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### Information and Notices

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

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

## II

*(Information)*

## INFORMATION FROM EUROPEAN UNION INSTITUTIONS AND BODIES

## COMMISSION

**Non-opposition to a notified concentration****(Case COMP/M.5023 — Cofathec/Edison)****(Text with EEA relevance)**

(2008/C 127/01)

On 29 February 2008, 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 32008M5023. EUR-Lex is the on-line access to European law (<http://eur-lex.europa.eu>).

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**Non-opposition to a notified concentration****(Case COMP/M.5129 — Delta Lloyd/Swiss Life Belgium)****(Text with EEA relevance)**

(2008/C 127/02)

On 29 April 2008, 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 32008M5129. EUR-Lex is the on-line access to European law (<http://eur-lex.europa.eu>).
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**Non-opposition to a notified concentration****(Case COMP/M.4961 — Cookson/Foseco)****(Text with EEA relevance)**

(2008/C 127/03)

On 4 March 2008, 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) in conjunction with 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 32008M4961. EUR-Lex is the on-line access to European law (<http://eur-lex.europa.eu>).

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**Non-opposition to a notified concentration****(Case COMP/M.4884 — FCC/PORR/Autoput)****(Text with EEA relevance)**

(2008/C 127/04)

On 8 April 2008, 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 32008M4884. EUR-Lex is the on-line access to European law (<http://eur-lex.europa.eu>).
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**Non-opposition to a notified concentration**  
**(Case COMP/M.5027 — JBS/Cremonini/Inalca)**

(Text with EEA relevance)

(2008/C 127/05)

On 25 February 2008, 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 32008M5027. EUR-Lex is the on-line access to European law (<http://eur-lex.europa.eu>).

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**Non-opposition to a notified concentration**  
**(Case COMP/M.4927 — Carlyle/INEOS/JV)**

(Text with EEA relevance)

(2008/C 127/06)

On 20 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 32007M4927. 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 <sup>(1)</sup>****23 May 2008**

(2008/C 127/07)

**1 euro =**

Currency	Exchange rate	Currency	Exchange rate
USD US dollar	1,5742	TRY Turkish lira	1,9591
JPY Japanese yen	162,97	AUD Australian dollar	1,6376
DKK Danish krone	7,4602	CAD Canadian dollar	1,5533
GBP Pound sterling	0,79440	HKD Hong Kong dollar	12,2829
SEK Swedish krona	9,3024	NZD New Zealand dollar	1,9990
CHF Swiss franc	1,6175	SGD Singapore dollar	2,1402
ISK Iceland króna	113,70	KRW South Korean won	1 645,43
NOK Norwegian krone	7,9010	ZAR South African rand	12,0500
BGN Bulgarian lev	1,9558	CNY Chinese yuan renminbi	10,9276
CZK Czech koruna	25,103	HRK Croatian kuna	7,2539
EEK Estonian kroon	15,6466	IDR Indonesian rupiah	14 660,52
HUF Hungarian forint	244,97	MYR Malaysian ringgit	5,0634
LTL Lithuanian litas	3,4528	PHP Philippine peso	68,454
LVL Latvian lats	0,6988	RUB Russian rouble	37,1210
PLN Polish zloty	3,4021	THB Thai baht	50,429
RON Romanian leu	3,6641	BRL Brazilian real	2,6024
SKK Slovak koruna	31,075	MXN Mexican peso	16,3347

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

**Opinion of the Advisory Committee on restrictive agreements and dominant positions given at its meeting of 16 November 2007 regarding a draft decision relating to Case COMP/39.165 — Flat Glass**

(2008/C 127/08)

1. The Advisory Committee agrees with the European Commission assessment of the facts as an agreement and/or concerted practice within the meaning of Article 81 of the EC Treaty and Article 53 of the EEA Agreement.
  2. The Advisory Committee agrees with the European Commission assessment of the product and the geographic area affected by the cartel.
  3. The Advisory Committee agrees with the European Commission assessment that the cartel constitutes a single and continuous infringement.
  4. The Advisory Committee agrees with the European Commission assessment that the agreement and/or concerted practice between the flat glass manufacturers in the EEA were capable of having an appreciable effect upon trade between Member States.
  5. The Advisory Committee agrees with the European Commission assessment as regards the addressees of the draft decision, specifically with reference to imputation of liability to parent companies of the groups concerned.
  6. The Advisory Committee agrees with the European Commission that a fine should be imposed on the addressees of the draft decision.
  7. The Advisory Committee agrees with the European Commission assessment of the applications made under the 2002 Leniency Notice, that is to say that Asahi/Glaverbel will be granted a 30-50 % reduction of the fine and partial immunity for the period 9 January 2004 to 19 April 2004.
  8. The Advisory Committee recommends the publication of its Opinion in the *Official Journal of the European Union*.
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**Final report of the Hearing Officer in Case COMP/39.165 — Flat Glass**

*(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 127/09)

The draft Decision gives rise to the following observations:

**INTRODUCTION**

On 22 and 23 February and 15 March 2005, the Commission carried out unannounced inspections at the premises of several manufacturers of flat glass belonging to the Pilkington, Asahi/Glaverbel, Saint-Gobain and Guardian groups of companies. On 2 March 2005, the Asahi/Glaverbel group of companies submitted an application for immunity from fines, or in the alternative, reduction of fines pursuant to the 2002 Leniency Notice <sup>(1)</sup>. On the basis of the information collected during the investigation, the Commission came to the preliminary conclusion that the above companies participated in a single and continuous infringement of Article 81 of the Treaty and Article 53 of the EEA Agreement covering at least the EEA territory, by which they fixed price increases, minimum prices and other commercial conditions for four categories of flat glass products, i.e. float glass, low-E (low emissivity) glass, laminated glass and unprocessed mirrors, in the period between 9 January 2004 and 22 February 2005, and also exchanged sensitive commercial information.

**WRITTEN PROCEDURE****Statement of Objections and replies**

On 12 March 2007, the Commission notified a Statement of Objections to the following parties: Asahi Glass Company Limited ('Asahi'), Glaverbel SA/NV ('Glaverbel', which was renamed 'AGC Flat Glass Europe SA' on 1 September 2007), Guardian Europe SARL and its parent company Guardian Industries Corporation (hereinafter jointly referred to as 'Guardian'), Pilkington Deutschland AG, Pilkington Group Limited, Pilkington Holding GmbH (hereinafter jointly referred to as 'Pilkington'), Compagnie de Saint-Gobain SA and Saint-Gobain Glass France SA (hereinafter jointly referred to as 'Saint-Gobain').

The addressees received the SO between 13 and 15 March 2007 and the deadline for replying was 7 May 2007. All parties requested extensions to reply to the SO. Upon reasoned requests of the parties, I granted extensions to Saint-Gobain until 11 May 2007, to Asahi and Glaverbel until 14 May 2007 and to Pilkington until 21 May 2007. All parties replied in due time.

**Access to file**

The parties had access to the Commission file in the form of DVDs which they received together with the SO. Corporate statements and documents submitted to the Commission in the framework of the Leniency Notice were accessible at the Commission's premises.

**ORAL PROCEDURE****Oral Hearing**

An Oral Hearing was held on 7 June 2007, in which Asahi, Glaverbel and Guardian participated and presented their views. Asahi's presentation focused on the issue of parental liability; while Glaverbel emphasized the value of their cooperation with the Commission and Guardian was mainly explaining their specific business structure.

<sup>(1)</sup> OJ C 45, 19.2.2002, p. 3.

**THE DRAFT DECISION**

It is my opinion that the draft Decision submitted to the Commission only contains objections in respect of which the parties have been afforded the opportunity of making known their views.

I conclude that the rights of the parties to be heard in writing and orally have been respected in the present case.

Brussels, 21 November 2007.

Serge DURANDE

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**Opinion of the Advisory Committee on restrictive agreements and dominant positions given at its meeting of 23 November 2007 regarding a draft decision relating to Case COMP/39.165 — Flat Glass**

(2008/C 127/10)

1. The Advisory Committee agrees with the Commission on the basic amount of the fines.
  2. The Advisory Committee agrees with the Commission on the increase of the fine to ensure a sufficient deterrent effect.
  3. The Advisory Committee agrees with the Commission on the reduction of the fines based on the 2002 Leniency Notice.
  4. The Advisory Committee agrees with the Commission on the final amounts of the fines.
  5. The Advisory Committee recommends the publication of its opinion in the *Official Journal of the European Union*.
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**Summary of Commission Decision**  
**of 28 November 2007**  
**relating to a proceeding under Article 81 of the EC Treaty and Article 53 of the EEA Agreement**  
**(Case COMP/39.165 — Flat Glass)**  
(notified under document number C(2007) 5791)  
(Only the English and French texts are authentic)  
(Text with EEA relevance)  
(2008/C 127/11)

**1. INTRODUCTION**

1. On 28 November 2007, the Commission adopted a decision relating to a proceeding under Article 81 of the EC Treaty. In accordance with the provisions of Article 30 of Council Regulation (EC) No 1/2003 <sup>(1)</sup>, the Commission herewith publishes the names of the parties and the main content of the decision, including any penalties imposed, having regard to the legitimate interest of undertakings in the protection of their business secrets.
2. A non-confidential version of the decision is available on the Competition Directorate General website at the following address:

<http://ec.europa.eu/comm/competition/antitrust/cases/index>

**2. CASE DESCRIPTION****2.1. Procedure**

3. This case was initiated on the basis of information from national competition authorities. Inspections were carried out at the premises of Glaverbel (Asahi's subsidiary, recently renamed AGC Flat Glass Europe), Guardian, Pilkington and Saint-Gobain in February 2005. A second round of inspections took place at the premises of Guardian and the GEPVP (European Flat Glass Trade Organisation) in March 2005. In between the two rounds of inspections, on 2 March 2005, Asahi and Glaverbel applied for immunity from fines or, in the alternative, reduction of fines.
4. Several written requests for information were addressed to the undertakings involved in the anti-competitive arrangements. The Commission rejected Asahi's and Glaverbel's request for immunity under point 8 of the Leniency Notice and informed them that it intends to grant them a reduction of 30-50 % of any fines.
5. The Statement of Objections was adopted on 9 March 2007 and notified to the parties. An oral hearing was held on 7 June 2007. Only Asahi, Glaverbel and Guardian participated in the hearing.

**2.2. Functioning of the cartel**

6. The evidence of the existence of the cartel covers the period from January 2004 to February 2005.
7. The collusive practice can be categorised as follows: essentially price fixing practices for flat glass in the EEA. The Commission considers that this collusion forms part of a single overall scheme and therefore constitutes a single infringement of Article 81 of the EC Treaty and of Article 53 of the EEA Agreement.
8. The Advisory Committee on Restrictive Practices and Dominant Positions issued a favourable opinion on 16 and 23 November 2007.

**2.3. Summary of the infringement**

9. The addressees of the Decision participated in a single and continuous infringement of Article 81 of the Treaty establishing the European Community and of Article 53 of the Agreement on the European Economic Area, involving the coordination of price increases and other commercial conditions for flat glass products.

**2.3.1. The flat glass sector**

10. The product categories concerned by the decision are flat glass products for use in buildings. They comprise float glass (produced in the 'float' process, the basic flat glass product accounting for about 90 % of flat glass capacity), low-E glass ('low emissivity'; glass minimising condensation and heat loss), laminated glass (used for special safety and security purposes) and unprocessed mirrors (silvered glass to be used as mirrors).
11. The estimated EEA market value for these product categories sold to independent customers in 2004 was approximately EUR 1 700 million. The four undertakings involved in the infringement had an estimated market share of at least 80 %.

<sup>(1)</sup> OJ L 1, 4.1.2003, p. 1. Regulation as amended by Regulation (EC) No 411/2004 (OJ L 68, 6.3.2004, p. 1).

12. The addressees referred to below participated in a single and continuous infringement of Article 81 of the EC Treaty and of Article 53 of the Agreement on the European Economic Area, covering the territory of the EEA, the main features of which were that they agreed price increases in the EEA as well as the timing of their announcements, minimum prices and other commercial conditions for the four mentioned flat glass product categories. They also exchanged sensitive commercial information.

#### 2.4. Addressees

13. The decision is addressed to the following legal entities which belong to the four participating undertakings:
- (a) Asahi Glass Company Limited and AGC Flat Glass Europe SA/NV;
  - (b) Guardian Industries Corp. and Guardian Europe SARL;
  - (c) Pilkington Group Limited, Pilkington Holding GmbH and Pilkington Deutschland AG;
  - (d) Compagnie de Saint-Gobain SA and Saint-Gobain Glass France SA.
14. Liability of the ultimate parent companies is established on the basis of the presumption of the exercise of decisive influence over their wholly-owned subsidiaries, which is reinforced by several additional indicia.

#### 2.5. Remedies

15. For setting the fines imposed in this case, the Commission applied the principles laid down in its Guidelines on the method of setting fines imposed pursuant to Article 23(2)(a) of Regulation (EC) No 1/2003, as published in OJ C 210 of 1.9.2006, p. 2 (hereinafter called: 'Guidelines on fines').

##### 2.5.1. Basic amount of the fine

16. According to the Guidelines on fines, the basic amount of the fine has to be determined as a proportion of the value of the sales of the relevant product made by each undertaking in the relevant geographic area during the last full business year of the infringement ('variable amount'), multiplied by the number of years of the infringement, plus an additional amount, also calculated as a proportion of the value of sales, in order to deter horizontal price fixing agreements ('additional amount').
17. According to the Guidelines on fines, the criteria to be taken into account in order to set out these proportions are, i.e. the nature of the infringement (in this case horizontal price-fixing) and the combined market share of the

undertakings participating in the infringement (in this case over 80 %).

18. Taking into account that the infringement lasted for at least 1 year and 1 month for Pilkington and Saint-Gobain, the variable amount has been multiplied by 1,5. As regards Glaverbel the variable amount has been multiplied by 1 instead of 1,5 to take into account adjusted duration (see point 30 below). For Guardian the infringement lasted for 10 months leading the variable amount to be multiplied by 1.

##### 2.5.2. Adjustments to the basic amount

##### Aggravating and attenuating circumstances

19. All aggravating circumstances and claims for attenuating circumstances have been discussed as regards all undertakings <sup>(1)</sup>.

##### Specific increase for deterrence

20. According to the Guidelines, in determining the amount of the fine, the Commission pays particular attention to the need to ensure that fines have a sufficiently deterrent effect. To that end, it may increase the fine to be imposed on undertakings which have a particularly large turnover beyond the sales of goods or services to which the infringement relates (point 30 of the 2006 Guidelines on fines), even if it is not possible to estimate the amount of gains improperly made as a result of the infringement (point 31 of the 2006 Guidelines on fines), as the fine imposed must fulfil its objective of disciplining the infringing undertaking having taken into account its overall size.
21. The Commission gave due considerations to the need to increase the fine on undertakings which have a particularly large turnover beyond the sales of goods or services to which the infringement relates <sup>(1)</sup>.

##### 2.5.3. Application of the 10 % turnover limit

22. The 10 % worldwide turnover limit provided for in Article 23(2) of Regulation (EC) No 1/2003 is applied to the fines calculated as appropriate.

##### 2.5.4. Application of the 2002 Leniency Notice: reduction of fines

23. As mentioned under point 6 above, Asahi and its subsidiary Glaverbel applied for immunity and in the alternative for a reduction of fines under the 2002 Leniency Notice.

<sup>(1)</sup> The European Commission cannot disclose the figures because they may be confidential.

#### Immunity

24. The Commission rejected Glaverbel and Asahi's application for immunity under points 8(a) and (b) of the Leniency Notice for the following reasons.
25. As inspections had already been carried out before Asahi/Glaverbel's application, immunity under point 8(a) was no longer available.
26. For the period 20 April 2004 to 22 February 2005, the contemporaneous evidence relied on by the Commission in order to find the infringement concerned by the present decision are mainly contemporaneous notes of cartel meetings copied during the inspections. Glaverbel and Asahi brought few elements with evidentiary value which the Commission did not yet have for that period, except for corroborating statements. At the time Glaverbel and Asahi applied for immunity/leniency the Commission therefore already disposed of contemporaneous evidence copied during the inspections which was sufficient to find an infringement of Article 81.

#### Significant added value

27. Asahi/Glaverbel was the first and only undertaking to meet the requirements of point 21 of the Leniency Notice.
28. Considering the value of their contribution to the Commission's case, the early stage at which they provided this contribution and the extent of their cooperation following their submissions, the Commission has decided to grant Asahi and Glaverbel a reduction of 50 % of the fine that would otherwise have been imposed

#### Point 23 last paragraph

29. Although the Commission had evidence of the infringement from the inspection for the meetings of 20 April 2004, 2 December 2004 and 11 February 2005, Glaverbel and Asahi's submissions enabled the Commission to extend the duration of the cartel back to 9 January 2004.

30. This leads to the result that the variable amount has been multiplied by 1 instead of 1,5 for Asahi/Glaverbel to take account of adjusted duration of the infringement.

#### 3. DECISION

31. The addressees of the Decision and the duration of their involvement were as follows:
- (a) Asahi Glass Company Limited and AGC Flat Glass Europe SA/NV, from 9 January 2004 to 22 February 2005;
  - (b) Guardian Industries Corp. and Guardian Europe SARL, from 20 April 2004 to 22 February 2005;
  - (c) Pilkington Group Limited, Pilkington Holding GmbH and Pilkington Deutschland AG from 9 January 2004 to 22 February 2005;
  - (d) Compagnie de Saint-Gobain SA and Saint-Gobain Glass France SA from 9 January 2004 to 22 February 2005.
32. For the infringements referred to in the previous recital, the following fines were imposed:
- (a) Asahi Glass Company Limited and AGC Flat Glass Europe SA/NV, jointly and severally: EUR 65 000 000;
  - (b) Guardian Industries Corp. and Guardian Europe SARL, jointly and severally: EUR 148 000 000;
  - (c) Pilkington Group Limited, Pilkington Holding GmbH and Pilkington Deutschland AG, jointly and severally: EUR 140 000 000;
  - (d) Compagnie de Saint-Gobain SA and Saint-Gobain Glass France SA, jointly and severally: EUR 133 900 000.
33. The undertakings listed above were ordered to bring to an end the infringements referred to in point 12, insofar as they have not already done so and to refrain from repeating any act or conduct described in point 12, and from any act or conduct having the same or similar object or effect.

**Commission Regulation (EC) No 1564/2005 establishing standard forms for the publication in the *Official Journal of the European Union* of notices in the framework of public procurement procedures — Correction to the address of the Office for Official Publications of the European Communities and of the 'SIMAP' public procurement website**

(2008/C 127/12)

The Annexes to Commission Regulation (EC) No 1564/2005 of 7 September 2005 establishing standard forms for the publication of notices in the framework of public procurement procedures pursuant to Directives 2004/17/EC and 2004/18/EC of the European Parliament and of the Council need to be updated to take account of the replacement of the EU institutions' domain name 'eu.int' by 'europa.eu'.

As from now, the e-mail address of the Office for Official Publications of the European Communities, to which notices for publication must be sent, and the address of the SIMAP site, given in the letterhead of each of the 13 Annexes, must be modified as follows:

EUROPEAN UNION

Publication of Supplement to the *Official Journal of the European Union*

2, rue Mercier

L-2985 Luxembourg

Fax (352) 29 29 42 670

E-mail: [ojs@publications.europa.eu](mailto:ojs@publications.europa.eu)

Info & on-line forms: <http://simap.europa.eu>

The amendment will be made subsequently by means of a formal act amending Regulation (EC) No 1564/2005.

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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 127/13)

**Aid No:** XA 33/08

**Member State:** Czech Republic

**Region:** Whole of the Czech Republic

**Title of aid scheme or name of company receiving individual aid:** Vzdělávání ekologických zemědělců a šíření informací o ekologickém zemědělství

**Legal basis:** Zákon č. 242/2000 Sb., o ekologickém zemědělství a o změně zákona č. 368/1992 Sb., o správních poplatcích, ve znění pozdějších předpisů

**Annual expenditure planned under the scheme or overall amount of individual aid granted to the company:** CZK 1 000 000

**Maximum aid intensity:** Up to 100 % of the eligible expenses

**Date of implementation:** 25.1.2008

**Duration of scheme or individual aid award:** 31.12.2013

**Objective of aid:**

The primary objective is to provide aid to small and medium-sized enterprises.

The secondary objective is to increase awareness amongst organic farmers of issues surrounding organic farming, including the marketing and sale of bio-products, and to ensure high-quality training and advice for organic farmers, as well as accessibility to good-quality, up-to-date information on organic farming, including the distribution of such information to the target group. Such information would include, for example, the results of research showing the environmental and health benefits of organic farming and eating organic food.

The eligible expenditure in question is in conformity with Article 15(2) of Regulation (EC) No 1857/2006

**Economic sector(s) concerned:** Organic farming, plant and animal production (A0011 — Growing of crops; market gardening; horticulture, A0012 — Farming of animals, A0013 — Growing of crops combined with farming of animals (mixed farming))

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

Ministerstvo zemědělství  
Těšnov 17  
CZ-117 05 Praha 1

**Website:**

'Ekologické zemědělství a biopotraviny' (Biological agricultural production and bio food) programme

<http://www.mze.cz/Index.aspx?deploy=539&typ=2&-ch=73&ids=539&val=539>

[http://81.0.228.70/attachments/konecna\\_verze\\_Programu\\_E-Z\\_odeslana\\_MZP.doc](http://81.0.228.70/attachments/konecna_verze_Programu_E-Z_odeslana_MZP.doc)

(see page 18, measure 4 and page 19, measure 6)

**Other information:**

The Czech Republic confirms that the aid is designed solely for small and medium-sized enterprises active in agricultural production and that the relevant financial limits will be complied with. In connection with the application of the aid, the recipients will receive no direct payment and the information supplied and presentations made will be of an impartial nature, with no reference made to bio-products

Prague, 11 January 2008.

M. Jiří TRNKA  
*Director of Environmental Policy and Renewable Energy Resources*  
*Ministry of Agriculture*

**Aid No:** XA 48/08

**Member State:** Republic of Slovenia

**Region:** Območje občine Jezersko

**Title of aid scheme or name of company receiving individual aid:** Podpore programom razvoja podeželja v občini Jezersko 2007–2013

**Legal basis:** Pravilnik o dodelitvi pomoči za ohranjanje in razvoj kmetijstva, gozdarstva in podeželja v občini Jezersko



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

2007: EUR 9 225

2008: EUR 9 483

2009: EUR 9 720

2010: EUR 9 915

2011: EUR 10 114

2012: EUR 10 367

2013: EUR 10 626

**Maximum aid intensity:**

- aid for investment in agricultural holdings for primary production: up to 50 % of eligible costs in less-favoured areas and up to 40 % in other areas,
- aid for conservation of traditional buildings: for non-productive features, up to 100 % of eligible costs; for productive assets on farms, up to 75 % of eligible costs in less-favoured areas and up to 60 % in other areas,
- aid for land reparation: up to 50 % of actual legal and administrative costs incurred,
- aid towards the payment of insurance premiums: the difference between the amount of co-financing of insurance premiums from the national budget and up to 50 % of eligible costs of insurance premiums for insuring crops and fruit and for insuring livestock against disease,
- provision of technical support in the agricultural sector: up to 100 % of costs concerning education and training of farmers, consultancy services, the organisation of and participation in forums for farms to exchange knowledge, competitions, exhibitions and fairs, publications, such as catalogues and websites, and the costs of replacement services; the aid is to be granted in the form of subsidised services and must not involve direct payments of money to producers

**Date of implementation:** January 2008**Duration of scheme or individual aid award:** Until 31.12.2013**Objective of aid:** To support SMEs**Reference to Articles in Regulation (EC) No 1857/2006 and eligible costs:**

Chapter II of the draft Rules on granting aid for preserving and developing agriculture, forestry and rural areas in the municipality of Jezersko includes measures constituting State aid in accordance with the following Articles of Commission Regulation (EC) No 1857/2006 of 15 December 2006 on the application of Articles 87 and 88 of the Treaty to State aid to small and medium-sized enterprises active in the production of agricultural products and amending Regulation (EC) No 70/2001 (OJ L 358, 16.12.2006, p. 3):

- Article 4: Investment in agricultural holdings for primary production,

- Article 5: Conservation of traditional landscapes and buildings,

- Article 12: Aid towards the payment of insurance premiums,

- Article 13: Aid for land reparation,

- Article 15: Provision of technical support in the agricultural sector

**Economic Sector(s) concerned:** Agriculture**Name and address of granting authority:**

Občina Jezersko  
Zg. Jezersko 65  
SLO-4206 Zg. Jezersko

**Website:**

[http://www.jezersko.si/data/pravilniki/Pravilnik\\_kmetijske\\_pomo-ci\\_Jezersko\\_07.pdf](http://www.jezersko.si/data/pravilniki/Pravilnik_kmetijske_pomo-ci_Jezersko_07.pdf)

**Other information:**

The measure for the payment of insurance premiums to insure crops and fruit includes the following adverse climatic events which can be assimilated to natural disasters: spring frost, hail, lightning, fire caused by lightning, storm and floods.

The municipality's Rules meet the requirements of Regulation (EC) No 1857/2006 concerning the measures to be adopted by the municipality and the general provisions applicable (steps preceding grant of aid, cumulation, transparency and monitoring of aid)

Milan KOCJAN  
Mayor

**Aid No:** XA 49/08**Member State:** Spain**Region:** Catalunya

**Title of aid scheme or name of company receiving individual aid:** Ayudas para programas de auditoría y asesoramiento de las explotaciones de ovino y caprino

**Legal basis:** Orden AAR/487/2007, de 20 de diciembre, por la que se aprueban las bases reguladoras de las ayudas para programas de auditoría y asesoramiento de las explotaciones de ovino y caprino, y se convocan las correspondientes al año 2007

**Annual expenditure planned under the scheme or overall amount of individual aid granted to the company:** EUR 250 000

**Maximum aid intensity:** The aid intensity is variable, possibly up to 100 %

**Date of implementation:** 29.12.2007

**Duration of scheme or individual aid award:** Until 31.12.2009

**Objective of the aid:**

Provision of technical support in the agricultural sector, Article 15(2)(c) of Regulation (EC) No 1857/2006.

To establish a line of aid for audit and advice programmes for sheep and goat farms which are defined as small or medium-sized enterprises in accordance with Recommendation 2003/361/EC, with the aim of improving the production, technical-economic and health conditions of the farms involved in those programmes.

This aid is to be used to subsidise the fees of the groups, cooperatives, professional organisations and natural and legal persons who provide advice or audit services to the producers, so that the latter receive help in kind. No direct cash payments will be made to the producers.

Subsidised advisory services will be available to all sheep and goat producers.

If the service is provided by a producer group or professional organisation, it is not necessary to be a member to have access to the service

**Sector(s) concerned:** Sheep and goats

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

Departamento de Agricultura, Alimentación y Acción Rural  
Gran Vía de les Corts Catalanes, 612-614  
E-08007 Barcelona

**Website:**

<http://www.gencat.net/darp/c/serveis/ajuts/ajut3.htm>

**Other information:** —

**Aid No:** XA 55/08

**Member State:** Spain

**Region:** Castilla y León (provincia de Salamanca)

**Title of aid scheme or name of company receiving an individual aid:** Subvenciones dirigidas a cooperativas de ganaderos que tengan como fin la utilización de cebaderos y/o la comercialización de carne, anualidad 2008

**Legal basis:** Proyecto de bases reguladoras de la convocatoria de subvenciones dirigidas a cooperativas de ganaderos que tengan como fin la utilización de cebaderos y/o la comercialización de carne, anualidad 2008

**Annual expenditure planned under the scheme or overall amount of individual aid granted to the company:** The annual expenditure planned under the scheme for 2008 is EUR 45 000 (forty-five thousand EUR)

**Maximum aid intensity:**

The grant may not exceed 50 % of the eligible expenditure or EUR 8 000 per applicant.

Moreover, aid aimed at defraying operating and management costs will be temporary — based on the date the cooperative was established — and degressive, i.e. subject to the percentages indicated below:

- 35 % of the costs concerned for cooperatives established in 2004,
- 40 % of the costs concerned for cooperatives established in 2005,
- 45 % of the costs concerned for cooperatives established in 2006,
- 50 % of the costs concerned for cooperatives established in 2007

**Date of implementation:** From the day following the publication of the call for grant proposals in the *Boletín Oficial de la Provincia de Salamanca*

**Duration of scheme or individual aid award:** Until 31.12.2008

**Objective of aid:**

The aid is aimed at promoting the development of livestock cooperatives in the province of Salamanca and, thereby, boosting the creation and maintenance of cooperative livestock bodies.

It is also aimed at increasing the presence of the said cooperatives at fairs and exhibitions organised by the *Diputación Provincial* at the Exhibition Centre, implying that the importance of these installations and of the activities taking place should extend to Autonomous Community and national level.

The aid scheme falls within the scope of Articles 9 and 15 of Regulation (EC) No 1857/2006.

Eligible activities: participation in fairs and exhibitions organised by the *Diputación de Salamanca*, operational and management-related activities and the provision of technical assistance to the Salamanican livestock sector.

Eligible expenditure is taken to mean:

- A. For the participation in fairs organised by the *Diputación*, expenditure relating to:
  - 1. registration, space and stand rental, security, conference hosts and participation fees;
  - 2. publications related to the activity;
  - 3. travelling expenses.
  - 4. technical symposia held in the Exhibition Centre during the fairs.
- B. For operational and management-related activities, expenditure relating to:
  - 1. the cost of renting premises for headquarters;
  - 2. legal and administrative expenses;
  - 3. office equipment;

4. administrative staff costs;
  5. overheads (maintenance, repairs, conservation, supplies, etc.).
- C. For the provision of technical assistance, expenditure relating to:
1. training activities: the actual costs of organising the training programme;
  2. attendance at national fairs: space and stand rental, security, conference hosts, participation fees, travelling expenses and publications related to the activity;
  3. presentation of quality products at national and provincial level: only the rental of the installations where the presentation is made, travelling expenses and publications related to the activity may be subsidised;
  4. publications such as catalogues or websites presenting information about producers from a given region or producers of a given product, provided that this information and the presentation are neutral and that all producers concerned are afforded the same opportunity to feature in them

**Sector(s) concerned:** Livestock sector

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

Excm. Diputación Provincial de Salamanca  
C/ Felipe Espino nº 1  
E-37002 Salamanca

**Website:**

<http://www.lasalina.es/areas/eh/Subvenciones2008/Proyectos-Convocatorias/SubvCooperativas.pdf>

**Other information:**

The aid will be compatible with any other grant, aid, resources or revenue assigned to the subsidised activity by a national or European Union authority or public or private body or international organisation, provided that the aid ceilings specified in Regulation (EC) No 1857/2006 are not exceeded (in particular, in the case of the activities referred to in 3.B) of the regional instrument concerned) and, more specifically, the operating and management costs, the total amount of public aid granted within the scope of Article 9 of the Regulation must not exceed EUR 400 000 per recipient).

If the applicant has been awarded another grant — for the same purpose — which is incompatible with that awarded by the *Diputación*, Article 33 of Royal Decree 887/2006 of 21 July 2006 laying down implementing rules in respect of the General Law on Subsidies shall apply.

However, in no case may the amount of subsidies awarded by the *Diputación* be such that, on its own or together with other grants, aid, revenue or resources, it exceeds the cost of the subsidised activity.

Likewise, the grant will be incompatible with any other grant, aid, resource or revenue assigned to the subsidised activity by the *Diputación de Salamanca* — either by a direct award procedure or by a competitive procedure — covering the same eligible expenditure

Salamanca, 20 December 2007.

Isabel JIMÉNEZ GARCÍA  
*President of the Diputación de Salamanca*

**Aid No:** XA 56/08

**Member State:** Spain

**Region:** Castilla y León (provincia de Salamanca)

**Title of aid scheme or name of company receiving an individual aid:** Subvenciones dirigidas a asociaciones y federaciones ganaderas con sede en la provincia de Salamanca, anualidad 2008

**Legal basis:** Proyecto de bases reguladoras de la convocatoria de subvenciones dirigidas a asociaciones y federaciones ganaderas con sede en la provincia de Salamanca, anualidad 2008

**Annual expenditure planned under the scheme or overall amount of individual aid granted to the company:** The annual expenditure planned under the scheme for 2008 is EUR 32 000 (thirty-two thousand EUR)

**Maximum aid intensity:** The maximum amount of the grant may not exceed 50 % of the eligible expenditure or EUR 8 000 per applicant

**Date of implementation:** From the day following the publication of the call for grant proposals in the *Boletín Oficial de la Provincia de Salamanca*

**Duration of scheme or individual aid award:** Until 31.12.2008

**Objective of aid:**

This aid is aimed at promoting the development of livestock associations in the province of Salamanca and, thereby, boosting the creation and maintenance of livestock associations.

In the same way, it aspires to increase the presence of the said associations at fairs held by the *Diputación Provincial* in the Exhibition Centre, implying that the importance of these installations and of the activities taking place there should extend to Autonomous Community and national level.

This aid scheme falls within the scope of Article 15 of Regulation (EC) No 1857/2006.

Eligible activities: participating in fairs organised by the *Diputación de Salamanca* and providing technical assistance to the Salamanican livestock sector.

Eligible expenditure is taken to mean:

A. For the participation in fairs organised by the *Diputación*, expenditure relating to:

1. registration, space and stand rental, security, conference stewards and participation fees;
2. publications related to the activity;

3. travelling expenses;
  4. technical congresses held in the Exhibition Centre during the fairs.
- B. For the provision of technical assistance, expenditure relating to:
1. training activities: the actual costs of organising the training programme;
  2. expenditure for attendance at national fairs: space and stand rental, security, conference stewards, participation fees, travelling expenses and publications related to the activity;
  3. presentation of quality products at national and provincial level: only the rental of the installations where the presentation is made, travelling expenses and publications related to the activity can be subsidised;
  4. publications such as catalogues or websites containing information about producers from a given region or producers of a given product, provided that this information and the presentation are neutral and that all producers concerned are afforded the same opportunity to feature in them

**Sector(s) concerned:** Livestock sector

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

Excma. Diputación Provincial de Salamanca  
C/ Felipe Espino nº 1  
E-37002 Salamanca

**Website:**

<http://www.lasalina.es/areas/eh/Subvenciones2008/Proyectos-Convocatorias/SubvAsociaciones.pdf>

**Other information:**

The grant will be compatible with any other grant, aid, resources or revenue for the subsidised activity by a national or European Union authority or public or private body or international organisation. If the applicant has been awarded another grant — for the same purpose — which is incompatible with that awarded by the *Diputación*, Article 33 of Royal Decree 887/2006 of 21 July establishing the Rules implementing the General Law on Subsidies shall apply.

However, in no case may the amount of subsidies awarded by the *Diputación* be such that, on its own or together with other grants, aid, revenue or resources, it exceeds the cost of the subsidised activity.

Likewise, the grant will be incompatible with any other grant, aid, resource or revenue for the subsidised activity that is awarded by the *Diputación de Salamanca* — either by a direct award procedure or by a competitive procedure — covering the same eligible expenditure

Salamanca, 20 December 2007.

Isabel JIMÉNEZ GARCÍA  
*President of the Diputación de Salamanca*

**Commission communication in the framework of the implementation of the Council Directive 90/396/EEC on the approximation of the laws of the Member States relating to appliances burning gaseous fuels**

**(Text with EEA relevance)**

*(Publication of titles and references of harmonised standards under the directive)*

(2008/C 127/14)

ESO <sup>(1)</sup>	Reference and title of the harmonised standard (and reference document)	Reference of superseded standard	Date of cessation of presumption of conformity of superseded standard (Note 1)
CEN	EN 26:1997 Gas-fired instantaneous water heaters for sanitary uses production, fitted with atmospheric burners (Including Corrigendum 1998)  EN 26:1997/A1:2000  EN 26:1997/A3:2006  EN 26:1997/AC:1998	—  Note 3  Note 3	  Date expired (18.7.2001)  Date expired (30.6.2007)
CEN	EN 30-1-1:1998 Domestic cooking appliances burning gas fuel — Part 1-1: Safety — General  EN 30-1-1:1998/A1:1999  EN 30-1-1:1998/A2:2003  EN 30-1-1:1998/A3:2005  EN 30-1-1:1998/A2:2003/AC:2004	—  Note 3  Note 3  Note 3	  Date expired (30.9.1999)  Date expired (29.2.2004)  Date expired (31.12.2005)
CEN	EN 30-1-2:1999 Domestic cooking appliances burning gas — Part 1-2: Safety — Appliances having forced-convection ovens and/or grills	—	
CEN	EN 30-1-3:2003 + A1:2006 Domestic cooking appliances burning gas — Part 1-3: Safety — Appliances having a glass ceramic hotplate	EN 30-1-3:2003	Date expired (30.6.2007)
CEN	EN 30-1-4:2002 Domestic cooking appliances burning gas — Part 1-4: Safety — Appliances having one or more burners with an automatic burner control system  EN 30-1-4:2002/A1:2006	—  Note 3	  Date expired (30.6.2007)
CEN	EN 30-2-1:1998 Domestic cooking appliances burning gas — Part 2-1: Rational use of energy — General  EN 30-2-1:1998/A1:2003  EN 30-2-1:1998/A2:2005  EN 30-2-1:1998/A1:2003/AC:2004	—  Note 3  Note 3	  Date expired (10.12.2004)  Date expired (11.11.2005)
CEN	EN 30-2-2:1999 Domestic cooking appliances burning gas — Part 2-2: Rational use of energy — Appliances having forced-convection ovens and/or grills	—	

ESO <sup>(1)</sup>	Reference and title of the harmonised standard (and reference document)	Reference of superseded standard	Date of cessation of presumption of conformity of superseded standard (Note 1)
CEN	EN 88-1:2007 Pressure regulators and associated safety devices for gas appliances — Part 1: Pressure regulators for inlet pressures up to and including 500 mbar	EN 88:1991	31.5.2008
CEN	EN 88-2:2007 Pressure regulators and associated safety devices for gas appliances — Part 2: Pressure regulators for inlet pressures above 500 mbar up to and including 5 bar	—	
CEN	EN 89:1999 Gas-fired storage water heaters for the production of domestic hot water	—	
	EN 89:1999/A1:1999	Note 3	Date expired (17.10.2000)
	EN 89:1999/A2:2000	Note 3	Date expired (18.7.2001)
	EN 89:1999/A3:2006	Note 3	Date expired (30.6.2007)
	EN 89:1999/A4:2006	Note 3	Date expired (30.6.2007)
CEN	EN 125:1991 Flame supervision devices for gas burning appliances — Thermo-electric flame supervision devices	—	
	EN 125:1991/A1:1996	Note 3	Date expired (17.7.1997)
CEN	EN 126:2004 Multifunctional controls for gas burning appliances	EN 126:1995	Date expired (10.12.2004)
CEN	EN 161:2007 Automatic shut-off valves for gas burners and gas appliances	EN 161:2001	Date expired (31.7.2007)
CEN	EN 203-1:2005 Gas heated catering equipment — Part 1: General safety rules	EN 203-1:1992	31.12.2008
CEN	EN 203-2-1:2005 Gas heated catering equipment — Part 2-1: Specific requirements — Open burners and wok burners	EN 203-2:1995	31.12.2008
CEN	EN 203-2-2:2006 Gas heated catering equipment — Part 2-2: Specific requirements — Ovens	EN 203-2:1995	31.12.2008
CEN	EN 203-2-3:2005 Gas heated catering equipment — Part 2-3: Specific requirements — Boiling pans	EN 203-2:1995	31.12.2008
CEN	EN 203-2-4:2005 Gas heated catering equipment — Part 2-4: Specific requirements — Fryers	EN 203-2:1995	31.12.2008
CEN	EN 203-2-6:2005 Gas heated catering equipment — Part 2-6: Specific requirements — Hot water heaters for beverage	EN 203-2:1995	31.12.2008

ESO (*)	Reference and title of the harmonised standard (and reference document)	Reference of superseded standard	Date of cessation of presumption of conformity of superseded standard (Note 1)
CEN	EN 203-2-7:2007 Gas heated catering equipment — Part 2-7: Specific requirements — Salamanders and rotisseries	EN 203-2:1995	31.12.2008
CEN	EN 203-2-8:2005 Gas heated catering equipment — Part 2-8: Specific requirements — Brat pans and paëlla cookers	EN 203-2:1995	31.12.2008
CEN	EN 203-2-9:2005 Gas heated catering equipment — Part 2-9: Specific requirements — Solid tops, warming plates and griddles	EN 203-2:1995	31.12.2008
CEN	EN 203-2-10:2007 Gas heated catering equipment — Part 2-10: Specific requirements — Chargrills	EN 203-2:1995	31.12.2008
CEN	EN 203-2-11:2006 Gas heated catering equipment — Part 2-11: Specific requirements — Pasta cookers	EN 203-2:1995	31.12.2008
CEN	EN 257:1992 Mechanical thermostats for gas-burning appliances  EN 257:1992/A1:1996	—  Note 3	  Date expired (17.7.1997)
CEN	EN 297:1994 Gas-fired central heating boilers — Type B11 and B11BS boilers fitted with atmospheric burners of nominal heat input not exceeding 70 kW  EN 297:1994/A3:1996  EN 297:1994/A5:1998  EN 297:1994/A2:1996  EN 297:1994/A6:2003  EN 297:1994/A4:2004  EN 297:1994/A2:1996/AC:2006	—  Note 3  Note 3  Note 3  Note 3  Note 3	  Date expired (24.2.1998)  Date expired (31.12.1998)  Date expired (29.10.2002)  Date expired (23.12.2003)  Date expired (11.6.2005)
CEN	EN 298:2003 Automatic gas burner control systems for gas burners and gas burning appliances with or without fans	EN 298:1993	Date expired (30.9.2006)
CEN	EN 303-3:1998 Heating boilers — Part 3: Gas-fired central heating boilers — Assembly comprising a boiler body and a forced draught burner  EN 303-3:1998/A2:2004  EN 303-3:1998/AC:2006	—  Note 3	  Date expired (11.6.2005)
CEN	EN 303-7:2006 Heating boilers — Part 7: Gas-fired central heating boilers equipped with a forced draught burner of nominal heat output not exceeding 1 000 kW	—	

ESO <sup>(1)</sup>	Reference and title of the harmonised standard (and reference document)	Reference of superseded standard	Date of cessation of presumption of conformity of superseded standard (Note 1)
CEN	EN 377:1993 Lubricants for applications in appliances and associated controls using combustible gases except those designed for use in industrial processes  EN 377:1993/A1:1996	—  Note 3	  Date expired (11.6.2005)
CEN	EN 416-1:1999 Single burner gas-fired overhead radiant-tube heaters — Part 1: Safety  EN 416-1:1999/A1:2000  EN 416-1:1999/A2:2001  EN 416-1:1999/A3:2002	—  Note 3  Note 3  Note 3	  Date expired (18.7.2001)  Date expired (31.1.2002)  Date expired (31.10.2002)
CEN	EN 416-2:2006 Single burner gas-fired overhead radiant tube heaters for non-domestic use — Part 2: Rational use of energy	—	
CEN	EN 419-1:1999 Non-domestic gas-fired overhead luminous radiant heaters — Part 1: Safety  EN 419-1:1999/A1:2000  EN 419-1:1999/A2:2001  EN 419-1:1999/A3:2002	—  Note 3  Note 3  Note 3	  Date expired (18.7.2001)  Date expired (31.1.2002)  Date expired (9.9.2003)
CEN	EN 419-2:2006 Non-domestic gas-fired overhead luminous radiant heaters — Part 2: Rational use of energy	—	
CEN	EN 437:2003 Test gases — Test pressures — Appliance categories	EN 437:1993	Date expired (23.12.2003)
CEN	EN 449:2002 Specification for dedicated liquefied petroleum gas appliances — Domestic flueless space heaters (including diffusive catalytic combustion heaters)	EN 449:1996	Date expired (2.7.2003)
CEN	EN 461:1999 Specification for dedicated liquefied petroleum gas appliances — Flueless non-domestic space heaters not exceeding 10 kW  EN 461:1999/A1:2004	—  Note 3	  Date expired (10.12.2004)
CEN	EN 483:1999 Gas-fired central heating boilers — Type C boilers of nominal heat input not exceeding 70 kW  EN 483:1999/A2:2001  EN 483:1999/A2:2001/AC:2006	—  Note 3	  Date expired (31.1.2002)



ESO <sup>(1)</sup>	Reference and title of the harmonised standard (and reference document)	Reference of superseded standard	Date of cessation of presumption of conformity of superseded standard (Note 1)
CEN	EN 484:1997 Specification for dedicated liquefied petroleum gas appliances — Independent hotplates, including those incorporating a grill for outdoor use	—	
CEN	EN 497:1997 Specification for dedicated liquefied petroleum gas appliances — Multi purpose boiling burners for outdoor use	—	
CEN	EN 498:1997 Specification for dedicated liquefied petroleum gas appliances — Barbecues for outdoor use	—	
CEN	EN 509:1999 Decorative fuel-effect gas appliances	—	
	EN 509:1999/A1:2003	Note 3	Date expired (31.12.2003)
	EN 509:1999/A2:2004	Note 3	Date expired (30.6.2005)
CEN	EN 521:2006 Specifications for dedicated liquefied petroleum gas appliances — Portable vapour pressure liquefied petroleum gas appliances	EN 521:1998	Date expired (31.8.2006)
CEN	EN 525:1997 Non-domestic direct gas-fired forced convection air heaters for space heating not exceeding a net heat input of 300 kW	—	
CEN	EN 549:1994 Rubber materials for seals and diaphragms for gas appliances and gas equipment	EN 279:1991 EN 291:1992	Date expired (31.12.1995)
CEN	EN 613:2000 Independent gas-fired convection heaters	—	
	EN 613:2000/A1:2003	Note 3	Date expired (23.12.2003)
CEN	EN 621:1998 Non-domestic gas-fired forced convection air heaters for space heating not exceeding a net heat input of 300 kW, without a fan to assist transportation of combustion air and/or combustion products	—	
	EN 621:1998/A1:2001	Note 3	Date expired (31.3.2002)
CEN	EN 624:2000 Specification for dedicated LPG appliances — Room sealed LPG space heating equipment for installation in vehicles and boats	—	
CEN	EN 625:1995 Gas-fired central heating boilers — Specific requirements for the domestic hot water operation of combination boilers of nominal heat input not exceeding 70 kW	—	

ESO <sup>(1)</sup>	Reference and title of the harmonised standard (and reference document)	Reference of superseded standard	Date of cessation of presumption of conformity of superseded standard (Note 1)
CEN	EN 656:1999 Gas-fired central heating boilers — Type B boilers of nominal heat input exceeding 70 kW but not exceeding 300 kW	—	
CEN	EN 676:2003 Automatic forced draught burners for gaseous fuels	EN 676:1996	Date expired (8.4.2004)
CEN	EN 677:1998 Gas-fired central heating boilers — Specific requirements for condensing boilers with a nominal heat input not exceeding 70 kW	—	
CEN	EN 732:1998 Specifications for dedicated liquefied petroleum gas appliances — Absorption refrigerators	—	
CEN	EN 751-1:1996 Sealing materials for metallic threaded joints in contact with 1st, 2nd and 3rd family gases and hot water — Part 1: Anaerobic jointing compounds	—	
CEN	EN 751-2:1996 Sealing materials for metallic threaded joints in contact with 1st, 2nd and 3rd family gases and hot water — Part 2: Non-hardening jointing compounds	—	
CEN	EN 751-3:1996 Sealing materials for metallic threaded joints in contact with 1st, 2nd and 3rd family gases and hot water — Part 3: Unsintered PTFE tapes  EN 751-3:1996/AC:1997	—	
CEN	EN 777-1:1999 Multi-burner gas-fired overhead radiant tube heater systems for non-domestic use — Part 1: System D, safety  EN 777-1:1999/A1:2001  EN 777-1:1999/A2:2001  EN 777-1:1999/A3:2002	—  Note 3  Note 3  Note 3	  Date expired (31.8.2001)  Date expired (31.1.2002)  Date expired (31.10.2002)
CEN	EN 777-2:1999 Multi-burner gas-fired overhead radiant tube heater systems for non-domestic use — Part 2: System E, safety  EN 777-2:1999/A1:2001  EN 777-2:1999/A2:2001  EN 777-2:1999/A3:2002	—  Note 3  Note 3  Note 3	  Date expired (31.8.2001)  Date expired (31.1.2002)  Date expired (31.10.2002)
CEN	EN 777-3:1999 Multi-burner gas-fired overhead radiant tube heater systems for non-domestic use — Part 3: System F, safety  EN 777-3:1999/A1:2001  EN 777-3:1999/A2:2001  EN 777-3:1999/A3:2002	—  Note 3  Note 3  Note 3	  Date expired (31.8.2001)  Date expired (31.1.2002)  Date expired (31.10.2002)

ESO <sup>(1)</sup>	Reference and title of the harmonised standard (and reference document)	Reference of superseded standard	Date of cessation of presumption of conformity of superseded standard (Note 1)
CEN	EN 777-4:1999 Multi-burner gas-fired overhead radiant tube heater systems for non-domestic use — Part 4: System H, safety  EN 777-4:1999/A1:2001  EN 777-4:1999/A2:2001  EN 777-4:1999/A3:2002	—  Note 3  Note 3  Note 3	  Date expired (31.8.2001)  Date expired (31.1.2002)  Date expired (31.10.2002)
CEN	EN 778:1998 Domestic gas-fired forced convection air heaters for space heating not exceeding a net heat input of 70 kW, without a fan to assist transportation of combustion air and/or combustion products  EN 778:1998/A1:2001	—  Note 3	  Date expired (31.3.2002)
CEN	EN 1020:1997 Non-domestic gas-fired forced convection air heaters for space heating not exceeding a net heat input of 300 kW, incorporating a fan to assist transporta- tion of combustion air and/or combustion products  EN 1020:1997/A1:2001	—  Note 3	  Date expired (31.3.2002)
CEN	EN 1106:2001 Manually operated taps for gas burning appliances	—	
CEN	EN 1196:1998 Domestic and non-domestic gas-fired air heaters — Supplementary requirements for condensing air heaters	—	
CEN	EN 1266:2002 Independent gas-fired convection heaters incorporating a fan to assist transporta- tion of combustion air and/or flue gases  EN 1266:2002/A1:2005	—  Note 3	  Date expired (28.2.2006)
CEN	EN 1319:1998 Domestic gas-fired forced convection air heaters for space heating, with fan-assisted burners not exceeding a net heat input of 70 kW  EN 1319:1998/A2:1999  EN 1319:1998/A1:2001	—  Note 3  Note 3	  Date expired (17.10.2000)  Date expired (31.3.2002)
CEN	EN 1458-1:1999 Domestic direct gas-fired tumble dryers of types B22D and B23D, of nominal heat input not exceeding 6 kW — Part 1: Safety	—	

ESO <sup>(1)</sup>	Reference and title of the harmonised standard (and reference document)	Reference of superseded standard	Date of cessation of presumption of conformity of superseded standard (Note 1)
CEN	EN 1458-2:1999 Domestic direct gas-fired tumble dryers of types B22D and B23D, of nominal heat input not exceeding 6 kW — Part 2: Rational use of energy	—	
CEN	EN 1596:1998 Specification for dedicated liquefied petroleum gas appliances — Mobile and portable non-domestic forced convection direct fired air heaters  EN 1596:1998/A1:2004	—  Note 3	  Date expired (10.12.2004)
CEN	EN 1643:2000 Valve proving systems for automatic shut-off valves for gas burners and gas appliances	—	
CEN	EN 1854:2006 Pressure sensing devices for gas burners and gas burning appliances	EN 1854:1997	Date expired (4.11.2006)
CEN	EN 12067-1:1998 Gas/air ratio controls for gas burners and gas burning appliances — Part 1: Pneumatic types  EN 12067-1:1998/A1:2003	—  Note 3	  Date expired (23.12.2003)
CEN	EN 12067-2:2004 Gas/air ratio controls for gas burners and gas burning appliances — Part 2: Electronic types	—	
CEN	EN 12078:1998 Zero governors for gas burners and gas burning appliances	—	
CEN	EN 12244-1:1998 Direct gas-fired washing machines, of nominal heat input not exceeding 20 kW — Part 1: Safety	—	
CEN	EN 12244-2:1998 Direct gas-fired washing machines of nominal heat input not exceeding 20 kW — Part 2: Rational use of energy	—	
CEN	EN 12309-1:1999 Gas-fired absorption and adsorption air-conditioning and/or heat pump appliances with a net heat input not exceeding 70 kW — Part 1: Safety	—	
CEN	EN 12309-2:2000 Gas-fired absorption and adsorption air-conditioning and/or heat pump appliances with a net heat input not exceeding 70 kW — Part 2: Rational use of energy	—	
CEN	EN 12669:2000 Direct gas-fired hot air blowers for use in greenhouses and supplementary non-domestic space heating	—	
CEN	EN 12752-1:1999 Gas-fired type B tumble dryers of nominal heat input not exceeding 20 kW — Part 1: Safety	—	

ESO <sup>(1)</sup>	Reference and title of the harmonised standard (and reference document)	Reference of superseded standard	Date of cessation of presumption of conformity of superseded standard (Note 1)
CEN	EN 12752-2:1999 Gas-fired type B tumble dryers of nominal heat input not exceeding 20 kW — Part 2: Rational use of energy	—	
CEN	EN 12864:2001 Low-pressure, non adjustable regulators having a maximum outlet pressure of less than or equal to 200 mbar, with a capacity of less than or equal to 4 kg/h, and their associated safety devices for butane, propane or their mixtures	—	
	EN 12864:2001/A1:2003	Note 3	Date expired (10.12.2004)
	EN 12864:2001/A2:2005	Note 3	Date expired (28.2.2006)
CEN	EN 13278:2003 Open fronted gas-fired independent space heaters	—	
CEN	EN 13611:2007 Safety and control devices for gas burners and gas burning appliances — General requirements	EN 13611:2000	31.5.2008
CEN	EN 13785:2005 Regulators with a capacity of up to and including 100 kg/h, having a maximum nominal outlet pressure of up to and including 4 bar, other than those covered by EN 12864 and their associated safety devices for butane, propane or their mixtures	—	
	EN 13785:2005/AC:2007		
CEN	EN 13786:2004 Automatic change-over valves having a maximum outlet pressure of up to and including 4 bar with a capacity of up to and including 100 kg/h, and their asso- ciated safety devices for butane, propane or their mixtures	—	
CEN	EN 13836:2006 Gas fired central heating boilers — Type B boilers of nominal heat input exceeding 300 kW, but not exceeding 1 000 kW	—	
CEN	EN 14438:2006 Gas-fired insets for heating more than one room	—	
CEN	EN 14543:2005 + A1:2007 Specification for dedicated liquefied petroleum gas appliances — Parasol patio heaters — Flueless radiant heaters for outdoor or amply ventilated area use	EN 14543:2005	The date of this publica- tion
CEN	EN 14829:2007 Independent gas-fired flueless space heaters for nominal heat input not exceeding 6 kW	—	
CEN	EN 15033:2006 Room sealed storage water heaters for the production of sanitary hot water using LPG for vehicles and boats	—	

<sup>(1)</sup> ESO: European Standardisation Organisation:

— CEN: rue de Stassart 36, B-1050 Brussels, Tel. (32-2) 550 08 11; fax (32-2) 550 08 19 (<http://www.cen.eu>)

— CENELEC: rue de Stassart 35, B-1050 Brussels, Tel. (32-2) 519 68 71; fax (32-2) 519 69 19 (<http://www.cenelec.eu>)

— ETSI: 650, route des Lucioles, F-06921 Sophia Antipolis, Tel. (33) 492 94 42 00; fax (33) 493 65 47 16 (<http://www.etsi.eu>).

- Note 1 Generally the date of cessation of presumption of conformity will be the date of withdrawal ('dow'), set by the European Standardisation Organisation, but attention of users of these standards is drawn to the fact that in certain exceptional cases this can be otherwise.
- Note 3 In case of amendments, the referenced standard is EN CCCCC:YYYY, its previous amendments, if any, and the new, quoted amendment. The superseded standard (column 3) therefore consists of EN CCCCC:YYYY and its previous amendments, if any, but without the new quoted amendment. On the date stated, the superseded standard ceases to give presumption of conformity with the essential requirements of the directive.

*Note:*

- Any information concerning the availability of the standards can be obtained either from the European Standardisation Organisations or from the national standardisation bodies of which the list is annexed to the Directive 98/34/EC of the European Parliament and of the Council <sup>(1)</sup> amended by the Directive 98/48/EC <sup>(2)</sup>.
- Publication of the references in the *Official Journal of the European Union* does not imply that the standards are available in all the Community languages.
- This list replaces all the previous lists published in the *Official Journal of the European Union*. The Commission ensures the updating of this list.

More information about harmonised standards on the Internet at:

<http://ec.europa.eu/enterprise/newapproach/standardization/harmstds/>

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<sup>(1)</sup> OJ L 204, 21.7.1998, p. 37.

<sup>(2)</sup> OJ L 217, 5.8.1998, p. 18.

## V

(Announcements)

## ADMINISTRATIVE PROCEDURES

## COMMISSION

**Operation of scheduled air services between Brest (Guipavas) and Ouessant****Notice of a competitive public tender issued by France pursuant to Article 4(1)(d) of Council Regulation (EEC) No 2408/92 for the delegation of a public service**

(Text with EEA relevance)

(2008/C 127/15)

**1. Introduction**

Pursuant to Article 4(1)(a) of Council Regulation (EEC) No 2408/92 of 23 July 1992 on access for Community air carriers to intra-Community air routes, France has imposed a public service obligation on scheduled air services between Brest (Guipavas) and Ouessant. The standards required by this public service obligation were published in *Official Journal of the European Union* C 70 of 22 March 2005.

If on 1 March 2009 no air carrier has commenced or is about to commence operating scheduled air services on this route in accordance with the public service obligation imposed and without requesting financial compensation, France has decided, in accordance with the procedure laid down in Article 4(1)(d) of the abovementioned Regulation, to limit access to the route to one carrier only and to offer the right to operate such services from 1 April 2009 by invitation to tender.

**2. Contracting authority**

Département du Finistère  
Direction des agences techniques départementales  
2 bis, rue de Kerhuel  
à l'attention de M. le Président  
F-29196 Quimper Cedex  
Tel. (33) 02 98 76 21 77  
E-mail: datd.sr@cg29.fr  
Fax (33) 02 98 76 25 80

Website: <http://www.cg29.fr>

**3. Subject of the consultation**

To provide, from 1 April 2009, scheduled air services in accordance with the public service obligation specified in paragraph 1.

**4. Main features of the contract**

Public service delegation contract between the delegatee carrier and the delegating public entity or entities.

The delegatee will receive the revenue. The delegating public entity or entities will pay it a contribution corresponding to the difference between the actual expenditure, excluding taxes (VAT, and aviation taxes), on operating the service and the commercial revenue, excluding taxes (VAT, and aviation taxes), received by it, within the limit of the maximum compensation to which it has committed itself, following deduction, where appropriate, of the penalties specified in Section 9-4 of this notice.

**5. Duration of the contract**

The duration of the contract (public service delegation agreement) will be three years from 1 April 2009.

**6. Participation in the consultation**

Participation is open to all air carriers holding a valid operating licence issued in accordance with Council Regulation (EEC) No 2407/92 of 23 July 1992 on licensing of air carriers.

## 7. Award procedure and criteria for selecting applications

This invitation to tender is subject to the provisions of Article 4(1)(d), (e), (f), (g), (h) and (i) of Regulation (EEC) No 2408/92, Articles L. 1411-1 and R 1411-1 *et seq.* of the General Local Authorities Code concerning Public Service Delegations and the texts implementing them (in particular Decree No 97-638 of 31 May 1997 implementing Law No 97-210 of 11 March 1997 on strengthening the fight against illegal employment).

### 7-1. Application file:

The application file must be drawn up in French. Where necessary, tenderers must have documents issued by public authorities in an official language of the European Union translated into French. Along with the French version, tenderers may enclose a version drafted in another official language of the European Union; this version will not be authentic.

The application file must contain the following:

- an application letter, signed by the manager or his or her representative, together with documents giving the power to sign,
  - a memorandum presenting the undertaking and vouching for the applicant's professional capability and financial standing in the field of air transport, together with any relevant references. This memorandum must make it possible to assess the applicant's ability to ensure the continuity of the public service and guarantee equality of treatment for users, and compliance with the obligation to employ disabled workers; if they so wish, the applicants may base their application on the model form DC5 used in connection with the award of public contracts,
  - the overall turnover and the turnover relating to the supply of relevant services over the last three years or, if the applicant so wishes, the balance sheets and outturn accounts for the last three years. If it cannot provide this information, the applicant must explain the reasons for this,
  - a methodology note explaining how the applicant proposes to respond to the consultation file if it is allowed by the Department of Finistère to submit a tender, setting out, in particular:
    - the technical and human resources which the applicant will assign to the operation of the route,
    - the number, qualifications and assignment of personnel and any recruitments that the applicant proposes to make,
    - the types of aircraft used and, where appropriate, their registration — applicants' attention is drawn to the possibility of two 9-seat Cessna Grand Caravan aircraft and premises required for their operation being made available by the Department of Finistère,
  - a copy of the tenderer's air carrier operating licence,
  - if the operating licence was issued by a European Union Member State other than France, the tenderer must also provide the following information:
    - the country in which the pilots' licences were issued,
    - the law applicable to the employment contracts,
    - details of membership of social insurance bodies,
    - the steps taken to comply with Articles L. 342-1 to L. 342-6 and Articles D. 341-5 *et seq.* of the Labour Code relating to the temporary secondment of wage-earners for the purpose of supplying services on national territory,
  - certificates or sworn statements, as provided for in Article 8 of Decree No 97-638 of 31 May 1997 and the Order of 31 January 2003 implementing Article 8 of the aforementioned Decree, vouching that the applicant has discharged its obligations with regard to taxation and social insurance, in particular covering:
    - corporation tax,
    - value added tax,
    - contributions in respect of social insurance, work accidents, occupation illnesses and family allowances,
    - civil aviation tax,
    - airport tax,
    - tax on noise pollution from aircraft,
    - solidarity levy,
- in the case of applications from a European Union Member State other than France, equivalent certificates or statements must be drawn up by the authorities and bodies of the country of origin,
- a sworn statement relating to the absence of conviction recorded in bulletin No 2 for offences referred to in Articles L. 324-9, L. 324-10, L. 341-6, L. 125-1 and L. 125-3 of the Labour Code,
  - a sworn statement and/or proof of compliance with the obligation to employ disabled workers provided for in Article L. 323-1 of the Labour Code,
  - extract 'K bis' of the entry in the Companies Register, or an equivalent document,



- pursuant to Article 7 of Regulation (EEC) No 2407/92, an insurance certificate less than three months old covering civil liability in the event of accidents, in particular in respect of passengers, baggage, cargo, mail and third parties and conforming to Regulation (EC) No 785/2004 of the European Parliament and of the Council, and in particular Article 4 thereof,
- in the event of a safeguard or collective procedure measure, a copy of any judgment to this effect (if the judgment is not drawn up in French, it must be accompanied by a certified translation).

#### 7-2. *Procedures for the examination of applications:*

Applications will be selected with reference to the following criteria:

- the professional and financial guarantees offered by the applicants,
- their ability to ensure the continuity of the public service and guarantee equality of treatment for users with regard to that service,
- their compliance with the obligation to employ disabled workers laid down in Article L. 323-1 of the Labour Code.

### 8. **Criteria for awarding the contract**

The carriers whose applications are accepted will subsequently be invited to submit their tenders in accordance with the procedures laid down in the specific rules for the invitation to tender which will then be supplied to them.

In accordance with Article L. 1211-1 subparagraph 3 of the General Local Authorities Code, the bids thus submitted will be freely negotiated by the designated authority of the Department of Finistère.

In accordance with Article 4(1)(f) of Regulation (EEC) No 2408/92, selection among the tenders will be made taking into consideration the adequacy of the service, including the prices and conditions which can be quoted to users, and the cost of the compensation required.

### 9. **Essential additional information**

#### 9-1. *Financial compensation:*

The tenders submitted by the carriers whose applications are accepted must explicitly state the maximum amount required by way of compensation for operating the service for three years from 1 April 2009, with an annual breakdown. The exact amount of compensation finally granted will be determined annually *ex post* on the basis of the costs and revenue actually generated by the service, within the limits of the amount stated in the tender. This maximum limit may be revised only in the event of unforeseen changes in the operating conditions.

The annual payments will be made in the form of advance payments and an adjustment balance. The balance will be

paid only after approval of the carrier's accounts for the route in question and verification that the service has been operated in accordance with the conditions laid down in Section 9-2 below.

In the event of termination of the contract before its normal expiry date, Section 9-2 will be applied as soon as possible to allow payment to the carrier of the balance due, the maximum amount referred to in the first subparagraph being reduced in proportion to the actual duration of the service.

#### 9-2. *Verification of the performance of the service and of the carrier's accounts:*

The performance of the service and the carrier's cost accounting for the route in question will be examined at least once a year in cooperation with the carrier.

#### 9-3. *Amendment and termination of the contract:*

Where the carrier believes that unforeseen changes in the operating conditions justify revision of the maximum amount of financial compensation, it must present a reasoned request to the other signatory parties, which must reach a decision within two months. The contract may then be amended by means of an additional agreement.

The contract may be terminated by either of the signatory parties before the end of the normal period of validity, provided that six month's notice is given. In the event of serious breaches of its contractual obligations, the carrier will be deemed to have terminated the contract without notice if it does not resume the service in accordance with the public service obligation within one month of the serving of formal notice.

#### 9-4. *Penalties or other deductions provided for in the contract:*

Failure by the carrier to observe the period of notice referred to in Section 9-3 will be subject either to an administrative fine pursuant to Article R. 330-20 of the Civil Aviation Code, or to a penalty calculated on the basis of the number of months of default and the actual operating loss of the service during the year in question, but not exceeding the maximum financial compensation provided for in Section 9-1.

In the event of minor breaches of the public service obligation, the maximum financial compensation provided for in Section 9-1 will be reduced, without prejudice to the application of Article R. 330-20 of the Civil Aviation Code.

Such reductions will take account, as appropriate, of the number of flights cancelled for reasons directly attributable to the carrier, the number of flights made with less than the required capacity, and the number of flights not complying with the public service obligation regarding stopovers and fares charged.

**10. Submission of applications**

Application files must be enclosed in a sealed envelope marked: 'Réponse à l'appel de candidatures Ligne aérienne Brest/Ouessant — À n'ouvrir que par le destinataire'. They must be sent by registered post with acknowledgement of receipt (the date on the latter serving as proof of the date of receipt) or delivered by hand (in which case a receipt must be obtained) to reach the following address no later than two months after publication of this invitation to tender in the *Official Journal of the European Union*:

M. le Président du département du Finistère  
Direction des agences techniques départementales/Service  
Ressources  
Zone industrielle de l'Hippodrome  
2 bis, rue de Kerhuel  
F-29196 Quimper Cedex

**11. Subsequent procedure**

The Department of Finistère will then send the selected applicants a tender file including the tender rules and a draft contract.

The applicants selected must submit their tenders within the time limit specified in the consultation rules.

The bid will be binding on the tenderer for a period of 280 days from its submission.

**12. Validity of the invitation to tender**

The validity of this invitation to tender is subject to the condition that no Community carrier presents by 1 March 2009 a programme for operating the route in question from 1 April 2009 in accordance with the public service obligation imposed and without receiving any financial compensation.

**13. Requests for additional information**

To obtain any information they may need, applicants may contact the President of the Department of Finistère, by letter or fax only, at the address/fax number given in Section 2 above.

**14. Appeal procedures**

Authority responsible for appeal procedures, from which information may be obtained concerning the lodging of appeals:

Tribunal administratif de Rennes  
3, contour de la Motte  
F-35000 Rennes  
Tel. (33) 02 23 21 28 28  
Fax (33) 02 99 63 56 84

## PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMMON COMMERCIAL POLICY

### COMMISSION

#### **Notice regarding the implementation of the Panel report adopted by the WTO Dispute Settlement Body concerning the anti-dumping measure applicable to imports of farmed salmon originating in Norway**

(2008/C 127/16)

#### **1. Background**

In January 2006, the Council, by Regulation (EC) No 85/2006 <sup>(1)</sup>, imposed a definitive anti-dumping duty and collected definitively the provisional duty imposed on imports of farmed salmon originating in Norway ('the original measure'). Subsequently, Norway lodged a World Trade Organisation ('WTO') dispute settlement proceeding (case **WT/DS 337**). The report of the Panel, which had been established by the WTO Dispute Settlement Body (DSB), was circulated to WTO members on 16 November 2007. At its meeting on 15 January 2008, the DSB adopted the Panel report ('the report'). The original measure should be brought into conformity with the recommendations and rulings contained in the report.

The report can be consulted on line at the following web address:

[http://www.wto.org/english/tratop\\_e/dispu\\_e/cases\\_e/ds337\\_e.htm](http://www.wto.org/english/tratop_e/dispu_e/cases_e/ds337_e.htm)

#### **2. Reasonable period of time**

The various findings to be implemented are mainly of a factual nature and concern a large number of operators in the EU but also parties in Norway. The implementation process will be finalised within a reasonable period of time defined in accordance with the provisions of Article 21 of the WTO Understanding on Rules and Procedures governing the Settlement of Disputes.

#### **3. Legal basis and implementation**

The Council, in accordance with Council Regulation (EC) No 1515/2001 of 23 July 2001 on the measures that may be taken by the Community following a report adopted by the WTO Dispute Settlement Body concerning anti-dumping and anti-subsidy matters ('the enabling Regulation') <sup>(2)</sup>, may on a proposal submitted by the Commission after consultation of the Advisory Committee take measures that it considers appropriate

to bring the original measure into conformity with the recommendations and rulings contained in the report.

#### **4. Procedure**

The Commission, on the basis of Article 1(2) of the enabling Regulation, requests interested parties to provide all necessary information in order to complete the information obtained during the investigation that resulted in the adoption of the original measure.

##### *(a) Investigation period and Period considered*

As was the case in the investigation that resulted in the adoption of the original measure, the data to be collected concerning the dumping aspects of the investigation will cover the period from 1 October 2003 to 30 September 2004 ('investigation period' or 'IP'). The examination of trends relevant for the assessment of injury will cover the period from 1 January 2001 to the end of the IP ('period considered').

##### *(b) Questionnaires*

In order to obtain the additional information it deems necessary for the implementation, the Commission will send questionnaires to any producer or any association of producers in the Community, to certain exporters/producers in Norway or to associations of exporters/producers, to the authorities of the exporting country concerned and to any other parties known to be concerned.

##### *(c) Collection of information and holding of hearings*

All interested parties are hereby invited to make their views known, submit information, including information other than questionnaire replies and to provide supporting evidence. This information and supporting evidence has to reach the Commission within the time limit set in point 5(b).

<sup>(1)</sup> OJ L 15, 20.1.2006, p. 1.

<sup>(2)</sup> OJ L 201, 26.7.2001, p. 10.

Furthermore, the Commission may hear interested parties, provided that they make a request showing that there are particular reasons why they should be heard. This request must be made within the time limit set in point 5(c).

## 5. General time limits

### (a) *For parties to request a questionnaire*

All interested parties should request a questionnaire as soon as possible, but not later than 10 days after the publication of this notice in the *Official Journal of the European Union*.

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

All interested parties, if their representations are to be taken into account during the investigation, must make themselves known by contacting the Commission, present their views and submit questionnaire replies or any other information within 40 days of the date of publication of this notice in the *Official Journal of the European Union*, unless otherwise specified. Attention is drawn to the fact that the exercise of most procedural rights set out in Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community <sup>(1)</sup> (the 'basic Regulation') depends on the party's making itself known within the aforementioned period.

### (c) *Hearings*

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

## 6. Written submissions, questionnaire replies and correspondence

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

Commission address for correspondence:

European Commission  
Directorate General for Trade  
Directorate H  
Office: J-79 4/23  
B-1049 Brussels  
Fax (32-2) 295 65 05

## 7. Non-cooperation

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

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

## 8. Processing of personal data

It is noted that any personal data collected in this investigation will be treated in accordance 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 <sup>(3)</sup>.

## 9. Hearing Officer

It is also noted that if interested parties consider that they are encountering difficulties in the exercise of their rights of defence, they may request the intervention of the Hearing Officer of DG Trade. He acts as an interface between the interested parties and the Commission services, offering, where necessary, mediation on procedural matters affecting the protection of their interests in this proceeding, in particular, with regard to issues concerning access to the file, confidentiality, extension of time limits and the treatment of written and/or oral submission of views. For further information and contact details, interested parties may consult the Hearing Officer's web pages on the website of DG Trade (<http://ec.europa.eu/trade>).

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

<sup>(2)</sup> This means that the document is for internal use only. It is protected pursuant to Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43). It is a confidential document pursuant to Article 19 of the basic Regulation and Article 6 of the WTO Agreement on Implementation of Article VI of the GATT 1994 (Anti-dumping Agreement).

<sup>(3)</sup> OJ L 8, 12.1.2001, p. 1.

## PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMPETITION POLICY

### COMMISSION

#### **Prior notification of a concentration** **(Case COMP/M.5110 — Porsche/Volkswagen)**

**(Text with EEA relevance)**

(2008/C 127/17)

1. On 14 May 2008, 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 Dr. Ing. h.c. F. Porsche AG ('Porsche', Germany) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the Volkswagen AG ('Volkswagen', Germany) by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— for Porsche: manufacture and distribution of passenger cars,

— for Volkswagen: manufacture and distribution of passenger cars and commercial vehicles.

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.5110 — Porsche/Volkswagen to the following address:

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

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

**Prior notification of a concentration**  
**(Case COMP/M.5161 — Renova Industries/OC Oerlikon)**

**Candidate case for simplified procedure**

(Text with EEA relevance)

(2008/C 127/18)

1. On 16 May 2008, 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 Renova Industries Ltd ('Renova', Bahamas) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking OC Oerlikon Corporation AG ('Oerlikon', Switzerland) by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— for Renova: investment company, with holdings in engineering, chemical, financial and other sectors, mainly in Russia,

— for Oerlikon: high-technology engineering in textile, coatings and other sectors.

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.5161 — Renova Industries/OC Oerlikon, to the following address:

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

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

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

**Prior notification of a concentration**  
**(Case COMP/M.5187 — Warburg Pincus/JPMP SK)**

**Candidate case for simplified procedure**

(Text with EEA relevance)

(2008/C 127/19)

1. On 15 May 2008, 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 Warburg Pincus & Co. ('Warburg Pincus', USA) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking JPMP SK Holding Limited ('JPMP SK', United Kingdom) by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- for undertaking Warburg Pincus: private equity fund,
- for undertaking JPMP SK: leasing and servicing of parts and component cleaning machines for automotive and general industrial customers.

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.5187 — Warburg Pincus/JPMP SK, to the following address:

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

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

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

**Prior notification of a concentration**  
**(Case COMP/M.5170 — E.ON/Endesa Europa/Viesgo)**

(Text with EEA relevance)

(2008/C 127/20)

1. On 19 May 2008, 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 E.ON A.G. ('E.ON', Germany) acquires within the meaning of Article 3(1)(b) of the Council Regulation sole control of Endesa Europa SL ('Endesa Europa', Spain), of certain assets and rights of Endesa SA ('Endesa', Spain) and of certain subsidiaries of the Italian company ENEL SpA in Spain ('Viesgo'), by way of purchase of shares and assets.

2. The business activities of the undertakings concerned are:

- for E.ON: generation, distribution and supply of electricity, as well as purchase and sale of natural gas for domestic electricity generation,
- for Endesa Europa: Endesa's business activities in the electricity sector in European countries outside Spain,
- for Endesa: generation, distribution and supply of electricity. It is also active in the gas sector and to a limited extent, in real estate,
- for Viesgo: generation, distribution and supply of electricity in Spain.

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.5170 — E.ON/Endesa Europa/Viesgo, to the following address:

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

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