of 6 December 2000 'Requirements for Storage Facilities for and Places of Loading, Unloading and Transhipment of Chemicals, and for Other Structures Necessary for Handling of Chemicals in Ports, Road Transport Terminals, Railway Stations and Airports' (RTL 2001, 7, 110; 2003, 47, 787), and to Regulation No. 4 of the Minister of Transport and Communications of 26 January 1998 'Approval of Rules for the Receipt, Processing and Storage of Dangerous Goods in Ports and Release Thereof from Ports.' (RTL 1998, 40/41, 202)	26.8.2005
2005/0248/E	Draft Royal Decree regulating the transport of dangerous goods by road on Spanish territory.	26.8.2005
2005/0249/LV	Draft Cabinet of Ministers' regulation entitled 'Amendments to Cabinet of Ministers' Regulation No 367 of 20 August 2002', entitled 'Registration procedure for places of commercial activity for work with precious metals, precious stones and their products, a procedure for compulsory assaying and marking and a procedure for the storage of unassayed precious metals, precious stones and their products'	29.8.2005
2005/0250/L	Draft Grand-Ducal Regulation amending the amended Grand-Ducal Regulation of 31 October 1998 transposing Directive 94/62/EC of the European Parliament and of the Council of 20 December 1994 on packaging and packaging waste amending the Grand-Ducal Regulation of 18 January 2005 on electric and electronic equipment waste and limiting the use of certain dangerous components thereof	29.8.2005
2005/0251/SK	Slovak Republic Ministry of Agriculture and Ministry of Health Decree implementing the chapter of the Slovak Republic Foodstuffs Code governing milk and milk products	2.9.2005
2005/0252/F	Draft technical specifications of Régie municipale multiservices de La Réole, applicable to gas distribution pipelines, implementing Decree No 2004-555 of 15 June 2004 on the technical specifications applicable to the pipelines and connections of gas transmission, distribution and storage installations	1.9.2005
2005/0253/F	Draft technical specifications of Régie municipale du gaz de Bazas, applicable to gas distribution pipelines, implementing Decree No 2004-555 of 15 June 2004 on the technical specifications applicable to the pipelines and connections of gas transmission, distribution and storage installations	1.9.2005

Reference ⁽¹⁾	Title	End of three-month standstill period ⁽²⁾
2005/0254/F	Draft technical specifications of SOREGIES, applicable to gas distribution pipelines, implementing Decree No 2004-555 of 15 June 2004 on the technical specifications applicable to the pipelines and connections of gas transmission, distribution and storage installations	1.9.2005
2005/0255/D	Principles for the health assessment of construction products used in interiors, as at April 2005	1.9.2005
2005/0256/A	Order of the Federal Minister for Economics and Labour amending the Order on safety provisions for shipping containers - Shipping Container Order 2002 (Austrian designation: VBV 2002), Federal Law Gazette II No 202/2002	1.9.2005
2005/0257/F	Draft Decree on prohibitions regarding the tricholoma equestre mushroom	⁽³⁾
2005/0258/A	Draft Act amending the Carinthian Building Regulations	2.9.2005
2005/0259/SK	Slovak Ministry of Agriculture and Ministry of Health Decree implementing the chapter of the Slovak Republic Foodstuffs Code governing fruit juices and certain similar products intended for human consumption	5.9.2005
2005/0260/UK	The Specified Animal Pathogens (Amendment) (England) Order 2005	7.9.2005

⁽¹⁾ Year - registration number - Member State of origin.

⁽²⁾ Period during which the draft may not be adopted.

⁽³⁾ No standstill period since the Commission accepts the grounds of urgent adoption invoked by the notifying Member State.

⁽⁴⁾ No standstill period since the measure concerns technical specifications or other requirements or rules on services linked to fiscal or financial measures, pursuant to the third indent of the second paragraph of Article 1(11) of Directive 98/34/EC.

⁽⁵⁾ Information procedure closed.

The Commission draws attention to the judgement delivered on 30 April 1996 in the 'CIA Security' case (C-194/94 — ECR I, p. 2201), in which the Court of Justice ruled that Articles 8 and 9 of Directive 98/34/EC (formerly 83/189/EEC) are to be interpreted as meaning that individuals may rely on them before national courts which must decline to apply a national technical regulation which has not been notified in accordance with the Directive.

This judgement confirms the Commission's communication of 1 October 1986 (OJ C 245, 1.10.1986, p. 4).

Accordingly, breach of the obligation to notify renders the technical regulations concerned inapplicable, and consequently unenforceable against individuals.

For more information on the notification procedure, please write to:

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 B-1049 Brussels
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Also consult the website: <http://europa.eu.int/comm/enterprise/tris/>

If you require any further information on these notifications, please contact the national departments listed below:

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Information communicated by Member States regarding State aid granted under Commission Regulation (EC) No 70/2001 of 12 January 2001 on the application of Articles 87 and 88 of the EC Treaty to State aid to small and medium-sized enterprises

(2005/C 158/03)

(Text with EEA relevance)

Aid No	XS 2/04		
Member State	Germany		
Region	Lower Saxony (Bremervörde)		
Title of aid scheme or name of company receiving individual aid	Directive of the city of Bremervörde of 16 December 2003 on the co-financing of financial assistance to individual firms under the Lower Saxony Objective 2 programme for the 2000-06 programming period		
Legal basis	§ 108 der Niedersächsischen Landkreisordnung (NLO) in der Fassung vom 22.8.1996 (Niedersächsisches Gesetz- und Verordnungsblatt S. 365) i. V. mit § 65 der Niedersächsischen Gemeindeordnung (NGO) in der Fassung vom 22.8.1996 (Niedersächsisches Gesetz- und Verordnungsblatt S. 382)		
Annual expenditure planned or overall amount of individual aid granted to the company	Aid scheme	Annual overall amount	EUR 0,4 million
		Loans guaranteed	
	Individual aid	Overall aid amount	
		Loans guaranteed	
Maximum aid intensity	In conformity with Article 4(2)-(6) and Article 5 of the Regulation	Yes	
Date of implementation	17.12.2003		
Duration of the scheme or individual aid award	Until 31.12.2005		
Objective of aid	Aid to SMEs	Yes	
Economic sectors	All sectors eligible for aid to SMEs	Yes	
	Limited to specific sectors		
	— Coalmining		
	— All manufacturing		
	or		
	Steel		
	Shipbuilding		
	Synthetic fibres		
	Motor vehicles		
	Other manufacturing		
	— All services		
	or		
	Transport services		
	Financial services		
Other services			

Name and address of the granting authority:	Name: Stadt Bremervörde	
	Address: Rathausplatz 1 D-27432 Bremervörde	
Large individual aid grants	In conformity with Article 6 of the Regulation The measure excludes awards of aid or requires prior notification to the Commission of awards of aid,	Yes
	(a) if the total eligible costs are at least EUR 25 million and — the gross aid intensity is at least 50 %, — in areas which qualify for regional aid, the net aid intensity is at least 50 %; or (b) if the total gross aid amount is at least EUR 15 million.	Yes

Aid No	XS 15/04		
Member State	Italy		
Region	Veneto		
Title of aid scheme or name of company receiving individual aid	Measure 1.7, action (b): incentives for the use by SMEs of structures suitable for research work.		
Legal basis	Docup obiettivo 2, 2000-2006; Dgr n. 3025 del 9 novembre 2001; Dgr n. 2633 del 8 agosto 2003 (bando)		
Annual expenditure planned or overall amount of individual aid granted to the company	Aid scheme	Annual overall amount	EUR 2 600 000
		Loans guaranteed	
	Individual aid	Overall aid amount	
		Loans guaranteed	
Maximum aid intensity	In conformity with Articles 4(2)-(6) and 5 of the Regulation	Yes	
Date of implementation	15.3.2004		
Duration of scheme or individual aid award	Until 31.12.2006		
Objective of aid	Aid to SMEs	Yes	

Economic sectors concerned	All sectors eligible for aid to SMEs	
	Limited to specific sectors	Yes
	— Coalmining	
	— All manufacturing	Yes
	or	
	Steel	
	Shipbuilding	
	Synthetic fibres	
	Motor vehicles	
	Other manufacturing	Yes
	— All services	
	or	
	Transport services	
	Financial services	
Other services	Yes	
Name and address of the granting authority	Name: Regione Veneto	
	Address: Direzione Industria Corso del Popolo, 14 30174 Mestre Venezia	
Large individual aid grants	In conformity with Article 6 of the Regulation The measure excludes awards of aid or requires prior notification to the Commission of awards of aid, (a) if the total eligible costs are at least EUR 25 million and — the gross aid intensity is at least 50 %, — in areas which qualify for regional aid, the net aid intensity is at least 50 %; or (b) if the total gross aid amount is at least EUR 15 million.	Yes
Aid Number	XS 59/04	
Member State	United Kingdom	
Region	North East of England	
Title of aid scheme or name of company receiving an individual aid	Allendale Estates	

Legal basis	Regional Development Agencies Act 1998 Industrial Development Act 1982 Sections 7 & 11 Section 2 Local Government Act 2000		
Annual expenditure planned under the scheme or overall amount of individual aid granted to the company	Aid scheme	Annual overall amount	
		Loans guaranteed	
	Individual aid	Overall aid amount	GBP 187 186
		Loans guaranteed	
Maximum aid intensity	In conformity with Article 4(2)-(6) and Article 5 of the Regulation	Yes	
Date of implementation	From 19 July 2004		
Duration of scheme or individual aid award	Until 30 December 2005		
Objective of aid	Aid to SME	Yes	
Economic sectors concerned	All sectors eligible for aid to SME	Yes	
	Limited to specific sectors	No	
	— Coalmining		
	— All manufacturing		
	Or		
	Steel		
	Shipbuilding		
	Synthetic fibres		
	Motor vehicles		
	Other manufacturing		
	— All services		
	Or		
	Transport services		
	Financial services		
Other services			

Name and address of the granting authority	Name: Government Office for the North East European Programmes Secretariat <hr/> Address: Wellbar House Gallowgate Newcastle upon Tyne NE1 4TD		
Large individual aid grants	In conformity with Article 6 of the Regulation The measure excludes awards of aid or requires prior notification to the Commission of awards of aid, (a) if the total eligible costs are at least EUR 25 000 000 and — the gross aid intensity is at least 50 %, — in areas which qualify for regional aid, the net aid intensity is at least 50 %; or (b) if the total gross aid amount is at least EUR 15 000 000.	—	

Publication pursuant to Article 3a(2) of Council Directive 89/552/EEC on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities, as amended by Directive 97/36/EC of the European Parliament and of the Council

(2005/C 158/04)

The measures taken by the Kingdom of Belgium in accordance with Article 3(1) of the Directive, and notified to the Commission in accordance with the procedure in Article 3a(2), are to be found in the following extracts from instruments adopted respectively by the Flemish and French Communities and published in the *Moniteur Belge*:

- for the French Community, in the Decree of 27 February 2003 on broadcasting (MB No 137, 17.4.2003) and the Order of 8 June 2004 (MB No 318, 6.9.2004);
- for the Flemish Community, in the Decree of 25 January 1995 (DCFL No 1995-01-25/38) and the Order of 28 May 2004 (MB No 295, 19.8.2004).

A consolidated list of events of major importance for Belgium is contained, incidentally, in the agreement concluded between the French Community and the Flemish Community on 28 November 2003.

FRENCH COMMUNITY

1. Broadcasting Decree

[...]

Art. 4 § 1

After consulting the CSA, the Government may adopt a list of events which it considers to be of major importance for the public of the French Community. Such events may not be subject to the exercise of exclusive rights by a television broadcaster or by the RTBF, such as to deprive a large part of the public in that Community of access to these events via a free-access television service.

The Government shall determine whether the events are to be transmitted live, deferred, in full or in excerpts.

Art. 4 § 2

An event is considered to be of major importance for the public of the French Community if it meets at least two of the following criteria:

1. the event is particularly popular with the public of the French Community in general, not just those who follow such events as a matter of course;
2. the event has a cultural importance generally recognised by the public of the French Community and is part of that Community's cultural identity;
3. a Belgian personality or team is participating in the event concerned in the context of a competition or event of international importance;
4. the event is traditionally broadcast in a programme of a free-access television service in the French Community and attracts a wide public.

After consulting the CSA, the Government may adopt the procedures by which the abovementioned events have to be made accessible.

Art. 4 § 3

A television broadcasting service is considered to be 'free-access' if it broadcasts in the French language and can be received by 90 % of households with television reception equipment located in the French-speaking region or the bilingual Brussels-Capital region. Apart from the technical costs, reception of this service cannot be subject to payment other than the subscription price for the basic cable package.

Art. 4 § 4

Television broadcasters and the RTBF shall refrain from exercising any exclusive rights they might have acquired after 30 July 1997, such as would deprive a large part of the public of a Member State of the European Union of access via a free-access television service to events of major importance, a list of which has been published in the *Official Journal of the European Communities*.

They shall comply with the special conditions set at the time of publication of the abovementioned lists, concerning live or deferred access, in full or in excerpts.

2. Order designating events of major importance and determining the procedures for making them accessible

Article 1

Within the limits laid down in this order, access by the public of the French Community to these events shall be live, deferred, in full or in excerpts, in accordance with the Annex to this order.

Article 2

A television broadcaster service in the French Community intending to exercise the exclusive broadcasting rights it holds to an event of major importance must broadcast it on a free-access television service in accordance with the Annex to this Order.

Article 3

A television broadcaster which has acquired the live-and-in-full transmission rights to an event may nevertheless postpone the broadcasting of this event on a free-access television broadcasting service in the following cases:

- if the event takes place between midnight and 8 a.m., Belgian time;
- if the event coincides with a news or current affairs programme normally broadcast by the service at that time;
- if the event comprises several elements taking place simultaneously.

Article 4

This Order does not create any broadcasting obligation for the head of RTBF or the television broadcasting services of the French Community.

Article 5

The Minister for Audiovisual is responsible for the implementation of this Order.

Brussels, 8 June 2004.

For the Government of the French Community:

The Minister for Audiovisual,

O. CHASTEL

3. Annex to the Order

List of events and categories of events of major importance and arrangements for free public access to them:

1. Summer and Winter Olympic Games, live and with excerpts;
2. Belgian Football Cup Final (men), live and in full;
3. All matches involving the Belgian men's football team, live and in full;
4. Football World Cup Finals (men), live and in full;
5. European Football Championship, final round (men), live and in full;
6. Champion's League, matches involving Belgian clubs, live and in full;
7. UEFA Cup, matches involving Belgian clubs, live and in full;
8. Tour de France, men, professional, live and with excerpts;
9. Liège-Bastogne-Liège, live and with excerpts;
10. Amstel Gold Race, live and with excerpts;
11. Tour of Flanders, live and with excerpts;
12. Paris-Roubaix, live and with excerpts;
13. Milan-San Remo, live and with excerpts;
14. Belgian Road Cycling Championships, professional (men), live and with excerpts;
15. World Road Cycling Championships, professional (men), live and with excerpts;
16. Ivo Van Damme Memorial, live and in full;
17. Belgian Formula 1 Grand Prix, live and in full;
18. The following Grand Slam tennis tournaments: Roland Garros and Wimbledon, quarter finals, semi finals and finals involving a Belgian player, live and in full;
19. The Davis Cup and the Fed Cup, quarter finals, semi finals and finals involving the Belgian team, live and in full;
20. Queen Elisabeth Music Competition, the final, live and in full;
21. La Flèche wallonne, live and with excerpts;
22. World Athletics Championships, where Belgian athletes are taking part, live and in full;

To be annexed to the order of 8 June 2004.

The Minister for Audiovisual

O. CHASTEL

FLEMISH COMMUNITY

1. Decree of 25 January 1995

Art. 76 § 1

The Flemish Government shall draw up a list of events considered to be of major importance for the public and which, for this reason, may not be broadcast on an exclusive basis so that a large part of the public of the Flemish Community cannot watch them live or deferred on free-access television.

The Flemish Government shall decide whether these events shall be broadcast via whole or partial live coverage or, where necessary or appropriate for objective reasons of general interest, via whole or partial deferred coverage.

Art. 76 § 2

Television broadcasting undertakings of or recognised by the Flemish Community may not exercise the exclusive rights thus gained such that a large part of the public of another Member State of the European Community cannot without payment watch the events designated by that Member State wholly or partially live or, where necessary or appropriate for objective reasons of general interest, wholly or partially deferred, as determined by that Member State.

2. Order of the Flemish Government establishing the list of events of major importance to society
[...]

Whereas an event can be considered as an event of major importance to society if two of the following conditions are met:

1. the event has great topical value and attracts considerable public interest;
2. the event is taking place in the context of an important international competition or is a competition in which the national team, a Belgian club team or one or more Belgian athlete(s) is/are taking part;
3. the event belongs to an important sporting discipline and represents an important cultural asset to the Flemish Community;
4. the event is broadcast traditionally by free-access television and has a high viewer rating for its category.

[...]

Article 1 § 1

The following events are considered as events of major importance to society:

1. Summer Olympic Games;
2. Football (men): all matches involving the national team and all final-round World Cup and European Championship matches;
3. Champions League and UEFA Cup:
 - matches in which a Belgian club team is playing;
 - semi finals and finals;
4. Belgian Football Cup Final (men);
5. Cycling:

The Tour de France for elite cyclists (men): all stages;

the following World Cup races: Milan-San Remo, Tour of Flanders, Paris-Roubaix, Liège-Bastogne-Liège, Amstel Gold Race, Paris-Tours and Tour of Lombardy;

the Belgian Championship and the World Championship for elite cyclists (men).

6. Cyclo-cross: the Belgian Championships and World Championships for elite cyclists (men).
7. Tennis:
 - Grand Slam tournaments: all matches with Belgian players from the quarter finals onward and all finals (singles);
 - Davis Cup and Fed Cup: quarter finals, semi finals and finals involving Belgian teams.
8. Belgian Formula 1 Grand Prix.
9. Athletics: the Van Damme Memorial.
10. Queen Elisabeth Competition.

Article 1 § 2

The events referred to under 2, 3, 4, 6, 7, 8, 9 and 10 are made available via whole live coverage.

The events referred to under 1 and 5 are made available via partial live coverage.

Art. 2

The exclusive rights over the events mentioned in Article 1 § 1 may not be exercised in such a way as to prevent a large part of the population from following these events on free-access television.

A large part of the population of the Flemish Community is considered to be able to follow an event of major importance to society on free-access television when the event is broadcast by a television station transmitting in the Dutch language and can be received by at least 90 % of the population without any payment in excess of the television distribution subscription price.

Art. 3 § 1

Television stations which do not satisfy the requirements of Article 2 and which acquire exclusive transmission rights in the Dutch-speaking region and the bilingual Brussels-Capital region for the events mentioned in Article 1 § 1 may not exercise these rights unless they can guarantee, on the basis of contracts concluded, that a large part of the population will not be prevented from following these events on free-access television as provided for in Articles 1 § 2 and 2.

Art. 3 § 2

Television stations which hold exclusive transmission rights may grant sub-licences at reasonable market prices and within time limits to be agreed with the television stations, to television stations which satisfy the requirements of Article 2.

Art. 3 § 3

If no television station declares itself willing to take sub-licences under these conditions, the television station concerned may, by way of derogation from Article 2 and Article 3 § 1, make use of the transmission rights acquired.

Art. 4

The Flemish Minister with responsibility for media policy shall be responsible for the implementation of this Order.

Brussels, 28 May 2004.

The Minister-President of the Flemish Government

B. SOMERS

The Flemish Minister for Housing, Media and Sport

M. KEULEN

Consolidated list of events of major importance for Belgium

1. Summer Olympic Games
Flemish Community: live and with excerpts
French Community: live and with excerpts
2. Belgian Football Cup Final (men)
Flemish Community: live and in full
French Community: live and in full
3. All matches involving the Belgian men's football team
Flemish Community: live and in full
French Community: live and in full
4. Football World Cup Finals (men)
Flemish Community: live and in full
French Community: live and in full
5. European Football Championship, final round (men)
Flemish Community: live and in full
French Community: live and in full
6. Champion's League, matches involving Belgian clubs
Flemish Community: live and in full
French Community: live and in full
7. UEFA Cup, matches involving Belgian clubs
Flemish Community: live and in full
French Community: live and in full
8. Tour de France, men, professional
Flemish Community: live and with excerpts
French Community: live and with excerpts
9. Liège-Bastogne-Liège
Flemish Community: live and with excerpts
French Community: live and with excerpts
10. Amstel Gold Race
Flemish Community: live and with excerpts
French Community: live and with excerpts
11. Tour of Flanders
Flemish Community: live and with excerpts
French Community: live and with excerpts
12. Paris-Roubaix
Flemish Community: live and with excerpts
French Community: live and with excerpts
13. Milan-San Remo
Flemish Community: live and with excerpts
French Community: live and with excerpts

14. Belgian Road Cycling Championships, professional (men)
Flemish Community: live and with excerpts
French Community: live and with excerpts
15. World Road Cycling Championships, professional (men)
Flemish Community: live and with excerpts
French Community: live and with excerpts
16. Ivo Van Damme Memorial
Flemish Community: live and in full
French Community: live and in full
17. Belgian Formula 1 Grand Prix
Flemish Community: live and in full
French Community: live and in full
18. The following Grand Slam tennis tournaments: Roland Garros and Wimbledon, quarter finals, semi finals and finals involving a Belgian player
Flemish Community: live and in full
French Community: live and in full
19. The Davis Cup and the Fed Cup, quarter finals, semi finals and finals involving the Belgian team
Flemish Community: live and in full
French Community: live and in full
20. Queen Elisabeth Music Competition, the final
Flemish Community: live and in full
French Community: live and in full

Events specific to the French list

1. La Flèche wallonne (live and with excerpts).
2. Winter Olympic Games (live and with excerpts).
3. World Athletics Championships, where Belgian athletes are taking part, live and in full.

Events specific to the Flemish list

1. Champion's League: finals and semi finals, live and in full.
 2. UEFA Cup: finals and semi finals, live and in full.
 3. Cycling, Paris-Tours and Tour of Lombardy: live and with excerpts.
 4. The Belgian and World Cyclo-cross Championships, men, professional: live and in full.
 5. The following Grand Slam tennis tournaments: Australian Open and US Open, quarter finals, semi finals and finals involving a Belgian player, live and in full.
-

Statistics relating to technical regulations notified in 2004 under the Directive 98/34/EC procedure
Information supplied by the Commission in accordance with Article 11 of Directive 98/34/EC of the European Parliament and of the Council laying down a procedure for the provision of information in the field of technical standards and regulations and of rules on Information Society services ⁽¹⁾

(2005/C 158/05)

(Text with EEA relevance)

I. TYPES OF REACTIONS SENT TO EC MEMBER STATES REGARDING THE DRAFTS NOTIFIED BY EACH OF THEM

Member State	Notifications	Observations ⁽¹⁾			Detailed opinions ⁽²⁾		Proposals for Community Acts	
		Member State	Commission	EFTA ⁽³⁾	Member State	Commission	9(3) ⁽⁴⁾	9(4) ⁽⁵⁾
Belgium	18	4	4		3	4	0	0
Denmark	40	8	19		1	2	0	0
Germany	99	40	46		19	13	0	0
Spain	24	4	13		3	2	0	0
Finland	21	10	11		2	3	0	0
France	37	6	12		2	2	0	0
Greece	34	7	33		0	5	0	0
Ireland	6	1	2		1	0	0	0
Italy	28	20	10	1	10	5	0	0
Luxembourg	4	1	2		0	1	0	0
The Netherlands	54	12	17		7	3	0	0
Austria	50	8	10		3	4	0	0
Portugal	3	2	2		0	1	0	0
Sweden	23	6	8		2	2	0	0
United Kingdom	52	16	16		1	6	1	0
Latvia	13	11	5		2	4	0	0
Malta	2	1	1		0	1	0	0

⁽¹⁾ Directive 98/34/EC of 22 June 1998 (OJ L 204 of 21 July 1998) consolidates Directive 83/189/EEC, as amended principally by Directives 88/182/EEC and 94/10/EC. Directive 98/34/EC was amended by Directive 98/48/CE of 20 July 1998 (OJ L 217, of 5 August 1998) which broadened its scope to include information society services. This came into effect on 5 August 1999.

Member State	Notifications	Observations ⁽¹⁾			Detailed opinions ⁽²⁾		Proposals for Community Acts	
		Member State	Commission	EFTA ⁽³⁾	Member State	Commission	9(3) ⁽⁴⁾	9(4) ⁽⁵⁾
Cyprus	1	0	0		0	1	0	0
Czech Republic	14	7	6		2	3	0	0
Hungary	4	2	0		0	0	0	0
Lithuania	4	4	4		0	0	0	0
Estonia	0	0	0		0	0	0	0
Slovenia	12	2	1		1	2	0	0
Poland	8	5	3		0	1	0	0
Slovakia	6	1	4		1	1	0	0
EU total	557	178	229	1	60	66	1	0

⁽¹⁾ Article 8(2) of the Directive.

⁽²⁾ Article 9(2) of the Directive ('detailed opinion ... to the effect that the envisaged measure may create obstacles to the free movement of goods or services or to freedom of establishment of service operators within the internal market').

⁽³⁾ On the basis of the Agreement on the European Economic Area, the EFTA countries contracting parties to this Agreement apply Directive 98/34/EC adapted as necessary in accordance with Annex II, Chapter XIX, Point 1, and may thus issue observations relating to drafts notified by Member States of the Community. Switzerland may also issue such observations on the basis of an informal agreement for the exchange of information in the field of technical regulations.

⁽⁴⁾ Article 9(3) of the Directive requiring Member States to postpone the adoption of a notified draft (except for draft regulations concerning services) for 12 months from receipt by the Commission if the latter announces its intention to propose or adopt a Directive, Regulation, or Decision on the matter.

⁽⁵⁾ Article 9(4) of the Directive requiring Member States to postpone the adoption of a notified draft for 12 months from the receipt by the Commission if the latter announces its finding that the draft concerns a matter which is covered by a proposal for a Directive, Regulation or Decision presented to the Council.

II. BREAKDOWN BY SECTOR OF DRAFTS NOTIFIED BY EU MEMBER STATES

Sector	BE	DK	DE	ES	FI	FR	GR	IE	IT	LU	NL	AT	PT	SE	UK	LT	MT	CY	CZ	HU	LV	EE	SI	PL	SK	EU total
Building and construction	2	6	23	3	10	4		1	2		2	26			6				1				10		1	97
Foodstuffs and agricultural products	6	5	6	6	1	10	1	2	13	1	11	7	1	4	17	4			4	2	3		1	2	2	110
Chemicals	1	4	4	1		1	1		1		3			2	2						1					21
Pharmaceuticals			4		1	2						1		1	3						1					13
Domestic and leisure equipment	2			3									1	1					1					1		9
Machinery	1	3		3		4			3		4	1		1	3				1		4					28
Energy, ores, wood	1	2		2	1		1		1		5	2		2							2			1		20
Environment, packaging	1	2	6		1	1			2		8	3		3	2				5		1			3		38
Health, medical equipment	1					3								2												6
Transport	1	14	7	2	4	2		3	1		7	2		5	16		1		1							66
Telecommunications		2	45	1	1	7	30				6	3		2	3								1		1	102
Miscellaneous products	2	2	2	1		2	1		1	1	4	2					1	1		2	1			1	2	26
Information society services			2	2	2	1			4	1	4	3	1						1							21
Total per Member State	18	40	99	24	21	37	34	6	28	3	54	50	3	23	52	4	2	1	14	4	13		12	8	6	557

III. OBSERVATIONS RELATING TO DRAFTS NOTIFIED BY ICELAND, LIECHTENSTEIN, NORWAY ⁽¹⁾ AND SWITZERLAND ⁽²⁾

Country	Notifications	EC observations (*)
Iceland	11	4
Liechtenstein	3	2
Norway	23	13
Switzerland	15	9
Total	52	28

(*) The only type of Community reaction provided for by the Agreement on the European Economic Area (see notes 4 and 7) is the facility to issue observations (Article 8(2) of Directive 98/34/EC as in Annex II, Chapter XIX, Point 1 of this Agreement). The same type of reaction may be issued in respect of Swiss notifications on the basis of the informal agreement between the Community and Switzerland (see notes 4 and 8).

IV. BREAKDOWN BY SECTOR OF DRAFTS NOTIFIED BY LIECHTENSTEIN ICELAND, NORWAY AND SWITZERLAND

Sector	Iceland	Liechtenstein	Norway	Switzerland	Total per sector
Building and construction		1			1
Foodstuffs and agricultural products	4	1	4	5	14
Chemicals			2	4	6
Pharmaceuticals			1		1
Domestic and leisure equipment	2				2
Machinery	1		1	1	3
Environment, packaging	1		1	1	3
Energy, ores, wood			1		1
Transport	2		9	2	13
Telecommunications			2	2	4
Miscellaneous products	1		1		2
Information society services		1	1		
Total per country	11	3	23	15	52

⁽¹⁾ The Agreement on the European Economic Area (see note 4) requires EFTA countries which are contracting parties to this Agreement to notify draft technical regulations to the Commission.

⁽²⁾ On the basis of the informal agreement for the exchange of information in the field of technical regulations (see note 4), Switzerland forwards its draft technical regulations to the Commission.

V. DISTRIBUTION ACROSS SECTORS OF DRAFTS NOTIFIED BY TURKEY AND COMMENTS ON THESE DRAFTS

Turkey	Sectors	EC comments
	Foodstuffs and agricultural products	1
	Telecommunications	1
	Miscellaneous products; textiles	1
Total — 3		3

VI. DISTRIBUTION ACROSS SECTORS OF DRAFTS NOTIFIED BY NEW MEMBER STATES BEFORE THE ENLARGEMENT OF 1 MAY 2004 AND COMMENTS ON THESE DRAFTS

Country	Sectors	EC comments
Malta	Energy; electricity	1
Total — 1		1

VII. STATISTICS ON INFRINGEMENT PROCEDURES ONGOING IN 2004 AND INITIATED UNDER ARTICLE 226 OF THE EC TREATY AGAINST NATIONAL TECHNICAL REGULATIONS ADOPTED IN BREACH OF THE PROVISIONS OF DIRECTIVE 98/34/EC

<i>(Total per Member State)</i>	
Country	Number
Belgium	2
Germany	1
Spain	1
France	1
Ireland	1
Italy	4
Luxembourg	1
The Netherlands	1
Portugal	2
EU total	14

Information communicated by Member States regarding State aid granted under Commission Regulation (EC) No 70/2001 of 12 January 2001 on the application of Articles 87 and 88 of the EC Treaty to State aid to small and medium-sized enterprises

(2005/C 158/06)

(Text with EEA relevance)

Aid No: XS 48/03

Member State: Italy

Region: Veneto

Title of aid scheme: Objective 2 SPD 2000-2006 Priority 3, Measure 3.1 Tourism facilities and support structures — Aid to businesses for the upgrading, modernisation and improvement of tourist amenities.

Legal basis: *Docup ob. 2 2000-2006 — approvato con Decisione*

C (2001) n. 2889 del 26.11.2001

DGR 3217 dell'8.11.2002 (approvazione bando)

DGR 4141 del 30.12.2002 (integrazione alla DGR 3217 dell'8.11.2002)

Annual expenditure planned under the scheme: Amount as in supplementary financing plan. Total: EUR 14 445 200 excluding resources for Measure 3.1(c)

2001 EUR 1 262 998,88

2002 EUR 1 639 391,34

2003 EUR 1 704 541,33

2004 EUR 1 742 959,91

2005 EUR 1 792 693,38

2006 EUR 1 857 415,15

Maximum aid intensity:

— 7,5 % gge for medium-sized firms

— 15 % gge for small firms

Aid for promotional and marketing activities; organisation of and participation in trade fairs and exhibitions; quality certification and environmental compatibility will be granted at 50 % gge.

Aid to small and medium-sized firms in areas falling within the aid map shall comply with the ceilings laid down for the map.

Date of implementation: 15 November 2002

Duration of scheme: From 15 November 2002 to 30 September 2003; with the possibility of publishing new calls for tender if any funds are left over.

Objective of aid: Upgrading of tourist facilities within the integrated territorial projects through aid to small firms operating in the tourist industry.

Economic sector(s) concerned: Tourism.

Name and address of granting authority:

Regione del Veneto — Direzione Turismo
Cannaregio, 168
30121 Venezia

through the company

Veneto Sviluppo SpA
via Ca' Marcello, 67/2
30172 Mestre Venezia

Aid No: XS 54/02

Member State: Netherlands

Region: North Netherlands

Title of aid scheme: Sport en Recreatiecentrum Thialf B.V. (aid recipient) (Samenwerkingsverband Noord-Nederland)

Legal basis:

Granting of subsidy	Date	Amount in EUR
Gemeente Heerenveen	11.7.2001 and 10.9.2001	185 100
Provincie Fryslân	1.11.2001	562 995
Samenwerkingsverband Noord-Nederland	9.10.2001	984 120
Staatssecretaris van Volksgezondheid, Welzijn en Sport	25.10.2001 and 26.10.2001	521 850
	Total	2 254 065

N.B. Het besluit van het Samenwerkingsverband betreft het, in het kader van de uitvoering van het Ruimtelijk-Economisch Ontwikkelingsprogramma voor Noord-Nederland 2000-2006, beschikbaar stellen van een bijdrage uit de zogenaamde EZ/Kompas-middelen.

Annual expenditure planned under the scheme: Single tranche of EUR 2 254 065

Maximum aid intensity: 29,2 % of the entire investment

Date of implementation: 1 November 2001

Duration of scheme: Ad hoc aid

Objective of aid: To provide aid with a view to stepping up extension and technical redevelopment measures for the Thialf skating rink in Heerenveen.

The project aims to create a sporting facility the public character of which will be guaranteed via an automatic transfer provision for a period of five years after the definitive fixing of the aid.

Economic sector(s) concerned: All sectors

Name and address of the granting authority: Samenwerkingsverband Noord-Nederland (in conjunction with the Province of Friesland, the municipality of Heerenveen and the Ministry of Health, Welfare and Sport)

Postbus 779
9700 AT Groningen

Other information: This measure concerns ad hoc aid for investments in fixed assets by a small, independent enterprise as defined in Annex I to Commission Regulation (EC) No 70/2001 of 12 January 2001 on the application of Articles 87 and 88 of the EC Treaty to State aid to small and medium-sized enterprises.

Maximum aid intensity: 15 % gge for small enterprises and 7.5 % gge for medium-sized enterprises; in areas qualifying for exemption under Article 87(3)(c), 8 % nge + 10 % gge for small enterprises and 8 % nge + 6 % gge for medium-sized enterprises.

Date of implementation: 5 June 2002

Duration of scheme: 30 June 2007

Objective of aid: To facilitate the financing of SMEs and associations of SMEs operating in industry and services, with particular attention to businesses run by young people and women.

Economic sector(s) concerned: Manufacturing and production services firms.

Observations: Subject to Community regulations or directives adopted under the EC Treaty governing State aid in specific industries.

The legislation lists the industries where aid is limited by Community rules.

Name and address of granting authority:

Regione Autonoma Friuli-Venezia Giulia
Direzione regionale dell'Industria
Via Trento, 2
34132 Trieste
Tel. 040/3772422
Fax 040/3772463
E-mail: s.svil.ind.@regione.fvg.it

Aid No: XS 60/02

Member State: Italy

Region: Friuli-Venezia Giulia

Title of aid scheme: Subsidised loans to SMEs and associations (*consorzi*) of SMEs operating in industry and services.

Legal basis: DPR n. 0118/PRES. del 2 maggio 2002 di approvazione del 'Regolamento per l'utilizzo della provvista mista di cui all'articolo 6, commi da 1 a 7, della legge regionale 12 settembre 2001, n. 23'.

Annual expenditure planned under the scheme: EUR 12 911,42, to be financed under the annual Finance Act.

Aid No: XS 100/03

Member State: Italy

Region: Friuli-Venezia Giulia

Title of aid scheme: Advisory services provided to SMEs by outside consultants

Legal basis: DPR n. 152 del 23/5/2003.

Regolamento di attuazione per la concessione di contributi finalizzati all'affidamento di studi di fattibilità e predisposizione di progetti di ricerca da presentare alla U.E. ai sensi dell'articolo 21, comma 4, dalla LR. N. 47 del 3/6/1978.

Annual expenditure planned under the scheme: EUR 25 000, to be financed under the annual Finance Act.

Maximum aid intensity: 50 % of the cost of the advisory service provided, up to a ceiling of EUR 5 000.

Date of implementation: From the date of publication in the Regional Official Gazette. The first measures will not be taken before August 2003.

Duration of scheme: 30 June 2007.

Objective of aid: To enable SMEs to familiarise themselves with and take advantage of European research and development programmes.

Economic sector(s) concerned: Small and medium-sized industrial enterprises and research centres.

Observations: Subject to Community regulations or directives adopted under the EC Treaty governing State aid in specific industries.

Name and address of granting authority:

Regione Autonoma Friuli-Venezia Giulia
Direzione regionale dell'Industria
Via Trento, 2
34132 Trieste
Tel. 040/3442422
Fax 040/3772463
e-mail: s.svil.ind@regione.fvg.it

Aid No: XS 118/02

Member State: Germany

Region: Lower Saxony (rural district of Peine)

Title of aid scheme: Guidelines issued by the rural district of Peine on the promotion of small and medium-sized enterprises in the municipalities of Hohenhameln, Ilsede, Lahstedt and Lengede in connection with Objective 2 assistance by the European Union

Legal basis: § 108 der Niedersächsischen Landkreisordnung (NLO) in der Fassung vom 22.8.1996 (Niedersächsisches Gesetz- und Verordnungsblatt S. 365) i. V. mit § 65 der Niedersächsischen Gemeindeordnung (NGO) in der Fassung vom 22.8.1996 (Niedersächsisches Gesetz- und Verordnungsblatt S. 382)

Annual expenditure planned under the scheme: EUR 200 000

Maximum aid intensity: The rural district of Peine lies partly within the national assisted areas map approved by the Commission (transitional area).

The aid amounts:

- in the case of small enterprises, to no more than 15 % and
- in the case of medium-sized enterprises, to no more than 7,5 % of eligible investment expenditure.

The rules on the cumulation of aid are complied with.

Date of implementation: 1 November 2002

Duration of scheme: Until 31 December 2005

Objective: The aid is intended to promote the competitiveness and adaptability of small and medium-sized enterprises in the rural district of Peine (municipalities of Hohenhameln, Ilsede, Lahstedt and Lengede), to encourage the creation of new jobs and help safeguard existing ones and thereby to bring about structural improvements.

Rescue and restructuring aid for firms in difficulty (within the meaning of the Community guidelines on State aid for rescuing and restructuring firms in difficulty: OJ C 288, 9.10.1999) is not covered by the measure.

Aid may be granted for the following types of investment project:

- setting-up of an establishment;
- extension of an establishment if the number of long-term full-time jobs is increased by 15 % as compared with the situation before the start of the investment;
- rationalisation, diversification or modernisation of an establishment if this serves to ensure the continued existence of the business and the maintenance of most of the jobs;
- acquisition of an establishment threatened with closure, provided that this is done under market conditions.

The aid takes the form of investment grants.

All depreciable fixed assets relating to physical and intangible assets are eligible.

Economic sector(s) concerned: Those entitled to apply are SMEs in manufacturing, the craft sector, the distributive trades, the hotel industry, other service-sector firms and persons working in the business-related professions whose place of business is in the rural district of Peine. Aid may not be granted to firms in sensitive sectors.

Name and address of the granting authority:

Landkreis Peine
Burgstr. 1
31224 Peine

Other information: Mr Kolloch

Tel.: 05171/401288

Fax: 05171/401686

Aid No: XS 130/03**Member State:** Italy**Region:** Friuli-Venezia Giulia**Title of aid scheme or name of company receiving individual aid:** Grants for the acquisition of patents or operating licences for new manufacturing technologies aimed at the production cycle.**Legal basis:** *D.P.R. n° 0382/Pres. del 17 ottobre 2003 di approvazione del 'Regolamento di attuazione per la concessione di contributi finalizzati all'acquisizione di brevetti o di diritti di utilizzazione di nuove tecnologie produttive finalizzati al ciclo produttivo'.***Annual expenditure planned or overall amount of individual aid granted to the company:** Planned annual expenditure: EUR 500 000**Maximum aid intensity:** Up to the maximum of 7,5 % of eligible costs incurred as regards medium-sized firms and 15 % for small firms, apart from the increases in the areas exempted under Article 87(3)(c) of the EC Treaty.**Date of implementation:** From the date of publication in the Regional Official Gazette (BUR No 48 of 26.11.2003).**Duration of scheme or individual aid award:** 30 June 2007**Objective of aid:** To raise the technological level of SMEs by giving them the opportunity to acquire patents or operating licences for new manufacturing technologies**Economic sectors concerned:** Small and medium-sized industrial firms.**Comments:** Subject to Community regulations or directives adopted under the EC Treaty governing State aid in specific industries.**Name and address of the granting authority:**

Regione Autonoma Friuli-Venezia Giulia
Via Trento, 2
34132 Trieste
Tel. 040/377 24 22
Fax 040/377 24 63
e-mail: s.svil.ind@regione.fvg.it

Notice to banana producers

(2005/C 158/07)

Within the framework of compensatory aid regime to banana producers as set up by Article 12 of Council Regulation (EEC) No 404/93, the Commission, taking into account the level of prices in the producing regions, is considering as of 1 July 2005 the suspension of the regime of advances set up by Commission Regulation (EEC) No 1858/93, in order to protect the financial interests of the Community and to avoid the obligation of future repayment by the producers of the amounts paid within the framework of advances in 2005.

Non-opposition to a notified concentration**(Case COMP/M.3781 — Credit Agricole/Caisse D'Epargne/JV)**

(2005/C 158/08)

(Text with EEA relevance)

On 14 June 2005, the Commission decided not to oppose the above notified concentration and to declare it compatible with the common market. This decision is based on Article 6(1)(b) of Council Regulation (EC) No 139/2004. The full text of the decision is available only in French and will be made public after it is cleared of any business secrets it may contain. It will be available:

- from the Europa competition web site (<http://europa.eu.int/comm/competition/mergers/cases/>). This web site provides various facilities to help locate individual merger decisions, including company, case number, date and sectoral indexes,
- in electronic form on the EUR-Lex website under document number 32005M3781. EUR-Lex is the on-line access to European law. (<http://europa.eu.int/eur-lex/lex>)

Non-opposition to a notified concentration**(Case COMP/M.3818 — Gilde/DSM Bakery Ingredients)**

(2005/C 158/09)

(Text with EEA relevance)

On 13 June 2005, the Commission decided not to oppose the above notified concentration and to declare it compatible with the common market. This decision is based on Article 6(1)(b) of Council Regulation (EC) No 139/2004. The full text of the decision is available only in English and will be made public after it is cleared of any business secrets it may contain. It will be available:

- from the Europa competition web site (<http://europa.eu.int/comm/competition/mergers/cases/>). This web site provides various facilities to help locate individual merger decisions, including company, case number, date and sectoral indexes,
 - in electronic form on the EUR-Lex website under document number 32005M3818. EUR-Lex is the on-line access to European law. (<http://europa.eu.int/eur-lex/lex>)
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NOTICE

On 29 June 2005, in *Official Journal of the European Union* C 158 A, the 'Common catalogue of vegetable species — Fourth supplement to the 23rd complete edition' will be published.

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