

# Official Journal

## of the European Union

C 137

Volume 50

English edition

### Information and Notices

21 June 2007

<u>Notice No</u>	<u>Contents</u>	<u>Page</u>
	I <i>Resolutions, recommendations, guidelines and opinions</i>	
	OPINIONS	
	<b>Commission</b>	
2007/C 137/01	Commission opinion of 20 June 2007 on the follow-up given to the Commission opinion C(2005) 1694 final of 9 June 2005 on interim measures taken by the government of Denmark in respect of high velocity pressure/vacuum relief valves model NEW-ISO-HV manufactured by TANKTECH Co. in the Republic of Korea <sup>(1)</sup> .....	1
	II <i>Information</i>	
	INFORMATION FROM EUROPEAN UNION INSTITUTIONS AND BODIES	
	<b>Commission</b>	
2007/C 137/02	Authorisation for State aid pursuant to Articles 87 and 88 of the EC Treaty — Cases where the Commission raises no objections <sup>(1)</sup> .....	3
2007/C 137/03	Authorisation for State aid pursuant to Articles 87 and 88 of the EC Treaty — Cases where the Commission raises no objections <sup>(1)</sup> .....	4
2007/C 137/04	Non-opposition to a notified concentration (Case COMP/M.4656 — Deutsche Bank/Aviva/Blackstone/Vitus) <sup>(1)</sup> .....	6
2007/C 137/05	Non-opposition to a notified concentration (Case COMP/M.4600 — TUI/First Choice) <sup>(1)</sup> .....	6

EN

IV *Notices*

NOTICES FROM EUROPEAN UNION INSTITUTIONS AND BODIES

**Commission**

2007/C 137/06	Euro exchange rates .....	7
---------------	---------------------------	---

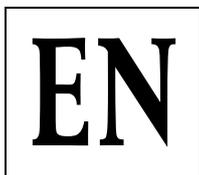
---

V *Announcements*

PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMPETITION POLICY

**Commission**

2007/C 137/07	Prior notification of a concentration (Case COMP/M.4661 — Mapfre/Cattolica/IV) — Candidate case for simplified procedure <sup>(1)</sup> .....	8
2007/C 137/08	Prior notification of a concentration (Case COMP/M.4750 — Luvata/Eco) <sup>(1)</sup> .....	9



<sup>(1)</sup> Text with EEA relevance

## I

(Resolutions, recommendations, guidelines and opinions)

## OPINIONS

## COMMISSION

## COMMISSION OPINION

of 20 June 2007

**on the follow-up given to the Commission opinion C(2005) 1694 final of 9 June 2005 on interim measures taken by the government of Denmark in respect of high velocity pressure/vacuum relief valves model NEW-ISO-HV manufactured by TANKTECH Co. in the Republic of Korea**

(Text with EEA relevance)

(2007/C 137/01)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 96/98/EC of 20 December 1996 on marine equipment <sup>(1)</sup>, and in particular Article 13 thereof,

Whereas:

- (1) The Commission delivered on 9 June 2005 <sup>(2)</sup> an opinion on the interim measures taken by the government of Denmark in respect of high velocity pressure/vacuum relief valves model NEW-ISO-HV manufactured by TANKTECH Co. in the Republic of Korea (hereinafter referred to as 'the manufacturer').
- (2) In the aforementioned opinion, the Commission recommended that the parties (namely the Danish Maritime Authority, the manufacturer, the French Government as notifying Member State and the notified body having issued the EC type-examination certificate concerned on the latter's behalf) carry out jointly a new test on a representative sample of new valves of the model NEW-ISO-HV of all sizes at a mutually agreed laboratory in accordance with the applicable testing standards, including in particular European standard EN12874:2001, with the aim to determine whether or not the type meets the applicable minimum requirements under normal ship operating conditions.

- (3) A new model of valves, namely the U-ISO series, has replaced the NEW-ISO-HV series, which is no longer being placed in the market. The difference between the two models is a modification of the check-lift mechanism in order to meet the Danish authorities' objections concerning the safe operation of this mechanism.
- (4) Type approval certificate 11582/A2 EC covering the NEW-ISO-HV model was not cancelled following the replacement of this model, but expired on 19 March 2007 and should therefore not be renewed.
- (5) Tests of the NEW-ISO-HV model carried out at the PTB laboratory in Germany and at the KIMM laboratory in S. Korea following the Commission's opinion did not reveal any other inherent defect of the model concerned. The tests have nevertheless showed a significant influence of the testing rig layout on the results, which highlights the importance of correctly installing the valves on board ships. Therefore it is crucial that exhaustive information on the valves' behaviour and limitations of use (in particular as required by the applicable standards) is provided by the manufacturer to the installation designers in order to avoid any mismatch and a consequential possible deviation from the expected performance.
- (6) The manufacturer has provided documentation demonstrating that it carries out exhaustive production checks, where each valve is measured in detail and pressure-vacuum tested; this specific information accompanies every delivery of valves.

<sup>(1)</sup> OJ L 46, 17.2.1997, p. 25. Directive as last amended by Directive 2002/84/EC of the European Parliament and of the Council (OJ L 324, 29.11.2002, p. 53).

<sup>(2)</sup> OJ C 148, 18.6.2005, p. 4.

- (7) Type-approval certificate Nr 14473/A0 (subsequently replaced by certificate 14473/A) was issued in February 2005 for the U-ISO model by the notified body Bureau Veritas, acting under the authority of the French government, following testing of all eight sizes as regards capacity and hammering, and of sizes 80 and 150 as regards flashback.
- (8) The changes made relative to the NEW-ISO-HV model may affect compliance with the requirements or the prescribed conditions for use of the product and therefore the new model must receive additional approval. Therefore, full testing of all sizes must be carried out under the control of a notified body acting under the authority of a Member State in order to demonstrate that the new model U-ISO complies with the Directive requirements.
- (9) The manufacturer having undertaken to do so, the parties have agreed that the current type-approval certificate should be superseded accordingly. As regards the units placed in the market under the current type approval certificate, the parties concur that the partial testing carried out provides limited assurance to the extent that an individualised follow-up of the units already placed on board ships would constitute an adequate and proportionate measure to ensure complete safety.
- (10) The said individualised follow-up should be carried out without delay and in such a way that any episodes that might indicate malfunction, in particular pressure peaks or hammering, can be reported by the owners and investigated in order to determine the cause and take all necessary measures. The manufacturer has undertaken to carry out such a follow-up and to report back to the Commission and to the other parties; at the time of delivering this opinion, it is understood that the procedure is already in hand.
- (11) In addition to the recommendation made by the Commission to the Member States in its opinion of 9 June 2005 as regards valves of size 80 manufactured until 31 December 2002, it is prudent to carry out a similar follow-up as regards other valves of the model NEW-ISO-HV placed on board ships. The manufacturer has undertaken to carry out such a follow-up and to report back to the Commission and to the other parties;

at the time of delivering this opinion, it is understood that the procedure is already in hand.

- (12) The manufacturer has undertaken to apply in future conformity assessment modules B (EC type-examination) and F (product verification),

HAS ADOPTED THIS OPINION:

*Article 1*

The parties have given appropriate follow-up to the opinion delivered by the Commission on 9 June 2005 and have taken adequate measures to protect safety.

*Article 2*

The French authorities, under whose authority the current certificate has been issued, have the responsibility to take appropriate measures should full testing of model U-ISO not be carried out within a prudent timeframe or fail to demonstrate conformity with the applicable requirements.

*Article 3*

The Commission recommends that:

1. Any episodes identified by the manufacturer that might indicate malfunction as regards valves of models NEW-ISO-HV and U-ISO already placed on board ships be reported forthwith not only to the Commission and to the other parties as agreed, but also to the flag State regardless of the ship's flag.
2. The Member States carry out a similar verification concerning ships flying their flag and equipped with pressure/vacuum relief valves of the same kind, regardless of their make, and investigate any such episodes in order to determine the most likely cause.

Done at Brussels, 20 June 2007.

*For the Commission*

Jacques BARROT

*Vice-President*

---

## II

(Information)

## INFORMATION FROM EUROPEAN UNION INSTITUTIONS AND BODIES

## COMMISSION

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

(Text with EEA relevance)

(2007/C 137/02)

Date of adoption of the decision	22.3.2007
Reference number of the aid	N 652/06
Member State	Cyprus
Region	—
Title (and/or name of the beneficiary)	Φορολογικές απαλλαγές για τη χρήση βιοκαυσίμων για τις μεταφορές
Legal basis	— Ο περί φόρων κατανάλωσης νόμος του 2004 — Διάταγμα δυνάμει του άρθρου 44(5) — Νομοσχέδιο με τίτλο «Νόμος που τροποποιεί τον περί της προώθησης της χρήσης βιοκαυσίμων ή άλλων ανανεώσιμων καυσίμων για τις μεταφορές νόμο του 2005» — Ο περί της προώθησης της χρήσης βιοκαυσίμων ή άλλων ανανεώσιμων καυσίμων για τις μεταφορές νόμος του 2005 — 66(I) του 2005 — Ο περί φόρων κατανάλωσης νόμος του 2004 — Ν. 91(I)/2004
Type of measure	Aid scheme
Objective	Environmental protection
Form of aid	Tax rate reduction
Budget	Annual budget: CYP 2,2 million; Overall budget: CYP 8,8 million
Intensity	—
Duration	31.10.2006-31.12.2010
Economic sectors	Biofuel production
Name and address of the granting authority	Ministry of Commerce, Industry and Tourism A. Araouzou, 13-15 CY-1421 Nicosia
Other information	—

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

[http://ec.europa.eu/community\\_law/state\\_aids/](http://ec.europa.eu/community_law/state_aids/)

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

**Cases where the Commission raises no objections**

(Text with EEA relevance)

(2007/C 137/03)

Date of adoption of the decision	29.1.2007
Reference number of the aid	N 707/06
Member State	Austria
Region	—
Title (and/or name of the beneficiary)	Verlängerung einer Beihilferegelung zum Ausbau privater Gleisanschlüsse
Legal basis	Eisenbahngesetz 1957 BGBl. Nr. 60/1957, geändert durch BGBl. Nr. 125/2006
Type of measure	Aid scheme
Objective	To promote a modal shift from road transport to rail transport by supporting the development of private railway sidings
Form of aid	Grants
Budget	EUR 114 million (EUR 19 million annually)
Intensity	50 % of the eligible costs
Duration	2007-2012
Economic sectors	Transport
Name and address of the granting authority	Bundesministerium für Verkehr, Innovation und Technologie Radetskystraße 2 A-1031 Wien
Other information	—

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

[http://ec.europa.eu/community\\_law/state\\_aids/](http://ec.europa.eu/community_law/state_aids/)

Date of adoption of the decision	8.3.2007
Reference number of the aid	N 797/06
Member State	Austria
Region	Bundesland Kärnten
Title (and/or name of the beneficiary)	Verlängerung der Rettungs- und Umstrukturierungsbeihilfe „Übernahme von Bürgschaften für Defensivmaßnahmen“ für KMU in Kärnten
Legal basis	Richtlinie für die Übernahme von Bürgschaften durch das Land Kärnten für Defensivmassnahmen, Kärntner Wirtschaftsförderungsgesetz
Type of measure	Aid scheme

Objective	Restructuring of firms in difficulty, Rescue of firms in difficulty
Form of aid	Guarantee
Budget	Annual budget: EUR 1,5 million; Overall budget: EUR 4,5 million
Intensity	—
Duration	1.1.2007-9.10.2009
Economic sectors	Manufacturing industry
Name and address of the granting authority	Amt der Kärntner Landesregierung Abteilung 4, Finanzen, Wirtschaft, Wohnungs- und Siedlungswesen Arnulfplatz 1 A-9020 Klagenfurt
Other information	—

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

[http://ec.europa.eu/community\\_law/state\\_aids/](http://ec.europa.eu/community_law/state_aids/)

---

**Non-opposition to a notified concentration**  
**(Case COMP/M.4656 — Deutsche Bank/Aviva/Blackstone/Vitus)**

(Text with EEA relevance)

(2007/C 137/04)

On 12 June 2007, 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://ec.europa.eu/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 32007M4656. EUR-Lex is the on-line access to European law. (<http://eur-lex.europa.eu>)

---

**Non-opposition to a notified concentration**  
**(Case COMP/M.4600 — TUI/First Choice)**

(Text with EEA relevance)

(2007/C 137/05)

On 4 June 2007, 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(2) 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://ec.europa.eu/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 32007M4600. EUR-Lex is the on-line access to European law. (<http://eur-lex.europa.eu>)
-

## IV

(Notices)

## NOTICES FROM EUROPEAN UNION INSTITUTIONS AND BODIES

## COMMISSION

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

20 June 2007

(2007/C 137/06)

1 euro =

Currency	Exchange rate	Currency	Exchange rate
USD US dollar	1,3427	RON Romanian leu	3,2051
JPY Japanese yen	165,88	SKK Slovak koruna	33,743
DKK Danish krone	7,4442	TRY Turkish lira	1,7435
GBP Pound sterling	0,67370	AUD Australian dollar	1,5851
SEK Swedish krona	9,2990	CAD Canadian dollar	1,4310
CHF Swiss franc	1,6605	HKD Hong Kong dollar	10,4923
ISK Iceland króna	83,40	NZD New Zealand dollar	1,7625
NOK Norwegian krone	8,0525	SGD Singapore dollar	2,0613
BGN Bulgarian lev	1,9558	KRW South Korean won	1 245,76
CYP Cyprus pound	0,5837	ZAR South African rand	9,5004
CZK Czech koruna	28,728	CNY Chinese yuan renminbi	10,2287
EEK Estonian kroon	15,6466	HRK Croatian kuna	7,3305
HUF Hungarian forint	248,08	IDR Indonesian rupiah	12 010,45
LTL Lithuanian litas	3,4528	MYR Malaysian ringgit	4,6048
LVL Latvian lats	0,6960	PHP Philippine peso	61,630
MTL Maltese lira	0,4293	RUB Russian rouble	34,8300
PLN Polish zloty	3,7763	THB Thai baht	43,396

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

## V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMPETITION  
POLICY

COMMISSION

**Prior notification of a concentration**  
**(Case COMP/M.4661 — Mapfre/Cattolica/JV)**  
**Candidate case for simplified procedure**

(Text with EEA relevance)

(2007/C 137/07)

1. On 13 June 2007, 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 Mapfre S.A ('Mapfre', Spain) and Società Cattolica di Assicurazioni soc.coop. ('Cattolica', Italy) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of Mapfre Cattolica Auto S.p.A. ('JV', Italy) by way of contribution of assets and purchase of shares.

2. The business activities of the undertakings concerned are:

- for Mapfre: insurance services, primarily in Spain;
- for Cattolica: insurance services, primarily in Italy;
- for JV: motor vehicle liability insurance services in Italy.

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 ((32-2) 296 43 01 or 296 72 44) or by post, under reference number COMP/M.4661 — Mapfre/Cattolica/JV, to the following address:

European Commission  
Directorate-General for Competition  
Merger Registry  
J-70  
B-1049 Bruxelles/Brussel

---

<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.4750 — Luvata/Eco)****(Text with EEA relevance)**

(2007/C 137/08)

1. On 15 June 2007, 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 Luvata S.a.r.l ('Luvata', Luxembourg) controlled by Nordic Capital (USA) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking Eco S.p.A. ('Eco', Italy) by way purchase of shares.

2. The business activities of the undertakings concerned are:

- for Luvata: manufacturer for heat exchange products;
- for Eco: manufacturer for heat exchange products.

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 ((32-2) 296 43 01 or 296 72 44) or by post, under reference number COMP/M.4750 — Luvata/Eco, to the following address:

European Commission  
Directorate-General for Competition  
Merger Registry  
J-70  
B-1049 Bruxelles/Brussel

---

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