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COUNCIL AND COMMISSION

DECISION OF THE COUNCIL, AND OF THE COMMISSION AS REGARDS THE AGREEMENT ON SCIENTIFIC AND TECHNOLOGICAL COOPERATION,

of 4 April 2002

on the conclusion of seven Agreements with the Swiss Confederation

(2002/309/EC, Euratom)

THE COUNCIL OF THE EUROPEAN UNION,

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular Article 310 in conjunction with the second sentence of the first subparagraph of Article 300(2) and the second subparagraph of Article 300(3), and Article 300(4) thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular the second subparagraph of Article 101 thereof,

Having regard to the proposal from the Commission,

Having regard to the assent of the European Parliament ⁽¹⁾,

Having regard to the approval of the Council,

Whereas:

(1) In order to pursue the privileged links between the European Union and the Swiss Confederation and their common desire to widen and strengthen their relations, the following agreements were signed on 21 June 1999 and should be approved:

- Agreement on the Free Movement of Persons between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other part,
- Agreement between the European Community and the Swiss Confederation on Air Transport,

— Agreement between the European Community and the Swiss Confederation on the Carriage of Goods and Passengers by Rail and Road,

— Agreement between the European Community and the Swiss Confederation on Trade in Agricultural Products,

— Agreement between the European Community and the Swiss Confederation on Mutual Recognition in Relation to Conformity Assessment,

— Agreement between the European Community and the Swiss Confederation on Certain Aspects of Government Procurement,

— Agreement on Scientific and Technological Cooperation between the European Communities and the Swiss Confederation.

(2) The seven agreements are intimately linked to one another by the requirement that they are to come into force at the same time and that they are to cease to apply at the same time, six months after the receipt of a non-renewal or denunciation notice concerning any one of them.

(3) As regards the Agreement on the Free Movement of Persons, the undertakings contained in the Agreement that fall within the scope of Part Three, Title IV of the Treaty establishing the European Community are not binding on the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland as obligations under Community law but as obligations arising from an undertaking between those Member States and the Swiss Confederation.

⁽¹⁾ OJ C 41, 7.2.2001, p. 25.

- (4) As regards the Agreement on Trade in Agricultural Products, where appropriate, measures necessary for the implementation of the first indent of Article 5(3) of this Decision may be adopted in accordance with the procedure laid down in Article 5(4). These measures should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽¹⁾.
- (5) Certain tasks for implementation have been attributed to the Joint Committees established under the Agreements, including the power to amend certain aspects of the Annexes thereto. The appropriate internal procedures should be established to ensure the proper functioning of the Agreements and, in certain cases, to empower the Commission to agree to certain technical amendments to the Agreements or to take certain decisions for their implementation,

HAVE DECIDED AS FOLLOWS:

Article 1

1. The following six agreements are hereby approved on behalf of the European Community:

- Agreement on the Free Movement of Persons between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other part,
- Agreement between the European Community and the Swiss Confederation on Air Transport,
- Agreement between the European Community and the Swiss Confederation on the Carriage of Goods and Passengers by Rail and Road,
- Agreement between the European Community and the Swiss Confederation on Trade in Agricultural Products,
- Agreement between the European Community and the Swiss Confederation on Mutual Recognition in Relation to Conformity Assessment,
- Agreement between the European Community and the Swiss Confederation on Certain Aspects of Government Procurement.

The following agreement is hereby approved on behalf of the European Community and the European Atomic Energy Community:

- Agreement on Scientific and Technological Cooperation between the European Communities and the Swiss Confederation.

The texts of the Agreements are attached to this Decision.

2. According to their terms, the seven agreements shall come into force at the same time and shall cease to apply at the same time, six months after the receipt of a non-renewal or denunciation notice concerning any one of them.

Article 2

As regards the Agreement on the Free Movement of Persons, the Community shall be represented on the Joint Committee set up under Article 14 of the Agreement by a representative of the Commission. The position to be taken by the Community in the course of the implementation of the Agreement as regards decisions or recommendations of the Joint Committee shall be laid down by the Council on a proposal from the Commission, in accordance with the corresponding provisions of the Treaty establishing the European Community.

Article 3

1. As regards the Agreement on Air Transport, the Community shall be represented in the Joint Committee set up under Article 21 of the Agreement by the Commission assisted by representatives of the Member States.

2. The position to be taken by the Community as regards decisions of the Joint Committee which simply extend acts of Community legislation to Switzerland, subject to any technical adjustment needed, shall be adopted by the Commission.

3. For other Joint Committee decisions, the Community's position shall be adopted by the Council, acting by a qualified majority, on a proposal from the Commission.

Article 4

1. As regards the Agreement on the Carriage of Goods and Passengers by Rail and Road, the Community shall be represented in the Joint Committee set up under Article 51 of the Agreement by the Commission assisted by representatives of the Member States. The position to be taken by the Community as regards decisions of the Joint Committee shall be adopted:

- by the Council, acting by qualified majority on a proposal from the Commission, for the matters contained in Articles 42, 45, 46, 47 and 54 of the Agreement,
- for all other matters, by the Commission in consultation with the Committee established under the first subparagraph of Article 4 of Decision 92/578/EEC ⁽²⁾.

⁽¹⁾ OJ L 184, 17.7.1999, p. 23.

⁽²⁾ OJ L 373, 21.12.1992, p. 26.

Article 5

1. As regards the Agreement on Trade in Agricultural Products, the Commission, assisted by Member States' representatives, shall represent the Community in the Joint Committee for Agriculture referred to in Article 6(1) of the Agreement and in the Joint Veterinary Committee referred to in Article 19(1) of Annex 11 to the Agreement.

2. The Community position within the Joint Committee for Agriculture and the Joint Veterinary Committee shall be adopted by the Council on a proposal from the Commission, in accordance with the corresponding provisions of the Treaty establishing the European Community.

However, the Community position on matters subject to decisions of the Joint Committee for Agriculture as referred to in Article 6(3) of the Agreement shall be adopted by the Commission:

- in respect of matters relating to Annex 4 to the Agreement and the Appendices thereto in accordance with the procedure laid down in Article 18 of Directive 2000/29/EC⁽¹⁾,
- in respect of matters relating to Annex 5 to the Agreement and the Appendices thereto in accordance with the procedure laid down in Article 23 of Directive 70/524/EEC⁽²⁾,
- in respect of matters relating to Annex 6 to the Agreement and the Appendices thereto in accordance with the procedure laid down in Article 21 of Directive 66/400/EEC⁽³⁾ or the corresponding provisions of the other Directives in the seeds sector,
- in respect of matters relating to Annex 7 to the Agreement and the Appendices thereto in accordance with the procedure laid down in Article 75 of Regulation (EC) No 1493/1999⁽⁴⁾,

- in respect of matters relating to Annex 8 to the Agreement and the Appendices thereto in accordance with the procedure laid down in Article 14 or Article 15 of Regulation (EEC) No 1576/89⁽⁵⁾ or in Article 13 or Article 14 of Regulation (EEC) No 1601/91⁽⁶⁾,
- in respect of matters relating to Annex 9 to the Agreement and the Appendices thereto in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 2092/91⁽⁷⁾,
- in respect of matters relating to Annex 10 to the Agreement and the Appendices thereto in accordance with the procedure laid down in Article 46 of Regulation (EC) No 2200/96⁽⁸⁾.

3. Without prejudice to paragraph 6, the Commission shall adopt the measures necessary for the implementation of the Agreement as regards:

- the implementation of the tariff concessions set out in Annex 2 and Annex 3 to the Agreement as well as amendments and technical adaptations made necessary by amendments to the Combined Nomenclature and TARIC codes, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92⁽⁹⁾ or the corresponding provisions of the other Regulations on the common organisation of the markets, or in accordance with the procedure laid down in paragraph 2,
- the implementation of Annex 4, in accordance with the procedure laid down in Article 18 of Directive 2000/29/EC,
- the implementation of Annex 5, in accordance with the procedure laid down in Article 23 of Directive 70/524/EEC,
- the implementation of Annex 6, in accordance with the procedure laid down in Article 21 of Directive 66/400/EEC or the corresponding provisions of other Directives in the seeds sector,
- the implementation of Title III of Annex 7, in accordance with the procedure laid down in Article 75 of Regulation (EC) No 1493/1999,

(1) OJ L 169, 10.7.2000, p. 1. Directive as amended by Commission Directive 2001/33/EC (OJ L 127, 9.5.2001, p. 42).

(2) OJ L 270, 14.12.1970, p. 1. Directive as last amended by Commission Regulation (EC) No 2205/2001 (OJ L 297, 15.11.2001, p. 3).

(3) OJ L 125, 11.7.1966, p. 2290/66. Directive as last amended by Council Directive 98/96/EC (OJ L 25, 1.2.1999, p. 27).

(4) OJ L 179, 14.7.1999, p. 1. Regulation as last amended by Council Regulation (EC) No 2585/2001 (OJ L 345, 29.11.2001, p. 10).

(5) OJ L 160, 12.6.1989, p. 1. Regulation as last amended by Council Regulation (EC) No 3378/94 (OJ L 366, 31.12.1994, p. 1).

(6) OJ L 149, 14.6.1991, p. 1. Regulation as last amended by Council Regulation (EC) No 2061/96 (OJ L 277, 30.10.1996, p. 1).

(7) OJ L 198, 22.7.1991, p. 1. Regulation as last amended by Commission Regulation (EC) No 2491/2001 (OJ L 337, 20.12.2001, p. 9).

(8) OJ L 297, 21.11.1996, p. 1. Regulation as last amended by Commission Regulation (EC) No 911/2001 (OJ L 129, 11.5.2001, p. 3).

(9) OJ L 181, 1.7.1992, p. 21. Regulation as last amended by Council Regulation (EC) No 1666/2000 (OJ L 193, 29.7.2000, p. 1).

- the implementation of Article 14 of Annex 8, in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 1576/89 or in Article 13 of Regulation (EEC) No 1601/91,
- the implementation of Annex 9, in accordance with the procedure laid down in Article 14 of Regulation (EEC) 2092/91,
- the implementation of Annex 10, in accordance with the procedure laid down in Article 46 of Regulation (EC) No 2200/96,
- the implementation of Annex 11, in accordance with Article 30 of Directive 72/462/EEC ⁽¹⁾.

4. Where appropriate, the necessary measures referred to in the first indent of paragraph 3 may be adopted in accordance with the procedures set out hereafter.

The Commission shall be assisted by the Customs Code Committee set up by Article 248a of Regulation (EEC) No 2913/92 ⁽²⁾.

Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at one month.

5. The Customs Code Committee may examine any question concerning the application of tariff quotas which is raised by its chairman either at the latter's initiative or at the request of a Member State.

6. The Commission shall, at the request of a Member State or on its own initiative, decide upon the necessary measures in accordance with Article 10 of the Agreement, Article 29 of Annex 7, Article 16 of Annex 8, Article 9 of Annex 9 and Article 5 of Annex 10 thereto. The Council and the Member States shall be notified of such decisions. If the Commission receives a request from a Member State, it shall take a decision thereon within three working days following receipt of the request. Any Member State may refer the Commission's decision to the Council within three working days of the day on which they were notified. The Council shall meet without delay. It may, acting by a qualified majority, take a different decision within a period of 30 days of the day on which the Commission's decision was referred to it.

Article 6

1. As regards the Agreement on Mutual Recognition in Relation to Conformity Assessment, the Community shall be represented on the Joint Committee set up under Article 10 of the Agreement, referred to hereafter as the 'Committee', by the Commission assisted by the special committee designated by the Council. The Commission shall proceed, after consultation with this special committee, to the appointments, notifications, exchange of information and requests for verification referred to in Articles 6(3), 7, 8(1), 10(4)(e) and 12 of the Agreement.

2. The position to be taken by the Community in the Committee shall be determined by the Commission, following consultation of the special committee referred to in paragraph 1, with regard to:

- (a) application of Article 1(3) to the chapters of Annex 1;
- (b) adoption of the rules of procedure, in accordance with Article 10(2), and of the verification procedures provided for in Article 10(4)(c) and (d) of the Agreement;
- (c) verification of the compliance of conformity assessment bodies and related decisions, in accordance with Article 8 and Article 11(c) of the Agreement;
- (d) amendments of Sections I to V of all Chapters in Annex I, in accordance with Article 10(4)(a), (b) and (e), and Article 11 of the Agreement;
- (e) amendments of the annexes, in accordance with Article 10(5) of the Agreement, and
- (f) the dispute settlement mechanism provided for in Article 14 of the Agreement.

3. In all other cases the position to be taken by the Community in the Committee shall be determined by the Council, acting by qualified majority on a proposal from the Commission.

Article 7

1. As regards the Agreement on Certain Aspects of Government Procurement, the Community shall be represented in the Joint Committee set up under Article 11 of the Agreement by the Commission assisted by representatives of the Member States.

(1) OJ L 302, 31.12.1972, p. 28. Directive as last amended by Council Regulation (EC) No 1452/2001 (OJ L 198, 21.7.2001, p. 11).

(2) OJ L 302, 19.10.1992, p. 1. Regulation as last amended by Regulation (EC) No 2700/2000 of the European Parliament and of the Council (OJ L 311, 12.12.2000, p. 17).

2. The Commission is authorised to approve, on behalf of the Community, modifications to Annexes I, II, III, IV, VI and VII to the Agreement. The Commission shall be assisted in this task by a special committee appointed by the Council. The authorisation referred to in the first sentence shall be limited, as far as Annex I is concerned, to the modifications that will be necessary if the procedures laid down in Article 8 of Directive 93/38/EEC were to be applied, as far as Annexes II, III and IV are concerned, to the modifications that will be necessary if similar procedures were to be applied to the sectors concerned by these annexes and, as far as Annexes VI and VII are concerned, to the results of future negotiations to be conducted in the framework of the 1996 Government Procurement Agreement.

3. In all other cases, the position to be taken by the Community as regards decisions of the Joint Committee shall be laid down by the Council, on a proposal from the

Commission, in accordance with the corresponding provisions of the Treaty establishing the European Community.

Article 8

The acts or instruments of approval, provided for in each of the agreements, shall be deposited by the President of the Council on behalf of the European Community and also, as regards the Agreement on Scientific and Technological Cooperation, by the President of the Commission on behalf of the European Atomic Energy Community.

Done at Brussels, 4 April 2002.

For the Council

The President

A. ACEBES PANIAGUA

For the Commission

The President

R. PRODI

AGREEMENT

between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons

THE SWISS CONFEDERATION, of the one part,

and

THE EUROPEAN COMMUNITY,

THE KINGDOM OF BELGIUM,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

THE FRENCH REPUBLIC,

IRELAND,

THE ITALIAN REPUBLIC,

THE GRAND DUCHY OF LUXEMBOURG,

THE KINGDOM OF THE NETHERLANDS,

THE REPUBLIC OF AUSTRIA,

THE PORTUGUESE REPUBLIC,

THE REPUBLIC OF FINLAND,

THE KINGDOM OF SWEDEN,

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, of the other part,

hereinafter referred to as 'the Contracting Parties',

Convinced that the free movement of persons between the territories of the Contracting Parties is a key factor in the harmonious development of their relations,

Resolved to bring about the free movement of persons between them on the basis of the rules applying in the European Community,

Have decided to conclude this Agreement:

I. BASIC PROVISIONS*Article 5**Article 1***Objective**

The objective of this Agreement, for the benefit of nationals of the Member States of the European Community and Switzerland, is:

- (a) to accord a right of entry, residence, access to work as employed persons, establishment on a self-employed basis and the right to stay in the territory of the Contracting Parties;
- (b) to facilitate the provision of services in the territory of the Contracting Parties, and in particular to liberalise the provision of services of brief duration;
- (c) to accord a right of entry into, and residence in, the territory of the Contracting Parties to persons without an economic activity in the host country;
- (d) to accord the same living, employment and working conditions as those accorded to nationals.

*Article 2***Non-discrimination**

Nationals of one Contracting Party who are lawfully resident in the territory of another Contracting Party shall not, in application of and in accordance with the provisions of Annexes I, II and III to this Agreement, be the subject of any discrimination on grounds of nationality.

*Article 3***Right of entry**

The right of entry of nationals of one Contracting Party into the territory of another Contracting Party shall be guaranteed in accordance with the provisions laid down in Annex I.

*Article 4***Right of residence and access to an economic activity**

The right of residence and access to an economic activity shall be guaranteed unless otherwise provided in Article 10 and in accordance with the provisions of Annex I.

Persons providing services

1. Without prejudice to other specific agreements between the Contracting Parties specifically concerning the provision of services (including the Government Procurement Agreement in so far as it covers the provision of services), persons providing services, including companies in accordance with the provisions of Annex I, shall have the right to provide a service in the territory of the other Contracting Party for a period not exceeding 90 days' of actual work in a calendar year.

2. Providers of services shall have the right of entry into, and residence in, the territory of the other Contracting Party:

- (a) where they have the right to provide a service under paragraph 1 or by virtue of the provisions of an agreement mentioned in paragraph 1;
- (b) or, if the conditions specified in (a) are not fulfilled, where they have received authorisation to provide a service from the competent authorities of the Contracting Party concerned.

3. Nationals of a Member State of the European Community or Switzerland entering the territory of a Contracting Party solely to receive services shall have the right of entry and residence.

4. The rights referred to in this Article shall be guaranteed in accordance with the provisions laid down in Annexes I, II and III. The quantitative limits of Article 10 may not be relied upon as against persons referred to in this Article.

*Article 6***Right of residence for persons not pursuing an economic activity**

The right of residence in the territory of a Contracting Party shall be guaranteed to persons not pursuing an economic activity in accordance with the provisions of Annex I relating to non-active people.

*Article 7***Other rights**

The Contracting Parties shall make provision, in accordance with Annex I, for the following rights in relation to the free movement of persons:

- (a) the right to equal treatment with nationals in respect of access to, and the pursuit of, an economic activity, and living, employment and working conditions;

- (b) the right to occupational and geographical mobility which enables nationals of the Contracting Parties to move freely within the territory of the host state and to pursue the occupation of their choice;
- (c) the right to stay in the territory of a Contracting Party after the end of an economic activity;
- (d) the right of residence for members of the family, irrespective of their nationality;
- (e) the right of family members to pursue an economic activity, irrespective of their nationality;
- (f) the right to acquire immovable property in so far as this is linked to the exercise of rights conferred by this Agreement;
- (g) during the transitional period, the right, after the end of an economic activity or period of residence in the territory of a Contracting Party, to return there for the purposes of pursuing an economic activity and the right to have a temporary residence permit converted into a permanent one.

Article 8

Coordination of social security systems

The Contracting Parties shall make provision, in accordance with Annex II, for the coordination of social security systems with the aim in particular of:

- (a) securing equality of treatment;
- (b) determining the legislation applicable;
- (c) aggregation, for the purpose of acquiring and retaining the right to benefits, and of calculating such benefits, all periods taken into consideration by the national legislation of the countries concerned;
- (d) paying benefits to persons residing in the territory of the Contracting Parties;
- (e) fostering mutual administrative assistance and cooperation between authorities and institutions.

Article 9

Diplomas, certificates and other qualifications

In order to make it easier for nationals of the Member States of the European Community and Switzerland to gain access to and pursue activities as employed and self-employed persons and to provide services, the Contracting Parties shall take the necessary measures, in accordance with Annex III, concerning the mutual recognition of diplomas, certificates and other qualifications, and coordination of the laws, regulations and administrative provisions of the Contracting Parties on access to and pursuit of activities as employed and self-employed persons and the provision of services.

II. GENERAL AND FINAL PROVISIONS

Article 10

Transitional provisions and development of the Agreement

1. For five years after the entry into force of the Agreement, Switzerland may maintain quantitative limits in respect of access to an economic activity for the following two categories of residence: residence for a period of more than four months and less than one year and residence for a period equal to, or exceeding, one year. There shall be no restriction on residence for less than four months.

From the beginning of the sixth year, all quantitative limits applicable to nationals of the Member States of the European Community shall be abolished.

2. For a maximum period of two years, the Contracting Parties may maintain the controls on the priority of workers integrated into the regular labour market and wage and working conditions applicable to nationals of the other Contracting Party, including the persons providing services referred to in Article 5. Before the end of the first year, the Joint Committee shall consider whether these restrictions need to be maintained. It may curtail the maximum period of two years. The controls on the priority of workers integrated into the regular labour market shall not apply to providers of services liberalised by a specific agreement between the Contracting Parties concerning the provision of services (including the Agreement on certain aspects of government procurement in so far as it covers the provision of services).

3. On entry into force of this Agreement and until the end of the fifth year, each year Switzerland shall reserve, within its overall quotas, for employed and self-employed persons of the European Community at least 15 000 new residence permits valid for a period equal to, or exceeding, one year and 115 500 valid for more than four months and less than one year.

4. Notwithstanding the provisions of paragraph 3, the Contracting Parties have agreed on the following arrangements: if, after five years and up to 12 years after the entry into force of the Agreement, the number of new residence permits of either of the categories referred to in paragraph 1 issued to employed and self-employed persons of the European Community in a given year exceeds the average for the three preceding years by more than 10 %, Switzerland may, for the following year, unilaterally limit the number of new residence permits of that category for employed and self-employed persons of the European Community to the average of the three preceding years plus 5 %. The following year, the number may be limited to the same level.

Notwithstanding the provisions of the previous subparagraph, the number of new residence permits issued to employed and self-employed persons of the European Community may not be limited to fewer than 15 000 per year valid for a period equal to, or exceeding, one year and 115 500 per year valid for more than four months and less than one year.

5. The transitional provisions of paragraphs 1 to 4, and in particular those of paragraph 2 concerning the priority of workers integrated into the regular labour market and controls on wage and working conditions, shall not apply to employed and self-employed persons who, at the time of this Agreement's entry into force, are authorised to pursue an economic activity in the territory of the Contracting Parties. Such persons shall in particular enjoy occupational and geographical mobility. The holders of residence permits valid for less than one year shall be entitled to have their permits renewed; the exhaustion of quantitative limits may not be invoked against them. The holders of residence permits valid for a period equal to, or exceeding, one year shall automatically be entitled to have their permits extended. Such employed and self-employed persons shall therefore enjoy the rights to free movement accorded to established persons in the basic provisions of this Agreement, and in particular Article 7 thereof, from its entry into force.

6. Switzerland shall regularly and promptly forward to the Joint Committee any useful statistics and information, including measures implementing paragraph 2. A Contracting Party may request a review of the situation within the Joint Committee.

7. No quantitative limits may be applied to frontier workers.

8. The transitional provisions on social security and the retrocession of unemployment insurance contributions are laid down in the Protocol to Annex II.

Article 11

Processing of appeals

1. The persons covered by this Agreement shall have a right of appeal to the competent authorities in respect of the application of the provisions of this Agreement.

2. Appeals must be processed within a reasonable period of time.

3. Persons covered by this Agreement shall have the opportunity to appeal to the competent national judicial body in respect of decisions on appeals, or the absence of a decision within a reasonable period of time.

Article 12

More favourable provisions

This Agreement shall not preclude any more favourable national provisions which may exist for both nationals of the Contracting Parties and their family members.

Article 13

Standstill

The Contracting Parties undertake not to adopt any further restrictive measures vis-à-vis each other's nationals in fields covered by this Agreement.

Article 14

Joint Committee

1. A Joint Committee composed of representatives of the Contracting Parties is hereby established. It shall be responsible for the management and proper application of the Agreement. To that end it shall issue recommendations. It shall take decisions in the circumstances provided for in the Agreement. The Joint Committee shall reach its decisions by mutual agreement.

2. In the event of serious economic or social difficulties, the Joint Committee shall meet, at the request of either Contracting Party, to examine appropriate measures to remedy the situation. The Joint Committee may decide what measures to take within 60 days of the date of the request. This period may be extended by the Joint Committee. The scope and duration of such measures shall not exceed that which is strictly necessary to remedy the situation. Preference shall be given to measures that least disrupt the working of this Agreement.

3. For the purposes of proper implementation of the Agreement, the Contracting Parties shall regularly exchange information and, at the request of either of them, shall consult each other within the Joint Committee.

4. The Joint Committee shall meet as and when necessary and at least once a year. Either Party may request the convening of a meeting. The Joint Committee shall meet within 15 days of a request under paragraph 2.

5. The Joint Committee shall establish its rules of procedure which shall contain, inter alia, provisions on the convening of meetings, the appointment of the chairman and the chairman's term of office.

6. The Joint Committee may decide to set up any working party or group of experts to assist it in the performance of its duties.

Article 15

Annexes and Protocols

The Annexes and Protocols to this Agreement shall form an integral part thereof. The Final Act shall contain the declarations.

Article 16

Reference to Community law

1. In order to attain the objectives pursued by this Agreement, the Contracting Parties shall take all measures necessary to ensure that rights and obligations equivalent to those contained in the legal acts of the European Community to which reference is made are applied in relations between them.

2. Insofar as the application of this Agreement involves concepts of Community law, account shall be taken of the relevant case-law of the Court of Justice of the European Communities prior to the date of its signature. Case-law after that date shall be brought to Switzerland's attention. To ensure that the Agreement works properly, the Joint Committee shall, at the request of either Contracting Party, determine the implications of such case-law.

Article 17

Development of law

1. As soon as one Contracting Party initiates the process of adopting a draft amendment to its domestic legislation, or as soon as there is a change in the case-law of authorities against whose decisions there is no judicial remedy under domestic law in a field governed by this Agreement, it shall inform the other Contracting Party through the Joint Committee.

2. The Joint Committee shall hold an exchange of views on the implications of such an amendment for the proper functioning of the Agreement.

Article 18

Revision

If a Contracting Party wishes to have this Agreement revised, it shall submit a proposal to that effect to the Joint Committee. Amendments to this Agreement shall enter into force after the respective internal procedures have been completed, with the exception of amendments to Annexes II and III, which shall be adopted by decision of the Joint Committee and may enter into force immediately after that decision.

Article 19

Settlement of disputes

1. The Contracting Parties may bring a matter under dispute which concerns the interpretation or application of this Agreement to the Joint Committee.

2. The Joint Committee may settle the dispute. Any information which might be of use in making possible an in-depth examination of the situation with a view to finding an acceptable solution shall be supplied to the Joint Committee. To this end, the Joint Committee shall consider every possible means to maintain the good functioning of this Agreement.

Article 20

Relationship to bilateral social security agreements

Unless otherwise provided for under Annex II, bilateral social security agreements between Switzerland and the Member States of the European Community shall be suspended on the entry into force of this Agreement, in so far as the latter covers the same subject-matter.

Article 21

Relationship to bilateral agreements on double taxation

1. The provisions of bilateral agreements between Switzerland and the Member States of the European Community on double taxation shall be unaffected by the provisions of this Agreement. In particular, the provisions of this Agreement shall not affect the double taxation agreements' definition of 'frontier workers'.

2. No provision of this Agreement may be interpreted in such a way as to prevent the Contracting Parties from distinguishing, when applying the relevant provisions of their fiscal legislation, between taxpayers whose situations are not comparable, especially as regards their place of residence.

3. No provision of this Agreement shall prevent the Contracting Parties from adopting or applying measures to ensure the imposition, payment and effective recovery of taxes or to forestall tax evasion under their national tax legislation or agreements aimed at preventing double taxation between Switzerland, of the one part, and one or more Member States of the European Community, of the other part, or any other tax arrangements.

Article 22

Relationship to bilateral agreements on matters other than social security and double taxation

1. Notwithstanding the provisions of Articles 20 and 21, this Agreement shall not affect agreements linking Switzerland, of the one part, and one or more Member States of the European Community, of the other part, such as those concerning private individuals, economic operators, cross-border cooperation or local frontier traffic, in so far as they are compatible with this Agreement.

2. In the event of incompatibilities between such agreements and this Agreement, the latter shall prevail.

Article 23

Acquired rights

In the event of termination or non-renewal, rights acquired by private individuals shall not be affected. The Contracting Parties shall settle by mutual agreement what action is to be taken in respect of rights in the process of being acquired.

Article 24

Territorial scope

This Agreement shall apply, on the one hand, to the territory of Switzerland and, on the other hand, to the territories in which the Treaty establishing the European Community is applicable and under the conditions laid down by that Treaty.

Hecho en Luxemburgo, el veintiuno de junio de mil novecientos noventa y nueve, en doble ejemplar en lenguas alemana, danesa, española, finesa, francesa, griega, inglesa, italiana, neerlandesa, portuguesa y sueca, siendo cada uno de estos textos igualmente auténtico.

Udfærdiget i Luxembourg, den enogtyvende juni nitten hundrede og nioghalvfems, i to eksemplarer på dansk, engelsk, finsk, fransk, græsk, italiensk, nederlandsk, portugisisk, spansk, svensk og tysk, idet hver af disse tekster har samme gyldighed.

Geschehen zu Luxemburg am einundzwanzigsten Juni neunzehnhundertneunundneunzig in zweifacher Ausfertigung in dänischer, deutscher, englischer, finnischer, französischer, griechischer, italienischer, niederländischer, portugiesischer, spanischer und schwedischer Sprache, wobei jeder dieser Wortlaute gleichermaßen verbindlich ist.

Έγινε στο Λουξεμβούργο, στις είκοσι μία Ιουνίου χίλια εννιακόσια ενενήντα εννέα, σε δύο αντίτυπα στην αγγλική, γαλλική, γερμανική, δανική, ελληνική, ισπανική, ιταλική, ολλανδική, πορτογαλική, σουηδική και φινλανδική γλώσσα: καθένα από τα κείμενα είναι εξίσου αυθεντικό.

Done at Luxembourg on the twenty-first day of June in the year one thousand nine hundred and ninety-nine, in duplicate in the Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish and Swedish languages, each of those texts being equally authentic.

Fait à Luxembourg, le vingt-et-un juin mil neuf cent quatre-vingt dix-neuf, en double exemplaire en langues allemande, anglaise, danoise, espagnole, finnoise, française, grecque, italienne, néerlandaise, portugaise et suédoise, chacun de ces textes faisant également foi.

Article 25

Entry into force and duration

1. This Agreement shall be ratified or approved by the Contracting Parties in accordance with their own procedures. It shall enter into force on the first day of the second month following the last notification of deposit of the instruments of ratification or approval of all seven of the following agreements:

Agreement on the free movement of persons

Agreement on air transport

Agreement on the carriage of passengers and goods by road and rail

Agreement on trade in agricultural products

Agreement on the mutual recognition of conformity assessment

Agreement on certain aspects of government procurement

Agreement on scientific and technological cooperation.

2. This Agreement shall be concluded for an initial period of seven years. It shall be renewed indefinitely unless the European Community or Switzerland notifies the other Contracting Party to the contrary before the initial period expires. In the event of such notification, paragraph 4 shall apply.

3. The European Community or Switzerland may terminate this Agreement by notifying its decision to the other Party. In the event of such notification, the provisions of paragraph 4 shall apply.

4. The seven Agreements referred to in paragraph 1 shall cease to apply six months after receipt of notification of non-renewal referred to in paragraph 2 or termination referred to in paragraph 3.

Fatto a Lussemburgo, addì ventuno giugno millenovecentonovantanove, in duplice esemplare, nelle lingue danese, finlandese, francese, greca, inglese, italiana, olandese, portoghese, spagnola, svedese e tedesca, ciascun testo facente ugualmente fede.

Gedaan te Luxemburg, de eenentwintigste juni negentienhonderd negennegentig, in twee exemplaren in de Deense, de Duitse, de Engelse, de Finse, de Franse, de Griekse, de Italiaanse, de Nederlandse, de Portugese, de Spaanse en de Zweedse taal, zijnde alle teksten gelijkelijk authentiek.

Feito em Luxemburgo, em vinte e um de Junho de mil novecentos e noventa e nove, em duplo exemplar nas línguas alemã, dinamarquesa, espanhola, finlandesa, francesa, grega, inglesa, italiana, neerlandesa, portuguesa e sueca, fazendo igualmente fé qualquer dos textos.

Tehty Luxemburgissa kahdentenkymmenentenäensimmäisenä päivänä kesäkuuta vuonna tuhatyhdeksänsataayhdeksänkymmentäyhdeksän kahtena kappaleena englannin, espanjan, hollannin, italian, kreikan, portugalin, ranskan, ruotsin, saksan, suomen ja tanskan kielellä, ja jokainen teksti on yhtä todistusvoimainen.

Utfärdat i Luxemburg den tjugoförsta juni nittonhundraiontio i två exemplar på det danska, engelska, finska, franska, grekiska, italienska, nederländska, portugisiska, spanska, svenska och tyska språket, vilka samtliga texter är lika giltiga.

Pour le Royaume de Belgique
Voor het Koninkrijk België
Für das Königreich Belgien



Cette signature engage également la Communauté française, la Communauté flamande, la Communauté germanophone, la Région wallonne, la Région flamande et la Région de Bruxelles-Capitale.

Deze handtekening verbindt eveneens de Vlaamse Gemeenschap, de Franse Gemeenschap, de Duitstalige Gemeenschap, het Vlaamse Gewest, het Waalse Gewest en het Brussels Hoofdstedelijke Gewest.

Diese Unterschrift verbindet zugleich die Deutschsprachige Gemeinschaft, die Flämische Gemeinschaft, die Französische Gemeinschaft, die Wallonische Region, die Flämische Region und die Region Brüssel-Hauptstadt.

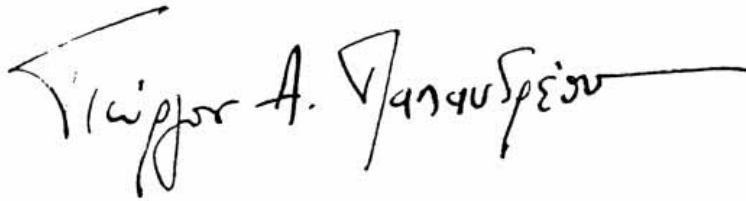
På Kongeriget Danmarks vegne



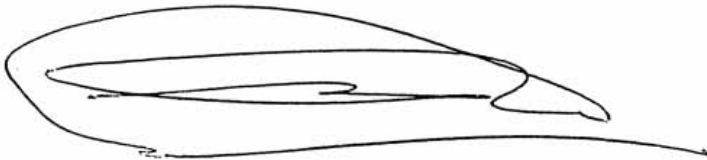
Für die Bundesrepublik Deutschland



Για την Ελληνική Δημοκρατία

Handwritten signature in Greek: Γιώργος Α. Παπανδρέου

Por el Reino de España

Handwritten signature in Spanish, appearing as a stylized, elongated scribble.

Pour la République française

Handwritten signature in French, appearing as a stylized, elongated scribble.

Thar cheann Na hÉireann
For Ireland

Handwritten signature in Irish, appearing as a stylized, elongated scribble.

Per la Repubblica italiana

Handwritten signature in Italian, appearing as a stylized, elongated scribble.

Pour le Grand-Duché de Luxembourg



Voor het Koninkrijk der Nederlanden



Für die Republik Österreich



Pela República Portuguesa



Suomen tasavallan puolesta
För Republiken Finland



För Konungariket Sverige



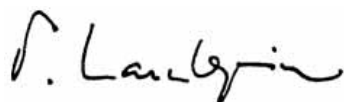
For the United Kingdom of Great Britain and Northern Ireland



Por la Comunidad Europea
For Det Europæiske Fællesskab
Für die Europäische Gemeinschaft
Για την Ευρωπαϊκή Κοινότητα
For the European Community
Pour la Communauté européenne
Per la Comunità europea
Voor de Europese Gemeenschap
Pela Comunidade Europeia
Euroopan yhteisön puolesta
På Europeiska gemenskapens vägnar



Für der schweizerischen Eidgenossenschaft
Pour la Confédération suisse
Per la Confederazione svizzera



ANNEX I

FREE MOVEMENT OF PERSONS

I. GENERAL PROVISIONS

*Article 1***Entry and exit**

1. The Contracting Parties shall allow nationals of the other Contracting Parties and members of their family within the meaning of Article 3 of this Annex and posted persons within the meaning of Article 17 of this Annex to enter their territory simply upon production of a valid identity card or passport.

No entry visa or equivalent requirement may be demanded save in respect of members of the family and posted workers within the meaning of Article 17 of this Annex who do not have the nationality of a Contracting Party. The Contracting Party concerned shall grant these persons every facility for obtaining any necessary visas.

2. The Contracting Parties shall grant nationals of the Contracting Parties, and members of their family within the meaning of Article 3 of this Annex and posted workers within the meaning of Article 17 of this Annex, the right to leave their territory simply upon production of a valid identity card or passport. The Contracting Parties may not demand any exit visa or equivalent requirement from nationals of the other Contracting Parties.

The Contracting Parties, acting in accordance with their laws, shall issue to such nationals, or renew, an identity card or passport, which shall state in particular the holder's nationality.

The passport must be valid at least for all the Contracting Parties and for the countries through which the holder must pass when travelling between them. Where the passport is the only document on which the holder may lawfully leave the country, its period of validity may not be less than five years.

*Article 2***Residence and economic activity**

1. Without prejudice to the provisions for the transitional period, which are laid down in Article 10 of this Agreement and Chapter VII of this Annex, nationals of a Contracting Party shall have the right to reside and pursue an economic activity in the territory of the other Contracting Party under the procedures laid down in Chapters II to IV. That right shall be substantiated through the issue of a residence permit or, for persons from frontier zones, by means of a special permit.

Nationals of a Contracting Party shall also have the right to visit another Contracting Party or to remain there after a period of employment of less than one year in order to seek employment and to reside there for a reasonable amount of time, which may be up to six months, to allow them to find out about the employment opportunities corresponding to their professional qualifications and, if necessary, take the appropriate steps to take up employment. Those seeking employment shall have the right, in the territory of the Contracting Party concerned, to receive the same assistance as employment agencies in that state grant to its own nationals. They may be excluded from social security schemes for the duration of such residence.

2. Nationals of the Contracting Parties not pursuing any economic activity in the host State who do not have a right of residence pursuant to other provisions of this Agreement shall, provided they fulfil the preconditions laid down in Chapter V, have a right of residence. That right shall be substantiated through the issue of a residence permit.

3. The residence or special permit granted to nationals of the Contracting Parties shall be issued and renewed free of charge or on payment of a sum not exceeding the charges or taxes which nationals are required to pay for the issue of identity cards. The Contracting Parties shall take the necessary measures to simplify the formalities and procedures for obtaining those documents as far as possible.

4. The Contracting Parties may require nationals of the other Contracting Parties to report their presence in the territory.

*Article 3***Members of the family**

1. A person who has the right of residence and is a national of a Contracting Party is entitled to be joined by the members of his family. An employed person must possess housing for his family which is regarded as of normal standard for national employed persons in the region where he is employed, but this provision may not lead to discrimination between national employed persons and employed persons from the other Contracting Party.

2. The following shall be regarded as members of the family, whatever their nationality:

- (a) his spouse and their relatives in the descending line who are under the age of 21 or are dependent;
- (b) his relatives in the ascending line and those of his spouse who are dependent on him;
- (c) in the case of a student, his spouse and their dependent children.

The Contracting Parties shall facilitate the admission of any member of the family not covered by the provisions of this paragraph under (a), (b) and (c), if that person is a dependant or lives in the household of the national of a Contracting Party in the country of provenance.

3. When issuing a residence permit to members of the family of a national of a Contracting Party, the Contracting Parties may require only the documents listed below:

- (a) the document by virtue of which they entered the territory;
- (b) a document issued by the competent authority of the state of origin or provenance proving their relationship;
- (c) for dependants, a document issued by the competent authority of the state of origin or provenance certifying that they are dependants of the person referred to in paragraph 1 or that they live in his household in that state.

4. The period of validity of a residence permit issued to a member of the family shall be the same as that of the permit issued to the person on whom he is dependent.

5. The spouse and the dependent children or children aged under 21 of a person having a right of residence shall have the right to take up an economic activity whatever their nationality.

6. The children of a national of a Contracting Party, whether or not he is pursuing or has pursued an economic activity in the territory of the other Contracting Party, shall be admitted to general education, apprenticeships and vocational training courses on the same basis as nationals of the host state, if those children are living in its territory.

The Contracting Parties shall promote initiatives to enable such children to follow the abovementioned courses under the best conditions.

Article 4

Right to stay

1. Nationals of a Contracting Party and members of their family shall have the right to stay in the territory of another Contracting Party after their economic activity has finished.

2. In accordance with Article 16 of the Agreement, reference is made to Regulation (EEC) No 1251/70 (OJ L 142, 1970, p. 24)⁽¹⁾ and Directive 75/34/EEC (OJ L 14, 1975, p. 10)⁽¹⁾.

⁽¹⁾ As in force at the date of signing the Agreement.

Article 5

Public order

1. The rights granted under the provisions of this Agreement may be restricted only by means of measures which are justified on grounds of public order, public security or public health.

2. In accordance with Article 16 of the Agreement, reference is made to Directives 64/221/EEC (OJ L 56, 4.4.1964, p. 850/64)⁽¹⁾, 72/194/EEC (OJ L 121, 26.5.1972, p. 32)⁽¹⁾ and 75/35/EEC (OJ L 14, 20.1.1975, p. 14)⁽¹⁾.

II. EMPLOYED PERSONS

Article 6

Rules regarding residence

1. An employed person who is a national of a Contracting Party (hereinafter referred to as 'employed person') and is employed for a period of one year or more by an employer in the host state shall receive a residence permit which is valid for at least five years from its date of issue. It shall be extended automatically for a period of at least five years. When renewed for the first time, its period of validity may be limited, but not to less than one year, where its holder has been involuntarily unemployed for more than 12 consecutive months.

2. An employed person who is employed for a period of more than three months but less than one year by an employer in the host state shall receive a residence permit for the same duration as his contract.

An employed person who is employed for a period of up to three months does not require a residence permit.

3. When issuing residence permits, the Contracting Parties may not require an employed person to produce more than the following documents:

- (a) the document by virtue of which he entered their territory;
- (b) a contractual statement from the employer or a written confirmation of engagement.

4. A residence permit shall be valid throughout the territory of the issuing state.

5. Breaks in residence of less than six consecutive months and absences for the purposes of fulfilling military service obligations shall not affect the validity of the residence permit.

6. A valid residence permit may not be withdrawn from an employed person merely on the grounds that he is no longer working, either because he has become temporarily unable to work owing to an accident or illness, or because he is involuntarily unemployed as certified by the competent employment office.

7. Completion of the formalities for obtaining a residence permit shall not prevent an applicant immediately taking up employment under the contract he has concluded.

Article 7

Employed frontier workers

1. An employed frontier worker is a national of a Contracting Party who has his residence in the territory of a Contracting Party and who pursues an activity as an employed person in the territory of the other Contracting Party, returning to his place of residence as a rule every day, or at least once a week.

2. Frontier workers shall not require a residence permit.

The competent authorities of the state of employment may nevertheless issue the frontier worker with a special permit for a period of at least five years or for the duration of his employment where this is longer than three months and less than one year. It shall be extended for at least five years provided that the frontier worker furnishes proof that he is actually pursuing an economic activity.

3. Special permits shall be valid throughout the territory of the issuing state.

Article 8

Occupational and geographical mobility

1. Employed persons shall have the right to occupational and geographical mobility throughout the territory of the host state.

2. Occupational mobility shall include changes of employer, employment or occupation and changing from employed to self-employed status. Geographical mobility shall include changes in the place of work and residence.

Article 9

Equal treatment

1. An employed person who is a national of a Contracting Party may not, by reason of his nationality, be treated differently in the territory of the other Contracting Party from national employed persons as regards conditions of employment and working conditions, especially as regards pay, dismissal, or reinstatement or re-employment if he becomes unemployed.

2. An employed person and the members of his family referred to in Article 3 of this Annex shall enjoy the same tax concessions and welfare benefits as national employed persons and members of their family.

3. He shall also be entitled on the same basis and on the same terms as national employed persons to education in vocational training establishments and in vocational retraining and occupational rehabilitation centres.

4. Any clause in a collective or individual agreement or in any other collective arrangements concerning access to employment, employment, pay and other terms of employment and dismissal, shall be automatically void insofar as it provides for or authorises discriminatory conditions with respect to foreign employed persons who are nationals of the Contracting Parties.

5. An employed person who is a national of a Contracting Party and is employed in the territory of the other Contracting Party shall enjoy equal treatment in terms of membership of trade union organisations and exercise of union rights, including the right to vote and right of access to executive or managerial positions within a trade union organisation; he may be precluded from involvement in the management of public law bodies and from holding an office governed by public law. He shall, moreover, have the right to be eligible for election to bodies representing employees in an undertaking.

These provisions shall be without prejudice to laws or regulations in the host state which confer more extensive rights on employed persons from the other Contracting Party.

6. Without prejudice to the provisions of Article 26 of this Annex, an employed person who is a national of a Contracting Party and employed in the territory of the other Contracting Party shall enjoy all the rights and all the advantages accorded to national employed persons in terms of housing, including ownership of the housing he needs.

Such a worker shall have the same right as nationals to register on the housing lists in the region in which he is employed, where such lists exist; he shall enjoy the resultant benefits and priorities.

If his family has remained in his state of provenance, it shall be considered for this purpose as residing in the said region, where national workers benefit from a similar presumption.

Article 10

Public service employment

A national of a Contracting Party pursuing an activity as an employed person may be refused the right to take up employment in the public service which involves the exercise of public power and is intended to protect the general interests of the state or other public bodies.

*Article 11***Cooperation in relation to employment services.**

The Contracting Parties shall cooperate, within the EURES (European Employment Services) network, in particular in setting up contacts, matching job vacancies and applications and exchanging information on the state of the labour market and living and working conditions.

III. SELF-EMPLOYED PERSONS

*Article 12***Rules regarding residence**

1. A national of a Contracting Party wishing to become established in the territory of another Contracting Party in order to pursue a self-employed activity (hereinafter referred to as a 'self-employed person') shall receive a residence permit valid for a period of at least five years from its date of issue, provided that he produces evidence to the competent national authorities that he is established or wishes to become so.

2. The residence permit shall be extended automatically for a period of at least five years, provided that the self-employed person produces evidence to the competent national authorities that he is pursuing a self-employed economic activity.

3. When issuing residence permits, the Contracting Parties may not require self-employed persons to produce more than the following:

- (a) the document by virtue of which he entered their territory;
- (b) the evidence referred to in paragraphs 1 and 2.

4. A residence permit shall be valid throughout the territory of the issuing state.

5. Breaks in residence of less than six consecutive months and absences for the purposes of fulfilling military service obligations shall not affect the validity of the residence permit.

6. Valid residence permits may not be withdrawn from persons referred to in paragraph 1 merely because they are no longer working owing to temporary incapacity as a result of illness or accident.

*Article 13***Self-employed frontier workers**

1. A self-employed frontier worker is a national of a Contracting Party who is resident in the territory of a Contracting Party and who pursues a self-employed activity in the territory of the other Contracting Party, returning to his place of residence as a rule every day or at least once a week.

2. Self-employed frontier workers shall not require a residence permit.

The relevant authorities of the state concerned may nevertheless issue a self-employed frontier worker with a special permit valid for at least five years provided that he produces evidence to the competent national authorities that he is pursuing or wishes to pursue a self-employed activity. The permit shall be extended for at least five years, provided that the frontier worker produces evidence that he is pursuing a self-employed activity.

3. Special permits shall be valid throughout the territory of the issuing state.

*Article 14***Occupational and geographical mobility**

1. Self-employed persons shall have the right to occupational and geographical mobility throughout the territory of the host state.

2. Occupational mobility shall include change of occupation and changing from self-employed to employed status. Geographical mobility shall include changes in the place of work and residence.

*Article 15***Equal treatment**

1. As regards access to a self-employed activity and the pursuit thereof, a self-employed worker shall be afforded no less favourable treatment in the host country than that accorded to its own nationals.

2. The provisions of Article 9 of this Annex shall apply *mutatis mutandis* to the self-employed persons referred to in this Chapter.

*Article 16***Exercise of public authority**

A self-employed person may be denied the right to pursue an activity involving, even on an occasional basis, the exercise of public authority.

IV. PROVISION OF SERVICES

*Article 17***Persons providing services**

With regard to the provision of services, the following shall be prohibited under Article 5 of this Agreement:

- (a) any restriction on the cross-frontier provision of services in the territory of a Contracting Party not exceeding 90 days of actual work per calendar year;

(b) any restriction on the right of entry and residence in the cases covered by Article 5(2) of this Agreement concerning:

- (i) persons providing services who are nationals of the Member States of the European Community or Switzerland and are established in the territory of a Contracting Party other than that of the person receiving services;
- (ii) employees, irrespective of their nationality, of persons providing services, who are integrated into one Contracting Party's regular labour market and posted for the provision of a service in the territory of another Contracting Party without prejudice to Article 1.

Article 18

The provisions of Article 17 of this Annex shall apply to companies formed in accordance with the law of a Member State of the European Community or Switzerland and having their registered office, central administration or principal place of business in the territory of a Contracting Party.

Article 19

A person providing services who has the right or has been authorised to provide a service may, for the purposes of its provision, temporarily pursue his activity in the state in which the service is provided on the same terms as those imposed by that state on its own nationals, in accordance with the provisions of this Annex and Annexes II and III.

Article 20

1. Persons referred to in Article 17(b) of this Annex who have the right to provide a service shall not require a residence permit for periods of residence of 90 days or less. Such residence shall be covered by the documents referred to in Article 1, by virtue of which they entered the territory.

2. Persons referred to in Article 17(b) of this Annex who have the right or have been authorised to provide a service for a period exceeding 90 days shall receive, to substantiate that right, a residence permit for a period equal to that of the provision of services.

3. The right of residence shall apply throughout the territory of Switzerland or the Member State of the European Community concerned.

4. For the purposes of issuing residence permits, the Contracting Parties may not require of the persons referred to in Article 17(b) of this Annex more than:

(a) the document by virtue of which they entered the territory;

(b) evidence that they are providing or wish to provide a service.

Article 21

1. The total duration of provision of services under Article 17(a) of this Annex, whether continuous or consisting of successive periods of provision, may not exceed 90 days of actual work per calendar year.

2. The provisions of paragraph 1 shall be without prejudice to the discharge by the person providing a service of his legal obligations under the guarantee given to the person receiving the service or to cases of force majeure.

Article 22

1. The provisions of Articles 17 and 19 of this Annex shall not apply to activities involving, even on an occasional basis, the exercise of public authority in the Contracting Party concerned.

2. The provisions of Articles 17 and 19 of this Annex and measures adopted by virtue thereof shall not preclude the applicability of laws, regulations and administrative provisions providing for the application of working and employment conditions to employed persons posted for the purposes of providing a service. In accordance with Article 16 of this Agreement, reference is made to Directive 96/71/EC of 16 December 1996 concerning the posting of workers in the framework of the provision of services (OJ L 18, 21.1.1997, p. 1) ⁽¹⁾.

3. The provisions of Articles 17(a) and 19 of this Annex shall be without prejudice to the applicability of the laws, regulations and administrative provisions prevailing in all Contracting Parties at the time of this Agreement's entry into force in respect of:

- (i) the activities of temporary and interim employment agencies;
- (ii) financial services where provision is subject to prior authorisation in the territory of a Contracting Party and the provider to prudential supervision by that Contracting Party's authorities.

4. The provisions of Articles 17(a) and 19 of this Annex shall be without prejudice to the applicability of the Contracting Parties' respective laws, regulations and administrative provisions concerning the provision of services of 90 days of actual work or less required by imperative requirements in the public interest.

⁽¹⁾ As in force at the date of signing the Agreement.

*Article 23***Persons receiving services**

1. A person receiving services within the meaning of Article 5(3) of this Agreement shall not require a residence permit for a period of residence of three months or less. For a period exceeding three months, a person receiving services shall be issued with a residence permit equal in duration to the service. He may be excluded from social security schemes during his period of residence.

2. A residence permit shall be valid throughout the territory of the issuing state.

V. PERSONS NOT PURSUING AN ECONOMIC ACTIVITY

*Article 24***Rules regarding residence**

1. A person who is a national of a Contracting Party not pursuing an economic activity in the state of residence and having no right of residence pursuant to other provisions of this Agreement shall receive a residence permit valid for at least five years provided he proves to the competent national authorities that he possesses for himself and the members of his family:

- (a) sufficient financial means not to have to apply for social assistance benefits during their stay;
- (b) all-risks sickness insurance cover ⁽¹⁾.

The Contracting Parties may, if they consider it necessary, require the residence permit to be revalidated at the end of the first two years of residence.

2. Financial means shall be considered sufficient if they exceed the amount below which nationals, having regard to their personal situation and, where appropriate, that of their family, can claim social security benefits. Where that condition cannot be applied, the applicant's financial means shall be regarded as sufficient if they are greater than the level of the minimum social security pension paid by the host state.

3. Persons who have been employed for less than one year in the territory of a Contracting Party may reside there provided they comply with the conditions set out in paragraph 1 of this Article. The unemployment benefits to which they are entitled under national law which is, where appropriate, complemented by the provisions of Annex II, shall be considered to be financial means within the meaning of paragraphs 1(a) and 2 of this Article.

⁽¹⁾ In Switzerland, sickness insurance for persons who do not elect to make it their domicile must include accident and maternity cover.

4. A student who does not have a right of residence in the territory of the other Contracting Party on the basis of any other provision of this Agreement shall be issued with a residence permit for a period limited to that of the training or to one year, if the training lasts for more than one year, provided he satisfies the national authority concerned, by means of a statement or, if he chooses, by any other at least equivalent means, that he has sufficient financial means to ensure that neither he, his spouse nor his dependent children will make any claim for social security of the host state during their stay, and provided he is registered in an approved establishment for the purpose of following, as his principal activity, a vocational training course and has all-risks sickness insurance cover. This Agreement does not regulate access to vocational training or maintenance assistance given to the students covered by this Article.

5. A residence permit shall automatically be extended for at least five years provided that the eligibility conditions are still met. Residence permits for students shall be extended annually for a duration equal to the remaining training period.

6. Breaks in residence of less than six consecutive months and absences for the purposes of fulfilling military service obligations shall not affect the validity of the residence permit.

7. A residence permit shall be valid throughout the territory of the issuing state.

8. The right of residence shall obtain for as long as beneficiaries of that right fulfil the conditions laid down in paragraph 1.

VI. PURCHASE OF IMMOVABLE PROPERTY

Article 25

1. A national of a Contracting Party who has a right of residence and his principal residence in the host state shall enjoy the same rights as a national as regards the purchase of immovable property. He may set up his principal residence in the host state at any time in accordance with the relevant national rules irrespective of the duration of his employment. Leaving the host state shall not entail any obligation to dispose of such property.

2. The national of a Contracting Party who has a right of residence but does not have his principal residence in the host state shall enjoy the same rights as a national as regards the purchase of immovable property needed for his economic activity. Leaving the host state shall not entail any obligation to dispose of such property. He may also be authorised to purchase a second residence or holiday accommodation. This Agreement shall not affect the rules applying to pure capital investment or business of unbuilt land and apartments.

3. A frontier worker shall enjoy the same rights as a national as regards the purchase of immovable property for his economic activity and as a secondary residence. Leaving the host state shall not entail any obligation to dispose of such property. He may also be authorised to purchase holiday accommodation. This Agreement shall not affect the rules applying in the host state to pure capital investment or business of unbuilt land and apartments.

VII. TRANSITIONAL PROVISIONS AND DEVELOPMENT OF THE AGREEMENT

Article 26

General provisions

1. When the quantitative restrictions laid down in Article 10 of this Agreement are applied, the provisions contained in this Chapter shall supplement or replace the other provisions of this Annex, as the case may be.

2. When the quantitative restrictions laid down in Article 10 of this Agreement are applied, the pursuit of an economic activity shall be subject to the issue of a residence and/or a work permit.

Article 27

Rules relating to the residence of employed persons

1. The residence permit of an employed person who has an employment contract for a period of less than one year shall be extended for up to a total of 12 months provided that the employed person furnishes proof to the competent national authorities that he is able to pursue an economic activity. A new residence permit shall be issued provided that the employed person furnishes proof that he is able to pursue an economic activity and that the quantitative limits laid down in Article 10 of this Agreement have not been reached. There shall be no obligation to leave the country between two employment contracts in accordance with Article 24 of this Annex.

2. During the period referred to in Article 10(2) of this Agreement, a Contracting Party may require that a written contract or draft contract be produced before issuing a first residence permit.

3. (a) Persons who have previously held temporary jobs in the territory of the host state for at least 30 months shall automatically have the right to take up employment for an unlimited duration⁽¹⁾. They may not be denied this right on the grounds that the number of residence permits guaranteed has been exhausted.

⁽¹⁾ They shall not be subject to the priority accorded to workers integrated into the regular labour market or monitoring of compliance with wage and employment conditions in a particular sector or place.

(b) Persons who have previously held seasonal employment in the territory of the host state for a total of not less than 50 months during the last 15 years and do not meet the conditions of entitlement to a residence permit in accordance with the provisions of subparagraph (a) above shall automatically have the right to take up employment for an unlimited duration.

Article 28

Employed frontier workers

1. An employed frontier worker is a national of a Contracting Party who has his normal place of residence in the frontier zones of Switzerland or neighbouring states and who pursues an activity as an employed person in the frontier zones of another Contracting Party returning as a rule to his principal residence every day, or at least once a week. For the purposes of this Agreement, frontier zones shall mean the zones defined in the agreements concluded between Switzerland and its neighbours concerning movement in frontier zones.

2. The special permit shall be valid throughout the frontier zone of the issuing state.

Article 29

Employed persons' right to return

1. An employed person who, on the date this Agreement entered into force, was holding a residence permit valid for at least one year and who has then left the host country shall be entitled to preferential access to the quota for a new residence permit within six years of his departure provided he proves that he is able to pursue an economic activity.

2. A frontier worker shall have the right to a new special permit within six years of the end of his previous employment over an uninterrupted period of three years, subject to verification of his pay and working conditions if he is employed for the two years following the Agreement's entry into force, provided he proves to the competent national authorities that he is able to pursue an economic activity.

3. Young persons who have left the territory of a Contracting Party after residing there for at least five years before the age of 21 shall have the right for a period of four years to return to that country and pursue an economic activity.

Article 30

Employed persons' occupational and geographical mobility

1. An employed person holding a residence permit valid for less than one year shall, for the twelve months following the commencement of his employment, have the right to occupational and geographical mobility. The right to change from employed to self-employed status shall also be allowed subject to compliance with Article 10 of this Agreement.

2. Special permits issued to employed frontier workers shall confer the right to occupational and geographical mobility within all the frontier zones of Switzerland or its neighbouring states.

Article 31

Rules relating to the residence of self-employed persons

A national of a Contracting Party wishing to become established in the territory of another Contracting Party in order to pursue a self-employed activity (hereinafter referred to as a 'self-employed worker') shall receive a residence permit valid for a period of six months. He shall receive a residence permit valid for at least five years provided that he proves to the competent national authorities before the end of the six-month period that he is pursuing a self-employed activity. If necessary, the six-month period may be extended by a maximum of two months if there is a genuine likelihood that he will produce such proof.

Article 32

Self-employed frontier workers

1. A self-employed frontier worker is a national of a Contracting Party who is ordinarily resident in the frontier zones of Switzerland or neighbouring states and who pursues a self-employed activity in the frontier zones of the other Contracting Party returning as a rule to his principal residence in principle every day or at least once a week. For the purposes of this Agreement, frontier zones shall mean the zones defined in the agreements concluded between Switzerland and its neighbouring states concerning movement in frontier zones.

2. A national of a Contracting Party who wishes in his capacity as a frontier worker to pursue a self-employed activity in the frontier zones of Switzerland or its neighbouring states shall receive a preliminary six-month special permit in advance. He shall receive a special permit for a period of at least five years provided that he proves to the competent national authorities, before the end of that six-month period, that he is

pursuing a self-employed activity. If necessary, the six-month period may be extended by a maximum of two months if there is a genuine likelihood that he will produce such proof.

3. Special permits shall be valid throughout the frontier zone of the issuing state.

Article 33

Self-employed persons' right to return

1. A self-employed person who has held a residence permit valid for a period of at least five years and who has left the host state shall have the right to a new permit within six years of his departure provided he has already worked in the host country for an uninterrupted period of three years and proves to the competent national authorities that he is able to pursue an economic activity.

2. A self-employed frontier worker shall have the right to a new special permit within a period of six years of the termination of previous activity lasting for an uninterrupted period of four years provided he proves to the competent national authorities that he is able to pursue an economic activity.

3. Young persons who have left the territory of a Contracting Party after residing there for at least five years before the age of 21 shall have the right for a period of four years to return to that country and pursue an economic activity.

Article 34

Self-employed persons' occupational and geographical mobility

Special permits issued to self-employed frontier workers shall confer the right to occupational and geographical mobility within the frontier zones of Switzerland or its neighbouring states. Preliminary six-month residence permits issued in advance (in the case of frontier workers, special permits) shall confer the right only to geographical mobility.

ANNEX II

CO-ORDINATION OF SOCIAL SECURITY SCHEMES

Article 1

1. The contracting parties agree, with regard to the coordination of social security schemes, to apply among themselves the Community acts to which reference is made, as in force at the date of signature of the Agreement and as amended by section A of this Annex, or rules equivalent to such acts.
2. The term 'Member State(s)' contained in the acts referred to in section A of this Annex shall be understood to include Switzerland in addition to the States covered by the relevant Community acts.

Article 2

1. For the purposes of applying the provisions of this Annex, the contracting parties shall take into consideration the Community acts referred to in or amended by section B of this Annex.
2. For the purposes of applying the provisions of this Annex, the contracting parties shall take note of the Community acts referred to in section C of this Annex.

Article 3

1. The arrangements relating to unemployment insurance for Community workers holding a Swiss residence permit valid for less than one year are set out in a protocol to this Annex.
2. The protocol forms an integral part of this Annex.

SECTION A: ACTS REFERRED TO

1. 3 7 1 R 1 4 0 8 ⁽¹⁾: Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to the members of their families moving within the Community,

(¹) N.B. The Community acquis as applied by the EC Member States within the European Community when this Agreement is signed:

The principles of *aggregation* of entitlements to unemployment benefit and its provision *in the State of last employment* apply irrespective of the duration of employment.

Persons who have been *employed for a period of less than one year* within the territory of a Member State may, in order to seek a new job, reside there after the end of their employment for a reasonable period, which may be up to six months, for the purpose of identifying offers of jobs corresponding to their professional qualifications and, if necessary, taking the steps required to obtain employment. These persons may also remain after the end of their employment if they have sufficient financial means to support themselves and the members of their families without having to draw on welfare benefits during their stay, and if they have sickness insurance cover for all risks. Unemployment benefit to which they are entitled under national legislation, and which may if necessary be supplemented under aggregation rules, is to be regarded as such financial means. Financial means are deemed adequate if they exceed the amount below which nationals of the State concerned may, while taking into account their personal circumstances and possibly those of their families, claim welfare benefits. If this precondition is not applicable, the financial means of the applicant are considered adequate if they exceed the level of the minimum social security pension granted by the host State.

Seasonal workers may exercise their rights to unemployment benefits in the State of last employment regardless of when the season concerned comes to an end. They may remain after the end of their employment provided that they satisfy the conditions mentioned in the previous paragraph. If they make themselves available for work in the State of residence, they will receive unemployment benefits in that State in accordance with the provisions of Article 71 of Regulation (EEC) no 1408/71.

Frontier workers may make themselves available for work in the State of residence or in the State of last employment if they have maintained personal and professional links and thus have better prospects of finding employment there. They will draw unemployment benefits in the State in which they make themselves available for work.

as updated by:

3 9 7 R 1 1 8 : Council Regulation (EC) No 118/97 of 2 December 1996 (OJ L 28, 30.1.1997, p. 1) modifying and updating Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community and Regulation (EEC) No 574/72 fixing the procedure for implementing Regulation (EEC) No 1408/71.

3 9 7 R 1 2 9 0 : Council Regulation (EC) No 1290/97 of 27 June 1997 (OJ L 176, 4.7.1997, p. 1) modifying Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community and Regulation (EEC) No 574/72 fixing the procedure for implementing Regulation (EEC) No 1408/71.

3 9 8 R 1 2 2 3 : Council Regulation (EC) No 1223/98 of 4 June 1998 (OJ L 168, 13.6.1998, p. 1) modifying Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community and Regulation (EEC) No 574/72 fixing the procedure for implementing Regulation (EEC) No 1408/71.

3 9 8 R 1 6 0 6 : Council Regulation (EC) No 1606/98 of 29 June 1998 (OJ L 209, 25.7.1998, p. 1) modifying Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community and Regulation (EEC) No 574/72 fixing the procedure for implementing Regulation (EEC) No 1408/71.

3 9 9 R 3 0 7 : Council Regulation (EC) No 307/1999 of 8 February 1999 (OJ L 38, 12.2.1999, p. 1) amending Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community and Regulation (EEC) No 574/72 laying down the procedure for implementing Regulation (EEC) No 1408/71 with a view to extending them to cover students.

For the purposes of this Agreement, the Regulation shall be adapted as follows:

- (a) Article 95a shall not be applicable;
- (b) Article 95b shall not be applicable;
- (c) The following shall be added to *Annex I, section I*:

Switzerland

If a Swiss institution is the competent institution for granting healthcare benefits in accordance with Title III Chapter 1 of the Regulation:

An employed worker within the meaning of the Federal Old-Age and Survivors' Insurance Act shall be deemed an 'employed person' within the meaning of Article 1(a)(ii) of the Regulation.

A self-employed worker within the meaning of the Federal Old-Age and Survivors' Insurance Act shall be deemed a 'self-employed person' within the meaning of Article 1(a)(ii) of the Regulation.

- (d) The following shall be added to *Annex I, section II*:

Switzerland

For the purpose of determining entitlement to benefits in kind pursuant to the provisions of Title III Chapter 1 of the Regulation, 'member of the family' shall mean the spouse as well as the children under the age of 18 and those under the age of 25 attending school, pursuing studies or undergoing an apprenticeship.

- (e) The following shall be added to *Annex II, section I*:

Switzerland

The cantonal schemes (Graubünden, Lucerne, St. Gallen) for family allowances for self-employed persons.

- (f) The following shall be added to *Annex II, section II*:

Switzerland

Birth grants and adoption grants pursuant to the relevant cantonal legislation on family benefits (Fribourg, Geneva, Jura, Lucerne, Neuchâtel, Schaffhausen, Schwyz, Solothurn, Uri, Valais, Vaud).

- (g) The following shall be added to *Annex II, section III*:

Switzerland

Does not apply.

- (h) The following shall be added to *Annex IIa*:

Switzerland

- (a) Supplementary benefits (Federal Supplementary Benefits Act of 19 March 1965) and similar benefits provided for under cantonal legislation.
- (b) Pensions in the case of hardship under invalidity insurance (Article 28 subpara. 1a of the Federal Invalidity Insurance Act of 19 June 1959, as amended on 7 October 1994).
- (c) Non-contributory mixed benefits in the event of unemployment, as provided for under cantonal legislation.

- (i) The following shall be added to *Annex III, Part A*:

Germany-Switzerland

- (a) Convention on social security of 25 February 1964, as amended by Complementary Conventions No 1 of 9 September 1975 and No 2 of 2 March 1989:
 - (i) Article 4(2) as regards the payment of cash benefits to persons resident in a third country
 - (ii) point 9b, paragraph 1, Nos 2-4 of the Final Protocol
 - (iii) point 9e, paragraph 1(b), first, second and fourth sentences, of the Final Protocol.
- (b) Convention on unemployment insurance of 20 October 1982, as amended by the Additional Protocol of 22 December 1992,
 - (i) Article 7(1)
 - (ii) Article 8(5). Germany (district of Büsingen) shall contribute a sum equivalent to the cantonal contribution under Swiss law towards the cost of actual places on employment-promotion measures for workers subject to this provision.

Austria-Switzerland

Article 4 of the Convention on social security of 15 November 1967, as amended by Complementary Conventions No 1 of 17 May 1973, No 2 of 30 November 1977, No 3 of 14 December 1987 and No 4 of 11 December 1996, as regards the payment of cash benefits to persons resident in a third country.

Belgium-Switzerland

- (a) Article 3(1) of the Convention on social security of 24 September 1975 as regards the payment of cash benefits to persons resident in a third country.
- (b) Point 4 of the Final Protocol to the said Convention as regards the payment of cash benefits to persons resident in a third country.

Denmark-Switzerland

Article 6 of the Convention on social security of 5 January 1983, as amended by Complementary Conventions No 1 of 18 September 1985 and No 2 of 11 April 1996, as regards the payment of cash benefits to persons resident in a third country.

Spain-Switzerland

- (a) Article 2 of the Convention on social security of 13 October 1969, as amended by the Complementary Convention of 11 June 1982, as regards the payment of cash benefits to persons resident in a third country.
- (b) Point 17 of the Final Protocol to the above Convention; persons insured under the Spanish scheme by virtue of this provision are exempted from the requirement to join the Swiss sickness insurance scheme.

Finland-Switzerland

Article 5(2) of the Convention on social security of 28 June 1985.

France-Switzerland

Article 3(1) of the Convention on social security of 3 July 1975, as regards the payment of cash benefits to persons resident in a third country.

Greece-Switzerland

Article 4 of the Convention on social security of 1 June 1973, as regards the payment of cash benefits to persons resident in a third country.

Italy-Switzerland

- (a) Article 3, second sentence, of the Convention on social security of 14 December 1962, as amended by Complementary Convention No 1 of 18 December 1963, the Complementary Agreement of 4 July 1969, the Additional Protocol of 25 February 1974 and Complementary Agreement No 2 of 2 April 1980, as regards the payment of cash benefits to persons resident in a third country.
- (b) Article 9(1) of the said Convention.

Luxembourg-Switzerland

Article 4(2) of the Convention on social security of 3 June 1969, as amended by the Complementary Convention of 26 March 1976.

Netherlands-Switzerland

Article 4, second sentence, of the Convention on social security of 27 May 1970.

Portugal-Switzerland

Article 3, second sentence, of the Convention on social security of 11 September 1975, as amended by the Complementary Convention of 11 May 1994, as regards the payment of cash benefits to persons resident in a third country.

United Kingdom-Switzerland

Article 3 (1) and (2) of the Convention on social security of 21 February 1968, as regards the payment of cash benefits to persons resident in a third country.

Sweden-Switzerland

Article 5 (2) of the Convention on social security of 20 October 1978.

- (j) The following shall be added to *Annex III, Part B*:

Germany-Switzerland

- (a) Article 4(2) of the Convention on social security of 25 February 1964, as amended by Complementary Conventions No 1 of 9 September 1975 and No 2 of 2 March 1989, as regards the payment of cash benefits to persons resident in a third country.
- (b) Convention on unemployment insurance of 20 October 1982, as amended by the Additional Protocol of 22 December 1992,
- (i) Article 7(1)
- (ii) Article 8(5). Germany (district of Büsingen) shall contribute a sum equivalent to the cantonal contribution under Swiss law towards the cost of actual places on employment-promotion measures for workers subject to this provision.

Austria-Switzerland

Article 4 of the Convention on social security of 15 November 1967, as amended by Complementary Conventions No 1 of 17 May 1973, No 2 of 30 November 1977, No 3 of 14 December 1987 and No 4 of 11 December 1996, as regards the payment of cash benefits to persons resident in a third country.

Belgium-Switzerland

- (a) Article 3(1) of the Convention on social security of 24 September 1975, as regards the payment of cash benefits to persons resident in a third country.
- (b) Point 4 of the Final Protocol to the said Convention, as regards the payment of cash benefits to persons resident in a third country.

Denmark-Switzerland

Article 6 of the Convention on social security of 5 January 1983, as amended by Complementary Conventions No 1 of 18 September 1985 and No 2 of 11 April 1996, as regards the payment of cash benefits to persons resident in a third country.

Spain-Switzerland

- (a) Article 2 of the Convention on social security of 13 October 1969, as amended by the Complementary Convention of 11 June 1982, as regards the payment of cash benefits to persons resident in a third country.
- (b) Point 17 of the Final Protocol to the above Convention; persons insured under the Spanish scheme by virtue of this provision are exempted from the requirement to join the Swiss sickness insurance scheme.

Finland-Switzerland

Article 5(2) of the Convention on social security of 28 June 1985.

France-Switzerland

Article 3(1) of the Convention on social security of 3 July 1975, as regards the payment of cash benefits to persons resident in a third country.

Greece-Switzerland

Article 4 of the Convention on social security of 1 June 1973, as regards the payment of cash benefits to persons resident in a third country.

Italy-Switzerland

- (a) Article 3, second sentence, of the Convention on social security of 14 December 1962, as amended by the Complementary Convention of 18 December 1963, the Complementary Agreement of 4 July 1969, the Additional Protocol of 25 February 1974 and Complementary Agreement No 2 of 2 April 1980, as regards the payment of cash benefits to persons resident in a third country.
- (b) Article 9(1) of the said Convention.

Luxembourg-Switzerland

Article 4(2) of the Convention on social security of 3 June 1967, as amended by the Complementary Convention of 26 March 1976.

Netherlands-Switzerland

Article 4, second sentence, of the Convention on social security of 27 May 1970.

Portugal-Switzerland

Article 3, second sentence, of the Convention on social security of 11 September 1975, as amended by the Complementary Convention of 11 May 1994, as regards the payment of cash benefits to persons resident in a third country.

United Kingdom-Switzerland

Article 3 (1) and (2) of the Convention on social security of 21 February 1968, as regards the payment of cash benefits to persons resident in a third country.

Sweden-Switzerland

Article 5 (2) of the Convention on social security of 20 October 1978.

- (k) The following shall be added to *Annex IV, Part A*:

Switzerland

None.

- (l) The following shall be added to *Annex IV, Part B*:

Switzerland

None.

- (m) The following shall be added to *Annex IV, part C*:

Switzerland

All claims for old-age, survivors' and invalidity pensions under the basic scheme and old-age pensions under the occupational benefit plans.

- (n) The following shall be added to *Annex IV, Part D2*:
- Survivors' and invalidity pensions under the Federal Law on occupational benefits plans for old-age, survivors' and invalidity insurance of 25 June 1982.
- (o) The following shall be added to *Annex VI*:
1. Article 2 of the Federal Old-Age and Survivors' Insurance Act and Article 1 of the Federal Invalidity Insurance Act, which govern voluntary insurance in these insurance branches for Swiss nationals resident in States not subject to this Agreement, shall be applicable to persons resident outside Switzerland who are nationals of the other States to which this Agreement applies, and to refugees and stateless persons resident in the territory of these States, where these persons join the voluntary insurance scheme not later than one year after the date on which they ceased to be covered by old-age, survivors' and invalidity insurance after a continuous period of insurance of at least five years.
 2. Where a person ceases to be insured under Swiss old-age, survivors' and invalidity insurance after a continuous period of insurance of at least five years, he shall continue to be entitled to be insured with the agreement of the employer if he works in a State to which this Agreement does not apply for an employer in Switzerland and if he submits an application to this effect within six months of the date on which he ceases to be insured.
 3. Compulsory cover under the Swiss sickness insurance scheme and possible exemptions
 - (a) Compulsory insurance under the Swiss sickness insurance scheme shall cover the following persons not resident in Switzerland:
 - (i) persons subject to Swiss legal provisions under the terms of Title II of the Regulation
 - (ii) persons for whom Switzerland is the competent State under Articles 28, 28a or 29 of the Regulation
 - (iii) persons receiving Swiss unemployment insurance benefits
 - (iv) members of the family of these persons or of a worker resident in Switzerland who is insured under the Swiss sickness insurance scheme, except if these family members are resident in one of the following States: Denmark, Spain, Portugal, Sweden, United Kingdom.
 - (b) Persons referred to in a) may, on request, be exempted from compulsory insurance if they are resident in one of the following States and can prove that they are eligible there for cover in the event of sickness: Germany, Austria, Finland, Italy and, with regard to persons referred to in a) i)-iii), Portugal.

This request must be submitted within three months of the date on which the obligation to take out insurance in Switzerland comes into effect; where the request is submitted after this deadline, the insurance shall take effect as from the date of affiliation.
 4. Persons resident in Germany, Austria, Belgium or the Netherlands but with sickness insurance cover in Switzerland shall, when in Switzerland, benefit from the application by analogy of Article 20, first and second sentences, of the Regulation. In these cases, the Swiss insurer shall bear all invoiced costs.
 5. For the purposes of applying Articles 22, 22a, 22b, 22c, 25 and 31 of the Regulation, the Swiss insurer shall bear all invoiced costs.
 6. Sickness insurance benefits paid by the institution of the place of residence to the persons referred to in 4 shall be reimbursed in accordance with Article 93 of Regulation (EEC) No 574/72.
 7. Periods of daily allowance insurance completed under the insurance scheme of another State to which this Agreement applies shall be taken into account for reducing or lifting a possible reserve in daily allowance insurance in the event of maternity or sickness where the person becomes insured with a Swiss insurer within three months of ceasing to be covered by insurance in another country.
 8. An employed or self-employed person who is no longer subject to Swiss legislation on invalidity insurance shall, for the purposes of Title III Chapter 3 of the Regulation, be regarded as being insured by that insurance for the purposes of granting of an ordinary invalidity pension
 - (a) for a period of one year with effect from the day on which work preceding invalidity was interrupted, if he had to give up his gainful employment or self-employment in Switzerland owing to an accident or an illness and if the invalidity was diagnosed in this country; he shall be obliged to pay contributions to old-age, survivors' and invalidity insurance as if he were domiciled in Switzerland

- (b) for the period for which he undergoes rehabilitation measures under invalidity insurance after having ceased his gainful employment or self-employment; he shall then remain subject to the obligation to pay contributions to old-age, survivors' and invalidity insurance
- (c) in cases where (a) and (b) are not applicable,
 - (i) if he is insured under the old-age, survivors' or invalidity insurance of another State to which this Agreement applies on the date on which the risk insured against materialises within the meaning of Swiss legislation on invalidity insurance; or
 - (ii) if he is entitled to claim a pension under the invalidity or old-age insurance of another State to which the Agreement applies or if he receives such a pension; or
 - (iii) if he is incapable of working while subject to the legislation of another State to which the Agreement applies and is entitled to claim the payment of benefits from a sickness or accident insurance scheme of that State or if he receives such benefit; or
 - (iv) if he is entitled to claim, because of unemployment, the payment of benefits from the unemployment insurance scheme of another State to which the Agreement applies or if he receives such benefit; or
 - (v) if he has worked in Switzerland as a frontier worker and if, during the three years immediately preceding the materialisation of the risk within the meaning of Swiss legislation, he has paid contributions for at least twelve months in accordance with that legislation.
- 9. Point 8 a) shall apply by analogy to the granting of rehabilitation measures under Swiss invalidity insurance.
- (p) The following shall be added to *Annex VII*:

Pursuit of self-employment in Switzerland and of employment in any other State to which this Agreement applies.'
- 2. 3 7 2 R 0 5 7 4 : Council Regulation (EEC) No 574/72 of 21 March 1972 fixing the procedure for implementing Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to the members of their families moving within the Community, as updated by:

3 9 7 R 1 1 8 : Council Regulation (EC) No 118/97 of 2 December 1996 (OJ L 28, 30.1.1997, p. 1) modifying and updating Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community and Regulation (EEC) No 574/72 fixing the procedure for implementing Regulation (EEC) No 1408/71

3 9 7 R 1 2 9 0 : Council Regulation (EC) No 1290/97 of 27 June 1997 (OJ L 176, 4.7.1998, p. 1) modifying Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community and Regulation (EEC) No 574/72 fixing the procedure for implementing Regulation (EEC) No 1408/71

3 9 8 R 1 2 2 3 : Council Regulation (EC) No 1223/98 of 4 June 1998 (OJ L 168, 13.6.1998, p. 1) modifying Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community and Regulation (EEC) No 574/72 fixing the procedure for implementing Regulation (EEC) No 1408/71

3 9 8 R 1 6 0 6 : Council Regulation (EC) No 1606/98 of 29 June 1998 (OJ L 209, 25.7.1998, p. 1) modifying Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community and Regulation (EEC) No 574/72 fixing the procedure for implementing Regulation (EEC) No 1408/71.

3 9 9 R 3 0 7 : Council Regulation (EC) No 307/1999 of 8 February 1999 (OJ L 38, 12.2.1999, p. 1) amending Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community and Regulation (EEC) No 574/72 laying down the procedure for implementing Regulation (EEC) No 1408/71 with a view to extending them to cover students.

For the purposes of this Agreement, the Regulation shall be adapted as follows:

- (a) The following shall be added to *Annex 1*:

S w i t z e r l a n d

1. Bundesamt für Sozialversicherung, Bern — Office fédéral des assurances sociales, Berne — Ufficio federale delle assicurazioni sociali, Berna (Federal Social Insurance Office, Berne).
2. Bundesamt für Wirtschaft und Arbeit, Bern — Office fédéral du développement économique et de l'emploi, Berne — Ufficio federale dello sviluppo economico e del lavoro, Berna (Federal Office for Industry and Labour, Berne).

- (b) The following shall be added to *Annex 2*:

S w i t z e r l a n d

1. *Sickness and maternity*

Versicherer — Assureur — Assicuratore (Insurer) under the Federal Sickness Insurance Act providing cover to the person concerned.

2. *Invalidity*

- (a) Invalidity insurance:

- (i) Persons resident in Switzerland:

IV Stelle — Office AI — Ufficio AI (Invalidity insurance office) of the canton in which they are resident.

- (ii) Persons not resident in Switzerland:

IV-Stelle für Versicherte im Ausland, Genf — Office AI pour les assurés à l'étranger, Genève — Ufficio AI per gli assicurati all'estero, Ginevra (Invalidity insurance office for persons insured abroad, Geneva)

- (b) Occupational benefit plans:

Pension fund of which the most recent employer is a member.

3. *Old age and death*

- (a) Old-age and survivors' insurance:

- (i) Persons resident in Switzerland:

Ausgleichskasse — Caisse de compensation — Cassa di compensazione, à laquelle les contributions ont été payées en dernier lieu (Compensation fund) to which contributions have been paid most recently.

- (ii) Persons not resident in Switzerland:

Schweizerische Ausgleichskasse, Genf — Caisse suisse de compensation, Genève — Cassa svizzera di compensazione, Ginevra (Swiss Compensation Fund, Geneva).

- (b) Occupational benefit plans:

Pension fund of which the most recent employer is a member.

4. *Occupational accidents and diseases*

- (a) Employed persons:

Insurer against accidents with which the employer is insured.

- (b) Self-employed persons:

Insurer against accidents with which the person concerned is voluntarily insured.

5. *Unemployment*

- (a) Full unemployment:
Unemployment insurance fund chosen by the worker.
- (b) Partial unemployment:
Unemployment insurance fund chosen by the employer.

6. *Family benefits*

- (a) Federal scheme:
 - (i) Employed persons:
Kantonale Ausgleichskasse — Caisse cantonale de compensation — Cassa cantonale di compensazione (cantonal compensation fund) of which the employer is a member.
 - (ii) Self-employed persons:
Kantonale Ausgleichskasse — Caisse cantonale de compensation — Cassa cantonale di compensazione (cantonal compensation fund) of the canton of residence.
- (b) Cantonal schemes:
 - (i) Employed persons:
Familienausgleichskasse — Caisse de compensation familiale — Cassa di compensazione familiare (family compensation fund) of which the worker is a member, or the employer.
 - (ii) Self-employed persons:
The institution designated by the canton.
- (c) The following shall be added to *Annex 3*:

S w i t z e r l a n d

1. *Sickness and maternity*

Gemeinsame Einrichtung KVG, Solothurn — Institution commune LaMal, Soleure — Istituzione commune LaMal, Soletta (common institution under the Federal Sickness Insurance Act, Solothurn).

2. *Invalidity*

- (a) Invalidity insurance
Schweizerische Ausgleichskasse, Genf — Caisse suisse de compensation, Genève — Cassa svizzera di compensazione, Ginevra (Swiss Compensation Fund, Geneva).
- (b) Occupational welfare benefit:
Sicherheitsfonds — Fonds de garantie — Fondo di garanzia LPP (Guarantee Fund).

3. *Old age and death*

- (a) Old-age and survivors' insurance:
Schweizerische Ausgleichskasse, Genf — Caisse suisse de compensation, Genève — Cassa svizzera di compensazione, Ginevra (Swiss Compensation Fund, Geneva).
- (b) Occupational benefit plans:
Sicherheitsfonds — Fonds de garantie — Fondo di garanzia LPP (Guarantee Fund).

4. *Occupational accidents and diseases*

Schweizerische Unfallversicherungsanstalt, Luzern — Caisse nationale suisse d'assurance en cas d'accidents, Lucerne — Cassa nazionale svizzera di assicurazione contro gli incidenti, Lucerna (Swiss National Accident Insurance Fund, Lucerne).

5. *Unemployment*
 - (a) Full unemployment:
Unemployment insurance fund chosen by the employed person.
 - (b) Partial unemployment:
Unemployment insurance fund chosen by the employer.
 6. *Family benefits*

The institution designated by the canton of residence or the host canton.
- (d) The following shall be added to *Annex 4*:
- S w i t z e r l a n d
1. *Sickness and maternity*

Gemeinsame Einrichtung KVG, Solothurn — Institution commune LaMal, Soleure — Istituzione commune LaMal, Soletta (common institution under the Federal Sickness Insurance Act, Solothurn).
 2. *Invalidity*
 - (a) Invalidity insurance:
Schweizerische Ausgleichskasse, Genf — Caisse suisse de compensation, Genève — Cassa svizzera di compensazione, Ginevra (Swiss Compensation Fund, Geneva).
 - (b) Occupational benefit plans:
Sicherheitsfonds — Fonds de garantie — Fondo di garanzia LPP (Guarantee Fund).
 3. *Old-age and death*
 - (a) Old-age and survivors' insurance:
Schweizerische Ausgleichskasse, Genf — Caisse suisse de compensation, Genève — Cassa svizzera di compensazione, Ginevra (Swiss Compensation Fund, Geneva).
 - (b) Occupational benefit plans:
Sicherheitsfonds — Fonds de garantie — Fondo di garanzia LPP (Guarantee Fund).
 4. *Occupational accidents and diseases*

Schweizerische Unfallversicherungsanstalt, Luzern — Caisse nationale suisse d'assurance en cas d'accidents, Lucerne — Cassa nazionale svizzera di assicurazione contro gli incidenti, Lucerna (Swiss National Accident Insurance Fund, Lucerne).
 5. *Unemployment*

Bundesamt für Wirtschaft und Arbeit, Bern — Office fédéral du développement économique et de l'emploi, Berne — Ufficio federale dello sviluppo economico e del lavoro, Berna (Federal Office for Industry and Labour, Berne).
 6. *Family benefits*

Bundesamt für Sozialversicherung, Bern — Office fédéral des assurances sociales, Berne — Ufficio federale delle assicurazioni sociali, Berna (Federal Social Insurance Office, Berne).
- (e) The following shall be added to *Annex 5*:
- S w i t z e r l a n d
- None.

- (f) The following shall be added to *Annex 6*:

Switzerland

Direct payment.

- (g) The following shall be added to *Annex 7*:

S w i t z e r l a n d

Schweizerische Nationalbank, Zürich — Banque nationale Suisse, Zurich — Banca nazionale svizzera, Zurigo (Swiss National Bank, Zurich).

- (h) The following shall be added to *Annex 8*:

S w i t z e r l a n d

None.

- (i) The following shall be added to *Annex 9*:

S w i t z e r l a n d

The annual average cost of benefits in kind is calculated by taking into account the benefits granted by insurers under federal legislation on sickness insurance.

- (j) The following shall be added to *Annex 10*:

S w i t z e r l a n d

1. For the application of Article 11(1) of the implementing Regulation:

- (a) in relation to Article 14(1) and 14b(1) of the Regulation:

Ausgleichskasse der Alters-, Hinterlassenen- und Invalidenversicherung — Caisse de compensation de l'assurance-vieillesse, survivants et invalidité — Cassa die compensazione dell'assicurazione vecchiaia, superstiti e invalidità (the competent compensation fund for old-age, survivors' and invalidity insurance)

- (b) in relation to Article 17 of the Regulation:

Bundesamt für Sozialversicherung, Bern — Office fédéral des assurances sociales, Berne — Ufficio federale delle assicurazioni sociali, Berna (Federal Social Insurance Office, Berne).

2. For the application of Article 11a(1) of the implementing Regulation:

- (a) in relation to Articles 14(1) and 14b(2) of the Regulation:

Ausgleichskasse der Alters-, Hinterlassenen- und Invalidenversicherung — Caisse de compensation de l'assurance-vieillesse, survivants et invalidité — Cassa die compensazione dell'assicurazione vecchiaia, superstiti e invalidità (the competent compensation fund for old-age, survivors' and invalidity insurance)

- (b) in relation to Article 17 of the Regulation:

Bundesamt für Sozialversicherung, Bern — Office fédéral des assurances sociales, Berne — Ufficio federale delle assicurazioni sociali, Berna (Federal Social Insurance Office, Berne).

3. For the application of Article 12a of the implementing Regulation:

Gemeindeverwaltung — Administration communale — Amministrazione comunale Ausgleichskasse der Alters-, Hinterlassenen- und Invalidenversicherung — Caisse de compensation de l'assurance-vieillesse, survivants et invalidité — Cassa die compensazione dell'assicurazione vecchiaia, superstiti e invalidità (the competent compensation fund for old-age, survivors' and invalidity insurance).

4. For the application of Article 13(2) and (3) and Article 14(1) and (2) of the implementing Regulation:

Eidgenössische Ausgleichskasse, Bern — Caisse fédérale de compensation, Berne — Cassa federale di compensazione, Berna (Federal Compensation Fund, Berne).

5. For the application of Articles 38(1), 70(1), 82(2) and 86(2) of the implementing Regulation:
(the local authority at the place of residence).
6. For the application of Articles 80(2) and 81 of the implementing Regulation:
Bundesamt für Wirtschaft und Arbeit, Bern — Office fédéral du développement économique et de l'emploi, Berne — Ufficio federale dello sviluppo economico e del lavoro, Berna (Federal Office for Industry and Labour, Berne).
7. For the application of Article 102(2) of the implementing Regulation:
 - (a) in relation to Article 36 of the Regulation:
Gemeinsame Einrichtung KVG, Solothurn — Institution commune LaMal, Soleure — Istituzione commune LaMal, Soletta (common institution under the Federal Sickness Insurance Act, Solothurn)
 - (b) in relation to Article 63 of the Regulation:
Schweizerische Unfallversicherungsanstalt, Luzern — Caisse nationale Suisse d'assurance en cas d'accidents, Lucerne — Cassa nazionale svizzera di assicurazione contro gli incidenti, Lucerna (Swiss National Accident Insurance Fund, Lucerne)
 - (c) in relation to Article 70 of the Regulation:
Bundesamt für Wirtschaft und Arbeit, Bern — Office fédéral du développement économique et de l'emploi, Berne — Ufficio federale dello sviluppo economico e del lavoro, Berna (Federal Office for Industry and Labour, Berne).
8. For the application of Article 113(2) of the implementing Regulation:
 - (a) in relation to Article 20(1) of the Regulation:
Gemeinsame Einrichtung KVG, Solothurn — Institution commune LaMal, Soleure — Istituzione commune LaMal, Soletta (common institution under the Federal Sickness Insurance Act, Solothurn)
 - (b) in relation to Article 62(1) of the implementing Regulation:
Schweizerische Unfallversicherungsanstalt, Luzern — Caisse nationale Suisse d'assurance en cas d'accidents, Lucerne — Cassa nazionale svizzera di assicurazione contro gli incidenti, Lucerna (Swiss National Accident Insurance Fund, Lucerne).
- (k) The following shall be added to *Annex 11*:

Switzerland

None.'
3. 398 L 49: Council Directive 98/49/EC of 29 June 1998 (OJ L 209, 25.7.1998, p. 46) on safeguarding the supplementary pension rights of employed and self-employed persons moving within the Community.

SECTION B: ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE DUE ACCOUNT

- 4.1. 373 D 0919(02): Decision No 74 of 22 February 1973 concerning the provision of medical care in cases of temporary stay under Article 22(1)(a)(i) of Council Regulation (EEC) No 1408/71 and Article 21 of Council Regulation (EEC) No 574/72 (OJ C 75, 19.9.1973, p. 4).
- 4.2. 373 D 0919(03): Decision No 75 of 22 February 1973 concerning the investigation of applications for review made under Article 94(5) of Council Regulation (EEC) No 1408/71 by invalidity pensioners (OJ C 75, 19.9.1973, p. 5).
- 4.3. 373 D 0919(06): Decision No 78 of 22 February 1973 concerning the interpretation of Article 7(1)(a) of Council Regulation (EEC) No 574/72 relating to the procedure for implementing the provisions on reduction and suspension (OJ C 75, 19.9.1973, p. 8).

- 4.4. 3 7 3 D 0 9 1 9 (0 7): Decision No 79 of 22 February 1973 concerning the interpretation of Article 48(2) of Council Regulation (EEC) No 1408/71 relating to the aggregation of insurance periods treated as such with regard to insurance for invalidity, old age and death (OJ C 75, 19.9.1973, p. 9).
- 4.5. 3 7 3 D 0 9 1 9 (0 9): Decision No 81 of 22 February 1973 concerning aggregation of insurance periods completed in a specific employment pursuant to Article 45(2) of Council Regulation (EEC) No 1408/71 (OJ C 75, 19.9.1973, p. 11).
- 4.6. 3 7 3 D 0 9 1 9 (1 1): Decision No 83 of 22 February 1973 concerning the interpretation of Article 68(2) of Council Regulation (EEC) No 1408/71 and of Article 82 of Council Regulation (EEC) No 574/72 relating to increases in unemployment benefit for dependent members of the family (OJ C 75, 19.9.1973, p. 14).
- 4.7. 3 7 3 D 0 9 1 9 (1 3): Decision No 85 of 22 February 1973 concerning the interpretation of Article 57(1) of Council Regulation (EEC) No 1408/71 and of Article 67(3) of Council Regulation (EEC) No 574/72 relating to the determination of the applicable legislation and the institution competent for the granting of benefits in respect of occupational diseases (OJ C 75, 19.9.1973, p. 17).
- 4.8. 3 7 3 D 1 1 1 3 (0 2): Decision No 86 of 24 September 1973 concerning the methods of operation and the composition of the Audit Board of the Administrative Commission of the European Communities on social security for migrant workers (OJ C 96, 13.11.1973, p. 2), as amended by:
3 9 5 D 0 5 1 2: Decision No 159 of 3 October 1995 (OJ L 294, 8.12.1995, p. 38).
- 4.9. 3 7 4 D 0 7 2 0 (0 6): Decision No 89 of 20 March 1973 concerning the interpretation of Article 16(1) and (2) of Council Regulation (EEC) No 1408/71 relating to persons employed by diplomatic missions and consular posts (OJ C 86, 20.7.1974, p. 7).
- 4.10. 3 7 4 D 0 7 2 0 (0 7): Decision No 91 of 12 July 1973 concerning the interpretation of Article 46(3) of Council Regulation (EEC) No 1408/71 relating to the award of benefits due under paragraph 1 of the said Article (OJ C 86, 20.7.1974, p. 8).
- 4.11. 3 7 4 D 0 8 2 3 (0 4): Decision No 95 of 24 January 1974 concerning the interpretation of Article 46(2) of Council Regulation (EEC) No 1408/71 on the calculation of pro rata pensions (OJ C 99, 23.8.1974, p. 5).
- 4.12. 3 7 4 D 1 0 1 7 (0 3): Decision No 96 of 15 March 1974 concerning the revision of rights to benefit pursuant to Article 49(2) of Council Regulation (EEC) No 1408/71 (OJ C 126, 17.10.1974, p. 23).
- 4.13. 3 7 5 D 0 7 0 5 (0 2): Decision No 99 of 13 March 1975 concerning the interpretation of Article 107(1) of Council Regulation (EEC) No 574/72 with regard to the obligation to recalculate current benefits (OJ C 150, 5.7.1975, p. 2).
- 4.14. 3 7 5 D 0 7 0 5 (0 3): Decision No 100 of 23 January 1975 concerning the refund of cash benefits provided by the institution of the place of stay or of residence on behalf of the competent institution and the details of refunding these benefits (OJ C 150, 5.7.1975, p. 3).
- 4.15. 3 7 6 D 0 5 2 6 (0 3): Decision No 105 of 19 December 1975 on the implementation of Article 50 of Council Regulation (EEC) No 1408/71 (OJ C 117, 26.5.1976, p. 3).
- 4.16. 3 7 8 D 0 5 3 0 (0 2): Decision No 109 of 18 November 1977 amending Decision No 92 of 22 November 1973, concerning the concept of sickness and maternity insurance benefits in kind referred to in Articles 19(1) and (2), 22, 25(1), (3) and (4), 26, 28(1), 28a, 29 and 31 of Council Regulation (EEC) No 1408/71 and the determination of the amounts to be refunded under Articles 93, 94 and 95 of Council Regulation (EEC) No 574/72, as well as the advances to be paid in pursuance of Article 102(4) of the same Regulation (OJ C 125, 30.5.1978, p. 2).
- 4.17. 3 8 3 D 0 1 1 5: Decision No 115 of 15 December 1982 concerning the granting of prostheses, major appliances and other substantial benefits in kind provided for in Article 24(2) of Council Regulation (EEC) No 1408/71 (OJ C 193, 20.7.1983, p. 7).
- 4.18. 3 8 3 D 0 1 1 7: Decision No 117 of 7 July 1982 concerning the conditions for implementing Article 50(1)(a) of Council Regulation (EEC) No 574/72 (OJ C 238, 7.9.1983, p. 3), as amended by:
1 9 4 N: Act concerning the conditions of accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ C 241, 29.8.1994, p. 21, as amended by OJ L 1, 1.1.1995, p. 1).

The provisions of the Decision shall, for the purposes of the present Agreement, be read with the following adaptations:

The following shall be added to Article 2 No 2:

Switzerland

Schweizerische Ausgleichskasse, Genf — Caisse suisse de compensation, Genève — Cassa svizzera di compensazione, Ginevra (Swiss Compensation Fund, Geneva).

- 4.19. 8 3 D 1 1 1 2 (0 2): Decision No 118 of 20 April 1983 concerning the conditions for implementing Article 50(1)(b) of Council Regulation (EEC) No 574/72 (OJ C 306, 12.11.1983, p. 2), as amended by:

1 9 4 N: Act concerning the conditions of accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ C 241, 29.8.1994, p. 21 as amended by OJ L 1, 1.1.1995, p. 1).

The provisions of the Decision shall, for the purposes of the present Agreement, be read with the following adaptations:

The following shall be added to Article 2 No 4:

Switzerland

Schweizerische Ausgleichskasse, Genf — Caisse suisse de compensation, Genève — Cassa svizzera di compensazione, Ginevra (Swiss Compensation Fund, Geneva).

- 4.20. 3 8 3 D 1 1 0 2 (0 3): Decision No 119 of 24 February 1983 concerning the interpretation of Article 76 and Article 79(3) of Council Regulation (EEC) No 1408/71 and of Article 10(1) of Council Regulation (EEC) No 574/72 relating to the overlapping of family benefits and allowances (OJ C 295, 2.11.1983, p. 3).
- 4.21. 3 8 3 D 0 1 2 1: Decision No 121 of 21 April 1983 concerning the interpretation of Article 17(7) of Council Regulation (EEC) No 574/72 relating to the granting of prostheses, major appliances and other substantial benefits in kind (OJ C 193, 20.7.1983, p. 10).
- 4.22. 3 8 6 D 0 1 2 6: Decision No 126 of 17 October 1985 concerning the application of Articles 14(1)(a), 14a(1)(a), 14b(1) and (2) of Council Regulation (EEC) No 1408/71 (OJ C 141, 7.6.1986, p. 3).
- 4.23. 3 8 7 D X X X: Decision No 132 of 23 April 1987 concerning the interpretation of Article 40(3)(a)(ii) of Council Regulation (EEC) No 1408/71 (OJ C 271, 9.10.1987, p. 3).
- 4.24. 3 8 7 D 2 8 4: Decision No 133 of 2 July 1987 concerning the application of Articles 17(7) and 60(6) of Council Regulation (EEC) No 574/72 (OJ C 284, 22.10.1987, p. 3 and OJ C 64, 9.3.1988, p. 13).
- 4.25. 3 8 8 D X X X: Decision No 134 of 1 July 1987 concerning the interpretation of Article 45(2) of Council Regulation (EEC) No 1408/71 relating to aggregation of insurance periods completed in an occupation subject to a special scheme in one or more Member States (OJ C 64, 9.3.1988, p. 4).
- 4.26. 3 8 8 D X X X: Decision No 135 of 1 July 1987 concerning the granting of benefits in kind provided for in Article 17(7) and Article 60(6) of Council Regulation (EEC) No 574/72 and the concept of urgency within the meaning of Article 20 of Council Regulation (EEC) No 1408/71 and of extreme urgency within the meaning of Articles 17(7) and 60(6) of Council Regulation (EEC) No 574/72 (OJ C 281, 9.3.1988, p. 7), as amended by:
- 1 9 4 N: Act concerning the conditions of accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ C 241, 29.8.1994, p. 21 as amended by OJ L 1, 1.1.1995, p. 1).

The provisions of the Decision shall, for the purposes of the present Agreement, be read with the following adaptations:

The following shall be added to Article 2 No 2:

'CHF 800 for the institution of the place of residence in Switzerland:'

- 4.27. 3 8 8 D 6 4: Decision No 136 of 1 July 1987 concerning the interpretation of Article 45(1) to (3) of Council Regulation (EEC) No 1408/71 with regard to the taking into account of insurance periods completed under the legislations of other Member States for the acquisition, retention or recovery of the right to benefits (OJ C 64, 9.3.1988, p. 7), as amended by:

1 9 4 N: Act concerning the conditions of accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ C 241, 29.8.1994, p. 21, as amended by OJ L 1, 1.1.1995, p. 1).

The provisions of the Decision shall, for the purposes of the present Agreement, be read with the following adaptations:

The following shall be added to the Annex:

Switzerland

None.

- 4.28. 3 8 9 D 6 0 6: Decision No 137 of 15 December 1988 concerning the application of Article 15(3) of Council Regulation (EEC) No 574/72 (OJ C 140, 6.6.1989, p. 3).
- 4.29. 3 8 9 D X X X: Decision No 138 of 17 February 1989 concerning the interpretation of Article 22 (1)(c)(i) of Council Regulation (EEC) No 1408/71 in the case of organ transplants or other forms of surgery requiring tests on biological samples while the person concerned is not present in the Member State where the tests are carried out (OJ C 287, 15.11.1989, p. 3).
- 4.30. 3 9 0 D X X X X: Decision No 139 of 30 June 1989 concerning the date to be taken into consideration for determining the rates of conversion referred to in Article 107 of Council Regulation (EEC) No 574/72 to be applied when calculating certain benefits and contributions (OJ C 94, 12.4.1990, p. 3).
- 4.31. 3 9 0 D X X X: Decision No 140 of 17 October 1989 concerning the rate of conversion to be applied by the institution of a wholly unemployed frontier worker's place of residence to the last wage or salary he received in the competent State (OJ C 94, 12.4.1990, p. 4).
- 4.32. 3 9 0 D X X X: Decision No 141 of 17 October 1989 amending Decision No 127 of 17 October 1985 concerning the compilation of the lists provided for in Articles 94(4) and 95(4) of Regulation (EEC) No 574/72/EEC (OJ C 94, 12.4.1990, p. 5).
- 4.33. 3 9 0 D X X X: Decision No 142 of 13 February 1990 concerning the application of Articles 73, 74 and 75 of Council Regulation (EEC) No 1408/71 (OJ C 80, 30.3.1990, p. 7).

The provisions of the Decision shall, for the purposes of the present Agreement, be read with the following adaptations:

(a) No 1 shall not apply.

(b) No 3 shall not apply.

- 4.34. 3 9 1 D 1 4 0: Decision No 144 of 9 April 1990 on the model forms necessary for the application of Council Regulations (EEC) No 1408/71 and (EEC) No 574/72 (E401-E410 F) (OJ L 71, 18.3.1991, p. 1).
- 4.35. 3 9 1 D 4 2 5: Decision No 147 of 11 October 1990 concerning the application of Article 76 of Council Regulation (EEC) No 1408/71 (OJ L 235, 23.8.1991, p. 21), as amended by:
3 9 5 D 2 3 5 3: Decision No 155 of 6 July 1994 (E401-E411) (OJ L 209, 5.9.1995, p. 1).
- 4.36. 3 9 3 D 2 2 2: Decision No 148 of 25 June 1992 concerning the use of the certificate concerning the applicable legislation (Form E101) where the period of posting does not exceed three months (OJ L 22, 30.1.1993, p. 124).
- 4.37. 3 9 3 D 8 2 5: Decision No 150 of 26 June 1992 concerning the application of Articles 77, 78 and 79(3) of Regulation (EEC) No 1408/71 and of Article 10(1)(b)(ii) of Regulation (EEC) No 574/72 (OJ C 229, 25.8.1993, p. 5), as amended by:

1 9 4 N: Act concerning the conditions of accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ C 241, 29.8.1994, p. 21, as amended by OJ L 1, 1.1.1995, p. 1).

The provisions of the Decision shall, for the purposes of the present Agreement, be read with the following adaptations:

Switzerland

Schweizerische Ausgleichskasse, Genf — Caisse suisse de compensation, Genève — Cassa svizzera di compensazione, Ginevra (Swiss Compensation Fund, Geneva).

- 4.38. 3 9 4 D 6 0 2 : Decision No 151 of 22 April 1993 concerning the application of Article 10a of Regulation (EEC) No 1408/71 and Article 2 of Regulation (EEC) No 1247/92 (OJ L 244, 19.9.1994, p. 1).

The provisions of the Decision shall, for the purposes of the present Agreement, be read with the following adaptations:

The following shall be added to the Annex:

Switzerland

1. *Invalidity, old age and death*

(a) Invalidity insurance:

Schweizerische Ausgleichskasse, Genf — Caisse suisse de compensation, Genève — Cassa svizzera di compensazione, Ginevra (Swiss Compensation Fund, Geneva).

(b) Occupational welfare benefit:

Sicherheitsfonds — Fonds de garantie — Fondo di garanzia LPP. Provident institution under the Federal Act on occupational benefit plans for old-age, survivors' and invalidity insurance.

2. *Unemployment*

Bundesamt für Wirtschaft und Arbeit, Bern — Office fédéral du développement économique et de l'emploi, Berne — Ufficio federale dello sviluppo economico e del lavoro, Berna (Federal Office for Industry and Labour, Berne).

3. *Family benefits*

Bundesamt für Sozialversicherung, Bern — Office fédéral des assurances sociales, Berne — Ufficio federale delle assicurazioni sociali, Berna (Federal Social Insurance Office, Berne).

- 4.39. 3 9 4 D 6 0 4 : Decision No 153 of 7 October 1993 on the model forms necessary for the application of Council Regulations (EEC) No 1408/71 and (EEC) No 574/72 (E001, E103-E127) (OJ L 244, 19.9.1994, p. 22).
- 4.40. 3 9 4 D 6 0 5 : Decision No 154 of 8 February 1994 on the model forms necessary for the application of Council Regulations (EEC) No 1408/71 and (EEC) No 574/72 (E301, E302, E303) (OJ L 244, 19.9.1994, p. 123).
- 4.41. 3 9 5 D 3 5 3 : Decision No 155 of 6 July 1994 on the model forms necessary for the application of Council Regulations (EEC) No 1408/71 and (EEC) No 574/72 (E401-E411) (OJ L 244, 5.9.1995, p. 1).
- 4.42. 3 9 5 D 0 4 1 9 : Decision No 156 of 7 April 1995 concerning the rules of priority with regard to sickness and maternity insurance (OJ L 249, 17.10.1995, p. 41).
- 4.43. 3 9 6 D 7 3 2 : Decision No 158 of 27 November 1995 on the model forms necessary for the application of Regulations (EEC) No 1408/71 and (EEC) No 574/72 (E201-E215) (OJ L 336, 27.12.1996, p. 1).
- 4.44. 3 9 5 D 5 1 2 : Decision No 159 of 3 October 1995 amending Decision No 86 of 24 September 1973 concerning the methods of operation and the composition of the Audit Board of the Administrative Commission of the European Communities on Social Security for Migrant Workers (OJ L 294, 8.12.1995 p. 38).
- 4.45. 3 9 6 D 1 7 2 : Decision No 160 of 28 November 1995 concerning the scope of Article 71(1)(b)(ii) of Council Regulation (EEC) No 1408/71 relating to the right to unemployment benefits of workers, other than frontier workers, who, during their last employment, were resident in the territory of a Member State other than the competent State (OJ L 49, 28.2.1996, p. 31).
- 4.46. 3 9 6 D 2 4 9 : Decision No 161 of 15 February 1996 concerning the reimbursement by the competent institution of a Member State of the costs incurred during a stay in another Member State by means of the procedure referred to in Article 34(4) of Regulation (EEC) No 574/72 (OJ L 83, 2.4.1996, p. 19).

- 4.47. 3 9 6 D 5 5 4: Decision No 162 of 31 May 1996 concerning the interpretation of Articles 14(1) and 14b(1) of Council Regulation (EEC) No 1408/71 on the legislation applicable to posted workers (OJ L 241, 21.9.1996, p. 28).
- 4.48. 3 9 6 D 5 5 5: Decision No 163 of 31 May 1996 concerning the interpretation of Article 22(1)(A) of Regulation (EEC) No 1408/71 in respect of persons undergoing dialysis or oxygen therapy (OJ L 241, 21.9.1996, p. 31).
- 4.49. 3 9 7 D 5 3 3: Decision No 164 of 27 November 1996 on the model forms necessary for the application of Council Regulations (EEC) No 1408/71 and (EEC) No 574/72 (E 101 and E 102) (OJ L 216 du 8.8.1997, p. 85).
- 4.50. 3 9 7 D 0 8 2 3: Decision No 165 of 30 June 1997 on the model forms necessary for the application of Council Regulations (EEC) No 1408/71 and (EEC) No 574/72 (E128 and E128B) (OJ L 341, 12.12.1997, p. 61).
- 4.51. 3 9 8 D 0 4 4 1: Decision No 166 of 2 October 1997 on the amending of forms E106 and E109 (OJ L 195, 11.7.1998, p. 25).
- 4.52. 3 9 8 D 0 4 4 2: Decision No 167 of 2 December 1997 amending Decision No 146 of 10 October 1990 concerning the interpretation of Article 94(9) of Regulation (EEC) No 1408/71 (OJ L 195, 11.7.1998, p. 35).
- 4.53. 3 9 8 D 0 4 4 3: Decision No 168 of 11 June 1998 on the amending of forms E121 and E127 and the discontinuance of form E122 (OJ L 195, 11.7.1998, p. 37).
- 4.54. 3 9 8 D 0 4 4 4: Decision No 169 of 11 June 1998 concerning the methods of operation and the composition of the Technical Commission on Data Processing of the Administrative Commission of the European Communities on Social Security for Migrant Workers (OJ L 195, 11.7.1998, p. 46).
- 4.55. 3 9 8 D 0 5 6 5: Decision No 170 of 11 June 1998 amending Decision No 141 of 17 October 1989 concerning the compilation of the lists provided for in Articles 94(4) and 95(4) of Council Regulation (EEC) No 574/72 of 21 March 1972 (OJ L 275, 10.10.1998, p. 40).

SECTION C: ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE NOTE

The Contracting Parties shall take note of the content of the following acts:

- 5.1. Recommendation No 14 of 23 January 1975 concerning the issue of Form E111 to workers posted abroad (adopted by the Administrative Commission during its 139th meeting on 23 January 1975).
- 5.2. Recommendation No 15 of 19 December 1980 on the determination of the language of issue of the forms required for the purposes of Regulations (EEC) No 1408/71 and (EEC) No 574/72/EEC (adopted by the Administrative Commission during its 176th meeting on 19 December 1980).
- 5.3. 3 8 5 Y 0 0 1 6: Recommendation No 16 of 12 December 1984 concerning the conclusion of agreements pursuant to Article 17 of Regulation (EEC) No 1408/71 (OJ C 273, 24.10.1985, p. 3).
- 5.4. 3 8 5 Y 0 0 1 7: Recommendation No 17 of 12 December 1984 concerning the statistical data to be supplied each year for the drawing up of the reports of the Administrative Commission (OJ C 273, 24.10.1985, p. 3).
- 5.5. 3 8 6 Y 0 0 1 8: Recommendation No 18 of 28 February 1986 relating to the legislation applicable to unemployed persons engaged in part-time work in a Member State other than the State of residence (OJ C 284, 11.11.1986, p. 4).
- 5.6. 3 9 2 Y 1 9: Recommendation No 19 of 24 November 1992 on the improvement of cooperation among the Member States in implementing the Community Regulations (OJ C 199, 23.7.1993, p. 11).
- 5.7. 3 9 6 Y 5 9 2: Recommendation No 20 of 31 May 1996 concerning improvement of the administration and settlement of reciprocal claims (OJ L 259, 12.10.1996, p. 19).

- 5.8. 3 9 7 Y 0 3 0 4 (0 1): Recommendation No 21 of 28 November 1996 concerning the application of Article 69(1)(a) of Regulation (EEC) No 1408/71 to unemployed persons accompanying their spouses employed in a Member State other than the competent State (OJ C 67, 4.3.1997, p. 3).
 - 5.9. 3 8 0 Y 0 6 0 9 (0 3): Updating of the Declarations of the Member States provided for in Article 5 of Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community (OJ C 139, 9.6.1980, p. 1).
 - 6.0. 3 8 1 Y 0 6 1 3 (0 1): Declarations by Greece provided for in Article 5 of Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community (OJ C 143, 13.6.1981, p. 1).
 - 6.1. 3 8 6 Y 0 3 3 8 (0 1): Updating of the Declarations of the Member States provided for in Article 5 of Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community (OJ C 338, 31.12.1986, p. 1).
 - 6.2. C / 1 0 7 / 8 7 / p . 1: Declarations of the Member States provided for in Article 5 of Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed and self employed persons and their families moving within the Community (OJ C 107, 22.4.1987, p. 1).
 - 6.3. C / 3 2 3 / 8 0 / p . 1: Notifications to the Council by the Governments of the Federal Republic of Germany and of the Grand Duchy of Luxembourg of the conclusion of a convention between these two Governments on various social security questions, pursuant to Articles 8(2) and 96 of Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community (OJ C 323, 11.12.1980, p. 1).
 - 6.4. L / 9 0 / 8 7 / p . 3 9: Declaration made by the French Republic pursuant to Article 1(j) of Council Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, self-employed persons and members of their families moving within the Community (OJ L 90, 2.4.1987, p. 39).
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PROTOCOL

to Annex II to the Agreement on the free movement of persons

Unemployment insurance

1. The following rules shall apply with respect to unemployment insurance for workers holding a residence permit with a period of validity of less than one year:
 - 1.1. Only workers who have paid contributions in Switzerland for the minimum period required under the Federal Unemployment Insurance and Insolvency Allowances Act (loi fédérale sur l'assurance-chômage obligatoire et l'indemnité en cas d'insolvabilité — LACI)⁽¹⁾ and who also satisfy the other conditions of eligibility for unemployment benefit shall be entitled to such benefit provided by the unemployment insurance under the conditions laid down by law.
 - 1.2. A portion of the contributions levied for workers whose period of contribution is too short to give entitlement to unemployment benefit in Switzerland under 1.1 shall be refunded to their States of origin in accordance with the provisions of 1.3. in order to contribute towards the cost of benefits provided to these workers in the event of full unemployment; these workers shall then have no entitlement to benefit in the event of their being fully unemployed in Switzerland. They shall, however, be entitled to allowances for bad weather and in the event of the employer becoming insolvent. Benefits in the event of full unemployment shall be paid by the State of origin, provided that the workers concerned make themselves available for work. Periods of insurance completed in Switzerland shall be taken into account in the same way as if they had been completed in the State of origin.
 - 1.3. The portion of the contributions levied for workers referred to in 1.2 shall be refunded on an annual basis in accordance with the following provisions:
 - (a) The total contributions of these workers shall be calculated, by country, on the basis of the annual number of workers employed and the average annual contributions paid for each worker (employer's and employee's contributions).
 - (b) Of the amount calculated in this way, a portion thereof corresponding to the relative share represented by unemployment benefit as a percentage of all the allowances referred to in 1.2 shall be refunded to the workers' States of origin, and a portion shall be retained by Switzerland as a reserve for subsequent benefits.⁽²⁾
 - (c) Switzerland shall, on an annual basis, provide a statement showing the contributions refunded. If the States of origin so request, it shall indicate the bases for the calculation and the sums refunded. The States of origin shall each year notify Switzerland of the number of recipients of unemployment benefit as referred to in 1.2.
2. Frontier workers' unemployment insurance contributions in Switzerland, as provided for under the respective bilateral agreements, shall continue to be refunded.
3. The arrangements under 1 and 2 shall apply for a period of seven years from the date of entry into effect of the Agreement. If, at the end of the seven-year period, a Member State encounters difficulties with the ending of the arrangements for refunding of contributions, or Switzerland encounters difficulties with the aggregation arrangements, the matter may be referred to the Joint Committee by any of the contracting parties.

⁽¹⁾ Currently six months, or 12 months in the event of recurrent unemployment.

⁽²⁾ Refunded contributions for workers who will exercise their right to unemployment benefit in Switzerland after having paid contributions for at least six months — over several periods of residence — within the space of two years.

Allowances for helpless persons

Allowances for helpless persons under the Federal Old-Age and Survivors' Insurance Act (loi fédérale sur l'assurance-vieillesse et survivants) and the Federal Invalidity Insurance Act (loi fédérale sur l'assurance-invalidité) shall, by means of a decision of the Joint Committee, be provided for in the text of Annex II to the Agreement on the free movement of persons in Annex IIa to Regulation No 1408/71, as soon as the amendment of these Acts stipulating that these benefits shall be financed exclusively by the public authorities enters into effect.

Occupational benefit plans concerning old-age, survivors' and invalidity pensions

Notwithstanding Article 10 (2) of Council Regulation (EEC) No 1408/71, the vested benefit provided for under the Federal Act on free movement among occupational benefit plans concerning old-age, survivors' and invalidity pensions (Loi fédérale sur le libre passage dans la prévoyance professionnelle vieillesse, survivants et invalidité) of 17 December 1993 shall be paid out on request to an employed or self-employed person who intends to leave Switzerland for good and who, under Title II of the Regulation, will no longer be subject to Swiss law, provided that they leave Switzerland within five years of this Agreement entering into effect.

ANNEX III

MUTUAL RECOGNITION OF PROFESSIONAL QUALIFICATIONS

(Diplomas, certificates and other evidence of formal qualifications)

1. The contracting parties agree to apply amongst themselves, in the field of the mutual recognition of professional qualifications, the Community acts to which reference is made, as in force at the date of the signature of the Agreement and as amended by Section A of this present Annex, or rules equivalent to such acts.
2. For the purposes of applying the present Annex, the contracting parties take note of the Community acts to which reference is made in Section B of this Annex.
3. The term 'Member State(s)' in the acts to which reference is made in Section A of this Annex is considered to apply to Switzerland in addition to the states covered by the Community acts in question.

SECTION A — ACTS TO WHICH REFERENCE IS MADE

A. **General system**

1. 3 8 9 L 0 0 4 8 : Council Directive 89/48/EEC of 21 December 1988 on a general system for the recognition of higher-education diplomas awarded on completion of professional education and training of at least three years' duration (OJ L 19, 24.1.1989, p. 16).
2. 3 9 2 L 0 0 5 1 : Council Directive 92/51/EEC of 18 June 1992 on a second general system for the recognition of professional education and training to supplement Directive 89/48/EEC (OJ L 209, 24.7.1992, p. 25), as amended by:
 - 3 9 4 L 0 0 3 8 : Commission Directive 94/38/EC of 26 July 1994 amending Annexes C and D to Council Directive 92/51/EEC on a second general system for the recognition of professional education and training to supplement Directive 89/48/EEC (OJ L 217, 23.8.1994, p. 8)
 - 3 9 5 L 0 0 4 3 : Commission Directive 95/43/EC of 20 July 1995 amending Annexes C and D to Council Directive 92/51/EEC on a second general system for the recognition of professional education and training to supplement Directive 89/48/EEC (OJ L 184, 3.8.1995, p. 21)
 - 95/1/EC, Euratom, ECSC: adjusting the instruments concerning the accession of new Member States to the European Union
 - 3 9 7 L 0 0 3 8 : Commission Directive 97/38/EC of 20 June 1997 amending Annex C to Council Directive 92/51/EEC on a second general system for the recognition of professional education and training to supplement Council Directive 89/48/EEC (OJ L 184, 3.8.1997, p. 31).

The Swiss lists relating to Annexes C and D of Directive 92/51/EEC will be drawn up in the framework of the application of the present agreement.

B. **Legal professions**

3. 3 7 7 L 0 2 4 9 : Council Directive 77/249/EEC of 22 March 1977 to facilitate the effective exercise by lawyers of freedom to provide services (OJ L 78, 26.3.1977, p. 17), as amended by:
 - 1 7 9 H : Act concerning the conditions of accession of the Hellenic Republic to the European Communities and the adjustments to the treaties (OJ L 291, 19.11.1979, p. 91)
 - 1 8 5 I : Act concerning the conditions of accession of the Kingdom of Spain and the Portuguese Republic to the European Communities (OJ L 302 of 15.11.1985, p. 160)

- 95/1/EC, Euratom, ECSC: adjusting the instruments concerning the accession of new Member States to the European Union.

For the purposes of the present agreement, the Directive is amended as follows:

The following text is added to Article 1(2):

‘Switzerland: Avocat/Advokat, Rechtsanwalt, Anwalt, Fürsprecher, Fürsprech Avvocato.’

4. 3 9 8 L 0 0 0 5 : Directive 98/5/EC of the European Parliament and of the Council of 16 February 1998 to facilitate practice of the profession of lawyer on a permanent basis in a Member State other than that in which the qualification was obtained (OJ L 77, 14.3.1998, p. 36).

For the purposes of the present agreement, the Directive is amended as follows:

The following text is added to Article 1(2)(a):

‘Switzerland: Avocat/Advokat, Rechtsanwalt, Anwalt, Fürsprecher, Fürsprech Avvocato.’

C. Medical and paramedical activities

5. 3 8 1 L 1 0 5 7 : Council Directive 81/1057/EEC of 14 December 1981 supplementing Directives 75/362/EEC, 77/452/EEC, 78/686/EEC and 78/1026/EEC concerning the mutual recognition of diplomas, certificates and other evidence of the formal qualifications of doctors, nurses responsible for general care, dental practitioners and veterinary surgeons respectively, with regard to acquired rights (OJ L 385, 31.12.1981, p. 25).

Doctors

6. 3 9 3 L 0 0 1 6 : Council Directive 93/16/EEC of 5 April 1993 to facilitate the free movement of doctors and the mutual recognition of their diplomas, certificates and other evidence of formal qualifications (OJ L 165, 7.7.1993, p. 1), as amended by:

- 95/1/EC, Euratom, ECSC: adjusting the instruments concerning the accession of new Member States to the European Union

- 3 9 8 L 0 0 2 1 : Commission Directive 98/21/EC of 8 April 1998 amending Council Directive 93/16/EEC to facilitate the free movement of doctors and the mutual recognition of their diplomas, certificates and other evidence of formal qualifications (OJ L 119, 22.4.1998, p. 15).

- 3 9 8 L 0 0 6 3 : Commission Directive 98/63/EC of 3 September 1998 amending Council Directive 93/16/EEC to facilitate the free movement of doctors and the mutual recognition of their diplomas, certificates and other evidence of formal qualifications (OJ L 253, 15.9.1998, p. 24).

- (a) The following text is added to Article 3:

‘in Switzerland:

titulaire du diplôme fédéral de médecin

Eidgenössisch diplomierter Arzt

titolare di diploma federale di medico

awarded by the Département fédéral de l'intérieur.’

- (b) The following text is added to Article 5(2):

‘in Switzerland:

spécialiste/Facharzt/specialista

awarded by the Département fédéral de l'intérieur.’

(c) The following references are added to Article 5(3) in the indents indicated below:

anaesthetics:

'Switzerland: anesthésiologie
Anästhesiologie
anesthesiologia'

general surgery:

'Switzerland: chirurgie
Chirurgie
chirurgia'

neurological surgery:

'Switzerland: neurochirurgie
Neurochirurgie
neurochirurgia'

obstetrics and gynaecology:

'Switzerland: gynécologie et obstétrique
Gynäkologie und Geburtshilfe
ginecologia e ostetricia'

general (internal) medicine:

'Switzerland: médecine interne
Innere Medizin
medicina interna'

ophthalmology:

'Switzerland: ophtalmologie
Ophthalmologie
oftalmologia'

oto rhino laryngology:

'Switzerland: oto-rhino-laryngologie
Oto-Rhino-Laryngologie
otorinolaringoiatria'

paediatrics:

'Switzerland: pédiatrie
Kinder- und Jugendmedezin
pediatria'

respiratory medicine:

'Switzerland: pneumologie
Pneumologie
pneumologia'

urology:

'Switzerland: urologie

Urologie

urologia'

orthopaedics:

'Switzerland: chirurgie orthopédique

Orthopädische Chirurgie

chirurgia ortopedica'

pathological anatomy:

'Switzerland: pathologie

Pathologie

patologia'

neurology:

'Switzerland: neurologie

Neurologie

neurologia'

psychiatry:

'Switzerland: psychiatrie et psychothérapie

Psychiatrie und Psychotherapie

psichiatria e psicoterapia'

- (d) The following references are added to Article 7(2) in the indents indicated below:

plastic surgery:

'Switzerland: chirurgie plastique et reconstructive

Plastische und Wiederherstellungschirurgie

chirurgia plastica e ricostruttiva'

thoracic surgery:

'Switzerland: chirurgie cardiaque et vasculaire thoracique

Herz- und thorakale Gefässchirurgie

chirurgia del cuore e dei vasi toracici'

paediatric surgery:

'Switzerland: chirurgie pédiatrique

Kinderchirurgie

chirurgia pediatrica'

cardiology:

'Switzerland: cardiologie

Kardiologie

cardiologia'

gastro-enterology:

'Switzerland: gastro-entérologie
Gastroenterologie
gastroenterologia'

rheumatology:

'Switzerland: rhumatologie
Rheumatologie
reumatologia'

general haematology:

'Switzerland: hématologie
Hämatologie
ematologia'

endocrinology:

'Switzerland: endocrinologie-diabétologie
Endokrinologie-Diabetologie
endocrinologia-diabetologia'

physiotherapy:

'Switzerland: médecine physique et réadaptation
Physikalische Medizin und Rehabilitation
medicina fisica e riabilitazione'

dermato-venereology:

'Switzerland: dermatologie et vénéréologie
Dermatologie und Venerologie
dermatologia e venereologia'

diagnostic radiology:

'Switzerland: radiologie médicale/radio-diagnostic
Medizinische Radiologie/Radiodiagnostik
radiologia medica/radiodiagnostica'

radiotherapy:

'Switzerland: radiologie médicale/radio-oncologie
Medizinische Radiologie/Radio-Onkologie
radiologia medica/radio-oncologia'

tropical medicine:

'Switzerland: médecine tropicale
Tropenmedezin
medicina tropicale'

child psychiatry:

'Switzerland: psychiatrie et psychothérapie d'enfants et d'adolescents
Kinder- und Jugendpsychiatrie und -psychotherapie
psichiatria e psicoterapia infantile e dell'adolescenza'

renal diseases:

'Switzerland: néphrologie
Nephrologie
nefralogia'

community medicine:

'Switzerland: prévention et santé publique
Prävention und Gesundheitswesen
prevenzione e salute pubblica'

occupational medicine:

'Switzerland: médecine du travail
Arbeitsmedizin
medicina del lavoro'

allergology:

'Switzerland: allergologie et immunologie clinique
Allergologie und klinische Immunologie
allergologia e immunologia clinica'

nuclear medicine:

'Switzerland: radiologie médicale/médecine nucléaire
Medizinische Radiologie/Nuklearmedizin
radiologia medica/medicina nucleare'

Dental, oral and maxillo-facial surgery (basic medical and dental training:

'Switzerland: chirurgie maxillo-faciale
Kiefer- und Gesichtschirurgie
chirurgia mascello-facciale'

- 6(a) 96/C/216/03: List of designations of diplomas, certificates and other evidence of formal qualifications as general medical practitioner published in accordance with Article 41 of Directive 93/16/EEC (OJ C 216, 25.7.1996)

Nurses

7. 377 L 0452: Council Directive 77/452/EEC of 27 June 1977 concerning the mutual recognition of diplomas, certificates and other evidence of the formal qualifications of nurses responsible for general care, including measures to facilitate the effective exercise of this right of establishment and freedom to provide services (OJ L 176, 15.7.1977, p. 1), as amended by:
— 179 H: Act concerning the conditions of accession of the Hellenic Republic to the European Communities and the adjustments to the treaties (OJ L 291, 19.11.1979, p. 91)

- 1 8 5 I: Act concerning the conditions of accession of the Kingdom of Spain and the Portuguese Republic to the European Communities (OJ L 302, 15.11.1985, p. 160)
- 3 8 9 L 0 5 9 4: Council Directive 89/594/EEC of 30 October 1989 (OJ L 341, 23.11.1989, p. 19)
- 3 8 9 L 0 5 9 5: Council Directive 89/595/EEC of 30 October 1989 (OJ L 341, 23.11.1989, p. 30)
- 3 9 0 L 0 6 5 8: Council Directive 90/658/EEC of 4 December 1990 (OJ L 353, 17.12.1990, p. 73)
- 95/1/EC, Euratom, ECSC: adjusting the instruments concerning the accession of new Member States to the European Union.

For the purposes of the present agreement, the Directive is amended as follows:

- (a) the following text is added to Article 1(2):

‘in Switzerland:

infirmière, infirmier, Krankenschwester, Krankenpfleger, infermiera, infermiere’

- (b) the following text is added to Article 3:

‘(p) in Switzerland:

infirmière diplômée en soins généraux, infirmier diplômé en soins généraux, diplomierte Krankenschwester in allgemeiner Krankenpflege, diplomierter Krankenpfleger in allgemeine Krankenpflege, infermiera diplomata in cure generali, infermiere diplomato in cure generali, awarded by the Conférence des directeurs cantonaux des affaires sanitaires.’

8. 3 7 7 L 0 4 5 3: Council Directive 77/453/EEC of 27 June 1977 concerning the coordination of provisions laid down by law, regulation or administrative action in respect of the activities of nurses responsible for general care (OJ L 176, 15.7.1977, p. 8), as amended by:
- 3 8 9 L 0 5 9 5: Council Directive 89/595/EEC of 30 October 1989 (OJ L 341, 23.11.1989, p. 30).

Practitioners of dentistry

9. 3 7 8 L 0 6 8 6: Council Directive 78/686/EEC of 25 July 1978 concerning the mutual recognition of diplomas, certificates and other evidence of the formal qualifications of practitioners of dentistry, including measures to facilitate the effective exercise of the right of establishment and freedom to provide services (OJ L 233, 24.8.1978, p. 1), as amended by:

- 1 7 9 H: Act concerning the conditions of accession of the Hellenic Republic to the European Communities and the adjustments to the treaties (OJ L 291, 19.11.1979, p. 91)
- 1 8 5 I: Act concerning the conditions of accession of the Kingdom of Spain and the Portuguese Republic to the European Communities (OJ L 302, 15.11.1985, p. 160)
- 3 8 9 L 0 5 9 4: Council Directive 89/594/EEC of 30 October 1989 (OJ L 341, 23.11.1989, p. 19)
- 3 9 0 L 0 6 5 8: Council Directive 90/658/EEC of 4 December 1990 (OJ L 353, 17.12.1990, p. 73)
- 95/1/EC, Euratom, ECSC: adjusting the instruments concerning the accession of new Member States to the European Union.

For the purposes of the present agreement, the Directive is amended as follows:

- (a) The following text is added to Article 1:

‘in Switzerland:

médecin dentiste, Zahnarzt, medico-dentista;’

- (b) The following text is added to Article 3:

'(p) in Switzerland:

titulaire du diplôme fédéral de médecin-dentiste, eidgenössisch diplomierter Zahnarzt, titolare di diploma federale di medico-dentista, awarded by the Département fédéral de l'intérieur'

- (c) The following indent is added to Article 5 point 1:

1. Orthodontics

'in Switzerland:

diplôme fédéral d'orthodontiste, Diplom als Kieferorthopäde, diploma di ortodontista, awarded by the Département fédéral de l'intérieur.'

10. 378 L 0687: Council Directive 78/687/EEC of 25 July 1978 concerning the coordination of provisions laid down by law, regulation or administrative action in respect of the activities of dental practitioners (OJ L 233, 24.8.1978, p. 10), as amended by:

— 95/1/EC, Euratom, ECSC: adjusting the instruments concerning the accession of new Member States to the European Union.

Veterinary surgeons

11. 378 L 1026: Council Directive 78/1026/EEC of 18 December 1978 concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications in veterinary medicine, including measures to facilitate the effective exercise of the right of establishment and freedom to provide services (OJ L 362, 23.12.1978, p. 1), as amended by:

— 179 H: Act concerning the conditions of accession of the Hellenic Republic to the European Communities and the adjustments to the treaties (OJ L 291, 19.11.1979, p. 91)

— 185 I: Act concerning the conditions of accession of the Kingdom of Spain and the Portuguese Republic to the European Communities (OJ L 302, 15.11.1985, p. 160)

— 389 L 0594: Council Directive 89/594/EEC of 30 October 1989 (OJ L 341, 23.11.1989, p. 19)

— 390 L 0658: Council Directive 90/658/EEC of 4 December 1990 (OJ L 353, 17.12.1990, p. 73)

— 95/1/EC, Euratom, ECSC: adjusting the instruments concerning the accession of new Member States to the European Union.

For the purposes of the present agreement, the Directive is amended as follows:

The following text is added to Article 3:

'(p) in Switzerland:

titulaire du diplôme fédéral de vétérinaire, eidgenössisch diplomierter Tierarzt, titolare di diploma federale di veterinario, awarded by the Département fédéral de l'intérieur.'

12. 378 L 1027: Council Directive 78/1027/EEC of 18 December 1978 concerning the coordination of provisions laid down by law, regulation or administrative action in respect of the activities of veterinary surgeons (OJ L 362, 23.12.1978, p. 7), as amended by:

— 389 L 0594: Council Directive 89/594/EEC of 30 October 1989 (OJ L 341, 23.11.1989, p. 19)

Midwives

13. 380 L 0154: Council Directive 80/154/EEC of 21 January 1980 concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications in midwifery and including measures to facilitate the effective exercise of the right of establishment and freedom to provide services (OJ L 33, 11.2.1980, p. 1), as amended by:

— 380 L 1273: Council Directive 80/1273/EEC of 22 December 1980 (OJ L 375, 31.12.1980, p. 74)

- 1 8 5 I: Act concerning the conditions of accession of the Kingdom of Spain and the Portuguese Republic to the European Communities (OJ L 302, 15.11.1985, p. 160)
- 8 9 L 0 5 9 4: Council Directive 89/594/EEC of 30 October 1989 (OJ L 341, 23.11.1989, p. 19)
- 3 9 0 L 0 6 5 8: Council Directive 90/658/EEC of 4 December 1990 (OJ L 353, 17.12.1990, p. 73)
- 95/1/EC, Euratom, ECSC: adjusting the instruments concerning the accession of new Member States to the European Union.

For the purposes of the present agreement, the Directive is amended as follows:

- (a) The following text is added to Article 1:

‘in Switzerland:

sage-femme, Hebamme, levatrice;’

- (b) The following text is added to Article 3:

‘(p) in Switzerland:

sage-femme diplômée, diplomierte Hebamme, levatrice diplomata, diplomas awarded by the Conférence des directeurs cantonaux des affaires sanitaires’

14. 3 8 0 L 0 1 5 5: Council Directive 80/155/EEC of 21 January 1980 concerning the coordination of provisions laid down by law, regulation or administrative action relating to the taking up and pursuit of the activities of midwives (OJ L 33, 11.2.1980, p. 8), as amended by:
- 3 8 9 L 0 5 9 4: Council Directive 89/594/EEC of 30 October 1989 (OJ L 341, 23.11.1989, p. 19)

Pharmacy

15. 3 8 5 L 0 4 3 2: Council Directive 85/432/EEC of 16 September 1985 concerning the coordination of provisions laid down by law, regulation or administrative action in respect of certain activities in the field of pharmacy (OJ L 253, 24.9.1985, p. 34).
16. 3 8 5 L 0 4 3 3: Council Directive 85/433/EEC of 16 September 1985 concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications in pharmacy, including measures to facilitate the effective exercise of the right of establishment relating to certain activities in the field of pharmacy (OJ L 253, 24.9.1985, p. 37), as amended by:
- 3 8 5 L 0 5 8 4: Council Directive 85/584/EEC of 20 December 1985 (OJ L 372, 31.12.1985, p. 42)
 - 3 9 0 L 0 6 5 8: Council Directive 90/658/EEC of 4 December 1990 (OJ L 353, 17.12.1990, p. 73)
 - 95/1/EC, Euratom, ECSC: adjusting the instruments concerning the accession of new Member States to the European Union.

For the purposes of the present agreement, the Directive is amended as follows:

- (a) The following text is added to Article 4:

‘(p) in Switzerland:

titulaire du diplôme fédéral de pharmacien, eidgenössisch diplomierter Apotheker, titolare di diploma federale di farmacista, awarded by the Département fédéral de l'intérieur.’

D. Architecture

17. 3 8 5 L 0 3 8 4: Council Directive 85/384/EEC of 10 June 1985 on the mutual recognition of diplomas, certificates and other evidence of formal qualifications in architecture, including measures to facilitate the effective exercise of the right of establishment and freedom to provide services (OJ L 223, 21.8.1985, p. 15), as amended by:
- 3 8 5 L 0 6 1 4: Council Directive 85/614/EEC of 20 December 1985 (OJ L 376, 31.12.1985, p. 1)
 - 3 8 6 L 0 0 1 7: Council Directive 86/17/EEC of 27 January 1986 (OJ L 27, 1.2.1986, p. 71)
 - 3 9 0 L 0 6 5 8: Council Directive 90/658/EEC of 4 December 1990 (OJ L 353, 17.12.1990, p. 73)
 - 95/1/EC, Euratom, ECSC: adjusting the instruments concerning the accession of new Member States to the European Union.

For the purposes of the present agreement, the Directive is amended as follows:

- (a) The following text is added to Article 11:
- ‘in Switzerland:
- the diplomas awarded by the Ecoles polytechniques fédérales/Eidgenössische Technische Hochschulen/Politecnici Federal: arch.dipl.EPF/dipl.Arch.ETH/arch.dipl.PF
 - the diplomas awarded by the Ecole d'architecture de l'Université de Genève: architecte diplômé EAUG,

the certificates of the Fondation des registres suisses des ingénieurs, des architectes et des techniciens/Stiftung der Schweizerischen Register der Ingenieure, der Architekten und der Techniker/Fondazione dei Registri svizzeri degli ingegneri, degli architetti e dei tecnici (REG): architecte REG A/Architekt REG A/architetto REG A’
- (b) Article 15 does not apply.
18. 98/C/217: Diplomas, certificates and other evidence of formal qualifications in Architecture which are the object of mutual recognition by the Member States (update of communication 96/C 205 of 16.7.1996) (OJ C 217, 11.7.1998).

E. Commerce and intermediaries**Wholesale trade**

19. 3 6 4 L 0 2 2 2: Council Directive 64/222/EEC of 25 February 1964 laying down detailed provisions concerning transitional measures in respect of activities in wholesale trade and activities of intermediaries in commerce, industry and small craft industries (OJ 56, 4.4.1964, p. 857/64).
20. 3 6 4 L 0 2 2 3: Council Directive 64/223/EEC of 25 February 1964 concerning the attainment of freedom of establishment and freedom to provide services in respect of activities in wholesale trade (OJ 56, 4.4.1964, p. 863/64).
- 1 7 2 B: Act concerning the conditions of accession and the adjustments to the treaties — accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ L 73, 27.3.1972, p. 84).

Intermediaries in commerce, industry and small craft industries

21. 3 6 4 L 0 2 2 4: Council Directive 64/224/EEC of 25 February 1964 concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of intermediaries in commerce, industry and small craft industries (OJ 56, 4.4.1964, p. 869/64), as amended by:
- 1 7 2 B: Act concerning the conditions of accession and the adjustments to the treaties — accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ L 73, 27.3.1972, p. 85)

- 1 79 H: Act concerning the conditions of accession of the Hellenic Republic to the European Communities and the adjustments to the treaties (OJ L 291, 19.11.1979, p. 89)
- 1 85 I: Act concerning the conditions of accession of the Kingdom of Spain and the Portuguese Republic to the European Communities (OJ L 302, 15.11.1985, p. 155)
- 95/1/EC, Euratom, ECSC: adjusting the instruments concerning the accession of new Member States to the European Union.

For the purposes of the present agreement, the Directive is amended as follows:

- (a) The following text is added to Article 3:

	<i>For self-employed persons</i>	<i>For employed persons</i>
'In Switzerland	Agent	Représentant de commerce
	Agent	Handelsreisender
	Agente	Rappresentante'

Self-employed persons in retail trade

22. 3 68 L 0 3 6 3: Council Directive 68/363/EEC of 15 October 1968 concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons in retail trade (ISIC ex Group 612) (OJ L 260, 22.10.1968, p. 1), as amended by:
- 1 72 B: Act concerning the conditions of accession and the adjustments to the treaties — accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ L 73, 27.3.1972, p. 86).
23. 3 68 L 0 3 6 4: Council Directive 68/364/EEC of 15 October 1968 laying down detailed provisions concerning transitional measures in respect of activities of self-employed persons in retail trade (ISIC ex Group 612) (OJ L 260 of 22.10.1968, p. 6).

Self-employed persons in the wholesale coal trade and intermediaries in the coal trade

24. 3 70 L 0 5 2 2: Council Directive 70/522/EEC of 30 November 1970 concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons in the wholesale coal trade and activities of intermediaries in the coal trade (ISIC ex Group 6112) (OJ L 267 of 10.12.1970, p. 14), as amended by:
- 1 72 B: Act concerning the conditions of accession and the adjustments to the treaties — accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ L 73, 27.3.1972, p. 86).
25. 3 70 L 0 5 2 3: Council Directive 70/523/EEC of 30 November 1970 laying down detailed provisions concerning transitional measures in respect of activities of self-employed persons in the wholesale coal trade and in respect of activities of intermediaries in the coal trade (ISIC ex Group 6112) (OJ L 267, 10.12.1970, p. 18).

Trade in and distribution of toxic products

26. 3 74 L 0 5 5 6: Council Directive 74/556/EEC of 4 June 1974 laying down detailed provisions concerning transitional measures relating to activities, trade in and distribution of toxic products and activities entailing the professional use of such products including activities of intermediaries (OJ L 307, 18.11.1974, p. 1).

26a. 3 7 4 L 0 5 5 7: Council Directive 74/557/EEC of 4 June 1974 on the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons and of intermediaries engaging in the trade and distribution of toxic products (OJ L 307, 18.11.1974, p. 5), as amended by:

- 95/1/EC, Euratom, ECSC: adjusting the instruments concerning the accession of new Member States to the European Union.

For the purposes of the present agreement, the Directive is amended as follows:

The following text is added to the Annex:

'in Switzerland:

- All the products and toxic substances set out in Article 2 of the poisons act (RS 814.80), and in particular those on the list of toxic substances and products in classes 1, 2 and 3, in accordance with Article 3 of the Regulation on toxic substances (RS 814.801).'

Itinerant activities

27. 3 7 5 L 0 3 6 9: Council Directive 75/369/EEC of 16 June 1975 on measures to facilitate the effective exercise of freedom of establishment and freedom to provide services in respect of itinerant activities and, in particular, transitional measures in respect of those activities (OJ L 167, 30.6.1975, p. 29).

Self-employed commercial agents

28. 3 8 6 L 0 6 5 3: Council Directive 86/653/EEC of 18 December 1986 on the coordination of the laws of the Member States relating to self-employed commercial agents (OJ L 382, 31.12.1986, p. 17).

F. Industry and small craft industries

Processing industries

29. 3 6 4 L 0 4 2 7: Council Directive 64/427/EEC of 7 July 1964 laying down detailed provisions concerning transitional measures in respect of activities of self-employed persons in manufacturing and processing industries falling within ISIC Major Groups 23-40 (Industry and small craft industries) (OJ 117, 23.7.1964, p. 1863/64), as amended by:

- 3 6 9 L 0 0 7 7: Council Directive 69/77/EEC of 4 March 1969 (OJ L 59, 10.3.1969, p. 8).

For the purposes of the present agreement, the Directive is amended as follows:

Article 5(3) does not apply.

30. 3 6 4 L 0 4 2 9: Council Directive 64/429/EEC of 7 July 1964 concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons in manufacturing and processing industries falling within ISIC Major Groups 23-40 (Industry and small craft industries) (OJ 117, 23.7.1964, p. 1880/64), as amended by:

- 1 7 2 B: Act concerning the conditions of accession and the adjustments to the treaties — accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ L 73, 27.3.1972, p. 83).

Mining and quarrying

31. 3 6 4 L 0 4 2 8: Council Directive 64/428/EEC of 7 July 1964 concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons in mining and quarrying (ISIC Major Groups 11-19) (OJ 117, 23.7.1964, p. 1871/64), as amended by:

- 1 7 2 B: Act concerning the conditions of accession and the adjustments to the treaties — accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ L 73, 27.3.1972, p. 81).

Electricity, gas, water and sanitary services

32. 3 6 6 L 0 1 6 2: Council Directive 66/162/EEC of 28 February 1966 concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons engaging in the provision of electricity, gas, water and sanitary services (ISIC Division 5) (OJ 42, 8.3.1966, p. 584/66), as amended by:
- 1 7 2 B: Act concerning the conditions of accession and the adjustments to the treaties — accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ L 73, 27.3.1972, p. 82).

Food manufacturing and beverage industries

33. 3 6 8 L 0 3 6 5: Council Directive 68/365/EEC of 15 October 1968 concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons in the food manufacturing and beverage industries (ISIC Major Groups 20 and 21) (OJ L 260, 22.10.1968, p. 9), as amended by:
- 1 7 2 B: Act concerning the conditions of accession and the adjustments to the treaties — accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ L 73, 27.3.1972, p. 85).
34. 3 6 8 L 0 3 6 6: Council Directive 68/366/EEC of 15 October 1968 laying down detailed provisions concerning transitional measures in respect of activities of self-employed persons in the food manufacturing and beverage industries (ISIC Major Groups 20 and 21) (OJ L 260, 22.10.1968, p. 12).

For the purposes of the present agreement, the Directive is amended as follows:

'Article 6(3) does not apply.'

Exploration (prospecting and drilling) for petroleum and natural gas

35. 3 6 9 L 0 0 8 2: Council Directive 69/82/EEC of 13 March 1969 concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons engaging in exploration (prospecting and drilling) for petroleum and natural gas (ISIC ex Major Group 13) (OJ L 68, 19.3.1969, p. 4), as amended by:
- 1 7 2 B: Act concerning the conditions of accession and the adjustments to the treaties — accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ L 73, 27.3.1972, p. 82).

G. Activities incidental to transport

36. 3 8 2 L 0 4 7 0: Council Directive 82/470/EEC of 29 June 1982 on measures to facilitate the effective exercise of freedom of establishment and freedom to provide services in respect of activities of self-employed persons in certain services incidental to transport and travel agencies (ISIC Group 718) and in storage and warehousing (ISIC Group 720) (OJ L 213, 21.7.1982, p. 1), as amended by:
- 1 8 5 I: Act concerning the conditions of accession of the Kingdom of Spain and the Portuguese Republic to the European Communities (OJ L 302, 15.11.1985, p. 156)
 - 95/1/EC, Euratom, ECSC: adjusting the instruments concerning the accession of new Member States to the European Union.

For the purposes of the present agreement, the Directive is amended as follows:

- (a) The following text is added to Article 3:

'Switzerland

A. Expéditeur

Spediteur

Spedizioniere

Déclarant de douane

Zolldeklarant

Dichiarante di dogana

- B. Agent de voyage
Reisebürounternehmer
Agente di viaggio
- C. Entrepoteaire
Lagerhalter
Agente di deposito
- D. Expert en automobiles
Automobilexperte
Perito in automobili

Vérificateur des poids et mesures
Eichmeister
Verificatore dei pesi e delle misure'

H. Film industry

- 37. 3 6 3 L 0 6 0 7 : Council Directive 63/607/EEC of 15 October 1963 implementing in respect of the film industry the provisions of the General Programme for the abolition of restrictions on freedom to provide services (OJ 159, 2.11.1963).
- 38. 3 6 5 L 0 2 6 4 : Second Council Directive 65/264/EEC of 13 May 1965 implementing in respect of the film industry the provisions of the General Programmes for the abolition of restrictions on freedom of establishment and freedom to provide services (OJ 85, 19.5.1965, p. 1437/65), as amended by:
 - 1 7 2 B : Act concerning the conditions of accession and the adjustments to the treaties — accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ L 73, 27.3.1972, p. 14).
- 39. 3 6 8 L 0 3 6 9 : Council Directive 68/369/EEC of 15 October 1968 concerning the attainment of freedom of establishment in respect of activities of self-employed persons in film distribution (OJ L 260, 22.10.1968, p. 22), as amended by:
 - 1 7 2 B : Act concerning the conditions of accession and the adjustments to the treaties — accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ L 73, 27.3.1972, p. 82).
- 40. 3 7 0 L 0 4 5 1 : Council Directive 70/451/EEC of 29 September 1970 concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons in film production (OJ L 218, 3.10.1970, p. 37), as amended by:
 - 1 7 2 B : Act concerning the conditions of accession and the adjustments to the treaties — accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ L 73, 27.3.1972, p. 88).

I. Other sectors

Business services in the real estate and other sectors

- 41. 3 6 7 L 0 0 4 3 : Council Directive 67/43/EEC of 12 January 1967 concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons concerned with:
 - 1) matters of 'real estate' (excluding 6401) (ISIC Group ex 640)
 - 2) the provision of certain 'business services not elsewhere classified' (ISIC Group 839) (OJ 10 of 19.1.1967), as amended by:
 - 1 7 2 B : Act concerning the conditions of accession and the adjustments to the treaties — accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ L 73, 27.3.1972, p. 82)

- 1 7 9 H: Act concerning the conditions of accession of the Hellenic Republic to the European Communities and the adjustments to the treaties (OJ L 291, 19.11.1979, p. 89)
- 1 8 5 I: Act concerning the conditions of accession of the Kingdom of Spain and the Portuguese Republic to the European Communities (OJ L 302, 15.11.1985, p. 156),
- 95/1/EC, Euratom, ECSC: adjusting the instruments concerning the accession of new Member States to the European Union.

For the purposes of the present agreement, the Directive is amended as follows:

- (a) The following text is added to Article 2(3):

'In Switzerland:

- courtier en immeubles
Liegenschaftenmakler
agente immobiliare
- gestionnaire en immeubles
Hausverwalter
amministratore di stabili
- régisseur et courtier en immeubles
Immobilien-Treuhänder
fiduciario immobiliare'

Personal services sector

42. 3 6 8 L 0 3 6 7: Council Directive 68/367/EEC of 15 October 1968 concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons in the personal services sector (ISIC ex Major Group 85):
- 1) restaurants, cafés, taverns and other drinking and eating places (ISIC Group 852)
 - 2) hotels, rooming houses, camps and other lodging places (ISIC Group 853) (OJ L 260, 29.10.1968, p. 16), as amended by:
 - 1 7 2 B: Act concerning the conditions of accession and the adjustments to the treaties — accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ L 73, 27.3.1972, p. 86).
43. 3 6 8 L 0 3 6 8: Council Directive 68/368/EEC of 15 October 1968 laying down detailed provisions concerning transitional measures in respect of activities of self-employed persons in the personal services sector (ISIC ex Major Group 85):
- 1) restaurants, cafés, taverns and other drinking and eating places (ISIC Group 852),
 - 2) hotels, rooming houses, camps and other lodging places (ISIC Group 853) (OJ L 260 of 29.10.1968, p. 19).

Various activities

44. 3 7 5 L 0 3 6 8: Council Directive 75/368/EEC of 16 June 1975 on measures to facilitate the effective exercise of freedom of establishment and freedom to provide services in respect of various activities (ISIC ex Division 01 to 85) and, in particular, transitional measures in respect of those activities (OJ L 167, 30.6.1975, p. 22).

Hairdressing

45. 3 8 2 L 0 4 8 9: Council Directive 82/489/EEC of 19 July 1982 laying down measures to facilitate the effective exercise of the right of establishment and freedom to provide services in hairdressing (OJ L 218, 27.7.1982, p. 24).

J. Agriculture

46. 3 6 3 L 0 2 6 1: Council Directive 63/261/EEC of 2 April 1963 laying down detailed provisions for the attainment of freedom of establishment in agriculture in the territory of a Member State in respect of nationals of other countries of the Community who have been employed as paid agricultural workers in that Member State for a continuous period of two years (OJ 62, 20.4.1963, p. 1323/63), as amended by:
- 1 7 2 B: Act concerning the conditions of accession and the adjustments to the treaties — accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ L 73, 27.3.1972, p. 14).
47. 3 6 3 L 0 2 6 2: Council Directive 63/262/EEC of 2 April 1963 laying down detailed provisions for the attainment of freedom of establishment on agricultural holdings abandoned or left uncultivated for more than two years (OJ 62, 20.4.1963, p. 1326/63), as amended by:
- 1 7 2 B: Act concerning the conditions of accession and the adjustments to the treaties — accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ L 73, 27.3.1972, p. 14).
48. 3 6 5 L 0 0 0 1: Council Directive 65/1/EEC of 14 December 1964 laying down detailed provisions for the attainment of freedom to provide services in agriculture and horticulture (OJ 1, 8.1.1965, p. 1/65), as amended by:
- 1 7 2 B: Act concerning the conditions of accession and the adjustments to the treaties — accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ L 73, 27.3.1972, p. 79).
49. 3 6 7 L 0 5 3 0: Council Directive 67/530/EEC of 25 July 1967 concerning the freedom of nationals of a Member State established as farmers in another Member State to transfer from one holding to another (OJ 190, 10.8.1967, p. 1), as amended by:
- 1 7 2 B: Act concerning the conditions of accession and the adjustments to the treaties — accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ L 73, 27.3.1972, p. 79).
50. 3 6 7 L 0 5 3 1: Council Directive 67/531/EEC of 25 July 1967 concerning the application of the laws of Member States relating to agricultural leases to farmers who are nationals of other Member States (OJ 190, 10.8.1967, p. 3), as amended by:
- 1 7 2 B: Act concerning the conditions of accession and the adjustments to the treaties — accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ L 73, 27.3.1972, p. 80).
51. 3 6 7 L 0 5 3 2: Council Directive 67/532/EEC of 25 July 1967 concerning freedom of access to co-operatives for farmers who are nationals of one Member State and established in another Member State (OJ 190, 10.8.1967, p. 5), as amended by:
- 1 7 2 B: Act concerning the conditions of accession and the adjustments to the treaties — accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ L 73, 27.3.1972, p. 80).
52. 3 6 7 L 0 6 5 4: Council Directive 67/654/EEC of 24 October 1967 laying down detailed provisions for the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons in forestry and logging (OJ 263, 30.10.1967, p. 6), as amended by:
- 1 7 2 B: Act concerning the conditions of accession and the adjustments to the treaties — accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ L 73, 27.3.1972, p. 80).

53. 3 6 8 L 0 1 9 2: Council Directive 68/192/EEC of 5 April 1968 concerning freedom of access to the various forms of credit for farmers who are nationals of one Member State and established in another Member State (OJ L 93, 17.4.1968, p. 13), as amended by:
- 1 7 2 B: Act concerning the conditions of accession and the adjustments to the treaties — accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ L 73, 27.3.1972, p. 80).
54. 3 6 8 L 0 4 1 5: Council Directive 68/415/EEC of 20 December 1968 concerning freedom of access to the various forms of aid for farmers who are nationals of one Member State and established in another Member State (OJ L 308, 23.12.1968, p. 17).
55. 3 7 1 L 0 0 1 8: Council Directive 71/18/EEC of 16 December 1970 laying down detailed provisions for the attainment of freedom of establishment in respect of self-employed persons providing agricultural and horticultural services (OJ L 8, 11.1.1971, p. 24), as amended by:
- 1 7 2 B: Act concerning the conditions of accession and the adjustments to the treaties — accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ L 73, 27.3.1972, p. 80).

K. Miscellaneous

56. 3 8 5 D 0 3 6 8: Council Decision 85/368/EEC of 16 July 1985 on the comparability of vocational training qualifications between the Member States of the European Community (OJ L 199, 31.7.1985, p. 56).

SECTION B — ACTS OF WHICH THE PARTIES SHALL TAKE NOTE

The contracting parties shall take note of the content of the following acts:

In general terms

57. C/81/74/p.1: Communication from the Commission concerning the proofs, declarations and certificates relating to good repute, absence of previous bankruptcy, nature and duration of activity in country of provenance, provided for in Council Directives adopted before 1 June 1973 in the field of freedom of establishment and freedom to provide services (OJ C 81, 13.7.1974, p. 1).
58. 3 7 4 Y 0 8 2 0 (0 1): Council Resolution of 6 June 1974 on the mutual recognition of diplomas, certificates and other evidence of formal qualifications (OJ C 98, 20.8.1974, p. 1).

General system

59. 3 8 9 L 0 0 4 8: Declaration of the Council and the Commission on Council Directive 89/48/EEC of 21 December 1988 on a general system for the recognition of higher-education diplomas awarded on completion of professional education and training of at least three years' duration (OJ L 19, 24.1.1989, p. 23).

Doctors

60. 3 7 5 X 0 3 6 6: Council Recommendation 75/366/EEC of 16 June 1975 concerning nationals of the Grand Duchy of Luxembourg who hold a diploma in medicine conferred in a third country (OJ L 167, 30.6.1975, p. 20).
61. 3 7 5 X 0 3 6 7: Council Recommendation 75/367/EEC of 16 June 1975 on the clinical training of doctors (OJ L 167, 30.6.1975, p. 21).

62. 375 Y 0701(01): Council statements made on adopting the texts concerning freedom of establishment and freedom to provide services for doctors within the Community (OJ C 146, 1.7.1975, p. 1).
63. 386 X 0458: Council Recommendation 86/458/EEC of 15 September 1986 concerning nationals of the Grand Duchy of Luxembourg who hold a diploma in medicine conferred by a third State (OJ L 167, 30.6.1975, p. 30).
64. 389 X 0601: Commission Recommendation 89/601/EEC of 8 November 1989 concerning the training of health personnel in the matter of cancer (OJ L 346, 27.11.1989, p. 1).

Dental surgeons

65. 378 Y 0824(01): Council Statement on the Directive concerning the coordination of provisions laid down by law, regulation or administrative action in respect of the activities of dental surgeons (OJ C 202, 24.8.1978, p. 1).

Veterinary medicine

66. 378 X 1029: Council Recommendation 78/1029/EEC of 18 December 1978 concerning nationals of the Grand Duchy of Luxembourg who hold a diploma in veterinary medicine conferred in a third country (OJ L 362, 23.12.1978, p. 12).
67. 378 Y 1223(01): Council statements on the Directive concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications in veterinary medicine, including measures to facilitate the effective exercise of the right of establishment and freedom to provide services (OJ C 308, 23.12.1978, p. 1).

Pharmacy

68. 385 X 0435: Council Recommendation 85/435/EEC of 16 September 1985 concerning nationals of the Grand Duchy of Luxembourg who hold a diploma in pharmacy conferred in a third State (OJ L 253, 24.9.1985, p. 45).

Architecture

69. 385 X 0386: Council Recommendation 85/386/EEC of 10 June 1985 concerning holders of a diploma in architecture awarded in a third country (OJ L 223, 21.8.1985, p. 28).

Wholesale trade

70. 365 X 0077: Commission Recommendation 65/77/EEC of 12 January 1965 to Member States relating to certificates concerning the pursuit of professional activities in the country of origin, provided for in Article 4 paragraph 2 of Council Directive 64/222/EEC (OJ 24, 11.2.1965, p. 413/65).

Industry and small craft industries

71. 365 X 0076: Commission Recommendation 65/76/EEC of 12 January 1965 to Member States on certificates concerning the pursuit of a profession in the country of origin, provided for in Article 4, paragraph 2 of Council Directive 64/427/EEC (OJ 24, 11.2.1965, p. 410/65).
72. 369 X 0174: Commission Recommendation 69/174/CEE of 22 May 1969 to Member States on certificates concerning the exercise of a profession in the country of origin, provided for in Article 5, paragraph 2 of Council Directive 68/366/EEC (OJ L 146 of 18.6.1969, p. 4).

PROTOCOL ON SECONDARY RESIDENCES IN DENMARK

The Contracting Parties agree that Protocol 1 to the Treaty establishing the European Community concerning acquisition of real estate property in Denmark also applies to this agreement concerning Swiss nationals' acquisition of second homes in Denmark.

PROTOCOL REGARDING THE AALAND ISLANDS

The Contracting Parties agree that Protocol 2 to the Act of Accession of Finland to the European Union concerning the Aaland Islands also applies to this agreement.

FINAL ACT

The plenipotentiaries of

THE KINGDOM OF BELGIUM

THE KINGDOM OF DENMARK

THE FEDERAL REPUBLIC OF GERMANY

THE HELLENIC REPUBLIC

THE KINGDOM OF SPAIN

THE FRENCH REPUBLIC

IRELAND

THE ITALIAN REPUBLIC

THE GRAND DUCHY OF LUXEMBOURG

THE KINGDOM OF THE NETHERLANDS

THE REPUBLIC OF AUSTRIA

THE PORTUGUESE REPUBLIC

THE REPUBLIC OF FINLAND

THE KINGDOM OF SWEDEN

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

and

of the EUROPEAN COMMUNITY

of the one part, and

of the SWISS CONFEDERATION

of the other part,

meeting on 21 June 1999 in Luxembourg for the signature of the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other part, on the free movement of persons, have adopted the Joint Declarations mentioned below and attached to this Final Act:

- Joint declaration on the general liberalisation of service provision
- Joint declaration on retirement pensions of former employees of institutions of the European Communities resident in Switzerland
- Joint declaration on the application of the agreement
- Joint declaration on further negotiations.

They also took note of the following declarations annexed to this Final Act:

- Declaration by Switzerland on renewal of the Agreement
- Declaration by Switzerland on migration and asylum policy
- Declaration by Switzerland on the recognition of architects' diplomas
- Declaration by the European Community and its Member States on Articles 1 and 17 of Annex I
- Declaration on Swiss attendance of committees.

Hecho en Luxemburgo, el ventuno de junio de mil novecientos noventa y nueve.

Udfærdiget i Luxembourg den enogtyvende juni nitten hundrede og nioghalvfems.

Geschehen zu Luxemburg am einundzwanzigsten Juni neunzehnhundertneunundneunzig.

Έγινε στο Λουξεμβούργο, στις είκοσι μία Ιουνίου χίλια εννιακόσια ενενήντα εννέα.

Done at Luxembourg on the twenty-first day of June in the year one thousand nine hundred and ninety-nine.

Fait à Luxembourg, le vingt-et-un juin mil neuf cent quatre-vingt dix-neuf.

Fatto a Lussemburgo, addì ventuno giugno millenovecentonovantanove.

Gedaan te Luxemburg, de eenentwintigste juni negentienhonderd negenennegentig.

Feito em Luxemburgo, em vinte e um de Junho de mil novecientos e noventa e nove.

Tehty Luxemburgissa kahdentenäkymmenentenäensimmäisenä päivänä kesäkuuta vuonna tuhatyhdeksänsataayhdeksänkymmentäyhdeksän.

Som skedde i Luxemburg den tjugoförsta juni nittonhundra nittionio.

Pour le Royaume de Belgique
Voor het Koninkrijk België
Für das Königreich Belgien



Cette signature engage également la Communauté française, la Communauté flamande, la Communauté germanophone, la Région wallonne, la Région flamande et la Région de Bruxelles-Capitale.

Deze handtekening verbindt eveneens de Vlaamse Gemeenschap, de Franse Gemeenschap, de Duitstalige Gemeenschap, het Vlaamse Gewest, het Waalse Gewest en het Brussels Hoofdstedelijke Gewest.

Diese Unterschrift verbindet zugleich die Deutschsprachige Gemeinschaft, die Flämische Gemeinschaft, die Französische Gemeinschaft, die Wallonische Region, die Flämische Region und die Region Brüssel-Hauptstadt.

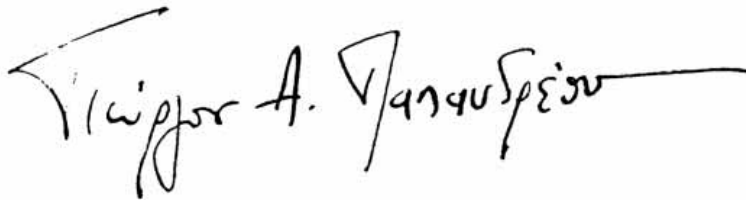
På Kongeriget Danmarks vegne



Für die Bundesrepublik Deutschland

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Για την Ελληνική Δημοκρατία

Handwritten signature in Greek cursive script, appearing to read "T. A. Vassiliou".

Por el Reino de España

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Pour la République française

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Thar cheann Na hÉireann
For Ireland

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Per la Repubblica italiana



Pour le Grand-Duché de Luxembourg



Voor het Koninkrijk der Nederlanden



Für die Republik Österreich



Pela República Portuguesa



Suomen tasavallan puolesta
För Republiken Finland



För Konungariket Sverige



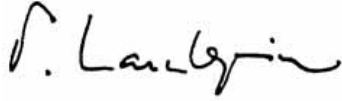
For the United Kingdom of Great Britain and Northern Ireland



Por la Comunidad Europea
For Det Europæiske Fællesskab
Für die Europäische Gemeinschaft
Για την Ευρωπαϊκή Κοινότητα
For the European Community
Pour la Communauté européenne
Per la Comunità europea
Voor de Europese Gemeenschap
Pela Comunidade Europeia
Euroopan yhteisön puolesta
På Europeiska gemenskapens vägnar



Für der schweizerischen Eidgenossenschaft
Pour la Confédération suisse
Per la Confederazione svizzera



JOINT DECLARATION**on the general liberalisation of service provision**

The Contracting Parties undertake to commence as soon as possible negotiations on the general liberalisation of service provision on the basis of the *acquis communautaire*.

JOINT DECLARATION**on retirement pensions of former employees of institutions of the European Communities resident in Switzerland**

The Commission of the European Communities and Switzerland undertake to seek an appropriate solution to the problem of the double taxation of the retirement pensions of former employees of institutions of the European Communities resident in Switzerland.

JOINT DECLARATION**on the application of the Agreement**

The Contracting Parties will take the necessary measures to apply the *acquis communautaire* to nationals of the other Contracting Party in accordance with the Agreement concluded between them.

JOINT DECLARATION**on further negotiations**

The European Community and the Swiss Confederation declare their intention of undertaking negotiations to conclude agreements in areas of common interest such as the updating of Protocol 2 to the 1972 Free Trade Agreement and Swiss participation in certain Community training, youth, media, statistical and environmental programmes. Preparatory work for these negotiations should proceed rapidly once the current bilateral negotiations have been concluded.

DECLARATION BY SWITZERLAND**on renewal of the agreement**

Switzerland declares that it will reach a decision on renewal of the agreement during the seventh year of its application, on the basis of the applicable internal procedures.

DECLARATION BY SWITZERLAND**on migration and asylum policy**

Switzerland reaffirms its wish to reinforce cooperation with the EU and its Member States in the area of migration and asylum policy. To this end, Switzerland is willing to participate in the EU system for coordinating asylum applications, and it proposes that negotiations be entered into for the conclusion of a convention parallel to the Dublin Convention (Convention Determining the State Responsible for Examining Applications for Asylum Lodged in one of the Member States of the European Communities, signed in Dublin on 15 June 1990).

DECLARATION BY SWITZERLAND**on the recognition of architects' diplomas**

Switzerland will be proposing to the Joint Committee of the Agreement on Free Movement of Persons, as soon as this is established, that a decision be taken to include architects' diplomas awarded by Swiss universities of applied sciences in Annex III to the Agreement on Free Movement of Persons, in accordance with the provisions of Directive 85/384/EEC of 10 June 1986.

DECLARATION BY THE EUROPEAN COMMUNITY AND ITS MEMBER STATES**on articles 1 and 17 of annex I**

The European Community and its Member States declare that Articles 1 and 17 of Annex I to the Agreement shall be without prejudice to the *acquis communautaire* as regards the conditions of posting of employees who are nationals of a third country in the context of the cross-border provision of services.

DECLARATION**on swiss attendance of committees**

The Council agrees that Switzerland's representatives may, in so far as the items concern them, attend meetings of the following committees and expert working parties as observers:

- Committees of research programmes, including the Scientific and Technical Research Committee (CREST)
- Administrative Commission on Social Security for Migrant Workers
- Coordinating Group on the mutual recognition of higher-education diplomas
- Advisory committees on air routes and the application of competition rules in the field of air transport.

Switzerland's representatives shall not be present when these committees vote.

In the case of other committees dealing with areas covered by these agreements in which Switzerland has adopted either the *acquis communautaire* or equivalent measures, the Commission will consult Swiss experts by the method specified in Article 100 of the EEA Agreement.

AGREEMENT**between the European Community and the Swiss Confederation on Air Transport**

THE SWISS CONFEDERATION

hereinafter referred to as 'Switzerland',

and

THE EUROPEAN COMMUNITY,

hereinafter referred to as 'the Community',

hereinafter referred to as 'the Contracting Parties',

RECOGNISING the integrated character of international civil aviation and desiring that regulations for intra-European air transport be harmonised;

DESIRING to set out rules for civil aviation within the area covered by the Community and Switzerland, rules which are without prejudice to those contained in the Treaty establishing the European Community (hereinafter referred to as the 'EC Treaty') and in particular to existing Community competences under Articles 81 and 82 of the EC Treaty and the competition rules derived therefrom;

AGREEING that it is appropriate to base these rules on the legislation which is in force within the Community at the time of signature of this Agreement;

DESIRING to prevent, in full deference to the independence of the courts, divergent interpretations and to arrive at as uniform an interpretation as possible of the provisions of this Agreement and the corresponding provisions of Community law which are substantially reproduced in this Agreement,

HAVE AGREED AS FOLLOWS:

CHAPTER 1**Objectives***Article 1*

1. This Agreement sets out rules for the Contracting Parties in the field of civil aviation. These provisions are without prejudice to those contained in the EC Treaty and in particular to existing Community competences under the competition rules and the regulations of application of such rules, as well as under all relevant Community legislation listed in the Annex to this Agreement.

2. For this purpose, the provisions laid down in this Agreement as well as in the regulations and directives specified in the Annex shall apply under the condition set out hereafter. Insofar as they are identical in substance to corresponding rules of the EC Treaty and to acts adopted in application of that Treaty, those provisions shall, in their implementation and application, be interpreted in conformity with the relevant rulings and decisions of the Court of Justice and the Commission of the European Communities given prior to the date of signature of this Agreement. The rulings and decisions given after the date of signature of this Agreement shall be communicated to Switzerland. At the request of one of the Contracting Parties, the implications of such latter rulings and decisions shall be determined by the Joint Committee in view of ensuring the proper functioning of this Agreement.

Article 2

The provisions of this Agreement and its Annex shall apply to the extent that they concern air transport or matters directly related to air transport as mentioned in the Annex to this Agreement.

CHAPTER 2**General Provisions***Article 3*

Within the scope of this Agreement, and without prejudice to any special provisions contained therein, any discrimination on grounds of nationality shall be prohibited.

Article 4

Within the scope of this Agreement and without prejudice to the provisions of Council Regulation (EEC) No 2407/92, as included in the Annex to this Agreement, there shall be no restrictions on the freedom of establishment of nationals of an EC Member State or Switzerland in the territory of any of these States. This shall also apply to the setting up of agencies, branches and subsidiaries by nationals of any EC Member State or Switzerland established in the territory of any of these States. Freedom of establishment shall include the right to take up and pursue activities as self-employed persons and to set up and manage undertakings, in particular companies or firms within the meaning of Article 5, paragraph 2, under the conditions laid down for its own nationals by the law of the country where such establishment is effected.

Article 5

1. Within the scope of this Agreement, companies or firms formed in accordance with the law of an EC Member State or Switzerland and having their registered office, central administration or principal place of business within the Community or Switzerland shall be treated in the same way as natural persons who are nationals of EC Member States or Switzerland.

2. 'Companies or firms' means companies or firms constituted under civil or commercial law, including cooperative societies, and other legal persons governed by public or private law, save for those which are non-profit-making.

Article 6

Articles 4 and 5 shall not apply, as far as a Contracting Party is concerned, to activities which in that Contracting Party are connected, even occasionally, with the exercise of official authority.

Article 7

Articles 4 and 5 and measures taken in pursuance thereof shall not prejudice the applicability of provisions laid down by law, regulation or administrative action providing for special treatment for foreign nationals on grounds of public policy, public security or public health.

Article 8

1. The following shall be prohibited as incompatible with this Agreement: all agreements between undertakings, decisions by associations of undertakings and concerted practices which may affect trade between the Contracting Parties and which have as their object or effect the prevention, restriction or distortion of competition within the territory covered by this Agreement, and in particular those which:

- (a) directly or indirectly fix purchase or selling prices or any other trading conditions;
- (b) limit or control production, markets, technical development, or investment;
- (c) share markets or sources of supply;
- (d) apply dissimilar conditions to equivalent transactions with other trading parties, thereby placing them at a competitive disadvantage;
- (e) make the conclusion of contracts subject to acceptance by the other parties of supplementary obligations which, by their nature or according to commercial usage, have no connection with the subject of such contracts.

2. Any agreements or decisions prohibited pursuant to this Article shall be automatically void.

3. The provisions of paragraph 1 may, however, be declared inapplicable in the case of:

- any agreement or category of agreements between undertakings,
- any decision or category of decisions by associations of undertakings,
- any concerted practice or category of concerted practices,

which contributes to improving the production or distribution of goods or to promoting technical or economic progress, while allowing consumers a fair share of the resulting benefit, and which does not:

- (a) impose on the undertakings concerned restrictions which are not indispensable to the attainment of these objectives;
- (b) afford such undertakings the possibility of eliminating competition in respect of a substantial part of the products in question.

Article 9

Any abuse by one or more undertakings of a dominant position within the territory covered by this Agreement or in a substantial part of it shall be prohibited as incompatible with this Agreement insofar as it may affect trade between the Contracting Parties.

Such abuse may, in particular, consist in:

- (a) directly or indirectly imposing unfair purchase or selling prices or other unfair trading conditions;
- (b) limiting production, markets or technical development to the prejudice of consumers;
- (c) applying dissimilar conditions to equivalent transactions with other trading parties, thereby placing them at a competitive disadvantage;
- (d) making the conclusion of contracts subject to acceptance by the other parties of supplementary obligations which, by their nature or according to commercial usage, have no connection with the subject of such contracts.

Article 10

All agreements, decisions and concerted practices, which have as their object or effect the prevention, restriction or distortion of competition, as well as abuses of a dominant position, which may only affect trade within Switzerland, shall be subject to Swiss law and remain under the competence of the Swiss authorities.

Article 11

1. The provisions of Articles 8 and 9 shall be applied and concentrations between undertakings shall be controlled by the Community institutions in accordance with Community legislation as set out in the Annex to this Agreement, taking into account the need for close cooperation between the Community institutions and the Swiss authorities.

2. The Swiss authorities shall rule, in accordance with the provisions of Articles 8 and 9, on the admissibility of all agreements, decisions and concerted practices as well as abuses of a dominant position concerning routes between Switzerland and third countries.

Article 12

1. In the case of public undertakings and undertakings to which EC Member States or Switzerland grant special or exclusive rights, the Contracting Parties shall ensure that there is neither enacted nor maintained in force any measure contrary to the rules contained in this Agreement.

2. Undertakings entrusted with the operation of services of general economic interest or having the character of a revenue-producing monopoly, shall be subject to the rules contained in this Agreement, in particular to the rules on competition, insofar as the application of such rules does not obstruct the performance, in law or in fact, of the particular tasks assigned to them. The development of trade must not be affected to such an extent as would be contrary to the interests of the Contracting Parties.

Article 13

1. Save as otherwise provided in this Agreement, any aid granted by Switzerland or by an EC Member State or through State resources in any form whatsoever which distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods shall, insofar as it affects trade between Contracting Parties, be incompatible with this Agreement.

2. The following shall be compatible with this Agreement:

- (a) aid having a social character, granted to individual consumers, provided that such aid is granted without discrimination related to the origin of the products concerned;
- (b) aid to make good the damage caused by natural disasters or exceptional occurrences.

3. The following may be considered to be compatible with this Agreement:

- (a) aid to promote the economic development of areas where the standard of living is abnormally low or where there is serious under-employment;
- (b) aid to promote the execution of an important project of common European interest or to remedy a serious disturbance in the economy of a Contracting Party;
- (c) aid to facilitate the development of certain economic activities or of certain economic areas, where such aid does not adversely affect trading conditions to an extent contrary to the common interest.

Article 14

The Commission and the Swiss authorities shall keep under constant review matters to which reference is made in Article 12 and all systems of aid existing respectively in the EC Member States and in Switzerland. Each Contracting Party shall ensure that the other Contracting Party is informed of any procedure initiated to guarantee respect of the rules of Articles 12 and 13 and, if necessary, may submit observations before any final decision is taken. Upon request by one Contracting Party, the Joint Committee shall discuss any appropriate measures required by the purpose and functioning of this Agreement.

CHAPTER 3

Traffic Rights*Article 15*

1. Subject to the provisions of Council Regulation (EEC) No 2408/92, as included in the Annex to this Agreement:

- Community and Swiss air carriers shall be granted traffic rights between any point in Switzerland and any point in the Community;
- two years after the entry into force of this Agreement, Swiss air carriers shall be granted traffic rights between points in different EC Member States.

2. For the purpose of paragraph 1:

- Community air carrier shall mean an air carrier which has its principal place of business and, if any, its registered office in the Community and which is licensed according to the provisions of Council Regulation (EEC) No 2407/92, as included in the Annex to this Agreement;

— Swiss air carrier shall mean an air carrier which has its principal place of business and, if any, its registered office in Switzerland and which is licensed according to the provisions of Council Regulation (EEC) No 2407/92, as included in the Annex to this Agreement.

3. The Contracting Parties shall undertake negotiations on the possible extension of the scope of this Article to cover traffic rights between points within Switzerland and between points within the EC Member States five years after the entry into force of this Agreement.

Article 16

The provisions of this Chapter supersede the relevant provisions of existing bilateral arrangements between Switzerland and the EC Member States. However, existing traffic rights which originate from these bilateral arrangements and which are not covered under Article 15 can continue to be exercised, provided that there is no discrimination on the grounds of nationality and competition is not distorted.

CHAPTER 4

Enforcement of the Agreement

Article 17

The Contracting Parties shall take all appropriate measures, whether general or particular, to ensure fulfilment of the obligations arising out of this Agreement and shall refrain from any measures which would jeopardise attainment of the objectives of this Agreement.

Article 18

1. Without prejudice to paragraph 2 and the provisions of Chapter 2, each Contracting Party shall be responsible in its own territory for the proper enforcement of this Agreement and, in particular, the regulations and directives listed in the Annex.

2. In cases which may affect air services to be authorised under Chapter 3, the Community institutions shall enjoy the powers granted to them under the provisions of the regulations and directives whose application is explicitly confirmed in the Annex. However, in cases where Switzerland has taken or envisages taking measures of an environmental nature under either Article 8(2) or 9 of Council Regulation (EEC) No 2408/92, the Joint Committee, upon request by one of the Contracting Parties, shall decide whether those measures are in conformity with this Agreement.

3. Any enforcement action under paragraphs 1 and 2 shall be carried out in accordance with Article 19.

Article 19

1. Each Contracting Party shall give the other Contracting Party all necessary information and assistance in the case of investigations on possible infringements which that other Contracting Party carries out under its respective competences as provided in this Agreement.

2. Whenever the Community institutions act under the powers granted to them by this Agreement on matters which are of interest to Switzerland and which concern the Swiss authorities or Swiss undertakings, the Swiss authorities shall be fully informed and given the opportunity to comment before a final decision is taken.

Article 20

All questions concerning the validity of decisions of the institutions of the Community taken on the basis of their competences under this Agreement, shall be of the exclusive competence of the Court of Justice of the European Communities.

CHAPTER 5

Joint Committee

Article 21

1. A committee composed of representatives of the Contracting Parties, to be known as the 'Community/Switzerland Air Transport Committee' (hereinafter referred to as the Joint Committee), is hereby established which shall be responsible for the administration of this Agreement and shall ensure its proper implementation. For this purpose it shall make recommendations and take decisions in the cases provided for in this Agreement. The decisions of the Joint Committee shall be put into effect by the Contracting Parties in accordance with their own rules. The Joint Committee shall act by mutual agreement.

2. For the purpose of the proper implementation of this Agreement, the Contracting Parties shall exchange information and, at the request of either Contracting Party, shall hold consultations within the Joint Committee.

3. The Joint Committee shall adopt, by a decision, its rules of procedure which shall include, among other provisions, the procedures for convening meetings, appointing the Chairman and laying down the latter's terms of reference.

4. The Joint Committee shall meet as and when necessary, and at least once a year. Either Contracting Party may request the convening of a meeting.

5. The Joint Committee may decide to set up any working party that can assist it in carrying out its duties.

Article 22

1. A decision of the Joint Committee shall be binding upon the Contracting Parties.

2. If, in the view of one of the Contracting Parties, a decision of the Joint Committee is not properly implemented by the other Contracting Party, the former may request that the issue be discussed by the Joint Committee. If the Joint Committee cannot solve the issue within two months of its referral, that Contracting Party may take appropriate temporary safeguard measures under Article 31 for a period not exceeding 6 months.

3. The decisions of the Joint Committee shall be published in the *Official Journal of the European Communities* and the *Official Compendium of Swiss Federal Law*. Each decision shall state the date of its implementation in the Contracting Parties and any other information likely to concern economic operators. The decisions shall be submitted if necessary for ratification or approval by the Contracting Parties in accordance with their own procedures.

4. The Contracting Parties shall notify each other of the completion of this formality. If upon the expiry of a period of twelve months after adoption of a decision by the Joint Committee such notification has not taken place, paragraph 5 shall apply *mutatis mutandis*.

5. Without prejudice to paragraph 2, if the Joint Committee does not take a decision on an issue which has been referred to it within six months of the date of referral, the Contracting Parties may take appropriate temporary safeguard measures under Article 31 for a period not exceeding six months.

6. As regards legislation covered by Article 23 which has been adopted between the signature of this Agreement and its entry into force and of which the other Contracting Party has been informed, the date of referral in paragraph 5 shall be taken as the date on which the information was received. The date on which the Joint Committee shall reach a decision may not be earlier than two months after the date of entry into force of this Agreement.

CHAPTER 6

New Legislation

Article 23

1. The Agreement shall be without prejudice to the right of each Contracting Party, subject to compliance with the principle of non-discrimination and the provisions of this Agreement, to amend unilaterally its legislation on a point regulated by this Agreement.

2. As soon as new legislation is being drawn up by one of the Contracting Parties, it shall informally seek advice from experts of the other Contracting Party. During the period preceding the formal adoption of new legislation, the Contracting Parties shall inform and consult each other as closely as possible. At the request of one of the Contracting Parties, a preliminary exchange of views may take place in the Joint Committee.

3. As soon as a Contracting Party has adopted an amendment of its legislation, it shall inform the other Contracting Party at the latest eight days after the publication in the *Official Journal of the European Communities* or the *Official Compendium of Swiss Federal Law*. Upon request of one Contracting Party, the Joint Committee shall hold an exchange of views on the implications of such an amendment for the proper functioning of this Agreement within six weeks after the request at the latest.

4. The Joint Committee shall:

- either adopt a decision revising the Annex or, if necessary, propose a revision of the provisions of this Agreement, so as to integrate therein, if necessary on a basis of reciprocity, the amendments made to the legislation in question;
- or adopt a decision to the effect that the amendments to the legislation in question shall be regarded as being in accordance with the proper functioning of this Agreement;
- or decide any other measure to safeguard the proper functioning of this Agreement.

CHAPTER 7

Third countries and international organisations

Article 24

The Contracting Parties shall consult with each other in due time at the request of either Contracting Party, in accordance with the procedures laid down in Articles 25, 26 and 27:

- (a) on air transport questions dealt with in international organisations; and

- (b) on the various aspects of possible developments in relations between Contracting Parties and third countries in air transport, and on the functioning of the significant elements of bilateral or multilateral agreements concluded in this field.

The consultations shall be held within one month of the request or as soon as possible in urgent cases.

Article 25

1. The main aims of the consultations provided for in Article 24(a) shall be:

- (a) to determine jointly whether the questions raise problems of common interest; and
- (b) depending upon the nature of such problems:
- to consider jointly whether Contracting Parties' action within the international organisations concerned should be coordinated, or
 - to consider jointly any other approach which might be appropriate.

2. The Contracting Parties shall as soon as possible exchange any information of relevance to the aims described in paragraph 1.

Article 26

1. The main aims of the consultations provided for in Article 24(b) shall be to examine the relevant issues and to consider any approach which might be appropriate.

2. For the purpose of the consultations referred to in paragraph 1, each Contracting Party shall inform the other Contracting Party of possible developments in the field of air transport and of the operation of bilateral or multilateral agreements concluded in that field.

Article 27

1. The consultations provided for in Articles 24, 25 and 26 shall take place within the framework of the Joint Committee.

2. If an agreement between one of the Contracting Parties and a third country or an international organisation were to affect negatively the interests of the other Contracting Party, the latter, notwithstanding the provisions of Council Regulation (EEC) No 2408/92, as included in the Annex to this Agreement, may take appropriate temporary safeguard measures in the field of market access in order to maintain the balance of this Agreement. Such measures may, however, be adopted only after consultations on this issue have taken place within the Joint Committee.

CHAPTER 8

Final Provisions

Article 28

The representatives, experts and other servants of the Contracting Parties shall be required, even after their duties have ceased, not to disclose information, obtained in the framework of this Agreement, which is covered by the obligation of professional secrecy.

Article 29

Each Contracting Party may bring a matter under dispute which concerns the interpretation or application of this Agreement before the Joint Committee. The latter shall endeavour to settle the dispute. The Joint Committee shall be provided with all information which might be of use in making possible an in-depth examination of the situation, with a view to finding an acceptable solution. To this end, the Joint Committee shall examine all possibilities of maintaining the good functioning of this Agreement. The provisions of this Article shall not apply to questions which are within the exclusive competence of the Court of Justice of the European Communities under Article 20.

Article 30

1. If one of the Contracting Parties wishes to revise the provisions of this Agreement, it shall notify the Joint Committee accordingly. The amendment to this Agreement shall enter into force after completion of the respective internal procedures.

2. The Joint Committee may, upon the proposal of one Contracting Party and in accordance with Article 23, decide to modify the Annex.

Article 31

If one Contracting Party refuses to comply with any obligation under this Agreement, the other Contracting Party may, without prejudice to Article 22 and after having completed any other applicable procedure provided for in this Agreement, take appropriate temporary safeguard measures in order to maintain the balance of this Agreement.

Article 32

The Annex to this Agreement shall form an integral part thereof.

Article 33

Without prejudice to Article 16, this Agreement shall supersede the relevant provisions of bilateral arrangements in force between Switzerland on the one hand and EC Member States on the other hand concerning any matter covered by this Agreement and the Annex thereof.

Article 34

This Agreement shall apply, on the one hand to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty and, on the other, to the territory of Switzerland.

Article 35

1. In the event of termination of this Agreement, under the provisions of Article 36(4), air services operated at the date of its expiry under the provisions of Article 15 may continue until the end of the scheduling season into which that date of expiry falls.

2. The rights and obligations acquired by undertakings by virtue of Articles 4 and 5 of this Agreement and of the rules of Council Regulation (EEC) No 2407/92 as included in the Annex to this Agreement, shall not be affected by the termination of this Agreement under the provisions of Article 36(4).

Article 36

1. This Agreement shall be ratified or approved by the Contracting Parties in accordance with their own procedures. It shall enter into force on the first day of the second month following the final notification of the deposit of the instruments of ratification or approval of all the following seven agreements:

- agreement on air transport,
- agreement on the free movement of persons,
- agreement on the carriage of goods and passengers by rail and road,
- agreement on trade in agricultural products,
- agreement on certain aspects of government procurement,
- agreement on mutual recognition in relation to conformity assessment,
- agreement on scientific and technological cooperation.

2. This Agreement shall be concluded for an initial period of seven years. It shall be renewed indefinitely unless the Community or Switzerland notifies the other Contracting Party to the contrary before the initial period expires. Where such notification is given, paragraph 4 shall apply.

3. The Community or Switzerland may terminate this Agreement by notifying its decision to the other Contracting Party. Where such notification is given, paragraph 4 shall apply.

4. The seven agreements referred to in paragraph 1 shall cease to be applicable six months after receipt of the notification of non-renewal, as referred to in paragraph 2, or of termination, as referred to in paragraph 3.

Hecho en Luxemburgo, el veintuno de junio de mil novecientos noventa y nueve, en doble ejemplar en lenguas alemana, danesa, española, finesa, francesa, griega, inglesa, italiana, neerlandesa, portuguesa y sueca, siendo cada uno de estos textos igualmente auténtico.

Udfærdiget i Luxembourg, den enogtyvende juni nitten hundrede og nioghalvfems, i to eksemplarer på dansk, engelsk, finsk, fransk, græsk, italiensk, nederlandsk, portugisisk, spansk, svensk og tysk, idet hver af disse tekster har samme gyldighed.

Geschehen zu Luxemburg am einundzwanzigsten Juni neunzehnhundertneunundneunzig in zwei Urschriften in dänischer, deutscher, englischer, finnischer, französischer, griechischer, italienischer, niederländischer, portugiesischer, spanischer und schwedischer Sprache, wobei jeder dieser Wortlaute gleichermaßen verbindlich ist.

Έγινε στο Λουξεμβούργο, στις είκοσι μία Ιουνίου χίλια εννιακόσια ενενήντα εννέα, σε δύο αντίγραφα στην αγγλική, γαλλική, γερμανική, δανική, ελληνική, ισπανική, ιταλική, ολλανδική, πορτογαλική, σουηδική και φινλανδική γλώσσα· καθένα από τα κείμενα είναι εξίσου αυθεντικό.

Done at Luxembourg on the twenty-first day of June in the year one thousand and ninety-nine, in two copies in the Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish and Swedish languages, each of those texts being equally authentic.

Fait à Luxembourg, le vingt-et-un juin mil neuf cent quatre-vingt dix-neuf, en deux exemplaires en langues allemande, anglaise, danoise, espagnole, finnoise, française, grecque, italienne, néerlandaise, portugaise et suédoise, chacun de ces textes faisant également foi.

Fatto a Lussemburgo, addì ventuno giugno millenovecentonovantanove, in due copie, nelle lingue danese, finlandese, francese, greca, inglese, italiana, olandese, portoghese, spagnola, svedese e tedesca, ciascun testo facente ugualmente fede.

Gedaan te Luxemburg, de eenentwintigste juni negentienhonderd negenennegentig, in tweevoud, in de Deense, de Duitse, de Engelse, de Finse, de Franse, de Griekse, de Italiaanse, de Nederlandse, de Portugese, de Spaanse en de Zweedse taal, zijnde alle teksten gelijkelijk authentiek.

Feito em Luxemburgo, em vinte e um de Junho de mil novecentos e noventa e nove, em duplo exemplar nas línguas alemã, dinamarquesa, espanhola, finlandesa, francesa, grega, inglesa, italiana, neerlandesa, portuguesa e sueca, fazendo igualmente fé qualquer dos textos.


Tehty Luxemburgissa kahdentenkymmenentenäensimmäisenä päivänä kesäkuuta vuonna tuhatyhdeksänsataayhdeksänkymmentäyhdeksän kahtena kappaleena englannin, espanjan, hollannin, italian, kreikan, portugalin, ranskan, ruotsin, saksan, suomen ja tanskan kielellä, ja jokainen teksti on yhtä todistusvoimainen.

Utfärdat i Luxemburg den tjugoförsta juni nittonhundraionio i två exemplar på det danska, engelska, finska, franska, grekiska, italienska, nederländska, portugisiska, spanska, svenska och tyska språket, vilka samtliga texter är lika giltiga.

Por la Comunidad Europea
For Det Europæiske Fællesskab
Für die Europäische Gemeinschaft
Για την Ευρωπαϊκή Κοινότητα
For the European Community
Pour la Communauté européenne
Per la Comunità europea
Voor de Europese Gemeenschap
Pela Comunidade Europeia
Euroopan yhteisön puolesta
På Europeiska gemenskapens vägnar



Por la Confederación Suiza
For Det Schweiziske Edsforbund
Für der Schweizerischen Eidgenossenschaft
Για την Ελβετική Συνομοσπονδία
For the Swiss Confederation
Pour la Confédération suisse
Per la Confederazione svizzera
Voor de Zwitserse Bondsstaat
Pela Confederação Suíça
Sveitsin valaliiton puolesta
På Schweiziska Edsförbundets vägnar



ANNEX

For the purposes of this Agreement:

- wherever acts specified in this Annex contain references to Member States of the European Community, or a requirement for a link with the latter, the references shall, for the purpose of the Agreement, be understood to apply equally to Switzerland or to the requirement of a link with Switzerland;
- without prejudice to Article 15 of this Agreement, the term 'Community air carrier' referred to in the following Community directives and regulations shall include an air carrier which is licensed and has its principal place of business and, if any, its registered office in Switzerland according to the provisions of Council Regulation (EEC) No 2407/92.

1. **Third aviation package of liberalisation and other civil aviation rules**

No 2407/92

Council Regulation of 23 July 1992 on licensing of air carriers.

(Articles 1-18)

(As regards the application of Article 13(3), the reference to Article 169 of the EC Treaty shall be understood to mean a reference to the applicable procedures of this Agreement)

No 2408/92

Council Regulation of 23 July 1992 on access for Community air carriers to intra-Community air routes.

(Articles 1-10, 12-15)

(The annexes shall be amended in order to include Swiss airports)

No 2409/92

Council Regulation of 23 July 1992 on fares and rates for air services.

(Articles 1-11)

No 295/91

Council Regulation of 4 February 1991 establishing common rules for a denied-boarding compensation system in scheduled air transport.

(Articles 1-9)

No 2299/89

Council Regulation of 24 July 1989 introducing a code of conduct for computer reservation systems, as amended by Council Regulation (EEC) No 3089/93.

(Articles 1-22)

No 3089/93

Council Regulation of 29 October 1993 amending Regulation (EEC) No 2299/89 on a code of conduct for computerised reservation systems.

(Article 1)

80/51

Council Directive of 20 December 1979 on the limitation of noise emissions from subsonic aircraft, as amended by Directive 83/206/EEC.

(Articles 1-9)

89/629

Council Directive of 4 December 1989 on the limitation of noise emissions from civil subsonic jet aeroplanes.

(Articles 1-8)

92/14

Council Directive of 2 March 1992 on the limitation of the operation of aeroplanes covered by Part III, Chapter 2, Volume I of Annex 16 to the Convention of International Civil Aviation, second edition (1988).

(Articles 1-11)

91/670

Council Directive of 16 December 1991 on mutual acceptance of personnel licences for the exercise of functions in civil aviation.

(Articles 1-8)

No 95/93

Council Regulation of 18 January 1993 on common rules for the allocation of slots at Community airports.

(Articles 1-12)

96/67

Council Directive of 15 October 1996 on access to the groundhandling market at Community airports.

(Articles 1-9, 11-23, 25)

No 2027/97

Council Regulation of 9 October 1997 on air carrier liability in the event of accidents.

(Articles 1-8)

No 3 2 3 / 1 9 9 9

Council Regulation of 8 February 1999 amending Regulation (EEC) No 2229/89 on a code of conduct for computer reservation systems (CRSs).

(Articles 1 and 2)

2. Competition rules

Any reference in the following texts to Articles 81 and 82 of the Treaty shall be understood to mean Articles 8 and 9 of this Agreement.

No 1 7 / 6 2

Council Regulation of 6 February 1962 implementing Articles 81 and 82 of the Treaty, as amended by Regulation No 59, by Regulation No 118/63/EEC and by Regulation (EEC) No 2822/71.

(Articles 1-9, 10(1)-(2), 11-14, 15(1), 15(2), 15(4)-(6), 16(1)-(2), 17-24)

No 1 4 1 / 6 2

Council Regulation of 26 November 1962 exempting transport from the application of Regulation No 17, as amended by Regulations Nos 165/65/EEC and 1002/67/EEC.

(Articles 1-3)

No 3 3 8 5 / 9 4

Commission Regulation of 21 December 1994 on the form, content and other details of applications and notifications provided for in Council Regulation No 17.

(Articles 1-5)

No 9 9 / 6 3

Commission Regulation of 25 July 1963 on the hearings provided for in Article 19(1) and (2) of Council Regulation No 17.

(Articles 1-11)

No 2 9 8 8 / 7 4

Council Regulation of 26 November 1974 concerning limitation periods in proceedings and the enforcement of sanctions under the rules of the EEC relating to transport and competition.

(Articles 1-7)

No 3 9 7 5 / 8 7

Council Regulation of 14 December 1987 laying down the procedures for the application of the rules on competition to undertakings in the air transport sector, as amended by Regulations (EEC) No 1284/91 and (EEC) No 2410/92 (see below).

(Articles 1-7, 8(1), 8(2), 9-11, 12(1), 12(2), 12(4), 12(5), 13(1), 13(2), 14-19)

No 1 2 8 4 / 9 1

Council Regulation of 14 May 1991 amending Regulation (EEC) No 3975/87 laying down the procedure for the application of the rules on competition to undertakings in the air transport sector.

(Article 1)

No 2 4 1 0 / 9 2

Council Regulation of 23 July 1992 amending Regulation (EEC) No 3975/87 laying down the procedure for the application of the rules on competition to undertakings in the air transport sector.

(Article 1)

No 3 9 7 6 / 8 7

Council Regulation of 14 December 1987 on the application of Article 81(3) of the Treaty to certain categories of agreement and concerted practices in the air transport sector, as amended by Regulations (EEC) No 2344/90 and (EEC) No 2411/92 (see below).

(Articles 1-5, 7)

No 2 3 4 4 / 9 0

Council Regulation of 24 July 1990 amending Regulation (EEC) No 3976/87 on the application of Article 81(3) of the Treaty to certain categories of agreements and concerted practices in the air transport sector.

(Article 1)

No 2 4 1 1 / 9 2

Council Regulation of 23 July 1992 amending Regulation (EEC) No 3976/87 on the application of Article 81(3) of the Treaty to certain categories of agreements and concerted practices in the air transport sector.

(Article 1)

No 3 6 5 2 / 9 3 (*)

Commission Regulation of 22 December 1993 on the application of Article 81(3) of the Treaty to certain categories of agreements between undertakings relating to computer reservation systems for air transport services.

(Articles 1-15)

No 1 6 1 7 / 9 3 (*)

Commission Regulation of 25 June 1993 on the application of Article 81(3) of the Treaty to certain categories of agreements and concerted practices concerning joint planning and coordination of schedules, joint operations, consultations on passenger and cargo tariffs on scheduled air services and slot allocation at airports.

(Articles 1-7)

(*) Expired, but to serve for policy guidance purposes pending adoption of a replacement.

No 1 5 2 3 / 9 6

Commission Regulation of 24 July 1996 amending Regulation (EEC) No 1617/93 on the application of Article 81(3) of the Treaty to certain categories of agreements and concerted practices concerning joint planning and coordination of schedules, joint operations, consultations on passenger and cargo tariffs on scheduled air services and slot allocation at airports.

(Articles 1, 2)

No 4 2 6 1 / 8 8

Commission Regulation of 16 December 1988 on the complaints, applications and hearings provided for in Council Regulation (EEC) No 3975/87.

(Articles 1-14)

No 4 0 6 4 / 8 9

Council Regulation of 21 December 1989 on the control of concentrations between undertakings.

(Articles 1-8, 9(1)-(8), 10-18, 19(1)-(2), 20-23)

No 1 3 1 0 / 9 7

Council Regulation of 30 June 1997 amending Regulation (EEC) No 4064/89 on the control of concentrations between undertakings.

(Articles 1, 2)

No 3 3 8 4 / 9 4

Commission Regulation of 21 December 1994 on the notifications, time limits and hearings provided for in Council Regulation (EEC) No 4064/89 on the control of concentrations between undertakings.

(Articles 1-23)

8 0 / 7 2 3

Commission Directive of 25 June 1980 on the transparency of financial relations between Member States and public undertakings, as amended by Directive 85/413/EEC of 24 July 1985.

(Articles 1-9)

8 5 / 4 1 3

Commission Directive of 24 July 1985 amending Directive 80/723/EEC on the transparency of financial relations between Member States and public undertakings.

(Articles 1-3)

3. **Technical Harmonisation**

No 3 9 2 2 / 9 1

Council Regulation of 16 December 1991 on the harmonisation of technical requirements and administrative procedures in the field of civil aviation.

(Articles 1-3, 4(2), 5-11, 13)

9 3 / 6 5

Council Directive on the definition and the use of compatible technical and operating specifications for the procurement of air traffic management equipment and systems.

(Articles 1-5, 7-10)

(The Annex should be adapted to include Swisscontrol and any other Swiss organisation covered by Article 5)

9 7 / 1 5

Commission Directive of 25 March 1997 adopting Eurocontrol standards and amending Council Directive 93/65/EEC on the definition and use of compatible technical specifications for the procurement of air-traffic-management equipment and systems.

(Articles 1-4, 6)

4. **Air Safety**

9 4 / 5 6

Council Directive of 21 November 1994 establishing the fundamental principles governing the investigation of civil aviation accidents and incidents.

(Articles 1-13)

5. **Others**

9 0 / 3 1 4

Council Directive of 13 June 1990 on package travel, package holidays and package tours.

(Articles 1-10)

9 3 / 1 3

Council Directive of 5 April 1993 on unfair terms in consumer contracts.

(Articles 1-11)

FINAL ACT

The Plenipotentiaries

of the EUROPEAN COMMUNITY

and

of the SWISS CONFEDERATION,

meeting on 21 June 1999 in Luxembourg for the signature of the Agreement between the European Community and the Swiss Confederation on Air Transport have adopted the Joint Declarations mentioned below and attached to this Final Act:

- Joint Declaration on agreements with third countries,
- Joint Declaration on further negotiations.

They also took note of the following Declarations annexed to this Final Act:

- Declaration on Swiss attendance of committees,
- Declaration by Switzerland on a possible amendment to the Statute of the Court of Justice of the European Communities.

Hecho en Luxemburgo, el veintiuno de junio de mil novecientos noventa y nueve.

Udfærdiget i Luxembourg den enogtyvende juni nitten hundrede og nioghalvfems.

Geschehen zu Luxemburg am einundzwanzigsten Juni neunzehnhundertneunundneunzig.

Έγινε στο Λουξεμβούργο, στις είκοσι μία Ιουνίου χίλια εννιακόσια ενενήντα εννέα.

Done at Luxembourg on the twenty-first day of June in the year one thousand nine hundred and ninety-nine.

Fait à Luxembourg, le vingt-et-un juin mil neuf cent quatre-vingt dix-neuf.

Fatto a Lussemburgo, addì ventuno giugno millenovecentonovantanove.

Gedaan te Luxemburg, de eenentwintigste juni negentienhonderd negenennegentig.

Feito em Luxemburgo, em vinte e um de Junho de mil novecentos e noventa e nove.

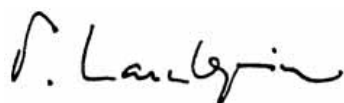
Tehty Luxemburgissa kahdentenkymmenentenäensimmäisenä päivänä kesäkuuta vuonna tuhatyhdeksänsataayhdeksänkymmentäyhdeksän.

Som skedde i Luxemburg den tjugoförsta juni nittonhundraionionio.

Por la Comunidad Europea
For Det Europæiske Fællesskab
Für die Europäische Gemeinschaft
Για την Ευρωπαϊκή Κοινότητα
For the European Community
Pour la Communauté européenne
Per la Comunità europea
Voor de Europese Gemeenschap
Pela Comunidade Europeia
Euroopan yhteisön puolesta
På Europeiska gemenskapens vägnar



Por la Confederación Suiza
For Det Schweiziske Edsforbund
Für der Schweizerischen Eidgenossenschaft
Για την Ελβετική Συνομοσπονδία
For the Swiss Confederation
Pour la Confédération suisse
Per la Confederazione svizzera
Voor de Zwitserse Bondsstaat
Pela Confederação Suíça
Sveitsin valaliiton puolesta
På Schweiziska Edsförbundets vägnar



JOINT DECLARATION
on Agreements with Third Countries

The Contracting Parties acknowledge that it is desirable to take the steps necessary to ensure coherence between their mutual air transport relations and other wider air transport agreements based on the same principles.

JOINT DECLARATION
on Further Negotiations

The European Community and the Swiss Confederation declare their intention of undertaking negotiations to conclude agreements in areas of common interest such as the updating of Protocol 2 to the 1972 Free Trade Agreement and Swiss participation in certain Community training, youth, media, statistical and environmental programmes. Preparatory work for these negotiations should proceed rapidly once the current bilateral negotiations have been concluded.

DECLARATION
on Swiss Attendance of Committees

The Council agrees that Switzerland's representatives may, insofar as the items concern them, attend meetings of the following committees and expert working parties as observers:

- Committees of research programmes, including the Scientific and Technical Research Committee (CREST)
- Administrative Commission on Social Security for Migrant Workers
- Coordinating Group on the mutual recognition of higher-education diplomas
- Advisory committees on air routes and the application of competition rules in the field of air transport.

Switzerland's representatives shall not be present when these committees vote.

In the case of other committees dealing with areas covered by these agreements in which Switzerland has adopted either the *acquis communautaire* or equivalent measures, the Commission will consult Swiss experts by the method specified in Article 100 of the EEA Agreement.

DECLARATION BY SWITZERLAND**on a Possible Amendment to the Statute of the Court of Justice of the European Communities**

The Swiss Government indicates its expectation that, if the Statute and Rules of Procedure of the Court of Justice of the European Communities were to be amended in order to permit lawyers entitled to plead before the courts of States parties to a similar agreement as the present to plead before the Court of Justice of the European Communities, such amendment would also include the possibility for Swiss lawyers practising before the Swiss courts to plead before the Court of Justice of the European Communities in relation to the questions referred to that Court pursuant to this Agreement.

AGREEMENT**between the European Community and the Swiss Confederation on the Carriage of Goods and Passengers by Rail and Road**

THE SWISS CONFEDERATION, hereinafter referred to as 'Switzerland', of the one part,

THE EUROPEAN COMMUNITY, hereinafter referred to as 'the Community', of the other part,

together hereinafter referred to as 'the Contracting Parties',

AWARE of the mutual interest of the Contracting Parties in promoting cooperation and trade, in particular by granting each other access to the transport market, as provided for under Article 13 of the Agreement between the European Economic Community and the Swiss Confederation on the Carriage of Goods by Road and Rail of 2 May 1992, hereinafter referred to as the 1992 Agreement,

DESIROUS of developing a coordinated transport policy aimed at encouraging the use of means of transporting passengers and goods that are more environmentally sound in a bid to combine environmental protection with transport systems efficiency, notably in the Alpine region,

DESIROUS of ensuring healthy competition between the various modes of transport and whereas these modes of transport should cover the costs they incur,

AWARE of the need to ensure consistency between Swiss transport policy and the general principles underlying the Community's transport policy, particularly in the context of the implementation of a coordinated legislative and regulatory framework,

HAVE AGREED AS FOLLOWS:

TITLE I

*Article 2***GENERAL PROVISIONS****Scope***Article 1***General principles and objectives**

1. This Agreement between the Community and Switzerland is aimed, on the one hand, at liberalising access by the Contracting Parties to each other's transport market for the carriage of passengers and goods by road and rail in such a way as to ensure the more efficient management of traffic using routes which, from a technical, geographical and economic viewpoint, are most suitable for all the modes of transport covered by the Agreement and, on the other, at laying the basis for a coordinated transport policy.

2. The provisions of the Agreement and their application are based on the principles of reciprocity and free choice of mode of transport.

3. The Contracting Parties undertake not to take discriminatory measures when applying this Agreement.

1. This Agreement shall apply to the two-way carriage of goods and passengers by road between the Contracting Parties, to through traffic crossing the territory of the Parties, without prejudice to the 1992 Agreement and subject to Article 7(3), to the carriage by road of passengers and goods on a triangular basis and to Swiss home trade.

2. This Agreement shall apply to the international carriage by rail of passengers and goods and to combined international transport. It shall not apply to railway undertakings whose activities are limited solely to urban, suburban or regional operations.

3. This Agreement shall apply to transport operations carried out by road transport undertakings or by railway undertakings established in one of the Contracting Parties.

*Article 3***Definitions****1. Road transport**

For the purposes of this Agreement:

- 'the occupation of road haulage operator' shall mean the activity of any undertaking transporting goods for hire or reward by means of either a motor vehicle or a combination of vehicles,
- 'the occupation of road passenger transport operator' shall mean the activity of any undertaking engaged, for hire or reward, in the international carriage of passengers by coach or bus,
- 'undertaking' shall mean any natural person, any legal person, whether profit-making or not, any association or group of persons without legal personality, whether profit-making or not, or any official body, whether having its own legal personality or being dependent upon an authority having such personality,
- 'vehicle' shall mean a motor vehicle registered in the territory of a Contracting Party or a combination of vehicles of which at least the tractive unit is registered in the territory of a Contracting Party and intended exclusively for the carriage of goods, or any motor vehicle so constructed and equipped as to be suitable for carrying more than nine persons, including the driver, and intended for that purpose,
- 'international carriage' shall mean a journey undertaken by a vehicle, the point of departure of which is on the territory of one Contracting Party and the destination of which is on the territory of the other Contracting Party or in a third country, or vice versa, and the movement of an unladen vehicle in connection with the aforesaid journey; if the point of departure or the destination of the journey is located in a third country, carriage must be effected by a vehicle registered in the Contracting Party where the point of departure or the destination of the journey is located,
- 'transit' shall mean the carriage of goods or passengers (without loading or unloading) and the movement of unladen vehicles across the territory of a Contracting Party,
- 'Swiss home trade' shall mean any carriage of goods for hire or reward from one Member State of the Community to another Member State by a vehicle registered in Switzerland, whether or not, in the course of the same journey and using the normal route, the vehicle travels through Switzerland,
- 'triangular transport operations involving third countries' shall mean any carriage of passengers or goods from the territory of one Contracting Party to a third country, and vice versa, by a vehicle registered in the territory of the other Contracting Party, whether or not, in the course of the same journey and using the normal route, the vehicle travels through the country in which it is registered,

- 'authorisation' shall mean the authorisation, licence or concession required under the legislation of the Contracting Party.

2. Rail transport

For the purposes of this Agreement:

- 'railway undertaking' shall mean any private or public undertaking whose main business is to provide rail transport services for goods and/or passengers with a requirement that the undertaking should ensure traction; such traction may be provided using rolling stock that is not the property of the railway undertaking concerned and using staff who are not directly employed by the railway undertaking concerned,
- 'international grouping' shall mean any association of at least two railway undertakings established in different Member States of the Community, or, in the case of one of them, in Switzerland, for the purpose of providing international transport services between the Community and Switzerland,
- 'infrastructure manager' shall mean any public body or undertaking responsible in particular for establishing and maintaining railway infrastructure, as well as for operating the control and safety systems,
- 'licence' shall mean an authorisation issued by the competent authority of a Contracting Party to an undertaking, by which its capacity as a railway undertaking is recognised. That capacity may be limited to the operation of specific types of transport services,
- 'licensing authority' shall mean the body charged by each Contracting Party with the issue of licences,
- 'train path' shall mean the infrastructure capacity needed to run a train between two places at a given time,
- 'allocation' shall mean the allocation of railway infrastructure capacity by an allocation body,
- 'allocation body' shall mean the authority and/or infrastructure manager designated by one of the Contracting Parties for the allocation of infrastructure capacity,
- 'urban and suburban services' shall mean transport services operated to meet the transport needs of an urban centre or conurbation, as well as the transport needs between such centre or conurbation and surrounding areas,
- 'regional services' shall mean transport services operated to meet the transport needs of a region,
- 'combined transport' shall mean the carriage of goods by heavy goods vehicles or loading units which complete part of their journey by rail as well as begin and/or end the journey by road,

— 'competitive rail transport prices': rail transport prices shall be considered competitive if the average rail transport prices in Switzerland are no higher than the road transport costs, as defined in Annex 9, for a similar route.

Article 4

Reservation under the 1992 Agreement

Subject to the derogations introduced under this Agreement, the rights and obligations of the Contracting Parties arising from the 1992 Agreement shall not be affected by the provisions of this Agreement.

TITLE II

INTERNATIONAL ROAD TRANSPORT

A. COMMON PROVISIONS

Article 5

Admission to the occupation

1. Undertakings wishing to operate as professional road hauliers shall meet the following three requirements:

- (a) good repute;
- (b) appropriate financial fitness;
- (c) professional competence.

2. The provisions applicable in this area are set out in section 1 of Annex 1.

Article 6

Social standards

The social provisions applicable in this area are set out in section 2 of Annex 1.

Article 7

Technical standards

1. Subject to the provisions of paragraphs 2 and 3, Switzerland shall adopt, no later than six months after signature of this Agreement, arrangements that are equivalent to Community legislation on the technical conditions governing road transport, as set out in section 3 of Annex 1.

2. Switzerland shall have a transitional period of two years, from the date on which this Agreement enters into force, to make its legislation relating to technical controls for vehicles equivalent to Community law.

3. From 1 January 2001, the actual total laden weight limit applied by Switzerland for articulated vehicles and road trains shall be 34 tonnes for all types of traffic.

From 1 January 2005, Switzerland shall make its legislation on the maximum permissible weight limits for these vehicles in international traffic equivalent to that in force in the Community on the date of signature of the Agreement.

4. The introduction of the road-use charges defined in Article 40 shall proceed in parallel with the gradual increase in the weight limit provided for in paragraph 3.

5. Each Contracting Party undertakes not to subject vehicles approved in the territory of the other Contracting Party to conditions that are more restrictive than those in force in its own territory.

Article 8

Transitional arrangements governing the weight of vehicles

1. With a view to the gradual introduction of the definitive arrangements defined in the second paragraph of Article 7(3), the carriage of goods by means of a vehicle the actual total laden weight of which is in excess of 28 t (before 31 December 2000) or 34 t (between 1 January 2001 and 31 December 2004) but does not exceed 40 t, from a point of departure in the Community for a destination beyond the Swiss zone close to the frontier, as defined in Annex 6, (and vice versa) or in transit across Switzerland shall be subject to a quota based on the payment of a supplementary charge for use of the infrastructure, in accordance with the procedures set out in paragraphs 2, 3 and 4. In the case of vehicles registered in Switzerland, this quota may also be used for transport operations within Switzerland.

2. The Community shall receive a quota of 250 000 authorisations for the year 2000. Switzerland shall receive a quota of 250 000 authorisations for the year 2000. In the event that the Agreement does not enter into force on 1 January 2000, the number of authorisations for the year 2000 shall be reduced on a pro rata basis.

3. The Community shall receive a quota of 300 000 authorisations for the year 2001 and the year 2002. Switzerland shall receive a quota of 300 000 authorisations for the year 2001 and the year 2002.

4. The Community shall receive a quota of 400 000 authorisations for the year 2003 and the year 2004. Switzerland shall receive a quota of 400 000 authorisations for the year 2003 and the year 2004.

5. The use of the authorisations provided for in paragraphs 2, 3, and 4 shall be subject, in the case of each operator, whether Swiss or Community, to the payment of a charge for the use of the Swiss infrastructure, calculated and levied in accordance with the procedures laid down in Annex 2.

6. With effect from 1 January 2005, vehicles meeting the technical standards laid down in the second paragraph of Article 7(3) shall be exempt, under Article 32, from any quota or authorisation arrangements.

B. INTERNATIONAL CARRIAGE OF GOODS BY ROAD

Article 9

Carriage of goods between the territories of the Contracting Parties

1. The international carriage of goods by road for hire or reward as well as unladen journeys between the territories of the Contracting Parties shall take place under the Community authorisation for Community carriers, set out in Regulation (EEC) No 881/92 and of which a model is given in Annex 3, and under a similar Swiss authorisation for Swiss carriers.

2. In the case of transport operations falling within the scope of this Agreement, these authorisations shall replace the bilateral authorisations exchanged between the Member States of the Community and Switzerland which were necessary until the entry into force of this Agreement.

3. The transport operations referred to in Annex 4 shall be exempt from any carriage authorisation and any system of licences.

4. The procedures governing the issuing, renewal and withdrawal of authorisations and the procedures governing mutual assistance shall be covered by the provisions of Regulation (EEC) No 881/92 for Community carriers and by equivalent Swiss provisions.

Article 10

Carriage of goods in transit across the territory of the Contracting Parties

1. The international carriage of goods for hire or reward as well as movements of empty vehicles in transit across the territory of the Contracting Parties shall be deregulated. These transport operations shall be carried out under the licences referred to in Article 9.

2. Paragraphs 2, 3 and 4 of Article 9 shall apply.

Article 11

Transit across Austria

A system of ecopoints equivalent to that provided for under Article 11 of Protocol 9 of the Act of Accession of Austria to the European Union shall apply to Swiss operators in transit across the territory of Austria within the limits of validity of this Protocol. The method of calculation and the detailed rules and procedures for the management and control of the ecopoints shall be defined under an administrative arrangement to be established by joint agreement between the Contracting Parties on conclusion of this Agreement and shall comply *mutatis mutandis* with the provisions of the aforesaid Protocol 9.

Article 12

Swiss home trade

1. From 2001, Swiss home trade shall be permitted subject to the following conditions:

- such transport operations shall be carried out under the Swiss authorisation referred to in Article 9(1),
- they shall be restricted to a single transport operation, on the return route, following on from the carriage of goods between Switzerland and a Member State of the Community.

2. Until that date, however, it shall continue to be permissible to exercise existing rights under the bilateral agreements in force. These rights are listed in Annex 5 to this Agreement.

3. From 2005, Swiss home trade shall be totally deregulated. Transport operations shall be carried out under the Swiss licence referred to in Article 9(1).

Article 13

Triangular transport operations involving third countries

1. The arrangements governing triangular transport involving third countries shall be determined by joint agreement on conclusion of the necessary agreement between, on the one hand, the Community and the third country in question and, on the other, Switzerland and the third country in question. The purpose of these arrangements is to ensure reciprocity of treatment between Community and Swiss operators with respect to triangular transport.

2. Pending the conclusion of agreements between the Community and the third countries concerned, this Agreement shall not affect the provisions relating to triangular transport as set out in bilateral agreements concluded between the Member States of the Community and Switzerland concerning transport involving third countries. These rights are listed in Annex 5 to this Agreement.

3. Following the definition of the arrangements referred to in paragraph 1, Switzerland shall, as far as is necessary, conclude or adapt bilateral agreements with these third countries.

Article 14

Transport between two points situated on the territory of a Member State of the Community or between two points situated on Swiss territory

Transport between two points situated on the territory of a Member State of the Community by a Swiss-registered vehicle and transport between two points situated on Swiss territory by a vehicle registered in a Member State of the Community are not authorised under this Agreement.

Article 15

Ban on night driving and Sunday driving and exemptions from the weight limit

1. The ban on night driving on Swiss territory shall apply only between 22.00 and 05.00.

2. The exemptions from the weight limit and from the ban on night driving and Sunday driving are set out in Annex 6.

3. Exemptions from the ban on night driving shall be granted in a non-discriminatory manner and may be obtained from a single office. They shall be granted against payment of a fee to cover the administrative costs.

Article 16

Abolition of certain exemptions from the weight limit

The provisions of Annex 6 (II)(3) and (4) of the 1992 Agreement shall no longer apply from the date on which this Agreement enters into force.

C. INTERNATIONAL CARRIAGE OF PASSENGERS BY COACH AND BUS

Article 17

Conditions applicable to carriers

1. Carriers operating for hire or reward shall be permitted to carry out the transport services defined in Article 1 of Annex 7, without discrimination as to nationality or place of establishment, provided those carriers:

- are authorised in the Member State of the Community where they are established or in Switzerland to undertake carriage by coach and bus in the form of regular services, including special regular services, or occasional services,

- meet legal requirements on road safety as far as the standards for drivers and vehicles are concerned.

2. Own-account carriers shall be permitted to carry out the transport services defined in Article 1(3) of Annex 7, without discrimination as to nationality or place of establishment, provided those carriers:

- are authorised in the Member State of the Community where they are established or in Switzerland to undertake carriage by coach and bus in accordance with the market-access conditions laid down by national legislation,
- meet legal requirements on road safety as far as the standards for drivers and vehicles are concerned.

3. Carriers who meet the conditions set out in paragraph 1 may carry out international passenger transport operations by coach and bus provided, in the case of Community carriers, they hold a Community licence or, in the case of Swiss carriers, they hold a similar Swiss licence.

The model for such licences and the procedures for obtaining, using and renewing them shall be as laid down in Regulation (EEC) No 684/92, as amended by Regulation (EC) No 11/98, for Community carriers and in equivalent Swiss legislation.

Article 18

Access to the market

1. Occasional services as referred to in Article 1(2.1) of Annex 7 shall not require authorisation.

2. Special regular services, as defined in Article 1(1.2) of Annex 7 shall not require authorisation if they are covered, on Community territory, by a contract concluded between the organiser and the carrier.

3. Unladen journeys by vehicles in connection with the transport operations referred to in paragraphs 1 and 2 shall likewise not require authorisation.

4. In accordance with Articles 2 et seq. of Annex 7, authorisation shall be required for regular services.

5. In accordance with Articles 2 et seq. of Annex 7, authorisation shall be required for special regular services not covered, on Community territory, by a contract concluded between the organiser and the carrier.

In Switzerland, such services shall not require authorisation.

6. Own-account road transport operations defined in Article 1(3), of Annex 7 shall not require authorisation but shall be subject, on Community territory, to a system of certificates.

Article 19

Triangular transport operations involving third countries

1. The arrangements governing triangular transport involving third countries shall be determined by joint agreement on conclusion of the necessary agreement between, on the one hand, the Community and the third country in question and, on the other, Switzerland and the third country in question. The purpose of these arrangements is to ensure reciprocity of treatment between Community and Swiss operators with respect to triangular transport.

2. Pending the conclusion of agreements between the Community and the third countries concerned, this Agreement shall not affect the provisions relating to transport referred to in paragraph 1 as set out in bilateral agreements concluded between the Member States of the Community and Switzerland concerning transport involving third countries. These rights are listed in Annex 8 to this Agreement.

3. Following the definition of arrangements referred to in paragraph 1, Switzerland shall, as far as is necessary, conclude or adapt bilateral agreements with these third countries.

Article 20

Transport between two points situated on the territory of the same Contracting Party

1. Transport between two points situated on the territory of the same Contracting Party by carriers established in the territory of the other Contracting Party are not authorised under this Agreement.

2. However, it shall continue to be permissible to exercise existing rights under the bilateral agreements concluded between the Member States of the Community and Switzerland that are in force, provided there is no discrimination between Community carriers and no distortion of competition. These rights are listed in Annex 8 to this Agreement.

Article 21

Procedures

The procedures governing the issuing, use, renewal and expiry of authorisations and the procedures governing mutual assistance shall be covered by the provisions of Annex 7 to this Agreement.

Article 22

Transitional provision

Authorisations in respect of services existing at the time of entry into force of this Agreement shall remain valid until their expiry, to the extent that the services in question continue to be subject to authorisation.

TITLE III

INTERNATIONAL RAIL TRANSPORT

Article 23

Management independence

The Contracting Parties undertake:

- to guarantee the management independence of the railway undertakings, mainly by according them independent status, thus enabling them to adapt their activities to the market and to manage their affairs under the responsibility of their governing bodies,
- to separate the management of the railway infrastructure from the provision of railway transport services, at least at the accounting level; aid paid to one of these two areas of activity may not be transferred to the other.

Article 24

Access and transit rights with regard to the railway infrastructure

1. Railway undertakings and international groupings shall have the access and/or transit rights defined in the Community legislation referred to in Annex 1, section 4.

2. Railway undertakings established on the territory of one Contracting Party shall be granted right of access to the infrastructure on the territory of the other Contracting Party for the purpose of operating international combined transport services.

3. Railway undertakings and international groupings making use of their access or transit rights shall conclude the necessary administrative, technical and financial agreements with the managers of the railway infrastructure used with a view to regulating traffic control and safety issues concerning the international transport services referred to in paragraphs 1 and 2.

*Article 25***Railway licences**

1. The granting of an appropriate licence for the type of railway service in question shall be a precondition for any access or transit request involving the railway infrastructure, and hence the right to provide transport services. However, such a licence shall not in itself confer right of access to the railway infrastructure.
2. A railway undertaking shall be entitled to apply for a licence in Switzerland or in the Member State of the Community in which it is established. The Contracting Parties shall not issue licences or extend their validity where the requirements of this Agreement have not been met.
3. Under the responsibility of the Contracting Parties, the licences shall be issued by the authority responsible for licences specially designated for existing and new undertakings.
4. The licences shall be recognised in the Community or in Switzerland on a reciprocal basis.
5. They shall be subject to requirements laid down by the Contracting Parties relating to good repute, financial fitness, professional competence and cover for civil liability during their entire period of validity. The provisions applicable in this area are set out in Section 4 of Annex 1.
6. A licence shall be valid for as long as the railway undertaking fulfils its obligations under the abovementioned provisions. However, the authority responsible may require licences to be reviewed at regular intervals.
7. The procedures for checking, amending, suspending or withdrawing a licence shall be governed by the abovementioned legal provisions.

*Article 26***Issuing the safety certificate**

1. The Contracting Parties shall also require railway undertakings to submit a safety certificate setting out the safety requirements imposed on them with a view to ensuring a risk-free service on the routes in question.
2. A railway undertaking may apply for a safety certificate to a body designated by the Contracting Party in whose territory the infrastructure used by the railway body is situated.
3. To obtain the safety certificate, the railway undertaking must comply with Swiss law in respect of that part of the route which is located in Switzerland and with Community law in respect of that part of the route which is located on Community territory.

*Article 27***Allocation of train paths**

1. Each Contracting Party shall designate the body responsible for allocating capacity, whether it be a specific authority or the infrastructure manager. In particular, the allocation body, which shall be informed of all train paths available, shall ensure that:
 - railway infrastructure capacity is allocated on a fair and non-discriminatory basis and that,
 - subject to paragraphs 3 and 4 of this Article, the allocation procedure allows optimum effective use of the infrastructure.
2. A railway undertaking or international grouping applying for one or more train paths shall submit its application to the allocation body or bodies of the Contracting Party on whose territory the departure point of the service concerned is situated. The allocation body to which an application for infrastructure capacity has been submitted shall immediately inform its counterparts of this request. The latter shall take a decision no later than one month after receiving the necessary information; each allocation body shall have the right to refuse an application. The allocation body to which an application has been submitted shall, together with its counterparts, take a decision on the application no later than two months after all the necessary information has been submitted. The procedures for dealing with the handling of applications for infrastructure capacity are governed by the provisions set out in Section 4 of Annex 1.
3. The Community and Switzerland may take the necessary measures to ensure that priority is given to the following rail services in the allocation of railway infrastructure capacity:
 - (a) services provided in the public interest;
 - (b) services wholly or partly operated on infrastructure constructed or developed for these services (for example, special high-speed or specialised freight lines).
4. The Community and Switzerland may instruct the allocation body to grant special rights as regards infrastructure capacity allocation on a non-discriminatory basis to railway undertakings operating certain types of services or providing such services in certain areas if such rights are indispensable to ensure adequate public services or efficient use of infrastructure capacity or to allow the financing of new infrastructures.
5. The Contracting Parties may provide for the possibility that applications for infrastructure access are accompanied by a deposit or similar security.

6. The Community and Switzerland shall draw up and publish procedures for allocating railway infrastructure capacity. They shall notify accordingly the Joint Committee set up under Article 51 of this Agreement.

Article 28

Accounts and user fees

1. The accounts of an infrastructure manager must be at least in balance when considered over a reasonable period of time between, on the one hand, the revenue accruing from these fees and from possible State contributions and, on the other, the infrastructure expenditure.

2. The infrastructure manager shall apply a railway infrastructure user fee, which he shall be responsible for managing, to be paid by the railway undertakings or international groupings using this infrastructure.

3. The infrastructure user fees shall be determined mainly on the basis of the type of service, the period of service, the state of the market and the nature and degree of wear and tear on the infrastructure.

4. Fees shall be payable to the infrastructure manager(s).

5. Each Contracting Party shall determine the procedures for fixing the fees, after consultations with the infrastructure manager. The fees charged for services of an equivalent nature in the same market shall apply without discrimination.

6. The infrastructure manager shall, in good time, notify the railway undertakings or international groupings which use his infrastructure in order to provide the services referred to in Article 24 of all major changes in the quality or capacity of the infrastructure concerned.

Article 29

Appeals

1. The Contracting Parties shall take the necessary measures to ensure that decisions on allocating infrastructure capacity or on collecting fees are subject to appeal before an independent body. This body shall give its judgement within two months of receiving all the necessary information.

2. The Contracting Parties shall take the necessary measures to ensure that the decisions taken in accordance with paragraph 1 and with Article 25(3) are subject to judicial review.

TITLE IV

COORDINATED TRANSPORT POLICY

A. GENERAL PROVISIONS

Article 30

Objectives

1. The Contracting Parties have agreed to develop, as and where necessary, a coordinated transport policy covering passengers and goods. The aim of this policy is to combine transport systems efficiency with environmental protection so as to ensure sustainable mobility.

2. The Contracting Parties shall make every effort to create broadly comparable transport conditions, including tax arrangements, in their respective territories, particularly with a view to avoiding the diversion of traffic in the Alpine regions and to ensuring better traffic distribution in those areas.

Article 31

Measures

1. To this end, the Contracting Parties shall take measures designed to ensure healthy competition between and within the various modes of transport and to facilitate the use of more environmentally sound means of transporting passengers and goods.

2. In addition to the provisions set out in Titles II and III, these measures shall include:

- developing transalpine railway infrastructures and making available railway transport services and combined transport services that are competitive in terms of price and quality,
- introducing appropriate road transport charging systems,
- supporting measures.

3. The measures taken by the Contracting Parties under this Agreement shall be implemented progressively and, as far as possible, in a coordinated manner.

*Article 32***Principles**

Subject to the provisions of Article 47, the measures set out in Article 31 shall comply with the following principles:

- no discrimination, whether direct or indirect, on the grounds of the nationality of the carrier, the place of registration of the vehicle, or the origin and/or destination of the transport operation,
- free choice of the mode of transport,
- no unilateral quantitative restrictions,
- territoriality,
- proportionality in the imposition of charges relating to transport costs, extending also to criteria relating to the type of vehicle,
- transparency,
- comparable conditions for using different transalpine routes,
- avoiding any distortion of traffic flows in the Alpine regions,
- reciprocity.

B. RAIL AND COMBINED TRANSPORT*Article 33***Objectives**

1. The Contracting Parties agree on the objective of establishing a rail and combined transport capability that is adequate in terms of capacity and that is competitive, both economically and in terms of quality of service, with road transport for the Alpine region, while at the same time respecting the principles set out in Article 32 and ensuring not only the free play of market forces, notably by opening up access to the railway infrastructure as provided for in Title III, but also the independence of the railway undertakings.

2. To this end, the Contracting Parties shall:

- within the limits of their competence take the necessary infrastructure and operational measures, in Switzerland and on Community territory, to ensure the long-term viability, cohesion and integration of Swiss capability in a long-distance railway system,
- also undertake to develop the interconnection and interoperability of their rail and combined transport networks. They shall ensure the necessary cooperation for this purpose with the international organisations and institutions concerned and instruct the Joint Committee to monitor these aspects.

3. The Contracting Parties undertake that, while phasing in the road tax arrangements referred to in Article 40, they will also take steps to provide users with a rail and combined transport capability which, in terms of capacity, price and quality, is such as to ensure an equitable distribution of traffic over the various transalpine routes.

*Article 34***Railway supply capacity**

1. The Contracting Parties confirm their respective commitments as set out in Articles 5 and 6 of the 1992 Agreement, whereby it is foreseen that Switzerland constructs a new rail link through the Alps (NRLA) and the Community is to increase the capacity of the north and south access routes to the NRLA. Furthermore, they are agreed that these new railway infrastructures will be constructed in accordance with loading gauge C of the IUR.

2. For the Community the infrastructure measures referred to in paragraph 1 form part of the measures taken under, and in accordance with, Decision No 1692/96/EC of the European Parliament and of the Council on Community guidelines for the development of the trans-European transport network, including the rail and combined transport axes across the Alps and, in particular, the access routes to the Swiss railway infrastructures and the combined transport installations.

3. Both Contracting Parties shall work together to enable their respective competent authorities to plan and implement, in a coordinated manner, the infrastructure, rail and combined transport measures necessary to meet the commitments referred to in paragraphs 1 and 2 and to harmonise the timetable of work depending on the capacity required. To this end, they shall pursue the aim of producing a return on investment and shall take all appropriate measures within the Joint Committee.

4. The Joint Committee may set up a subcommittee with responsibility for overseeing the coordination of infrastructure projects in the Alpine region. The subcommittee shall consist of representatives of Switzerland, the Community and the Member States of the Community which are situated in the Alpine region.

*Article 35***Economic parameters**

1. The Contracting Parties shall do everything necessary to achieve the objective set out in Article 33. To this end, they shall take steps to ensure that the carriage of goods by rail and combined transport across Switzerland, including accompanied combined transport, remains competitive, in terms of price and quality of service, with road transport over the same routes, while at the same time honouring guarantees regarding the independence of the railway undertakings.

2. With a view to establishing a suitable rail and combined transport capability, the Contracting Parties may provide financial support for investment in railway infrastructure, fixed or mobile equipment needed for transshipment between terrestrial modes, transport equipment specifically adapted to combined transport and used for combined transport and, as far as their respective legislation permits, operating costs for combined transport services crossing Swiss territory, to the extent that these measures help to improve the level of quality and competitiveness in terms of prices of the rail and combined transport capability and do not create any disproportionate distortion of competition between operators. Responsibility for rail transport pricing shall continue to be exercised by the competent authorities or entities.

3. The Contracting Parties may also conclude public service contracts with the railway undertakings in order to guarantee adequate rail transport services, taking particular account of social and environmental factors.

4. Each of the Contracting Parties shall take steps, within the limits of its competence, to ensure that the effect on the market of any official aid granted by one of the Contracting Parties is not undermined by the behaviour of the other Contracting Party or an entity established on its own territory or on the territory of the other Contracting Party.

5. The Joint Committee shall monitor the application of this Article by the Contracting Parties.

Article 36

Quality parameters

1. The Contracting Parties agree to do everything necessary to achieve the objective set out in Article 33. To this end, they undertake to promote combined transport.

2. During the transitional phase referred to in Article 8, Switzerland also undertakes, in accordance with Title II of the 1992 Agreement, to establish an accompanied combined transport ('rolling highway') capability which is competitive in quality and price terms with road transport.

3. The Contracting Parties shall do everything necessary to promote combined transport. In particular, they shall take steps to ensure that the following provisions are applied:

- compliance with the regulations governing technical and social standards for road transport, notably as regards driving time and rest periods, speed limits and maximum weight and dimension standards,

- reduction of rail transport frontier controls and transfer of these controls to the point of embarkation or disembarkation in accordance with the Convention of 20 May 1987 between the Community and Switzerland and between the EFTA countries on a common transit procedure,
- facilitation of the organisation of the combined transport chain by simplifying the regulatory and administrative conditions governing each of the Contracting Parties,
- provision of incentives to combined transport operators and railway operators to improve the quality of their service.

A list of railway parameters is set out in Annex 9. These parameters shall be taken into consideration when invoking Article 46.

4. Within the scope of their powers, the Contracting Parties shall ensure that appropriate measures are taken to permit the swift creation of rail freight corridors. They shall keep each other regularly informed of any measures they propose to take in relation to these rail corridors.

5. The Joint Committee shall prepare a report every two years on the implementation of the measures referred to in this Article.

C. ROAD TRANSPORT CHARGING SYSTEMS

Article 37

Objectives

Within the scope of their powers and in accordance with their respective procedures and with the objectives of Title III of the 1992 Agreement, the Parties shall set themselves the objective of gradually introducing charging systems geared towards charging to road vehicles and other modes of transport the costs to which they give rise.

Article 38

Principles

1. The charging systems shall be based on the principles set out in Article 32, notably the principles of non-discrimination, proportionality and transparency.

2. Charges shall consist of taxes on vehicles, taxes on fuels and fees for the use of the road network.

3. In seeking to achieve the objectives referred to in Article 37, preference shall be given to measures which do not result in diverting traffic away from the technically, economically and geographically most suitable route between the point of departure and the point of final destination of the transport operation.

4. The measures shall be applied in such a way as not to impede the free movement of goods or services between the Contracting Parties, notably as regards the administration and collection of tolls or road-use charges, the absence of controls or systematic verification at the frontiers between the Contracting Parties and the absence of excessive formalities. In order to avoid difficulties in this respect, Switzerland shall endeavour to apply the Community rules in force in this area.

5. The provisions of this Chapter shall apply to vehicles having a maximum authorised weight (MAW), stated on their registration document, of 12 tonnes or more. However, this Agreement shall not prevent the adoption by either Contracting Party, on its territory, of measures designed to include vehicles which have an MAW of less than 12 tonnes.

6. The Contracting Parties shall not grant to firms, including transport undertakings, any direct or indirect State aid designed to make it easier for those firms to bear the burden of the transport charges levied under the charging systems provided for in this Agreement.

Article 39

Interoperability of instruments

The Contracting Parties shall hold consultations within the Joint Committee to achieve an appropriate level of interoperability of the electronic systems for collecting road use charges.

Article 40

Swiss measures

1. With a view to achieving the objectives set out Article 37 and in the light of the weight limit increases stipulated in Article 7(3), Switzerland shall introduce a non-discriminatory tax on vehicles, in two stages commencing on 1 January 2001 and 1 January 2005 respectively. In particular, the tax shall be based on the principles referred to in Article 38(1) and on the procedures set out in Annex 10.

2. The charges shall be differentiated according to three categories of emission standards (EURO). Under the taxation system applicable from 1 January 2005, the difference in charge from one category to another must be as large as possible but must not exceed 15 % of the weighted average of the charges referred to in paragraph 4.

3. (a) Under the taxation system applicable from 1 January 2001, the maximum amounts in the case of a vehicle having an actual total laden weight of not more than 34 t and travelling a distance of 300 km across the Alps may not exceed CHF 205 for a vehicle not complying with the EURO standards, CHF 172 for a vehicle complying with the EURO I standard and CHF 145 for a vehicle complying with the EURO II standard.

(b) By way of derogation from paragraph (a), the Community shall, for the period 1 January 2001 to 31 December 2004, receive an annual quota for 220 000 single journeys by empty vehicles or vehicles carrying light products, provided the actual total laden weight of the vehicle does not exceed 28 tonnes, in transit across the Swiss Alps, against payment of a charge for use of the infrastructure. This charge shall be CHF 50 in the year 2001, CHF 60 in 2002, CHF 70 in 2003 and CHF 80 in 2004. Switzerland shall also receive a quota subject to the same conditions. These journeys shall be subject to the usual control procedure.

4. Under the taxation system applicable from 1 January 2005, the weighted average of the charges shall not exceed CHF 325 for vehicles having an actual total laden weight of not more than 40 t and travelling a distance of 300 km across the Alps. The charge for the most polluting category shall not exceed CHF 380.

5. A part of the charges referred to in paragraphs 3 and 4 may be made up of toll fees for the use of specialised Alpine infrastructure. This part must not constitute more than 15 % of the charges referred to in paragraphs 3 and 4.

6. The weightings referred to in paragraph 4 shall be determined according to the number of vehicles per EURO standard category operating in Switzerland. The number of vehicles in each category shall be established on the basis of censuses which will be examined by the Joint Committee. The Joint Committee shall determine the weighting on the basis of examinations, the first of which shall take place before 1 July 2004, carried out every two years, in order to take account of trends in the structure of the vehicle fleet operating in Switzerland and changes in the EURO standards.

Article 41

Community measures

The Community shall continue to develop charging systems applicable on its territory, reflecting the costs arising from the use of the infrastructure. These systems shall be based on the 'user-pays' principle.

Article 42

Review of the level of charges

1. On 1 January 2007, and at two-yearly intervals thereafter, the maximum levels of the charges fixed in Article 40(4) shall be adjusted in line with the rate of inflation in Switzerland during the previous two years. For this purpose, Switzerland shall send to the Joint Committee, by 30 September at the latest of the year preceding the adjustment, the necessary statistical data on which to base the adjustment under consideration. The Joint Committee shall meet, at the Community's request, within 30 days of receiving this communication, to hold consultations on the adjustment under consideration.

If, during the period between signature of this Agreement and 31 December 2004, the average annual rate of inflation in Switzerland exceeds 2 %, the maximum levels of the charges fixed in Article 40(4) shall be adjusted to take account only of the inflation which exceeds the annual rate of 2 %. The procedure laid down in the previous subparagraph shall apply.

2. With effect from 1 January 2007, the Joint Committee may, at the request of one of the Parties, review the maximum levels of the charges fixed in Article 40(4) with a view to adjusting them by joint agreement. This review shall be undertaken on the basis of the following criteria:

- the level and structure of taxes in the two Contracting Parties, notably with regard to comparable transalpine routes,
- the distribution of traffic between comparable transalpine routes,
- modal distribution trends in the Alpine region,
- the development of the transalpine railway infrastructure.

D. SUPPORTING MEASURES

Article 43

Facilitation of frontier controls

1. The Contracting Parties undertake to reduce and simplify the formalities associated with transport operations, particularly in the area of customs.

2. The Agreement between the European Economic Community and the Swiss Confederation on the simplification of inspections and formalities in respect of the carriage of goods of 21 November 1990, the Convention on a common transit procedure of 20 May 1987 and, in the case of rail transport, the agreement between railway companies on technical inspections for the assignment of goods wagons to international transport operations shall serve as the basis for the measures taken by the Contracting Parties in pursuance of paragraph 1.

Article 44

Ecological standards for commercial vehicles

1. With a view to ensuring better environmental protection and without prejudice to the obligations incumbent under Article 7, the Contracting Parties shall seek, in particular, to introduce ecological standards providing a high level of protection in order to reduce exhaust gas, particle and noise emissions from heavy goods vehicles.

2. The Contracting Parties shall hold regular consultations in the course of preparing these standards.

3. The EURO emission category for heavy goods vehicles (as defined in Community legislation), if not stated on the vehicle registration document, must be ascertained from the date on which the vehicle first entered into service, as stated on that document, or, where appropriate, from an additional special document issued by the competent authorities of the issuing State.

Article 45

Traffic observatory

1. A permanent observatory for the monitoring of road, rail and combined traffic in the Alpine region shall be set up as soon as this Agreement enters into force. It shall report annually on traffic trends to the Joint Committee set up under Article 51 of this Agreement. The Joint Committee may also ask the observatory to prepare a special report, particularly in cases where the provisions of Articles 46 and 47 of this Agreement are applied.

2. The work of the observatory shall be financed by the Contracting Parties, in a proportion to be decided by the Joint Committee.

3. The Contracting Parties shall determine the administrative procedures governing the operation of the observatory by means of a decision of the Joint Committee to be taken at its first meeting.

E. CORRECTIVE MEASURES

Article 46

Unilateral safeguard measures

1. If, after 1 January 2005, despite competitive rail prices and the correct application of the measures provided for in Article 36 regarding quality parameters, there are difficulties with Swiss transalpine road traffic flows and if, over a 10-week period, the average rate of utilisation of the rail capacity in Switzerland (accompanied and unaccompanied combined transport) is less than 66 %, Switzerland may, by way of derogation from the provisions of Article 40(4) and (5), increase the charges provided for in Article 40(4) by no more than 12,5 %. All the revenue from this increase shall be used to help make rail and combined transport more competitive vis-à-vis road transport.

2. Where the same circumstances as those set out in paragraph 1 occur on its territory, the Community may, subject to comparable conditions, take similar corrective measures.

3. (a) The above measure shall be limited in scope and duration to whatever is strictly necessary to remedy the situation. The duration of the measure may not exceed six months but may be extended for one further period of six months. Further extensions may be agreed by the Joint Committee.
- (b) Where one of the Contracting Parties has, on a previous occasion, applied the measures referred to in paragraph 1 or 2, further recourse to such measures by that Contracting Party shall be subject to the following conditions:
- where the duration of the previous measures did not exceed six months, further measures may be taken only after a period of 12 months from the date of cessation of the previous measures,
 - where the duration of the previous measures exceeded six months, further measures may be taken only after a period of 18 months from the date of cessation of the previous measures,
 - under no circumstances may safeguard measures be introduced more than twice within five years of the date on which such measures were first introduced.

The Joint Committee may decide, by common agreement, to derogate from these conditions in specific cases.

4. Before taking the measures provided for in the foregoing paragraphs, the Contracting Party concerned shall inform the Joint Committee of its intention. The Joint Committee shall meet to examine the matter. Save where the Joint Committee decides otherwise, the Contracting Party concerned may take the measure in question after a period of 30 days from the date of notification of the measure to the Joint Committee.

Article 47

Consensual safeguard measures

1. In the event of serious disturbance of transalpine traffic flows, prejudicing the attainment of the objectives set out in Article 30 of this Agreement, the Joint Committee shall meet, at the request of one of the Contracting Parties, in order to decide on appropriate measures to deal with the situation. The requesting Contracting Party shall immediately inform the traffic observatory, which shall report within 14 days on the situation and on any measures to be taken.

2. The Joint Committee shall meet within 15 days of the request being submitted. It shall examine the situation, taking due account of the traffic observatory's report. Within 60 days of its first meeting on the matter, the Joint Committee shall decide on the measures to be taken. This period may be extended by common agreement.

3. These safeguard measures shall be limited, in scope and duration, to whatever is strictly necessary to remedy the situation. Priority must be given to options which interfere as little as possible with the operation of the Agreement.

Article 48

Crisis measures

If transalpine traffic flows are seriously disrupted for reasons of force majeure, such as in the event of a natural disaster, the Contracting Parties shall, each on its own territory, take all possible concerted action to restore and maintain the flow of the traffic. Priority shall be given to sensitive cargoes such as perishable goods.

TITLE V

GENERAL AND FINAL PROVISIONS

Article 49

Implementation of the Agreement

1. The Contracting Parties shall take all appropriate measures, both general and particular, to ensure the fulfilment of obligations under this Agreement.

2. They shall refrain from taking any measure likely to jeopardise the achievement of the objectives of this Agreement.

3. The provisions of this Agreement relating to maximum authorised weight limits for articulated vehicles and road trains and to transport charging systems shall be implemented under a two-stage procedure, from 1 January 2001 to 31 December 2004 and from 1 January 2005.

Article 50

Rectification measures

If one Contracting Party finds that the other Contracting Party has failed to comply with the obligations laid down in this Agreement or has failed to implement a decision of the Joint Committee, the injured Contracting Party may, after consultations within the Joint Committee, take appropriate measures to maintain the balance of this Agreement. The Contracting Parties shall provide the Joint Committee with all the necessary information to enable it to carry out an in-depth examination of the situation.

Article 51

Joint Committee

1. A Joint Committee known as the 'Community/Switzerland Inland Transport Committee' is hereby established; it shall be made up of representatives of the Contracting Parties and be responsible for the management and proper application of this Agreement. To this end, it shall draw up recommendations. It shall take decisions on matters provided for under the Agreement; these decisions shall be carried out by the Contracting Parties in accordance with their own rules. The Joint Committee shall reach its decisions by common agreement.

2. In particular, the Joint Committee shall be responsible for the monitoring and application of the provisions of this Agreement and, in particular, Articles 27(6), 33, 34, 35, 36, 39, 40, 42, 45, 46, 47 and 54. It shall implement the adaptation and revision clauses referred to in Articles 52 and 55.

3. In order to ensure the satisfactory implementation of this Agreement, the Contracting Parties shall exchange information on a regular basis and, at the request of one of them, shall hold consultations within the Joint Committee. The Contracting Parties shall exchange information provided by the authorities responsible for applying this Agreement and, in particular, for issuing authorisations and carrying out inspections. These authorities shall engage in a direct exchange of correspondence.

4. The Joint Committee shall adopt, by a decision, its rules of procedure which shall include, among other provisions, the procedures for convening meetings, appointing the Chairman and laying down the latter's terms of reference.

5. The Joint Committee shall meet as and when necessary, and at least once a year. Either Contracting Party may request the convening of a meeting.

6. The Joint Committee may decide to set up such working parties or groups of experts as it sees fit to assist it in the accomplishment of its tasks.

7. This Committee shall also perform the duties previously performed by the Joint Committee known as the 'Community/Switzerland Inland Transport Committee' set up under Article 18 of the 1992 Agreement.

Article 52

Development of laws

1. Subject to compliance with the principle of non-discrimination and with the provisions of this Agreement, this Agreement shall not prejudice the right of either Contracting Party to amend unilaterally its domestic legislation in the areas covered by this Agreement.

2. As soon as one of the Contracting Parties draws up new legislation in an area covered by this Agreement, it shall formally request the opinion of experts of the other Contracting Party. During the period preceding the formal adoption of this new legislation, the Contracting Parties shall keep each other informed and shall hold consultations as and when necessary. At the request of one of the Contracting Parties, a preliminary exchange of views shall take place within the Joint Committee, in particular as regards the impact such an amendment would have on the operation of the Agreement.

3. At the time of adoption of the amended legislation, and at the latest eight days after its publication in the *Official Journal of the European Communities* or in the Official Compilation of Federal Laws and Decrees, the Contracting Party concerned shall notify the other Contracting Party of the text of these new provisions. At the request of one of the Contracting Parties, an exchange of views shall take place within the Joint Committee regarding the impact of the amendment on the operation of this Agreement no later than two months after the date of submission of the request.

4. The Joint Committee shall either:

- adopt a decision revising Annexes 1, 3, 4 and 7 or, if necessary, propose that the provisions of this Agreement be revised, so as to incorporate therein, as and where necessary and on a basis of reciprocity, the amendments to the legislation concerned, or
- adopt a decision whereby the amendments to the legislation concerned are deemed to conform to this Agreement, or
- decide on any other measure aimed at safeguarding the proper functioning of this Agreement.

5. The Joint Committee shall decide on the procedures for adapting this Agreement to the relevant provisions of future agreements between the Community or Switzerland, on the one hand, and third countries, on the other, as referred to in Articles 13 and 19.

6. With a view to attaining the objectives set out in this Agreement, the Contracting Parties shall, in accordance with the timetable laid down in Article 49, take all necessary measures to ensure that the rights and obligations equivalent to those contained in the legal instruments of the Community, as listed in Annex 1, are actively applied in the course of their relations.

Article 53

Confidentiality

The representatives, experts and other agents of the Contracting Parties shall be required, even after termination of their appointments, not to divulge information obtained in the context of this Agreement and which, by its very nature, is covered by the obligation of professional secrecy.

*Article 54***Settlement of disputes**

Each Contracting Party may bring a matter under dispute which concerns the interpretation or application of this Agreement to the Joint Committee, which shall endeavour to settle the dispute. The Joint Committee shall be provided with all relevant information for an in-depth examination of the situation with a view to finding an acceptable solution. To that end, the Joint Committee shall be required to examine all possibilities for maintaining the good functioning of this Agreement.

*Article 55***Revision of the Agreement**

1. If one of the Contracting Parties wishes to have the provisions of this Agreement revised, it shall notify the Joint Committee accordingly. Subject to paragraphs 2 and 3, the amended version of this Agreement shall enter into force on completion of the respective internal procedures.

2. Annexes 1, 3, 4 and 7 may be amended by a decision of the Joint Committee in accordance with Article 51(1) so as to take account of developments in Community legislation in this area.

3. Annexes 5, 6, 8 and 9 may be amended by a decision of the Joint Committee in accordance with Article 51(1).

*Article 56***Annexes**

Annexes 1 to 10 shall form an integral part of this Agreement.

*Article 57***Territorial scope**

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in this Treaty and, on the other, to the territory of Switzerland.

*Article 58***Final clauses**

1. This Agreement shall be ratified or approved by the Contracting Parties in accordance with their own procedures. It shall enter into force on the first day of the second month following the final notification of the deposit of the instruments of ratification or approval of all the following seven agreements:

- Agreement on the Carriage of Goods and Passengers by Rail and Road,
- Agreement on the Free Movement of Persons,
- Agreement on Air Transport,
- Agreement on Trade in Agricultural Products,
- Agreement on Mutual Recognition in Relation to Conformity Assessment,
- Agreement on Certain Aspects of Government Procurement,
- Agreement on Scientific and Technological Cooperation.

2. This Agreement shall be concluded for an initial period of seven years. It shall be renewed indefinitely unless the Community or Switzerland notifies the other Contracting Party to the contrary before the initial period expires. Where such notification is given, paragraph 4 shall apply.

3. The Community or Switzerland may terminate this Agreement by notifying its decision to the other Contracting Party. Where such notification is given, paragraph 4 shall apply.

4. The seven agreements referred to in paragraph 1 shall cease to be applicable six months after receipt of the notification of non-renewal, as referred to in paragraph 2, or of termination, as referred to in paragraph 3.

Hecho en Luxemburgo, el veintiuno de junio de mil novecientos noventa y nueve, en doble ejemplar en lenguas alemana, danesa, española, finesa, francesa, griega, inglesa, italiana, neerlandesa, portuguesa y sueca, siendo cada uno de estos textos igualmente auténtico.

Udfærdiget i Luxembourg, den enogtyvende juni nitten hundrede og nioghalvfems, i to eksemplarer på dansk, engelsk, finsk, fransk, græsk, italiensk, nederlandsk, portugisisk, spansk, svensk og tysk, idet hver af disse tekster har samme gyldighed.

Geschehen zu Luxemburg am einundzwanzigsten Juni neunzehnhundertneunundneunzig in zwei Urschriften in dänischer, deutscher, englischer, finnischer, französischer, griechischer, italienischer, niederländischer, portugiesischer, spanischer und schwedischer Sprache, wobei jeder dieser Wortlaute gleichermaßen verbindlich ist.

Έγινε στο Λουξεμβούργο, στις είκοσι μία Ιουνίου χίλια εννιακόσια ενενήντα εννέα, εις διπλούν στην αγγλική, γαλλική, γερμανική, δανική, ελληνική, ισπανική, ιταλική, ολλανδική, πορτογαλική, σουηδική, και φινλανδική γλώσσα, κάθε κείμενο από τα οποία είναι αυθεντικό.

Done at Luxembourg on the twenty-first day of June in the year one thousand and ninety-nine, and drawn up in duplicate in the Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish and Swedish languages, each text being equally authentic.

Fait à Luxembourg, le vingt-et-un juin mil neuf cent quatre-vingt dix-neuf, en double exemplaire en langues allemande, anglaise, danoise, espagnole, finnoise, française, grecque, italienne, néerlandaise, portugaise et suédoise, chacun de ces textes faisant également foi.

Fatto a Lussemburgo, addì ventuno giugno millenovecentonovantanove, in duplice copia, in lingua danese, finlandese, francese, greca, inglese, italiana, olandese, portoghese, spagnola, svedese e tedesca, ciascun testo facente ugualmente fede.

Gedaan te Luxemburg, de eenentwintigste juni negentienhonderd negenennegentig, in twee exemplaren in de Deense, de Duitse, de Engelse, de Finse, de Franse, de Griekse, de Italiaanse, de Nederlandse, de Portugese, de Spaanse en de Zweedse taal, zijnde alle teksten gelijkelijk authentiek.

Feito em Luxemburgo, em vinte e um de Junho de mil novecentos e noventa e nove, em duplo exemplar nas línguas alemã, dinamarquesa, espanhola, finlandesa, francesa, grega, inglesa, italiana, neerlandesa, portuguesa e sueca, fazendo fé qualquer dos textos.

Tehty Luxemburgissa kahdentenakymmenentenäensimmäisenä päivänä kesäkuuta vuonna tuhatyhdeksänsataayhdeksänkymmentäyhdeksän kahtena kappaleena englannin, espanjan, hollannin, italian, kreikan, portugalin, ranskan, ruotsin, saksan, suomen ja tanskan kielellä, ja kaikki teksti ovat yhtä todistusvoimaiset.

Utfärdat i Luxemburg den tjugoförsta juni nittonhundraiontio i två exemplar på det danska, engelska, finska, franska, grekiska, italienska, nederländska, portugisiska, spanska, svenska och tyska språket, vilka samtliga texter är lika giltiga.

Por la Comunidad Europea

For Det Europæiske Fællesskab

Für die Europäische Gemeinschaft

Για την Ευρωπαϊκή Κοινότητα

For the European Community

Pour la Communauté européenne

Per la Comunità europea

Voor de Europese Gemeenschap

Pela Comunidade Europeia

Euroopan yhteisön puolesta

På Europeiska gemenskapens vägnar



Por la Confederación Suiza
For Det Schweiziske Edsforbund
Für der Schweizerischen Eidgenossenschaft
Για την Ελβετική Συνομοσπονδία
For the Swiss Confederation
Pour la Confédération suisse
Per la Confederazione svizzera
Voor de Zwitserse Bondsstaat
Pela Confederação Suíça
Sveitsin valaliiton puolesta
På Schweiziska Edsförbundets vägnar

D. Lauber

Hein

LIST OF ANNEXES

- Annex 1: Articles 5(2), 6, 7(1), 24(1), 25(5) and 27(2): applicable provisions
- Annex 2: Article 8(5): rules for applying the charges provided for in Article 8
- Annex 3: Article 9(1): model authorisation for the international carriage of goods by road
- Annex 4: Article 9(3): list of types of carriage to be exempted from any system of licences and from any authorisation
- Annex 5: Articles 12 and 13: list of existing rights under the bilateral agreements in force
- Annex 6: Article 15(2): exemptions from the weight limit and from the ban on night and Sunday driving
- Annex 7: Articles 17, 18 and 21: international carriage of passengers, by coach and bus, and authorisation procedures
- Annex 8: Articles 19 and 20: list of existing rights under the bilateral agreements in force
- Annex 9: Article 36: quality parameters for rail and combined transport services
- Annex 10: Article 40(1): rules for applying the charges provided for in Article 40

ANNEX I

APPLICABLE PROVISIONS

In accordance with Article 52(6) of this Agreement, Switzerland shall apply legal provisions equivalent to the following:

Relevant provisions of Community Law

Section 1

- Council Directive 96/26/EC of 29 April 1996 on admission to the occupation of road haulage operator and road passenger transport operator and mutual recognition of diplomas, certificates and other evidence of formal qualifications intended to facilitate for these operators the right to freedom of establishment in national and international transport operations (OJ L 124, 23.5.1996, p. 1), as last amended by Directive 98/76/EC (OJ L 277, 14.10.1998, p. 17).

Section 2

- Council Regulation (EEC) No 3821/85 of 20 December 1985 on recording equipment in road transport (OJ L 370, 31.12.1985, p. 8), as last amended by Council Regulation (EC) No 2135/98 (OJ L 274, 9.10.1998, p. 1).
- Council Regulation (EEC) No 3820/85 of 20 December 1985 on the harmonisation of certain social legislation relating to road transport (OJ L 370, 31.12.1985, p. 1), or equivalent rules laid down in the AETR Agreement, including amendments thereto.
- Council Directive 88/599/EEC of 23 November 1988 on standard checking procedures for the implementation of Regulation (EEC) No 3820/85 on the harmonisation of certain social legislation relating to road transport and Regulation (EEC) No 3821/85 on recording equipment in road transport (OJ L 325, 29.11.1988, p. 55), as last amended by Regulation (EC) No 2135/98 (OJ L 274, 9.10.1998, p. 1).
- Council Directive 76/914/EEC of 16 December 1976 on the minimum level of training for some road transport drivers (OJ L 357, 29.12.1976, p. 36).

Section 3

- Council Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorised dimensions in national and international traffic and the maximum authorised weights in international traffic (OJ L 235, 17.9.1996, p. 59).
- Council Directive 96/96/EC of 20 December 1996 on the approximation of the laws of the Member States relating to roadworthiness tests for motor vehicles and their trailers (OJ L 46, 17.2.1997, p. 1).
- Council Directive 91/542/EEC of 1 October 1991 amending Directive 88/77/EEC on the approximation of the laws of the Member States relating to the measures to be taken against the emission of gaseous pollutants from diesel engines for use in vehicles (OJ L 295, 25.10.1991, p. 1).
- Council Directive 92/6/EEC of 10 February 1992 on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community (OJ L 57, 23.2.1992, p. 27).
- Council Directive 92/24/EEC of 31 March 1992 relating to speed limitation devices or similar speed limitation on-board systems of certain categories of motor vehicles (OJ L 129, 14.5.1992, p. 154).
- Council Directive 92/97/EEC of 10 November 1992 amending Directive 70/157/EEC on the approximation of the laws of the Member States relating to the permissible sound level and the exhaust system of motor vehicles (OJ L 371, 19.12.1992, p. 1).

- Council Directive 94/55/EC of 21 November 1994 on the approximation of the laws of the Member States with regard to the transport of dangerous goods by road (OJ L 319, 12.12.1994, p. 7).
- Council Directive 95/50/EC of 6 October 1995 on uniform procedures for checks on the transport of dangerous goods by road (OJ L 249, 17.10.1995, p. 35).
- Council Directive 96/35/EC of 3 June 1996 on the appointment and vocational qualification of safety advisers for the transport of dangerous goods by road, rail and inland waterway (OJ L 145, 19.6.1996, p. 10).
- Commission Directive 96/86/EC of 13 December 1996 adapting to technical progress Council Directive 94/55/EC on the approximation of the laws of the Member States with regard to the transport of dangerous goods by road (OJ L 335, 24.12.1996, p. 43).

Section 4

- Council Directive 95/18/EC of 19 June 1995 on the licensing of railway undertakings (OJ L 143, 27.6.1995, p. 70).
- Council Directive 95/19/EC of 19 June 1995 on the allocation of railway infrastructure capacity and the charging of infrastructure fees (OJ L 143, 27.6.1995, p. 75).
- Council Directive 91/440/EEC of 29 July 1991 on the development of the Community's railways (OJ L 237, 24.8.1991, p. 25).

Section 5

- Council Directive 92/82/EEC of 19 October 1992 on the approximation of the rates of excise duties on mineral oils (OJ L 316, 31.10.1992, p. 19).
 - Council Directive 96/49/EC of 23 July 1996 on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail (OJ L 235, 17.9.1996, p. 25).
 - Commission Directive 96/87/EC of 13 December 1996 adapting to technical progress Council Directive 96/49/EC on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail (OJ L 335, 24.12.1996, p. 45).
-

ANNEX 2

RULES FOR APPLYING THE CHARGES PROVIDED FOR IN ARTICLE 8

1. The Swiss charge for vehicles having an actual total laden weight of more than 28 t using the authorisation referred to in Article 8(2) shall not exceed:

- CHF 180 for a journey transiting Switzerland,
- CHF 70 for a bilateral return journey to or from Switzerland.

2. The maximum Swiss charge for vehicles using the authorisation referred to in Article 8(3) and having an actual total laden weight of more than 34 t but not more than 40 t and travelling a distance of 300 km across the Alps shall be CHF 252 for a vehicle not complying with the EURO standards, CHF 211 for a vehicle complying with the EURO I standard and CHF 178 for a vehicle complying with the EURO II standard. The charge shall be applied in accordance with the provisions of Article 40.

3. The maximum Swiss charge for vehicles using the authorisation referred to in Article 8(4), having an actual total laden weight of more than 34 t but not more than 40 t and travelling a distance of 300 km across the Alps shall be CHF 300 for a vehicle not complying with the EURO standards, CHF 240 for a vehicle complying with the EURO I standard and CHF 210 for a vehicle complying with the EURO II standard. The charge shall be applied in accordance with the provisions of Article 40.

ANNEX 3

EUROPEAN COMMUNITY

(a)

(Blue card - DIN A4)

(First page of the authorisation)

(Text in (one of) the official language(s) of the Member State issuing the authorisation)

State issuing the authorisation: Distinguishing sign ⁽¹⁾ :
--

Name of the competent authority or body:

AUTHORISATION No

for the international carriage of goods by road for hire or reward

This authorisation entitles ⁽²⁾

.....

.....

.....

to engage in the international carriage of goods by road for hire or reward by any route, for journeys or parts of journeys effected for hire or reward within the territory of the Community, as laid down in Council Regulation (EEC) No 881/92, and subject to the general provisions of this authorisation.

Particular remarks:

.....

.....

.....

This authorisation shall be valid from to

Issued at, on

.....
⁽³⁾

⁽¹⁾ The distinguishing signs are: (A) Austria (from 1 January 1997), (B) Belgium, (DK) Denmark, (D) Germany, (GR) Greece, (E) Spain, (F) France, (FIN) Finland, (IRL) Ireland, (I) Italy, (L) Luxembourg, (NL) Netherlands, (P) Portugal, (S) Sweden, (UK) United Kingdom.

⁽²⁾ Name or business name and full address of the haulier.

⁽³⁾ Signature and stamp of the issuing competent authority or body.

(Second page of the authorisation)
(Text in (one of) the official language(s) of the Member State issuing the authorisation)

GENERAL PROVISIONS

This authorisation is issued under Council Regulation (EEC) No 881/92, on access to the market in the carriage of goods by road within the Community to or from the territory of a Member State or passing across the territory of one or more Member States ⁽¹⁾.

It entitles the holder to engage in the international carriage of goods by road for hire or reward by any route, for journeys or parts of journeys effected within the territory of the Community and, where appropriate, subject to the conditions laid down herein:

- where the point of departure and the point of arrival are situated in two different Member States, with or without transit through one or more Member States or non-member countries,
- from a Member State to a non-member country or vice versa, with or without transit through one or more Member States or non-member countries,
- between non-member countries with transit through the territory of one or more Member States, and unladen journeys in connection with such carriage.

In the case of carriage from a Member State to a non-member country or vice versa, this authorisation is valid for that part of the journey effected on the territory of the Member State of loading or unloading upon conclusion of the necessary agreement between the Community and the non-member country in question in accordance with Regulation (EEC) No 881/92.

The authorisation is personal to the holder and is not transferable.

It may be withdrawn by the competent authority of the Member State which issued it, notably where the haulier has:

- not complied with all the conditions for using the authorisation,
- supplied incorrect information with regard to the data needed for the issue or extension of the authorisation.

The original of the authorisation must be kept by the haulage undertaking.

A certified copy of the authorisation must be kept in the vehicle ⁽²⁾. In the case of a coupled combination of vehicles it must accompany the motor vehicle. It covers the coupled combination of vehicles even if the trailer or semi-trailer is not registered or authorised to use the roads in the name of the authorisation holder or if it is registered or authorised to use the roads in another Member State.

The authorisation must be produced whenever required by an authorised inspecting officer.

Within the territory of each Member State the holder must comply with the laws, regulations and administrative provisions in force in that State, in particular with regard to transport and traffic.

⁽¹⁾ OJ L 95, 9.4.1992, p. 1.

⁽²⁾ 'Vehicle' means a motor vehicle registered in a Member State or a coupled combination of vehicles, the motor vehicle of which at least is registered in a Member State, used exclusively for the carriage of goods.

ANNEX 4

TYPES OF CARRIAGE EXEMPT FROM ANY SYSTEM OF LICENCES AND FROM ANY AUTHORISATION

1. Carriage of mail as a public service
 2. Carriage of vehicles which have suffered damage or breakdown
 3. Carriage of goods in motor vehicles the permissible laden weight of which, including that of trailers, does not exceed 6 tonnes or the permissible payload of which, including that of trailers, does not exceed 3,5 tonnes
 4. Carriage of goods in motor vehicles provided the following conditions are fulfilled:
 - (a) the goods carried must be the property of the undertaking or must have been sold, bought, let out on hire or hired, produced, extracted, processed or repaired by the undertaking;
 - (b) the purpose of the journey must be to carry the goods to or from the undertaking or to move them, either inside the undertaking or outside for its own requirements;
 - (c) motor vehicles used for such carriage must be driven by employees of the undertaking;
 - (d) the vehicles carrying the goods must be owned by the undertaking or have been bought by it on deferred terms or hired provided that in the latter case they meet the conditions of Council Directive 84/647/EEC of 19 December 1984 on the use of vehicles hired without drivers for the carriage of goods by road.

This provision shall not apply to the use of a replacement vehicle during a short breakdown of the vehicle normally used;
 - (e) carriage must be no more than ancillary to the overall activities of the undertaking
 5. Carriage of medicinal products, appliances, equipment and other articles required for medical care in emergency relief, in particular for natural disasters.
-

ANNEX 5

**LIST OF THE PROVISIONS CONTAINED IN THE BILATERAL ROAD TRANSPORT AGREEMENTS
CONCLUDED BY SWITZERLAND WITH THE DIFFERENT MEMBER STATES OF THE COMMUNITY
RELATING TO THE CARRIAGE OF GOODS IN TRIANGULAR TRAFFIC**

Country	Agreement signed (date)	Entry into force	Conditions
Germany	17.12.1953	1.2.1954	Article 7: Under national law, triangular traffic as such permitted; other so-called triangular traffic prohibited.
Austria	22.10.1958	4.4.1959	Article 8: Hauliers entitled to effect the carriage of goods are authorised to carry, in vehicles registered in one of the contracting States: (a) goods intended for or coming from one of the States. Triangular traffic as such permitted; other so-called triangular traffic prohibited.
Belgium	25.2.1975	24.7.1975	Article 4(1)(b): Triangular traffic as such permitted; other so-called triangular traffic prohibited.
Denmark	27.8.1981	25.3.1982	Article 4(2): Carriage from a third country to the other Contracting Party or from the other Contracting Party to a third country is subject to an authorisation issued on a case-by-case basis by the other Contracting Party.
Spain	23.1.1963	21.8.1963	Protocol of 29 October 1971: Triangular traffic as such permitted; other so-called triangular traffic prohibited.
Finland	16.1.1980	28.5.1981	Article 6(2) and minutes of the meeting of the Swiss-Finnish Joint Committee on 23 and 24 May 1989, point 2.2: triangular traffic as such and other so-called triangular traffic permitted subject to authorisation.
France	20.11.1951	1.4.1952	Under national law: Swiss hauliers: all types of triangular traffic prohibited in France; French hauliers: all types of triangular traffic permitted in Switzerland.
Greece	8.8.1970	6.9.1971	Article 3 and minutes of the meeting of the Swiss-Greek Joint Committee on 11 to 13 December 1972: all types of triangular traffic permitted (under special quota authorisations).
Italy	—	—	Minutes of the meeting of the Swiss-Italian Joint Committee on 14 June 1993: Swiss hauliers: quota authorisations for triangular traffic as such; other so-called triangular traffic is prohibited; Italian hauliers: triangular traffic as such permitted without authorisation; quota authorisations for other so-called triangular traffic.

Country	Agreement signed (date)	Entry into force	Conditions
Ireland	—	—	Under national law: Swiss hauliers: all types of triangular traffic prohibited except where an authorisation is issued by the Irish authorities; Irish hauliers: all types of triangular traffic permitted in relations with Switzerland.
Luxembourg	17.5.1972	1.6.1972	The agreement applies only to the carriage of passengers. No arrangement has been agreed regarding the carriage of goods. Triangular traffic is permitted under national law. (Application of the principle of reciprocity). All types of triangular traffic permitted.
Netherlands	20.5.1952	15.6.1952	The agreement applies only to the carriage of passengers. No arrangement has been agreed regarding the carriage of goods. Triangular traffic is permitted under national law. (Application of the principle of reciprocity). All types of triangular traffic permitted.
Portugal	28.6.1973	1.1.1974	All types of triangular traffic deregulated under the decision taken by the Swiss-Portuguese Joint Committee on 6 June 1996.
United Kingdom	20.12.1974	21.11.1975	Article 3(b): Triangular traffic as such permitted. Other so-called triangular traffic prohibited.
Sweden	12.12.1973	22.4.1974	Article 4(1) and (2): Triangular traffic permitted under special quota authorisations.

Triangular traffic as such: where the vehicle, following the normal route, transits the country in which it is registered, e. g. when a Swiss-registered vehicle carries goods from Germany to Italy via Switzerland.

Other so-called triangular traffic: where the vehicle does not transit the country in which it is registered, e. g. when a Swiss-registered vehicle carries goods from Germany to Italy via Austria.

ANNEX 6

EXEMPTIONS FROM THE WEIGHT LIMIT AND FROM THE BAN ON NIGHT AND SUNDAY DRIVING**I. Exemption from the weight limit during the period ending on 31 December 2004**

For journeys originating abroad and ending in the Swiss frontier area⁽¹⁾, (and vice versa), exceptions are permitted without charge for any goods up to a total 40 tonnes and for 40-foot ISO containers in combined transport up to a total of 44 tonnes. For reasons of road design, certain customs posts apply lower limits.

II. Other exemptions from the weight limit

For journeys originating abroad and ending beyond the Swiss frontier area⁽¹⁾, (and vice versa), and for transit through Switzerland, an actual total laden weight greater than the maximum weight permitted in Switzerland may also be authorised for types of carriage not referred to in Article 8:

- (a) for the carriage of goods which are indivisible, in cases in which the stipulations cannot be obeyed despite the use of a suitable vehicle;
- (b) for transfers or for the use of special vehicles, notably working vehicles which, owing to the purpose for which they are used, are not compatible with the provisions regarding weight;
- (c) for the transport in an emergency of damaged or broken-down vehicles;
- (d) for the transport of supplies for aircraft catering;
- (e) haulage by road during the initial and final stages of combined transport, usually within a 30 km radius of the terminal.

III. Exemption from the ban on night and Sunday driving

The following exemptions from the ban on night and Sunday driving are planned:

- (a) *without special permission*
 - journeys made to provide emergency assistance in case of disasters,
 - journeys made to provide emergency assistance in the event of accidents, notably public transport and air traffic accidents;

- (b) *with special permission*

For the carriage of goods which, because of their nature, justify night-time haulage and, for genuine reasons, haulage on Sundays:

- perishable agricultural products (such as berries, fruit and vegetables, plants (including cut flowers) or freshly squeezed fruit juices), throughout the year,
- pigs and chickens for slaughter,
- fresh milk and perishable milk products,
- circus equipment, musical instruments belonging to an orchestra, theatre props, etc.,
- daily newspapers including an editorial component, and postal consignments transported under a legal service requirement.

To ease approval procedures, authorisations valid for up to 12 months for any number of journeys may be issued, provided all the journeys are of the same nature.

⁽¹⁾ Switzerland's frontier area is defined in Annex 4 to the minutes of the fifth meeting of the Joint Committee set up under the 1992 Agreement, held in Brussels on 2 April 1998. It is generally an area within a 10-kilometre radius of a customs post.

ANNEX 7

INTERNATIONAL CARRIAGE OF PASSENGERS BY COACH AND BUS*Article 1***Definitions**

For the purposes of this Agreement, the following definitions shall apply:

1. Regular services

- 1.1. Regular services are services which provide for the carriage of passengers at specified intervals along specified routes, passengers being taken up and set down at predetermined stopping points. Regular services shall be open to all, subject, where appropriate, to compulsory reservation.

An adaptation of the conditions of the carriage of such a service does not affect its character as a regular service.

- 1.2. Services, by whomsoever organised, which provide for the carriage of specified categories of passengers to the exclusion of other passengers, in so far as such services are operated under the conditions specified in point 1.1, shall be deemed to be regular services. Such services are hereinafter called 'special regular services'.

Special regular services shall include:

- (a) the carriage of workers between home and work;
- (b) carriage to and from the educational institution for school pupils and students;
- (c) the carriage of soldiers and their families between their State of origin and the area of their barracks.

The fact that a special service may be varied according to the needs of users shall not affect its classification as a regular service.

- 1.3. The organisation of parallel or temporary services, serving the same public as existing regular services, the non-serving of certain stops and the serving of additional stops on existing regular services shall be governed by the same rules as existing regular services.

2. Occasional services

- 2.1. Occasional services are services which do not meet the definition of regular services, including special regular services, and which are characterised above all by the fact that they carry groups of passengers assembled at the initiative of the customer or of the carrier himself.

The organisation of parallel or temporary services comparable to existing regular services and serving the same public as the latter shall be subject to authorisation in accordance with the procedure laid down in section I.

- 2.2. The services referred to in point 2 shall not cease to be occasional services solely because they are provided at certain intervals.

- 2.3. Occasional services may be provided by a group of carriers acting on behalf of the same contractor.

The names of such carriers and, where appropriate, the connection points en route shall be communicated to the competent authorities of the European Community Member States concerned and of Switzerland, in accordance with the procedures to be determined by the Joint Committee.

3. Own-account transport operations

Own-account transport operations are those carried out for non-profit-making and non-commercial purposes by a natural or legal person, provided that:

- the transport activity is only an ancillary activity for that natural or legal person,
- the vehicles used are the property of that natural or legal person, or have been obtained on deferred terms by them or have been the subject of a long-term leasing contract and are driven by that natural or legal person or by a member of their staff.

Section I

REGULAR SERVICES SUBJECT TO AUTHORISATION

Article 2

Nature of the authorisation

1. Authorisations shall be issued in the name of the transport undertaking; they may not be transferred by the latter to third parties. However, the carrier who has received the authorisation may, with the consent of the authority referred to in Article 3(1) of this Annex, operate the service through a subcontractor. In this case, the name of the latter undertaking and its role as subcontractor shall be indicated in the authorisation. The subcontractor must fulfil the conditions laid down in Article 17 of the Agreement.

In the case of undertakings associated for the purpose of operating a regular service, the authorisation shall be issued in the names of all the undertakings. It shall be given to the undertaking that manages the operation and copies shall be given to the others. The authorisation shall state the names of all the operators.

2. The period of validity of an authorisation shall not exceed five years.
3. Authorisations shall specify the following:
 - (a) the type of service;
 - (b) the route of the service, in particular the place of departure and the place of destination;
 - (c) the period of validity of the authorisation;
 - (d) the stops and the timetable.
4. Authorisations shall conform to the model set out in Regulation (EC) No 2121/98 ⁽¹⁾.
5. Authorisations shall entitle their holder(s) to operate regular services in the territories of the Contracting Parties.
6. The operator of a regular service may use additional vehicles to deal with temporary and exceptional situations.

In this event, the carrier must ensure that the following documents are on board the vehicle:

- a copy of the regular service authorisation,
- a copy of the contract between the operator of the regular service and the firm supplying the additional vehicles, or an equivalent document,
- a certified copy of the Community licence in the case of Community carriers, or of a similar Swiss licence in the case of Swiss carriers, issued to the operator of the regular service.

⁽¹⁾ Commission Regulation (EC) No 2121/98 of 2 October 1998 laying down detailed rules for the application of Council Regulations (EEC) No 684/92 and (EC) No 12/98 as regards documents for the carriage of passengers by coach and bus (OJ L 268, 3.10.1998, p. 10).

*Article 3***Submission of applications for authorisation**

1. Community operators applying for authorisation shall submit their applications in accordance with the provisions of Article 6 of Regulation (EEC) No 684/92, as amended by Regulation (EC) No 11/98, and Swiss operators applying for authorisation shall submit their applications in accordance with chapter 5 of the order of 25 November 1998 on concessions for the carriage of passengers (OCTV) ⁽¹⁾. In the case of services exempt from authorisation in Switzerland but subject to authorisation in the Community, Swiss operators applying for authorisation shall submit their applications to the competent Swiss authorities if the place of departure of such services is in Switzerland.
2. Applications shall conform to the model set out in Regulation (EC) No 2121/98.
3. Persons applying for authorisation shall provide any additional information they consider relevant or which is requested by the issuing authority. In particular, applicants should provide a driving schedule which makes it possible to check whether the service complies with legislation on driving and rest periods. Community carriers should also submit a copy of the Community licence for the international carriage of passengers by road for hire or reward, and Swiss carriers a copy of a similar Swiss licence, issued to the operator of the regular service.

*Article 4***Authorising procedure**

1. Authorisations shall be issued in agreement with the competent authorities of the Contracting Parties on whose territories passengers are picked up or set down. The issuing authority shall send its assessment to such authorities — as well as to the competent authorities of Member States of the Community whose territories are crossed without passengers being picked up or set down — together with a copy of the application and copies of any other relevant documentation.
2. The competent authorities of Switzerland and of the European Community Member States whose agreement has been requested shall notify the issuing authority of their decision within two months. This time limit shall be calculated from the date of receipt of the request for an opinion which is shown in the acknowledgement of receipt. If, within this period, the issuing authority has received no reply, the authorities consulted shall be deemed to have given their agreement, and the issuing authority shall issue the authorisation.
3. Subject to paragraphs 7 and 8, the issuing authority shall take a decision within four months of the date on which the carrier submits the application.
4. Authorisation shall be granted unless:
 - (a) the applicant is unable to provide the service which is the subject of the application with equipment directly available to him;
 - (b) in the past, the applicant has failed to comply with national or international legislation on road transport, and in particular the conditions and requirements relating to authorisations for international road passenger services, or has committed serious breaches of legislation in regard to road safety, in particular the rules applicable to vehicles and driving and rest periods for drivers;
 - (c) in the case of an application for renewal of an authorisation, the authorisation conditions have not been met;
 - (d) it is shown that the service being applied for would directly compromise the existence of regular services already authorised, except in cases where the regular services in question are provided by a single carrier or group of carriers only;

⁽¹⁾ RS/SR 744.11.

- (e) it appears that the applicant intends to operate only the most profitable of the existing services on the routes concerned;
- (f) the competent authority of a Contracting Party decides, on the basis of a detailed analysis, that the said service would seriously affect the viability of a comparable rail service on the direct sections concerned. All decisions taken under this provision, and the reasons for those decisions, shall be notified to the carriers concerned.

From 1 January 2000, where an existing international coach or bus service is seriously affecting the viability of a comparable rail service on the direct sections concerned, the competent authority of a Contracting Party may, with the agreement of the Joint Committee, suspend or withdraw the authorisation to operate the international coach or bus service after giving the carrier six months' notice.

The fact that a carrier offers lower prices than are offered by other road carriers, or that the route in question is already being operated by other road carriers, may not in itself constitute justification for refusing the application.

- 5. The issuing authority may refuse applications only for reasons compatible with this Agreement.
- 6. If the procedure for reaching the agreement referred to in paragraph 1 does not result in an agreement being reached, the matter may be referred to the Joint Committee.
- 7. The Joint Committee shall, as swiftly as possible, take a decision which shall take effect within 30 days of its being notified to Switzerland and the European Community Member States concerned.
- 8. Once the procedure laid down in this Article has been completed, the issuing authority shall inform all the authorities referred to in paragraph 1 and shall, where appropriate, send them a copy of the authorisation.

Article 5

Issuing and renewing authorisations

- 1. Once the procedure laid down in Article 4 has been completed, the issuing authority shall either grant the authorisation or shall formally refuse the application.
- 2. A decision refusing an application must state the reasons for that refusal. The Contracting Parties shall ensure that carriers have the opportunity to invoke their rights if their application is refused.
- 3. Article 4 of this Annex shall apply, *mutatis mutandis*, to applications for the renewal of authorisations or for alteration of the conditions under which the services subject to authorisation must be operated.

In the event of a minor alteration to the operating conditions, in particular the adjustment of fares or timetables, the issuing authority need only supply the information in question to the competent authorities of the other Contracting Party.

Article 6

Lapse of an authorisation

The procedure to be followed in respect of the lapse of an authorisation shall be as laid down in Article 9 of Regulation (EEC) No 684/92 and in Article 44 of the OCTV.

Article 7

Obligations of carriers

- 1. Save in the event of force majeure, the operator of a regular service shall, until the authorisation expires, take all measures to guarantee a transport service that meets the required standards of continuity, regularity and capacity and complies with the other conditions laid down by the competent authority in accordance with Article 2(3) of this Annex.

2. The carrier shall publish the route of the service, the stops, the timetable, the fares and the conditions of carriage — in so far as these are not laid down by law — in such a way as to ensure that this information is readily available to all users.
3. It shall be possible for Switzerland and the European Community Member States concerned, by common agreement and in agreement with the holder of the authorisation, to make changes to the operating conditions governing a regular service.

Section II

OCCASIONAL SERVICES AND OTHER SERVICES EXEMPT FROM AUTHORISATION

Article 8

Control document

1. The services referred to in Article 18(1) of the Agreement shall be carried out under cover of a control document (journey form).
2. A carrier operating occasional services must fill out a journey form before each journey.
3. The books of journey forms shall be supplied by the competent authorities of Switzerland or the European Community Member State where the carrier is established or by bodies appointed by those authorities.
4. The model for the control document and the way in which it is to be used shall be as laid down in Regulation No 2121/98.

Article 9

Certificate

The certificate referred to in Article 18(6) of the Agreement shall be issued by the competent authority of Switzerland or the European Community Member State where the vehicle is registered.

It shall conform to the model set out in Regulation (EC) No 2121/98.

Section III

CONTROLS AND PENALTIES

Article 10

Transport tickets

1. Passengers using a regular service, excluding special regular services, shall throughout their journey possess transport tickets, either individual or collective, which indicate:
 - the places of departure and destination and, where appropriate, the return journey,
 - the period of validity of the ticket,
 - the fare.
2. The transport ticket provided for in paragraph 1 shall be presented at the request of any authorised inspecting officer.

*Article 11***Inspections on the road and in undertakings**

1. In the case of carriage for hire or reward, the following documents must be carried on board the vehicle and must be presented at the request of any authorised inspecting officer: a certified true copy of the Community licence for Community carriers or of the similar Swiss licence for Swiss carriers and, depending on the type of service, either the authorisation (or a certified copy thereof) or the journey form.

In the case of own-account transport operations, the certificate (or a certified copy thereof) must be carried on board the vehicle and must be presented at the request of any authorised inspecting officer.

In the case of the services covered by Article 18(2) of the Agreement, the contract or a certified true copy of it shall serve as a control document.

2. Carriers operating coaches and buses in international passenger transport shall allow all inspections intended to ensure that operations are being conducted correctly, in particular as regards driving and rest periods.

*Article 12***Mutual assistance**

1. The competent authorities of the Contracting Parties shall, on request, provide each other with any relevant information in their possession concerning:
 - breaches of this Agreement, and of other rules governing the international carriage of passengers by coach or bus, committed in their territory by a carrier from another Contracting Party, and the penalties imposed,
 - the penalties imposed on their own carriers for breaches committed on the other Contracting Party's territory.
2. The competent authorities of the Contracting Party in which the carrier is established shall withdraw the Community licence or the similar Swiss licence if the holder:
 - no longer meets the conditions laid down in Article 17(1) of the Agreement,
 - has provided inaccurate information on the data needed for issuing the Community licence or similar Swiss licence.
3. The issuing authority shall withdraw an authorisation if the holder no longer meets the conditions for issuing that authorisation under this Agreement, in particular if the competent authorities of the Contracting Party in which the carrier is established request such withdrawal. The issuing authority shall immediately inform the competent authorities of the other Contracting Party.
4. If a carrier commits a serious breach or repeatedly commits minor breaches of transport regulations and road safety rules, in particular the rules applicable to vehicles, driving and rest periods for drivers and the unauthorised operation of the parallel or temporary services referred to in Article 1(2.1), the competent authorities of the Contracting Party in which that carrier is established may, in particular, withdraw his Community licence or similar Swiss licence, or may temporarily and/or partially withdraw the certified copies of his Community licence or similar Swiss licence.

These penalties shall be determined according to the seriousness of the offence committed by the holder of the Community licence or similar Swiss licence, and according to the total number of certified copies he possesses in connection with his international transport operations.

ANNEX 8

**LIST OF THE PROVISIONS CONTAINED IN THE BILATERAL ROAD TRANSPORT AGREEMENTS
CONCLUDED BY SWITZERLAND WITH THE DIFFERENT MEMBER STATES OF THE COMMUNITY
RELATING TO THE GRANTING OF AUTHORISATIONS FOR THE CARRIAGE OF PASSENGERS IN
TRIANGULAR TRAFFIC**

Country	Agreement signed (date)	Entry into force	Conditions
Germany	17.12.1953	1.2.1954	Articles 4 and 5: — in accordance with national law — respecting the principle of reciprocity
Austria	22.10.1958	4.4.1959	Article 6: — in accordance with national law — respecting the principle of reciprocity
Belgium	25.2.1975	24.7.1975	Article 3: — in accordance with national law
Denmark	27.8.1981	25.3.1982	Articles 3 and 5: — in accordance with national law
Spain	23.1.1963	21.8.1963	Articles 2 and 3: — express authorisation of the other Contracting Party — by mutual agreement (reciprocity)
Finland	16.1.1980	28.5.1981	Article 3: — in accordance with national law
France	20.11.1951	1.4.1952	Chapter II: — by mutual agreement — respecting the principle of reciprocity
Greece	8.8.1970	6.9.1971	Article 2: — by mutual agreement (reciprocity)
Italy	—	—	In accordance with national law (no bilateral agreement)
Ireland	—	—	In accordance with national law (no bilateral agreement)
Luxembourg	17.5.1972	1.6.1972	Article 3: In accordance with national law
Netherlands	20.5.1952	15.6.1952	Paragraph 2(2) In accordance with national law
Portugal	28.6.1973	1.1.1974	Protocol to the agreement, sections 5 and 6 — mutual agreement — reciprocity
United Kingdom	20.12.1974	21.11.1975	In accordance with national law (the agreement relates only to the carriage of goods)
Sweden	12.12.1973	22.4.1974	Article 3: In accordance with national law

ANNEX 9

THE QUALITY OF RAIL AND COMBINED TRANSPORT SERVICES

Should Switzerland wish to take the safeguard measures referred to in Article 46 of the Agreement, the following conditions shall apply.

1. The average price of rail or combined transport through Switzerland must not be greater than the cost for a vehicle of 40 t maximum authorised weight travelling a distance of 300 km across the Alps. In particular, the average price charged for accompanied combined transport ('truck on train') must not exceed the costs of road transport (road charges and variable costs).
 2. Switzerland has taken steps to increase the competitiveness of combined transport and the carriage of goods by rail through its territory.
 3. The parameters used in evaluating the competitiveness of combined transport and the carriage of goods by rail shall include at least the following:
 - the extent to which timetables and speed meet the needs of the users,
 - the degree to which the providers of the service guarantee and accept responsibility for its quality,
 - the extent to which the Swiss operators meet their quality-of-service commitments or, if they fail to do so, the extent to which customers are compensated,
 - booking conditions.
-

ANNEX 10

RULES FOR APPLYING THE CHARGES PROVIDED FOR IN ARTICLE 40

Subject to the provisions of Article 40(3.(b)) and (5), the charges provided for in Article 40 shall be applied as follows:

- (a) in the case of transport operations in Switzerland, the charges shall be increased or decreased in proportion to the extent to which the actual distance travelled in Switzerland is greater than or less than 300 km;
 - (b) the charges shall be proportional to the vehicle's weight category.
-

FINAL ACT

The Plenipotentiaries

of the EUROPEAN COMMUNITY

and

of the SWISS CONFEDERATION,

meeting on the twenty-first day of June in the year one thousand nine hundred and ninety-nine in Luxembourg for the signature of the Agreement between the European Community and the Swiss Confederation on the carriage of goods and passengers by rail and road have adopted the Joint Declarations mentioned below and attached to this Final Act:

- Joint Declaration on Article 38(6),
- Joint Declaration on further negotiations.

They also took note of the following Declarations annexed to this Final Act:

- Declaration on Swiss attendance of committees,
- Declaration by Switzerland on the use of tariff quotas (40 t),
- Declaration by the European Community on the use of tariff quotas (40 t),
- Declaration by Switzerland on Article 40(4),
- Declaration by Switzerland on the facilitation of customs procedures (Article 43(1)).

Hecho en Luxemburgo, el veintiuno de junio de mil novecientos noventa y nueve.

Udfærdiget i Luxembourg den enogtyvende juni nitten hundrede og nioghalvfems.

Geschehen zu Luxemburg am einundzwanzigsten Juni neunzehnhundertneunundneunzig.

Έγινε στο Λουξεμβούργο, στις είκοσι μία Ιουνίου χίλια εννιακόσια ενενήντα εννέα.

Done at Luxembourg on the twenty-first day of June in the year one thousand nine hundred and ninety-nine.

Fait à Luxembourg, le vingt-et-un juin mil neuf cent quatre-vingt dix-neuf.

Fatto a Lussemburgo, addì ventuno giugno millenovecentonovantanove.

Gedaan te Luxemburg, de eenentwintigste juni negentienhonderd negenennegentig.

Feito em Luxemburgo, em vinte e um de Junho de mil novecentos e noventa e nove.

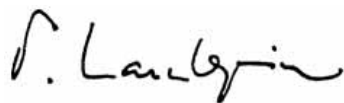
Tehty Luxemburgissa kahdentenkymmenentenäensimmäisenä päivänä kesäkuuta vuonna tuhatyhdeksänsataayhdeksänkymmentäyhdeksän.

Som skedde i Luxemburg den tjugoförsta juni nittonhundraiontio.

Por la Comunidad Europea
For Det Europæiske Fællesskab
Für die Europäische Gemeinschaft
Για την Ευρωπαϊκή Κοινότητα
For the European Community
Pour la Communauté européenne
Per la Comunità europea
Voor de Europese Gemeenschap
Pela Comunidade Europeia
Euroopan yhteisön puolesta
På Europeiska gemenskapens vägnar



Por la Confederación Suiza
For Det Schweiziske Edsforbund
Für der Schweizerischen Eidgenossenschaft
Για την Ελβετική Συνομοσπονδία
For the Swiss Confederation
Pour la Confédération suisse
Per la Confederazione svizzera
Voor de Zwitserse Bondsstaat
Pela Confederação Suíça
Sveitsin valaliiton puolesta
På Schweiziska Edsförbundets vägnar



JOINT DECLARATION

on Article 38(6)

The Contracting Parties declare that the provisions of Article 38(6) shall be without prejudice to the application, under the Swiss Federal system, of instruments falling within the Federal financial equalisation system.

JOINT DECLARATION

on further negotiations

The European Community and the Swiss Confederation declare their intention of undertaking negotiations to conclude agreements in areas of common interest such as the updating of Protocol 2 to the 1972 Free Trade Agreement and Swiss participation in certain Community training, youth, media, statistical and environmental programmes. Preparatory work for these negotiations should proceed rapidly once the current bilateral negotiations have been concluded.

DECLARATION

on Swiss attendance of committees

The Council agrees that Switzerland's representatives may, in so far as the items concern them, attend meetings of the following committees and expert working parties as observers:

- Committees of research programmes, including the Scientific and Technical Research Committee (CREST),
- Administrative Commission on Social Security for Migrant Workers,
- Coordinating Group on the mutual recognition of higher-education diplomas,
- Advisory Committees on air routes and the application of competition rules in the field of air transport.

Switzerland's representatives shall not be present when these committees vote.

In the case of other committees dealing with areas covered by these agreements in which Switzerland has adopted either the *acquis communautaire* or equivalent measures, the Commission will consult Swiss experts by the method specified in Article 100 of the EEA Agreement.

DECLARATION BY SWITZERLAND**on the use of tariff quotas (40 t)**

Switzerland declares that not more than 50 % of the quotas provided for in Article 8 of the Agreement for Swiss vehicles of which the actual total laden weight does not exceed 40 t will be used for import, export and transit carriage.

DECLARATION BY THE EUROPEAN COMMUNITY**on the use of tariff quotas (40 t)**

The Community declares that, according to its current estimates, it expects that approximately 50 % of its quotas under Article 8 will be used for bilateral transport operations.

DECLARATION BY SWITZERLAND**on Article 40(4)**

Switzerland declares, in relation to the application of the charges referred to in Article 40(4) of the Agreement, that it will fix the actual charges applicable until the opening of the first base tunnel, or 1 January 2008, whichever is the earlier, at a level below the maximum amount permitted by that provision. Switzerland intends, on the basis of this current planning, to fix the level in 2005, 2006 and 2007 at CHF 292,50 on average and CHF 350 as a maximum.

DECLARATION BY SWITZERLAND**on the facilitation of customs procedures (Article 43(1))**

So as to facilitate customs clearance at road border crossings between the European Union and Switzerland, Switzerland agreed to the following measures, which will be agreed on a priority basis, during the course of 1999, in the Joint Committee established under the 1992 Agreement:

- to ensure, in cooperation with the customs offices of its neighbours, that the business hours of the offices at the major border crossings are long enough so as to permit HGVs to begin their journey through Switzerland as soon as the night time ban ends or to continue their journey until the ban starts. If necessary, an extra charge reflecting the additional costs can be levied for this purpose. This charge, however, should not exceed CHF 8;
- to achieve, by 1 January 2000, and to maintain thereafter, in cooperation with the customs authorities of its neighbouring countries, a customs clearance time for HGVs of 30 minutes for each border crossing between Switzerland and the European Union (measured from entry to the first customs office to clearance of the second).

AGREEMENT

between the European Community and the Swiss Confederation on trade in agricultural products

THE EUROPEAN COMMUNITY,

hereinafter referred to as the 'Community',

and

THE SWISS CONFEDERATION,

hereinafter referred to as 'Switzerland',

together referred to hereinafter as 'the Parties',

RESOLVED gradually to eliminate the barriers affecting the bulk of their trade in accordance with the provisions on the establishment of free-trade areas in the Agreement establishing the World Trade Organisation,

Whereas, in Article 15 of the Free Trade Agreement of 22 July 1972, the Parties declared their readiness to foster, so far as their agricultural policies allow, the harmonious development of trade in agricultural products to which that Agreement does not apply,

HAVE AGREED AS FOLLOWS:

Article 1

Objective

1. The objective of this Agreement shall be to strengthen the free-trade relations between the Parties by improving the access of each to the market in agricultural products of the other.

2. 'Agricultural products' means the products listed in Chapters 1 to 24 of the International Convention on the Harmonised Commodity Description and Coding System. For the purposes of applying Annexes 1, 2 and 3 to this Agreement, the products falling under Chapter 3 and headings 16.04 and 16.05 of the Harmonised System and the products covered by CN codes 0511 91 10, 0511 91 90, 1902 20 10 and 2301 20 00 shall be excluded.

3. This Agreement shall not apply to the subjects covered by Protocol 2 to the Free Trade Agreement, with the exception of the relevant concessions granted in Annexes 1 and 2 hereto.

Article 2

Tariff concessions

1. Without prejudice to the concessions set out in Annex 3, the tariff concessions granted by Switzerland to the Community shall be as listed in Annex 1 hereto.

2. Without prejudice to the concessions set out in Annex 3, the tariff concessions granted by the Community to Switzerland shall be as listed in Annex 2 hereto.

Article 3

Concessions regarding cheese

The specific provisions applicable to trade in cheeses shall be as set out in Annex 3 hereto.

Article 4

Rules on origin

The rules on origin mutually applicable under Annexes 1, 2 and 3 to this Agreement shall be as set out in Protocol 3 to the Free Trade Agreement.

Article 5

Removing technical barriers to trade

1. The way technical obstacles to trade in agricultural products are to be reduced in the various fields shall be as set out in the Annexes hereto as follows:

— Annex 4 on plant health,

- Annex 5 on animal feed,
 - Annex 6 on seeds,
 - Annex 7 on trade in wine-sector products,
 - Annex 8 on the mutual recognition and protection of names of spirit drinks and aromatised wine-based drinks,
 - Annex 9 on organically produced agricultural products and foodstuffs,
 - Annex 10 on recognition of conformity checks for fruit and vegetables subject to marketing standards,
 - Annex 11 on animal health and zootechnical measures applicable to trade in live animals and animal products.
2. Article 1(2) and (3) and Articles 6, 7, 8, and 10 to 13 of this Agreement shall not apply to Annex 11.

Article 6

Joint Committee on Agriculture

1. A Joint Committee (hereinafter referred to as 'the Committee') made up of representatives of the Parties shall be set up.
2. The Committee shall be responsible for the administration of this Agreement and shall ensure its good functioning.
3. The Committee shall be empowered to adopt decisions as provided for in this Agreement and the Annexes hereto. Such decisions shall be implemented by the Parties in accordance with their own rules.
4. The Committee shall establish its own Rules of Procedure.
5. The Committee shall act by mutual agreement.
6. To ensure the proper implementation of this Agreement, the Parties shall hold consultations within the Committee at the request of either Party.
7. The Committee shall set up the working groups needed to administer the Annexes to this Agreement. Its Rules of Procedure shall specify, in particular, the membership of such working groups and the way they are to operate.

Article 7

Settlement of disputes

Either Party may bring a matter under dispute which concerns the interpretation or application of this Agreement to the Committee. The latter shall endeavour to settle the dispute. Any information which might be of use in making possible an in-depth examination of the situation with a view to finding an acceptable solution shall be supplied to the Committee. To this end, the Committee shall examine all possibilities to maintain the good functioning of this Agreement.

Article 8

Exchange of information

1. The Parties shall exchange all relevant information regarding the implementation and application of this Agreement.

2. Each Party shall inform the other of any changes it intends to make to laws, regulations and administrative provisions within the scope of this Agreement and shall notify the other Party of any new provisions as soon as possible.

Article 9

Confidentiality

Representatives, experts and other agents of the Parties shall be required, even after their duties have ceased, not to disclose information, obtained in the framework of this Agreement, which is covered by the obligation of professional secrecy.

Article 10

Safeguard measures

1. Where, in connection with the application of Annexes 1, 2 and 3 to this Agreement and having regard to the special sensitivity of the agricultural markets of the Parties, imports of products originating in one Party cause or threaten to cause a serious disturbance on the markets of the other, the Parties shall immediately hold consultations to seek a suitable solution. Pending such a solution, the Party concerned may take any measures it deems necessary.

2. Where safeguard measures as provided for in paragraph 1 or in the other Annexes hereto are taken:

- (a) the following procedures shall apply in the absence of specific provisions:
 - where either Party intends to implement safeguard measures with respect to part or all of the territory of the other, it shall inform the latter in advance, stating its reasons,

- where either Party takes safeguard measures in respect of part or all of its own territory or that of a third country, it shall inform the other as soon as possible,
 - without prejudice to the possibility of putting the planned measures into force immediately, consultations shall be held between the two Parties as soon as possible with a view to finding suitable solutions,
 - where safeguard measures are taken by a Member State of the Community with respect to Switzerland, another Member State or a third country, the Community shall duly inform Switzerland as soon as possible;
- (b) measures which least disrupt the way this Agreement operates must be given priority.

Article 11

Amendments

The Committee may decide to amend Annexes 1 and 2 and the Appendices to the other Annexes hereto.

Article 12

Review

1. Where either Party seeks a review of this Agreement, it shall submit a reasoned request to the other.
2. The Parties may entrust the Committee with the task of considering any such request and, where appropriate, of putting forward recommendations, in particular with a view to holding negotiations.
3. Any agreements resulting from negotiations as provided for in paragraph 2 shall be submitted for ratification or approval by the Parties in accordance with their respective procedures.

Article 13

Evolutionary clause

1. The Parties hereby undertake to continue to work towards achieving gradually greater liberalisation of trade between them in agricultural products.
2. To that end, the Parties shall regularly review within the Committee the conditions governing trade between them in agricultural products.

3. In the light of the outcome of such considerations and of their respective agricultural policies and taking account of the sensitivity of the agricultural markets, the Parties may enter into negotiations under this Agreement with a view to further reducing obstacles to trade in agricultural products on a basis of reciprocal and mutually advantageous preferences.

4. Any agreements resulting from negotiations as provided for in paragraph 3 shall be submitted for ratification or approval by the Parties in accordance with their respective procedures.

Article 14

Implementation of the Agreement

1. The Parties shall take all steps, whether general or specific, to ensure the performance of the obligations arising from this Agreement.
2. They shall abstain from any measure which is liable to jeopardise the attainment of the objectives of this Agreement.

Article 15

Annexes

The Annexes to this Agreement, including the Appendices thereto, shall form an integral part thereof.

Article 16

Territorial scope

This Agreement shall apply, on the one hand, to the territories to which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty and, on the other, to the territory of Switzerland.

Article 17

Entry into force and duration

1. This Agreement shall be ratified or approved by the Parties in accordance with their respective procedures. It shall enter into force on the first day of the second month following the final notification of the deposit of the instruments of ratification or approval of all the following seven Agreements:

Agreement on Trade in Agricultural Products

Agreement on the Free Movement of Persons

Agreement on Air Transport

Agreement on the Carriage of Goods and Passengers by Road and Rail

Agreement on Mutual Recognition in Relation to Conformity Assessment

Agreement on Certain Aspects of Government Procurement

Agreement on Scientific and Technological Cooperation.

2. This Agreement is concluded for an initial period of seven years. It shall be renewed indefinitely unless the Community or Switzerland notifies the other Party to the contrary before the

initial period expires. In the event of such notification, the provisions of paragraph 4 shall apply.

3. Either the Community or Switzerland may terminate this Agreement by notifying the other Party of its decision. In the event of such notification, the provisions of paragraph 4 shall apply.

4. The seven Agreements referred to in paragraph 1 shall cease to apply six months after receipt of notification of non-renewal referred to in paragraph 2 or termination referred to in paragraph 3.

Hecho en Luxemburgo, el veintiuno de junio de mil novecientos noventa y nueve, en dos ejemplares en las lenguas alemana, danesa, española, finesa, francesa, griega, inglesa, italiana, neerlandesa, portuguesa y sueca, siendo cada uno de estos textos igualmente auténtico.

Udfærdiget i Luxembourg, den enogtyvende juni nitten hundrede og nioghalvfems i to eksemplarer på dansk, engelsk, finsk, fransk, græsk, italiensk, nederlandsk, portugisisk, spansk, svensk og tysk, idet hver af disse tekster har samme gyldighed.

Geschehen zu Luxemburg am einundzwanzigsten Juni neunzehnhundertneunundneunzig in zweifacher Ausfertigung in dänischer, deutscher, englischer, finnischer, französischer, griechischer, italienischer, niederländischer, portugiesischer, spanischer und schwedischer Sprache, wobei jeder dieser Wortlaute gleichermaßen verbindlich ist.

Έγινε στο Λουξεμβούργο, στις είκοσι μία Ιουνίου χίλια εννιακόσια ενενήντα ενέα, σε δύο αντίτυπα στην αγγλική, γαλλική, γερμανική, δανική, ελληνική, ισπανική, ιταλική, ολλανδική, πορτογαλική, σουηδική και φινλανδική γλώσσα, όλα δε τα κείμενα αυτά είναι εξίσου αυθεντικά.

Done at Luxembourg on the twenty-first day of June in the year one thousand nine hundred and ninety-nine, in duplicate in the Spanish, Danish, German, Greek, English, French, Italian, Dutch, Portuguese, Finnish and Swedish languages, each text being equally authentic.

Fait à Luxembourg, le vingt-et-un juin mil neuf cent quatre-vingt dix-neuf, en double exemplaire, en langues allemande, anglaise, danoise, espagnole, finnoise, française, grecque, italienne, néerlandaise, portugaise et suédoise, chacun de ces textes faisant également foi.

Fatto a Lussemburgo, addì ventuno giugno millenovecentonovantanove, in duplice esemplare, in lingua danese, finnica, francese, greca, inglese, italiana, olandese, portoghese, spagnola, svedese e tedesca. Ciascuna delle versioni linguistiche fa parimenti fede.

Gedaan te Luxemburg, de eenentwintigste juni negentienhonderd negenennegentig, in tweevoud, in de Deense, de Duitse, de Engelse, de Finse, de Franse, de Griekse, de Italiaanse, de Nederlandse, de Portugese, de Spaanse en de Zweedse taal, zijnde alle talen gelijkelijc authentiek.

Feito no Luxemburgo, em vinte e um de Junho de mil novecentos e noventa e nove, em dois exemplares, nas línguas alemã, dinamarquesa, espanhola, finlandesa, francesa, grega, inglesa, italiana, neerlandesa, portuguesa e sueca, fazendo igualmente fé qualquer dos textos.

Tehty Luxemburgissa kahdentenäkymmenentenäensimmäisenä päivänä kesäkuuta vuonna tuhatyhdeksänsataayhdeksänkymmentäyhdeksän kahtena kappaleena englannin, espanjan, hollannin, italian, kreikan, portugalin, ranskan, ruotsin, saksan, suomen ja tanskan kielellä, ja jokainen teksti on yhtä todistusvoimainen.

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Por la Comunidad Europea
For Det Europæiske Fællesskab
Für die Europäische Gemeinschaft
Για την Ευρωπαϊκή Κοινότητα
For the European Community
Pour la Communauté européenne
Per la Comunità europea
Voor de Europese Gemeenschap
Pela Comunidade Europeia
Euroopan yhteisön puolesta
På Europeiska gemenskapens vägnar



Por la Confederación Suiza
For Det Schweiziske Edsforbund
Für der Schweizerischen Eidgenossenschaft
Για την Ελβετική Συνομοσπονδία
For the Swiss Confederation
Pour la Confédération suisse
Per la Confederazione svizzera
Voor de Zwitserse Bondsstaat
Pela Confederação Suíça
Sveitsin valaliiton puolesta
På Schweiziska Edsförbundets vägnar



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ANNEX I

CONCESSIONS GRANTED BY SWITZERLAND

The tariff concessions set out below are granted by Switzerland for the following products originating in the Community and are, where applicable, subject to an annual quantity.

Swiss tariff heading	Description	Customs duty applicable (CHF/100 kg gross weight)	Annual quantity (tonnes net weight)
ex 0210 11 91	Hams and cuts thereof, with bone in, of swine (other than wild boar), salted or in brine, dried or smoked	Free	
ex 0210 19 91	Hams and cuts thereof, boneless, of swine (other than wild boar), salted or in brine, dried or smoked	Free	1 000 ⁽¹⁾
0210 20 10	Dried meat of bovine animals	Free	200 ⁽²⁾
0602 10 00	Unrooted cuttings and slips	Free	Unlimited
	Plants in the form of pomaceous fruit rootstock (of seedling origin or produced by vegetative propagation):	Free	⁽³⁾
0602 20 11	– Grafted, bare rooted		
0602 20 19	– Grafted, with root ball		
0602 20 21	– Not grafted, bare rooted		
0602 20 29	– Not grafted, with root ball		
	Plants in the form of stone fruit rootstock (of seedling origin or produced by vegetative propagation):	Free	⁽³⁾
0602 20 31	– Grafted, bare rooted		
0602 20 39	– Grafted, with root ball		
0602 20 41	– Not grafted, bare rooted		
0602 20 49	– Not grafted, with root ball		
	Plants in the form of pomaceous or stone fruit rootstock (of seedling origin or produced by vegetative propagation), of kinds which bear edible fruit or nuts:	Free	Unlimited
0602 20 51	– Bare rooted		
0602 20 59	– Other than bare rooted		
	Trees, shrubs and bushes, of kinds which bear edible fruit or nuts, bare rooted:		
0602 20 71	– Of kinds which bear pomaceous fruit		
0602 20 72	– Of kinds which bear stone fruit	Free	⁽³⁾
0602 20 79	– Other than of kinds which bear pomaceous or stone fruit	Free	Unlimited
	Trees, shrubs and bushes, of kinds which bear edible fruit or nuts, with root ball:		
0602 20 81	– Of kinds which bear pomaceous fruit		
0602 20 82	– Of kinds which bear stone fruit	Free	⁽³⁾
0602 20 89	– Other than of kinds which bear pomaceous or stone fruit	Free	Unlimited

Swiss tariff heading	Description	Customs duty applicable (CHF/100 kg gross weight)	Annual quantity (tonnes net weight)
0602 30 00	Rhododendrons and azaleas, grafted or not	Free	Unlimited
0602 40 10	Roses, grafted or not: – Wild roses and wild rose stems	Free	Unlimited
0602 40 91	– Other than wild roses or wild rose stems: – Bare rooted		
0602 40 99	– Other than bare rooted, with root ball		
0602 90 11	Plants (of seedling origin or produced by vegetative propagation), of useful species; mushroom spawn: – Seedling vegetables and turf rolls	Free	Unlimited
0602 90 12	– Mushroom spawn		
0602 90 19	– Other than seedling vegetables, turf rolls or mushroom spawn		
0602 90 91	Other live plants (including their roots): – Bare rooted	Free	Unlimited
0602 90 99	– Other than bare rooted, with root ball		
0603 10 31	Cut carnations of a kind suitable for bouquets or for ornamental purposes, fresh, from 1 May to 25 October	Free	1 000
0603 10 41	Cut roses of a kind suitable for bouquets or for ornamental purposes, fresh, from 1 May to 25 October		
0603 10 51	Cut flowers and flower buds (other than carnations or roses) of a kind suitable for bouquets or for ornamental purposes, fresh, from 1 May to 25 October: – Woody		
0603 10 59	– Other than woody		
0603 10 71	Cut tulips of a kind suitable for bouquets or for ornamental purposes, fresh, from 26 October to 30 April	Free	Unlimited
0603 10 91	Cut flowers and flower buds (other than tulips or roses) of a kind suitable for bouquets or for ornamental purposes, fresh, from 26 October to 30 April: – Woody	Free	Unlimited
0603 10 99	– Other than woody		
0702 00 10	Tomatoes, fresh or chilled: – Cherry tomatoes: – From 21 October to 30 April	Free	10 000
0702 00 20	– Peretti tomatoes (elongated): – From 21 October to 30 April		
0702 00 30	– Other tomatoes, of a diameter of 80 mm or more (beef tomatoes) – From 21 October to 30 April		
0702 00 90	– Other – From 21 October to 30 April		

Swiss tariff heading	Description	Customs duty applicable (CHF/100 kg gross weight)	Annual quantity (tonnes net weight)
0705 11 11	Iceberg lettuce, without outer leaf: – From 1 January to the end of February	Free	2 000
0705 21 10	Witloof chicory, fresh or chilled: – From 21 May to 30 September	Free	2 000
0709 30 10	Aubergines (egg-plants), fresh or chilled: – From 16 October to 31 May	Free	1 000
0709 51 00	Mushrooms, fresh or chilled	Free	Unlimited
0709 60 11	Sweet peppers, fresh or chilled: – From 1 November to 31 March	2,5	Unlimited
0709 90 50	Courgettes (including courgette flowers), fresh or chilled: – From 31 October to 19 April	Free	2 000
ex 0710 80 90	Mushrooms (uncooked or cooked by steaming or boiling in water), frozen	Free	Unlimited
0802 21 90	Hazelnuts or filberts (<i>Corylus</i> spp.), fresh or dried: – In shell, other than for use as feed or for oil extraction	Free	Unlimited
0802 22 90	– Shelled, other than for use as feed or for oil extraction		
ex 0802 90 90	Pine nuts, fresh or dried	Free	Unlimited
0805 10 00	Oranges, fresh or dried	Free	Unlimited
0805 20 00	Mandarines (including tangerines and satsumas); clementines, wilkings and similar citrus hybrids, fresh or dried	Free	Unlimited
0807 11 00	Watermelons, fresh	Free	Unlimited
0807 19 00	Melons, fresh, other than watermelons	Free	Unlimited
0809 10 11	Apricots, fresh, in open packings: – From 1 September to 30 June	Free	2 000
0809 10 91	in other packings – From 1 September to 30 June		
0810 10 10	Strawberries, fresh: – From 1 September to 14 May	Free	10 000
0810 50 00	Kiwi fruit, fresh	Free	Unlimited
0910 20 00	Saffron	Free	Unlimited

Swiss tariff heading	Description	Customs duty applicable (CHF/100 kg gross weight)	Annual quantity (tonnes net weight)
1509 10 91	Virgin olive oil, other than for use as feed: – In glass containers holding 2 litres or less	60,60 ⁽⁴⁾	Unlimited
1509 10 99	– In glass containers holding more than 2 litres or in other containers	86,70 ⁽⁴⁾	Unlimited
1509 90 91	Olive oil and its fractions, whether or not refined, but not chemically modified, other than for use as feed: – In glass containers holding 2 litres or less	60,60 ⁽⁴⁾	Unlimited
1509 90 99	– In glass containers holding more than 2 litres or in other containers	86,70 ⁽⁴⁾	Unlimited
2002 10 10	Tomatoes, whole or in pieces, prepared or preserved other than by vinegar or acetic acid: – In containers holding more than 5 kg	2,50	Unlimited
2002 10 20	– In containers holding 5 kg or less	4,50	Unlimited
2002 90 10	Tomatoes, prepared or preserved other than by vinegar or acetic acid, other than whole or in pieces: – In containers holding more than 5 kg	Free	Unlimited
2002 90 21	Tomato pulp, puree and concentrate, in hermetically sealed containers, with a dry matter content of 25 % or more by weight, consisting of tomatoes and water and possibly salt or other seasoning, in containers holding 5 kg or less	Free	Unlimited
2002 90 29	Tomatoes, prepared or preserved other than by vinegar or acetic acid, other than whole or in pieces, and other than tomato pulp, puree or concentrate: – In containers holding 5 kg or less	Free	Unlimited
ex 2004 90 18	Artichokes, prepared or preserved other than by vinegar or acetic acid, frozen, other than products of heading No 2006: – In containers holding more than 5 kg	17,50	Unlimited
ex 2004 90 49	– In containers holding 5 kg or less	24,50	Unlimited
2005 60 10	Asparagus, prepared or preserved other than by vinegar or acetic acid, not frozen, other than products of heading No 2006: – In containers holding more than 5 kg	Free	Unlimited
2005 60 90	– In containers holding 5 kg or less		
2005 70 10	Olives, prepared or preserved other than by vinegar or acetic acid, not frozen, other than products of heading No 2006: – In containers holding more than 5 kg	Free	Unlimited
2005 70 90	– In containers holding 5 kg or less		
ex 2005 90 11	Capers and artichokes, prepared or preserved other than by vinegar or acetic acid, not frozen, other than products of heading No 2006: – In containers holding more than 5 kg	17,5	Unlimited
ex 2005 90 40	– In containers holding 5 kg or less	24,5	Unlimited

Swiss tariff heading	Description	Customs duty applicable (CHF/100 kg gross weight)	Annual quantity (tonnes net weight)
2008 30 90	Citrus fruit, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included	Free	Unlimited
2008 50 10	Apricot pulp, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included	10	Unlimited
2008 50 90	Apricots, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included	15	Unlimited
2008 70 10	Peach pulp, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included	Free	Unlimited
2008 70 90	Peaches, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included	Free	Unlimited
	Juice of any other single citrus fruit other than orange, grapefruit or pomelo, unfermented, not containing added spirit:		
ex 2009 30 19	– Not containing added sugar or other sweetening matter, concentrated	6	Unlimited
ex 2009 30 20	– Containing added sugar or other sweetening matter, concentrated	14	Unlimited
	Sweet wines, specialities and mistelles in containers:		
2204 21 50	– Holding 2 litres or less ⁽⁵⁾	8,5	Unlimited
2204 29 50	– Holding more than 2 litres ⁽⁵⁾	8,5	Unlimited
ex 2204 21 50	Port, in containers holding 2 litres or less, as described ⁽⁶⁾	Free	1 000 hl
ex 2204 21 21	Retsina (a Greek white wine) in containers holding 2 litres or less, as described ⁽⁷⁾	Free	500 hl
	Retsina (a Greek white wine) in containers holding more than 2 litres, as described ⁽⁷⁾ , of an alcoholic strength by volume:		
ex 2204 29 21	– Of more than 13 % vol.		
ex 2204 29 22	– Of 13 % vol or less.		

(1) Including 480 t of Parma and San Daniele ham under the terms of the Exchange of Letters of 25 January 1972 between the Community and Switzerland.

(2) Including 170 t of Bresaola under the terms of the Exchange of Letters of 25 January 1972 between the Community and Switzerland.

(3) Subject to an overall annual quota of 60 000 items.

(4) Including the contribution to the Guarantee Fund for compulsory storage.

(5) Covers only products specified in Annex 7 to the Agreement.

(6) *Description:* 'Porto' means a quality wine produced in a specified region (Oporto in Portugal) in accordance with Regulation (EEC) No 823/87.

(7) *Description:* 'Retsina' means a table wine within the meaning of the Community provisions referred to in Article 17 of, and Annex I to, Regulation (EEC) No 822/87.

ANNEX 2

CONCESSIONS GRANTED BY THE COMMUNITY

The tariff concessions set out below are granted by the Community for the following products originating in Switzerland and are, where applicable, subject to an annual quantity.

CN code	Description	Customs duty applicable (EUR/100 kg net)	Annual quantity (tonnes net weight)
ex 0210 20 90	Meat of bovine animals, boneless, dried	Free	1 200
ex 0401 30	Cream of a fat content, by weight, exceeding 6 %	Free	2 000
0403 10	Yogurt		
0402 29 11 ex 0404 90 83	Special milk, for infants, in hermetically sealed containers of a net content not exceeding 500 g of a fat content, by weight, exceeding 10 % ⁽¹⁾	43,8	Unlimited
0602	Other live plants (including their roots), cuttings and slips; mushroom spawn	Free	Unlimited
0603 10	Cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes, fresh	Free	Unlimited
0701 10 00	Seed potatoes, fresh or chilled	Free	4 000
0702 00	Tomatoes, fresh or chilled	Free ⁽²⁾	1 000
0703 10 19 0703 90 00	Onions other than sets, leeks and other alliaceous vegetables, fresh or chilled	Free	5 000
0704 10 0704 90	Cabbages, cauliflowers, kohlrabi, kale and similar edible brassicas with the exception of Brussels sprouts, fresh or chilled	Free	5 500
0705 11 0705 19 00 0705 29 00	Lettuce (<i>Lactuca sativa</i>) and chicory (<i>Cichorium</i> spp.), with the exception of Witloof chicory (<i>Chicorium intybus</i> var. <i>foliosum</i>), fresh or chilled	Free	3 000
0706 10 00	Carrots and turnips, fresh or chilled	Free	5 000
0706 90 05 0706 90 11 0706 90 17 0706 90 90	Salad beetroot, salsify, celeriac, radishes and similar edible roots, with the exception of horseradish (<i>Cochlearia armoracia</i>), fresh or chilled	Free	3 000
0707 00 05	Cucumbers, fresh or chilled	Free ⁽²⁾	1 000
0708 20	Beans (<i>Vigna</i> , spp., <i>Phaseolus</i> spp.), fresh, or chilled	Free	1 000
0709 30 00	Aubergines (eggplants), fresh or chilled	Free	500
0709 40 00	Celery other than celeriac, fresh or chilled	Free	500

CN code	Description	Customs duty applicable (EUR/100 kg net)	Annual quantity (tonnes net weight)
0709 51	Mushrooms, fresh or chilled	Free	Unlimited
0709 52 00	Truffles, fresh or chilled	Free	Unlimited
0709 70 00	Spinach, New Zealand spinach and orache spinach (garden spinach), fresh or chilled	Free	1 000
0709 90 10	Salad vegetables, other than lettuce (<i>Lactuca sativa</i>) and chicory (<i>Chichorium</i> spp.), fresh or chilled	Free	1 000
0709 90 50	Fennel, fresh or chilled	Free	1 000
0709 90 70	Courgettes, fresh or chilled	Free ⁽²⁾	1 000
0709 90 90	Other vegetables, fresh or chilled	Free	1 000
0710 80 61 0710 80 69	Mushrooms (uncooked or cooked by steaming or boiling in water), frozen	Free	Unlimited
0712 90	Dried vegetables, whole, cut, sliced, broken or in powder, whether or not obtained from cooked vegetables, but not further prepared, with the exception of onions, mushrooms and truffles	Free	Unlimited
ex 0808 10 20 ex 0808 10 50 ex 0808 10 90	Apples, other than cider apples, fresh	Free ⁽²⁾	3 000
0808 20	Pears and quinces, fresh	Free ⁽²⁾	3 000
0809 10 00	Apricots, fresh	Free ⁽²⁾	500
0809 20 95	Cherries, other than sour cherries (<i>Prunus cerasus</i>), fresh	Free ⁽²⁾	1 500 ⁽³⁾ ⁽⁴⁾
0809 40	Plums and sloes, fresh	Free ⁽²⁾	1 000
0810 20 10	Raspberries, fresh	Free	100
0810 20 90	Blackberries, mulberries and loganberries, fresh	Free	100
1106 30 10	Flour, meal and powder of bananas	Free	5
1106 30 90	Flour, meal and powder of other fruits of Chapter 8	Free	Unlimited
ex 2002 90 90	Powdered tomatoes, whether or not containing added sugar, other sweetening matter or starch ⁽¹⁾	Free	Unlimited
2003 10 80	Mushrooms, other than of the genus <i>Agaricus</i> , prepared or preserved otherwise than by vinegar or acetic acid	Free	Unlimited
0710 10 00	Potatoes, uncooked or cooked by steaming or boiling in water, frozen	Free	3 000
2004 10 10 2004 10 99	Potatoes prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading No 2006, with the exception of flour, meal or flakes		

CN code	Description	Customs duty applicable (EUR/100 kg net)	Annual quantity (tonnes net weight)
2005 20 80	Potatoes prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading No 2006, with the exception of flour, meal or flakes and preparations that are thinly sliced, fried or baked, whether or not salted or flavoured, in airtight packings, suitable for immediate consumption		
ex 2005 90	Powdered preparations of vegetables and mixtures of vegetables, whether or not containing added sugar, other sweetening matter or starch ⁽⁵⁾	Free	Unlimited
ex 2008 30	Flaked or powdered citrus fruit, whether or not containing added sugar, other sweetening matter or starch ⁽⁵⁾	Free	Unlimited
ex 2008 40	Flaked or powdered pears, whether or not containing added sugar, other sweetening matter or starch ⁽⁵⁾	Free	Unlimited
ex 2008 50	Flaked or powdered apricots, whether or not containing added sugar, other sweetening matter or starch ⁽⁵⁾	Free	Unlimited
2008 60	Cherries, other prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included	Free	500
ex 0811 90 19 ex 0811 90 39	Cherries, uncooked or cooked by steaming or boiling in water, frozen, containing added sugar or other sweetening matter		
0811 90 80	Cherries, other than sour cherries (<i>Prunus cerasus</i>), uncooked or cooked by steaming or boiling in water, frozen, not containing added sugar or other sweetening matter		
ex 2008 70	Flaked or powdered peaches, whether or not containing added sugar, other sweetening matter or starch ⁽⁵⁾	Free	Unlimited
ex 2008 80	Flaked or powdered strawberries, whether or not containing added sugar, other sweetening matter or starch ⁽⁵⁾	Free	Unlimited
ex 2008 99	Flaked or powdered fruits, whether or not containing added sugar, other sweetening matter or starch ⁽⁵⁾	Free	Unlimited
ex 2009 19	Powdered orange juice, whether or not containing added sugar, other sweetening matter	Free	Unlimited
ex 2009 20	Powdered grapefruit juice, whether or not containing added sugar, other sweetening matter	Free	Unlimited
ex 2009 30	Powdered juices of any other citrus fruits, whether or not containing added sugar, other sweetening matter	Free	Unlimited
ex 2009 40	Powdered pineapple juice, whether or not containing added sugar, other sweetening matter	Free	Unlimited
ex 2009 70	Powdered apple juice, whether or not containing added sugar, other sweetening matter	Free	Unlimited
ex 2009 80	Powdered pear juice, whether or not containing added sugar, other sweetening matter	Free	Unlimited

CN code	Description	Customs duty applicable (EUR/100 kg net)	Annual quantity (tonnes net weight)
ex 2009 80	Powdered juice of any other fruit or vegetable, whether or not containing added sugar, other sweetening matter	Free	Unlimited

(1) For the products of this subheading, 'special milk for infants' means products that are free of pathogenic and toxicogenic germs and which contain less than 10 000 revivifiable aerobic bacteria and less than two coliform bacteria per gram.

(2) Where relevant, a specific duty and not the minimum duty should apply.

(3) Including 1 000 t under the terms of the Exchange of Letters of 14 July 1986.

(4) Where the date of entry into force of this Agreement does not coincide with the start of the calendar year, the addition quota of 500 t will be administered *pro rata temporis*.

(5) See Joint Declaration on the tariff classification of powdered vegetables and powdered fruit.

ANNEX 3

CONCESSIONS REGARDING CHEESES

1. The Community and Switzerland hereby undertake gradually to liberalise trade with each other in cheeses falling under heading 0406 of the Harmonised System over the five years following the entry into force of the Agreement.

2. The liberalisation process shall take place as follows:

- (a) **Imports into the Community**

In the first year following the entry into force of the Agreement, the Community shall gradually abolish or eliminate customs duties on imports of cheese originating in Switzerland, subject, where applicable, to an annual quantity. The basic customs duties and basic annual quantities for the various types of cheese shall be as set out in Appendix 1 hereto.

- (i) The Community shall reduce the basic customs duties listed in the table in Appendix 1 by 20 % per year. The first reduction shall take place one year after the entry into force of the Agreement.
- (ii) The Community shall increase the tariff quota in the table in Appendix 1 by 1 250 tonnes per year; the first increase shall take place one year after the entry into force of the Agreement. Trade shall be fully liberalised by the beginning of the sixth year.
- (iii) Switzerland shall be exempt from the requirement to comply with the free-at-frontier prices set out in the description of foods covered by CN code 0406 of the Common Customs Tariff.

- (b) **Exports from the Community**

The Community shall not apply export refunds for exports to Switzerland of cheeses falling under heading 0406 of the Harmonised System.

- (c) **Imports into Switzerland**

In the first year following the entry into force of the Agreement, Switzerland shall gradually abolish or eliminate customs duties on imports of cheese originating in the Community, subject, where applicable, to an annual quantity. The basic customs duties and basic annual quantities for the various types of cheese shall be as set out in point (a) of Appendix 2 hereto.

- (i) Switzerland shall reduce the basic customs duties listed in the table in Appendix 2(a) by 20 % per year. The first reduction shall take place one year after the entry into force of the Agreement.
- (ii) Switzerland shall increase all the tariff quotas listed in the table in Appendix 2(a) by 2 500 tonnes per year. The first increase shall take place one year after the entry into force of the Agreement. At least four months before the beginning of each year, the Community shall determine the category or categories of cheeses to which that increase is to apply. Trade shall be fully liberalised by the beginning of the sixth year.

- (d) **Exports from Switzerland**

In the first year following the entry into force of the Agreement, Switzerland shall gradually eliminate export subsidies on consignments of cheese to the Community as follows.

- (i) The amounts on which the elimination process is to be based ⁽¹⁾ shall be as set out in Appendix 2(b) hereto.
- (ii) Those basic amounts shall be reduced as follows:
 - one year after entry into force of the Agreement, by 30 %,
 - two years after entry into force of the Agreement, by 55 %,

⁽¹⁾ The basic amounts are to be calculated by common agreement by the Parties on the basis of the difference in the institutional prices for milk likely to be in force when the Agreement enters into force, plus an additional amount for milk processed into cheese, obtained on the basis of the quantity of milk needed to manufacture the cheeses concerned, minus (except in the case of cheeses subject to quotas) the reduction of customs duty applied by the Community. Subsidies may be granted solely on cheeses manufactured from milk produced entirely in Swiss territory.

- three years after entry into force of the Agreement, by 80 %,
 - four years after entry into force of the Agreement, by 90 %,
 - five years after entry into force of the Agreement, by 100 %.
3. The Community and Switzerland shall take the necessary steps to ensure that import licences are distributed in a way that ensures regular imports, taking account of market requirements.
 4. The Community and Switzerland shall ensure that the benefits they grant each other are not undermined by other measures affecting imports and exports.
 5. Should the development of prices and/or imports give rise to disturbance on the market of either Party, consultations shall be held as soon as possible within the Committee set up under Article 6 of the Agreement at the request of either Party with a view to finding appropriate solutions. In this connection, the Parties hereby agree periodically to exchange information on prices and any other relevant information on the market in locally produced and imported cheeses.
-

Appendix 1

Concessions granted by the Community

Imports into the Community

CN code	Description	Basic customs duty (EUR/100 kg net)	Basic annual quantity (tonnes)
ex 0406 20	Grated or powdered cheeses, of a water content not exceeding 400 g/kg cheese	Free	Unlimited
0406 30	Processed cheese	Free	Unlimited
0406 90 02 0406 90 03 0406 90 04 0406 90 05 0406 90 06 0406 90 13 0406 90 15 0406 90 17	Emmentaler, Gruyere, Sbrinz, Bergkäse and Appenzell	6,58	Unlimited
0406 90 18	Fromage fribourgeois, Vacherin Mont d'Or and Tête de Moine	Free	Unlimited
0406 90 19	Glarus herb cheese (known as Schabziger)	Free	Unlimited
ex 0406 90 87	Fromage des Grisons	Free	Unlimited
0406 90 25	Tilsit	Free	Unlimited
ex 0406	Cheeses other than those listed above	Free	3 000

(1) *Synonym:* Vacherin fribourgeois.

Appendix 2

Concessions granted by Switzerland

(a) Imports into Switzerland

Swiss customs tariff number	Description	Basic customs duty (CHF/100 kg gross weight)	Basic annual quantity (tonnes)
0406 10 10	Mascarpone and Ricotta Romana complying with List LIX Switzerland-Liechtenstein, annexed to the Marrakesh Protocol	Free	Unlimited
ex 0406 20	Grated or powdered cheeses of a water content not exceeding 400 g/kg of cheese	Free	Unlimited
0406 40	– Danish Blue, Gorgonzola and Roquefort complying with List LIX Switzerland-Liechtenstein, annexed to the Marrakesh Protocol – Roquefort not complying with List LIX Switzerland-Liechtenstein, annexed to the Marrakesh Protocol, with proof of origin – Blue-veined cheese other than Danish blue, Gorgonzola and Roquefort	Free	Unlimited
0406 90 11	Brie, Camembert, Crescenza, Italico, Pont l'Évêque, Reblochon, Robbiola and Stracchino complying with List LIX Switzerland-Liechtenstein, annexed to the Marrakesh Protocol	Free	Unlimited
ex 0406 90 19	Feta, as described in Appendix 4	Free	Unlimited
ex 0406 90 19	White cheese of ewes' milk, in brine, as described in Appendix 4	Free	Unlimited
0406 90 21	Herb cheese of a water content not exceeding 65 % in the non-fatty matter	Free	Unlimited
0406 90 31 0406 90 39	Caciocavallo, Canestrato (Pecorino Siciliano), Aostaler Fontina, Parmigiano Reggiano, Grana Padano, Pecorino (Pecorino Romano, Fiore Sardo, other Pecorino) and Provolone complying with List LIX Switzerland-Liechtenstein, annexed to the Marrakesh Protocol	Free	Unlimited
0406 90 51 0406 90 59	– Asiago, Bitto, Brà, Fontal, Montasio, Saint-Paulin (Port Salut) and Saint-Nectaire complying with List LIX Switzerland-Liechtenstein, annexed to the Marrakesh Protocol	Free	5 000
ex 0406 90 91	– Raclette-type cheeses, as described in Appendix 4		
0406 90 60	Cantal complying with List LIX Switzerland-Liechtenstein, annexed to the Marrakesh Protocol	Free	Unlimited
ex 0406 90 91 ex 0406 90 99	Manchego, Idiazabal and Roncal, as described in Appendix 4	Free	Unlimited
ex 0406 90 99	Parmigiano Reggiano and Grana Padano, pieces, with or without rind, bearing on the packaging at least the name of the cheese, the fat content, the name of the packager and the country of production, with a fat content of 32 % or more in the dry matter, Parmigiano Reggiano: water content not exceeding 32 %, Grana Padano: water content not exceeding 33,2 %	Free	Unlimited
ex 0406 10 90	Mozzarella type cheese, not complying with List LIX Switzerland-Liechtenstein, annexed to the Marrakesh Protocol	Free	500

Swiss customs tariff number	Description	Basic customs duty (CHF/100 kg gross weight)	Basic annual quantity (tonnes)
ex 0406 90 91 ex 0406 90 99	Provolone-type cheese, not complying with List LIX Switzerland-Liechtenstein, annexed to the Marrakesh Protocol, of a water content not exceeding 65 % in the non-fatty matter	Free	500
ex 0406	Hard and medium-hard cheeses other than those listed above, of a water content not exceeding 65 % in the non-fatty matter	Free	5 000
ex 0406	Cheeses other than those listed above	Free	1 000
0406 10 20	Mozzarella, complying with List LIX Switzerland-Liechtenstein, annexed to the Marrakesh Protocol, in preserving liquid, as described in Appendix 4 ⁽²⁾	185	Unlimited
0406 30	Processed cheese, other than grated or powdered	180,55	Unlimited
0406 90 51	Asiago, Bitto, Fontal, Saint-Paulin (Port Salut) and Saint-Nectaire complying with List LIX Switzerland-Liechtenstein, annexed to the Marrakesh Protocol, outside the annual quota of 5 000 t	289	Unlimited
0406 90 91	Other medium-hard cheeses of a water content in the non-fatty matter of more than 54 % but not exceeding 65 %	315	Unlimited

⁽¹⁾ The names of 'Italico' soft cheeses accepted for importation into Switzerland are listed in Appendix 3.

⁽²⁾ In the case of mozzarella without preserving liquid, complying with List LIX Switzerland-Liechtenstein annexed to the Marrakesh Protocol, the applicable customs duty is the normal duty in List LIX.

(b) Exports from Switzerland

The basic amounts referred to at point 2(d) of this Annex are fixed as follows.

Swiss customs tariff No	Description	Maximum ⁽¹⁾ export aid ⁽²⁾ (CHF/100 kg net)
0406 30	Processed cheese, not grated or powdered	0
0406 20	Grated or powdered cheese, of all kinds	0
ex 0406 90 19	Vacherin Mont d'Or	204
0406 90 21	Glarus herb cheese	139
ex 0406 90 99	Emmentaler	343
ex 0406 90 91	Fromage fribourgeois (Vacherin fribourgeois)	259
ex 0406 90 91	Fromage des Grisons	259
ex 0406 90 91	Tilsit	113
ex 0406 90 91	Tête de Moine	259
ex 0406 90 91	Appenzell	274

Swiss customs tariff No	Description	Maximum ⁽¹⁾ export aid ⁽²⁾ (CHF/100 kg net)
ex 0406 90 91 ex 0406 90 99	Bergkäse	343
ex 0406 90 99	Gruyere	343
ex 0406 90 99	Sbrinz	384
ex 0406	Cheeses other than those listed above – Fresh cheeses and soft cheeses – Medium hard cheeses – Hard and very hard cheeses	219 274 343

⁽¹⁾ Until full liberalisation, not including cheese covered by CN code 0406 90 01 intended for processing and imported into the Community under the minimum access arrangements.

⁽²⁾ Including amounts under all other measures having an equivalent effect.

*Appendix 3***List of names of 'Italico' cheese which can be imported into Switzerland**

Bel Piano Lombardo

Stella Alpina

Cerriolo

Italcolombo

Tre Stelle

Cacio Giocondo

Il Lombardo

Stella d'Oro

Bel Mondo

Bick

Pastorella Cacio Reale

Valsesia

Casoni Lombardi

Formaggio Margherita

Formaggio Bel Paese

Monte Bianco

Metropoli

L'Insuperabile

Universal

Fior d'Alpe

Alpestre

Primavera

Italico Milcosa

Caciotto Milcosa

Italia

Reale

La Lombarda

Codogno

Il Novarese

Mondo Piccolo

Bel Paesino

Primula Gioconda

Alfiere

Costino

Montagnino

Lombardo

Lagoblu

Imperiale

Antica Torta Cascina S. Anna

Torta Campagnola

Martesana

Caciotta Casalpiano

Appendix 4

Cheese descriptions

The cheeses listed below are eligible for conventional customs duty only if they comply with the description given below, have the stipulated typical characteristics and are imported under the corresponding name.

1. Feta	
Name	Feta
Production areas	Thrace, Macedonia, Thessaly, Epirus, Continental Greece, Peloponnese and Lesbos (Greece)
Shape and size	Cubes or orthogonal slabs of different sizes
Characteristics	Rindless soft cheese; white, soft but compact and slightly crumbling consistency, with a slightly sour-sharp and salty-sharp taste; manufactured exclusively from ewes' milk or with up to 30 % goats' milk added, aged for at least two months
Fat content in the dry matter	At least 43 %
Dry matter content	At least 44 %
2. White cheese of ewes' milk, in brine	
Description	White cheese of ewes' milk, country of origin, in brine, manufactured exclusively from ewe's milk, or White cheese of ewes' milk, country of origin, in brine, manufactured from ewes' milk and goats' milk
Area of production	Member States of the European Union
Shape and size	Cubes or orthogonal slabs of different sizes
Characteristics	Rindless soft cheese; white, soft but compact and slightly crumbling consistency, with a slightly sour-sharp and salty-sharp taste. Cheese manufactured exclusively from ewes' milk or with up to 10 % goats' milk added, aged for at least two months
Fat content in the dry matter	At least 43 %
Dry matter content	At least 44 %

The cheese is eligible for the conventional duty rate only if the packaging of each piece gives the full address of the producer and states that the cheese has been manufactured exclusively from ewes' milk, with the addition, where applicable, of goats' milk.

3. Manchego	
Name	Manchego
Production areas	Autonomous Community of Castile-La Mancha (Provinces of Albacete, Ciudad Real, Cuenca and Toledo)

Shape, size and weight per cheese	Cylindrical cheeses with almost flat tops/bottoms. Height: 7 cm to 12 cm. Diameter: 9 cm to 22 cm. Weight per cheese: 1 kg to 3,5 kg
Characteristics	Hard rind, pale yellow or greenish black; firm, compact consistency, white to yellowish ivory, possibly with small, unevenly distributed holes; characteristic smell and taste. Hard or medium-hard cheese, manufactured exclusively from the milk of ewes of the Manchega breed, whether raw or pasteurised, heated at between 28 °C and 32 °C for 45 minutes to 60 minutes and set with rennin or other authorised coagulating enzymes; aged for at least 60 days
Fat content in the dry matter	At least 50 %
Dry matter content	At least 55 %
4. Idiazabal	
Name	Idiazabal
Production areas	Provinces of Guipuzcoa, Navarre, Alava and Vizcaya
Shape, size and weight per cheese	Cylindrical cheeses with almost flat tops/bottoms. Height: 8 cm to 12 cm. Diameter: 10 cm to 30 cm. Weight per cheese: 1 kg to 3 kg.
Characteristics	Hard rind, pale yellow or dark brown where the cheese is smoked; firm, compact consistency, white to yellowish ivory, possibly with small, unevenly distributed holes; characteristic smell and taste. Cheese manufactured exclusively from raw milk of ewes of the Lacha and Carranzana breed, heated at between 28 °C and 32 °C for 20 minutes to 45 minutes and set with rennin or other authorised coagulating enzymes; aged for at least 60 days
Fat content in the dry matter	At least 45 %
Dry matter content	At least 55 %
5. Roncal	
Name	Roncal
Production areas	Roncal valley (Navarre)
Shape, size and weight per cheese	Cylindrical cheeses with almost flat tops/bottoms. Height: 8 cm to 12 cm. Variable diameter and weight
Characteristics	Hard, grainy and fat, straw-coloured rind; firm, compact consistency, porous in appearance but without holes, white to yellowish ivory; characteristic smell and taste. Hard and medium-hard cheese, manufactured exclusively from ewes' milk, heated at between 32 °C and 37 °C and set with rennin or other authorised coagulating enzymes
Fat content in the dry matter	At least 50 %
Dry matter content	At least 60 %
6. Raclette-type cheese	
Description	Country of origin, e.g. German raclette-type cheese or French raclette-type cheese
Area of production	Member States of the European Union

Shape, size and weight per cheese	Whole cheeses or blocks. Height: 5,5 cm to 8 cm; diameter: 28 cm to 42 cm or width: 28 cm to 36 cm. Weight per cheese: 4,5 kg to 7,5 kg
Characteristics	Semi-hard cheese with a compact, golden yellow to light brown rind, which might have greyish patches; mild cheese, suitable for melting, ivory or yellowish, compact, possibly with a few holes; characteristic smell and taste, ranging from mild to strong; manufactured from pasteurised, heat-treated or raw cows' milk, set with lactic ferments and other coagulants. The curd is pressed; the curd is generally washed. Aged for at least eight weeks
Fat content in the dry matter	At least 45 %
Dry matter content	At least 55 %

7. **Mozzarella in liquid**

The cheese is eligible for the conventional duty rate only if the cheeses or pieces are preserved in water and hermetically sealed. The water must account for at least 25 % of the total weight, including the cheeses or pieces of cheese, the solution and the immediate packing

ANNEX 4

ON PLANT HEALTH

*Article 1***Objective**

The objective of this Annex shall be to facilitate trade between the Parties in plants, plant products and other objects subject to plant-health measures, originating in their respective territories or imported from third countries and listed in Appendix I to be drawn up by the Committee in accordance with Article 11 of the Agreement.

*Article 2***Principles**

1. The Parties note that they have similar legislation concerning protective measures against the introduction and propagation of harmful organisms by plants, plant products or other objects having equivalent results in terms of protection against the introduction and propagation of organisms harmful to plants or plant products listed in Appendix 1 as provided for in Article 1. The same is also true of plant-health measures taken in respect of plants, plant products and other objects introduced from third countries.

2. The legislation referred to in paragraph 1 shall be listed in Appendix 2 to be drawn up by the Committee in accordance with Article 11 of the Agreement.

3. The Parties mutually recognise the plant passports issued by the organisations listed in Appendix 3 to be drawn up by the Committee in accordance with Article 11 of the Agreement. Such passports shall attest conformity with their legislation as listed in Appendix 2 as provided for in paragraph 2 and shall be deemed to meet the documentary requirements laid down therein for the movement on the respective Parties' territories of plants, plant products and other objects listed in Appendix 1 as provided for in Article 1.

4. Plants, plant products and other objects as listed in Appendix 1 as provided for in Article 1 which are not subject to the plant passport arrangements applying to trade within the two Parties' territories may be traded between the two Parties without any plant passport, without prejudice, however, to other documents required under the Parties' respective laws, and in particular documents forming part of a system for tracing the origins of such plants, plant products and other objects to origin.

Article 3

1. Plants, plant products and other objects not explicitly listed in Appendix 1 as provided for in Article 1 and not subject to plant-health measures in either Party may be traded between them without documentary, identity, or plant-health checks in connection with plant-health measures.

2. Where either Party intends to adopt a plant-health measure in respect of plants, plant products and other objects referred to in paragraph 1, it shall inform the other Party.

3. Pursuant to Article 10(2), the Working Group on Plant Health shall assess the consequences for this Annex of changes in accordance with paragraph 2 with a view to proposing any amendments to the relevant appendices.

*Article 4***Regional requirements**

1. Each Party may lay down, by reference to similar criteria, specific requirements concerning movements of plants, plant products and other objects, regardless of their origin, within and to zones in its territory, where warranted by the plant-health situation in those zones.

2. Appendix 4, to be drawn up by the Committee in accordance with Article 11 of the Agreement, shall define the zones as referred to in paragraph 1 and the specific requirements relating thereto.

*Article 5***Checks on imports**

1. Each Party shall carry out plant-health sampling checks at a rate not exceeding a certain percentage of consignments of plants, plant products and other objects listed in Appendix 1 as provided for in Article 1. That percentage, to be proposed by the Working Group on Plant Health and set by the Committee, shall be determined by plant, plant product or other object in accordance with the plant-health risk. On the date of entry into force of this Annex, that percentage shall be 10 %.

2. Pursuant to Article 10(2) of this Annex, the Committee, acting on a proposal by the Working Group on Plant Health, may decide to reduce the rate of checks provided for in paragraph 1.

3. Paragraphs 1 and 2 shall apply only to plant-health checks of trade in plants, plant products and other objects between the two Parties.

4. Paragraphs 1 and 2 shall apply subject to Article 11 of the Agreement and Articles 6 and 7 of this Annex.

Article 6

Safeguard measures

Safeguard measures shall be taken in accordance with the procedures provided for in Article 10(2) of the Agreement.

Article 7

Derogations

1. If either Party intends to apply derogations with respect to part or all of the territory of the other Party, it shall inform the latter in advance, indicating its reasons. Without prejudice to the possibility of bringing the planned derogations into force immediately, consultations shall be held as soon as possible between the two Parties with a view to finding appropriate solutions.

2. If either Party applies derogations with respect to part of its territory or a third country, it shall inform the other Party in advance, indicating its reasons. Without prejudice to the possibility of bringing the planned derogations into force immediately, consultations shall be held as soon as possible between the two Parties with a view to finding appropriate solutions.

Article 8

Joint checks

1. Each Party shall agree to joint checks being carried out at the request of the other Party to assess the plant-health situation and measures having equivalent results as provided for in Article 2.

2. 'Joint checks' means a check conducted at the border to verify compliance with plant-health requirements of a consignment from either Party.

3. Such checks shall be carried out in accordance with the procedure adopted by the Committee on a proposal from the Working Group on Plant Health.

Article 9

Exchange of information

1. Pursuant to Article 8 of the Agreement, the Parties shall exchange all relevant information on the implementation and application of their laws, regulations and administrative provisions covered by this Annex and the notifications referred to in Appendix 5.

2. With a view to ensuring equivalence in application of the detailed rules for applying the legislation covered by this Annex, each Party shall, at the request of the other, agree to visits of experts from the latter on its territory, to be arranged in cooperation with the official plant-health organisation responsible for the territory concerned.

Article 10

Working Group on Plant Health

1. The Working Group on Plant Health, referred to as 'the Working Group', set up under Article 6(7) of the Agreement, shall consider all matters which may arise in connection with this Annex and its implementation.

2. The Working Group shall periodically consider the state of the laws and regulations of the Parties in the fields covered by this Annex. It may in particular put forward proposals to the Committee with a view to adapting and updating the Appendices hereto.

*Appendix 5***Exchange of information**

The notifications referred to in Article 9(1) are the following:

- notifications of interception of consignments and harmful organisms from third countries or from part of the territories of the Parties and presenting an imminent plant-health danger as provided for in Directive 94/3/EEC,
 - notifications as provided for in Article 15 of Directive 77/93/EEC.
-

ANNEX 5

ON ANIMAL FEED

*Article 1***Purpose**

1. The Parties hereby undertake to approximate their legislation on animal feed with a view to facilitating trade between them in such products.

2. The list of products and groups of products for which the legislative provisions of the Parties are considered by the latter as achieving the same effects and, where applicable, the list of legislative provisions of the Parties considered by the latter as achieving the same effects shall be as set out in Appendix 1, to be drawn up by the Committee in accordance with Article 11 of the Agreement.

3. The Parties shall abolish border checks on the products and groups of products listed in Appendix 1 as referred to in paragraph 2.

*Article 2***Definitions**

For the purposes of this Annex:

- (a) 'product' means animal feed or any substance used therein;
- (b) 'establishment' means any unit which produces or manufactures a product or which holds a product at an intermediate stage prior to its entry into free circulation, including the processing and packaging stages, or which puts the product on the market;
- (c) 'competent authority' means the authority responsible in a Party for conducting official checks in the field of animal feed.

*Article 3***Exchange of information**

Under Article 8 of the Agreement, the Parties shall send each other:

- details of the competent authority or authorities, their geographical jurisdiction and sphere of competence,
- a list of laboratories entrusted with conducting analyses for the purposes of controls,
- where applicable, a list of points of entry within their territory for the various types of products,

- their programmes of controls to ensure that products comply with their legislation on animal feed.

The programmes referred to in the fourth indent must take account of the situations peculiar to the Parties and must in particular stipulate the type of controls to be conducted regularly and the frequency thereof.

*Article 4***General provisions on controls**

The Parties shall take all steps necessary to ensure that products to be consigned to the other Party are checked as carefully as those to be put on the market within their own territory; they shall in particular ensure that inspections:

- are performed regularly, where non-compliance is suspected, using means proportionate to the desired objective, and particularly in the light of the risks and of experience gained,
- cover all stages of production and manufacture, the intermediate stages prior to marketing, marketing, including importation, and the use of products,
- are conducted at the most suitable stage having regard to their purpose,
- are conducted generally without advance warning,
- also cover substances the use of which is prohibited in animal feed.

*Article 5***Checks at origin**

1. The Parties shall ensure that the competent authorities conduct checks at establishments to ensure that they fulfil their obligations and that products to be put on the market comply with the legislative provisions listed in Appendix 1 as referred to in Article 1 and applicable in the territory of origin.

2. Where there are grounds for suspecting that those requirements are not complied with, the competent authority shall conduct further checks and, should suspicion be confirmed, shall take suitable measures.

*Article 6***Checks at destination**

1. The competent authorities of the Party of destination may check the products at destination by means of non-discriminatory sampling checks to ensure they comply with the provisions covered by this Annex.
2. However, where the competent authority of the Party of destination is in possession of information indicating an infringement, checks may also be conducted during carriage of the products within its territory.
3. Where, during a check of a consignment at destination or during carriage, the competent authorities of the Party concerned note that the products do not comply with the provisions covered by this Annex, they shall take suitable steps and shall give notice to the consignor, the consignee or any other party concerned to:
 - bring the products into compliance within a time limit to be determined, or
 - decontaminate them where appropriate, or
 - treat them in any other suitable manner, or
 - use them for other purposes, or
 - send the products back to the Party of origin after notifying the latter's competent authority, or
 - destroy the products.

*Article 7***Checks of products from territories outside the Parties**

1. Notwithstanding the first indent of Article 4, the Parties shall take all steps necessary to ensure that when products are introduced into their customs territory from territories other than those defined in Article 16 of the Agreement, the competent authorities conduct a documentary check of each batch and sampling identity checks in order to verify their:
 - nature,
 - origin,
 - geographical destination,with a view to determining the customs procedure applicable to them.
2. The Parties shall take all steps necessary to ensure the conformity of products by means of sampling physical checks before they are released for free circulation.

*Article 8***Cooperation in the event of infringements**

1. The Parties shall assist each other in the manner and under the conditions laid down in this Annex. They shall ensure that the legislative provisions covering products used in animal feed are properly applied, in particular through mutual assistance and the detection and investigation of breaches of those provisions.
2. Assistance as provided for in this Article shall be without prejudice to the provisions governing criminal proceedings or judicial cooperation between the Parties in criminal matters.

*Article 9***Products subject to prior authorisation**

1. The Parties shall endeavour to ensure that their lists of products covered by the legislative provisions listed in Appendix 2 are identical.
2. The Parties shall inform each other of applications submitted for the authorisation of products as referred to in paragraph 1.

*Article 10***Consultations and safeguard measures**

1. Where either Party considers that the other has failed to fulfil an obligation under this Annex, the two Parties shall hold consultations.
2. The Party which requests the consultations shall provide the other with all information necessary for a detailed examination of the case in question.
3. Safeguard measures as provided for in any legislative provisions concerning the products and product groups and listed in Appendix 1 as provided for in Article 1 shall be taken in accordance with the procedures laid down in Article 10(2) of the Agreement.
4. If, following the consultations provided for in paragraph 1 and in the third indent of Article 10(2)(a) of the Agreement, the Parties fail to reach agreement, the Party which requested the consultations or took the measures referred to in paragraph 3 may take suitable interim protective measures to ensure this Annex is applied.

*Article 11***Working Group on Animal Feed**

1. The Working Group on Animal Feed, hereinafter referred to as 'the Working Group', set up under Article 6(7) of the Agreement shall consider any matter which may arise in connection with this Annex and its implementation. It shall also be responsible for the tasks provided for in this Annex.

2. The Working Group shall periodically consider the state of the domestic laws of the Parties in the fields covered by this Annex. It shall in particular put forward proposals to the Committee with a view to updating the Appendices hereto.

*Article 12***Confidentiality**

1. Any information communicated in whatsoever form under this Annex shall be confidential. It shall be covered by the obligation to maintain professional secrecy and shall enjoy the protection extended to similar information under the relevant laws applicable in the Party which received it.

2. The principle of confidentiality referred to in paragraph 1 shall not apply to information as referred to in Article 3.

3. No Party whose legislation or administrative practice lays down stricter limits than those laid down in this Annex regarding the protection of industrial and commercial secrets shall be obliged to furnish information where the other Party does not take steps to comply with those stricter limits.

4. Information obtained may only be used by a Party otherwise than for the purposes of this Annex with the prior written consent of the administrative authority furnishing it and shall furthermore be subject to the restrictions laid down by that authority.

Paragraph 1 shall not preclude the use of information in judicial or administrative proceedings instituted subsequently in respect of breaches of common criminal law, provided it was obtained through international judicial cooperation.

5. In their records of evidence, reports and testimonies and in proceedings and charges brought before the courts, the Parties may use as evidence information obtained and documents consulted in accordance with this Article.

*Appendix 2***List of legislative provisions referred to in Article 9****Community provisions**

Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs (OJ L 270, 14.12.1970, p. 1), as last amended by Directive 98/19/EC (OJ L 96, 28.3.1998, p. 39)

Council Directive 82/471/EEC of 30 June 1982 concerning certain products used in animal nutrition (OJ L 213, 21.7.1982, p. 8), as last amended by Directive 96/25/EC (OJ L 125, 23.5.1996, p. 35)

Swiss provisions

Ordonnance of the Conseil Fédéral of 26 January 1994 on the producing and marketing of animal feedingstuffs, as last amended on 7 December 1998 (RO 1999 312)

Ordonnance of the Département Fédéral de l'Économie Publique of 1 March 1995 on the production and marketing of animal feedingstuffs, additives intended for animal nutrition and silage additives, as last amended on 10 January 1996 (RO 1996 208)

ANNEX 6

ON SEEDS

*Article 1***Purpose**

1. This Annex shall cover seeds of agricultural, vegetable, fruit and ornamental plant species and of vines.
2. For the purposes of this Annex, 'seeds' means all propagating material and material intended for planting.

*Article 2***Recognition of the conformity of legislation**

1. The Parties hereby recognise that the requirements laid down in the legislation listed in section 1 of Appendix 1 hereto have the same effects.
2. Seeds of the species defined in the legislation referred to in paragraph 1 may be traded between the two Parties and freely marketed in the territory of both Parties, without prejudice to Articles 5 and 6. The only document required as certification of compliance with the respective laws of the two Parties shall be the label or any other document required for marketing under the said laws.
3. The bodies responsible for conformity checks shall be as listed in Appendix 2.

*Article 3***Mutual recognition of certificates**

1. Each Party shall recognise, as regards seeds of the species covered by the legislation listed in section 2 of Appendix 1, certificates as defined in paragraph 2 that have been drawn up in accordance with the legislation of the other by the bodies listed in Appendix 2.
2. For the purposes of paragraph 1, 'certificate' means the documents required under the respective laws of the Parties applicable to imports of seeds as listed in section 2 of Appendix 1.

*Article 4***Approximation of laws**

1. The Parties shall endeavour to approximate their laws on the marketing of seeds of the species covered by the legislation listed in section 2 of Appendix 1 and of species that are not covered by the legislation listed in sections 1 and 2 of Appendix 1.
2. Where either Party adopts new legislative provisions, both Parties undertake to assess the possibility of extending the scope of this Annex to include the new sector in accordance with the procedure laid down in Articles 11 and 12 of the Agreement.
3. Where either Party amends legislative provisions concerning a sector covered by this Annex, both Parties undertake to assess the consequences of such amendment in accordance with the procedure laid down in Articles 11 and 12 of the Agreement.

*Article 5***Varieties**

1. Switzerland shall permit the marketing in its territory of seeds of the varieties listed in the common catalogue of the Community in the case of the species covered by the legislation listed in section 1 of Appendix 1.
2. The Community shall permit the marketing in its territory of seeds of the varieties listed in the Swiss national catalogue in the case of the species covered by the legislation listed in section 1 of Appendix 1.
3. Paragraphs 1 and 2 shall not apply to genetically modified varieties.
4. The Parties shall inform each other of applications and withdrawals of applications for acceptance and of the registration of new varieties in a national catalogue and any amendments thereto. They shall provide each other on request with a brief description of the chief characteristics relating to the use of each new variety and the characteristics by which a variety can be distinguished from other known varieties. Each Party shall keep files at the disposal of the other containing a description of each accepted variety and a clear summary of all the grounds on which such acceptance is based. In the case of genetically modified varieties, the Parties shall inform each other of the results of risk assessments for the release of such varieties into the environment.

5. The Parties may hold technical consultations with a view to assessing the data on which acceptance of a given variety is based in either Party. Where appropriate, the Working Group on Seeds shall be kept informed of the results of such consultations.

6. The Parties shall use existing computerised information exchange systems or such systems to be developed to facilitate the exchange of information as referred to in paragraph 4.

Article 6

Derogations

1. Derogations authorised by the Community and by Switzerland as listed in Appendix 3 shall be allowed by Switzerland and the Community respectively in trade in seeds of the species covered by the legislation listed in section 1 of Appendix 1.

2. The Parties shall inform each other of any derogations on the marketing of seeds that they intend to implement in their territory or in part thereof. In the case of derogations of short duration or which must enter into force immediately, ex post notification shall suffice.

3. Notwithstanding Article 5(1), Switzerland may decide to prohibit the marketing in its territory of seeds of accepted varieties in the common catalogue of the Community.

4. Notwithstanding Article 5(2), the Community may decide to prohibit the marketing in its territory of seeds of accepted varieties in the Swiss national catalogue.

5. Paragraphs 3 and 4 shall apply in cases provided for in the legislation of both Parties listed in section 1 of Appendix 1.

6. Both Parties may have recourse to paragraphs 3 and 4:

- within three years following the entry into force of this Annex, in the case of varieties listed in the common catalogue of the Community or in the Swiss national catalogue prior to the entry into force of this Annex,
- within three years following the receipt of the information referred to in Article 5(4), in the case of varieties entered in the common catalogue of the Community or the Swiss national catalogue after the entry into force of this Annex.

7. Paragraph 6 shall apply by analogy to varieties of the species covered by provisions added, pursuant to Article 4, to the list in section 1 of Appendix 1 after the entry into force of this Annex.

8. The Parties may hold technical consultations with a view to assessing the implications for this Annex of derogations as referred to in paragraphs 1 to 4.

9. Paragraph 8 shall not apply where the Member States of the Community are responsible for deciding on derogations pursuant to the legislation listed in section 1 of Appendix 1. Paragraph 8 shall not apply to derogations adopted by Switzerland in similar cases.

Article 7

Third countries

1. Without prejudice to Article 10, this Annex shall also apply to seeds marketed in both Parties and originating in a country other than a Member State of the Community or Switzerland and recognised by both Parties.

2. The list of third countries as referred to in paragraph 1, the species concerned and the scope of such recognition shall be as set out in Appendix 4.

Article 8

Comparative trials

1. Comparative trials shall be held with a view to ex post checks of samples of seeds taken from batches marketed in the two Parties. Switzerland shall participate in the Community's comparative trials.

2. The Working Group on Seeds shall assess the organisation of comparative trials in the Parties.

*Article 9***Working Group on Seeds**

1. The Working Group on Seeds, referred to as the 'Working Group', set up under Article 6(7) of the Agreement, shall consider any matter which may arise in connection with this Annex and its implementation.
2. The Working Group shall periodically consider the state of the laws and regulations of the Parties in the fields covered by this Annex. It shall in particular put forward proposals to

the Committee with a view to the adaptation and updating of the Appendices hereto.

*Article 10***Agreements with other countries**

The Parties agree that agreements on mutual recognition concluded by either Party with any third country may under no circumstances give rise to any obligation on the other to accept reports, certificates, authorisations or marks issued by the conformity assessment bodies of such third countries, except where the Parties have agreed formally thereto.

Appendix 1

Legislation

Section 1 (recognition of the conformity of legislation)

A. COMMUNITY PROVISIONS

1. *Basic legislation*

- Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed (OJ 125, 11.7.1966, p. 2309/66), as last amended by Directive 96/72/EC (OJ L 304, 27.11.1996, p. 10)
- Council Directive 66/403/EEC of 14 June 1966 on the marketing of seed potatoes (OJ 125, 11.7.1966, p. 2320/66), as last amended by Commission Decision 98/111/EC (OJ L 28, 4.2.1998, p. 42)
- Council Directive 70/457/EEC of 29 September 1970 on the common catalogue of varieties of agricultural plant species (OJ L 225, 12.10.1970, p. 1), as last amended by the Act of Accession of 1994⁽¹⁾.

2. *Implementing provisions*⁽¹⁾

- Commission Directive 72/180/EEC of 14 April 1972 determining the characteristics and minimum conditions for examining agricultural varieties (OJ L 108, 8.5.1972, p. 8)
- Commission Directive 74/268/EEC of 2 May 1974 laying down special conditions concerning the presence of *Avena fatua* in fodder plant and cereal seed (OJ L 141, 24.5.1974, p. 19), as last amended by Directive 78/511/EEC (OJ L 157, 15.6.1978, p. 34)
- Commission Decision 80/755/EEC of 17 July 1980 authorising the indelible printing of prescribed information on packages of cereal seed (OJ L 207, 9.8.1980, p. 37), as last amended by Decision 81/109/EEC (OJ L 64, 11.3.1981, p. 13)
- Commission Decision 81/675/EEC of 28 July 1981 establishing that particular sealing systems are 'non-reusable systems' within the meaning of Council Directives 66/400/EEC, 66/401/EEC, 66/402/EEC, 69/208/EEC and 70/458/EEC (OJ L 246, 29.8.1981, p. 26), as last amended by Decision 86/563/EEC (OJ L 327, 22.11.1986, p. 50)
- Commission Decision 86/110/EEC of 27 February 1986 on the conditions under which derogations from the prohibition on the use of EEC labels for the purpose of resealing and relabelling packages of seed produced in third countries (OJ L 93, 8.4.1986, p. 23)
- Commission Directive 93/17/EEC of 30 March 1993 determining Community grades of basic seed potatoes, together with the conditions and designations applicable to such grades (OJ L 106, 30.4.1993, p. 7)
- Commission Decision 94/650/EC of 9 September 1994 on the organisation of a temporary experiment on the marketing of seed in bulk to the final consumer (OJ L 252, 28.9.1994, p. 15), as last amended by Decision 98/174/EC (OJ L 63, 4.3.1998, p. 31)
- Commission Decision 98/320/EC of 27 April 1998 on the organisation of a temporary experiment on seed sampling and seed testing pursuant to Council Directives 66/400/EEC, 66/401/EEC, 66/402/EEC and 69/208/EEC (OJ L 140, 12.5.1998, p. 14).

⁽¹⁾ Where applicable, only with regard to cereal seed or seed potatoes.

B. SWISS PROVISIONS ⁽¹⁾

- Federal Law of 29 April 1998 on agriculture (RO 1998 3033)
- Ordinance of 7 December 1998 on the production and entry into free circulation of plant propagating material (RO 1999 420)
- DFE Ordinance of 7 December 1998 on seeds and seedlings of species of arable crops and fodder plants (RO 1999 781)
- OFAG Ordinance on the catalogue of varieties of cereals, potatoes, fodder plants and hemp (RO 1999 429) ⁽²⁾.

Section 2 (mutual recognition of certificates)

A. COMMUNITY PROVISIONS

1. *Basic legislation*

- Council Directive 66/400/EEC of 14 June 1966 on the marketing of beet seed (OJ 125, 11.7.1966, p. 2290/66), as last amended by Directive 96/72/EC (OJ L 304, 27.11.1996, p. 10)
- Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed (OJ 125, 11.7.1966, p. 2298/66), as last amended by Directive 96/72/EC (OJ L 304, 27.11.1996, p. 10)
- Council Directive 69/208/EEC of 30 June 1969 on the marketing of seed of oil and fibre plants (OJ L 169, 10.7.1969, p. 3), as last amended by Directive 96/72/EC (OJ L 304, 27.11.1996, p. 10).

2. *Implementing provisions* ⁽³⁾

- Commission Directive 75/502/EEC of 25 July 1975 limiting the marketing of seed of smooth-stalk meadowgrass (*Poa pratensis* L.) to seed which has been officially certified 'basic seed' or 'certified seed' (OJ L 228, 29.8.1975, p. 26)
- Commission Decision 81/675/EEC of 28 July 1981 establishing that particular sealing systems are 'non-reusable systems' within the meaning of Council Directives 66/400/EEC, 66/401/EEC, 66/402/EEC, 69/208/EEC and 70/458/EEC (OJ L 246, 29.8.1981, p. 26), as last amended by Decision 86/563/EEC (OJ L 327, 22.11.1986, p. 50)
- Commission Directive 86/109/EEC of 27 February 1986 limiting the marketing of seed of certain species of fodder plants and oil and fibre plants to seed which has been officially certified as 'basic seed' or 'certified seed' (OJ L 93, 8.4.1986, p. 21), as last amended by Directive 91/376/EEC (OJ L 203, 26.7.1991, p. 108)
- Commission Decision 86/110/EEC of 27 February 1986 on the conditions under which derogations from the prohibition on the use of EEC labels for the purpose of resealing and relabelling packages of seed produced in third countries (OJ L 93, 8.4.1996, p. 23)
- Commission Decision 87/309/EEC of 2 June 1987 authorising the indelible printing of prescribed information on packages of seed of certain fodder plant species (OJ L 155, 16.6.1987, p. 26), as last amended by Decision 97/125/CE (OJ L 48, 19.2.1997, p. 35)

⁽¹⁾ Local varieties authorised for marketing in Switzerland are not covered.

⁽²⁾ Where applicable, only with regard to cereal seed or seed potatoes.

⁽³⁾ Where applicable, excluding cereal seed or seed potatoes.

- Commission Decision 92/195/EEC of 17 March 1992 on the organisation of a temporary experiment under Council Directive 66/401/EEC on the marketing of fodder plant seed with regard to increasing the maximum weight of a lot (OJ L 88, 3.4.1992, p. 59), as last amended by Decision 96/203/EC (OJ L 65, 15.3.1996, p. 41)
- Commission Decision 94/650/EC of 9 September 1994 on the organisation of a temporary experiment on the marketing of seed in bulk to the final consumer (OJ L 252, 28.9.1994, p. 15), as last amended by Decision 98/174/EC (OJ L 63, 4.3.1998, p. 3)
- Commission Decision 95/232/EC of 27 June 1995 on the organisation of a temporary experiment under Council Directive 69/208/EEC in order to establish conditions to be satisfied by the seed of hybrids and varietal associations of swede rape and turnip rape (OJ L 154, 5.7.1995, p. 22), as last amended by Decision 98/173/EC (OJ L 63, 4.3.1998, p. 30)
- Commission Decision 96/202/EC of 4 March 1996 on the organisation of a temporary experiment with regard to the maximum content of inert matter in soya bean seed (OJ L 65, 15.3.1996, p. 39)
- Commission Decision 97/125/EC of 24 January 1997 authorising the indelible printing of prescribed information on packages of seed of oil and fibre plants and amending Decision 87/309/EEC authorising the indelible printing of prescribed information on packages of certain fodder plant species (OJ L 48, 19.2.1997, p. 35)
- Commission Decision 98/320/EC of 27 April 1998 on the organisation of a temporary experiment on seed sampling and seed testing pursuant to Council Directives 66/400/EEC, 66/401/EEC, 66/402/EEC and 69/208/EEC (OJ L 140, 12.5.98, p. 14).

B. SWISS PROVISIONS

- Federal Law of 29 April 1998 on agriculture (RO 1998 3033)
- Ordinance of 7 December 1998 on the production and entry into free circulation of plant propagating material (RO 1999 420)
- DFE Ordinance of 7 December 1998 on seeds and seedlings of species of arable crops and fodder plants (RO 1999 781)
- DFEP catalogue of seeds of 6 June 1974, as last amended on 7 December 1998 (RO 1999 408).

C. CERTIFICATES REQUIRED FOR IMPORTS

(a) By the European Community:

documents as provided for in Council Decision 95/514/EC (OJ L 296, 9.12.1995, p. 34), as last amended by Decision 98/162/EC (OJ L 53, 24.2.1998, p. 21).

(b) By Switzerland:

official EC or OECD packaging labels issued by the bodies listed in Appendix 2 to this Annex and orange or green ISTA certificates or similar seed analysis certificates for each batch of seed.

Appendix 2

Seed inspection and certification bodies**A. European Community**

Belgium	Ministère des Classes Moyennes et de l'Agriculture Service Matériel de Reproduction Brussels	
Denmark	Ministeriet for Fødevarer, Landbrug og Fiskeri (Ministry of Food, Agriculture and Fisheries) Plantedirektoratet (Danish Plant Directorate) Lyngby	
Germany	Senatsverwaltung für Wirtschaft und Betriebe Referat Ernährung und Landwirtschaft — Abteilung IV E 3 — Berlin	B
	Der Direktor der Landwirtschaftskammer Rheinland als Landesbeauftragter Saatenanerkennungsstelle Bonn	BN
	Regierungspräsidium Freiburg — Abt. III, Referat 34 — Freiburg i. Br.	FR
	Bayerische Landesanstalt für Bodenkultur und Pflanzenbau — Amtliche Saatenanerkennung für landwirtsch. Saatgut — Freising	FS
	Landwirtschaftskammer Hannover Referat 32 Hannover	H
	Regierungspräsidium Halle Abteilung 5, Dezernat 51 Samenprüf- und Anerkennungsstelle Halle	HAL
	Der Senator für Frauen, Gesundheit, Jugend, Soziales und Umweltschutz Referat 33 Bremen	HB
	Wirtschaftsbehörde Amt Wirtschaft u. Landwirtschaft Abt. Land- und Ernährungswirtschaft Hamburg	HH
	Landesforschungsanstalt für Landwirtschaft und Fischerei Mecklenburg-Vorpommern Landesankennungsstelle für Saat- und Pflanzgut Rostock	HRO
	Thüringer Landesanstalt für Landwirtschaft Sachgebiet 270 Jena	J
	Regierungspräsidium Karlsruhe — Referat 34 — Karlsruhe	KA

	Landwirtschaftskammer Rheinland-Pfalz — Amtliche Saatenerkennung — Bad Kreuznach	KH
	Landwirtschaftskammer Schleswig-Holstein LUFA-ITL Kiel	KI
	Hessisches Landesamt für Regionalentwicklung und Landwirtschaft Dez. 23 Kassel	KS
	Sächsisches Landesamt für Landwirtschaft Fachbereich 5, Sortenprüfung und Feldversuchswesen Saatenerkennung Nossen	MEI
	Der Direktor der Landwirtschaftskammer Westfalen-Lippe als Landes- beauftragter Gruppe 31 Landbau Münster	MS
	Landwirtschaftskammer Weser-Ems Institut für Pflanzenbau und Pflanzenschutz Referat P4 Oldenburg	OL
	Landesamt für Ernährung, Landwirtschaft und Flurneuordnung Saatenerkennungsstelle Potsdam Potsdam	P
	Regierungspräsidium Stuttgart Referat 34 a Stuttgart	S
	Landwirtschaftskammer für das Saarland Saarbrücken	SB
	Regierungspräsidium Tübingen Referat 34 Tübingen	TÜ
	Regierung von Unterfranken — Anerkennungs- und Nachkontrollstelle für Gemüsesaatgut in Bayern — Würzburg	WÜ
	Regierung von Unterfranken Abteilung Landwirtschaft — Sachgebiet Weinbau — Würzburg	WÜ
Greece	Ministry of Agriculture Directorate of Inputs of Crop Production Athens	
Spain	Ministerio de Agricultura Pesca y Alimentación Dirección General de Producciones y Mercados Agrícolas Subdirección General de Semillas y Plantas de Vivero Madrid	
	Generalidad de Cataluña Departamento de Agricultura, Ganadería y Pesca Barcelona	
	Comunidad Autónoma de País Vasco Departamento de Industria, Agricultura y Pesca Vitoria	

Junta de Galicia
Consejería de Agricultura, Ganadería y Montes
Santiago de Compostela

Diputación Regional de Cantabria
Consejería de Ganadería, Agricultura y Pesca
Santander

Principado de Asturias
Consejería de Agricultura
Oviedo

Junta de Andalucía
Consejería de Agricultura y Pesca
Seville

Comunidad Autónoma de la Región de Murcia
Consejería de Medio Ambiente, Agricultura y Pesca
Murcia

Diputación General de Aragón
Consejería de Agricultura y Medio Ambiente
Zaragoza

Junta de Comunidades de Castilla-La Mancha
Consejería de Agricultura y Medio Ambiente
Toledo

Generalidad Valenciana
Consejería de Agricultura y Medio Ambiente
Valencia

Comunidad Autónoma de La Rioja
Consejería de Agricultura, Ganadería y Desarrollo Rural
Logroño

Junta de Extremadura
Consejería de Agricultura y Comercio
Mérida

Comunidad Autónoma de Canarias
Consejería de Agricultura, Pesca y Alimentación
Santa Cruz de Tenerife

Junta de Castilla y León
Consejería de Agricultura y Ganadería
Valladolid

Comunidad Autónoma de las Islas Baleares
Consejería de Agricultura, Comercio e Industria
Palma de Mallorca

Comunidad de Madrid
Consejería de Economía y Empleo
Madrid

Diputación Foral de Navarra
Departamento de Agricultura, Ganadería y Alimentación
Pamplona

France

Ministère de l'Agriculture, de la Pêche et de l'Alimentation
Service Officiel de Contrôle et de Certification (SOC)
Paris

Ireland	The Department of Agriculture, Food and Forestry Agriculture House Dublin
Italy	Ente Nazionale Sementi Elette (ENSE) Milan
Luxembourg	L'Administration des Services Techniques de l'Agriculture (ASTA) Service de la Production Végétale Luxembourg
Austria	Bundesamt und Forschungszentrum für Landwirtschaft Vienna Bundesamt für Agrarbiologie Linz
Netherlands	Nederlandse Algemene Keuringsdienst voor zaaizaad en pootgoed van landbouwgewassen (NAK) Ede
Portugal	Ministério da Agricultura, do Desenvolvimento Rural e das Pescas Direcção Geral de Protecção das Cultura Lisbon
Finland	Kasvintuotannon tarkastuskeskus (KTTK)/Kontroll-centralen för växtproduktion Siementarkastusosasto/Frökontrollavdelingen Loimaa
Sweden	(a) Seeds other than seed potatoes: <ul style="list-style-type: none">— Statens utsädeskontroll (SUK) (Swedish Seed Testing and Certification Institute) Svalöv— Frökontrollen Mellansverige AB Linköping— Frökontrollen Mellansverige AB Örebro (b) Seed potatoes: Statens utsädeskontroll (SUK) (Swedish Seed Testing and Certification Institute) Svalöv
United Kingdom	England and Wales: (a) Seeds other than seed potatoes: Ministry of Agriculture, Fisheries and Food Seeds Branch Cambridge (b) Seed potatoes: Ministry of Agriculture, Fisheries and Food Plant Health Division York Scotland: Scottish Office Agriculture Fisheries and Environment Department Edinburgh

Northern Ireland:

Department of Agriculture for Northern Ireland
Seeds Branch
Belfast

B. Switzerland

Service des Semences et Plants
RAC Changins
Nyon

Dienst für Saat- und Pflanzgut
FAL Reckenholz
Zürich

Appendix 3

Community derogations allowed by Switzerland⁽¹⁾

- (a) Dispensing certain Member States from the obligation to apply Council Directive 66/402/EEC on the marketing of cereal seed to certain species:
- Commission Decision 69/270/EEC (OJ L 220, 1.9.1969, p. 8)
 - Commission Decision 69/271/EEC (OJ L 220, 1.9.1969, p. 9)
 - Commission Decision 69/272/EEC (OJ L 220, 1.9.1969, p. 10)
 - Commission Decision 70/47/EEC (OJ L 13, 19.1.1970, p. 26), as last amended by Decision 80/301/EEC (OJ L 68, 14.3.1980, p. 30)
 - Commission Decision 74/5/EEC (OJ L 12, 15.1.1974, p. 13)
 - Commission Decision 74/361/EEC (OJ L 196, 19.7.1974, p. 19)
 - Commission Decision 74/532/EEC (OJ L 299, 7.11.1974, p. 14)
 - Commission Decision 80/301/EEC (OJ L 68, 14.3.1980, p. 30)
 - Commission Decision 86/153/EEC (OJ L 115, 3.5.1986, p. 26)
 - Commission Decision 89/101/EEC (OJ L 38, 10.2.1989, p. 37).
- (b) Authorising certain Member States to restrict the marketing of seed of certain varieties of cereals and of seed potatoes of certain varieties (see *Common Catalogue of Varieties of Agricultural Plant Species*, 20th complete edition, column 4 (OJ C 264 A, 30.8.1997, p. 1).
- (c) Authorising certain Member States to adopt more stringent provisions concerning the presence of *Avena fatua* in cereal seed:
- Commission Decision 74/269/EEC (OJ L 141, 24.5.1974, p. 20), as amended by Decision 78/512/EEC (OJ L 157, 15.6.1978, p. 35)⁽²⁾
 - Commission Decision 74/531/EEC (OJ L 299, 7.11.1974, p. 13)
 - Commission Decision 95/75/EC (OJ L 60, 18.3.1995, p. 30)
 - Commission Decision 96/334/EC (OJ L 127, 25.5.1996, p. 39).
- (d) Authorising, in respect of the marketing of seed potatoes in all or part of the territory of certain Member States, more stringent measures against certain diseases than are provided for in Annexes I and II to Council Directive 66/403/EEC:
- Commission Decision 93/231/EEC (OJ L 106, 30.4.1993, p. 11), as amended by Decisions:
 - 95/21/EC (OJ L 28, 7.2.1995, p. 13)
 - 95/76/EC (OJ L 60, 18.3.1995, p. 31)
 - 96/332/EC (OJ L 127, 25.5.1996, p. 31).

⁽¹⁾ Where applicable, only with regard to varieties of cereal seed or seed potatoes.

⁽²⁾ Where applicable, only with regard to cereal seed or seed potatoes.

*Appendix 4***List of third countries ⁽¹⁾**

Argentina
Australia
Bulgaria
Canada
Chile
Croatia
Czech republic
Hungary
Israel
Morocco
New Zealand
Norway
Poland
Romania
Slovakia
Slovenia
South Africa
Turkey
United States of America
Uruguay

⁽¹⁾ Recognition is based on Council Decision 95/514/EC (OJ L 296, 9.12.1995, p. 34), as last amended by Decision 98/162/EC (OJ L 53, 24.2.1998, p. 21) for field inspections of seed-producing crops and seeds produced, and on Council Decision 97/788/EC (OJ L 322, 25.11.1998, p. 39) for checks on practices for the maintenance of varieties. The Agreement on the European Economic Area applies in the case of Norway.

ANNEX 7

ON TRADE IN WINE-SECTOR PRODUCTS

Article 1

The Parties hereby agree, in accordance with the principles of non-discrimination and reciprocity, to facilitate and promote trade with each other in wine-sector products originating in their territory on the conditions laid down herein.

Article 2

This Annex shall apply to wine-sector products as defined:

- for the Community: in Council Regulation (EEC) No 822/87⁽¹⁾, as last amended by Regulation (EC) No 1627/98⁽²⁾, and covered by CN codes 2009 60 and 2204,
- for Switzerland: in Chapter 36 of the Ordinance of 1 March 1995 on foodstuffs, and covered by Swiss customs tariff numbers 2009 60 and 2204.

Article 3

For the purposes of this Annex and except where otherwise expressly provided herein:

- (a) 'wine-sector product originating in' followed by the name of one of the Parties means a product within the meaning of Article 2, produced in the territory of the said Party from grapes entirely harvested in its territory in accordance with this Annex;
- (b) 'geographical indication' means any indication, including designations of origin, within the meaning of Article 22 of the Agreement on Trade Related Aspects of Intellectual Property Rights (hereinafter referred to as 'the TRIPs Agreement'), that is recognised by the laws or regulations of one Party for purposes of describing and presenting a wine-based product within the meaning of Article 2 and originating in its territory;
- (c) 'traditional expression' means a traditionally used name referring in particular to the method of production or the quality, colour or type of wine-sector products within the meaning of Article 2 that is recognised by the laws and regulations of a Party for the purpose of describing and presenting a product originating in the territory of that Party;
- (d) 'protected name' means a geographical indication or a traditional expression as defined in paragraphs (b) and (c) respectively that is protected under this Annex;

- (e) 'description' means the names used on labelling, on the documents accompanying the wine-sector product within the meaning of Article 2 during transport, on commercial documents, particularly invoices and delivery notes, and in advertising;
- (f) 'labelling' means all descriptions and other references, symbols, illustrations and trade marks identifying wine-sector products within the meaning of Article 2 and appearing on the same container, including the sealing device or the tag attached thereto and the sheathing covering the neck of bottles;
- (g) 'presentation' means the names used on containers, including closing devices, on labelling and on packaging;
- (h) 'packaging' means protective wrappings such as paper, straw wrapping of all kinds, cartons and cases, used for the transport of one or more containers and/or for their presentation for sale to final consumers.

TITLE I

PROVISIONS APPLICABLE TO IMPORT AND SALE

Article 4

1. Trade between the Parties in wine-sector products within the meaning of Article 2 originating in their territory shall be conducted in accordance with the technical provisions set out in this Annex. 'Technical provisions' is understood to mean all the provisions listed in Appendix 1 relating to the definition of wine-sector products, oenological practices, the composition of the said products and the rules governing transport and marketing.
2. The Committee may decide to extend the areas covered by paragraph 1.
3. The provisions of the Instruments listed in Appendix 1 relating to their entry into force or their implementation shall not apply for the purposes of this Annex.
4. This Annex shall be without prejudice to the application of national or Community rules on taxation or the relevant control measures.

⁽¹⁾ OJ L 84, 27.3.1987, p. 1.

⁽²⁾ OJ L 210, 28.7.1998, p. 8.

TITLE II

MUTUAL PROTECTION OF NAMES OF WINE-SECTOR PRODUCTS WITHIN THE MEANING OF ARTICLE 2*Article 5*

1. The Parties shall take all necessary steps in accordance with this Annex to ensure mutual protection of the names referred to in Article 6 and used for the description and presentation of wine-sector products within the meaning of Article 2 originating in the territory of the Parties. To that end, each Party shall introduce the appropriate legal means to ensure effective protection and prevent geographical indications and traditional expressions from being used to describe wine-sector products not covered by the indications or descriptions concerned.

2. The protected names of the Parties shall be reserved exclusively for the products originating in the Party to which they apply and may be used only under the conditions laid down in the laws and regulations of that Party.

3. Protection as referred to in paragraphs 1 and 2 shall exclude in particular any use of protected names for wine-sector products within the meaning of Article 2 which do not originate in the geographical area in question, even if:

- the actual origin of the product is shown,
- the geographical indication in question is used in translation,
- the name is accompanied by terms such as 'kind', 'type', 'style', 'imitation', 'method' or other expressions of the sort.

4. In the case of homonymous geographical indications:

- (a) where two indications protected under this Annex are homonymous, protection shall be granted to both of them, provided the consumer is not misled as to the actual origin of the wine-sector products;
- (b) where an indication protected under this Annex is homonymous with the name of a geographical area outside the territory of the Parties, the latter name may be used to describe and present a wine-sector product in the geographical area to which the name refers, provided it is traditionally and consistently used, its use for that purpose is regulated by the country of origin and consumers are not misled into believing that the wine originates in the territory of the Party concerned.

5. In the case of homonymous traditional expressions:

- (a) where two expressions protected under this Annex are homonymous, protection shall be granted to both of them, provided the consumer is not misled as to the actual origin of the wine-sector products;

- (b) where an expression protected under this Annex is homonymous with the name used for a wine-sector product not originating in the territory of the Parties, the latter name may be used to describe and present a wine-sector product, provided it is traditionally and consistently used, its use for that purpose is regulated by the country of origin and consumers are not misled into believing that the wine originates in the territory of the Party concerned.

6. The Committee may, where necessary, lay down practical conditions for use to enable a distinction to be drawn between the homonymous indications or expressions referred to in paragraphs 4 and 5, bearing in mind the need to treat the producers concerned fairly and to ensure that consumers are not misled.

7. The Parties hereby waive their right to invoke Article 24(4) to (7) of the TRIPs Agreement in order to refuse to grant protection to a name from the other Party.

8. The exclusive protection provided for in paragraphs 1, 2 and 3 shall apply to the name 'Champagne' on the Community list in Appendix 2 hereto. However, for a transitional period of two years from the entry into force of this Annex, such exclusive protection shall not prevent the word 'Champagne' from being used to describe and present certain wines originating in the Swiss canton of Vaud, provided that such wines are not marketed in Community territory and that the consumer is not misled as to the real origin of the wine.

Article 6

The following names shall be protected:

- (a) as regards wine-sector products originating in the Community:
 - terms referring to the Member State in which the product originates,
 - the specific Community terms appearing in Appendix 2,
 - the geographical indications and traditional expressions appearing in Appendix 2;
- (b) as regards wine-sector products originating in Switzerland:
 - the terms 'Suisse', 'Schweiz', 'Svizzera', 'Svizra' and any other name designating that country,

- the specific Swiss terms appearing in Appendix 2,
- the geographical indications and traditional expressions appearing in Appendix 2.

Article 7

1. Registration of a brand name for a wine-sector product within the meaning of Article 2 which contains or consists of a geographical indication or a traditional expression protected under this Annex shall be refused or, at the request of the party concerned, invalidated if the product in question does not originate in:

- the place to which the geographical indication refers, or
- the place where the traditional expression is used.

2. However, a trademark registered no later than 15 April 1995 may be used until 15 April 2005, provided it has actually been in continuous use since being registered.

Article 8

The Parties shall take all steps necessary to ensure that, where wine-sector products within the meaning of Article 2 originating in the Parties are exported and marketed outside their territory, the names of one Party protected under this Annex are not used to describe and present such products originating in the other Party.

Article 9

In so far as the relevant legislation of the Parties permits, the protection afforded by this Annex shall extend to natural and legal persons, federations, associations and organisations of producers, traders and consumers whose head offices are located in the territory of the other Party.

Article 10

1. If the description or presentation of a wine-sector product, in particular on the labelling, in official or commercial documents or in advertising, affects the rights arising from this Annex, the Parties shall apply the necessary administrative measures or shall initiate legal proceedings with a view to combating unfair competition or preventing the wrongful use of the protected name by any other means.

2. The measures and proceedings referred to in paragraph 1 shall be taken in particular in the following cases:

- (a) where the translation of descriptions sanctioned under Community or Swiss legislation into one of the languages of the other Party gives rise to a word which is liable to be misleading as to the origin of the wine-sector product thus described or presented;

- (b) where indications, trademarks, names, references or illustrations which directly or indirectly give false or misleading information as to the provenance, origin, type or material characteristics of the product appear on containers or packaging, in advertising or in official or commercial documents relating to a product whose name is protected under this Annex;

- (c) where the containers or packaging used are misleading as to the origin of the product.

Article 11

This Annex shall not preclude any more extensive protection afforded now or in the future to descriptions protected under this Annex by the Parties in accordance with their internal legislation or other international agreements.

TITLE III

MUTUAL ASSISTANCE BETWEEN OFFICIAL CONTROL BODIES

Subtitle I

Preliminary provisions

Article 12

For the purposes of this Title:

- (a) 'rules concerning trade in wine-sector products' means any provisions covered by this Annex;
- (b) 'competent authority' means any authority or department designated by a Party as responsible for seeing to the application of the rules concerning trade in wine-sector products;
- (c) 'contact authority' means the official body or competent authority designated by one Party as responsible for liaising as appropriate with the contact authority of the other Party;
- (d) 'requesting authority' means a competent authority designated for the purpose by a Party and which presents a request for assistance in areas covered by this title;
- (e) 'requested authority' means an official body or competent authority designated for the purpose by a Party and which receives a request for assistance in areas covered by this title;

- (f) 'breach' means any violation or attempted violation of the rules concerning trade in wine-sector products.

Article 13

1. The Parties shall assist each other in accordance with and under the conditions laid down in this title. They shall ensure that the rules concerning trade in wine-sector products are properly applied, in particular by providing each other with assistance and detecting and investigating breaches of the legislation.

2. Assistance as provided for in this title shall be without prejudice to the provisions governing criminal proceedings or judicial assistance between Parties in criminal cases.

Sub title II

Controls to be conducted by the Parties

Article 14

1. The Parties shall take the steps necessary to guarantee the assistance provided for in Article 13 by means of suitable control measures.

2. Such controls shall be carried out either systematically or by sampling checks. In the case of sampling checks, the Parties shall ensure that they are representative through their number, type and frequency.

3. The Parties shall take appropriate steps to facilitate the work of the officials of their competent authorities, in particular by ensuring that they:

- have access to the vineyards and to production, preparation, storage and processing facilities for wine-sector products, and to the means of transport of such products,
- have access to the sales and storage premises and to the means of transport of any person who holds for sale, sells or transports wine-sector products or products that may be used in preparing them,
- can make an inventory of the wine-sector products and of substances or products that may be used in their preparation,
- can take samples of wine-sector products held for sale, sold or transported,
- can study accounting data and other documents used in control procedures, and make copies or extracts thereof,

- can take suitable interim protective measures concerning the production, preparation, storage, transport, description, presentation and export to the other Party and marketing of wine-sector products or of products that may be used in their preparation where there is a well-founded suspicion of a grave breach of this Annex, and especially in the event of fraudulent tampering with the product or risk to public health.

Article 15

1. Where a Party designates several competent authorities, it shall ensure coordination of their activities.

2. Each Party shall appoint a single contact authority. That authority:

- shall forward requests for collaboration, for the purpose of applying this title, to the contact authority of the other Party,
- shall receive requests of this kind from the said authority and shall forward them to the competent authority or authorities of the Party to which it belongs,
- shall represent that Party vis-à-vis the other within the framework of the collaboration referred to in Subtitle III,
- shall notify to other Party of the steps taken under Article 14.

Sub title III

Mutual assistance between supervisory authorities

Article 16

1. Upon application by a requesting authority, the requested authority shall communicate to it any useful information which may enable it to verify that the rules concerning trade in wine-sector products are being properly applied, and especially information with regard to existing or planned operations which constitute, or are liable to constitute, a breach of those rules.

2. Where reasoned application is made by the requesting authority, the requested authority shall exercise special supervision or checks with a view to achieving the aims pursued or shall take the necessary measures to ensure that such supervision is so exercised.

3. The requested authority referred to in paragraphs 1 and 2 shall proceed as if acting on its own behalf or at the request of an authority of its own country.

4. By agreement with the requested authority, the requesting authority may designate officials in its service or in the service of another competent authority of the Party which it represents to:

- collect, at the premises of the competent authorities of the Party where the requested authority is established, information relating to the proper application of the rules concerning trade in wine-sector products or to control procedures, and to make copies of the transport and other documents and of entries in registers,
- take part in the measures requested under paragraph 2.

The copies referred to in the first indent may be made only with the consent of the requested authority.

5. A requesting authority wishing to send an official designated in accordance with the first subparagraph of paragraph 4 to another Party to take part in control procedures as referred to in the second indent of that subparagraph shall inform the requested authority in good time before such procedures are commenced. The officials of the requested authority shall remain in charge of the control procedures at all times.

The officials of the requesting authority shall:

- produce a written mandate setting out their identity and official position,
- enjoy, subject to the restrictions which the legislation applicable to the requested authority imposes on its own officials in exercising the control procedures in question:
 - rights of access as provided for in Article 14(3),
 - right to information concerning the results of the checks conducted by the officials of the requested authority under Article 14(3),
- in the course of the checks, demonstrate an attitude in line with the rules and behaviour incumbent on the officials of the Party on whose territory the control procedure is being performed.

6. Reasoned applications as provided for to in this Article shall be forwarded to the requested authority of the Party concerned through the contact authority of that Party. The same procedure shall apply to:

- replies to such applications,
- communications relating to the application of paragraphs 2, 4 and 5.

Notwithstanding the first paragraph, in order to improve the efficacy and rapidity of collaboration between the Parties, the latter may, where appropriate, permit competent authorities to:

- address reasoned requests and communications directly to competent authorities of the other Party,

- reply directly to reasoned requests and communications from competent authorities of the other Party.

In such cases, those competent authorities shall immediately inform the contact authority of the Party concerned.

Article 17

Where a competent authority of a Party has a reasonable suspicion, or becomes aware, that:

- a wine-sector product does not comply with the rules concerning trade in wine-sector products or is involved in fraudulent action to produce or market such a product, and that
- such non-compliance is of special interest to a Party and is liable to result in administrative measures or legal proceedings,

it shall immediately inform the contact authority of the Party in question, through the contact authority to which it belongs.

Article 18

1. Applications under this title shall be made in writing. They shall be accompanied by the documents needed for the purpose of a reply. Applications presented orally may be accepted where the situation so requires, but must be confirmed immediately in writing.

2. Applications pursuant to paragraph 1 shall be accompanied by the following information:

- the name of the requesting authority,
- the measure requested,
- the purpose or reason for the application,
- the legislation, rules or other legal instruments concerned,
- information as accurate and as full as possible concerning the natural or legal persons under investigation,
- a summary of the relevant facts.

3. Applications shall be made in one of the official languages of the Parties.

4. Where applications do not meet the formal conditions, the requesting authority may be asked to correct or supplement it; interim protective measures may, however, be ordered at all times.

Article 19

1. The requested authority shall communicate the findings of its investigations to the requesting authority in the form of documents, certified copies, reports and the like.

2. The documents referred to in paragraph 1 may be replaced by computerised information produced in any form whatsoever for the same purposes.

Article 20

1. The Party to whom the requested authority belongs may refuse to provide assistance under this title if such assistance may adversely affect sovereignty, public order, security or other vital interests of that Party.

2. Where the requesting authority seeks assistance which it could not itself provide if so requested, it shall draw attention to that fact in its application. It shall then be for the requested authority to decide how to reply to the application.

3. Should assistance be refused, the decision and the reasons for it must be notified immediately to the requesting authority.

Article 21

1. The information referred to in Articles 16 and 17 shall be accompanied by the relevant documents or other evidence and details of any administrative measures or legal proceedings, and shall relate specifically to:

- the composition and organoleptic properties of the wine-sector product in question,
- its description and presentation,
- compliance with the rules covering production, preparation and marketing.

2. The contact authorities concerned by the matter for which the mutual assistance process provided for in Articles 16 and 17 has been initiated shall inform each other immediately of:

- the course of the investigations, in particular through reports and other documents or sources of information,
- any administrative or legal proceedings consequent upon the operations in question.

3. Travel costs incurred through the application of this title shall be borne by the Party which designated an official for the measures provided for in Article 16(2) and (4).

4. This Article shall be without prejudice to national provisions governing the confidentiality of judicial investigations.

*Subtitle IV***General provisions***Article 22*

1. For the purposes of applying Subtitles II and III, the competent authority of one Party may request a competent authority of the other to collect samples in accordance with the relevant provisions applying in that Party.

2. The requested authority shall keep the samples collected pursuant to paragraph 1 and shall designate the laboratory to which they are to be sent for testing. The requesting authority may designate another laboratory to carry out a parallel analysis of samples. To that end, the requested authority shall forward a suitable number of samples to the requesting authority.

3. In the event of disagreement between the requesting and the requested authorities concerning the results of the tests referred to in paragraph 2, an arbitration analysis shall be carried out by a laboratory designated jointly.

Article 23

1. Any information communicated in whatsoever form under this title shall be confidential. It shall be covered by professional secrecy and enjoy the protection granted to similar information by the laws applying in this field by the Party which receives it, or by the corresponding provisions applying to the Community authorities, as the case may be.

2. Where the legislation or administrative practices of a Party lay down stricter limits for the protection of industrial and commercial secrets than those provided for in this title, the latter shall not oblige that Party to provide information if the requesting Party does not take steps to comply with those stricter limits.

3. The information obtained shall be used only for the purposes of this title; it may not be used for other purposes on the territory of a Party except with the prior written consent of the administrative authority which supplied it, and shall in any case be subject to the restrictions laid down by that authority.

4. Paragraph 1 shall not preclude the use of information in judicial or administrative proceedings instituted subsequently in respect of breaches of ordinary criminal law, provided it was obtained through international judicial cooperation.

5. In their records of evidence, reports and testimonies and in proceedings and charges brought before the courts, the Parties may use as evidence information obtained and documents consulted in accordance with this title.

Article 24

Natural and legal persons and associations of such persons whose trade activities may be the subject of the controls provided for in this title may not prevent the exercise of such controls and must at all times facilitate them.

TITLE IV

General provisions*Article 25*

Titles I and II shall not apply to wine-sector products within the meaning of Article 2 which:

- (a) pass in transit through the territory of one of the Parties; or
- (b) originate in the territory of one of the Parties and are traded between them in small quantities, under the conditions and subject to the arrangements laid down in Appendix 3 hereto.

Article 26

The Parties shall:

- (a) send each other, on the date of entry into force of this Annex:
 - their lists of authorities competent to draw up the documents accompanying the carriage of wine-sector products pursuant to Article 4(1),
 - their lists of authorities competent to certify the designation of origin of wine-sector products in the documents accompanying carriage of such products pursuant to Article 4(1),
 - their lists of competent authorities and contact authorities as referred to in Article 12 (b) and (c),
 - their lists of laboratories authorised to perform analyses in accordance with Article 22(2);
- (b) consult and inform each other of the steps taken by each with regard to the application of this Annex. In particular, they shall send each other their applicable provisions and summaries of the administrative and judicial decisions that are particularly important for the purposes of its proper application.

Article 27

1. The Working Group on Wine-Sector Products, hereinafter referred to as 'the Working Group', set up under Article 6(7) of the Agreement shall consider any matter

which may arise in connection with this Annex and its implementation.

2. The Working Group shall periodically consider the state of the domestic laws and regulations of the Parties in the fields covered by this Annex. It may in particular put forward proposals to the Committee with a view to adapting and updating the Appendices hereto.

Article 28

1. Notwithstanding Article 5(8), wine-sector products which, at the time of the entry into force of this Annex, have been produced, prepared, described and presented in compliance with the internal law or regulations of the Parties but are prohibited by this Annex may be sold until stocks run out.

2. Except where provisions to the contrary are adopted by the Committee, wine-sector products which have been produced, prepared, described and presented in compliance with this Annex but whose production, preparation, description and presentation cease to comply therewith as a result of an amendment thereto may continue to be marketed until stocks run out.

Article 29

1. The Parties shall enter into consultations if either considers that the other has failed to fulfil an obligation under this Annex.

2. The Party which requests the consultations shall provide the other with all information necessary for a detailed examination of the case in question.

3. Where any time limit or delay carries a risk of endangering human health or impairing the effectiveness of measures to combat fraud, interim safeguard measures may be adopted without prior consultation, provided that consultations are held immediately after such measures are taken.

4. If, following the consultations provided for in paragraphs 1 and 3, the Parties fail to reach agreement, the Party which requested the consultations or took the measures provided for in paragraph 3 may take suitable safeguard measures with a view to the proper application of this Annex.

Article 30

The application of the Exchange of Letters between the Community and Switzerland on cooperation concerning official controls of wines signed in Brussels on 15 October 1984, shall be suspended for as long as this Annex remains in force.

Appendix 1

List of instruments referred to in Article 4 relating to wine-sector products**A. Instruments applicable to the import into and marketing in Switzerland of wine-sector products originating in the Community**

INSTRUMENTS TO WHICH REFERENCE IS MADE (*)

1. 3 7 3 R 2 8 0 5 : Commission Regulation (EEC) No 2805/73 of 12 October 1973 determining a list of white quality wines, produced in specified regions and of imported white quality wines containing a certain percentage of sulphur dioxide and laying down certain transitional provisions relating to the percentage of sulphur dioxide in wines produced before 1 October 1973 (OJ L 289, 16.10.1973, p. 21), as last amended by:
 - 3 7 7 R 0 9 6 6 : Commission Regulation (EEC) No 966/77 (OJ L 115, 6.5.1977, p. 77)
2. 3 7 4 R 2 3 1 9 : Commission Regulation (EEC) No 2319/74 of 10 September 1974 specifying certain wine-growing areas which may produce table wines having a maximum total alcoholic strength of 17 ° (OJ L 248, 11.9.1974, p. 7)
3. 3 7 5 L 0 1 0 6 : Council Directive 75/106/EEC of 19 December 1974 on the approximation of the laws of the Member States relating to the making-up by volume of certain prepackaged liquids (OJ L 42, 15.2.1975, p. 1), as last amended by:
 - 3 8 9 L 0 6 7 6 : Council Directive 89/676/EEC (OJ L 398, 30.12.1989, p. 18)
4. 3 7 6 L 0 8 9 5 : Council Directive 76/895/EEC of 23 November 1976 relating to the fixing of maximum levels for pesticide residues in and on fruit and vegetables (OJ L 340, 9.12.1976, p. 26), as last amended by:
 - 3 9 7 L 0 0 4 1 : Council Directive 97/41/EC (OJ L 184, 12.7.1997, p. 33)
5. 3 7 8 R 1 9 7 2 : Commission Regulation (EEC) No 1972/78 of 16 August 1978 laying down detailed rules on oenological practices (OJ L 226, 17.8.1978, p. 11), as last amended by:
 - 3 8 0 R 0 0 4 5 : Commission Regulation (EEC) No 45/80 (OJ L 7, 11.1.1980, p. 12)
6. 3 7 9 L 0 7 0 0 : Commission Directive 79/700/EEC of 24 July 1979 establishing Community methods of sampling for the official control of pesticide residues in and on fruit and vegetables (OJ L 207, 15.8.1979, p. 26)
7. 3 8 4 R 2 3 9 4 : Commission Regulation (EEC) No 2394/84 of 20 August 1984 laying down for the 1984/85 and 1985/86 wine-growing years conditions of use of ion exchange resins and detailed implementing rules for the preparation of rectified concentrated grape must (OJ L 224, 21.8.1984, p. 8), as last amended by:
 - 3 8 6 R 2 7 5 1 : Commission Regulation (EEC) No 2751/86 (OJ L 253, 5.9.1986, p. 11)
8. 3 8 5 R 3 8 0 4 : Council Regulation (EEC) No 3804/85 of 20 December 1985 drawing up the list of areas under vines in certain Spanish regions where table wines may have an actual alcoholic strength which is lower than Community requirements (OJ L 367, 31.12.1985, p. 37)
9. 3 8 6 R 0 3 0 5 : Commission Regulation (EEC) No 305/86 of 12 February 1986 on the maximum total sulphur dioxide content of wine originating in the Community produced before 1 September 1986 and, for a transitional period, imported wine (OJ L 38, 13.2.1986, p. 13)
10. 3 8 6 R 1 8 8 8 : Commission Regulation (EEC) No 1888/86 of 18 June 1986 on the maximum total sulphur dioxide content of certain sparkling wines originating in the Community and prepared before 1 September 1986, and, for a transitional period, of imported sparkling wines (OJ L 163, 19.6.1986, p. 19)

(*) For Community legislation, situation as at 1 August 1998: for Swiss legislation, situation as at 1 January 1999.

11. 3 8 6 R 2 0 9 4 : Commission Regulation (EEC) No 2094/86 of 3 July 1986 laying down detailed rules for the use of tartaric acid for the de-acidification of specified wine products in certain regions of zone A (OJ L 180, 4.7.1986, p. 17), as amended by:
 - 3 8 6 R 2 7 3 6 : Commission Regulation (EEC) No 2736/86 (OJ L 252, 4.9.1986, p. 15)
12. 3 8 7 R 0 8 2 2 : Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organisation of the market in wine (OJ L 84, 27.3.1987, p. 1), as last amended by:
 - 3 9 8 R 1 6 2 7 : Council Regulation (EC) No 1627/98 (OJ L 210, 28.7.1998, p. 8)
13. 3 8 7 R 0 8 2 3 : Council Regulation (EEC) No 823/87 of 16 March 1987 laying down special provisions relating to quality wines produced in specified regions (OJ L 84, 27.3.1987, p. 59), as last amended by:
 - 3 9 6 R 1 4 2 6 : Council Regulation (EC) No 1426/96 (OJ L 184, 24.7.1996, p. 1)
14. 3 8 8 R 3 3 7 7 : Commission Regulation (EEC) No 3377/88 of 28 October 1988 authorising the United Kingdom to permit under certain conditions an additional increase in the alcoholic strength of certain table wines (OJ L 296, 29.10.1988, p. 69)
15. 3 8 8 R 4 2 5 2 : Council Regulation (EEC) No 4252/88 of 21 December 1988 on the preparation and marketing of liqueur wines produced in the Community (OJ L 373, 31.12.1988, p. 59), as last amended by:
 - 3 9 8 R 1 6 2 9 : Council Regulation (EC) No 1629/98 (OJ L 210, 28.7.1998, p. 11)
16. 3 8 9 L 0 1 0 7 : Council Directive 89/107/EEC of 21 December 1988 on the approximation of the laws of the Member States concerning food additives authorised for use in foodstuffs intended for human consumption (OJ L 40, 11.2.1989, p. 27), as amended by:
 - 3 9 4 L 0 0 3 4 : Council Directive 94/34/EEC (OJ L 237, 10.9.1994, p. 1)
17. 3 8 9 L 0 1 0 9 : Council Directive 89/109/EEC of 21 December 1988 on the approximation of the laws of the Member States relating to materials and articles intended to come into contact with foodstuffs (OJ L 40, 11.2.1989, p. 38), as corrected in OJ L 347, 28.11.1989, p. 37
18. 3 8 9 L 0 3 9 6 : Council Directive 89/396/EEC of 14 June 1989 on indications or marks identifying the lot to which a foodstuff belongs (OJ L 186, 30.6.1989, p. 21), as last amended by:
 - 3 9 2 L 0 0 1 1 : Council Directive 92/11/EEC (OJ L 65, 11.3.1992, p. 32)
19. 3 8 9 R 2 2 0 2 : Commission Regulation (EEC) No 2202/89 of 20 July 1989 defining the terms 'coupage', 'the turning into wine', 'bottler' and 'bottling' (OJ L 209, 21.7.1989, p. 31)
20. 3 8 9 R 2 3 9 2 : Council Regulation (EEC) No 2392/87 of 24 July 1989 laying down general rules for the description and presentation of wines and grape musts (OJ L 232, 9.8.1989, p. 13), as last amended by:
 - 3 9 6 R 1 4 2 7 : Council Regulation (EC) No 1427/96 (OJ L 184, 24.7.1996, p. 3)
21. 3 9 0 L 0 6 4 2 : Council Directive 90/642/EEC of 27 November 1990 on the fixing of maximum levels for pesticide residues in and on certain products of plant origin, including fruit and vegetables (OJ L 350, 14.12.1990, p. 26), as last amended by:
 - 3 9 7 L 0 0 7 1 : Commission Directive 97/71/EC (OJ L 347, 18.12.1997, p. 42)
22. 3 9 0 R 2 6 7 6 : Commission Regulation (EEC) No 2676/90 of 17 September 1990 determining Community methods for the analysis of wines (OJ L 272, 3.10.1990, p. 1), as last amended by:
 - 3 9 7 R 0 8 2 2 : Commission Regulation (EC) No 822/97 (OJ L 117, 7.5.1997, p. 10)
23. 3 9 0 R 3 2 0 1 : Commission Regulation (EEC) No 3201/90 of 16 October 1990 laying down detailed rules for the description and presentation of wines and grape musts (OJ L 309, 8.11.1990, p. 1), as last amended by:
 - 3 9 8 R 0 8 4 7 : Commission Regulation (EC) No 847/98 (OJ L 120, 23.4.1998, p. 14)

For the purposes of this Annex, the Regulation shall be read with the following adaptations:

the second subparagraph of Article 9(2) and Article 9(3) shall not apply.

24. 3 9 0 R 3 2 2 0 : Commission Regulation (EEC) No 3220/90 of 7 November 1990 laying down conditions for the use of certain oenological practices provided for in Council Regulation (EEC) No 822/87 (OJ L 308, 8.11.1990, p. 22), as last amended by:
 - 3 9 7 R 2 0 5 3 : Commission Regulation (EC) No 2053/97 (OJ L 287, 21.10.1997, p. 15)
25. 3 9 1 R 3 2 2 3 : Commission Regulation (EEC) No 3223/91 of 5 November 1991 authorising the United Kingdom to permit under certain conditions an additional increase in the alcoholic strength of certain table wines (OJ L 305, 6.11.1991, p. 14)
26. 3 9 1 R 3 8 9 5 : Council Regulation (EEC) No 3895/91 of 11 December 1991 laying down rules for the description and presentation of special wines (OJ L 368, 31.12.1991, p. 1)
27. 3 9 1 R 3 9 0 1 : Commission Regulation (EEC) No 3901/91 of 18 December 1991 laying down certain detailed rules on the description and presentation of special wines (OJ L 368, 31.12.1991, p. 15)
28. 3 9 2 R 1 2 3 8 : Commission Regulation (EEC) No 1238/92 of 8 May 1992 determining Community methods applicable in the wine sector for the analysis of neutral alcohol (OJ L 130, 15.5.1992, p. 13)
29. 3 9 2 R 2 3 3 2 : Council Regulation (EEC) No 2332/92 of 13 July 1992 on sparkling wines produced in the Community (OJ L 231, 13.8.1992, p. 1), as last amended by:
 - 3 9 8 R 1 6 2 9 : Council Regulation (EC) No 1629/98 (OJ L 210, 28.7.1998, p. 11)
30. 3 9 2 R 2 3 3 3 : Council Regulation (EEC) No 2333/92 of 13 July 1992 laying down general rules for the description and presentation of sparkling wines and aerated sparkling wines (OJ L 231, 13.8.1992, p. 9), as last amended by:
 - 3 9 6 R 1 4 2 9 : Council Regulation (EC) No 1429/96 (OJ L 184, 24.7.1996, p. 9)
31. 3 9 2 R 3 4 5 9 : Commission Regulation (EEC) No 3459/92 of 30 November 1992 authorising the United Kingdom to permit an additional increase in the alcoholic strength of table wines and of quality wines produced in a specified region (OJ L 350, 1.12.1992, p. 60)
32. 3 9 3 R 0 3 1 5 : Council Regulation (EEC) No 315/93 of 8 February 1993 laying down Community procedures for contaminants in food (OJ L 37, 13.2.1993, p. 1)
33. 3 9 3 R 5 8 6 : Commission Regulation (EEC) No 586/93 of 12 March 1993 providing for an exception in respect of the volatile acid content of certain wines (OJ L 61, 13.3.1993, p. 39), as last amended by:
 - 3 9 6 R 0 6 9 3 : Commission Regulation (EC) No 693/96 (OJ L 97, 18.4.1996, p. 17)
34. 3 9 3 R 2 2 3 8 : Commission Regulation (EEC) No 2238/93 of 26 July 1993 on the accompanying documents for the carriage of wine products and the relevant records to be kept (OJ L 200, 10.8.1993, p. 10), as corrected in OJ L 301, 8.12.1993, p. 29

For the purposes of this Annex, the Regulation shall be read with the following adaptations:

- (a) where the accompanying document is regarded as attesting the designation of origin as provided for in Article 7 of the Regulation, the indications shall be validated in cases covered by the first indent of Article 7(1)(c):
 - on copies 1, 2 and 4 in the case of the document referred to in Regulation (EEC) No 2719/92, or
 - on copies 1 and 2 in the case of the document referred to in Regulation (EEC) No 3649/92;

- (b) for carriage operations as referred to in Article 8(2), the following rules shall apply:
- (i) in the case of the document referred to in Regulation (EEC) No 2719/92:
 - copy 2 shall accompany the product from the place of loading to the place of unloading in Switzerland and shall be handed to the consignee or his representative,
 - copy 4 or a certified copy thereof shall be presented to the competent Swiss authorities by the consignee.
 - (ii) in the case of the document referred to in Regulation (EEC) No 3649/92:
 - copy 2 shall accompany the product from the place of loading to the place of unloading in Switzerland and shall be handed to the consignee or his representative,
 - a certified copy of copy 2 shall be presented to the competent Swiss authorities by the consignee;
- (c) in addition to the information provided for in Article 3, the document shall include details that make it possible to identify the consignment to which the wine-sector products belong, in accordance with Council Directive 89/396/EEC (OJ L 186, 30.6.1989, p. 21).
35. 3 9 3 R 3 1 1 1 : Commission Regulation (EC) No 3111/93 of 10 November 1993 establishing the lists of quality liqueur wines produced in specified regions referred to in Articles 3 and 12 of Regulation (EEC) No 4252/88 (OJ L 278, 11.11.1993, p. 48), as amended by:
- 3 9 8 R 0 6 9 3 : Commission Regulation (EC) No 693/98 of 27 March 1998 (OJ L 96, 28.3.1998, p. 17)
36. 3 9 4 L 0 0 3 6 : Directive 94/36/EC of the European Parliament and of the Council of 30 June 1994 on colours for use in foodstuffs (OJ L 237, 10.9.1994, p. 13), as corrected in OJ L 252, 4.10.1996, p. 23
37. 3 9 4 R 2 7 3 3 : Commission Regulation (EC) No 2733/94 of 9 November 1994 authorising the United Kingdom to permit an additional increase in the alcoholic strength of table wines and of quality wines produced in a specified region (OJ L 289, 10.11.1994, p. 5)
38. 3 9 4 R 3 2 9 9 : Commission Regulation (EC) No 3299/94 of 21 December 1994 on transitional measures applicable in Austria in the wine-growing sector (OJ L 341, 30.12.1994, p. 37), as amended by:
- 3 9 5 R 0 6 7 0 : Commission Regulation (EC) No 670/95 (OJ L 70, 30.3.1995)
39. 3 9 5 L 0 0 0 2 : Directive 95/2/EEC of the European Parliament and of the Council of 20 February 1995 on food additives other than colours and sweeteners (OJ L 61, 18.3.1995, p. 1), as amended by:
- 3 9 6 L 0 0 8 5 : Directive 96/85/EC of the European Parliament and of the Council (OJ L 86, 28.3.1997, p. 4)
40. 3 9 5 R 0 5 5 4 : Commission Regulation (EC) No 554/95 of 13 March 1995 laying down detailed rules for the description and presentation of sparkling and aerated sparkling wines (OJ L 56, 14.3.1995, p. 3), as amended by:
- 3 9 6 R 1 9 1 5 : Commission Regulation (EC) No 1915/96 (OJ L 252, 4.10.1996, p. 10)
41. 3 9 5 R 0 5 9 3 : Commission Regulation (EC) No 593/95 of 17 March 1995 laying down a transitional measure relating to coupage of table wine in Spain for 1995 (OJ L 60, 18.3.1995, p. 3)
42. 3 9 5 R 0 5 9 4 : Commission Regulation (EC) No 594/95 of 17 March 1995 laying down a transitional measure regarding the total acidity content of the table wine produced in Spain and Portugal and released to the markets in those Member States for 1995 (OJ L 60, 18.3.1995, p. 5)
43. 3 9 5 R 0 8 7 8 : Commission Regulation (EC) No 878/95 of 21 April 1995 derogating from Regulation (EEC) No 822/87 as regards the acidification of enriched wines produced in 1994/95 in the provinces of Verona and Piacenza (Italy) (OJ L 91, 22.4.1995, p. 1)

44. 3 9 5 R 2 7 2 9 : Commission Regulation (EC) No 2729/95 of 27 November 1995 on the natural alcoholic strength by volume of 'Prosecco di Conegliano Valdobbiadene' and 'Prosecco del Montello e dei Colli Asolani' produced during the 1995/96 wine year and on the minimum total alcoholic strength by volume of the cuvées used to produce them (OJ L 284, 28.11.1995, p. 5)
45. 3 9 6 R 1 1 2 8 : Commission Regulation (EC) No 1128/96 of 24 June 1996 laying down detailed rules for the coupage of table wine in Spain (OJ L 150, 25.6.1996, p. 13)
46. 3 9 8 R 0 8 8 1 : Commission Regulation (EC) No 881/98 of 24 April 1998 laying down detailed rules for the protection of the additional traditional terms used to designate certain types of quality wine produced in specified regions (quality wine psr) (OJ L 124, 25.4.1998, p. 22)

INSTRUMENTS OF WHICH THE PARTIES TAKE NOTE

The Parties hereby take note of the content of the following instruments:

B. **Instruments applicable to the import into and marketing in the Community of wine-sector products originating in Switzerland**

INSTRUMENTS TO WHICH REFERENCE IS MADE (*)

1. Federal Law of 29 April 1998 on agriculture (RO 1998 3033)
2. Ordonnance of 7 December 1998 on wine-growing and the import of wine (RO 1999 86)
3. OFAG Ordonnance of 7 December 1998 on the federal assortment of vine varieties and examination of cultivars (RO 1999 535)
4. Federal Law of 9 October 1992 on foodstuffs and customary objects (Law on foodstuffs, LDA1), as last amended on 29 April 1998 (RO 1998 3033)
5. Ordonnance of 1 March 1995 on foodstuffs (ODA1), as last amended on 7 December 1998 (RO 1999 303)

For the purposes of this Annex, the Ordonnance shall be read with the following adaptations:

- (a) pursuant to Articles 11 to 16, the following oenological practices and processes shall be authorised:
 - (1) aeration or bubbling using argon, nitrogen and oxygen;
 - (2) heat treatment;
 - (3) use in dry wines of quantities not exceeding 5 % of fresh lees which are sound and undiluted and contain yeasts resulting from the recent vinification of dry wine;
 - (4) centrifuging and filtration, with or without an inert filtering agent, on condition that no undesirable residue is left in the products so treated;
 - (5) use of yeasts for wine production;
 - (6) use of preparations of yeast cell wall, up to a maximum of 40 grams per hectolitre;
 - (7) use of polyvinylpyrrolidone up to a maximum of 80 grams per hectolitre;
 - (8) use of lactic acid bacteria in a vinous suspension;
 - (9) addition of one or more of the following substances to encourage the growth of yeasts:
 - addition of diammonium phosphate or ammonium sulphate up to 0,3 grams per litre,

(*) For Community legislation, situation as at 1 August 1998: for Swiss legislation, situation as at 1 January 1999.

- addition of ammonium sulphite or ammonium bisulphite up to 0,2 grams per litre; these products may also be used together up to a total of 0,3 grams per litre, without prejudice to the above limit of 0,2 grams per litre,
 - addition of thiamin hydrochloride up to 0,6 grams per litre expressed as thiamin;
- (10) use of carbon dioxide, argon or nitrogen, alone or in combination, solely in order to create an inert atmosphere and so the product can be handled in the absence of air;
- (11) addition of carbon dioxide, provided that the carbon dioxide content of wine so treated does not exceed 2 grams per litre;
- (12) use, within the limits laid down in Swiss rules, of sulphur dioxide, potassium bisulphite or potassium metabisulphite, also called potassium disulphite or potassium pyrosulphite;
- (13) addition of sorbic acid or potassium sorbate, provided that the final sorbic acid content of the treated product on its release to the market for direct human consumption does not exceed 200 milligrams per litre;
- (14) addition of up to 150 milligrams per litre of L-ascorbic acid;
- (15) addition of citric acid for wine stabilisation purposes, provided that the final content in the treated wine does not exceed 1 gram per litre;
- (16) use of tartaric acid for acidification purposes, provided that the initial acidity content is not raised by more than 2,5 grams per litre expressed as tartaric acid;
- (17) use of one or more of the following substances for deacidification purposes:
- neutral potassium tartrate,
 - potassium bicarbonate,
 - calcium carbonate, possibly containing small quantities of the double calcium salt of L (+) tartaric and L (-) malic acids,
 - calcium tartrate or tartaric acid,
 - a homogenous preparation of tartaric acid and calcium carbonate in equivalent proportions and finely ground;
- (18) clarification using one or more of the following substances for oenological use:
- edible gelatine,
 - isinglass,
 - casein and potassium caseinate,
 - animal albumin,
 - bentonite,
 - silicon dioxide as a gel or in colloidal solution,
 - kaolin,
 - tannin,
 - pectolytic enzymes,
 - enzymatic preparations of betaglucanase, up to a maximum of 3 grams per hectolitre;
- (19) addition of tannin;

- (20) treatment with charcoal for oenological use (activated carbon) up to a maximum of 100 grams of dry product per hectolitre;
 - (21) treatment:
 - of white wines and rosé wines with potassium ferrocyanide,
 - of red wines with potassium ferrocyanide or with calcium phytate provided that the wine so treated contains residual iron;
 - (22) addition of up to 100 milligrams per litre of metatartaric acid;
 - (23) use of acacia;
 - (24) use of DL-tartaric acid, also called racemic acid, or of its neutral salt of potassium for precipitating excess calcium;
 - (25) use for the manufacture of sparkling wines obtained by fermentation in the bottle and with the lees separated by disgorging of:
 - calcium alginate, or
 - potassium alginate;
 - (26) use of copper sulphate to eliminate defects of taste or smell in the wine, up to a maximum of 1 gram per hectolitre, provided that the copper content of the wine so treated does not exceed 1 milligram per litre;
 - (27) addition of potassium bitartrate to assist the precipitation of tartar;
 - (28) addition of caramel to reinforce the colour of liqueur wines;
 - (29) use of calcium sulphate for the manufacture of liqueur wines, provided that the sulphate content of the wine so treated does not exceed 2 grams per litre expressed as potassium sulphate;
 - (30) treatment of the wine by electrodialysis to ensure tartaric stabilisation in conditions complying with the rules accepted by the International Vine and Wine Office (IWO);
 - (31) use of urease to reduce the urea content of the wine in conditions complying with the rules accepted by the International Vine and Wine Office (IWO);
 - (32) addition of wine or dried grape distillate or of neutral alcohol of vinous origin for the manufacture of liqueur wines under specific conditions laid down in Swiss rules;
 - (33) addition, under specific conditions laid down in Swiss rules, of sucrose, concentrated grape must or rectified concentrated grape must to increase the natural alcoholic strength of grapes, grape must or wine;
 - (34) addition, under specific conditions laid down in Swiss rules, of grape must or rectified concentrated grape must for sweetening of wine.
- (b) notwithstanding Article 371 of the Ordonnance, coupage of Swiss wine with wine of different origin shall be prohibited:
- for rosé wines and red wines in categories 1 and 2 (wines with designation of origin and indication of provenance), from 1 January of the fourth year following the entry into force of this Annex,
 - for wines in categories 1 and 2 (wines with designation of origin and indication of provenance) other than those referred to in the first indent, from the entry into force of this Annex.

(c) notwithstanding Article 373 of the above Ordonnance, the rules governing description and presentation shall be those referred to in the following Regulations, applicable to products imported from third countries:

(1) 3 8 9 R 2 3 9 2 : Council Regulation (EEC) No 2392/87 of 24 July 1989 laying down general rules for the description and presentation of wines and grape musts (OJ L 232, 9.8.1989, p. 13), as last amended by:

— 3 9 6 R 1 4 2 7 : Council Regulation (EC) No 1427/96 (OJ L 184, 24.7.1996, p. 3)

For the purposes of this Annex, the Regulation shall be read with the following adaptations:

(aa) where the Swiss wine has been placed in containers of a nominal volume of not more than 60 litres, the name of the importer for the purposes of Articles 25(1)(c) and 26(1)(c) of the Regulation may be replaced by the name of the Swiss producer, cellarman, merchant or bottler;

(bb) notwithstanding Article 2(3)(i), Article 28(1) and Article 43(1)(b) of the Regulation, the term 'table wine', with the possible addition of the words 'vin de pays' may be used for Swiss wines with an indication of provenance (category 2 wines) under the conditions laid down by Swiss rules;

(cc) notwithstanding Article 30(1)(b) of the Regulation, the name of one or more vine varieties may be used if the variety or varieties mentioned account for at least 85 % of the grapes used to make the Swiss wine. If several varieties are mentioned, they shall appear in descending order of proportion;

(dd) notwithstanding Article 31(1)(a) of the Regulation, mention of the vintage year shall be allowed for category 1 or 2 wine if at least 85 % of the grapes used for the production of the wine were harvested in that year;

(2) 3 9 0 R 3 2 0 1 : Commission Regulation (EEC) No 3201/90 of 16 October 1990 laying down detailed rules for the description and presentation of wines and grape musts (OJ L 309, 8.11.1990, p. 1), as last amended by:

— 3 9 8 R 0 8 4 7 : Commission Regulation (EC) No 847/98 (OJ L 120, 23.4.1998, p. 14)

For the purposes of this Annex the Regulation shall be read with the following adaptations:

(aa) notwithstanding Article 9(1) of the Regulation, the alcoholic strength may be given in 10ths of percentage unit by volume;

(bb) notwithstanding Article 14(7), the terms 'demi-sec' and 'moelleux' may be replaced by 'légèrement doux' and 'demi-doux' respectively;

(3) 3 9 2 R 2 3 3 3 : Council Regulation (EEC) No 2333/92 of 13 July 1992 laying down general rules for the description and presentation of sparkling wines and aerated sparkling wines (OJ L 231, 13.8.1992, p. 9), as last amended by:

— 3 9 6 R 1 4 2 9 : Council Regulation (EC) No 1429/96 (OJ L 184, 24.7.1996, p. 9)

For the purposes of this Annex the Regulation shall be read with the following adaptations:

the reference to 'producer Member States' in the third subparagraph of Article 6(2) shall be deemed to extend to Switzerland;

(4) 3 9 5 R 0 5 5 4 : Commission Regulation (EC) No 554/95 of 13 March 1995 laying down detailed rules for the description and presentation of sparkling and aerated sparkling wines (OJ L 56, 14.3.1995, p. 3), as amended by:

— 3 9 6 R 1 9 1 5 : Commission Regulation (EC) No 1915/96 (OJ L 252, 4.10.1996, p. 10)

For the purposes of this Annex the Regulation shall be read with the following adaptations:

notwithstanding the first paragraph of Article 2 of the Regulation, the alcoholic strength may be given in 10ths of percentage unit by volume.

6. Ordonnance 26 June 1995 on additives authorised in foodstuffs, as last amended on 30 January 1998 (RO 1998 530)
7. Ordonnance 26 June 1995 on foreign substances and components of foodstuffs, as last amended on 30 January 1998 (RO 1998 273)
8. 3 7 5 L 0 1 0 6 : Council Directive 75/106/EEC of 19 December 1974 on the approximation of the laws of the Member States relating to the making-up by volume of certain prepackaged liquids (OJ L 42, 15.2.1975, p. 1), as last amended by:
 - 3 8 9 L 0 6 7 6 : Council Directive 89/676/EEC (OJ L 398, 30.12.1989, p. 18)
9. 3 9 3 R 2 2 3 8 : Commission Regulation (EEC) No 2238/93 of 26 July 1993 on the accompanying documents for the carriage of wine products and the relevant records to be kept (OJ L 200, 10.8.1993, p. 10), as corrected in OJ L 301, 8.12.1993, p. 29

For the purposes of this Annex, the Regulation shall be read with the following adaptations:

- (a) all imports into the Community of wine-sector products originating in Switzerland shall be subject to presentation of an accompanying document drawn up in accordance with the Regulation. Without prejudice to Article 4, the accompanying document must be drawn up in accordance with the model appearing in Annex III to the Regulation. In addition to the particulars provided for in Article 3, the document shall include details identifying the batch to which the wine-sector products belong;
- (b) the accompanying document referred to in point (a) shall replace the import document provided for in Commission Regulation (EEC) No 3590/85 of 18 December 1985 on the certificate and analysis report required for the importation of wine, grape juice and grape must (OJ L 343, 20.12.1985, p. 20), as last amended by Regulation (EC) No 960/98 of 7 May 1998 (OJ L 135, 8.5.1998, p. 4).
- (c) references in the Regulation to 'Member State(s)' or 'national or Community provisions' shall be deemed to extend to Switzerland and Swiss legislation.

INSTRUMENTS OF WHICH THE PARTIES TAKE NOTE

The Parties hereby take note of the content of the following instruments:

Appendix 2

Protected names referred to in article 6**A. Protected names for wine-sector products originating in the Community***I. Specific Community traditional terms*

- 1.1. The following terms referred to in Article 1 of Council Regulation (EEC) No 823/87 ⁽¹⁾ of 16 March 1987 laying down provisions relating to quality wines produced in specified regions, as last amended by Regulation (EC) No 1426/96 ⁽²⁾:
- (i) the terms 'quality wines produced in specified regions', 'quality wines psr' and the equivalent terms and abbreviations in the other Community languages;
 - (ii) the terms 'quality sparkling wines produced in specified regions', 'quality sparkling wines psr' and the equivalent terms and abbreviations in the other Community languages, and the terms 'Sekt bestimmter Anbaugebiete' or 'Sekt b.A.';
 - (iii) the terms 'quality semi-sparkling wines produced in specified regions', 'quality semi-sparkling wines psr' and the equivalent terms and abbreviations in the other Community languages;
 - (iv) the terms 'quality liqueur wines produced in specified regions', 'quality liqueur wines psr' and the equivalent terms and abbreviations in the other Community languages.
- 1.2. The following terms referred to in Council Regulation (EEC) No 4252/88 ⁽³⁾ of 21 December 1988 on the preparation and marketing of liqueur wines produced in the Community, as last amended by Regulation (EEC) No 1629/98 ⁽⁴⁾:
- 'οίνος φυσικός γλυκός' ('vin doux naturel')
 - 'vino generoso'
 - 'vino generoso de licor'
 - 'vinho generoso'
 - 'vino dulce natural'
 - 'vino dolce naturale'
 - 'vinho doce natural'
 - 'vin doux naturel'.
- 1.3. The term 'Crémant.'

II. Geographical indications and traditional expressions by Member State

- I. Wines originating in Germany
- II. Wines originating in France
- III. Wines originating in Spain
- IV. Wines originating in Greece

⁽¹⁾ OJ L 84, 27.3.1987, p. 59.

⁽²⁾ OJ L 184, 24.7.1996, p. 1.

⁽³⁾ OJ L 373, 31.12.1988, p. 59.

⁽⁴⁾ OJ L 210, 28.7.1998, p. 11.

- V. Wines originating in Italy
- VI. Wines originating in Luxembourg
- VII. Wines originating in Portugal
- VIII. Wines originating in the United Kingdom
- IX. Wines originating in Austria

I. WINES ORIGINATING IN THE FEDERAL REPUBLIC OF GERMANY

A. Geographical indications

1. Quality wines produced in specified regions ('Qualitätswein bestimmter Anbaugebiete')

1.1. Names of specified regions

- Ahr
- Baden
- Franken
- Hessische Bergstrasse
- Mittelrhein
- Mosel-Saar-Ruwer
- Nahe
- Pfalz
- Rheingau
- Rheinhessen
- Saale-Unstrut
- Sachsen
- Württemberg

1.2. Names of subregions, municipalities and parts thereof

1.2.1. Specified region Ahr

(a) Subregions:

Bereich Walporzheim/Ahrtal

(b) Grosslage:

Klosterberg

(c) Einzellagen:

Blume	Herrenberg	Sonnenberg
Burggarten	Laacherberg	Steinkaul
Goldkaul	Mönchberg	Übigberg
Hardtberg	Pfaffenberg	

(d) Municipalities and parts thereof:

Ahrbrück	Ehlingen	Neuenahr
Ahrweiler	Heimersheim	Pützfeld
Altenahr	Heppingen	Rech
Bachem	Lohrsdorf	Reimerzhoven
Bad Neuenahr-Ahrweiler	Marienthal	Walporzheim
Dernau	Mayschoss	

1.2.2. Specified region Hessische Bergstrasse

(a) Subregions:

Bereich Starkenburg
Bereich Umstadt

(b) Grosslagen:

Rott
Schlossberg
Wolfsmagen

(c) Einzellagen:

Eckweg	Höllberg	Steingerück
Fürstenlager	Kalkgasse	Steinkopf
Guldenzoll	Maiberg	Stemmler
Hemsberg	Paulus	Streichling
Herrenberg	Steingeröll	

(d) Municipalities and parts thereof:

Alsbach	Erbach	Klein-Umstadt
Bensheim	Gross-Umstadt	Rossdorf
Bensheim-Auerbach	Hambach	Seeheim
Bensheim-Schönberg	Heppenheim	Zwingenberg
Dietzenbach		

1.2.3. Specified region Mittelrhein

(a) Subregions:

Bereich Loreley
Bereich Siebengebirge

(b) Grosslagen:

Burg-Hammerstein	Lahntal	Schloss Reichenstein
Burg Rheinfels	Loreleyfelsen	Schloss Schönburg
Gedeonseck	Marxburg	Schloss Stahleck
Herrenberg	Petersberg	

(c) Einzellagen:

Brünchen	Römerberg	St. Martinsberg
Fürstenberg	Schloß Stahlberg	Wahrheit
Gartenlay	Sonne	Wolfshöhle
Klosterberg		

(d) Municipalities and parts thereof:

Ariendorf	Ehrental	Königswinter
Bacharach	Ems	Lahnstein
Bacharach-Steeg	Engenhöll	Langscheid
Bad Ems	Erpel	Leubsdorf
Bad Hönningen	Fachbach	Leutesdorf
Boppard	Filsen	Linz
Bornich	Hamm	Manubach
Braubach	Hammerstein	Medenscheid
Breitscheid	Henschhausen	Nassau
Brey	Hirzenach	Neurath
Damscheid	Kamp-Bornhofen	Niederburg
Dattenberg	Karthaus	Niederdollendorf
Dausenau	Kasbach-Ohlenberg	Niederhammerstein
Dellhofen	Kaub	Niederheimbach
Dörscheid	Kestert	Nochern
Ehrenbreitstein	Koblenz	Oberdiebach

Oberdollendorf	Rheinbrohl	Trechtingshausen
Oberhammerstein	Rheindiebach	Unkel
Obernhof	Rhens	Urbar
Oberheimbach	Rhöndorf	Vallendar
Oberwesel	Sankt-Goar	Weinähr
Osterspai	Sankt-Goarshausen	Wellmich
Patersberg	Schloss Fürstenberg	Werlau
Perscheid	Spay	Winzberg
Rheinbreitbach	Steeg	

1.2.4. Specified region Mosel-Saar-Ruwer

(a) General:

Mosel
Moseltaler
Ruwer
Saar

(b) Subregions:

Bereich Bernkastel
Bereich Moseltor
Bereich Obermosel
Bereich Saar-Ruwer
Bereich Zell

(c) Grosslagen:

Badstube	Münzlay	Scharzlay
Gipfel	Nacktarsch	Schwarzberg
Goldbäumchen	Probstberg	Schwarze Katz
Grafschaft	Römerlay	Vom heissem Stein
Königsberg	Rosenhang	Weinhex
Kurfürstlay	Sankt Michael	

(d) Einzellagen:

Abteiberg	Engelströpfchen	Hirtengarten
Adler	Eucharibusberg	Hitzlay
Altarberg	Falkenberg	Hofberger
Altärchen	Falklay	Honigberg
Altenberg	Felsenkopf	Hubertusberg
Annaberg	Fettgarten	Hubertuslay
Apotheke	Feuerberg	Johannisbrunnchen
Auf der Wiltingerkupp	Frauenberg	Juffer
Blümchen	Funkenberg	Kapellchen
Bockstein	Geisberg	Kapellenberg
Brauneberg	Goldgrübchen	Kardinalsberg
Braunfels	Goldkupp	Karlsberg
Brüderberg	Goldlay	Kätzchen
Bruderschaft	Goldtröpfchen	Kehrnagel
Burg Warsberg	Grafschafter Sonnenberg	Kirchberg
Burgberg	Großer Herrgott	Kirchlay
Burglay	Günterslay	Klosterberg
Burglay-Felsen	Hahnenschrittchen	Klostergarten
Burgmauer	Hammerstein	Klosterkammer
Busslay	Hasenberg	Klosterlay
Carlsfelsen	Hasenläufer	Klostersegen
Doctor	Held	Königsberg
Domgarten	Herrenberg	Kreuzlay
Domherrenberg	Herrenberg	Krone
Edelberg	Herzchen	Kupp
Elzhofberg	Himmelreich	Kurfürst
Engelgrube	Hirschlay	Lambertuslay

Laudamusberg	Paradies	Schießlay
Laurentiusberg	Paulinsberg	Schlagengraben
Lay	Paulinslay	Schleiberg
Leiterchen	Pfirsichgarten	Schlemmertröpfchen
Letterlay	Quiriniusberg	Schloß Thorer Kupp
Mandelgraben	Rathausberg	Schloßberg
Marienberg	Rausch	Sonnenberg
Marienburg	Rochusfels	Sonnenlay
Marienburger	Römerberg	Sonnenuhr
Marienhof	Römergarten	St. Georgshof
Maximiner	Römerhang	St. Martin
Maximiner Burgberg	Römerquelle	St. Matheiser
Maximiner	Rosenberg	Stefanslay
Meisenberg	Rosenborn	Steffensberg
Monteneubel	Rosengärtchen	Stephansberg
Moullay-Hofberg	Rosenlay	Stubener
Mühlenberg	Roterd	Treppchen
Niederberg	Sandberg	Vogteiberg
Niederberg-Helden	Schatzgarten	Weisserberg
Nonnenberg	Scheidterberg	Würzgarten
Nonnengarten	Schelm	Zellerberg
Osterlämmchen		

(e) Municipalities and parts thereof:

Alf	Filzen	Lay
Alken	Fisch	Lehmen
Andel	Flussbach	Leiwen
Avelsbach	Franzenheim	Liersberg
Ayl	Godendorf	Lieser
Bausendorf	Gondorf	Löf
Beilstein	Graach	Longen
Bekond	Grewenich	Longuich
Bengel	Güls	Lorenzhof
Bernkastel-Kues	Hamm	Lörsch
Beuren	Hatzenport	Lösnich
Biebelhausen	Helfant-Esingen	Maring-Noviant
Biewer	Hetzerath	Maximin Grünhaus
Bitzingen	Hockweiler	Mehring
Brauneberg	Hupperath	Mennig
Bremm	Igel	Merl
Briedel	Irsch	Mertesdorf
Briedern	Kaimt	Merzkirchen
Brodenbach	Kanzem	Mesenich
Bruttig-Fankel	Karden	Metternich
Bullay	Kasel	Metzdorf
Burg	Kastel-Stadt	Meurich
Burgen	Kattenes	Minheim
Cochem	Kenn	Monzel
Cond	Kernscheid	Morscheid
Detzem	Kesten	Moselkern
Dhron	Kinheim	Moselsürsch
Dieblich	Kirf	Moselweiss
Dreis	Klotten	Müden
Ebernach	Klüsserath	Mühlheim
Ediger-Eller	Kobern-Gondorf	Neef
Edingen	Koblenz	Nehren
Eitelsbach	Köllig	Nennig
Ellenz-Poltersdorf	Kommelingen	Neumagen-Dhron
Eller	Könen	Niederemmel
Enkirch	Konz	Niederfell
Ensch	Korlingen	Niederleuken
Erden	Kövenich	Niedermennig
Ernst	Köwerich	Nittel
Esingen	Krettnach	Noviant
Falkenstein	Kreuzweiler	Oberbillig
Fankel	Kröv	Oberemmel
Fastrau	Krutweiler	Oberfell
Fell	Kues	Obermennig
Fellerich	Kürenz	Oberperl
Filsch	Langsur	Ockfen

Olewig	Saarburg	Treis-Karden
Olkenbach	Scharzhofberg	Trier
Onsdorf	Schleich	Trittenheim
Osann-Monzel	Schoden	Ürzig
Palzem	Schweich	Valwig
Pellingen	Sehl	Veldenz
Perl	Sehlem	Waldrach
Piesport	Sehndorf	Wasserliesch
Platten	Sehnals	Wawern
Pölich	Senheim	Wehlen
Poltersdorf	Serrig	Wehr
Pommern	Soest	Wellen
Portz	Sommerau	Wiltingen
Pünderich	St. Aldegund	Wincheringen
Rachtig	Staat	Winningen
Ralingen	Starkenbourg	Wintersdorf
Rehlingen	Tarforst	Wintrich
Reil	Tawern	Wittlich
Riol	Temmels	Wolf
Rivenich	Thörnich	Zell
Riveris	Traben-Trarbach	Zeltingen-Rachtig
Ruwer	Trarbach	Zewen-Oberkirch

1.2.5. Specified region Nahe

(a) Subregions:

Bereich Kreuznach
 Bereich Schloss Böckelheim
 Bereich Nahetal

(b) Grosslagen:

Burgweg
 Kronenberg
 Paradiesgarten
 Pfarrgarten
 Rosengarten
 Schlosskapelle
 Sonnenborn

(c) Einzellagen:

Abtei	Honigberg	Paradies
Alte Römerstraße	Hörnchen	Pastorei
Altenberg	Johannisberg	Pastorenberg
Altenburg	Kapellenberg	Pfaffenstein
Apostelberg	Karthäuser	Ratsgrund
Backöfchen	Kastell	Rheingrafenberg
Becherbrunnen	Katergrube	Römerberg
Berg	Katzenhöhle	Römerhelde
Bergborn	Klosterberg	Rosenberg
Birkenberg	Klostergarten	Rosenteich
Domberg	Königsgarten	Rothenberg
Drachenbrunnen	Königsschloß	Saukopf
Edelberg	Krone	Schloßberg
Felsenberg	Kronenfels	Sonnenberg
Felseneck	Lauerweg	Sonnenweg
Forst	Liebesbrunnen	Sonnenlauf
Frühlingsplätzchen	Löhrer Berg	St. Antoniusweg
Galgenberg	Lump	St. Martin
Graukatzen	Marienförter	Steinchen
Herrenzehntel	Mönchberg	Steyerberg
Hinkelstein	Mühlberg	Straußberg
Hipperich	Narrenkappe	Teufelsküche
Hofgut	Nonnengarten	Tilgesbrunnen
Hölle	Osterhöll	Vogelsang
Höllensbrand	Otterberg	Wildgrafenberg
Höllenspfad	Palmengarten	

(d) Municipalities and parts thereof:

Alsenz	Hochstätten	Raumbach
Altenbamburg	Hüffelsheim	Rehborn
Auen	Ippesheim	Roxheim
Bad Kreuznach	Kalkofen	Rüdesheim
Bad Münster-Ebernburg	Kirschroth	Rümmelsheim
Bayerfeld-Steckweiler	Langenlonsheim	Schlossböckelheim
Bingerbrück	Laubenheim	Schöneberg
Bockenau	Lauschied	Sobernheim
Boos	Lettweiler	Sommerloch
Bosenheim	Mandel	Spabrücken
Braunweiler	Mannweiler-Cölln	Sponheim
Bretzenheim	Martinstein	St. Katharinen
Burg Layen	Meddersheim	Staudernheim
Burgsponheim	Meisenheim	Steckweiler
Cölln	Merxheim	Steinhardt
Dalberg	Monzingen	Schweppenhausen
Desloch	Münster	Traisen
Dorsheim	Münster-Sarmsheim	Unkenbach
Duchroth	Münsterappel	Wald Erbach
Ebernburg	Niederhausen	Waldalgesheim
Eckenroth	Niedermoschel	Waldböckelheim
Feilbingert	Norheim	Waldhilbersheim
Gaugrehweiler	Nussbaum	Waldlaubersheim
Genheim	Oberhausen	Wallhausen
Guldental	Obermoschel	Weiler
Gutenberg	Oberndorf	Weinsheim
Hargesheim	Oberstreit	Windesheim
Heddesheim	Odernheim	Winterborn
Hergenfeld	Planig	Winzenheim

1.2.6. Specified region Rheingau

(a) Subregion:

Bereich Johannisberg

(b) Grosslagen:

Burgweg	Gottesthal	Mehrhölzchen
Daubhaus	Heiligenstock	Steil
Deutelsberg	Honigberg	Steinmacher
Erntebringer		

(c) Einzellagen:

Dachsberg	Kilzberg	Nußbrunnen
Doosberg	Klaus	Rosengarten
Edelmann	Kläuserweg	Sandgrub
Fuschsberg	Klosterberg	Schönhell
Gutenberg	Königin	Schützenhaus
Hasensprung	Langenstück	Selingmacher
Hendelberg	Lenchen	Sonnenberg
Herrnberg	Magdalenenkreuz	St. Nikolaus
Höllenberg	Marcobrunn	Taubenberg
Jungfer	Michelmark	Viktoriaberg
Kapellenberg	Mönchspfad	

(d) Municipalities and parts thereof:

Assmannshausen	Johannisberg	Rauenthal
Aulhausen	Kiedrich	Reichartshausen
Böddiger	Lorch	Rüdesheim
Eltville	Lorchhausen	Steinberg
Erbach	Mainz-Kostheim	Vollrads
Flörsheim	Martinsthal	Wicker
Frankfurt	Massenheim	Wiesbaden
Geisenheim	Mittelheim	Wiesbaden-Dotzheim
Hallgarten	Niederwalluf	Wiesbaden-Frauenstein
Hattenheim	Oberwalluf	Wiesbaden-Schierstein
Hochheim	Oestrich	Winkel

1.2.7. Specified region Rheinhessen

(a) Subregions:

Bereich Bingen
 Bereich Nierstein
 Bereich Wonnegau

(b) Grosslagen:

Abtey	Güldenmorgen	Rehbach
Adelberg	Gutes Domtal	Rheinblick
Auflangen	Kaiserpfalz	Rheingrafenstein
Bergkloster	Krötenbrunnen	Sankt Rochuskapelle
Burg Rodenstein	Kurfürstenstück	Sankt Alban
Domblick	Liebfrauenmorgen	Spiegelberg
Domherr	Petersberg	Sybillenstein
Gotteshilfe	Pilgerpfad	Vögelsgärten

(c) Einzellagen:

Adelpfad	Herrgottspfad	Michelsberg
Äffchen	Himmelsacker	Mönchbäumchen
Alte Römerstraße	Himmelthal	Mönchspfad
Altenberg	Hipping	Moosberg
Aulenberg	Hoch	Morstein
Aulerde	Hochberg	Nonnengarten
Bildstock	Hockenmühle	Nonnenwingert
Binger Berg	Hohberg	Ölberg
Blücherpfad	Hölle	Osterberg
Blume	Höllensbrand	Paterberg
Bockshaut	Homberg	Paterhof
Bockstein	Honigberg	Pfaffenberg
Bornpfad	Horn	Pfaffenhalde
Bubenstück	Hornberg	Pfaffenkappe
Bürgel	Hundskopf	Pilgerstein
Daubhaus	Johannisberg	Rheinberg
Doktor	Kachelberg	Rheingrafenberg
Ebersberg	Kaisergarten	Rheinhöhe
Edle Weingärten	Kallenberg	Ritterberg
Eiserne Hand	Kapellenberg	Römerberg
Engelsberg	Katzebuckel	Römersteg
Fels	Kehr	Rosenberg
Felsen	Kieselberg	Rosengarten
Feuerberg	Kirchberg	Rotenfels
Findling	Kirchenstück	Rotenpfad
Frauenberg	Kirchgärtchen	Rotenstein
Fraugarten	Kirchplatte	Rotes Kreuz
Frühmesse	Klausenberg	Rothenberg
Fuchsloch	Kloppenberg	Sand
Galgenberg	Klosterberg	Sankt Georgen
Geiersberg	Klosterbruder	Saukopf
Geisterberg	Klostergarten	Sauloch
Gewürzgärtchen	Klosterweg	Schelmen
Geyersberg	Knopf	Schildberg
Goldberg	Königsstuhl	Schloß
Goldenes Horn	Kranzberg	Schloßberg
Goldgrube	Kreuz	Schloßberg-Schwätzerchen
Goldpfad	Kreuzberg	Schloßhölle
Goldstückchen	Kreuzblick	Schneckenberg
Gottesgarten	Kreuzkapelle	Schönberg
Götzenborn	Kreuzweg	Schützenhütte
Hähnchen	Leckerberg	Schwarzenberg
Hasenbiß	Leidhecke	Schloß Hammerstein
Hasensprung	Lenchen	Seilgarten
Haubenberg	Liebenberg	Silberberg
Heil	Liebfrau	Siliusbrunnen
Heiligenhaus	Liebfrauenberg	Sioner Klosterberg
Heiligenpfad	Liebfrauenthal	Sommerwende
Heilighäuschen	Mandelbaum	Sonnenberg
Heiligkreuz	Mandelberg	Sonnenhang
Herrengarten	Mandelbrunnen	Sonnenweg

Sonnheil	Steig-Terrassen	Vogelsang
Spitzberg	Stein	Wartberg
St. Annaberg	Steinberg	Wingertstor
St. Julianenbrunnen	Steingrube	Wißberg
St. Georgenberg	Tafelstein	Zechberg
St. Jakobsberg	Teufelspfad	Zellerweg am schwarzen Herrgott
Steig		

(d) Municipalities and parts thereof:

Abenheim	Friesenheim	Nack
Albig	Fürfeld	Nackenheim
Alsheim	Gabsheim	Neu-Bamberg
Alzey	Gau-Algesheim	Nieder-Flörsheim
Appenheim	Gau-Bickelheim	Nieder-Hilbersheim
Armsheim	Gau-Bischofshei	Nieder-Olm
Aspishem	Gau-Heppenheim	Nieder-Saulheim
Badenheim	Gau-Köngernheim	Nieder-Wiesen
Bechenheim	Gau-Odernheim	Nierstein
Bechtheim	Gau-Weinheim	Ober-Flörsheim
Bechtolsheim	Gaulsheim	Ober-Hilbersheim
Bermersheim	Gensingen	Ober-Olm
Bermersheim vor der Höhe	Gimbsheim	Ockenheim
Biebelnheim	Grolsheim	Offenheim
Biebelsheim	Gross-Winternheim	Offstein
Bingen	Gumbsheim	Oppenheim
Bodenheim	Gundersheim	Osthofen
Bornheim	Gundheim	Partenheim
Bretzenheim	Guntersblum	Pfaffen-Schwabenheim
Bubenheim	Hackenheim	Spiesheim
Budenheim	Hahnheim	Sponsheim
Büdesheim	Hangen-Weisheim	Sprendlingen
Dalheim	Harxheim	Stadecken-Elsheim
Dalsheim	Hechtsheim	Stein-Bockenheim
Dautenheim	Heidesheim	Sulzheim
Dexheim	Heimersheim	Tiefenthal
Dienheim	Heppenheim	Udenheim
Dietersheim	Herrnsheim	Uelversheim
Dintesheim	Hessloch	Uffhofen
Dittelsheim-Hessloch	Hillesheim	Undenheim
Dolgesheim	Hohen-Sülzen	Vendersheim
Dorn-Dürkheim	Horchheim	Volxheim
Drais	Horrweiler	Wachenheim
Dromersheim	Ingelheim	Wackernheim
Ebersheim	Jugenheim	Wahlheim
Eckelsheim	Kempton	Wallertheim
Eich	Kettenheim	Weinheim
Eimsheim	Klein-Winterheim	Weinolsheim
Elsheim	Köngernheim	Weinsheim
Engelstadt	Kriegsheim	Weisenu
Ensheim	Laubenheim	Welgesheim
Eppelsheim	Leiselheim	Wendelsheim
Erbes-Büdesheim	Lonsheim	Westhofen
Esselborn	Lörzweiler	Wies-Oppenheim
Essenheim	Ludwigshöhe	Wintersheim
Finthen	Mainz	Wolfsheim
Flornborn	Mauchenheim	Wöllstein
Flonheim	Mettenheim	Wonsheim
Flörsheim-Dalsheim	Mölsheim	Worms
Framersheim	Mommenheim	Wörrstadt
Freilaubersheim	Monsheim	Zornheim
Freimersheim	Monzernheim	Zotzenheim
Frettenham	Mörstadt	

1.2.8. Specified region Pfalz

(a) Subregions:

Bereich Mittelhaardt Deutsche Weinstrasse
 Bereich südliche Weinstrasse

(b) Grosslagen:

Bischofskreuz	Honigsäckel	Ordensgut
Feuerberg	Kloster	Pfaffengrund
Grafenstück	Liebfrauenberg	Rebstöckel
Guttenberg	Kobnert	Schloss Ludwigshöhe
Herrlich	Königsgarten	Schnepfenflug vom Zellertal
Hochmess	Mandelhöhe	Schnepfenflug an der Weinstrasse
Hofstück	Mariengarten	Schwarzerde
Höllenspfad	Meerspinne	Trappenberg

(c) Einzellagen:

Abtsberg	Hochbenn	Neuberg
Altenberg	Hochgericht	Nonnengarten
Altes Löhl	Höhe	Nonnenstück
Baron	Hohenrain	Nußbien
Benn	Hölle	Nußriegel
Berg	Honigsack	Oberschloß
Bergel	Im Sonnenschein	Ölgassel
Bettelhaus	Johanniskirchel	Oschelskopf
Biengarten	Kaiserberg	Osterberg
Bildberg	Kalkgrube	Paradies
Bischofsgarten	Kalkofen	Pfaffenberg
Bischofsweg	Kapelle	Reiterpfad
Bubeneck	Kapellenberg	Rittersberg
Burgweg	Kastanienbusch	Römerbrunnen
Doktor	Kastaniengarten	Römerstraße
Eselsbuckel	Kirchberg	Römerweg
Eselshaut	Kirchenstück	Roßberg
Forst	Kirchlöh	Rosenberg
Frauenländchen	Kirschgarten	Rosengarten
Frohnwingert	Klostergarten	Rosenkranz
Fronhof	Klosterpfad	Rosenkränzel
Frühmeß	Klosterstück	Roter Berg
Fuchsloch	Königswingert	Sauschwänzel
Gässel	Kreuz	Schäfergarten
Geißkopf	Kreuzberg	Schloßberg
Gerümpel	Heidegarten	Schloßgarten
Goldberg	Heilig Kreuz	Schwarzes Kreuz
Gottesacker	Heiligenberg	Seligmacher
Gräfenberg	Held	Silberberg
Hahnen	Herrenberg	Sonnenberg
Halde	Herrenmorgen	St. Stephan
Hasen	Herrenpfad	Steinacker
Hasenzeile	Herrgottsacker	Steingebiß
Heidegarten	Hochbenn	Steinkopf
Heilig Kreuz	Hochgericht	Stift
Heiligenberg	Martinshöhe	Venusbuckel
Held	Michelsberg	Vogelsang
Herrenberg	Münzberg	Vogelsprung
Herrenmorgen	Musikantenbuckel	Wolfsberg
Herrenpfad	Mütterle	Wonneberg
Herrgottsacker	Narrenberg	Zhpeter

(d) Municipalities and parts thereof:

Albersweiler	Billigheim	Dammheim
Albisheim	Billigheim-Ingenheim	Deidesheim
Albshiem	Birkweiler	Diedesfeld
Alsterweiler	Bischheim	Dierbach
Altdorf	Bissersheim	Dirmstein
Appenhofen	Bobenheim am Berg	Dörrenbach
Asselheim	Böbingen	Drusweiler
Arzheim	Böchingen	Duttweiler
Bad Dürkheim	Bockenheim	Edenkoben
Bad Bergzabern	Bolanden	Edesheim
Barbelroth	Bornheim	Einselthum
Battenberg	Bubenheim	Ellerstadt
Bellheim	Burrweiler	Erpolzheim
Berghausen	Colgenstein-Heidesheim	Eschbach
Biedesheim	Dackenheim	Essingen

Flemlingen	Insheim	Oberhausen
Forst	Kallstadt	Oberhofen
Frankenthal	Kandel	Oberrotterbach
Frankweiler	Kapellen	Obersülzen
Freckenfeld	Kapellen-Drusweiler	Obrigheim
Freimersheim	Kapsweyer	Offenbach
Freinsheim	Kindenheim	Ottersheim/Zellerthal
Freisbach	Kirchheim an der Weinstrasse	Ottersheim
Friedelsheim	Kirchheimbolanden	Pleisweiler
Gauersheim	Kirrweiler	Pleisweiler-Oberhofen
Geinsheim	Kleinfischlingen	Queichheim
Gerolsheim	Kleinkarlbach	Ranschbach
Gimmeldingen	Kleinniedesheim	Rechtenbach
Gleisweiler	Klingen	Rhodt
Gleiszellen-Gleishorbach	Klingenmünster	Rittersheim
Göcklingen	Knittelsheim	Rödersheim-Gronau
Godramstein	Knöringen	Rohrbach
Gommersheim	Königsbach an der Weinstrasse	Römerberg
Gönnheim	Lachen/Speyerdorf	Roschbach
Gräfenhausen	Lachen	Ruppertsberg
Gronau	Landau in der Pfalz	Rüssingen
Grossfischlingen	Laumersheim	Sausenheim
Grosskarlbach	Lautersheim	Schwegenheim
Grossniedesheim	Leinsweiler	Schweigen
Grünstadt	Leistadt	Schweigen-Rechtenbach
Haardt	Lustadt	Schweighofen
Hainfeld	Maikammer	Siebelingen
Hambach	Marnheim	Speyerdorf
Harxheim	Meckersheim	St. Johann
Hassloch	Meckenheim	St. Martin
Heidesheim	Mertesheim	Steinfeld
Heiligenstein	Minfeld	Steinweiler
Hergersweiler	Mörlheim	Stetten
Herxheim am Berg	Morschheim	Ungstein
Herxheim bei Landau	Mörzheim	Venningen
Herxheimweyer	Mühlheim	Vollmersweiler
Hessheim	Mühlhofen	Wachenheim
Heuchelheim	Mussbach an der Weinstrasse	Walsheim
Heuchelheim bei Frankental	Neuleiningen	Weingarten
Heuchelheim-Klingen	Neustadt an der Weinstrasse	Weisenheim am Berg
Hochdorf-Assenheim	Niederhorbach	Weyher in der Pfalz
Hochstadt	Niederkirchen	Winden
Illbesheim	Niederrotterbach	Zeiskam
Immesheim	Niefernheim	Zell
Impflingen	Nussdorf	Zellertal
Ingenheim		

1.2.9. Specified region Franken

(a) Subregions:

Bereich Bayerischer Bodensee
 Bereich Maindreieck
 Bereich Mainviereck
 Bereich Steigerwald

(b) Grosslagen:

Burgweg	Kapellenberg	Rosstal
Ewig Leben	Kirchberg	Schild
Heiligenthal	Markgraf Babenberg	Schlossberg
Herrenberg	Ölspiel	Schlosstück
Hofrat	Ravensburg	Teufelstor
Honigberg	Renschberg	

(c) Einzellagen:

Abtsberg	Hohenbühl	Pfaffenberg
Abtsleite	Höll	Ratsherr
Altenberg	Homburg	Reifenstein
Benediktusberg	Johannisberg	Rosenberg
Berg	Julius-Echter-Berg	Scharlachberg
Berg-Rondell	Kaiser Karl	Schloßberg
Bischofsberg	Kalb	Schwanleite
Burg Hoheneck	Kalbenstein	Sommertal
Centgrafenberg	Kallmuth	Sonnenberg
Cyriakusberg	Kapellenberg	Sonnenleite
Dabug	Karthäuser	Sonnenschein
Dachs	Katzenkopf	Sonnenstuhl
Domherr	Kelter	St. Klausen
Eselsberg	Kiliansberg	Stein
Falkenberg	Kirchberg	Stein/Harfe
Feuerstein	Königin	Steinbach
First	Krähenschnabel	Stollberg
Fischer	Kreuzberg	Storchenbrünnle
Fürstenberg	Kronsberg	Tannenberg
Glatzen	Küchenmeister	Teufel
Harstell	Lämmerberg	Teufelskeller
Heiligenberg	Landsknecht	Trautlestal
Heroldsberg	Langenberg	Vögelein
Herrgottsweg	Lump	Vogelsang
Herrenberg	Mainleite	Wachhügel
Herrschaftsberg	Marsberg	Weinsteig
Himmelberg	Maustal	Wölflein
Hofstück	Paradies	Zehntgaf

(d) Municipalities and parts thereof:

Abtswind	Eichenbühl	Güntersleben
Adelsberg	Eisenheim	Haidt
Adelshofen	Elfershausen	Hallburg
Albertheim	Elsensfeld	Hammelburg
Albertshofen	Eltmann	Handthal
Altmannsdorf	Engelsberg	Hassfurt
Alzenau	Engental	Hassloch
Arnstein	Ergersheim	Heidingsfeld
Aschaffenburg	Erlabrunn	Helmstadt
Aschfeld	Erlasee	Hergolshausen
Astheim	Erlenbach bei Marktheidenfeld	Herlheim
Aub	Erlenbach am Main	Herrnsheim
Aura an der Saale	Eschau	Hessler
Bad Windsheim	Escherndorf	Himmelstadt
Bamberg	Euerdorf	Höchberg
Bergtheim	Eussenheim	Hoheim
Bergheim	Fahr	Hohenfeld
Bibergau	Falkenstein	Höllrich
Bieberehren	Feuerthal	Holzkirchen
Bischwind	Frankenberg	Holz Kirchhausen
Böttigheim	Frankenwinheim	Homburg am Main
Breitbach	Frickenhäuser	Hösbach
Brück	Fuchstadt	Humprechtsau
Buchbrunn	Gädheim	Hundelshausen
Bullenheim	Gaibach	Hüttenheim
Bürgstadt	Gambach	Ickelheim
Castell	Gerbrunn	Iffigheim
Dampfach	Germünden	Ingolstadt
Dettelbach	Gerolzhofen	Iphofen
Dietersheim	Gnötzheim	Ippesheim
Dingolshausen	Gössenheim	Ipsheim
Donnersdorf	Grettstadt	Kammerforst
Dorfprozelten	Greussenheim	Karlburg
Dottenheim	Greuth	Karlstadt
Düttingsfeld	Grossheubach	Karsbach
Ebelsbach	Grosslangheim	Kaubenheim
Eherieder Mühle	Grossostheim	Kemmern
Eibelstadt	Grosswallstadt	Kirchsönbach

Kitzingen	Oberschwarzach	Tauberrettersheim
Kleinheubach	Obervolkach	Tauberzell
Kleinlangheim	Ochsenfurt	Theilheim
Kleinochsenfurt	Ottendorf	Thüngen
Klingenberg	Pflaumheim	Thüngersheim
Knetzgau	Possenheim	Tiefenstockheim
Köhler	Prappach	Tiefenthal
Kolitzheim	Prichsenstadt	Traustadt
Königsberg in Bayern	Prosselsheim	Triefenstein
Krassolzheim	Ramsthal	Trimberg
Krauthelm	Randersacker	Uettingen
Kreuzwertheim	Remlingen	Uffenheim
Krum	Repperndorf	Ullstadt
Külsheim	Retzbach	Unfinden
Laudenbach	Retzstadt	Unterdürrbach
Leinach	Reusch	Untereisenheim
Lengfeld	Riedenheim	Unterhaid
Lengfurt	Rimbach	Unterleinach
Lenkersheim	Rimpar	Veitshöchheim
Lindac	Rödelsee	Viereth
Lindelbach	Rossbrunn	Vogelsburg
Lülsfeld	Rothenburg ob der Tauber	Vögnitz
Machtilshausen	Rottenberg	Volkach
Mailheim	Rottendorf	Waigolshausen
Mainberg	Röttingen	Waigolsheim
Mainbernheim	Rück	Walddachsbach
Mainstockheim	Rüdenhausen	Wasserlos
Margetshöchheim	Rüdisbronn	Wäserndorf
Markt Nordheim	Rügshofen	Weigenheim
Markt Einersheim	Saaleck	Weiherr
Markt Erlbach	Sand am Main	Weilbach
Marktbreit	Schallfeld	Weimersheim
Marktheidenfeld	Scheinfeld	Wenigumstadt
Marktstef	Schmachtenberg	Werneck
Martinsheim	Schnepfenbach	Westheim
Michelau	Schonungen	Wiebelsberg
Michelbach	Schwanfeld	Wiesenbronn
Michelfeld	Schwarzach	Wiesenfeld
Miltenberg	Schwarzenau	Wiesentheid
Mönchstockheim	Schweinfurt	Willanzheim
Mühlbach	Segnitz	Winterhausen
Mutzenroth	Seinsheim	Wipfeld
Neubrunn	Sickershausen	Wirmsthal
Neundorf	Sommerach	Wonfurt
Neuses am Berg	Sommerau	Wörth am Main
Neusetz	Sommerhausen	Würzburg
Nordheim am Main	Staffelbach	Wüstenfelden
Obereisenheim	Stammheim	Wüstenzell
Oberhaid	Steigerwald	Zeil am Main
Oberleinach	Steinbach	Zeilitzheim
Obernau	Stetten	Zell am Ebersberg
Obernbreit	Sugenheim	Zell am Main
Oberntief	Sulzfeld	Zellingen
Oberschleichach	Sulzheim	Ziegelanger
Oberschwappach	Sulzthal	

1.2.10. Specified region Württemberg

(a) Subregions:

Bereich Württembergischer Bodensee
 Bereich Kocher-Jagst-Tauber
 Bereich Oberer Neckar
 Bereich Remstal-Stuttgart
 Bereich Württembergisch Unterland

(b) Grosslagen:

Heuchelberg	Lindelberg	Stromberg
Hohenneuffen	Salzberg	Tauberberg
Kirchenweinberg	Schalkstein	Wartbühl
Kocherberg	Schozachtal	Weinsteige
Kopf	Sonnenbühl	Wunnenstein
Lindauer Seegarten	Stautenberg	

(c) Einzellagen:

Altenberg	Kaiserberg	Sankt Johännser
Berg	Katzenbeißer	Schafsteige
Burgberg	Katzenöhrle	Schanzreiter
Burghalde	Kayberg	Schelmenklinge
Dachsberg	Kirchberg	Schenkenberg
Dachsteiger	Klosterberg	Scheuerberg
Dezberg	König	Schloßberg
Dieblesberg	Kriegsberg	Schloßsteige
Eberfürst	Kupferhalde	Schmecker
Felsengarten	Lämmler	Schneckenhof
Flatterberg	Lichtenberg	Sommerberg
Forstberg	Liebenberg	Sommerhalde
Goldberg	Margarete	Sonnenberg
Grafenberg	Michaelsberg	Sonntagsberg
Halde	Mönchberg	Steinacker
Harzberg	Mönchsberg	Steingrube
Heiligenberg	Mühlbacher	Stiftsberg
Herrlesberg	Neckarhölde	Wachtkopf
Himmelreich	Paradies	Wanne
Hofberg	Propstberg	Wardtberg
Hohenberg	Ranzenberg	Wildenberg
Hoher Berg	Rappen	Wohlfahrtsberg
Hundsberg	Reichshalde	Wurmberg
Jupiterberg	Rozenberg	Zweifelsberg

(d) Municipalities and parts thereof:

Abstatt	Burgbronn	Freudenthal
Adolzfurt	Cleebronn	Frickenhausen
Affalterbach	Cleversulzbach	Gaisburg
Affaltrach	Creglingen	Geddelsbach
Aichelberg	Criesbach	Gellmersbach
Aichwald	Degerloch	Gemmrigheim
Allmersbach	Diefenbach	Geradstetten
Aspach	Dimbach	Gerlingen
Asperg	Dörzbach	Grantschen
Auenstein	Dürrenzimmern	Gronau
Baach	Duttenberg	Grossbottwar
Bad Mergentheim	Eberstadt	Grossgartach
Bad Friedrichshall	Eibensbach	Grossheppach
Bad Cannstatt	Eichelberg	Grossingersheim
Beihingen	Ellhofen	Grunbach
Beilstein	Elpersheim	Güglingen
Beinstein	Endersbach	Gündelbach
Belsenberg	Ensing	Gundelsheim
Bensingen	Enzweihingen	Haagen
Besigheim	Eppingen	Haberschlacht
Beuren	Erdmannhausen	Häfnerhaslach
Beutelsbach	Erlenbach	Hanweiler
Bieringen	Erligheim	Harsberg
Bietigheim	Ernsbach	Hausen an der Zaber
Bietigheim-Bissingen	Eschelbach	Hebsack
Bissingen	Eschenau	Hedelfingen
Bodolz	Esslingen	Heilbronn
Bönnigheim	Fellbach	Hertmannsweiler
Botenheim	Feuerbach	Hessigheim
Brackenheim	Flein	Heuholz
Brettach	Forchtenberg	Hirschau
Bretzfeld	Frauenzimmern	Hof und Lembach
Breuningsweiler	Freiberg am Neckar	Hofen
Bürg	Freudenstein	Hoheneck

Hohenhaslach	Münster	Schwabbach
Hohenstein	Murr	Schwaigern
Höpfingheim	Neckarsulm	Siebeneich
Horkheim	Neckarweihingen	Siglingen
Horrheim	Neckarwestheim	Spielberg
Hösslinsülz	Neipperg	Steinheim
Illingen	Neudenu	Sternenfels
Ilfeld	Neuenstadt am Kocher	Stetten im Remstal
Ingelfingen	Neuenstein	Stetten am Heuchelberg
Ingersheim	Neuffen	Stockheim
Kappishäusern	Neuhausen	Strümpfelbach
Kernen	Neustadt	Stuttgart
Kesselfeld	Niederhofen	Sülzbach
Kirchberg	Niedernhall	Taldorf
Kirchheim	Niederstetten	Talheim
Kleinaspach	Nonnenhorn	Tübingen
Kleinbottwar	Nordhausen	Uhlbach
Kleingartach	Nordheim	Untereisesheim
Kleinheppach	Oberderdingen	Untergruppenbach
Kleiningersheim	Oberrohrn	Unterheimbach
Kleinsachsenheim	Obersöllbach	Unterheinriet
Klingenberg	Oberstenfeld	Unterjesingen
Knittlingen	Oberstetten	Untersteinbach
Kohlberg	Obersulm	Untertürkheim
Korb	Obertürkheim	Vaihingen
Kressbronn/Bodensee	Ochsenbach	Verrenberg
Künzelsau	Ochsenburg	Vorbachzimmern
Langenbeutingen	Oedheim	Waiblingen
Laudenbach	Offenau	Waldbach
Lauffen	Öhringen	Walheim
Lehrensteinsfeld	Ötisheim	Wangen
Leingarten	Pfaffenhofen	Wasserburg
Leonbronn	Pfedelbach	Weikersheim
Lienzingen	Poppenweiler	Weiler bei Weinsberg
Lindau	Ravensburg	Weiler an der Zaber
Linsenhofen	Reinsbronn	Weilheim
Löchgau	Remshalden	Weinsberg
Löwenstein	Reutlingen	Weinstadt
Ludwigsburg	Rielingshausen	Weissbach
Maienfels	Riet	Wendelsheim
Marbach/Neckar	Rietenau	Wermutshausen
Markelsheim	Rohracker	Widdern
Markgröningen	Rommelshausen	Willsbach
Massenbachhausen	Rosswag	Wimmental
Maulbronn	Rotenberg	Windischenbach
Meimsheim	Rottenburg	Winnenden
Metzingen	Sachsenheim	Winterbach
Michelbach am Wald	Schluchtern	Winzerhausen
Möckmühl	Schnait	Wurmlingen
Mühlacker	Schöntal	Wüstenrot
Mühlhausen an der Enz	Schorndorf	Zaberfeld
Mülhausen	Schozach	Zuffenhausen
Mundelsheim	Schützlingen	

1.2.11. Specified region Baden

(a) Subregions:

Bereich Badische Bergstrasse	Bereich Bodensee	Bereich Tuniberg
Kraichgau	Bereich Breisgau	Bereich Markgräflerland
Bereich Badisches Frankenland	Bereich Kaiserstuhl	Bereich Ortenau

(b) Grosslagen:

Attilafelsen	Mannaberg	Tauberkinge
Burg Lichteneck	Rittersberg	Tauberkinge
Burg Neuenfels	Schloss Rodeck	Vogtei Rötteln
Burg Zähringen	Schutterlindenberg	Vogtei Rötteln
Fürsteneck	Stiftsberg	Vulkanfelsen
Hohenberg	Stiftsberg	Vulkanfelsen
Lorettoberg		

(c) Einzellagen:

Abtsberg	Himmelreich	Rosenberg
Alte Burg	Hochberg	Roter Berg
Altenberg	Hummelberg	Rotgrund
Alter Gott	Kaiserberg	Schäf
Baßgeige	Kapellenberg	Scheibenbuck
Batzenberg	Käseberg	Schloßberg
Betschgräbler	Katzenberg	Schloßgarten
Bienenberg	Kinzigtäler	Silberberg
Bühl	Kirchberg	Sommerberg
Burggraf	Klepberg	Sonnenberg
Burgstall	Kochberg	Sonnenstück
Burgwingert	Kreuzhalde	Sonnhalde
Castellberg	Kronenbühl	Sonnholde
Eckberg	Kuhberg	Sonnhole
Eichberg	Lasenberg	Spiegelberg
Engelsberg	Lerchenberg	St. Michaelsberg
Engelsfelsen	Lotberg	Steinfelsen
Enselberg	Maltesergarten	Steingässle
Feuerberg	Mandelberg	Steingrube
Fohrenberg	Mühlberg	Steinhalde
Gänsberg	Oberdürrenberg	Steinmauer
Gestühl	Oelberg	Sternenberg
Haselstaude	Ölbaum	Teufelsburg
Hasenberg	Ölberg	Ulrichsberg
Henkenberg	Pfarrberg	Weingarten
Herrenberg	Plauelrain	Weinhecke
Herrenbuck	Pulverbuck	Winklerberg
Herrenstück	Rebtal	Wolfhag
Hex von Dasenstein	Renchtäler	

(d) Municipalities and parts thereof:

Achern	Bötzingen	Endingen
Achkarren	Breisach	Eppingen
Altdorf	Britzingen	Erlach
Altschweier	Broggingen	Ersingen
Amoltern	Bruchsal	Erzingen
Auggen	Buchholz	Eschbach
Bad Bellingen	Buggingen	Eschelbach
Bad Rappenau	Bühl	Ettenheim
Bad Krozingen	Bühlertal	Feldberg
Bad Mingolsheim	Burkheim	Fessenbach
Bad Mergentheim	Dainbach	Feuerbach
Baden-Baden	Dattingen	Fischingen
Badenweiler	Denzlingen	Flehingen
Bahlingen	Dertingen	Freiburg
Bahnbrücken	Diedesheim	Friesenheim
Ballrechten-Dottingen	Dielheim	Gailingen
Bamlach	Diersburg	Gemmingen
Bauerbach	Diestelhausen	Gengenbach
Beckstein	Dietlingen	Gerlachsheim
Berghaupten	Dittigheim	Gissigheim
Berghausen	Dossenheim	Glottertal
Bermatingen	Durbach	Gochsheim
Bermersbach	Dürren	Gottenheim
Berwangen	Eberbach	Grenzach
Bickensohl	Ebringen	Grossrinderfeld
Biengen	Efringen-Kirchen	Grossachsen
Bilfingen	Egringen	Grötzingen
Binau	Ehrenstetten	Grunern
Binzen	Eichelberg	Hagnau
Bischoffingen	Eichstetten	Haltingen
Blankenhornsberg	Eichtersheim	Haslach
Blansingen	Eimeldingen	Hassmersheim
Bleichheim	Eisental	Hecklingen
Bodmann	Eisingen	Heidelberg
Bollschweil	Ellmendingen	Heidelsheim
Bombach	Elsenz	Heiligenzell
Bottenau	Emmendingen	Heimbach

Heinsheim	Menzingen	Rohrbach am Gisshübel
Heitersheim	Merdingen	Rotenberg
Helmsheim	Merzhausen	Rümmingen
Hemsbach	Michelfeld	Sachsenflur
Herbolzheim	Mietersheim	Salem
Herten	Mösbach	Sasbach
Hertingen	Mühlbach	Sasbachwalden
Heuweiler	Mühlhausen	Schallbach
Hilsbach	Müllheim	Schallstadt
Hilzingen	Münchweier	Schelingen
Hochburg	Mundingen	Scherzingen
Hofweier	Münzesheim	Schlatt
Höhefeld	Munzingen	Schliengen
Hohensachsen	Nack	Schmieheim
Hohenwettersbach	Neckarmühlbach	Schriesheim
Holzen	Neckarzimmern	Seefelden
Horrenberg	Nesselried	Sexau
Hügelheim	Neudenu	Singen
Hugsweier	Neuenbürg	Sinsheim
Huttingen	Neuershausen	Sinzheim
Ihringen	Neusatz	Söllingen
Immenstaad	Neuweier	Stadelhofen
Impfingen	Niedereggene	Staufen
Istein	Niederrimsingen	Steinbach
Jechtingen	Niederschopfheim	Steinenstadt
Jöhlingen	Niederweiler	Steinsfurt
Kappelrodeck	Nimburg	Stetten
Karlsruhe-Durlach	Nordweil	Stettfeld
Kembach	Norsingen	Sulz
Kenzingen	Nussbach	Sulzbach
Kiechlinsbergen	Nussloch	Sulzburg
Kippenhausen	Oberachern	Sulzfeld
Kippenheim	Oberacker	Tairnbach
Kirchardt	Oberbergen	Tannenkirch
Kirchberg	Obereggene	Tauberbischofsheim
Kirchhofen	Obergrombach	Tiefenbach
Kleinkems	Oberkirch	Tiengen
Klepsau	Oberlauda	Tiergarten
Klettgau	Oberöwisheim	Tunsel
Köndringen	Oberrimsingen	Tutschfelden
Königheim	Oberrotweil	Überlingen
Königschaffhausen	Obersasbach	Ubstadt
Königshofen	Oberschopfheim	Ubstadt-Weiler
Konstanz	Oberschüpf	Uissigheim
Kraichtal	Obertsrot	Ulm
Krautheim	Oberuhldingen	Untergrombach
Külsheim	Oberweier	Unteröwisheim
Kürnbach	Odenheim	Unterschüpf
Lahr	Ödsbach	Varnhalt
Landshausen	Offenburg	Wagenstadt
Langenbrücken	Ohlsbach	Waldangelloch
Lauda	Opfingen	Waldulm
Laudenbach	Ortenberg	Wallburg
Lauf	Östringen	Waltershofen
Laufen	Ötlingen	Walzbachtal
Lautenbach	Ottersweier	Wasenweiler
Lehen	Paffenweiler	Weiber
Leimen	Rammersweier	Weil
Leiselheim	Rauenberg	Weiler
Leutershausen	Rechberg	Weingarten
Liel	Rechberg	Weinheim
Lindelbach	Reichenau	Weisenbach
Lipburg	Reichenbach	Weisloch
Lörrach	Reichholzheim	Welmlingen
Lottstetten	Renchen	Werbach
Lützelsachsen	Rettigheim	Wertheim
Mahlberg	Rheinweiler	Wettelbrunn
Malsch	Riedlingen	Wildtal
Mauchen	Riegel	Wintersweiler
Meersburg	Ringelbach	Wittnau
Mengen	Ringsheim	Wolfenweiler

Wollbach	Zell-Weierbach	Zungweier
Wöschbach	Zeutern	Zunzingen
Zaisenhausen		

- (e) Other:
Affental/Affentaler
Badisch Rotgold
Ehrentrudis

1.2.12. Specified region Saale-Unstrut

- (a) Subregions:
Bereich Schloß Neuenburg
Bereich Thüringen

- (b) Grosslagen:
Blütengrund
Göttersitz
Kelterberg
Schweigenberg

- (c) Einzellagen:
Hahnenberg
Mühlberg
Rappental

- (d) Municipalities and parts thereof:

Bad Sulza	Kaatschen	Rollsdorf
Bad Kösen	Kalzendorf	Roßbach
Burgscheidungen	Karsdorf	Schleberoda
Domburg	Kirchscheidungen	Schulpforte
Dorndorf	Klosterhäseler	Seeburg
Eulau	Langenbogen	Spielberg
Freyburg	Laucha	Steigra
Gleina	Löbaschütz	Vitzenburg
Goseck	Müncheroda	Weischütz
Großheringen	Naumburg	Weißenfels
Großjena	Nebra	Werder/Havel
Gröst	Neugönna	Zeuchfeld
Höhnstedt	Reinsdorf	Zscheiplitz
Jena		

1.2.13. Specified region Sachsen

- (a) Subregions:
Bereich Dresden
Bereich Elstertal
Bereich Meißen

- (b) Grosslagen:
Elbhänge
Lößnitz
Schloßweinberg
Spaargebirge

- (c) Einzellagen:
Kapitelberg
Heinrichsburg

- (d) Municipalities and parts thereof:

Belgern	Ostritz	Radebeul
Jessen	Pesterwitz	Schlieben
Kleindröben	Pillnitz	Seußlitz
Meißen	Proschwitz	Weinböhla
Merbitz		

1.2.14. Other indications

Liebfraumilch

Liebfrauenmilch

2. **Table wines bearing a geographical indication:**

Ahrtaler Landwein
Altrheingauer Landwein
Bayerischer Bodensee-Landwein
Fränkischer Landwein
Landwein der Ruwer
Landwein der Saar
Landwein der Mosel
Mitteldeutscher Landwein
Nahegauer Landwein
Pfälzer Landwein
Regensburger Landwein
Rheinburgen-Landwein
Rheinischer Landwein
Saarländischer Landwein der Mosel
Sächsischer Landwein
Schwäbischer Landwein
Starkenburger Landwein
Südbadischer Landwein
Taubertäler Landwein
Unterbadischer Landwein

B. Traditional expressions

Auslese
Beerenauslese
Deutsches Weinsiegel
Eiswein
Hochgewächs
Kabinett
Landwein
Qualitätswein garantierten Ursprungs/Q.g.U.
Qualitätsschaumwein garantierten Ursprungs/Q.g.U.
Qualitätswein mit Prädikat/Q.b.A.m.Pr./Prädikatswein
Schillerwein
Spätlese
Trockenbeerenauslese
Weissherbst
Winzersekt

II. WINES ORIGINATING IN THE FRENCH REPUBLIC

A. Geographical indications:1. **Quality wines produced in specified regions**1.1. *Names of specified regions*1.1.1. **Alsace and other regions in east France**1.1.1.1. **Appellations d'origine contrôlées**

Alsace

Alsace, followed by the name of a locality ('lieu-dit'):

— Altenberg de Bergbieten	— Moenchberg
— Altenberg de Bergheim	— Muenchberg
— Altenberg de Wolxheim	— Ollwiller
— Brand	— Osterberg
— Bruderthal	— Pfersigberg
— Eichberg	— Pfingstberg
— Engelberg	— Praelatenberg
— Florimont	— Rangen
— Frankstein	— Rosacker
— Froehn	— Saering
— Furstentum	— Schlossberg
— Geisberg	— Schoenenbourg
— Gloeckelberg	— Sommerberg
— Goldert	— Sonnenglanz
— Hatschbourg	— Spiegel
— Hengst	— Sporen
— Kanzlerberg	— Steingrubler
— Kastelberg	— Steinert
— Kessler	— Steinklotz
— Kirchberg de Barr	— Vorbourg
— Kirchberg de Ribeauvillé	— Wiebelsberg
— Kitterlé	— Wineck-Schlossberg
— Mambourg	— Winzenberg
— Mandelberg	— Zinnkoepflé
— Marckrain	— Zotzenberg

Côtes de Toul

1.1.1.2. Vins délimités de qualité supérieure

Moselle

1.1.2. Champagne region

1.1.2.1. Appellations d'origine contrôlées

Champagne

Coteaux Champenois

Riceys

1.1.3. Burgundy region

1.1.3.1. Appellations d'origine contrôlées

Aloxe-Corton

Auxey-Duresses

Auxey-Duresses Côte de Beaune

Bâtard-Montrachet

Beaujolais

Beaujolais, followed by the municipality of origin:

— Arbussonnas	— Marchampt
— Beaujeu	— Montmelas
— Blacé	— Odenas
— Cercié	— Pruzilly
— Chânes	— Quincié
— Charentay	— Regnié
— Chenas	— Rivolet
— Chiroubles	— Romanèche
— Denicé	— Saint-Amour-Bellevue
— Durette	— Saint-Etienne-des-Ouillères
— Emeringes	— Saint-Etienne-la-Varenne
— Fleurie	— Saint-Julien
— Juliénas	— Saint-Lager
— Jullié	— Saint-Symphorien-d'Annelles
— La Chapelle-de-Guinchay	— Saint-Vérand
— Lancié	— Salles
— Lantignié	— Vaux
— Le Perréon	— Vauxrenard
— Les Ardillats	— Villié Morgon
— Leynes	

Beaujolais-Villages

Beaune

Bienvenues Bâtard-Montrachet

Blagny

Blagny Côte de Beaune

Bonnes Mares

Bourgogne

Bourgogne Aligoté

Bourgogne or Bourgogne Clairret, whether or not followed by the sub-region:

- | | |
|--------------------------|-------------------------|
| — Côte Chalonnaise | — Hautes-Côtes de Nuits |
| — Côtes d'Auxerre | — Vézélay |
| — Hautes-Côtes de Beaune | |

Bourgogne or Bourgogne Clairret, whether or not followed by the municipality of origin:

- | | |
|------------------------|------------|
| — Chitry | — Epineuil |
| — Coulanges-la-Vineuse | — Irancy |

Bourgogne or Bourgogne Clairret, whether or not followed by:

- | | |
|--------------------------|---------------|
| — Côte Saint-Jacques | — Le Chapitre |
| — En Montre-Cul | — Montreuil |
| — La Chapelle Notre-Dame | — Montre-cul |

Bouzeron

Brouilly

Chablis

Chablis, whether or not followed by 'Climat d'origine':

- | | |
|---------------|------------|
| — Blanchot | — Preuses |
| — Bougros | — Valmur |
| — Les Clos | — Vaudésir |
| — Grenouilles | |

Chablis, whether or not followed by the 'Climat d'origine' or one of the following:

- | | |
|----------------------|------------------------|
| — Mont de Milieu | — Côte de Léchet |
| — Montée de Tonnerre | — Beauroy |
| — Chapelot | — Troesmes |
| — Pied d'Aloup | — Côte de Savant |
| — Côte de Bréchain | — Vau Ligneau |
| — Fourchaume | — Vau de Vey |
| — Côte de Fontenay | — Vaux Ragons |
| — L'Homme mort | — Vaucoupin |
| — Vaurorent | — Vosgros |
| — Vaillons | — Vaugiraut |
| — Chatains | — Les Fourneaux |
| — Séchers | — Morein |
| — Beugnons | — Côte des Près-Girots |
| — Les Lys | — Côte de Vaubarousse |
| — Mélinots | — Berdiot |
| — Roncières | — Chaume de Talvat |
| — Les Epinottes | — Côte de Jouan |
| — Montmains | — Les Beauregards |
| — Forêts | — Côte de Cuissy |
| — Butteaux | |

Chambertin

Chambertin Clos de Bèze

Chambolle-Musigny

Chapelle-Chambertin

Charlemagne

Charmes-Chambertin

Chassagne-Montrachet

Chassagne-Montrachet Côte de Beaune

Chenas

Chevalier-Montrachet
 Chiroubles
 Chorey-lès-Beaune
 Chorey-lès-Beaune Côte de Beaune
 Clos de la Roche
 Clos des Lambrays
 Clos de Tart
 Clos de Vougeot
 Clos Saint-Denis
 Corton
 Corton-Charlemagne
 Côte de Beaune
 Côte de Beaune-Villages
 Côte de Brouilly
 Côte de Nuits-Villages
 Côte Roannaise
 Criots Bâtard-Montrachet
 Echezeaux
 Fixin
 Fleurie
 Gevrey-Chambertin
 Givry
 Grands Echezeaux
 Griotte-Chambertin
 Juliéas
 La Grande Rue
 Ladoix
 Ladoix Côte de Beaune
 Latricières-Chambertin
 Mâcon
 Mâcon-Villages
 Mâcon, followed by the municipality of origin:

— Azé	— Leynes
— Berzé-la-Ville	— Loché
— Berzé-le-Chatel	— Lugny
— Bissy-la-Mâconnaise	— Milly-Lamartine
— Burgy	— Montbellet
— Bussières	— Peronne
— Chaintres	— Pierreclos
— Chânes	— Prissé
— Chardonnay	— Pruzilly
— Charnay-lès-Mâcon	— Romanèche-Thorins
— Chasselas	— Saint-Amour-Bellevue
— Chevagny-lès-Chevrières	— Saint-Gengoux-de-Scissé
— Clessé	— Saint-Symphorien-d'Annelles
— Crèches-sur-Saône	— Saint-Vérand
— Cruzilles	— Sologny
— Davayé	— Solutré-Pouilly
— Fuissé	— Uchizy
— Grévilley	— Vergisson
— Hurigny	— Verzé
— Igé	— Vinzelles
— La Chapelle-de-Guinchay	— Viré
— La Roche Vineuse	

Maranges, whether or not followed by the 'Climat d'origine' or one of the following:

— Clos de la Boutière	— Le Clos des Loyères
— La Croix Moines	— Le Clos des Rois
— La Fussièrre	— Les Clos Roussots

Maranges Côte de Beaune
Marsannay
Mazis-Chambertin
Mazoyères-Chambertin
Mercurey
Meursault
Meursault Côte de Beaune
Montagny
Monthélie
Monthélie Côte de Beaune
Montrachet
Morey-Saint-Denis
Morgon
Moulin-à-Vent
Musigny
Nuits
Nuits-Saint-Georges
Pernand-Vergelesses
Pernand-Vergelesses Côte de Beaune
Petit Chablis, whether or not followed by the municipality of origin:

— Beine	— Fontenay
— Béro	— Lignorelles
— Chablis	— Ligny-le-Châtel
— La Chapelle-Vaupelteigne	— Maligny
— Chemilly-sur-Serein	— Poilly-sur-Serein
— Chichée	— Préhy
— Collan	— Saint-Cyr-les-Colons
— Courgis	— Villy
— Fleys	— Viviers

Pommard
Pouilly-Fuissé
Pouilly-Loché
Pouilly-Vinzelles
Puligny-Montrachet
Puligny-Montrachet Côte de Beaune
Régnié
Richebourg
Romanée (La)
Romanée Conti
Romanée Saint-Vivant
Ruchottes-Chambertin
Rully
Saint-Amour
Saint-Aubin
Saint-Aubin Côte de Beaune
Saint-Romain
Saint-Romain Côte de Beaune
Saint-Véran
Santenay
Santenay Côte de Beaune
Savigny
Savigny Côte de Beaune
Savigny-lès-Beaune
Savigny-lès-Beaune Côte de Beaune
Tâche (La)

Vin Fin de la Côte de Nuits

Volnay

Volnay Santenots

Vosne-Romanée

Vougeot

1.1.3.2. Vins délimités de qualité supérieure

Côtes du Forez

Saint Bris

1.1.4. Jura and Savoy regions

1.1.4.1. Appellations d'origine contrôlées

Arbois

Arbois Pupillin

Château Châlon

Côtes du Jura

Coteaux du Lyonnais

Crépy

Jura

L'Etoile

Macvin du Jura

Savoie, followed by:

— Aymes

— Apremont

— Arbin

— Ayze

— Bergeron

— Chautagne

— Chignin

— Chignin Bergeron

— Cruet

— Frangy

Seyssel

— Jongieux

— Marignan

— Marestel

— Marin

— Monterminod

— Monthoux

— Montmélian

— Ripaille

— St-Jean de la Porte

— St-Jeoire Prieuré

1.1.4.2. Vins délimités de qualité supérieure

Bugey

Bugey, followed by the name of a 'cru' as follows:

— Anglefort

— Arbignieu

— Cerdon

— Chanay

— Lagnieu

— Machuraz

— Manicle

— Montagnieu

— Montagnieu

— Virieu-le-Grand

— Virieu-le-Grand

1.1.5. Côtes du Rhône region

1.5.1.1. Appellations d'origine contrôlées

Beaumes-de-Venise

Château Grillet

Châteauneuf-du-Pape

Châtillon-en-Diois

Condrieu

Cornas

Côte Rôtie

Coteaux de Die

Coteaux de Pierrevert

Coteaux du Tricastin

Côtes du Lubéron

Côtes du Rhône

Côtes du Rhône Villages

Côtes du Rhône Villages, followed by the municipality of origin:

- | | |
|----------------------|------------------------------|
| — Beumes de Venise | — Sablet |
| — Cairanne | — Saint-Gervais |
| — Chusclan | — Saint-Maurice sur Eygues |
| — Laudun | — Saint-Pantaléon-les-Vignes |
| — Rasteau | — Séguret |
| — Roaix | — Valréas |
| — Rochebude | — Vinsobres |
| — Rousset-les-Vignes | — Visan |

Côtes du Ventoux

Crozes-Hermitage

Crozes Ermitage

Die

Ermitage

Gigondas

Hermitage

Lirac

Rasteau

Saint-Joseph

Saint-Péray

Tavel

Vacqueyras

1.1.5.2. Vins délimités de qualité supérieure

Côtes du Vivarais

Côtes du Vivarais, followed by the name of a 'cru' as follows:

- Orgnac-l'Aven
- Saint-Montant
- Saint-Remèze

1.1.6. Provence and Corsica regions

1.1.6.1. Appellations d'origine contrôlées

Ajaccio

Bandol

Bellet

Cap Corse

Cassis

Corse, whether or not followed by:

- | | |
|------------------------|-----------------|
| — Calvi | — Sartène |
| — Coteaux du Cap-Corse | — Porto Vecchio |
| — Figari | |

Coteaux d'Aix-en-Provence

Les-Baux-de-Provence

Coteaux Varois

Côtes de Provence

Palette

Patrimonio

Provence

1.1.7. L a n g u e d o c - R o u s s i l l o n r e g i o n

1.1.7.1. Appellations d'origine contrôlées

Banyuls

Bellegarde

Collioure

Corbières

Costières de Nîmes

Coteaux du Languedoc

Coteaux du Languedoc Picpoul de Pinet

Coteaux du Languedoc, whether or not accompanied by one of the following names:

— Cabrières

— Coteaux de La Méjanelle

— Coteaux de Saint-Christol

— Coteaux de Vérargues

— La Clape

— La Méjanelle

— Montpeyroux

— Pic-Saint-Loup

— Quatourze

— Saint-Christol

— Saint-Drézéry

— Saint-Georges-d'Orques

— Saint-Saturnin

— Vérargues

Côtes du Roussillon

Côtes du Roussillon Villages

Côtes du Roussillon Villages Caramany

Côtes du Roussillon Villages Latour de France

Côtes du Roussillon Villages Lesquerde

Côtes du Roussillon Villages Tautavel

Faugères

Fitou

Frontignan

Languedoc, whether or not followed by the municipality of origin:

— Adissan

— Aspiran

— Le Bosc

— Cabrières

— Ceyras

— Fontès

— Lieuran-Cabrières

— Nizas

— Paulhan

— Péret

— Saint-André-de-Sangonis

Limoux

Lunel

Maury

Minervois

Mireval

Saint-Jean-de-Minervois

Rivesaltes

Roussillon

Saint-Chinian

1.1.7.2. Vins délimités de qualité supérieure

Cabardès

Côtes du Cabardès et de l'Orbiel

Côtes de la Malepère

Côtes de Millau

1.1.8. S o u t h - w e s t r e g i o n

1.1.8.1. Appellations d'origine contrôlées

Béarn

Béarn-Bellocq

Bergerac
Buzet
Cahors
Côtes de Bergerac
Côtes de Duras
Côtes du Frontonnais
Côtes du Frontonnais Fronton
Côtes du Frontonnais Villaudric
Côtes du Marmandais
Côtes de Montravel
Floc de Gascogne
Gaillac
Gaillac Premières Côtes
Haut-Montravel
Irouléguy
Jurançon
Madiran
Marcillac
Monbazillac
Montravel
Pacherenc du Vic-Bilh
Pécharmant
Rosette
Saussignac

1.1.8.2. Vins délimités de qualité supérieure

Côtes de Brulhois
Côtes de Saint-Mont
Tursan
Entraygues
Estaing
Fel
Lavilledieu

1.1.9. Bordeaux region

1.1.9.1. Appellations d'origine contrôlées

Barsac
Blaye
Bordeaux
Bordeaux Clairet
Bordeaux Côtes de Francs
Bordeaux Haut-Benauges
Bourg
Bourgeois
Côtes de Bourg
Cadillac
Cérons
Côtes Canon-Fronsac
Canon-Fronsac
Côtes de Blaye
Côtes de Bordeaux Saint-Macaire
Côtes de Castillon

Entre-Deux-Mers
Entre-Deux-Mers Haut-Benauges
Fronsac
Graves
Graves de Vayres
Haut-Médoc
Lalande de Pomerol
Listrac-Médoc
Loupjac
Lussac Saint-Emilion
Margaux
Médoc
Montagne Saint-Emilion
Moulis
Moulis-en-Médoc
Néac
Pauillac
Pessac-Léognan
Pomerol
Premières Côtes de Blaye
Premières Côtes de Bordeaux

Premières Côtes de Bordeaux, followed by the municipality of origin:

— Bassens	— Laroque
— Baurech	— Le Tourne
— Béguey	— Lestiac
— Bouliac	— Lormont
— Cadillac	— Monprimblanc
— Cambes	— Omet
— Camblanes	— Paillet
— Capian	— Quinsac
— Carbon blanc	— Rions
— Cardan	— Saint-Caprais-de-Bordeaux
— Carignan	— Saint-Eulalie
— Cenac	— Saint-Germain-de-Graves
— Cenon	— Saint-Maixant
— Donzac	— Semens
— Floirac	— Tabanac
— Gabarnac	— Verdels
— Haux	— Villenave de Rions
— Latresne	— Yvrac
— Langoiran	

Puisseguin Saint-Emilion
Sainte-Croix-du-Mont
Saint-Emilion
Saint-Estèphe
Sainte-Foy Bordeaux
Saint-Georges Saint-Emilion
Saint-Julien
Sauternes

1.1.10. Loire region

1.1.10.1. Appellations d'origine contrôlées

Anjou
Anjou Coteaux de la Loire
Anjou-Villages
Anjou-Villages Brissac

Blanc Fumé de Pouilly

Bourgueil

Bonnezeaux

Cheverny

Chinon

Coteaux de l'Aubance

Coteaux du Giennois

Coteaux du Layon

Coteaux du Layon, followed by the municipality of origin:

— Beaulieu-sur Layon

— Faye-d'Anjou

— Rablay-sur-Layon

— Rochefort-sur-Loire

— Saint-Aubin-de-Luigné

— Saint-Lambert-du-Lattay

Coteaux du Layon Chaume

Coteaux du Loir

Coteaux de Saumur

Cour-Cheverny

Jasnières

Loire

Menetou Salon, whether or not followed by the municipality of origin:

— Aubinges

— Menetou-Salon

— Morogues

— Parassy

— Pigny

— Quantilly

— Saint-Céols

— Soulangis

— Vignoux-sous-les-Aix

— Humbligny

Montlouis

Muscadet

Muscadet Coteaux de la Loire

Muscadet Sèvre-et-Maine

Muscadet Côtes de Grandlieu

Pouilly-sur-Loire

Pouilly Fumé

Quarts-de-Chaume

Quincy

Reuilly

Sancerre

Saint-Nicolas-de-Bourgueil

Saumur

Saumur Champigny

Savennières

Savennières-Coulée-de-Serrant

Savennières-Roche-aux-Moines

Touraine

Touraine Azay-le-Rideau

Touraine Amboise

Touraine Mesland

Val de Loire

Vouvray

1.1.10.2. Vins délimités de qualité supérieure:

Châteaumeillant

Côteaux d'Ancenis

Coteaux du Vendômois

Côtes d'Auvergne, whether or not followed by the municipality of origin:

— Boudes

— Chanturgue

— Châteaugay

— Corent

— Madargues

Fiefs-Vendéens, followed compulsorily by one of the following names:

- | | |
|-----------|------------|
| — Brem | — Pissotte |
| — Mareuil | — Vix |

Gros Plant du Pays Nantais

Haut Poitou

Orléanais

Saint-Pourçain

Thouarsais

Valençay

1.1.11. Cognac region

1.1.11.1. Appellations d'origines contrôlées

Charentes

2. **'Vins de pays' described by the name of a geographical unit**

Vin de pays de l'Agenais

Vin de pays d'Aigues

Vin de pays de l'Ain

Vin de pays de l'Allier

Vin de pays d'Allobrogie

Vin de pays des Alpes de Haute-Provence

Vin de pays des Alpes Maritimes

Vin de pays de l'Ardaillhou

Vin de pays de l'Ardèche

Vin de pays d'Argens

Vin de pays de l'Ariège

Vin de pays de l'Aude

Vin de pays de l'Aveyron

Vin de pays des Balmes dauphinoises

Vin de pays de la Bénovie

Vin de pays du Bérange

Vin de pays de Bessan

Vin de pays de Bigorre

Vin de pays des Bouches du Rhône

Vin de pays du Bourbonnais

Vin de pays de Cassan

Vin de pays Catalans

Vin de pays de Caux

Vin de pays de Cessenon

Vin de pays des Cévennes

Vin de pays des Cévennes 'Mont Bouquet'

Vin de pays Charentais

Vin de pays Charentais 'Ile de Ré'

Vin de pays Charentais 'Saint-Sornin'

Vin de pays de la Charente

Vin de pays des Charentes-Maritimes

Vin de pays du Cher

Vin de pays de la cité de Carcassonne

Vin de pays des collines de la Moure

Vin de pays des collines rhodaniennes

Vin de pays du comté de Grignan

Vin de pays du comté tolosan

Vin de pays des comtés rhodaniens
Vin de pays de Corrèze
Vin de pays de la Côte Vermeille
Vin de pays des coteaux charitais
Vin de pays des coteaux d'Enserune
Vin de pays des coteaux de Besilles
Vin de pays des coteaux de Cèze
Vin de pays des coteaux de Coiffy
Vin de pays des coteaux de Foncaude
Vin de pays des coteaux de Glanes
Vin de pays des coteaux de l'Ardèche
Vin de pays des coteaux de l'Auxois
Vin de pays des coteaux de la Cabrerisse
Vin de pays des coteaux de Laurens
Vin de pays des coteaux de Miramont
Vin de pays des coteaux de Murviel
Vin de pays des coteaux de Narbonne
Vin de pays des coteaux de Peyriac
Vin de pays des coteaux des Baronnie
Vin de pays des coteaux des Fenouillèdes
Vin de pays des coteaux du Cher et de l'Arnon
Vin de pays des coteaux du Grésivaudan
Vin de pays des coteaux du Libron
Vin de pays des coteaux du Littoral audois
Vin de pays des coteaux du Pont du Gard
Vin de pays des coteaux du Quercy
Vin de pays des coteaux du Salagou
Vin de pays des coteaux du Verdon
Vin de pays des coteaux et terrasses de Montauban
Vin de pays des côtes catalanes
Vin de pays des côtes de Gascogne
Vin de pays des côtes de Lastours
Vin de pays des côtes de Montestruc
Vin de pays des côtes de Pérignan
Vin de pays des côtes de Prouilhe
Vin de pays des côtes de Thau
Vin de pays des côtes de Thongue
Vin de pays des côtes du Brian
Vin de pays des côtes de Ceressou
Vin de pays des côtes du Condomois
Vin de pays des côtes du Tarn
Vin de pays des côtes du Vidourle
Vin de pays de la Creuse
Vin de pays de Cucugnan
Vin de pays des Deux-Sèvres
Vin de pays de la Dordogne
Vin de pays du Doubs
Vin de pays de la Drôme
Vin de pays du Duché d'Uzès
Vin de pays de Franche Comté
Vin de pays de Franche Comté 'Coteaux de Champlitte'
Vin de pays du Gard
Vin de pays du Gers

Vin de pays des gorges de l'Hérault
Vin de pays des Hautes-Alpes
Vin de pays de la Haute-Garonne
Vin de pays de la Haute-Marne
Vin de pays des Hautes-Pyrénées
Vin de pays d'Hauterive
Vin de pays d'Hauterive 'Val d'Orbieu'
Vin de pays d'Hauterive 'Coteaux du Termenès'
Vin de pays d'Hauterive 'Côtes de Lézignan'
Vin de pays de la Haute-Saône
Vin de pays de la Haute-Vienne
Vin de pays de la haute vallée de l'Aude
Vin de pays de la haute vallée de l'Orb
Vin de pays des hauts de Badens
Vin de pays de l'Hérault
Vin de pays de l'île de Beauté
Vin de pays de l'Indre et Loire
Vin de pays de l'Indre
Vin de pays de l'Isère
Vin de pays du jardin de la France
Vin de pays du jardin de la France 'Marches de Bretagne'
Vin de pays du jardin de la France 'Pays de Retz'
Vin de pays des Landes
Vin de pays de Loire-Atlantique
Vin de pays du Loir et Cher
Vin de pays du Loiret
Vin de pays du Lot
Vin de pays du Lot et Garonne
Vin de pays des Maures
Vin de pays de Maine et Loire
Vin de pays de la Meuse
Vin de pays du Mont Baudile
Vin de pays du Mont Caumes
Vin de pays des Monts de la Grage
Vin de pays de la Nièvre
Vin de pays d'Oc
Vin de pays du Périgord
Vin de pays de la Petite Crau
Vin de pays de Pézenas
Vin de pays de la principauté d'Orange
Vin de pays du Puy de Dôme
Vin de pays des Pyrénées-Atlantiques
Vin de pays des Pyrénées-Orientales
Vin de pays des Sables du golfe du Lion
Vin de pays de Saint-Sardos
Vin de pays de Sainte Marie la Blanche
Vin de pays de Saône et Loire
Vin de pays de la Sarthe
Vin de pays de Seine et Marne
Vin de pays du Tarn
Vin de pays du Tarn et Garonne
Vin de pays des Terroirs landais
Vin de pays des Terroirs landais 'Coteaux de Chalosse'

Vin de pays des Terroirs landais 'Côtes de l'Adour'
Vin de pays des Terroirs landais 'sables fauves'
Vin de pays des Terroirs landais 'sables de l'océan'
Vin de pays de Thézac-Perricard
Vin de pays du Torgan
Vin de pays d'Urfé
Vin de pays du Val de Cesse
Vin de pays du Val de Dagne
Vin de pays du Val de Montferrand
Vin de pays de la vallée du Paradis
Vin de pays des vals d'Agly
Vin de pays du Var
Vin de pays du Vaucluse
Vin de pays de la Vaunage
Vin de pays de la Vendée
Vin de pays de la Vicomté d'Aumelas
Vin de pays de la Vienne
Vin de pays de la Vistrenque
Vin de pays de l'Yonne

B. Traditional expressions

1^{er} cru
Premier cru
1^{er} cru classé
Premier cru classé
1^{er} grand cru classé
Premier grand cru classé
2^e cru classé
Deuxième cru classé
Appellation contrôlée/AC
Appellation d'origine/AO
Appellation d'origine contrôlée/AOC
Clos
Cru
Cru artisan
Cru bourgeois
Cru classé
Edelzwicker
Grand cru
Grand cru classé
Schillerwein
Sélection de grains nobles
Vendange tardive
Vin de paille
Vin de pays
Vin délimité de qualité supérieure/VDQS

III. WINES ORIGINATING IN THE KINGDOM OF SPAIN

A. Geographical indications

1. Quality wines produced in specified regions ('Vino de calidad producido en región determinada')

1.1. Names of specified regions

Abona	Monterrei
Alella	Montilla-Moriles
Alicante	Navarra
Almansa	Palma
Ampurdán-Costa Brava	Penedés
Bierzo	Priorato
Binissalem-Mallorca	Rias Baixas
Bullas	Ribeiro
Calatayud	Ribera del Duero
Campo de Borja	Rioja (DO Ca)
Cariñena	Rueda
Cava	Somontano
Chacolí de Bizkaia-Bizkaiko txakolina	Tacoronte-Acentejo
Chacolí de Getaria-Getariako Txakolina	Tarragona
Cigales	Terra Alta
Conca de Barbera	Toro
Condado de Huelva	Utiel-Requena
Costers del Segre	Valdeorras
Hierro	Valdepeñas
Jerez / Xérès / Sherry	Valencia
Jumilla	Valle de Güímar
Lanzarote	Valle de la Orotava
Madrid	Ycoden-Daute-Isora
Malaga	Yecla
Mancha	
Manzanilla-Sanlúcar de Barrameda	
Méntrida	

1.2. Names of subregions and communes

1.2.1. Specified region Abona

Adeje	Granadilla de Abona
Vilaflor	Villa de Arico
Arona	Fasnia
San Miguel de Abona	

1.2.2. Specified region Alella

Alella	Premià de Mar
Argentona	Roca del vallès
Cabrils	San Fost de Campcentelles
Martorelles	Santa Maria de Martorelles
Masnou	Teia
Mongat	Tiana
Montornés del Vallès	Vallromanes
Orrius	Vilassar de Dalt
Premià de Dalt	Villanova del Vallès

1.2.3. Specified region Alicante

(a) Alicante

Algueña	Ibi
Alicante	Mañán
Bañeres	Monovar
Benejama	Onil
Biar	Petrer
Campo de Mirra	Pinoso
Cañada	Romana
Castalla	Salinas
Elda	Sax
Hondón de los Frailes	Tibi
Hondón de las Nieves	Villena

(b) La Marina

Alcalali	Murla
Beniarbeig	Ondara
Benichembla	Orba
Benidoleig	Parcent
Benimeli	Pedreguer
Benissa	Sagra
Benitachell	Sanet y Negrals
Calpe	Senija
Castell de Castells	Setla y Mirarrosa
Denia	Teulada
Gata de Gorgos	Tormos
Jalón	Vall de Laguart
Lliver	Vergel
Miraflor	Xabia

1.2.4. Specified region Almansa

Alpera	Higueruela
Almansa	Hoya Gonzalo
Bonete	Pétrola
Chinchilla de Monte-Aragón	Villar de Chinchilla
Corral-Rubio	

1.2.5. Specified region Ampurdán-Costa Brava

Agullana	Pau
Aviñonet de Puigventós	Pedret i Marsà
Boadella	Perelada
Cabanes	Pont de Molins
Cadaqués	Port-Bou
Cantallops	Port de la Selva
Capmany	Rabós
Colera	Roses
Darnius	Riumors
Espolla	Sant Climent de Sescebes
Figueres	Selva de Mar
Garriguella	Terrades
Jonquera	Vilafant
Llançà	Vilajuïga
Llers	Vilamaniscle
Masarach	Vilanant
Mollet de Perelada	Viure
Palau-Sabardera	

1.2.6. Specified region Bierzo

Arganza	Fresnedo
Bembibre	Molinaseca
Borrenes	Noceda
Cabañas Raras	Ponferrada
Cacabelos	Priaranza
Camponaraya	Puente de Domingo Flórez
Carracedelo	Sancedo
Carucedo	Toral de los Vados
Castropodame	Vega de Espinareda
Congosto	Villadecanes
Corullón	Villafranca del Bierzo
Cubillos del Sil	

1.2.7. Specified region Binissalem-Mallorca

Binissalem
Consell
Santa María del Camí
Sancellas
Santa Eugenia

1.2.8. Specified region Bullas

Bullas
Cehegín
Mula
Ricote
Calasparra
Caravaca
Moratalla
Lorca

1.2.9. Specified region Calatayud

Abanto	Miedes
Acered	Monterde
Alarba	Montón
Alhama de Aragón	Morata de Jiloca
Aniñón	Moros
Ateca	Munébrega
Belmonte de Gracián	Nuévalos
Bubierca	Olvés
Calatayud	Orera
Cárenas	Paracuellos de Jiloca
Castejón de Alarba	Ruesca
Castejón de las Armas	Sediles
Cervera de la Cañada	Terrer
Clarés de Ribota	Torralba de Ribota
Codos	Torrijo de la Cañada
Fuentes de Jiloca	Valtorres
Godojos	Villalba del Perejil
Ibdes	Villalengua
Maluenda	Villaroya de la Sierra
Mara	Viñuela

1.2.10. Specified region Campo de Borja

Agón	Bureta
Ainzón	Buste
Alberite de San Juan	Fuendejalón
Albeta	Magallón
Ambel	Maleján
Bisimbre	Pozuelo de Aragón
Borja	Tabuenca
Bulbunte	Vera de Moncayo

1.2.11. Specified region Cariñena

Aguarón	Encinacorba
Aladrén	Longares
Alfamén	Muel
Almonacid de la Sierra	Mezalocha
Alpartir	Paniza
Cariñena	Tosos
Cosuenda	Villanueva de Huerva

1.2.12. Specified region Cigales

Cabezón de Pisuerga	Mucientes
Cigales	Quintanilla de Trigueros
Corcos del Valle	San Martín de Valveni
Cubillas de Santa Marta	Santovenia de Pisuerga
Dueñas	Trigueros del Valle
Fuensaldaña	Valoria la Buena

1.2.13. Specified region Conca de Barbera

Barberà de la Conca	Rocafort de Queralt
Blancafort	Sarral
Conesa	Senan
Forés	Solivella
Espluga de Francolí	Vallclara
Montblanc	Vilaverd
Pira	Vimbodí

1.2.14. Specified region Condado de Huelva

Almonte	Niebla
Beas	Palma del Condado
Bollullos del Condado	Palos de la Frontera
Bonares	Rociana del Condado
Chucena	San Juan del Puerto
Hinojos	Trigueros
Lucena del Puerto	Villalba del Alcor
Manzanilla	Villarrasa
Moguer	

1.2.15. Specified region Costers del Segre

(a) Subregion Raimat

Lleida

(b) Subregion Artesa

Alòs de Balaguer
 Artesa de Segre
 Foradada
 Penelles
 Preixens

(c) Subregion Valle del Rio Corb

Belianes	Montornés de Segarra
Ciudadilla	Nalec
Els Omells de na Gaia	Preixana
Granyanella	San Marti de Riucorb
Granyena de Segarra	Tarrega
Guimerá	Vallbona de les Monges
Maldá	Vallfogona de Riucorb
Montoliu de Segarra	Verdú

(d) Subregion Les Garrigues

Arbeca	Albi
Bellaguarda	Espluga Calba
Cerviá de les Garrigues	La Floresta
El Vilosell	La Pobla de Cérvoles
Els Omellons	Tarrés
Fulleda	Vinaixa

1.2.16. Specified region Chacolí de Bizkaia/Bizkaiko Txakolina

Bakio	Lekeitio
Balmaseda	Markina
Barakaldo	Mendata
Derio	Mendexa
Durango	Morga
Elorrio	Mungia
Erandio	Muskiz
Forua	Muxika
Galdames	Orduña
Gamiz-Fika	Sestao
Gatika	Sopelana
Gernika	Sopuerta
Gordexola	Zalla
Gueñes	Zamudio
Larrabetzu	Zaratamo
Lezama	

1.2.17. Specified region Chacolí De Getaria/Getariako Txakolina

Aia
Getaria
Zarautz

1.2.18. Specified region El Hierro

Frontera
Valverde

1.2.19. Specified region Jerez-Xérès-Sherry and Manzanilla-Sanlúcar de Barrameda

Chiclana de la Frontera
Chipiona
Jerez de la Frontera
Lebrija
Puerto de Santa Maria
Puerto Real
Rota
Sanlúcar de Barrameda
Trebujena

1.2.20. Specified region Jumilla

Albatana
Fuente-Alamo
Hellin
Jumilla
Montealegre del Castillo
Ontur
Tobarra

1.2.21. Specified region Lanzarote

Arrecife
Hariá
San Bartolomé
Teguise
Tías
Tinajo
Yaiza

1.2.22. Specified region Málaga

Alameda	Estepona
Alcaucin	Frigiliana
Alfarnate	Fuente Piedra
Alfarnatejo	Humilladero
Algarrobo	Iznate
Alhaurín de la Torre	Macharaviaya
Almachar	Manilva
Almogía	Moclinejo
Antequera	Mollina
Archez	Nerja
Archidona	Periana
Arenas	Rincón de la Victoria
Benamargosa	Riogordo
Benamocarra	Salares
Borge	Sayalonga
Campillos	Sedella
Canillas de Albaida	Sierra de Yeguas
Canillas del Aceituno	Torrox
Casabermeja	Totalán
Casares	Velez-Málaga
Colmenar	Villanueva del Trabuco
Comares	Villanueva de Tapia
Cómpeta	Villanueva del Rosario
Cuevas de San Marcos	Villanueva de Algaidas
Cuevas Bajas	Viñuela
Cutar	

1.2.23. Specified region La Mancha

Acabron	Casas de Haro
Ajofrin	Casas de los Pinos
Albaladejo	Casas de Benitez
Alberca de Zancara	Casas de Guijarro
Alcázar de San Juan	Castellar de Santiago
Alcolea de Calatrava	Castillo de Garcimuñoz
Alconchel de la Estrella	Cervera del Llano
Aldea del Rey	Chueca
Alhambra	Ciruelos
Almagro	Ciudad Real
Almarcha	Consuegra
Almedina	Corral de Almaguer
Almendros	Cortijos
Almodovar del Campo	Cózar
Almonacid del Marquesado	Daimiel
Almonacid de Toledo	Dosbarrios
Arenas de San Juan	Fernancaballero
Argamasilla de Alba	Fuencilla
Argamasilla de Calatrava	Fuensanta
Atalaya del Cañavate	Fuente el Fresno
Ballesteros de Calatrava	Fuente de Pedro Naharro
Barajas de Melo	Fuentelespino de Haro
Belinchón	Granátula de Calatrava
Belmonte	Guardia
Bolaños de Calatrava	Herencia
Cabanas de Yepes	Hinojosa
Cabezamesada	Hinojosos
Calzada de Calatrava	Honrubia
Campo de Criptana	Hontanaya
Camuñas	Horcajo de Santiago
Cañada de Calatrava	Huelves
Cañadajuncosa	Huerta de Valdecarábanos
Cañavate	Labores
Carrasposa de Haro	Leganiel
Carrion de Calatrava	Lezuza
Carrizosa	Lillo
Casas de Fernando Alonso	Madridejos

Malagon	Socuéllamos
Manzanares	Solana
Manzanaque	Sonseca con Casalgordo
Marjaliza	Tarancón
Mascaraque	Tarazona de la Mancha
Membrilla	Tembleque
Mesas	Terrinches
Miguel Esteban	Toboso
Miguelturra	Tomelloso
Minaya	Torralba de Calatrava
Monreal del Llano	Torre de Juan Abad
Montalbanejo	Torrubia del Campo
Montalvos	Torrubia del Castillo
Montiel	Tresjuncos
Mora	Tribaldos
Mota del Cuervo	Turleque
Munera	Uclés
Nambroca	Urda
Noblejas	Valenzuela de Calatrava
Ocaña	Valverde de Jucar
Olivares de Júcar	Vara de Rey
Ontigola con Oreja	Villa de Don Fadrique
Orgaz con Arisgotas	Villacañas
Osa de la Vega	Villaescusa de Haro
Ossa de Montiel	Villafranca de los Caballeros
Pedernoso	Villahermosa
Pedro Muñoz	Villamanrique
Pedroñeras	Villamayor de Calatrava
Picón	Villamayor de Santiago
Piedrabuena	Villaminaya
Pinarejo	Villamuelas
Poblete	Villanueva de Alcardete
Porzuna	Villanueva de Bogas
Pozoamargo	Villanueva de los Infantes
Pozorrubio	Villanueva de la Fuente
Pozuelo de Calatrava	Villar del Pozo
Pozoamargo	Villar de la Encina
Provencio	Villanueva de los Infantes
Puebla de Almoradiel	Villar del Pozo
Puebla del Principe	Villar de la Encina
Puebla de Almenara	Villar de Cañas
Puerto Lápice	Villarejo de Fuentes
Quero	Villares del Saz
Quintanar de la Orden	Villarrobledo
Rada de Haro	Villarrubia de Santiago
Roda	Villarrubia de los Ojos
Romeral	Villarrubio
Rozalén del Monte	Villarta de San Juan
Saelices	Villasequilla de Yepes
San Clemente	Villatobas
Santa Cruz de la Zarza	Villaverde y Pasaconsol
Santa Maria de los Llanos	Yebénes
Santa Cruz de los Cañamos	Yepes
Santa Maria del Campo	Zarza del Tajo
Sisante	

1.2.24. Specified region Mentrída

Albarreal de Tajo	Casarrubios del Monte
Alcabón	Castillo de Bayuela
Aldea en Cabo	Cebolla
Almorox	Cedillo del Condado
Arcicóllar	Cerralbos
Barcience	Chozas de Canales
Burujón	Domingo Pérez
Camarena	Escalona
Camarenilla	Escalonilla
Carmena	Fuensalida
Carranque	Gerindote

Hinojosa de San Vicente	Portillo
Hormigos	Real de San Vicente
Huecas	Recas
Lominchar	Rielves
Lucillos	Santa Olalla
Maqueda	Santa Cruz del Retamar
Mentrida- Montearagón	Torre de Esteban Hambrán
Nombela	Torrijos
Novés	Val de Santo Domingo
Otero	Valmojado
Palomeque	Ventas de Retamosa
Paredes	Villamiel
Paredas de Escalona	Viso
Pelahustán	Yunclillos

1.2.25. Specified region Montilla-Moriles

Aguilar de la Frontera	Montemayor
Baena	Montilla
Cabra	Monturque
Castro del Rio	Moriles
Doña Mencía	Nueva Carteya
Espejo	Puente Genil
Fernán-Nuñez	Rambla
Lucena	Santaella
Montalbán	

1.2.26. Specified region Navarra

(a) Sub-region Ribera Baja

Ablitas	Fitero
Arguedas	Monteagudo
Barillas	Murchante
Cascante	Tudela
Castejón	Tulebras
Cintruénigo	Valtierra
Corella	

(b) Subregion Ribera Alta

Artajona	Mérida
Beire	Milagro
Berbinzana	Miranda de Arga
Cadreita	Murillo el Fruto
Caparroso	Murillo el Cuende
Cárcar	Olite
Carcastillo	Peralta
Falces	Pitillas
Funes	Sansoain
Larraga	Santacara
Lerin	Sesma
Lodosa	Tafalla
Marcilla	Villafranca

(c) Subregion Tierra Estella

Aberin	Igúzquiza
Allo	Lazagurria
Arcos	Luquin
Arellano	Mendoza
Arróniz	Morentin
Ayeguí	Oteiza de la Solana
Barbarín	Sansol
Busto	Torralba del Rio
Desojo	Torres del Rio
Discastillo	Valle de Yerri
Espronceda	Villatuerta
Estella	Villa mayor de Monjardín

(d) Subregion Valdizarbe

Adios	Mendigorría
Añorbe	Muruzábal
Artazu	Obanos
Barásoain	Orisoain
Biurrun	Oloriz
Cirauqui	Puente la Reina
Etxauri	Pueyo
Enériz	Tiebas-Muruarte de Reta
Garinoain	Tirapu
Guirguillano	Ucar
Legarda	Unzué
Leoz	Uterga
Mañeru	

(e) Subregion Baja Montaña

Aibar	Lerga
Aoiz	Llédena
Cáseda	Lumbier
Eslava	Sada
Ezprogui	San Martin de Unx
Gallipienzo	Sanguesa
Javier	Ujué
Leache	

1.2.27. Specified region Penedès

Abrera	Olesa de Bonesvalls
Aiguamurcia	Olivella
Albinyana	Pacs del Penedès
Avinyonet	Piera
Banyeres	Pla del Penedès
Begues	Pontons
Bellvei	Puigdàlber
Bisbal del Penedès, La	Roda de Barà
Bonastre	Sant Llorenç d'Hortons
Cabanyas	Sant Quinti de Mediona
Cabrera d'Igualada	Sant Sadurni d'Anoia
Calafell	Sant Cugat Sesgarrigues
Canyelles	Sant Esteve Sesrovires
Castellet i Gornal	Sant Jaume dels Domenys
Castellvi Rosanes	Santa Margarida i els Monjos
Castellvi de la Marca	Santa Fe del Penedès
Cervelló	Santa Maria de Miralles
Corbera de Llobregat	Santa Oliva
Creixell	Sant Jaume dels domenys
Cubelles	Sant Marti Sarroca
Cunit	Sant Pere de Ribes
Font-rubí	Sant Pere de Riudebitlles
Gelida	Sitges
Granada	Subirats
Hostalets de Pierola	Torrelavid
Llacuna	Torrelles de Foix
Llorenç del Penedès	Vallirana
Martorell	Vendrell, El
Mascefa	Vilafranca del Penedès
Mediona	Vilanova i la Geltrú
Montmell	Viloví
Olèrdola	

1.2.28. Specified region Priorato

Bellmunt del Priorat
Gratallops
Lloà
Morera de Montsant
Poboleda

Porrera
Torroja del Priorat
Vilella Alta
Vilella Baixa

1.2.29. Specified region Rias Baixas

(a) Subregion Val do Salnés

Caldas de Reis	Ribadumia
Cambados	Sanxenxo
Meaño	Vilanova de Arousa
Meis	Vilagracia de Arousa
Portas	

(b) Subregion Condado do Tea

A Cañiza	Crecente
Arbo	Salvaterra de Miño
As Neves	

(c) Subregion O Rosal

O Rosal
Tomiño
Tui

1.2.30. Specified region Ribeiro

Arnoia	Cortegada
Beade	Leiro
Carballeda de Avia	Punxin
Castro de Miño	Ribadavia
Cenlle	

1.2.31. Specified region Ribeira del Duero

Adrada de Haza	Horra
Aguilera	Hoyales de Roa
Alcubilla de Avellaneda	Langa de Duero
Aldehorno	Mambrilla de Castrejón
Anguix	Manzanillo
Aranda de Duero	Milagros
Baños de Valdearados	Miño de san Esteban
Berlangas de Roa	Montejo de la Vega de la Zerrezuola
Boada de Roa	Moradillo de Roa
Bocos de Duero	Nava de Roa
Burgo de Osma	Olivares de Duero
Caleruega	Olmedillo de Roa
Campillo de Aranda	Olmos de Peñafiel
Canalejas de Peñafiel	Pardilla
Castillejo de Robledo	Pedrosa de Duero
Castrillo de la Vega	Peñafiel
Castrillo de Duero	Peñaranda de Duero
Cueva de Roa	Pesquera de Duero
Curiel de Duero	Piñel de Abajo
Fompedraza	Piñel de Arriba
Fresnilla de las Dueñas	Quemada
Fuentecén	Quintana del Pidio
Fuentelcásped	Quintanamanvirgo
Fuentelisendo	Quintanilla de Onésimo
Fuentemolinos	Quintanilla de Arriba
Fuentenebro	Rábano
Fuentespina	Roa de Duero
Gumiel del Mercado	Roturas
Gumiel de Hizán	San Esteban de Gormaz
Guzmán	San Juan del Monte
Haza	San Martin de Rubiales
Honrubia de la Cuesta	Santa Cruz de la Salceda
Hontangas	Sequera de Haza
Hontoria de Valdearados	Sotillo de la Ribera

Terradillos de Esgueva
Torre de Peñafiel
Torregalindo
Tórtoles de Esgueva
Tubilla del Lago
Vadocondes
Valbuena de Duero
Valcabado de Roa
Valdeande
Valdearcos de la Vega

Valdezate
Vid
Villaescusa de Roa
Villalba de Duero
Villalbilla de Gumiel
Villatueda
Villaverde de Montejo
Villovela de Esgueva
Zazuar

1.2.32. Specified region Rioja

(a) Suregion Rioja Alavena

Baños de Ebro
Barriobusto
Cripán
Elciego
Elvillar de Alava
Labastida
Labraza
Laguardia
Lanciego

Lapuebla de Labarca
Leza
Moreda de Alava
Navaridas
Oyón
Salinillas de Buradon
Samaniego
Villanueva de Alava
Yécora

(b) Subregion Rioja Alta

Abalos
Alesón
Alesanco
Anguciana
Arenzana de Arriba
Arenzana de Abajo
Azofra
Badarán
Bañares
Baños de Rio Tobía
Baños de Rioja
Berceo
Bezares
Bobadilla
Briñas
Briones
Camprovín
Canillas
Cañas
Cárdenas
Casalarreina
Castañares de Rioja
Cellorigo
Cenicero
Cidamón
Cihuri
Cirueña
Cordovín
Cuzcurrita de Rio Tirón
Daroca de Rioja
Entrena
Estollo
Fonseca
Fonzaleche
Fuenmayor
Galbárruli
Gimileo
Haro

Herramélluri
Hervias
Hormilleja
Hormilla
Hornos de Moncalvillo
Huércanos
Lardero
Leiva
Logroño
Manjarrés
Matute
Medrano
Nájera
Navarrete
Ochándurí
Ollaurí
Rodezno
Sajazarra
San Millán de Yécora
San Torcuato
San Vicente de la Sonsierra
San Asensio
Santa Coloma
Sojuela
Sorzano
Sotés
Tirgo
Tormantos
Torrecilla Sobre Alesanco
Torremontalbo
Treviana
Tricio
Uruñuela
Ventosa
Villajero
Villalba de Rioja
Villar de Torre
Zarratón

(c) Subregion Rioja Baja

Agoncillo
Aguilar del río Alhama
Albelda de Iregua
Alberite

Alcanadre
Aldeanueva de Ebro
Alfaro
Andosilla

Aras	Leza del Río Leza
Arnedo	Mendavia
Arrúbal	Molinos de Ocón
Ausejo	Murillo del Río Leza
Autol	Nalda
Azagra	Ocón
Bargota	Pradejón
Bergasa	Quel
Bergasilla	Redal
Calahorra	Ribafrecha
Cervera del rio alhama	Rincón de Soto
Clavijo	San Adrián
Corera	Santa Engracia de Jubera
Cornago	Sartaguda
Galilea	Tudelilla
Grávalos	Viana
Herce	Villa de Ocón
Igea	Villamediana de Iregua
Lagunilla del Jubera	Villar de Arnedo

1.2.33. Specified region Rueda

Aguasal	Nava del Rey
Alaejos	Nava de La Asunción
Alcazarén	Nieva
Aldehuela del Codonal	Nueva Villa de las Torres
Almenara de Adaja	Olmedo
Ataquines	Pollos
Bernuy de Coca	Pozal de Gallinas
Blasconuño de Matababras	Pozáldez
Bobadilla del Campo	Puras
Bócgas	Ramiro
Brahojos de Medina	Rapariegos
Campillo	Rodilana
Carpio del Campo	Rubi de bracamonte
Castrejón	Rueda
Castronuño	San Cristobal de la Vega
Cervillego de la Cruz	Santuiste de San Juan Bautista
Codorniz	Salvador de Zapardiel
Donhierro	San Pablo de la Moraleja
Fresno el Viejo	Seca
Fuente Olmedo	Serrada
Fuente de Santa Cruz	Siete Iglesias de Travancos
Fuente el sol	Tordesillas
Gomeznarro	San Vicente del Palacio
Hornillos	Torrecilla de la Orden
Juarros de Voltoya	Torrecilla de la Abadesa
Llano de Olmedo	Torecilla del Valle
Llomoviejo	Tolocirio
Madrigal de las Altas Torres	Valdestillas
Matapozuelos	Velascalvaro
Medina del Campo	Ventosa de la Cuesta
Mojados	Villafranca de Duero
Montejo de Arévalo	Villagonzalo de Coca
Montuenga	Villanueva de Duero
Moraleja de Coca	Villaverde de Medina
Moraleja de las Panaderas	Zarza
Muriel	

1.2.34. Specified region Somontano

Abiego	Barbastro
Adahuesca	Barbuñales
Angues	Berbegal
Alcalá del Obispo	Bierge
Alquézar	Blecua y Torres
Antillón	Capella
Argavieso	Casbas de Huesca
Azara	Castillazuelo
Azlor	Colungo

Estada	Peralta de Alcofea
Estadilla	Peraltilla
Fonz	Perarrúa
Grado	Pertusa
Graus	Pozán de Vero
Hoz y Costean	Puebla de Castro
Ibieca	Salas Altas
Ilche	Salas Bajas
Laluenga	Santa Maria Dulcis
Laperdiguera	Secastilla
Lascellas-Ponzano	Siétamo
Naval	Torres de Alcanadre
Olvena	

1.2.35. Specified region Tacoronte-Acentejo

El Sauzal	Santa Úrsula
Matanza de Acentejo	Tacoronte
Victoria de Acentejo	Tegueste
Laguna	

1.2.36. Specified region Tarragona

(a) Subregion Campo de Tarragona

Alcover	Nou de Gaià
Aleixar	Nulles
Alforja	Pallaresos
Alió	Perafort
Almoster	Pla da Santa María
Altafulla	Pobla de Montornès
Argentera	Pobla de Mafumet
Ascó	Puigpelat
Benisanet	Renau
Borges del Camp	Reus
Botarell	Riera de Gaià
Bràfim	Riudecanyes
Cabra del Camp	Rodonyà
Cambrils	Rourell
Castellvell del Camp	Ruidecols
Catllar	Ruidoms
Colldejou	Salomó
Constantí	Secuita
Cornudella	Selva del Camp
Duesaigües	Tarragona
Figuerola del Camp	Tivissa
Garcia	Torre del Espanyol
Garidells	Torredembarra
Ginestar	Ulldemolins
Masó	Vallmoll
Masllorens	Valls
Maspujols	Vespella
Milà	Vila-rodona
Miraver	Vilabella
Montbrió del Camp	Vilallonga del Camp
Montferri	Vilanova d'Escornalbou
Mont-roig	Vilaseca i Salou
Mora d'Ebre	Vinebre
Mora la Nova	Vinyols i els Arcs
Morell	

(b) Subregion Falset

Cabassers	Masroig
Capçanes	Pradell
Figuera	Torre de Fontaubella
Guiamets, Els, i Marça	

- 1.2.37. Specified region Terra Alta
- | | |
|-----------------------|---------------------|
| Arnés | Fatarella, Gandesa |
| Batea | Horta de Sant Joan |
| Bot Pinell de Brai | Pobla de Massalauca |
| Caseres | Prat de Comte |
| Corbera de Terra Alta | Vilalba dels Arcs |
- 1.2.38. Specified region Toro
- | | |
|----------------------|-------------------------|
| Argujillo | San Miguel de la Ribera |
| Bóveda de Toro | Sanzoles |
| Morales de Toro | Toro |
| Pego | Valdefinjas |
| Peleagonzalo | Venialbo |
| Piñero | Villabuena del Puente |
| San Román de Hornija | Villafranca de Duero |
- 1.2.39. Specified region Utiel-Requena
- | | |
|---------------|----------------|
| Camporrobles | Sinarcas |
| Caudete | Utiel |
| Fuenterrobles | Venta del Moro |
| Siete Aguas | Villagordo |
- 1.2.40. Specified region Valdeorras
- | | |
|--------------------------|-------------|
| Barco | Petín |
| Bollo | Rúa |
| Carballeda de Valdeorras | Rubiana |
| Laroco | Villamartin |
- 1.2.41. Specified region Valdepeñas
- | | |
|----------------------|----------------------|
| Alcubillas | Santa Cruz de Mudela |
| Moral de Calatrava | Torrenueva |
| San Carlos del Valle | Valdepeñas |
- 1.2.42. Specified region Valencia
- | | |
|------------------------|------------------------|
| Camporrobles | Sinarcas |
| Caudete de las Fuentes | Utiel |
| Fuenterrobles | Venta del Moro |
| Requena | Villagordo del Cabriel |
| Sieteaguas | |
- (a) Subregion Alto Turia
- | | |
|------------------|----------|
| Alpuente | La Yesa |
| Aras de Alpuente | Titaguas |
| Chelva | Tuéjar |
- (b) Subregion Valentino
- | | |
|-----------|----------------------|
| Alborache | Higueruelas |
| Alcublas | Lliria |
| Andilla | Losa del Obispo |
| Bugarra | Macastre |
| Buñol | Montserrat |
| Casinos | Montroy |
| Cheste | Montserrat |
| Chiva | Pedralba |
| Chulilla | Real de Montroy |
| Domeño | Turís |
| Estivella | Villamarxant |
| Gestalgar | Villar del Arzobispo |
| Godolleta | |

(c) Subregion Moscatel de Valencia

Catadau	Monserrat
Cheste	Montroy
Chiva	Real de Montroy
Godelleta	Turis
Llombai	

(d) Subregion Clariano

Adzaneta de Albaida	L'Olleria
Agullent	La Pobla del Duc
Albaida	Llutxent
Alfarrasí	Moixent
Ayelo de Malferit	Montaberner
Ayelo de Rugat	Montesa
Bèlgida	Montichelvo
Bellús	Ontinyent
Beniatjar	Otos
Benicolet	Palomar
Benigànim	Pinet
Bocairem	Quatretonda
Bufalí	Ràfol de Salem
Castelló de Rugat	Sempere
Font la Figuera	Terrateig
Fontanars dels Alforins	Vallada
Guadasequies	

1.2.43. Specified region Valle de Güimar

Arafo
Candelaria
Güimar

1.2.44. Specified region Valle de la Orotava

La Orotava
Puerto de la Cruz
Los Realejos

1.2.45. Specified region Vinos de Madrid

(a) Subregion Arganda

Ambite	Orusco
Aranjuez	Perales de Tajuña
Arganda del Rey	Pezuela de las Torres
Belmonte de Tajo	Pozuelo del Rey
Campo Real	Tielmes
Carabaña	Titulcia
Chinchón	Valdaracete
Colmenar de Oreja	Valdelaguna
Fuentidueña de Tajo	Valdilecha
Getafe	Villaconejos
Loeches	Villamanrique de Tajo
Mejorada del Campo	Villar del Olmo
Morata de Tajuña	Villarejo de Salvanés

(b) Subregion Navalcarnero

Álamo	Navalcarnero
Aldea del Fresno	Parla
Arroyomolinos	Serranillos del Valle
Batres	Sevilla la Nueva
Brunete	Valdemorillo
Fuenlabrada	Villamanta
Griñón	Villamantilla
Humanes de Madrid	Villanueva de la Cañada
Moraleja de Enmedio	Villaviciosa de Odón
Móstoles	

(c) Subregion San Martín del Valdeiglesias

Cadalso de los Vidrios
Cenicientos
Chapinería
Colmenar de Arroyo
Navas del Rey

Pelayos de la Presa
Rozas de Puerto Real
San Martín de Valdeiglesias
Villa del Prado

1.2.46. Specified region Ycoden-Daute-Isora

San Juan de la Rambla
La Guancha
Icod de los vinos
Garachico
Los Silos

Buenavista del Norte
El Tanque
Santiago del Teide
Guía de Isora

1.2.47. Specified region Yecla

Yecla

2. Table wines bearing a geographical indication

Abanilla
Bages
Bajo Aragón
Cádiz
Campo de Cartagena
Cañamero
Cebreros
Contraviesa-Alpujarra
Fermoselle-Arribes del Duero
Gálvez
La Gomera
Gran Canaria-El Monte
Manchuela
Matanegra
Medina del Campo

Montánchez
Plà i Llevant de Mallorca
Pozohondo
Ribeira Sacra
Ribera Alta del Guadiana
Ribera Baja del Guadiana
Sacedón-Mondéjar
Sierra de Alcaraz
Tierra de Barros
Tierra del Vino de Zamora
Tierra Baja de Aragón
Valdejalón
Valdevimbre-Los Oteros
Valle del Cinca
Valle del Miño-Ourense

B. Traditional expressions

Amontillado
Chacoli-Txakolina
Criadera
Criaderas y Soleras
Crianza
Denominación de Origen / DO
Denominación de Origen calificada / DOCa
Fino
Fondillón

Lagrima
Oloroso
Pajarete
Palo cortado
Raya
Vendimia temprana
Vendimia seleccionada
Vino de la Tierra

IV. WINES ORIGINATING IN THE HELLENIC REPUBLIC

A. Geographical indications

1. Quality wines produced in specified regions

1.1. Names of specified regions

1.1.1. Ονομασία προελεύσεως ελεγχόμενη (appellation d'origine contrôlée)

Σάμος (Samos)
Πατρών (Patras)
Ρίου Πατρών (Patras)

Κεφαλληνίας (Cephalonie)
Ρόδου (Rhodos)
Λήμνου (Lemnos)

1.1.2. Ονομασία προελεύσεως ανωτέρας ποιότητας (appellation d'origine de qualité supérieure)

Σητεία (Sitia)
Νεμέα (Némée)
Σαντορίνη (Santorin)
Δαφνές (Dafnes)
Ρόδος (Rhodos)
Νάουσα (Naoussa)
Κεφαλληνίας (Cephalonie)
Ραψάνη (Rapsani)
Μαντινεία (Mantinee)
Πεζά (Peza)
Αρχάνες (Archanes)
Πάτραι (Patras)
Ζίτσα (Zitsa)
Αμύνταιον (Amynteon)
Γουμένισσα (Gumenissa)
Πάρος (Paros)
Λήμνος (Lemnos)
Αγχιάλος (Anchialos)
Πλαγιές Μελίτων (Côtes de Meliton)
Μεσενικόλα (Mesenicola)

2. **Table wines**

2.1. *Ονομασία κατά παράδοση (traditional designation)*

Αττικής (Attikis)
Βοιωτίας (Viotias)
Ευβοίας (Evias)
Μεσογείων (Messogeuion)
Κρωπίας (Kropias)
Κορωπίου (Koropiou)
Μαρκοπούλου (Markopoulou)
Μεγάρων (Megaron)
Παιανίας (Peantias)
Λιοπεσίου (Liopepsiou)
Παλλήνης (Pallinis)
Πικερμίου (Pikermiou)
Σπάτων (Spaton)
Θηβών (Thivon)
Γιάλτρων (Gualtron)
Καρύστου (Karystou)
Χαλκίδας (Halkidas)
Ζακύνθου (Zante)

2.2. *Τοπικός οίνος (local wine)*

Τοπικός οίνος Τριφυλίας (Trifilia)
Μεσημβριώτικος τοπικός οίνος (Messimvria)

Επανωμίτικος τοπικός οίνος (Epanomie)
Τοπικός οίνος Πλαγιών ορεινής Κορινθίας (côtes montagneuses de Korinthia)
Τοπικός οίνος Πυλίας (Pylie)
Τοπικός οίνος Πλαγιές Βερτίσκου (côtes de Vertiskos)
Ηρακλειώτικος τοπικός οίνος (Heraklion)
Λασιθιώτικος τοπικός οίνος (Lassithie)
Πελοποννησιακός τοπικός οίνος (Peloponnhse)
Μεσσηνιακός τοπικός οίνος (Messina)
Μακεδονικός τοπικός οίνος (Macédonie)
Κρητικός τοπικός οίνος (Crete)
Θεσσαλικός τοπικός οίνος (Thessalia)
Τοπικός οίνος Κισάμου (Kissamos)
Τοπικός οίνος Τυρνάβου (Tyrnavos)
Τοπικός οίνος πλαγιές Αμπέλου (côtes de Ampelos)
Τοπικός οίνος Βίλλιζας (Villiza)
Τοπικός οίνος Γρεβενών (Grevena)
Τοπικός οίνος Αττικής (Attique)
Αγιορείτικος τοπικός οίνος (Agioritikos)
Δωδεκανησιακός τοπικός οίνος (Dodekanese)
Αναβυσσιωτικός τοπικός οίνος (de Anavyssiotikos)
Παιανίτικος τοπικός οίνος (de Peanitikos)
Τοπικός οίνος Δράμας (Drama)
Κρανιώτικος τοπικός οίνος (Krania)
Τοπικός οίνος πλαγιών Πάρνηθας (Côtes de Parnitha)
Συριανός τοπικός οίνος (Syros)
Θηβαϊκός τοπικός οίνος (Thiva)
Τοπικός οίνος πλαγιών Κιθαιρώνα (côtes du Kitheron)
Τοπικός οίνος πλαγιών Πετρωτού (côtes de Petrotou)
Τοπικός οίνος Γερανίων (Gerania)
Παλληγιώτικος τοπικός οίνος (Pallini)
Αττικός τοπικός οίνος (Attique)
Αγοριανός τοπικός οίνος (Agorianos)
Τοπικός οίνος Κοιλιάδας Αταλάντης (vallée de Atalanti)
Τοπικός οίνος Αρκαδίας (Vin de pays de Arcadia)
Παγγαιορείτικος τοπικός οίνος (Vin de pays de Paggeoritikos)
Τοπικός οίνος Μεταξάτων (Vin de pays de Metaxata)
Τοπικός οίνος Κλημέντι (Vin de pays de Klimenti)
Τοπικός οίνος Ημαθίας (Vin de pays de Hemathia)
Τοπικός οίνος Κέρκυρας (Vin de pays de Kerkyra (Corfu))
Τοπικός οίνος Σιθωνίας (Vin de pays de Sithonia)
Τοπικός οίνος Μαντζαβινάτων (Vin de pays de Mantzavinata)
Ισμαρικός τοπικός οίνος (Vin de pays d'Ismarikos)
Τοπικός οίνος Αβδήρων (Vin de pays de Avdira)
Τοπικός οίνος Ιωαννίνων (Vin de pays de Ioannina)
Τοπικός οίνος Πλαγιές Αιγιαλείας (Vin de pays de côtes de Aigialieias)
Τοπικός οίνος Πλαγιές του Αίνου (Vin de pays de côtes du Ainou)
Θρακικός τοπικός οίνος (Vin de pays de Thrakie)
Τοπικός οίνος Ιλίου (Vin de pays de Ilion)
Μετσοβίτικος τοπικός οίνος (Vin de pays de Metsovon)
Κορωπίοτικός τοπικός οίνος (Vin de pays de Koropie)
Τοπικός οίνος Θαψάνων (Vin de pays de Thapsanon)
Σιατιστινός τοπικός οίνος (Vin de pays de Siatistinon)
Τοπικός οίνος Ριτσώνας Αυλίδος (Vin de pays de Ritsona Avlidos)

Τοπικός οίνος Λετρίνων (Vin de pays de Letrina)
 Τοπικός οίνος Τεγέας (Vin de pays de Tegeas)
 Αιγαιοπελαγίτικος τοπικός οίνος ή (Vin de pays de la Mer Egée)
 Τοπικός οίνος Αιγαίου Πελάγους (Vin de pays de Aigaion pelagos)
 Τοπικός οίνος Βορείων Πλαγιών Πεντελικού (Vin de pays de côtes nord de Penteli)
 Σπατανέικος τοπικός οίνος (Vin de pays de Spata)
 Μαρκοπουλιώτικος τοπικός οίνος (Vin de pays de Markopoulo)
 Τοπικός οίνος Ληλαντίου Πεδίου (Vin de pays de Lilantio Pedion)
 Τοπικός οίνος Χαλκιδικής (Vin de pays de Chalkidiki)
 Καρυστινός τοπικός οίνος (Vin de pays de Karystos)
 Τοπικός οίνος Χαλικούνας (Vin de pays de Chalikouna)
 Τοπικός οίνος Οπουντίας Λοκρίδος (Vin de pays de Orountia Lokrida)
 Τοπικός οίνος Πέλλας (Vin de pays de Pella)
 Ανδριανιώτικος τοπικός οίνος (Vin de pays de Andriani)
 Τοπικός οίνος Σερρών (Vin de pays de Serres)
 Τοπικός οίνος Στερεάς Ελλάδος (Vin de pays de Sterea Ellada)

B. Traditional expressions

Ονομασία προελεύσεως ελεγχόμενη (appellation d'origine contrôlée)
 Ονομασία προελεύσεως ανωτέρας ποιότητας (appellation d'origine de qualité supérieure)
 Ονομασία κατά παράδοση Ρετσίνα (appellation traditionnelle Retsina)
 Ονομασία κατά παράδοση Βερντέα Ζακύνθου (appellation traditionnelle Verdea de Zante)
 Τοπικός οίνος (vin local, vin de pays)
 από διαλεκτούς αμπελώνες ('grand cru')
 Κάβα (Cava)
 Ρετσίνα (Retsina)
 Κτήμα (Ktima)
 Αρχοντικό (Archontiko)
 Αμπελώνες (Ampelones)
 Οίνος φυσικώς γλυκός (vin naturellement doux)

V. WINES ORIGINATING IN THE ITALIAN REPUBLIC

A. Geographical indications

1. **Quality wines produced in specified regions ('vino di qualità prodotto in una regione determinata')**
 - 1.1. *Quality wines pr described by the expression 'Denominazione di origine controllata e garantita'*
 - Albana di Romagna
 - Asti
 - Barbaresco
 - Barolo
 - Brachetto d'Acqui
 - Brunello di Montalcino
 - Carmignano
 - Chianti/Chianti Classico, whether or not accompanied by one of the following geographical indications:
 - Montalbano
 - Rufina
 - Colli fiorentini

— Colli senesi
 — Colli aretini
 — Colline pisane
 — Montespertoli
 Cortese di Gavi
 Franciacorta
 Gattinara
 Gavi
 Ghemme
 Montefalco Sagrantino
 Montepulciano
 Recioto di Soave
 Taurasi
 Torgiano
 Valtellina
 Valtellina Grumello
 Valtellina Inferno
 Valtellina Sassella
 Valtellina Valgella
 Vernaccia di San Gimignano
 Vermentino di Gallura

1.2. *Quality wines pr described by the expression 'Denominazione di origine controllata'*

1.2.1. **Piedmont region**

Alba	Coste della Sesia
Albugnano	Diano d'Alba
Alto Monferrato	Dogliani
Acqui	Fara
Asti	Gabiano
Boca	Langhe monregalesi
Bramaterra	Langhe
Caluso	Lessona
Canavese	Loazzolo
Cantavenna	Monferrato
Carema	Monferrato Casalese
Casalese	Ovada
Casorzo d'Asti	Piemonte
Castagnole Monferrato	Pinorelese
Castelnuovo Don Bosco	Roero
Chieri	Sizzano
Colli tortonesi	Valsusa
Colline novaresi	Verduno
Colline saluzzesi	

1.2.2. **Val d'Aosta region**

Arnad-Montjovet	Enfer d'Arvier
Chambave	Morgex
Nus	Torrette
Donnas	Valle d'Aosta
La Salle	Vallée d'Aoste

1.2.3. **Lombardy region**

Botticino	Oltrepò Pavese
Capriano del Colle	Riviera del Garda Bresciano
Cellatica	San Colombano al Lambro
Garda	San Martino Della Battaglia
Garda Colli Mantovani	Terre di Franciacorta
Lugana	Valcalepio
Mantovano	

1.2.4. Trentino-Alto Adige region

Alto Adige	Meranese di collina
Bozner Leiten	Santa Maddalena
Bressanone	Sorni
Brixner	St. Magdalener
Buggrafler	Südtirol
Burgraviato	Südtiroler
Caldaro	Terlaner
Casteller	Terlano
Colli di Bolzano	Teroldego Rotaliano
Eisacktaler	Trentino
Etschtaler	Trento
Gries	Val Venosta
Kalterer	Valdadige
Kalterersee	Valle Isarco
Lago di Caldaro	Vinschgau
Meraner Hügel	

1.2.5. Veneto region

Bagnoli di Sopra	Custoza
Bagnoli	Etschtaler
Bardolino	Gambellara
Breganze	Garda
Breganze Torcolato	Lessini Durello
Colli Asolani	Lison Pramaggiore
Colli Berici	Lugana
Colli Berici Barbarano	Montello
Colli di Conegliano	Piave
Colli di Conegliano Fregona	San Martino della Battaglia
Colli di Conegliano Refrontolo	Soave
Colli Euganei	Valdadige
Conegliano	Valdobbiadene
Conegliano Valdobbiadene	Valpantena
Conegliano Valdobbiadene Cartizze	Valpolicella

1.2.6. Friuli-Venezia Giulia region

Carso	Friuli Annia
Colli Orientali del Friuli	Friuli Aquileia
Colli Orientali del Friuli Cialla	Friuli Grave
Colli Orientali del Friuli Ramandolo	Friuli Isonzo
Colli Orientali del Friuli Rosazzo	Friuli Latisana
Collio	Isonzo del Friuli
Collio Goriziano	Lison Pramaggiore

1.2.7. Liguria region

Albenga	Finale
Albenganese	Finalese
Cinque Terre	Golfo del Tigullio
Colli di Luni	Riviera Ligure di Ponente
Colline di Levante	Riviera dei fiori
Dolceacqua	

1.2.8. Emilia-Romagna region

Bosco Eliceo	Colli di Parma
Castelvetro	Colli di Rimini
Colli Bolognesi	Colli di Scandiano e Canossa
Colli Bolognesi Classico	Colli Piacentini
Colli Bolognesi Colline di Riosto	Colli Piacentini Monterosso
Colli Bolognesi Colline Marconiane	Colli Piacentini Val d'Arda
Colli Bolognesi Colline Oliveto	Colli Piacentini Val Nure
Colli Bolognesi Monte San Pietro	Colli Piacentini Val Trebbia
Colli Bolognesi Serravalle	Reggiano
Colli Bolognesi Terre di Montebudello	Reno
Colli Bolognesi Zola Predosa	Romagna
Colli d'Imola	Santa Croce
Colli di Faenza	Sorbara

1.2.9. Tuscany region

Barco Reale di Carmignano	Montereggio di Massa Marittima
Bolgheri	Montescudaio
Bolgheri Sassicaia	Parrina
Candia dei Colli Apuani	Pisano di San Torpè
Carmignano	Pitigliano
Chianti	Pomino
Chianti classico	San Gimignano
Colli Apuani	San Torpè
Colli dell'Etruria Centrale	Sant'Antimo
Colli di Luni	Scansano
Colline Lucchesi	Val d'Arbia
Costa dell'Argentario'	Val di Cornia
Elba	Val di Cornia Campiglia Marittima
Empolese	Val di Cornia Piombino
Montalcino	Val di Cornia San Vincenzo
Montecarlo	Val di Cornia Suvereto
Montecucco	Valdichiana
Montepulciano	Valdinievole

1.2.10. Umbria region

Assisi	Lago di Corbara
Colli Martani	Montefalco
Colli Perugini	Orvieto
Colli Amerini	Orvietano
Colli Altotiberini	Todi
Colli del Trasimeno	Torgiano

1.2.11. Marche region

Castelli di Jesi	Matelica
Colli pesaresi	Metauro
Colli Ascolani	Morro d'Alba
Colli maceratesi	Piceno
Conero	Roncaglia
Esino	Serrapetrona
Focara	

1.2.12. Lazio region

Affile	Genazzano
Aprilia	Gradoli
Capena	Marino
Castelli Romani	Montecompatri Colonna
Cerveteri	Montefiascone
Circeo	Olevano romano
Colli albani	Orvieto
Colli della Sabina	Piglio
Colli lanuvini	Tarquinia
Colli etruschi viterbesi	Velletri
Cori	Vignanello
Frascati	Zagarolo

1.2.13. Abruzzi region

Abruzzo	Controguerra
Abruzzo Colline teramane	Molise

1.2.14. Molise region

Biferno
Pentro d'Isernia

1.2.15. Campania region

Avellino	Guardia Sanframondi
Aversa	Ischia
Campi Flegrei	Massico
Capri	Penisola Sorrentina
Castel San Lorenzo	Penisola Sorrentina-Gragnano
Cilento	Penisola Sorrentina-Lettere
Costa d'Amalfi Furore	Penisola Sorrentina-Sorrento
Costa d'Amalfi Ravello	Sannio
Costa d'Amalfi Tramonti	Sant'Agata de' Goti
Costa d'Amalfi	Solopaca
Falerno del Massico	Taburno
Galluccio	Tufo
Guardiolo	Vesuvio

1.2.16. Apulia region

Alezio	Lucera
Barletta	Manduria
Brindisi	Martinafranca
Canosa	Matino
Castel del Monte	Nardò
Cerignola	Ortanova
Copertino	Ostuni
Galatina	Puglia
Gioia del Colle	Salice salentino
Gravina	San Severo
Leverano	Squinzano
Lizzano	Trani
Locorotondo	

1.2.17. Basilicata region

Vulture

1.2.18. Calabria region

Bianco	Pollino
Bivongi	San Vito di Luzzi
Cirò	Sant'Anna di Isola Capo Rizzuto
Donnici	Savuto
Lamezia	Scavigna
Melissa	Verbicaro

1.2.19. Sicily region

Alcamo	Menfi
Contea di Sclafani	Noto
Contessa Entellina	Pantelleria
Delia Nivolalli	Sambuca di Sicilia
Eloro	Santa Margherita di Belice
Etna	Sciacca
Faro	Siracusa
Lipari	Vittoria
Marsala	

1.2.20. Sardinia region

Alghero	Sardegna-Jerzu
Arborea	Sardegna-Mogoro
Bosa	Sardegna-Nepente di Oliena
Cagliari	Sardegna-Oliena
Campidano di Terralba	Sardegna-Semidano
Mandrolisai	Sardegna-Tempio Pausania
Oristano	Sorso Sennori
Sardegna	Sulcis
Sardegna-Capo Ferrato	Terralba

2. **Table wines bearing a geographical indication**
- 2.1. *Abruzzi*
- | | |
|-------------------|------------------|
| Alto tirino | Colline Frentane |
| Colline Teatine | Histonium |
| Colli Aprutini | Terre di Chieti |
| Colli del sangro | Valle Peligna |
| Colline Pescaresi | Vastese |
- 2.2. *Basilicata*
- Basilicata
- 2.3. *Autonomous Province of Bolzano*
- | | |
|------------|-------------------------------------|
| Dolomiti | Mitterberg tra Cauria e Tel |
| Dolomiten | Mitterberg zwischen Gfrill und Toll |
| Mitterberg | |
- 2.4. *Calabria*
- | | |
|-------------|-----------------|
| Arghilla | Palizzi |
| Calabria | Pellaro |
| Condoleo | Scilla |
| Costa Viola | Val di Neto |
| Esaro | Valdamato |
| Lipuda | Valle dei Crati |
| Locride | |
- 2.5. *Campania*
- | | |
|------------------|--------------------|
| Colli di Salerno | Paestum |
| Dugenta | Pompeiano |
| Epomeo | Roccamonfina |
| Irpinia | Terre del Volturno |
- 2.6. *Emilia-Romagna*
- | | |
|---------------------|------------------|
| Castelfranco Emilia | Ravenna |
| Bianco dei Sillaro | Rubicone |
| Emilia | Sillaro |
| Fortana del Taro | Terre die Veleja |
| Forli | Val Tidone |
| Modena | |
- 2.7. *Friuli-Venezia Giulia*
- Alto Livenza
Venezia Giulia
Venezie
- 2.8. *Lazio*
- | | |
|---------------------|---------|
| Civitella d'Agliano | Lazio |
| Colli Cimini | Nettuno |
| Frusinate | |
| Dei Frusinate | |
- 2.9. *Liguria*
- Colline Savonesi
Val Polcevera

-
- | | | |
|-------|--|---|
| 2.10. | <i>Lombardy</i>
Alto Mincio
Benaco bresciano
Bergamasca
Collina del Milanese
Montenetto di Brescia
Mantova | Pavia
Quistello
Ronchi di Brescia
Sabbioneta
Sebino
Terrazze Retiche di Sondrio |
| 2.11. | <i>Marche</i>
Marche | |
| 2.12. | <i>Molise</i>
Osco
Rotae
Terre degli Osci | |
| 2.13. | <i>Apulia</i>
Daunia
Murgia
Puglia | Salento
Tarantino
Valle d'Itria |
| 2.14. | <i>Sardinia</i>
Barbagia
Colli del Limbara
Isola dei Nuraghi
Marmila
Nuoro
Nurra
Ogliastro
Parteolla | Planargia
Romangia
Sibiola
Tharros
Trexenta
Valle dei Tirso
Valli di Porto Pino |
| 2.15. | <i>Sicily</i>
Camarro
Colli Ericini
Fontanarossa di Cerda
Salemi | Salina
Sicilia
Valle Belice |
| 2.16. | <i>Tuscany</i>
Alta Valle della Greve
Colli della Toscano centrale
Maremma toscana
Orcia | Toscana
Toscano
Val di Magra |
| 2.17. | <i>Autonomous Province of Trento</i>
Dolomiten
Dolomiti
Atesino | Venezie
Vallagarina |
| 2.18. | <i>Umbria</i>
Allerona
Bettona
Cannara | Narni
Spello
Umbria |
| 2.19. | <i>Veneto</i>
Alto Livenza
Colli Trevigiani
Conselvano
Dolomiten
Dolomiti
Venezie | Marca Trevigiana
Vallagarina
Veneto
Veneto orientale
Verona
Veronese |

B. Traditional expressions

Amarone
Auslese
Buttafuoco
Cacc'e mmitte
Cannellino
Cerasuolo
Denominazione di origine controllata / DOC / D.O.C
Denominazione di origine controllata e garantita / DOCG / D.O.C.G.
Est! Est!! Est!!!
Fior d'arancio
Governo all'uso Toscano
Gutturnio
Indicazione geografica tipica / IGT / I.G.T
Lacrima
Lacrima Christi
Lambiccato
Ramie
Rebola
Recioto
Sangue di Guida
Scelto
Sciaccetrà
Sforzato, Sfurzat
Torcolato
Vendemmia Tardiva
Vin Santo Occhio di Pernice
Vin Santo
Vino nobile

VI. WINES ORIGINATING IN THE GRAND DUCHY OF LUXEMBOURG**A. Geographical indications****1. Quality wines produced in specified regions****1.1. Names of specified regions**

Ahn
Assel
Bech-Kleinmacher
Born
Bous
Burmerange
Canach
Ehnen
Ellange
Elvange
Erpeldange
Gostingen
Greiveldange
Grevenmacher

Lenningen
 Machtum
 Mertert
 Moersdorf
 Mondorf
 Niederdonven
 Oberdonven
 Oberwormeldange
 Remerschen
 Remich
 Rolling
 Rosport
 Schengen
 Schwebsange
 Stadtbredimus
 Trintange
 Wasserbillig
 Wellenstein
 Wintringen
 Wormeldange

2. **Table wines bearing a geographical indication**

...

B. Traditional expressions

Grand premier cru
 Marque nationale appellation contrôlée/AC
 Premier cru
 Vin de pays

VII. WINES ORIGINATING IN THE PORTUGUESE REPUBLIC

A. Geographical indications

1. **Quality wines produced in specified regions ('vinho de qualidade produzido em região determinada')**

1.1. *Names of specified regions*

Alcobaça	Douro
Alenquer	Encostas da Nave
Almeirim	Encostas de Aire
Arruda	Evora
Bairrada	Graciosa
Biscoitos	Granja-Amareleja
Borba	Lafões
Bucelas	Lagoa
Carcavelos	Lagos
Cartaxo	Madeira/Madère/Madera
Castelo Rodrigo	Setúbal
Chamusca	Moura
Chaves	Óbidos
Colares	Palmela
Coruche	Pico
Cova da Beira	Pinhel
Dão	Planalto Mirandês

- | | | |
|--------|--|--------------------|
| | Portalegre | Tomar |
| | Portimão | Torres Vedras |
| | Porto/Port/Oporto/Portwein/Portvin/Portwijn | Valpaços |
| | Redondo | Varosa |
| | Reguengos | Vidigueira |
| | Santarém | Vinho Verde |
| | Tavira | Vinhos Verdes |
| 1.2. | <i>Names of subregions</i> | |
| 1.2.1. | Specified region Dão | |
| | Alva | Silgueiros |
| | Besteiros | Terras de Senhorim |
| | Castendo | Terras de Azurara |
| | Serra da Estrela | |
| 1.2.3. | Specified region Douro | |
| | Alijó | Sabrosa |
| | Lamego | Vila Real |
| | Meda | |
| 1.2.4. | Subregion Favaios | |
| 1.2.5. | Specified region Varosa | |
| | Tarouca | |
| 1.2.6. | Specified region Vinhos Verdes | |
| | Amarante | Monção |
| | Basto | Penafiel |
| | Braga | Vinho Verde |
| | Lima | |
| 1.2.7. | Other | |
| | Dão Nobre | |
| | Setubal roxo | |
| 2. | Table wines bearing a geographical indication | |
| | Alentejo | |
| | Algarve | |
| | Alta Estremadura | |
| | Beira Litoral | |
| | Beira Alta | |
| | Beiras | |
| | Estremadura | |
| | Ribatejo | |
| | Minho | |
| | Terras Durienses | |
| | Terras de Sico | |
| | Terras do Sado | |
| | Trás-os-Montes | |

B. Traditional expressions

- Colheita Seleccionada
- Denominação de Origem/DO
- Denominação de Origem Controlada/DOC

Garrafeira
 Indicação de Proveniência Regulamentada/IPR
 Região demarcada
 Roxo
 Vinho leve
 Vinho regional
 Region Madeira
 Frasqueira
 Region Porto
 Crusted/Crusting
 Lágrima
 Late Bottled Vintage/LBV
 Ruby
 Tawny
 Vintage

VIII. WINES ORIGINATING IN THE UNITED KINGDOM

A. Geographical indications

1. **Quality wines produced in specified regions**
 - English Vineyards
 - Welsh Vineyards
2. **Table wines bearing a geographical indication**
 - English Counties
 - Welsh Counties

B. Traditional expressions

Regional wine

IX. WINES ORIGINATING IN THE FEDERAL REPUBLIC OF AUSTRIA

A. Geographical indications

1. **Quality wines produced in specified regions ('Qualitätswein bestimmter Anbaugebiete')**
 - 1.1. *Names of wine-growing regions*

Burgenland	Tirol
Niederösterreich	Vorarlberg
Steiermark	Wien

- 1.2. *Names of specified regions*
- 1.2.1. *Specified region Burgenland*
- | | |
|-------------------------|------------------|
| Neusiedlersee | Mittelburgenland |
| Neusiedlersee-Hügelland | Südburgenland |
- 1.2.2. *Specified region Niederösterreich*
- | | |
|-----------|---------------|
| Carnuntum | Thermenregion |
| Donauland | Traisental |
| Kamptal | Wachau |
| Kremstal | Weinviertel |
- 1.2.3. *Specified region Steiermark*
- Süd-Oststeiermark
Südsteiermark
Weststeiermark
- 1.2.4. *Specified region Wien*
- Wien
- 1.3. *Municipalities, parts thereof, Großlagen, Riede, Flure, Einzellagen*
- 1.3.1. *Specified region Neusiedlersee*
- (a) *Großlage:*
- Kaisergarten
- (b) *Rieden, Fluren, Einzellagen:*
- | | | |
|-------------------------|----------------|---------------------|
| Altenberg | Kellern | Prädium |
| Bauernaussatz | Kirchacker | Rappbühl-Weingärten |
| Bergäcker | Kirchberg | Römerstein |
| Edelgründe | Kleinackerl | Rustenacker |
| Gabarinza | Königswiese | Sandflur |
| Goldberg | Kreuzjoch | Sandriegel |
| Hansagweg | Kurzbürg | Satz |
| Heideboden | Ladisberg | Seeweingärten |
| Henneberg | Lange Salzberg | Ungerberg |
| Herrnjoch | Langer Acker | Vierhölzer |
| Herrnsee | Lehendorf | Weidener Zeiselberg |
| Hintenausere Weingärten | Neuberg | Weidener Ungerberg |
| Jungerberg | Pohnpühl | Weidener Rosenberg |
| Kaiserberg | | |
- (c) *Municipalities and parts thereof:*
- | | | |
|--------------------|----------------------|-----------------------|
| Andau | Halbturn | Parndorf |
| Apetlon | Illmitz | Podersdorf |
| Bruckneudorf | Jois | Potzneusiedl |
| Deutsch Jahrndorf | Kittsee | St. Andrä am Zicksee |
| Edelstal | Mönchhof | Tadten |
| Frauenkirchen | Neudorf bei Parndorf | Wallern im Burgenland |
| Gattendorf | Neusiedl am See | Weiden am See |
| Gattendorf-Neudorf | Nickelsdorf | Winden am See |
| Gols | Pamhagen | Zurndorf |
- 1.3.2. *Specified region Neusiedlersee-Hügelland*
- (a) *Großlagen:*
- Rosaliakapelle
Sonnenberg
Vogelsang

(b) Rieden, Fluren, Einzellagen:

Adler / Hrvatski vrh	Katerstein	Mönchsberg/Lesicak
Altenberg	Kirchberg	Purbacher Bugstall
Bergweinärten	Kleingebirge/Mali vrh	Reisbühel
Edelgraben	Kleinhöfleiner Hügel	Ripisce
Fölligberg	Klosterkeller Siegendorf	Römerfeld
Gaisrücken	Kogel	Römersteig
Goldberg	Kogl/Gritsch	Rosenberg
Großgebirge/Veliki vrh	Krci	Rübäcker/Ripisce
Hasenriegel	Kreuzweingärten	Schmaläcker
Haussatz	Langäcker/Dolnj sirick	St. Vitusberg
Hochkramer	Leithaberg	Steinhut
Hözlstein	Lichtenbergweingärten	Wetterkreuz
Isl	Marienthal	Wolfsbach
Johanneshöh	Mitterberg	Zbornje

(c) Municipalities and parts thereof:

Antau	Loipersbach	St. Margarethen
Baumgarten	Loretto	Schattendorf
Breitenbrunn	Marz	Schützensgebirge
Donnerskirchen	Mattersburg	Siegenderf
Draßburg	Mörbisch/See	Sigless
Draßburg-Baumgarten	Müllendorf	Steinbrunn
Eisenstadt	Neudörfel	Steinbrunn-Zillingtal
Forchtenstein	Neustift an der Rosalia	Stöttera
Forchtenau	Oggau	Stotzing
Großhöflein	Oslip	Trausdorf/Wulka
Hirm	Pöttelsdorf	Walbersdorf
Hirm-Antau	Pötttsching	Wiesen
Hornstein	Purbach/See	Wimpassing/Leitha
Kleinhöflein	Rohrbach	Wulkaprodersdorf
Klingenbach	Rust	Zagersdorf
Krensdorf	St. Georgen	Zemendorf
Leithaprodersdorf		

1.3.3. Specified region Mittelburgenland

(a) Großlage:

Goldbachtal

(b) Rieden, Fluren, Einzellagen:

Altes Weingebirge	Hochberg	Raga
Deideckwald	Hochplateau	Sandhoffeld
Dürrau	Hözl	Sinter
Gfanger	Im Weingebirge	Sonnensteig
Goldberg	Kart	Spiegelberg
Himmelsthron	Kirchholz	Weingfanger
Hochäcker	Pakitsch	Weiskreuz

(c) Municipalities and parts thereof:

Deutschkreutz	Klostermarienberg	Neckenmarkt
Frankenau	Kobersdorf	Nikitsch
Frankenau-Unterderpullendorf	Kroatisch Gerersdorf	Raiding
Girm	Kroatisch Minihof	Raiding-Unterfrauenhaid
Großmutschen	Lackenbach	Ritzing
Großwarasdorf	Lackendorf	Stoob
Haschendorf	Lutzmannsburg	Strebersdorf
Horitschon	Mannersdorf	Unterfrauenheid
Kleinmutschen	Markt St. Martin	Unterpetersdorf
Kleinwarasdorf	Nebersdorf	Unterpullendorf

1.3.4. Specified region Südburgenland

(a) Großlagen:

Pinkatal
Rechnitzer Geschriebenstein

(b) Rieden, Fluren, Einzellagen:

Gotscher
Rosengarten
Schiller
Tiefer Weg
Wohlauf

(c) Municipalities and parts thereof:

Bonisdorf	Kalch	Punitz
Burg	Kirchfidisch	Rax
Burgauberg	Kleinmürbisch	Rechnitz
Burgauberg-Neudauberg	Kohfidisch	Rehgraben
Deutsch Tschantschendorf	Königsdorf	Reinersdorf
Deutschsützen-Eisenberg	Kotezicken	Rohr
Deutsch Bieling	Kroatisch Tschantschendorf	Rohrbrunn
Deutsch Ehrendorf	Kroatisch Ehrendorf	Schallendorf
Deutsch Kaltenbrunn	Krobotek	St Michael
Deutsch-Schützen	Krottendorf bei Güssing	St Nikolaus
Eberau	Krottendorf bei Neuhaus am Klau-	St Kathrein
Edlitz	senbach	Stadtschlaining
Eisenberg an der Pinka	Kukmirn	Steinfurt
Eltendorf	Kulmhohe Gfang	Strem
Gaas	Limbach	Sulz
Gamischdorf	Luising	Sumetendorf
Gerersdorf-Sulz	Markt-Neuhodis	Tobau
Glasing	Minihof-Liebau	Tschanigraben
Großmürbisch	Mischendorf	Tudersdorf
Güssing	Moschendorf	Unterbildein
Güttenbach	Mühlgraben	Urbersdorf
Hackerberg	Neudauberg	Weichselbaum
Hagensdorf	Neumarkt im Tauchental	Weiden bei Rechnitz
Hannersdorf	Neusiedl	Welgersdorf
Harmisch	Neustift	Windisch Minihof
Hasendorf	Oberbildein	Winten
Heiligenbrunn	Ollersdorf	Woppendorf
Hoell	Poppendorf	Zuberbach
Inzenhof		

1.3.5. Specified region Thermenregion

(a) Großlagen:

Badener Berg	Weißer Stein	Schatzberg
Vöslauer Hauerberg	Tattendorfer Steinhölle (Stahölln)	Kappellenweg

(b) Rieden, Fluren, Einzellagen:

Am Hochgericht	In Brunnerberg	Oberkirchen
Badener Berg	Jenibergen	Pfaffstättner Kogel
Brunner Berg	Kapellenweg	Prezessbühel
Dornfeld	Kirchenfeld	Rasslerin
Goldeck	Kramer	Römerberg
Gradenthal	Lange Bamhartstäler	Satzing
Großriede Les'hanl	Mandl-Höh	Steinfeld
Hochleiten	Mitterfeld	Weißer Stein
Holzspur		

(c) Municipalities and parts thereof:

Bad Fischau-Brunn	Brunnenthal	Gaminghof
Bad Vöslau	Deutsch-Brodersdorf	Gießhübl
Bad Fischau	Dornau	Großau
Baden	Dreitstetten	Gumpoldskirchen
Berndorf	Ebreichsdorf	Günselsdorf
Blumau	Eggendorf	Guntramsdorf
Blumau-Neurißhof	Einöde	Hirtenberg
Braiten	Enzesfeld	Josefsthal
Brunn am Gebirge	Frohsdorf	Katzelsdorf
Brunn/Schneebergbahn	Gainfarn	Kottingbrunn

Landegg	Perchtoldsdorf	Traiskirchen
Lanzenkirchen	Pfaffstätten	Tribuswinkel
Leesodrf	Pottendorf	Trumau
Leobersdorf	Rauhenstein	Vösendorf
Lichtenwörth	Reisenberg	Wagram
Lindabrunn	Schönau/Triesting	Wampersdorf
Maria Enzersdorf	Seibersdorf	Weigelsdorf
Markt Piesting	Siebenhaus	Weikersdorf/Steinfeld
Matzendorf	Siegersdorf	Wiener Neustadt
Matzendorf-Hölles	Sollenau	Wiener Neudorf
Mitterberg	Sooß	Wienersdorf
Mödling	St Veit	Winzendorf
Möllersdorf	Steinabrückl	Winzendorf-Muthmannsdorf
Münchendorf	Steinfelden	Wöllersdorf
Obereggendorf	Tattendorf	Wöllersdorf-Steinabrückl
Oberwaltersdorf	Teesdorf	Zillingdorf
Oyenhausen	Theresienfeld	

1.3.6. Specified region Kremstal

(a) Großlagen:

Göttweiger Berg
Kaiser Stiege

(b) Rieden, Fluren, Einzellagen:

Ebritzstein	Hochäcker	Rohrendorfer Gebling
Ehrenfelser	Im Berg	Sandgrube
Emmerlingtal	Kirchbühel	Scheibelberg
Frauengrund	Kogl	Schrattenpoint
Gartl	Kremsleithen	Sommerleiten
Gärtling	Pellingen	Sonnageln
Gedersdorfer Kaiserstiege	Pfaffenberg	Spiegel
Goldberg	Pfennigberg	Steingraben
Großer Berg	Pulverturm	Tümelstein
Hausberg	Rammeln	Weinzierlberg
Herrentrost	Reisenthal	Zehetnerin

(c) Municipalities and parts thereof:

Aigen	Imbach	Rohrendorf bei Krems
Angern	Krems	Scheibenhof
Brunn im Felde	Krems an der Donau	Senftenberg
Droß	Krustetten	Stein an der Donau
Egelsee	Landersdorf	Steinaweg-Kleinwien
Eggendorf	Meidling	Stift Göttweig
Furth	Neustift bei Schönberg	Stratzing
Gedersdorf	Oberfucha	Stratzing-Droß
Gneixendorf	Oberrohrendorf	Thallern
Göttweig	Palt	Tiefenfucha
Höbenbach	Paudorf	Unterrohrendorf
Hollenburg	Priel	Walkersdorf am Kamp
Hörfarth	Rehberg	Weinzierl bei Krems

1.3.7. Specified region Kamptal

(a) Großlage:

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(b) Rieden, Fluren, Einzellagen:

Anger	Hiesberg	Sachsenberg
Auf der Setz	Hofstadt	Sandgrube
Friesenrock	Kalvarienberg	Spiegel
Gaisberg	Kremstal	Stein
Gallenberg	Loiser Berg	Steinhaus
Gobelsberg	Obritzberg	Weinträgerin
Heiligenstein	Pfeiffenberg	Wohra

(c) Municipalities and parts thereof:

Altenhof	Haindorf	Schiltern
Diendorf am Walde	Kammern am Kamp	Schönberg am Kamp
Diendorf/Kamp	Kamp	Schönbergneustift
Elsarn im Straßertale	Langenlois	Sittendorf
Engabrunn	Lengenfeld	Stiefern
Etsdorf am Kamp	Mittelberg	Straß im Straßertale
Etsdorf-Haitzendorf	Mollands	Thürneustift
Fernitz	Obernholz	Unterreith
Gobelsburg	Oberreith	Walkersdorf
Grunddorf	Plank/Kamp	Wiedendorf
Hadersdorf am Kamp	Peith	Zöbing
Hadersdorf-Kammern	Rothgraben	

1.3.8. Specified region Donauland

(a) Großlagen:

Klosterneuburger Weinberge
Tulbinger Kogel
Wagram-Donauland

(b) Rieden, Fluren, Einzellagen:

Altenberg	Hengsberg	Schillingsberg
Bromberg	Hengstberg	Schloßberg
Erdpreß	Himmelreich	Sonnenried
Franzhauser	Hirschberg	Steinagrund
Fuchsberg	Hochrain	Traxelgraben
Gänsacker	Kreitschental	Vorberg
Georgenberg	Kühgraben	Wadenthal
Glockengießler	Leben	Wagram
Gmirk	Ortsried	Weinlacke
Goldberg	Purgstall	Wendelstatt
Halterberg	Satzen	Wora

(c) Municipalities and parts thereof:

Ahrenberg	Gugging	Plankenberg
Abstetten	Hasendorf	Pöding
Altenberg	Henzing	Reidling
Ameisthal	Hintersdorf	Röhrenbach
Anzenberg	Hippersdorf	Ruppersthal
Atzelsdorf	Höflein an der Donau	Saladorf
Atzenbrugg	Holzleiten	Sieghartskirchen
Baumgarten/Reidling	Hütteldorf	Sitzenberg-Reidling
Baumgarten/Wagram	Judenau-Baumgarten	Spital
Baumgarten/Tullnerfeld	Katzelsdorf im Dorf	St Andrä-Wördern
Chorherrn	Katzelsdorf/Zeil	Staasdorf
Dietersdorf	Kierling	Stettenhof
Ebersdorf	Kirchberg/Wagram	Tautendorf
Egelsee	Kleinwiesendorf	Thürnthal
Einsiedl	Klosterneuburg	Tiefenthal
Elsbach	Königsbrunn	Trasdorf
Engelmannsbrunn	Königsbrunn/Wagram	Tulbing
Fels	Königstetten	Tulln
Fels/Wagram	Kritzendorf	Unterstockstall
Feuersbrunn	Landersdorf	Wagram am Wagram
Freundorf	Michelhausen	Waltendorf
Gerasdorf b.Wien	Michelndorf	Weinzierl bei Ollern
Gollarn	Mitterstockstall	Wipfing
Gösing	Mossbierbaum	Wolfpassing
Grafenwörth	Neudegg	Wördern
Groß-Rust	Oberstockstall	Würmla
Großriedenthal	Ottenthal	Zaußenberg
Großweikersdorf	Pixendorf	Zeißelmauer
Großwiesendorf		

1.3.9. Specified region Traisental

(a) Großlage:

Traismaurer Weinberge

(b) Rieden, Fluren, Einzellagen:

Am Nasenberg	Hausberg	Sonnleiten
Antingen	In der Wiegn'n	Spiegelberg
Brunberg	In der Leithen	Tiegeln
Eichberg	Kellerberg	Valterl
Fuchsenrand	Kölbing	Weinberg
Gerichtsberg	Kreit	Wiegen
Grillenbühel	Kufferner Steinried	Zachling
Halterberg	Leithen	Zwirsch
Händlgraben	Schullerberg	

(c) Municipalities and parts thereof:

Absdorf	Inzersdorf ob der Traisen	Reichersdorf
Adletzberg	Inzersdorf-Geztersdorf	Ried
Ambach	Kappeln	Rottersdorf
Angern	Katzenberg	Schweinern
Diendorf	Killing	St Andrä/Traisen
Dörfl	Kleinrust	St Pölten
Edering	Kuffern	Statzendorf
Eggendorf	Langmannersdorf	Stollhofen
Einöd	Mitterndorf	Thallern
Etzersdorf	Neusiedl	Theyern
Franzhausen	Neustift	Traismauer
Frauentorf	Nußdorf ob der Traisen	Unterradlberg
Fugging	Oberndorf am Gebirge	Unterwölbing
Gemeinlebarn	Oberndorf in der Ebene	Wagram an der Traisen
Geztersdorf	Oberwinden	Waldletztberg
Großrust	Oberwölbing	Walpersdorf
Grünz	Obritzberg-Rust	Weidling
Gutenbrunn	Ossarn	Weißenkriechen/Perschling
Haselbach	Pfaffing	Wetzmannsthal
Herzogenburg	Rassing	Wielandsthal
Hilpersdorf	Ratzersdorf	Wölbing

1.3.10. Specified region Carnuntum

(a) Großlage:

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(b) Rieden, Fluren, Einzellagen:

Aubühel	Hausweingärten	Mühlweg
Braunsberg	Hexenberg	Rosenberg
Dorfbrunnenacker	Kirchbergen	Spitzerberg
Füllenbeutel	Lange Letten	Steinriegl
Gabler	Lange Weingärten	Tilhofen
Golden	Mitterberg	Ungerberg
Haidacker	Mühlbachacker	Unterschilling
Hausweinacker		

(c) Municipalities and parts thereof:

Arbesthal	Göttlesbrunn	Mannersdorf/Leithagebirge
Au am Leithagebirge	Göttlesbrunn-Arbesthal	Margarethen am Moos
Bad Deutsch-Altenburg	Gramatneusiedl	Maria Ellend
Berg	Hainburg/Donau	Moosbrunn
Bruck an der Leitha	Haslau/Donau	Pachfurth
Deutsch-Haslau	Haslau-Maria Ellend	Petronell
Ebergassing	Himberg	Petronell-Carnuntum
Enzersdorf/Fischa	Hof/Leithaberge	Prellenkirchen
Fischamend	Höflein	Regelsbrunn
Gallbrunn	Hollern	Rohrau
Gerhaus	Hundsheim	Sarasdorf

Scharndorf	Stixneusiedl	Wildungsmauer
Schloß Prugg	Trautmannsdorf/Leitha	Wilfleinsdorf
Schönabrunn	Velm	Wolfsthal-Berg
Schwadorf	Wienerherberg	Zwölfaxing
Sommerein		

1.3.11. Specified region Wachau

(a) Großlage:

Frauenweingärten

(b) Rieden, Fluren, Einzellagen:

Burgberg	Kellerweingärten	Setzberg
Frauengrund	Kiernberg	Silberbühel
Goldbügeln	Klein Gebirg	Singerriedel
Gottschelle	Mitterweg	Spickenberg
Höhlgraben	Neubergen	Steiger
Im Weingebirge	Niederpoigen	Stellenleiten
Katzengraben	Schlucht	Tranthal

(c) Municipalities and parts thereof:

Aggsbach	Krustetten	St. Lorenz
Aggsbach-Markt	Loiben	St. Johann
Baumgarten	Mautern	St. Michael
Bergern/Dunkelsteinerwald	Mauternbach	Tiefenfucha
Dürnstein	Mitterarnsdorf	Unterbergern
Eggendorf	Mühldorf	Unterloiben
Elsarn am Jauerling	Oberarnsdorf	Vießling
Furth	Oberbergern	Weißkirchen/Wachau
Groisbach	Oberloiben	Weißkirchen
Gut am Steg	Rossatz-Rührsdorf	Willendorf
Höbenbach	Schwallenbach	Willendorf in der Wachau
Joching	Spitz	Wösendorf/Wachau
Köfering		

1.3.12. Specified region Weinviertel

(a) Großlagen:

Bisamberg-Kreuzenstein	Matzner Hügel	Wolkersdorfer Hochleithen
Falkensteiner Hügelland	Retzer Weinberge	

(b) Rieden, Fluren, Einzellagen:

Adamsbergen	Fochleiten	Hinter der Kirchen
Altenberg	Freiberg	Hirschberg
Altenbergen	Freybergen	Hochfeld
Alter Kirchenried	Fuchsenberg	Hochfeld
Altes Gebirge	Fürstenbergen	Hochstraß
Altes Weingebirge	Gaisberg	Holzpoint
Am Berghundsleithen	Galgenberg	Hundsbergen
Am Lehmim	Gerichtsberg	Im Inneren Rain
Am Wagram	Geringen	Im Potschallen
Antlasbergen	Goldberg	In Aichleiten
Antonibergen	Goldbergen	In den Hausweingärten
Aschinger	Gollitschen	In Hamert
Auberg	Großbergen	In Rothenpüllen
Auflangen	Grundern	In Sechsern
Bergen	Haad	In Trenken
Bergfeld	Haidberg	Johannesbergen
Birthaler	Haiden	Jungbirgen
Bogenrain	Haspelberg	Junge Frauenberge
Bruch	Hausberg	Jungherrn
Bürsting	Hauseingärten	Kalvarienberg
Detzenberg	Hausrucker	Kapellenfeld
Die alte Haider	Heiligengeister	Kirchbergen
Ekartsberg	Hermannschachern	Kirchenberg
Feigelbergen	Herrnberg	Kirchluß

Kirchweinbergen	Preussenberg	Sonnberg
Kogelberg	Purgstall	Sonnen
Köhlberg	Raschern	Sonnleiten
Königsbergen	Reinthal	Steinberg
Kreuten	Reishübel	Steinbergen
Lamstetten	Retzer Winberge	Steinhübel
Lange Ried	Rieden um den Heldenberg	Steinperz
Lange Vierteln	Rösel	Stöckeln
Lange Weingärten	Rosenberg	Stolleiten
Leben	Roseneck	Strassfeld
Lehmfeld	Saazen	Stuffeln
Leitenberge	Sandbergen	Tallusfeld
Leithen	Sandriegl	Veigelberg
Lichtenberg	Sätzen	Vogelsinger
Ließen	Sätzweingärten	Vordere Bergen
Lindau	Sauenberg	Warthberg
Lissen	Sauhaut	Weinried
Martal	Saurüßeln	Weintalried
Maxendorf	Schachern	Weisser Berg
Merkvierteln	Schanz	Zeiseln
Mitterberge	Schatz	Zuckermantln
Mühlweingärten	Schatzberg	Zuckermantel
Neubergergen	Schilling	Zuckerschleh
Neusätzen	Schmallissen	Züngel
Nußberg	Schmidatal	Zutrinken
Ölberg	Schwarzerder	Zwickeln
Ölbergen	Sechterbergen	Zwiebelhab
Platten	Silberberg	Zwiefänger
Pöllitzern	Sommerleiten	

(c) Municipalities and parts thereof:

Alberndorf im Pulkautal	Dobermannsdorf	Gaisruck
Alt Höflein	Drasenhofen	Garmanns
Alt Ruppersdorf	Drösing	Gars am Kamp
Altenmarkt im Thale	Dürnkrot	Gartenbrunn
Altenmarkt	Dürnleis	Gaubitsch
Altlichtenwarth	Ebendorf	Gauderndorf
Altmanns	Ebenthal	Gaweinthal
Ameis	Ebersbrunn	Gebmanns
Amelsdorf	Ebersdorf an der Zaya	Geitzendorf
Angern an der March	Eggenburg	Gettsdorf
Aschendorf	Eggendorf am Walde	Ginzersdorf
Asparn an der Zaya	Eggendorf	Glaubendorf
Aspersdorf	Eibesbrunn	Gnadendorf
Atzelsdorf	Eibesthal	Goggendorf
Au	Eichenbrunn	Goldgeben
Auersthal	Eichhorn	Göllersdorf
Augenthal	Eitzersthal	Gösting
Bad Pirawarth	Engelhartstetten	Götzendorf
Baierdorf	Engelsdorf	Grabern
Bergau	Enzersdorf bei Staatz	Grafenberg
Bernhardsthal	Enzersdorf im Thale	Grafensulz
Bisamberg	Enzersfeld	Groißbrunn
Blumenthal	Erdberg	Groß Ebersdorf
Bockfließ	Erdpreß	Groß-Engersdorf
Bogenneusiedl	Ernstbrunn	Groß-Inzersdorf
Bösendürnbach	Etzmannsdorf	Groß-Schweinbarth
Braunsdorf	Fahndorf	Großharras
Breiteneich	Falkenstein	Großkadolz
Breitenwaida	Fallbach	Großkrut
Bruderndorf	Föllim	Großmeiseldorf
Bullendorf	Frättingsdorf	Großmugl
Burgschleinitz	Frauendorf/Schmida	Großnondorf
Burgschleinitz-Kühnring	Friebritz	Großreipersdorf
Deinzendorf	Füllersdorf	Großrußbach
Diepolz	Furth	Großstelzendorf
Dietersdorf	Gaindorf	Großwetzdorf
Dietmannsdorf	Gaisberg	Grub an der March
Dippersdorf	Gaiselberg	Grübern

Grund	Kleinstetteldorf	Obergrabern
Gumping	Kleinweikersdorf	Obergrub
Guntersdorf	Kleinwetzdorf	Oberhautzentel
Guttenbrunn	Kleinwilfersdorf	Oberkreuzstetten
Hadres	Klement	Obermallebarn
Hagenberg	Kollnbrunn	Obermarkersdorf
Hagenbrunn	Königsbrunn	Obernalb
Hagendorf	Kottingneusiedl	Oberolberndorf
Hanfthal	Kotzendorf	Oberparschenbrunn
Hardegg	Kreuttal	Oberravelsbach
Harmannsdorf	Kreuzstetten	Oberretzbach
Harrersdorf	Kronberg	Oberrohrbach
Hart	Kühnring	Oberrußbach
Haselbach	Laa an der Thaya	Oberschoderlee
Haslach	Ladendorf	Obersdorf
Haugsdorf	Langenzersdorf	Obersteinabrunn
Hausbrunn	Lanzendorf	Oberstinkenbrunn
Hauskirchen	Leitzersdorf	Obersulz
Hausleiten	Leobendorf	Oberthern
Hautzendorf	Leodagger	Oberzögersdorf
Heldenberg	Limberg	Obritz
Herrnbaumgarten	Loidesthal	Olbersdorf
Herrnleis	Loosdorf	Olgersdorf
Herzogbirbaum	Magersdorf	Ollersdorf
Hetzmannsdorf	Maigen	Ottendorf
Hipples	Mailberg	Ottenthal
Höbersbrunn	Maisbirbaum	Paasdorf
Hobersdorf	Maissau	Palterndorf
Höbertsgrub	Mallersbach	Palterndorf/Dobermannsdorf
Hochleithen	Manhartsbrunn	Paltersdorf
Hofern	Mannersdorf	Passauerhof
Hohenau an der March	Marchegg	Passendorf
Hohenruppersdorf	Maria Roggendorf	Patzenthal
Hohenwarth	Mariathal	Patzmannsdorf
Hohenwarth-Mühlbach	Martinsdorf	Peigarten
Hollabrunn	Matzelsdorf	Pellendorf
Hollenstein	Matzen	Pernersdorf
Hörersdorf	Matzen-Raggendorf	Pernhofen
Horn	Maustrenk	Pettendorf
Hornsburg	Meiseldorf	Pfaffendorf
Hüttendorf	Merkersdorf	Pfaffstetten
Immendorf	Michelstetten	Pfösing
Inkersdorf	Minichhofen	Pillersdorf
Jedenspeigen	Missingdorf	Pillichsdorf
Jetzelsdorf	Mistelbach	Pirawarth
Kalladorf	Mittergrabern	Platt
Kammersdorf	Mitterretzbach	Pleißling
Karnabrunn	Mödring	Porrau
Kattau	Mollmannsdorf	Pottenhofen
Katzelsdorf	Mörtersdorf	Poysbrunn
Kettlasbrunn	Mühlbach a. M.	Poysdorf
Ketzelsdorf	Münichsthal	Pranhartsberg
Kiblitz	Naglern	Prinzendorf/Zaya
Kirchstetten	Nappersdorf-Kammersdorf	Prottes
Kleedorf	Neubau	Puch
Klein Hadersdorf	Neudorf bei Staatz	Pulkau
Klein Riedenthal	Neuruppersdorf	Pürstendorf
Klein Haugsdorf	Neusiedl/Zaya	Putzing
Klein-Harras	Nexingin	Pyhra
Klein-Meiseldorf	Niederabsdorf	Rabensburg
Klein-Reinprechtsdorf	Niederfellabrunn	Radlbrunn
Klein-Schweinbarth	Niederhollabrunn	Raffelhof
Kleinbaumgarten	Niederkreuzstetten	Rafing
Kleinebersdorf	Niederleis	Ragelsdorf
Kleinengersdorf	Niederrußbach	Raggendorf
Kleinhöflein	Niederschleinz	Rannersdorf
Kleinkadolz	Niedersulz	Raschala
Kleinkirchberg	Nursch	Ravelsbach
Kleinrötz	Oberdümbach	Reikersdorf
Kleinsierndorf	Oberfellabrunn	Reinthal
Kleinstelzendorf	Obergänserndorf	Retz

Retz-Altstadt	Spannberg	Velm
Retz-Stadt	St. Bernhard-Frauenhofen	Velm-Götzendorf
Retzbach	St. Ulrich	Viendorf
Reyersdorf	Staatz	Waidendorf
Riedenthal	Staatz-Kautzendorf	Waitzendorf
Ringelsdorf	Starnwörth	Waltersdorf
Ringelsdorf-Niederabsdorf	Steinabrunn	Waltersdorf/March
Ringendorf	Steinbrunn	Walterskirchen
Rodingersdorf	Steinebrunn	Wartberg
Roggendorf	Stetteldorf/Wagram	Waschbach
Rohrbach	Stetten	Watzelsdorf
Rohrendorf/Pulkau	Stillfried	Weikendorf
Ronthal	Stockerau	Wetzelsdorf
Röschitz	Stockern	Wetzleinsdorf
Röschitzklein	Stoitzendorf	Weyerburg
Roseldorf	Straning	Wieselsfeld
Rückersdorf	Stranzendorf	Wiesern
Rußbach	Streifing	Wildendürnbach
Schalladorf	Streitdorf	Wilfersdorf
Schleinbach	Stronsdorf	Wilhelmsdorf
Schletz	Stützenhofen	Windisch-Baumgarten
Schönborn	Sulz im Weinviertel	Windpassing
Schöngrabern	Suttenbrunn	Wischathal
Schönkirchen	Tallesbrunn	Wolfpassing an der Hochleithen
Schönkirchen-Reyersdorf	Traunfeld	Wolfpassing
Schrattenberg	Tresdorf	Wolfsbrunn
Schrattenthal	Ulrichskirchen	Wolkersdorf/Weinviertel
Schrick	Ulrichskirchen-Schleinbach	Wollmannsberg
Seebarn	Ungerndorf	Wullersdorf
Seefeld	Unterdürnbach	Wultendorf
Seefeld-Kadolz	Untergrub	Wulzeshofen
Seitzendorf-Wolfpassing	Unterhautzental	Würnitz
Senning	Untermallebarn	Zellerndorf
Siebenhirten	Untermarkersdorf	Zemling
Sierndorf	Unternalb	Ziersdorf
Sierndorf/March	Unterolberndorf	Zissersdorf
Sigmundsherberg	Untersparchenbrunn	Zistersdorf
Simonsfeld	Unterretzbach	Zlabern
Sitzendorf an der Schmida	Unterrohrbach	Zogelsdorf
Sitzenhart	Unterstinkenbrunn	Zwentendorf
Sonnberg	Unterthern	Zwingendorf
Sonndorf		

1.3.13. Specified region Südsteiermark

(a) Großlagen:

Sausal
Südsteirisches Rebenland

(b) Rieden, Fluren, Einzellagen:

Altenberg	Karnerberg	Sernauberg
Brudersegg	Kittenberg	Speisenberg
Burgstall	Königsberg	Steinriegl
Czamilionberg/Kaltenegg	Kranachberg	Stermitzberg
Eckberg	Lubekogel	Urkogel
Eichberg	Mitteregg	Wielitsch
Einöd	Nußberg	Wilhelmshöhe
Gauitsch	Obeegg	Witscheinberg
Graßnitzberg	Päßnitzberger Römerstein	Witscheiner Herrenberg
Harrachegg	Pfarrweingarten	Zieregg
Hochgraßnitzberg	Schloßberg	Zoppelberg

(c) Municipalities and parts thereof:

Aflenz an der Sulm	Brudersegg	Eichberg-Trautenburg
Altenbach	Burgstall	Einöd
Altenberg	Eckberg	Empersdorf
Arnfels	Ehrenhausen	Ewitsch
Berghausen	Eichberg-Arnfels	Flamberg

Fötschach	Lieschen	Schönberg
Gamlitz	Maltschach	Schönegg
Gautitsch	Mattelsberg	Seggauberg
Glanz	Mitteregg	Sernau
Gleinstätten	Muggenau	Spielfeld
Goldes	Nestelbach	St Andrä i.S.
Göttling	Nestelberg/Heimschuh	St Andrä-Höch
Graßnitzberg	Nestelberg/Großklein	St Johann im Saggautal
Greith	Neurath	St Nikolai im Sausal
Großklein	Obegg	St Nikolai/Draßling
Großwalz	Oberfahrenbach	St Ulrich/Waasen
Grottenhof	Obergreith	Steinbach
Grubtal	Oberhaag	Steingrub
Hainsdorf/Schwarzautal	Oberlupitscheni	Steinriegel
Hasendorf an der Mur	Obervogau	Sulz
Heimschuh	Ottenberg	Sulztal an der Weinstraße
Höch	Paratheregg	Tillmitsch
Kaindorf an der Sulm	Petzles	Unterfahrenbach
Kittenberg	Pistorf	Untergreith
Kitzeck im Sausal	Pößnitz	Unterhaus
Kogelberg	Prarath	Unterlupitscheni
Kranach	Ratsch an der Weinstraße	Vogau
Kranachberg	Remsnigg	Wagna
Labitschberg	Rettenbach	Waldschach
Lang	Rettenberg	Weitendorf
Langenberg	Retznei	Wielitsch
Langegg	Sausal	Wildon
Lebring — St. Margarethen	Sausal-Kerschegg	Wolfsberg/Schw.
Leibnitz	Schirka	Zieregg
Leutschach	Schloßberg	

1.3.14. Specified region Weststeiermark

(a) Großlagen:

—

(b) Rieden, Fluren, Einzellagen:

Burgegg
Dittenberg
Guntschenberg
Hochgrail
St. Ulrich i. Gr.

(c) Municipalities and parts thereof:

Aibl	Lannach	St Johann ob Hohenburg
Bad Gams	Ligist	St Peter i.S.
Deutschlandsberg	Limberg	Stainz
Frauental an der Laßnitz	Marhof	Stallhofen
Graz	Mooskirchen	Straßgang
Greisdorf	Pitschgau	Sulmeck-Greith
Groß St. Florian	Preding	Unterbergla
Großradl	Schwanberg	Unterfresen
Gundersdorf	Seiersberg	Weibling
Hitzendorf	St Bartholomä	Wernersdorf
Holleneegg	St Martin i.S.	Wies
Krottendorf	St Stefan ob Stainz	

1.3.15. Specified region Südoststeiermark

(a) Großlagen:

Oststeirisches Hügelland
Vulkanland

(b) Rieden, Fluren, Einzellagen:

Annaberg	Klöchberg	Schattauberg
Buchberg	Königsberg	Schemming
Burgfeld	Prebendsdorfberg	Schloßkogel
Hofberg	Rathenberg	Seindl
Hoferberg	Reiting	Steintal
Hohenberg	Ringkogel	Stradenberg
Hürtherberg	Rosenberg	Sulzberg
Kirchleiten	Saziani	Weinberg

(c) Municipalities and parts thereof:

Aigen	Gniebing	Klöchberg
Albersdorf-Prebuch	Goritz	Kohlgraben
Allerheiligen bei Wildon	Gosdorf	Kölddorf
Altenmarkt bei Fürstenfeld	Gossendorf	Kornberg bei Riegersburg
Altenmarkt bei Riegersburg	Grabersdorf	Krennach
Aschau	Grasdorf	Krobathen
Aschbach bei Fürstenfeld	Greinbach	Kronnersdorf
Auersbach	Großhartmannsdorf	Krottendorf
Aug-Radisch	Grössing	Krusdorf
Axbach	Großsteinbach	Kulm bei Weiz
Bad Waltersdorf	Großwilfersdorf	Laasen
Bad Radkersburg	Grub	Labuch
Bad Gleichenberg	Gruisla	Landscha bei Weiz
Bairisch Kölldorf	Gschmaier	Laßnitzhöhe
Baumgarten bei Gnas	Gutenberg an der Raabklamm	Leitersdorf im Raabtal
Bierbaum am Auersbach	Gutendorf	Lembach bei Riegersburg
Bierbaum	Habegg	Lödersdorf
Breitenfeld/Rittschein	Hainersdorf	Löffelbach
Buch-Geiseldorf	Haket	Loipersdorf bei Fürstenfeld
Burgfeld	Halbenrain	Lugitsch
Dambach	Hart bei Graz	Maggau
Deutsch Goritz	Hartberg	Magland
Deutsch Haseldorf	Hartberg-Umgebung	Mahrensdorf
Dienersdorf	Hartl	Maierdorf
Dietersdorf am Gnasbach	Hartmannsdorf	Maierhofen
Dietersdorf	Haselbach	Markt Hartmannsdorf
Dirnbach	Hatzendorf	Markt
Dörfel	Hernberg	Merkendorf
Ebersdorf	Hinteregg	Mettersdorf am Saßbach
Edelsbach bei Feldbach	Hirnsdorf	Mitterdorf an der Raab
Edla	Hochenegg	Mitterlabill
Eichberg bei Hartmannsdorf	Hochstraden	Mortantsch
Eichfeld	Hof bei Straden	Muggendorf
Entschendorf am Ottersbach	Hofkirchen bei Hardegg	Mühdorf bei Feldbach
Entschendorf	Höflach	Mureck
Etzersdorf-Rollsdorf	Hofstätten	Murfeld
Fehring	Hofstätten bei Deutsch	Nägelsdorf
Feldbach	Hohenbrugg	Nestelbach im Ilztal
Fischa	Hohenkogel	Neudau
Fladnitz im Raabtal	Hopfau	Neudorf
Flattendorf	Ilz	Neusetz
Floing	Ilztal	Neustift
Frannach	Jägerberg	Nitscha
Frösaugraben	Jahrbach	Oberdorf am Hohegg
Frössauberg	Jamm	Obergnas
Frutten	Johnsdorf-Brunn	Oberkarla
Frutten-Geißelsdorf	Jörgen	Oberklamm
Fünffing bei Gleisdorf	Kaag	Oberspitz
Fürstenfeld	Kaibing	Obertiefenbach
Gabersdorf	Kainbach	Öd
Gamling	Lalch	Ödgraben
Gersdorf an der Freistritz	Kapfenstein	Ödt
Gießelsdorf	Karbach	Ottendorf an der Rittschein
Gleichenberg-Dorf	Kirchberg an der Raab	Penzendorf
Gleisdorf	Klapping	Perbersdorf bei St. Peter
Glojach	Kleegraben	Persdorf
Gnaning	Kleinschlag	Pertlstein
Gnas	Klöch	Petersdorf

Petzelsdorf	Schölböng	Tatzen
Pichla bei Radkersburg	Schönaü	Tautendorf
Pichla	Schönegg bei Pöllau	Tiefenbach bei Kaindorf
Pirsching am Traubenberg	Schrötten bei Deutsch-Goritz	Tieschen
Pischelsdorf in der Steiermark	Schwabau	Trautmannsdorf/Oststeiermark
Plesch	Schwarzau im Schwarzaütal	Trössing
Pöllau	Schweinz	Übersbach
Pöllauberg	Sebersdorf	Ungerdorf
Pölten	Siebing	Unterauersbach
Poppendorf	Siegersdorf bei Herberstein	Unterbuch
Prebensdorf	Sinabelkirchen	Unterfladnitz
Pressguts	Söchau	Unterkarla
Pridahof	Speltenbach	Unterlamm
Puch bei Weiz	St Peter am Ottersbach	Unterlaßnitz
Raabau	St Johann bei Herberstein	Unterzirknitz
Rabenwald	St Veit am Vogau	Vockenberg
Radersdorf	St Kind	Wagerberg
Radkersburg Umgebung	St Anna am Aigen	Waldsberg
Radochen	St Georgen an der Stiefing	Walkersdorf
Ragnitz	St Johann in der Haide	Waltersdorf in der Oststeiermark
Raning	St Margarethen an der Raab	Waltra
Ratschendorf	St Nikolai ob Draßling	Wassen am Berg
Reichendorf	St Marein bei Graz	Weinberg an der Raab
Reigersberg	St Magdalena am Lemberg	Weinberg
Reith bei Hartmannsdorf	St Stefan im Rosental	Weinburg am Sassbach
Rettenbach	St Lorenzen am Wechsel	Weißbach
Riegersburg	Stadtbergen	Weiz
Ring	Stainz bei Straden	Wetzelsdorf bei Jagerberg
Risola	Stang bei Hatzendorf	Wieden
Rittschein	Staudach	Wiersdorf
Rohr an der Raab	Stein	Wilhelmsdorf
Rohr bei Hartberg	Stocking	Wittmannsdorf
Rohrbach am Rosenberg	Straden	Wolfgruben bei Gleisdorf
Rohrbach bei Waltersdorf	Straß	Zehensdorf
Romatschachen	Stubenberg	Zelting
Ruppersdorf	Sulz bei Gleisdorf	Zerlach
Saaz	Sulzbach	Ziegenberg
Schachen am Römerbach	Takern	

1.3.16. Specified region Wien

(a) Großlagen:

Bisamberg-Wien
Georgenberg
Kahlenberg
Nußberg

(b) Rieden, Fluren, Einzellagen:

Altweingarten	Gernen	Mitterberg
Auckenthal	Herrenholz	Oberlaa
Bellevue	Hochfeld	Preußen
Breiten	Jungenberg	Reisenberg
Burgstall	Jungherrn	Rosengartl
Falkenberg	Kuchelviertel	Schenkenberg
Gabrissen	Langteufel	Steinberg
Gallein	Magdalenenhof	Wiesthalen
Gebhardin	Mauer	

(c) Municipalities and parts thereof:

Dornbach	Kalksburg	Ottakring
Grinzing	Liesing	Pötzleinsdorf
Groß Jedlersdorf	Mauer	Rodaun
Heiligenstadt	Neustift	Stammersdorf
Innere Stadt	Nußdorf	Strebersdorf
Josefsdorf	Ober Sievering	Unter Sievering
Kahlenbergerdorf	Oberlaa-Stadt	

1.3.17. Specified region Vorarlberg

(a) Großlagen:

—

(b) Rieden, Fluren, Einzellagen:

—

(c) Municipalities:

Bregenz

Röthis

1.3.18. Specified region Tirol

(a) Großlagen:

—

(b) Rieden, Fluren, Einzellagen:

—

(c) Municipality:

Zirl

2. **Table wines bearing a geographical indication**

Burgenland

Niederösterreich

Steiermark

Tirol

Vorarlberg

Wien

B. Traditional expressions

Ausbruchwein

Auslese

Auslesewein

Beerenauslese

Beerenauslesewein

Bergwein

Eiswein

Heuriger

Kabinett

Kabinettwein

Landwein

Prädikatswein

Qualitätswein besonderer Reife und Leseart

Spätlese

Spätlesewein

Strohwein

Sturm

Trockenbeerenauslese

B. Protected names for wine-sector products originating in Switzerland

I. Geographical indications

1. Cantons

Zürich	Appenzell Innerrhoden
Bern/Berne	Appenzell Ausserrhoden
Luzern	St. Gallen
Uri	Graubünden
Schwyz	Aargau
Nidwalden	Thurgau
Glarus	Ticino
Fribourg/Freiburg	Vaud
Basel-Land	Valais/Wallis
Basel-Stadt	Neuchâtel
Solothurn	Genève
Schaffhausen	Jura

1.1. Zürich

1.1.1. Zürichsee

Erlenbach	Meilen
— Mariahalde	— Appenhalde
— Turmgut	— Chorherren
Herrliberg	Richterswil
— Schipfgut	Stäfa
Hombrechtikon	— Lattenberg
— Feldbach	— Sternenhalde
— Rosenberg	— Uerikon
— Trüllisberg	Thalwil
Küsnacht	Uetikon am See
Kilchberg	Wädenswil
Männedorf	Zollikon

1.1.2. Limmattal

Höngg
Oberengstringen
Oetwil an der Limmat
Weiningen

1.1.3. Züricher Unterland

Bachenbülach	Niederhasli
Boppelsen	Niederweningen
Buchs	Nürensdorf
Bülach	Oberembrach
Dielsdorf	Otelfingen
Eglisau	Rafz
Freienstein	Regensberg
— Teufen	Regensdorf
— Schloss Teufen	Steinmaur
Glattfelden	Wasterkingen
Hüntwangen	Wil
Kloten	Winkel
Lufingen	Weiach

1.1.4. Weinland

Adlikon
Andelfingen
— Heiligberg
Benken
Berg am Irchel
Buch am Irchel
Dachsen
Dättlikon
Dinhard
Dorf
— Goldenberg
— Schloss Goldenberg
— Schwerzenberg
Elgg
Ellikon
Elsau
Flaach
— Worrenberg
Flurlingen
Henggart
Hettlingen
Humlikon
— Klosterberg

Kleinandelfingen
— Schiterberg
Marthalen
Nefenbach
— Wartberg
Ossingen
Pfungen
Rheinau
Rickenbach
Seuzach
Stammheim
Trüllikon
— Rudolfinen
— Wildensbuch
Truttikon
Uhwiesen (Laufen-Uhwiesen)
Volken
Waltalingen
— Schloss Schwandegg
— Schloss Giersberg
Wiesendangen
Wildensbuch
Winterthur-Wülflingen

1.2. Bern/Berne

Biel/Bienne
Erlach/Cerlier
Gampelen/Champion
Ins/Anet
Neuenstadt/La Neuveville
— Schafis/Chavannes
Ligerz/Gléresse
— Schernelz
Oberhofen

Sigriswil
Spiez
Tschugg
Tüscherz/Daucher
— Alfermée
Twann/Douane
— St Petersinsel/Ile St-Pierre
Vignelz/Vigneule

1.3. Luzern

Aesch
Altwis
Dagmersellen
Ermensee
Gelfingen
Heidegg

Hitzkirch
Hohenrain
Horw
Meggen
Weggis

1.4. Uri

Bürglen
Flüelen

1.5. Schwyz

Altendorf
Küssnacht am Rigi
Leutschen
Wangen
Wollerau

1.6. Nidwalden

Stans

- 1.7. *Glarus*
Niederurnen
Glarus
- 1.8. *Fribourg/Freiburg*
Vully
— Nant
— Praz
— Sugiez
— Môtier
— Mur
Cheyres
Font
- 1.9. *Basel-Land*
Aesch
— Tschäpperli
Arisdorf
Arlesheim
Balstahl
— Klus
Biel-Benken
Binningen
Bottmingen
Buus
Ettingen
Itingen
Liestal
Maisprach
Muttenz
Oberdorf
Pfeffingen
Pratteln
Reinach
Sissach
Tenniken
Therwil
Wintersingen
Ziefen
Zwingen
- 1.10. *Basel-Stadt*
Riehen
- 1.11. *Solothurn*
Buehegg
Dornach
Erlinsbach
Flüh
Hofstetten
Rodersdorf
Witterswil
- 1.12. *Schaffhausen*
Altdorf
Beringen
Buchberg
Buehegg
Dörflingen
— Heerenberg
Gächlingen
Hallau
Löhningen
Oberhallau
Osterfingen
Rüdlingen
Schaffhausen
— Heerenberg
— Munot
— Rheinhalde
Schleitheim
Siblingen
— Eisenhalde
Stein am Rhein
— Blaurock
— Chäferstei
Thayngen
Trasadingen
Wilchingen

- 1.13. *Appenzell Innerrhoden*
Oberegg
- 1.14. *Appenzell Ausserrhoden*
Lutzenberg
- 1.15. *St Gallen*
Altstätten
— Forst
Amden
Au
— Monstein
Ragaz
— Freudenberg
Balgach
Berneck
— Pfauenhalde
— Rosenberg
Bronchhofen
Eichberg
Flums
Frümsen
Grabs
— Werdenberg
Heerbrugg
Jona
Marbach
Mels
Oberriet
Pfäfers
Quinten
Rapperswil
Rebstein
Rheineck
Rorschacherberg
Sargans
Sax
Sevelen
St. Margrethen
Thal
— Buchberg
Tscherlach
Walenstadt
Wartau
Weesen
Werdenberg
Wil
- 1.16. *Graubünden*
Bonaduz
Cama
Chur
Domat/Ems
Felsberg
Fläsch
Grono
Igdis
Jenins
Leggia
Maienfeld
— St. Luzisteig
Malans
Mesolcina
Monticello
Roveredo
San Vittore
Verdabbio
Zizers
- 1.17. *Aargau*
Auenstein
Baden
Bergdietikon
— Herrenberg
Biberstein
Birmenstorf
Böttstein
Bözen
Bremgarten
— Stadtreben
Döttingen
Effingen
Egliswil
Elfingen
Endingen
Ennetbaden
— Goldwand
Erlinsbach
Frick
Gansingen
Gebensdorf
Gipf-Oberfrick
Habsburg
Herznach
Hornussen
— Stiftshalde
Hottwil
Kaisten
Kirchdorf
Klingnau
Küttigen
Lengnau
Lenzburg
— Goffersberg
— Burghalden
Magden

Manndach	Steinbruck
Meisterschwanden	Spreitenbach
Mettau	Sulz
Möriken	Tegerfelden
Muri	Thalheim
Niederrohrdorf	Ueken
Oberflachs	Unterlunkhofen
Oberhof	Untersiggenthal
Oberhofen	Villigen
Obermumpf	— Schlossberg
Oberrohrdorf	— Steinbrüchler
Oeschgen	Villnachern
Remigen	Wallenbach
Rüfnach	Wettingen
— Bödeler	Wil
— Rütiberg	Wildeggen
Schaffisheim	Wittnau
Schinznach	Würenlingen
Schneisingen	Würenlos
Seengen	Zeiningen
— Berstenberg	Zufikon
— Wessenberg	

1.18. *Thurgau*

1.18.1. Produktionszone I

Diessenhofen	Nussbaumen
— St Katharinental	— St Anna-Oelenberg
Frauenfeld	— Chindsruet-Chardüsler
— Guggenhürli	Oberneuenforn
— Holderberg	— Farhof
Herdern	— Burghof
— Kalchrain	Schlattingen
— Schloss Herdern	— Herrenberg
Hüttwilen	Stettfurt
— Guggenhüsli	— Schloss Sonnenberg
— Stadtschryber	— Sonnenberg
Niederneuenforn	Uesslingen
— Trottenhalde	— Steigässli
— Landvogt	Warth
— Chrachenfels	— Karthause Ittingen

1.18.2. Produktionszone II

Amlikon	Sulgen
Amriswil	— Schützenhalde
Buchackern	Weinfeldern
Götighofen	— Bachtobel
— Buchenhalde	— Scherbengut
— Hohenfels	— Schloss Bachtobel
Griesenberg	Schmälzler
Hessenreuti	Straussberg
Märstetten	Sunnehalde
— Ottenberg	Thurgut

1.18.3. Produktionszone III

Berlingen	Mammern
Ermatingen	Mannenbach
Eschenz	Salenstein
— Freudenfels	— Arenenberg
Fruthwilen	Steckborn

-
- 1.19. Ticino
- 1.19.1. Bellinzona
- | | |
|-----------------|---------------|
| Arbedo-Castione | Medeglia |
| Bellinzona | Moleno |
| Cadenazzo | Monte Carasso |
| Camorino | Pianezzo |
| Giubiasco | Preonzo |
| Gnosca | Robasacco |
| Gorduno | Sanantonino |
| Gudo | Sementina |
| Lumino | |
- 1.19.2. Blenio
- Corzoneso
Dongio
Malvaglia
Ponte-Valentino
Semione
- 1.19.3. Leventina
- Anzonico
Bodio
Giornico
Personico
Pollegio
- 1.19.4. Locarno
- | | |
|------------------|-----------------|
| Ascona | Loco |
| Auressio | Losone |
| Berzona | Magadino |
| Borgnone | Mergoscia |
| Brione s/Minusio | Minusio |
| Brissago | Mosogno |
| Caviano | Muralto |
| Cavigliano | Orselina |
| Contone | Piazzogna |
| Corippo | Ronco s/Ascona |
| Cugnasco | San Nazzaro |
| Gerra Gambarogno | S. Abbondio |
| Gerra Verzasca | Tegna |
| Gordola | Tenero-Contra |
| Intragna | Verscio |
| Lavertezzo | Vira Gambarogno |
| Locarno | Vogorno |
- 1.19.5. Lugano
- | | |
|----------------|-----------------|
| Agno | Breganzona |
| Agra | Brusion Arsizio |
| Aranno | Cademario |
| Arogno | Cadempino |
| Astano | Cadro |
| Barbengo | Cagiallo |
| Bedano | Camignolo |
| Bedigliora | Canobbio |
| Bioggio | Carabbia |
| Bironico | Carabietta |
| Bissone | Carona |
| Busco Luganese | Caslano |

Cimo	Neggio
Comano	Novaggio
Croglio	Origlio
Cureggia	Pambio-Noranco
Cureglia	Paradiso
Curio	Pazallo
Davesco Soragno	Ponte Capriasca
Gentilino	Porza
Grancia	Pregassona
Gravesano	Pura
Iseo	Rivera
Lamone	Roveredo
Lopagno	Rovio
Lugaggia	Sala Capriasca
Lugano	Savosa
Magliaso	Sessa
Manno	Sigirino
Maroggia	Sonvico
Massagno	Sorengo
Melano	Tesserete
Melide	Torricella-Taverne
Mezzovico-Vira	Vaglio
Migliaglia	Vernate
Montagnola	Vezia
Monteggio	Vico Morcote
Morcote	Viganello
Muzzano	Villa Luganese

1.19.6. Mendrisio

Arzo	Mendrisio
Balerna	Meride
Besazio	Monte
Bruzella	Morbio Inferiore
Caneggio	Morbio Superiore
Capolago	Novazzano
Casima	Rancate
Castel San Pietro	Riva San Vitale
Chiasso	Salorino
Chiasso-Pedrinata	Stabio
Coldrerio	Tremona
Genestrerio	Vacallo
Ligornetto	

1.19.7. Riviera

Biasca
Claro
Cresciano
Iragna
Lodrino
Osogna

1.19.8. Valle Maggia

Aurigeno	Gordevio
Avegno	Lodano
Cavergho	Maggia
Cevio	Moghegno
Giumaglio	Someo

1.20. *Vaud*

1.20.1. Région est de Lausanne

Aigle	— Savuit
Belmont-sur-Lausanne	Montreux
Bex	Ollon
Blonay	Paudex
Calamin	Puidoux
Chardonne	Pully
— Cure d'Attalens	Riex
Chexbres	Rivaz
Corbeyrier	Roche
Corseaux	St-Légier-La Chiésaz
Corsier-sur-Vevey	St-Saphorin
Cully	— Burignion
Dezaley	— Faverges
Dezaley-Marsens	Treytorrens
Epesses	Vevey
Grandvaux	Veytaux
Jongny	Villeneuve
La Tour-de-Peilz	Villette
Lavey-Morcles	— Châtelard
Lutry	Yvorne

1.20.2. Région ouest de Lausanne

Aclens	Gilly
Allaman	Givrins
Arnex-sur-Nyon	Gollion
Arzier	Gland
Aubonne	Grens
Begnins	Lavigny
Bogis-Bossey	Lonay
Borex	Luins
Bougy-Villars	— Château de Luins
Bremblens	Lully
Buchillon	Lussy-sur-Morges
Bursinel	Mex
Bursins	Mies
Bussigny-près-Lausanne	Monnaz
Bussy-Chardonney	Mont-sur-Rolle
Chigny	Morges
Clarmont	Nyon
Coinsins	Perroy
Colombier	Prangins
Commugny	Préverenges
Coppet	Prilly
Crans-près-Céligny	Reverolle
Crassier	Rolle
Crissier	Romanel-sur-Morges
Denens	Saint-Livres
Denges	Saint-Prex
Duillier	Signy-Avenex
Dully	St-Saphorin-sur-Morges
Echandens	Tannay
Echichens	Tartegnin
Ecublens	Saint-Sulpice
Essertines-sur-Rolle	Tolochenaz
Etoy	Trélex
Eysins	Vaux-sur-Morges
Féchy	Vich
Founex	Villars-Sainte-Croix
Genolier	Villars-sous-Yens

	Vinzel	Vullierens
	Vufflens-la-Ville	Yens
	Vufflens-le-Château	
1.20.3.	C ô t e s - d e - l ' O r b e	
	Agiez	Method
	Arnex-sur-Orbe	Montcherand
	Baulmes	Orbe
	Bavois	Orny
	Belmont-sur-Yverdon	Pompaples
	Chamblon	Rances
	Champvent	Suscévaz
	Chavornay	Treycovagnes
	Corcelles-sur-Chavornay	Valeyres-sous-Rances
	Eclépens	Villars-sous-Champvent
	Essert-sous-Champvent	Yvonand
	La Sarraz	
1.20.4.	N o r d v a u d o i s	
	Bonvillars	
	Concise	
	Corcelles-près-Concise	
	Fiez	
	Fontaines-sur-Grandson	
	Grandson	
	Montagny-près-Yverdon	
	Novalles	
	Onnens	
	Valeyres-sous-Montagny	
1.20.5.	V u l l y	
	Bellerive	
	Chabrey	
	Champmartin	
	Constantine	
	Montmagny	
	Mur	
	Vallamand	
	Villars-le-Grand	
1.21.	V a l a i s / W a l l i s	
	Agarn	Collombey-Muraz
	Ardon	Collonges
	Ausserberg	Conthey
	Ayent	Dorénaz
	— Signèse	Eggerberg
	Baltschieder	Embd
	Bovernier	Ergisch
	Bratsch	Evionnaz
	Brig/Brigue	Fully
	Chablais	— Beudon
	Chalais	— Branson
	Chamoson	— Châtaignier
	— Ravanay	Gampel
	— Saint Pierre-de-Clage	Grimisuat
	— Trémazières	— Champlan
	Charrat	— Mollignon
	Chermignon	— Le Mont
	— Ollon	— Saint Raphaël
	Chippis	Grône

Hohtenn	— La Millière
Lalden	— Muraz
Lens	— Noës
— Flanthey	Sion
— Saint-Clément	— Batassé
— Vaas	— Bramois
Leytron	— Châteauneuf
— Grand-Brûlé	— Châtroz
— Montagnon	— Clavoz
— Montibeux	— Corbassière
— Ravanay	— La Folie
Leuk/Loèche	— Lentine
— Lichten	— Maragnenaz
Martigny	— Molignon
— Coquempey	— Le Mont
Martigny-Combe	— Mont d'Or
— Plan Cerisier	— Montorge
Miège	— Pagane
Montana	— Uvrier
— Corin	Stalden
Monthey	Staldenried
Nax	Steg
Nendaz	Troistorrents
Niedergesteln	Turtmann/Tourtemagne
Port-Valais	Varen/Varone
— Les Evouettes	Venthône
Randogne	— Anchette
— Loc	— Darnonaz
Raron/Rarogne	Vernamiège
Riddes	Vétroz
Saillon	— Balavaud
Saint-Léonard	— Magnot
Saint-Maurice	Veyras
Salgesch/Salquenen	— Bernune
Salins	Muzot
Saxon	Ravyre
Savièse	Vernayaz
— Diolly	Vex
Sierre	Vionnaz
— Champsabé	Visp/Viège
— Crétaplan	Visperterminen
— Géronde	Vollèges
— Goubing	Vouvry
— Granges	Zeneggen

1.22. *Neuchâtel*

Auvernier	Gorgier
Bevaix	Hauterive
Bôle	Le Landeron
Boudry	Neuchâtel
Colombier	— Champréveyres
Corcelles	— La Coudre
Cormondrèche	Peseux
Cornaux	Saint-Aubin
Cortailod	Saint-Blaise
Cressier	Vaumarcus
Fresens	

1.23. *Geneva*

Aire-la-Ville	Avusy
Anières	Bardonnex
Avully	— Charrot

— Landecy	Laconnex
Bellevue	Meinier
Bernex	— Le Carre
— Lully	Meyrin
Cartigny	Perly-Certoux
Céligny ou Côte Céligny	Plans-les-Ouates
Chancy	Presinge
Choulex	Puplinges
Collex-Bossy	Russin
Collonge-Bellerive	Satigny
Cologny	— Bourdigny
Confignon	— Chouilly
Corsier	— Peissy
Dardagny	Soral
— Essertines	Troinex
Genthod	Vandoeuvres
Gy	Vernier
Hermance	Veyrier
Jussy	

1.24. *Jura*
Buix
Soyhières

II. **Swiss traditional expressions**

Appellation d'origine
Appellation d'origine contrôlée
Attestierter Winzerwy
Bondola
Clos
Cru
Denominazione di origine
Denominazione di origine controllata
Dôle
Dorin
Fendant
Goron
Grand Cru
Kontrollierte Ursprungsbezeichnung
La Gerle
Landwein
Nostrano
Perdrix Blanche
Perlan
Premier Cru
Salvagnin
Schiller
Terravin
Ursprungsbezeichnung
Vin de pays
Vinatura
VITI
Winzerwy

*Appendix 3***relating to articles 6 and 25**

- I. The protection of the names referred to in Article 6 of the Annex shall not prevent the following names of vine varieties from being used for wines originating in Switzerland, provided they are used in accordance with Swiss legislation and in combination with a geographical name clearly indicating the origin of the wine:
- Ermitage/Hermitage
 - Johannisberg
- II. Without prejudice to Article 20 of this Annex concerning the protection of traditional terms and pending the adoption by Switzerland, within three years following the entry into force of this Annex, of the necessary regulations defining the names listed below in order for them to be protected as traditional expressions under Title II of this Annex, these names may be used to describe and present wines originating in Switzerland, provided they are marketed outside Community territory:
- Auslese
 - Beerenauslese
 - Beerli
 - Beerliwein
 - Eiswein
 - Gletscherwein
 - Ciel de Perdrix
 - Sélection de grain noble
 - Spätlese
 - Strohwein
 - Süsdruck
 - Trockenbeerenauslese
 - Vendange tardive
 - Vendemmia tardiva
 - Vin de gelée
 - Vin des Glaciers
 - Vin de paille
 - Vin doux naturel
 - Weissherbst

However, in accordance with Annex I to Regulation (EEC) No 3201/90, the names 'Auslese', 'Beerliwein' and 'Spätlese' may be used for marketing in the Community.

- III. In accordance with Article 25(b) and subject to the specific provisions applicable to the arrangements for documents accompanying transport, the Annex shall not apply to wine-sector products which:
- (a) are contained in the personal effects of travellers for their own private consumption;
 - (b) are sent from one private individual to another for personal consumption;

- (c) form part of the household effects of individuals moving house or in the event of inheritance;
 - (d) are imported in quantities up to one hectolitre with a view to scientific and technical experiments;
 - (e) form part of the duty-free allowances of diplomatic missions, consular posts and assimilated bodies;
 - (f) form part of the supplies carried on board international means of transport.
-

ANNEX 8

**ON THE MUTUAL RECOGNITION AND PROTECTION OF NAMES OF SPIRIT DRINKS
AND AROMATISED WINE-BASED DRINKS***Article 1*

The Parties hereby agree, in accordance with the principles of non-discrimination and reciprocity, to facilitate and promote trade with each other in spirit drinks and aromatised wine-based drinks.

Article 2

This Annex applies to the following products:

- (a) spirit drinks as defined:
- for the Community in Regulation (EEC) No 1576/89, as last amended by the Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden,
 - for Switzerland, in Chapter 39 of the Ordinance on foodstuffs, as last amended on 7 December 1998 (RO 1999 303),
- and falling within code 2208 of the International Convention on the Harmonised Commodity Description and Coding System;
- (b) aromatised wines, aromatised wine-based drinks and aromatised wine-product cocktails, hereinafter called 'aromatised drinks', as defined:
- for the Community, in Regulation (EEC) No 1601/91, as last amended by Regulation (EC) No 2061/96,
 - for Switzerland, in Chapter 36 of the Ordinance on foodstuffs, as last amended on 7 December 1998 (RO 1999 303),
- and covered by codes 2205 and ex 2206 of the International Convention on the Harmonised Commodity Description and Coding System.

Article 3

For the purposes of this Annex:

- (a) 'spirit drink originating in', followed by the name of one of the Parties, means a spirit drink listed in Appendices 1 or 2 and produced in the territory of that Party;
- (b) 'aromatised drinks originating in', followed by the name of one of the Parties, means a spirit drink listed in Appendices 3 and 4 and made on the territory of that Party,
- (c) 'description' means the names used on labelling, on documents accompanying spirit drinks or aromatised drinks during transport, on commercial documents, particularly invoices and delivery notes, and in advertising;
- (d) 'labelling' means all descriptions and other information, symbols, illustrations and brand names identifying spirit drinks and aromatised drinks and appearing on the same container, including the sealing device or the tag attached thereto, and the sheathing covering the neck of bottles;
- (e) 'presentation' means the names used on containers, including closing devices, on labelling and on packaging;
- (f) 'packaging' means protective wrappings such as paper, straw wrapping of all kinds, cartons and cases, used for the transport of one or more containers.

Article 4

1. The following names shall be protected:
 - (a) as regards spirit drinks originating in the Community, the names listed in Appendix 1;
 - (b) as regards spirit drinks originating in the Switzerland, the designations listed in Appendix 2;
 - (c) as regards aromatised drinks originating in the Community, the designations listed in Appendix 3;
 - (d) as regards aromatised drinks originating in the Switzerland, the designations listed in Appendix 4.

2. Under Regulation (EEC) No 1576/89 and notwithstanding the second subparagraph of Article 1(4)(f) thereof, the names 'marc' and 'grape marc spirit' may be replaced by the name 'grappa' for spirit drinks produced in the Italian-speaking parts of Switzerland from grapes from those regions and listed in Appendix 2.

Article 5

1. In Switzerland, the protected Community names:
 - may not be used otherwise than under the conditions laid down in the laws and regulations of the Community, and
 - shall be reserved exclusively for the spirit drinks and aromatised drinks originating in the Community to which they apply.

2. In the Community, the protected Swiss names:
 - may not be used otherwise than under the conditions laid down in the laws and regulations of Switzerland, and
 - shall be reserved exclusively for the spirit drinks and aromatised drinks originating in Switzerland to which they apply.

3. Without prejudice to Articles 22 and 23 of the Agreement on Trade-related Aspects of Intellectual Property Rights set out in Annex 1C to the Agreement establishing the World Trade Organisation (hereinafter called 'the TRIPs Agreement'), the Parties shall take all the necessary measures, in accordance with this Annex, to ensure reciprocal protection of the names referred to in Article 4 and used to describe spirit drinks and aromatised drinks originating in the territory of the Parties. Each Party shall provide the interested parties with the legal means of preventing the uses of a designation to designate spirit drinks or aromatised drinks not originating in the place indicated by the designation in question or in the place where the designation in question is traditionally used.

4. The Parties shall not deny the protection provided for by this Article in the circumstances specified in Article 24(4), (5), (6) and (7) of the TRIPs Agreement.

Article 6

The protection afforded by Article 5 shall also apply where the actual origin of the spirit drink or aromatised drink is indicated or where the name is used in translation or is accompanied by terms such as 'kind', 'type', 'style', 'way', 'imitation', 'method' or other analogous expressions, including graphic symbols, which may lead to confusion.

Article 7

In cases of homonymy concerning names of spirit drinks and aromatised drinks, protection shall be accorded to each name. The Parties shall lay down the practical conditions under which the homonymous names in question are to be differentiated from each other, taking into account the need to treat the producers concerned fairly and to avoid misleading the consumer.

Article 8

This Annex shall in no way prejudice the right of any person to use, for trade purposes, their own name or the name of the person whose business they have taken over, provided that such names are not used in a way that misleads consumers.

Article 9

Nothing in this Annex shall oblige a Party to protect any name of the other Party which is not protected or ceases to be protected in its country of origin or which has fallen into disuse in that country.

Article 10

The Parties shall take all measures necessary to ensure that, in cases where spirit drinks or aromatised drinks originating in the territory of the Parties are exported and marketed outside their territory, the names of one Party protected under this Annex are not used to designate and present spirit drinks or aromatised drinks originating in the other Party.

Article 11

To the extent that the relevant legislation of the Parties allows, the benefit of the protection afforded by this Annex shall cover natural and legal persons and federations, associations and organisations of producers, traders and consumers whose head offices are located in the territory of the other Party.

Article 12

If the description or presentation of a spirit drink or aromatised drink, in particular on the labelling, in official or commercial documents or in advertising, is in breach of this Agreement, the Parties shall apply the necessary administrative measures or shall initiate suitable legal proceedings with a view to combating unfair competition or preventing the wrongful use of the protected name in any other way.

Article 13

This Annex shall not apply to spirit drinks and aromatised drinks which:

- (a) pass in transit through the territory of one of the Parties, or
- (b) originate in the territory of one of the Parties and are consigned from one Party to the other in small quantities in the following ways:
 - (aa) as part of the personal effects of travellers for their own private consumption;
 - (bb) as consignments from one private individual to another for personal consumption;
 - (cc) as part of the household effects of individuals moving house or in the event of inheritance;
 - (dd) as imports of up to one hectolitre with a view to scientific and technical experiments;
 - (ee) as imports forming part of the duty-free allowances of diplomatic missions, consular posts and assimilated bodies;
 - (ff) as part of the supplies carried on board international means of transport.

Article 14

1. The Parties shall each designate the authorities responsible for the enforcement of this Annex.
2. The Parties shall inform one another of the names and addresses of the above authorities not later than two months after this Annex comes into force. Those authorities shall cooperate closely and directly with each other.

Article 15

1. If one of the authorities referred to in Article 14 has reason to suspect that:
 - (a) a spirit drink or aromatised drink as defined in Article 2, being or having been traded between Switzerland and the Community, does not comply with this Annex or Community or Swiss legislation applicable to spirit drinks and aromatised drinks; and that
 - (b) this non-compliance is of particular interest to a Party and could result in administrative measures or legal proceedings being taken;

that authority shall immediately inform the Commission and the relevant authority or authorities of the other Party.

2. The information to be provided in accordance with paragraph 1 shall be accompanied by official, commercial or other appropriate documents, with details of any administrative measures or legal proceedings that may be taken. The information shall include, in particular, the following details concerning the spirit drink or aromatised drink in question:

- (a) the producer and the person holding the spirit drink or aromatised drink;
- (b) the composition of that drink;
- (c) its description and presentation;
- (d) details of the non-compliance with the rules on production and marketing.

Article 16

1. The Parties shall enter into consultations if either considers that the other has failed to fulfil an obligation under this Annex.
2. The Party which requests the consultations shall provide the other with all information necessary for a detailed examination of the case in question.
3. In cases where any time limit or delay could endanger human health or impair the effectiveness of measures to control fraud, interim safeguard measures may be taken, without prior consultation, provided that consultations are held immediately after such measures are taken.
4. If, following the consultations provided for in paragraph 1, the Parties have not reached agreement, the Party which has requested the consultations or taken the measures referred to in paragraph 1 may take appropriate safeguard measures so as to permit the proper application of this Annex.

Article 17

1. The Working Group on Spirit Drinks, hereinafter called 'the Working Group', set up under Article 6(7) of the Agreement shall meet at the request of either Party and, in accordance with the requirements for implementing the Agreement, alternately in the Community and Switzerland.
2. The Working Group shall consider all issues which may arise in connection with the implementation of this Annex. In particular, it may make recommendations to the Committee to contribute to the attainment of the objectives of this Annex.

Article 18

Where the legislation of either Party is amended to protect names other than those listed in the Appendices hereto, those names shall be included within a reasonable length of time following conclusion of the consultations.

Article 19

1. Spirit drinks and aromatised drinks which, at the time of entry into force of this Annex, have been legally produced, described and presented but which are prohibited by this Annex may be marketed by wholesalers for a period of one year from the entry into force of the Agreement and by retailers until stocks are exhausted. From the entry into force of this Annex, spirit drinks and aromatised drinks included herein may no longer be produced outside the limits of their regions of origin.

2. Unless the Committee decides otherwise, spirit drinks and aromatised drinks produced, described and presented in accordance with this Agreement whose description and presentation cease to comply with this Agreement following an amendment thereto may continue to be marketed until stocks are exhausted.

*Appendix 1***Protected names of spirit drinks originating in the Community****1. Rum**

Rhum de la Martinique

Rhum de la Guadeloupe

Rhum de la Réunion

Rhum de la Guyane

(The term 'traditionnel' may be added to these names.)

Ron de Málaga

Ron de Granada

Rum da Madeira

2. (a) Whisky

Scotch whisky

Irish whisky

Whisky español

(The terms 'malt' or 'grain' may be added to these names.)

(b) Whiskey

Irish whiskey

Uisce Beatha Eireannach/Irish whiskey

(The term 'pot still' may be added to these names.)

3. Grain spirit

Eau-de-vie de seigle de marque nationale luxembourgeoise

Korn

Kornbrand

4. Wine spirit

Eau-de-vie de Cognac

Eau-de-vie des Charentes

Cognac

(One of the following terms may be added to this name:

— Fine,

— Grande Fine Champagne,

— Grande Champagne,

— Petite Fine Champagne,

— Fine Champagne,

- Borderies,
- Fins Bois,
- Bons Bois.)

Fine Bordeaux

Armagnac

Bas-Armagnac

Haut-Armagnac

Ténarèse

Eau-de-vie de vin de la Marne

Eau-de-vie de vin originaire d'Aquitaine

Eau-de-vie de vin de Bourgogne

Eau-de-vie de vin originaire du Centre-Est

Eau-de-vie de vin originaire de Franche-Comté

Eau-de-vie de vin originaire du Bugey

Eau-de-vie de vin de Savoie

Eau-de-vie de vin originaire des Coteaux de la Loire

Eau-de-vie de vin des Côtes-du-Rhône

Eau-de-vie de vin originaire de Provence

Faugères or eau-de-vie de Faugères

Eau-de-vie de vin originaire du Languedoc

Aguardente do Minho

Aguardente do Douro

Aguardente da Beira Interior

Aguardente da Bairrada

Aguardente do Oeste

Aguardente do Ribatejo

Aguardente do Alentejo

Aguardente do Algarve

5. Brandy

Brandy de Jerez

Brandy del Penedès

Brandy italiano

Brandy Αττικής /Brandy of Attica

Brandy Πελοποννήσου/Brandy of the Peloponnese

Brandy Κεντρικής Ελλάδας /Brandy of Central Greece

Deutscher Weinbrand

Wachauer Weinbrand, Weinbrand Dürnstein

6. Grape marc spirit

Eau-de-vie de marc de Champagne or marc de Champagne

Eau-de-vie de marc originaire d'Aquitaine

Eau-de-vie de marc de Bourgogne

Eau-de-vie de marc originaire du Centre-Est

Eau-de-vie de marc originaire de Franche-Comté

Eau-de-vie de marc originaire de Bugey

Eau-de-vie de marc originaire de Savoie

Marc de Bourgogne

Marc de Savoie

Marc d'Auvergne

Eau-de-vie de marc originaire des Coteaux de la Loire

Eau-de-vie de marc des Côtes du Rhône

Eau-de-vie de marc originaire de Provence

Eau-de-vie de marc originaire du Languedoc

Marc d'Alsace Gewürztraminer

Marc de Lorraine

Bagaceira do Minho

Bagaceira do Douro

Bagaceira da Beira Interior

Bagaceira da Bairrada

Bagaceira do Oeste

Bagaceira do Ribatejo

Bagaceiro do Alentejo

Bagaceira do Algarve

Orujo gallego

Grappa

Grappa di Barolo

Grappa piemontese or del Piemonte

Grappa lombarda or di Lombardia

Grappa trentina or del Trentino

Grappa friulana or del Friuli

Grappa veneta or del Veneto

Südtiroler Grappa or dell'Alto Adige

Τσικουδιά Κρήτης /Tsikoudia of Crete

Τσίπουρο Μακεδονίας /Tsipouro of Macedonia

Τσίπουρο Θεσσαλίας /Tsipouro of Thessaly
Τσίπουρο Τυρνάβου/Tsipouro of Tyrnavos
Eau-de-vie de marc de marque nationale luxembourgeoise

7. **Fruit spirit**

Schwarzwälder Kirschwasser
Schwarzwälder Himbeergeist
Schwarzwälder Mirabellenwasser
Schwarzwälder Williamsbirne
Schwarzwälder Zwetschgenwasser
Fränkisches Zwetschgenwasser
Fränkisches Kirschwasser
Fränkischer Obstler
Mirabelle de Lorraine
Kirsch d'Alsace
Quetsch d'Alsace
Framboise d'Alsace
Mirabelle d'Alsace
Kirsch de Fougerolles
Südtiroler Williams/Williams dell'Alto Adige
Südtiroler Aprikot or Südtiroler
Marille/Aprikot dell'Alto Adige or Marille dell'Alto Adige
Südtiroler Kirsch/Kirsch dell'Alto Adige
Südtiroler Zwetschgeler/Zwetschgeler dell'Alto Adige
Südtiroler Obstler/Obstler dell'Alto Adige
Südtiroler Gravensteiner/Gravensteiner dell'Alto Adige
Südtiroler Golden Delicious/Golden Delicious dell'Alto Adige
Williams friulano or Williams del Friuli
Sliwovitz del Veneto
Sliwovitz del Friuli-Venezia Giulia
Sliwovitz del Trentino-Alto Adige
Distillato di mele trentino or del Trentino
Williams trentino or del Trentino
Sliwovitz trentino or del Trentino
Aprikot trentino or del Trentino
Medronheira do Algarve
Medronheira do Buçaco

Kirsch or Kirschwasser Friulano
Kirsch or Kirschwasser Trentino
Kirsch or Kirschwasser Veneto
Aguardente de pèra da Louisa
Eau-de-vie de pommes de marque nationale luxembourgeoise
Eau-de-vie de poires de marque nationale luxembourgeoise
Eau-de-vie de kirsch de marque nationale luxembourgeoise
Eau-de-vie de quetsch de marque nationale luxembourgeoise
Eau-de-vie de mirabelle de marque nationale luxembourgeoise
Eau-de-vie de prunelles de marque nationale luxembourgeoise
Wachauer Marillenbrand

8. **Cider spirit and perry spirit**

Calvados du Pays d'Auge
Calvados
Eau-de-vie de cidre de Bretagne
Eau-de-vie de poiré de Bretagne
Eau-de-vie de cidre de Normandie
Eau-de-vie de poiré de Normandie
Eau-de-vie de cidre du Maine
Aguardiente de sidra de Asturias
Eau-de-vie de poiré du Maine

9. **Gentian spirit**

Bayerischer Gebirgsenzian
Südtiroler Enzian/Genzians dell'Alto Adige
Genziana trentina or del Trentino

10. **Fruit spirit drinks**

Pacharán
Pacharán navarro

11. **Juniper-flavoured spirit drinks**

Ostfriesischer Korngenever
Genièvre Flandre Artois
Hasseltse jenever
Balegemse jenever

Péket de Wallonie

Steinhäger

Plymouth Gin

Gin de Mahón

12. Caraway-flavoured spirit drinks

Dansk Akvavit/Dansk Aquavit

Svensk Aquavit/Svensk Akvavit/Swedish Aquavit

13. Aniseed-flavoured spirit drinks

Anis español

Évoca anisada

Cazalla

Chinchón

Ojén

Rute

Ouzo/ Oύζο

14. Liqueurs

Berliner Kümmel

Hamburger Kümmel

Münchener Kümmel

Chiemseer Klosterlikör

Bayerischer Kräuterlikör

Cassis de Dijon

Cassis de Beaufort

Irish Cream

Palo de Mallorca

Ginünha portuguesa

Licor de Singevergs

Benediktbeurer Klosterlikör

Ettaler Klosterlikör

Ratafia de Champagne

Ratafia catalana

Anis portuguès

Finnish berry/fruit liqueur

Grossglockner Alpenbitter

Marizzeller Magenlikör

Mariazeller Jagasaftl

Puchheimer Bitter

Puchheimer Schlossgeist

Steinfelder Magenbitter

Wachauer Marüllenlikör

Jäsgertee, Jagertee, Jagatee

15. **Spirit drinks**

Pommeau de Bretagne

Pommeau du Maine

Pommeau de Normandie

Svensk punsch/Swedish punsch

16. **Vodka**

Svensk vodka/Swedish vodka

Suomalainen vodka/Finsk vodka/Vodka of Finland

*Appendix 2***Protected names of spirit drinks originating in Switzerland****Wine spirit**

Eau-de-vie de vin du Valais

Brandy du Valais

Grape marc spirit

Baselbieter Marc

Grappa del Ticino/Grappa Ticinese

Grappa della Val Calanca

Grappa della Val Bregaglia

Grappa della Val Mesolcina

Grappa della Valle di Poschiavo

Marc d'Auvernier

Marc de Dôle du Valais

Fruit spirit

Aargauer Bure Kirsch

Abricot du Valais

Abricotine du Valais

Baselbieterkirsch

Baselbieter Zwetschgenwasser

Bernbieter Kirsch

Bernbieter Mirabellen

Bernbieter Zwetschgenwasser

Bérudges de Cornaux

Canada du Valais

Coing d'Ajoie

Coing du Valais

Damassine d'Ajoie

Damassine de la Baroche

Emmentaler Kirsch

Framboise du Valais

Freiämter Zwetschgenwasser

Fricktaler Kirsch

Golden du Valais
Gravenstein du Valais
Kirsch d'Ajoie
Kirsch de la Béroche
Kirsch du Valais
Kirsch suisse
Luzerner Kirsch
Luzerner Zwetschgenwasser
Mirabelle d'Ajoie
Mirabelle du Valais
Poire d'Ajoie
Poire d'Orange de la Baroche
Pomme d'Ajoie
Pomme du Valais
Prune d'Ajoie
Prune du Valais
Prune impériale de la Baroche
Pruneau du Valais
Rigi Kirsch
Seeländer Pflümliwasser
Urschwyzerkirsch
Williams du Valais
Zuger Kirsch

Cider spirit and perry spirit

Bernbieter Birnenbrand
Freiämter Theilerbirnenbrand
Luzerner Birnenträsch
Luzerner Theilerbirnenbrand

Gentian spirit

Gentiane du Jura

Juniper-flavoured spirit drink

Genièvre du Jura

Liqueurs

Bernbieter Cherry Brandy Liqueur

Bernbieter Griottes Liqueur

Bernbieter Kirschen Liqueur

Liqueur de poires Williams du Valais

Liqueur d'abricot du Valais

Liqueur de framboise du Valais

Herb-flavoured spirits (spirit drinks)

Bernbieter Kräuterbitter

Eau-de-vie d'herbes du Jura

Eau-de-vie d'herbes du Valais

Genépi du Valais

Gotthard Kräuterbrand

Luzerner Chrüter (Kräuterbrand)

Walliser Chrüter (Kräuterbrand)

Other

Lie du Mandement

Lie de Dôle du Valais

Lie du Valais

*Appendix 3***Protected names of aromatised drinks originating in the Community**

Clarea

Sangría

Nürnberger Glühwein

Thüringer Glühwein

Vermouth de Chambéry

Vermouth di Torino

*Appendix 4***Protected names of aromatised drinks originating in Switzerland**

None

ANNEX 9

ON ORGANICALLY PRODUCED AGRICULTURAL PRODUCTS AND FOODSTUFFS*Article 1***Objective**

Without prejudice to their obligations with regard to products not originating in the Parties or other legislative provisions in force, the Parties undertake, in accordance with the principles of non-discrimination and reciprocity, to foster trade in organically produced agricultural products and foodstuffs from the Community and Switzerland complying with the laws and regulations listed in Appendix 1.

*Article 2***Scope**

1. This Annex shall apply to organically produced plant products and foodstuffs complying with the laws and regulations listed in Appendix 1.
2. The Parties undertake to extend the scope of this Annex to livestock, animal products and foodstuffs containing ingredients of animal origin once they have adopted the relevant laws and regulations. The Committee may decide to extend the scope of the Annex after those laws and regulations have been recognised as equivalent in accordance with Article 3 and by amendment of Appendix 1 in accordance with the procedure laid down in Article 8.

*Article 3***Principle of equivalence**

1. The Parties hereby recognise the laws and regulations listed in Appendix 1 to this Annex as equivalent. The Parties may agree to exclude certain aspects or products from the equivalence arrangements. They shall specify this in Appendix 1.
2. The Parties shall do their utmost to ensure that the laws and regulations specifically covering products as referred to in Article 2 develop along equivalent lines.

*Article 4***Free movement of organic products**

In accordance with their internal procedures in this area, the Parties shall take the necessary measures so that products as referred to in Article 2 and complying with each other's laws and regulations as listed in Appendix 1 can be imported and placed on the market.

*Article 5***Labelling**

1. With a view to developing arrangements to prevent the relabelling of organic products covered by this Annex, the Parties shall do their utmost to ensure that their laws and regulations provide for:
 - the protection of the same terms designating organic products in their various official languages,
 - the use of the same compulsory terms in declarations on the labelling of products meeting equivalent conditions.
2. The Parties may specify that products imported from each other meet the requirements on labelling laid down in their laws and regulations as listed in Appendix 1.

*Article 6***Third countries**

1. The Parties shall do their utmost to ensure that the import arrangements applicable to organically produced products from third countries are equivalent.
2. With a view to ensuring equivalence in practice as regards recognition in the case of third countries, the Parties shall consult each other before they recognise and include any third country in the list drawn up to that end in their laws and regulations.

*Article 7***Exchange of information**

Under Article 8 of the Agreement, the Parties and Member States shall send each other the following information in particular:

- lists of their competent authorities and inspection bodies and the code numbers thereof, and reports on surveillance by the authorities responsible therefore,
- lists of administrative decisions authorising imports of organically produced products from third countries,
- details of observed irregularities and infringements of the laws and regulations listed in Appendix 1 in accordance with the procedure provided for in Article 10a(1) of Regulation (EEC) No 2092/91.

*Article 8***Working Group on Organic Products**

1. The Working Group on Organic Products, hereinafter called the 'Working Group', set up pursuant to Article 6(7) of the Agreement shall consider all matters which may arise in connection with this Annex and its implementation.
2. The Working Group shall periodically consider the state of the respective laws and regulations of the Parties in the fields covered by this Annex. It shall be responsible in particular for:
 - verifying that the Parties' laws and regulations are equivalent with a view to their inclusion in Appendix 1,
 - recommending to the Committee, where necessary, that the requisite implementing rules be included in Appendix 2 with a view to ensuring consistent implementation of the laws and regulations covered by this Annex in the territory of the Parties,
 - recommending to the Committee that the scope of this Annex be extended to products other than those covered by Article 2(1).

*Article 9***Safeguard measures**

1. Where any delay may result in prejudice that is difficult to make good, provisional safeguard measures may be taken without prior consultation, provided that consultations are held immediately after any such measures are taken.
 2. If, following the consultations provided for in paragraph 1, the Parties fail to reach agreement, the Party which requested the consultations or took the measures referred to in paragraph 1 may take suitable interim protective measures to ensure that this Annex is applied properly.
-

Appendix 1

Regulations applicable in the Community

- Council Regulation (EEC) No 2092/91 of 24 June 1991 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs (OJ L 198, 22.7.1991, p. 1), as last amended by Commission Regulation (EC) No 1900/98 (OJ L 247, 5.9.1998, p. 6)
- Commission Regulation (EEC) No 94/92 of 14 January 1992 laying down detailed rules for implementing the arrangements for imports from third countries provided for in Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs (OJ L 11, 17.1.1992, p. 14), as last amended by Regulation (EC) No 1367/98 (OJ L 185, 30.6.1998, p. 11)
- Commission Regulation (EEC) No 3457/92 of 30 November 1992 laying down detailed rules concerning the inspection certificate for imports from third countries into the Community provided for in Council Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs (OJ L 350, 1.12.1992, p. 56)
- Commission Regulation (EEC) No 207/93 of 29 January 1993 defining the content of Annex VI to Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs and laying down detailed rules for implementing the provisions of Article 5(4) thereof (OJ L 25, 2.2.1993, p. 5), as last amended by Regulation (EC) No 345/97 (OJ L 58, 27.2.1997, p. 38)

Regulations applicable in Switzerland

- Ordinance of 22 September 1997 on organic farming and the labelling of organically produced plant products and foodstuffs (Ordinance on organic farming), as last amended on 7 December 1998 (RO 1999 399)
- Ordinance of the Département Fédéral de l'Economie of 22 September 1997 on organic farming, as last amended on 7 December 1998 (RO 1999 292)

Exclusion from the equivalence arrangements

Swiss products based on ingredients produced under the arrangements for conversion to organic farming.

Appendix 2

Rules of application

No entries

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ANNEX 10

ON RECOGNITION OF CONFORMITY CHECKS FOR FRUIT AND VEGETABLES SUBJECT TO MARKETING STANDARDS*Article 1***Scope**

This Annex shall apply to fresh fruit and vegetables to be consumed fresh in respect of which the Community has laid down marketing standards under Regulation (EC) No 2200/96, with the exception of citrus fruits.

*Article 2***Objective**

1. Products as referred to in Article 1 originating in Switzerland, or originating in the Community and re-exported to the Community from Switzerland, and accompanied by inspection certificates as referred to in Article 3, shall not be subject in the Community to conformity checks in the Community before they are admitted into the customs territory of the Community.
2. The Office Fédéral de l'Agriculture is hereby designated as the agency responsible for checking compliance with Community or equivalent standards of products originating in Switzerland and of products originating in the Community and re-exported to the Community from Switzerland. To that end the said Office may delegate its powers to carry out such checks to the bodies listed in the appendix, on the following conditions:
 - the Office Fédéral de l'Agriculture shall notify the European Commission of the bodies empowered to carry out the checks,
 - those bodies shall issue the certificates provided for in Article 3,
 - the empowered bodies must have inspectors who have received training approved by the Office Fédéral de l'Agriculture, the plant and equipment needed for carrying out the checks and analyses that inspection will require, and suitable communications facilities.
3. Should Switzerland apply checks of compliance with marketing standards in respect of products as referred to in Article 1 before their introduction into Swiss customs territory, it shall adopt provisions equivalent to those laid down in this Annex to dispense products originating in the Community from such checks.

*Article 3***Inspection certificates**

1. For the purposes of this Annex, 'inspection certificate' means:
 - the form provided for in Annex I to Regulation (EEC) No 2251/92, or
 - the UN/ECE form annexed to the Geneva Protocol on standardisation of fresh fruit and vegetables, nuts and dried fruit, or
 - the OECD form annexed to the OECD Council decision on arrangements for applying international standards on fruit and vegetables.
2. Consignments of products originating in Switzerland and of products originating in the Community and re-exported to the Community from Switzerland shall be accompanied by inspection certificates until they are released for free circulation in the territory of the Community.
3. The inspection certificates must bear the stamp of one of the bodies listed in the Appendix to this Annex.

4. Where delegation of powers as provided for in Article 2(2) is withdrawn from one of the inspection bodies so empowered, the inspection certificates issued by that body shall no longer be recognised for the purposes of this Annex.

Article 4

Exchange of information

1. Pursuant to Article 8 of the Agreement, the Parties shall send each other, *inter alia*, their lists of competent agencies and empowered inspection bodies. The European Commission shall notify the Office Fédéral de l'Agriculture of any irregularities or infringements detected in connection with compliance with the quality standards in force of consignments of fruit and vegetables originating in Switzerland or originating in the Community and re-exported to the Community from Switzerland under cover of inspection certificates.

2. With a view to ascertaining compliance with the conditions laid down in the third indent of Article 2(2), the Office Fédéral de l'Agriculture shall agree, at the European Commission's request, to joint inspections being carried out at the premises of empowered bodies.

3. Such joint inspections shall be carried out in accordance with the procedure to be proposed by the Working Party on Fruit and Vegetables and adopted by the Committee.

Article 5

Safeguard clause

1. Where either Party considers that the other has failed to fulfil an obligation under this Annex, the two Parties shall hold consultations.

2. The Party which requests the consultations shall provide the other with all information necessary for a detailed examination of the case in question.

3. Where consignments of fruit and vegetables originating in Switzerland or originating in the Community and re-exported to the Community from Switzerland under cover of inspection certificates are found not to comply with the standards in force and where any time limit or delay might impair the effectiveness of fraud prevention measures or distort competition, temporary safeguard measures may be taken without prior consultations, provided that consultations are held immediately after the said measures have been taken.

4. If, following the consultations provided for in paragraphs 1 or 3, the Parties fail to reach agreement within three months of starting the consultations, the Party which requested the consultations or took the measures provided for in paragraph 3 may take suitable protective measures, which may include the partial or total suspension of this Annex.

Article 6

Working Party on Fruit and Vegetables

1. The Working Party on Fruit and Vegetables set up under Article 6(7) of the Agreement shall consider any matter arising in connection with this Annex and its implementation. It shall periodically review the Parties' internal laws and regulations in the fields covered by this Annex.

2. It shall in particular put forward proposals to the Committee with a view to the adaptation and updating of the Appendix hereto.

*Appendix***Swiss inspection bodies authorised to issue inspection certificates as provided for in Article 3 of Annex 10**

1. Fruit-Union Suisse
Baarer Str. 88
CH-6302 ZUG

 2. Union Suisse du Légume
Bahnhofstraße 87
CH-3232 INS
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ANNEX 11

**ON ANIMAL-HEALTH AND ZOOTECHNICAL MEASURES APPLICABLE TO TRADE IN LIVE ANIMALS
AND ANIMAL PRODUCTS**

Article 1

1. Title I of this Annex shall cover:
- measures for the control and notification of certain animal diseases,
 - trade in and imports from third countries of live animals, their semen, ova and embryos.

2. Title II of this Annex shall cover trade in animal products.

TITLE I

TRADE IN LIVE ANIMALS, THEIR SEMEN, OVA AND EMBRYOS

Article 2

1. The Parties hereby note that they have similar legislation leading to identical results with regard to measures for the control and notification of animal diseases.

2. The legislation referred to in paragraph 1 is specified in Appendix 1. That legislation shall apply subject to the special rules and procedures laid down in that Appendix.

Article 3

The Parties hereby agree that trade in live animals, their semen, ova and embryos shall be carried out in accordance with the legislation specified in Appendix 2. That legislation shall apply subject to the special rules and procedures laid down in that Appendix.

Article 4

1. The Parties hereby note that they have similar legislation leading to identical results with regard to imports from third countries of live animals, their semen, ova and embryos.

2. The legislation referred to in paragraph 1 is specified in Appendix 3. That legislation shall apply subject to the special rules and procedures laid down in that Appendix.

Article 5

The Parties hereby agree on the provisions of Appendix 4 regarding zootechnical aspects.

Article 6

The Parties hereby agree that checks on trade in and imports from third countries of live animals, their semen, ova and embryos shall be carried out in accordance with the provisions set out in Appendix 5.

TITLE II

TRADE IN ANIMAL PRODUCTS

*Article 7***Objective**

The objective of this Title shall be to facilitate trade in animal products between the Parties by establishing a mechanism for the recognition of equivalence of animal-health measures applied to such products by the Parties with due regard for the protection of public and animal health, and to improve communication and cooperation on animal-health measures.

*Article 8***Multilateral obligations**

Nothing in this Title shall limit the rights and obligations of the Parties under the Agreement establishing the World Trade Organisation and its Annexes thereto, and in particular the Agreement on the Application of Sanitary and Phytosanitary Measures (SPS).

*Article 9***Scope**

1. The scope of this Title shall be limited initially to the animal-health measures applied by either Party to the animal products listed in Appendix 6.

2. Save as otherwise provided in the Appendices to this Title and without prejudice to Article 20 of this Annex, this Title shall not apply to animal-health measures relating to food additives (all food additives and colouring agents, processing aids and essences), irradiation, contaminants (physical contaminants and residues of veterinary medicinal products), chemicals arising from migration of substances from packaging materials, unauthorised chemical substances (food additives, processing aids, prohibited veterinary medicinal products, etc.), or the labelling of foodstuffs, medicated feeds and premixes.

Article 10

Definitions

For the purposes of this Title, the following definitions shall apply:

- (a) 'animal products' means the animal products covered by Appendix 6;
- (b) 'animal-health' measures means sanitary measures as defined in paragraph 1 of Annex A to the SPS Agreement for animal products;
- (c) 'appropriate level of animal-health protection' means the level of protection as defined in paragraph 5 of Annex A to the SPS Agreement for animal products;
- (d) 'competent authorities':
 - (i) Switzerland — the authorities referred to in part (a) of Appendix 7;
 - (ii) Community — the authorities referred to in part (b) of Appendix 7.

Article 11

Adaptation to regional conditions

1. For the purposes of trade between the Parties, the measures referred to in Article 2 shall apply without prejudice to paragraph 2 below.

2. Where either Party considers that it has special animal-health status with respect to a specific disease, it may request recognition of that status. The Party concerned may also request additional guarantees in accordance with that status in respect of imports of animal products. The guarantees for specific diseases shall be as specified in Appendix 8.

Article 12

Equivalence

1. The recognition of equivalence requires an assessment and acceptance of
 - the legislation, standards and procedures, as well as the programmes in place to allow control and to ensure domestic and importing countries' requirements are met,
 - the documented structure of the competent authority or authorities, their powers, their chain of command, their modus operandi and the resources available to them,
 - the performance of the competent authority in relation to the control programme and level of assurances afforded.

In this assessment, the Parties shall take account of experience already acquired.

2. Equivalence shall apply to animal-health measures in force for animal product sectors or parts of sectors, to legislation, inspection and control systems or parts of systems and specific legislative provisions and inspection and/or hygiene requirements.

Article 13

Determination of equivalence

1. To determine whether an animal-health measure applied by an exporting Party meets the importing Party's appropriate level of animal-health protection, the Parties shall follow a procedure that includes the following steps:
 - (i) the animal-health measure for which recognition of equivalence is sought shall be identified;
 - (ii) the importing Party shall explain the objective of its animal-health measure, providing an assessment, depending on the circumstances, of the risk or risks that the measure is intended to address; it shall define its appropriate level of animal-health protection;
 - (iii) the exporting Party shall demonstrate that its animal-health measure meets the importing Party's appropriate level of animal-health protection;
 - (iv) the importing Party shall determine whether the exporting Party's animal-health measure meets its appropriate level of protection;
 - (v) the importing Party shall accept the animal-health measure of the exporting Party as equivalent if the exporting Party provides objective evidence to demonstrate that its measure meets the importing Party's appropriate level of protection.

2. Where equivalence has not been recognised, trade may take place under the conditions set by the importing Party to meet its appropriate level of protection as set out in Appendix 6. The exporting Party may agree to meet the importing Party's conditions without prejudice to the result of the procedure set out in paragraph 1.

Article 14

Recognition of sanitary measures

1. The sectors or parts of sectors for which the respective animal-health measures are recognised as equivalent for trade purposes on the date of entry into force of this Annex shall be as listed in Appendix 6. For those sectors or parts of sectors, trade in animal products shall take place in accordance with the legislation referred to in Appendix 6. That legislation shall apply subject to the special rules and procedures laid down in that Appendix.

2. The sectors or parts of sectors to which the Parties apply different animal-health measures shall be as listed in Appendix 6.

Article 15

Border checks and payment of fees

Checks on trade in animal products between the Community and Switzerland shall be carried out in accordance with:

- (a) part A of Appendix 10 as regards measures recognised as equivalent;
- (b) part B of Appendix 10 as regards measures not recognised as equivalent;
- (c) part C of Appendix 10 as regards specific measures;
- (d) part D of Appendix 10 as regards payment of fees.

Article 16

Verification

1. To increase confidence in the effective implementation of the provisions of this Title, each Party shall have the right to carry out audit and verification procedures in respect of the exporting Party, which may include:

- (a) an assessment of all or part of the competent authorities' control programme, including, where appropriate, a review of the inspection and audit programmes;
- (b) on-the-spot checks.

These procedures shall be carried out in accordance with Appendix 9.

2. As regards the Community:

- the Community shall carry out the audit and verification procedures provided for in paragraph 1,
- the Member States shall carry out the border checks provided for in Article 15.

3. As regards Switzerland, the Swiss authorities shall carry out the audit and verification procedures provided for in paragraph 1 and the border checks provided for in Article 15.

4. Either Party may, with the consent of the other:

- (a) share the results and conclusions of its audit and verification procedures and border checks with countries that are not signatories to this Annex;
- (b) use the results and conclusions of its audit and verification procedures and border checks covering countries that are not signatories to this Annex.

Article 17

Notification

1. This Article shall apply in circumstances where the relevant provisions of Articles 2 and 20 do not apply.

2. The Parties shall notify each other of:

- significant changes in animal-health status within 24 hours,
- epidemiological findings concerning diseases not covered by paragraph 1 and new diseases as soon as possible,
- any additional measures laying outside the basic requirements of their respective animal-health measures taken to control or eradicate animal disease or protect public health, and any changes in prevention rules, including rules on vaccination.

3. Notifications as provided for in paragraph 2 shall be made in writing to the contact points set out in Appendix 11.

4. In cases of serious and immediate concern for public or animal health, oral notification shall be made to the contact points set out in Appendix 11, to be confirmed in writing within 24 hours.

5. Where either Party has serious concerns regarding a risk to animal or public health, consultations shall, on request, be held as soon as possible, and in any case within 14 days. Each Party shall endeavour in such situations to provide all information necessary to avoid disruption of trade and to reach a mutually acceptable solution.

Article 18

Exchange of information and submission of scientific research and data

1. The Parties shall exchange information relevant to the implementation of this Title on a uniform and systematic basis, with a view to providing assurances, engendering mutual confidence and demonstrating the effectiveness of the programmes checked. Where appropriate, exchanges of officials may also contribute towards achieving those objectives.

2. Exchange of information on changes in their respective animal-health measures and other relevant information shall include:

- possible consideration of proposals for changes in regulatory standards or requirements which may affect this Title prior to ratification. If necessary, at the request of either Party, matters may be referred to the Joint Veterinary Committee,
- briefing on current developments affecting trade in animal products,
- information on the results of verification procedures as provided for in Article 16.

3. The Parties shall ensure that scientific papers or data substantiating their views or claims are submitted to the relevant scientific authorities. Those authorities shall assess that material in good time and forward their findings to both Parties.

4. The contact points for this exchange of information shall be as set out in Appendix 11.

TITLE III

GENERAL PROVISIONS

Article 19

Joint Veterinary Committee

1. A Joint Veterinary Committee made up of representatives of the Parties shall be set up. It shall consider any matter arising in connection with this Annex and its implementation. It shall also be responsible for the tasks provided for in this Annex.

2. The Joint Veterinary Committee shall be empowered to adopt decisions in the cases provided for in this Annex. Decisions adopted by the Joint Veterinary Committee shall be implemented by the Parties in accordance with their own rules.

3. The Joint Veterinary Committee shall periodically consider the state of the domestic laws and regulations of the Parties in the fields covered by this Annex. It may decide to amend the appendices hereto, in particular with a view to their adaptation and updating.

4. The Joint Veterinary Committee shall act by mutual agreement.

5. The Joint Veterinary Committee shall establish its own Rules of Procedure. The Joint Veterinary Committee may, where necessary, be convened at the request of either Party.

6. The Joint Veterinary Committee may set up technical working groups consisting of expert-level representatives of the Parties, which shall identify and address technical and scientific issues arising from this Annex. Where additional expertise is needed, the Joint Veterinary Committee may also establish ad hoc technical or scientific working groups, whose membership need not be restricted to representatives of the Parties.

Article 20

Safeguard clause

1. Where the Community or Switzerland intends to implement safeguard measures in respect of the other Party, it shall inform the latter in advance. Without prejudice to the right of either Party to bring the planned measures into force immediately, consultations shall be held as soon as possible between the competent Commission departments and the Swiss authorities with a view to finding appropriate solutions. If necessary, the matter may be referred to the Joint Committee at the request of either Party.

2. Where a Member State of the Community intends to implement interim protective measures in respect of Switzerland, it shall inform the latter in advance.

3. Where the Community decides to adopt safeguard measures with respect to a part of the territory of the Community or a third country, the competent Commission department shall inform the competent Swiss authorities as soon as possible. After examining the situation, Switzerland shall adopt the measures entailed by that decision unless it considers that such measures are not justified. In the latter case, paragraph 1 shall apply.

4. Where Switzerland decides to adopt safeguard measures with respect to a third country, it shall inform the competent Commission departments as soon as possible. Without prejudice to Switzerland's right to bring the planned measures into force immediately, consultations shall be held

as soon as possible between the competent Commission departments and the Swiss authorities with a view to finding appropriate solutions. If necessary, the matter may be referred to the Joint Committee at the request of either Party.

Appendix 1

Control measures/notification of diseases**I. Foot-and-mouth disease****A. LEGISLATION**

Community

Switzerland

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. Council Directive 85/511/EEC of 18 November 1985 introducing Community measures for the control of foot-and-mouth disease (OJ L 315, 26.11.1985, p. 11), as last amended by the Act of Accession of Austria, Finland and Sweden 2. Council Directive 90/423/EEC of 26 June 1990 amending Directive 85/511/EEC introducing Community measures for the control of foot-and-mouth disease, Directive 64/432/EEC on animal health problems affecting intra-Community trade in bovine animals and swine and Directive 72/462/EEC on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat or meat products from third countries (OJ L 224, 18.8.1990, p. 13) | <ol style="list-style-type: none"> 1. Law of 1 July 1966 on epizootic diseases (LFE), as last amended on 18 June 1993 (RS 916.40), and in particular Articles 1, 1a and 9a (measures against highly contagious epizootic diseases, control objectives) and 57 (technical implementing provisions, international cooperation) thereof 2. Ordonnance of 27 June 1995 on epizootic diseases (OFE) , as last amended on 16 September 1996, (RS 916.401), and in particular Articles 2 (highly contagious epizootic diseases), 49 (handling micro-organisms that are pathogenic for animals), 73 and 74 (cleaning and disinfection), 77 to 98 (common provisions concerning highly contagious epizootic diseases) and 99 to 103 (specific measures to combat foot-and-mouth disease) thereof 3. Ordonnance of 1 July 1992 on the Institut de Virologie et d'Immunoprophylaxie (RS 172.216.35), and in particular Article 2 thereof (reference laboratory, registration, control and provision of vaccine against foot-and-mouth disease) |
|---|--|

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. In principle, the Commission and the Office Vétérinaire Fédéral shall notify each other of any intention to carry out emergency vaccinations. In extreme emergencies, notification may cover the decision as taken and the rules and procedures governing its implementation. At all events, consultations must be held as soon as possible within the Joint Veterinary Committee.
2. Pursuant to Article 97 of the Ordonnance on epizootic diseases, Switzerland has established an emergency warning plan. Technical implementation rule No 95/65 issued by the Office Vétérinaire Fédéral lays down the procedures for that plan.
3. The joint reference laboratory for identifying foot-and-mouth virus shall be the Institute for Animal Health, Pirbright Laboratory, United Kingdom. Switzerland shall pay the costs it incurs for operations carried out by the laboratory in that capacity. The functions and tasks of the laboratory shall be as laid down in Decision 89/531/EEC (OJ L 279, 28.9.1989, p. 32).

II. Classical swine fever**A. LEGISLATION**

Community

Switzerland

- | | |
|---|---|
| <p>Council Directive 80/217/EEC of 22 January 1980 introducing Community measures for the control of classical swine fever (OJ L 47, 21.2.1980 p. 11), as last amended by the Act of Accession of Austria, Finland and Sweden</p> | <ol style="list-style-type: none"> 1. Law of 1 July 1966 on epizootic diseases (LFE), as last amended on 18 June 1993 (RS 916.40), and in particular Articles 1, 1a and 9a (measures against highly contagious epizootic diseases, control objectives) and 57 (technical implementing provisions, international cooperation) thereof |
|---|---|

2. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 16 September 1996, (RS 916.401), and in particular Articles 2 (highly contagious epizootic diseases), 40 to 47 (disposal and use of waste), 49 (handling micro-organisms that are pathogenic for animals), 73 and 74 (cleaning and disinfection), 77 to 98 (common provisions concerning highly contagious epizootic diseases) and 116 to 121 (detection of swine fever at slaughter, specific measures to combat swine fever) thereof
3. Ordonnance of 1 July 1992 on the Institut de Virologie et d'Immunoprophylaxie (RS 172.216.35), and in particular Article 2 thereof (reference laboratory)
4. Ordonnance of 3 February 1993 on the elimination of animal waste (OELDA), as last amended on 17 April 1996 (RS 916.441.22)

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. The Commission and the Office Vétérinaire Fédéral shall notify each other of any intention to carry out emergency vaccinations. Consultations shall be held as soon as possible within the Joint Veterinary Committee.
2. If necessary, pursuant to Article 117(5) of the Ordonnance on epizootic diseases, the Office Vétérinaire Fédéral shall lay down technical implementing rules on the marking and treatment of meat coming from protection and surveillance zones.
3. Pursuant to Article 121 of the Ordonnance on epizootic diseases, Switzerland undertakes to implement a plan to eradicate classical swine fever in wild pigs in accordance with Article 6a of Directive 80/217/EEC. Consultations shall be held as soon as possible within the Joint Veterinary Committee.
4. Pursuant to Article 97 of the Ordonnance on epizootic diseases, Switzerland has established an emergency warning plan. Technical implementation rule No 95/65 issued by the Office Vétérinaire Fédéral lays down the procedures for that plan.
5. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 14a of Directive 80/217/EEC and Article 57 of the Law on epizootic diseases.
6. If necessary, pursuant to Article 89(2) of the Ordonnance on epizootic diseases, the Office Vétérinaire Fédéral shall lay down technical implementing rules on serological checks in protection and surveillance zones in accordance with Annex IV to Directive 80/217/EEC.
7. The joint reference laboratory for classical swine fever shall be the Institut für Virologie der Tierärztlichen Hochschule Hannover, Bischofsholer Damm 15, Hanover, Germany. Switzerland shall pay the costs it incurs for operations carried out by the laboratory in that capacity. The functions and tasks of the laboratory shall be as laid down in Annex VI to Directive 80/217/EEC.

III. African horse sickness

A. LEGISLATION

Community

Council Directive 92/35/EEC of 29 April 1992 laying down control rules and measures to combat African horse sickness (OJ L 157, 10.6.1992, p. 19), as last amended by the Act of Accession of Austria, Finland and Sweden

Switzerland

1. Law of 1 July 1966 on epizootic diseases (LFE), as last amended on 18 June 1993 (RS 916.40), and in particular Articles 1, 1a and 9a (measures against highly contagious epizootic diseases, control objectives) and 57 (technical implementing provisions, international cooperation) thereof

2. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 16 September 1996 (RS 916.401), and in particular Articles 2 (highly contagious epizootic diseases), 49 (handling micro-organisms that are pathogenic for animals), 73 and 74 (cleaning and disinfection), 77 to 98 (common provisions concerning highly contagious epizootic diseases) and 112 to 115 (specific measures to combat African horse sickness) thereof.
3. Ordonnance of 1 July 1992 on the Institut de Virologie et d'Immunoprophylaxie (RS 172.216.35), and in particular Article 2 thereof (reference laboratory)

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. Where an epizootic disease of particular severity develops in Switzerland, the Joint Veterinary Committee shall meet to consider the situation. The competent Swiss authorities undertake to take the measures found necessary in the light of that examination.
2. The joint reference laboratory for African horse sickness shall be the Laboratorio de Sanidad y Producción Animal, Ministerio de Agricultura, Pesca y Alimentación, 28119 Algete, Madrid, Spain. Switzerland shall pay the costs it incurs for operations carried out by the laboratory in that capacity. The functions and tasks of the laboratory shall be as laid down in Annex III to Directive 92/35/EEC.
3. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 16 of Directive 92/35/EEC and Article 57 of the Law on epizootic diseases.
4. Pursuant to Article 97 of the Ordonnance on epizootic diseases, Switzerland has established an emergency warning plan. Technical implementation rule No 95/65 issued by the Office Vétérinaire Fédéral lays down the procedures for that plan.

IV. Avian influenza

A. LEGISLATION

Community

Council Directive 92/40/EEC of 19 May 1992 introducing Community measures for the control of avian influenza (O) L 167, 22.6.1992, p. 1) as last amended by the Act of Accession of Austria, Finland and Sweden

Switzerland

1. Law of 1 July 1966 on epizootic diseases (LFE), as last amended on 18 June 1993 (RS 916.40), and in particular Articles 1, 1a and 9a (measures against highly contagious epizootic diseases, control objectives) and 57 (technical implementing provisions, international cooperation) thereof
2. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 16 September 1996 (RS 916.401), and in particular Articles 2 (highly contagious epizootic diseases), 49 (handling micro-organisms that are pathogenic for animals), 73 and 74 (cleaning and disinfection), 77 to 98 (common provisions concerning highly contagious epizootic diseases) and 122 to 125 (specific measures concerning avian influenza) thereof
3. Ordonnance of 1 July 1992 on the Institut de Virologie et d'Immunoprophylaxie (RS 172.216.35), and in particular Article 2 thereof (reference laboratory)

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. The joint reference laboratory for avian influenza shall be the Central Veterinary Laboratory, New Haw, Weybridge, Surrey KT15 3NB, United Kingdom. Switzerland shall pay the costs it incurs for operations carried out by the laboratory in that capacity. The functions and tasks of the laboratory shall be as laid down in Annex V to Directive 92/40/EEC.

2. Pursuant to Article 97 of the Ordonnance on epizootic diseases, Switzerland has established an emergency warning plan. Technical implementation rule No 95/65 issued by the Office Vétérinaire Fédéral lays down the procedures for that plan.
3. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 18 of Directive 92/40/EEC and Article 57 of the Law on epizootic diseases.

V. Newcastle disease

A. LEGISLATION

Community

Council Directive 92/66/EEC of 14 July 1992 introducing Community measures for the control of Newcastle disease (OJ L 260, 5.9.1992, p. 1), as last amended by the Act of Accession of Austria, Finland and Sweden

Switzerland

1. Law of 1 July 1966 on epizootic diseases (LFE), as last amended on 18 June 1993 (RS 916.40), and in particular Articles 1, 1a and 9a (measures against highly contagious epizootic diseases, control objectives) and 57 (technical implementing provisions, international cooperation) thereof
2. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 16 September 1996 (RS 916.401), and in particular Articles 2 (highly contagious epizootic diseases), 40 to 47 (disposal and use of waste), 49 (handling micro-organisms that are pathogenic for animals), 73 and 74 (cleaning and disinfection), 77 to 98 (common provisions concerning highly contagious epizootic diseases) and 122 to 125 (specific measures concerning Newcastle disease) thereof
3. Ordonnance of 1 July 1992 on the Institut de Virologie et d'Immunoprophylaxie (RS 172.216.35), and in particular Article 2 thereof (reference laboratory)
4. Instruction (technical directive) of the Office Vétérinaire Fédéral of 20 June 1989 on combating paramyxovirosis in pigeons [Bulletin of the Office Vétérinaire Fédéral No 90(13) p. 113 (vaccination, etc.)]
5. Ordonnance of 3 February 1993 on the elimination of animal waste (OELDA), as last amended on 17 April 1996 (RS 916.441.22)

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. The joint reference laboratory for Newcastle disease shall be the Central Veterinary Laboratory, New Haw, Weybridge, Surrey KT15 3NB, United Kingdom. Switzerland shall pay the costs it incurs for operations carried out by the laboratory in that capacity. The functions and tasks of the laboratory shall be as laid down in Annex V to Directive 92/66/EEC.
2. Pursuant to Article 97 of the Ordonnance on epizootic diseases, Switzerland has established an emergency warning plan. Technical implementation rule No 95/65 issued by the Office Vétérinaire Fédéral lays down the procedures for that plan.
3. The information provided for in Articles 17 and 19 of Directive 92/66/EEC shall be the responsibility of the Joint Veterinary Committee.
4. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 22 of Directive 92/66/EEC and Article 57 of the Law on epizootic diseases.

VI. Fish diseases

A. LEGISLATION

Community

Council Directive 93/53/EEC of 24 June 1993 introducing minimum Community measures for the control of certain fish diseases (OJ L 175, 19.7.1993, p. 23), as amended by the Act of Accession of Austria, Finland and Sweden

Switzerland

1. Law of 1 July 1966 on epizootic diseases (LFE), as last amended on 18 June 1993 (RS 916.40), and in particular Articles 1, 1a and 10 (measures against epizootic diseases) and 57 (technical implementing provisions, international cooperation) thereof
2. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 16 September 1996 (RS 916.401), and in particular Articles 3 and 4 (epizootic diseases referred to), 61 (obligations of leasers of fishing rights and of bodies responsible for monitoring fishing), 62 to 76 (general measures for combating disease) 275 to 290 (specific measures relating to fish diseases, diagnostic laboratory) thereof

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. At present salmon farming is not authorised and the species is not present in Switzerland. Current Swiss rules provide that infectious anaemia in salmon is considered simply as a disease to be monitored. Under this Annex, the Swiss authorities undertake to amend their legislation to make infectious anaemia in salmon a disease to be controlled. The situation shall be reviewed within the Joint Veterinary Committee one year after the entry into force of this Annex.
2. Flat oyster farming is not currently practised in Switzerland. Should cases of bonamiosis or marteiliosis appear, the Office Vétérinaire Fédéral undertakes to take the necessary emergency measures in accordance with Community rules on the basis of Article 57 of the Law on epizootic diseases.
3. In cases as referred to in Article 7 of Directive 93/53/EEC, the information shall be submitted to the Joint Veterinary Committee.
4. The joint reference laboratory for fish diseases shall be the Statens Veterinære Serumlaboratorium, Landbrugsministeriet, Høngøvej 2, 8200 Århus, Denmark. Switzerland shall pay the costs it incurs for operations carried out by the laboratory in that capacity. The functions and tasks of the laboratory shall be as laid down in Annex C to Directive 93/53/EEC.
5. Pursuant to Article 97 of the Ordonnance on epizootic diseases, Switzerland has established an emergency warning plan. Technical implementation rule No 95/65 issued by the Office Vétérinaire Fédéral lays down the procedures for that plan.
6. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 16 of Directive 93/53/EEC and Article 57 of the Law on epizootic diseases.

VII. Other diseases

A. LEGISLATION

Community

Council Directive 92/119/EEC of 17 December 1992 introducing general Community measures for the control of certain animal diseases and specific measures relating to swine vesicular disease (OJ L 62, 15.3.1992, p. 69), as last amended by the Act of Accession of Austria, Finland and Sweden

Switzerland

1. Law of 1 July 1966 on epizootic diseases (LFE), as last amended on 18 June 1993 (RS 916.40), and in particular Articles 1, 1a and 9a (measures against highly contagious epizootic diseases, control objectives) and 57 (technical implementing provisions, international cooperation) thereof

2. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 16 September 1996 (RS 916.401), and in particular Articles 2 (highly contagious epizootic diseases), 49 (handling micro-organisms that are pathogenic for animals), 73 and 74 (cleaning and disinfection), 77 to 98 (common provisions concerning highly contagious epizootic diseases) and 103 to 105 (specific measures concerning the control of swine vesicular disease) thereof
3. Ordonnance of 1 July 1992 on the Institut de Virologie et d'Immunoprophylaxie (RS 172.216.35), and in particular Article 2 thereof (reference laboratory)

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. In cases as referred to in Article 6 of Directive 92/119/EEC, the information shall be submitted to the Joint Veterinary Committee.
2. The joint reference laboratory for swine vesicular disease shall be the AFR Institute for Animal Health, Pirbright Laboratory, Ash Road, Pirbright, Woking, Surrey, GU24 0NF, United Kingdom. Switzerland shall pay the costs it incurs for operations carried out by the laboratory in that capacity. The functions and tasks of the laboratory shall be as laid down in Annex III to Directive 92/119/EEC.
3. Pursuant to Article 97 of the Ordonnance on epizootic diseases, Switzerland has established an emergency warning plan. Technical implementation rule No 95/65 issued by the Office Vétérinaire Fédéral lays down the procedures for that plan.
4. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 22 of Directive 92/119/EEC and Article 57 of the Law on epizootic diseases.

VIII. Notification of diseases

A. LEGISLATION

Community

Council Directive 82/894/EEC of 21 December 1982 on the notification of animal diseases within the Community (OJ L 378, 31.12.1982, p. 58), as last amended by the Act of Accession of Austria, Finland and Sweden.

Switzerland

1. Law of 1 July 1966 on epizootic diseases (LFE), as last amended on 18 June 1993 (RS 916.40), and in particular Articles 11 (announcement and declaration of diseases) and 57 (technical implementing provisions, international cooperation) thereof.
2. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 16 September 1996 (RS 916.401), and in particular Articles 2 to 5 (diseases referred to), 59 to 65 and 291 (obligation to report, notification) and 292 to 299 (monitoring, implementation, administrative assistance) thereof.

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

The Commission, in cooperation with the Office Vétérinaire Fédéral, shall integrate Switzerland into the animal disease notification system provided for in Directive 82/894/EEC.

Appendix 2

Animal health: trade and placing on the market**I. Bovine animals and swine****A. LEGISLATION**

Community

Switzerland

Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine (OJ L 121, 29.7.1964, p. 1977/64), as last amended by Directive 95/25/EC (OJ L 243, 11.10.1995, p. 16)

1. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 16 September 1996 (RS 916.401), and in particular Articles 27 to 31 (markets, exhibitions), 34 to 37 (trade), 73 and 74 (cleaning and disinfection), 116 to 121 (African swine fever), 135 to 141 (Aujeszky's disease), 150 to 157 (bovine brucellosis), 158 to 165 (tuberculosis), 166 to 169 (enzootic bovine leucosis), 170 to 174 (IBR/IPV), 175 to 195 (spongiform encephalopathies), 186 to 189 (bovine genital infections), 207 to 211 (porcine brucellosis), 297 (approval of markets, assembly centres and disinfection points) thereof
2. Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), as last amended on 14 May 1997 (RS 916.443.11)

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. Pursuant to the first paragraph of Article 297 of the Ordonnance on epizootic diseases, the Office Vétérinaire Fédéral shall approve assembly centres as defined in Article 2 of Directive 64/432/EEC.
2. The information provided for in Article 3(8) of Directive 64/432/EEC shall be submitted to the Joint Veterinary Committee.
3. For the purposes of this Annex, Switzerland is recognised as fulfilling the conditions laid down in Article 3(13) of Directive 64/432/EEC as regards bovine brucellosis. In order to maintain its status as having an officially brucellosis-free bovine herd, Switzerland undertakes to meet the following conditions:
 - (a) any animal of the bovine species suspected of being infected with brucellosis shall be reported to the competent authorities and the animal concerned shall undergo the official tests for brucellosis, comprising at least two serological tests with complement fixation and a microbiological examination of suitable samples taken in cases of abortion;
 - (b) until such time as suspicion of the disease is lifted, i.e. when the tests provided for in (a) have produced negative results, the officially brucellosis-free status of the herd to which the animal (or animals) of the bovine species suspected of infection belongs shall be suspended.

Detailed information concerning herds testing results and an epidemiological report shall be submitted to the Joint Veterinary Committee. If any of the conditions laid down in the first subparagraph of Article 3(13) of Directive 64/432/EEC is not fulfilled by Switzerland, the Office Vétérinaire Fédéral shall immediately notify the Commission. The situation shall be considered within the Joint Veterinary Committee with a view to reviewing this paragraph.

4. For the purposes of this Annex, Switzerland is recognised as fulfilling the conditions laid down in Article 3(14) of Directive 64/432/EEC as regards bovine tuberculosis. In order to maintain its status as having an officially tuberculosis-free bovine herd, Switzerland undertakes to meet the following conditions:
 - (a) an identification system shall be introduced allowing each bovine animal to be traced back to its herd of origin;
 - (b) all slaughtered animals shall undergo a post mortem inspection carried out by an official veterinarian;

- (c) any suspected cases of tuberculosis in live, dead or slaughtered animals shall be reported to the competent authorities;
- (d) in each case the competent authorities shall carry out the investigations necessary to establish whether the suspected disease is present, including upstream research on the herds of origin and transit herds. Where lesions suspected to have been caused by tuberculosis are discovered during an autopsy or on slaughter, the competent authorities shall have a laboratory examination conducted on the lesions;
- (e) the officially tuberculosis-free status of the herds of origin and transit herds to which the bovine animal suspected of infection belong shall be suspended until clinical, laboratory or tuberculin tests have confirmed that no bovine tuberculosis is present;
- (f) where tuberculin, clinical or laboratory tests confirm that tuberculosis is present, the officially tuberculosis-free status of the herds of origin and transit herds shall be withdrawn;
- (g) officially tuberculosis-free status shall not be established until all the animals suspected of being infected have been removed from the herd, the premises and equipment have been disinfected and all the remaining animals aged over six weeks have reacted negatively to at least two official intradermal injections of tuberculin pursuant to Annex B to Directive 64/432/EEC, the first being carried out at least six months after the infected animal has left the herd and the second at least six months after the first.

Detailed information on the infected herds and an epidemiological report shall be submitted to the Joint Veterinary Committee. If any of the conditions laid down in the first subparagraph of Article 3(14) of Directive 64/432/EEC are not fulfilled, the Office Vétérinaire Fédéral shall immediately notify the Commission. The situation shall be considered within the Joint Veterinary Committee with a view to reviewing this paragraph.

5. For the purposes of this Annex Switzerland is recognised as fulfilling the conditions laid down in Chapter I.(B) of Annex G to Directive 64/432/EEC as regards enzootic bovine leucosis. In order to maintain its status as having an officially enzootic bovine leucosis-free herd, Switzerland undertakes to meet the following conditions:
- (a) the Swiss herd shall be monitored by sampling checks. The size of the sample shall be such that it can be declared with 99 % reliability that less than 0,2 % of herds are infected with enzootic bovine leucosis;
 - (b) all slaughtered animals shall undergo a post mortem inspection carried out by an official veterinarian;
 - (c) any suspected cases of enzootic bovine leucosis found in clinical examinations, autopsies or checks on meat shall be reported to the competent authorities;
 - (d) where enzootic bovine leucosis is suspected or found to be present, the officially leucosis-free status of the herd shall be suspended until the isolation period is terminated;
 - (e) the isolation period shall be terminated when, after the infected animals and, where appropriate, their calves have been eliminated, two serological examinations carried out at an interval of at least 90 days have produced negative results.

If enzootic bovine leucosis has been found in 0,2 % of herds, the Office Vétérinaire Fédéral shall immediately notify the Commission. The situation shall be considered within the Joint Veterinary Committee with a view to reviewing this paragraph.

6. For the purposes of this Annex, Switzerland is recognised as officially free from infectious bovine rhinotracheitis. In order to maintain that status, Switzerland undertakes to meet the following conditions:
- (a) the Swiss herd shall be monitored by sampling checks. The size of the sample shall be such that it can be declared with 99 % reliability that less than 0,1 % of herds are infected with infectious bovine rhinotracheitis;
 - (b) breeding bulls aged over 24 months shall undergo an annual serological examination;
 - (c) any suspected cases of infectious bovine rhinotracheitis shall be reported to the competent authorities and the animals concerned shall undergo official tests for infectious bovine rhinotracheitis, comprising virological or serological tests;

- (d) where infectious bovine rhinotracheitis is suspected or found to be present, the officially infection-free status of the herd shall be suspended until the isolation period is terminated;
- (e) the isolation period shall be terminated when a serological examination carried out at least 30 days after the infected animals have been eliminated produces negative results.

By virtue of the recognised status of Switzerland, Decision 93/42/EEC shall apply *mutatis mutandis*.

The Office Vétérinaire Fédéral shall immediately notify the Commission of any change in the conditions on which recognition of that status was based. The situation shall be considered within the Joint Veterinary Committee with a view to reviewing this paragraph.

7. For the purposes of this Annex, Switzerland is recognised as officially free from Aujeszky's disease. In order to maintain that status, Switzerland undertakes to meet the following conditions:
 - (a) the Swiss herd shall be monitored by sampling checks. The size of the sample shall be such that it can be declared with 99 % reliability that less than 0,1 % of herds are infected with Aujeszky's disease;
 - (b) any suspected cases of Aujeszky's disease shall be reported to the competent authorities and the animals concerned shall undergo official tests for Aujeszky's disease including virological or serological tests;
 - (c) where Aujeszky's disease is suspected or found to be present, the officially infection-free status of the herd shall be suspended until the isolation period is terminated;
 - (d) isolation shall be terminated when, after the infected animals have been eliminated, two serological examinations of all breeding animals and a representative number of fattening animals carried out at an interval of least 21 days have produced negative results;

By virtue of the recognised status of Switzerland, Decision 93/24/EEC shall apply *mutatis mutandis*.

The Office Vétérinaire Fédéral shall immediately notify the Commission of any change in the conditions on which recognition of that status was based. The situation shall be considered within the Joint Veterinary Committee with a view to reviewing this paragraph.

8. The question of possible additional guarantees concerning transmissible gastroenteritis of pigs (TGE) and porcine reproductive and respiratory syndrome (PRRS) shall be considered as soon as possible by the Joint Veterinary Committee. The Commission shall inform the Office Vétérinaire Fédéral of any developments in this area.
9. In Switzerland the Institut de Bactériologie Vétérinaire of the University of Bern is responsible for the official testing of tuberculins within the meaning of point 12 of Annex B to Directive 64/432/EEC.
10. The Institut de Bactériologie Vétérinaire of the University of Bern shall be responsible for the official testing of antigens (brucellosis) in Switzerland in accordance with point 9 of Annex C(A) to Directive 64/432/EEC.
11. Bovine animals and swine traded between the Member States of the Community and Switzerland shall be accompanied by health certificates in accordance with to the models set out in Annex F to Directive 64/432/EEC. The following adjustments shall apply:
 - the words 'and Switzerland' shall be added to the titles,
 - the words 'or from Switzerland' shall be added to point 3 of each model,
 - in note 4 to model I, note 5 to model II, note 4 to model III and note 5 to model IV, the words 'in Switzerland: "vétérinaire de contrôle"' shall be added.

II. Sheep and goats

A. LEGISLATION

Community

Council Directive 91/68/EEC of 28 January 1991 on animal health conditions governing intra-Community trade in ovine and caprine animals (OJ L 46, 19.2.1991 p. 19), as last amended by the Act of Accession of Austria, Finland and Sweden

Switzerland

1. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 16 September 1996 (RS 916.401), and in particular Articles 27 to 31 (markets, exhibitions), 34 to 37 (trade), 73 and 74 (cleaning and disinfection), 142 to 149 (rabies), 158 to 165 (tuberculosis), 166 to 169 (scrapie), 190 to 195 (ovine and caprine brucellosis), 196 to 199 (contagious agalactia), 200 to 203 (caprine arthritis/encephalitis), 233 to 235 (brucellosis in rams) and 297 (approval of markets, assembly centres and disinfection points) thereof
2. Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), as last amended on 14 May 1997 (RS 916.443.11)

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. For the purposes of the second subparagraph of Article 3(2) of Directive 91/68/EEC, the information referred to therein shall be submitted to the Joint Veterinary Committee.
2. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 11 of Directive 91/68/EEC and Article 57 of the Law on epizootic diseases.
3. For the purposes of this Annex, Switzerland is recognised as officially free from ovine and caprine brucellosis. In order to maintain that status, Switzerland undertakes to implement the measures provided for in point II(2) of Chapter I of Annex A.

Should ovine and caprine brucellosis appear or reappear, Switzerland shall inform the Joint Veterinary Committee so that the necessary measures can be taken in line with developments in the situation.

4. For one year from the date of entry into force of this Annex, caprine animals (goats) for fattening and breeding intended for Switzerland shall be subject to the following conditions:
 - all the goats of the establishment of origin aged over six months must have tested negative to serological tests for caprine viral arthritis/encephalitis carried out three times over the preceding three years at twelve-month intervals,
 - the goats must have tested negative to serological tests for caprine viral arthritis/encephalitis within 30 days prior to dispatch.

This paragraph will be reconsidered by the Joint Veterinary Committee within one year of the entry into force of this Annex.

5. Ovine and caprine animals traded between the Member States of the Community and Switzerland shall be accompanied by health certificates in accordance with the models set out in Annex E to Directive 91/68/EEC. The following adjustments shall apply:
 - the words 'and Switzerland' shall be added to the titles,
 - the words 'or from Switzerland' shall be added to point III(a) of each model.

III. Equidae

A. LEGISLATION

Community

Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and import from third countries of equidae (OJ L 224, 18.8.1990 p. 42), as last amended by the Act of Accession of Austria, Finland and Sweden

Switzerland

1. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 16 September 1996 (RS 916.401), and in particular Articles 112 to 115 (African horse disease), 204 to 206 (dourine, encephalomyelitis, infectious anaemia, glanders), and 240 to 244 (contagious equine metritis) thereof
2. Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), as last amended on 14 May 1997 (RS 916.443.11)

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. For the purposes of Article 3 of Directive 90/426/EEC, information shall be submitted to the Joint Veterinary Committee.
2. For the purposes of Article 6 of Directive 90/426/EEC, information shall be submitted to the Joint Veterinary Committee.
3. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 10 of Directive 90/66/EEC and Article 57 of the Law on epizootic diseases.
4. (a) Annex B to Directive 90/426/EEC shall apply *mutatis mutandis* to Switzerland.
(b) Annex C to Directive 90/426/EEC shall apply *mutatis mutandis* to Switzerland. The words 'and Switzerland' shall be added to the title. In footnote c, the term applicable to Switzerland shall be 'vétérinaire de contrôle'.

IV. Poultry and hatching eggs

A. LEGISLATION

Community

Council Directive 90/539/EEC of 15 October 1990 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs (OJ L 303, 31.10.1990 p. 6), as last amended by the Act of Accession of Austria, Finland and Sweden

Switzerland

1. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 16 September 1996 (RS 916.401), and in particular Articles 25 (transport), 122 to 125 (avian influenza and Newcastle disease), 255 to 261 (Salmonella enteritidis) and 262 to 265 (avian infectious laryngotracheitis) thereof
2. Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), as last amended on 14 May 1997 (RS 916.443.11), and in particular Article 64a (approval of export establishments) thereof

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. For the purposes of Article 3 of Directive 90/539/EEC, Switzerland shall submit a plan to the Joint Veterinary Committee setting out the measures it intends to implement for the approval of its establishments.
2. For the purposes of Article 4 of Directive 90/539/EEC, the national reference laboratory for Switzerland shall be the Institut de Bactériologie Vétérinaire of the University of Bern.
3. The requirement concerning eggs held prior to consignment in the first indent of Article 7(1) of Directive 90/539/EEC shall apply *mutatis mutandis* to Switzerland.

4. For consignments of hatching eggs to the Community, the Swiss authorities undertake to comply with the rules on marking laid down in Commission Regulation (EEC) No 1868/77. The mark for Switzerland shall be 'CH'.
5. The requirement concerning eggs held prior to consignment in Article 9(a) of Directive 90/539/EEC shall apply *mutatis mutandis* to Switzerland.
6. The requirement concerning eggs held prior to consignment in Article 10(a) of Directive 90/539/EEC shall apply *mutatis mutandis* to Switzerland.
7. The requirement concerning eggs held prior to consignment in the first indent of Article 11(2) of Directive 90/539/EEC shall apply *mutatis mutandis* to Switzerland.
8. For the purposes of this Annex, Switzerland is recognised as meeting the requirements of Article 12(2) of Directive 90/539/EEC with regard to Newcastle disease and therefore shall have the status of not vaccinating against Newcastle disease. The Office Vétérinaire Fédéral shall immediately notify the Commission of any change in the conditions on which recognition of that status was based. The situation shall be considered within the Joint Veterinary Committee with a view to reviewing this paragraph.
9. For one year from the date of entry into force of this Annex, breeding poultry and productive poultry intended for Switzerland shall comply with the following conditions:
 - no cases of avian infectious laryngotracheitis (ILT) must have been diagnosed in the flock of origin or in the hatchery for at least six months prior to dispatch,
 - the breeding poultry and productive poultry must not have been vaccinated against avian infectious laryngotracheitis.

This paragraph will be reconsidered by the Joint Veterinary Committee within one year of the entry into force of this Annex.

10. The references to the name of the Member State in Article 15 shall apply *mutatis mutandis* to Switzerland.
11. (a) For consignments from the Community to Switzerland, the health certificates shall be as provided for in Annex IV to Directive 90/539/EEC. In section 9, 'Member State of destination' shall be replaced by 'Country of destination: Switzerland'.
- (b) For consignments from Switzerland to the Community, the health certificates shall be as provided for in Annex IV to Directive 90/539/EEC, adapted as follows:
 - in the heading, 'Community' shall be replaced by 'Switzerland',
 - in section 2, 'Member State of origin' shall be replaced by 'Country of origin: Switzerland',
 - in section 14, the declarations in (a) shall be replaced by:
 - Model 1: 'The eggs described above comply with the Agreement between the Community and Switzerland of... (point IV of Appendix 2 to Annex 11)',
 - Model 2: 'The chicks described above comply with the Agreement between the Community and Switzerland of... (point IV of Appendix 2 to Annex 11)',
 - Model 3: 'The birds described above comply with the Agreement between the Community and Switzerland of... (point IV of Appendix 2 to Annex 11)',
 - Model 4: 'The birds or eggs described above comply with the Agreement between the Community and Switzerland of... (point IV of Appendix 2 to Annex 11)',
 - Model 5: 'The birds described above comply with the Agreement between the Community and Switzerland of... (point IV of Appendix 2 to Annex 11)',
 - Model 6: 'The birds described above comply with the Agreement between the Community and Switzerland of... (point IV of Appendix 2 to Annex 11)'.
12. In the case of consignments from Switzerland to Finland or Sweden, the Swiss authorities undertake to supply the guarantees concerning salmonella required under Community legislation.

V. Aquaculture animals and products

A. LEGISLATION

Community

Council Directive 91/67/EEC of 28 January 1991 concerning the animal health conditions governing the placing on the market of aquaculture animals and products (OJ L 46, 19.2.1991, p. 1), as last amended by Council Directive 95/22/EC (OJ L 243, 11.10.1995, p. 1)

Switzerland

1. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 16 September 1996 (RS 916.401), and in particular Articles 275 to 290 (fish and crayfish diseases) and 297 (approval of establishments, zones and laboratories) thereof
2. Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), as last amended on 14 May 1997 (RS 916.443.11), and in particular Article 64a (approval of export establishments) thereof

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. The information provided for in Article 4 of Directive 91/67/EEC shall be submitted to the Joint Veterinary Committee.
2. The Joint Veterinary Committee shall decide on any application of Articles 5, 6 and 10 of Directive 91/67/EEC to Switzerland.
3. The Joint Veterinary Committee shall decide on any application of Articles 12 and 13 of Directive 91/67/EEC to Switzerland.
4. For the purposes of Article 15 of Directive 91/67/EEC, the Swiss authorities undertake to implement sampling plans and diagnostic methods in accordance with Community legislation.
5. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 17 of Directive 91/67/EEC and Article 57 of the Law on epizootic diseases.
6. (a) Where live fish, eggs or gametes from an approved zone are placed on the market, the movement document shall be as set out in Chapter 1 of Annex E to Directive 91/67/EEC.
Where that document is drawn up by the Swiss authorities, in point VI, 'of Directive 91/67/EEC' shall be replaced by 'of the Agreement between the Community and Switzerland of... (point V of Appendix 2 to Annex 11)'.
(b) Where live fish, eggs or gametes from an approved farm are placed on the market, the movement document shall be as set out in Chapter 2 of Annex E to Directive 91/67/EEC.
Where that document is drawn up by the Swiss authorities, in point VI, 'of Directive 91/67/EEC' shall be replaced by 'of the Agreement between the Community and Switzerland of... (point V of Appendix 2 to Annex 11)'.
(c) Where molluscs from an approved coastal zone are placed on the market, the movement document shall be as set out in Chapter 3 of Annex E to Directive 91/67/EEC.
(d) Where molluscs from an approved farm are placed on the market, the movement document shall be as set out in Chapter 4 of Annex E to Directive 91/67/EEC.
(e) Where farmed fish, molluscs or crustaceans, their eggs or gametes not belonging to species susceptible to IHN, VHS or bonamiosis or marteiliosis, as applicable, are placed on the market, the movement document shall be as set out in Annex I to Commission Decision 93/22/EEC.
Where that document is drawn up by the Swiss authorities, in point V(c), 'susceptible species referred to in Annex A column 2, lists I and II of Directive 91/67/EEC' shall be replaced by 'species susceptible to IHN, VHS or bonamiosis or marteiliosis, as applicable'.
(f) Where live wild fish, molluscs or crustaceans, their eggs or gametes are placed on the market, the movement document shall be as set out in Annex II to Commission Decision 93/22/EEC.

VI. Bovine embryos

A. LEGISLATION

Community

Council Directive 89/556/EEC of 25 September 1989 on animal health conditions governing intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species (OJ L 302, 19.10.1989 p. 1), as last amended by Commission Decision 94/113/EC (OJ L 53, 24.2.1994, p. 23)

Switzerland

1. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 16 September 1996 (RS 916.401), and in particular Articles 56 to 58 (embryo transfer) thereof
2. Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), as last amended on 14 May 1997 (RS 916.443.11), and in particular Articles 64a and 76 (approval of assembly agencies as export enterprises) thereof.

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 15 of Directive 89/556/EEC and Article 57 of the Law on epizootic diseases.
2. (a) For consignments from the Community to Switzerland, the health certificate shall be as set out in Annex C to Directive 89/556/EEC. In section 9, 'Member State of destination' shall be replaced by 'Country of destination: Switzerland'.
- (b) For consignments from Switzerland to the Community, the health certificate shall be as set out in Annex C to Directive 89/556/EEC, adapted as follows:
 - in section 2, 'Member State of collection' shall be replaced by 'Country of collection: Switzerland',
 - in section 13(a) and (b), 'Directive 89/556/EEC' shall be replaced by 'the Agreement between the Community and Switzerland of... (point VI of Appendix 2 to Annex 11)'.

VII. Bovine semen

A. LEGISLATION

Community

Council Directive 88/407/EEC of 14 June 1988 laying down the animal health requirements applicable to intra-Community trade in and imports of deep-frozen semen of domestic animals of the bovine species (OJ L 194, 22.7.1988 p. 10), as last amended by the Act of Accession of Austria, Finland and Sweden

Switzerland

1. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 16 September 1996 (RS 916.401), and in particular Articles 51 to 55 (artificial insemination) thereof
2. Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), as last amended on 14 May 1997 (RS 916.443.11), and in particular Articles 64a and 76 (approval of insemination centres as export enterprises) thereof

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. For the purposes of Article 4(2) of Directive 88/407/EEC, in Switzerland all centres keep only animals giving a negative reaction to the serum neutralisation test or the Elisa test.
2. The information provided for in Article 5(8) of Directive 88/407/EEC shall be submitted to the Joint Veterinary Committee.
3. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 16 of Directive 88/407/EEC and Article 57 of the Law on epizootic diseases.

4. (a) For consignments from the Community to Switzerland, the health certificate shall be as set out in Annex D to Directive 88/407/EEC.
- (b) For consignments from Switzerland to the Community, the health certificate shall be as set out in Annex D to Directive 88/407/EEC, adapted as follows:
 - in section IV, the references to 'Directive 88/407/EEC' shall be replaced by 'the Agreement between the Community and Switzerland of... (point VII of Appendix 2 to Annex 11)'.

VIII. Porcine semen

A. LEGISLATION

Community

Council Directive 90/429/EEC of 26 June 1990 laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species (OJ L 224, 18.8.1990 p. 62), as amended by the Act of Accession of Austria, Finland and Sweden.

Switzerland

1. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 16 September 1996 (RS 916.401), and in particular Articles 51 to 55 (artificial insemination) thereof
2. Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), as last amended on 14 May 1997 (RS 916.443.11), and in particular Articles 64a and 76 (approval of insemination centres as export enterprises) thereof

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. The information provided for in Article 5(2) of Directive 90/429/EEC shall be submitted to the Joint Veterinary Committee.
2. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 16 of Directive 90/429/EEC and Article 57 of the Law on epizootic diseases.
3. (a) For consignments from the Community to Switzerland, the health certificate shall be as set out in Annex D to Directive 90/429/EEC, adapted as follows: In section 9, 'Member State of destination' shall be replaced by 'Country of destination: Switzerland'.
- (b) For consignments from Switzerland to the Community, the health certificate shall be as set out in Annex D to Directive 90/429/EEC, adapted as follows:
 - in section 2, 'Member State of collection' shall be replaced by 'Country of collection: Switzerland',
 - in section 13, the references to 'Directive 90/429/EEC' shall be replaced by 'the Agreement between the Community and Switzerland of... (point VIII of Appendix 2 to Annex 11)'.

IX. Other species

A. LEGISLATION

Community

Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A(I) to Directive 90/425/EEC (OJ L 268, 14.9.1992 p. 54), as last amended by Commission Decision 95/176/EC (OJ L 117, 25.5.1995, p. 23)

Switzerland

1. Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 16 September 1996 (RS 916.401), and in particular Articles 51 to 55 (artificial insemination) and 56 to 58 (embryo transfer) thereof
2. Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), as last amended on 14 May 1997 (RS 916.443.11), and in particular Articles 25 to 30 (import of dogs, cats and other animals), 64 (conditions of export), 64a and 76 (approval of insemination centres and assembly agencies as export enterprises) thereof

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. For the purposes of this Annex, this point shall cover trade in live animals not subject to points I to V inclusive, and in semen, ova and embryos not subject to points VI to VIII inclusive.
2. The Community and Switzerland undertake not to ban or restrict trade in the live animals, semen, ova and embryos as referred to in point 1 for animal-health reasons other than those resulting from the application of this Annex, and in particular any safeguard measures taken pursuant to Article 20 thereof.
3.
 - (a) For consignments from the Community to Switzerland of ungulates other than as referred to in points I, II and III, the health certificate shall be that set out in Annex E to Directive 92/65/EEC, bearing the declaration provided for in Article 6(A)(1)(f) of Directive 92/65/EEC.
 - (b) For consignments from Switzerland to the Community, the health certificate shall be as set out in Annex E to Directive 92/65/EEC, bearing the declaration provided for in Article 6(A)(1)(f) of Directive 92/65/EEC, adapted as follows:
 - the reference to 'Directive 64/432/EEC' shall be replaced by 'the Agreement between the Community and Switzerland of... (point IX of Appendix 2 to Annex 11)'.
4.
 - (a) For consignments of lagomorphs from the Community to Switzerland, the health certificate shall be as set out in Annex E to Directive 92/65/EEC, bearing where necessary the declaration provided for in the second subparagraph of Article 9(2) of Directive 92/65/EEC.
 - (b) For consignments of lagomorphs from Switzerland to the Community, the health certificate shall be as set out in Annex E to Directive 92/65/EEC, bearing where necessary the declaration provided for in the second subparagraph of Article 9(2) of Directive 92/65/EEC. That declaration may be adapted by the Swiss authorities to include in full the requirements of Article 9 of Directive 92/65/EEC.
5. The information provided for in the fourth subparagraph of Article 9(2) of Directive 92/65/EEC shall be submitted to the Joint Veterinary Committee.
6.
 - (a) Consignments of cats and dogs from the Community to Switzerland shall be subject to Article 10(2) of Directive 92/65/EEC.
 - (b) Consignments of cats and dogs from Switzerland to the Member States of the Community other than the United Kingdom, Ireland and Sweden shall be subject to the requirements of Article 10(2) of Directive 92/65/EEC. The Swiss authorities may adapt the declaration provided for in the fifth indent of Article 10(2)(a) of Directive 92/65/EEC to include in full the requirements of Article 10(2)(a) and (b) and 10(3)(b) thereof.
 - (c) Consignments of cats and dogs from Switzerland to the United Kingdom, Ireland and Sweden shall be subject to the requirements of Article 10(3) of Directive 92/65/EEC. The certificate to be used shall be that provided for in Commission Decision 94/273/EC, adapted as follows: 'Consignor Member State' shall be replaced by 'Consignor country: Switzerland'. The identification system shall be as laid down in Commission Decision 94/274/EC.
7.
 - (a) For consignments of semen, ova or embryos of the ovine or caprine species from the Community to Switzerland, the certificates provided for in Decision 95/388/EC shall apply, adapted as follows:
 - in the titles, 'or with Switzerland' shall be inserted after 'intra-Community',
 - in section 9, 'Member State of destination' shall be replaced by 'Country of destination: Switzerland'.
 - (b) For consignments of semen, ova or embryos of the ovine or caprine species from Switzerland to the Community, the certificates provided for in Decision 95/388/EC shall apply, adapted as follows:
 - in section 2, 'Member State of collection' is replaced by 'Country of collection: Switzerland'.
 - in section 13, the Swiss authorities may set out in full the requirements referred to therein.

8. (a) For consignments of semen of the equine species from the Community to Switzerland, the certificate provided for in Decision 95/307/EC shall apply, adapted as follows:
 - in section 9, 'Member State of destination' is replaced by 'Country of destination: Switzerland'.
 - (b) For consignments of semen of the equine species from Switzerland to the Community, the certificate provided for in Decision 95/307/EC shall apply, adapted as follows:
 - in section 2, 'Member State of collection' is replaced by 'Country of collection: Switzerland'.
 9. (a) For consignments of ova and embryos of the equine species from the Community to Switzerland, the certificate provided for in Decision 95/294/EC shall apply, adapted as follows:
 - in section 9, 'Member State of destination' is replaced by 'Country of destination: Switzerland'.
 - (b) For consignments of ova and embryos of the equine species from Switzerland to the Community, the certificate provided for in Decision 95/294/EC shall apply, adapted as follows:
 - in section 2, 'Member State of collection' is replaced by 'Country of collection: Switzerland'.
 10. (a) For consignments of ova and embryos of the porcine species from the Community to Switzerland, the certificate provided for in Decision 95/483/EC shall apply, adapted as follows:
 - in the titles, 'and trade with Switzerland' shall be inserted after 'intra-Community trade',
 - in section 9, 'Member State of destination' is replaced by 'Country of destination: Switzerland'.
 - (b) For consignments of ova and embryos of the porcine species from Switzerland to the Community, the certificate provided for in Decision 95/483/EC shall apply, adapted as follows:
 - in section 2, 'Member State of collection' is replaced by 'Country of collection: Switzerland'.
 11. For the purposes of Article 24 of Directive 92/65/EEC, the information provided for in paragraph 2 of that Article shall be submitted to the Joint Veterinary Committee.
 12. For trade between the Community and Switzerland in live animals as referred to in point 1, the certificate provided for in Annex E to Directive 92/65/EEC shall apply *mutatis mutandis*.
-

Appendix 3

Imports of live animals and certain animal products from third countries**I. Community — Legislation****A. Bovine, porcine, ovine and caprine animals**

Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries (OJ L 302, 31.12.1972, p. 28), as last amended by the Act of Accession of Austria, Finland and Sweden

B. Equidae

Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and import from third countries of equidae (OJ L 224, 18.8.1990, p. 42), as last amended by the Act of Accession of Austria, Finland and Sweden

C. Poultry and hatching eggs

Council Directive 90/539/EEC of 15 October 1990 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs (OJ L 303, 31.10.1990, p. 6), as last amended by Directive 95/22/EC (OJ L 243, 11.10.1995, p. 1)

D. Aquaculture animals

Council Directive 91/67/EEC of 28 January 1991 concerning the animal health conditions governing the placing on the market of aquaculture animals and products (OJ L 46, 19.2.1991, p. 1), as last amended by Directive 95/22/EC (OJ L 243, 11.10.1995, p. 1)

E. Molluscs

Council Directive 91/492/EEC of 15 July 1991 laying down the health conditions for the production and the placing on the market of live bivalve molluscs (OJ L 268, 24.9.1991, p. 1), as last amended by the Act of Accession of Austria, Finland and Sweden

F. Bovine embryos

Council Directive 89/556/EEC of 25 September 1989 on animal health conditions governing intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species (OJ L 302, 19.10.1989, p. 1), as last amended by Commission Decision 94/113/EC (OJ L 53, 24.2.1994, p. 23)

G. Bovine semen

Council Directive 88/407/EEC of 14 June 1988 laying down the animal health requirements applicable to intra-Community trade in and imports of deep-frozen semen of domestic animals of the bovine species (OJ L 194, 22.7.1988, p. 10), as last amended by the Act of Accession of Austria, Finland and Sweden

H. Porcine semen

Council Directive 90/429/EEC of 26 June 1990 laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species (OJ L 224, 18.8.1990, p. 62), as last amended by the Act of Accession of Austria, Finland and Sweden

I. Other live animals

Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A(I) to Directive 90/425/EEC (OJ L 268, 14.9.1992 p. 54), as last amended by Commission Decision 95/176/EC (OJ L 117, 24.5.1995, p. 23)

II. Switzerland — Legislation

Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), as last amended on 14 May 1997 (RS 916.443.11)

III. Implementing rules

As a general rule, the Office Vétérinaire Fédéral shall apply the same rules as those covered by point I of this Appendix. However, the Office Vétérinaire Fédéral may adopt more restrictive measures and require additional guarantees. In that case, without prejudice to its right to implement those measures immediately, consultations shall be held within the Joint Veterinary Committee to find appropriate solutions. Where the Office Vétérinaire Fédéral wishes to implement less restrictive measures, it shall inform the competent Commission departments in advance. In such cases, consultations shall be held within the Joint Veterinary Committee to find suitable solutions. Pending such solutions, the Swiss authorities shall refrain from implementing the planned measures.

Appendix 4

Zootechnical provisions, including those governing imports from third countries**I. Community — Legislation****A. Bovines**

Council Directive **77/504/EEC** of 25 July 1977 on pure-bred breeding animals of the bovine species (OJ L 206, 12.8.1977, p. 8), as last amended by the Act of Accession of Austria, Finland and Sweden

B. Porcine animals

Council Directive **88/661/EEC** of 19 December 1988 on the zootechnical standards applicable to breeding animals of the porcine species (OJ L 382, 31.12.1988, p. 36), as last amended by the Act of Accession of Austria, Finland and Sweden

C. Ovine and caprine animals

Council Directive **89/361/EEC** of 30 May 1989 concerning pure-bred breeding sheep and goats (OJ L 153, 6.6.1989, p. 30)

D. Equidae

(a) Council Directive **90/427/EEC** of 26 June 1990 on the zootechnical and genealogical conditions governing intra-Community trade in equidae (OJ L 224, 18.8.1990, p. 55)

(b) Council Directive **90/428/EEC** of 26 June 1990 on trade in equidae intended for competitions and laying down the conditions for participation therein (OJ L 224, 18.8.1990, p. 60)

E. Pure-bred animals

Council Directive **91/174/EEC** of 25 March 1991 laying down zootechnical and pedigree requirements for the marketing of pure-bred animals and amending Directives 77/504/EEC and 90/425/EEC (OJ L 85, 5.4.1991, p. 37)

F. Imports from third countries

Council Directive **94/28/EC** of 23 June 1994 laying down the principles relating to the zootechnical and genealogical conditions applicable to imports from third countries of animals, their semen, ova and embryos, and amending Directive 77/504/EEC on pure-bred breeding animals of the bovine species (OJ L 178, 12.7.1994, p. 66)

II. Switzerland — Legislation

The Swiss authorities have drawn up and submitted for consultation a draft law on agriculture. The draft law gives the Conseil Fédéral responsibility for adopting ordinances in the sphere covered by this Appendix. Upon entry into force of this Annex, the Swiss authorities undertake to adopt similar legislation leading to results identical to those specified in point I of this Appendix. This Appendix shall be reviewed as soon as possible in the light of the new provisions adopted by the Swiss authorities.

III. Transitional arrangements

Without prejudice to the rules on zootechnical checks in Appendices 5 and 6, the Swiss authorities undertake to ensure that consignments of animals, semen, ova and embryos are carried out in accordance with Council Directive 94/28/EC.

Where difficulties arise in trade, the matter shall be referred to the Joint Veterinary Committee at the request of either Party.

*Appendix 5***Checks and fees**

CHAPTER 1

Trade between the Community and Switzerland**I. ANIMO system**

The Commission, in cooperation working with the Office Vétérinaire Fédéral, shall integrate Switzerland into the ANIMO computerised system. If necessary, transitional measures shall be laid down in the Joint Veterinary Committee.

II. Rules for equidae

Checks relating to trade between the Community and Switzerland shall be carried out in accordance with Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market (OJ L 224, 18.8.1990, p. 29), as last amended by Directive 92/118/EEC (OJ L 62, 15.3.1993, p. 49).

The Joint Veterinary Committee shall be responsible for implementing Articles 9 and 22.

III. Rules for animals sent for grazing in border areas

1. The official veterinarian of the country of departure shall:
 - notify the official veterinarian of the country of destination 48 hours in advance that the animals are to be dispatched,
 - examine the animals within 48 hours prior to their departure for the grazing ground; the animals must be duly identified,
 - issue a certificate in accordance with a model to be drawn up by the Joint Veterinary Committee.
2. The official veterinarian of the country of destination shall inspect the animals upon arrival in the country of destination to ensure that they comply with the standards laid down in this Annex.
3. Throughout the duration of the grazing period, the animals shall remain under customs control.
4. The holder of the animals shall make a written statement undertaking:
 - (a) to comply with all measures taken pursuant to this Annex and any other measures introduced at local level, in the same way as any holder originating in the Community or Switzerland;
 - (b) to pay the costs of the checks required pursuant to this Annex;
 - (c) to cooperate fully with arrangements for customs or veterinary checks required by the authorities of the country of dispatch or of destination.
5. Grazing shall be limited to a 10 km strip both sides of the border between Switzerland and the Community; this distance may be increased in special duly substantiated conditions.

6. Where there are outbreaks of diseases, suitable appropriate measures shall be taken by common consent between the competent veterinary authorities.

Those authorities shall consider how to cover any costs involved. If necessary the matter shall be referred to the Joint Veterinary Committee.

IV. **Special rules**

- A. Where animals for slaughter are bound for the abattoir in Basle, documentary checks only shall be carried out at one of the points of entry into Swiss territory. This rule shall apply only to animals originating in the department of Haut Rhin or the *Landkreise* Lörrach, Waldshut, Breisgau-Hochschwarzwald and the town of Freiburg i.B. This provision may be extended to other abattoirs along the border between the Community and Switzerland.
- B. Where animals are bound for the customs enclave of Livigno, documentary checks only shall be carried out at Ponte Gallo. This rule shall apply only to animals originating in the canton of Grisons. This provision may be extended to other areas under customs control along the border between the Community and Switzerland.
- C. Where animals are bound for the canton of Grisons, documentary checks only shall be carried out at La Drossa. This rule shall apply only to animals originating in the customs enclave of Livigno. This provision may be extended to other areas along the border between the Community and Switzerland.
- D. Where live animals are loaded directly or indirectly onto a train at a point in the territory of the Community for unloading at another point in the territory of the Community after transit through Swiss territory, the only requirement shall be to inform the Swiss veterinary authorities beforehand. This rule shall apply only to trains the composition of which does not change in the course of transport.

V. **Rules for animals crossing through Community or Swiss territory**

- A. Where live animals originating in the Community are to cross through Swiss territory, the Swiss authorities shall carry out documentary checks only. In suspicious cases, they may carry out any other inspections required.
- B. Where live animals originating in Switzerland are to cross through Community territory, the Community authorities shall carry out documentary checks only. In suspicious cases, they may carry out any other inspections required. The Swiss authorities guarantee that the animals will be accompanied by a certificate of non-refoulement issued by the authorities of the third country of first destination.

VI. **General rules**

These provisions shall apply to cases not covered by points II to IV.

- A. For live animals originating in the Community or Switzerland and intended for import, the following checks shall be carried out:
- documentary checks,
 - identity checks,
- and, in suspicious cases,
- physical checks.
- B. For live animals from countries other than those covered by this Annex which have been checked as provided for in Directive 91/496/EEC, the following checks shall be carried out:
- documentary checks,
 - identity checks,
- and, in suspicious cases,
- physical checks.

VII. Border inspection posts — trade between the European Community and Switzerland

A. For the Community:

for Germany, the following posts:

- | | |
|--------------------------|-------------|
| — Bietingen | road |
| — Konstanz Strasse | road |
| — Weil am Rhein/Mannheim | rail, road, |

for France, the following posts:

- | | |
|--------------------------|------|
| — Divonne | road |
| — Saint Julien/Bardonnex | road |
| — Ferney-Voltaire/Geneva | air |
| — Saint-Louis/Bâle | air, |

for Italy, the following posts:

- | | |
|-----------------------------|------------|
| — Campocologno | rail |
| — Chiasso | rail, road |
| — Gran San Bernardo-Pollein | road, |

for Austria, the following crossing points and corresponding check-points:

- | | |
|----------|-------|
| — Tisis | road |
| — Höchst | road |
| — Buchs | rail. |

B. For Switzerland:

- | | | |
|-----------------|---------------------------------------|------------------------------------|
| — with Germany: | Thayngen
Kreuzlingen
Basle | road
road
road/rail/air, |
| — with France: | Bardonnex
Basle
Geneva | road
road/rail/air
road/air, |
| — with Italy: | Campocologno
Chiasso
Martigny | rail
road/rail
road, |
| — with Austria: | Schaanwald
St. Margrethen
Buchs | road
road
rail. |

CHAPTER 2

Imports from third countries**I. Legislation**

Checks on imports from third countries shall be carried out in accordance with Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC (OJ L 268, 24.4.1991, p. 56), as last amended by the Act of Accession of Austria, Finland and Sweden.

II. Rules of application

- A. For the purposes of Article 6 of Directive 91/496/EEC, the border inspection posts shall be: Basle-Mulhouse airport, Geneva airport and Zurich airport. The Joint Veterinary Committee shall be responsible for subsequent amendments.
- B. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 19 of Directive 91/496/EEC and Article 57 of the Law on epizootic diseases.

CHAPTER 3

Special provisions

- For France, the cases of Ferney-Voltaire/Geneva airport and St. Louis/Basle airport shall be the subject of consultations within the Joint Veterinary Committee.
- For Switzerland, the cases of Geneva-Cointrin airport and Basle-Mulhouse airport shall be the subject of consultations within the Joint Veterinary Committee.

I. Mutual assistance**A. LEGISLATION****Community**

Council Directive 89/608/EEC of 21 November 1989 on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of legislation on veterinary and zootechnical matters (OJ L 351, 2.12.1989, p. 34)

Switzerland

Law of 1 July 1996 on epizootic diseases (LFE), as last amended on 18 June 1993 (RS 916.40), and in particular Article 57 thereof

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

The Joint Veterinary Committee shall be responsible for the application of Articles 10, 11 and 16 of Directive 89/608/EEC.

II. Identification of animals**A. LEGISLATION****Community**

Council Directive 92/102/EEC of 27 November 1992 on the identification and registration of animals (OJ L 355, 5.12.1992, p. 32), as amended by the Act of Accession of Austria, Finland and Sweden

Switzerland

Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 16 September 1996 (RS 916.401), and in particular Articles 7 to 22 (registration and identification) thereof

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. The Joint Veterinary Committee shall be responsible for the application of Article 3(2), the fifth subparagraph of Article 4(1)(a) and Article 4(2) of Directive 92/102/EEC.
2. For movements of swine and ovine and caprine animals within Switzerland, the date to be taken into account for the purposes of Article 5(3) shall be 1 July 1999.
3. In the context of Article 10 of Directive 92/102/EEC, the Joint Veterinary Committee shall be responsible for coordination where any electronic identification systems are set up.

III. SHIFT System

A. LEGISLATION

Community

Council Decision 92/438/EEC of 13 July 1992 on computerisation of veterinary import procedures (SHIFT project), amending Directives 90/675/EEC, 91/496/EEC, 91/628/EEC and Decision 90/424/EEC, and repealing Decision 88/192/EEC (OJ L 243, 25.8.1992, p. 27), as last amended by the Act of Accession of Austria, Finland and Sweden

Switzerland

Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 16 September 1996 (RS 916.401)

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

The Commission, in cooperation with the Office Vétérinaire Fédéral, shall integrate Switzerland into the SHIFT system provided for by Council Decision 92/438/EEC.

IV. Protection of animals

A. LEGISLATION

Community

Council Directive 91/628/EEC of 19 November 1991 on the protection of animals during transport and amending Directives 90/425/EEC and 91/496/EEC (OJ L 340, 11.12.1991, p. 17), as last amended by Council Directive 95/29/EC (OJ L 148, 30.6.1995, p. 52)

Switzerland

Ordonnance of 27 May 1981 on the protection of animals (RS 455.1)

Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), as last amended on 14 May 1997 (RS 916.443.11)

B. SPECIAL RULES AND PROCEDURES FOR IMPLEMENTATION

1. The Swiss authorities undertake to comply with the requirements laid down in Directive 91/628/EEC for trade between Switzerland and the Community and for imports from third countries.
2. The information provided for in the fourth paragraph of Article 8 of Directive 91/628/EEC shall be submitted to the Joint Veterinary Committee.
3. On-the-spot inspections shall be carried out under the responsibility of the Joint Veterinary Committee in accordance in particular with Article 10 of Directive 91/628/EEC and Article 65 of the Ordonnance of 20 April 1988 on the import, transit and export of animals and animal products (OITE), as last amended on 14 May 1997 (RS 916.443.11).
4. The information provided for in the second subparagraph of Article 18(3) of Directive 91/628/EEC shall be submitted to the Joint Veterinary Committee.

V. Semen, ova and embryos

Section VI of Chapter 1 and Chapter 2 of this Appendix shall apply *mutatis mutandis*.

VI. Fees

- A. For checks on live animals from countries other than those covered by this Annex, the Swiss authorities undertake to collect at least the fees provided for in Annex C, Chapter 2, to Directive 96/43/EC.
- B. The fees payable on live animals originating in the Community or Switzerland and intended for import into the Community or Switzerland shall be:
- EUR 2,5/t, with a minimum of EUR 15 and a maximum of EUR 175 being charged per consignment.
- C. No fees shall be charged:
- on animals for slaughter bound for the abattoir in Basle,
 - on animals bound for the customs enclave of Livigno,
 - on animals bound for the canton of Grisons,
 - on live animals loaded directly or indirectly onto a train at one point in Community territory for unloading at another point in Community territory,
 - on live animals originating in the Community crossing Swiss territory,
 - on live animals originating in Switzerland crossing Community territory,
 - on equidae.
- D. The fees payable on animals sent for grazing in border areas shall be:
- EUR 1/head for the country of dispatch and EUR 1/head for the country of destination, with a minimum of EUR 10 and a maximum of EUR 100 being charged in each case per consignment.
- E. For the purposes of this chapter, 'consignment' means a number of animals of the same type, covered by the same health certificate or document, carried on the same means of transport, dispatched by the same consignor, coming from the same exporting country or region and bound for the same destination.
-

Appendix 6

Animal products

CHAPTER 1

Sectors where recognition of equivalence is mutual

Products: Milk and products of milk of bovine species intended for human consumption**Milk and products of milk of bovine species not intended for human consumption**

	Exports from the Community to Switzerland			Exports from Switzerland to the Community		
	Trade conditions		Equivalence	Trade conditions		Equivalence
	EC standards	Swiss standards		Swiss standards	EC standards	
Animal health provisions — Bovines	64/432/EEC 92/46/EEC 92/118/EEC	Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 16 September 1996 (RS 916.401), and in particular Articles 47, 61, 65, 101, 155, 163, 169, 173, 177, 224 and 295 thereof.	Yes	Ordonnance of 27 June 1995 on epizootic diseases (OFE), as last amended on 16 September 1996 (RS 916.401), and in particular Articles 47, 61, 65, 101, 155, 163, 169, 173, 177, 224 and 295 thereof.	64/432/EEC 92/46/EEC 92/118/EEC	Yes
Public health	92/46/EEC 92/118/EEC	<p>Ordonnance of 18 October 1995 on ensuring quality in the dairy sector (Or-AOL, RS 916.351.0)</p> <p>Ordonnance of 25 January 1996 of the Union Centrale des Producteurs Suisses du Lait on ensuring quality in industrial milk processing (RS 916.351.04)</p> <p>Ordonnance of 16 January 1996 of the Union Centrale des Producteurs Suisses du Lait on ensuring quality in milk production (RS 916.351.05)</p> <p>USAL Ordonnance of 24 January 1996 on ensuring quality in artisanal processing of milk (RS 916.351.06)</p> <p>Ordonnance of 30 January 1996 of the Union Suisse du Commerce du Fromage SA on ensuring quality during maturing and pre-packaging of cheese (RS 916.351.07)</p>	Yes	<p>Ordonnance of 18 October 1995 on ensuring quality in the dairy sector (Or-AOL, RS 916.351.0)</p> <p>Ordonnance of 25 January 1996 of the Union Centrale des Producteurs Suisses du Lait on ensuring quality in industrial milk processing (RS 916.351.04)</p> <p>Ordonnance of 16 January 1996 of the Union Centrale des Producteurs Suisses du Lait on ensuring quality in milk production (RS 916.351.05)</p> <p>USAL Ordonnance of 24 January 1996 on ensuring quality in artisanal processing of milk (RS 916.351.06)</p> <p>Ordonnance of 30 January 1996 of the Union Suisse du Commerce du Fromage SA on ensuring quality during maturing and pre-packaging of cheese (RS 916.351.07)</p>	92/46/EEC 92/118/EEC	Yes

Products: Animal waste

Exports from the Community to Switzerland				Exports from Switzerland to the Community			
Trade conditions		Equivalence	Special requirements	Trade conditions		Equivalence	Special requirements
EC standards	Swiss standards			Swiss standards	EC standards		
90/667/EEC	<p>Ordonnance of 3 February 1993 on the elimination of animal waste (OEL-DA), as last amended on 17 April 1996 (RS 916.441.22)</p> <p>Ordonnance of 20 April 1988 concerning the import, transit and export of animals and animal products (OITE), as last amended on 14 May 1997 (RS 916.443.11), and in particular Articles 64a, 76 and 77 (approval of export establishments, conditions for the exporting of animal waste) thereof</p>	Yes	Trade in high-risk material is prohibited. To be reconsidered by the Joint Veterinary Committee.	<p>Ordonnance of 3 February 1993 on the elimination of animal waste (OEL-DA), as last amended on 17 April 1996 (RS 916.401)</p> <p>Ordonnance of 20 April 1988 concerning the import, transit and export of animals and animal products (OITE), as last amended on 14 May 1997 (RS 916.443.11), and in particular Articles 64a, 76 and 77 (approval of export establishments, conditions for the exporting of animal waste) thereof</p>	90/667/EEC	Yes	Trade in high-risk material is prohibited. To be reconsidered by the Joint Veterinary Committee.

CHAPTER II

Sectors other than those covered by Chapter I**I. Exports from the Community to Switzerland**

Exports from the Community to Switzerland shall be subject to the same conditions as intra-Community trade. However, in all cases, a certificate attesting compliance with those conditions shall be issued by the competent authorities to accompany consignments.

If necessary, models for certificates shall be discussed in the Joint Veterinary Committee.

II. Exports from Switzerland to the Community

Exports from Switzerland to the Community shall be subject to the relevant conditions laid down in the Community rules. Models for certificates shall be discussed in the Joint Veterinary Committee.

Pending a decision on these models, the present requirements for certificates shall apply.

CHAPTER III

Transfer of a sector from Chapter II to Chapter I

As soon as Switzerland adopts any legislation it regards as equivalent to Community legislation, the matter shall be brought before the Joint Veterinary Committee. Chapter I of this Appendix shall be adjusted as soon as possible to reflect the outcome of the Committee's deliberations.

Appendix 7

Responsible authorities

PART A

Switzerland

Responsibility for animal-health and veterinary controls shall be shared between the Département Fédéral de l'Economie and the Département Fédéral de l'Intérieur. In this respect the following shall apply:

- for exports to the Community, the Département Fédéral de l'Economie shall be responsible for issuing health certificates attesting to compliance with the veterinary standards and requirements laid down,
- for imports of food products of animal origin, the Département Fédéral de l'Economie shall be responsible for veterinary standards and requirements relating to meat (including fish, crustaceans and molluscs) and meat products (including fish, crustaceans and molluscs), and the Département Fédéral de l'Intérieur shall be responsible for milk, milk products, eggs and egg products,
- for imports of other animal products, the Département Fédéral de l'Economie shall be responsible for veterinary standards and requirements.

PART B

Community

Responsibility shall be shared between the national services in the individual Member States and the European Commission. In this respect the following shall apply:

- for exports to Switzerland, the Member States shall be responsible for monitoring compliance with production conditions and requirements, and in particular statutory inspections and the issuing of health certificates attesting to compliance with the standards and requirements laid down,
- the European Commission shall be responsible for overall coordination, inspections/audits of inspection systems and the necessary legislative action to ensure uniform application of standards and requirements within the Single Market.

Appendix 8

Adjustments to regional conditions

*Appendix 9***Guidelines on procedures for conducting audits**

For the purposes of this Appendix, 'audit' means assessment of performance.

1. General principles

- 1.1. Audits shall be conducted jointly by the Party responsible for conducting the audit (the 'auditor') and the audited Party (the 'auditee'), in accordance with the provisions laid down herein. Establishments and facilities may be inspected where necessary.
- 1.2. Audits shall be designed to check the effectiveness of the controlling authority rather than to reject individual consignments of food or establishments. Where an audit reveals a serious risk to animal or human health, the auditee shall take immediate corrective action. The procedure may include an examination of the relevant regulations, the implementing rules, assessment of the end result, level of compliance and subsequent corrective action.
- 1.3. The frequency of audits shall be based on performance. A low level of performance shall call for an increased frequency of audits; unsatisfactory performance must be corrected by the auditee to the auditor's satisfaction.
- 1.4. Audits and the decisions to which they give rise must be transparent and consistent.

2. Principles relating to the auditor

Those responsible for conducting the audit shall prepare a plan, preferably in accordance with recognised international standards, covering the following points:

- 2.1. the subject, depth and scope of the audit;
- 2.2. the date and place of the audit, along with a timetable up to and including the drafting of the final report;
- 2.3. the language or languages in which the audit is to be conducted and the report drafted;
- 2.4. the identity of the auditors, including, if a team approach is used, the leader. Specialised professional skills may be required to carry out audits of specialised systems and programmes;
- 2.5. a schedule of meetings with officials and of any visits to establishments and facilities. The details of establishments and facilities to be visited need not be stated in advance;
- 2.6. subject to provisions on freedom of information, respect of commercial confidentiality shall be observed by the auditor. Conflicts of interest must be avoided;
- 2.7. compliance with the rules governing occupational health and safety, and respect for the rights of the operator.

The plan shall be reviewed in advance with representatives of the auditee.

3. Principles relating to the auditee

With a view to facilitating the auditor's work, the following principles apply to action by the auditee.

- 3.1. The auditee must cooperate closely with the auditor and shall designate the persons responsible for this task. Cooperation may, for example, cover:
 - access to all applicable regulations and standards,
 - access to implementation programmes and relevant records and documents,

- access to audit and inspection reports,
- documentation concerning corrective action and penalties,
- access to establishments.

3.2. The auditee must implement a documented programme to demonstrate to third parties that standards are being met consistently and uniformly.

4. Procedures

4.1. *Opening meeting*

An opening meeting shall be held between representatives of both Parties. At that meeting, the auditor shall be entrusted with the task of reviewing the audit plan and confirming that adequate resources, documentation, and any other facilities necessary are available for conducting the audit.

4.2. *Document review*

The document review may consist of a review of the documents and records as referred to in point 3.1, the structures and powers of the auditee, and any changes in food inspection and certification systems since the adoption of this Annex or since the previous audit, with emphasis on those aspects of the inspection and certification system that relate to the animals or products concerned. This may include an examination of relevant inspection and certification records and documents.

4.3. *On-site verification*

4.3.1. The decision to include this step shall be based upon a risk assessment, taking into account factors such as the products concerned, the past history of compliance with requirements by the industry sector or exporting country, quantities produced and imported or exported, changes in infrastructure and the nature of the national inspection and certification systems.

4.3.2. On-site verification may entail visits to production and manufacturing facilities, food handling or storage areas and control laboratories to check whether the information contained in the documentary material referred to in point 4.2 tallies.

4.4. *Follow-up audit*

Where a follow-up audit is conducted to see whether shortcomings have been put right, it may be sufficient to consider only those points found wanting.

5. Working documents

Forms for reporting audit findings and conclusions shall be standardised as far as possible in order to make audits as uniform, transparent and efficient as possible. The working documents may include checklists of points for assessment. Such checklists may cover:

- legislation,
- the structure of inspection and certification services and the way they operate,
- details of establishments and the way they operate,
- health statistics, sampling plans and results,
- implementation measures and procedures,
- reporting and appeal procedures,
- training programmes.

6. **Closing meeting**

A closing meeting shall be held between representatives of both Parties, attended where appropriate by the officials responsible for implementing the national inspection and certification programmes. At that meeting the auditor shall present the findings of the audit. The information shall be presented clearly and concisely so that the conclusions of the audit are clearly understood.

An action plan to correction any shortcomings noted shall be drawn up by the auditee, preferably with target dates for completion.

7. **Report**

The draft audit report shall be forwarded to the auditee as soon as possible. The latter shall have one month in which to comment on the draft report; any remarks of the auditee shall be included in the final report.

Appendix 10

Border checks and inspection fees**A. Border checks for sectors where recognition of equivalence is mutual**

Type of border check	Rate
1. Documentary checks	100 %
2. Physical checks:	
— milk and milk products	1 %
— animal waste	1 %

B. Border checks for sectors other than as referred to in point A

Type of border check	Rate
1. Documentary checks	100 %
2. Physical checks	max. 10 %

C. Special measures

- Note is taken of Annex 3 to Recommendation No 1/94 of the EC-Switzerland Joint Committee on facilitating certain veterinary checks and formalities for animal products and live animals. The matter shall be examined as soon as possible by the Joint Veterinary Committee.
- The matter of trade between France and Switzerland in fishery products from Lake Geneva and trade between Germany and Switzerland in fishery products from Lake Constance shall be considered as soon as possible by the Joint Veterinary Committee.

D. Fees

- For sectors where recognition of equivalence is mutual, the fees shall be:
EUR 1,5/t, a minimum of EUR 30 and a maximum of EUR 350 being charged per consignment.
- For sectors other than as referred to in point 1, the fees shall be:
EUR 3,5/t, a minimum of EUR 30 and a maximum of EUR 350 being charged per consignment.

These provisions shall be reviewed by the Joint Veterinary Committee one year after the entry into force of this Annex.

*Appendix 11***Contact points****For the European Community**

The Director
VI/BII Public, animal and plant health
European Commission
B-1049 Brussels

Other important contacts:

The Director
Food and Veterinary Office
Dublin
Ireland

Head of Unit
DG VI/B/II/4 Coordination of horizontal health questions
European Commission
B-1049 Brussels

For Switzerland

Office Vétérinaire Fédéral
Case postale
3003 Berne
Switzerland
Tel. (41-31) 323 85 01/02
Fax (41-31) 323 85 90

Other important contacts:

Office Fédéral de la Santé Publique
Case postale
3003 Berne
Tel. (41-31) 322 21 11
Fax (41-31) 322 95 07

Centrale du Service d'Inspection et de Consultation en Matière d'Economie Laitière
Schwarzenburgstraße 161
3097 Liebefeld-Berne
Tel. (41-31) 323 81 03
Fax (41-31) 323 82 27

FINAL ACT

The plenipotentiaries of:

the EUROPEAN COMMUNITY

and

of the SWISS CONFEDERATION,

meeting on the twenty-first day of June in the year one thousand nine hundred and ninety-nine in Luxembourg for the signature of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products, have adopted the Joint Declarations mentioned below and attached to this Final Act:

- Joint Declaration on the bilateral agreements between the Member States of the European Union and Switzerland,
- Joint Declaration on the tariff classification of powdered vegetables and powdered fruits,
- Joint Declaration on the meat sector,
- Joint Declaration on Switzerland's method of administering its tariff quotas for meat,
- Joint Declaration on the implementation of Annex 4 on plant health,
- Joint Declaration on coupage of wine-sector products originating in the community and marketed in Swiss territory,
- Joint Declaration on legislation concerning spirit drinks and aromatised wine-product drinks,
- Joint Declaration on the protection of geographical indications and designations of origin of agricultural products and foodstuffs,
- Joint Declaration on Annex 11 on animal-health and zootechnical measures applicable to trade in live animals and animal products,
- Joint Declaration on further negotiations.
- They also took note of the following Declarations annexed to this Final Act:

Declaration by the European Community on cheese fondues,

- Declaration by Switzerland on grappa,
- Declaration by Switzerland on names for poultry relating to the type of farming,
- Declaration on Swiss attendance of committees.

Hecho en Luxemburgo, el veintiuno de junio de mil novecientos noventa y nueve.

Udfærdiget i Luxembourg den enogtyvende juni nitten hundrede og nioghalvfems.

Geschehen zu Luxemburg am einundzwanzigsten Juni neunzehnhundertneunundneunzig.

Έγινε στο Λουξεμβούργο, στις είκοσι μία Ιουνίου χίλια εννιακόσια ενενήντα εννέα.

Done at Luxembourg on the twenty-first day of June in the year one thousand nine hundred and ninety-nine.

Fait à Luxembourg, le vingt-et-un juin mil neuf cent quatre-vingt dix-neuf.

Fatto a Lussemburgo, addì ventuno giugno millenovecentonovantanove.

Gedaan te Luxemburg, de eenentwintigste juni negentienhonderd negenennegentig.

Feito em Luxemburgo, em vinte e um de Junho de mil novecentos e noventa e nove.


Tehty Luxemburgissa kahdentenakymmenentenäensimmäisenä päivänä kesäkuuta vuonna tuhatyhdeksänsataayhdeksänkymmentäyhdeksän.

Som skedde i Luxemburg den tjugoförsta juni nittonhundraionionio.

Por la Comunidad Europea
For Det Europæiske Fællesskab
Für die Europäische Gemeinschaft
Για την Ευρωπαϊκή Κοινότητα
For the European Community
Pour la Communauté européenne
Per la Comunità europea
Voor de Europese Gemeenschap
Pela Comunidade Europeia
Euroopan yhteisön puolesta
På Europeiska gemenskapens vägnar



Por la Confederación Suiza
For Det Schweiziske Edsforbund
Für die Schweizerische Eidgenossenschaft
Για την Ελβετική Συνομοσπονδία
For the Swiss Confederation
Pour la Confédération suisse
Per la Confederazione svizzera
Voor de Zwitserse Bondsstaat
Pela Confederação Suíça
Sveitsin valaliiton puolesta
På Schweiziska edsförbundets vägnar



JOINT DECLARATION

on the Bilateral Agreements between the Member States of the European Union and Switzerland

The European Community and Switzerland hereby recognise that the bilateral Agreements between the Member States of the European Union and Switzerland shall apply without prejudice and subject to the obligations incumbent on the States which are parties to those Agreements by virtue of their membership of the European Union or of the World Trade Organisation.

They also recognise that the provisions of those Agreements shall stand only in so far as they are compatible with Community law, including the international Agreements concluded by the Community.

JOINT DECLARATION

on the tariff classification of powdered vegetables and powdered fruits

With a view to ensuring the grant, and maintaining the value, of the concessions accorded Switzerland by the Community for certain powdered vegetables and powdered fruits covered by Annex 2 to the Agreement on trade in agricultural products, the customs authorities of the Parties hereby agree to consider updating the tariff classification of powdered vegetables and powdered fruits in the light of experience gained in the application of the tariff concessions.

JOINT DECLARATION

on the meat sector

As from 1 July 1999, in view of the BSE crisis and the measures taken vis-à-vis Swiss exports by certain Member States and by way of an exception, an annual autonomous quota shall be opened by the Community for 700 tonnes net weight dried beef subject to *ad valorem* duty and exempt from the specific duty and shall apply for one year from the entry into force of the Agreement. The situation shall be reviewed where the import restrictions imposed by certain Member States on Switzerland have not been lifted by that date.

In return, for the same period and on the same terms as those applicable hitherto, Switzerland shall maintain its existing concessions (480 t net weight Parma and San Daniele ham, 50 t net weight Serrano ham and 170 t net weight Bresaola).

The rules of origin applicable shall be those of the non-preferential arrangements.

JOINT DECLARATION**on Switzerland's method of administering its tariff quotas for meat**

The European Community and Switzerland hereby declare their intention, jointly and in particular in the light of the provisions of the WTO, to review Switzerland's method of administering its tariff quotas for meat with a view to arriving at a method of administration that is less of a barrier to trade.

JOINT DECLARATION**on the implementation of Annex 4 on plant health**

Switzerland and the Community, hereinafter referred to as 'the Parties', undertake to implement Annex 4 on plant health as swiftly as possible. Annex 4 shall be implemented as and when the Swiss legislation covering plants, plant products and other objects as listed in Appendix A hereto is made equivalent with Community legislation as listed in Appendix B hereto in accordance with a procedure intended to include the plants, plant products and other objects in Appendix 1 to Annex 4 and the legislation of the two Parties in Appendix 2 thereto. That procedure shall also be used to supplement Appendices 3 and 4 to that Annex in line with Appendices C and D hereto as regards the Community and on the basis of the relevant provisions as regards Switzerland.

Articles 9 and 10 of Annex 4 shall be implemented when the said Annex comes into force, with a view to introducing, as swiftly as possible, the instruments for recording the plants, plant products and other objects in Appendix 1 to Annex 4, recording the two Parties' legislative provisions having equivalent results in terms of protection against the introduction and propagation of organisms harmful to plants and plant products in Appendix 2 to Annex 4, recording the authorities responsible for issuing plant health passports in Appendix 3 to Annex 4 and, where necessary, defining the areas and special requirements relating thereto in Appendix 4 to Annex 4.

The Working Party on Plant Health referred to in Article 10 of Annex 4 shall consider the Swiss legislative amendments as soon as possible with a view to ascertaining whether they have equivalent results to the Community's provisions in terms of protection against the introduction and propagation of organisms harmful to plants and plant products. It shall ensure that Annex 4 is implemented gradually so it applies as quickly as possible to the greatest possible number of plants, plant products and other objects as listed in Appendix A hereto.

The Parties undertake to hold technical consultations with a view to promoting the introduction of legislation having equivalent results in terms of protection against the introduction and propagation of organisms harmful to plants and plant products.

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Appendix A

PLANTS, PLANT PRODUCTS AND OTHER OBJECTS FOR WHICH THE TWO PARTIES WILL ENDEAVOUR TO FIND A SOLUTION IN ACCORDANCE WITH ANNEX 4

A. PLANTS, PLANT PRODUCTS AND OTHER OBJECTS ORIGINATING IN THE TERRITORY OF EITHER PARTY

1. Plants and plant products where they are in circulation1.1. *Plants intended for planting, not including seeds**Beta vulgaris* L.*Humulus lupulus* L.*Prunus* L. ⁽¹⁾1.2. *Parts of plants not including fruit or seeds, but including live pollen for pollination**Chaenomeles* Lindl.*Cotoneaster* Ehrh.*Crataegus* L.*Cydonia* Mill.*Eriobotrya* Lindl.*Malus* Mill.*Mespilus* L.*Pyracantha* Roem.*Pyrus* L.*Sorbus* L. except for *S. Intermedia* (Ehrh.) Pers.*Stranvaesia* Lindl.1.3. *Plants of stoloniferous and tuberous species intended for planting**Solanum* L. and hybrids thereof1.4. *Plants, not including fruit or seeds**Vitis* L.**2. Plants, plant products and other objects produced by producers authorised to produce for sale to persons professionally engaged in plant production, other than plants, plant products and other objects prepared and ready for sale to the final consumer and for which it is guaranteed by the (authorities responsible in the) parties, that the production thereof is clearly separate from that of other products**2.1. *Plants, other than seeds**Abies* spp.*Apium graveolens* L.

⁽¹⁾ Subject to special provisions contemplated in respect of the plum pox virus.

Argyranthemum spp.
Aster spp.
Brassica spp.
Castanea Mill.
Cucumis spp.
Dendranthema (DC) Des Moul.
Dianthus L. and hybrids thereof
Exacum spp.
Fragaria L.
Gerbera Cass.
Gypsophila L.
Impatiens L.: all varieties of hybrids from New Guinea
Lactuca spp.
Larix Mill.
Leucanthemum L.
Lupinus L.
Pelargonium L'Hérit. ex Ait.
Picea A. Dietr.
Pinus L.
Populus L.
Pseudotsuga Carr.
Quercus L.
Rubus L.
Spinacia L.
Tanacetum L.
Tsuga Carr.
Verbena L.

2.2. *Plants intended for planting, other than seeds*

Solanaceae, other than those referred to in item 1.3.

2.3. *Rooted plants or plants with growing medium attached or associated*

Araceae
Marantaceae
Musaceae
Persea Mill.
Strelitziaceae

2.4. *Seeds and bulbs*

Allium ascalonicum L.

Allium cepa L.

Allium schoenoprasum L.

2.5. *Plants intended for planting*

Allium porrum L.

2.6. *Bulbs and corms intended for planting*

Camassia Lindl.

Chionodoxa Boiss.

Crocus flavus Weston cv. Golden Yellow

Galanthus L.

Galtonia candicans (Baker) Decne

Gladiolus Tourn. ex L.: miniaturised varieties and hybrids thereof, such as *G. callianthus* Marais, *G. colvillei* Sweet, *G. nanus* hort., *G. ramosus* hort. and *G. tubergenii* hort.

Hyacinthus L.

Iris L.

Ismene Herbert (= *Hymenocallis* Salisb.)

Muscari Mill.

Narcissus L.

Ornithogalum L.

Puschkinia Adams

Scilla L.

Tigridia Juss.

Tulipa L.

B. PLANTS AND PLANT PRODUCTS ORIGINATING IN TERRITORIES OTHER THAN THOSE TERRITORIES REFERRED TO IN A

3. **All plants intended for planting**

other than:

— seeds other than as listed in point 4,

— the following plants:

Citrus L.

Clausena Burm. f.

Fortunella Swingle

Murraya Koenig ex L.

Palmae

Poncirus Raf.

4. Seeds

4.1. Seeds originating in Argentina, Australia, Bolivia, Chile, New Zealand or Uruguay

Cruciferae

Gramineae

Trifolium spp.

4.2. Seeds originating elsewhere than in the territory of either Party

Allium cepa L.

Allium porrum L.

Allium schoenoprasum L.

Capsicum spp.

Helianthus annuus L.

Lycopersicon lycopersicum (L.) Karst. ex Farw.

Medicago sativa L.

Phaseolus L.

Prunus L.

Rubus L.

Zea mays L.

4.3. Seeds of the following genera originating in Afghanistan, India, Iraq, Mexico, Nepal, Pakistan, the United States

Triticum

Secale

X *Triticosecale*

5. Plants, other than fruit and seeds

Vitis L.

6. Parts of plants, other than fruit and seeds

Coniferales

Dendranthema (DC) Des Moul.

Dianthus L.

Pelargonium L'Hérit. ex Ait.

Populus L.

Prunus L. (originating in non-European countries)

Quercus L.

7. **Fruits (from non-European countries)**

Annona L.

Cydonia Mill.

Diospyros L.

Malus Mill.

Mangifera L.

Passiflora L.

Prunus L.

Psidium L.

Pyrus L.

Ribes L.

Syzygium Gaertn.

Vaccinium L.

8. **Tubers other than those intended for planting**

Solanum tuberosum L.

9. **Wood which has totally or partially retained its natural round surface, with or without bark, or which is presented in the form of chips, particles, sawdust, wood waste or scrap**

(a) where it has been obtained in whole or in part from the plants as described hereafter:

— *Castanea* Mill.

— *Castanea* Mill., *Quercus* L. (including wood which has not retained its natural round surface, originating in countries in north America)

— *Coniferales* other than *Pinus* L. (including wood which has not retained its natural round surface, originating in non-European countries)

— *Pinus* L. (including wood which has not retained its natural round surface)

— *Populus* L. (originating in American countries)

— *Acer saccharum* Marsh. (including wood which has not retained its natural round surface, originating in countries in north America),

and

(b) where it meets one of the following descriptions:

CN Code	Description
4401 10	Fuel wood, in logs, in billets, in twigs, in faggots or in similar forms
ex 4401 21	Wood in chips or particles: — of <i>Coniferales</i> originating in non-European countries
4401 22	Wood in chips or particles: — — other than <i>Coniferales</i>

CN Code	Description
4401 30	Wood waste and scrap, agglomerated in logs, briquettes, pellets or similar forms
ex 4403 20	Wood in the rough, whether or not stripped of bark or sapwood, or roughly squared: – other than treated with paint, stains, creosote or other preservatives of <i>Coniferales</i> originating in non-European countries
4403 91	Wood in the rough, whether or not stripped of bark or sapwood, or roughly squared: – other than treated with paint, stains, creosote or other preservatives – – of <i>Quercus</i> L.
4403 99	Wood in the rough, whether or not stripped of bark or sapwood, or roughly squared: – other than treated with paint, stains, creosote or other preservatives – – other than <i>Coniferales</i> , <i>Quercus</i> L. or <i>Fagus</i> L.
ex 4404 10	Split poles: piles, pickets and stakes of wood, pointed but not sawn lengthwise: – of <i>Coniferales</i> originating in non-European countries
ex 4404 20	Split poles: piles, pickets and stakes of wood, pointed but not sawn lengthwise: – other than <i>Coniferales</i>
4406 10	Railway or tramway sleepers (cross-ties) of wood – not impregnated
ex 4407 10	Wood sawn or chipped lengthwise, sliced or peeled, not planed, sanded or finger-jointed, of a thickness exceeding 6 mm; in particular beams, planks, flitches, boards, laths: – of <i>Coniferales</i> originating in non-European countries
ex 4407 91	Wood sawn or chipped lengthwise, sliced or peeled, not planed, sanded or finger-jointed, of a thickness exceeding 6 mm; in particular beams, planks, flitches, boards, laths: – of <i>Quercus</i> L.
ex 4407 99	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6 mm; in particular beams, planks, flitches, boards, laths: – other than of <i>Coniferales</i> , tropical woods, <i>Quercus</i> L. or <i>Fagus</i> L.
ex 4415 10	Packing, cases, crates and drums of wood originating in non-European countries
ex 4415 20	Pallets, box pallets and other load boards of wood originating in non-European countries
ex 4416 00	Barrels of wood, including staves, of <i>Quercus</i> L.

Pallets and box pallets (CN code ex 4415 20) are also exempted where they satisfy the standards applicable to 'UIC' pallets and bear a mark attesting to such compliance.

10. **Soil and growing medium**

- (a) Soil and growing medium as such, which consists in whole or in part of soil or solid organic substances such as parts of plants, humus including peat or bark, other than that composed entirely of peat
 - (b) Soil and growing medium, attached to or associated with plants, consisting in whole or in part of material specified in point (a) or consisting in whole or in part of peat or of any other solid inorganic substance intended to sustain the vitality of the plants.
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Appendix B

LEGISLATION

European Community provisions:

- Council Directive 69/464/EEC of 8 December 1969 on control of potato wart disease
- Council Directive 69/465/EEC of 8 December 1969 on control of potato cyst eelworm
- Council Directive 69/466/EEC of 8 December 1969 on control of San José scale
- Council Directive 74/647/EEC of 9 December 1974 on control of carnation leaf-rollers
- Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products, as last amended by Commission Directive 98/2/EC
- Commission Decision 91/261/EEC of 2 May 1991 recognising Australia as being free from *Erwinia amylovora* (Burr.) Winsl. et al.
- Commission Directive 92/70/EEC of 30 July 1992 laying down detailed rules for surveys to be carried out for purposes of the recognition of protected zones in the Community
- Commission Directive 92/76/EEC of 6 October 1992 recognising protected zones exposed to particular plant-health risks in the Community, as last amended by Directive 98/17/EC
- Commission Directive 92/90/EEC of 3 November 1992 establishing obligations to which producers and importers of plants, plant products or other objects are subject and establishing details for their registration
- Commission Directive 92/105/EEC of 3 December 1992 establishing a degree of standardisation for plant passports to be used for the movement of certain plants, plant products or other objects within the Community, and establishing the detailed procedures related to the issuing of such plant passports and the conditions and detailed procedures for their replacement
- Commission Decision 93/359/EEC of 28 May 1993 authorising the Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of wood of *Thuja* L., originating in the United States of America
- Commission Decision 93/360/EEC of 28 May 1993 authorising the Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of wood of *Thuja* L., originating in Canada
- Commission Decision 93/365/EEC of 2 June 1993 authorising the Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of heat-treated coniferous wood, originating in Canada, and establishing the details of the indicator system to be applied to the heat-treated wood
- Commission Decision 93/422/EEC of 22 June 1993 authorising the Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of kiln-dried coniferous wood, originating in Canada, and establishing the details of the indicator system to be applied to the kiln dried wood
- Commission Decision 93/423/EEC of 22 June 1993 authorising the Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of kiln-dried coniferous wood, originating in the United States of America, and establishing the details of the indicator system to be applied to the kiln-dried wood
- Commission Directive 93/50/EEC of 24 June 1993 specifying certain plants not listed in Annex V, part A, to Council Directive 77/93/EEC, the producers of which, or the warehouses, dispatching centres in the production zones of such plants, shall be listed in an official register
- Commission Directive 93/51/EEC of 24 June 1993 establishing rules for movements of certain plants, plant products or other objects through a protected zone, and for movements of such plants, plant products or other objects originating in and moving within such a protected zone

- Commission Decision 93/452/EEC of 15 July 1993 authorising the Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC, in respect of plants of *Chamaecyparis* Spach, *Juniperus* L. and *Pinus* L., respectively, originating in Japan, as last amended by Decision 96/711/EC
 - Commission Decision 93/467/EEC of 19 July 1993 authorising Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of oak (*Quercus* L.) logs with bark attached, originating in Canada or the United States of America, as last amended by Decision 96/724/EC
 - Council Directive 93/85/EEC of 4 October 1993 on the control of potato ring rot
 - Commission Directive 95/44/EC of 26 July 1995 establishing the conditions under which certain harmful organisms, plants, plant products and other objects listed in Annexes I to V to Council Directive 77/93/EEC may be introduced into or moved within the Community or certain protected zones thereof, for trial or scientific purposes and for work on varietal selections, as last amended by Directive 97/46/EC
 - Commission Decision 95/506/EC of 24 November 1995 authorising Member States temporarily to take additional measures against the dissemination of *Pseudomonas solanacearum* (Smith) Smith as regards the Kingdom of the Netherlands, as last amended by Decision 97/649/EC
 - Commission Decision 96/301/EC of 3 May 1996 authorising Member States temporarily to take additional measures against the dissemination of *Pseudomonas solanacearum* (Smith) Smith as regards Egypt
 - Commission Decision 96/618/EC of 16 October 1996 authorising the Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of potatoes, other than potatoes intended for planting originating in the Republic of Senegal
 - Commission Decision 97/5/EC of 12 December 1996 recognising Hungary as being free from *Clavibacter michiganensis* (Smith) Davis et al spp. *Sepedonicus* (Spieckerman et Kotthoff) Davis et al.
 - Commission Decision 97/353/EC of 20 May 1997 authorising Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of plants of strawberry (*Fragaria* L.), intended for planting, other than seeds, originating in Argentina
 - Commission Directive 98/22/EC of 15 April 1998 laying down the minimum conditions for carrying out plant health checks in the Community, at inspection posts other than those at the place of destination, of plants, plant products or other objects coming from third countries
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Appendix C

AUTHORITIES RESPONSIBLE FOR ISSUING PLANT PASSPORTS**Community**

Ministère des Classes moyennes et de l'Agriculture
Service de la Qualité et de la Protection des végétaux
WTC 3 — 6ème étage
Boulevard Simon Bolivar 30
B-1210 Brussels
Tel. (32-2) 208 37 04
Fax (32-2) 208 37 05

Ministeriet for Fødevarer, Landbrug og Fiskeri
Plantedirektoratet
Skovbrynet 20
DK-2800 Lyngby
Tel. (45) 45 96 66 00
Fax (45) 45 96 66 10

Bundesministerium für Ernährung, Landwirtschaft und Forsten
Rochusstraße 1
D-53123 Bonn 1
Tel. (49-228) 529 35 90
Fax (49-228) 529 42 62

Ministry of Agriculture
Directorate of Plant Produce
Plant Protection Service
3-5, Ippokratous Str.
GR-10164 Athens
Tel. (30-1) 360 54 80
Fax (30-1) 361 71 03

Ministerio de Agricultura, Pesca y Alimentación
Dirección General de Sanidad de la Producción Agraria
Subdirección general de Sanidad Vegetal
MAPA, c/Velazquez, 147 1a Planta
E-28002 Madrid
Tel. (34-1) 347 82 54
Fax (34-1) 347 82 63

Ministry of Agriculture and Forestry
Plant Production Inspection Centre
Plant Protection Service
Vilhonvuorenkatu 11 C, PO box 42
FIN-00501 Helsinki
Tel. (358-0) 13 42 11
Fax (358-0) 13 42 14 99

Ministère de l'Agriculture, de la Pêche et de l'Alimentation
Direction générale de l'Alimentation
Sous-direction de la Protection des végétaux
175 rue du Chevaleret
F-75013 Paris
Tel. (33-1) 49 55 49 55
Fax (33-1) 49 55 59 49

Ministero delle Risorse Agricole, Alimentari e Forestali
DGPAAN — Servizio Fitosanitario Centrale
Via XX Settembre, 20
I-00195 Rome
Tel. (39-6) 488 42 93 — 46 65 50 70
Fax (39-6) 481 46 28

Ministerie van Landbouw, Natuurbeheer en Visserij
Plantenziektenkundige Dienst (PD)
Geertjesweg 15—Postbus 91026700 HC Wageningen
The Netherlands
Tel. (31-317) 49 69 11
Fax (31-317) 42 17 01

Bundesministerium für Land- und Forstwirtschaft
Stubenring 1
Abteilung Pflanzenschutzdienst
A-1012 Vienna
Tel. (43-1) 711 00 68 06
Fax (43-1) 711 00 65 07

Direcção-geral de Protecção das culturas
Quinta do Marquês
P-2780 Oeiras
Tel. (351-1) 443 50 58/443 07 72/3
Fax (351-1) 442 06 16/443 05 27

Swedish Board of Agriculture
Plant Protection Service
S-551 82 Jönköping
Tel. (46-36) 15 59 13
Fax (46-36) 12 25 22

Ministère de l'Agriculture
ASTA
16, route d'EschBP 1904
L-1019 Luxembourg
Tel. (352) 45 71 72 218
Fax (352) 45 71 72 340

Department of Agriculture, Food and Forestry
Plant Protection Service Agriculture House (7 West),
Kildare street
Dublin 2
Ireland
Tel. (353-1) 607 20 03
Fax (353-1) 661 62 63

Ministry of Agriculture, Fisheries and Food
Plant Health Division
Foss House, Kings Pool
1-2 Peasholme Green
York YO1 2PX
United Kingdom
Tel. (44-1904) 45 51 61
Fax (44-1904) 45 51 63

*Appendix D***ZONES REFERRED TO IN ARTICLE 4 AND SPECIAL REQUIREMENTS RELATING TO THEM**

The zones referred to in Article 4 and the special requirements relating to them are defined in the two parties' respective legislative and administrative provisions set out below.

European Community provisions

- Commission Directive 92/76/EEC of 6 October 1992 recognising protected zones exposed to particular plant health risks in the Community
 - Commission Directive 92/103/EEC of 1 December 1992 amending Annexes I to IV to Council Directive 77/93/EEC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community
 - Commission Directive 93/106/EEC of 29 November 1993 amending Directive 92/76/EEC recognising protected zones exposed to particular plant-health risks in the Community
 - Commission Directive 93/110/EC of 9 December 1993 amending certain Annexes to Council Directive 77/93/EEC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community
 - Commission Directive 94/61/EC of 15 December 1994 extending the period of provisional recognition of certain protected zones provided for in Article 1 of Directive 92/76/EEC
 - Commission Directive 95/4/EC of 21 February 1995 amending certain Annexes to Council Directive 77/93/EEC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community
 - Commission Directive 95/40/EC of 19 July 1995 amending Directive 92/76/EEC recognising protected zones exposed to particular plant-health risks in the Community
 - Commission Directive 95/65/EC of 14 December 1995 amending Directive 92/76/EEC recognising protected zones exposed to particular plant-health risks in the Community
 - Commission Directive 95/66/EC of 14 December 1995 amending certain Annexes to Council Directive 77/93/EEC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community
 - Commission Directive 96/14/Euratom, ECSC, EC of 12 March 1996 amending certain Annexes to Council Directive 77/93/EEC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community
 - Commission Directive 96/15/EC of 14 March 1996 amending Directive 92/76/EEC recognising protected zones exposed to particular plant-health risks in the Community
 - Commission Directive 96/76/EC of 29 November 1996 amending Directive 92/76/EEC recognising protected zones exposed to particular plant-health risks in the Community
 - Commission Directive 95/41/EC of 19 July 1995 amending certain Annexes to Council Directive 77/93/EEC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community
 - Commission Directive 98/17/EC of 11 March 1998 amending Directive 92/76/EEC recognising protected zones exposed to particular plant-health risks in the Community
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JOINT DECLARATION

on coupage of wine-sector products originating in the Community and marketed in Swiss Territory

Article 4(1) of Annex 7, read in conjunction with point A of Appendix 1 thereto, permits coupage on Swiss territory of wine-sector products originating in the Community with other Community wine-sector products or with products of other origins solely under the conditions laid down in the relevant Community provisions or, where no such provisions exist, in the provisions of the Member States listed in Appendix 1. As a consequence, Article 371 of the Swiss Ordonnance of 1 March 1995 on foodstuffs shall not apply to such products.

JOINT DECLARATION

on legislation concerning spirit drinks and aromatised wine-product drinks

Desirous of establishing favourable conditions for facilitating and promoting trade with each other in spirit drinks and aromatised wine-product drinks and, to that end, of eliminating technical barriers to trade in such drinks, the Parties hereby agree as follows:

Switzerland hereby undertakes to make its legislation equivalent to Community legislation on the subject and as of now to initiate the relevant procedures with a view to adapting, within three years of the entry into force of the Agreement, its legislation on the definition, description and presentation of spirit drinks and aromatised wine-product drinks.

Once Switzerland has introduced legislation deemed by both Parties as equivalent to that of the Community, the European Community and Switzerland shall initiate the procedures to incorporate in the Agreement on trade in agricultural products an annex on the mutual recognition of their legislation on spirit drinks and aromatised wine-product drinks.

JOINT DECLARATION

on the protection of geographical indications and designations of origin of agricultural products and foodstuffs

The European Community and Switzerland (hereinafter referred to as 'the Parties') hereby agree that the mutual protection of designations of origin (PDOs) and geographical indications (PGIs) is essential for the liberalisation of trade in agricultural products and foodstuffs between the Parties. The incorporation of provisions relating thereto in the bilateral Agreement on trade in agricultural products is a necessary addition to Annex 7 to the Agreement on trade in wine-sector products, and in particular Title II thereof, which provides for the mutual protection of the names of such products, and to Annex 8 to the Agreement on the mutual recognition and protection of names of spirit drinks and aromatised wine-based drinks.

The Parties shall provide for provisions on the mutual protection of PDOs and PGIs to be incorporated in the Agreement on trade in agricultural products on the basis of equivalent legislation, as regards both the conditions governing the registration of PDOs and PGIs and the arrangements on controls. The incorporation of those provisions should take place on a date which is acceptable to both Parties, and not before Article 17 of Council Regulation (EEC) No 2081/92 has been fully applied as regards the Community as constituted at present. In the meantime, the Parties shall keep each other informed of their work in this area while taking legal constraints into account.

JOINT DECLARATION**on Annex 11 on animal-health and zootechnical measures applicable to trade in live animals and animal products**

In conjunction with the Member States concerned, the Commission of the European Communities shall closely monitor the development of BSE and measures to combat the disease adopted by Switzerland with a view to finding an appropriate solution. Under these circumstances, Switzerland hereby undertakes not to initiate any procedures against the Community or its Member States within the World Trade Organisation.

JOINT DECLARATION**on further negotiations**

The European Community and the Swiss Confederation declare their intention of undertaking negotiations to conclude agreements in areas of common interest such as the updating of Protocol 2 to the 1972 Free Trade Agreement and Swiss participation in certain Community training, youth, media, statistical and environmental programmes. Preparatory work for these negotiations should proceed rapidly once the current bilateral negotiations have been concluded.

DECLARATION BY THE EUROPEAN COMMUNITY**on cheese fondues**

The European Community hereby declares its readiness, in connection with the adaptation of Protocol 2 to the 1972 Free Trade Agreement, to consider the list of cheeses used in cheese fondues.

DECLARATION BY SWITZERLAND**on grappa**

Switzerland hereby declares that it undertakes to abide by the definition laid down in the Community for the name 'grappa' ('grape marc spirit' or 'grape marc') referred to in Article 1(4)(f) of Council Regulation (EEC) No 1576/89.

DECLARATION BY SWITZERLAND

on names for poultry relating to the type of farming

Switzerland hereby declares that it currently has no legislation relating specifically to the type of farming and the names for poultry.

Nonetheless, it declares its intention as of now to initiate the relevant procedures with a view, within three years of the entry into force of the Agreement, to adopting legislation specifically relating to the type of farming and the names for poultry that is equivalent to the Community legislation on the subject.

Switzerland hereby declares that it has relevant legislation relating in particular to protecting consumers against misleading practices, to animal protection, to the protection of marks and to combating unfair competition.

It declares that the existing legislation is applied in such a way as to ensure that the consumer is provided with relevant, objective information with a view to guaranteeing fair competition between poultry of Swiss origin and poultry of Community origin. It shall pay special attention to preventing the utilisation of inaccurate or deceptive information liable to mislead the consumer as to the nature of the products, the type of farming and the names for poultry placed on the market in Switzerland.

DECLARATION

on Swiss attendance of committees

The Council agrees that Switzerland's representatives may, in so far as the items concern them, attend meetings of the following committees and expert working parties as observers:

- Committees of research programmes, including the Scientific and Technical Research Committee (CREST),
- Administrative Commission on Social Security for Migrant Workers,
- Coordinating Group on the mutual recognition of higher-education diplomas,
- Advisory committees on air routes and the application of competition rules in the field of air transport.

Switzerland's representatives shall not be present when these committees vote.

In the case of other committees dealing with areas covered by these agreements in which Switzerland has adopted either the *acquis communautaire* or equivalent measures, the Commission will consult Swiss experts by the method specified in Article 100 of the EEA Agreement.

AGREEMENT

between the European Community and the Swiss Confederation on mutual recognition in relation to conformity assessment

THE EUROPEAN COMMUNITY, hereinafter referred to as 'the Community', and

THE SWISS CONFEDERATION, hereinafter referred to as 'Switzerland',

together hereinafter referred to as 'the Parties',

Considering the close ties that exist between the Community and Switzerland;

Considering the Free Trade Agreement of 22 July 1972 between Switzerland and the European Economic Community;

Desiring to conclude an Agreement providing for the mutual recognition of the results of conformity assessment procedures required for access to the respective markets of the Parties;

Considering that mutual recognition in relation to conformity assessment will facilitate trade between the Parties and ensure protection for health, safety, the environment and consumers;

Considering the alignment of legislation will facilitate mutual recognition;

Considering their obligations as Contracting Parties to the Agreement establishing the World Trade Organisation and, in particular, to the Agreement on Technical Barriers to Trade, which encourages the negotiation of mutual recognition agreements;

Considering that mutual recognition agreements contribute to harmonisation at international level of the technical regulations, standards and principles governing implementation of conformity assessment procedures;

Considering that the close ties between the Community and Switzerland, of the one part, and Iceland, Liechtenstein and Norway, of the other, makes the conclusion of parallel agreements between those countries and Switzerland appropriate,

Have agreed to conclude the following Agreement:

Article 1

Purpose

1. The Community and Switzerland hereby grant mutual acceptance of reports, certificates, authorisations and conformity marks issued by the bodies listed in Annex 1 and of the manufacturer's declarations of conformity certifying conformity to the requirements of the other Party in the areas covered by Article 3.

2. In order to avoid duplication of procedures when Swiss and Community requirements are deemed equivalent, the Community and Switzerland shall mutually accept reports, certificates and authorisations issued by the bodies listed in Annex 1 and manufacturer's declarations of conformity certifying conformity to their respective requirements in the areas covered by Article 3. Reports, certificates, authorisations

and manufacturer's declarations of conformity shall in particular indicate conformity with the Community legislation. Conformity marks required by the legislation of one of the Parties must be affixed to products placed on the market of that Party.

3. The Committee provided for in Article 10 shall specify the cases in which paragraph 2 shall apply.

Article 2

Definitions

1. For the purposes of this Agreement:

'Conformity assessment' shall mean systematic examination to determine the extent to which a product, process or service fulfils specified requirements;

'Conformity assessment body' shall mean a public or private law body whose activities include performance of all or any stage of the conformity assessment process;

'Designating authority' shall mean an authority with the legal power to designate, suspend, withdraw designation or remove suspension of conformity assessment bodies under its jurisdiction.

2. The definitions laid down by ISO/IEC Guide 2 (1996 edition) and in European standard EN 45020 (1993 edition) in relation to 'General terms and their definitions concerning standardisation and related activities' may be used to establish the meaning of the general terms relating to conformity assessment contained in this Agreement.

Article 3

Scope

1. This Agreement covers the obligatory conformity assessment procedures ensuing from the legislative, regulatory and administrative provisions listed in Annex 1.

2. Annex 1 defines the product sectors covered by this Agreement. The Annex is divided up into sectoral chapters and these are subdivided in principle as follows:

section I: legislative, regulatory and administrative provisions;

section II: conformity assessment bodies;

section III: designating authorities;

section IV: special rules relating to the designation of conformity assessment bodies;

section V: any additional provisions.

3. Annex 2 sets out general rules applicable to the designation of conformity assessment bodies.

Article 4

Origin

1. This Agreement shall cover products originating in the Parties, without prejudice to the special provisions laid down in Annex 1.

2. In the event that such products are also covered by agreements on mutual recognition in relation to conformity assessment between Switzerland and Member States of both EFTA and the EEA, the present Agreement shall also cover products of those EFTA Member States.

3. Origin shall be determined in accordance with the rules governing non-preferential origin applicable in each of the Parties or, where appropriate, in the countries referred to in paragraph 2. In the event of divergent rules, the rules of the Party in which the goods will be placed on the market shall apply.

4. Proof of origin may be provided by presentation of a certificate of origin. This certificate shall not be required in the case of imports covered by an EUR 1 movement certificate or by an invoice declaration issued in accordance with Protocol No 3 to the Free Trade Agreement of 22 July 1972 between Switzerland and the EEC, provided that that document indicates as the country of origin one of the Parties or a Member State of both EFTA and the EEA.

Article 5

Conformity assessment bodies

The Parties hereby recognise that the bodies listed in Annex 1 fulfil the conditions of eligibility to assess conformity.

Article 6

Designating authorities

1. The Parties hereby undertake to ensure that their designating authorities have the necessary power and competence to designate or withdraw designation, suspend or remove suspension of the bodies listed in Annex 1. For the designation of conformity assessment bodies, the authorities shall observe the general principles for designation set out in Annex 2, subject to the provisions of the respective section IV in Annex 1. These authorities shall observe the same principles when withdrawing designation, suspending or removing suspension.

2. The decision to include conformity assessment bodies in or remove them from Annex 1 shall be taken on a proposal from one of the Parties in accordance with the procedure set out in Article 11.

3. In the event of the suspension or withdrawal of the suspension by a designating authority of a conformity assessment body listed in Annex 1 under its jurisdiction, the Party concerned shall immediately notify the other Party and the Chairman of the Committee. Reports, certificates, authorisations and conformity marks issued by the conformity assessment body while under suspension need not be recognised by the Parties.

Article 7

Verification of designation procedures

1. The Parties shall exchange information concerning the procedures used to ensure that the conformity assessment bodies under their jurisdiction listed in Annex 1 comply with the general principles of designation outlined in Annex 2 subject to the provisions of the respective section IV in Annex 1.
2. The Parties shall compare methods used to verify conformity of the bodies with the general principles of designation outlined in Annex 2, subject to the provisions of the respective section IV in Annex 1. Existing systems for the accreditation of conformity assessment bodies in the Parties may be used for the purpose of such comparisons.
3. Verification shall be carried out in accordance with the procedure implemented by the Committee under Article 10 below.

Article 8

Verification of compliance of conformity assessment bodies

1. Each Party shall, in exceptional circumstances, have the right to contest the technical competence of the conformity assessment bodies proposed by the other Party or listed in Annex 1 under the jurisdiction of the other Party.

For this purpose, it shall submit in writing an objective and reasoned argument to the other Party and to the Chairman of the Committee.

2. In the event of a disagreement between the Parties, confirmed in the Committee, a verification of the technical competence of the conformity assessment body in question shall be undertaken in accordance with requirements jointly by the Parties, with the participation of the competent authorities concerned.

The result of that verification shall be discussed in the Committee with a view to resolving the issue as soon as possible.

3. Each Party shall ensure that the conformity assessment bodies under its jurisdiction are available for verification of their technical competence as required.
4. Unless otherwise decided by the Committee, the disputed body shall be suspended by the competent designating authority from the time disagreement has been established until agreement has been reached in the Committee.

Article 9

Implementation of the Agreement

1. The Parties shall cooperate with a view to ensuring the satisfactory application of the legislative, regulatory and administrative provisions listed in Annex 1.
2. The designating authorities shall ascertain by appropriate means whether the conformity assessment bodies under their jurisdiction listed in Annex 1 are observing the general principles of designation listed in Annex 2, subject to the provisions listed in the respective section IV in Annex 1.
3. The conformity assessment bodies listed in Annex 1 shall cooperate in an appropriate way in the framework of the coordination and comparison work conducted by each of the Parties in respect of the sectors covered by Annex 1 in order to ensure that the conformity assessment procedures provided for in the laws and regulations of the Parties covered by this Agreement are applied in a consistent manner.

Article 10

Committee

1. A Committee on mutual recognition in relation to conformity assessment (hereinafter referred to as the 'Committee'), is hereby established. It shall be composed of representatives of the Parties, and shall be responsible for the management and monitoring of the smooth functioning of this Agreement. To that end, it shall issue recommendations and take decisions in the circumstances provided for in this Agreement. It shall act by mutual agreement.
2. The Committee shall establish its own rules of procedure, which shall contain, *inter alia*, provisions on the convening of meetings, the appointment of the chairman and the chairman's term of office.
3. The Committee shall meet as and when necessary and at least once a year. Either Party may request the convening of a meeting.
4. The Committee may consider any matter related to this Agreement. In particular, it shall be responsible for:
 - (a) the inclusion of conformity assessment bodies in Annex 1;
 - (b) the removal of conformity assessment bodies from Annex 1;
 - (c) drawing up the procedure for carrying out the verifications provided for in Article 7;

- (d) drawing up the procedure for carrying out the verifications provided for in Article 8;
 - (e) examining any legislative, regulatory and administrative provisions notified by one Party to another pursuant to Article 12 in order to assess their repercussions on the Agreement and to amend the appropriate sections in Annex 1.
5. The Committee may, on a proposal from one of the Parties, modify the Annexes to this Agreement.

Article 11

Inclusion of conformity assessment bodies in annex 1 and their removal

The Committee shall decide to include a conformity assessment body in Annex 1 or to remove it from Annex 1 in accordance with the following procedure:

- (a) A Party wishing to add to or remove from Annex 1 any conformity assessment body shall notify the Chairman of the Committee and the other Party of the proposal for a decision to that effect, adding the appropriate information to its request.
- (b) If the other Party agrees to the proposal or raises no objection within 60 days of the notification of the proposal, the proposed decision shall be adopted by the Committee.
- (c) If the other Party raises objections within that 60-day period, the procedure provided for in Article 8(2) shall be applied.
- (d) The Chairman of the Committee shall notify the Parties without delay of all decisions of the Committee. They shall take effect from the date fixed in the decision.
- (e) If the Committee decides to include a conformity assessment body in Annex 1, the Parties shall recognise the reports, certificates, authorisations and conformity marks issued by that body with effect from the date of entry into force of the decision. If the Committee decides to remove a body from Annex 1, the Parties shall recognise the reports, certificates, authorisations and conformity marks issued by that body until the date on which that decision takes effect.

Article 12

Information exchange

1. The Parties shall exchange all relevant information regarding implementation and application of the legislative, regulatory and administrative provisions listed in Annex 1.

2. Each Party shall inform the other Party of the changes it intends to make to the legislative, regulatory and administrative provisions relating to the subject matter of this Agreement and shall notify the other Party of the new provisions at least 60 days before their entry into force.

3. Where the legislation of one of the Parties stipulates that a specific item of information must be made available to the competent authority by a person established in its territory, that authority may also approach the competent authority of the other Party or enter into direct contact with the manufacturer or, if appropriate, the latter's agent in the territory of the other Party, in order to obtain that information.

4. Each Party shall immediately notify the other Party of safeguard measures taken in its territory.

Article 13

Confidentiality

Representatives, experts and other agents of the Parties shall be required, even after their duties have ceased, not to disclose information acquired under this Agreement which is of the kind covered by the obligation of professional secrecy. This information may not be used for purposes other than those envisaged by this Agreement.

Article 14

Dispute settlement

Each Party may refer any dispute relating to the interpretation or application of this Agreement to the Committee. The Committee shall endeavour to settle the dispute, and must be supplied with any information which may facilitate a thorough examination of the situation with a view to finding an acceptable solution. For that purpose, the Committee shall consider every possible means of maintaining the smooth functioning of this Agreement.

Article 15

Agreements with third countries

The Parties hereby agree that mutual recognition agreements concluded by either Party with a country that is not party to this Agreement shall in no circumstances entail an obligation upon the other Party in terms of the acceptance of manufacturer's declarations of conformity as well as of reports, certificates, authorisations and marks issued by conformity assessment bodies in that third country, unless there is an explicit agreement between the Parties.

*Article 16***Annexes**

The Annexes to this Agreement shall form an integral part thereof.

*Article 17***Territorial application**

This Agreement shall apply, as regards the Community, to the territories in which the Treaty establishing the European Community is applied under the conditions laid down in that Treaty, on the one hand, and to the territory of Switzerland, on the other.

*Article 18***Revision**

1. If a Party wishes to have this Agreement revised, it shall inform the Committee. Modifications to this Agreement shall enter into force after the respective internal procedures have been completed.

2. The Committee may modify Annexes 1 and 2 to this Agreement on a proposal from one of the Parties.

*Article 19***Suspension**

Where a Party establishes that the other Party is failing to comply with the conditions of this Agreement, it may, after consulting the Committee, suspend application of Annex 1 in full or in part.

*Article 20***Acquired rights**

The Parties shall continue to recognise reports, certificates, authorisations and conformity marks and manufacturers'

declarations of conformity issued in accordance with, and prior to the expiry of, this Agreement, provided that the request for conformity evaluation to be started was made before the notice of non-renewal or denunciation was given.

*Article 21***Entry into force and duration**

1. This Agreement shall be ratified or approved by the Parties in accordance with their own procedures. It shall enter into force on the first day of the second month following the last notification of deposit of the instruments for ratification or approval of all the following seven agreements:

Agreement on the mutual recognition in relation to conformity assessment

Agreement on the free movement of persons

Agreement on air transport

Agreement on the carriage of goods and passengers by rail and road

Agreement on trade in agricultural products

Agreement on certain aspects of public procurement

Agreement on scientific and technical cooperation.

2. This Agreement shall be concluded for an initial period of seven years. It shall be tacitly extended, unless the Community or Switzerland notifies the other Party to the contrary before the expiry of that period. Where such notification is given, the provisions of paragraph 4 shall apply.

3. The Community or Switzerland may denounce this Agreement by notifying the other Party. Where such notification is given, the provisions of paragraph 4 shall apply.

4. The seven agreements referred to in paragraph 1 shall cease to apply six months after receipt of the non-renewal notice described in paragraph 2 or the denunciation notice described in paragraph 3.

Hecho en Luxemburgo, el veintiuno de junio de mil novecientos noventa y nueve. El presente Acuerdo se establecerá por duplicado en lenguas alemana, danesa, española, finesa, francesa, griega, inglesa, italiana, neerlandesa, portuguesa y sueca y cada uno de estos textos será auténtico.

Udfærdiget i Luxembourg, den enogtyvende juni nitten hundrede og nioghalvfems i to eksemplarer på dansk, engelsk, finsk, fransk, græsk, italiensk, nederlandsk, portugisisk, spansk, svensk og tysk, idet hver af disse tekster har samme gyldighed.

Geschehen zu Luxemburg am einundzwanzigsten Juni neunzehnhundertneunundneunzig in zwei Urschriften in dänischer, deutscher, englischer, finnischer, französischer, griechischer, italienischer, niederländischer, portugiesischer, schwedischer und spanischer Sprache, wobei jeder Wortlaut gleichermaßen verbindlich ist.

Έγινε στο Λουξεμβούργο, στις είκοσι μία Ιουνίου χίλια εννιακόσια ενενήντα εννέα. Η παρούσα συμφωνία καταρτίζεται εις διπλούν στα αγγλικά, τα γαλλικά, τα γερμανικά, τα δανικά, τα ελληνικά, τα ισπανικά, τα ιταλικά, τα ολλανδικά, τα πορτογαλικά, τα σουηδικά και τα φινλανδικά, καθένα από τα κείμενα αυτά είναι αυθεντικό.

Done at Luxembourg on the twenty-first day of June in the year one thousand and ninety-nine. This Agreement is drawn up in duplicate in the Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish and Swedish languages, each text being equally authentic.

Fait à Luxembourg, le vingt-et-un juin mil neuf cent quatre-vingt dix-neuf, en double exemplaire, en langues allemande, anglaise, danoise, espagnole, finnoise, française, grecque, italienne, néerlandaise, portugaise et suédoise, chacun de ces textes faisant également foi.

Fatto a Lussemburgo, addì ventuno giugno millenovecentonovantanove, in due copie nelle lingue danese, finlandese, francese, greco, inglese, italiano, olandese, portoghese, spagnolo, svedese e tedesco; tutte facenti ugualmente fede.

Gedaan te Luxemburg, de eenentwintigste juni negentienhonderd negennegentig, in tweevoud in de Deense, de Duitse, de Engelse, de Finse, de Franse, de Griekse, de Italiaanse, de Nederlandse, de Portugese, de Spaanse en de Zweedse taal, zijnde alle teksten gelijkelijk authentiek.

Feito em Luxemburgo, em vinte e um de Junho de mil novecentos e noventa e nove, em dois exemplares em língua alemã, inglesa, dinamarquesa, espanhola, finlandesa, francesa, grega, italiana, neerlandesa, portuguesa e sueca, todas as versões fazendo igualmente fé.

Tehty Luxemburgissa kahdentenkymmenentenäensimmäisenä päivänä kesäkuuta vuonna tuhatyhdeksänsataayhdeksänkymmentäyhdeksän kahtena kappaleena englannin, espanjan, hollannin, italian, kreikan, portugalin, ranskan, ruotsin, saksan, suomen ja tanskan kielellä, ja jokainen teksti on yhtä todistusvoimainen.

Utfärdat i Luxemburg den tjugoförsta juni nittonhundraionio i två exemplar på det danska, engelska, finska, franska, grekiska, italienska, nederländska, portugisiska, spanska, svenska och tyska språket, vilka samtliga texter är lika giltiga.

Por la Comunidad Europea

For Det Europæiske Fællesskab

Für die Europäische Gemeinschaft

Για την Ευρωπαϊκή Κοινότητα

For the European Community

Pour la Communauté européenne

Per la Comunità europea

Voor de Europese Gemeenschap

Pela Comunidade Europeia

Euroopan yhteisön puolesta

På Europeiska gemenskapens vägnar



Por la Confederación Suiza
For Det Schweiziske Edsforbund
Für die Schweizerische Eidgenossenschaft
Για την Ελβετική Συνομοσπονδία
For the Swiss Confederation
Pour la Confédération suisse
Per la Confederazione svizzera
Voor de Zwitserse Bondsstaat
Pela Confederação Suíça
Sveitsin valaliiton puolesta
På Schweiziska edsförbundets vägnar

D. Lauber

Hein

ANNEX I

PRODUCT SECTORS

This Annex is divided up into the following Chapters by sector:

Chapter 1	Machinery
Chapter 2	Personal protective equipment
Chapter 3	Toys
Chapter 4	Medical devices
Chapter 5	Gas appliances and boilers
Chapter 6	Pressure vessels
Chapter 7	Telecommunications terminal equipment
Chapter 8	Equipment and protective systems intended for use in potentially explosive atmospheres
Chapter 9	Electrical equipment and electromagnetic compatibility
Chapter 10	Construction plant and equipment
Chapter 11	Measuring instruments and prepackages
Chapter 12	Motor vehicles
Chapter 13	Agricultural and forestry tractors
Chapter 14	Good laboratory practice (GLP)
Chapter 15	Medicinal products GMP Inspection and Batch Certification

CHAPTER 1

MACHINERY

Section I

Legislative, regulatory and administrative provisions*Provisions covered by Article 1 paragraph 2*

European Community	Directive 98/37/EC of the European Parliament and of the Council of 22 June 1998 on the approximation of the laws of the Member States relating to machinery (OJ L 207, 23.7.1998, p. 1)
Switzerland	<i>Loi fédérale du 19 mars 1976 sur la sécurité d'installations et d'appareils techniques</i> (RO 1977 2370), as last amended on 18 June 1993 (RO 1995 2766) <i>Ordonnance du 12 juin 1995 sur la sécurité d'installations et d'appareils techniques</i> (RO 1995 2770), as last amended on 17 June 1996 (RO 1996 1867) <i>Ordonnance du 12 juin 1995 sur les procédures d'évaluation de la conformité des installations et appareils techniques</i> (RO 1995 2783)

Section II

Conformity assessment bodies

The Committee established under Article 10 of this Agreement shall draw up and keep up to date, according to the procedure described in Article 11 of the Agreement, a list of the conformity assessment bodies.

Section III

Designating authorities*European Community:*

— Austria:	Bundesministerium für wirtschaftliche Angelegenheiten
— Belgium:	Ministère des Affaires économiques Ministerie van Economische Zaken
— Denmark:	Direktoratet for Arbejdstilsyner
— Finland:	Sosiaali-ja terveystieteiden ministeriö/Social-och hälsovårdsministeriet
— France:	Ministère de l'emploi et de la solidarité Direction des relations du travail Bureau CT 5 Ministère de l'économie, des finances et de l'industrie Secrétariat d'État à l'industrie Direction générale des stratégies industrielles Sous-direction de la qualité et de la normalisation
— Germany:	Bundesministerium für Arbeit und Sozialordnung
— Greece:	Ministry of Development
— Ireland:	Department of Enterprise and Employment
— Italy:	Ministero dell'Industria, del Commercio e dell'Artigianato
— Luxembourg:	Ministère des Transports

— Netherlands:	Staat der Nederlanden
— Portugal:	Under the authority of the Government of Portugal: Instituto Português da Qualidade
— Spain:	Ministerio de Industria y Energía
— Sweden:	Under the authority of the Government of Sweden: Styrelsen för ackreditering och teknisk kontroll (SWEDAC)
— United Kingdom:	Department of Trade and Industry
Switzerland:	Federal Office for Economic Development and Employment

Section IV

Special rules relating to the designation of conformity assessment bodies

For the designation of conformity assessment bodies, the designating authorities shall comply with the general principles contained in Annex 2 and those in Annex VII to Directive 98/37/EC.

Section V

Supplementary provisions

1. *Second-hand machinery*

The legislative, regulatory and administrative provisions listed in section I shall not apply to second-hand machinery.

The principle contained in Article 1 paragraph 2 of this Agreement shall apply, however, to machinery legally placed on the market and/or put into service in one of the Parties and exported as second-hand machinery to the market of the other Party.

The other provisions relating to second-hand machinery, e.g. those relating to safety in the place of work in force in the importing state, shall remain applicable.

CHAPTER 2

PERSONAL PROTECTIVE EQUIPMENT

Section I

Legislative, regulatory and administrative provisions

Provisions covered by Article 1 paragraph 2

European Community	Council Directive of 21 December 1989 on the approximation of the laws of the Member States relating to personal protective equipment (89/686/EEC), as last amended by Directive 96/58/EC of the European Parliament and of the Council of 3 September 1996 (O) L 236, 18.9.1996, p. 44)
Switzerland	<i>Loi fédérale du 19 mars 1976 sur la sécurité d'installations et d'appareils techniques</i> (RO 1977 2370), as last amended on 18 June 1993 (RO 1995 2766) <i>Ordonnance du 12 juin 1995 sur la sécurité d'installations et d'appareils techniques</i> (RO 1995 2770), as last amended on 17 June 1996 (RO 1996 1867) <i>Ordonnance du 12 juin 1995 sur les procédures d'évaluation de la conformité des installations et appareils techniques</i> (RO 1995 2783)

Section II

Conformity assessment bodies

The Committee established under Article 10 of this Agreement shall draw up and keep up to date, according to the procedure described in Article 11 of the Agreement, a list of the conformity assessment bodies.

Section III

Designating authorities

European Community:

Switzerland: Federal Office for Economic Development and Employment

Section IV

Special rules relating to the designation of conformity assessment bodies

For the designation of conformity assessment bodies, the designating authorities shall comply with the general principles contained in Annex 2 and those in Annex V to Directive 89/686/EEC.

CHAPTER 3

TOYS

Section I

Legislative, regulatory and administrative provisions

Provisions covered by Article 1 paragraph 1

European Community Council Directive of 3 May 1988 on the approximation of the laws of the Member States concerning the safety of toys (88/378/EEC) (OJ L 187, 16.7.1988, p. 1), as subsequently amended

Switzerland *Loi fédérale du 9 octobre 1992 sur les denrées alimentaires et les objets usuels* (RS 817.0), as subsequently amended

Ordonnance du 1^{er} mars 1995 sur les objets usuels (RS 817.04), as subsequently amended

Ordonnance du 26 mai 1995 sur la sécurité des jouets (RS 817.044.1), as subsequently amended

Section II

Conformity assessment bodies

The Committee established under Article 10 of this Agreement shall draw up and keep up to date, according to the procedure described in Article 11 of the Agreement, a list of the conformity assessment bodies.

Section III

Designating authorities

European Community:

Switzerland: Swiss Federal Office of Public Health

Section IV

Special rules relating to the designation of conformity assessment bodies

For the designation of conformity assessment bodies, the designating authorities shall comply with the general principles contained in Annex 2 and those in Annex III to Directive 88/378/EEC.

Section V

Supplementary provisions1. *Information concerning the certificate and the technical file*

In accordance with Article 10(4) of Directive 88/378/EEC, the authorities listed in section III may obtain on request a copy of the certificate and, on reasoned request, a copy of the technical file and the reports on the examinations and tests carried out.

2. *Notification of grounds for refusal by approved bodies*

In accordance with Article 10(5) of Directive 88/378/EEC, the Swiss bodies shall inform the Swiss Federal Office of Public Health when refusing to issue an EC type-examination certificate. The Federal Office shall likewise notify the Commission of the European Communities thereof.

CHAPTER 4

MEDICAL DEVICES

Section I

Legislative, regulatory and administrative provisions*Provisions covered by Article 1(2)*

European Community	Council Directive of 20 June 1990 on the approximation of the laws of the Member States relating to active implantable medical devices (90/385/EEC), as last amended by Council Directive 93/68/EEC of 22 July 1993 (OJ L 220, 30.8.1993, p. 1) Council Directive of 14 June 1993 concerning medical devices (93/42/EEC), as last amended by Directive 98/79/EC of the European Parliament and of the Council of 27 October 1998 (OJ L 331, 7.12.1998, p. 1.)
Switzerland	<i>Loi fédérale du 19 mars 1976 sur la sécurité d'installations et d'appareils techniques</i> (RO 1977 2370), as last amended on 18 June 1993 (RO 1995 2766) <i>Loi fédérale du 24 juin 1902 concernant les installations électriques à faible et fort courant</i> (RO 19 252 et RS 4 798), as last amended on 3 February 1993 (RO 1993 901) <i>Loi fédérale du 9 juin 1977 sur la métrologie</i> (RO 1977 2394), as last amended on 18 June 1993 (RO 1993 3149) <i>Loi fédérale du 22 mars 1991 sur la radioprotection</i> (RO 1994 1933) <i>Ordonnance du 24 janvier 1996 sur les dispositifs médicaux</i> (RO 1996 987), as last amended on 17 June 1996 (RO 1996 1868)

Section II

Conformity assessment bodies

The Committee established under Article 10 of this Agreement shall draw up and keep up to date, according to the procedure described in Article 11 of the Agreement, a list of the conformity assessment bodies.

Section III

Designating authorities*European Community*

— Austria:	Bundesministerium für Arbeit, Gesundheit und Soziales
— Belgium:	Ministère de la Santé publique, de l'Environnement et de l'Intégration sociale. Inspection Pharmaceutique Ministerie van Volksgezondheid, Leefmilieu en Sociale Integratie. Farmaceutische Inspectie
— Denmark:	Sundhedsministeriet
— Finland:	Sosiaali- ja terveystieteiden ministeriö/Social- och hälsovårdsministeriet
— France:	Ministère de l'emploi et de la solidarité Ministère de l'économie, des finances et de l'industrie
— Germany:	Bundesministerium für Gesundheit
— Greece:	Ministry of Health
— Ireland:	Department of Health
— Italy:	Ministero Sanità
— Luxembourg:	Ministère de la Santé
— Netherlands:	Ministerie van Welzijn, Volksgezondheid en Cultuur
— Portugal:	Ministerio da Saude
— Spain:	Ministerio Sanidad y Consumo
— Sweden:	Under the authority of the Government of Sweden: Styrelsen för ackreditering och teknisk kontroll (SWEDAC)
— UK:	Department of Health
<i>Switzerland</i>	Swiss Federal Office of Public Health

Section IV

Special rules relating to the designation of conformity assessment bodies listed in section II

For the designation of conformity assessment bodies, the designating authorities shall comply with the general principles contained in Annex 2 to this Agreement and those in Annex XI to Directive 93/42/EEC, in respect of the bodies designated under that Directive, and in Annex VIII to Directive 90/385/EEC, in respect of the bodies designated thereunder.

Section V

Supplementary provisions1. *Registration of the person responsible for placing devices on the market*

Any manufacturer who places on the market of one of the Parties the medical devices referred to in Article 14 of Directive 93/42/EEC shall inform the competent authorities of the Party in which he has his registered place of business of the particulars referred to in that Article. The Parties shall mutually recognise that registration. The manufacturer shall not be obliged to designate a person responsible for placing devices on the market established in the territory of the other Party.

2. *Labelling of medical devices*

Manufacturers of both Parties shall indicate their name or trade name and address on the label of medical devices as specified in Annex 1, point 13.3(a) to Directive 93/42/EEC. They shall not be obliged to indicate the name and address of the person responsible for placing the device on the market, of the representative or of the importer established within the territory of the other Party on the label, outer packaging or instructions for use.

3. *Information exchanges*

In accordance with Article 9 of the Agreement, the Parties shall in particular exchange the information referred to in Article 8 of Directive 90/385/EEC and in Article 10 of Directive 93/42/EEC.

CHAPTER 5

GAS APPLIANCES AND BOILERS

Section I

Legislative, regulatory and administrative provisions*Provisions covered by Article 1(1)*

European Community	Council Directive of 21 May 1992 on efficiency requirements for new hot-water boilers fired with liquid or gaseous fuels (92/42/EEC) (OJ L 167, 22.06.1992, p. 17), as subsequently amended
Switzerland	<i>Ordonnance du 16 décembre 1985 sur la protection de l'air</i> (Annexes 3 and 4) (RS 814.318.142.1), as subsequently amended

Provisions covered by Article 1(2)

European Community	Council Directive of 29 June 1990 on the approximation of the laws of the Member States relating to appliances burning gaseous fuels (90/396/EEC), as last amended by Council Directive 93/68/EEC of 22 July 1993 (OJ L 220, 30.8.1993, p. 1)
Switzerland	<i>Loi fédérale du 19 mars 1976 sur la sécurité d'installations et d'appareils techniques</i> (RO 1977 2370), as last amended on 18 June 1993 (RO 1995 2766)
	<i>Ordonnance du 12 juin 1995 sur la sécurité d'installations et d'appareils techniques</i> (RO 1995 2770), as last amended on 17 June 1996 (RO 1996 1867)
	<i>Ordonnance du 12 juin 1995 sur les procédures d'évaluation de la conformité des installations et appareils techniques</i> (RO 1995 2783)

Section II

Conformity assessment bodies

The Committee established under Article 10 of this Agreement shall draw up and keep up to date, according to the procedure described in Article 11 of the Agreement, a list of the conformity assessment bodies.

Section III

Designating authorities

Provisions covered by Article 1(1)

European Community:

Switzerland: Federal Office of Environment, Forests and Landscape

Provisions covered by Article 1(2)

European Community:

Switzerland: Federal Office for Economic Development and Employment

Section IV

Special rules relating to the designation of conformity assessment bodies

For the designation of conformity assessment bodies, the designating authorities shall comply with the general principles contained in Annex 2 to this Agreement and those in Annex V to Directive 92/42/EEC, in respect of the bodies designated under that Directive, and in Annex V to Directive 90/396/EEC, in respect of the bodies designated thereunder.

CHAPTER 6

PRESSURE VESSELS

Section I

Legislative, regulatory and administrative provisions

Provisions covered by Article 1(1)

European Community

Council Directive of 17 September 1984 on the approximation of the laws of the Member States relating to seamless, steel gas cylinders (84/525/EEC) (OJ L 300, 19.11.1984, p. 1), as subsequently amended

Council Directive of 17 September 1984 on the approximation of the laws of the Member States relating to seamless, unalloyed aluminium and aluminium alloy gas cylinders (84/526/EEC) (OJ L 300, 19.11.1984, p. 20), as subsequently amended

Council Directive of 17 September 1984 on the approximation of the laws of the Member States relating to welded unalloyed steel gas cylinders (84/527/EEC) (OJ L 300, 19.11.1984, p. 48), as subsequently amended

Council Directive of 25 June 1987 on the approximation of the laws of the Member States relating to simple pressure vessels (87/404/EEC) (OJ L 220, 8.8.1987, p. 48), as subsequently amended

Directive 97/23/EC of the European Parliament and of the Council of 29 May 1997 on the approximation of the laws of the Member States concerning pressure equipment (OJ L 181, 9.7.1997, p. 1), as subsequently amended

Switzerland	Directives 84/525/EEC, 84/526/EEC and 84/527/EEC: no related legislation. Directive 87/404/EEC: <i>Loi fédérale du 20 mars 1981 sur l'assurance-accidents</i> (RS 832.20), as subsequently amended <i>Ordonnance du 19 mars 1938 concernant l'installation et l'exploitation des récipients sous pression</i> (RS 832.312.12), as subsequently amended
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Section II

Conformity assessment bodies

The Committee established under Article 10 of this Agreement shall draw up and keep up to date, according to the procedure described in Article 11 of the Agreement, a list of the conformity assessment bodies.

Section III

Designating authorities*European Community:*

— Austria:	Bundesministerium für Wirtschaftliche Angelegenheiten
— Belgium:	Ministère des Affaires Economiques Ministerie van Economische Zaken
— Denmark:	Direktoratet for Arbejdstilsynet
— Finland:	Kauppa- ja teollisuusministeriö/Handels- och industriministeriet
— France:	Ministère de l'économie, des finances et de l'industrie Secrétariat d'État à l'industrie Direction de l'action régionale de la petite et moyenne industrie Sous-direction de la sécurité industrielle Ministère de l'économie, des finances et de l'industrie Secrétariat d'État à l'industrie Direction Générale des stratégies industrielles Sous-direction de la qualité et de la normalisation
— Germany:	Bundesministerium für Arbeit und Sozialordnung
— Greece:	Ministry of Development
— Ireland:	Department of Enterprise and Employment
— Italy:	Ministero dell'Industria, del Commercio e dell'Artigianato
— Luxembourg:	Ministère des Transports
— Netherlands:	Staat der Nederlanden
— Portugal:	Under the authority of the Government of Portugal: Instituto Português da Qualidade
— Spain:	Ministerio de Industria y Energía
— Sweden:	Under the authority of the Government of Sweden: Styrelsen för ackreditering och teknisk kontroll (SWEDAC)
— UK:	Department of Trade and Industry

Switzerland:

Federal Office for Economic Development and Employment

Section IV

Special rules relating to the designation of conformity assessment bodies

For the designation of conformity assessment bodies, the designating authorities shall comply with the general principles contained in Annex 2 and those in Annex III to Directive 87/404/EEC.

Section V

Supplementary provisions

Recognition of certificates by Switzerland

Where the provisions of Swiss legislation listed in section I lay down a conformity assessment procedure, Switzerland shall recognise certificates issued by a designated Community body listed in section II which certifies that the product conforms to standard EN 286.

CHAPTER 7

TELECOMMUNICATIONS TERMINAL EQUIPMENT

Section I

Legislative, regulatory and administrative provisions

Provisions covered by Article 1(2)

European Community

Directive 98/13/EC of the European Parliament and of the Council of 12 February 1998 relating to telecommunications terminal equipment and satellite earth station equipment, including the mutual recognition of their conformity (OJ L 074, 12.3.1998, p. 1)

Commission Decision of 9 July 1997 on a common technical regulation for terminal equipment to be connected to public circuit switched data networks and ONP leased circuits using a CCITT Recommendation X.21 type interface (97/544/EC) (OJ L 223, 13.8.1997, p. 18)

Commission Decision of 9 July 1997 on a common technical regulation for the general attachment requirements for Data Terminal Equipment (DTE) to connect to Packet Switched Public Data Networks (PSPDNs) offering CCITT Recommendation X.25 interfaces (97/545/EC) (OJ L 223, 13.8.1997, p. 21)

Commission Decision of 9 July 1997 on a common technical regulation for the general terminal attachment requirements for digital enhanced cordless telecommunications (DECT) (edition 2) (97/523/EC) (OJ L 215, 7.8.1997, p. 48)

Commission Decision of 9 July 1997 on a common technical regulation for the telephony application requirements for digital enhanced cordless telecommunications (DECT) (edition 2) (97/524/EC) (OJ L 215, 7.8.1997, p. 50)

Commission Decision of 28 November 1995 on a common technical regulation for attachment requirements for terminal equipment for digital European cordless telecommunications (DECT), public access profile (PAP) applications (95/525/EC) (OJ L 300, 13.12.1995, p. 35)

Commission Decision of 9 July 1997 on a common technical regulation for the attachment requirements for the terminal equipment interface for connection to 2 048 kbit/s digital unstructured ONP leased lines (Amendment 1) (97/520/EC) (OJ L 215, 7.8.1997, p. 41)

Commission Decision of 9 July 1997 on a common technical regulation for the attachment requirements for the terminal equipment interface for connection to 2 048 kbit/s digital structured ONP leased lines (97/521/EC) (OJ L 215, 7.8.1997, p. 44)

Commission Decision of 9 July 1997 on a common technical regulation for the attachment requirements for the terminal equipment interface for connection to 64 kbit/s digital unrestricted ONP leased lines (Amendment 1) (97/522/EC) (OJ L 215, 7.8.1997, p. 46)

Commission Decision of 9 July 1997 on a common technical regulation for the general attachment requirements for terminal equipment to interface to Open Network Provision (ONP) two-wire analogue leased lines (97/486/EC) (OJ L 208, 2.8.1997, p. 44)

Commission Decision of 9 July 1997 on a common technical regulation for the general attachment requirements for terminal equipment to interface to Open Network Provision (ONP) four-wire analogue leased lines (97/487/EC) (OJ L 208, 2.8.1997, p. 47)

Commission Decision of 28 November 1995 on a common technical regulation for Integrated Services Digital Network (ISDN)+ Telephony 3.1 kHz teleservice, attachment requirements for handset terminals (95/526/EC) (OJ L 300, 13.12.1995, p. 38)

Commission Decision of 9 July 1997 on a common technical regulation for the attachment requirements for terminal equipment for digital enhanced cordless telecommunications (DECT) generic access profile (GAP) applications (97/525/EC) (OJ L 215, 7.8.1997, p. 52)

Commission Decision of 19 September 1997 on a common technical regulation for the attachment requirements for the terminal equipment interface for connection to 34 Mbit/s digital unstructured and structured leased lines (97/639/EC) (OJ L 271, 3.10.1997, p. 16)

Commission Decision of 31 October 1997 on a common technical regulation for the attachment requirements for the terminal equipment interface for connection to 140 Mbit/s digital unstructured and structured leased lines (97/751/EC) (OJ L 305, 8.11.1997, p. 66)

Commission Decision of 17 June 1998 on a common technical Regulation for the pan-European integrated services digital (ISDN) basic access (Amendment 1) (notified under document number C(1998) 1607) (98/515/EC) (OJ L 232, 19.8.1998, p. 7)

Commission Decision of 17 June 1998 on a common technical Regulation for the pan-European integrated services digital network (ISDN) primary rate access (Amendment 1) (notified under document number C(1998) 1613) (98/520/EC) (OJ L 232, 19.8.1998, p. 19)

Commission Decision of 17 June 1998 on a common technical Regulation for public land-based enhanced radio message system (ERMES) receiver requirements (second edition) (notified under document number C(1998) 1615) (98/522/EC) (OJ L 232, 19.8.1998, p. 25)

Council Decision of 20 July 1998 on a common technical Regulation for the attachment requirements for connection to the analogue public switched telephone networks (PSTNs) of terminal equipment (excluding terminal equipment supporting the voice telephony justified case service) in which network addressing, if provided, is by means of dual tone multi-frequency (DTMF) signalling (98/482/EC) (OJ L 216, 4.8.1998, p. 8)

Commission Decision of 4 September 1998 on a common technical regulation for telephony application requirements for public pan-European cellular digital land-based mobile communications, phase II (edition 2) (notified under document number C(1998) 2561) (98/542/EC) (OJ L 254, 16.9.1998, p. 28)

Commission Decision of 3 September 1998 on a common technical Regulation for the terrestrial flight telecommunications system (TFTS) (notified under document number C(1998)2378) (98/535/EC) (OJ L 251, 11.9.1998, p. 36)

Commission Decision of 17 June 1998 on a common technical Regulation for low data rate land mobile satellite earth stations (LMES) operating in the 11/12/14 GHz frequency bands (notified under document number C(1998) 1608) (98/516/EC) (OJ L 232, 19.8.1998, p. 10)

Commission Decision of 17 June 1998 on a common technical Regulation for satellite news gathering transportable earth stations (SNG TES) operating in the 11-12/13-14 GHz frequency bands (notified under document number C(1998) 1609) (98/517/EC) (OJ L 232, 19.8.1998, p. 12)

Commission Decision of 17 June 1998 on a common technical Regulation for ISDN packet mode using ISDN primary rate access (notified under document number C(1998) 1610) (98/518/EC) (OJ L 232, 19. 8.1998, p. 14)

Commission Decision of 17 June 1998 on a common technical Regulation for very small aperture terminals (VSATs) operating in the 11/12/14 GHz frequency bands (notified under document number C(1998) 1612) (98/519/EC) (OJ L 232, 19.8.1998, p. 17)

Commission Decision of 17 June 1998 on a common technical Regulation for ISDN packet mode using ISDN basic access (notified under document number C(1998) 1614) (98/521/EC) (OJ L 232, 19.8.1998, p. 22)

Commission Decision of 3 September 1998 on a common technical Regulation for Satellite Personal Communications Networks (S-PCN) Mobile Earth Stations (MESs), including handheld earth stations, for S-PCN operating in the 1,6/2,4 GHz frequency bands under the Mobile Satellite Service (MSS) (notified under document number C(1998) 2375) (98/533/EC) (OJ L 247, 5.9.1998, p. 11)

Commission Decision of 3 September 1998 on a common technical Regulation for Satellite Personal Communications Networks (S-PCN) Mobile Earth Stations (MESs), including handheld earth stations, for S-PCN operating in the 2,0 GHz frequency bands under the Mobile Satellite Service (MSS) (notified under document number C(1998) 2376) (98/534/EC)(OJ L 247, 5.9.1998, p. 13)

Commission Decision of 4 September 1998 on a common technical regulation for the telephony application requirements for mobile stations intended to be used with phase II public digital cellular telecommunications networks operating in the DCS 1800 band (edition 2) (notified under document number C(1998) 2562) (98/543/EC) (OJ L 254, 16.9.1998, p. 32)

Commission Decision of 16 September 1998 on a common technical regulation for the general attachment requirements for public pan-European cellular digital land-based mobile communications, Phase II (Edition 2) (notified under document number C(1998) 2720) (98/574/EC) (OJ L 278, 15.10.1998, p. 30)

Commission Decision of 16 September 1998 on a common technical regulation for the general attachment requirements for mobile stations intended to be used with Phase II public digital cellular telecommunications networks operating in the GSM 1800 band (Edition 2) (notified under document number C(1998) 2721) (98/575/EC) (OJ L 278, 15.10.1998, p. 35)

Commission Decision of 16 September 1998 on a common technical regulation for the attachment requirements for terminal equipment to connect to public switched telephone networks (PSTNs) and incorporating an analogue handset function (notified under document number C(1998) 2722) (98/576/EC) (OJ L 278, 15.10.1998, p. 40)

Commission Decision of 16 September 1998 on a common technical regulation for very small aperture terminals (VSATs) satellite earth stations operating in the 4 GHz and 6 GHz frequency bands (notified under document number C(1998) 2723) (98/577/EC) (OJ L 278, 15.10.1998, p. 43)

Commission Decision of 16 September 1998 on a common technical regulation for low data rate land mobile satellite earth stations (LMES) operating in the 1,5/1,6 GHz frequency bands (notified under document number C(1998) 2724) (98/578/EC) (OJ L 278, 15.10.1998, p. 46)

Commission Decision of 30 November 1998 on a common technical Regulation for land mobile satellite earth stations (LMES) operating in the 1,5/1,6 GHz frequency bands (notified under document number C(1998) 3695) (98/734/EC) (OJ L 351, 29.12.1998, p. 37)

Switzerland

Loi fédérale du 30.4.1997 sur les télécommunications (LTC; RO 1997 2187)

Ordonnance du Conseil Fédéral du 6.10.1997 sur les installations de télécommunication (ITU; RO 1997 2853)

Ordonnance de l'Office fédéral de la communication du 9.12.1997 sur les installations de télécommunication (RO 1998 485)

Annex 1 to the *Ordonnance de l'OFCOM sur les installations de télécommunication* (RO 1998 488), as last amended on 9 March 1999 (RO 1999 1191)

Technical standards declared to be obligatory:

10.1 based on CTR1 (97/544/EC)

10.2 based on CTR2 edition 2 (97/545/EC)

10.3 based on CTR3 amendment 1(98/515/EC)

10.4 based on CTR4 amendment 1 (98/520/EC)

10.6 based on CTR6 edition 2 (97/523/EC)

10.7 based on CTR7 edition 2 (98/522/EC)

10.8 based on CTR8 (95/526/EC)

10.10 based on CTR10 edition 2 (97/524/EC)

10.11 based on CTR11 (95/525/EC)

10.12 based on CTR12 amendment 1 (97/520/EC)

10.13 based on CTR13 (97/521/EC)

10.14 based on CTR14 amendment 1 (97/522/EC)

10.15 based on CTR15 (97/486/EC)

- 10.17 based on CTR17 (97/487/EC)
- 10.19 based on CTR19 edition 2 (98/574/EC)
- 10.20 based on CTR20 edition 2 (98/542/EC)
- 10.21 based on CTR21 (98/482/EC)
- 10.22 based on CTR22 (97/525/EC)
- 10.23 based on CTR23 (98/535/EC)
- 10.24 based on CTR24 (97/639/EC)
- 10.25 based on CTR25 (97/751/EC)
- 10.26 based on CTR26 (98/578/EC)
- 10.27 based on CTR27 (98/516/EC)
- 10.28 based on CTR28 (98/519/EC)
- 10.30 based on CTR30 (98/517/EC)
- 10.31 based on CTR31 edition 2 (98/575/EC)
- 10.32 based on CTR32 edition 2 (98/543/EC)
- 10.33 based on CTR33 (98/521/EC)
- 10.34 based on CTR34 (98/518/EC)
- 10.38 based on CTR38 (98/576/EC)
- 10.41 based on CTR41 (98/533/EC)
- 10.42 based on CTR42 (98/534/EC)
- 10.43 based on CTR43 (98/577/EC)
- 10.44 based on CTR44 (98/734/EC)

Section II

Conformity assessment bodies

The Committee established under Article 10 of this Agreement shall draw up and keep up to date, according to the procedure described in Article 11 of the Agreement, a list of the conformity assessment bodies.

Section III

Designating authorities

European Community

- Austria: Bundesministerium für Wissenschaft und Verkehr
- Belgium: Institut belge des services postaux et des télécommunications
Belgisch Instituut voor Postdiensten en Telecommunicatie
- Denmark: Telestyrelsen
- Finland: Liikenneministeriö/Trafikministeriet

— France:	Ministère de l'Économie, des Finances et de l'Industrie Secrétariat d'État à l'industrie Direction des postes et télécommunications. Service des télécommunications Direction Générale des stratégies industrielles. Sous-direction de la qualité et de la normalisation
— Germany:	Bundesministerium für Wissenschaft und Technologie
— Greece:	Ministry of Transport
— Ireland:	Department of Transport, Energy and Communications
— Italy:	Ministero delle Comunicazione. For EMC aspects: Ministero dell'Industria, del Commercio e dell'Artigianato
— Luxembourg:	Ministère des Transports For EMC aspects: Administration des Postes et Télécommunications
— Netherlands:	Ministerie van Verkeer en Waterstaat
— Portugal:	Instituto das Comunicações de Portugal
— Spain:	Ministerio de Fomento
— Sweden:	Under the authority of the Government of Sweden: Styrelsen för ackreditering och teknisk kontrol (SWEDAC)
— UK:	Department of Trade and Industry
Switzerland	Federal Office for Communications

Section IV

Special rules relating to the designation of conformity assessment bodies

For the designation of conformity assessment bodies, designating authorities shall comply with the general principles contained in Annex 2 and those in Annex V to Directive 98/13/EC.

Section V

Supplementary provisions

1. Administrative Decision

The two Parties shall mutually recognise the administrative Decision (Art. 11(6), Directive 98/13/EC + Art. 31 of the Federal Law of 30 April 1997 on telecommunications (LTC; RO 1977 2187) and Article 8/6 of the Federal Council Order of 6.10.97 on telecommunications installations (ITU; RO 1997 2853) approving connection of the terminal equipment concerned to the public telecommunications network.⁽¹⁾

2. Notification of the manufacturer's or supplier's declaration

When placing on the market of one of the Parties the telecommunications equipment referred to in Article 3(1) of Directive 98/13/EC, the person responsible shall notify the manufacturer's or supplier's declaration to the notified body of the Party where the equipment is first placed on the market.

⁽¹⁾ In the context of this Agreement, the expression 'public telecommunications network' is to be interpreted for the purpose of Swiss law as 'installations provided by a telecommunications services provider'.

3. Test laboratories

Each Party shall notify the other of the test laboratories designated to carry out the tests pertaining to the procedures referred to in Article 10 of Directive 98/13/EC. The criteria fixed by the relevant harmonised standards for the designation of such laboratories shall be applied.

4. Exchanges of information between conformity assessment bodies

4.1 In accordance with Annex I, point 7f of Directive 98/13/EC, the conformity assessment bodies listed in section II of this Annex shall make available to the other bodies the relevant information concerning type-examination certificates issued and withdrawn.

4.2 In accordance with Annex III, point 6, and Annex IV, point 6 of Directive 98/13/EC, the conformity assessment bodies listed in section II of this Annex shall make available to the other bodies the relevant information concerning quality system approvals issued and withdrawn.

CHAPTER 8

EQUIPMENT AND PROTECTIVE SYSTEMS INTENDED FOR USE IN POTENTIALLY EXPLOSIVE ATMOSPHERES

Section I

Legislative, regulatory and administrative provisions

Provisions covered by Article 1(2)

European Community

Directive of the European Parliament and the Council of 23 March 1994 on the approximation of the laws of the Member States concerning equipment and protective systems intended for use in potentially explosive atmospheres (94/9/EC) (OJ L 100, 19.4.1994, p. 1)

Council Directive of 18 December 1975 on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres (76/117/EEC) (OJ L 24, 30.1.1976, p. 45)

Council Directive of 6 February 1979 on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres employing certain types of protection (79/196/EEC), as last amended by Commission Directive 97/53/EC of 11 September 1997 (OJ L 257, 20.9.1997, p. 27)

Council Directive of 15 February 1982 on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres in mines susceptible to firedamp (82/130/EEC), as last amended by Commission Directive 98/65/EC of 3 September 1998 (OJ L 257, 19.9.1998, p. 29)

Switzerland

Loi fédérale du 24 juin 1902 concernant les installations électriques à faible et fort courant (RO 19 252 et RS 4 798), as last amended on 3 February 1993 (RO 1993 901)

Ordonnance du 2 mars 1998 sur les appareils et les systèmes de protection destinés à être utilisés en atmosphères explosibles (RO 1998 963)

Loi fédérale du 19 mars 1976 sur la sécurité d'installations et d'appareils techniques (RO 1977 2370), as last amended on 18 June 1993 (RO 1995 2766)

Ordonnance du 12 juin 1995 sur la sécurité d'installations et d'appareils techniques (RO 1995 2770), as last amended on 17 June 1996 (RO 1996 1867)

Ordonnance du 12 juin 1995 sur les procédures d'évaluation de la conformité des installations et appareils techniques (RO 1995 2783)

Section II

Conformity assessment bodies

The Committee established under Article 10 of this Agreement shall draw up and keep up to date, according to the procedure described in Article 11 of the Agreement, a list of the conformity assessment bodies.

Section III

Designating authorities

European Community

Switzerland

Swiss Federal Office of Energy

Section IV

Special rules relating to the designation of conformity assessment bodies

For the designation of conformity assessment bodies, designating authorities shall comply with the general principles contained in Annex 2 and those in Annex XI to Directive 94/9/EC.

Section V

Supplementary provisions

1. *Information exchange*

The conformity assessment bodies listed in section II shall provide the Member States, the competent Swiss authorities and/or the other conformity assessment bodies with the information provided for in Article 9(2) of Directive 76/117/EEC.

2. *Technical documentation*

It shall be sufficient for manufacturers, their authorised representatives or the person responsible for placing products on the market to hold the technical documents required by the national authorities for inspection purposes at their disposal in the territory of one of the Parties for a period of at least ten years after the last date of manufacture of the product.

The Parties hereby undertake to forward all relevant technical documents at the request of the authorities of the other Party.

CHAPTER 9

ELECTRICAL EQUIPMENT AND ELECTROMAGNETIC COMPATIBILITY

Section I

Legislative, regulatory and administrative provisions

Provisions covered by Article 1(2)

European Community

Council Directive of 19 February 1973 on the approximation of the laws of the Member States relating to electrical equipment designed for use within certain voltage limits (73/23/EEC), as last amended by Council Directive 93/68/EEC of 22 July 1993 (OJ L 220, 30.8.1993, p. 1)

- Council Directive of 3 May 1989 on the approximation of the laws of the Member States relating to electromagnetic compatibility (89/336/EEC), as last amended by Council Directive 93/68/EEC of 22 July 1993 (OJ L 220, 30.8.1993, p. 1)
- Switzerland
- Loi fédérale du 24 juin 1902 concernant les installations électriques à faible et fort courant* (RO 19 252 et RS 4 798), as last amended on 3 February 1993 (RO 1993 901)
- Ordonnance du 30 mars 1994 sur les installations électriques à courant faible* (RO 1994 1185)
- Ordonnance du 30 mars 1994 sur les installations électriques à courant fort* (RO 1994 1199), as last amended on 5 December 1995 (RO 1995 1024)
- Ordonnance du 9 avril 1997 sur les matériels électriques à basse tension* (RO 1997 1016)
- Ordonnance du 9 avril 1997 sur la compatibilité électromagnétique* (RO 1997 1008)

Section II

Conformity assessment bodies

The Committee established under Article 10 of this Agreement shall draw up and keep up to date, according to the procedure described in Article 11 of the Agreement, a list of the conformity assessment bodies.

Section III

Designating authorities

European Community

- Austria: Bundesministerium für wirtschaftliche Angelegenheiten
- Belgium: Ministère des Affaires Économiques
Ministerie van Economische Zaken
- Denmark: For electrical aspects:
Boligministeriet
For EMC aspects:
Telestyrelsen
- Finland: Kauppa- ja teollisuusministeriö / Handels- och industriministeriet Liikenneministeriö/Trafikministeriet (for EMC aspects of telecommunication and radio equipment)
- France: Ministère de l'économie, des finances et de l'industrie. Secrétariat d'État à l'industrie.
Direction générale des stratégies industrielles
- Germany: For electrical aspects: Bundesministerium für Arbeit und Sozialordnung
For EMC aspects:
Bundesministerium für Wirtschaft und Technologie
- Greece: Ministry of Development
- Ireland: Department of Enterprise and Employment
- Italy: Ministero dell'Industria, del Commercio e dell'Artigianato
- Luxembourg: Ministère des Transports
- Netherlands: Staat der Nederlanden
For EMC aspects:
De Minister van Verkeer en Waterstaat

— Portugal:	Under the authority of the Government of Portugal: Instituto Português da Qualidade.
— Spain:	Ministerio de Industria y Energía
— Sweden:	Under the authority of the Government of Sweden: Styrelsen för ackreditering och teknisk kontrol (SWEDAC)
— United Kingdom:	Department of Trade and Industry
Switzerland	Swiss Federal Office of Energy

Section IV

Special rules relating to the designation of conformity assessment bodies

For the designation of conformity assessment bodies, designating authorities shall comply with the general principles contained in Annex 2 and those in Annex II to Directive 89/336/EEC.

Section V

Supplementary provisions

1. Technical documentation

It shall be sufficient for manufacturers, their authorised representatives or the person responsible for placing products on the market to hold the technical documents required by the national authorities for inspection purposes at their disposal in the territory of one of the Parties for a period of at least ten years after the last date of manufacture of the product.

The Parties hereby undertake to forward all relevant documents at the request of the authorities of the other Party.

2. Standardisation bodies

In accordance with Article 11 of Directive 73/23/EEC, the Parties shall notify each other of the bodies responsible for drawing up the standards referred to in Article 5 of this Directive.

3. Competent bodies

The Parties shall inform each other of and mutually recognise the bodies made responsible for drawing up technical reports and/or certificates pursuant to Article 8(2) of Directive 73/23/EEC and Article 10(2) of Directive 89/336/EEC.

4. Special measures

In accordance with Article 6(2) of Directive 89/336/EEC, each Party shall inform the other of the special measures taken pursuant to paragraph 1 of that Article.

5. Competent authorities

In accordance with Article 10(6) of Directive 89/336/EEC, each Party shall notify the other of the competent authorities referred to in that Article.

CHAPTER 10

CONSTRUCTION PLANT AND EQUIPMENT

Section I

Legislative, regulatory and administrative provisions*Provisions covered by Article 1(1)*

European Community	<p>Council Directive of 19 December 1978 on the approximation of the laws of the Member States relating to the determination of the noise emission of construction plant and equipment (79/113/EEC) (OJ L 33, 8.2.1979, p. 15), as subsequently amended</p> <p>Council Directive of 17 September 1984 on the approximation of the laws of the Member States relating to common provisions for construction plant and equipment (84/532/EEC) (OJ L 300, 19.11.1984, p. 111), as subsequently amended</p> <p>Council Directive of 17 September 1984 on the approximation of the laws of the Member States relating to the permissible sound power level of compressors (84/533/EEC) (OJ L 300, 19.11.1984, p. 123), as subsequently amended</p> <p>Council Directive of 17 September 1984 on the approximation of the laws of the Member States relating to the permissible sound power level of tower cranes (84/534/EEC) (OJ L 300, 19.11.1984, p. 130), as subsequently amended</p> <p>Council Directive of 17 September 1984 on the approximation of the laws of the Member States relating to the permissible sound power level of welding generators (84/535/EEC) (OJ L 300, 19.11.1984, p. 142), as subsequently amended</p> <p>Council Directive of 17 September 1984 on the approximation of the laws of the Member States relating to the permissible sound power level of power generators (84/536/EEC) (OJ L 300, 19.11.1984, p. 149), as subsequently amended</p> <p>Council Directive of 17 September 1984 on the approximation of the laws of the Member States relating to the permissible sound power level of powered hand-held concrete-breakers and picks (84/537/EEC) (OJ L 300, 19.11.1984, p. 156), as subsequently amended</p> <p>Council Directive of 22 December 1986 on the limitation of noise emitted by hydraulic excavators, rope-operated excavators, dozers, loaders and excavator-loaders (86/662/EEC) (OJ L 384, 31.1.1986, p. 1), as subsequently amended</p> <p>Council Directive of 17 September 1984 on the approximation of the laws of the Member States relating to the permissible sound power level of lawnmowers (84/538/EEC) (OJ L 300, 19.11.1984, p. 171), as subsequently amended</p>
Switzerland	No legislation

Section II

Conformity assessment bodies

The Committee established under Article 10 of this Agreement shall draw up and keep up to date, according to the procedure described in Article 11 of the Agreement, a list of the conformity assessment bodies.

Section III

Designating authorities

European Community:

Switzerland: Federal Office of Environment, Forests and Landscape

Section IV

Special rules relating to the designation of conformity assessment bodies

For the designation of conformity assessment bodies, designating authorities shall comply with the general principles contained in Annex 2 and those in Annex II to Council Directive 84/532/EEC, as amended by Council Directive 88/665/EEC.

CHAPTER 11

MEASURING INSTRUMENTS AND PREPACKAGES

Section I

Legislative, regulatory and administrative provisions*Provisions covered by Article 1(1)*

- European Community
- Council Directive of 12 October 1971 on the approximation of the laws of the Member States relating to the measuring of the standard mass per storage volume of grain (71/347/EEC) (OJ L 239, 25.10.1971, p. 1), as subsequently amended
 - Council Directive of 12 October 1971 on the approximation of the laws of the Member States relating to the calibration of the tanks of vessels (71/349/EEC) (OJ L 239, 25.10.1971, p. 15), as subsequently amended
 - Council Directive of 17 December 1974 on the approximation of the laws of the Member States relating to cold-water meters (75/33/EEC) (OJ L 14, 20.1.1975, p. 1), as subsequently amended
 - Council Directive of 27 July 1976 on the approximation of the laws of the Member States relating to alcoholometers and alcohol hydrometers (76/765/EEC) (OJ L 262, 27.9.1976, p. 143), as subsequently amended
 - Council Directive of 21 December 1976 on the approximation of the laws of the Member States relating to taximeters (77/95/EEC) (OJ L 26, 31.1.1977, p. 59), as subsequently amended
 - Council Directive of 5 December 1978 on the approximation of the laws of the Member States relating to automatic checkweighing and weight grading machines (78/1031/EEC) (OJ L 364, 27.12.1978, p. 1), as subsequently amended
 - Council Directive of 11 September 1979 on the approximation of the laws of the Member States relating to hot-water meters (79/830/EEC) (OJ L 259, 15.10.1979, p. 1), as subsequently amended
 - Council Directive of 26 May 1986 on the approximation of the laws of the Member States relating to tyre pressure gauges for motor vehicles (86/217/EEC) (OJ L 152, 6.6.1986, p. 48), as subsequently amended
 - Council Directive of 20 June 1990 on the harmonisation of the laws of the Member States relating to non-automatic weighing instruments (90/384/EEC) (OJ L 189, 20.7.1990, p. 1), as subsequently amended

Council Directive of 19 December 1974 on the approximation of the laws of the Member States relating to the making-up by volume of certain prepackaged liquids (75/106/EEC) (OJ L 42, 15.2.1975, p. 1), as subsequently amended

Council Directive of 19 December 1974 on the approximation of the laws of the Member States relating to bottles used as measuring containers (75/107/EEC) (OJ L 42, 15.2.1975, p. 14), as subsequently amended

Council Directive of 20 January 1976 on the approximation of the laws of the Member States relating to the making-up by weight or by volume of certain prepackaged products (76/211/EEC) (OJ L 46, 21.2.1976, p. 1), as subsequently amended

Council Directive of 15 January 1980 on the approximation of the laws of the Member States relating to the ranges of nominal quantities and nominal capacities permitted for certain prepackaged products (80/232/EEC) (OJ L 51, 25.2.1980, p. 1), as subsequently amended

Switzerland

Ordonnance du 21 mai 1986 sur les appareils mesureurs de l'énergie thermique (RS 941.231), as subsequently amended

Ordonnance du 15 juillet 1970 concernant les déclarations qui valent engagements dans le commerce des biens en quantités mesurables (RS 941.281), as subsequently amended

Ordonnance du 25 octobre 1972 sur les déclarations (RS 941.281.1), as subsequently amended

Ordonnance du 3 décembre 1973 sur les mesures de volume (RS 941.211), as subsequently amended

Ordonnance du 17 décembre 1984 sur la qualification des instruments de mesure (RS 941.210)

Ordonnance du 15 août 1986 sur les instruments de pesage (RS 941.221.1)

Provisions covered by Article 1(2)

European Community

Council Directive of 20 December 1979 on the approximation of the laws of the Member States relating to units of measurement and on the repeal of Directive 71/354/EEC (80/181/EEC), as last amended by Council Directive 89/617/EEC of 27 November 1989 (OJ L 357, 7.12.1989, p. 28)

Council Directive of 26 July 1971 on the approximation of the laws of the Member States relating to common provisions for both measuring instruments and methods of metrological control (71/316/EEC), as last amended by Council Directive 88/665/EEC of 21 December 1988 (OJ L 382, 31.12.1988, p. 42)

Council Directive of 26 July 1971 on the approximation of the laws of the Member States relating to 5 to 50 kilogramme medium accuracy rectangular bar weights and 1 to 10 kilogramme medium accuracy cylindrical weights (71/317/EEC) (OJ L 202, 6.9.1971, p. 14)

Council Directive of 26 July 1971 on the approximation of the laws of the Member States relating to gas volume meters (71/318/EEC), as last amended by Commission Directive 82/623/EEC of 1 July 1982 (OJ L 252, 27.8.1982, p. 5)

Council Directive of 26 July 1971 on the approximation of the laws of the Member States relating to meters for liquids other than water (71/319/EEC) (OJ L 202, 6.9.1971, p. 32)

Council Directive of 12 October 1971 on the approximation of the laws of the Member States relating to ancillary equipment for meters for liquids other than water (71/348/EEC) (OJ L 239, 25.10.1971, p. 9)

Council Directive of 19 November 1973 on the approximation of the laws of the Member States relating to material measures of length (73/362/EEC), as last amended by Commission Directive 85/146/EEC of 31 January 1985 (OJ L 54, 23.2.1985, p. 29)

Council Directive of 4 March 1974 on the approximation of the laws of the Member States relating to weights of from 1 mg to 50 kg of above-medium accuracy (74/148/EEC) (OJ L 84, 28.3.1974, p. 3)

Council Directive of 24 June 1975 on the approximation of the laws of the Member States relating to continuous totalising weighing machines (75/410/EEC) (OJ L 183, 14.7.1975, p. 25)

Council Directive of 27 July 1976 on the approximation of the laws of the Member States relating to alcohol tables (76/766/EEC) (OJ L 262, 27.9.1976, p. 149)

Council Directive of 4 November 1976 on the approximation of the laws of the Member States relating to electrical energy meters (76/891/EEC), as last amended by Commission Directive 82/621/EEC of 1 July 1982 (OJ L 252, 27.8.1982, p. 1)

Council Directive of 5 April 1977 on the approximation of the laws of the Member States relating to measuring systems for liquids other than water (77/313/EEC), as last amended by Commission Directive 82/625/EEC of 1 July 1982 (OJ L 252, 27.8.1982, p. 10)

Switzerland

Loi fédérale du 9 juin 1977 sur la métrologie (RO 1977 2394), as last amended on 18 June 1993 (RO 1993 3149)

Ordonnance du 23 novembre 1994 sur les unités (RO 1994 3109)

Ordonnance du 8 avril 1991 sur les instruments de mesure de longueur (RO 1991 1306)

Ordonnance du 1^{er} décembre 1986 sur les appareils mesureurs de liquide autres que l'eau (RO 1987 216)

Ordonnance du 15 août 1986 sur les poids (RO 1986 2022), as last amended on 21 November 1995 (RO 1995 5646)

Ordonnance du 4 août 1986 sur les appareils de mesure de quantité de gaz (RO 1986 1491)

Ordonnance du 4 août 1986 sur les appareils mesureurs pour l'énergie et la puissance électrique (RO 1986 1496)

Section II

Conformity assessment bodies

The Committee established under Article 10 of this Agreement shall draw up and keep up to date, according to the procedure described in Article 11 of the Agreement, a list of the conformity assessment bodies.

Section III

Designating authorities

Provisions covered by Article 1(1)

European Community:

Switzerland:

Swiss Federal Office of Metrology

Provisions covered by Article 1(2)

European Community:

Switzerland: Swiss Federal Office of Metrology

Section IV

Special rules relating to the designation of conformity assessment bodies

For the designation of conformity assessment bodies, designating authorities shall comply with the general principles contained in Annex 2 and those in Annex V to Directive 90/384/EEC, as regards the products covered by that Directive.

Section V

Supplementary provisions

1. *Information exchange*

The conformity assessment bodies listed in section II shall periodically provide the Member States and the competent Swiss authorities with the information provided for in point 1.5 of Annex II to Directive 90/384/EEC.

The conformity assessment bodies listed in section II may request the information provided for in point 1.6 of Annex II to Directive 90/384/EEC.

2. *Prepackages*

Switzerland shall recognise checks carried out in accordance with the provisions of Community legislation listed in section I by a Community body listed in section II in the case of Community prepackages placed on the market in Switzerland.

As regards statistical checking of the quantities declared on prepackages, the European Community shall recognise the Swiss method laid down in Articles 24 to 40 of the 'Ordonnance sur les déclarations' (RS 941.281.1) as equivalent to the Community method laid down in Annex II of Directives 75/106/EEC and 76/211/EEC, as amended by Directive 78/891/EEC. Swiss producers whose prepackages conform to Community legislation and have been checked according to the Swiss method shall affix the 'e' mark on their products exported to the EC.

CHAPTER 12

MOTOR VEHICLES

Section I

Legislative, regulatory and administrative provisions

Provisions covered by Article 1(2)

European Community Council Directive of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers (70/156/EEC), as last amended by Commission Directive 98/14/EC of 6 February 1998 (OJ L 91, 25.3.1998, p. 1)

Council Directive of 6 February 1970 on the approximation of the laws of the Member States relating to the permissible sound level and the exhaust system of motor vehicles (70/157/EEC), as last amended by Commission Directive 96/20/EC of 27 March 1996 (OJ L 92, 13.4.1996, p. 23)

Council Directive of 20 March 1970 on the approximation of the laws of the Member States relating to measures to be taken against air pollution by gases from positive-ignition engines of motor vehicles (70/220/EEC), as last amended by Directive 96/69/EC of the European Parliament and of the Council of 8 October 1996 (OJ L 282, 1.11.1996, p. 64)

Council Directive of 20 March 1970 on the approximation of the laws of the Member States relating to liquid fuel tanks and rear protective devices for motor vehicles and their trailers (70/221/EEC), as last amended by Commission Directive 97/19/EC of 18 April 1997 (OJ L 125, 16.5.1997, p. 1)

Council Directive of 20 March 1970 on the approximation of the laws of the Member States relating to the space for mounting and the fixing of rear registration plates on motor vehicles and their trailers (70/222/EEC) (OJ L 76, 6.4.1970, p. 25)

Council Directive of 8 June 1970 on the approximation of the laws of the Member States relating to the steering equipment for motor vehicles and their trailers (70/311/EEC), as last amended by Commission Directive 92/62/EEC of 2 July 1992 (OJ L 199, 18.7.1992, p. 33)

Council Directive of 27 July 1970 on the approximation of the laws of the Member States relating to the doors of motor vehicles and their trailers (70/387/EEC) (OJ L 176, 10.8.1970, p. 5)

Council Directive of 27 July 1970 on the approximation of the laws of the Member States relating to audible warning devices for motor vehicles (70/388/EEC) (OJ L 176, 10.8.1970, p. 12)

Council Directive of 1 March 1971 on the approximation of the laws of the Member States relating to the rear-view mirrors of motor vehicles (71/127/EEC), as last amended by Commission Directive 88/321/EEC of 16 May 1988 (OJ L 147, 14.6.1988, p. 77)

Council Directive of 26 July 1971 on the approximation of the laws of the Member States relating to the braking devices of certain categories of motor vehicles and of their trailers (71/320/EEC), as last amended by Commission Directive 98/12/EC of 27 January 1998 (OJ L 081, 18.3.1998, p. 1)

Council Directive of 20 June 1972 on the approximation of the laws of the Member States relating to the suppression of radio interference produced by spark-ignition engines fitted to motor vehicles (72/245/EEC), as last amended by Commission Directive 95/54/EC of 31 October 1995 (OJ L 266, 8.11.1995, p. 1)

Council Directive of 2 August 1972 on the approximation of the laws of the Member States relating to the measures to be taken against the emission of pollutants from diesel engines for use in vehicles (72/306/EEC), as last amended by Commission Directive 97/20/EC of 18 April 1997 (OJ L 125, 16.5.1997, p. 21)

Council Directive of 17 December 1973 on the approximation of the laws of the Member States relating to the interior fittings of motor vehicles (interior parts of the passenger compartment other than the interior rear-view mirrors, layout of controls, the roof or sliding roof, the backrest and rear part of the seats) (74/60/EEC), as last amended by Commission Directive 78/632/EEC of 19 May 1978 (OJ L 206, 29.7.1978, p. 26)

Council Directive of 17 December 1973 on the approximation of the laws of the Member States relating to devices to prevent the unauthorised use of motor vehicles (74/61/EEC), as last amended by Commission Directive 95/56/EC of 8 November 1995 (OJ L 286, 29.11.1995, p. 1)

Council Directive of 4 June 1974 on the approximation of the laws of the Member States relating to the interior fittings of motor vehicles (the behaviour of the steering mechanism in the event of an impact) (74/297/EEC), as last amended by Commission Directive 91/662/EEC of 6 December 1991 (OJ L 366, 31.12.1991, p. 1)

Council Directive of 22 July 1974 on the approximation of the laws of the Member States relating to the interior fittings of motor vehicles (strength of seats and of their anchorages) (74/408/EEC), as last amended by Commission Directive 96/37/EC of 17 June 1996 (OJ L 186, 25.7.1996, p. 71)

Council Directive of 17 September 1974 on the approximation of the laws of the Member States relating to the external projections of motor vehicles (74/483/EEC), as last amended by Council Directive 87/354/EEC of 25 June 1987 (OJ L 192, 11.7.1987, p. 43)

Council Directive of 26 June 1975 on the approximation of the laws of the Member States relating to the reverse and speedometer equipment of motor vehicles (75/443/EEC), as last amended by Commission Directive 97/39/EC of 24 June 1997 (OJ L 177, 5.7.1997, p. 15)

Council Directive of 18 December 1975 on the approximation of the laws of the Member States relating to statutory plates and inscriptions for motor vehicles and their trailers, and their location and method of attachment (76/114/EEC), as last amended by Council Directive 87/354/EEC of 25 June 1987 (OJ L 192, 11.7.1987, p. 43)

Council Directive of 18 December 1975 on the approximation of the laws of the Member States relating to anchorages for motor-vehicle safety belts (76/115/EEC), as last amended by Commission Directive 96/38/EC of 17 June 1996 (OJ L 187, 26.7.1996, p. 95)

Council Directive of 27 July 1976 on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on motor vehicles and their trailers (76/756/EEC), as last amended by Commission Directive 97/28/EC of 11 June 1997 (OJ L 171, 30.6.1997, p. 1)

Council Directive of 27 July 1976 on the approximation of the laws of the Member States relating to reflex reflectors for motor vehicles and their trailers (76/757/EEC), as last amended by Commission Directive 97/29/EC of 11 June 1997 (OJ L 171, 30.6.1997, p. 11)

Council Directive of 27 July 1976 on the approximation of the laws of the Member States relating to rear position (side) lamps and stop lamps for motor vehicles and their trailers (76/758/EEC), as last amended by Commission Directive 97/30/EC of 11 June 1997 (OJ L 171, 30.6.1997, p. 25)

Council Directive of 27 July 1976 on the approximation of the laws of the Member States relating to direction indicator lamps for motor vehicles and their trailers (76/759/EEC), as last amended by Commission Directive 89/277/EEC of 28 March 1989 (OJ L 109, 20.4.1989, p. 25)

Council Directive of 27 July 1976 on the approximation of the laws of the Member States relating to the rear registration plate lamps for motor vehicles and their trailers (76/760/EEC), as last amended by Council Directive 87/354/EEC of 25 June 1987 (OJ L 192, 11.7.1987, p. 43)

Council Directive of 27 July 1976 on the approximation of the laws of the Member States relating to motor-vehicle headlamps which function as main-beam and/or dipped-beam headlamps and to incandescent electric filament lamps for such headlamps (76/761/EEC), as last amended by Commission Directive 89/517/EEC of 1 August 1989 (OJ L 265, 12.9.1989, p. 15)

Council Directive of 27 July 1976 on the approximation of the laws of the Member States relating to front fog lamps for motor vehicles and filament lamps for such lamps (76/762/EEC), as last amended by Council Directive 87/354/EEC of 25 June 1987 (OJ L 192, 11.7.1987, p. 43)

Council Directive of 17 May 1977 on the approximation of the laws of the Member States relating to motor-vehicle towing-devices (77/389/EEC), as last amended by Commission Directive 96/64/EC of 2 October 1996 (OJ L 258, 11.10.1996, p. 26)

Council Directive of 28 June 1977 on the approximation of the laws of the Member States relating to rear fog lamps for motor vehicles and their trailers (77/538/EEC), as last amended by Commission Directive 89/518/EEC of 1 August 1989 (OJ L 265, 12.9.1989, p. 24)

Council Directive of 28 June 1977 on the approximation of the laws of the Member States relating to reversing lamps for motor vehicles and their trailers (77/539/EEC), as last amended by Commission Directive 97/32/EC (OJ L 177, 30.6.1997, p. 63)

Council Directive of 28 June 1977 on the approximation of the laws of the Member States relating to parking lamps for motor vehicles (77/540/EEC), as last amended by Council Directive 87/354/EEC of 25 June 1987 (OJ L 192, 11.7.1987, p. 43)

Council Directive of 28 June 1977 on the approximation of the laws of the Member States relating to safety belts and restraint systems of motor vehicles (77/541/EEC), as last amended by Commission Directive 96/36/EC of 17 June 1996 (OJ L 178, 17.7.1996, p. 15)

Council Directive of 27 September 1977 on the approximation of the laws of the Member States relating to the field of vision of motor vehicle drivers (77/649/EEC), as last amended by Commission Directive 90/630/EEC of 30 October 1990 (OJ L 341, 6.12.1990, p. 20)

Council Directive of 21 December 1977 on the approximation of the laws of the Member States relating to the interior fittings of motor vehicles (identification of controls, tell-tales and indicators) (78/316/EEC), as last amended by Commission Directive 94/53/EC of 15 November 1994 (OJ L 299, 22.11.1994, p. 26)

Council Directive of 21 December 1977 on the approximation of the laws of the Member States relating to the defrosting and demisting systems of glazed surfaces of motor vehicles (78/317/EEC) (OJ L 81, 28.3.1978, p. 27)

Council Directive of 21 December 1977 on the approximation of the laws of the Member States relating to the wiper and washer systems of motor vehicles (78/318/EEC), as last amended by Commission Directive 94/68/EC of 16 December 1994 (OJ L 354, 31.12.1994, p. 1)

Council Directive of 12 June 1978 on the approximation of the laws of the Member States relating to heating systems for the passenger compartment of motor vehicles (78/548/EEC) (OJ L 168, 26.6.1978, p. 40)

Council Directive of 12 June 1978 on the approximation of the laws of the Member States relating to the wheel guards of motor vehicles (78/549/EEC), as last amended by Commission Directive 94/78/EC of 21 December 1994 (OJ L 354, 31.12.1994, p. 10)

Council Directive of 16 October 1978 on the approximation of the laws of the Member States relating to head restraints of seats of motor vehicles (78/932/EEC), as last amended by Council Directive 87/354/EEC of 25 June 1987 (OJ L 192, 11.7.1987, p. 43)

Council Directive of 16 December 1980 on the approximation of the laws of the Member States relating to the fuel consumption of motor vehicles (80/1268/EEC), as last amended by Commission Directive 93/116/EC of 17 December 1993 (OJ L 329, 30.12.1993, p. 39)

Council Directive of 16 December 1980 on the approximation of the laws of the Member States relating to the engine power of motor vehicles (80/1269/EEC), as last amended by Commission Directive 97/21/EC of 18 April 1997 (OJ L 125, 16.5.1997, p. 31)

Council Directive of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorised dimensions in national and international traffic and the maximum authorised weights in international traffic (96/53/EC) (OJ L 235, 17.9.1996, p. 59)

Council Directive of 3 December 1987 on the approximation of the laws of the Member States relating to the measures to be taken against the emission of gaseous pollutants from diesel engines for use in vehicles (88/77/EEC), as last amended by Council Directive 96/1/EC of 22 January 1996 (OJ L 40, 17.2.1996, p. 1)

Council Directive of 13 April 1989 on the approximation of the laws of the Member States relating to the lateral protection (side guards) of certain motor vehicles and their trailers (89/297/EEC) (OJ L 124, 5.5.1989, p. 1)

Council Directive of 18 July 1989 on the approximation of the laws of the Member States relating to the tread depth of tyres of certain categories of motor vehicles and their trailers (89/459/EEC) (OJ L 226, 3.8.1989, p. 4)

Council Directive of 27 March 1991 on the approximation of the laws of the Member States relating to the spray-suppression systems of certain categories of motor vehicles and their trailers (91/226/EEC) (OJ L 103, 23.4.1991, p. 5)

Council Directive of 10 February 1992 on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community (92/6/EEC) (OJ L 57, 2.3.1992, p. 27)

Council Directive of 31 March 1992 on the masses and dimensions of motor vehicles of category M1 (92/21/EEC), as last amended by Commission Directive 95/48/EC of 20 September 1995 (OJ L 233, 30.9.1995, p. 73)

Council Directive of 31 March 1992 on safety glazing and glazing materials on motor vehicles and their trailers (92/22/EEC) (OJ L 129, 14.5.1992, p. 11)

Council Directive of 31 March 1992 relating to tyres for motor vehicles and their trailers and to their fitting (92/23/EEC) (OJ L 129, 14.5.1992, p. 95)

Council Directive of 31 March 1992 relating to speed limitation devices or similar speed limitation on-board systems of certain categories of motor vehicles (92/24/EEC) (OJ L 129, 14.5.1992, p. 154)

Council Directive of 17 December 1992 relating to the external projections forward of the cab's rear panel of motor vehicles of category N (92/114/EEC) (OJ L 409, 31.12.1992, p. 17)

Directive of the European Parliament and of the Council of 30 May 1994 relating to the mechanical coupling devices of motor vehicles and their trailers and their attachment to those vehicles (94/20/EC) (OJ L 195, 29.7.1994, p. 1)

Directive of the European Parliament and of the Council of 24 October 1995 relating to the burning behaviour of materials used in the interior construction of certain categories of motor vehicle (95/28/EC) (OJ L 281, 23.11.1995, p. 1)

Directive 96/27/EC of the European Parliament and of the Council of 20 May 1996 on the protection of occupants of motor vehicles in the event of a side impact and amending Directive 70/156/EEC (OJ L 169, 8.7.1996, p. 1)

Directive 96/79/EC of the European Parliament and of the Council of 16 December 1996 on the protection of occupants of motor vehicles in the event of a frontal impact and amending Directive 70/156/EEC (OJ L 018, 21.1.1997 p. 7)

Directive 97/27/EC of the European Parliament and of the Council of 22 July 1997 relating to the masses and dimensions of certain categories of motor vehicles and their trailers and amending Directive 70/156/EEC (OJ L 233, 25.8.1997, p. 1 and OJ L 263, 25.9.1997, p. 30)

Switzerland

Ordonnance du 19 juin 1995 concernant les exigences techniques requises pour les voitures automobiles de transport et leurs remorques (RO 1995 4145), as last amended on 21 April 1997 (RO 1997 1280)

Ordonnance du 19 juin 1995 sur la réception par type des véhicules routiers (RO 1995 3997)

Section II

Conformity assessment bodies

The Committee established under Article 10 of this Agreement shall draw up and keep up to date, according to the procedure described in Article 11 of the Agreement, a list of the authorities responsible for type-approval, technical services and testing bodies.

European Community:

Switzerland:

Authority responsible for type-approval

Swiss Federal Roads Office
Section des homologations
CH-3003 Berne

Section III

Designating authorities

European Community

— Austria:	Bundesministerium für öffentliche Wirtschaft und Verkehr
— Belgium:	Ministère des Communications et de l'Infrastructure Ministerie van Verkeer en Infrastructuur
— Denmark:	Road safety and Transport Agency
— Finland:	Liikenneministeriö / Trafikministeriet
— France:	Ministère des Transports
— Germany:	Bundesministerium für Verkehr, Bau- und Wohnungswesen
— Greece:	Ministry of Transport
— Ireland:	Department of Enterprise and Employment
— Italy:	Ministero dei Trasporti
— Luxembourg:	Ministère des Transports
— Netherlands:	Rijksdienst voor het Wegverkeer
— Portugal:	Direcção-Geral de Viação

— Spain:	Ministerio de Industria y Energía
— Sweden:	Under the authority of the Government of Sweden: Styrelsen för ackreditering och teknisk kontroll (SWEDAC) Vägverket Statens Naturvårdsverk (for emissions aspects: Directives 70/220/EEC, 72/306/EEC, 88/77/EEC and 77/537/EEC)
— United Kingdom:	Vehicle Certification Agency
Switzerland	Swiss Federal Roads Office

Section IV

Special rules relating to the designation of conformity assessment bodies

For the designation of conformity assessment bodies, the designating authorities shall refer to their respective legislative, regulatory and administrative provisions as listed in section I.

Section V

Supplementary provisions

The provisions of this section shall apply exclusively to relations between Switzerland and the Community.

1. Information exchange

The competent type-approval authorities in Switzerland and the Member States shall in particular exchange the information referred to in Article 4(5) and (6) of Directive 70/156/EEC, as amended by Directive 92/53/EEC and as last adapted to technical progress by Commission Directive 98/14/EC.

In the event of refusal by Switzerland or the Member States to grant type-approval in accordance with Article 4(2) of Directive 70/156/EEC, as amended by Directive 92/53/EEC, and as last adapted to technical progress by Commission Directive 98/14/EC, their competent authorities shall notify each other of their decision and give the reasons for it. The competent Swiss authority shall likewise inform the Commission thereof.

2. Recognition of vehicle type-approval

Switzerland shall also recognise vehicle type-approval granted before the entry into force of this Agreement in accordance with Directive 70/156/EEC, as amended by Directive 92/53/EEC, and as last adapted to technical progress by Commission Directive 98/14/EC, by the authorities responsible for type-approval listed in section II of this Chapter where that approval is still valid in the EC.

The European Community shall recognise Swiss type-approval where Switzerland's requirements are deemed to be equivalent to those of Directive 70/156/EEC, as amended by Directive 92/53/EEC, and as last adapted to technical progress by Commission Directive 98/14/EC.

Recognition of Swiss-issued type-approval shall be suspended should Switzerland fail to adapt its legislation to all the Community type-approval legislation in force.

3. Vehicle type-approval safeguard clauses

Registration and entry into service

1. Each Member State and Switzerland shall register, permit the sale or entry into service of new vehicles on grounds relating to their construction and functioning if, and only if, they are accompanied by a valid certificate of conformity. In the case of incomplete vehicles, each Member State and Switzerland may not prohibit the sale of such vehicles but may refuse their permanent registration and entry into service so long as they are not completed.

2. Each Member State and Switzerland shall permit the sale or entry into service of components or separate technical units if, and only if, they comply with the requirements of the relevant separate Directive or the requirements of the Swiss legislation equivalent to the relevant separate Directive.

3. If a Member State or Switzerland finds that vehicles, components or separate technical units of a particular type are a serious risk to road safety although they are accompanied by a valid certificate of conformity or are properly marked, it may, for a maximum period of six months, refuse to register such vehicles or may prohibit the sale or entry into service in its territory of such vehicles, components or separate technical units. It shall forthwith notify the other Member States, Switzerland and the Commission thereof, stating the reasons on which its decision is based. If the Member State or Switzerland which granted type-approval disputes the risk to road safety notified to it, the Member States or Switzerland concerned shall endeavour to settle the dispute. The Commission and the Committee shall be kept informed and shall, where necessary, hold appropriate consultations for the purpose of reaching a settlement.

Measures related to the conformity of production

1. When a Member State or Switzerland grants type-approval, it shall take the necessary measures in accordance with Annex X to Framework Directive 70/156/EEC, as amended by Directive 92/53/EEC, and as last adapted to technical progress by Commission Directive 98/14/EC, in relation to that approval to verify, if need be in cooperation with the approval authorities of the other Member States or Switzerland, that adequate arrangements have been made to ensure that vehicles, systems, components or separate technical units produced, conform to the approved type.

2. When a Member State or Switzerland has granted a type approval, it shall take the necessary measures in accordance with Annex X to Framework Directive 70/156/EEC, as amended by Directive 92/53/EEC, and as last adapted to technical progress by Commission Directive 98/14/EC, in relation to that approval to verify, if need be in cooperation with the approval authorities of the other Member States or Switzerland, that the arrangements referred to in paragraph 1 continue to be adequate and that vehicles, systems, components or separate technical units produced, continue to conform to the approved type. Verification to ensure that products conform to the approved type shall be limited to the procedures set out in section 2 of Annex X to Framework Directive 70/156/EEC, as amended by Directive 92/53/EEC, and as last adapted to technical progress by Commission Directive 98/14/EC, and in those separate Directives that contain specific requirements.

Nonconformity with the approved type

1. There shall be failure to conform to the approved type where deviations from the particulars in the type-approval certificate and/or the information package are found to exist and where these deviations have not been authorised under Article 5 (3) or (4), by the Member States or Switzerland which granted the type-approval. A vehicle shall not be considered to deviate from the approved type where tolerances are permitted by separate Directives and these tolerances are respected.

2. Where a Member State or Switzerland has granted type-approval and finds that vehicles, components or separate technical units accompanied by a certificate of conformity or bearing an approval mark do not conform to the type it has approved, it shall take the necessary measures to ensure that vehicles, components or separate technical units produced again conform to the approved type. The approval authorities of that Member State or Switzerland shall notify those of the other Member States and/or Switzerland of the measures taken which may extend to withdrawal of type-approval.

3. If a Member State or Switzerland demonstrates that vehicles, components or separate technical units accompanied by a certificate of conformity or bearing an approval mark do not conform to the approved type, it may request the Member State or Switzerland which granted the type-approval to verify that vehicles, components or separate technical units produced conform to the approved type. Such action shall be taken as soon as possible and in any case within six months of the date of the request.

4. In the case of:

- a vehicle type-approval where the nonconformity of a vehicle arises exclusively from the nonconformity of a system, component or separate technical unit, or
- a multi-stage type-approval where the nonconformity of a completed vehicle arises exclusively from the nonconformity of a system, component or separate technical unit being part of the incomplete vehicle, or of the incomplete vehicle itself, the vehicle-approval authority shall request the Member State(s) or Switzerland which granted any relevant system, component, separate technical unit or incomplete vehicle type-approval(s) to take the necessary action to ensure that vehicles produced again conform to the approved type. Such action shall be taken as soon as possible and in any case within six months of the date of the request, if necessary in conjunction with the Member State or Switzerland making the request.

Where a failure to conform is established, the approval authorities of the Member State or Switzerland which granted the system, component or separate technical unit type-approval or the approval of the incomplete vehicle shall take the measures set out in paragraph 2 of Directive 70/156/EEC, as amended by Directive 92/53/EEC, and as last adapted to technical progress by Commission Directive 98/14/EC.

5. The approval authorities of the Member States or Switzerland shall inform each other within one month of any withdrawal of type-approval and of the reasons for such a measure.

6. If the Member State or Switzerland which granted type-approval disputes the failure to conform notified to it, the Member States concerned and Switzerland shall endeavour to settle the dispute. The Commission and the Committee shall be kept informed and shall, where necessary, hold appropriate consultations for the purpose of reaching a settlement.

CHAPTER 13

AGRICULTURAL OR FORESTRY TRACTORS

Section I

Legislative, regulatory and administrative provisions

Provisions covered by Article 1(2)

European Community

Council Directive of 4 March 1974 on the approximation of the laws of the Member States relating to the type-approval of wheeled agricultural or forestry tractors (74/150/EEC), as last amended by Directive 97/54/EC of the European Parliament and the Council of 23 September 1997 (OJ L 277, 10.10.1997, p. 24)

Council Directive of 4 March 1974 on the approximation of the laws of the Member States relating to certain parts and characteristics of wheeled agricultural or forestry tractors (74/151/EEC), as last amended by Commission Directive 98/38/EC of 3 June 1998 (OJ L 170, 16.6.1998, p. 13)

Council Directive of 4 March 1974 on the approximation of the laws of the Member States relating to the maximum design speed of and load platforms for wheeled agricultural or forestry tractors (74/152/EEC), as last amended by Directive 97/54/EC of the European Parliament and the Council of 23 September 1997 (OJ L 277, 10.10.1997, p. 24)

Council Directive of 25 June 1974 on the approximation of the laws of the Member States relating to rear-view mirrors for wheeled agricultural or forestry tractors (74/346/EEC), as last amended by Commission Directive 98/40/EC of 6 June 1998 (OJ L 171, 16.6.1998, p. 28)

Council Directive of 25 June 1974 on the approximation of the laws of the Member States relating to the field of vision and windscreen wipers for wheeled agricultural or forestry tractors (74/347/EEC), as last amended by Directive 97/54/EC of the European Parliament and the Council of 23 September 1997 (OJ L 277, 10.10.1997, p. 24)

Council Directive of 20 May 1975 on the approximation of the laws of the Member States relating to the steering equipment of wheeled agricultural or forestry tractors (75/321/EEC), as last amended by Commission Directive 98/39/EC of 5 June 1998 (OJ L 170, 16.6.1998, p. 15)

Council Directive of 20 May 1975 on the approximation of the laws of the Member States relating to the suppression of radio interference produced by spark-ignition engines fitted to wheeled agricultural or forestry tractors (75/322/EEC), as last amended by Directive 97/54/EC of the European Parliament and the Council of 23 September 1997 (OJ L 277, 10.10.1997, p. 24)

Council Directive of 6 April 1976 on the approximation of the laws of the Member States relating to the braking devices of wheeled agricultural or forestry tractors (76/432/EEC), as last amended by Directive 97/54/EC of the European Parliament and the Council of 23 September 1997 (OJ L 277, 10.10.1997, p. 24)

Council Directive of 27 July 1976 on the approximation of the laws of the Member States relating to passenger seats for wheeled agricultural or forestry tractors (76/763/EEC), as last amended by Directive 97/54/EC of the European Parliament and the Council of 23 September 1997 (OJ L 277, 10.10.1997, p. 24)

Council Directive of 29 March 1977 on the approximation of the laws of the Member States relating to the driver-perceived noise level of wheeled agricultural or forestry tractors (77/311/EEC), as last amended by Directive 97/54/EC of the European Parliament and the Council of 23 September 1997 (OJ L 277, 10.10.1997, p. 24)

Council Directive of 28 June 1977 on the approximation of the laws of the Member States relating to the roll-over protection structures of wheeled agricultural or forestry tractors (77/536/EEC), as last amended by Council Directive 89/680/EEC of 21 December 1989 (OJ L 398, 30.12.1989, p. 26)

Council Directive of 28 June 1977 on the approximation of the laws of the Member States relating to the measures to be taken against the emission of pollutants from diesel engines for use in wheeled agricultural or forestry tractors (77/537/EEC), as last amended by Directive 97/54/EC of the European Parliament and the Council of 23 September 1997 (OJ L 277, 10.10.1997, p. 24)

Council Directive of 25 July 1978 on the approximation of the laws of the Member States relating to the driver's seat on wheeled agricultural or forestry tractors (78/764/EEC), as last amended by Directive 97/54/EC of the European Parliament and the Council of 23 September 1997 (OJ L 277, 10.10.1997, p. 24)

Council Directive of 17 October 1978 on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on wheeled agricultural and forestry tractors (78/933/EEC), as last amended by Directive 97/54/EC of the European Parliament and the Council of 23 September 1997 (OJ L 277, 10.10.1997, p. 24)

Council Directive of 17 May 1979 on the approximation of the laws of the Member States relating to the component type-approval of lighting and light-signalling devices on wheeled agricultural or forestry tractors (79/532/EEC), as last amended by Directive 97/54/EC of the European Parliament and the Council of 23 September 1997 (OJ L 277, 10.10.1997, p. 24)

Council Directive of 17 May 1979 on the approximation of the laws of the Member States relating to the coupling device and the reverse of wheeled agricultural or forestry tractors (79/533/EEC), as last amended by Directive 97/54/EC of the European Parliament and the Council of 23 September 1997 (OJ L 277, 10.10.1997, p. 24)

Council Directive of 25 June 1979 on the approximation of the laws of the Member States relating to the roll-over protection structures of wheeled agricultural or forestry tractors (static testing) (79/622/EEC), as last amended by Commission Directive 88/413/EEC of 22 June 1988 (OJ L 200, 26.7.1988, p. 32)

Council Directive of 24 June 1980 on the approximation of the laws of the Member States relating to the operating space, access to the driving position and the doors and windows of wheeled agricultural or forestry tractors (80/720/EEC), as last amended by Directive 97/54/EC of the European Parliament and the Council of 23 September 1997 (OJ L 277, 10.10.1997, p. 24)

Council Directive of 26 May 1986 on the approximation of the laws of the Member States relating to the power take-offs of wheeled agricultural and forestry tractors and their protection (86/297/EEC), as last amended by Directive 97/54/EC of the European Parliament and the Council of 23 September 1997 (OJ L 277, 10.10.1997, p. 24)

Council Directive of 26 May 1986 on rear-mounted roll-over protection structures of narrow-track wheeled agricultural and forestry tractors (86/298/EEC), as last amended by Council Directive 89/682/EEC of 21 December 1989 (OJ L 398, 30.12.1989, p. 29)

Council Directive of 24 July 1986 on the installation, location, operation and identification of the controls of wheeled agricultural or forestry tractors (86/415/EEC), as last amended by Directive 97/54/EC of the European Parliament and the Council of 23 September 1997 (OJ L 277, 10.10.1997, p. 24)

Council Directive of 25 June 1987 on roll-over protection structures mounted in front of the driver's seat on narrow-track wheeled agricultural and forestry tractors (87/402/EEC), as last amended by Council Directive 89/681/EEC of 21 December 1989 (OJ L 398, 30.12.1989, p. 27)

Council Directive of 21 December 1988 on the approximation of the laws of the Member States relating to certain components and characteristics of wheeled agricultural or forestry tractors (89/173/EEC), as last amended by Directive 97/54/EC of the European Parliament and the Council of 23 September 1997 (OJ L 277, 10.10.1997, p. 24)

Switzerland

Ordonnance du 19 juin 1995 concernant les exigences techniques requises pour les tracteurs agricoles (RO 1995 4171)

Ordonnance du 19 juin 1995 sur la réception par type des véhicules routiers (RO 1995 3997)

Section II

Conformity assessment bodies

The Committee established under Article 10 of this Agreement shall draw up and keep up to date, according to the procedure described in Article 11 of the Agreement, a list of the authorities responsible for type-approval, technical services and testing bodies.

European Community

Switzerland

Authority responsible for type-approval

Swiss Federal Roads Office
CH-3003 Berne

Section III

Designating authorities

European Community

- | | |
|------------|---|
| — Austria: | Bundesministerium für öffentliche Wirtschaft und Verkehr |
| — Belgium: | Ministère des Communications et de l'Infrastructure
Ministerie van Verkeer en Infrastructuur |
| — Denmark: | Road safety and Transport Agency |
| — Finland: | Liikenneministeriö / Trafikministeriet |
| — France: | Ministère des Transports |
| — Germany: | Kraftfahrt-Bundesamt |
| — Greece: | Ministry of Transport |
| — Ireland: | Department of Enterprise and Employment |

— Italy:	Ministero dei Trasporti
— Luxembourg:	Ministère des Transports
— Netherlands:	Rijksdienst voor het Wegverkeer
— Portugal:	Direcção-Geral de Viação
— Spain:	Ministerio de Industria y Energía
— Sweden:	Under the authority of the Government of Sweden: Styrelsen för ackreditering och teknisk kontroll (SWEDAC) Vägverket Statens Naturvårdsverk (for emission aspects: directives 70/220/EEC, 72/306/EEC, 88/77/EEC and 77/537/EEC)
— United Kingdom:	Vehicle Certification Agency
Switzerland	Swiss Federal Roads Office

Section IV

Special rules relating to the designation of conformity assessment bodies

For the designation of conformity assessment bodies, the designating authorities shall refer to their respective legislative, regulatory and administrative provisions as listed in section I.

Section V

Supplementary provisions

Information exchange

The competent Member State's and Swiss authorities shall notify each other of conforming (Art. 5 and 6, Directive 74/150/EEC) or non-conforming (Art. 8, Directive 74/150/EEC) vehicles, devices and systems placed on the market.

CHAPTER 14

GOOD LABORATORY PRACTICE (GLP)

Scope and coverage

The provisions of this Chapter shall apply to the testing of chemicals according to GLP, being either substances or preparations, covered by the legislative, regulatory and administrative provisions listed in section I. For the purposes of this Chapter the provisions of Article 4 of this Agreement concerning origin do not apply.

Unless specific definitions are given, the definition of terms in the 'OECD Principles of Good Laboratory Practice' [Appendix II to OECD Council Decision of 12 May 1981 C(81)30(Final)], the 'Guides for Compliance Monitoring Procedures for Good Laboratory Practice' [Appendix I to Council Decision-Recommendation of 2 October 1989 C(89)87(Final)] and GLP Consensus documents, OECD Series on Principles of Good Laboratory Practice and Compliance Monitoring, and all amendments made thereto, shall apply.

The Parties recognise the equivalence of each other's compliance monitoring programmes on Good Laboratory Practice that are in accordance with the OECD decisions and recommendations mentioned above and the legislative, regulatory and administrative procedures and principles listed in section IV.

The Parties mutually accept studies and data generated therefrom, produced by the test facilities of the other Party listed in section II provided they participate in the Good Laboratory Practice compliance monitoring programme of that Party in accordance with the principles and provisions stated above.

The Parties mutually accept the conclusions of study audits and test facility inspections performed by the monitoring authorities referred to in section III.

Section I

Legislative, regulatory and administrative provisions

With regard to the testing of chemicals according to GLP, the relevant parts of the legislative, regulatory and administrative provisions listed below shall apply.

Provisions covered by Article 1(1)

European Community	<u>Feed additives</u> Council Directive of 18 April 1983 on the fixing of guidelines for the assessment of certain products used in animal nutrition (83/228/EEC) (OJ L 126, 13.5.1983, p. 23), as subsequently amended Council Directive of 16 February 1987 fixing guidelines for the assessment of additives in animal nutrition (87/153/EEC) (OJ L 64, 7.2.1987, p. 19), as subsequently amended <u>Foodstuff</u> Council Directive of 14 June 1989 on the official control of foodstuffs (89/397/EEC) (OJ L 186 of 30.6.1989, p. 23), as subsequently amended Council Directive of 29 October 1993 on the subject of additional measures concerning the official control of foodstuffs (93/99/EEC) (OJ L 290, 24.11.1993, p. 14) as subsequently amended <u>Cosmetics</u> Council Directive of 14 June 1993 amending for the sixth time Directive 76/768/EEC on the approximation of the laws of the Member States relating to cosmetic products (93/35/EEC) (OJ L 151, 23.6.1993, p. 32) as subsequently amended
Switzerland	No GLP-relevant legislation

Provisions covered by Article 1(2)

European Community	<u>New and existing chemicals</u> Council Directive of 18 December 1986 on the harmonisation of laws, regulations and administrative provisions relating to the application of the principles of good laboratory practice and the verification of their applications for tests on chemical substances (87/18/EEC) (OJ L 15, 17.1.1987, p. 29) Council Directive of 30 April 1992 amending for the seventh time Directive 67/548/EEC on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances (92/32/EEC) (OJ L 154, 5.6.1992, p. 1) Council Directive of 7 June 1988 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations (88/379/EEC) (OJ L 187, 16.7.1988, p. 14) Council Regulation of 23 March 1993 on the evaluation and control of the risks of existing substances (No 793/93/EEC) (OJ L 84, 5.4.1993, p. 1)
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Medicinal products

Council Directive of 22 December 1986 amending Directive 75/318/EEC on the approximation of the laws of the Member States relating to analytical, pharmacotoxicological and clinical standards and protocols in respect of the testing of proprietary medicinal products (87/19/EEC) (OJ L 15, 17.1.1987, p. 31)

Council Directive of 22 December 1986 amending Directive 65/65/EEC on the approximation of provisions laid down by law, regulation or administrative action relating to proprietary medicinal products (87/21/CEE) (OJ L 15, 17.1.1987, p. 36)

Commission Directive of 19 July 1991 modifying the Appendix to Council Directive 75/318/EEC on the approximation of the laws of Member States relating to analytical, pharmacotoxicological and clinical standards and protocols in respect of the testing of medicinal products (91/507/EEC) (OJ L 270, 26.9.1991, p. 32)

Veterinary drugs

Council Directive of 22 December 1986 amending Directive 81/852/CEE on the approximation of the laws of the Member States relating to analytical, pharmacotoxicological and clinical standards and protocols in respect of the testing of veterinary medicinal products (87/20/EEC) (OJ L 15, 17.1.1987, p. 34)

Commission Directive of 20 March 1992 modifying the Annex to Council Directive 81/852/EEC on the approximation of the laws of the Member States relating to analytical, pharmacotoxicological and clinical standards and protocols in respect of the testing of veterinary medicinal products (92/18/EEC) (OJ L 97, 10.4.1992, p. 1)

Plant protection products

Council Directive of 15 July 1991 concerning the placing of plant protection products on the market (91/414/EEC) (OJ L 230, 19.8.1991, p. 1)

Commission Directive of 27 July 1993 amending Council Directive 91/414/EEC concerning the placing of plant protection products on the market (93/71/EEC) (OJ L 221, 31.8.1993, p. 27)

Commission Directive of 14 July 1995 amending Council Directive 91/414/EEC concerning the placing on the market of plant protection products (95/35/EC) (OJ L 172, 22.7.1995, p. 6)

Switzerland

Federal law of 7 October 1983 on the protection of the environment (RO 1984 1122) as last amended on 21 December 1995 (RO 1997 1155)

Ordinance of 9 June 1986 relating to dangerous substances for the environment (RO 1986 1254) as last amended on 4 November 1998 (RO 1999 39)

Federal law of 21 March 1969 on trade in toxic substances (RO 1972 430) as last amended on 21 December 1995 (RO 1997 1155)

Ordinance of 19 September 1983 relating to toxic substances (RO 1983 1387) as last amended on 4 November 1998 (RO 1999 56)

Regulations of 25 May 1972 for the implementation of the intercantonal convention on the control of medicines, as last amended on 23 November 1995

Section II

Conformity assessment bodies

For the purpose of this Sectoral Chapter, 'Conformity Assessment Bodies' means the test facilities recognised under each Party's GLP monitoring programme.

On the basis of information provided by the Parties according to Section V of this Chapter, the Committee referred to in Article 10 of this Agreement shall establish and keep up to date, according to the procedure described in Article 11 of this Agreement, a list of the test facilities that have been found to be in conformity with the GLP principles.

Section III

Designating authorities

For the purpose of this Sectoral Chapter, 'Designating Authorities' means the official GLP Monitoring Authorities of the Parties.

European Community:

— Austria	All products
Bundesministerium für Umwelt, Jugend und Familie Department II/2 Stubenbastei 5 A-1010 Wien	
— Belgium	All products
Ministère de la santé publique, de l'environnement et de l'intégration sociale. Inspection pharmaceutique Ministerie van Volksgezondheid, Leemilieu en Sociale Integ- ratie. Farmaceutische Inspectie Rue Juliette Wytsmanstraat 14 B-1050 Bruxelles	
— Denmark	Industrial chemicals and pesticides
Danish Agency of Industry and Trade Tagensvej 137 DK-220 Copenhagen N	
	Pharmaceuticals
Danish Medicines Agency 378, Frederikssundsvej DK-2700 Brønshøj	
— Finland	All products
Sosiaalija terveydenhuollon tuotevalvontakeskus / kemi- kaaliosasto Social- och hälsovårdens produuttillsynscentral / Kemikal- ieavdelning PL 267 Box FIN-00531 Helsinki	
— France	Industrial chemicals, pesticides and products other than veterinary products
Groupe Interministériel des produits chimiques (GIPC) 3/5 Rue Barbet de Jouy F-75353 Paris 07 SP	
	Pharmaceuticals other than veterinary products
Agence du Médicament 143/147 Boulevard Anatole France F-93200 Saint Denis	
	Cosmetics
Ministère de la Santé, Direction Générale de la Santé, Sous-direction pharmacie 1, place de Fontenoy F-75350 Paris 07 SP	
	Veterinary products
CNEVA Agence de médicament vétérinaire, service inspections et contrôles BP 203 F-35302 Fougères Cedex	

— Germany	All products
Bundesministerium für Umwelt, Naturschutz und Reaktorsicherheit D-53175 Bonn	
— Greece	All products
General Chemical State Laboratory An Tsoha Street 16 11521 Athens	
— Ireland	All products
Irish Laboratory Accreditation Board (ILAB) Wilton Park House Wilton Place Dublin 2 Ireland	
— Italy	All products
Ministero della Sanità Dipartimento della Prevenzione GLP Compliance Monitoring Unit Via della Sierra Nevada 60 I-00144 Roma	
— Netherlands	All products
Ministry of Health, Welfare and Sports Inspectorate for Health Protection, Commodities and Veterinary Public Health GLP Department PO Box 16.108 2500 BC's Gravenhage Netherlands	
— Portugal	Industrial chemicals and pesticides
Instituto Português da Qualidade Ministério da Indústria e Comércio Rua C à Av. dos Três Vales P-2825 Monte da Caparica	
	Pharmaceuticals and veterinary drugs
Instituto Nacional de Farmacia e do Medicamento. Parque de Saúde de Lisboa Avenida do Brasil 53 P-1700 Lisboa	
— Spain	Pharmaceuticals and cosmetics
Ministerio de Sanidad y Consumo Agencia Española de Medicamento Subdirección General de Seguridad de los Medicamentos Paseo del Prado, 18-20 E-28014 Madrid	
— Sweden	Pharmaceuticals and hygiene and cosmetic products
Läkemedelsverket (Medical Products Agency) Box 26 S-75103 Uppsala	
	For all other products
Styrelsen för ackreditering och teknisk kontroll (SWEDAC) Box 2231 S-10315 Stockholm	
— United Kingdom	All products
Department of Health GLP Monitoring Authority Hannibal House Market Towers 1, Nine Elms Lane London SW8 5NQ United Kingdom	

Switzerland:

Environmental studies on all products
Federal Office of Environment, Forests and Landscape
CH-3003 Berne

Health studies on pharmaceutical products
Intercantonal Office for the Control of Medicines
Erlachstraße 8
PO Box
CH-3000 Berne 9

Health studies on all products except pharmaceuticals
Federal Office of Public Health

Chemicals division
CH-3003 Berne

Section IV

Special principles for designating conformity assessment bodies

For the purpose of this Sectoral Chapter, 'designation of conformity assessment bodies' means the procedure by which the GLP Monitoring Authorities recognise that test facilities comply with the GLP principles. To this end they shall apply the principles and procedures of their provisions listed below, that are recognised to be equivalent and in conformity with the aforementioned OECD Council Acts C(81) 30 Final and C(89) 87 Final:

European Community	<p>Council Directive of 18 December 1986 on the harmonisation of laws, regulations and administrative provisions relating to the application of the principles of good laboratory practice and the verification of their applications for tests on chemical substances (87/18/EEC) (OJ L 15, 17.1.1987, p. 29)</p> <p>Council Directive of 9 June 1988 on the inspection and verification of Good Laboratory Practice (GLP) (88/320/EEC) (OJ L 145, 11.6.1988, p. 35)</p> <p>Commission Directive of 18 December 1989 adapting to technical progress the Appendix of Council Directive 88/320/EEC on the inspection and verification of good laboratory practice (GLP) (90/18/EEC) (OJ L 11, 13.1.1990, p. 37)</p>
Switzerland	<p>Federal law of 7 October 1983 on the protection of the environment (RO 1984 1122) as last amended on 21 December 1995 (RO 1197 1155)</p> <p>Ordinance of 9 June 1986 relating to dangerous substances for the environment (RO 1986 1254) as last amended on 4 November 1998 (RO 1999 39)</p> <p>Federal law of 21 March 1969 on trade in toxic substances (1972 435) as last amended on 21 December 1995 (RO 1197 1155)</p> <p>Ordinance of 19 September 1983 relating to toxic substances (RO 1983 1387) as last amended on 4 November 1998 (RO 1999 56)</p> <p>Regulations of 25 May 1972 for the implementation of the intercantonal convention on the control of medicines, as last amended on 23 November 1995</p> <p>Good Laboratory Practice (GLP) in Switzerland, Procedures and Principles, DFI/IKS, March 1986</p>

Section V

Additional provisions1. *Information exchange*

In accordance with Article 12 of this Agreement, the Parties in particular provide each other at least annually with a list of the test facilities which, in the light of the results of the inspections and study audits, conform to Good Laboratory Practice, as well as of the dates of inspection or audit and their compliance status.

In accordance with Article 6 of the Agreement, the Parties shall inform each other in a timely manner when a test facility coming under the terms of section II of this sectoral Chapter which states that it applies Good Laboratory Practice fails to conform to such practice to an extent which may jeopardise the integrity or authenticity of any such studies it conducts.

The Parties shall supply each other with any additional information on a test facility inspection or study audit in response to a reasonable request from the other Party.

2. *Test Facility Inspections*

Each Party may request further test facility inspection or study audits if there is a documented doubt as to whether a test was conducted in accordance with Good Laboratory Practice.

If, in exceptional cases, doubts persist and the requesting Party can justify special concern, it may, in accordance with Article 8 of the Agreement, designate one or more experts of its authorities listed in section III to participate in a laboratory inspection or the audit of a study conducted by the authorities of the other Party.

3. *Confidentiality*

In conformity with Article 13 of the Agreement, the Parties shall keep confidential any information brought to their knowledge pursuant to this Sectoral Chapter or that came to their knowledge in the framework of participation in an inspection or study audit and which falls within the definition of a trade secret or confidential commercial or financial information. They shall treat such information with at least the same confidentiality as that accorded to it by the providing Party and ensure that any authority to whom the information is transmitted treats it in the same way.

4. *Cooperation*

Based on Article 9 of the Agreement, each Party may, on request, participate as an observer in an inspection of a test facility conducted by the authorities of the other Party with the consent of the test facility concerned in order to maintain a continuing understanding of the other Party's inspection procedures.

CHAPTER 15

MEDICINAL PRODUCTS GMP INSPECTION AND BATCH CERTIFICATION**Scope and coverage**

The provisions of this Sectoral Chapter cover all medicinal products which are industrially manufactured in Switzerland or the European Community, and to which Good Manufacturing Practice (GMP) requirements apply.

For medicinal products covered by this Chapter, each party shall recognise the conclusions of inspections of manufacturers carried out by the relevant inspection services of the other Party and the relevant manufacturing authorisations granted by the competent authorities of the other Party.

The manufacturer's certification of the conformity of each batch to its specifications shall be recognised by the other Party without recontrol at import.

In addition, official batch releases carried out by an authority of the exporting Party will be recognised by the other Party.

'Medicinal products' means all products regulated by pharmaceutical legislation in the European Community and Switzerland as listed in Section I of this Chapter. The definition of medicinal products includes all human and veterinary products, such as chemical and biological pharmaceuticals, immunologicals, radio-pharmaceuticals, stable medicinal products derived from human blood or human plasma, pre-mixes for the preparation of veterinary medicated feedingstuffs and, where appropriate, vitamins, minerals, herbal remedies and homeopathic medicinal products.

'GMP' is that part of quality assurance which ensures that products are consistently produced and controlled to the quality standards appropriate to their intended use and as required by the marketing authorisation and products specifications. For the purpose of this Chapter it includes the system whereby the manufacturer receives the specification of the product and the process from the marketing authorisation holder or applicant and ensures that the medicinal product is made in compliance with this specification (Equivalent to 'Qualified Person' for certification in the EC).

With respect to medicinal products covered by the legislation of one Party but not the other, the manufacturing company can request, for the purpose of this Agreement, an inspection be made by the locally competent inspection service. This provision shall apply i.a. to the manufacture of active pharmaceutical ingredients, intermediate products and investigational medicinal products, as well as to pre-marketing inspections. Operational arrangements are detailed under section III, paragraph 3.

Certification of manufacturers

At the request of an exporter, importer or the competent authority of the other Party, the authorities responsible for granting manufacturing authorisations and for supervision of the manufacture of medicinal products shall certify that the manufacturer:

- is appropriately authorised to manufacture the relevant medicinal product, or to carry out the relevant specified manufacturing operation
- is regularly inspected by the authorities
- complies with the national GMP requirements recognised as equivalent by the two parties, and which are listed in Section I of this Chapter. Should different GMP requirements be used as reference, this is to be mentioned in the certificate.

The certificates shall also identify the site(s) of manufacture (and contract quality control laboratories, if any).

Certificates shall be issued expeditiously, and the time taken should not exceed thirty calendar days. In exceptional cases, i.a. when a new inspection has to be carried out, this period may be extended to sixty days.

Batch certification

Each batch exported shall be accompanied by a batch certificate established by the manufacturer (self-certification) after a full qualitative analysis, a quantitative analysis of all the active ingredients and all the other tests or checks necessary to ensure the quality of the product in accordance with the requirements of the marketing authorisation. This certificate shall attest that the batch meets its specifications and shall be kept by the importer of the batch. It will be made available upon request of the competent authority.

When issuing a certificate, the manufacturer shall take account of the provisions of the current WHO certification scheme on the quality of pharmaceutical products moving in international commerce. The certificate shall detail the agreed specifications of the product, the reference of the analytical methods and the analytical results. It shall contain a statement that the batch processing and packaging records were reviewed and found in conformity with GMP. The batch certificate shall be signed by the person responsible for releasing the batch for sale or supply, i.e. in the European Community the 'qualified person' referred to in Article 21 of Directive 75/319/EEC, and in Switzerland the responsible person referred to in Articles 4 and 5 of the Ordinance on immunobiological products, Articles 4 and 5 of the Ordinance on immunobiological products for veterinary use and Article 10 of the Directives of the IOCM on the manufacture of medicinal products.

Official Batch Release

When an official batch release procedure applies, official batch releases carried out by an authority of the exporting Party (listed in section II) will be recognised by the other Party. The manufacturer shall provide the certificate of the official batch release.

For the Community, the official batch release procedure is specified in document 'Control/Authority Batch Release of Vaccination and Blood Products of 24 September 1998' and different specific batch release procedures. For Switzerland, the official batch release procedure is specified in Articles 22-27 of the Ordinance on immunobiological products, Articles 20-25 of the Ordinance on immunobiological products for veterinary use and Articles 4-6 of the Directives of the IOCM on the Authority Batch Release.

Section I

With regard to GMP, the relevant parts of the legislative, regulatory and administrative provisions listed below apply. However, the reference quality requirements of products to be exported, including their manufacturing method and product specifications, shall be those of the relevant marketing authorisation granted by the competent authority of the importing Party.

Provisions covered by Article 1(2)

European Community	<p>Council Directive of 26 January 1965 on the approximation of provisions laid down by law, regulation or administrative action relating to medicinal products (65/65/EEC) as last amended by Council Directive 93/39/EEC of 14 June 1993 (OJ L 214, 24.8.1993, p. 22)</p> <p>Council Directive of 20 May 1975 on the approximation of the laws of the Member States relating to analytical, pharmacotoxicological and clinical standards and protocols in respect of the testing of medicinal products (76/319/EEC) as last amended by Council Directive 89/341/EEC of 3 May 1989 (OJ L 142, 25.5.1989, p. 11)</p> <p>Council Directive of 28 September 1981 on the approximation of the laws of the Member States relating to veterinary medicinal products (81/851/EEC) as last amended by Council Directive 90/676/EEC of 13 December 1990 (OJ L 373, 31.12.1990, p. 15)</p> <p>Commission Directive of 13 June 1991 laying down the principles and guidelines of good manufacturing practice for medicinal products for human use (91/356/EEC) (OJ L 193, 17.7.1991, p. 30)</p> <p>Commission Directive of 23 July 1991 laying down the principles and guidelines of good manufacturing practice for veterinary medicinal products (91/412/EEC) (OJ L 228, 17.8.1991, p. 70)</p> <p>Council Regulation (EEC) No 2309/93 of 22 July 1993 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Agency for the Evaluation of Medicinal Products, as last amended by Commission Regulation (EC) No 649/98 of 23 March 1998 (OJ L 88, 24.3.1998, p. 7)</p> <p>Council Directive of 31 March 1992 on the wholesale distribution of medicinal products for human use (92/25/EEC) (OJ L 113, 30.4.1992, p. 1) and Guide to Good Distribution Practice</p> <p>Guide to Good Manufacturing Practice Volume IV of Rules Governing Medicinal Products in the European Community</p>
Switzerland	<p>Federal law of 6 October 1989 on the pharmacopoeia (RO 1990 570)</p> <p>Ordinance of 23 August 1989 on immunobiological products (RO 1989 1797), as last amended on 24 February 1993 (RO 1993 963)</p> <p>Ordinance of 22 June 1994 on radioprotection (RO 1994 1947)</p> <p>Federal Decree of 22 March 1996 on the control of blood, blood products and transplants (RO 1996 2296)</p> <p>Ordinance of 26 June 1996 on the control of blood, blood products and transplants (RO 1996 2309)</p> <p>Federal Law of 1 July 1966 on epizootics (RO 1966 1621)</p>

Ordinance of 27 June 1995 on immunobiological products for veterinary use (RO 1995 3805)

Intercantonal Convention of 3 June 1971 on the control of medicines (RO 1972 1026), as last amended on 1 January 1979 (RO 1979 252)

Regulations of 25 May 1972 for the implementation of the intercantonal convention on the control of medicines, as last amended on 14 May 1998

Directives of 18 May 1995 of the Intercantonal Office for the Control of Medicines (IOCM) on the manufacture of medicinal products

IOCM Directives of 23 May 1985 on the manufacture of active pharmaceutical ingredients

IOCM Directives of 20 May 1976 for the wholesale of medicines

IOCM Directives of 24 November 1994 on the Authority Batch Release

IOCM Directives of 19 May 1988 on the manufacture and distribution of medicated feeding stuff

IOCM Directives of 19 November 1998 for the Inspection of Manufacturers of Medicinal Products (Inspection Directives)

Section II

Conformity assessment bodies

For the purpose of this Chapter 'Conformity Assessment Bodies' means the official GMP inspection services of each Party.

European Community

— Germany

Bundesministerium für Gesundheit
Am Propsthof 78a
D-53108 Bonn
Tel. (49-228) 941 23 40
Fax (49-228) 941 49 23

for immunologicals:
Paul-Ehrlich-Institut, Federal Agency for Sera & Vaccines
Postfach/PO Box
D-63207 Langen
Tel. (49-610) 377 10 10
Fax (49-610) 377 12 34

— Austria

Bundesministerium für Gesundheit und Konsumentenschutz
Radetzkystrasse 2
A-1031 Wien
Tel. (43-1) 711 72 46 42
Fax (43-1) 714 92 22

— Belgium

Inspection générale de la Pharmacie/Algemene Farmaceutische Inspectie
Cité administrative de l'État/Rijksadministratief Centrum
Quartier Vésale/Vesalius Gebouw
B-1010 Bruxelles/Brussel
Tel. (32-2)210 49 24
Fax (32-2)210 48 80

— Denmark

Sundhedsstyrelsen Medicines Division
Frederikssundsvej 378
DK-2700 Brønshøj
Tel. (45) 44 88 93 20
Fax (45) 42 84 70 77

-
- Spain
 - Ministerio de Sanidad y Consumo
 - Subdirección General de Control Farmaceutico
 - Paseo del Prado 18-20
 - E-28014 Madrid
 - Tel. (34-1) 596 40 68
 - Fax (34-1) 596 40 69

 - Finland
 - National Agency for Medicines
 - PO Box 278
 - FIN-00531 Helsinki
 - Tel. (358-0) 396 72 112
 - Fax (358-0) 71 44 69

 - France
 - for medicinal products for human use
 - Agence du Médicament
 - 143-145 boulevard Anatole France
 - F-93200 Saint-Denis
 - Tel. (33) 148 13 20 00
 - Fax (33) 148 13 24 78

 - for veterinary medicinal products
 - Agence Nationale du Médicament Vétérinaire la haute Marche — Javené
 - F-35133 Fougères
 - Tel. (33) 9 994 78 78
 - Fax (33) 9 994 78 99

 - Greece
 - National Drug Organization (EOF)
 - Mesogion 284
 - GR-Athens 15562
 - Tel. (30-1) 654 55 30
 - Fax (30-1) 654 95 91

 - Ireland
 - National Drugs Advisory Board
 - 63-64 Adelaide Road
 - Dublin 2
 - Ireland
 - Tel. (353-1) 676 49 71-7
 - Fax (353-1) 676 78 36

 - Italy
 - Ministero della Sanità
 - Direzione generale del servizio farmaceutico
 - Viale della Civiltà Romana 7
 - I-00144 Roma
 - Tel. (39) 06-59 94 36 76
 - Fax (39) 06-59 94 33 65

 - Luxembourg
 - Division de la Pharmacie et des Médicaments
 - 10 rue C.M. Spoo
 - L-2546 Luxembourg
 - Tel. (352) 47 85 590/93
 - Fax (352) 22 44 58

 - Netherlands
 - Ministerie van Volksgezondheid, Welzijn en Sport
 - Inspectie voor de Gezondheidszorg
 - Postbus 5406
 - 2280 HK Rijswijk
 - Netherlands
 - Tel. (31-70) 340 79 11
 - Fax (31-70) 340 51 77

- Portugal
Instituto Nacional da Farmácia e do Medicamento — INFARMED
Av. do Brasil, 53
P-1700 Lisboa
Tel. (351-1) 795
Fax (351-1) 795 91 16

- United Kingdom
for human and veterinary (non immunologicals):
Medicines Control Agency
1 Nine Elms Lane
London SW8 5NQ
United Kingdom
Tel. (44-171) 273 05 00
Fax (44-171) 273 06 76

for veterinary immunologicals
Veterinary Medicines Directorate
Woodham Lane
New Haw, Addlestone
Surrey KT15 3NB
United Kingdom
Tel. (44-193) 233 69 11
Fax (44-193) 233 66 18

- Sweden
Läkemedelsverket — Medical Products Agency
Husargatan, 8
Box 26
S-75103 Uppsala
Tel. (46-18) 17 46 00
Fax (46-18) 54 85 66

Switzerland

Swiss Federal Office of Public Health, Division of Biologicals, CH-3003 Berne (for immunobiological products for human use)

Institute for Virology and Immunoprophylaxis, Research Station of the Swiss Federal Veterinary Office, CH-3147 Mittelhäusern (for immunobiological products for veterinary use)

Intercantonal Office for the Control of Medicines, CH-3000 Berne 9 (for all other medicinal products for human and veterinary use)

Section III

Additional provisions

1. *Transmission of inspection reports*

Upon reasoned request, the relevant inspection services shall forward a copy of the last inspection report of the manufacturing site or, in case analytical operations are contracted out, of the control site. The request may concern a 'full inspection report' or a 'detailed report' (see item 2 below). Each party shall deal with these inspection reports with the degree of confidentiality requested by the providing Party.

Parties will ensure that inspection reports are forwarded in no more than 30 calendar days, this period being extended to 60 days should a new inspection be carried out.

2. *Inspection reports*

A 'full inspection report' comprises a Site Master File (compiled by the manufacturer or by the inspectorate) and a narrative report by the inspectorate. A 'detailed report' responds to specific queries about a firm by the other Party.

3. *GMP Reference*

- (a) Manufacturers shall be inspected against the applicable GMP of the exporting party (see section I).
- (b) With respect to medicinal products covered by the pharmaceutical legislation of the importing Party but not the exporting one, the locally competent inspection service willing to carry out an inspection of the relevant manufacturing operations shall inspect against its own GMP or, in the absence of specific GMP requirements, against the applicable GMP of the importing Party.

For specific products or classes of products (e.g. investigational medicinal products, starting materials not limited to active pharmaceutical ingredients), equivalence of GMP requirements shall be determined according to a procedure established by the Committee.

4. *Nature of inspections*

- (a) Inspections shall routinely assess the compliance of the manufacturer with GMP. These are called general GMP inspections (also regular, periodic, or routine inspections).
- (b) 'Product- or process-oriented' inspections (which may be 'pre-marketing' inspections as relevant) focus on the manufacture of one or a series of product(s) or process(es) and include an assessment of the validation of and compliance with specific process or control aspects as described in the marketing authorisation. Where necessary, relevant product information (the quality dossier of an application/authorisation dossier) shall be provided in confidence to the inspectorate.

5. *Fees*

The regime of inspection/establishment fees is determined by the manufacturer's location. Inspection/establishment fees shall not be charged to manufacturers located on the territory of the other Party.

6. *Safeguard clause for inspections*

Each Party reserves the right to have its own inspection conducted for reasons identified to the other Party. Such inspections are to be notified in advance to the other Party and shall, in accordance with Article 8 of the Agreement, be carried out jointly by the competent authorities of the two Parties. Recourse to this safeguard clause should be an exception.

7. *Exchange of information between authorities and approximation of quality requirements*

In accordance with the general provisions of the Agreement, the parties shall exchange any information necessary for the mutual recognition of inspections.

The relevant authorities in Switzerland and in the Community shall also keep each other informed of any new technical guidance or inspection procedure. Each party shall consult the other before their adoption and shall endeavour to proceed towards their approximation.

8. *Inspectors training*

In accordance with Article 9 of the Agreement, training sessions for inspectors, organised by the authorities, shall be accessible to inspectors of the other Party. The Parties to the Agreement shall keep each other informed on these sessions.

9. *Joint Inspections*

In accordance with Article 12 of the Agreement, and by mutual agreement between the Parties, joint inspections may be organised. These inspections are intended to develop common understanding and interpretation of practice and requirements. The setting up of these inspections and their form shall be agreed through procedures approved by the Committee established under Article 10 of the Agreement.

10. *Alert system*

Contact points shall be agreed between both Parties to permit authorities and manufacturers to inform the authorities of the other Party with the appropriate speed in case of quality defect, batch recalls, counterfeiting and other problems concerning quality, which could necessitate additional controls or suspension of the distribution of the batch. A detailed alert procedure shall be agreed.

The Parties shall ensure that any suspension or withdrawal (total or partial) of a manufacturing authorisation, based on non-compliance with GMP and which could have public health implications, are communicated to each other with the appropriate degree of urgency.

11. *Contact points*

For the purpose of this Agreement, the contact points for any technical question, such as exchanges of inspection reports, inspectors training sessions, technical requirements, are:

for the EC

the Director of the European Agency for the Evaluation of Medicinal Products and

for Switzerland

the official GMP inspection services listed in Section II above.

12. *Divergence of views*

Both Parties shall use their best endeavours to resolve any divergence of views concerning *inter alia* compliance of manufacturers and conclusions of inspection reports. Unresolved divergences of view will be referred to the Committee as established under Article 10 of the Agreement.

ANNEX 2

GENERAL RULES REGARDING THE DESIGNATION OF CONFORMITY ASSESSMENT BODIES**A. General terms and conditions**

1. Under this Agreement, the designating authorities shall remain solely responsible for the competence and the capacity of the bodies they have designated and shall designate only legally identifiable bodies under their jurisdiction.
2. Designating authorities shall designate conformity assessment bodies able to demonstrate by objective means that they understand and have the requisite experience and competence to apply the requirements and certification procedures laid down in the legislative, regulatory and administrative provisions referred to in Annex I, that are applicable to the specific product, product category or sector for which they are designated.
3. Demonstration of technical competence shall cover:
 - the conformity assessment body's technical knowledge of the relevant products, processes or services which it is willing to treat;
 - the understanding of the technical standards and/or legislative, regulatory and administrative provisions for which designation is sought;
 - the physical capability to perform a given conformity assessment activity;
 - the adequate management of the activity concerned; and
 - any other circumstance necessary to give assurance that the conformity assessment activity will be adequately performed at all times.
4. The technical competence criteria shall be based as far as possible on internationally accepted documents, such as the EN 45000 series of standards or equivalents as well as on supplemented interpretative documents as appropriate. However these documents clearly need to be interpreted in such a way as to take account of the different types of requirements laid down in the applicable legislative, regulatory and administrative provisions.
5. The Parties shall encourage harmonisation of designation procedures and coordination of conformity assessment procedures through cooperation between designating authorities and conformity assessment bodies based on coordination meetings, participation in mutual recognition arrangements, and ad hoc working party meetings. The Parties shall also encourage accreditation bodies to participate in mutual recognition arrangements.

B. System for verification of conformity assessment bodies' competence

6. In order to verify the technical competence of conformity assessment bodies, the authorities concerned may use various procedures ensuring an appropriate level of trust between the Parties. If necessary, a Party shall indicate to the designating authority possible ways of demonstrating competence.
 - (a) *Accreditation*

Accreditation shall constitute a presumption of the technical competence of conformity assessment bodies in relation to the application of the requirements of the other Party provided that the competent accreditation body:

- complies with the relevant international provisions in force (EN 45000 standards or ISO/IEC guides); and
- is signatory to multilateral arrangements under which it is subject to peer evaluation, or

- takes part, under the authority of a Designating Authority, and in accordance with whatever conditions are decided on, in programmes to conduct comparisons and exchange technical experience, in the interests of ensuring continued trust in the technical competence of the accreditation and conformity-assessment bodies. Such programmes could include joint evaluations, special cooperation exercises or conformity assessment.

Where the criteria applicable to conformity assessment bodies require the latter to assess the conformity of products, processes or services directly to standards or technical specifications, the designating authorities may use accreditation as a presumption of the conformity assessment body's technical competence provided that it enables assessment of those bodies' ability to apply such standards or technical specifications. Designation shall be limited to those activities of the conformity assessment body.

Where the criteria applicable to conformity assessment bodies require the latter to assess the conformity of products, processes or services not directly to standards or technical specifications, but to general (essential) requirements, the designating authorities may use accreditation as a presumption of the conformity assessment body's technical competence provided that it incorporates elements which will enable assessment of the capacity of the conformity assessment body (technical knowledge of the product, of its use, etc.) to assess the conformity of the product to those essential requirements. Designation shall be limited to those activities of the conformity assessment body.

(b) *Other means*

If there is no accreditation scheme, or on other grounds, the authorities concerned shall require the conformity assessment bodies to demonstrate their competence by other means, e.g.:

- participation in regional or international mutual recognition arrangements or certification systems;
- regular peer evaluation, based on clear criteria and conducted with the appropriate expertise;
- aptitude tests; or
- comparison of conformity assessment bodies.

C. Evaluation of the verification system

7. Once a verification system to evaluate the competence of conformity assessment bodies has been defined, the other Party will be invited to check that the system guarantees the conformity of the designation process to its own legal requirements. Such checks shall focus on the appropriateness and effectiveness of the verification system rather than on the conformity assessment bodies themselves.

D. Formal designation

8. When the Parties submit their proposals to the Committee on the inclusion of conformity assessment bodies in the Annexes, they shall provide the following details in respect of each body:
 - (a) its name;
 - (b) its postal address;
 - (c) its fax number;
 - (d) the Sectoral Chapter, product categories or products, processes and services covered by the designation;
 - (e) the conformity assessment procedures covered by the designation;
 - (f) the methods used to establish the body's competence.

FINAL ACT

The plenipotentiaries

of the 'EUROPEAN COMMUNITY',

and

of the SWISS CONFEDERATION,

meeting on the twenty-first day of June in the year one thousand nine hundred and ninety-nine in Luxembourg for the signature of the Agreement between the European Community and the Swiss Confederation on mutual recognition in relation to conformity assessment have adopted the Joint Declarations mentioned below and attached to this Final Act:

Joint Declaration by the Contracting Parties on the revision of Article 4,

Joint Declaration on the mutual recognition of good clinical practice and inspections relating thereto,

Joint Declaration by the Contracting Parties on updating the Annexes,

Joint Declaration on further negotiations.

They also took note of the following Declaration annexed to this Final Act:

Declaration on Swiss attendance of Committees,

Hecho en Luxemburgo, el día veintiuno de junio del año mil novecientos noventa y nueve.

Udfærdiget i Luxembourg, den enogtyvende juni nitten hundrede og nioghalvfems.

Geschehen zu Luxemburg am einundzwanzigsten Juni neunzehnhundertneunundneunzig.

Έγινε στο Λουξεμβούργο, στις είκοσι μία Ιουνίου χίλια εννιακόσια ενενήντα εννέα.

Done at Luxembourg on the twenty-first day of June in the year one thousand nine hundred and ninety-nine.

Fait à Luxembourg, le vingt-et-un juin mil neuf cent quatre-vingt dix-neuf.

Fatto a Lussemburgo, addì ventuno giugno millenovecentonovantanove.

Gedaan te Luxemburg, de eenentwintigste juni negentienhonderd negenennegentig.

Feito no Luxemburgo, em vinte e um de Junho de mil novecentos e noventa e nove.

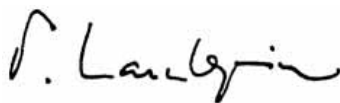
Tehty Luxemburgissa kahdentenakymmenentenäensimmäisenä päivänä kesäkuuta vuonna tuhatyhdeksänsataayhdeksänkymmentäyhdeksän.

Som gjordes i Luxemburg den tjugoförsta juni nittonhundraåttio.

Por la Comunidad Europea
For Det Europæiske Fællesskab
Für die Europäische Gemeinschaft
Για την Ευρωπαϊκή Κοινότητα
For the European Community
Pour la Communauté européenne
Per la Comunità europea
Voor de Europese Gemeenschap
Pela Comunidade Europeia
Euroopan yhteisön puolesta
På Europeiska gemenskapens vägnar



Por la Confederación Suiza
For Det Schweiziske Edsforbund
Für die Schweizerische Eidgenossenschaft
Για την Ελβετική Συνομοσπονδία
For the Swiss Confederation
Pour la Confédération suisse
Per la Confederazione svizzera
Voor de Zwitserse Bondsstaat
Pela Confederação Suíça
Sveitsin valaliiton puolesta
På Schweiziska edsförbundets vägnar



JOINT DECLARATION BY THE CONTRACTING PARTIES

on the Revision of Article 4

The Contracting Parties undertake to revise Article 4 of the Agreement on mutual recognition in relation to conformity assessment to include in particular products originating in other countries with which the Parties conclude agreements on mutual recognition in relation to conformity assessment, once such agreements have been concluded.

At that point the provisions of Chapter 12 in Section V of this Agreement will be revised.

JOINT DECLARATION

on the Mutual Recognition of Good Clinical Practice and Inspections Relating thereto

For medicinal products, the results of clinical trials carried out on the territory of the Parties to this Agreement are currently accepted for inclusion in applications for marketing authorisations and their variations or extensions. In principle, the Parties agree to continue to accept these clinical trials for the purpose of marketing authorisations applications. They agree to work towards an approximation of Good Clinical Practice, namely by implementing the current Declarations of Helsinki and Tokyo and all guidance relevant to clinical trials adopted in the framework of the International Conference on Harmonisation. However, due to legislative developments concerning inspections and authorisations of clinical trials in the European Community, detailed arrangements for the mutual recognition of the official supervision of these trials will have to be considered in the near future and laid down in a specific Chapter.

JOINT DECLARATION

by the Contracting Parties on Updating the Annexes

The Contracting Parties undertake to update the Annexes to the Agreement on mutual recognition in relation to conformity assessment not later than one month after its entry into force.

JOINT DECLARATION

on Further Negotiations

The European Community and the Swiss Confederation declare their intention of undertaking negotiations to conclude agreements in areas of common interest such as the updating of Protocol 2 to the 1972 Free Trade Agreement and Swiss participation in certain Community training, youth, media, statistical and environmental programmes. Preparatory work for these negotiations should proceed rapidly once the current bilateral negotiations have been concluded.

DECLARATION

on Swiss attendance of committees

The Council agrees that Switzerland's representatives may, in so far as the items concern them, attend meetings of the following committees and expert working parties as observers:

- Committees of research programmes, including the Scientific and Technical Research Committee (CREST)
- Administrative Commission on Social Security for Migrant Workers
- Coordinating Group on the mutual recognition of higher-education diplomas
- Advisory committees on air routes and the application of competition rules in the field of air transport.

Switzerland's representatives shall not be present when these committees vote.

In the case of other committees dealing with areas covered by these agreements in which Switzerland has adopted either the *acquis communautaire* or equivalent measures, the Commission will consult Swiss experts by the method specified in Article 100 of the EEA Agreement.

AGREEMENT**between the European Community and the Swiss Confederation on certain aspects of government procurement**

The EUROPEAN COMMUNITY (hereinafter 'the Community'),
of the one part, and

The SWISS CONFEDERATION (hereinafter 'Switzerland'),
of the other part,

hereinafter referred to as 'the Parties',

CONSIDERING the Parties' efforts and commitments to liberalise their respective public procurement markets, notably through the Government Procurement Agreement (GPA) concluded in Marrakesh on 15 April 1994, which entered into force on 1 January 1996, and through the adoption of national rules providing for effective market opening in the field of government procurement through progressive liberalisation,

CONSIDERING the exchange of letters of 25 March and 5 May 1994 between the European Commission and the Swiss Federal Office for Foreign Economic Affairs,

CONSIDERING the Agreement concluded on 22 July 1972 between Switzerland and the Community,

DESIROUS to improve and broaden the scope of their respective Annexes to Appendix I of the GPA,

DESIROUS also to pursue liberalisation efforts among themselves by granting access to procurement of products, works and services by their respective telecommunications and railway operators, entities active in the field of energy other than electricity, and private utilities which operate on the basis of special or exclusive rights granted by a competent state authority and are active in the sectors of drinking water, electricity, urban transport, airports and maritime or inland ports,

HAVE AGREED AS FOLLOWS:

CHAPTER 1

BROADENING THE SCOPE OF THE GOVERNMENT PROCUREMENT AGREEMENT CONCLUDED WITHIN THE FRAMEWORK OF THE WORLD TRADE ORGANISATION*Article 1***Obligations of the Community**

1. In order to supplement and broaden the scope of its commitments vis-à-vis Switzerland under the Government Procurement Agreement (GPA) signed on 15 April 1994 within the framework of the World Trade Organisation (WTO), the Community undertakes to amend its Annexes and General Notes to Appendix I of the GPA as follows:

delete the reference to Switzerland in the first indent of General Note No 2, so as to allow Swiss suppliers and service providers to challenge, pursuant to Article XX, the award of contracts by Community entities listed in Annex 2, paragraph 2.

2. The Community shall notify the WTO Secretariat of this amendment within one month after the entry into force of this Agreement.

*Article 2***Obligations of Switzerland**

1. In order to supplement and broaden the scope of its commitments vis-à-vis the Community under the GPA, Switzerland undertakes to amend its Annexes and General Notes to Appendix I of the GPA as follows:

Insert in Annex 2, under 'List of entities', the following new point after point 2:

'3. Authorities and public bodies at district and municipality level.'

2. Switzerland shall notify the WTO Secretariat of this amendment within one month from the entry into force of this Agreement.

CHAPTER II

PROCUREMENT BY TELECOMMUNICATIONS AND RAILWAY OPERATORS AND BY CERTAIN UTILITIES*Article 3***Objectives, definitions and scope**

1. The aim of this Agreement is to secure reciprocal, transparent and non-discriminatory access of the Parties' suppliers and service providers to purchases of products and services, including construction services, by telecommunications operators, railway operators, entities active in the field of energy other than electricity and private utilities of both Parties.

2. For the purposes of this Chapter:

- (a) 'telecommunications operators' (hereinafter referred to as 'TOs') shall mean entities which provide or operate public telecommunications networks or provide one or more public telecommunications services and which either are public authorities or public undertakings or operate on the basis of special or exclusive rights granted by a competent authority of one of the Parties;
- (b) 'public telecommunications network' shall mean the telecommunications infrastructure available to the public which enables signals to be conveyed between defined network termination points by wire, microwave, optical means or other electromagnetic means;
- (c) 'public telecommunications services' shall mean services the provision of which consists wholly or partly in the transmission and routing of signals on the public telecommunications network by means of telecommunications processes, with the exception of radio broadcasting and television;
- (d) 'railway operators' (hereinafter referred to as 'ROs') shall mean contracting entities which either are public authorities or public undertakings or operate on the basis of special or exclusive rights granted by a competent authority of one of the Parties and which have as one of their activities the operation of networks providing a service to the public in the field of transport by railway;
- (e) 'entities active in the field of energy other than electricity' shall mean contracting entities which either are public authorities or public undertakings or operate on the basis of special or exclusive rights granted by a competent authority of one of the Parties and which have as one of their activities any of those referred to in i) and ii) below or any combination thereof:

- (i) the provision or operation of fixed networks intended to provide a service to the public in connection with the production, transport or distribution of gas or heat or the supply of gas or heat to such networks; or
 - (ii) the exploitation of a geographical area for the purpose of exploring for or extracting oil, gas, coal or other solid fuels;
- (f) 'private utilities' shall mean contracting entities which are not covered by the GPA but operate on the basis of special or exclusive rights granted by a competent authority of one of the Parties and which have as one of their activities any of those referred to in i) to v) below or any combination thereof:
- (i) the provision or operation of fixed networks intended to provide a service to the public in connection with the production, transport or distribution of drinking water or the supply of drinking water to such networks;
 - (ii) the provision or operation of fixed networks intended to provide a service to the public in connection with the production, transport or distribution of electricity or the supply of electricity to such networks;
 - (iii) the provision of airport or other terminal facilities to carriers by air;
 - (iv) the provision of maritime or inland port or other terminal facilities to carriers by sea or inland waterway;
 - (v) the operation of networks providing a service to the public in the field of transport by urban railway, automated systems, tramway, trolley bus, bus or cable.

3. This Agreement applies to any law, regulation or practice regarding procurement by the Parties' TOs, ROs, entities active in the field of energy other than electricity and private utilities (hereinafter referred to as 'Covered Entities') as defined in this Article and specified in Annexes I to IV and to the award of all procurement contracts by such Covered Entities.

4. Articles 5 and 6 shall apply to contracts, or series of contracts, the estimated value of which, excluding VAT, is not less than:

- (a) when awarded by TOs:
 - (i) EUR 600 000 or its equivalent in SDRs, as regards supplies and services;
 - (ii) EUR 5 000 000 or its equivalent in SDRs, as regards works;

- (b) when awarded by ROs and entities active in the field of energy other than electricity:
- (i) EUR 400 000 or its equivalent in SDRs, as regards supplies and services;
 - (ii) EUR 5 000 000 or its equivalent in SDRs, as regards works;
- (c) when awarded by private utilities:
- (i) SDR 400 000 or its equivalent in euro, as regards supplies and services;
 - (ii) SDR 5 000 000 or its equivalent in euro, as regards works.

The conversion of euro in SDRs shall be in accordance with the procedures established in the Government Procurement Agreement (GPA).

5. This Chapter shall not apply to contracts, awarded by TOs, for purchases intended exclusively to enable them to provide one or more telecommunications services where other entities are free to offer the same services in the same geographical area and under substantially the same conditions. Each Party shall promptly inform the other Party about such contracts. This provision shall apply under the same conditions also to contracts awarded by ROs, entities active in the field of energy other than electricity and private utilities as soon as these sectors have been liberalised.

6. With regard to services, including construction services, this Agreement shall apply to those listed in Annexes VI and VII to this Agreement.

7. This Agreement shall not apply to Covered Entities where they fulfil the conditions laid down in Articles 2(4), 2(5), 3, 6(1), 7(1), 9(1), 10, 11, 12 and 13(1) of Directive 93/38/EEC, as last amended by Directive 98/4/EC (OJ L 101, 4.4.1998, p. 1) for the Community and in Annexes VI and VIII for Switzerland.

This Agreement shall not apply to contracts awarded by ROs where such contracts concern the purchase or lease of products in order to re-finance supply contracts awarded in accordance with the provisions of this Agreement.

Article 4

Procurement procedures

1. The parties shall ensure that the procurement procedures and practices for the award of contracts followed by their Covered Entities comply with the principles of non-discrimination, transparency and fairness. Such procedures and practices shall at least meet the following conditions:

- (a) calls for competition shall be made by publication of a tender notice, an indicative notice or a notice on the existence of a qualification system. These notices, or a summary of the important elements thereof, shall be published in at least one of the official languages of the GPA at national level in the case of Switzerland, on the one hand, and at Community level, on the other hand. They shall contain all necessary information about the intended procurement, including where applicable the type of award procedure being followed;
- (b) time-limits shall be adequate to allow suppliers or service providers to prepare and submit tenders;
- (c) tender documentation shall contain all information necessary, notably technical specifications and selection and award criteria, to enable tenderers to submit eligible tenders. Tender documentation shall be forwarded to suppliers or service providers upon request;
- (d) selection criteria shall be non-discriminatory. Qualification system applied by Covered Entities must be based on pre-defined and non-discriminatory criteria and the procedure and conditions for participation shall be made available upon request;
- (e) award criteria may be either the most economically advantageous tender, involving specific evaluation criteria such as delivery or completion date, cost-effectiveness, quality, technical merit, after-sales service, commitments with regard to spare parts, price, etc., or the lowest price only.

2. The Parties shall also ensure that their Covered Entities define the technical specifications set out in the tender documentation in terms of performance rather than design or descriptive characteristics. Such specifications shall be based on international standards, where they exist, otherwise on national technical regulations, recognised national standards or recognised building codes. Any technical specifications adopted or applied with a view to, or with the effect of, creating unnecessary obstacles to procurement by a Party's Covered Entity of products or services from the other Party and to related trade between the Parties shall be prohibited.

Article 5

Challenge procedures

1. The Parties must provide non-discriminatory, timely, transparent and effective procedures enabling suppliers or service providers to challenge alleged breaches of the Agreement arising in the context of procurements in which they have, or have had, an interest. The challenge procedures laid down in Annex V shall apply.

2. The Parties must ensure that their respective Covered Entities retain documentation relating to procurement procedures covered by this Chapter for at least three years.

3. The Parties must ensure that decisions taken by bodies responsible for challenge procedures are properly enforced.

CHAPTER III

GENERAL AND FINAL PROVISIONS

Article 6

Non-discrimination

1. The Parties shall ensure that, in their procedures and practices for the award of procurement contracts above the value thresholds laid down in Article 3(4), Covered Entities established in their respective territories do not:

- (a) treat products, services, suppliers and service providers of the other Party less favourably than
 - (i) domestic products, services, suppliers and service providers; or
 - (ii) third-country products, services, suppliers and service providers;
- (b) treat a locally-established supplier or service provider less favourably than another locally-established supplier or service provider on the basis of the degree of affiliation to, ownership of or control by natural or legal persons from the other Party;
- (c) discriminate against a locally-established supplier or service provider on the basis of the fact that the product or service being supplied originates from the other Party;
- (d) prescribe offsets in the qualification and selection of products, services, suppliers or service providers, or in the evaluation of tenders and award of contracts.

2. The Parties undertake to refrain from requiring either the competent authorities or the Covered Entities to act in a discriminatory manner, either directly or indirectly. An illustrative list of areas where such discrimination is possible is set out in Annex X.

3. In their procedures and practices for the award of procurement contracts below the value thresholds laid down in Article 3(4), the Parties undertake to encourage their Covered Entities to treat the suppliers and service providers of the other Party in accordance with the provisions of paragraph 1. The Parties agree that, not later than five years after the entry into force of this Agreement, the conditions and implementation of this provision will be reviewed in the light of experience acquired in their mutual relations. To that end, the Joint Committee will draw up lists of situations in which the principle established in this Article 6 is applied.

4. The principles set out in paragraph 1, notably in a), no i), and in paragraphs 2 and 3 shall be without prejudice to measures made necessary by the particular integration process of the Community and the establishment and functioning of its internal market, as well as by the development of the Swiss domestic market. Likewise, these principles, notably those set out in a), no ii), shall be without prejudice to preferential treatment granted under existing or future regional economic integration agreements. However, the application of this provision must not jeopardise the administration of this Agreement. The measures to which this paragraph applies are listed in Annex IX; either Party may notify other measures covered by this paragraph. Consultations by the Joint Committee shall take place at the request of either Party with a view to ensuring that this Agreement continues to be implemented satisfactorily.

Article 7

Information exchange

1. To the extent necessary to ensure effective implementation of Chapter II, the Parties shall inform each other of planned changes to their relevant legislation falling or likely to fall within the scope of this Agreement (proposals for directives, draft laws and orders and draft amendments to the Concordat intercantonal).

2. The Parties shall also inform each other about any other issue relevant to the interpretation and application of this Agreement.

3. The Parties shall communicate to each other the names and addresses of 'contact points' responsible for providing information on the rules of law falling within the scope of this Agreement and of the GPA, including at local level.

Article 8

Monitoring authority

1. The implementation of this Agreement shall be monitored, within each Party, by an independent authority. This authority shall be competent to receive any complaint or grievance concerning the application of this Agreement and shall act promptly and effectively.

2. Not later than two years after the entry into force of this Agreement, the authority shall also be competent to initiate proceedings or take administrative or judicial action against Covered Entities in the event of a breach of this Agreement in the context of a procurement procedure.

Article 9

Urgent measures

1. If a Party considers that the other Party has failed to comply with its obligations under this Agreement or that a law, regulation or practice of the other Party substantially reduces or threatens to reduce substantially the benefits accruing to it under this Agreement, and the Parties are unable to agree promptly on appropriate compensation or other remedial action, the adversely affected Party may, without prejudice to its other rights and obligations under international law, suspend partly or completely, as appropriate, the application of this Agreement. It shall immediately notify the other Party of any such suspension. The adversely affected Party may also terminate the Agreement in accordance with Article 18(3).

2. The scope and duration of such measures shall be limited to what is necessary in order to remedy the situation and to secure, if necessary, a fair balance of rights and obligations under this Agreement.

Article 10

Settlement of disputes

Each Contracting Party may bring a matter under dispute which concerns the interpretation or application of this Agreement to the Joint Committee, which shall endeavour to settle the dispute. The Joint Committee shall be provided with all relevant information for an in depth examination of the situation with a view to finding an acceptable solution. To that end, the Joint Committee shall be required to examine all possibilities for maintaining the good functioning of this Agreement.

Article 11

Joint Committee

1. A Joint Committee is hereby established. It shall ensure the effective implementation and operation of this Agreement. To that end, it shall carry out exchanges of views and information and constitute the forum for consultations between the Parties.

2. The Joint Committee shall consist of representatives of the Parties and shall act by mutual consent. It shall adopt its rules of procedure and may establish working groups to assist it in carrying out its tasks.

3. In order to ensure the effective operation of this Agreement, the Joint Committee shall meet at least once a year or at the request of either Party.

4. The Joint Committee shall regularly examine the Annexes to this Agreement. The Joint Committee may amend them at the request of either Party.

Article 12

Information technology

1. The Parties shall cooperate with a view to ensuring that the type of procurement information, notably in tender notices and documentation, held on their respective databases is comparable in terms of quality and accessibility. Likewise, they shall cooperate with a view to ensuring that the type of information exchanged through their respective electronic means between interested parties for the purposes of public procurement is comparable in terms of quality and accessibility.

2. Paying due attention to issues of interoperability and interconnectivity, and after having agreed that the type of procurement information referred to in paragraph 1 is comparable, the Parties shall take all the necessary measures to ensure that suppliers and service providers of the other Party have access to relevant procurement information, such as tender notices, held on their respective databases. They shall also afford suppliers and service providers of the other Party access to their respective electronic procurement systems, such as electronic tendering systems. The Parties shall also comply with Article XXIV(8) of the GPA.

Article 13

Implementation

1. The Parties shall take all the necessary measures, whether general or specific, to ensure that they fulfil their obligations under this Agreement.

2. They shall refrain from any action that could jeopardise attainment of the objectives of this Agreement.

Article 14

Revision

The Parties shall review the functioning of this Agreement not later than three years from the date of its entry into force with the aim of improving its operation, if necessary.

*Article 15***Relationship with WTO agreements**

This Agreement does not affect the rights and obligations of the Parties under agreements concluded under the auspices of the WTO.

*Article 16***Scope of territorial application**

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty and, on the other, to the territory of Switzerland.

*Article 17***Annexes**

The annexes to this Agreement shall form an integral part thereof.

*Article 18***Entry into force and duration**

1. This Agreement shall be ratified or approved by the Parties according to the procedures applicable to them. It shall enter into force on the first day of the second month following the last notification of deposit of the instruments

of ratification or approval of all seven of the following agreements:

- agreement on certain aspects of government procurement;
- agreement on the free movement of persons;
- agreement on air transport;
- agreement on the carriage of goods and passengers by rail and road;
- agreement on trade in agricultural products;
- agreement on mutual recognition in relation to conformity assessment;
- agreement on scientific and technological cooperation.

2. This Agreement is concluded for an initial period of seven years. It shall be renewed for an indefinite period unless the Community or Switzerland notifies the other Party to the contrary before the expiry of the initial period. In the event of such notification, the provisions of paragraph 4 shall apply.

3. The Community or Switzerland may terminate this Agreement by notifying the other Party of its decision. In the event of such notification, the provisions of paragraph 4 shall apply.

4. The seven agreements referred to in paragraph 1 shall cease to apply six months after the receipt of notification of non-renewal referred to in paragraph 2 or of termination referred to in paragraph 3.

Hecho en Luxemburgo, el veintiuno de junio de mil novecientos noventa y nueve. El presente Acuerdo se establecerá por duplicado en lenguas alemana, danesa, española, finesa, francesa, griega, inglesa, italiana, neerlandesa, portuguesa y sueca y cada uno de estos textos será auténtico.

Udfærdiget i Luxembourg, den enogtyvende juni nitten hundrede og nioghalvfems. Denne aftale er udfærdiget i to eksemplarer på dansk, engelsk, finsk, fransk, græsk, italiensk, nederlandsk, portugisisk, spansk, svensk og tysk, idet hver af disse tekster har samme gyldighed.

Geschehen zu Luxemburg am einundzwanzigsten Juni neunzehnhundertneunundneunzig. Dieses Abkommen ist in zwei Urschriften in dänischer, deutscher, englischer, finnischer, französischer, griechischer, italienischer, niederländischer, portugiesischer, spanischer und schwedischer Sprache abgefaßt, wobei jeder Wortlaut gleichermaßen verbindlich ist.

Έγινε στο Λουξεμβούργο, στις είκοσι μία Ιουνίου χίλια εννιακόσια ενενήντα εννέα. Η παρούσα συμφωνία καταρτίζεται εις διπλούν στα αγγλικά, τα γαλλικά, τα γερμανικά, τα δανικά, τα ελληνικά, τα ισπανικά, τα ιταλικά, τα ολλανδικά, τα πορτογαλικά, τα σουηδικά και τα φινλανδικά, καθένα από τα κείμενα αυτά είναι αυθεντικό.

Done at Luxembourg on the twenty-first day of June in the year one thousand and ninety-nine. This Agreement is drawn up in duplicate in the Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish and Swedish languages, each of these texts being equally authentic.

Fait à Luxembourg, le vingt-et-un juin mil neuf cent quatre-vingt dix-neuf. Le présent accord est établi, en double exemplaire, en langues allemande, anglaise, danoise, espagnole, finnoise, française, grecque, italienne, néerlandaise, portugaise et suédoise, chacun de ces textes faisant également foi.

Fatto a Lussemburgo, addì ventuno giugno millenovecentonovantanove. Il presente Accordo è redatto, in duplice copia, in lingua danese, finlandese, francese, greca, inglese, italiana, olandese, portoghese, spagnola, svedese e tedesca; ognuno di questi testi fa ugualmente fede.

Gedaan te Luxemburg, de eenentwintigste juni negentienhonderd negenennegentig. Deze overeenkomst is opgesteld in tweevoud in de Deense, de Duitse, de Engelse, de Finse, de Franse, de Griekse, de Italiaanse, de Nederlandse, de Portugese, de Spaanse en de Zweedse taal, zijnde alle teksten gelijkelijk authentiek.

Feito no Luxemburgo, em vinte e um de Junho de mil novecentos e noventa e nove. O presente Acordo é estabelecido em exemplar duplo, nas línguas alemã, inglesa, dinamarquesa, espanhola, finlandesa, francesa, grega, italiana, neerlandesa, portuguesa e sueca, fazendo igualmente fé qualquer dos textos.

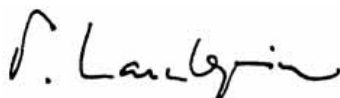
Tehty Luxemburgissa kahdentenäkymmenentenäensimmäisenä päivänä kesäkuuta vuonna tuhatyhdeksänsataayhdeksänkymmentäyhdeksän. Tämä sopimus on laadittu kahtena kappaleena englannin, espanjan, hollannin, italian, kreikan, portugalin, ranskan, ruotsin, saksan, suomen ja tanskan kielellä, ja jokainen teksti on yhtä todistusvoimainen.

Utfärdat i Luxemburg den tjugoförsta juni nittonhundranittionio i två exemplar på det danska, engelska, finska, franska, grekiska, italienska, nederländska, portugisiska, spanska, svenska och tyska språket, vilka samtliga texter är lika giltiga.

Por la Comunidad Europea
For Det Europæiske Fællesskab
Für die Europäische Gemeinschaft
Για την Ευρωπαϊκή Κοινότητα
For the European Community
Pour la Communauté européenne
Per la Comunità europea
Voor de Europese Gemeenschap
Pela Comunidade Europeia
Euroopan yhteisön puolesta
På Europeiska gemenskapens vägnar



Por la Confederación Suiza
For Det Schweiziske Edsforbund
Für die Schweizerische Eidgenossenschaft
Για την Ελβετική Συνομοσπονδία
For the Swiss Confederation
Pour la Confédération suisse
Per la Confederazione svizzera
Voor de Zwitserse Bondsstaat
Pela Confederação Suíça
Sveitsin valaliiton puolesta
På Schweiziska edsförbundets vägnar



ANNEX I

(referred to in Articles (3)(1) and (2)(a) to (c) and (5) of the Agreement)

TELECOMMUNICATIONS OPERATORS COVERED**Annex I A — Community**

Belgium	Belgacom
Danemark	Tele Danmark A/S and subsidiaries
Germany	Deutsche Bundespost Telekom
Greece	OTE/Hellenic Telecom Organisation
Spain	Telefónica de Spain SA
France	France Telecom
Ireland	Telecom Eireann
Italy	Telecom Italia
Luxembourg	Administration des postes et télécommunications
Netherlands	Koninklijke PTT Netherlands NV and subsidiaries, except PTT Post BV
Austria	Österreichische Post und Telekommunikation (PTT)
Portugal	Portugal Telecom and subsidiaries
Finland	Sonera
Sweden	Telia
United Kingdom	British Telecommunications (BT)
	City of Kingston upon Hull

These telecommunications operators are covered inasmuch as they come under the scope of application of Directive 93/38/EEC, as amended by Directive 98/4/EC (OJ L 101 of 4.4.1998, p. 1).

Annexe I B — Switzerland

Specification of the entities active in the field of telecommunications as referred to in Articles (3)(1) and (2)(a) to (c) of the Agreement

Entities providing a public telecommunications service under a concession within the meaning of Article 66, first indent, of the Federal Law on Telecommunications of 30 April 1997.

For example: Swisscom.

ANNEXE II

(referred to in Articles (3)(1) and (2)(d) and (5) of the Agreement)

RAILWAY OPERATORS COVERED

Annex II A — Community

Belgium	Société nationale des chemins de fer belges/Nationale Maatschappij der Belgische Spoorwegen
Denmark	Danske Statsbaner (DSB) Entities operating/set up pursuant to Lov nr. 295 om privatbanerne of 6 June 1984, jf. lov nr. 245 of 6 August 1977
Germany	Deutsche Bundesbahn Other entities providing railway services to the public as defined in paragraph 2 Abs. 1 of the Allgemeines Eisenbahngesetz of 29 March 1951
Greece	Organisation of Railways in Greece (OSE)/Οργανισμός Σιδηρόδρομων Ελλάδος (ΟΣΕ)
Spain	Red Nacional de los Ferrocarriles Españoles (RENFE) Ferrocarriles de Vía Estrecha (FEVE) Ferrocarrils de la Generalitat de Catalunya (FGC) Eusko Trenbideak (Bilbao) Ferrocarriles de la Generalitat Valenciana (FGV)
France	Société nationale des chemins de fer français and other railway networks open to the public referred to in the Loi d'orientation des transports intérieurs of 30 December 1982, Title II, Chapter 1, rail transport
Ireland	Iarnrod Éireann (Irish Rail)
Italy	Ferrovie dello Stato Entities providing railway services on the basis of a concession pursuant to Article 10 of Regio Decreto n. 1447 of 9 May 1912 approving the Consolidated Text of the legal provisions concerning railways operating as private concessions, mechanical tramways and automobiles Entities operating on the basis of a concession granted by the State pursuant to special laws, see Title XI, Chapter II, Section Ia of Regio Decreto n. 1447 of 9 May 1912 approving the Consolidated Text of the legal provisions concerning railways operating as private concessions, mechanical tramways and automobiles Entities providing railway services to the public on the basis of a concession pursuant to Article 4 of Legge n. 410 — Concorso dello Stato per la riattivazione dei pubblici servizi di trasporto in concessione of 14 June 1949 Entities or local authorities providing railway services on the basis of a concession pursuant to Article 14 Legge n. 1221 — Provvedimenti per l'esercizio ed il potenziamento di ferrovie e di altre linee di trasporto in regime di concessione of 2 August 1952
Luxembourg	Chemins de fer luxembourgeois (CFL)
Netherlands	Nederlandse Spoorwegen NV
Austria	Entities providing railway services to the public pursuant to the Eisenbahngesetz 1957 (BGBl. Nr. 60/1957)
Portugal	Caminhos de Ferro Portugueses
Finland	Valtionrautatiet/Statsjärnvägarna

Sweden	Public entities operating railway services in accordance with förordningen (1988:1379) om statens spåranläggningar and lagen (1990:1157) om järnvägssäkerhet Regional and local public entities operating regional or local railway communications pursuant to lagen (1978:438) om huvudmannaskap foer viss kollektiv persontrafik Private entities operating railway services pursuant to permission under foerordningen (1988:1379) om statens spaaranlaeggningar where such permission complies with Article 2(3) of the directive
United Kingdom	British Railways Boards Northern Ireland Railways

Annexe II B — Switzerland

Specification of railway operators as referred to in Articles (3)(1) and (2)(d) of the Agreement

Chemins de fer fédéraux (CFF) ⁽¹⁾

Entities within the meaning of Articles 1(2) and 2(1) of the 'Loi fédérale sur les chemins de fer' of 20 December 1957, where they operate public transport services by standard- or narrow-gauge railway ⁽¹⁾.

For example: BLS, MthB, Chemin de fer du Jura, RhB, FO, GFM.

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⁽¹⁾ Except for holdings and undertakings which are not directly active in the transport sector.

ANNEX III

(referred to in Articles (3)(1) and 2(e) and (5) of the Agreement)

ENTITIES ACTIVE IN THE FIELD OF ENERGY

Annex III A — Community

(a) Transport or distribution of gas or heat

Belgium	<p>Distrigaz SA operating pursuant to the Law of 29 July 1983</p> <p>Entities transporting gas on the basis of an authorisation or concession pursuant to the Law of 12 April 1965, as amended by the Law of 28 July 1987</p> <p>Entities distributing gas and operating pursuant to the Loi relative aux intercommunes of 22 December 1986</p> <p>Local authorities, or associations of local authorities, distributing heat</p>
Denmark	<p>Dansk Olie og Naturgas A/S operating on the basis of an exclusive right granted pursuant to bekendtgørelse nr. 869 om eneretsbevilling til indførsel, forhandling, transport og oplagring af naturgas of 18 June 1979</p> <p>Entities operating pursuant to lov nr. 249 af 7. Juni 1972 om naturgasforsyning</p> <p>Entities distributing gas or heat on the basis of an approval pursuant to Chapter IV of lov om varmforsyning, jf. lov bekendtgørelse nr. 330 af 29. Juni 1983</p> <p>Entities transporting gas on the basis of an authorisation pursuant to bekendtgørelse nr. 141 af 13. marts 1974 om rørledningsanlæg paa dansk kontinentalsokkelområde til transport af kulbrinter (installation of pipelines on the continental shelf for the transport of hydrocarbons)</p>
Germany	<p>Entities transporting or distributing gas as defined in paragraph 2 Abs. 2 of the Gesetz zur Förderung der Energiewirtschaft (Energiewirtschaftsgesetz) of 13 December 1935, as last amended by the law of 19 December 1977</p> <p>Local authorities, or associations of local authorities, distributing heat</p>
Greece	<p>DEP transporting or distributing gas pursuant to Ministerial Decision 2583/1987 (Anathesi sti Dimosia Epicheirisi Petrelaiou armodiotiton schetikon me to fysiko aerio) Systasi tis DEPA AE (Dimosia Epicheirisi Aerioy, Anonymos Etaireia).</p> <p>Athens Municipal Gasworks S.A. DEFA transporting or distributing gas</p>
Spain	<p>Entities operating pursuant to Ley no 10 of 15 June 1987</p>

France	<p>Société nationale des gaz du Sud-Ouest transporting gas</p> <p>Gaz de France, set up and operating pursuant to Loi 46/6288 sur la nationalisation de l'électricité et du gaz of 8 April 1946</p> <p>Entities (sociétés d'économie mixte or régies) distributing electricity and referred to in Article 23 of Loi 48/1260 portant modification des Lois 46/6288 du 8 avril 1946 et 46/2298 du 21 octobre 1946 sur la nationalisation de l'électricité et du gaz of 12 August 1948</p> <p>Compagnie française du méthane transporting gas</p> <p>Local authorities, or associations of local authorities, distributing heat</p>
Ireland	<p>Irish Gas Board operating pursuant to the Gas Act 1976 to 1987 and other entities governed by Statute</p> <p>Dublin Corporation, distributing heat</p>
Italy	<p>SNAM and SGM e Montedison transporting gas</p> <p>Entities distributing gas pursuant to the Consolidated Text of Leggi sull'assunzione diretta dei pubblici servizi da parte dei comuni e delle province approvato con Regio Decreto n. 2578 of 15 October 1925 and to Decreto del PR n. 902 of 4 October 1986</p> <p>Entities distributing heat to the public referred to in Article 10 of Legge n. 308 — Norme sul contenimento dei consumi energetici, lo sviluppo delle fonti rinnovabili di energia, l'esercizio di centrali elettriche alimentate con combustibili diversi dagli idrocarburi of 29 May 1982</p> <p>Local authorities, or associations of local authorities, distributing heat</p>
Luxembourg	<p>Société de transport de gaz SOTEG SA</p> <p>Gaswierk Esch-Uelzecht SA</p> <p>Service industriel de la commune de Dudelange</p> <p>Service industriel de la commune de Luxembourg</p> <p>Local authorities, or associations of local authorities, distributing heat</p>
Netherlands	<p>NV Nederlandse Gasunie</p> <p>Entities transporting or distributing gas on the basis of a licence (vergunning) granted by the local authorities pursuant to the Gemeentewet</p> <p>Local or provincial entities transporting or distributing gas to the public pursuant to the Gemeentewet and the Provinciewet</p> <p>Local authorities, or associations of local authorities, distributing heat</p>
Austria	<p>Gas: contracting entities transporting or distributing gas pursuant to the Energiewirtschaftsgesetz 1935, dRGBL. I S 1451/1935 as amended by dRGBL. I S 467/1941</p> <p>Heat: contracting entities transporting or distributing heat licensed pursuant to the Austrian Trade, Commerce and Industry Regulation Act (Gewerbeordnung BGL. Nr. 50/1974)</p>

Portugal	Petroquímica e Gás de Portugal (EP) pursuant to Decreto-Lei no 346-A/88 of 29 September 1988
Finland	Municipal energy boards, or associations thereof, or other entities distributing gas or heat on the basis of a concession granted by the municipal authorities
Sweden	Entities which transport or distribute gas or heat on the basis of a concession pursuant to lagen (1978:160) om vissa rörledningar
United Kingdom	British Gas plc and other entities operating pursuant to the Gas Act 1986 Local authorities, or associations of local authorities, distributing heat pursuant to the Local Government (Miscellaneous Provisions) Act 1976 Electricity Boards distributing heat pursuant to the Electricity Act 1947

(b) Exploration for and extraction of oil or gas

The entities granted an authorisation, permit, licence or concession to explore for or extract oil and gas pursuant to the following legal provisions:

Belgium	Law of 1 May 1939 supplemented by Arrêté royal n° 83 sur l'exploration et l'exploitation du pétrole et du gaz of 28 November 1939 Arrêté royal of 15 November 1919 Arrêté royal of 7 April 1953 Arrêté royal of 15 March 1960 (Loi au sujet de la plate-forme continentale of 15 June 1969) Arrêté de l'exécutif régional wallon of 29 September 1982 Arrêté de l'exécutif flamand of 30 May 1984
Denmark	Lov nr. 293 om anvendelse af Danmarks undergrund of 10 June 1981 Lov om kontinentalsoklen, jf. Lovbekendtgørelse nr. 182 of 1 May 1979
Germany	Bundesberggesetz of 13 August 1980, as last amended on 12 February 1990
Greece	Law 87/1975 setting up DEP-EKY (Peri idryseos Dimosias Epicheiriseos Petrelaioy)
Spain	Ley sobre Investigación y Explotación de Hidrocarburos of 27 June 1974 and its implementing decrees
France	Code minier (Décret 56-838 of 16 August 1956) amended by Loi 56-1327 of 29 December 1956, Ordonnance 58-1186 of 10 December 1958, Décret 60-800 of 2 August 1960, Loi 77-620 of 16 June 1977, Décret 80-204 of 11 March 1980
Ireland	Continental Shelf Act 1960 Petroleum and Other Minerals Development Act 1960 Ireland Exclusive licensing terms 1975 Revised licensing terms 1987 Petroleum (Production) Act (NI) 1964

Italy	Legge n. 136 of 19 February 1953 Legge n. 6 of 11 January 1957, as amended by Legge n. 613 of 21 July 1967
Luxembourg	—
Netherlands	Mijnwet nr. 285 of 21 April 1810 Wet opsporing delfstoffen nr. 258 of 3 May 1967 Mijnwet continentaal plat 1965, nr. 428 of 23 September 1965
Austria	Entities created pursuant to the Berggesetz 1975 (BGBl. Nr. 259/1975, as last amended by BGBl Nr. 193/1993)
Portugal	Surface area: Decreto-Lei no 543/74 of 16 October 1974, no 168/77 of 23 April 1977, no 266/80 of 7 August 1980, no 174/85 of 21 May 1985 and Despacho no 22 of 15 March 1979 Submerged area: Decreto-Lei no 47973 of 30 September 1967, no 49369 of 11 November 1969, no 97/71 of 24 March 1971, no 96/74 of 13 March 1974, no 266/80 of 7 August 1980, no 2/81 of 7 January 1981 and no 245/82 of 22 June 1982
Finland	—
Sweden	Entities holding a concession for exploring for or exploiting oil or gas under minerallagen (1991:45) or which have been granted an authorisation pursuant to lagen (1966:314) om kontinentalsockeln.
United Kingdom	Petroleum Production Act 1934, as extended by the Continental Shelf Act 1964 Petroleum (Production) Act (Northern Ireland) 1964
(c) Exploration for and extraction of coal or other solid fuels	
Belgium	Entities exploring for or extracting coal or other solid fuels pursuant to the Arrêté du Régent of 22 August 1948 and the Law of 22 April 1980
Denmark	Entities exploring for or extracting coal or other solid fuels pursuant to the lov bekendtgoerelse nr. 531 of 10 October 1984
Germany	Entities exploring for or extracting coal or other solid fuels pursuant to the Bundesberggesetz of 13 August 1980, as last amended on 12 February 1980
Greece	Public Power Corporation Dimosia Epicheirisi Ilektrismoy exploring for or extracting coal or other solid fuels pursuant to the Mining Code of 1973, as amended by the law of 27 April 1976
Spain	Entities exploring for or extracting coal or other solid fuels pursuant to Ley 22/1973 de Minas of 21 July, as amended by Ley 54/1980 of 5 November and Real Decreto Legislativo 1303/1986 of 28 June
France	Entities exploring for or extracting coal or other solid fuels pursuant to the Code minier (Décret 58-863 of 16 August 1956), as amended by Loi 77-620 of 16 June 1977, Décret 80-204 and the Arrêté of 11 March 1980

Ireland	Bord na Mona Entities prospecting for or extracting coal pursuant to the Minerals Development Acts, 1940 to 1970
Italy	Carbo Sulcis SpA
Luxembourg	—
Netherlands	—
Austria	Entities exploring for or extracting coal or other solid fuels pursuant to the Berggesetz 1975 (BGBl. Nr. 259/1975)
Portugal	Empresa Carbonífera do Douro Empresa Nacional de Urânio
Finland	Entities exploring for or extracting coal or other solid fuels and operating on the basis of an exclusive right pursuant to Articles 1 and 2 of Laki oikeudesta luovuttaa valtion maaomaisuutta ja tuloatuottavia oikeuksia (687/78)
Sweden	Entities exploring for or extracting coal or other solid fuels on the basis of a concession pursuant to minerallagen (1991:45) or lagen (1985:620) om vissa torvfyndigheter or which have been granted an authorisation pursuant to lagen (1966:314) om kontinentalsockeln
United Kingdom	British Coal Corporation (BCC) set up pursuant to the Coal Industry Nationalisation Act 1946 Entities benefiting from a licence granted by the BCC pursuant to the Coal Industry Nationalisation Act 1946 Entities exploring for or extracting solid fuels pursuant to the Mineral Development Act (Northern Ireland) 1969

Annex III B — Switzerland

(a) Transport or distribution of gas or heat

Entities transporting or distributing gas pursuant to Article 2 of the 'Loi fédérale sur les installations de transport par conduits de combustibles ou carburants liquides ou gazeux' of 4 October 1963

Entities transporting or distributing heat on the basis of a cantonal concession

For example: SWISSGAS AG, Gaznat SA, Gasverbund Ostschweiz AG, REFUNA AG, Cadbar SA

(b) Exploration for and extraction of oil or gas

Entities exploring for and extracting oil or gas in accordance with the 'Concordat Intercantonal concernant la prospection et l'exploitation du pétrole entre les cantons de Zurich, Schwyz, Glaris, Zoug, Schaffhouse, Appenzell Rh.-Ext., Appenzell Rh.-Int., Saint-Gall, Argovie et Thurgovie' of 24 September 1955

For example: Seag AG

(c) Exploration for and extraction of coal or other solid fuels

No entities in Switzerland

ANNEX IV

(referred to in Articles 3)(1) and (2)(f) and (5) of the Agreement)

PRIVATE UTILITIES COVERED

Annex IV A — Community

(a) Production, transport or distribution of drinking water

Belgium	<p>Entity set up pursuant to the Décret de la région wallonne érigeant en entreprise régionale de production et d'adduction d'eau le service du ministère de la région chargé de la production et du grand transport d'eau of 2 July 1987</p> <p>Entity set up pursuant to the Arrêté portant constitution d'une société wallonne de distribution d'eau of 23 April 1986</p> <p>Entity set up pursuant to the Arrêté de l'exécutif flamand portant fixation des statuts de la société flamande de distribution d'eau of 17 July 1985</p> <p>Entities producing or distributing water and set up pursuant to the Loi relative aux intercommunales of 22 December 1986</p> <p>Entities producing or distributing water and set up pursuant to the Code communal, article 147 bis, ter et quater sur les régies communales</p>
Denmark	<p>Entities producing or distributing water referred to in Article 3(3) lovbekendtgørelse om vandforsyning m.v. of 4 July 1985</p>
Germany	<p>Entities producing or distributing water pursuant to the Eigenbetriebsverordnungen or Eigenbetriebsgesetze of the Länder (Kommunale Eigenbetriebe)</p> <p>Entities producing or distributing water pursuant to the Gesetze über die Kommunale Gemeinschaftsarbeit oder Zusammenarbeit of the Länder</p> <p>Entities producing water pursuant to the Gesetz über Wasser- und Bodenverbände of 10 February 1937 and the erste Verordnung über Wasser- und Bodenverbände of 3 September 1937</p> <p>(Regiebetriebe) producing or distributing water pursuant to the Kommunalgesetze and notably the Gemeindeordnungen of the Länder</p> <p>Entities set up pursuant to the Aktiengesetz of 6 September 1965, as last amended on 19 December 1985, or the GmbH-Gesetz of 20 May 1898, as last amended on 15 May 1986, or having the legal status of a Kommanditgesellschaft, producing or distributing water on the basis of a special contract with regional or local authorities</p>
Greece	<p>The Water Company of Athens (Etaireia Ydrefseos — Apochetefseos Protevoysis) set up pursuant to Law 1068/80 of 23 August 1980</p> <p>The Water Company of Thessaloniki (Organismos Ydrefseos Thessalonikis) operating pursuant to Presidential Decree 61/1988</p> <p>The Water Company of Volos (Etaireia Ydrefseos Voloy) operating pursuant to Law 890/1979</p> <p>Municipal companies (Dimotikes Epicheiriseis ydrefsis-apochetefsis) producing or distributing water and set up pursuant to Law 1069/80 of 23 August 1980</p> <p>Associations of local authorities (Syndesmoi ydrefsis) operating pursuant to the Code of local authorities (Kodikas Dimon kai Koinotiton) implemented by Presidential Decree 76/1985</p>

- Spain
- Entities producing or distributing water pursuant to Ley no 7/1985 of 2 April 1985, Reguladora de las Bases del Régimen local and Decreto Real no 781/1986 Texto Refundido Régimen local
- Canal de Isabel II. Ley de la Comunidad Autónoma de Madrid of 20 December 1984
- Mancomunidad de los Canales de Taibilla, Law of 27 April 1946
- France
- Entities producing or distributing water pursuant to the:
- dispositions générales sur les régies, code des communes L 323-1 à L 323-8, R 323-1 à R 323-6 (dispositions générales sur les régies)
 - Code des communes L 323-8, R 323-4 [régies directes (ou de fait)]
Décret-loi of 28 December 1926, Règlement d'administration publique of 17 February 1930
 - Code des communes L 323-10 à L 323-13, R 323-75 à 323-132 (régies à simple autonomie financière)
 - Code des communes L 323-9, R 323-7 à R 323-74, Décret of 19 October 1959 (régies à personnalité morale et à autonomie financière)
 - Code des communes L 324-1 à L 324-6, R 324-1 à R 324-13 (gestion déléguée, concession et affermage)
 - jurisprudence administrative, circulaire intérieure (gérance) of 13 December 1975, or
 - Code des communes R 324-6, circulaire intérieure (régie intéressée) of 13 December 1975
 - Circulaire intérieure (exploitation aux risques et périls) of 13 December 1975
 - Décret of 20 May 1955, Loi sur les sociétés d'économie mixte (participation à une société d'économie mixte) of 7 July 1983
 - Code des communes L 322-1 à L 322-6, R 322-1 à R 322-4 (dispositions communes aux régies, concessions et affermages)
- Ireland
- Entities producing or distributing water pursuant to the Local Government (Sanitary Services) Act 1878 to 1964
- Italy
- Entities producing or distributing water pursuant to the Consolidated Text of Leggi sull'assunzione diretta dei pubblici servizi da parte dei comuni e delle province approvato con Regio Decreto n. 2578 of 15 October 1925 and Decreto del P.R. n. 902 of 4 October 1986
- Ente Autonomo Acquedotto Pugliese set up pursuant to RDL n. 2060 of 19 October 1919.
- Ente Acquedotti Siciliani set up pursuant to Leggi regionali n. 2/2 of 4 September 1979 and n. 81 of 9 August 1980
- Ente Sardo Acquedotti e Fognatur set up pursuant to Legge n. 9 of 5 June 1963
- Luxembourg
- Local authorities distributing water.
- Associations of local authorities producing or distributing water set up pursuant to the Loi concernant la création des syndicats de communes of 14 February 1900, as amended and supplemented by the Law of 23 December 1958 and the Law of 29 July 1981 and pursuant to the Loi ayant pour objet le renforcement de l'alimentation en eau potable du grand-duché de Luxembourg à partir du réservoir d'Esch-sur-Sûre of 31 July 1962

Netherlands	Entities producing or distributing water pursuant to the Waterleidingwet of 6 April 1957, as amended by the Laws of 30 June 1967, 10 September 1975, 23 June 1976, 30 September 1981, 25 January 1984 and 29 January 1986
Austria	Entities of local authorities (Gemeinden) and associations of local authorities (Gemeindeverbände) producing, transporting or distributing water pursuant to the Wasserversorgungsgesetze of the nine Länder
Portugal	Empresa Pública das Águas Livres producing or distributing water pursuant to the Decreto-Lei no 190/81 of 4 July 1981 Local authorities producing or distributing water
Finland	Entities producing, transporting or distributing water pursuant to Article 1 of Laki yleisistä vesi- ja viemärilaitoksista (982/77) of 23 December 1977
Sweden	Local authorities and municipal companies which produce, transport or distribute drinking water pursuant to lagen (1970:244) om allmänna vatten- och avloppsanläggningar
United Kingdom	Water companies producing or distributing water pursuant to the Water Acts 1945 and 1989 The Central Scotland Water Development Board producing or distributing water and the water authorities producing or distributing water pursuant to the Water (Scotland) Act 1980 The Department of the Environment for Northern Ireland responsible for producing and distributing water pursuant to the Water and Sewerage (Northern Ireland) Order 1973

(b) Production, transport or distribution of electricity

Belgium	Entities producing, transporting or distributing electricity pursuant to Article 5: Des régions communales et intercommunales of the Loi sur les distributions d'énergie électrique of 10 March 1925. Entities producing or distributing electricity pursuant to the Loi relative aux intercommunales of 22 December 1986 Ebes, Intercom, Unerg and other entities producing, transporting or distributing electricity and granted a concession for distribution pursuant to Article 8: Les concessions communales et intercommunales of the Loi sur les distributions d'énergie électrique of 10 March 1925 The Société publique de production d'électricité (SPE)
Denmark	Entities producing or transporting electricity on the basis of a licence pursuant to § 3, stk 1, of Lov. nr. 54 of 25 February 1976 om elforsyning, jf. bekendtgoerelse nr. 607 of 17 December 1976 om elforsyningslovens anvendelsesomraade Entities distributing electricity as defined in § 3, stk 2, of Lov nr. 54 of 25 February 1976 om elforsyning, jf. bekendtgoerelse nr. 607 of 17 December 1976 om elforsyningslovens anvendelsesomraade and on the basis of authorisations for expropriation pursuant to Articles 10 to 15 of Lov om elektriske staerkstroemsanlaeg, jf. Lovbekendtgørelse nr. 669 of 28 December 1977
Germany	Entities producing, transporting or distributing electricity as defined in § 2 Absatz 2 of the Gesetz zur Förderung der Energiewirtschaft (Energiewirtschaftsgesetz) of 13 December 1935, as last amended by the Gesetz of 19 December 1977, and auto-production of electricity so far as this is covered by the field of application of the Directive pursuant to Article 2(5)

Greece	<p>Dimosia Epicheirisi Ilektrismoy (Public Power Corporation) set up pursuant to Law 1468 of 2 August 1950: Peri idryseos Dimosias Epicheiriseos Ilektrismoy, and operating pursuant to Law 57/85: Domi, rolos kai tropos dioikisis kai leitoyrgias tis koinonikopoiimenis Dimosias Epicheirisis Ilektrismoy</p>
Spain	<p>Entities producing, transporting or distributing electricity pursuant to Article 1 of the Decreto of 12 March 1954 approving the Reglamento de verificaciones eléctricas y regularidad en el suministro de energía and pursuant to Decreto 2617/1966 of 20 October sobre autorización administrativa en materia de instalaciones eléctricas</p> <p>Red Eléctrica de España SA, set up pursuant to Real Decreto 91/1985 of 23 January</p>
France	<p>Électricité de France, set up and operating pursuant to Loi 46/6288 sur la nationalisation de l'électricité et du gaz of 8 April 1946</p> <p>Entities (sociétés d'économie mixte or régies) distributing electricity and referred to in Article 23 of Loi 48/1260 portant modification des lois 46/6288 du 8 avril 1946 et 46/2298 du 21 octobre 1946 sur la nationalisation de l'électricité et du gaz of 12 August 1948</p> <p>Compagnie nationale du Rhône</p>
Ireland	<p>The Electricity Supply Board (ESB) set up and operating pursuant to the Electricity Supply Act 1927</p>
Italy	<p>Ente nazionale per l'energia elettrica (ENEL) set up pursuant to Legge n. 1643 of 6 December 1962, approvato by Decreto n. 1720 of 21 December 1965</p> <p>Entities operating on the basis of a concession pursuant to Article 4, n. 5 or 8 of Legge n. 1643 — Istituzione dell'Ente nazionale per la energia elettrica e trasferimento ad esso delle imprese esercenti le industrie elettriche of 6 December 1962</p> <p>Entities operating on the basis of a concession pursuant to Article 20 of Decreto del Presidente della Repubblica n. 342 — Norme integrative della legge del 6 dicembre 1962, n. 1643 e norme relative al coordinamento e all'esercizio delle attività elettriche esercitate da enti ed imprese diverse dell'Ente nazionale per l'energia Elettrica of 18 March 1965</p>
Luxembourg	<p>Compagnie grand-ducale d'électricité de Luxembourg, producing or distributing electricity pursuant to the Convention of 11 November 1927 concernant l'établissement et l'exploitation des réseaux de distribution d'énergie électrique dans le grand-duché de Luxembourg, approved by the Law of 4 January 1928</p> <p>Société électrique de l'Our (SEO)</p> <p>Syndicat de communes SIDOR</p>
Netherlands	<p>Elektriciteitsproduktie Oost-Nederland</p> <p>Elektriciteitsbedrijf Utrecht-Noord-Holland-Amsterdam (UNA)</p> <p>Elektriciteitsbedrijf Zuid-Holland (EZH)</p> <p>Elektriciteitsproduktiemaatschappij Zuid-Nederland (EPZ)</p> <p>Provinciale Zeeuwse Energie Maatschappij (PZEM)</p> <p>Samenwerkende Elektriciteitsbedrijven (SEP)</p> <p>Entities distributing electricity on the basis of a licence (vergunning) granted by the provincial authorities pursuant to the Provinciewet</p>

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| Austria | Entities producing, transporting or distributing electricity pursuant to the second Verstaatlichungsgesetz (BGBl. Nr. 81/1947) and the Elektrizitätswirtschaftsgesetz (BGBl. Nr. 260/1975), including the Elektrizitätswirtschaftsgesetze of the nine Länder |
| Portugal | <p>Electricidade de Portugal (EDP), set up pursuant to Decreto-Lei no 502/76 of 30 June 1976.</p> <p>Entities distributing electricity pursuant to Artigo 1o do Decreto-Lei no 344-B/82 of 1 September 1982, as amended by Decreto-Lei no 297/86 of 19 September 1986. Entities producing electricity pursuant to Decreto-Lei no 189/88 of 27 May 1988</p> <p>Independent producers of electricity pursuant to Decreto-Lei no 189/88 of 27 May 1988.</p> <p>Empresa de Electricidade dos Açores — EDA, EP, created pursuant to Decreto Regional no 16/80 of 21 August 1980</p> <p>Empresa de Electricidade da Madeira, EP, created pursuant to Decreto-Lei no 12/74 of 17 January 1974 and regionalised pursuant to Decreto-Lei no 31/79 of 24 February 1979 and Decreto-Lei no 91/79 of 19 April 1979</p> |
| Finland | Entities producing, transporting or distributing electricity on the basis of a concession pursuant to Article 27 of Sähkölaki (319/79) of 16 March 1979 |
| Sweden | Entities transporting or distributing electricity on the basis of a concession pursuant to lagen (1902:71 s. 1) innefattande vissa bestämmelser om elektriska anläggningar |
| United Kingdom | <p>Central Electricity Generating Board (CEGB) and the Area Electricity Boards producing, transporting or distributing electricity pursuant to the Electricity Act 1947 and the Electricity Act 1957</p> <p>The North of Scotland Hydro-Electricity Board (NSHB), transporting or distributing electricity pursuant to the Electricity (Scotland) Act 1979</p> <p>The South of Scotland Electricity Board (SSEB) transporting or distributing electricity pursuant to the Electricity (Scotland) Act 1979</p> <p>The Northern Ireland Electricity Service (NIES), set up pursuant to the Electricity Supply (Northern Ireland) Order 1972</p> |
| (c) | Contracting entities in the field of urban railway, automated systems, tramway, trolley bus, bus or cable services |
| Belgium | <p>Société nationale des chemins de fer vicinaux (SNCV)/Nationale Maatschappij van Buurtspoorwegen (NMB)</p> <p>Entities providing transport services to the public on the basis of a contract granted by the SNCV pursuant to Articles 16 and 21 of the Arrêté relatif aux transports rémunérés de voyageurs par route effectués par autobus et par autocars of 30 December 1946</p> <p>Société des transports intercommunaux de Bruxelles (STIB)</p> <p>Maatschappij van het Intercommunaal Vervoer te Antwerpen (MIVA)</p> <p>Maatschappij van het Intercommunaal Vervoer te Gent (MIVG)</p> <p>Société des transports intercommunaux de Charleroi (STIC)</p> <p>Société des transports intercommunaux de la région liégeoise (STIL)</p> |

Société des transports intercommunaux de l'agglomération verviétoise (STIAV) and other entities set up pursuant to the Loi relative à la création de sociétés de transports en commun urbains/Wet betreffende de oprichting van maatschappijen voor stedelijk gemeenschappelijk vervoer of 22 February 1962

Entities providing transport services to the public on the basis of a contract with STIB pursuant to Article 10 or with other transport entities pursuant to Article 11 of the Arrêté royal 140 relatif aux mesures d'assainissement applicables à certains organismes d'intérêt public dépendant du ministère des communications of 30 December 1982

Denmark

Danske Statsbaner (DSB)

Entities providing bus services to the public (almindelig rutekørsel) on the basis of an authorisation pursuant to Lov nr. 115 om buskørsel of 29 March 1978

Germany

Entities providing, on the basis of an authorisation, short-distance transport services to the public (Öffentlichen Personennahverkehr) pursuant to the Personenbeförderungsgesetz of 21 March 1961, as last amended on 25 July 1989

Greece

Ilektrokinita Leoforeia Periochis Athinon-Peiraios (Electric buses of the Athens — Piraeus area) operating pursuant to Decree 768/1970 and Law 588/1977

Ilektrikoi Sidirodromoi Athinon-Peiraios (Athens — Piraeus electric railways) operating pursuant to Laws 352/1976 and 588/1977

Epicheirisi Astikon Sygkoinonion (Enterprise of urban transport) operating pursuant to Law 588/1977

Koino Tameio Eisprazeos Leoforeion (Joint receipts fund of buses) operating pursuant to Decree 102/1973

RODA (Dimotiky Epicheirisi Leoforeion Rodoy) Roda: Municipal bus enterprise in Rhodes

Organismos Astikon Sygkoinonion Thessalonikis (Urban transport organisation of Thessaloniki) operating pursuant to Decree 3721/1957 and Law 716/1980

Spain

Entities providing transport services to the public pursuant to Article 71 of the Ley de Régimen local

Corporación metropolitana de Madrid

Corporación metropolitana de Barcelona

Entities providing bus services to the public pursuant to Article 71 of the Ley de Ordenación de Transportes Terrestres of 31 July 1987

Entities providing urban or inter-urban bus services to the public pursuant to Articles 113 to 118 of the Ley de Ordenación de Transportes Terrestres of 31 July 1987

FEVE, RENFE (or Empresa Nacional de Transportes de Viajeros por Carretera) providing bus services to the public pursuant to the Disposiciones adicionales, Primera, de la Ley de Ordenación de Transportes Terrestres of 31 July 1957

Entities providing bus services to the public pursuant to Disposiciones Transitorias, Tercera, de la Ley de Ordenación de Transportes Terrestres of 31 July 1957

France	<p>Entities providing transport services to the public pursuant to Article 7-II of Loi 82-1153 (transports intérieurs, orientation) of 30 December 1982</p> <p>Régie autonome des transports parisiens, Société nationale des chemins de fer français, APTR, and other entities providing transport services to the public on the basis of an authorisation granted by the Syndicat des transports parisiens pursuant to the Ordonnance de 1959 et ses décrets d'application relatifs à l'organisation des transports de voyageurs dans la région parisienne</p>
Ireland	<p>Iarnrod Éireann (Irish Rail)</p> <p>Bus Éireann (Irish Bus)</p> <p>Bus Átha Cliath (Dublin Bus)</p> <p>Entities providing services to the public pursuant to the amended Road Transport Act 1932</p>
Italy	<p>Entities providing transport services on the basis of a concession pursuant to Article 1 of Legge n. 1822 — Disciplina degli autoservizi di linea (autolinee per viaggiatori, bagagli e pacchi agricoli in regime di concessione all'industria privata) of 28 September 1939, as amended by Article 45 of Decreto del Presidente della Repubblica n. 771 of 28 June 1955</p> <p>Entities providing transport services to the public pursuant to Article 1(15) of Regio Decreto n. 2578 — Approvazione del Testo unico della legge sull'assunzione diretta dei pubblici servizi da parte dei comuni e delle province of 15 October 1925</p> <p>Entities operating on the basis of a concession pursuant to Article 242 or 256 of Regio Decreto n. 1447, che approva il Testo unico delle disposizioni di legge per le ferrovie concesse all'industria privata, le tramvie a trazione meccanica e gli automobili of 9 May 1912</p> <p>Entities operating on the basis of a concession pursuant to Article 4 of Legge n. 410, concorso dello Stato per la riattivazione dei pubblici servizi di trasporto in concessione of 14 June 1949</p> <p>Entities operating on the basis of a concession pursuant to Article 14 of Legge n. 1221 — Provvedimenti per l'esercizio ed il potenziamento di ferrovie e di altre linee di trasporto in regime di concessione of 2 August 1952</p>
Luxembourg	<p>Chemins de fer luxembourgeois (CFL)</p> <p>Service communal des autobus municipaux de la ville de Luxembourg</p> <p>Transports intercommunaux du canton d'Esch-sur-Alzette (TICE)</p> <p>Bus service undertakings operating pursuant to the Règlement grand-ducal concernant les conditions d'octroi des autorisations d'établissement et d'exploitation des services de transports routiers réguliers de personnes rémunérées of 3 February 1978</p>
Netherlands	<p>Entities providing transport services to the public pursuant to Chapter II (Openbaar vervoer) of the Wet Personenvervoer of 12 March 1987</p>
Austria	<p>Entities providing transport services pursuant to the Eisenbahngesetz 1957 (BGBl. Nr. 60/1957) and the Kraftfahrliniengesetz 1952 (BGBl. Nr. 84/1952)</p>

Portugal	<p>Rodoviária Nacional, EP</p> <p>Companhia Carris de Ferro de Lisboa</p> <p>Metropolitano de Lisboa, EP</p> <p>Serviços de Transportes Colectivos do Porto</p> <p>Serviços Municipalizados de Transporte do Barreiro</p> <p>Serviços Municipalizados de Transporte de Aveiro</p> <p>Serviços Municipalizados de Transporte de Braga</p> <p>Serviços Municipalizados de Transporte de Coimbra</p> <p>Serviços Municipalizados de Transporte de Portalegre</p>
Finland	<p>Public or private entities operating bus services according to Laki (343/91) luvanvaraisesta henkilöliikenteestä tiellä and Helsingin kaupungin liikennelaitos/Helsingfors stads trafikverk (Helsinki Transport Board), which provides metro and tramway services to the public</p>
Sweden	<p>Entities operating urban railway or tramway services according to lagen (1978:438) om huvudmannaskap för viss kollektiv persontrafik and lagen (1990:1157) om järnvägssäkerhet</p> <p>Public or private entities operating a trolley bus or bus service in accordance with lagen (1978:438) om huvudmannaskap för viss kollektiv persontrafik and lagen (1983:293) om yrkestrafik</p>
United Kingdom	<p>Entities providing bus services to the public pursuant to the London Regional Transport Act 1984</p> <p>Glasgow Underground</p> <p>Greater Manchester Rapid Transit Company</p> <p>Docklands Light Railway</p> <p>London Underground Ltd</p> <p>British Railways Board</p> <p>Tyne and Wear Metro</p>
(d) Contracting entities in the field of airport facilities	
Belgium	<p>Régie des voies aériennes set up pursuant to the Arrêté-loi portant création de la régie des voies aériennes of 20 November 1946, amended by Arrêté royal portant refonte du statut de la régie des voies aériennes of 5 October 1970</p>
Denmark	<p>Airports operating on the basis of an authorisation pursuant to § 55, stk. 1, lov om luftfart, jf. lovbekendtgørelse nr. 408 of 11 September 1985</p>
Germany	<p>Airports as defined in Article 38 Absatz 2 Nr. 1 of the Luftverkehrszulassungsordnung of 13 March 1979, as last amended by the Verordnung of 21 July 1986</p>
Greece	<p>Airports operating pursuant to Law 517/1931 setting up the civil aviation service (Ypiresia Politikis Aeroporias (YPA)).</p> <p>International airports operating pursuant to Presidential decree 647/981</p>

Spain	Airports managed by Aeropuertos Nacionales operating pursuant to Real Decreto 278/1982 of 15 October 1982
France	<p>Aéroports de Paris operating pursuant to Titre V, Articles L 251-1 à 252-1 of the Code de l'aviation civile</p> <p>Aéroport de Bâle-Mulhouse, set up pursuant to the Convention franco-suisse of 4 July 1949</p> <p>Airports as defined in Article L 270-1 of the Code de l'aviation civile</p> <p>Airports operating pursuant to the Cahier des charges type d'une concession d'aéroport, Décret of 6 May 1955</p> <p>Airports operating on the basis of a Convention d'exploitation pursuant to Article L/221 of the Code de l'aviation civile</p>
Ireland	<p>Airports of Dublin Cork and Shannon managed by Aer Rianta — Irish Airports</p> <p>Airports operating on the basis of a Public use License granted pursuant to the Air Navigation and Transport Act No 40/1936, the Transport Fuel and Power (Transfer of Departmental Administration Functions) Order 1959 (SI No 125 of 1959) and the Air Navigation (Aerodromes and Visual Ground Aids) Order 1970 (SI No 291 of 1970)</p>
Italy	<p>Civil State airports (aerodromi civili istituiti dallo Stato) referred to in Article 692 of the Codice della navigazione, Regio Decreto n. 327 of 30 March 1942</p> <p>Entities operating airport facilities on the basis of a concession granted pursuant to Article 694 of the Codice della navigazione, Regio Decreto n. 327 of 30 March 1942</p>
Luxembourg	Aéroport de Findel
Netherlands	Airports operating pursuant to Articles 18 and following of the Luchtvaartwet of 15 January 1958 (stbld. 47), amended on 7 June 1978
Austria	<p>Austro Control GmbH</p> <p>Entities as defined in Articles 60 to 80 of the Luftfahrtgesetz 1957 (BGBl. Nr. 253/1957)</p>
Portugal	<p>Airports managed by Aeroportos e Navegação Aérea (ANA), EP pursuant to Decreto-Lei no 246/79</p> <p>Aeroporto de Funchal and Aeroporto de Porto Santo, regionalised pursuant to Decreto-Lei no 284/81</p>
Finland	Airports managed by Ilmailulaitos/Luftfartsverket pursuant to Ilmailulaki (595/64)
Sweden	<p>Publicly owned and operated airports in accordance with lagen (1957:297) om luftfart</p> <p>Privately owned and operated airports with an exploitation permit under the act, where this permit corresponds to the criteria of Article 2(3) of the Directive</p>
United Kingdom	<p>Airports managed by British Airports Authority plc</p> <p>Airports which are public limited companies (plc) and operated pursuant to the Airports Act 1986</p>

(e) Contracting entities in the field of maritime or inland port or other terminal facilities

Belgium	<p>Société anonyme du canal et des installations maritimes de Bruxelles</p> <p>Port autonome de Liège</p> <p>Port autonome de Namur</p> <p>Port autonome de Charleroi</p> <p>Port de la ville de Gand</p> <p>Compagnie des installations maritimes de Bruges — Maatschappij der Brugse haveninrichtingen.</p> <p>Société intercommunale de la rive gauche de l'Escaut — Intercommunale maatschappij van de linker Scheldeoever (Port d'Anvers)</p> <p>Port de Nieuwport</p> <p>Port d'Ostende</p>
Denmark	<p>Ports as defined in Article 1, I to III of the bekendtgørelse nr. 604 of 16 December 1985 om hvilke havne der er omfattet af lov om trafikhavne, jf. Lov nr. 239 of 12 May 1976 om trafikhavne</p>
Germany	<p>Seaports owned totally or partially by territorial authorities (Länder, Kreise, Gemeinden)</p> <p>Inland ports subject to the Hafenordnung pursuant to the Wassergesetze der Länder</p>
Greece	<p>Piraeus port (Organismos Limenos Peiraios) set up pursuant to Emergency Law 1559/1950 and Law 1630/1951</p> <p>Thessaloniki port (Organismos Limenos Thessalonikis) set up pursuant to decree N.A. 2251/1953</p> <p>Other ports governed by Presidential decree 649/1977 (N.A. 649/1977) Epopiteia, organosi leitoyrgias kai dioikitikos elenchos limenon (supervision, organisation of functioning and administrative control)</p>
Spain	<p>Puerto de Huelva set up pursuant to Decreto no 2380/692 of 2 October 1969: Puertos y Faros. Otorga Régimen de Estatuto de Autonomía al Puerto de Huelva</p> <p>Puerto de Barcelona set up pursuant to Decreto no 2407/78 of 25 August 1978: Puertos y Faros. Otorga al de Barcelona Régimen de Estatuto de Autonomía</p> <p>Puerto de Bilbao set up pursuant to Decreto no 2408/78 of 25 August 1978: Puertos y Faros. Otorga al de Bilbao Régimen de Estatuto de Autonomía</p> <p>Puerto de Valencia set up pursuant to Decreto no 2409/78 of 25 August 1978: Puertos y Faros. Otorga al de Valencia Régimen de Estatuto de Autonomía.</p> <p>Juntas de Puertos operating pursuant to Ley 27/68 of 20 June 1968: Puertos y Faros. Juntas de Puertos y Estatutos de Autonomía and to Decreto no 1350/70 of 9 April de 1970: Juntas de Puertos. Reglamento</p> <p>Ports managed by the Comisión Administrativa de Grupos de Puertos, operating pursuant to Ley 27/68 of 20 June 1968, Decreto 1958/78 of 23 June 1978 and Decreto 571/81 of 6 May 1981</p> <p>Ports listed in Real Decreto 989/82 of 14 May 1982: Puertos. Clasificación de los de interés general</p>

France	<p>Port autonome de Paris set up pursuant to Loi 68/917 relative au port autonome de Paris of 24 October 1968.</p> <p>Port autonome de Strasbourg set up pursuant to the Convention entre l'État et la ville de Strasbourg relative à la construction du port rhénan de Strasbourg et à l'exécution de travaux d'extension de ce port of 20 May 1923, approved by the Law of 26 April</p> <p>Other inland waterway ports set up or managed pursuant to Article 6 (navigation intérieure) of Décret 69-140 relatif aux concessions d'outillage public dans les ports maritimes of 6 February 1969</p> <p>Ports autonomes operating pursuant to Articles L 111-1 and following of the Code des ports maritimes</p> <p>Ports non autonomes operating pursuant to Articles R 121-1 and following of the Code des ports maritimes</p> <p>Ports managed by regional authorities (départements) or operating pursuant to a concession granted by the regional authorities (départements) pursuant to Article 6 of Loi 86-663 of 22 July 1983 complétant la loi 83-8 relative à la répartition des compétences entre les communes, départements et l'État of 7 January 1983</p>
Ireland	<p>Ports operating pursuant to the Harbour Acts 1946 to 1976</p> <p>Port of Dun Laoghaire operating pursuant to the State Harbours Act 1924</p> <p>Port of Rosslare Harbour operating pursuant to the Finguard and Rosslare Railways and Harbours Act 1899</p>
Italy	<p>State ports and other ports managed by the Capitaneria di Porto pursuant to the Codice della navigazione, Regio Decreto n. 327 of 30 March 1942</p> <p>Autonomous ports (enti portuali) set up by special laws pursuant to Article 19 of the Codice della Navigazione, Regio Decreto n. 327 of 30 March 1942</p>
Luxembourg	<p>Port de Mertert set up and operating pursuant to the Loi relative à l'aménagement et à l'exploitation d'un port fluvial sur la Moselle of 22 July 1963</p>
Netherlands	<p>Havenbedrijven, set up and operating pursuant to the Gemeentewet of 29 June 1851</p> <p>Havenschap Vlissingen, set up by the Wet houdende een gemeenschappelijke regeling tot oprichting van het Havenschap Vlissingen of 10 September 1970</p> <p>Havenschap Terneuzen, set up by the Wethoudende een gemeenschappelijke regeling tot oprichting van het Havenschap Terneuzen of 8 April 1970</p> <p>Havenschap Delfzijl, set up by the Wethoudende een gemeenschappelijke regeling tot oprichting van het Havenschap Delfzijl of 31 July 1957</p> <p>Industrie- en havenschap Moerdijk, set up by the gemeenschappelijke regeling tot oprichting van het Industrie- en havenschap Moerdijk of 23 October 1970, approved by Koninklijk Besluit nr. 23 of 4 March 1972</p>
Austria	<p>Inland ports owned totally or partially by Länder and/or Gemeinden</p>
Portugal	<p>Porto de Lisboa set up pursuant to the Decreto Real of 18 February 1907 and operating pursuant to Decreto-Lei no 36976 of 20 July 1948</p> <p>Porto do Douro e Leixões set up pursuant to Decreto-Lei nº 36977 of 20 July 1948</p> <p>Porto do Sines set up pursuant to Decreto-Lei nº 508/77 of 14 December 1977</p> <p>Portos de Setúbal, Aveiro, Figueira da Foz, Viana do Castelo, Portimão e Faro set up pursuant to Decreto-Lei nº 37754 of 18 February 1950</p>

Finland	Ports operating pursuant to Laki kunnallisista satamajärjestyksistä ja liikennemaksuista (955/76) Saimaa Canal(Saimaan kanavan hoitokunta)
Sweden	Ports and terminal facilities according to lagen (1983:293) om inrättande, utvidgning och avlysning av allmän farled och allmän hamn and the förordningen (1983:744) om trafiken på Göta kanal
United Kingdom	Harbour Authorities within the meaning of Section 57 of the Harbours Act 1964 providing port facilities to carriers by sea or inland waterway

Annex IV B — Switzerland

Specification of private utilities as referred to in Articles (3)(1) and (2)(f) of the Agreement

(a) *Production, transport or distribution of drinking water*

Entities producing, transporting and distributing drinking water and operating pursuant to cantonal or local legislation or under individual agreements complying with such legislation

For example: Wasserversorgung Zug AG, Wasserversorgung Düringen

(b) *Production, transport or distribution of electricity*

Entities transporting and distributing electricity which may be granted a right to expropriate pursuant to the 'Loi fédérale concernant les installations électriques à faible et à fort courant' of 24 June 1902

Entities producing electricity pursuant to the 'Loi fédérale sur l'utilisation des forces hydrauliques' of 22 December 1916 and the Loi fédérale sur l'utilisation pacifique de l'énergie atomique of 23 December 1959

For example: CKW, ATEL, EGL

(c) *Transport by urban railway, tramway, automated systems, trolley bus, bus or cable*

Entities operating tramway services within the meaning of Article 2(1) of the 'Loi fédérale sur les chemins de fer' of 20 December 1957

Entities providing transport services to the public within the meaning of Article 4(1) of the 'Loi fédérale sur les entreprises de trolleybus' of 29 March 1950

Entities providing, as a business activity, regular scheduled passenger transport services on the basis of a concession granted pursuant to Article 4 of the 'Loi fédérale sur le transport de voyageurs et les transports par route' of 18 June 1993, where their lines provide a service within the meaning of Article 5(3) of the 'Ordonnance sur les indemnités, les prêts et les aides financières selon la loi des chemins de fer' of 18 December 1995

(d) *Airports*

Entities operating airports on the basis of a concession granted pursuant to Article 37(1) of the 'Loi fédérale sur la navigation aérienne' of 21 December 1948

For example: Bern-Belp, Birrfeld, Grenchen, Samedan

ANNEX V

(referred to in Article 5 of the Agreement, relating to challenge procedures)

1. Challenges shall be heard by a court or by an impartial and independent review body having no interest in the outcome of the procurement, the members of which are secure from external influence and the decisions of which are legally binding. The time-limit, if any, within which a challenge procedure may be initiated shall in no case be less than 10 days and shall run from the time when the basis of the complaint is known or should reasonably have been known.

A review body which is not a court shall either be subject to judicial review or shall have procedures which provide that:

- (a) participants have the right to be heard before a decision is reached, they may be represented and accompanied during the proceedings and shall have access to all proceedings
 - (b) witnesses may be presented and documentation relating to procurement under challenge and necessary to the proceedings shall be disclosed to the review body
 - (c) oral proceedings may be public and decisions shall be given in writing and shall state the reasons on which they are based.
2. The Parties shall ensure that measures concerning challenge procedures include at least either provisions for the powers:
 - (a) to take, at the earliest opportunity, interim measures with the aim of correcting the alleged infringement or preventing further injury to the interests concerned, including measures to suspend or to ensure the suspension of the procedure for the award of a contract or the implementation of any decision taken by the Covered Entity and
 - b) to set aside or ensure the setting aside of decisions taken unlawfully, including the removal of discriminatory technical, economic or financial specifications in the tender notice, the indicative notice, the notice on the existence of a qualification system or any other document relating to the contract award procedure in question. However, the powers of the body responsible for challenge procedures may be limited to awarding damages to any person harmed by an infringement if the contract has already been concluded by a Covered Entity

or provisions for powers to exert indirect pressure on Covered Entities in order to make them correct any infringements or prevent them from committing infringements, and to prevent injury from occurring.

3. Challenge procedures shall also provide for the award of damages to persons injured by the infringement. Where damages are claimed on the grounds that a decision has been taken unlawfully, either Party may provide that the contested decision must first be set aside or declared illegal.

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ANNEX VI

(referred to in Articles (3)(6) and (7) of the Agreement)

SERVICES

The following services, which are listed in the sectoral classification of services reproduced in document MTN.GNS/W/120, are covered by this Agreement:

<i>Subject</i>	<i>CPC (Central Product Classification) reference No</i>
Maintenance and repair services	6112, 6122, 633, 886
Land transport services including armoured car services, and courier services, except carriage of mail	712 (except 71235) 7512, 87304
Air transport services: carriage of passengers and freight, except carriage of mail	73 (except 7321)
Carriage of mail by land (except transport services by rail) and by air	71235, 7321
Telecommunications services	752 (except 7524, 7525, 7526)
Financial services:	
a) insurance services	ex 81 812, 814
b) banking and investment services ⁽¹⁾	
Computer and related services	84
Accounting, auditing and book-keeping services	862
Market research and public opinion polling services	864
Management consulting services and related services	865, 866 ⁽²⁾
Architectural services; engineering services and integrated engineering services; urban planning and landscape engineering services; related scientific and technical consulting services; technical testing and analysis services	867
Advertising services	871
Building-cleaning services and property management services	874, 82201-82206
Publishing and printing services on a fee or contract basis	88442
Sewage and refuse disposal services; Sanitation and similar services	94

The commitments entered into by the Parties in the field of services, including construction services, under this Agreement are limited to the initial commitments specified in the final offers presented by the Community and Switzerland in the context of the General Agreement on Trade in Services.

⁽¹⁾ Excluding financial market services relating to the issue, purchase, sale and transfer of securities or other financial instruments, and central bank services.

⁽²⁾ Excluding arbitration and conciliation services.

Trade in Services. This Agreement does not apply to:

- 1) service contracts awarded to an entity which is itself a contracting authority within the meaning of this Agreement and of Annex 1, 2 or 3 to the GPA on the basis of an exclusive right which it enjoys pursuant to a published law, regulation or administrative provision
 - 2) service contracts which a contracting entity awards to an affiliated undertaking or are awarded by a joint venture formed by a number of contracting entities for the purpose of carrying out a relevant activity within the meaning of Article 3 of this Agreement to one of those contracting entities or to an undertaking which is affiliated with one of these contracting entities, provided that at least 80 % of the average turnover of that undertaking with respect to services for the preceding three years derives from the provision of such services to undertakings with which it is affiliated. Where more than one undertaking affiliated with the contracting entity provides the same service or similar services, the total turnover deriving from the provision of services by those undertakings shall be taken into account
 - 3) service contracts for the acquisition or rental, by whatever financial means, of land, existing buildings or other immovable property or concerning rights thereon
 - 4) employment contracts
 - 5) contracts for the acquisition, development, production or co-production of programme material by broadcasters and contracts for broadcasting time.
-

ANNEX VII

(referred to in Article (3)(6) of the Agreement)

CONSTRUCTION SERVICES

Specification construction services covered:

1. *Definition:*

A contract for construction services is a contract which has as its object the execution, by whatever means, of construction, civil engineering or building work within the meaning of Division 51 of the Central Product Classification (CPC).

2. *List of services covered according to Division 51 of the CPC*

Site preparation work	511
Construction work	512
Civil engineering work	513
Assembly and construction of prefabricated structures	514
Specialised construction work	515
Installation work	516
Building completion work	517
Other services	518

The commitments entered into by the Parties in the field of services, including construction services, under this Agreement are limited to the initial commitments specified in the final offers presented by the EC and Switzerland in the context of the General Agreement on Trade in Services.

ANNEX VIII

(referred to in Article (3)(7) of the Agreement)

Switzerland

This Agreement shall not apply in Switzerland to:

- (a) contracts which the contracting entities award for purposes other than the pursuit of their activities as described in Article (3)(2) and Annexes I to IV to this Agreement or for the pursuit of their activities outside Switzerland;
 - (b) contracts awarded for purposes of resale or hire to third parties, provided that the contracting entity enjoys no special or exclusive right to sell or hire the subject of such contracts and other entities are free to sell or hire it under the same conditions as the contracting entity
 - (c) contracts awarded for the purchase of water
 - (d) contracts awarded by a contracting entity other than a public authority supplying drinking water or electricity to networks which provide a service to the public, where the production of drinking water or electricity by the entity concerned takes place because its consumption is necessary for carrying out an activity other than that referred to in Article (3)(2)(f)(i) and (ii) and supply to the public network depends only on the entity's own consumption and has not exceeded 30 % of the entity's total production of drinking water or energy, having regard to the average for the preceding three years, including the current year
 - (e) contracts awarded by a contracting entity other than a public authority supplying gas or heat to networks which provide a service to the public, where the production of gas or heat by the entity concerned is the inevitable result of the exercise of an activity other than that referred to in Article 3(2)(e)(i) and the purpose of supply to the public network is solely the economic exploitation of such production and accounts for no more than 20 % of the entity's turnover, having regard to the average for the three preceding years, including the current year
 - (f) contracts awarded for the supply of energy or of fuels for the production of energy
 - (g) contracts awarded by contracting entities providing bus transport services to the public where other entities are free to provide those services, either in general or in a particular geographical area, under the same conditions as the contracting entities
 - (h) contracts awarded by contracting entities carrying out an activity referred to in Article (3)(2)(d), provided that the contracts have as their object the sale and leasing of products for re-financing a supply contract awarded in accordance with the provisions of this Agreement
 - (i) contracts awarded pursuant to an international agreement and covering the joint implementation or exploitation of a project by the Parties
 - (j) contracts awarded pursuant to the particular procedure of an international organisation
 - (k) contracts when they are declared to be secret by the Parties or when their execution must be accompanied by special security measures in accordance with the laws, regulations or administrative provisions in force in the signatory states or when the protection of the basic security interests of that state so requires.
-

ANNEX IX

(referred to in Article (6)(4) of the Agreement)

Annex IX A — Measures notified by the European Community:**Annex IX B — Measures notified by Switzerland:**

Review procedures in accordance with Article (6)(4) of this Agreement introduced in the cantons and municipalities for contracts below the thresholds on the basis of the *Loi fédérale sur le marché intérieur* of 6 October 1995.

ANNEX X

(referred to in Article (6)(2) of the Agreement)

Examples of areas where discrimination may be possible:

Any law, procedure or practice, such as levies, price preferences, local content requirements, local investment or production requirements, terms of licence or authorization, or funding or bidding rights, which discriminate, or require a Party's Covered Entity to discriminate, against the other Party's products, services, suppliers or service providers in the award of procurement contracts shall be prohibited.

FINAL ACT

The Plenipotentiaries

of the EUROPEAN COMMUNITY

and

of the SWISS CONFEDERATION,

meeting on the twenty-first day of June in the year one thousand nine hundred and ninety-nine in Luxembourg for the signature of the Agreement between the European Community and the Swiss Confederation on certain aspects of Government Procurement have adopted the Joint Declarations mentioned below and attached to this Final Act:

Joint Declaration by the Contracting Parties on the procedures for the award of contract and on challenging procedures

Joint Declaration by the Contracting Parties on the monitoring authorities

Joint Declaration by the Contracting Parties on updating the Annexes

Joint Declaration on further negotiations.

They also took note of the following Declarations annexed to this Final Act:

Declaration by Switzerland on the principle of reciprocity concerning the opening up of markets at the district and municipal level to Community suppliers and providers of services

Declaration on Swiss attendance of committee.,

Hecho en Luxemburgo, el veintiuno de junio de mil novecientos noventa y nueve.

Udfærdiget i Luxembourg, den enogtyvende juni nitten hundrede og nioghalvfems.

Geschehen zu Luxemburg am einundzwanzigsten Juni neunzehnhundertneunundneunzig.

Έγινε στο Λουξεμβούργο, στις είκοσι μία Ιουνίου χίλια εννιακόσια ενενήντα εννέα.

Done at Luxembourg on the twenty-first day of June in the year one thousand and ninety-nine.

Fait à Luxembourg, le vingt-et-un juin mil neuf cent quatre-vingt dix-neuf.

Fatto a Lussemburgo, addì ventuno giugno millenovecentonovantanove.

Gedaan te Luxemburg, de eenentwintigste juni negentienhonderd negenennegentig.

Feito em Luxemburgo, em vinte e um de Junho de mil novecentos e noventa e nove.

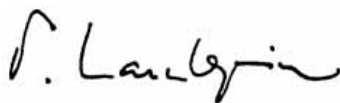
Tehty Luxemburgissa kahdentenakymmenentenäensimmäisenä päivänä kesäkuuta vuonna tuhatyhdeksänsataayhdeksänkymmentäyhdeksän.

Som skedde i Luxemburg den tjugoförsta juni nittonhundra nittionio.

Por la Comunidad Europea
For Det Europæiske Fællesskab
Für die Europäische Gemeinschaft
Για την Ευρωπαϊκή Κοινότητα
For the European Community
Pour la Communauté européenne
Per la Comunità europea
Voor de Europese Gemeenschap
Pela Comunidade Europeia
Euroopan yhteisön puolesta
På Europeiska gemenskapens vägnar



Por la Confederación Suiza
For Det Schweiziske Edsforbund
Für die Schweizerische Eidgenossenschaft
Για την Ελβετική Συνομοσπονδία
For the Swiss Confederation
Pour la Confédération suisse
Per la Confederazione svizzera
Voor de Zwitserse Bondsstaat
Pela Confederação Suíça
Sveitsin valaliiton puolesta
På Schweiziska edsförbundets vägnar



JOINT DECLARATION BY THE CONTRACTING PARTIES

on the procedures for the award of contract and on challenging procedures

The Parties agree that by requiring, on the one hand, Swiss Covered Entities to comply with the rules of the GPA, and, on the other, Covered Entities of the Community and its Member States to comply with the rules of Directive 93/38/EEC as last amended by Directive 98/4/EC (OJ L 101, 1.4.1998, p. 1) and of Directive 92/13/EEC (OJ L 76, 23.3.1992, p. 14) they each meet the requirements of Articles 4 and 5 of the Agreement on certain aspects of government procurement.

JOINT DECLARATION BY THE CONTRACTING PARTIES

on the monitoring authorities

With regard to the Community, the monitoring authority referred to in Article 8 of this Agreement may be the Commission of the European Communities or an independent national authority of a Member State without either having sole authority to act under this Agreement. Pursuant to Article 211 of the EC Treaty, the Commission of the European Communities already possesses the powers stipulated in Article 8(2).

With regard to Switzerland, the monitoring authority may be a federal authority for the whole of the country or a cantonal authority for the areas for which it is responsible.

JOINT DECLARATION BY THE CONTRACTING PARTIES

on updating the annexes

The Contracting Parties undertake to update the Annexes to the Agreement on certain aspects of government procurement not later than one month after its entry into force.

JOINT DECLARATION

on further negotiations

The European Community and the Swiss Confederation declare their intention of undertaking negotiations to conclude agreements in areas of common interest such as the updating of Protocol 2 to the 1972 Free Trade Agreement and Swiss participation in certain Community training, youth, media, statistical and environmental programmes. Preparatory work for these negotiations should proceed rapidly once the current bilateral negotiations have been concluded.

DECLARATION BY SWITZERLAND

on the principle of reciprocity concerning the opening up of markets at the district and municipal level to community suppliers and providers of services

In accordance with the principle of reciprocity and with the intention of restricting access to contracts awarded in Switzerland at district and municipal level to Community suppliers and providers of services, Switzerland will insert after the first paragraph in General Note No 1 of its Annexes to the Agreement on Government Procurement a new paragraph as follows:

'Concerning contracts awarded by the entities referred to in part 3 of Annex 2 to suppliers of products and services of Canada, Israel, Japan, the Republic of Korea, Norway, the United States of America, Hong Kong (China), Singapore and Aruba.'

DECLARATION

on Swiss attendance of committees

The Council agrees that Switzerland's representatives may, in so far as the items concern them, attend meetings of the following committees and expert working parties as observers:

- Committees of research programmes, including the Scientific and Technical Research Committee (CREST)
- Administrative Commission on Social Security for Migrant Workers
- Coordinating Group on the mutual recognition of higher-education diplomas
- Advisory committees on air routes and the application of competition rules in the field of air transport.

Switzerland's representatives shall not be present when these committees vote.

In the case of other committees dealing with areas covered by these agreements in which Switzerland has adopted either the *acquis communautaire* or equivalent measures, the Commission will consult Swiss experts by the method specified in Article 100 of the EEA Agreement.

AGREEMENT

on Scientific and Technological Cooperation between the European Communities and the Swiss Confederation

THE COUNCIL OF THE EUROPEAN UNION, acting on behalf of the European Community, and THE COMMISSION OF THE EUROPEAN COMMUNITIES, hereinafter called the 'Commission', acting on behalf of the European Atomic Energy Community, hereinafter called collectively the 'European Communities',

of the one part, and

THE SWISS FEDERAL COUNCIL, acting on behalf of the Swiss Confederation, hereinafter called 'Switzerland',

of the other part,

hereinafter referred to as the 'Contracting Parties',

CONSIDERING that the close relationship between Switzerland and the European Communities is of benefit to the Contracting Parties;

CONSIDERING the importance of scientific and technological research for the European Communities and for Switzerland and their mutual interest in cooperating in this matter in order to make better use of resources and to avoid unnecessary duplication;

WHEREAS Switzerland and the European Communities are currently implementing research programmes in fields of common interest;

WHEREAS the European Communities and Switzerland have an interest in cooperating on these programmes to their mutual benefit;

CONSIDERING the interest of both Contracting Parties in encouraging the mutual access of their research entities to research and technological development activities in Switzerland, on the one hand, and to the European Communities' Framework Programmes for research and technological development, on the other;

WHEREAS the European Atomic Energy Community and Switzerland concluded a Cooperation Agreement in 1978 in the field of controlled thermonuclear fusion and plasma physics, hereinafter called the 'Fusion Agreement';

WHEREAS the Contracting Parties concluded a Framework Agreement on 8 January 1986 for scientific and technical cooperation, which entered into force on 17 July 1987;

CONSIDERING that Article 6 of the said Framework Agreement states that the cooperation aimed at by the Framework Agreement is to be carried out through appropriate agreements;

WHEREAS, by Decision No 1821/1999/EC of 22 December 1998, the European Parliament and the Council of the European Union adopted the Fifth Framework Programme of the European Community for research, technological development and demonstration activities (1998-2002), hereinafter called the 'Fifth Framework Programme'; whereas, by Decision 99/64/Euratom of 22 December 1998, the Council of the European Union adopted the Fifth Framework Programme of the European Atomic Energy Community (Euratom) for research and training activities (1998-2002), hereinafter referred to as the 'Nuclear Framework Programme', both programmes being referred to hereinafter collectively as 'the two Framework Programmes';

WHEREAS, without prejudice to the relevant provisions of the Treaties establishing the European Communities, this Agreement and any activities entered into under it will in no way affect the powers vested in the Member States of the European Union to undertake bilateral activities with Switzerland in the fields of science, technology, research and development, and to conclude, where appropriate, agreements to that end,

HAVE AGREED AS FOLLOWS:

*Article 1***Subject matter**

1. The form and conditions of Swiss participation in the implementation of the whole of the two Framework Programmes shall take the form laid down in this Agreement, without prejudice to the terms of the Fusion Agreement.

Research entities established in Switzerland may participate in all the specific programmes of the two Framework Programmes.

2. Swiss scientists or research entities may participate in the activities of the Joint Research Centre of the European Communities, as far as this participation is not covered by paragraph 1.

3. Research entities established in the European Communities, including the Joint Research Centre, may participate in research programmes and projects in Switzerland in themes equivalent to those of the programmes of the two Framework Programmes.

4. 'Research entities' as referred to in this Agreement shall include, inter alia, universities, research organisations, industrial companies, including small and medium-sized enterprises, and individuals.

*Article 2***Forms and means of cooperation**

Cooperation shall take the following forms:

- 1) Participation of research entities established in Switzerland in all specific programmes adopted under the two Framework Programmes, in accordance with the terms and conditions laid down in the rules for the participation of undertakings, research centres and universities both in research, technological development and demonstration activities of the European Community and in research and training activities of the European Atomic Energy Community.
- 2) Financial contribution by Switzerland to the budgets of the programmes adopted for the implementation of the two Framework Programmes as defined in Article 5(2).
- 3) Participation of research entities established in the European Communities in publicly-financed Swiss research projects, in particular within priority programmes financed by Switzerland, in accordance with the terms and conditions laid down in the respective Swiss regulations and with the agreement of the partners in the specific project and the management of the corresponding Swiss programme. European Communities' entities participating in Swiss research programmes and projects shall cover their own costs, including their relative share of the project's general management and administrative costs.

- 4) Timely provision of information and documentation concerning the implementation of the two Framework Programmes and the Priority Programmes in Switzerland.

*Article 3***Adaptation**

Cooperation may be adapted and developed at any time by mutual agreement between the Contracting Parties.

*Article 4***Intellectual property rights and obligations**

1. Subject to Annex A and applicable law, research entities established in Switzerland participating in European Communities' research programmes, shall, as regards ownership, exploitation and dissemination of information and intellectual property arising from such participation, have the same rights and obligations as those of research entities established in the European Communities. This provision shall not concern results derived by projects started before entry into force of this Agreement.

2. Subject to Annex A and applicable law, research entities established in the European Communities taking part in Swiss research projects, as set out in Article 2, point 3, shall, as regards ownership, exploitation and dissemination of information and intellectual property arising from such participation, have the same rights and obligations as those of research entities established in Switzerland, in the project in question.

*Article 5***Financial provisions**

1. Without prejudice to the corresponding provisions of the Fusion Agreement, the financial provisions shall enter into force from 1 January of the year following the entry into force of this Agreement. Before the entry into force of the financial provisions, the financial participation of research entities established in Switzerland will be on a project-by-project basis.

Commitments entered into by the European Communities prior to 1 January of the year following the entry into force of this Agreement — as well as the payments which result from these — shall give rise to no contribution on the part of Switzerland.

Switzerland's financial contribution deriving from participation in the implementation of the specific programmes shall be established in proportion to and in addition to the amount available each year in the general budget of the European Union for commitment appropriations to meet the Commission's financial obligations stemming from work to be carried out in the forms necessary for the implement, management and operation of those programmes and activities covered by this Agreement.

2. The proportionality factor governing Switzerland's contribution to the Fifth Framework Programme and to the Nuclear Framework Programme, except the Fusion Programme, shall be obtained by establishing the ratio between Switzerland's gross domestic product, at market prices, and the sum of gross domestic products, at market prices, of the Member States of the European Union. The Swiss contribution to the Fusion Programme will continue to be calculated on the basis of the corresponding agreement.

This ratio shall be calculated on the basis of the latest statistical data from the Organisation for Economic Cooperation and Development (OECD), available at the time of publication of the general budget of the European Communities.

3. The rules governing Switzerland's financial contribution are set out in Annex B.

Article 6

Switzerland/Communities Research Committee

The 'Switzerland/Communities Research Committee', set up in the Framework Agreement of 1986, shall review, evaluate and ensure the proper implementation of this Agreement. Any issues arising from the implementation or interpretation of this Agreement shall be referred to this Committee.

Article 7

Participation

1. Without prejudice to the provisions of Article 4, research entities established in Switzerland participating in the two Framework Programmes shall have the same contractual rights and obligations as those of entities established in the European Communities.

2. For research entities established in Switzerland, the terms and conditions applicable for the submission and evaluation of proposals and those for the granting and conclusion of contracts under Communities programmes shall be the same as those applicable for contracts concluded under the same programmes with research entities established in the European Communities.

3. An appropriate number of Swiss experts shall be taken into consideration in the selection of evaluators or referees under the European Communities' research and technological development programmes.

4. Without prejudice to the provisions of Article 1(3), Article 2 points 3 and 4 and Article 4(2) and to existing regulations and rules of procedure, research entities established in the European Communities may participate under equivalent terms and conditions as Swiss project partners in the projects of Swiss research programmes as mentioned in point 3 of Article 2.

Article 8

Mobility

Each Contracting Party shall undertake, in accordance with existing regulations and agreements in force, to guarantee the entry and stay of researchers and — as far as indispensable for a successful accomplishment of the activity concerned — of a limited number of their research personnel participating, in Switzerland and in the European Communities, in the activities covered by this Agreement.

Article 9

Revision and future collaboration

1. Should the European Communities revise or extend their research programmes, this Agreement may be revised or extended under mutually agreed conditions. The Contracting Parties shall exchange information and views concerning any such revision or extension, as well as on any matters which affect directly or indirectly Switzerland's cooperation in the two Framework Programmes beforehand. Switzerland shall be notified of the exact content of the revised or extended programmes within two weeks of their adoption by the European Communities. In such a case of revision or extension of the research programmes, Switzerland may terminate this Agreement by giving six months' notice; Article 14 (3) and (4) shall not apply. Such notice of any intention to terminate or to extend this Agreement shall be given within three months after the adoption of the Communities' decision.

2. Should the European Communities adopt new multiannual Framework Programmes for research and technological development, this Agreement may be renewed or renegotiated under mutually agreed conditions. The Contracting Parties shall exchange information and views on the preparation of such programmes or other current and future research activities through the Switzerland/Communities Research Committee.

Article 10

Continuation of projects

Projects and activities in progress at the time of termination and/or expiry of this Agreement shall continue until their completion under the conditions laid down in this Agreement.

Article 11

Relation to other international agreements

The provisions of this Agreement shall apply without prejudice to the advantages envisaged by other international agreements binding one of the Contracting Parties and reserving the benefit of their advantages for only those research entities established in the territory of that Contracting Party.

*Article 12***Territorial application**

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty and, on the other, to the territory of Switzerland.

*Article 13***Annexes**

Annexes A and B shall form an integral part of this Agreement.

*Article 14***Entry into force and duration**

1. This Agreement shall be ratified or approved by the Contracting Parties in accordance with their own procedures. It shall enter into force on the first day of the second month following the final notification of the deposit of the

instruments of ratification or approval of all the following seven Agreements:

- Agreement on scientific and technological cooperation,
- Agreement on the free movement of persons,
- Agreement on air transport,
- Agreement on the carriage of goods and passengers by rail and road,
- Agreement on trade in agricultural products,
- Agreement on mutual recognition in relation to conformity assessment,
- Agreement on aspects of Government procurement.

2. This Agreement shall apply for the period between its entry into force and the expiry of the two Framework Programmes.

3. The Communities or Switzerland may terminate this Agreement by notifying its decision to the other party. Where such notification is given, paragraph 4 shall apply.

4. The seven Agreements referred to in paragraph 1 shall cease to apply six months after receipt of the notification of termination as referred to in paragraph 3.

Hecho en Luxemburgo, el veintiuno de junio de mil novecientos noventa y nueve.

Udfærdiget i Luxembourg, den enogtyvende juni nitten hundrede og nioghalvfems.

Geschehen zu Luxemburg am einundzwanzigsten Juni neunzehnhundertneunundneunzig.

Έγινε στο Λουξεμβούργο, στις είκοσι μία Ιουνίου χίλια εννιακόσια ενενήντα εννέα.

Done at Luxembourg on the twenty-first day of June in the year one thousand and ninety-nine.

Fait à Luxembourg, le vingt-et-un juin mil neuf cent quatre-vingt dix-neuf.

Fatto a Lussemburgo, addì ventuno giugno millenovecentonovantanove.

Gedaan te Luxemburg, de eenentwintigste juni negentienhonderd negenennegentig.

Feito em Luxemburgo, em vinte e um de Junho de mil novecentos e noventa e nove.

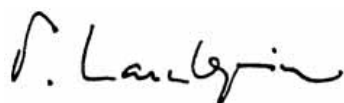
Tehty Luxemburgissa kahdentenkymmenentenäensimmäisenä päivänä kesäkuuta vuonna tuhatyhdeksänsataayhdeksänkymmentäyhdeksän.

Som skedde i Luxemburg den tjugoförsta juni nittonhundra nittonio.

Por las Comunidades Europeas
For De Europæiske Fællesskaber
Für die Europäischen Gemeinschaften
Για τις Ευρωπαϊκές Κοινοότητες
For the European Communities
Pour les Communautés européennes
Per le Comunità europea
Voor de Europese Gemeenschappen
Pelas Comunidades Europeias
Euroopan yhteisöjen puolesta
For Europeiska gemenskaperna



Por la Confederación Suiza
For Det Schweiziske Edsforbund
Für die Schweizerische Eidgenossenschaft
Για την Ελβετική Συνομοσπονδία
For the Swiss Confederation
Pour la Confédération suisse
Per la Confederazione svizzera
Voor de Zwitserse Bondsstaat
Pela Confederação Suíça
Sveitsin valaliiton puolesta
På Schweiziska edsförbundets vägnar



ANNEX A

GUIDING PRINCIPLES ON THE ALLOCATION OF INTELLECTUAL PROPERTY RIGHTS

1. OWNERSHIP, ALLOCATION AND EXERCISE OF RIGHTS

- 1.1. The contractual arrangements agreed on by the participants under the rules set out to implement Article 167 of the EC Treaty shall address, in particular, the ownership and use, including publication of information and intellectual property (IP) to be created in the course of joint research, taking into account the aims of the joint research, the relative contributions of the participants, the advantages and disadvantages of licensing by territory or for fields of use, requirements imposed by applicable laws, dispute settlement procedures, and other factors deemed appropriate by the participants.

The rights and obligations concerning the research generated by visiting researchers, if any, in respect of IP shall also be addressed in the said arrangements.

- 1.2. In the implementation of this Agreement, information and IP shall be exploited in conformity with the mutual interests of the Communities and Switzerland, and the contractual arrangements shall provide accordingly. These shall provide for the rights specified in Article 4 of this Agreement to be granted only concerning information and IP arising after the effective date of Switzerland's financial contributions.
- 1.3. Subject to the approval of the Parties, information or IP created in the course of joint research and not addressed in the contractual arrangements shall be allocated according to the principles set out in the contractual arrangements, including dispute settlement.

Where no binding decision is reached by the agreed dispute settlement technique chosen by the participants, the dispute may be referred to the Joint Switzerland/Communities Research Committee, which shall endeavour to mediate between the participants. Should the participants fail to reach agreement following such mediation, such information or IP shall be owned jointly by all the participants involved in the joint research from which the information or IP results.

Failing agreement on exploitation, each participant to whom this provision applies shall have the right to use such information or IP for his own commercial exploitation with no geographical limitation.

- 1.4. Each Party shall ensure that the other Party and its participants may have the rights to IP allocated in accordance with the principles set out in this Section.
- 1.5. While maintaining the conditions of competition in areas affected by this Agreement, each Party shall endeavour to ensure that rights acquired pursuant to this Agreement and arrangements made under it are exercised in such a way as to encourage in particular:
 - (i) the dissemination and use of information created, disclosed, or otherwise made available, under this Agreement;
 - and
 - (ii) the adoption and implementation of international standards.

2. INTERNATIONAL CONVENTIONS

IP belonging to the Parties or to their participants shall be accorded treatment consistent with the relevant applicable international conventions including the TRIPS Agreement of the GATT-WTO, the Berne Convention (Paris Act 1971) and the Paris Convention (Stockholm Act 1967).

3. SCIENTIFIC LITERARY AND AUDIOVISUAL WORKS PROTECTED BY COPYRIGHT

Subject to Section 4, unless otherwise agreed in the contractual arrangements, publication of results of research shall be made jointly by the Parties or participants in that joint research.

Subject to this general rule, the following procedures shall apply:

- 3.1. In the case of publication by a Party or public bodies of that Party of scientific and technical journals, articles, reports, books, including audiovisual works and software, arising from joint research pursuant to this Agreement, the other Party shall be entitled to a world-wide, non-exclusive, irrevocable royalty-free license to translate, reproduce, adapt, transmit and publicly distribute such works.
- 3.2. The Parties shall ensure that literary and audiovisual works of a scientific character arising from joint research pursuant to this Agreement and published by independent publishers shall be disseminated as widely as possible.
- 3.3. All copies of a copyright work to be publicly distributed and prepared under this provision shall indicate the names of the author or authors of the work unless an author or authors expressly declines or decline to be named. Copies shall also bear a clearly visible acknowledgement of the cooperative support of the Parties.

4. UNDISCLOSED INFORMATION

A. Documentary undisclosed information

1. Each Party or its participants, as appropriate, shall identify at the earliest possible moment and preferably in the contractual arrangements the information that it wishes to remain undisclosed in relation to this Agreement, taking into account, among other things, the following criteria:
 - (i) secrecy of the information in the sense that the information is not, as a body or in the precise configuration or assembly of its components, generally known among, or readily accessible by lawful means to, experts within the circles that normally deal with the kind of information in question,
 - (ii) the actual or potential commercial value of the information by virtue of its secrecy,
and
 - (iii) previous protection of the information in the sense that it has been subject to steps that were reasonable under the circumstances by the person lawfully in control of the information to maintain its secrecy.

The Parties and the participants may in certain cases agree that, unless otherwise indicated, parts or all of the information provided, exchanged or created in the course of joint research pursuant to this Agreement may not be disclosed.

2. Each Party shall ensure that undisclosed information under this Agreement and its privileged nature is readily recognisable as such by the other Party, for example by means of an appropriate marking or restrictive legend. This also applies to any reproduction of the said information, in whole or in part.
3. A Party receiving undisclosed information pursuant to this Agreement shall respect its privileged nature. These limitations shall automatically terminate when this information is disclosed by the owner without restriction to experts in the field.
4. Undisclosed information communicated under this Agreement may be disseminated by the receiving Party to persons within or employed by the receiving Party, and other concerned departments or agencies in the receiving Party authorised for the specific purposes of the joint research under way, provided that any such undisclosed information is disseminated only on conditions of confidentiality and is readily recognisable as such, as set out above.
5. With the prior written consent of the Party providing undisclosed information under this Agreement, the receiving Party may disseminate such information more widely than otherwise permitted in paragraph 4. The Parties shall cooperate in developing procedures for requesting and obtaining prior written consent for such wider dissemination, and each Party shall grant such approval to the extent permitted by its domestic policies, regulations and laws.

B. Non-documentary undisclosed information

Non-documentary undisclosed or other confidential or privileged information provided in seminars and other meetings arranged under this Agreement, or information arising from the attachment of staff, use of facilities, or joint projects, shall be treated by the Parties or their participants according to the principles specified for documentary information in the Agreement, provided, however, that the recipient of such undisclosed or other confidential or privileged information has been made aware of the confidential character of the information communicated at the time such communication is made.

C. Control

Each Party shall endeavour to ensure that undisclosed information received by it under this Agreement shall be controlled as provided therein. If one of the Parties becomes aware that it will be, or may reasonably be expected to become, unable to meet the non-dissemination provisions of Subsections A or B, it shall immediately inform the other Party. The Parties shall thereafter consult to define an appropriate course of action.

ANNEX B

FINANCIAL RULES GOVERNING THE CONTRIBUTION OF SWITZERLAND REFERRED TO IN ARTICLE 5 OF THIS AGREEMENT

1. DETERMINATION OF FINANCIAL PARTICIPATION

1.1. The Commission shall communicate to Switzerland together with relevant background material as soon as possible and at the latest on 1 September of each year:

- a) the amounts in commitment appropriations in the statement of expenditure of the preliminary draft budget of the European Union corresponding to the two Framework Programmes;
- b) the estimated amount of the contributions derived from the preliminary draft budget, corresponding to the participation of Switzerland in the two Framework Programmes.

Nonetheless, in order to facilitate internal budgetary procedures, the Commission services shall provide corresponding indicative figures at the latest on 30 May of each year.

1.2. As soon as the general budget has been finally adopted, the Commission shall communicate to Switzerland the abovementioned amounts in the statement of expenditure corresponding to the participation of Switzerland.

2. PAYMENT PROCEDURES

2.1. The Commission shall issue, at the latest on 15 June and 15 November of each financial year, a call for funds to Switzerland corresponding to its contribution under this Agreement. These calls for funds shall provide respectively for the payment:

- of six twelfths of Switzerland's contribution not later than 20 July, and
- six twelfths of its contribution not later than 15 December.

However, in the last year of the two Framework Programmes, the full amount of Switzerland's contribution shall be paid not later than 20 July.

2.2. The contributions of Switzerland shall be expressed and paid in euros.

2.3. Switzerland shall pay its contribution under this Agreement according to the schedule in paragraph 2.1. Any delay in payment shall give rise to the payment of interest at a rate equal to the one-month Euro inter-bank offered rate (EURIBOR) as on page 248 of Telerate. This rate shall be increased by 1,5 % for each month of delay. The increased rate shall be applied to the entire period of delay. However, the interest shall be due only if the contribution is paid more than thirty days after the scheduled payment dates mentioned in paragraph 2.1.

2.4. Travel costs incurred by Swiss representatives and experts for the purposes of taking part in the work of the research committees and those involved in the implementation of the two Framework Programmes shall be reimbursed by the Commission on the same basis as, and in accordance with, the procedures currently in force for the representatives and experts of the Member States of the European Communities.

3. CONDITIONS FOR IMPLEMENTATION

3.1. The financial contribution of Switzerland to the two Framework Programmes in accordance with Article 5 of this Agreement shall normally remain unchanged for the financial year in question.

3.2. The Commission, at the time of the closure of the accounts relating to each financial year (n), within the framework of the establishment of the revenue and expenditure account, shall proceed to the regularisation of the accounts with respect to the participation of Switzerland, taking into consideration modifications which have taken place, either by transfer, cancellations, carry-overs, or by supplementary and amending budgets during the financial year. This regularisation shall occur at the time of the first payment for the year (n+1). However, the final such regularisation shall occur not later than July of the fourth year following the end of the two Framework Programmes.

Payments by Switzerland shall be credited to the European Communities' programmes as budget receipts allocated to the appropriate budget heading in the statement of revenue of the general budget of the European Union.

4. INFORMATION

- 4.1. At the latest on 31 May of each financial year (n+1), the statement of appropriations for the two Framework Programmes, related to the previous financial year (n), shall be prepared and transmitted to Switzerland for information, according to the format of the Commission's revenue and expenditure account.
 - 4.2. The Commission shall communicate to Switzerland all other general financial data relating to the implementation of the two Framework Programmes which is made available to EFTA-EEA States.
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FINAL ACT

The plenipotentiaries of:

the EUROPEAN COMMUNITY

and of

the EUROPEAN ATOMIC ENERGY COMMUNITY

of the one part,

and of the SWISS CONFEDERATION

of the other part,

meeting on the twenty-first day of June in the year one thousand nine hundred and ninety-nine in Luxembourg for the signature of the Agreement on Scientific and Technological Cooperation between the European Communities and the Swiss Confederation have adopted the Joint Declaration mentioned below and attached to this Final Act.

Joint declaration on further negotiations.

They also took note of the following declaration annexed to this Final Act.

Declaration on Swiss attendance of Committees.

Hecho en Luxemburgo, el veintiuno de junio de mil novecientos noventa y nueve.

Udfærdiget i Luxembourg, den enogtyvende juni nitten hundrede og nioghalvfems.

Geschehen zu Luxemburg am einundzwanzigsten Juni neunzehnhundertneunundneunzig.

Έγινε στο Λουξεμβούργο, στις είκοσι μία Ιουνίου χίλια εννιακόσια ενενήντα εννέα.

Done at Luxembourg on the twenty-first day of June in the year one thousand and ninety-nine.

Fait à Luxembourg, le vingt-et-un juin mil neuf cent quatre-vingt dix-neuf.

Fatto a Lussemburgo, addì ventuno giugno millenovecentonovantanove.

Gedaan te Luxemburg, de eenentwintigste juni negentienhonderd negenennegentig.

Feito em Luxemburgo, em vinte e um de Junho de mil novecentos e noventa e nove.

Tehty Luxemburgissa kahdentenakymmenentenäensimmäisenä päivänä kesäkuuta vuonna tuhatyhdeksänsataayhdeksänkymmentuhdeksän.

Som skedde i Luxemburg den tjugoförsta juni nittonhundra nittionio.

Por las Comunidades Europeas
For De Europæiske Fællesskaber
Für die Europäischen Gemeinschaften
Για τις Ευρωπαϊκές Κοινοότητες
For the European Communities
Pour les Communautés européennes
Per le Comunità europea
Voor de Europese Gemeenschappen
Pelas Comunidades Europeias
Euroopan yhteisöjen puolesta
For Europeiska gemenskaperna



Por la Confederación Suiza
For Det Schweiziske Edsforbund
Für die Schweizerische Eidgenossenschaft
Για την Ελβετική Συνομοσπονδία
For the Swiss Confederation
Pour la Confédération suisse
Per la Confederazione svizzera
Voor de Zwitserse Bondsstaat
Pela Confederação Suíça
Sveitsin valaliiton puolesta
På Schweiziska edsförbundets vägnar



JOINT DECLARATION

on further negotiations

The European Community and the Swiss Confederation declare their intention of undertaking negotiations to conclude agreements in areas of common interest such as the updating of Protocol 2 to the 1972 Free Trade Agreement and Swiss participation in certain Community training, youth, media, statistical and environmental programmes. Preparatory work for these negotiations should proceed rapidly once the current bilateral negotiations have been concluded.

DECLARATION

on Swiss attendance of committees

The Council agrees that Switzerland's representatives may, insofar as the items concern them, attend meetings of the following committees and expert working parties as observers:

- Committees of research programmes, including the Scientific and Technical Research Committee (CREST),
- Administrative Commission on Social Security for Migrant Workers,
- Coordinating Group on the mutual recognition of higher-education diplomas,
- Advisory committees on air routes and the application of competition rules in the field of air transport.

Switzerland's representatives shall not be present when these committees vote.

In the case of other committees dealing with areas covered by these agreements in which Switzerland has adopted either the *acquis communautaire* or equivalent measures, the Commission will consult Swiss experts by the method specified in Article 100 of the EEA Agreement.

Information relating to the entry into force of the seven Agreements with the Swiss Confederation in the sectors free movement of persons, air and land transport, public procurement, scientific and technological cooperation, mutual recognition in relation to conformity assessment, and trade in agricultural products

The final notification of completion of the procedures necessary for the entry into force of the seven Agreements in the sectors free movement of persons, air and land transport, public procurement, scientific and technological cooperation, mutual recognition in relation to conformity assessment, and trade in agricultural products between the European Community and its Member States, on the one hand, and the Swiss Confederation on the other hand, signed in Luxembourg on 21 June 1999, having taken place on 17 April 2002, these agreements will enter into force, simultaneously, on 1 June 2002.
