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⁽¹⁾ Text with EEA relevance

I

(Resolutions, recommendations and opinions)

OPINIONS

COMMISSION

Notice pursuant to Article 19(2) of Council Regulation (EC) No 732/2008 of the termination of an investigation with respect to the protection of the freedom of association and the right to organise in the Republic of El Salvador

(2009/C 255/01)

On 31 March 2008 the Commission initiated by Decision 2008/316/EC ⁽¹⁾, an investigation in order to establish whether the national legislation of the Republic of El Salvador (hereinafter referred to as 'El Salvador') no longer incorporates the International Labour Organisation's (ILO) Convention No 87 concerning Freedom of Association and Protection of the Right to Organise or whether that legislation is not effectively implemented. The investigation was initiated on the basis of information received by the Commission that the Supreme Court of El Salvador in its ruling of 28 October 2007 in the cases 63-2007 and 69-2007 had declared certain provisions of the ILO's Convention No 87 incompatible with Article 47 of the Constitution of El Salvador.

The Commission has carried out the investigation and found that El Salvador ratified ILO Convention No 87 and incorporated it into its national legislation. The investigation's findings also confirmed that the ruling of El Salvador's Supreme Court did not revoke the ratification of ILO Convention No 87. That Convention remains in force and is applicable in El Salvador. However, the Supreme Court ruling had as a consequence that Article 2 of the Convention 87 applied only partially. The right to organise enshrined and guaranteed in Article 2 of Convention No 87 applied in El Salvador only to workers in the private sector but not to those in the public sector.

On the 26 September 2008, the Commission has received a communication from the government of El Salvador, in which the government informed that it had begun the process of reform of Article 47 of the Constitution to make it clear that public-sector employees will have the right to form trade unions. El Salvador further specified that the Legislative Assembly of El Salvador approved this reform on 24 August 2006 and committed to promote the conclusion of the approval process of this reform when the new Legislative Assembly of El Salvador would take office in May 2009. On 27 May 2009 the Legislative Assembly of El Salvador adopted an amendment to Article 47 of the El Salvadoran constitution addressing the incompatibility with ILO Convention No 87. This amendment was published on 4 June 2009 in the Official Journal of El Salvador, Book 383, No 102, and entered into force on 12 June 2009. The amendment provides for the rights guaranteed by Article 2 of Convention No 87 to be extended to workers in the public sector in El Salvador, while excluding certain specific categories of public sector workers. The scope of the exceptions clause is broader than would be permitted under the ILO Convention No 87. Consequently the inconsistency between the national legislation of El Salvador and ILO Convention No 87 has been significantly removed, although a limited inconsistency between the text of the revised Article 47 of the El Salvadoran Constitution and Article 2 of ILO Convention No 87 still exists.

Given that the significant efforts undertaken by the government of El Salvador resulted in the amendment to Article 47 of the El Salvadoran Constitution which removes the main barrier to the application in El Salvador of the rights enshrined in Article 2 of Convention No 87, the Commission considers that temporary withdrawal of the special incentive arrangement granted under Regulation (EC) No 732/2008 ⁽²⁾ is not justified at this time. However, the exercise of rights guaranteed by Article 2 of Convention

⁽¹⁾ OJ L 108, 18.4.2008, p. 29.

⁽²⁾ OJ L 211, 6.8.2008, p. 1.

No 87 will be followed up during the ongoing monitoring by the Commission of the performance of all special incentive arrangement beneficiaries as provided for under Article 8(3) of Regulation (EC) No 732/2008.

Pursuant to Article 19(2) of Regulation (EC) No 732/2008 the Commission decided in accordance with the procedure referred to in Article 27(5) of that Regulation that the findings of the investigation do not justify temporary withdrawal of the special incentive arrangement referred to in Section 2 of Chapter II of Regulation (EC) No 732/2008 and therefore to terminate the investigation.

II

(Information)

INFORMATION FROM EUROPEAN UNION INSTITUTIONS AND BODIES

COMMISSION

Authorisation for State aid pursuant to Articles 87 and 88 of the EC Treaty**Cases where the Commission raises no objections****(Text with EEA relevance)***(2009/C 255/02)*

Date of adoption of the decision	11.9.2009
Reference number of State Aid	N 329/09
Member State	Finland
Region	—
Title (and/or name of the beneficiary)	State capital injection to deposit banks
Legal basis	HE 4/2009 vp Hallituksen esitys laiksi valtion pääomasijoituksista talletuspankkeihin
Type of measure	Aid scheme
Objective	Aid to remedy serious disturbances in the economy
Form of aid	Other forms of equity intervention
Budget	Overall budget: EUR 4 000 million
Intensity	—
Duration (period)	1.11.2009-1.5.2010
Economic sectors	Financial intermediation
Name and address of the granting authority	Ministry of Finance PO Box 28 FI-00023 Government FINLAND
Other information	—

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

http://ec.europa.eu/community_law/state_aids/state_aids_texts_en.htm

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

Cases where the Commission raises no objections

(Text with EEA relevance)

(2009/C 255/03)

Date of adoption of the decision	15.9.2009
Reference number of State Aid	N 206/09
Member State	Germany
Region	—
Title (and/or name of the beneficiary)	Finanzierungssatzung für den Öffentlichen Personennahverkehr im Landkreis Anhalt-Bitterfeld
Legal basis	Personenbeförderungsgesetz, Gesetz über den öffentlichen Personennahverkehr im Land Sachsen-Anhalt, Landkreisordnung des Landes Sachsen-Anhalt, Nahverkehrsplan des Landkreises Anhalt-Bitterfeld, Finanzierungssatzung für den Öffentlichen Personennahverkehr im Landkreis Anhalt-Bitterfeld
Type of measure	Aid scheme
Objective	Compensation of bus operators for rendering public service of bus transport
Form of aid	Non-aid
Budget	EUR 26,6 million
Intensity	—
Duration (period)	2009-2018
Economic sectors	Transport sector
Name and address of the granting authority	Landkreis Anhalt-Bitterfeld Am Flugplatz 1 06366 Köthen (Anhalt) DEUTSCHLAND
Other information	—

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

http://ec.europa.eu/community_law/state_aids/state_aids_texts_en.htm

Date of adoption of the decision	15.9.2009
Reference number of State Aid	N 207/09
Member State	Germany
Region	—
Title (and/or name of the beneficiary)	Satzung zur Unterstützung eigenwirtschaftlicher Verkehrsleistungen im Landkreis Wittenberg

Legal basis	Personenbeförderungsgesetz, Gesetz über den öffentlichen Personennahverkehr im Land Sachsen-Anhalt, Landkreisordnung des Landes Sachsen-Anhalt, Nahverkehrsplan des Landkreises Wittenberg, Satzung zur Unterstützung eigenwirtschaftlicher Verkehrsleistungen im Landkreis Wittenberg
Type of measure	Aid scheme
Objective	Compensation of bus operators for rendering public service of bus transport
Form of aid	Non-aid
Budget	EUR 10,39 million
Intensity	—
Duration (period)	2009-2015
Economic sectors	Transport sector
Name and address of the granting authority	Landkreis Wittenberg Breitscheidstr. 3 06886 Wittenberg DEUTSCHLAND
Other information	—

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

http://ec.europa.eu/community_law/state_aids/state_aids_texts_en.htm

Date of adoption of the decision	2.7.2009
Reference number of State Aid	N 247/09
Member State	United Kingdom
Region	—
Title (and/or name of the beneficiary)	N 247/09 — United Kingdom — Mode Shift Revenue Support Scheme
Legal basis	Railways Act 2005, Part 2, Sections 6, 8 and 10 Transport Act 2000, Part 5, Section 272 Transport (Scotland) Act 2001, Part 4, Section 71
Type of measure	Direct grant
Objective	Environmental protection
Form of aid	Aid scheme
Budget	Overall aid amount: GBP 135 million Annual expenditure: GBP 27 million For Scotland the same budget (GBP 8 million annually) covers both the MSRS and the WFG schemes
Intensity	30 % of the total cost of rail/inland waterway transport, up to 50 % of the eligible costs
Duration (period)	1.4.2010-31.3.2015
Economic sectors	Rail and inland waterway transport

Name and address of the granting authority	Department for Transport Freight and Logistics Division Zone 2/14 Great Minster House 76 Marsham Street London SW1P 4DR UNITED KINGDOM
Other information	—

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

http://ec.europa.eu/community_law/state_aids/state_aids_texts_en.htm

IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS AND BODIES

COMMISSION

Euro exchange rates ⁽¹⁾

23 October 2009

(2009/C 255/04)

1 euro =

Currency	Exchange rate	Currency	Exchange rate		
USD	US dollar	1,5020	AUD	Australian dollar	1,6235
JPY	Japanese yen	137,97	CAD	Canadian dollar	1,5807
DKK	Danish krone	7,4438	HKD	Hong Kong dollar	11,6405
GBP	Pound sterling	0,91720	NZD	New Zealand dollar	1,9872
SEK	Swedish krona	10,2338	SGD	Singapore dollar	2,0928
CHF	Swiss franc	1,5132	KRW	South Korean won	1 774,80
ISK	Iceland króna		ZAR	South African rand	11,2133
NOK	Norwegian krone	8,3275	CNY	Chinese yuan renminbi	10,2564
BGN	Bulgarian lev	1,9558	HRK	Croatian kuna	7,2200
CZK	Czech koruna	25,909	IDR	Indonesian rupiah	14 171,37
EEK	Estonian kroon	15,6466	MYR	Malaysian ringgit	5,0805
HUF	Hungarian forint	265,96	PHP	Philippine peso	70,564
LTL	Lithuanian litas	3,4528	RUB	Russian rouble	43,5325
LVL	Latvian lats	0,7090	THB	Thai baht	50,204
PLN	Polish zloty	4,1752	BRL	Brazilian real	2,5775
RON	Romanian leu	4,2903	MXN	Mexican peso	19,3758
TRY	Turkish lira	2,2051	INR	Indian rupee	69,8580

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

	Applicant	Description of Food or Food Ingredient	Scientific Evidence	Notification	Transmission to Member States
31v	Gebr. Woerle GmbH Postfach 18 Enzing 26 5302 Henndorf bei Salzburg ÖSTERREICH	Milk type products such as semi skimmed and skimmed milk type products, possibly with the addition of fruits and/or cereals, fermented milk type products such as yoghurt, soya drinks, cheese type products (fat content \leq 12 g per 100 g), where the milk fat and/or protein has been partly or fully replaced by vegetable fat or protein a portion will not contain more than 3 g (in case of one portion per day) or more than 1 g (in case of 3 portions per day) of added phytosterols; a container of beverages will not contain more than 3 g of added phytosterols	The phytosterol esters are provided by Cognis	6 October 2008	7 November 2008
31w	Mills of Crete SA Eth. Veniselou 40 73 200 Souda Crete GREECE	rye bread with flour containing \geq 50 % rye and \leq 30 % wheat; and with \leq 4 % sugar but no fat added with added phytosterols a portion will not contain more than 3 g (in case of one portion per day) or more than 1 g (in case of 3 portions per day) of added phytosterols;	The phytosterol esters are provided by Cognis	5 December 2008	11 December 2008
31x	Valio Ltd PO Box 10 Meieritie 6, Pitäjänmäki FI-00039 Valio Helsinki SUOMI/FINLAND	Yellow fat spreads excluding cooking and frying fats and spreads based on butter or other animal fat with added phytosterols Milk type products such as semi skimmed and skimmed milk type products, possibly with the addition of fruits and/or cereals, fermented milk type products such as yoghurt, soya drinks, cheese type products (fat content \leq 12 g per 100 g), where the milk fat and/or protein has been partly or fully replaced by vegetable fat or protein a portion will not contain more than 3 g (in case of one portion per day) or more than 1 g (in case of 3 portions per day) of added phytosterols; a container of beverages will not contain more than 3 g of added phytosterols	The phytosterols are provided by Cognis	2 December 2008	11 December 2008

	Applicant	Description of Food or Food Ingredient	Scientific Evidence	Notification	Transmission to Member States
31y	Viotros SA Block 31 DA 13 Phase B 574 00 Industrial Area of Sindos (Echedoros — Thessaloniki) GREECE	Cheese type products (fat content \leq 12 g per 100 g), where the milk fat and/or protein has been partly or fully replaced by vegetable fat or protein a portion will not contain more than 3 g (in case of one portion per day) or more than 1 g (in case of 3 portions per day) of added phytosterols	The phytosterols are provided by Cognis	24 April 2008	30 April 2008
40e	R & L Holdings Ltd. P.O. Box 977 Vaitele Apia SAMOA	Noni juice (juice of the fruits of <i>Morinda citrifolia</i>)	ACNFP ⁽³⁾ (UK) Opinion on substantial equivalence of Noni Juice produced on a number of Pacific Islands considered under Article 5 of the Novel Foods Regulation	17 January 2008	28 January 2008
41	Forbes Medi-Tech Inc. 750 West Pender Street Vancouver B.C. V6C 2T8 CANADA	Foods listed in Article 1 of Commission Decision 2000/500/EC and in annex 1 of Commission Decisions 2004/333/EC, 2004/334/EC, 2004/335/EC and 2004/336/EC (yellow fat spreads, salad dressings, fermented milk type products, soya drinks, cheese type products, yoghurt type products, spicy sauces, milk based fruit drinks) with added phytosterols/ phytostanols (Reducol™) Rye bread Cheese products (fat content < 12 g per 100 g) with added phytosterols and/or phytosterol esters	NFB ⁽²⁾ (FIN) Opinion on the substantial equivalence of foods enriched with Reducol™ phytosterols/ phytostanols (Forbes Medi-Tech Inc.) of 28 February 2005 NFB ⁽²⁾ (FIN) Opinion on substantial equivalence for rye bread enriched with REDUCOL™ plant sterol ingredient Letter of 6 September 2006 by the FSAI ⁽⁴⁾ concerning the substantial equivalence	22 April 2005 12 June 2006 3 October 2006	6 June 2005 3 August 2006 6 November 2006
41l	Caseificio Pinzolo Fiavè Rovereto S.c.r.l. Via A. Degasperi 12/A 38075 Favé (Trento) TN ITALIA	Yogurt type products with added phytosterols a portion will not contain more than 3 g (in case of one portion per day) or more than 1 g (in case of 3 portions per day) of added phytosterols/phytostanols a container of beverages will not contain more than 3 g of added phytosterols	The phytosterols are provided by Forbes MediTech	3 March 2008	18 March 2008
41m	Rupp Käseexport GmbH Krüzastraße 8 6912 Hörbranz ÖSTERREICH	Cheese type products with added phytosterols a portion will not contain more than 3 g (in case of one portion per day) or more than 1 g (in case of 3 portions per day) of added phytosterols/phytostanols	The phytosterols are provided by Forbes MediTech	7 July 2008	28 October 2008

	Applicant	Description of Food or Food Ingredient	Scientific Evidence	Notification	Transmission to Member States
54	Triple Crown AB Stenslingan 10 SE-182 38 Stockholm SVERIGE	Phytosterols to be used in milk type, yoghurt type products	ACNFP ⁽³⁾ Opinion on substantial Equivalence of free phytosterols considered under Article 5 of the Novel Foods Regulation	11 November 2005	8 December 2005
	Stenslingan 10 SE-182 38 Danderyd SVERIGE	Low fat soft cheese/melt cheese (fat content \leq 12 g per 100 g) and rye bread	NFB ⁽²⁾ Opinion on substantial equivalence of a plant sterol ingredient manufactured by Triple Crown company and foods enriched with it (Triple Crown AB)	16 October 2006	7 November 2006
54b	Koninklijke ERU Kaasfabrik BV Postbus 7 3440 AA Woerden NEDERLAND Middelands Zee 7 3446 CG Woerden NEDERLAND	Cheese type products with added phytosterols a portion will not contain more than 3 g (in case of one portion per day) or more than 1 g (in case of 3 portions per day) of added phytosterols/phytostanols	the phytosterols are supplied by Triple Crown	23 April 2008	14 May 2008
57	Vitae-Caps S.A. Polígono Industrial Torrehierro C/ Gutemberg, 356 45600 Talavera de la Reina (Toledo) ESPAÑA	Rice drinks with added phytosterols a portion will not contain more than 3 g (in case of one portion per day) or more than 1 g (in case of 3 portions per day); a container of beverages will not contain more than 3 g of added phytosterols/phytostanols	AESA ⁽⁵⁾ Opinion on substantial equivalence for phytosterols and esters of phytosterol from the company VitaeCaps S.A. on the basis of Art. 5 of Regulation (EC) No 258/97 (26 of May of 2008)	25 June 2008	9 July 2008
62	Oy Foodfiles Ltd Niementie 2 L 6 FI-70210 Kuopio SUOMI/FINLAND on behalf of Arboris LLC	Yellow fat spreads as defined by Council Regulation (EC) No 2991/94, excluding cooking and frying fats and spreads based on butter or other animal fat; milk type and fermented milk type products; yoghurt type products; cheese type products; soya drinks and salad dressings and spicy sauces	NFB ⁽²⁾ (FIN) Opinion on substantial equivalence for Arboris® sterol AS-2™ plant sterol ingredient and foods enriched with it (Arboris® LLC)	5 April 2006	27 April 2006
		rye bread with flour containing \geq 50 % rye and \leq 30 % wheat; and with \leq 4 % sugar but no fat added with added phytosterols a portion will not contain more than 3 g (in case of one portion per day) or more than 1 g (in case of 3 portions per day) of added phytosterols/phytostanols; a container of beverages will not contain more than 3 g of added phytosterols/phytostanols; salad dressings and spicy sauces will be packed as single portions.		7 December 2006	19 February 2007

	Applicant	Description of Food or Food Ingredient	Scientific Evidence	Notification	Transmission to Member States
62b	Dale Farm Ltd Shap Road Kendal Cumbria LA9 6NS UNITED KINGDOM	Yogurt drinks with added phytosterols a portion will not contain more than 3 g (in case of one portion per day) or more than 1 g (in case of 3 portions per day) of added phytosterols/phytostanols; a container of beverages will not contain more than 3 g of added phytosterols/phytostanols	The phytosterols are provided by Arboris	19 September 2008	1 October 2008
80	Lipofoods Calle Issac Peral, 17 08850 Gavà (Barcelona) ESPAÑA	Yellow fat spreads as defined by Council Regulation (EC) No 2991/94, excluding cooking and frying fats and spreads based on butter or other animal fat; products based on milk, such as products based on skimmed and semi — skimmed milk, possibly with the addition of fruits and/or cereals, fermented milk type products, such as yoghurt and cheese type products (fat content ≤ 12 g per 100 g) where the milk fat and or protein has been fully or partly replaced by vegetable fat or protein; milk based fruit drinks; salad dressings and spicy sauces; soya drinks with added phytosterols salad dressings and spicy sauces; soya drinks with added phytosterols a portion will not contain more than 3 g (in case of one portion per day) or more than 1 g (in case of 3 portions per day) of added phytosterols/phytostanols; a container of beverages will not contain more than 3 g of added phytosterols/phytostanols; spicy sauces and salad dressings will be packed as single portions	ACNFP ⁽³⁾ Opinion on substantial equivalence of phytosterols considered under Article 5 of the Novel Foods Regulation (FSA ⁽¹⁾ 15 February 2007; NFU 632)	16 February 2007	12 March 2007
80a	Nöm AG Vöslauer Strasse 2500 Baden ÖSTERREICH	Products based on milk, such as products based on skimmed and semi — skimmed milk, possibly with the addition of fruits and/or cereals, fermented milk type products, such as yoghurt with added phytosterols a portion will not contain more than 3 g (in case of one portion per day) or more than 1 g (in case of 3 portions per day) of added phytosterols/phytostanols; a container of beverages will not contain more than 3 g of added phytosterols/phytostanols;	The phytosterols are provided by Lipofoods	19 November 2008	1 December 2008
103	SanoVia Im Kühstiefel 19 56653 Wehr DEUTSCHLAND	Argan oil	The DGCCRF ⁽⁶⁾ (F) confirmed that the previously issued opinion by AFSSA ⁽³⁾ (see No 13) was also applicable to the Argan oil placed on the market by Huilerie F.J. Moog SARL	17 February 2008	17 March 2008

	Applicant	Description of Food or Food Ingredient	Scientific Evidence	Notification	Transmission to Member States
104	ARGANA d.o.o. Rentje 50 SI-4294 Križe SLOVENIJA Arganoil Company 213, Lot Habiba El Oulfa Casablanca MAROC	Argan oil	The DGCCRF ⁽⁶⁾ (F) confirmed that the previously issued opinion by AFSSA ⁽³⁾ (see No 13) was also applicable to the Argan oil placed on the market by ARGANA d.o.o. and Arganoil Company	17 March 2008	14 April 2008
105	BPF Bioactive Products Faktory ul. Sloneczna 4 95-020 Justynów POLSKA/POLAND	Noni juice (juice of the fruits of <i>Morinda citrifolia</i>)	IZIZ ⁽⁷⁾ (PL) has delivered an opinion that the Noni juice to be placed on the market by the company BPF Bioactive Products Factory was substantially equivalent to Noni juice that is already on the market	31 March 2008	16 April 2008
106	Hygieia Global Building #54,5F 1089 N, Quinzhou Rd Shanghai CHINA Hygieia Europe Postfach 1601 40641 Meerbusch DEUTSCHLAND	Glucosamine HCl from <i>Aspergillus niger</i> for use in food supplements	FSAI ⁽⁴⁾ (IRL) Substantial equivalence opinion of GlucosaGreen® branded Glucosamine HCL	3 April 2008	7 May 2008
107	Alga Technologies Ltd. Kibbutz Ketura D.N. Hevel Eliot 88840 ISRAEL	Astaxanthin rich extract from <i>Haematococcus pluvialis</i>	ACNFP ⁽³⁾ (UK) Opinion on substantial equivalence of Astaxanthin-rich oleoresin extracted from <i>Haematococcus pluvialis</i> algae considered under Article 5 of the Novel Foods Regulation	14 April 2008	13 May 2008
108	KitoZyme sa Rue Haute Claire 4 Parc Industriel Huats Sarts, Zone 2 4040 Herrstal BELGIQUE/BELGIË	Chitosan	CSS ⁽⁸⁾ (B) Opinion No 8319 issued by the Superior Health Council: Substantial equivalence of the chitosan (KiOnutrim-Cs™)	30 April 2008	28 May 2008
109	Thiele Lifestyle Baymex Außenhandelsges. mbH Am Bahnhof 12 94538 Fürstenstein DEUTSCHLAND	Argan oil	The DGCCRF ⁽⁶⁾ (F) confirmed that the previously issued opinion by AFSSA ⁽³⁾ (see No 13) was also applicable to the Argan oil placed on the market by the company Thiele Lifestyle	29 April 2008	4 June 2008

	Applicant	Description of Food or Food Ingredient	Scientific Evidence	Notification	Transmission to Member States
110	EZA Natürlich Fair Wenger Straße 5 5203 Köstendorf ÖSTERREICH	Argan oil	The DGCCRF ⁽⁶⁾ (F) confirmed that the previously issued opinion by AFSSA ⁽³⁾ (see No 13) was also applicable to the Argan oil placed on the market by the company EZA natürlich Fair	16 June 2008	7 July 2008
111	Hygieia Global Building #54,5F 1089 N, Quinzhou Rd Shanghai CHINA Hygieia Europe Postfach 1601 40641 Meerbusch DEUTSCHLAND	Glucosamine sulphate NaCl from <i>Aspergillus niger</i> for use in food supplements Glucosamine sulphate KCl from <i>Aspergillus niger</i> for use in food supplements	FSAI ⁽⁴⁾ (IRL) Substantial Equivalence Opinion of Glucosamine Sulphate NaCl FSAI ⁽⁴⁾ (IRL) Substantial Equivalence Opinion of Glucosamine Sulphate KCl	14 August 2008	11 September 2008
112	EFIT Srl Via Bramante 41 05100 Terni TR ITALIA	Argan oil	The DGCCRF ⁽⁶⁾ (F) confirmed that the previously issued opinion by AFSSA ⁽³⁾ (see No 13) was also applicable to the Argan oil placed on the market by the company EFIT Srl	11 August 2008	11 September 2008
113	Korzonek Gottfried Kellerstr. 61a 94315 Straubing DEUTSCHLAND	Argan oil	The DGCCRF ⁽⁶⁾ (F) confirmed that the previously issued opinion by AFSSA ⁽³⁾ (see No 13) was also applicable to the Argan oil placed on the market by the company Korzonek	21 August 2008	17 September 2008
114	EUROFROID Rue Denis Papin Zone industrielle 24100 Bergerac FRANCE	Argan oil	The DGCCRF ⁽⁶⁾ (F) confirmed that the previously issued opinion by AFSSA ⁽³⁾ (see No 13) was also applicable to the Argan oil placed on the market by the company EUROFROID	11 September 2008	1 October 2008
115	ArganEden SARL BP 60331 33164 La Teste Cedex FRANCE	Argan oil	The DGCCRF ⁽⁶⁾ (F) confirmed that the previously issued opinion by AFSSA ⁽³⁾ (see No 13) was also applicable to the Argan oil placed on the market by the company ArganEden	1 December 2008	11 December 2008
116	Copram Société de commercialisation des produits alimentaires du Maroc 17 rue Copenhague B.P. 80168 13745 Vitrolles Cedex FRANCE	Argan oil	The DGCCRF ⁽⁶⁾ (F) confirmed that the previously issued opinion by AFSSA ⁽³⁾ (see No 13) was also applicable to the Argan oil placed on the market by the company copram	16 December 2008	19 January 2009

	Applicant	Description of Food or Food Ingredient	Scientific Evidence	Notification	Transmission to Member States
118	I.R.B. s.r.l. Istituto di Ricerche Biotecnologiche Via Piave 24/B 36077 Altavilla Vic. NA VI ITALIA	Extracts from <i>Ajuga reptans</i>	DSPVNSA ⁽⁹⁾ Subject: Substantial equivalence for <i>Ajuga reptans</i> extracts from plant tissue cultures	19 December 2008	19 January 2009
119	Arganpur KlönneStr. 94 44143 Dortmund DEUTSCHLAND	Argan oil	The DGCCRF ⁽⁶⁾ (F) confirmed that the previously issued opinion by AFSSA ⁽³⁾ (see No 13) was also applicable to the Argan oil placed on the market by the company Arganpur	25 June 2008	17 July 2008
122	FORMOR Polska Ul. Objazdowa 1 05-119 Legonovo POLSKA/POLAND	Noni juice (juice of the fruits of <i>Morinda citrifolia</i>)	IRPZ ⁽¹⁰⁾ Opinion on the substantial equivalence of 'NONI SOK' juice with 'TAHITIAN NONI®' juice as authorised by Commission Decision 2003/426/EC	26 November 2008	27 March 2009

⁽¹⁾ FSA: Food Standards Agency (UK).

⁽²⁾ NFB: Novel Food Board (FIN).

⁽³⁾ ACNFP: Advisory Committee on Novel Foods and Processes (UK).

⁽⁴⁾ FSAI: Food Safety Authority of Ireland (IRL).

⁽⁵⁾ AESA: Agencia española de seguridad alimentaria (E).

⁽⁶⁾ DGCCRF: Direction Générale de la Concurrence, de la consommation et de la Répression des Fraudes (F).

⁽⁷⁾ IZIZ: Instytut Żywności i Żywienia (PL).

⁽⁸⁾ CSS: Conseil Supérieur de la Santé (B).

⁽⁹⁾ DSPVNSA: Ministero della Salute — Dipartimento per la Sanità Pubblica veterinaria, la Nutrizione e la Sicurezza degli Alimenti (I).

⁽¹⁰⁾ IRPZ: Instytut Roślin i Przetworów Zielarskich (PL).

Information communicated by Member States regarding State aid granted under Commission Regulation (EC) No 800/2008 declaring certain categories of aid compatible with the common market in application of Articles 87 and 88 of the Treaty (General block exemption Regulation)

(Text with EEA relevance)

(2009/C 255/06)

Reference number of State Aid	X 97/08
Member State	Ireland
Member State reference number	0082/1d
Name of the Region (NUTS)	Ireland Mixed
Granting authority	Enterprise Ireland, Shannon Development, and Údarás na Gaeltachta Three (3) addresses: Enterprise Ireland The Plaza East Point Business Park Dublin 3 IRELAND Shannon Development Town Centre Shannon Co. Clare IRELAND Údarás na Gaeltachta Na Forbacha Gaillimh IRELAND Three webpages: http://www.enterprise-ireland.com http://www.shannon-dev.ie http://www.undaras.ie
Title of the aid measure	Trade Fair Participation by SMEs 2008-2013
National legal basis (Reference to the relevant national official publication)	Industrial Development (Enterprise Ireland) Act 1998 Údarás na Gaeltachta Act, 1979 Shannon Free Airport Development Company Limited Act 1959, as amended
Web link to the full text of the aid measure	http://www.entemp.ie/enterprise/stateaid/regional.htm
Type of measure	Scheme
Amendment of an existing aid measure	—
Duration	1.11.2008-31.12.2013
Economic sector(s) concerned	All economic sectors eligible to receive aid
Type of beneficiary	SME
Annual overall amount of the budget planned under the scheme	EUR 2,00 million
For guarantees	—
Aid Instrument (Article 5)	Grant
Reference to the Commission decision	—

If co-financed by Community funds	—	
Objectives	Maximum aid intensity in % or maximum aid amount in national currency	SME-bonuses in %
Aid for SME participation in fairs (Article 27)	50 %	—
Reference number of State Aid	X 98/08	
Member State	Germany	
Member State reference number	Article 87(3)(c)	
Name of the Region (NUTS)	Deutschland Article 87(3)(c)	
Granting authority	Länder Landesministerien Ministerium für Ernährung und Ländlichen Raum des Landes Baden-Württemberg	
Title of the aid measure	Grundsätze für die Förderung zur Marktstrukturverbesserung	
National legal basis (Reference to the relevant national official publication)	Gemeinschaftsaufgabe Verbesserung der Agrarstruktur und des Küstenschutzes, Grundsätze für die Marktstrukturverbesserung	
Web link to the full text of the aid measure	http://dbacc.zadi.de/Foerderungsgrundsaeetze-Entwurf.doc	
Type of measure	Scheme	
Amendment of an existing aid measure	Modification XA 7007/07	
Duration	1.1.2009-31.12.2011	
Economic sector(s) concerned	Manufacture of food products, food and beverage service activities	
Type of beneficiary	SME	
Annual overall amount of the budget planned under the scheme	EUR 1 250,00 million	
For guarantees	—	
Aid Instrument (Article 5)	Grant	
Reference to the Commission decision	—	
If co-financed by Community funds	—	
Objectives	Maximum aid intensity in % or maximum aid amount in national currency	SME-bonuses in %
SME investment and employment aid (Article 15)	35 %	—
Aid for consultancy in favour of SMEs (Article 26)	50 %	—

Reference number of State Aid	X 99/08
Member State	Ireland
Member State reference number	0082/1b
Name of the Region (NUTS)	Ireland Mixed
Granting authority	Enterprise Ireland, Shannon Development, and Údarás na Gaeltachta Three (3) addresses: Enterprise Ireland The Plaza East Point Business Park Dublin 3 IRELAND Shannon Development Town Centre Shannon Co. Clare IRELAND Údarás na Gaeltachta Na Forbacha Gaillimh IRELAND Three webpages: http://www.enterprise-ireland.com http://www.shannon-dev.ie http://www.undaras.ie
Title of the aid measure	Training Support Initiative 2008-2013
National legal basis (Reference to the relevant national official publication)	Industrial Development (Enterprise Ireland) Act 1986, as amended. Údarás na Gaeltachta Act, 1979 Shannon Free Airport Development Company Limited Act 1959, as amended
Web link to the full text of the aid measure	http://www.entemp.ie/enterprise/stateaid/regional.htm
Type of measure	Scheme
Amendment of an existing aid measure	—
Duration	1.11.2008-31.12.2013
Economic sector(s) concerned	All economic sectors eligible to receive aid
Type of beneficiary	SME large enterprise
Annual overall amount of the budget planned under the scheme	EUR 20,00 million
For guarantees	—
Aid Instrument (Article 5)	Grant
Reference to the Commission decision	—
If co-financed by Community funds	—

Objectives	Maximum aid intensity in % or maximum aid amount in national currency	SME-bonuses in %
Specific training (Article 38(1))	45 %	—
General training (Article 38(2))	80 %	—
Reference number of State Aid	X 100/08	
Member State	Spain	
Member State reference number	—	
Name of the Region (NUTS)	—	
Granting authority	Centro para el Desarrollo Tecnológico Industrial C/ Cid nº 4 28001 Madrid ESPAÑA http://www.cdti.es	
Title of the aid measure	NEOTEC	
National legal basis (Reference to the relevant national official publication)	Acta de la reunión del Consejo de Administración del CDTI, de 28 de julio de 2008, en la que se aprobó el régimen de ayudas NEOTEC (Documento Confidencial). Reglamento del Centro para el Desarrollo Tecnológico Industrial aprobado mediante Real Decreto 1406/1986, de 6 de junio (BOE 08-07-1986, nº 0162)	
Web link to the full text of the aid measure	http://www.cdti.es/index.asp?MP=7&MS=24&MN=3	
Type of measure	Scheme	
Amendment of an existing aid measure	—	
Duration	29.7.2008-31.12.2013	
Economic sector(s) concerned	All economic sectors eligible to receive aid	
Type of beneficiary	SME	
Annual overall amount of the budget planned under the scheme	EUR 29,00 million	
For guarantees	—	
Aid Instrument (Article 5)	Loan	
Reference to the Commission decision	—	
If co-financed by Community funds	—	
Objectives	Maximum aid intensity in % or maximum aid amount in national currency	SME-bonuses in %
Aid to young innovative enterprises (Article 35)	EUR 1 000 000	—

Reference number of State Aid	X 101/08	
Member State	Denmark	
Member State reference number	—	
Name of the Region (NUTS)	Danmark Article 87(3)(a)	
Granting authority	The Danish Agency for Science, Technology and Innovation Ministry of Science, Technology and Innovation Bredgade 40 1260 Copenhagen K DENMARK http://www.dasti.dk	
Title of the aid measure	Industrial PhD Programme	
National legal basis (Reference to the relevant national official publication)	Law No 419 on Technology and Innovation 6 June 2002 revised by Law No 569 2007, cf. consolidation act No 835 13 August 2008 (lov nr. 419 om teknologi og innovation af 6. juni 2002 som ændret ved lov nr. 569 af 2007, jf. lovbekendtgørelse nr. 835 af 13. august 2008)	
Web link to the full text of the aid measure	http://www.industrialphd.dk	
Type of measure	Scheme	
Amendment of an existing aid measure	—	
Duration	1.1.2009-31.12.2015	
Economic sector(s) concerned	Scientific research and development	
Type of beneficiary	SME large enterprise	
Annual overall amount of the budget planned under the scheme	DKK 115,00 million	
For guarantees	—	
Aid Instrument (Article 5)	Grant	
Reference to the Commission decision	—	
If co-financed by Community funds	—	
Objectives	Maximum aid intensity in % or maximum aid amount in national currency	SME-bonuses in %
Industrial research (Article 31(2)(b))	50 %	20 %

V

*(Announcements)*PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMPETITION
POLICY

COMMISSION

Prior notification of a concentration**(Case COMP/M.5495 — Unicredit/Banca IMI/EuroTLX)****(Text with EEA relevance)**

(2009/C 255/07)

1. On 14 October 2009, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which the undertakings Unicredit S.p.A (Italy) and Banca IMI S.p.A. (Italy) intend to transform the existing joint venture TLX S.p.A. into a full-function joint venture EuroTLX Società di Intermediazione S.p.A. within the meaning of Article 3(4) of the Regulation.

2. The business activities of the undertakings concerned are:

- Unicredit is an international financial institution with registered office in Rome and listed on the Milan Stock Exchange. It offers a wide range of banking and financial services in several European countries,
- Banca IMI, a company of the Intesa Sanpaolo Group, is an Italian investment bank that operates on domestic and international markets.

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 22964301 or 22967244) or by post, under reference number COMP/M.5495 — Unicredit/Banca IMI/EuroTLX, to the following address:

European Commission
Directorate-General for Competition
Merger Registry
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

Prior notification of a concentration
(Case COMP/M.5556 — JPMC/Schoeller Arca Systems)
Candidate case for simplified procedure
(Text with EEA relevance)
(2009/C 255/08)

1. On 16 October 2009, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which the undertaking One Equity Partners II, L.P. ('OEP', USA) controlled by JPMorgan Chase & Co ('JPMC', USA) acquire within the meaning of Article 3(1)(b) of the Regulation control of the whole of the undertaking Schoeller Arca Systems Services BV ('SAS', Netherlands) a company currently jointly controlled by OEP and Schoeller Holding GmbH, by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— for undertaking OEP: private equity fund,

— for undertaking SAS: designing, manufacture, distribution and marketing of plastic materials handling products.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of Regulation (EC) No 139/2004. However, the final decision on this point is reserved. Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004 ⁽²⁾ it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent to the Commission by fax (+32 22964301 or 22967244) or by post, under reference number COMP/M.5556 — JPMC/Schoeller Arca Systems, to the following address:

European Commission
Directorate-General for Competition
Merger Registry
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

⁽²⁾ OJ C 56, 5.3.2005, p. 32.

OTHER ACTS

COMMISSION

Notice concerning a request in accordance with Article 30 of Directive 2004/17/EC**Request from a contracting entity**

(2009/C 255/09)

On 15 October 2009 the Commission received a request in accordance with Article 30(5) of Directive 2004/17/EC of the European Parliament and of the Council of 31 March 2004 coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors ⁽¹⁾. The first working day following receipt of the request is 16 October 2009.

That request, from Shell U.K. Limited, concerns exploration for and extraction of oil and gas in England, Scotland and Wales (that is, the United Kingdom excluding Northern Ireland). Article 30 provides that Directive 2004/17/EC is not applicable when the activity in question is directly exposed to competition in markets to which access is not restricted. Those conditions are evaluated solely for the purposes of Directive 2004/17/EC and are without prejudice to the application of competition rules.

The Commission has a period of three months to take a decision on this request, starting on the working day referred to above. The period therefore ends on 16 January 2010.

That period may be extended by three months. Any such extension must be published.

In accordance with the second subparagraph of Article 30(6), further requests concerning exploration for and extraction of oil and gas in the United Kingdom excluding Northern Ireland submitted before the expiry of the period opened in respect of this request are not to be considered as new procedures and are to be treated in the context of this request.

⁽¹⁾ OJ L 134, 30.4.2004, p. 1.

OTHER ACTS

Commission

2009/C 255/09

Notice concerning a request in accordance with Article 30 of Directive 2004/17/EC — Request from a contracting entity 23



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