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⁽¹⁾ Text with EEA relevance

II

(Information)

INFORMATION FROM EUROPEAN UNION INSTITUTIONS AND BODIES

COMMISSION

Non-opposition to a notified concentration**(Case COMP/M.4977 — AgipFuel/Campetroli)****(Text with EEA relevance)**

(2008/C 5/01)

On 17 December 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 32007M4977. EUR-Lex is the on-line access to European law (<http://eur-lex.europa.eu>).

Non-opposition to a notified concentration**(Case COMP/M.4966 — Cinven/Coor Management Services)****(Text with EEA relevance)**

(2008/C 5/02)

On 19 December 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 32007M4966. EUR-Lex is the on-line access to European law (<http://eur-lex.europa.eu>).
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IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS AND
BODIES

COMMISSION

Euro exchange rates ⁽¹⁾

9 January 2008

(2008/C 5/03)

1 euro =

Currency	Exchange rate	Currency	Exchange rate		
USD	US dollar	1,468	TRY	Turkish lira	1,7066
JPY	Japanese yen	160,61	AUD	Australian dollar	1,661
DKK	Danish krone	7,4481	CAD	Canadian dollar	1,4739
GBP	Pound sterling	0,74865	HKD	Hong Kong dollar	11,4587
SEK	Swedish krona	9,403	NZD	New Zealand dollar	1,8981
CHF	Swiss franc	1,6362	SGD	Singapore dollar	2,1016
ISK	Iceland króna	92,4	KRW	South Korean won	1 376,1
NOK	Norwegian krone	7,891	ZAR	South African rand	10,0535
BGN	Bulgarian lev	1,9558	CNY	Chinese yuan renminbi	10,6606
CZK	Czech koruna	25,98	HRK	Croatian kuna	7,35
EEK	Estonian kroon	15,6466	IDR	Indonesian rupiah	13 857,19
HUF	Hungarian forint	254,34	MYR	Malaysian ringgit	4,793
LTL	Lithuanian litas	3,4528	PHP	Philippine peso	59,546
LVL	Latvian lats	0,6974	RUB	Russian rouble	35,919
PLN	Polish zloty	3,593	THB	Thai baht	43,42
RON	Romanian leu	3,6525	BRL	Brazilian real	2,5897
SKK	Slovak koruna	33,328	MXN	Mexican peso	16,0416

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

Opinion of the Advisory Committee on restrictive practices and dominant positions given at its 420th meeting on 8 December 2006 concerning a draft decision relating to Case COMP/38.899 — Gas Insulated Switchgear

(2008/C 5/04)

1. The Advisory Committee agrees with the European Commission's assessment of the facts as an agreement and/or concerted practice within the meaning of Article 81 of the Treaty and Article 53 of the EEA Agreement.
 2. The Advisory Committee agrees with the European Commission's assessment that the measures agreed and taken pursuant to the GQ and E-Group Operation Agreements are to be considered as a coherent set of measures of the arrangements agreed at both the global and the European level.
 3. The Advisory Committee agrees with the European Commission's assessment that the agreement and/or concerted practices between the producers of GIS were capable of having an appreciable effect upon trade between EU member states and between contracting parties of the EEA.
 4. The Advisory Committee agrees with the European Commission's assessment that the infringement is to be seen as single and continuous in light of the evolution of the cartel over the period from 1988-2004.
 5. The Advisory Committee agrees with the European Commission's assessment that the Japanese companies were a party to the common understanding that they would not bid for European projects and that certain 'Home Countries' were allocated amongst the European companies.
 6. The majority of the Advisory Committee agrees that Siemens, Alstom and Areva, within the group of suppliers played the role of leader and that this justifies an increase in the basic amount of the fine to be imposed on these undertakings for leadership. A minority of the Advisory Committee abstains.
 7. The Advisory Committee agrees with the European Commission's assessment that the participation in the Cartel by Siemens, Hitachi/Jaeps & VA Tech are to be considered as repeated participation to the same infringement given the temporary interruption in their participation.
 8. The Advisory Committee agrees with the European Commission's assessment of the applications made under the 2002 Leniency Notice.
 9. The majority of the Advisory Committee agrees with the European Commission's draft decision as regards the addressees of the decision, specifically with reference to imputation of liability to parent companies of the groups concerned. A minority of the Advisory Committee abstains.
 10. The Advisory Committee recommends the publication of its opinion in the *Official Journal of the European Union*.
-

Final report of the Hearing Officer in Case COMP/38.899 — Gas Insulated Switchgear (GIS)

(Pursuant to Articles 15 and 16 of Commission Decision 2001/462/EC, ECSC of 23 May 2001 on the terms of reference of Hearing Officers in certain competition proceedings — OJ L 162, 19.6.2001, p. 21)

(2008/C 5/05)

The draft decision in the above mentioned case gives rise to the following observations.

The case was initiated following an application for immunity by the company ABB on 3 March 2004 under the Commission notice on immunity from fines and reduction of fines in cartel cases ⁽¹⁾ (the Leniency Notice). On 25 April 2004, the Commission granted ABB conditional immunity. Subsequently, on 11-12 May 2004 the Commission services carried out unannounced inspection at the premises of the undertakings Areva, Siemens, VA Tech, Hitachi and Japan AE Power Systems Corporation.

Subsequently, Areva, Siemens, VA Tech, Hitachi/Japan AE Power Systems Corporation, Mitsubishi and Fuji made submissions for immunity/reduction of fines under the Leniency Notice.

In the Statement of Objections, adopted on 20 April 2006, the Commission took the preliminary view that from at least 15 April 1988 to 11 May 2004 the 21 companies to which the Statement of Objections was addressed had participated in a single complex and continuous infringement of Article 81(1) EC and, from 1 January 1994, Article 53(1) of the EEA Agreement and announced its intention to adopt an infringement decision and to impose fines ⁽²⁾. According to the Commission the parties had agreed on market sharing, allocation of quotas, allocation of individual GIS-projects (bid-rigging), price-fixing, termination of license agreements with non-cartel members and exchanged sensitive commercial information. The cartel was world-wide in scope although certain territories were excluded, specifically US and Canada.

The addressees of the Statement of Objections were granted access to the file in the form of a CD-ROM. Oral statements, which had been made in the framework of the Leniency Notice, were made accessible at the Commission's premises. The parties were entitled to take notes, listen to tape recordings and/or read transcripts prepared by the Commission but were not permitted to make copies of the documents concerned.

Several parties requested an extension of the deadline to reply to the Statement of Objections, which I granted partially. All parties replied in due time.

At the request of the parties an oral hearing was held in accordance with Article 12 of Commission Regulation (EC) No 773/2004 on 18-19 July 2006. All parties except Mitsubishi Electric Corporation attended the hearing.

After the oral hearing the Commission services made available to the parties Fuji's leniency submission, which it had received on 12 July 2006 and parts of ABB's and Fuji's replies to the Statement of Objection and invited the parties to submit their comments. In addition, Hitachi and Fuji were granted access to each other's replies to the Statement of Objections but only in so far as they were relevant to the liability for the conduct of their joint venture, Japan AE Power Systems Corporation. Subsequently, Fuji and ABB provided additional information to the Commission services, which were made available to the other parties for comments.

In view of the new pieces of information received after the Statement of Objections several parties approached me and requested that a new round of full access to the file should be given, and that non-confidential version of other parties' replies to the Statement of Objections should be given to them.

⁽¹⁾ OJ C 45, 19.2.2002, p. 3.

⁽²⁾ As from 27 May 2006 one of the addressees of the Statement of Objections, VA Technologie AG, ceased to exist as a legal entity, as it had merged into Siemens Aktiengesellschaft Österreich. Therefore, on 21 June 2006, the Commission adopted an addendum to the SO according to which the latter replaced VA Technologie AG in the proceedings.

I took the view that the additional information received by the Commission after the Statement of Objections did not amount to a re-opening of the investigation that could warrant a new round of full access to the file. I also considered, in accordance with recent case law, that the parties have no general right of access to other parties' replies but only to information contained therein that may be inculpatory and relied upon in a final decision or have an exculpatory value⁽¹⁾. Nevertheless, I considered that the Commission had not sufficiently clarified which new information it intended to use in a potential final decision or which allegations this information was intended to support. I thus requested the Commission services to clarify to the parties the use it intended to make of the new information received, which it had made available to the parties.

Accordingly, by letter 14 November 2006, the Directorate-General for Competition wrote to the parties and identified those pieces of information that it had received in so far that these contained corroborating or incriminating elements that it intended to use in any final decision and clarified the use it intended to make of this information. The parties were granted a supplementary deadline of one week to make their views known.

Most parties considered that the deadline was too short to allow them to adequately exercise their right of defence and requested an extension.

After examining their request I decided to extend the deadline with one additional week. The parties' submissions have been considered and, where relevant, taken into account by the Commission in the final decision.

In light of the written replies to the Statement of Objections and subsequent correspondence, and the results of the hearing, notably the duration of the participation in the infringement, as described in the Statement of Objections, has been reduced for several parties, i.e. Areva T&D SA, Areva T&D AG, Nuova Magrini Galileo SpA in liquidation, Schneider Electric SA, Siemens AG Österreich (former VA Technologie AG and VA Tech T&D GmbH), VA Tech Transmission & Distribution GmbH & Co KEG, Siemens Transmission & Distribution Ltd (former VA Tech Transmission & Distribution Ltd) and Siemens Transmission & Distribution SA (former VA Tech Transmission & Distribution SA).

I consider that the parties' right to be heard has been respected in this case for all participants to the proceedings.

Also, in my opinion the draft decision relates only to objections in respect of which the parties have been afforded the opportunity to make known their views.

Brussels, 15 January 2007.

Serge DURANDE

⁽¹⁾ CFI judgment of 27 September 2006 in Case T-43/02, *Jungbunzlauer*.

Opinion of the Advisory Committee on restrictive practices and dominant positions given at its 422nd meeting on 19 January 2007 concerning a draft decision relating to Case COMP/38.899 — Gas Insulated Switchgear

(2008/C 5/06)

1. The Advisory Committee agrees with the Commission on the basic amounts of the fines.
 2. The Advisory Committee agrees with the Commission on the increase of the basic amount to ensure sufficient deterrent effect.
 3. The Advisory Committee agrees with the Commission on the increase of the basic amount due to aggravating circumstances.
 4. The Advisory Committee agrees with the Commission on the amounts of reduction of the fine based on the 2002 Commission Notice on the non-imposition or reduction of fines in cartel cases.
 5. The Advisory Committee agrees with the Commission on the final amounts of the fines.
 6. The Advisory Committee recommends the publication of its opinion in the *Official Journal of the European Union*.
-

Summary for publication of Commission Decision
of 24 January 2007
relating to a proceeding under Article 81 of the Treaty establishing the European Community and
Article 53 of the EEA Agreement

(Case COMP/38.899 — Gas Insulated Switchgear)

(Notified under document number C(2006) 6762 final)

(Only the English, French, German and Italian versions are authentic)

(Text with EEA relevance)

(2008/C 5/07)

SUMMARY OF THE INFRINGEMENT

PROCEDURE

(1) This Decision was addressed to ABB Ltd, Alstom (Société Anonyme), Areva SA, Areva T&D AG, Areva T&D Holding SA, Areva T&D SA, Fuji Electric Holdings Co., Ltd, Fuji Electric Systems Co., Ltd, Hitachi Ltd, Hitachi Europe Ltd, Japan AE Power Systems Corporation, Mitsubishi Electric Corporation, Nuova Magrini Galileo SpA, Schneider Electric SA, Siemens AG, Siemens Aktiengesellschaft Österreich, Siemens Transmission & Distribution Ltd, Siemens Transmission & Distribution SA, Toshiba Corporation and VA Tech Transmission & Distribution GmbH & Co KEG.

(2) The above 20 legal entities (belonging to 10 undertakings, with some legal entities held liable as parent companies) infringed Article 81 of the EC Treaty and Article 53 of the EEA Agreement by participating in a single and continuous infringement between 15 April 1988 and 11 May 2004 in the Gas Insulated Switchgear industry.

(3) Japanese and European providers of GIS coordinated the allocation of GIS projects worldwide, with the exception of notably the USA and Canada. They allocated projects according to agreed rules, thereby respecting quotas and price levels, while reserving some territories to certain producers.

THE INDUSTRY

(4) Gas Insulated Switchgear (GIS) is used to control energy flow in electricity grids. It is heavy electrical equipment, used as a major component for turnkey power substations. GIS is sold as a stand-alone product and as part of GIS based turnkey power substations. The product is specialised and, therefore, custom made. Clients normally specify their needs and ask potential suppliers to make a bid. The annual worldwide market value of GIS projects (stand-alone product, GIS based turnkey power stations and associated services) was approximately EUR 1 700-2 300 million during the years 2001-2003.

(5) The case was opened on the basis of the immunity application, lodged by the Swiss undertaking ABB on 3 March 2004 in accordance with the Leniency Notice ⁽¹⁾. ABB was granted conditional immunity from fines on 15 April 2004.

(6) The Statement of Objections was sent on 20 April 2006, a supplementary SO was issued on 21 June 2006 and the Oral Hearing took place on 18-19 July 2006.

(7) The Advisory Committee on Restrictive Practices and Dominant Positions met on 8 December 2006 and 19 January 2007 and issued a favourable opinion.

FACTS

(8) The cartel had a complex structure. Firstly, there was a common understanding between the participants that the Japanese undertakings would not sell in Europe and the European undertakings would not sell in Japan. Secondly, projects outside defined European countries and Japan were divided on the basis of global quotas. A number of countries were excluded totally from the agreements, notably the USA and Canada. Thirdly, based upon the common understanding, the European undertakings discussed among themselves projects relating to European countries. These projects, however, were accounted for under the global quotas that had been agreed upon with the Japanese companies. Fourthly, certain European countries were designated 'home countries'. These 'home countries' were left to the home-producers and sales in the 'home countries' were not included (loaded) in the calculation of the global quotas.

(9) The parties regularly met

— to allocate GIS projects in accordance with the set quotas,

— to agree upon the prices that the assigned undertaking could charge,

⁽¹⁾ OJ C 45, 19.2.2002, p. 3.

- to agree upon the prices that members of the cartel that were not to win the tender would bid in order to leave the impression of genuine competition, and
 - to agree upon the pricing parameters to respect when the parties could not agree amongst themselves to whom the project would be allocated.
- (10) The participants took elaborate measures to conceal their cartel activities. Not only did the cartelists prepare spurious bids in order to leave an impression of genuine competition, but they also used code names and increasingly sophisticated means of communication (e-mail from private accounts with encrypted messages; mobile telephones with encryption) to avoid detection.
- (11) The evidence provided by the immunity applicant in combination with the findings of the Commission inspection enables the Commission to establish that the infringement started at least as early as April 1988 and lasted until the day the Commission intervened, i.e. 11 May 2004.

1. LEGAL ASSESSMENT

- (12) On the basis of the above, it is concluded that a single and continuous infringement of Article 81 of the EC Treaty and Article 53 of the EEA Agreement took place from 15 April 1988 until 11 May 2004.
- (13) All parent companies having actually exercised a decisive influence on the commercial conduct of their subsidiaries involved in the infringement are held jointly and severally liable with their subsidiaries for the infringement. This regards single parent companies (in particular of wholly owned subsidiaries), for which the presumption of control has not been rebutted. Moreover, it is also proposed to hold the cartel members who continued their involvement in the cartel by means of joint-ventures jointly and severally liable with the joint-ventures for the infringement committed by the latter, to the extent that the relevant companies exercised a decisive influence over the joint-ventures.

2. FINES

Basic amount

Gravity

- (14) Regarding the gravity of the infringement, impact on the market and its geographic scope, the infringement must be qualified as very serious because of its very nature.

Differential treatment

- (15) As there is considerable disparity between each undertaking's weighting in terms of turnover in the cartelised

industry, we have applied differential treatment (groupings) to take account of each undertaking's weighting: this approach seeks to differentiate how each undertaking's relative importance in the market concerned damaged competition.

- (16) The undertakings have been divided into four categories according to their relative market size in the year 2003 (2001 for the parents of the Japanese joint-ventures).

Sufficient deterrence

- (17) In order to set the amount of the fine at a level which ensures that it has sufficient deterrent effect it is considered appropriate to apply a multiplier factor to the fines imposed, based on the size of the undertakings concerned. On this basis, the draft Decision proposes to multiply the fine for those undertakings with a particularly large size based on their worldwide turnover and to apply such multiplier to Siemens, Hitachi, Toshiba, Melco and ABB.

Duration

- (18) Individual percentage increases will be applied according to the duration of the infringement by each company as set out above.

Aggravating circumstances

Repeated infringements

- (19) At the time the infringement took place ABB had already been subject to a previous Commission prohibition decision for cartel activities. This justifies an increase in the basic amount of the fine to be imposed on it.

Role of leader

- (20) Siemens, Alstom and Areva have assumed the role of secretary of the European cartel members in subsequent periods. This justifies an increase in the basic amount to be imposed on these undertakings for leadership.

Attenuating circumstances

- (21) Several undertakings claimed attenuating circumstances such as: early termination of the infringement, a minor/passive role and the absence of an effective implementation of the practices. These claims are all rejected as being unfounded.

Application of the 10 % turnover limit

- (22) Where appropriate, the 10 % worldwide turnover limit of Article 23(2) of Regulation (EC) No 1/2003 will be applied to the fines calculated.

Application of the 2002 Leniency Notice*Immunity*

(23) ABB was the first to inform the Commission of the existence of a cartel and the Commission has granted ABB conditional immunity from fines in accordance with point 15 of the Leniency Notice. ABB has co-operated fully, on a continuous basis and expeditiously throughout the Commission's administrative procedure and provided the Commission with all evidence available to it relating to the suspected infringement. ABB ended its involvement in the suspected infringement no later than the time at which it submitted evidence under the Leniency Notice and did not take steps to coerce other undertakings to participate in the infringement. Hence, ABB qualifies for a full immunity from fines.

Point 23(b)

(24) Areva, Siemens, VA Tech, Hitachi and Jaeps, Melco and Fuji made applications under the Leniency Notice.

(25) Pursuant to the Leniency Notice, the Commission examined the other submissions in the chronological order in which submissions were made in order to evaluate whether it constitutes significant added value within the meaning of point 21. It is concluded that these submissions did not contain significant added value within the meaning of the Leniency Notice in comparison to the information the Commission already had in its possession at that time from ABB, from the inspections carried out on 11-12 May 2004, and from the investigation carried out until the respective applications were made.

DECISION

(26) The addressees of the Decision and the duration of their involvement were as follows:

- (a) ABB Ltd, from 15 April 1988 to 2 March 2004;
- (b) Alstom (Société Anonyme), from 15 April 1988 to 8 January 2004;
- (c) Areva SA, from 9 January 2004 until 11 May 2004;
- (d) Areva T&D AG from 22 December 2003 to 11 May 2004;
- (e) Areva T&D Holding SA, from 9 January 2004 until 11 May 2004;
- (f) Areva T&D SA, from 7 December 1992 to 11 May 2004;
- (g) Fuji Electric Holdings Co., Ltd, from 15 April 1988 to 11 May 2004;
- (h) Fuji Electric Systems Co, Ltd, from 15 April 1988 to 11 May 2004;
- (i) Hitachi Ltd, from 15 April 1988 to 31 December 1999, and from 2 July 2002 to 11 May 2004;

(j) Hitachi Europe Ltd, from 15 April 1988 to 31 December 1999, and from 2 July 2002 to 30 September 2002;

(k) Japan AE Power Systems Corporation, from 1 October 2002 to 11 May 2004;

(l) Mitsubishi Electric Corporation, from 15 April 1988 to 11 May 2004;

(m) Nuova Magrini Galileo SpA, from 15 April 1988 to 13 December 2000, and from 1 April 2002 to 11 May 2004;

(n) Schneider Electric SA, from 15 April 1988 to 13 December 2000;

(o) Siemens AG, from 15 April 1988 to 1 September 1999, and from 26 March 2002 to 11 May 2004;

(p) Siemens Aktiengesellschaft Österreich, from 20 September 1998 to 13 December 2000, and from 1 April 2002 to 11 May 2004;

(q) Siemens Transmission & Distribution Ltd, from 15 April 1988 to 13 December 2000, and from 1 April 2002 to 11 May 2004;

(r) Siemens Transmission & Distribution SA, from 15 April 1988 to 13 December 2000, and from 1 April 2002 to 11 May 2004;

(s) Toshiba Corporation, from 15 April 1988 to 11 May 2004;

(t) VA Tech Transmission & Distribution GmbH & Co KEG, from 20 September 1998 to 13 December 2000, and from 1 April 2002 to 11 May 2004.

(27) The fines imposed pursuant to Article 23(2) of Regulation (EC) No 1/2003 are as follows:

- (a) ABB Ltd: EUR 0;
- (b) Alstom (Société Anonyme): EUR 11 475 000;
- (c) Alstom (Société Anonyme), jointly and severally with Areva T&D SA: EUR 53 550 000. Of the amount of Areva T&D SA (EUR 53 550 000), Areva SA, Areva T&D Holding SA and Areva T&D AG jointly and severally with Areva T&D SA: EUR 25 500 000;
- (d) Fuji Electric Holdings Co., Ltd, jointly and severally with Fuji Electric Systems Co, Ltd: EUR 2 400 000;
- (e) Hitachi Ltd: EUR 50 400 000 of which jointly and severally with Hitachi Europe Ltd: EUR 48 375 000;
- (f) Japan AE Power Systems Corporation, jointly and severally with Fuji Electric Holdings Co., Ltd, Fuji Electric Systems Co., Ltd and Hitachi Ltd: EUR 1 350 000;
- (g) Mitsubishi Electric Corporation: EUR 113 925 000;
- (h) Mitsubishi Electric Corporation jointly and severally with Toshiba Corporation: EUR 4 650 000;
- (i) Toshiba Corporation: EUR 86 250 000;

- (j) Schneider Electric SA: EUR 3 600 000;
- (k) Schneider Electric SA, jointly and severally with Siemens Transmission & Distribution SA and Nuova Magrini Galileo SpA: EUR 4 500 000;
- (l) Siemens Transmission & Distribution Ltd: EUR 22 050 000, of which:
- (i) jointly and severally with Siemens Transmission & Distribution SA and Nuova Magrini Galileo SpA: EUR 17 550 000; and
- (ii) jointly and severally with Siemens Aktiengesellschaft Österreich and VA Tech Transmission & Distribution GmbH & Co KEG: EUR 12 600 000;
- (m) Siemens AG: EUR 396 562 500.
- (28) The undertakings listed above were ordered to immediately bring to an end the infringements referred to in that Article, insofar as they have not already done so and were ordered to refrain from repeating any act or conduct described above, and from any act or conduct having the same or similar object or effect.
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NOTICES FROM MEMBER STATES

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

(2008/C 5/08)

Aid No: XA 207/07**Member State:** Federal Republic of Germany**Title of aid scheme or name of company receiving individual aid:** Richtlinien des Bundesministeriums für Ernährung, Landwirtschaft und Verbraucherschutz über die Verwendung des Zweckvermögens des Bundes bei der Landwirtschaftlichen Rentenbank (LR), Ziffer 2.2 Markt- und Praxiseinführung**Legal basis:** § 2 Abs. 1 des Gesetzes über das Zweckvermögen des Bundes bei der Landwirtschaftlichen Rentenbank vom 12. August 2005 (BGBl. I S. 2363), zuletzt geändert durch Art. 175 der Neunten Zuständigkeitsanpassungsverordnung vom 31. Oktober 2006 (BGBl. I S. 2407)**Annual expenditure planned or overall amount of individual aid granted to the company:** EUR 7 million in the form of a low-interest loan**Maximum aid intensity:** 40 %, up to a maximum EUR 400 000 over three calendar years**Date of implementation:** From the day following publication of the above guidelines in the Federal Gazette. The guidelines have been submitted for publication in the Federal Gazette. They will be published at the earliest 10 working days after notification of the aid number by the Commission**Duration of scheme or individual aid award:** 30 June 2008**Objective of aid:** To support small and medium-sized enterprises in bringing innovations onto the market and into practical use by promoting investments in agriculture and horticulture (Article 4 of Regulation (EC) No 1857/2006)**Sectors concerned:** Agriculture and horticulture**Name and address of the granting authority:**Landwirtschaftliche Rentenbank
Hochstr. 2
D-60313 Frankfurt am Main**Web address:**http://www.rentenbank.de/d/Kredite/Richtlinie_Zweckvermoegen.pdf**Aid No:** XA 208/07**Member State:** France**Region:** Limousin**Title of aid scheme:** Aide au maintien de la certification «agriculture biologique»**Legal basis:**

Article 14 du règlement (CE) n° 1857/2006 de la Commission

Articles L. 1511-1 et L. 1511-2 du code général des collectivités territoriales

Décision du Conseil régional du Limousin du 10 mai 2006

Annual expenditure planned under the scheme: EUR 50 000 per year**Maximum aid intensity:** The Regional Council will bear part of the cost of certification, namely: a subsidy equal to 80 % of the unit cost of certification excluding taxes, amounting to between EUR 200 and EUR 800 for 2007 and 2008**Date of implementation:** Following acknowledgement of receipt by the European Commission**Duration of scheme:** Until 31 December 2008**Objective of aid:**

This aid is the same as that pursued under aid scheme XA 48/06. Council Regulation (EEC) No 2092/91 requires all operators in the organic farming sector to undergo inspection and certification by certification bodies authorised by the Ministry of Agriculture and Fisheries under standard EN 45011. The purpose of the aid is to support the development of organic farming by bearing the costs of farm certification.

Any such aid shall be accessible to all those eligible in the area concerned, based on objectively defined conditions.

Sector(s) concerned:

All farmers whose farm is situated in Limousin, who notified their organic farming activity or conversion in 2007 (and 2008) and who are not receiving conversion aid (CTE-CAB or CAD-CAB ⁽¹⁾) on 1 July 2007 (and 2008), or whose combined CTE or CAD/CAB aid (over the five years) and requested certification aid is less than EUR 15 000.

Organic notification must be made to the 'Agence Bio' and is compulsory. The amount of aid will be checked against the copy of the CTE/CAD/CAB.

Name and address of the granting authority:

Monsieur le Président du Conseil régional du Limousin
27, boulevard de la Corderie
F-87031 Limoges Cedex

Internet address:

www.cr-limousin.fr; rubrique «guide des aides»

⁽¹⁾ CTE: contrat territorial d'exploitation, CAB: conversion agriculture biologique, CAD: contrat agriculture durable.

V

(Announcements)

ADMINISTRATIVE PROCEDURES

EUROPEAN FOOD SAFETY AUTHORITY

Call for expressions of interest for membership of the Scientific Panels of the European Food Safety Authority (Parma, Italy) ⁽¹⁾

(2008/C 5/09)

The European Food Safety Authority (EFSA) is the keystone of European Union (EU) risk assessment regarding food and feed safety. In close collaboration with national authorities and in open consultation with its stakeholders, EFSA provides independent scientific advice and clear communication on existing and emerging risks.

The Authority has set up a selection procedure that aims to draw up a reserve list of:

SCIENTIFIC EXPERTS TO BE CONSIDERED FOR THE MEMBERSHIP OF TWO SCIENTIFIC PANELS:**Panel on food additives and nutrient sources added to food**

(Scientific Panel on food additives and nutrient sources added to food)

and

Panel on food contact materials, enzymes, flavourings and processing aids

(Scientific Panel on food contact materials, enzymes, flavourings and processing aids)

Ref.: EFSA/E/2008/001

This call is addressed to scientists wishing to be considered for membership of either the Scientific Panel on food additives and nutrient sources added to food or the Scientific Panel on food contact materials, enzymes, flavourings and processing aids of the European Food Safety Authority in order to identify Europe's best scientists for this task.

⁽¹⁾ EFSA is launching this call in anticipation of the formal establishment of the 2 Panels which is subject to an ongoing Comitology procedure due to be completed early in 2008. The attention of candidates is drawn to the fact that the selection of experts arising from this call will only become effective after the entry into force of the relevant legal act amending Regulation (EC) No 178/2002 of the European Parliament and of the Council. Hence, the present call cannot give rise to claims or recourse pending positive outcome of the above procedure.

The European Food Safety Authority

EFSA is the cornerstone of the EU system of risk assessment for food and feed safety; its scientific advice on existing and emerging risks underpins the policies and decisions of risk managers in the European Institutions and EU Member States. The Authority's most critical commitment is to provide objective, transparent and independent scientific advice and clear communication grounded in the most up-to-date scientific methodologies, information and data available.

EFSA brings together Europe's best available experts in risk assessment in the field of food and feed safety, who act in an independent capacity for an autonomous, self-governed organisation to provide the European Community, Member States and the European Parliament with scientific advice of the highest standard.

The Authority is committed to the core standards of scientific excellence, openness, transparency, independence and responsiveness. By working independently, openly and transparently EFSA delivers the best possible scientific advice and therefore contributes to strengthening the European food and feed safety system.

EFSA is a responsive and reliable source of support for decision makers. Through its Scientific Committee, Scientific Panels and Working Groups, the Authority undertakes to respond quickly and proactively to urgent issues and emerging risks.

The role of EFSA's Scientific Panels

The Scientific Panels are composed of independent scientific experts.

The Chairs of each Scientific Panel are also members of the Scientific Committee of EFSA. The Scientific Panels are responsible for providing the scientific opinions of the Authority and other advice as appropriate, each within their own spheres of competence. In order to boost EFSA's pool of expertise, the current Scientific Panel of food additives, flavourings processing aids and materials in contact with food (AFC Panel) is being replaced by two separate Panels which competence and the respective expertise sought through this call are as follows:

The Panel on food additives and nutrient sources added to food deals with questions of safety in the use of food additives and nutrient sources with associated subjects concerning the safety of other deliberately added substances to food.

The Panel on food contact materials, enzymes, flavourings and processing aids deals with questions of safety in the use of flavourings, processing aids, food enzymes and materials in contact with food; and with questions related to the safety of processes.

Required expertise: Toxicology and Risk assessment, Chemistry, Biochemistry, Food consumption and exposure assessment, Safety and bioavailability of nutrient sources, Food technology and Microbiology within the area of the Panels as described above.

For more information on Scientific Panels:

http://www.efsa.europa.eu/EFSA/efsa_locale-1178620753816_ScientificPanels.htm

The role of the members of EFSA's Scientific Panels

Members are expected to be prepared to attend and contribute actively to all meetings of the Panel where opinions, scientific reports or guidance documents are adopted. It is estimated that the Scientific Committee and the Scientific Panels meet depending on the workload between five and ten times per year in two-day meetings usually in Parma, Italy. Panel members are also expected to participate, as appropriate, in working groups. Meetings and most documents are in English. Applicants should take into account that meetings in general involve preparatory work.

The members of the Scientific Panels are not remunerated but will be entitled to a compensation decided by EFSA Management Board for each full day meeting (for 2007, this amount was stated at EUR 300). In addition, the scientific experts receive subsistence allowance and incurred travelling expenses in accordance with EFSA's compensation guide for experts meetings.

Selection Procedure

Candidates are asked in the application form to make a choice between the two Scientific Panels in order of preference.

The requirements

Qualifications and experience

A. Eligibility criteria

- (i) a university degree in areas including Toxicology, Chemistry, Biochemistry or Food technology preferably at post-graduate level;
- (ii) at least ten (10) years of professional experience relevant to the remit of the Panel(s) chosen at a level to which above required qualifications give admission;
- (iii) good knowledge of the English language;
- (iv) candidates must complete the declaration of interests included in the application in a true and complete manner. Please note that failure to fill in this part of the form in a true and complete manner will result in the rejection of the application;
- (v) candidates must be nationals of a Member State of the European Communities, European Free Trade Association (EFTA) countries and EU accession countries. Experts from non-European countries may also apply but will be considered only when the required level of expertise cannot be found among European experts.

B. Selection criteria

- (i) experience in carrying out scientific risk assessment and/or providing scientific advice in fields related to food and feed safety in general and, in particular in the areas of competence and expertise of the preferred Panel;
- (ii) proven scientific excellence in one, or preferably several fields linked to the area covered by the preferred Panel;
- (iii) experience in acting in advisory committees;
- (iv) experience in chairing committees;
- (v) proven experience in peer-reviewing scientific work, editorship, reports, editor boards, industry reports, articles and publications, preferably in fields related to the area covered by the Scientific Panel preferred;
- (vi) experience in dealing with complex information and dossiers often from a wide range of scientific disciplines and sources;
- (vii) professional experience in a multidisciplinary environment;
- (viii) professional experience gained in international context;
- (ix) proven experience in project management related to scientific matters;
- (x) proven experience as a rapporteur;
- (xi) proven communication skills to be able to communicate effectively with the scientific community, media and other stakeholders;
- (xii) an ability to use modern, electronic means of document exchange and communications would be an advantage, given the Authority makes best use of these techniques.

Applications meeting the eligibility requirements will be admitted to a comparative evaluation carried out by EFSA on the basis of the selection criteria given above. EFSA reserves the right to consult third parties on the professional experience of applicants in the context of their application. Members of the Scientific Panels will be appointed by the Management Board acting upon a proposal from the Executive Director.

Applicants may apply to the two (2) Scientific Panels but can only be appointed to one of them. Applicants may, with their prior consent, be assigned to a Scientific Panel even if they did not specifically apply for that Panel. Applicants meeting the requirement for membership but who are not appointed may be invited to remain on the reserve list in case vacancies occur or may be invited to contribute to the activities of a Scientific Panel as *ad hoc* expert of a Panel's Working Group.

Independence and declarations of commitment and interest

The members of the Scientific Panels are appointed on a personal basis. Applicants are required to include a declaration that they will undertake to act independently of any outside influence and a declaration of interests which may be deemed to be prejudicial to their independence.

Equal opportunities

EFSA takes great care to avoid any form of discrimination in its selection procedures.

Submission of applications

Candidates are requested to submit their application together with Declaration of Interests electronically through the EFSA's website: www.efsa.europa.eu or download the forms from the EFSA website and send their application by registered mail to the following address:

Ref.: EFSA/E/2008/001

EFSA — European Food Safety Authority
Human Resources Unit
Largo N. Palli, 5/A
I-43100 Parma

Applications delivered via email will not be accepted. An application will be deemed admissible only if it includes a duly completed application form. Candidates are kindly invited to fill in their application form in English in order to facilitate the selection procedure.

Please note that EFSA will not return applications to candidates. The personal information EFSA requests from candidates will be processed in line with Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. The purpose of processing of the personal data candidates submit is to manage applications in view of a possible pre-selection and selection at EFSA.

Closing date for sending applications

Applications must be submitted no later than **15 February 2008 at midnight** (Local time, GMT +1). For those sent by registered mail, the postmark date will serve as a proof.

Please note that, due to the extremely large number of applications we receive, when reaching the deadline for submission of applications, the system may have problems to process the large amounts of data. We therefore advise the applicants to send in their application well ahead of the closing date.

Please note that this call is subject to the approval of a new legislation expected during the first semester of 2008.

Note:

In the event of inconsistency or discrepancy between the English version and any of the other linguistic versions of this publication, the English language version shall prevail.
