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### Information and Notices

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## I

(Information)

## COMMISSION

Euro exchange rates <sup>(1)</sup>

27 March 2006

(2006/C 75/01)

1 euro =

Currency	Exchange rate	Currency	Exchange rate		
USD	US dollar	1,2025	SIT	Slovenian tolar	239,59
JPY	Japanese yen	140,15	SKK	Slovak koruna	37,565
DKK	Danish krone	7,4617	TRY	Turkish lira	1,6160
GBP	Pound sterling	0,68830	AUD	Australian dollar	1,6999
SEK	Swedish krona	9,3550	CAD	Canadian dollar	1,4100
CHF	Swiss franc	1,5733	HKD	Hong Kong dollar	9,3312
ISK	Iceland króna	86,84	NZD	New Zealand dollar	1,9753
NOK	Norwegian krone	7,9670	SGD	Singapore dollar	1,9460
BGN	Bulgarian lev	1,9558	KRW	South Korean won	1 173,22
CYP	Cyprus pound	0,5759	ZAR	South African rand	7,5168
CZK	Czech koruna	28,670	CNY	Chinese yuan renminbi	9,6495
EEK	Estonian kroon	15,6466	HRK	Croatian kuna	7,3280
HUF	Hungarian forint	264,18	IDR	Indonesian rupiah	10 876,61
LTL	Lithuanian litas	3,4528	MYR	Malaysian ringgit	4,443
LVL	Latvian lats	0,6960	PHP	Philippine peso	61,496
MTL	Maltese lira	0,4293	RUB	Russian rouble	33,4150
PLN	Polish zloty	3,9048	THB	Thai baht	46,807
RON	Romanian leu	3,5112			

<sup>(1)</sup> Source: reference exchange rate published by the ECB.

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

**Cases where the Commission raises no objections**

(2006/C 75/02)

**Date of adoption of the decision:** 24.1.2006

**Member State:** Spain (Castile-Leon)

**Aid No:** N 8/06

**Title:** Aid for promotion measures, carried out by the Boards dealing with designations of origin and geographical indications, by the management bodies for quality wines produced in specified regions (quality wines psr) and by the Castile-Leon Organic Farming Board, with a view to developing voluntary food-quality disclosure programmes

**Objective:** To develop information activities relating to systems for monitoring the quality of agri-food products in order to increase consumer confidence in agricultural production and promote this economic sector as a whole

**Legal basis:** «Acuerdo de 20 de diciembre de 2005, del Consejo del Instituto Tecnológico Agrario de Castilla y León, por el que se establece la aportación económica del Instituto Tecnológico Agrario en las actividades promovidas por Consejos Reguladores de Denominaciones de Origen Protegidas (DOP) e Indicaciones Geográficas Protegidas (IGP), órganos de gestión de vinos de calidad producidos en regiones determinadas (v.c.p.r.d.) y el Consejo de Agricultura Ecológica de Castilla y León para el desarrollo de programas voluntarios de divulgación de la calidad alimentaria»

**Budget:** EUR 1 150 000

**Aid intensity or amount:** The rate of the aid will be 50 % of the total cost of the measures envisaged, with a maximum of EUR 90 000 per beneficiary

**Duration:** 23 December 2005 to 30 November 2006

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

[http://europa.eu.int/comm/secretariat\\_general/sgb/state\\_aids/](http://europa.eu.int/comm/secretariat_general/sgb/state_aids/)

**Date of adoption of the decision:** 22.12.2005

**Member State:** France

**Aid No:** NN 75/A/2005

**Title:** Support mechanism for farmers in difficulty (AGRIDIFF) — technical assistance

**Objective:** To provide technical support services for undertakings liable to face difficulties

**Budget:** EUR 1 million

**Aid intensity or amount:** Up to 100 % of the cost of experts' fees

**Duration:** Unlimited

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

[http://europa.eu.int/comm/secretariat\\_general/sgb/state\\_aids/](http://europa.eu.int/comm/secretariat_general/sgb/state_aids/)

**Date of adoption of the decision:** 25.1.2006

**Member State:** United Kingdom

**Aid No:** N 190/B/2005

**Title:** Extension of the Climate Change Levy Rebate (Horticulture)

**Objective:** With this extension of aid schemes Nos NN 12/04, NN 28/04 and NN 27/04, horticulture will be eligible to the 80 % rebate of the climate change levy subject to environmental commitments

**Legal basis:** Finance Act 2000, Section 30 and Schedules 6 and 7

**Budget:** GBP 25 million (EUR 36,4 million)

**Aid intensity or amount:** 80 %

**Duration:** From the date of Commission approval until 31 March 2011

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

[http://europa.eu.int/comm/secretariat\\_general/sgb/state\\_aids/](http://europa.eu.int/comm/secretariat_general/sgb/state_aids/)

**Date of adoption of the decision:** 27.2.2006

**Member State:** The United Kingdom

**Aid No:** N 435/2004

**Title:** The National Breeding, Evaluation and Performance Database

**Objective:** Creation of the National Equine Breeding, Evaluation and Performance Database in order to improve the efficiency of horse breeding management in the UK

**Legal basis:** Non-statutory initiative

**Budget:**

— Costs of the National Equine Database:

2004/2005 GBP 253 000

2005/2006 GBP 120 000

2006/2007 GBP 127 000

— Aid *de minimis* to the National Equine Database Society: GBP 45 000 over the period of three years

— Remuneration for services provided by the National Equine Database Society: GBP 112 860 per annum

**Aid intensity or amount:** Variable

**Duration:** 2004 — 2007

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

[http://europa.eu.int/comm/secretariat\\_general/sgb/state\\_aids/](http://europa.eu.int/comm/secretariat_general/sgb/state_aids/)

**Date of adoption of the decision:** 24.2.2006

**Member State:** Italy (Umbria)

**Aid No:** N 515/2005

**Title:** Assistance in farming areas affected by natural disasters (heavy snowfalls between 18 January and 3 March 2005 in the province of Perugia)

**Objective:** To compensate farmers for damage to agricultural production and farming structures as a result of bad weather (heavy snowfalls between 18 January and 3 March 2005 in the province of Perugia)

**Legal basis:** Decreto legislativo 102/2004: «Nuova disciplina del Fondo di solidarietà nazionale»

**Budget:** To be financed from the budget approved under Aid No NN 54/A/04

**Aid intensity or amount:** Up to 100 %

**Duration:** Measure applying an aid scheme approved by the Commission

**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)

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

[http://europa.eu.int/comm/secretariat\\_general/sgb/state\\_aids/](http://europa.eu.int/comm/secretariat_general/sgb/state_aids/)

**Date of adoption of the decision:** 3.2.2006

**Member State:** Spain (Madrid)

**Aid No:** N 522/2005

**Title:** Aid for renewal of regional tractor fleet

**Objective:** To improve farming conditions through investments in agricultural holdings consisting in replacing old tractors with new ones

**Legal basis:** «Orden .../2005, de..., de la Consejería de Economía e Innovación tecnológica, por la que se regula en la Comunidad de Madrid la concesión de ayudas para la renovación del parque regional de tractores agrícolas y se aprueba la convocatoria para el año 2006.»

**Budget:** EUR 500 000

**Aid intensity or amount:** The intensity of the aid has been set at 30 % of the total amount of the investment, exclusive of VAT, with a maximum of EUR 9 000 per tractor per year

**Duration:** Unspecified

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

[http://europa.eu.int/comm/secretariat\\_general/sgb/state\\_aids/](http://europa.eu.int/comm/secretariat_general/sgb/state_aids/)

**Date of adoption of the decision:** 24.1.2006

**Member State:** The Netherlands

**Aid No:** N 555/2002

**Title:** Deferment of taxation on hidden reserves in case of cessation of livestock farming

**Objective:** Deferment of taxation on hidden reserves of undertakings participating in an exiting scheme for livestock farming in order to remove obstacles for the continuation of the entrepreneurship

**Legal basis:** Artikel 3.64 van de Nederlandse Wet Inkomstenbelasting uit 2001

**Budget:** The budget of this measure consists of the income foregone by the state as a consequence of the fact that the participating farmers do not have to pay taxes on hidden reserves at the moment they stop their livestock farming activities, but only when they finally stop all their farming activities. The budget therefore will depend on the actual number of farmers participating, the value of their hidden reserves and the period of each individual tax deferment

**Duration:** Indefinite

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

[http://europa.eu.int/comm/secretariat\\_general/sgb/state\\_aids/](http://europa.eu.int/comm/secretariat_general/sgb/state_aids/)

**Date of adoption of the decision:** 24.1.2006

**Member State:** Germany

**Aid No:** N 566/05

**Title:** Aid towards the changeover of agricultural and forestry machines to plant oil

**Objective:** Operating aid to agricultural and forestry undertakings to offset the additional costs of changing machines over to plant oil-use

**Legal basis:** Richtlinie zur Förderung der Umrüstung der Antriebe land- und forstwirtschaftlicher Maschinen auf Pflanzenöl

**Budget:** EUR 7,5 million

**Aid intensity or amount:** max. EUR 5 000 per machine

**Duration:** Applications will be accepted until 31.12.2008

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

[http://europa.eu.int/comm/secretariat\\_general/sgb/state\\_aids/](http://europa.eu.int/comm/secretariat_general/sgb/state_aids/)

**Date of adoption of the decision:** 3.2.2006

**Member State:** Italy (Sicily)

**Aid No:** N 645/05

**Title:** Assistance in farming areas affected by natural disasters (frosts between 10 January and 10 March in the province of Catania)

**Objective:** Compensation for damage to agricultural production as a result of bad weather (frosts between 10 January and 10 March 2005 in the province of Catania)

**Legal basis:** Decreto legislativo 102/2004: «Nuova disciplina del Fondo di solidarietà nazionale»

**Budget:** To be financed from the budget approved under Aid No NN 54/A/04

**Aid intensity or amount:** Up to 80 %

**Duration:** Measure applying an aid scheme approved by the Commission

**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)

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

[http://europa.eu.int/comm/secretariat\\_general/sgb/state\\_aids/](http://europa.eu.int/comm/secretariat_general/sgb/state_aids/)

**Prior notification of a concentration**  
**(Case COMP/M.4158 — TowerBrook Investors/GSE)**  
**Candidate case for simplified procedure**

(2006/C 75/03)

(Text with EEA relevance)

1. On 16 March 2006, the Commission received a notification of a proposed concentration pursuant to Article 4 and following a referral pursuant to Article 4(5) of Council Regulation (EC) No 139/2004 <sup>(1)</sup> by which the undertaking TowerBrook Investors II LP (Cayman Islands) controlled by TowerBrook Investors Group (together TowerBrook Investors) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking GSE SA (France) including its subsidiary Compagnie des Contractants Regionaux (together GSE) by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- for TowerBrook Investors: investment fund;
- for GSE: real estate.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of Regulation (EC) No 139/2004. However, the final decision on this point is reserved. Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004 <sup>(2)</sup> it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent to the Commission by fax (No (32-2) 296 43 01 or 296 72 44) or by post, under reference number COMP/M.4158 — TowerBrook Investors/GSE, to the following address:

European Commission  
Competition DG  
Merger Registry  
J-70  
B-1049 Brussels

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<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1.

<sup>(2)</sup> OJ C 56, 5.3.2005, p. 32.

## Notice of initiation of an anti-dumping proceeding concerning imports of certain prepared or preserved sweet corn in kernels originating in Thailand

(2006/C 75/04)

The Commission has received a complaint pursuant to Article 5 of Council Regulation (EC) No 384/96 on protection against dumped imports from countries not members of the European Community ('the basic Regulation')<sup>(1)</sup>, alleging that imports of certain prepared or preserved sweet corn, in kernels, originating in Thailand ('the country concerned'), are being dumped and are thereby causing material injury to the Community industry.

### 1. Complaint

The complaint was lodged on 13 February 2006 by the Association Européenne des Transformateurs de Maïs Doux (AETMD) ('the complainant') on behalf of producers representing a major proportion, in this case more than 25 % of the total Community production of prepared or preserved sweet corn.

### 2. Product

The product allegedly being dumped is sweet corn (*Zea mays var. saccharata*) in kernels, prepared or preserved by vinegar or acetic acid, not frozen, normally declared within CN code ex 2001 90 30, and sweet corn (*Zea mays var. saccharata*) in kernels prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading 2006, normally declared within CN code ex 2005 80 00, originating in Thailand ('the product concerned'). These CN codes are only given for information.

### 3. Allegation of dumping

The allegation of dumping is based on a comparison of normal value established on the basis of domestic prices, with the export prices of the product concerned to the Community.

On this basis, the dumping margin calculated is significant.

### 4. Allegation of injury

The complainant has provided evidence that imports of the product concerned from Thailand have increased overall in absolute terms and in terms of market share.

It is alleged that the volumes and the prices of the imported product concerned have, among other consequences, had a negative impact on the market share held, the quantities sold and the level of prices charged by the Community industry, resulting in substantial adverse effects on the overall performance and the financial situation of the Community industry.

### 5. Procedure

Having determined, after consulting the Advisory Committee, that the complaint has been lodged by or on behalf of the Community industry and that there is sufficient evidence to justify the initiation of a proceeding, the Commission hereby initiates an investigation pursuant to Article 5 of the basic Regulation.

#### 5.1. Procedure for the determination of dumping and injury

The investigation will determine whether the product concerned originating in Thailand is being dumped and whether this dumping has caused injury.

##### (a) Sampling

In view of the apparent large number of parties involved in this proceeding, the Commission may decide to apply sampling in accordance with Article 17 of the basic Regulation.

##### (i) Sampling for exporters/producers in Thailand

In order to enable the Commission to decide whether sampling is necessary and, if so, to select a sample, all exporters/producers, or representatives acting on their behalf, are hereby requested to make themselves known by contacting the Commission and providing the following information on their company or companies within the time limit set in point 6(b)(i) and in the format indicated in point 7:

- name, address, e-mail address, telephone and fax numbers and contact person,
- the turnover in local currency and the sales volume in tonnes of the product concerned sold for export to the Community during the period 1 January 2005 to 31 December 2005,
- the turnover in local currency and the sales volume in tonnes of the product concerned sold on the domestic market during the period 1 January 2005 to 31 December 2005,
- whether the company intends to claim an individual margin of dumping<sup>(2)</sup> (individual margins can only be claimed by producers),

<sup>(1)</sup> OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Regulation (EC) No 2117/2005 (OJ L 340, 23.12.2005, p. 17).

<sup>(2)</sup> Individual margins may be claimed pursuant to Article 17(3) of the basic Regulation for companies not included in the sample.



- the precise activities of the company with regard to the production of the product concerned,
- the names and the precise activities of all related companies <sup>(1)</sup> involved in the production and/or selling (export and/or domestic) of the product concerned,
- any other relevant information that would assist the Commission in the selection of the sample,
- by providing the above information, the company agrees to its possible inclusion in the sample. If the company is chosen to be part of the sample, this will imply replying to a questionnaire and accepting an on-the-spot investigation of its response. If the company indicates that it does not agree to its possible inclusion in the sample, it will be deemed to not have co-operated in the investigation. The consequences of non-cooperation are set out in point 8 below.

In order to obtain the information it deems necessary for the selection of the sample of exporters/producers, the Commission will, in addition, contact the authorities of the exporting country and any known associations of exporters/producers.

#### (ii) Sampling for importers

In order to enable the Commission to decide whether sampling is necessary and, if so, to select a sample, all importers, or representatives acting on their behalf, are hereby requested to make themselves known to the Commission and to provide the following information on their company or companies within the time limit set in point 6(b)(i) and in the formats indicated in point 7:

- name, address, e-mail address, telephone and fax numbers and contact person,
- the total turnover in EUR of the company during the period 1 January 2005 to 31 December 2005,
- the total number of employees,
- the precise activities of the company with regard to the product concerned,
- the sales volume in tonnes and sales value in EUR of imports of the product concerned originating in Thailand into and resales made in the Community market during the period 1 January 2005 to 31 December 2005,

- the names and the precise activities of all related companies <sup>(1)</sup> involved in the production and/or selling of the product concerned,
- any other relevant information that would assist the Commission in the selection of the sample,
- by providing the above information, the company agrees to its possible inclusion in the sample. If the company is chosen to be part of the sample, this will imply replying to a questionnaire and accepting an on-the-spot investigation of its response. If the company indicates that it does not agree to its possible inclusion in the sample, it will be deemed to not have co-operated in the investigation. The consequences of non-cooperation are set out in point 8 below.

In order to obtain the information it deems necessary for the selection of the sample of importers, the Commission will, in addition, contact any known associations of importers.

#### (iii) Sampling for Community producers

In view of the large number of Community producers supporting the complaint, the Commission intends to investigate injury to the Community industry by applying sampling.

In order to enable the Commission to select a sample, all Community producers are hereby requested to provide the following information on their company or companies within the time limit set in point 6(b)(i) and in the format indicated in point 7:

- name, address, e-mail address, telephone and fax numbers and contact person,
- the total turnover in EUR of the company during the period 1 January 2005 to 31 December 2005,
- the precise activities of the company with regard to the production of the product concerned,
- the value in EUR of sales of the product concerned made in the Community market during the period 1 January 2005 to 31 December 2005,
- the volume in tonnes of sales of the product concerned made in the Community market during the period 1 January 2005 to 31 December 2005,
- the volume in tonnes of the production of the product concerned during the period 1 January 2005 to 31 December 2005,
- the names and the precise activities of all related companies <sup>(1)</sup> involved in the production and/or selling of the product concerned,

<sup>(1)</sup> For guidance on the meaning of related companies, please refer to Article 143 of Commission Regulation (EEC) No 2454/93 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code (OJ L 253, 11.10.1993, p. 1).

- any other relevant information that would assist the Commission in the selection of the sample,
- by providing the above information, the company agrees to its possible inclusion in the sample. If the company is chosen to be part of the sample, this will imply replying to a questionnaire and accepting an on-the-spot investigation of its response. If the company indicates that it does not agree to its possible inclusion in the sample, it will be deemed to not have co-operated in the investigation. The consequences of non-cooperation are set out in point 8 below.

(iv) Final selection of the samples

All interested parties wishing to submit any relevant information regarding the selection of the sample must do so within the time limit set in point 6(b)(ii).

The Commission intends to make the final selection of the samples after having consulted the parties concerned that have expressed their willingness to be included in the sample.

Companies included in the samples must reply to a questionnaire within the time limit set in point 6(b)(iii) and must cooperate within the framework of the investigation.

If sufficient co-operation is not forthcoming, the Commission may base its findings, in accordance with Articles 17(4) and 18 of the basic Regulation, on the facts available. A finding based on facts available may be less advantageous to the party concerned, as explained in point 8.

(b) Questionnaires

In order to obtain the information it deems necessary for its investigation, the Commission will send questionnaires to the sampled Community industry and to any association of producers in the Community, to the sampled exporters/producers in Thailand, to any association of exporters/producers, to the sampled importers, to any association of importers named in the complaint and to the authorities of the exporting country concerned.

Exporters/producers in Thailand claiming an individual margin, with a view to the application of Articles 17(3) and 9(6) of the basic Regulation, must submit a completed questionnaire within the time limit set in point 6(a)(ii) of this notice. They therefore have to request a questionnaire within the time limit set in point 6(a)(i) of this notice. However, such parties should be aware that if sampling is applied to exporters/producers, the Commission may nonetheless decide not to calculate an individual margin for them, if the number of exporters/producers is so large that individual examination would be unduly burdensome and would prevent the timely completion of the investigation.

(c) Collection of information and holding of hearings

All interested parties are hereby invited to make their views known, submit information other than questionnaire replies and to provide supporting evidence. This information and supporting evidence has to reach the Commission within the time limit set in point 6(a)(ii).

Furthermore, the Commission may hear interested parties, provided that they make a request showing that there are particular reasons why they should be heard. This request must be made within the time limit set in point 6(a)(iii).

5.2. Procedure for assessment of Community interest

In accordance with Article 21 of the basic Regulation and in the event that the allegations of dumping and injury caused thereby are substantiated, a decision will be reached as to whether the adoption of anti-dumping measures would not be against the Community interest. For this reason, the Community industry, importers, their representative associations, representative users and representative consumer organisations, provided that they prove that there is an objective link between their activity and the product concerned, may, within the general time limits set in point 6(a)(ii), make themselves known and provide the Commission with information. The parties which have acted in conformity with the precedent sentence may request a hearing setting the particular reasons why they should be heard within the time limit set in point 6(a)(iii). It should be noted that any information submitted pursuant to Article 21 will only be taken into account if supported by factual evidence at the time of submission.

6. Time limits

(a) General time limits

(i) For parties to request a questionnaire

All interested parties should request a questionnaire as soon as possible, but not later than 15 days after the publication of this notice in the *Official Journal of the European Union*.

(ii) For parties to make themselves known, to submit questionnaire replies and any other information

All interested parties, if their representations are to be taken into account during the investigation, must make themselves known by contacting the Commission, present their views and submit questionnaire replies or any other information within 40 days of the date of publication of this notice in the *Official Journal of the European Union*, unless otherwise specified. Attention is drawn to the fact that the exercise of most procedural rights set out in the basic Regulation depends on the party's making itself known within the aforementioned period.

Companies selected in a sample must submit questionnaire replies within the time limits specified in point 6(b)(iii).

## (iii) Hearings

All interested parties may also apply to be heard by the Commission within the same 40 day time limit.

(b) *Specific time limit in respect of sampling*

- (i) The information specified in points 5.1 (a)(i), 5.1(a)(ii) and 5.1(a)(iii) should reach the Commission within 15 days of the date of publication of this notice in the *Official Journal of the European Union*, given that the Commission intends to consult parties concerned that have expressed their willingness to be included in the sample on its final selection within a period of 21 days of the publication of this notice in the *Official Journal of the European Union*.
- (ii) All other information relevant for the selection of the sample as referred to in 5.1(a)(iv) must reach the Commission within a period of 21 days of the publication of this notice in the *Official Journal of the European Union*.
- (iii) The questionnaire replies from sampled parties must reach the Commission within 37 days from the date of the notification of their inclusion in the sample.

**7. Written submissions, questionnaire replies and correspondence**

All submissions and requests made by interested parties must be made in writing (not in electronic format, unless otherwise specified) and must indicate the name, address, e-mail address, telephone and fax numbers of the interested party. All written submissions, including the information requested in this notice, questionnaire replies and correspondence provided by interested parties on a confidential basis shall be labelled as 'Limited <sup>(1)</sup>' and, in accordance with Article 19(2) of the basic Regulation, shall be accompanied by a non-confidential

version, which will be labelled 'For inspection by interested parties'.

Commission address for correspondence:

European Commission  
Directorate General for Trade  
Directorate B  
Office: J-79 5/16  
B-1049 Brussels  
Fax (32-2) 295 65 05.

**8. Non-cooperation**

In cases in which any interested party refuses access to or does not provide the necessary information within the time limits, or significantly impedes the investigation, provisional or final findings, affirmative or negative, may be made in accordance with Article 18 of the basic Regulation, on the basis of the facts available.

Where it is found that any interested party has supplied false or misleading information, the information shall be disregarded and use may be made of the facts available. If an interested party does not cooperate or cooperates only partially and findings are therefore based on facts available in accordance with Article 18 of the basic Regulation, the result may be less favourable to that party than if it had cooperated.

**9. Schedule of the investigation**

The investigation will be concluded, according to Article 6(9) of the basic Regulation within 15 months of the date of the publication of this notice in the *Official Journal of the European Union*. According to Article 7(1) of the basic Regulation, provisional measures may be imposed no later than 9 months from the publication of this notice in the *Official Journal of the European Union*.

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<sup>(1)</sup> This means that the document is for internal use only. It is protected pursuant to Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43). It is a confidential document pursuant to Article 19 of the basic Regulation and Article 6 of the WTO Agreement on Implementation of Article VI of the GATT 1994 (Anti-dumping Agreement).

**Summary communicated by Member States regarding State aid granted under Commission Regulation (EC) No 1/2004 of 23 December 2003 on the application of Articles 87 and 88 of the EC Treaty to State aid to small and medium-sized enterprises active in the production, processing and marketing of agricultural products**

(2006/C 75/05)

**Aid No:** XA 1/2006

**Region:** The Province of Gelderland

**Title of aid scheme (indicate the name of the aid scheme or in the case of individual aid, the name of the beneficiary):** *Subsidieregeling Vitaal Gelderland (SvG)* — Vitaal Gelderland subsidy scheme. Paragraph 2.2.4 Sustainable agriculture. The SvG comprises several policy areas for which subsidies are granted. Most subsidies are granted to other authorities or are below the *de minimis* threshold and are thus not notified. A separate notification procedure has been initiated for the section on Water.

**Legal basis:** Artikel 2.2.4.1 van de SvG. Aanvragen die voldoen aan de voorwaarden van Verordening (EG) nr. 1/2004, artikelen 4, 7 of 14, tweede lid, onderdelen c, d III en d IV, kunnen voor subsidie in aanmerking komen

**Annual expenditure planned under the scheme or overall amount of individual aid granted to the company:**

The whole of the section on Nature, Countryside and Agriculture: EUR 7 760 000.

The part on Agriculture alone: EUR 1 700 000

**Maximum aid intensity:**

Investments (Articles 4 and 7): 25 % with a minimum of EUR 10 000 and a maximum of EUR 30 000

Use of consultancy services (Article 14): 75 % with a maximum of EUR 30 000

Organisation of exhibitions (Article 14): 25 % with a maximum of EUR 30 000

**Date of implementation:** 10 January 2006

**Duration of scheme or individual aid award:** 1 January 2008

**Objective of aid:** Agriculture and horticulture in Gelderland is and will continue to be a sector in which fundamental changes are taking place. Market and price policy and environmental policy are of major significance in this respect. Growth, diversification or closure are the three options open to individual farms. The aim is to support farmers in this selection process and exchange know-how. Another objective is to provide incentives for farmers to invest in environmental measures over and above the statutory requirements and diversification (conversion). Parts of Articles 4, 7 and 14 are to be used for these purposes

**Sector(s) concerned:** The scheme applies to farmers (livestock and arable), agricultural organisations and other agricultural associations. Only undertakings in the production sector are involved

**Name and address of the granting authority:**

Provincie Gelderland  
Dienst REW/EU programmasecretariaat  
Postbus 9090  
6800 GX Arnhem  
Nederland

**Web address:** [www.gelderland.nl](http://www.gelderland.nl)

**Aid No:** XA 82/2005

**Member State:** Italy

**Region:** Abruzzi

**Title of aid scheme or name of company receiving an individual aid:** Top-up contribution from the regional authorities to the central government contribution to expenditure on insurance premiums where the latter is less than that provided for in Legislative Decree No 102/04 (80 %)

**Legal basis:**

Normativa nazionale: Decreto Legislativo 29 marzo 2004 n. 102

Normativa regionale: Legge Regionale 7 novembre 2005 n. 32

**Annual expenditure planned under the scheme or overall amount of individual aid granted to the company:** up to EUR 500 000

**Maximum aid intensity:** difference between the amount granted by the national ministry and 80 % of the cost of insurance premiums

**Date of implementation:** 2005

**Duration of scheme or individual aid award:** the same as that of the national law

**Objective of aid:** To provide aid towards the payment of insurance premiums on policies providing cover against adverse climatic events which can be assimilated to natural disasters. Article 11 of Regulation (EC) No 1/2004. The aid scheme covers up to 80 % of expenditure on insurance premiums where the contribution from the national government is less than that amount.

**Sector(s) concerned:** Plant products. The scheme covers expenditure on insurance premiums for policies providing compensation where losses, determined in accordance with the criteria laid down in Article 11(2) of Regulation (EC) No 1/2004, exceed 20 % of production in less favoured areas and 30 % in other areas

**Name and address of the granting authority:**

Regione Abruzzo  
 Direzione agricoltura foreste e sviluppo rurale  
 Alimentazione caccia e pesca  
 Via Catullo, 17  
 Pescara (Italia)

**Website:** [www.regione.abruzzo.it/](http://www.regione.abruzzo.it/)

**Aid No:** XA 84/05

**Member State:** Finland

**Region:** The Provinces of Lapland and Oulu, the Kainuu Region

**Title of aid scheme:** Aid for the installation of young reindeer farmers

**Legal basis:** Porotalouden ja luontaiselinkeinojen rahoituslaki

**Annual expenditure planned under the:** EUR 150 000 to EUR 300 000

**Maximum aid intensity:** In accordance with Council Regulation (EC) No 1257/1999

**Date of implementation:** 1 January 2006

**Duration of scheme or individual aid award:** Unlimited

**Objective of aid:** Article 8: Structural development of reindeer farming

**Sector(s) concerned:** Agriculture: reindeer husbandry

**Name and address of the granting authority:**

Lapin työvoima- ja elinkeinokeskus  
 Ruokasenkatu 2  
 FIN-96200 Rovaniemi

Pohjois-Pohjanmaan työvoima- ja elinkeinokeskus  
 PL 86  
 FIN-90101 Oulu

Kainuun työvoima- ja elinkeinokeskus  
 Kalliokatu 4  
 FIN-87100 Kajaani

**Web-address:** [www.mmm.fi/tuet/valtontuet/ryhmapoikkeusasetus](http://www.mmm.fi/tuet/valtontuet/ryhmapoikkeusasetus)

**Aid No:** XA 85/05

**Member State:** France

**Region:** Loire Region

**Title of aid scheme:** Aid for maintaining certification in organic farming (production and processing sector)

**Legal basis:**

- Article 13(2)(g) of Commission Regulation (EC) of 23 December 2003,
- Articles L 1511-1 et L 1511-2 du code général des collectivités territoriales
- Délibération du conseil régional du 21 octobre 2005

**Annual expenditure planned under the scheme:** EUR 400 000 a year, for two years

**Maximum aid intensity:**

- for organic producers: 100 % of the expenses, exclusive of tax, incurred in checking the certification body,
- for organic processors: 50 % of the expenses, exclusive of tax, incurred in checking the certification body, with an individual aid ceiling of EUR 1 000 per year

**Date of implementation:** On receipt of an acknowledgement of receipt from the European Commission

**Duration of scheme:** Two years, renewable

**Objective of aid:** To support and encourage organic production by assuming all or part of the compulsory costs of the certification carried out by independent bodies under Council Regulation (EEC) No 2091/91 of 22 July 1991

**Sector(s) concerned:** All holdings with organic farm production and all organic farm processors who are certified and are no longer in receipt of conversion aid

**Name and address of the granting authority:**

Monsieur le Président du Conseil régional de Pays de la Loire  
 Hôtel de la Région  
 1 rue de la Loire  
 F-44966 Nantes  
 Cedex 9  
 Interlocuteur: M. Alain THEBAUD

**Website:** [www.paysdelaloire.fr/entreprendre](http://www.paysdelaloire.fr/entreprendre)

**Aid No:** XA 86/2005

**Member State:** Latvia

**Title of aid scheme or name of company receiving individual aid:** Aid scheme: 'Aid for agricultural investments'

**Legal basis:** Ministru kabineta 2005. gada 25. janvāra noteikumi Nr. 70 "Noteikumi par valsts atbalstu lauksaimniecībai 2005. gadā un tā piešķiršanas kārtība" 13. pielikums.

**Annual expenditure planned or overall amount of individual aid granted to the company:** The total amount of aid under the scheme for 2005 is LVL 4 792 505 (EUR 6 819 120)

**Maximum aid intensity:** Aid is granted at a rate of 30 % of expenditure for the following measures: acquisition, reconstruction or renovation of buildings, or the acquisition of essential construction materials for facilities for the pre-processing and storage of grain, oleaginous crops and fibre crops (including the acquisition and installation of automated weighing equipment and the acquisition of laboratory equipment); construction of asphalt or concrete areas adjacent to pre-processing sites not exceeding LVL 20 per square metre; acquisition of flax harvesting machinery; reconstruction or renovation of manufacturing buildings and/or the acquisition of essential construction materials for livestock products (honey, milk); acquisition of dairy cow farming facilities; acquisition of machinery used for the manufacture of agricultural products (soil processing machinery, fertilisation equipment, sowing and planting machinery, chemical pesticide machinery, specialised vehicles for the collection of milk or milk autocisterns, oil pressing equipment, machinery for the maintenance of seedlings and plants on fruit and vegetable farms, fruit and berry processing facilities, machinery for the preparation of animal fodder for livestock farms).

The total amount of aid granted may not exceed LVL 30 000 for each individual applicant, or LVL 100 000 for each accredited agricultural services cooperative. Expenditure figures used to calculate aid shall be determined in accordance with initial costs as stated on proof-of-purchase documents (not including VAT). Transport costs are not included in subsidy calculations.

**Date of implementation:** 25 November 2005

**Duration of scheme or individual aid award:** 30 December 2005

**Objective of aid:** The objective of the aid is to support agricultural investments for the purposes of increasing the added value of production and improving the quality of agricultural production

**Sectors concerned:**

Aid is intended for small and medium-sized enterprises involved in agricultural activities.

Aid is intended for the livestock and crop-farming branches of the sector

**Name and address of the granting authority:**

Zemkopības ministrija  
Rīga 04.10.2005.  
Latvijas Republikas Zemkopības ministrija  
Rīga, LV — 1981

**Web address:** [www.zm.gov.lv](http://www.zm.gov.lv)

**Other information:** The aid schemes XA 29/05 and XA 72/05 are repealed upon entry into force of this aid scheme.

**Title of aid scheme or name of company receiving an individual aid:** Refresher courses on the correct use of plant-health products.

**Legal basis:** Legge regionale 30 gennaio 1990, n. 10 «Ordinamento del sistema della formazione professionale e organizzazione delle politiche regionali del lavoro». Deliberazione della Giunta regionale n. 3306 del 22.10.2004, Direttive Generali realizzazione corsi. Il testo della legge è pubblicato sul Bollettino Ufficiale della Regione del Veneto n. 8/1990.

**Annual expenditure planned under the scheme or overall amount of individual aid granted to the company:** The annual budget is laid down in the Finance Act approved every year by the Regional Council. The annual financial allocation is expected to be EUR 220 000,00. This figure is given for information purposes only

**Maximum aid intensity:** Up to 100 % of eligible expenditure, on the basis of an hourly cost of training. This is currently EUR 110

**Date of implementation:** 2 January 2006

**Duration of scheme or individual aid award:** To 30 June 2007

**Objective of aid:**

1. Training. Article 14 of Commission Regulation (EC) No 1/2004 of 23 December 2003

Eligible costs covered under the scheme: expenditure on organising and running vocational training and refresher courses for farmers and their workers.

**Sector(s) concerned:** The scheme covers vocational training for farmers involved in the production, processing and/or marketing of agricultural products listed in Annex I to the Treaty

**Name and address of the granting authority:**

Regione del Veneto  
Giunta Regionale  
Direzione agroambiente e Servizi per l'agricoltura  
Via Torino, 110  
I-30174 Mestre Venezia (VE)

**Website:**

<http://www.consiglioveneto.it/crvportal/leggi/1990/90lr0010.html>

<http://www.regione.veneto.it/Bandi+e+concorsi>

<http://www.regione.veneto.it/Economia/Agricoltura+e+Foreste/Agricoltura/Servizi+per+Agricoltura/Formazione+e+aggiornamento>

**Aid No:** XA 87/2005

**Member State:** Italy

**Region:** Veneto

**Aid No:** XA No 88/05

**Member State:** Italy

**Region:** Molise

**Title of the aid scheme:** 'misure a sostegno del settore agricolo del Programma Leader Plus Molise — regime di aiuto in esenzione regolamento (CE) 1/2004 GU L 1 del 3.1.2004 —' (agricultural support measures under the Leader Plus Programme for Molise — aid scheme qualifying for exemption under Regulation (EC) No 1/2004, OJ L 1, 3.1.2004)

**Annual expenditure planned:** To 31 December 2006, EUR 3 500 000

**Date of implementation:** The aid was granted from 15 November 2005

**Duration of the scheme:** To 31 December 2006

**Objective of aid:** The aid is restricted to SMEs active in the production, processing and marketing of agricultural products.

The aid is for modernising and improving local production systems and is granted under:

— Article 4: investment in agricultural holdings;

— Article 5: conservation of traditional landscapes and buildings;

— Article 7: investment in processing and marketing

**Name and address of the granting authority:**

— GAL Moligal  
Via Zurlo n. 5  
I-86100 Campobasso

— GAL Innova Plus  
Via Sturzo, 22  
I-86035 Larino (CB)

— GAL Molise Verso il 2000  
C.da Pesco Farese, 22  
I-86025 Ripalimosani (CB)

**Website:**

[www.europa.molisedati.it](http://www.europa.molisedati.it)

[www.siar.molise.it](http://www.siar.molise.it)

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**Authorisation for State aid pursuant to Articles 87 and 88 of the EC Treaty**  
**Cases where the Commission raises no objections**

(2006/C 75/06)

(Text with EEA relevance)

**Date of adoption of the decision:** 6.9.2005

**Member State:** Germany

**Number of the aid:** N 175b/2005

**Title:** Support for demonstration projects relating to the use of renewable raw materials to produce energy

**Objective:** Environmental protection

**Legal basis:** Bundeshaushaltsordnung, insbesondere §§ 9, 23, 24, 44 mit Verwaltungsvorschriften

**Budget:** EUR 8 million (total for both Nos N 175a/2005 and N 175b/2005) per year

**Aid intensity or amount:** Up to 100 % for initial investment aid; 50 % for operating aid

**Duration:** Single payment for investment aid; 5 years for operating aid

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

[http://europa.eu.int/comm/secretariat\\_general/sgb/state\\_aids/](http://europa.eu.int/comm/secretariat_general/sgb/state_aids/)

**Date of adoption:** 2.9.2005

**Number of the aid:** N 256/2005

**Member State:** Estonia

**Title:** Saastetasu asendamise programm

**Legal basis:** Saastetasu seadus § 19

**Objectives:** Regional development — Environmental protection (Limited to the manufacturing industry — Limited to electricity, gas and water supply)

**Budget:** Annual expenditure planned: EEK 150 million

**Maximum aid intensity:** 40-50 %

**Duration:** End date: 31.12.2006

**Other information:** Aid scheme — Tax advantage

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

[http://europa.eu.int/comm/secretariat\\_general/sgb/state\\_aids/](http://europa.eu.int/comm/secretariat_general/sgb/state_aids/)

**Date of adoption of the decision:** 23.11.2005

**Member State:** Slovak Republic

**Number of the aid:** N 354/05

**Title:** Madách-Posonium, s.r.o., Individual aid in favour of periodical

**Objective:** to support minority language periodical

**Legal basis:**

Zákon č. 523/2004 Z. z. o rozpočtových pravidlách verejnej správy v znení neskorších predpisov,

Zákon č. 231/1999 Z. z. o štátnej pomoci v znení zákona č. 203/2004 – § 4 ods. 1, písm. d),

Výnos MK SR – 480/2004 – 1 o poskytovaní dotácií v pôsobnosti MK SR

**Budget:** SKK 1 500 000

**Aid intensity or amount:** 11,7 %

**Duration:** 2005

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

[http://europa.eu.int/comm/secretariat\\_general/sgb/state\\_aids/](http://europa.eu.int/comm/secretariat_general/sgb/state_aids/)

**Date of adoption of the decision:** 23.11.2005

**Member State:** Slovak Republic

**Number of the aid:** N 355/05

**Title:** Public support to Kalligram, s.r.o. Bratislava

**Objective:** to support minority language literacy periodical

**Legal basis:**

Zákon č. 523/2004 Z. z. o rozpočtových pravidlách verejnej správy v znení neskorších predpisov,

Zákon č. 231/1999 Z. z. o štátnej pomoci v znení zákona č. 203/2004 – § 4 ods. 1, písm. d),

Výnos MK SR – 480/2004 – 1 o poskytovaní dotácií v pôsobnosti MK SR

**Budget:** SKK 1 080 000



**Aid intensity or amount:** 50,9 %

**Duration:** 2005

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

[http://europa.eu.int/comm/secretariat\\_general/sgb/state\\_aids/](http://europa.eu.int/comm/secretariat_general/sgb/state_aids/)

**Date of adoption:** 29.9.2005

**Number of the aid:** N 370/2005

**Member State:** Poland (*Północno-Zachodni*)

**Title:** Program pomocy regionalnej dla przedsiębiorców na terenie miasta Stargard Szczeciński

**Legal basis:** Uchwała Rady Miejskiej w sprawie przyjęcia programu pomocy regionalnej dla przedsiębiorców na terenie miasta Stargardu Szczecińskiego

**Objective:** Regional development (All sectors)

**Budget:** Overall aid amount planned: 5 000 000 PLN

**Duration:** End date: 31.12.2006

**Maximum aid intensity:** 50 %

**Other information:** Aid scheme — Tax advantage

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

[http://europa.eu.int/comm/secretariat\\_general/sgb/state\\_aids/](http://europa.eu.int/comm/secretariat_general/sgb/state_aids/)

**Date of adoption of the decision:** 1.12.2004

**Member State:** Ireland

**Number of the aid:** N 387/2004

**Title:** Tax relief for investment in films

**Objective:** promoting investments in film production

**Legal basis:** Section 481 of the Taxes Consolidation Act, 1997, as amended

**Budget:** approximately EUR 26 million p.a.

**Aid intensity or amount:** appr. 16,5 %

**Duration:** 2005-2008

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

[http://europa.eu.int/comm/secretariat\\_general/sgb/state\\_aids/](http://europa.eu.int/comm/secretariat_general/sgb/state_aids/)

**Date of adoption of the decision:** 21.12.2005

**Member State:** Slovak Republic

**Number of the aid:** N 537/2005

**Title:** Individual aid for audiovisual production in favour of JAKUBISKO FILM s.r.o.

**Objective:** support of audiovisual production

**Legal basis (in original language):**

a) Zákon č. 303/1995 Z. z. o rozpočtových pravidlách v znení neskorších predpisov,

b) Zákon č. 231/1999 Z. z. o štátnej pomoci v znení zákona č. 203/2004 – § 4 ods. 1, písm. d),

c) Výnos MK SR – 480/2004 – 1 o poskytovaní dotácií v pôsobnosti MK SR

**Budget:** SKK 13 mio

**Aid intensity or amount:** 3,25 %

**Duration:** one-off measure after approval (31.12.2005)

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

[http://europa.eu.int/comm/secretariat\\_general/sgb/state\\_aids/](http://europa.eu.int/comm/secretariat_general/sgb/state_aids/)

**Date of adoption of the decision:** 16.10.2002

**Member State:** Germany

**Number of the aid:** N 549/02

**Title:** Support for the film industry in Hesse — Hessische Filmförderung

**Objective:** Cinema

**Legal basis:** Leitlinien der Hessischen Filmförderung für die Filmförderung und die Förderung audiovisueller Medien im Land Hessen

**Budget:** EUR 1 167 500 for 2002

**Aid intensity or amount:** Variable; always less than 50 %

**Duration:** Until end-2004

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

[http://europa.eu.int/comm/secretariat\\_general/sgb/state\\_aids/](http://europa.eu.int/comm/secretariat_general/sgb/state_aids/)

**Date of adoption of the decision:** 19.6.2002

**Member State:** Netherlands

**Number of the aid:** N 746/01

**Title:** Support for the Dutch film industry

**Objective:** Cinema

**Legal basis:** Voorstel tot wijziging van wet inkomensbelasting 2001 (FIA)

**Budget:** At least EUR 29,48 million for 2002-03

**Aid intensity or amount:** Variable; always less than 50 %, except in certain cases

**Duration:** Until end-2003

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

[http://europa.eu.int/comm/secretariat\\_general/sgb/state\\_aids/](http://europa.eu.int/comm/secretariat_general/sgb/state_aids/)

**Date of adoption of the decision:** 21.12.2005

**Member State:** Deutschland [Schleswig-Holstein]

**Number of the aid:** NN 74/2005

**Title:** Support of audiovisual production in Schleswig-Holstein

**Objective:** Audiovisual

**Legal basis:** § 73 Absatz 3 Rundfunkgesetz für das Land Schleswig-Holstein

**Budget:** EUR 4 million p.a.

**Aid intensity or amount:**

up to 50 %, in case of difficult and low budget films, aid can be cumulated up to 80 %,

80 % for training measures

**Duration:** 1.1.2005 — 31.12.2008

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

[http://europa.eu.int/comm/secretariat\\_general/sgb/state\\_aids/](http://europa.eu.int/comm/secretariat_general/sgb/state_aids/)

**Prior notification of a concentration**  
**(Case COMP/M.4190 — Autostrade/SIAS/Costanera)**

**Candidate case for simplified procedure**

(2006/C 75/07)

(Text with EEA relevance)

1. On 17 March 2006, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 <sup>(1)</sup> by which the undertakings Autostrade S.p.A. ('Autostrade', Italy), controlled by Edizione Holding S.p.A. and SIAS S.p.A. ('SIAS', Italy) controlled by Aurelia S.p.A. acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Sociedad Concesionaria Costanera Norte S.A. ('Costanera', Chile) by way of purchase of shares in a newly created company constituting a joint venture.

2. The business activities of the undertakings concerned are:

- for Autostrade: management of motorways;
- for SIAS: management of motorways, construction;
- for Costanera: management of urban motorways in Chile.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of Regulation (EC) No 139/2004. However, the final decision on this point is reserved. Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004 <sup>(2)</sup> it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent to the Commission by fax (No (32-2) 296 43 01 or 296 72 44) or by post, under reference number COMP/M.4190 — Autostrade/SIAS/Costanera, to the following address:

European Commission  
Competition DG  
Merger Registry  
J-70  
B-1049 Brussels

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<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1.

<sup>(2)</sup> OJ C 56, 5.3.2005, p. 32.

**Prior notification of a concentration**  
**(Case COMP/M.4100 — Seagate/Maxtor)**

(2006/C 75/08)

(Text with EEA relevance)

1. On 20 March 2006, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 <sup>(1)</sup> by which the undertaking Seagate Technology ('Seagate', USA) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking Maxtor Corporation ('Maxtor', USA) by way of purchase of shares.
2. The business activities of the undertakings concerned are:
  - for undertaking Seagate: Hard disk drives and related components;
  - for undertaking Maxtor: Hard disk drives.
3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of Regulation (EC) No 139/2004. However, the final decision on this point is reserved.
4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent to the Commission by fax (No (32-2) 296 43 01 or 296 72 44) or by post, under reference number COMP/M.4100 — Seagate/Maxtor, to the following address:

European Commission  
Competition DG  
Merger Registry  
J-70  
B-1049 Brussels

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<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1.

**Non-opposition to a notified concentration**  
**(Case COMP/M.4090 — WEST LB/Odewald/ASH)**

(2006/C 75/09)

(Text with EEA relevance)

On 7 February 2006, 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 website (<http://europa.eu.int/comm/competition/mergers/cases/>). This website 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 32006M4090. EUR-Lex is the on-line access to European law. (<http://europa.eu.int/eur-lex/lex>)

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**Non-opposition to a notified concentration**  
**(Case COMP/M.4126 — LBO France/Cegelec Holdings)**

(2006/C 75/10)

(Text with EEA relevance)

On 20 March 2006, 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 website (<http://europa.eu.int/comm/competition/mergers/cases/>). This website 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 32006M4126. EUR-Lex is the on-line access to European law. (<http://europa.eu.int/eur-lex/lex>)
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## III

(Notices)

## COMMISSION

## CALL FOR PROPOSALS — eLEARNING PROGRAMME — EACEA/01/06

(2006/C 75/11)

**1. Scope**

This Call for Proposals aims to address three of the four areas of intervention of the eLearning Programme: Promoting digital literacy, European virtual campuses, and Transversal Actions.

**2. General priorities**

The call focuses on the promotion, dissemination and exploitation ('valorisation') of results, best practices and achievements emerging from the use of Information and Communication Technologies (ICT) for education, training and lifelong learning in Europe.

Proposals shall build on other eLearning Initiative or Programme projects (completed or ongoing) or other actions funded by the Commission, the Member States, regional and local authorities and public or private organisations.

The aim is to ensure that products, outcomes and findings achieve maximum impact by reaching out to the wider education and training community. Proposals should ensure that the results and outputs will be mainly in the public domain (e.g. open source, shareware, etc.) rather than of a strictly commercial nature or part of normal business development.

Two main types of projects are envisaged:

- *Valorisation* projects will help to make a critical analysis of results and experiences, to undertake comparative analyses, and to disseminate the lessons learnt.
- *Network* projects will provide the essential services needed to disseminate and exploit results on the widest possible scale.

**3. Specific priorities****(a) Promoting digital literacy**

Proposals should focus on effective and sustainable dissemination and exploitation of results from existing digital literacy projects, actions or tools. Special emphasis should be put on clear identification of the target groups and their needs, on intermediaries (voluntary sector, academic and teaching communities, municipalities, etc.), on the means to help reach end-users, and on a precise specification for the dissemination of project outcomes, incorporating qualitative and quantitative indicators. Proposals are expected to draw a clear long-term strategy, identifying and analysing potential problems and putting forward objective measures to address them.

**(b) European virtual campuses**

- The first priority relates to a systematic critical review of existing Virtual Campus projects or experiences, including their valorisation in terms of sharing and transfer of know-how, with an eye to supporting deployment strategies at the European level.

- The second priority supports the dissemination of replicable solutions to help set up Virtual Campuses at European level and establish a community of decision-makers.

(c) *Transversal actions*

Proposals responding to this part of the call shall provide support for the analysis, dissemination and exploitation of results and experience mainly from the eLearning Initiative and Programme. The aim is to ensure that they achieve maximum impact by reaching out to the wider education and training community.

The fourth area of intervention, e-twinning of schools in Europe and promotion of teachers' training, will be the subject of separate restricted calls.

#### 4. Eligibility of applicants

The co-ordinating/promoting institution and the other organisations involved must possess a legal identity. Both the co-ordinating/promoting organisation and the partner organisations must be established in one of the following states: one of the 25 EU Member States, Iceland, Liechtenstein, Norway or Bulgaria.

The conditions and detailed rules for the participation of EEA States and Bulgaria in the programme shall be established in accordance with the relevant provisions of the instruments governing the relations between the Community and these countries.

#### 5. Budget and proposal duration

Title	Available budget for the action	% of funding of the total eligible costs	Maximum Community funding
Digital Literacy	1,2 million EUR	Maximum 80 %	300 000 EUR
European Virtual Campuses	3,5 million EUR		1 000 000 EUR
Transversal Actions	0,88 million EUR		500 000 EUR

Funding will focus on the valorisation of results and experience rather than the development of tools, software or content (funding of the latter will therefore be limited to no more than 20 % of the total budget).

The duration of each proposal will be between 12 and 24 months. Eligibility of costs for the implementation of the projects will only start from 1 December 2006.

#### 6. Closing date for submission: 19 May 2006

#### 7. Submission of the application

For the complete documentation and further details on this call for proposals, please refer to the following Internet address:

<http://eacea.cec.eu.int>

**Call for proposals for indirect RTD actions under the specific programme for research, technological development and demonstration: 'Structuring the European Research Area'**

**Call title: PRO INNO Europe**

**Call identifier: FP6-2006-INNOV-10 (Strands 2-4) <sup>(1)</sup>**

(2006/C 75/12)

1. In accordance with Decision No 1513/2002/EC of the European Parliament and of the Council, of 27 June 2002, concerning the sixth framework programme of the European Community for research, technological development and demonstration activities contributing to the creation of the European Research Area and to innovation (2002 to 2006) <sup>(2)</sup>, the Council adopted on 30 September 2002 the specific programme for research, technological development and demonstration: 'Structuring the European Research Area' (2002-2006) <sup>(3)</sup> (referred to as 'the specific programme').

In accordance with Articles 5(1) of the specific programmes, the Commission of the European Communities (referred to as 'the Commission') adopted on 6 December 2002 a work programme for 'structuring the European Research Area' <sup>(4)</sup>, which set out in greater detail the objectives and scientific and technological priorities of the specific programme, and the timetables for its implementation.

In accordance with Article 9(1) of the Regulation of the European Parliament and of the Council, of 16 December 2002, concerning the rules for the participation of undertakings, research centres and universities in, and for the dissemination of research results for, the implementation of the European Community Sixth Framework Programme (2002 to 2006) <sup>(5)</sup> (referred to as 'the rules for participation'), proposals for indirect RTD actions should be submitted under the terms of calls for proposals.

2. The present call for proposals for indirect RTD actions (referred to as 'the call') comprises the present general part and the specific conditions that are described in the annex. The annex indicates in particular, the date of closure for the submission of proposals for indirect RTD actions, an indicative date for the completion of the evaluations, the indicative budget, the instruments and the areas concerned, the evaluation criteria for the evaluation of proposals for indirect RTD actions, the minimum number of participants, and any applicable restrictions.

3. Natural or legal persons fulfilling the conditions stated in the rules for participation and that do not fall under any of the exclusion cases in the rules for participation or in Article 114(2) of the Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities <sup>(6)</sup> (referred to as 'the proposers') are invited to submit to the Commission proposals for indirect RTD actions subject to the conditions in the rules for participation and in the call concerned being fulfilled.

The conditions of participation of the proposers will be verified within the framework of the negotiation of the indirect RTD action. Before that however, proposers will have signed a declaration stating that they do not fall under any of the cases given by Article 93(1) of the Financial Regulation. They will also have given the Commission the information listed in Article 173(2) of the Commission Regulation (EC, Euratom) No 2342/2002, of 23 December 2002, laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities <sup>(7)</sup>.

The European Community has adopted an equal opportunities policy and, on this basis, women are particularly encouraged to either submit proposals for indirect RTD actions or participate in the submission of proposals for indirect RTD actions.

4. The Commission makes available to proposers guides for proposers relating to the call which contain information on the preparation and the submission of a proposal for an indirect RTD action. The Commission also makes available Guidelines on Proposal Evaluation and Selection Procedures <sup>(8)</sup>. These guides and guidelines, as well as the work programme and other information relating to the call, can be obtained from the Commission via the following addresses:

European Commission  
The FP6 Information Desk  
Directorate General RTD  
B-1049 Brussels  
*Internet address: [www.cordis.lu/fp6](http://www.cordis.lu/fp6)*

<sup>(1)</sup> Strand 1 will be developed under the Trendchart contract 15.12.2003 — 14.1.2008

<sup>(2)</sup> OJ L 232, 29.8.2002, p. 1.

<sup>(3)</sup> OJ L 294, 29.10.2002, p. 44.

<sup>(4)</sup> Commission Decision C(2002)4791, as amended by Commission Decisions C(2003)635, C(2003)998, C(2003)1951, C(2003)2708, C(2003)4571, C(2004)48, C(2004)3330, C(2004)4726, C(2005)969, C(2005)1447, C(2005)3190, C(2005)4206, C(2005)5735, and C(2006)336 all unpublished.

<sup>(5)</sup> OJ L 355, 30.12.2002, p. 23.

<sup>(6)</sup> OJ L 248, 16.9.2002, p. 1.

<sup>(7)</sup> OJ L 357, 31.12.2002, p. 1.

<sup>(8)</sup> C(2003)883 of 27/3/2003, as last modified by C(2004)3337 of 1.9.2004.



5. Proposals for indirect RTD actions are invited to be submitted only as an electronic proposal via the web-based Electronic Proposal Submission System (EPSS<sup>(1)</sup>). In exceptional cases, however, a co-ordinator may request permission from the Commission to submit on paper in advance of a call deadline. This should be done by writing to the following address: [entr-info-innov-fp6@cec.eu.int](mailto:entr-info-innov-fp6@cec.eu.int). The request must be accompanied by an explanation of why the exception is being sought. Proposers wishing to use paper submission take the responsibility for ensuring that such requests for exemption and the associated procedures are completed in time for them to meet the call deadline.

All proposals for indirect RTD actions must contain two parts: the forms (Part A) and the content (Part B).

Proposals for indirect RTD actions may be prepared off-line or on-line and submitted on-line. Part B of proposals for indirect RTD actions can only be submitted in PDF ('portable document format', compatible with Adobe Version 3 or higher with embedded fonts). Compressed ('zipped') files will be excluded.

The EPSS software tool (for off-line or on-line usage) is available via the Cordis website [www.cordis.lu](http://www.cordis.lu).

Proposals for indirect RTD actions that are submitted on-line and which are incomplete, illegible or contain viruses will be excluded.

Versions of proposals for indirect RTD actions submitted on a removable electronic storage medium (eg, CD-rom, diskette), by email or by fax will be excluded.

Any proposal for indirect RTD actions that has been allowed to be submitted on paper and which is incomplete will be excluded.

Further details on the various proposal submission procedures are given in Annex J of the Guidelines on Proposal Evaluation and Selection Procedures.

6. Proposals for indirect RTD actions have to reach the Commission at the latest on the closure date and at the time specified in the call concerned. Proposals for indirect RTD actions arriving after this date and time will be excluded.

Proposals for indirect RTD actions not satisfying the conditions relating to the minimum number of participants indicated in the call concerned will be excluded.

This also applies regarding any additional eligibility criteria given in the work programme.

7. In the case of successive submissions of the same proposal for an indirect RTD action, the Commission will examine the last version received before the closure date and time specified in the call concerned.

8. If foreseen in the relevant call, proposals for indirect RTD actions could be evaluated in the framework of a future evaluation.

9. In all correspondence relating to a call (e.g. when requesting information, or submitting a proposal for an indirect RTD action), proposers are invited to cite the relevant call identifier.

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<sup>(1)</sup> The EPSS is a tool to assist proposers to develop and submit their proposals electronically.

## ANNEX

- 1) **Specific Programmes:** 'Structuring the European Research Area'
- 2) **Activities:** Research and Innovation
- 3) **Call title:** PRO INNO Europe
- 4) **Call identifier:** FP6-2006-INNOV-10 (Strands 2-4) <sup>(1)</sup>
- 5) **Date of publication:** 28 March 2006
- 6) **Closure date:** 28 June 2006, at 17h00 (Brussels local time)
- 7) **Total indicative budget:** EUR 5,75 million
- 8) **Areas called, instruments and indicative budget per Area:**

Area		Instruments <sup>(1)</sup>	Indicative budget
1.2.2.3	Strand 2: INNO-Policy Watch	SSA	Strand 2: EUR 4,5 million
	Strand 3: INNO-Views		Strand 3: EUR 0,75 million
	Strand 4: INNO-Appraisal		Strand 4: EUR 0,5 million

<sup>(1)</sup> CA = Coordination actions; SSA = Specific Support Actions

- 9) **Minimum number of participants <sup>(2)</sup>:**

Instrument	Minimum number of participants
SSA	1 legal entity from a MS or AS

- 10) **Restriction to participation:**
  - Strand 2: none
  - Strand 3: none
  - Strand 4: none
- 11) **Consortia agreements:** In case of consortia, participants in Specific Support Actions resulting from 2, 3 and 4 of this call are required to conclude a consortium agreement.
- 12) **Evaluation procedure:**
  - The evaluation shall follow a single stage procedure.
  - Proposals will not be evaluated anonymously.
  - A merger of successful proposals could be proposed by the Commission, if necessary.
- 13) **Evaluation criteria and weighting:** See annex B to the work programme for the specific programme 'Structuring the European Research Area' for the applicable criteria per instrument.
  - For strands 2, 3 and 4 the following weights will be applied:

Criteria/ weighting	Strand 2	Strand 3	Strand 4
1. Relevance	15 %	15 %	15 %
2. Quality of the support action	30 %	30 %	30 %
3. Potential impact	10 %	10 %	10 %
4. Quality of the management	25 %	25 %	25 %
5. Mobilisation of resources	20 %	20 %	20 %

<sup>(1)</sup> Strand 1 will be developed under the Trendchart contract 15.12.2003 — 14.1.2008

<sup>(2)</sup> MS = Member States of the EU; AS (incl. ACC) = Associated States; ACC = Associated candidate countries. Any legal entity established in a Member State or Associated State and which is made up of the requested number of participant may be the sole participant in an indirect action.

— The following thresholds will apply to the three strands of this call:

Quality of the support action 3 out of 5; Quality of the management: 3 out of 5; Mobilisation of resources: 3 out of 5.

Further information will be given in the Guides for Proposers and in the Guide for Evaluators.

14) **Indicative evaluation and contractual timetable:**

— Evaluation results: estimated to be within 3 months after the relevant closure date mentioned under point 6.

— Contract signature: it is estimated that the first contracts related to this call will come into force 6 months after the relevant closure date mentioned under point 6.

15) **Review Procedure:** No midterm preview is foreseen for these strands.

16) **Financial modalities:** For strands 2, 3 and 4: The EC contribution can be up to 100 % of the eligible project costs.

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