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IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS AND BODIES

COMMISSION

Euro exchange rates ⁽¹⁾

15 October 2008

(2008/C 263/01)

1 euro =

Currency	Exchange rate	Currency	Exchange rate		
USD	US dollar	1,3625	TRY	Turkish lira	1,9035
JPY	Japanese yen	138,18	AUD	Australian dollar	1,9571
DKK	Danish krone	7,4539	CAD	Canadian dollar	1,5833
GBP	Pound sterling	0,77615	HKD	Hong Kong dollar	10,5715
SEK	Swedish krona	9,8413	NZD	New Zealand dollar	2,1744
CHF	Swiss franc	1,5425	SGD	Singapore dollar	2,0022
ISK	Iceland króna	305	KRW	South Korean won	1 691,54
NOK	Norwegian krone	8,6035	ZAR	South African rand	12,6116
BGN	Bulgarian lev	1,9558	CNY	Chinese yuan renminbi	9,3086
CZK	Czech koruna	24,758	HRK	Croatian kuna	7,1545
EEK	Estonian kroon	15,6466	IDR	Indonesian rupiah	13 325,25
HUF	Hungarian forint	263	MYR	Malaysian ringgit	4,7858
LTL	Lithuanian litas	3,4528	PHP	Philippine peso	64,65
LVL	Latvian lats	0,7082	RUB	Russian rouble	35,6145
PLN	Polish zloty	3,5192	THB	Thai baht	46,509
RON	Romanian leu	3,7945	BRL	Brazilian real	2,8435
SKK	Slovak koruna	30,475	MXN	Mexican peso	16,9359

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

NOTICES CONCERNING THE EUROPEAN ECONOMIC AREA

EFTA SURVEILLANCE AUTHORITY

Authorisation of State aid pursuant to Article 61 of the EEA Agreement and Article 1(3) in Part I of Protocol No 3 to the Surveillance and Court Agreement**EFTA Surveillance Authority decision not to raise objections**

(2008/C 263/02)

Date of adoption of the decision:	9 July 2008
Case number:	64967
EFTA State:	Norway
Title (and/or name of the beneficiary):	Tax refund scheme for seafarers aboard passenger vessels in the Norwegian Ordinary Shipping Register (NOR)
Legal basis:	Budgetary Decision No 616 of the Norwegian Parliament of 20 June 2008
Type of measure:	Tax refund
Objective:	The main aim of the tax refund scheme for seafarers is to safeguard and increase employment of Norwegian and EEA seafarers, to secure recruitment and qualified training of seafarers and to improve the competitive position of companies employing such seafarers. At the same time, the scheme has a wider strategic objective of preserving and developing know-how in the maritime industries in general and improving safety
Budget:	The budget appropriation for the fiscal year 2008 following implementation of the notified amendment amounts to NOK 1 777 million (approximately EUR 223,3 million)
Intensity:	Shipowners are reimbursed the taxes and social security contributions collected from seafarers as well as social security contributions paid by the shipowner. These refund payments will never exceed the amount of income tax and social security contributions paid. Following the notified amendment, the ceiling for maximum refund for 2008 has been established at NOK 198 000 (EUR 24 884) per seafarer per year
Duration:	Until 1 January 2016
Economic sectors:	Maritime sector
Name and address of the granting authority:	Ministry of Trade and Industry PO Box 8014 Dep N-0030 Oslo

The authentic text of the decision, from which all confidential information has been removed, can be found on the EFTA Surveillance Authority's website:

<http://www.eftasurv.int/fieldsOfWork/fieldStateAid/stateAidRegistry/>

V

(Announcements)

ADMINISTRATIVE PROCEDURES

EUROPEAN PERSONNEL SELECTION OFFICE (EPSO)

NOTICE OF OPEN COMPETITION EPSO/AD/137/08

(2008/C 263/03)

The European Personnel Selection Office (EPSO) is organising open competition EPSO/AD/137/08 for the recruitment of Italian-language lawyer-linguists (AD 7).

The competition notice is published in Official Journal C 263 A of 16.10.2008 in Italian only.

Further details can be found on the EPSO website: <http://europa.eu/epso>

COURT PROCEEDINGS

EUROPEAN ECONOMIC AREA

EFTA COURT

JUDGMENT OF THE COURT

of 20 June 2008

in Case E-8/07 between:

Celina Nguyen and The Norwegian State, represented by Justis- og politidepartementet (the Ministry of Justice and the Police)

(Compulsory insurance for civil liability in respect of motor vehicles — Directives 72/166/EEC, 84/5/EEC and 90/232/EEC — Compensation for non-economic injury — Conditions for State liability — Sufficiently serious breach)

(2008/C 263/04)

In Case E-8/07 between Celina Nguyen and the Norwegian State, represented by Justis- og politidepartementet (the Ministry of Justice and the Police) — Request to the Court by Oslo tingrett (Oslo District Court), concerning the interpretation of the EEA Agreement, with particular reference to the following Acts referred to in Annex IX:

- the Act referred to in point 8 of Annex IX (Council Directive 72/166/EEC of 24 April 1972 on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles, and to the enforcement of the obligation to insure against such liability, hereinafter the 'First Motor Vehicle Insurance Directive'),
- the Act referred in point 9 of Annex IX (Second Council Directive 84/5/EEC of 30 December 1983 on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles, hereinafter the 'Second Motor Vehicle Insurance Directive'),
- the Act referred to in point 10 of Annex IX (Third Council Directive 90/232/EEC of 14 May 1990 on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles, hereinafter the 'Third Motor Vehicle Insurance Directive'),

the Court, composed of Carl Baudenbacher, President, Thorgeir Örylgsson, Judge-Rapporteur and Ola Mestad (*ad hoc*), Judge, gave judgment on 20 June 2008, the operative part of which is as follows:

1. **it is not compatible with the First, Second and Third Motor Vehicle Insurance Directives to except redress for non-economic injury ('pain and suffering'), which is a form of civil liability, from the compulsory insurance system under national law;**
 2. **excepting redress for non-economic injury ('pain and suffering'), which is a form of civil liability, from compulsory insurance coverage under national law constitutes a sufficiently serious breach of EEA law to be able to entail State liability.**
-

OTHER ACTS

COMMISSION

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

(2008/C 263/05)

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

SUMMARY

COUNCIL REGULATION (EC) No 510/2006**'KIWI DE L'ADOUR'****EC No: FR-PGI-005-0538-27.03.2006****PDO () PGI (X)**

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

1. Responsible department in the Member State:

Name: Institut National de l'Origine et de la Qualité
Address: 51, rue d'Anjou
F-75008 Paris
Tel. (33-1) 53 89 80 00
Fax (33-1) 42 25 57 97
E-mail: info@inao.gouv.fr

2. Group:

Name: Association de Promotion des Kiwis des pays de l'Adour
Address: Chambre d'Agriculture
Cité Galliane, BP 279
F-40005 Mont de Marsan Cedex
Tel. (33-5) 58 85 45 05
Fax (33-5) 58 85 45 31
E-mail: qualite@landes.chambagri.fr
Composition: Producers/processors (X) Other ()

3. Type of product:

Class 1.6: Fruit, vegetables, cereals, fresh or processed

(¹) OJL 93, 31.3.2006, p. 12.

4. Specification:

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

4.1. Name: 'Kiwi de l'Adour'

- 4.2. *Description:* Produced by a subtropical dioecious perennial (*Actinidia deliciosa*, 'Hayward') growing in the Pays de l'Adour, the kiwi is a plump, firm fruit with excellent organoleptic characteristics. It has a melting, juicy texture when ripe, with bright green, fragrant and slightly acidic flesh. The 'kiwi de l'Adour' has a characteristic brown to reddish green skin, covered with silky fine hairs.

After grading, the kiwis are presented in loose packs, layered in trays or in consumer sales.

The kiwis are harvested at 6,5° Brix and shipped when they reach 12° Brix (minimum firmness 1 kg/0,5 cm²). 'Kiwi de l'Adour' is a fresh kiwi, classified under EC standards as Extra and I.

4.3. *Geographical area:* The geographical area consists of the following cantons:

— in the Department of Gers (32):

AIGNAN, NOGARO, PLAISANCE, RISCLE.

— in the Department of Landes (40):

AIRE SUR ADOUR, AMOU, DAX SUD, GEAUNE, GRENADE SUR ADOUR, HAGETMAU, MONT DE MARSAN SUD, MONTFORT EN CHALOSSE, MUGRON, PEYREHORADE, POUILLON, SAINT MARTIN DE SEIGNANX, SAINT SEVER, SAINT VIENCT DE TYROSSE, TARTAS EST,

and the following communes in the Landes cantons:

DAX NORD: Angoumé, Dax, Mées, Rivière-Saas-et-Gourby, Saint Paul les Dax, Saint Vincent de Paul, Saubusse; Téthieu

MONT DE MARSAN NORD: Campet et Lamolère, Mont de Marsan, Saint Martin d'Oney

SOUSTONS: Angresse, Azur, Magescq, Saint Geours de Maremne, Seignosse, Soorts-Hossegor, Soustons, Tosse, Vieux-Boucau les Bains

TARTAS OUEST: Bégaar, Carcen-Ponson, Lesgor, Pontonx sur l'Adour, Saint Yaguen, Tartas

VILLENEUVE DE MARSAN: Arthez d'Armagnac, Bourdalat, Le Frêche, Hontanx, Montégut, Perquie, Pujo le Plan, Saint Cricq Villeneuve, saint Gein, Villeneuve de Marsan.

— in the following Department of Pyrénées Atlantiques (64) cantons:

ARTHEZ DE BEARN, ARZACQ, BIDACHE, GARLIN, LA BASTIDE CLAIRENCE, LAGOR, LEMBEYE, LESCAR, MORLAAS, ORTHEZ, SALIES DE BEARN, SAUVETERRE DE BEARN, SAINT-PALAIS, THEZE,

and the following communes in cantons of Department 64:

ANGLET Canton: Anglet,

BIARRITZ Canton: Biarritz,

PAU Canton: Pau.

The kiwis are harvested, packed and stored in the geographical region of the Pays de l'Adour, irrigated by the Adour river and its tributaries.

'Kiwis de l'Adour' have a distinctive taste as a result of being picked late from the vine. Picking the fruit late causes an increase in the dry matter content (and sugar content), thus producing a riper, more delicate fruit, especially just after harvesting (stem scarring).

Transporting the fruit in bulk over long distances after harvesting causes variations in temperature that affect the fruit (artificial increase in the sugar content, problems with cold storage). Transportation also produces pressure in box pallets, thereby increasing the risk of crushing and other damage.

Fruit can, however, be transported without risk when ready packed. The scarring stage is finished and the packaging protects the fruit.

- 4.4. *Proof of origin:* Proof of origin of 'kiwis de l'Adour' is guaranteed by the identification of the kiwis and by ensuring their traceability from the orchard to the point of sale to the consumer. The fruit are harvested by certified producers and packed at stations approved and accredited by the applicant group. Producers' qualifications are attested and packing stations accredited in accordance with the applicant group's procedures which have been approved by the certification body. Both producers and packers are responsible for identification of the orchards (parcels), batches of kiwis and the actual fruit. All traceability data are recorded to guarantee proof of traceability. 'Kiwis de l'Adour' are specifically and clearly identified at the packing stations (colour code, producer and parcel number, bar-code, etc.).
- 4.5. *Method of production:* Only orchards of vines belonging to the species *Actinidia deliciosa*, 'Hayward', are approved. The orchards used for the production of 'kiwis de l'Adour' must be more than four years old as kiwis do not achieve the regulatory size standards until that age.

For optimal pollination and to guarantee a quality fruit:

- the *ratio* of female plants to male plants is 300-800 to 100-160 plants per ha,
- the required plant density is 2,5-6 m in the row and 4-6 m between rows.

Winter pruning is carried out so as to keep an average across the orchard of 1,2 to 1,4 canes per m², depending on the distance between trees.

Thinning is the process whereby the number of fruit is reduced: each producer has to adapt the number of fruit on the trees to the potential of his orchard (according to the soil, plot orientation, tree planting, etc.) in order to obtain fruit of the required size and quality. Thinning regulates the amount of fruit that the tree can bear. It is done manually over a period lasting from mid-April to the end of July.

A combination of careful pruning and selective thinning can limit the number of fruit to 35 fruit/m² (45 fruit/m² in exceptional cases: medium-size fruit above 85 g). This helps to optimise the quality of the finished product both organoleptically and for keeping purposes.

Summer pruning consists of thinning out the foliage to encourage the development of the fruit and to control the leaf-to-fruit *ratio*. It also ensures that the fruit are more exposed to the sun. In addition, it is intended to encourage the growth of new fruit canes.

Producing high-quality kiwis also depends on the water supply. Irrigation is compulsory and has to be controlled to avoid blemishing the fruit.

The harvest starts when the fruit reach optimum maturity, i.e. a refractometric index of at least 6,5° Brix. In any event, harvesting does not take place before 25 October.

The fruit are harvested manually, taking all necessary precautions to avoid damage, and are put into baskets with removable bottoms, called picking bags. The harvested fruit are stored for taking to the packing station in box pallets marked with the reference of the orchard (parcel).

The 'kiwis de l'Adour' are kept, packed and stored (advised resting time of 24 to 72 hours) in cold storage and/or in a controlled atmosphere. They are then dispatched by the packing stations of the Pays de l'Adour.

Changes in the refractometric index and in the firmness of the fruit are monitored in cold storage to enable progress in ripening to be assessed. The kiwi fruit are marketed once they have ripened in cold storage.

When dispatched, 'kiwis de l'Adour' must have a refractometric index of at least 12° Brix and a minimum firmness of 1 kg/0,5 cm². Dispatch must at any rate take place before 15 June.

- 4.6. *Link:* Production of the 'kiwi de l'Adour' was started by Henri Pedelucq who pioneered the experimental introduction of the plant in the Adour basin. He carried out trials of the following plants: *Actinidia*, tomato tree (*tamarillo*) and passion fruit. Plants of each species were planted in the spring of 1965 and, the following year, only the ten *Actinidia* plants had survived the frost. Pedelucq realised immediately that the climate of the Pays de l'Adour was conducive to growing kiwis.

The first harvest of kiwis, destined for Germany in 1972, was a huge success which contributed to the sector's launch. Pedelucq therefore decided that year to put the plants on the market.

The growing of kiwis subsequently spread in piecemeal fashion all over France, but the climate and the soils of the Pays de l'Adour soon singled out the region as the most suitable for the crop.

The most enterprising fruit-growers in the Adour basin followed in Pedelucq's footsteps in the early 1970s.

Following this first wave of plantations while the crop was still at the experimental stage, the area planted to kiwis saw a major expansion leading, in 1978, to the creation of civil society organisations. The farmers of the Adour basin were the next to start this promising new line of production in the years 1985, 1986 and 1987.

The 'kiwi de l'Adour' owes its characteristics to the late harvesting of the mature fruit, thereby ensuring optimum development of the kiwi's taste qualities (intake of sugars, minerals, etc. on the vine) and excellent long-keeping in cold storage.

The late harvest is possible owing to a favourable microclimate, soils adapted to kiwi plants and to the expertise of the professionals of the 'kiwi de l'Adour' region.

The region enjoys a temperate microclimate: no overly cold winters, few early frosts and no excessive summer heat. Yet the temperatures are low enough in winter to allow a period of vegetative rest, thus having a positive impact on fruiting (development of the plant's natural potential for flowering and fructification).

Kiwi plants also require high levels of humidity. This is assured by the presence of the Pyrenean mountain streams and the proximity of the Atlantic (the Pays de l'Adour has a coastline of approximately 50 km). The wind is seldom strong and less parching, thus providing the orchards with good ventilation and reducing the risk of disease.

The region has a major advantage: the late autumn frost that allows the kiwis to be picked with a higher than normal sugar content at harvesting. Likewise, the spring frosts generally finish earlier in the Pays de l'Adour, which is particularly favourable to kiwi plants as flowering starts in about mid-May.

The characteristic soils of the Adour basin have natural filtering properties, are deep and rich in organic matter, have a coarse texture (aerated), and are non or slightly calcareous (alluvial hill and valley soils). They have good water retention properties which ensure good irrigation of the kiwi plants during fruiting. The presence of humus leads to an abundance of trace elements (iron, zinc, boron) and minerals (calcium, magnesium, sodium, potassium) in sufficient quantities to produce high-quality fruit. These characteristics contribute in particular to the fruit's organoleptic qualities (firm flesh, juiciness, melting texture, etc.).

The winter pruning, thinning, fertilisation, pollination, summer pruning, summer irrigation, spring-frost protection measures and hand-picking all attest to the know-how acquired by the 'kiwis de l'Adour' producers. The kiwi-growers got together at an early stage to organise the storage, packing and sale of their produce by setting up cooperatives and packing stations with state-of-the-art equipment.

Now a whole industry is putting this expertise into the production, keeping and marketing of the 'kiwi de l'Adour'. The producers have shown their capacity for adaptation by adopting the new fruit and showing the desire to produce quality in relation to the geographical origin. This desire probably stems from the regional trait of regarding gastronomy and the culinary arts as part of the local heritage. Over the years there have been signs that the 'kiwi de l'Adour' is attracting growing interest among national and international buyers who recognise its distinctive taste qualities throughout the marketing season.

4.7. *Inspection body:*

Name: Qualisud
Address: «Agropole» BP 102, Lasserre
F-47000 Agen
Tel. (33-5) 58 06 15 21
Fax —
E-mail: qualisud@wanadoo.fr

Qualisud is an EN 45011 approved and accredited certification body.

4.8. *Labelling:* Each fruit bears a sticker (except in individual packages) printed with:

— the name of the product, 'KIWI DE L'ADOUR'.

NOTE TO THE READER

The institutions have decided no longer to quote in their texts the last amendment to cited acts.

Unless otherwise indicated, references to acts in the texts published here are to the version of those acts currently in force.