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Information and Notices

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⁽¹⁾ Text with EEA relevance

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 278/01)

Date of adoption of the decision	19.7.2006
Reference number of the aid	N 245/06
Member State	Poland
Region	Dolnośląskie
Title (and/or name of the beneficiary)	LG.Philips LCD Poland Sp. z o.o.
Legal basis	<p>(1) Umowa Inwestycyjna zawarta dnia 9 września 2005 r. pomiędzy (i) Ministrem Gospodarki i Pracy Rzeczypospolitej Polskiej; (ii) Ministrem Finansów Rzeczypospolitej Polskiej; (iii) Ministrem Infrastruktury Rzeczypospolitej Polskiej; (iv) Ministrem Skarbu Państwa Rzeczypospolitej Polskiej; (v) Agencją Rozwoju Przemysłu SA; (vi) Agencją Nieruchomości Rolnych; (vii) Miastem Wrocław; (viii) Gminą Kobierzyce; (ix) powiatem wrocławskim; (x) samorządem województwa dolnośląskiego; (xi) Polską Agencją Informacji i Inwestycji Zagranicznych S.A. — z jednej strony a (xii) LG.Philips LCD Co., Ltd oraz (xiii) LG.Philips LCD Poland Sp. z o.o. — z drugiej strony</p> <p>(2) Art. 80 Ustawy z dnia 26 listopada 1998 r. o finansach publicznych (tekst jednolity: Dz.U. z 2003 r., nr 15, poz. 148 z późn. zm.)</p> <p>(3) Uchwała Rady Ministrów nr 228/2005 z dnia 6 września 2005 r.</p> <p>(4) Umowa o Grant między Ministrem Gospodarki i Pracy a LG.Philips LCD Poland Sp. z o.o. z dnia 6 września 2005 r.</p> <p>(5) Regulamin Tarnobrzeskiej Specjalnej Strefy Ekonomicznej EURO-PARK WISŁOSAN</p> <p>(6) § 1, § 2.1 pkt 5, § 3, § 4, § 6 i § 7 Uchwały Sejmiku Województwa Dolnośląskiego z dnia 31 marca 2005 r. w sprawie określenia szczegółowych zasad i trybu umarzania wierzytelności Terenowego Funduszu Ochrony Gruntów Rolnych Województwa Dolnośląskiego z tytułu należności pieniężnych, do których nie stosuje się przepisów ustawy — Ordynacja podatkowa, udzielania innych ulg w spłaceniu tych należności oraz wskazania organów do tego uprawnionych (Dziennik Urzędowy Województwa Dolnośląskiego nr 79 poz. 1724)</p>
Type of measure	Individual aid
Objective	Regional development, Employment

Form of aid	Direct grant, Tax allowance, Transactions not on market terms
Budget	Overall budget: PLN 302,09 million
Intensity	20,34 %
Duration	Until 31.12.2017
Economic sectors	Manufacturing industry
Name and address of the granting authority	—
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/

Date of adoption of the decision	25.6.2007
Reference number of the aid	N 828/06
Member State	Poland
Region	Zachoniopomorskie
Title (and/or name of the beneficiary)	Ad hoc regional investment aid to Bridgestone Stargard Sp. z o.o.
Legal basis	(1) Umowa Inwestycyjna zawarta dnia 31 lipca 2006 r. (2) Art. 117 Ustawy z dnia 30 czerwca 2005 r. o finansach publicznych (Dz.U. z 2005 r., nr 249, poz. 2104, z późn. zm.) (3) Uchwała RM nr 178/2006 z dnia 24 października 2006 r. (4) Umowa o wypłatę pomocy publicznej w formie dotacji celowej zawarta pomiędzy Ministrem Gospodarki a Bridgestone Stargard Sp. z o.o. z dnia 16 listopada 2006 r. (5) Uchwała nr XXX/348/06 Sejmiku Woj. Zachodniopom. z dnia 19 czerwca 2006 r. w sprawie określenia szczegółowych zasad i trybu udzielania ulg w spłaceniu należności (...) (Dz. Urz. Województwa Zachodniopomorskiego nr 88, poz. 1629)
Type of measure	Individual aid
Objective	Regional development, Employment
Form of aid	Direct grant, Transactions not on market terms
Budget	Overall budget: PLN 20 358 982
Intensity	2,9 %
Duration	—
Economic sectors	Manufacturing industry

Name and address of the granting authority	Ministerstwo Gospodarki Plac Trzech Krzyży 3/5 PL-00-507 Warszawa Samorząd Województwa Zachodniopomorskiego ul. Korsarzy 34 PL-70-540 Szczecin
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/

Date of adoption of the decision	25.9.2007
Reference number of the aid	N 289/07
Member State	Italy
Region	Ancona
Title (and/or name of the beneficiary)	Fiem S.r.l.
Legal basis	Legge 14 maggio 2005 n. 80 (GURI 111, 14.5.2005 S.O.) Delibera CIPE n. 101 (GURI 227, 29.9.2005)
Type of measure	Individual aid
Objective	Rescue of firms in difficulty
Form of aid	Guarantee
Budget	Overall budget: EUR 2,5 million
Intensity	—
Duration	Until 31.12.2012
Economic sectors	Manufacturing industry
Name and address of the granting authority	Ministero dello Sviluppo Economico
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/

Date of adoption of the decision	3.10.2007
Reference number of the aid	N 390/07
Member State	Germany
Region	Mecklenburg-Vorpommern
Title (and/or name of the beneficiary)	Richtlinie für die Gewährung von Zuwendungen des Landes Mecklenburg-Vorpommern zur Umsetzung des Klimaschutzkonzeptes

Legal basis	Richtlinie für die Gewährung von Zuwendungen des Landes Mecklenburg-Vorpommern zur Umsetzung des Aktionsplans Klimaschutz (Klimaschutz-Förderrichtlinie) vom 31.5.2007
Type of measure	Aid scheme
Objective	Energy saving, Environmental protection
Form of aid	Direct grant
Budget	Annual budget: EUR 3,7 million; Overall budget: EUR 26 million
Intensity	30 %
Duration	31.5.2007-31.12.2013
Economic sectors	All sectors
Name and address of the granting authority	Ministerium für Wirtschaft, Arbeit und Tourismus des Landes Mecklenburg-Vorpommern
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/

IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS AND
BODIES

COMMISSION

Euro exchange rates ⁽¹⁾**20 November 2007**

(2007/C 278/02)

1 euro =

Currency	Exchange rate	Currency	Exchange rate
USD US dollar	1,4785	RON Romanian leu	3,4980
JPY Japanese yen	162,85	SKK Slovak koruna	33,203
DKK Danish krone	7,4524	TRY Turkish lira	1,7650
GBP Pound sterling	0,71715	AUD Australian dollar	1,6657
SEK Swedish krona	9,2823	CAD Canadian dollar	1,4525
CHF Swiss franc	1,6408	HKD Hong Kong dollar	11,5063
ISK Iceland króna	92,96	NZD New Zealand dollar	1,9433
NOK Norwegian krone	7,9950	SGD Singapore dollar	2,1402
BGN Bulgarian lev	1,9558	KRW South Korean won	1 363,47
CYP Cyprus pound	0,5842	ZAR South African rand	9,9651
CZK Czech koruna	26,690	CNY Chinese yuan renminbi	10,9731
EEK Estonian kroon	15,6466	HRK Croatian kuna	7,3378
HUF Hungarian forint	255,00	IDR Indonesian rupiah	13 823,98
LTL Lithuanian litas	3,4528	MYR Malaysian ringgit	4,9715
LVL Latvian lats	0,6992	PHP Philippine peso	63,746
MTL Maltese lira	0,4293	RUB Russian rouble	36,0360
PLN Polish zloty	3,6870	THB Thai baht	46,548

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

NOTICES FROM MEMBER STATES

Greek national procedure for the allocation of limited air traffic rights

(2007/C 278/03)

In accordance with Article 6 of Regulation (EC) No 847/2004 of the European Parliament and of the Council on the negotiation and implementation of air service agreements between Member States and third countries, the European Commission publishes the following national procedure for the distribution among eligible Community carriers of air traffic rights where they are limited under air service agreements with third countries.

Ministry for Transport and Communications Civil Aviation Service — Directorate-General for Air Transport — Directorate for Air Operations — Section B — Bilateral Air Services Agreements — Reference No d1/b/28178/2647

Athens, 19 July 2007

Subject: Approval of the Regulation on the designation of a Community air carrier established in Greece for the operation of scheduled services between Greece and countries outside the European Union.

DECISION

The Governor

Having regard to:

- (1) The provisions of the Convention on International Civil Aviation of 7 December 1944 and Act 211/1947 on International Civil Aviation.
- (2) The Treaty on European Union, and in particular Article 43 thereof.
- (3) The Agreement on the European Economic Area, signed at Porto on 2 May 1992, and the Adjusting Protocol, signed at Brussels on 17 March 1993.
- (4) The Agreement between the European Community and the Swiss Confederation on Air Transport, signed at Luxembourg on 21 June 1999.
- (5) The provisions of Regulations (EEC) No 2407/92 on licensing of air carriers and (EEC) No 2408/92 on access for Community air carriers to intra-Community air routes.
- (6) The provisions of Regulation (EC) No 847/2004 of 29 April 2004 on the negotiation and implementation of air service agreements between Member States and third countries, and in particular Articles 5 and 6 thereof.
- (7) The Declaration on the right of establishment adopted by the Council of Transport Ministers of the European Union on 5 June 2003.
- (8) The provisions of Article 24 of Legislative Decree 714/70 on the establishment of the Air Transport Directorate and the organisation of the Civil Aviation Authority, as replaced by Article 13(3) of Act 3082/02 (Government Gazette, Series I, No 316 A).
- (9) The provisions of Act 1815/1988 on the Air Navigation Code, as currently in force.
- (10) The provisions of Article 29A of Act 1558/1985 on Government and Government Bodies (Government Gazette, Series I, No 137 A), as amended by Article 27 of Act 2081/1992 (Government Gazette, Series I, No 154 A) and replaced by Article 1(2)(a) of Act 2469/1997 (Government Gazette, Series I, No 38 A).
- (11) The fact that this Regulation entails no expenditure under the national budget,

HAS DECIDED AS FOLLOWS:

The Regulation on the designation of a Community air carrier established in Greece for the operation of scheduled services between Greece and countries outside the European Union, as set out below, is hereby approved:

“Regulation on the designation of a Community air carrier established in Greece for the operation of scheduled services between Greece and countries outside the European Union”

*Article 1***Purpose of the Regulation**

The purpose of this Regulation is to lay down the procedure and the criteria for the designation of Community air carriers which have an establishment in Greece for the operation of scheduled services between Greece and countries outside the European Union which are not covered by Regulation (EEC) No 2408/92 on the basis of the relevant bilateral air service agreements.

*Article 2***Definitions**

For the purpose of this Regulation the following definitions shall apply:

- (a) Designation: means the award to one or more interested Community air carriers of the right to operate scheduled air services between Greece and a third country agreed in the corresponding bilateral air service agreement, the third country concerned being notified thereof through diplomatic channels (except where the bilateral air service agreement provides otherwise).
- (b) Community Carrier: means an air carrier with a valid operating licence in accordance with the provisions of the relevant Community legislation.

*Article 3***Procedure**

(a) The procedure for the designation of a Community air carrier for the operation of scheduled air services between Greece and a country outside the EU not covered by Regulation (EEC) No 2408/92 is initiated either on the initiative of the Civil Aviation Authority (CAA) or following an application from a Community air carrier established in Greece in accordance with the provisions of the relevant Community legislation, and is as follows:

- (i) Invitation from the CAA to Community air carriers established in Greece in accordance with the Community legislation in force to express interest in the designation of one or more air carriers (in accordance with the provisions of the relevant bilateral air service agreement) for the operation of scheduled air services to/from an EU country not covered by Regulation (EEC) No 2408/92 in accordance with the provisions of the relevant bilateral air service agreement. The invitation shall take the form of a notice from the CAA Directorate for Air Operations (D1) addressed to Community air carriers established in Greece or to associations thereof. The notice shall include any application for designation which has already been submitted for the route in question. The notice shall also be published on the CAA's website (www.hcaa.gr).
- (ii) The deadline for submission of an expression of interest shall be twenty calendar days from the date of publication of the notice.

*Article 4***Supporting documents required**

(a) A Community air carrier which expresses interest in being designated for the operation of an extra-EU scheduled air service not covered by Regulation (EEC) No 2408/92 shall submit to the CAA Directorate for Air Operations an application accompanied by an assessment file, which shall contain the following supporting documents:

- (i) its operating licence and air operator's certificate together with the accompanying special conditions;
- (ii) data showing the carrier has an authorised representative (establishment) in Greece;
- (iii) a flight plan, which shall contain a detailed list of services with the number, type and capacity of the main and auxiliary aircraft which the air carrier intends to use for the operation of the said services, the frequencies and the proposed date of commencement and duration of services, and data showing whether the aircraft are owned or chartered;
- (iv) a detailed three-year forecast of the financial results for the route in question, including data allowing the viability of the route to be assessed (expected market share on the route, fuel prices, salaries, maintenance, insurance premiums, taxes, groundhandling, catering, expected revenue, expenses, etc.);
- (v) the tariffs/fares which will apply to the route;
- (vi) any commercial practices (code-sharing, alliances) which will apply to the route;
- (vii) data demonstrating the air carrier's operational and financial capacity to operate the route in accordance with Article 5 of Regulation (EEC) No 2407/92.

(b) Only applications accompanied by a complete file will be examined.

(c) The application and the supporting documents shall be in Greek. The application shall state the address in Greece to which the CAA is to address correspondence.

(d) Where it deems necessary, the Civil Aviation Authority may request the submission of additional information, which the air carrier shall be obliged to submit within fifteen calendar days.

*Article 5***Designation criteria**

(a) The criteria for selecting a Community air carrier which has submitted an application for designation to operate an extra-EU route not covered by Regulation (EEC) No 2408/92, including those provided for in the relevant bilateral air services agreement, shall be as follows:

- (i) provision of sufficient and satisfactory services, with particular reference to:
 - the satisfaction of demand for air travel,

- the nature of the services, in terms of direct flights or flights with stopovers, and the increase in the range of services available to the travelling public,
 - the frequency of the services,
 - the capacity provided,
 - the fares policy (e.g. proposed fares and fare structure, different fares expected to be offered),
 - the date of commencement of services,
 - the period during which the services will be provided and the scope for the continuous provision of such services in the form of scheduled services, on the basis above all of the expected viability of the route,
 - the reliability of the air carrier, if it has previously been designated to operate an external route, as regards compliance with its obligations as set out in Article 7 hereof;
- (ii) the quality of the services provided, with particular reference to:
- the type and number of the main and auxiliary aircraft which will be used to operate the route,
 - the existence of a sales network for the convenience of the travelling public;
- (iii) the market situation, with particular reference to:
- the impact of the air carrier's designation on competition on the specific market and on the increase in the market share of Community air carriers on the route in question,
 - the contribution to the promotion of the development of tourism and/or economic and/or regional development in Greece;
- (iv) account shall also be taken of the following criteria:
- basic knowledge of the Greek language on the part of passenger cabin crew and sales staff,
 - In the event of more than one application receiving equal ranking on the basis of the above criteria, priority shall be given to the first application for designation for the route in question submitted with the necessary supporting documents, provided that application was submitted for the first time after the corresponding invitation to express interest was published by the CAA.

Article 6

Procedure for the assessment and selection of the air carrier

- (a) The Directorate of the CAA responsible for examining applications (Directorate for Air Operations/Bilateral Air Services Agreements Section) shall examine the air carriers' files on the basis of the provisions of Articles 4 and 5 hereof. Within two months of the date of receipt of the last application and/or supporting document, or otherwise within two months of the start of the examination of the applications, the competent

Directorate shall draft a reasoned designation proposal and submit it to the Governor of the CAA.

(b) The Community air carrier(s) to be designated shall be selected by act of the Governor of the CAA on the basis of the abovementioned proposal within thirty days of its submission.

(c) The said act shall contain the operating conditions of the route in question (e.g. frequency of services, capacity and any other conditions, in accordance with the provisions of the relevant bilateral air services agreement). Where appropriate, rejection of an application shall be decided by a similar act. The abovementioned decisions shall be communicated to all air carriers which have expressed interest in being designated and shall be published on the CAA's official website.

(d) Appeals against the decisions referred to at point b above may be submitted to the Minister for Transport and Communications.

(e) Designation of the selected air carrier to the authorities of the foreign State shall be done on the basis of the provisions of the relevant bilateral air services agreement.

(f) Where an air carrier submits an application for an increase in the frequency of services on the route for which it has been designated, it shall submit a file including the information referred to in Article 4(a)(iii), (iv) and (v) hereof and listing any amendments/changes/additions to the data referred to in Article 4(a)(i) and (ii). Within two months of the date of submission of the application the competent Directorate shall draft a reasoned proposal for the amendment of the designation act in line with the application submitted and shall submit it to the Governor of the CAA.

Article 7

Obligations of the designated air carrier

(a) The designated air carrier must take all due preparatory action for the operation of the route for which it has been designated such that services commence no later than six months after the date of its designation and without exceptions from the flight plan which it submitted, except in the event of exceptional circumstances.

(b) The designated air carrier must inform the competent Directorate of the CAA of any change in its flight plan on the route for which it has been designated.

(c) When providing services on the routes for which it has been designated, the designated air carrier must comply faithfully with the provisions of national and international legislation on the operation of international air transport services and with the procedures and guidelines laid down by the aviation authority of the country in which it has been designated, in accordance with the provisions of the relevant bilateral air services agreement.

(d) The transfer of the rights in question to another air carrier is not permitted.

*Article 8***Reassessment of the designated air carrier and revocation of designation**

(a) In the event of a substantial change in the operational, commercial, financial or other information on the basis of which the air carrier(s) was/were designated in accordance with this Regulation, and/or failure on the part of the air carrier(s) to comply with the provisions hereof, the CAA may at any time reassess the air carrier(s) in accordance with the provisions hereof, with respect either to the renewal of the designation act or to the revocation of its designation and, where deemed appropriate, issue an invitation to express interest to air carriers.

(b) In particular, failure in part or in whole to use the rights for a period exceeding six months, in accordance with the provisions of Article 7(a) above, partial or total interruption by the

air carrier of the operation of the services for a period exceeding six months, and/or submission by the air carrier of a written application for the suspension of the operation of the services in question, shall constitute sufficient reason to revoke the designation; the CAA may, where it deems appropriate, issue a new invitation to express interest to air carriers.

Entry into force

This Regulation shall enter into force on the date of its publication in the Government Gazette.

This Regulation shall be published in the Government Gazette.

The Governor

Ioannis ANDRIANOPOULOS'

V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMPETITION
POLICY

COMMISSION

Prior notification of a concentration

(Case COMP/M.4973 — Oak Hill/Forgings International)

Candidate case for simplified procedure

(Text with EEA relevance)

(2007/C 278/04)

1. On 13 November 2007, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which the undertaking Oak Hill Capital Management, LLC ('Oak Hill', Cayman Islands) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking Forgings International L.P. which wholly controls the undertaking Firth Rixson Limited ('Firth Rixson', United Kingdom) by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- for Oak Hill: management of private equity capital,
- for Firth Rixson: production and supply of forged products and specialist alloys.

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 ⁽²⁾ 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.4973 — Oak Hill/Forgings International, to the following address:

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

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

⁽²⁾ OJ C 56, 5.3.2005, p. 32.

Prior notification of a concentration
(Case COMP/M.4964 — Sun Capital Funds/Mark IV)
Candidate case for simplified procedure

(Text with EEA relevance)

(2007/C 278/05)

1. On 13 November 2007, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which Sun Capital Partners V, L.P. and Sun Capital Partners IV, L.P. ('Sun Capital Funds', USA) belonging to Sun Capital Partners group intend to acquire within the meaning of Article 3(1)(b) of the Council Regulation control of Mark IV Industries, Inc. ('Mark IV', USA) by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— for Sun Capital Funds: private investment group,

— for Mark IV: manufacturer of highly engineered systems and components for transportation infrastructure, vehicles, and equipment.

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 ⁽²⁾ 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.4964 — Sun Capital Funds/Mark IV, to the following address:

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

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

⁽²⁾ OJ C 56, 5.3.2005, p. 32.

Prior notification of a concentration
(Case COMP/M.4981 — AT&T/IBM)
Candidate case for simplified procedure

(Text with EEA relevance)

(2007/C 278/06)

1. On 13 November 2007, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which the undertaking AT&T Corp. ('AT&T', USA) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of part of the undertaking International Business Machines Inc. ('IBM', USA) by way of purchase of assets.
2. The business activities of the undertakings concerned are:
 - for undertaking AT&T: international voice and data communication services,
 - for undertaking IBM: Information Technology (IT): services and equipment, computer software and services.
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 ⁽²⁾ 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.4981 — AT&T/IBM, to the following address:

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

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

⁽²⁾ OJ C 56, 5.3.2005, p. 32.

OTHER ACTS

COMMISSION

Publication of an application pursuant to Article 6(2) of Council Regulation (EC) No 510/2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs

(2007/C 278/07)

This publication confers the right to object to the application pursuant to Article 7 of Council Regulation (EC) No 510/2006 ⁽¹⁾. Statements of objection must reach the Commission within six months of the date of this publication.

SUMMARY

COUNCIL REGULATION (EC) No 510/2006**'JIHOČESKÁ NIVA'****EC No: CZ/PGI/005/0405/20.10.2004****PDO () PGI (X)**

This summary sets out the main elements of the product specification for information purposes.

1. *Responsible department in the Member State:*

Name: Úřad průmyslového vlastnictví
Address: Antonína Čermáka 2a
CZ-160 68 Praha 6-Bubeneč
Tel. (420) 220 383 111
Fax (420) 224 324 718
E-mail: posta@upv.cz

2. *Group:*

Name: MADETA a.s.
Address: Rudolfovská 246/83
CZ-37050 České Budějovice
Tel. (420) 389 136 111
Fax (420) 387 411 944
E-mail: info@madeta.cz

⁽¹⁾ OJL 93, 31.3.2006, p. 12.

Production site: MADETA a.s., závod Český Krumlov, Česká republika

Tel. (420) 380 779 111

Fax (420) 380 711 485

Composition: Producers/processors (X) Others ()

This application is for a derogation from Article 5(1) of Regulation (EC) No 510/2006, as there is only one producer in the region. The requirements laid down in Article 2 of Commission Regulation (EC) No 1898/2006 are met.

3. *Type of product:*

Class 1.3: Cheese

4. *Specification:*

(Summary of requirements under Article 4(2) of Regulation (EC) No 510/2006)

4.1 Name: 'Jihočeská Niva'

4.2 Description: The basic raw material used in production of this natural cheese containing mould is dairy processed cow's milk. The cheese is made exclusively from milk from the designated area.

External appearance: The cheese is wheel-shaped, with a diameter of 180-200 mm and a height of approximately 10 cm (weight approximately 2,8 kg); marks of treatment by washing or scraping on the rind, the bluish-green mould growing throughout the cheese and a partly waxy finish on the surface of the cheese are not signs of flaws. The surface of the cheese can be creamy to light brownish in colour.

Internal appearance: The inside of the cheese is creamy white to buttery in colour with regular green to bluish-green marbling of mould growth in the cheese and recognisable pierce marks.

Consistency of the cheese: Mild, crumbly, evenly aged; presence of foreign mould not permitted.

Taste, aroma: Salty, pungent, aromatic, sharp finish, characteristic of cultured *Penicillium roqueforti* mould.

Form in which the product is marketed: Besides the above-mentioned wheel shape weighing approximately 2,8 kg, the cheese is also marketed in semi-circular shape (weight approximately 1,2 kg) and as portions weighing 115 g or 220 g.

Physical/chemical requirements:

— Dry matter content: 52 %

— Allowable negative divergence in dry matter content: – 1

— Positive divergences in dry matter content are not a flaw

— Fat content in dry matter: 50 %

— Allowable range of values for fat content in dry matter: 50 % to < 55 %

— Salt content: 3-5,5 %

Microbiological properties: The cheese contains cultured *Penicillium roqueforti* mould PY or PV, CB or PR1 (up to PR4). In addition, in terms of microbiological requirements, the cheese meets the standard criteria for food safety and production process hygiene.

Packaging: The package is clean and intact, covers the entire surface and is accurately marked.

4.3 Geographical area: The geographical area is the South Bohemia region, whose borders are demarcated by Act No 36/1960 Coll. on the Territorial Division of the State, as last amended.

- 4.4 Proof of origin: In addition to the standard tests, each cistern of milk supplied is also checked to make sure that it contains no residual inhibitors. Individual batches are marked throughout the entire aging and packaging process. Each batch is laboratory tested throughout the process, starting from the milk right through until the cheese is ready for distribution (i.e. inter-operational and check-out controls). Records are properly kept about all the tests that take place.

A central register of milk suppliers and purchasers of end-products is kept.

All raw materials entering the production process must correspond to the specification from the relevant producer (supplier); these specifications are kept up to date. The raw material suppliers are required to provide the producer with a declaration on the absence of genetically modified organisms and a declaration on the allergens present.

The packaging used is specified as suitable for contact with food.

Production of *Jihočeská Niva* blue cheese is regulated by the HACCP system and is subject to the control system laid down in the Guides to Good Hygiene and Manufacturing Practice; records are kept on all tests carried out (laboratory logs, technical records, electronic LAB system records and test records).

The final product must comply with the relevant hygiene regulations.

All production activities and compliance with specifications are under the permanent supervision of the control authority, which is the Krajská veterinární správa (regional veterinary administration) for the South Bohemia region.

In addition to other data, information about the producer, i.e. the name and address of the company, is indicated on the package.

- 4.5 Method of production: Dairy processed milk with a fat content of 3,45 % is filled into the cheese-making machine and commonly used cultures, which ensure good acidification of the cheese over the entire production and aging processes, are added. The characteristic taste of *Jihočeská Niva* is imparted by cultured *Penicillium roqueforti* mould (see Section 4.2), which has been used for decades (the culture stock is generally available for use in the food industry). After the rennet has been added and milk curdled, the resulting grains of cheese are put into wheel-shaped forms. Whey is drained off and the micro-flora culture developed at a restricted temperature. The cheese is salted in two phases: first in a saltwater brine and then by rubbing with large-grain salt. In the past, aging took place only in natural aging cellars that were hollowed out of limestone rock. In 2005, due to the increase in production of this blue cheese, air-conditioned aging cellars equipped with temperature and humidity controls were built. The cheese ages in the cellars for at least four weeks. The surface of the ripened cheese is washed or scraped, and then the cheese is packed in aluminium foil or a special oxygen-permeable wrapper. Part of the production is split into portions and packed in plastic tubs covered with a printed plastic wrapper. The packaging must be intact, clean and properly marked.

In view of the biotechnological nature of the product, the blue cheese must be packed directly at the production facility. This is also necessary to maintain product quality, hygiene and cleanliness, to prevent the cheese from being confused with cheese from a different region and, last but not least, to allow better traceability of the product.

- 4.6 Link: *Jihočeská Niva* blue cheese has been produced at the Český Krumlov plant using the same production method since 1951. The cheese is named after the meadows and pastures of Šumava, where the main ingredient comes from — cow's milk delivered to the Český Krumlov plant from South Bohemia, particularly from the foothills of Šumava. The milk is from one of the least polluted regions. The pastures are located in the protected areas of Novohradské Hory, Blanský les and Šumava, and the area's unique flora has a positive influence on the taste of the milk.

These pastures offer a wide variety of flora specific to the region. Short-stalked plants (nard, fescue, etc.) with high varietal diversity are characteristic alongside certain rare varieties typical of the area. One special endemic plant is *Phyteuma nigrum*. Other special features include *Gentiana pannonica*, *Ligusticum mutellina*, *Arnica montana*, *Gentianella praecox* subsp. *Bohemica*, certain types of terrestrial orchids, etc.

This varied, rugged terrain is characterised by its very clean environment, particularly the Český Krumlov region and foothills of Šumava (Unesco Biosphere Reserve declared in 1990). As proof that the South Bohemian natural environment is highly valuable, a large number of officially protected landscapes have been declared, two of which are protected by Unesco.

Of course, local people's experience with producing this blue cheese, handed down from generation to generation, has also had a major influence on the quality and properties of *Jihočeská Niva*.

Jihočeská Niva blue cheese is very highly appreciated on the Czech market both by the general public and by dairy industry specialists. For many years *Jihočeská Niva* has ranked among the top cheeses with mould at nationwide cheese exhibitions (judged by a panel of specialists):

- 1999: 2nd place,
- 2000: 2nd place,
- 2002: 3rd place,
- 2004: 3rd place,
- 2005: 1st place,
- 2007: 1st place.

Jihočeská Niva is also highly rated by laymen.

Sales volumes also demonstrate the popularity of *Jihočeská Niva* among blue cheese consumers. The producer's records clearly show no perceivable decrease in sales:

- 2003: 2 341 884 kg sold,
- 2004: 2 256 793 kg sold,
- 2005: 2 386 668 kg sold,
- 2006: 2 568 764 kg sold.

These sales volumes demonstrate the stable popularity of this product among customers throughout the Czech Republic.

This is also demonstrated by the fact that *Jihočeská Niva* is presented as one of the typical local products in a short promotional film about the South Bohemia region.

4.7 Inspection body:

Name: Krajská veterinární správa pro Jihočeský kraj
Address: Inspektorát Český Krumlov
Domoradice 126
CZ-381 25 Český Krumlov
Tel. (420) 380 711 333, (420) 380 711 941
Fax (420) 380 711 759
E-mail: insp.cesky-krumlov.kvsc@svscr.cz

4.8 Labelling: —

Publication of an amendment application pursuant to Article 6(2) of Council Regulation (EC) No 510/2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs

(2007/C 278/08)

This publication confers the right to object to the application pursuant to Article 7 of Council Regulation (EC) No 510/2006 ⁽¹⁾. Statements of objection must reach the Commission within six months from the date of this publication.

AMENDMENT APPLICATION

COUNCIL REGULATION (EC) No 510/2006

Amendment application pursuant to Article 9 and Article 17(2)

‘LAGUIOLE’

EC No: FR/PDO/117/0120/18.02.2004

PDO (X) PGI ()

1. Heading in the specification affected by the amendment

- Name of product
- Description
- Geographical area
- Proof of origin
- Method of production
- Link
- Labelling
- National requirements
- Other [to be specified]

2. Type of amendment(s)

- Amendment to Single Document or Summary Sheet
- Amendment to specification of registered PDO or PGI for which neither the single document nor summary has been published
- Amendment to specification that requires no amendment to the published single document (Article 9(3) of Regulation (EC) No 510/2006)
- Temporary amendment to specification resulting from imposition of obligatory sanitary or phyto-sanitary measures by public authorities (Article 9(4) of Regulation (EC) No 510/2006)

3. Amendments

Geographical area

Extension of the geographical area to 3 municipalities in the *département* of Cantal: Fridefont, Maurines and Saint-Martial, all of which meet the natural and human criteria identified as applying to this designation.

Method of production

The following paragraphs are to be added to the description of the production method:

‘The milk may not be concentrated by partially removing the watery part before coagulation.’

⁽¹⁾ OJL 93, 31.3.2006, p. 12.

'In addition to the dairy raw materials, the only ingredients or production aids or additives authorised in the milk or during manufacture are rennet, bacterial cultures, yeasts and moulds that are shown to be harmless, and salt.'

'The dairy raw materials, partly finished products, curd and fresh cheese may not be conserved by keeping them at below 0 °C.'

'Fresh cheese and cheese undergoing the maturing process may not be conserved under a modified atmosphere.'

The use of treatments and additives to make cheese is subject to a set of general rules.

It appears that some new techniques, including the use of treatments and additives, such as microfiltration, partial concentration of milk or enzymes for the maturing process, have a potential impact on the characteristics of cheeses with designations of origin. Certain enzyme additives in particular appear to be incompatible with maintaining the key characteristics of PDO products.

It has therefore become necessary to stipulate in the specification for PDO products, under the heading 'Method of production', the current practices regarding the use of treatments and additives for milk and in cheese manufacture, in order to prevent future practices not covered by the rules from undermining the characteristics of PDO cheeses.

SUMMARY

COUNCIL REGULATION (EC) No 510/2006

'LAGUIOLE'

EC No: FR/PDO/117/0120/18.02.2004

PDO (X) PGI ()

This summary sets out the main elements of the product specification for information purposes.

1. *Responsible department in the Member State:*

Name: Institut National de l'origine et de la qualité (INAO)
Address: 51, rue Anjou
F-75008 Paris
Telephone (33) 153 89 80 00
Fax (33) 153 89 80 60
E-mail: info@inao.gouv.fr

2. *Group:*

Name: Syndicat de Défense et de Promotion du fromage de Laguiole
Address: Coopérative fromagère Jeune Montagne
Route de Saint Flour
F-12210 Laguiole
Telephone (33) 565 44 35 54
Fax (33) 565 44 47 57
E-mail: coop.jm@wanadoo.fr
Composition: Producers/processors (X) Other ()

3. *Type of product:*

Class 1.3 — Cheese

4. *Description of the specifications:*

(Summary of the requirements in accordance with Article 4(2) of Regulation (EC) No 510/2006)

4.1 Name: 'Laguiole'

- 4.2 Description: Soft pressed cheese from cow's milk with a thick, dry, brushed rind; cylindrical in form, 30 to 40 cm in diameter, 40 cm in height, between 25 and 50 kg in weight; containing at least 45 % fat when completely dried out and at least 58 % dry matter.

The cheese is yellow with a whitish/light orange rind which turns light brown in maturation.

The marketing of grated 'Laguiole' is prohibited.

If the cheese is sold in pre-packaged pieces, each piece must have part of the designation's distinctive rind.

- 4.3 Geographical area: Around sixty municipalities on the Aubrac plateau, straddling the *départements* of Aveyron, Cantal and Lozère.

Département de l'Aveyron

— Rodez district:

- Canton of Entraygues-sur-Truyère: municipalities of Entraygues-sur-Truyère (right bank of the Lot and left bank of the Truyère upstream of the confluence of the two)
- Canton of Espalion: municipalities of Castelnau-de-Mandailles, Le Cayrol, Espalion (right bank of the Lot), Saint-Côme-d'Olt (right bank of the Lot)
- Canton of Estaing: municipalities of Coubisou, Estaing, Le Nayrac
- Canton of Laguiole; Canton of Saint-Amans-des-Cots; Canton of Saint-Chély-d'Aubrac
- Canton of Saint-Geniez-d'Olt: municipalities of Aurelle-Verlac, Pomayrols, Prades-d'Aubrac, Sainte-Euladie-d'Olt (right bank of the Lot), Saint-Geniez-d'Olt (right bank of the Lot)
- Canton of Sainte-Geneviève-sur-Argence.

— Millau district:

- Canton of Campagnac: Saint-Laurent-d'Olt (right bank of the Lot).

Département du Cantal

- Canton of Chaudes-Aigues: municipalities of Anterrieux, Chaudes-Aigues, Deux-Verges, Espinasse, Fridefont, Jabrun, Lieutadès, Maurines, Saint-Martial, Saint-Rémy-de-Chaudes-Aigues, Saint-Urcize, La Trinitat.

Département de la Lozère

— Mende district:

- Canton of Aumont-Aubrac: municipalities of Aumont-Aubrac, La Chaze-de-Peyre, Fau-de-Peyre, Sainte-Colombe-de-Peyre
- Canton of Fournels: municipalities of Brion, Chauchailles, Fournels, La Fage-Montivernoux, Noalhac, Saint-Laurent-de-Veyrès, Termes
- Canton of Marvejols: municipality of Saint-Laurent-de-Muret
- Canton of Nasbinals
- Canton of Saint-Chély-d'Apcher: municipalities of La Fage-Saint-Julien, Les Bessons
- Canton of Saint-Germain-du-Teil: municipalities of Les Hermaux, Les Salces, Trélans, Saint-Germain-du-Teil, Saint-Pierre-de-Nogaret
- Canton of La Canourgue: Canilhac (right bank of the Lot), Banassac (right bank of the Lot).

- 4.4 Proof of origin: Each operator lodges a 'declaration of aptitude' which is filed by the INAO and enables it to identify all the operators. All operators must keep at the INAO's disposal their registers and any documents required for checking the origin, quality and production conditions of the milk and cheese.

As part of the checks carried out on the specified features of the designation of origin, an analytical and organoleptic test is conducted to ensure that the products submitted for examination are of high quality and possess the requisite typical characteristics.

- 4.5 Method of production: The milk must be produced and the cheese manufactured and matured in the geographical area.

Only the French Simmental and Aubrac breeds are authorised.

The cows' feed is provided, weather permitting, by fodder produced in the geographical area: grass grazed for at least 120 days in the summer, at least 30 % hay in the winter, plus wilted grass silage. The dairy cows' feed may not contain maize silage.

Average milk production per cow on the farm may not exceed 6 000 litres per year.

In addition to the dairy raw materials, the only ingredients or production aids or additives authorised in the milk or during manufacture are rennet, bacterial cultures, yeasts and moulds that are shown to be harmless, and salt.

Manufactured exclusively from raw, whole-cream cow's milk and renneted within 48 hours of the first milking at a temperature of between 30 and 35 °C, the curds are broken up and pressed for initial maturation, during which they are turned at least five times. After a second crushing, the cheese mass is salted, put into moulds and undergoes a second, long and gradual, pressing. Maturation takes place in cold, damp cellars, at 6 to 12 °C, and lasts at least 4 months.

- 4.6 Link: Cheese has been produced in this region since the IVth century. From the XIIth century, the manufacture of cheese was organised by the abbeys of Aubrac and Bonneval so that milk produced in the summer could be used in the winter to feed pilgrims; this practice was taken up by the neighbouring farms. Reflecting, as it does, the region from which it comes, the cheese reminds one of the stone used for the pillars in the Romanesque churches of the Massif Central and is likewise born of the zeal of those making their way to Santiago de Compostela. In 1897, the hill farmers got together to sell their cheese through a *syndicat de vente*, which became a *syndicat de défense* in 1939, and secured the designation in 1961.

The Aubrac region is marked by very distinctive features (the nature of the soil and harsh climate, high altitude and natural boundaries by virtue of the landscape). Its rich, aromatic and abundant flora contributes to the richness and taste of the milk. The methods and know-how of centuries of producers have been passed down to ensure the survival of the traditional manufacturing process, in particular the slow and painstaking maturation in cold, damp cellars.

- 4.7 Inspection body:

Name: Institut National de l'origine et de la qualité (INAO)

Address: 51, rue Anjou
F-75008 Paris

Telephone (33) 153 89 80 00

Fax (33) 153 89 80 60

E-mail: info@inao.gouv.fr

The *Institut National des Appellations d'Origine* is a public administrative body with legal personality and reports to the Ministry of Agriculture.

It is responsible for monitoring the production conditions for products with a designation of origin.

Failure to comply with the defined geographical production area or any of the production conditions results in forfeiting the right to use the designation of origin in any form or for any purpose.

Name: Direction Générale de la Concurrence, de la Consommation et de la Répression des Fraudes (DGCCRF)

Address: 59, Boulevard Vincent Auriol
F-75703 Paris Cedex 13

Telephone (33) 144 87 17 17

Fax (33) 144 97 30 37

E-mail: C3@dgccrf.finances.gouv.fr

The DGCCRF is a department of the Ministry of the Economy, Finance and Industry.

- 4.8 Labelling: Apart from the name of the designation of origin and the words 'Appellation d'Origine' in letters at least two-thirds as big as the largest letters on the label, cheeses using the designation must be labelled with the logo containing the INAO acronym, which also has the words 'Appellation d'Origine Contrôlée' and the name of the designation of origin. If the logo is applied using an ink stamp, it must appear in at least two places on the side of each cheese.

The words 'buron' (shepherd's hut) and 'fermier' (farmhouse) are authorised under certain conditions.

The cheese can also be identified by an embossed stamp on the rind comprising the *Laguiole* bull and the word 'Laguiole'.

The labelling may be replaced by direct printing on the rind of the cheese.
