

Commission communication pursuant to Article 9 (2) of Council Directive 88/378/EEC⁽¹⁾ regarding the list of bodies approved by the Member States responsible for carrying out the EC type-examination referred to in Articles 8 (2) and 10 of that Directive (safety of toys)

(91/C 264/04)

List of bodies notified by Italy pursuant to Article 9 (1) of Directive 88/378/EEC in conformity with the conditions laid down in Annex III of the said Directive:

Distinguished number:

88/378 — IT — 0031 Istituto di ricerche e collaudi Masini, Srl, Via Moscova 11, I-20017 Rho (Milano).

The Commission ensures the updating of this list⁽²⁾.

⁽¹⁾ OJ No L 187, 16. 7. 1988, p. 1.

⁽²⁾ OJ No C 154, 23. 6. 1990, p. 3.
OJ No C 162, 3. 7. 1990, p. 25.
OJ No C 278, 6. 11. 1990, p. 3.
OJ No C 320, 20. 12. 1990, p. 3.
OJ No C 13, 19. 1. 1991, p. 3.
OJ No C 32, 7. 2. 1991, p. 6.
OJ No C 68, 16. 3. 1991, p. 3.

STATE AID

C 5/91 (NN 7/91)

Italy

(91/C 264/05)

(Commission Decision No 322/89/ECSC of 1 February 1989 establishing Community rules for aid to the steel industry)

Commission notice pursuant to Article 6 (4) of Decision No 322/89/ECSC to other Member States and interested parties concerning aid granted by Italy to Feralpi SpA, a steel company

In the letter reproduced below, the Commission informed the Italian Government of its decision to close the procedure initiated on 6 February 1991⁽¹⁾.

'By letter dated 6 February 1991 the Commission informed the Italian Government of its decision to initiate the procedure provided for in Article 6 (4) of Decision No 322/89/EEC in respect of a plan to grant aid to Feralpi SpA and gave it notice to submit its comments.

The Commission pointed out in particular that:

— in applying the said aid scheme to a steel undertaking covered by the ECSC Treaty without informing the Commission in advance, the Italian authorities had failed to fulfil their obligations pursuant to Article 6 of Decision No 322/89/ECSC,

— as the innovation scheme in question could not be regarded as an industrial research programme or as a technological development programme, it did not satisfy the tests of Article 2 of the above-mentioned Decision;

⁽¹⁾ OJ No C 117, 1. 5. 1991.

- with regard to any portion of the aid intended to cover expenditure on environmental protection, it was extremely difficult at that stage to assess its compatibility with the common market pursuant to Article 3 of the Decision,
- lastly, the aid in question did not appear to qualify for exemption pursuant to Articles 2 and 3 of the Decision.

By telex dated 2 May 1991, the Italian authorities informed the Commission that they had decided not to implement the aid scheme in question, Feralpi having waived the aid in its letter of 23 April 1991 to the Italian authorities.

The Commission therefore considers that the withdrawal of the aid plan in question removes any threat of distortion of Community competition.

The Commission would therefore inform the Italian Government that it has decided to terminate the procedure provided for in Article 6 (4) of Decision No 322/89/ECSC with regard to the aid plan in question.

It would also inform the Italian Government that it will be informing the other Member States and interested parties of its decision by publishing this letter in the *Official Journal of the European Communities*.
