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## Legislation

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Price: EUR 18

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

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## I

(Acts whose publication is obligatory)

**DECISION No 1209/2003/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

**of 16 June 2003**

**on Community participation in a research and development programme aimed at developing new clinical interventions to combat HIV/AIDS, malaria and tuberculosis through a long-term partnership between Europe and developing countries, undertaken by several Member States**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 169 and 172, second paragraph, thereof,

Having regard to the proposal from the Commission <sup>(1)</sup>,

Having regard to the opinion of the European Economic and Social Committee <sup>(2)</sup>,

Acting in accordance with the procedure laid down in Article 251 of the Treaty <sup>(3)</sup>,

Whereas:

- (1) Decision No 1513/2002/EC of the European Parliament and of the Council of 27 June 2002 concerning the sixth framework programme of the European Community for research, technological development and demonstration activities, contributing to the creation of the European Research Area and to innovation (2002 to 2006) <sup>(4)</sup> (hereinafter referred to as 'the sixth framework programme') provides for Community participation in research and development programmes undertaken jointly by several Member States, including participation in the structures created for the execution of those programmes, within the meaning of Article 169 of the Treaty.
- (2) On 30 May 2001, the Commission presented a communication on the application of Article 169 of the Treaty and the networking of national programmes.
- (3) The Council, in its Resolutions of 10 November 2000 and 14 May 2001, and the European Parliament, in its Resolution of 4 October 2001 <sup>(5)</sup>, underlined the gravity of the HIV/AIDS, malaria and tuberculosis epidemics and the need to step up efforts to increase aid at national,

regional and world level, and endorsed the Programme for Action: accelerated action on HIV/AIDS, malaria and tuberculosis in the context of poverty reduction.

- (4) In its conclusions of 30 October 2001, the Council called on Member States to select specific areas for pilot programmes, for which Community participation in research and development programmes undertaken at the initiative of several Member States within the meaning of Article 169 of the Treaty would be appropriate, if necessary in close collaboration with the Commission.
- (5) In connection with its communications to the European Parliament and the Council of 20 September 2000 and 21 February 2001 the Commission has presented an action programme aimed at combating the global problem of HIV/AIDS, malaria and tuberculosis and identifying various strategies to be implemented. This action programme has various closely linked and interdependent parts: promoting prevention, encouraging treatment and making essential medicinal products more affordable and stepping up research and development. The research and development part is aimed, among other things, at developing, in coordination with the application of this decision, new clinical interventions to combat the three diseases through a long-term partnership between Europe and developing countries. In the design of clinical trials for new clinical interventions against HIV/AIDS, malaria and tuberculosis, coexisting infections should be taken into account.
- (6) In their Decision No 36/2002/EC <sup>(6)</sup>, the European Parliament and the Council decided that the Community would contribute EUR 60 million for the year 2001 to the global fund to fight HIV/AIDS, tuberculosis and malaria. As the Global Fund does not finance research and development activities, additional funds for research and development are required.

<sup>(1)</sup> Proposal of 29 August 2002 (not yet published in the Official Journal).

<sup>(2)</sup> OJ C 133, 6.6.2003, p. 93.

<sup>(3)</sup> Opinion of the European Parliament of 27 March 2003 (not yet published in the Official Journal) and Decision of the Council of 13 May 2003.

<sup>(4)</sup> OJ L 232, 29.8.2002, p. 1.

<sup>(5)</sup> OJ C 87 E, 11.4.2002, p. 244.

<sup>(6)</sup> OJ L 7, 11.1.2002, p. 1.

- (7) Member States are undertaking individual research and development programmes or activities aimed at developing new clinical interventions to combat the global problem of HIV/AIDS, malaria and tuberculosis. These programmes or activities, the required funds for which have been granted, form part of long-term partnerships with developing countries.
- (8) At present, the research and development programmes or activities undertaken individually at national level are not sufficiently coordinated at European level and do not allow a coherent approach at European level for an effective research and technological development programme to combat HIV/AIDS, malaria and tuberculosis in the developing countries or make it possible to find optimal treatments suited to conditions in the developing countries.
- (9) Wishing to have a coherent approach at European level and to act effectively against HIV/AIDS, malaria and tuberculosis in developing countries, Austria, Belgium, Denmark, France, Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, Sweden and the United Kingdom (hereinafter referred to as 'the participating Member States') and Norway have taken the initiative, with developing countries, for setting up a research and development programme entitled 'The European and Developing countries Clinical Trials Partnership' (hereinafter referred to as the EDCTP Programme) in order to obtain a critical mass in terms of human and financial resources and the combination of additional expertise and resources available in various countries across Europe and the developing countries.
- (10) In the spirit of the sixth framework programme, the Community should have the right to agree the conditions for its financial contribution to the EDCTP Programme in relation to the participation therein of other countries, in the course of its implementation, in accordance with the rules and conditions set out in this Decision.
- (11) The objective of the EDCTP Programme, for the total cost of which a target figure is estimated at EUR 600 million over a five-year period, is to accelerate the development of new clinical interventions to fight HIV/AIDS, malaria and tuberculosis in the developing countries, particularly in sub-Saharan Africa, and to improve generally the quality of research in relation to these diseases. The EDCTP Programme has been drawn up with a view to stepping up cooperation and the networking of European national programmes, accelerating clinical trials of new products, in particular drugs and vaccines, in the developing countries, helping to develop and strengthen capacities in the developing countries, including the promotion of technology transfer where appropriate and encouraging the participation of the private sector and mobilising additional funds to fight these diseases, including funds from the private sector. Because of the nature of the Programme, a significant part of the funding would be spent in the developing countries.
- (12) A similar initiative could be launched at a later stage, including other neglected diseases which particularly affect poor people in the developing countries, provided that the Member States are implementing such programmes and that the Framework Programme has a corresponding research priority.
- (13) The participating Member States have agreed to coordinate and implement jointly activities aimed at contributing to the EDCTP Programme for a proposed period of five years. The overall value of their national participation is estimated at EUR 200 million.
- (14) Activities linked to obtaining additional funds, whether public or private, estimated at EUR 200 million, are provided for in the implementation of the EDCTP Programme.
- (15) In order to increase the impact of the EDCTP Programme, the Community should participate therein by making a financial contribution of up to EUR 200 million.
- (16) In order to increase the impact of the EDCTP Programme, the Community should aim at synergy effects with related Community initiatives in the field of improving public health in the developing countries, with a view to the latter enhancing their clinical, regulatory and community capacities necessary to play effectively their role in the EDCTP partnership.
- (17) The participating Member States have agreed on a model of governance involving a Partnership Board, and a common structure to implement the EDCTP Programme. The Partnership Board will ensure a balanced participation of experts from the participating European States and from the developing countries involved in the EDCTP Programme and will define, develop and plan the strategy of the Programme to be approved by the common structure. The common structure is a legal entity which will guarantee the Community dimension in implementing the EDCTP Programme and will be the recipient of the Community financial contribution.
- (18) Given that the EDCTP Programme meets the scientific objectives of the sixth framework programme and that the research field of the EDCTP Programme falls within the priority theme 'Life sciences, genomics and biotechnology for health' of the sixth framework programme, the Community financial contribution should be taken from the budget appropriation allocated to that priority theme.

- (19) It is essential that the research activities carried out under the EDCTP Programme conform to basic ethical principles, including those reflected in Article 6 of the Treaty on European Union and in the Charter of Fundamental Rights of the European Union, and apply the best clinical practices and follow the principles of gender mainstreaming and gender equality.
- (20) It is also essential that research activities carried out under the EDCTP Programme meet the needs of developing countries and are coherent with the global European Union policy for improving health and combating poverty-related diseases in developing countries,
- (d) the establishment of the governance model for the EDCTP Programme in conformity with the guidelines set out in Annex II to this Decision;
- (e) ensuring a high level of involvement of developing countries;
- (f) ensuring a high level of scientific excellence and observance of ethical principles in accordance with the general principles of the sixth framework programme; and
- (g) formulation of the provisions relating to intellectual property rights in such a way that they also aim at ensuring that the people of developing countries have easy and affordable access to the research results produced by activities under the EDCTP Programme and to the products directly deriving from its results.

HAVE ADOPTED THIS DECISION:

#### Article 1

1. In implementing the sixth framework programme of the European Community for research, technological development and demonstration activities, contributing to the creation of the European Research Area and to innovation (2002 to 2006) (hereinafter referred to as 'the sixth framework programme'), adopted by Decision No 1513/2002/EC, the Community shall make a financial contribution to the research and development programme entitled 'The European and Developing countries Clinical Trials Partnership' (hereinafter referred to as 'the EDCTP Programme') undertaken jointly by several Member States (hereinafter referred to as 'the participating Member States').

2. The Community shall pay a financial contribution to the common structure amounting to a maximum of EUR 200 million for the duration of the sixth framework programme.

3. The Community financial contribution shall be paid from the budget appropriation allocated to the priority theme 'Life sciences, genomics and biotechnology for health' of the specific programme of the sixth framework programme entitled 'Integrating and strengthening the European Research Area (2002 to 2006)'.

#### Article 2

The Community financial contribution shall be conditional upon:

- (a) the carrying out of the activities under the EDCTP Programme described in Annex I to this Decision; and
- (b) the implementation and coordination of the research and development programmes and activities undertaken at national level by the participating Member States;

and also upon:

- (c) the establishment by the participating Member States, or organisations designated by participating Member States, of a structure with legal personality (for the purposes of this Decision referred to as 'common structure'), which shall be responsible for the implementation of the EDCTP Programme and for receiving, allocating and monitoring the Community financial contribution;

#### Article 3

The arrangements for the Community financial contribution and the rules relating to financial liability and to intellectual property rights shall be adopted jointly by means of an agreement to be concluded between the Commission and the common structure, in accordance with the Financial Regulation applicable to the general budget of the European Communities.

#### Article 4

The Commission and the Court of Auditors may, through their officials or agents, carry out all the checks and inspections needed to ensure proper management of the Community funds and protect the financial interests of the Community against any fraud or irregularity. To this end, the participating Member States and/or the common structure shall make all relevant documents available to the Commission and the Court of Auditors.

#### Article 5

The Commission shall communicate all relevant information to the European Parliament, the Council and the Court of Auditors. The participating Member States are invited to forward, through the common structure, to the Commission any additional information required by the European Parliament, the Council and the Court of Auditors concerning the financial management of the common structure.

#### Article 6

This Decision shall apply to Member States joining the common structure.

#### Article 7

The conditions for the Community financial contribution in relation to the participation, in the EDCTP Programme, of any country associated with the sixth framework programme or, where essential for implementing the EDCTP programme, of any other country, may be agreed by the Community on the basis of the rules set out in this Decision and of any implementing rules and arrangements.

*Article 8*

The annual report on the sixth framework programme presented to the European Parliament and the Council pursuant to Article 173 of the Treaty shall include a summary of the activities of the EDCTP Programme undertaken. This summary shall also be part of the regular progress report on the Community Programme for Action: accelerated action on HIV/AIDS, malaria and tuberculosis in the context of poverty reduction.

At the end of the five-year period, the Commission shall conduct an evaluation of the EDCTP Programme. Results of this evaluation shall be presented to the European Parliament and the Council.

*Article 9*

This Decision is addressed to the Member States.

Done at Luxembourg, 16 June 2003.

*For the European Parliament*

*The President*

P. COX

*For the Council*

*The President*

G. PAPANDREOU

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## ANNEX I

**Description of the activities of the EDCTP Programme financially supported by the Community**

In cooperation with developing countries, the participating Member States have set up the EDCTP Programme.

There are several types of activities under the EDCTP Programme to which the Community makes a financial contribution in accordance with the procedures to be laid down in the agreement between the Commission and the common structure:

1. Activities linked to networking and coordination of:

- (a) European national programmes;
- (b) the activities carried out in the developing countries.

These activities are aimed at strengthening the two main components of the EDCTP Programme: programmes/activities in Europe on the one hand and in the developing countries on the other.

2. RTD activities linked directly to the development of new products and the improvement of existing products against the three diseases (HIV/AIDS, malaria and tuberculosis), suited to the specific requirements of the developing countries, i.e. that they are effective, easy to use and as affordable as possible:

- (a) support for clinical trials in the developing countries, taking into account, in the design of the trials, coexisting infections and giving due consideration to sexual and reproductive health;
- (b) strengthening of capacities in the developing countries.

3. Activities planned to ensure the development, visibility and sustainability of the EDCTP Programme:

- (a) activities to promote the EDCTP Programme to ensure a high profile at European or international level;
- (b) activities linked to obtaining the necessary funds, including those from the private sector, to enable the EDCTP Programme to develop as planned, including beyond the period covered by this Decision;
- (c) regular reporting on the implementation of the EDCTP Programme with special emphasis on its public-interest value.

4. Basic activities for the EDCTP Programme such as secretariat services and the management of information concerning clinical interventions against the three diseases (HIV/AIDS, malaria and tuberculosis).

## ANNEX II

**Guidelines for the model of governance of the EDCTP Programme**

This model should comprise the following:

1. A 'Partnership Board' which should define, develop and plan the implementation of strategy to be approved by the common structure. The Board should include a balanced contingent of experts from the participating European States and from the developing countries involved in the programme. It should also include representatives of the Commission and experts from the public or private structures involved in the programme and from other international programmes/organisations, such as the WHO, where appropriate.
2. The 'common structure', set out as a European Economic Interest Grouping (EEIG) as established by Council Regulation (EEC) No 2137/85<sup>(1)</sup>. The EDCTP EEIG will be the executive structure and manage the programme through its secretariat. It will comprise two main bodies:
  - (a) the 'EEIG Assembly', which should be the highest authority within the EEIG; and
  - (b) the 'EEIG Secretariat', which should provide administrative support for the work of the Partnership Board and the EEIG Assembly.

<sup>(1)</sup> OJ L 199, 31.10.1985, p. 1.

**COUNCIL REGULATION (EC) No 1210/2003  
of 7 July 2003**

**concerning certain specific restrictions on economic and financial relations with Iraq and repealing  
Regulation (EC) No 2465/96**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 60 and 301 thereof,

Having regard to Common Position 2003/495/CFSP on Iraq and repealing Common Positions 1996/741/CFSP and 2002/599/CFSP <sup>(1)</sup>,

Having regard to the proposal from the Commission,

Whereas:

- |  |   |
|--|---|
| <p>(1) Further to United Nations Security Council Resolution 661 (1990) and subsequent relevant Resolutions, in particular Resolution 986 (1995), the Council imposed a comprehensive embargo on trade with Iraq. This embargo is at present laid down in Council Regulation (EC) No 2465/96 of 17 December 1996 concerning the interruption of economic and financial relations between the European Community and Iraq <sup>(2)</sup>.</p> <p>(2) In its Resolution 1483 (2003) of 22 May 2003, the Security Council decided that, with certain exceptions, all prohibitions related to trade with Iraq and the provision of financial or economic resources to Iraq should no longer apply.</p> <p>(3) With the exception of a ban on exports of arms and related materiel to Iraq, the Resolution provides that the comprehensive restrictions concerning trade should be repealed and replaced with specific restrictions applying to proceeds from all export sales of petroleum, petroleum products, and natural gas from Iraq, and to trade in goods belonging to Iraq's cultural heritage with the objective of facilitating the safe return of those goods.</p> <p>(4) The Resolution also states that certain funds and economic resources, in particular those belonging to former Iraqi President Saddam Hussein and senior officials of his regime, should be frozen, subject to designation by the Committee of the Security Council established pursuant to paragraph 6 of Resolution 661 (1990), and that such funds should subsequently be transferred to the Development Fund for Iraq.</p> <p>(5) In order to allow the Member States to effect the transfer of frozen funds, economic resources and proceeds of economic resources to the Development Fund for Iraq, provision should be made for such funds and economic resources to be unfrozen.</p> | <p>(6) The Resolution stipulates that all petroleum, petroleum products and natural gas exported by Iraq, as well as the payments for such goods, should be exempt from legal proceedings, attachment, garnishment and execution by those having claims against Iraq. This temporary measure is necessary in order to promote the economic reconstruction of Iraq and the restructuring of its debt, which will help remove the threat to international peace and security constituted by the current situation in Iraq in the common interest of the international community and in particular the Community and its Member States.</p> <p>(7) Common Position 2003/495/CFSP makes provision for an amendment of the current Community regime in order to align it with UNSC Resolution 1483 (2003).</p> <p>(8) These measures fall under the scope of the Treaty and, therefore, in particular with a view to avoiding distortion of competition, Community legislation is necessary to implement the relevant decisions of the Security Council as far as the territory of the Community is concerned. For the purposes of this Regulation, the territory of the Community is deemed to encompass the territories of the Member States to which the Treaty is applicable, under the conditions laid down in that Treaty.</p> <p>(9) In order to create maximum legal certainty within the Community, the names and other relevant data relating to natural or legal persons, groups or entities identified by the UN authorities whose funds and economic resources are to be frozen, should be published and a procedure established within the Community to amend these lists.</p> <p>(10) For reasons of expediency, the Commission should be empowered to amend the Annexes to this Regulation setting out the list of cultural goods, the lists of persons, bodies and entities, whose funds and economic resources are to be frozen, and the list of competent authorities.</p> <p>(11) The competent authorities of the Member States should, where necessary, be empowered to ensure compliance with the provisions of this Regulation.</p> <p>(12) The Commission and Member States should inform each other of the measures taken under this Regulation and of other relevant information at their disposal in connection with this Regulation, and should cooperate with the Committee established by UNSC Resolution 661 (1990), in particular by supplying it with information.</p> |
|--|---|

<sup>(1)</sup> See page 72 of this Official Journal.

<sup>(2)</sup> OJ L 337, 27.12.1996, p. 1. Regulation as last amended by Commission Regulation (EC) No 208/2003 (OJ L 28, 4.2.2003, p. 26).



- (13) Member States should lay down rules on sanctions applicable to infringements of the provisions of this Regulation and ensure that they are implemented. Those sanctions should be effective, proportionate and dissuasive.
- (14) Since the comprehensive trade measures of Regulation (EC) No 2465/96 are being replaced by the specific trade restrictions of this Regulation, and this Regulation imposes freezing measures which require immediate application by economic operators, it is necessary to ensure that sanctions for breaches of this Regulation can be imposed as soon as it enters into force.
- (15) For the sake of clarity, Regulation (EC) No 2465/96 should be repealed in its entirety.
- (16) Council Regulation (EEC) No 3541/92 of 7 December 1992 prohibiting the satisfying of Iraqi claims with regard to contracts and transactions, the performance of which was affected by United Nations Security Council Resolution 661 (1990) and related resolutions<sup>(1)</sup> should remain in force,

HAS ADOPTED THIS REGULATION:

#### Article 1

For the purpose of this Regulation, the following definitions shall apply:

1. 'Sanctions Committee' means: the Committee of the Security Council of the United Nations which was established pursuant to paragraph 6 of Resolution 661 (1990);
2. 'funds' means financial assets and economic benefits of every kind, including but not limited to:
  - (a) cash, cheques, claims on money, drafts, money orders and other payment instruments;
  - (b) deposits with financial institutions or other entities, balances on accounts, debts and debt obligations;
  - (c) publicly- and privately-traded securities and debt instruments, including stocks and shares, certificates representing securities, bonds, notes, warrants, debentures and derivatives contracts;
  - (d) interest, dividends or other income on or value accruing from or generated by assets;
  - (e) credit, right of set-off, guarantees, performance bonds or other financial commitments;
  - (f) letters of credit, bills of lading, bills of sale;
  - (g) documents evidencing an interest in funds or financial resources,
  - (h) any other instrument of export-financing;
3. 'economic resources' means assets of every kind, whether tangible or intangible, movable or immovable, which are not funds but can be used to obtain funds, goods or services;
4. 'freezing of funds' means preventing any move, transfer, alteration, use of or dealing with funds in any way that would result in any change in their volume, amount, loca-

tion, ownership, possession, character, destination or other change that would enable the use of the funds, including portfolio management;

5. 'freezing of economic resources' means preventing their use to obtain funds, goods or services in any way, including, but not limited to, by selling, hiring or mortgaging them;
6. 'Development Fund for Iraq' means the Development Fund for Iraq held by the Central Bank of Iraq.

#### Article 2

All proceeds from all export sales of petroleum, petroleum products, and natural gas from Iraq, as listed in Annex I, as of 22 May 2003 shall be deposited into the Development Fund for Iraq under the conditions set out in UNSC Resolution 1483 (2003) and in particular paragraphs 20 and 21 thereof, until such time as an internationally recognized, representative government of Iraq is properly constituted.

#### Article 3

1. The following shall be prohibited:
  - (a) the import of or the introduction into the territory of the Community of,
  - (b) the export of or removal from the territory of the Community of, and
  - (c) the dealing in, Iraqi cultural property and other items of archaeological, historical, cultural, rare scientific and religious importance including those items listed in Annex II, if they have been illegally removed from locations in Iraq, in particular, if:
    - (i) the items form an integral part of either the public collections listed in the inventories of Iraqi museums, archives or libraries' conservation collection, or the inventories of Iraqi religious institutions, or
    - (ii) there exists reasonable suspicion that the goods have been removed from Iraq without the consent of their legitimate owner or have been removed in breach of Iraq's laws and regulations.
2. These prohibitions shall not apply if it is shown that either:
  - (a) the cultural items were exported from Iraq prior to 6 August 1990; or
  - (b) the cultural items are being returned to Iraqi institutions in accordance with the objective of safe return as set out in paragraph 7 of UNSC Resolution 1483 (2003).

#### Article 4

1. All funds and economic resources located outside Iraq on or after 22 May 2003 of the previous Government of Iraq, or of any of the public bodies, corporations, including companies established under private law in which the public authorities have a majority stake, and agencies of that Republic, identified by the Sanctions Committee and listed in Annex III, shall be frozen.

<sup>(1)</sup> OJ L 361, 10.12.1992, p. 1.

2. All funds and economic resources belonging to, or owned or held by the following persons, identified by the Sanctions Committee and listed in Annex IV, shall be frozen:

- (a) former President Saddam Hussein;
- (b) senior officials of his regime;
- (c) immediate members of their families; or
- (d) legal persons, bodies or entities owned or controlled directly or indirectly by the persons referred to in subparagraphs (a), (b) and (c) or by any natural or legal person acting on their behalf or at their direction.

3. No funds shall be made available, directly or indirectly, to, or for the benefit of, a natural or legal person, body or entity listed in Annexes III and IV.

4. No economic resources shall be made available, directly or indirectly, to, or for the benefit of, a natural or legal person, body or entity listed in Annexes III and IV, so as to enable that person, group or entity to obtain funds, goods or services.

#### Article 5

1. The crediting of frozen accounts shall be allowed on the condition that any additions shall be frozen.

2. This Regulation shall not require the freezing of a transfer of funds to a beneficiary in the Community by or through an Iraqi bank meeting the conditions of Article 4(1), if such transfer constitutes a payment for goods and services ordered by customers of that bank. It shall not restrict the validity and use of the guarantees and letters of credit issued by Iraqi banks meeting the conditions of Article 4(1), at the request of their customers, with a view to payment for goods or services which such customers concerned have ordered in the Community.

#### Article 6

Funds, economic resources and proceeds of economic resources frozen pursuant to Article 4 shall only be unfrozen for the purpose of their transfer to the Development Fund for Iraq held by the Central Bank of Iraq, under the conditions set out in UNSC Resolution 1483 (2003).

#### Article 7

1. The participation, knowingly and intentionally, in activities, the object or effect of which is, directly or indirectly, to circumvent Article 4 or to promote the transactions referred to in Articles 2 and 3, shall be prohibited.

2. Any information that the provisions of this Regulation are being, or have been, circumvented shall be notified to the competent authorities of the Member States, as listed in Annex V, and, directly or through these competent authorities, to the Commission.

#### Article 8

1. Without prejudice to the applicable rules concerning reporting, confidentiality and professional secrecy and to the provisions of Article 284 of the Treaty, natural and legal persons, entities and bodies shall:

- (a) provide immediately any information which would facilitate compliance with this Regulation, such as accounts and amounts frozen in accordance with Article 4, to the

competent authorities of the Member States listed in Annex V where they are resident or located, and, directly or through these competent authorities, to the Commission;

- (b) cooperate with the competent authorities listed in Annex V in any verification of this information.

2. Any information provided or received in accordance with this Article shall be used only for the purposes for which it was provided or received.

3. Any additional information directly received by the Commission shall be made available to the competent authorities of the Member States concerned.

#### Article 9

The freezing of funds and economic resources, carried out in good faith that such action is in accordance with this Regulation, shall not give rise to liability of any kind on the part of the natural or legal person or entity implementing it, or its directors or employees, unless it is proved that the funds and economic resources were frozen as result of negligence.

#### Article 10

1. The following shall be immune from legal proceedings and shall not be subjected to any form of attachment, garnishment or execution:

- (a) petroleum, petroleum products and natural gas originating in Iraq, until title to such goods has been passed to a purchaser;
- (b) proceeds and obligations arising from the sale of petroleum, petroleum products and natural gas originating in Iraq, including payments for such goods deposited into the Development Fund for Iraq held by the Central Bank of Iraq;
- (c) funds and economic resources frozen pursuant to Article 4;
- (d) the Development Fund for Iraq held by the Central Bank of Iraq.

2. By way of derogation from paragraph 1, the proceeds and obligations arising from the sale of petroleum, petroleum products and natural gas originating in Iraq, and the Development Fund for Iraq shall not be immune from claims made on the basis of Iraq's liability for damages in connection with any ecological accident occurring after 22 May 2003.

#### Article 11

The Commission shall be empowered to:

- (a) amend Annex II as necessary;
- (b) amend or supplement Annexes III and IV on the basis of determinations made by either the United Nations Security Council or the Sanctions Committee; and

(c) amend Annex V on the basis of information supplied by Member States.

#### Article 12

Without prejudice to the rights and obligations of the Member States under the Charter of the United Nations, the Commission shall maintain all necessary contacts with the Sanctions Committee for the purpose of the effective implementation of this Regulation.

#### Article 13

The Commission and the Member States shall immediately inform each other of any measures taken pursuant to this Regulation. They shall supply each other with relevant information at their disposal in connection with this Regulation, in particular information received in accordance with Article 8 and information relating to breaches of the provisions of this Regulation, enforcement problems and judgements handed down by national courts.

#### Article 14

This Regulation shall apply notwithstanding any rights conferred or obligations imposed by any international agreement signed or any contract entered into or any licence or permit granted before the entry into force of this Regulation.

#### Article 15

1. The Member States shall lay down the rules on sanctions applicable to infringements of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented. The sanctions provided for must be effective, proportionate and dissuasive.

2. Pending the adoption, where necessary, of any legislation to that end, the sanctions to be imposed where the provisions of this Regulation are infringed shall, where relevant, be those determined by the Member States in order to give effect to Article 7(3) of Regulation (EC) No 2465/96.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 7 July 2003.

*For the Council*

*The President*

F. FRATTINI

3. Each Member State shall be responsible for bringing proceedings against any natural or legal person, group or entity under its jurisdiction, in cases of breach of any of the restrictive measures laid down in this Regulation by any such person, group or entity.

#### Article 16

This Regulation shall apply:

- (a) within the territory of the Community, including its airspace;
- (b) on board any aircraft or any vessel under the jurisdiction of a Member State;
- (c) to any person elsewhere who is a national of a Member State;
- (d) to any legal person, group or entity which is incorporated or constituted under the law of a Member State;
- (e) to any legal person, group or entity doing business within the Community.

#### Article 17

Regulation (EC) No 2465/96 is hereby repealed.

#### Article 18

1. This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

2. Save for Articles 4 and 6, it shall apply from 23 May 2003.

3. Article 10 shall apply until 31 December 2007.

## ANNEX I

## List of goods referred to in Article 2

CN code	Product description
2709 00	Petroleum oils and oils obtained from bituminous minerals, crude
2710	Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing by weight 70 % or more of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations
2711	Petroleum gases and other gaseous hydrocarbons
2712 10	Petroleum jelly
2712 20 00	Paraffin wax containing by weight less than 0,75 % of oil
ex 2712 90	'Slack wax', 'scale wax'
2713	Petroleum coke, petroleum bitumen and other residues of petroleum oils or of oils obtained from bituminous minerals
2714	Bitumen and asphalt, natural; bituminous or oil shale and tar sands; asphaltites and asphaltic rocks
2715 00 00	Bituminous mixtures based on natural asphalt, on natural bitumen, on petroleum bitumen, on mineral tar or on mineral tar pitch (for example, bituminous mastics, cutbacks)
2901	Acyclic hydrocarbons
2902 11 00	Cyclohexane
2902 20 00	Benzene
2902 30 00	Toluene
2902 41 00	o-Xylene
2902 42 00	m-Xylene
2902 43 00	p-Xylene
2902 44	Mixed xylene isomers
2902 50 00	Styrene
2902 60 00	Ethylbenzene
2902 70 00	Cumene
2905 11 00	Methanol (methyl alcohol)
3403 19 10	Lubricating preparations (including cutting-oil preparations, bolt or nut release preparations, anti-rust or anti-corrosion preparations and mould release preparations, based on lubricants) and preparations containing, as basic constituents, 70 % or more by weight of petroleum oils or of oils obtained from bituminous minerals but not as the basic constituent
3811 21 00	Additives for lubricating oils containing petroleum oils or oils obtained from bituminous minerals
3824 90 10	Petroleum sulphonates, excluding petroleum sulphonated of alkali metals, of ammonium or of ethanolamines; thiophenated sulphonic acids of oils obtained from bituminous minerals, and their salts

## ANNEX II

## List of goods referred to in Article 3

ex CN code	Product description
9705 00 00 9706 00 00	1. Archaeological objects more than 100 years old which are the products of: <ul style="list-style-type: none"> <li>— excavations and finds on land or under water</li> <li>— archaeological sites</li> <li>— archaeological collections</li> </ul>
9705 00 00 9706 00 00	2. Elements forming an integral part of artistic, historical or religious monuments which have been dismembered, of an age exceeding 100 years
9701	3. Pictures and paintings, other than those included in category 3A or 4, executed entirely by hand in any medium and on any material, which are more than 50 years old and do not belong to their originators
9701	3A. Water-colours, gouaches and pastels executed entirely by hand on any material, which are more than 50 years old and do not belong to their originators
6914 9701	4. Mosaics in any material executed entirely by hand, other than those falling in categories 1 or 2, and drawings in any medium executed entirely by hand on any material, which are more than 50 years old and do not belong to their originators
Chapter 49 9702 00 00 8442 50 99	5. Original engravings, prints, serigraphs and lithographs with their respective plates and original posters, which are more than 50 years old and do not belong to their originators
9703 00 00	6. Original sculptures or statuary and copies produced by the same process as the original, which are more than 50 years old and do not belong to their originators, excluding those in category 1
3704 3705 3706 4911 91 80	7. Photographs, films and negatives thereof, which are more than 50 years old and do not belong to their originators
9702 00 00 9706 00 00 4901 10 00 4901 99 00 4904 00 00 4905 91 00 4905 99 00 4906 00 00	8. Incunabula and manuscripts, including maps and musical scores, singly or in collections, which are more than 50 years old and do not belong to their originators
9705 00 00 9706 00 00	9. Books more than 100 years old, singly or in collections
9706 00 00	10. Printed maps more than 200 years old
3704 3705 3706 4901 4906 9705 00 00 9706 00 00	11. Archives, and any elements thereof, of any kind or any medium which are more than 50 years old
9705 00 00 9705 00 00	12. (a) Collections, as defined by the Court of Justice in its judgment in Case 252/84 <sup>(1)</sup> , and specimens from zoological, botanical, mineralogical or anatomical collections; (b) Collections, as defined by the Court of Justice in its judgment in Case 252/84, of historical, palaeontological, ethnographic or numismatic interest
9705 00 00 Chapters 86-89	13. Means of transport more than 75 years old
Chapter 95 7013	14. Any other antique items not included in categories 1 to 13 (a) between 50 and 100 years old: <ul style="list-style-type: none"> <li>— toys, games</li> <li>— glassware</li> </ul>

ex CN code	Product description
7114	— articles of goldsmiths' or silversmiths' wares
Chapter 94	— furniture
Chapter 90	— optical, photographic or cinematographic apparatus
Chapter 92	— musical instruments
Chapter 91	— clocks and watches and parts thereof
Chapter 44	— articles of wood
Chapter 69	— pottery
5805 00 00	— tapestries
Chapter 57	— carpets
4814	— wallpaper
Chapter 93	— arms
9706 00 00	(b) more than 100 years old

(<sup>1</sup>) Collectors' pieces within the meaning of heading N° 97.05 of the Common Customs Tariff are articles which possess the requisite characteristics for inclusion in a collection, that is to say, articles which are relatively rare, are not normally used for their original purpose, are the subject of special transactions outside the normal trade in similar utility articles and are of high value.

#### ANNEX III

**List of public bodies, corporations and agencies and natural and legal persons, bodies and entities of the previous government of Iraq referred to in Article 4(1), (3) and (4)**

p.m.

## ANNEX IV

**List of natural and legal persons, bodies or entities associated with the regime of former President Saddam Hussein referred to in Article 4(2), (3) and (4)**

1. NAME: **Saddam Hussein Al-Tikriti**  
ALIAS: Abu Ali  
DATE OF BIRTH/PLACE OF BIRTH: 28 April 1937, al-Awja, near Tikrit  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Named in 1483
2. NAME: **Qusay Saddam Hussein Al-Tikriti**  
DATE OF BIRTH/PLACE OF BIRTH: 1965 or 1966, Baghdad  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Saddam's second son;  
Oversaw Special Republican Guard, Special Security Organisation, and Republican Guard
3. NAME: **Uday Saddam Hussein Al-Tikriti**  
DATE OF BIRTH/PLACE OF BIRTH: 1964 or 1967, Baghdad  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Saddam's eldest son;  
Leader of Paramilitary Organisation Fedayeen Saddam
4. NAME: **Abid Hamid Mahmud Al-Tikriti**  
ALIAS: Abid Hamid Bid Hamid Mahmud  
Col Abdel Hamid Mahmoud  
Abed Mahmoud Hammud  
DATE OF BIRTH/PLACE OF BIRTH: Circa 1957, al-Awja, near Tikrit  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Saddam's Presidential Secretary and Key Advisor
5. NAME: **Ali Hassan Al-Majid Al-Tikriti**  
ALIAS: Al-Kimawi  
DATE OF BIRTH/PLACE OF BIRTH: 1943, al-Awja, near Tikrit, Iraq  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Presidential Advisor and Senior Member of Revolutionary Command Council
6. NAME: **Izzat Ibrahim al-Duri**  
ALIAS: Abu Brays  
Abu Ahmad  
DATE OF BIRTH/PLACE OF BIRTH: 1942, al-Dur  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Deputy Commander-in-Chief of Iraqi Military,  
Deputy Secretary, Ba'th Party Regional Command,  
Vice Chairman, Revolutionary Command Council
7. NAME: **Hani Abd-Al-Latif Tilfah Al-Tikriti**  
DATE OF BIRTH/PLACE OF BIRTH: Circa 1962, al-Awja, near Tikrit  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
No 2 in Special Security Organisation

8. NAME: **Aziz Salih al-Numan**  
DATE OF BIRTH/PLACE OF BIRTH: 1941 or 1945, An Nasiriyah  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Ba'th Party Regional Command Chairman;  
Former Governor of Karbala and An Najaf;  
Former Minister of Agriculture and Agrarian Reform (1986-1987)
9. NAME: **Muhammad Hamza Zubaidi**  
DATE OF BIRTH/PLACE OF BIRTH: 1938, Babylon, Babil  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Former Prime Minister
10. NAME: **Kamal Mustafa Abdallah**  
ALIAS: Kamal Mustafa Abdallah Sultan al-Tikriti  
DATE OF BIRTH/PLACE OF BIRTH: 1952 or 4 May 1955, Tikrit  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Republican Guard Secretary;  
Led Special Republican Guards and commanded both Republican Guard Corps
11. NAME: **Barzan Abd al-Ghafur Sulaiman Majid Al-Tikriti**  
ALIAS: Barzan Razuki Abd al-Ghafur  
DATE OF BIRTH/PLACE OF BIRTH: 1960, Salah al-Din  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Commander, Special Republican Guard
12. NAME: **Muzahim Sa'b Hassan Al-Tikriti**  
DATE OF BIRTH/PLACE OF BIRTH: Circa 1946 or 1949 or 1960, Salah al-Din or al-Awja near Tikrit  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Led Iraq's Air Defence Forces;  
Deputy Director of Organisation of Military Industrialisation
13. NAME: **Ibrahim Ahmad Abd al-Sattar Muhammed Al-Tikriti**  
DATE OF BIRTH/PLACE OF BIRTH: 1950, Mosul  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Armed Forces Chief of Staff
14. NAME: **Saif-al-Din Fulayyih Hassan Taha Al-Rawi**  
ALIAS: Ayad Futayyih Al-Rawi  
DATE OF BIRTH/PLACE OF BIRTH: 1953, Ramadi  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Republican Guard Chief of Staff
15. NAME: **Rafi Abd-al-Latif Tilfah Al-Tikriti**  
DATE OF BIRTH/PLACE OF BIRTH: Circa 1954, Tikrit  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Director of Directorate of General Security
16. NAME: **Tahir Jalil Habbush Al-Tikriti**  
DATE OF BIRTH/PLACE OF BIRTH: 1950, Tikrit  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Director of Iraqi Intelligence Services;  
Head of Directorate of General Security 1997 to 1999



17. NAME: **Hamid Raja Shalah Al-Tikriti**  
ALIAS: Hassan Al-Tikriti; Hamid Raja-Shalah Hassum Al-Tikriti;  
DATE OF BIRTH/PLACE OF BIRTH: 1950, Bayji, Salah al-Din Governorate  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Air Force Commander
18. NAME: **Latif Nusayyif Jasim Al-Dulaymi**  
DATE OF BIRTH/PLACE OF BIRTH: Circa 1941, ar-Rashidiyah, suburb of Baghdad  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Ba'th Party Military Bureau Deputy Chairman;  
Labour and Social Affairs Minister (1993 to 1996)
19. NAME: **Abd-al-Tawwab Mullah Huwaysh**  
DATE OF BIRTH/PLACE OF BIRTH: Circa 1957 or 14 March 1942, either Mosul or Baghdad  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Deputy Prime Minister;  
Director of Organisation of Military Industrialisation
20. NAME: **Taha Yassin Ramadan Al-Jizrawi**  
DATE OF BIRTH/PLACE OF BIRTH: Circa 1938, Mosul  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Vice President since 1991
21. NAME: **Rukan Razuki Abd-al-Ghafur Sulaiman Al-Tikriti**  
ALIAS: Rukan Abdal-Ghaffur Sulayman al-Majid;  
Rukan Razuqi Abd al-Ghafur Al-Majid;  
Rukan Abd al-Ghaffur al-Majid Al-Tikriti Abu Walid;  
DATE OF BIRTH/PLACE OF BIRTH: 1956, Tikrit  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Head of Tribal Affairs in Presidential Office
22. NAME: **Jamal Mustafa Abdallah Sultan Al-Tikriti**  
DATE OF BIRTH/PLACE OF BIRTH: 4 May 1955, al-Samnah, near Tikrit  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Deputy Head of Tribal Affairs in Presidential Office
23. NAME: **Mizban Khadr Hadi**  
DATE OF BIRTH/PLACE OF BIRTH: 1938, Mandali District, Diyala  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Member, Ba'th Party Regional Command and Revolutionary Command Council since 1991
24. NAME: **Taha Muhyi-al-Din Ma'ruf**  
DATE OF BIRTH/PLACE OF BIRTH: 1924, Sulaymaniyah  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Vice President, Revolutionary Command Council
25. NAME: **Tariq Aziz**  
ALIAS: Tariq Mikhail Aziz  
DATE OF BIRTH/PLACE OF BIRTH: 1 July 1936, Mosul or Baghdad  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Deputy Prime Minister;  
PASSPORT: (July 1997): No 34409/129

26. NAME: **Walid Hamid Tawfiq Al-Tikriti**  
ALIAS: Walid Hamid Tawfiq al-Nasiri  
DATE OF BIRTH/PLACE OF BIRTH: 1954, Tikrit  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Governor of Basrah
27. NAME: **Sultan Hashim Ahmad Al-Ta'i**  
DATE OF BIRTH/PLACE OF BIRTH: 1944, Mosul  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Minister of Defence
28. NAME: **Hikmat Mizban Ibrahim al-Azzawi**  
DATE OF BIRTH/PLACE OF BIRTH: 1934, Diyala  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Deputy Prime Minister and Finance Minister
29. NAME: **Mahmud Dhiyab Al-Ahmed**  
DATE OF BIRTH/PLACE OF BIRTH: 1953, Baghdad or Mosul  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Minister of Interior
30. NAME: **Ayad Futayyih Khalifa Al-Rawi**  
DATE OF BIRTH/PLACE OF BIRTH: Circa 1942, Rawah  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Chief of Staff, Quds Force, 2001 to 2003;  
Former Governor of Baghdad and Ta'mim
31. NAME: **Zuhair Talib Abd-al-Sattar Al-Naqib**  
DATE OF BIRTH/PLACE OF BIRTH: Circa 1948  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Director, Military Intelligence
32. NAME: **Amir Hamudi Hassan Al-Sa'di**  
DATE OF BIRTH/PLACE OF BIRTH: 5 April 1938, Baghdad  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Presidential Scientific Advisor;  
Senior Deputy, Organisation of Military Industrialisation, 1988 to 1991;  
Former President, Technical Corps for Special Projects;  
PASSPORTS: ?No 33301/862  
Issued: 17 October 1997  
Expires: 1 October 2005  
?M0003264580  
Issued: Unknown  
Expires: Unknown  
?H0100009  
Issued: May 2001  
Expires: Unknown
33. NAME: **Amir Rashid Muhammad Al-Ubaidi**  
DATE OF BIRTH/PLACE OF BIRTH: 1939, Baghdad  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Minister of Oil, 1996 to 2003;  
Head, Organisation of Military Industrialisation, early 1990s.

34. NAME: **Husam Muhammad Amin Al-Yassin**  
DATE OF BIRTH/PLACE OF BIRTH: 1953 or 1958, Tikrit  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Head, National Monitoring Directorate
35. NAME: **Muhammad Mahdi Al-Salih**  
DATE OF BIRTH/PLACE OF BIRTH: 1947 or 1949, al-Anbar Governate  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Minister of Trade, 1987 to 2003;  
Chief, Presidential Office, mid-1980s
36. NAME: **Sab'awi Ibrahim Hassan Al-Tikriti**  
DATE OF BIRTH/PLACE OF BIRTH: 1947, Tikrit  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Presidential Advisor;  
Director of General Security, early 1990s;  
Chief, Iraqi Intelligence Services, 1990 to 1991;  
Half-brother of Saddam Hussein
37. NAME: **Watban Ibrahim Hassan Al-Tikriti**  
ALIAS: Watab Ibrahim al-Hassan  
DATE OF BIRTH/PLACE OF BIRTH: 1952, Tikrit  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Presidential Advisor;  
Minister of Interior, Early 1990s;  
Half-brother of Saddam Hussein
38. NAME: **Barzan Ibrahim Hassan Al-Tikriti**  
DATE OF BIRTH/PLACE OF BIRTH: 1951, Tikrit  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Presidential Advisor;  
Permanent Representative to UN (Geneva), 1989 to 1998;  
Head, Iraqi Intelligence Services, early 1980s;  
Half-brother of Saddam Hussein
39. NAME: **Huda Salih Mahdi Ammash**  
DATE OF BIRTH/PLACE OF BIRTH: 1953, Baghdad  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Member, Ba'th Party Regional Command;  
Head, Biological Laboratories, Military Industrial Organisation, mid-1990s;  
Former Head, Student and Youth Bureau, Ba'th Party;  
Former Head, Professional Bureau of Women's Affairs;
40. NAME: **Abd-al-Baqi Abd-al-Karim Abdallah Al-Sa'dun**  
DATE OF BIRTH/PLACE OF BIRTH: 1947  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Ba'th Party Regional Command Chairman, Diyala  
Deputy Commander, Southern Region, 1998 to 2000;  
Former National Assembly Speaker
41. NAME: **Muhammad Zimam Abd-al-Razzaq Al-Sa'dun**  
DATE OF BIRTH/PLACE OF BIRTH: 1942, Suq Ash-Shuyukh District, Dhi-Qar  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Ba'th Party Regional Command Chairman, At-Tamin;  
Minister of Interior, 1995 to 2001

42. NAME: **Samir Abd al-Aziz Al-Najim**  
DATE OF BIRTH/PLACE OF BIRTH: 1937 or 1938, Baghdad  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Ba'th Party Regional Command Chairman, East Baghdad;
43. NAME: **Humam Abd-al-Khaliq Abd-al-Ghafur**  
ALIAS: Humam 'Abd al-Khaliq 'Abd al-Rahman;  
Humam 'Abd-al-Khaliq Rashid  
DATE OF BIRTH/PLACE OF BIRTH: 1945, Ar-Ramadi  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Minister of Higher Education and Research, 1992 to 1997, 2001 to 2003;  
Minister of Culture, 1997 to 2001;  
Director and Deputy Director, Iraqi Atomic Energy Organisation, 1980s;  
PASSPORT: 0018061/104, issued 12 September 1993
44. NAME: **Yahia Abdallah Al-Ubaidi**  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Ba'th Party Regional Command Chairman, al-Basrah
45. NAME: **Nayif Shindakh Thamir Ghalib**  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Ba'th Party Regional Command Chairman, An-Najaf;  
Member, Iraqi National Assembly;  
NOTE: Died in 2003
46. NAME: **Saif-al-Din Al-Mashhadani**  
DATE OF BIRTH/PLACE OF BIRTH: 1956, Baghdad  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Ba'th Party Regional Command Chairman, Al-Muthanna
47. NAME: **Fadil Mahmud Gharib**  
ALIAS: Gharib Muhammad Fazel al-Mashaikhi  
DATE OF BIRTH/PLACE OF BIRTH: 1944, Dujail  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Ba'th Party Regional Command Chairman, Babil;  
Chairman, General Federation of Iraqi Trade Unions
48. NAME: **Muhsin Khadr Al-Khafaji**  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Ba'th Party Regional Command Chairman, al-Qadisyah
49. NAME: **Rashid Taan Kathim**  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Ba'th Party Regional Command Chairman, al-Anbar
50. NAME: **Ugla Abid Sakr Al-Zubaisi**  
ALIAS: Saqr al-Kabisi Abd Aqala  
DATE OF BIRTH/PLACE OF BIRTH: 1944, Kubaisi, al-Anbar  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Ba'th Party Regional Command Chairman, Maysan

51. NAME: **Ghazi Hammud Al-Ubaidi**  
DATE OF BIRTH/PLACE OF BIRTH: 1944, Baghdad  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Ba'th Party Regional Command Chairman, Wasit
52. NAME: **Adil Abdallah Mahdi**  
DATE OF BIRTH/PLACE OF BIRTH: 1945, al-Dur  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Ba'th Party Regional Command Chairman, Dhi-Qar;  
Former Ba'th Party Chairman for Diyala and al-Anbar
53. NAME: **Qaid Hussein Al-Awadi**  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Ba'th Party Regional Command Chairman, Ninawa;  
Former Governor of An-Najaf, circa 1998 to 2002
54. NAME: **Khamis Sirhan Al-Muhammad**  
ALIAS: Dr. Fnu Mnu Khamis  
NATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Ba'th Party Regional Command Chairman, Karbala
55. NAME: **Sa'd Abd-al-Majid Al-Faisal Al-Tikriti**  
ATE OF BIRTH/PLACE OF BIRTH: 1944, Tikrit  
ATIONALITY: Iraq  
UNSC RESOLUTION 1483 BASIS:  
Ba'th Party Regional Command Chairman, Salah Ad-Din;  
Former Undersecretary for Security Affairs, Foreign Ministry
-

## ANNEX V

**List of competent authorities referred to in Articles 7 and 8**

## BELGIUM

Service Public Fédéral Economie, PME, Classes Moyennes et Energie  
Administration des relations économiques  
Politique d'accès aux marchés  
Service: Licences  
60, Rue Général Leman  
B-1040 Bruxelles  
Tél. (32-2) 206 58 11  
Fax (32-2) 230 83 22

Federale Overheidsdienst Economie, KMO, Middenstand en Energie  
Bestuur economische betrekkingen  
Marktordening  
Dienst: vergunningen  
60, Generaal Lemanstraat  
B-1040 Brussel  
Tel. (32-2) 206 58 11  
Fax (32-2) 230 83 22

Service Public Fédéral Finances  
Administration de la Trésorerie  
Avenue des Arts, 30  
B-1040 Bruxelles  
Fax (32-2) 233 75 18  
E-mail: [quesfinvragen.tf@minfin.fed.be](mailto:quesfinvragen.tf@minfin.fed.be)  
mailto: [quesfinvragen.tf@minfin.fed.be](mailto:quesfinvragen.tf@minfin.fed.be)

Federale Overheidsdienst Financiën  
Administratie van de Thesaurie  
Kunstlaan, 30  
B-1040 Brussel  
Fax (32-2) 233 75 18  
E-mail: [quesfinvragen.tf@minfin.fed.be](mailto:quesfinvragen.tf@minfin.fed.be)  
mailto: [quesfinvragen.tf@minfin.fed.be](mailto:quesfinvragen.tf@minfin.fed.be)

## DENMARK

Erhvervs- og Boligstyrelsen  
Dahlerups Pakhus  
Langelinie Allé 17  
DK-2100 København Ø  
Tel. (45) 35 46 60 00  
Fax (45) 35 46 60 01

## GERMANY

For funds and financial assets:

Deutsche Bundesbank  
Postfach 100 602  
D-60006 Frankfurt am Main  
Tel. (49-69) 95661  
Fax (49-69) 5601071

For Iraqi cultural property:

Zollkriminalamt  
Bergisch Gladbacher Str. 837  
D-51069 Köln  
Tel. (49-221) 6720  
Fax (49-221) 6724500  
E-mail: [poststelle@zka.bgm.v.de](mailto:poststelle@zka.bgm.v.de)  
Internet: [www.zollkriminalamt.de](http://www.zollkriminalamt.de)

## GREECE

Υπουργείο Εθνικής Οικονομίας και Οικονομικών  
Γενική Γραμματεία Διεθνών Σχέσεων  
Γενική Διεύθυνση Πολιτικού Προγραμματισμού και Εφαρμογής  
Διεύθυνση Διεθνών Οικονομικών Θεμάτων  
Τηλ.: 30210 32 86 021, 32 86 051  
Φαξ: 30210 32 86 094, 32 86 059  
E-mail: e3c@dos.gr

Ministry of Economy and Economics General Secretariat of International Relations  
General Directorate for Policy Planning and Implementation  
Directory for International Economy Issues  
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For Iraqi cultural property

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## EUROPEAN COMMUNITY

Commission of the European Communities  
Directorate-General for External Relations  
Directorate CFSP  
Unit A.2: Legal and institutional matters for external relations — Sanctions  
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Fax (32-2) 296 75 63  
E-mail: relex-sanctions@cec.eu.int

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**COUNCIL REGULATION (EC) No 1211/2003**  
**of 7 July 2003**

**amending Regulation (EC) No 1081/2000 prohibiting the sale, supply and export to Burma/Myanmar of equipment which might be used for internal repression or terrorism, and freezing the funds of certain persons related to important governmental functions in that country**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 301 thereof,

Having regard to Common Position 2003/297/CFSP of 28 April 2003 on Burma/Myanmar <sup>(1)</sup> and Council Decision 2003/461/CFSP of 20 June 2003 implementing Common Position 2003/297/CFSP <sup>(2)</sup> on Burma/Myanmar,

Having regard to the proposal from the Commission,

Whereas:

- (1) The Council has expressed its grave concern over the deteriorating overall situation in Burma/Myanmar, in particular the arrest of Aung San Suu Kyi and other members of the National League for Democracy and the closure of NLD offices.
- (2) In view of this, Decision 2003/461/CFSP provides, *inter alia*, for enforcement of the ban on technical training or assistance related to arms and related material.
- (3) This ban on technical advice, assistance or training related to arms and related material falls under the scope of the Treaty. Therefore, with a view to avoiding distortion of competition, Community legislation is necessary as far as the territory of the Community is concerned. For the purposes of this Regulation, such territory is deemed to encompass all the territories of the Member States to which the Treaty is applicable, under the conditions laid down in that Treaty.
- (4) This ban should therefore be added to the measures imposed by Regulation (EC) No 1081/2000 <sup>(3)</sup>,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 1081/2000 is hereby amended as follows:

1. the following Article shall be inserted:

*'Article 1a*

1. Without prejudice to the powers of the Member States in the exercise of their public authority, providing Burma/Myanmar with technical training or assistance related to the supply, manufacture, maintenance or use of arms and related material of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, shall be prohibited.

2. Paragraph 1 shall not apply to technical assistance or training related to non-lethal military equipment intended solely for humanitarian or protective use.'

2. Article 5 shall be replaced by the following:

*'Article 5*

The participation, knowingly and intentionally, in related activities, the object or effect of which is, directly or indirectly, to promote the transactions or activities referred to in Articles 1 and 1a or to circumvent the provisions of this Regulation, shall be prohibited.'

*Article 2*

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 7 July 2003.

*For the Council*  
*The President*  
F. FRATTINI

<sup>(1)</sup> OJ L 106, 29.4.2003, p. 36.

<sup>(2)</sup> OJ L 154, 21.6.2003, p. 116.

<sup>(3)</sup> OJ L 122, 24.5.2000, p. 29. Regulation as last amended by Commission Regulation (EC) No 744/2003 (OJ L 106, 29.4.2003, p. 20).

**COMMISSION REGULATION (EC) No 1212/2003**  
**of 7 July 2003**  
**establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables <sup>(1)</sup>, as last amended by Regulation (EC) No 1947/2002 <sup>(2)</sup>, and in particular Article 4(1) thereof,

Whereas:

- (1) Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto.

- (2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 8 July 2003.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 7 July 2003.

*For the Commission*  
J. M. SILVA RODRÍGUEZ  
*Agriculture Director-General*

<sup>(1)</sup> OJ L 337, 24.12.1994, p. 66.

<sup>(2)</sup> OJ L 299, 1.11.2002, p. 17.

## ANNEX

**to the Commission Regulation of 7 July 2003 establishing the standard import values for determining the entry price of certain fruit and vegetables**

(EUR/100 kg)		
CN code	Third country code <sup>(1)</sup>	Standard import value
0702 00 00	052	53,0
	068	49,8
	096	55,3
	999	52,7
0707 00 05	052	103,8
	999	103,8
0709 90 70	052	60,4
	999	60,4
0805 50 10	382	55,9
	388	59,9
	524	80,7
	528	57,9
	999	63,6
0808 10 20, 0808 10 50, 0808 10 90	388	81,9
	400	102,0
	508	87,5
	512	80,4
	524	46,9
	528	53,2
	720	103,5
	804	95,9
	999	81,4
	0808 20 50	388
512		88,4
528		67,3
800		180,2
804		195,3
999		127,7
0809 10 00	052	197,3
	064	157,2
	094	138,5
	999	164,3
0809 20 95	052	263,0
	060	115,5
	061	210,0
	064	231,2
	068	104,0
	400	283,5
	616	181,2
	999	198,3
0809 40 05	052	113,6
	624	193,6
	999	153,6

<sup>(1)</sup> Country nomenclature as fixed by Commission Regulation (EC) No 2020/2001 (OJ L 273, 16.10.2001, p. 6). Code '999' stands for 'of other origin'.

**COMMISSION REGULATION (EC) No 1213/2003**  
**of 7 July 2003**  
**amending Annex I to Regulation (EC) No 304/2003 of the European Parliament and of the Council**  
**concerning the export and import of dangerous chemicals**  
**(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 304/2003 of the European Parliament and of the Council of 28 January 2003 concerning the export and import of dangerous chemicals <sup>(1)</sup>, and in particular Article 22(1) thereof,

Whereas:

- (1) Regulation (EC) No 304/2003 implements the Rotterdam Convention on the Prior Informed Consent Procedure (PIC procedure) for certain hazardous chemicals and pesticides in international trade, signed on 11 September 1998 and approved by the Community by Council Decision 2003/106/EC <sup>(2)</sup>. Pending the entry into force of that Convention, Regulation (EC) No 304/2003 also implements the interim PIC procedure established by a Resolution on interim arrangements laid down in the Final Act of the Diplomatic Conference at which the Convention was adopted.
- (2) Annex I to Regulation (EC) No 304/2003 consists of three parts containing, respectively, the list of chemicals subject to the export notification procedure, the list of chemicals qualifying for PIC notification and the list of chemicals subject to the PIC procedure under the Rotterdam Convention.
- (3) In the light of a review of recent final regulatory actions under Community legislation to ban or severely restrict certain chemicals, a number of chemicals should be added to the lists of chemicals contained in parts 1 and 2 of Annex I to Regulation (EC) No 304/2003.

- (4) At its ninth session from 30 September to 4 October 2002, the Intergovernmental Negotiating Committee for the Convention decided that the chemical monocrotophos should also be subject to the interim PIC procedure. Accordingly, monocrotophos should be added to the list of chemicals contained in part 3 of Annex I to Regulation (EC) No 304/2003 and the existing entry in part 1 should be amended.
- (5) Annex I to Regulation (EC) No 304/2003 should therefore be amended accordingly.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Committee set up pursuant to Article 29 of Council Directive 67/548/EEC <sup>(3)</sup>, as last amended by Regulation (EC) No 807/2003 <sup>(4)</sup>,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex I to Regulation (EC) No 304/2003 is amended in accordance with the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 7 July 2003.

*For the Commission*  
Margot WALLSTRÖM  
*Member of the Commission*

<sup>(1)</sup> OJ L 63, 6.3.2003, p. 1.  
<sup>(2)</sup> OJ L 63, 6.3.2003, p. 27.

<sup>(3)</sup> OJ 196, 16.8.1967, p. 1.  
<sup>(4)</sup> OJ L 122, 16.5.2003, p. 36.

## ANNEX

Annex I to Regulation (EC) No 304/2003 is amended as follows:

1. Part 1 is amended as follows:

(a) the following entries are added:

Chemical	CAS No	Einecs No	CN	Subcategory (*)	Use limitation (**)	Countries for which no notification is required
'Acephate +	30560-19-1	250-241-2	2930 90 70	p(1)	b	
Aldicarb +	116-06-3	204-123-2	2930 90 70	p(1)	sr	
Octabromodiphenyl ether +	32536-52-0	251-087-9	2909 30 38	i(1)	sr	
Pentabromodiphenyl ether +	32534-81-9	251-084-2	2909 30 31	i(1)	sr	
Tetraethyl lead +	78-00-2	201-075-4	2931 00 95	i(1)	sr	
Tetramethyl lead +	75-74-1	200-897-0	2931 00 95	i(1)	sr'	

(b) the entry for methyl parathion is replaced by the following:

'Methyl parathion + #	298-00-0	206-050-1	3808 10 40	p(1)	b	Please refer to PIC circular at <a href="http://www.pic.int/">www.pic.int/</a>
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(c) the entry for monocrotophos is replaced by the following:

'Monocrotophos #	6923-22-4	230-042-7	3808 10 40 3808 90 90	p(1)	b	Please refer to PIC circular at <a href="http://www.pic.int/">www.pic.int/</a>
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2. Part 2 is amended as follows:

(a) the following entries are added:

Chemical	CAS No	Einecs No	CN	Category (*)	Use limitation (**)
'Acephate	30560-19-1	250-241-2	2930 90 70	p	b
Aldicarb	116-06-3	204-123-2	2930 90 70	p	sr
Methyl parathion #	298-00-0	206-050-1	3808 10 40	p	b
Octabromodiphenyl ether	32536-52-0	251-087-9	2909 30 38	i	sr
Pentabromodiphenyl ether	32534-81-9	251-084-2	2909 30 31	i	sr
Tetraethyl lead	78-00-2	201-075-4	2931 00 95	i	sr
Tetramethyl lead	75-74-1	200-897-0	2931 00 95	i	sr
Triorganostannic compounds, in particular tributyltin compounds, including bis (tributyltin) oxide	56-35-9 and others	200-268-0 and others	2931 00 95	p	sr'

(b) the entry for parathion is replaced by the following:

Parathion #	56-38-2	200-271-7	2920 10 00	p	b'
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(c) the entry for tecnazene is replaced by the following:

Tecnazene	117-18-0	204-178-2	2904 90 85	p	b'
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3. In Part 3, the following entry is added:

Chemical	Relevant CAS number(s)	Category
Monocrotophos	6923-22-4	Pesticide'

**COMMISSION REGULATION (EC) No 1214/2003**  
**of 7 July 2003**  
**amending Regulation (EC) No 2368/2002 implementing the Kimberley Process certification scheme**  
**for the international trade in rough diamonds**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2368/2002 of 20 December 2002 implementing the Kimberley Process certification scheme for the international trade in rough diamonds <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 803/2003 <sup>(2)</sup>, and in particular Article 17 thereof,

Whereas:

- (1) The Commission has received an application from the London Diamond Bourse and Club to be listed in Annex V to Regulation (EC) No 2368/2002 (hereafter 'the Regulation').
- (2) The London Diamond Bourse and Club has provided the Commission with information to prove that it has fulfilled the requirements of Article 17 of the Regulation, in particular by adopting a code of conduct that will be binding for all its members.

(3) On the basis of the information provided, the Commission has reached the conclusion that listing the London Diamond Bourse and Club in Annex V to the Regulation is justified.

(4) The measures provided for in this Regulation are in accordance with the opinion of the Committee referred to in Article 22 of Regulation (EC) No 2368/2002,

HAS ADOPTED THIS REGULATION:

*Article 1*

The text contained in the Annex to this Regulation is added to Annex V to Regulation (EC) No 2368/2002.

*Article 2*

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 7 July 2003.

*For the Commission*  
Christopher PATTEN  
*Member of the Commission*

<sup>(1)</sup> OJ L 358, 31.12.2002, p. 28.

<sup>(2)</sup> OJ L 115, 9.5.2003, p. 53.



## ANNEX

The following text is added to Annex V to Regulation (EC) No 2368/2002:

The London Diamond Bourse and Club  
100 Hatton Garden  
London EC1N 8NX  
United Kingdom

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**COMMISSION REGULATION (EC) No 1215/2003  
of 7 July 2003**

**amending Regulation (EEC) No 344/91 laying down detailed rules for applying Council Regulation (EEC) No 1186/90 to extend the scope of the Community scale for the classification of carcasses of adult bovine animals**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1186/90 of 7 May 1990 extending the scope of the Community scale for the classification of carcasses of adult bovine animals<sup>(1)</sup>, as amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 2 thereof,

Whereas:

- (1) Articles 1 and 3 of Commission Regulation (EEC) No 344/91<sup>(2)</sup>, as last amended by Regulation (EC) No 1993/95<sup>(3)</sup>, lay down detailed rules for carrying out, identifying and checking the classification of carcasses of adult bovines.
- (2) With a view to authorising alternative methods to direct visual assessment of conformation and fat cover, automated grading techniques may be introduced when they are based on statistically proven methods. Authorisation of automatic grading techniques should be subject to compliance with certain conditions and requirements as well as with a maximum tolerance for statistical error in classification that should be specified.
- (3) Establishments using automated grading techniques for the determination of the class of conformation and fat cover should ensure that the category of the carcass is identified in accordance with Article 3(1) of Council Regulation (EEC) No 1208/81 of 28 April 1981 determining the Community scale for the classification of carcasses of adult bovine animals<sup>(4)</sup>, as amended by Regulation (EEC) No 1026/91<sup>(5)</sup>. For the identification of the category, the establishments concerned should make use of the system referred to in Title I of Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products<sup>(6)</sup>.
- (4) In case the automated grading techniques refuse to classify carcasses due to technical problems, some flexibility should be allowed to the extent that the classification and identification of the carcasses concerned should in those cases be carried out before the end of the daily slaughter operations.

- (5) Provision should be made for the possibility to modify, after a licence was granted, the technical specifications of the automated grading techniques with a view to improving their accuracy. However, such modifications should require the prior approval of the competent authorities that should ascertain that these modifications result in a higher level of accuracy.
- (6) It is necessary to provide for regular on-the-spot checks whereby the accuracy of the automated grading techniques is verified on certain specific aspects. The frequency of these checks should particularly be increased in the initial period of 12 months after a licence was granted.
- (7) Regulation (EEC) No 344/91 should therefore be amended accordingly.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 344/91 is amended as follows:

1. Article 1 is amended as follows:

(a) paragraph 2 is amended as follows:

(i) the second indent is replaced by the following:

‘— in addition to the requirements mentioned in paragraph 1, they must indicate the approval number of the slaughterhouse, the identification or slaughter number of the animal, the date of slaughter, the weight of the carcase and, where applicable, that the classification has been carried out by using automated grading techniques;’

(ii) the following subparagraph is added:

‘Where classification is carried out by using automated grading techniques, the use of labels shall be compulsory;’

(b) in paragraph 2a, the following subparagraph is added:

‘In cases where the automated grading techniques fail to classify carcasses, classification and identification of these carcasses must take place before the end of the daily slaughter operations.’

<sup>(1)</sup> OJ L 119, 11.5.1990, p. 32.

<sup>(2)</sup> OJ L 41, 14.2.1991, p. 15.

<sup>(3)</sup> OJ L 194, 17.8.1995, p. 7.

<sup>(4)</sup> OJ L 123, 7.5.1981, p. 3.

<sup>(5)</sup> OJ L 106, 26.4.1991, p. 2.

<sup>(6)</sup> OJ L 204, 11.8.2000, p. 1.

2. Article 3 is amended as follows:

(a) the following paragraphs 1a, 1b and 1c are inserted after paragraph 1:

'1a. Member States may grant a licence authorising automated grading techniques for application in their territory or a part thereof. Authorisation shall be subject to meeting the conditions and minimum requirements for a certification test laid down in Annex I. At least two months prior to the start of the certification test, Member States shall provide the Commission with the information referred to in Annex II, part A. Member States shall designate an independent body which shall analyse the results of the certification test. Within two months upon completion of the certification test, Member States shall provide the Commission with the information referred to in Annex II, part B.

Where a licence is granted authorising automated grading techniques based on a certification test during which more than one carcass presentation was used, the differences between those carcass presentations shall not lead to differences in the classification results.

After having informed the Commission, Member States may grant a licence authorising automated grading techniques for application in their territory or a part thereof without organising the certification test, provided such a licence has already been granted for the same automated grading techniques for application in another part of that Member State concerned or in another Member State on the basis of a certification test with a sample of carcasses that they consider to be equally representative, in terms of category, classes of conformation and of fat cover, of the adult bovine animals slaughtered in the Member State concerned or a part thereof.

Classification by automated grading techniques shall only be valid if the carcass presentation is identical to one that was used during the certification test.

1b. Establishments operating classification by using automated grading techniques shall:

- identify the category of the carcass; for this purpose use shall be made of the system for the identification and registration of bovine animals as referred to in Title I of Regulation (EC) No 1760/2000,
- keep daily control reports on the functioning of the automated grading techniques, including in particular any shortcomings encountered and actions taken where necessary.

1c. Modifications of the technical specifications of the automated grading techniques for which a licence was granted shall only be allowed after having obtained the approval of the competent authorities of the Member State concerned and subject to proof that such modifications result in a higher level of accuracy than that obtained during the certification test.

Member States shall inform the Commission of any such modifications for which they have given their approval.;

(b) paragraph 2 is amended as follows:

(a) the third subparagraph is replaced by the following:

'In all approved establishments operating classification by using automated grading techniques, at least six checks must be carried out every three months during the first 12 months after the licence referred to in paragraph 1a was granted. Thereafter checks must be carried out at least twice every three months in all approved establishments operating classification by using automated grading techniques. Each check must relate to at least 40 carcasses, selected at random. The checks shall in particular verify:

- the category of the carcass,
- the accuracy of the automated grading techniques by using the system of points and limits referred to in Annex I(3),
- the carcass presentation,
- the daily calibration as well as any other technical aspects of the automated grading techniques, that are relevant for ensuring that the level of accuracy obtained by using automated grading techniques is at least as good as the one achieved during the certification test,
- the daily control reports referred to in paragraph 1b.

Where the body responsible for checks is the same as that responsible for classification and identification of the carcasses or where it does not fall under the authority of a public body, the checks provided for in the second and third subparagraphs must be carried out under the physical supervision of a public body under the same conditions and at least once a year. The public body shall be informed regularly of the findings of the body responsible for checks.;

(b) in the fourth subparagraph, point (b) is replaced by the following:

'(b) the licences provided for in paragraphs 1 and 1a may be revoked.'

3. Annex I and Annex II to this Regulation are added as Annex I and Annex II.

#### Article 2

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 7 July 2003.

*For the Commission*  
Franz FISCHLER  
*Member of the Commission*

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## ANNEX I

## 'ANNEX I

**Conditions and minimum requirements for authorisation of automated grading techniques**

1. The Member State concerned shall organise a certification test for a jury composed of at least five licensed experts in classification of carcasses of adult bovine animals. Two members of the jury will come from the Member State performing the test. The other members of the jury will each come from another Member State. The jury shall comprise an uneven number of experts. The Commission services and other Member States' experts may attend the certification test as observers.

The members of the jury will work in an independent and anonymous way.

The Member State concerned will nominate a coordinator of the certification test who shall:

- not be part of the jury,
  - have satisfactory technical knowledge and be fully independent,
  - monitor the independent and anonymous functioning of the members of the jury,
  - collect the classification results of the members of the jury and those obtained by using the automated grading techniques,
  - ensure that, during the entire duration of the certification test, the classification results obtained by using the automated grading techniques shall not be available to any of the members of the jury and vice versa nor to any other interested party,
  - validate the classifications for each carcass and may decide, for objective reasons to be specified, to reject carcasses from the sample to be used for the analysis.
2. For the certification test:
- each of the classes of conformation and of fat cover shall be subdivided into three subclasses,
  - a sample of at minimum 600 validated carcasses shall be required,
  - the percentage of failures shall be no more than 5 % of the carcasses that are fit for classification by using automated grading techniques.
3. For each validated carcass, the median of the results of the members of the jury shall be considered as the correct grade of that carcass.

To estimate the performance of the automated grading techniques, the results of the automated classification machine shall, for each validated carcass, be compared to the median of the results of the jury. The resulting accuracy of the grading by automated grading techniques is established by using a system of points that are attributed as follows:

	Conformation	Fat cover
No error	10	10
Error of 1 unit (i.e. 1 subclass up or down)	6	9
Error of 2 units (i.e. 2 subclasses up or down)	- 9	0
Error of 3 units (i.e. 3 subclasses up or down)	- 27	- 13
Error of more than 3 units (i.e. more than 3 subclasses up or down)	- 48	- 30

With a view to authorisation, the automated grading techniques should achieve at least 60 % of the maximum number of points for both conformation and fat cover.

In addition, the classification by using the automated grading techniques must be within the following limits:

	Conformation	Fat cover
Bias	$\pm 0,30$	$\pm 0,60$
Slope of the regression line	$1 \pm 0,15$	$1 \pm 0,30'$

ANNEX II

'ANNEX II

**A. Information to be provided by Member States as regards the organisation of a certification test for authorising automated grading techniques**

- the dates on which the certification test shall take place,
- a detailed description of the carcasses of adult bovine animals classified in the Member State concerned or a part thereof,
- the statistical methods used for selecting the sample of carcasses that shall be representative, in terms of category, classes of conformation and of fat cover, of the adult bovine animals slaughtered in the Member State concerned or a part thereof,
- the name and address of the abattoir(s) where the certification test shall take place, an explanation of the organisation and performance of the processing line(s), including the speed per hour,
- the carcass presentation(s) that shall be used during the certification test,
- a description of the automated grading machine and its technical functions, in particular the security concept of the machine against any type of manipulation,
- the licensed experts nominated by the Member State concerned to take part in the certification test as members of the jury,
- the coordinator of the certification test, proving his satisfactory technical knowledge and full independence,
- the name and address of the independent body designated by the Member State concerned that shall analyse the results of the certification test.

**B. Information to be provided by Member States as regards the results of a certification test for authorising automated grading techniques**

- a copy of the classification sheets completed and signed by the members of the jury and by the coordinator during the certification test,
- a copy of the classification results obtained by using automated grading techniques signed by the coordinator during the certification test,
- a report of the coordinator on the organisation of the certification test in view of the conditions and minimum requirements set out in Annex I,
- a quantitative analysis, according to a methodology to be agreed upon by the Commission, of the results of the certification test indicating the classification results of each expert classifier and those obtained by using the automated grading techniques. The data used for the analysis must be provided in an electronic format to be agreed upon by the Commission,
- the accuracy of the automated grading techniques established in accordance with the provisions in Annex I(3).'

**COMMISSION REGULATION (EC) No 1216/2003**

**of 7 July 2003**

**implementing Regulation (EC) No 450/2003 of the European Parliament and of the Council concerning the labour cost index**

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 450/2003 of the European Parliament and of the Council of 27 February 2003 concerning the labour cost index<sup>(1)</sup>, and in particular Article 11 thereof,

Whereas:

- (1) Seasonal and working-day adjustment of the labour cost index is an essential part of the compilation of the index. Adjusted series make it possible to compare results and to interpret the index in a comprehensible manner.
- (2) Predetermined transmission formats minimise the problems arising from the data transmission and, together with standardised quality reports, improve the interpretation and fast usage of the labour cost index.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Statistical Programme Committee.
- (4) Pursuant to Article 9 of Regulation (EC) No 450/2003, certain derogations from Regulation (EC) No 450/2003 should be granted,

HAS ADOPTED THIS REGULATION:

*Article 1*

**Transmission and adjustment procedures**

1. The transmitted indices and metadata shall be sent in electronic form by the Member States to the Commission (Eurostat). Transmission shall conform to appropriate interchange standards approved by the Statistical Programme Committee. Eurostat shall make available detailed documentation in relation to approved standards and shall supply guidelines on how to implement these standards.

2. The transmitted indices and metadata shall be prepared in such a way as to allow a thorough interpretation of the results and the efficient application of the Commission's (Eurostat) seasonal adjustment procedures for the European aggregates.

The index series shall be delivered in the following forms:

- (a) unadjusted;

<sup>(1)</sup> OJ L 69, 13.3.2003, p. 1.

- (b) working-day adjusted;

- (c) seasonally and working-day adjusted.

*Article 2*

**Quality**

1. The quality criteria referred to in Article 8(1) of Regulation (EC) No 450/2003 shall comprise the following:

- (a) relevance;
- (b) accuracy;
- (c) timeliness and punctuality;
- (d) accessibility and clarity;
- (e) comparability;
- (f) coherence;
- (g) completeness.

The national authorities shall ensure that the results reflect the true situation regarding the economic activities with a sufficient degree of representativity.

2. The quality reports provided for by Article 8(2) of Regulation (EC) No 450/2003 shall be transmitted to the Commission by 31 August each year at the latest and shall relate to data ending in the fourth quarter of the previous calendar year. The first quality report shall be transmitted by 31 August 2004 at the latest.

3. The content of the annual quality reports for the labour cost index shall be as set out in Annex I to this Regulation.

*Article 3*

**Transition periods**

Details relating to the transition periods provided for in Article 9(1) of Regulation (EC) No 450/2003 are set out in Annex II to this Regulation.

*Article 4*

**Feasibility studies**

Details relating to the feasibility studies provided for in Article 10 of Regulation (EC) No 450/2003 are set out in Annex III to this Regulation.

*Article 5***Chaining of the index**

The Laspeyres chain index formula to be used for calculating the labour cost index for combinations of NACE Rev. 1 sections referred to in the Annex to Regulation (EC) No 450/2003 is set out in Annex IV to this Regulation.

*Article 6***Derogations**

Derogations from the provisions of Article 1(2) accepted pursuant to Article 9(2) of Regulation (EC) No 450/2003 are set out in Annex V to this Regulation.

*Article 7***Entry into force**

This Regulation shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 7 July 2003.

*For the Commission*  
Pedro SOLBES MIRA  
*Member of the Commission*

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## ANNEX I

**The annual reports on quality for the labour cost index include the following items:**

- (a) evidence of relevance to user needs:
  - a summary including description of the users, origin and satisfaction of users' needs, and relevance of statistics for the users;
- (b) evidence of accuracy (information broken down by NACE Rev. 1 sections):
  - revision history: a table showing the revisions in the published year-on-year growth rates for total labour costs using the unadjusted series, for the last 12 quarters; a summary of the reasons for the revisions,
  - coverage: a table showing the percentage of the employees represented in the sample(s)/register(s) based on the number of employees according to ESA 95; if labour cost items are collected from different sources, a table broken down by labour cost items according to Article 4(2) of Regulation (EC) No 450/2003,
  - frequency: a table showing the frequency of collecting/updating the different cost item information,
  - estimation: a description of the methods used to estimate/model the missing information (missing groups of employees, enterprises, economic activities and cost items); an evaluation, as quantitative as possible, of the impact on the final figures of completely missing information (missing groups of employees, enterprises, economic activities and cost items),
  - hours worked: a description of the methods for compiling the hours worked; or a description of the proxy measure of the hours worked and an evaluation, as quantitative as possible of the impact of the proxy measure on the final figures,
  - administrative data: where administrative data are used, comments on the correspondence and differences between the administrative concepts and the theoretical statistical concepts;
- (c) timeliness and punctuality:
  - a table showing the delays in days in transmitting the data for the last 12 quarters covered by the report and the correspondence between planned and actual date of transmission;
- (d) accessibility and clarity:
  - a description of the publication media for the data and metadata in Member States;
- (e) comparability:
  - a description of any differences in concepts and methods in any pair of consecutive quarters from the first quarter of 1996 onwards. In addition, a description of the differences and an assessment, as quantitative as possible, of the effect of the change in the estimates. Any differences in comparability between the NACE Rev. 1 sections should also be identified;
- (f) coherence:
  - a graph and a table showing annual unadjusted growth rates of the total labour cost index (NACE Rev. 1 sections) and of the ESA 95 compensation of employees per hours worked (A6 breakdown) with explanations for the differences in the growth rates for the last 12 quarters;
- (g) completeness:
  - a progress report of the implementation of Regulation (EC) No 450/2003 together with a detailed plan and timetable for completing the implementation; a summary of the remaining deviations from EU concepts.

**The first quality report due by 31 August 2004 includes also the following items for the back data:**

- a description of the sources used for the back data and the methodology employed,
  - a description of the correspondence between the coverage (economic activities, employees, cost items) of the back data and that of the current data,
  - a description of the comparability of the back data and the current data.
-

## ANNEX II

## THE TRANSITION PERIODS RELATING TO THE IMPLEMENTATION OF THE REGULATION

Member State	Provision concerns	Article	Transition period
Belgium	70 day transmission delay	6	2 years
	Labour costs per hour worked	2	2 years
Germany	NACE sections H, I and K	3	2 years
Greece	All provisions		2 years
Spain	70 day transmission delay	6	2 years
France	All provisions		2 years
Ireland	All provisions		2 years
Italy	Labour costs per hour worked	2	1 year
	Back data based on hours worked	2, 5	1 year
	70 day transmission delay	6	1 year
	Employers' social contributions plus taxes paid by the employer less subsidies received	4	2 years
	— without treatment of taxes and subsidies (D4 and D5)		
Luxembourg	All provisions		2 years
Netherlands	Back data 1996-2002	5	2 years
	Employers' social contributions plus taxes paid by the employer less subsidies received — without treatment of taxes and subsidies (D4 and D5)	4	2 years
Austria	NACE sections C, D, E and F	3	1 year
	NACE sections G, H, I, J and K	3	2 years
Portugal	70 day transmission delay	6	1 year
Finland	All provisions		2 years
Sweden	All provisions		2 years
United Kingdom	Representation of Northern Ireland	3	2 years
	Representation of units with less than 20 employees	3	2 years
	Back data	5	1 year
	Working-day adjustment	11	2 years

## ANNEX III

**1. The feasibility study to assess how the quarterly labour cost indices can be obtained for NACE sections L, M, N and O**

The feasibility study undertaken by a Member State shall cover in particular:

*The Background*

The contribution each of these economic activities makes to the national economy, expressed in terms of labour costs or a suitable alternative measure.

A description of the similarities and differences in labour cost structures and development for these economic activities compared with the cost structures and development within NACE sections C to K.

*The Options*

An evaluation of the practices in other Member States, where the data for these NACE sections are already available.

An assessment of the different options for obtaining the labour cost indices for NACE sections L, M, N and O, which would allow data transmission for the first quarter of 2007. The following possible data sources should be taken into account:

- (a) the use of existing data collections;
- (b) administrative sources;
- (c) statistical estimation procedures;
- (d) new data collections.

For each option considered, the assessment shall include details of the technical and legal issues involved; expected start-up and running costs for the national statistical office; cost estimates for any additional burden on businesses; the expected statistical quality of the results; any risks or uncertainties; and particular advantages or disadvantages.

*The Recommendation*

Based on the assessment of the different options, a recommendation on the most suitable approach shall be proposed.

*The Implementation*

Details of the proposed implementation plan, including start date and the completion dates of specific stages of the implementation of the recommendation.

*Member States undertaking feasibility studies*

The following Member States shall undertake feasibility studies to assess how the quarterly labour cost indices defined in Article 4(1) of Regulation (EC) No 450/2003 can be obtained for NACE Rev. 1 sections L, M, N and O:

- Denmark
- Germany
- Greece
- Spain
- France
- Italy
- Austria
- Sweden.

**2. The feasibility study to assess how the index estimating total labour costs excluding bonuses can be obtained**

The feasibility study undertaken by a Member State shall cover in particular:

*The Background*

The contribution bonuses make to total national labour costs with a description of the characteristics of bonus payments in the national economy.

*The Options*

An evaluation of the practices in other Member States, where the data are already available to calculate an index of total labour costs excluding bonuses.

An assessment of the different options for obtaining the index of total labour costs excluding bonuses, which allow data transmission for the first quarter of 2007. The following possible data sources should be taken into account:

- (a) the use of existing data collections;
- (b) administrative sources;
- (c) statistical estimation procedures;
- (d) new data collections.

For each option considered, the assessment shall include details of the technical and legal issues involved; expected start-up and running costs for the national statistical office; cost estimates for any additional burden on businesses; the expected statistical quality of the results; any risks or uncertainties; and particular advantages or disadvantages.

*The Recommendation*

Based on the assessment of the different options, a recommendation on the most suitable approach shall be proposed.

*The Implementation*

Details of the proposed implementation plan, including start date and the completion dates of specific stages of the implementation of the recommendation.

*Member States undertaking feasibility studies*

The following Member States shall undertake feasibility studies to assess how the index estimating total labour costs excluding bonuses defined in Article 4(2) of Regulation (EC) No 450/2003 can be obtained:

- Germany
  - Greece
  - France
  - Italy
  - Austria
  - Portugal
  - Finland
  - Sweden.
-

## ANNEX IV

**The Laspeyres chain index formula to be used for the calculation of the labour cost index (LCI) for combinations of NACE Rev. 1 sections:**

1. Define:

$w_i^{tj}$  = labour costs per hour worked of employees in NACE Rev. 1 section i in quarter t in year j

$\omega_i^k$  = labour costs per hour worked of employees in NACE Rev. 1 section i in year k

$h_i^k$  = hours worked by employees in NACE Rev. 1 section i in year k

$W_i^k$  =  $\omega_i^k * h_i^k$  = labour costs of employees in NACE Rev. 1 section i in year k.

2. The basic Laspeyres formula to be used to calculate the LCI for quarter t in year j, with base year k is defined as:

$$LCI_{ij(k)} = \frac{\sum_i X_i^{tk} \vartheta_i^\lambda}{\sum_i \omega_i^\lambda \vartheta_i^\lambda} = \frac{\sum_i (X_i^{tk} / \omega_i^\lambda) \omega_i^\lambda \vartheta_i^\lambda}{\sum_i X_i^\lambda} = \frac{\sum_i (X_i^{tk} / \omega_i^\lambda) X_i^\lambda}{\sum_i X_i^\lambda}$$

where  $1 \leq t \leq 4$ .

3. The weights used to calculate the index are defined as:

$$\frac{W_i^k}{\sum_i X_i^\lambda}$$

where  $W_i^k$ , i and k are defined in paragraph 1 of this Annex.

4. The annual link for year l to year l + 1, where  $0 \leq l < l + 1 < j$  is defined by:

$$L_{l,l+1} = \frac{\sum_i \omega_i^{l+1} \vartheta_i^m}{\sum_i \omega_i^l \vartheta_i^m}$$

5. The Laspeyres chain index formula for quarter t in year j with reference year k = 0 and m the interval required to process and apply the necessary annual weights, where  $1 \leq m \leq 2$ , is defined as:

$$LCI_{ij(0)} = 100 \cdot (L_{0,1}) \cdot (L_{1,2}) \cdot \dots \cdot (L_{j-m-1,j-m}) \cdot LCI_{ij(j-m)}$$

6. The first reference year shall be the year 2000, when the annual labour cost index equals 100.

## ANNEX V

**Derogations**

Denmark, Germany, France and Sweden: the index series shall be delivered only (b) working-day adjusted and (c) seasonally and working-day adjusted. The working-day and seasonal adjustment methods shall be fully documented and made available for the Commission (Eurostat).

**COMMISSION REGULATION (EC) No 1217/2003  
of 4 July 2003**

**laying down common specifications for national civil aviation security quality control programmes**

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

CHAPTER I

**OBJECTIVE AND DEFINITIONS**

Having regard to Regulation (EC) No 2320/2002 of the European Parliament and of the Council of 16 December 2002 establishing common rules in the field of civil aviation security <sup>(1)</sup>, and in particular Article 7(1) thereof,

*Article 1*

Whereas:

**Objective**

(1) The development and implementation of a national civil aviation security quality control programme by each Member State is essential to ensure the effectiveness of its national civil aviation security programme in accordance with Article 5(3) of Regulation (EC) No 2320/2002.

This Regulation lays down the common specifications for the national civil aviation security quality control programme to be implemented by each Member State. This includes establishing common requirements for quality control programmes, a common methodology for the audits to be undertaken and common requirements for auditors.

(2) Specifications for the national civil aviation security quality control programme to be implemented by the Member States should ensure a harmonised approach in this respect. Therefore a Regulation is the most suitable instrument for this purpose.

*Article 2*

**Definitions**

(3) The monitoring of national civil aviation security quality control programmes at Community level requires a harmonised approach to the assessment of compliance at national level.

For the purpose of this Regulation the following definitions shall apply:

(4) To be effective, audits to be undertaken under the responsibility of the appropriate authority should be carried out regularly. They should not be restricted as to the subject, stage or moment at which they are carried out. They should take the most suitable forms to ensure their effectiveness.

1. 'appropriate authority' shall mean the national authority designated by a Member State pursuant to Article 5(2) of Regulation (EC) No 2320/2002 to be responsible for the coordination and monitoring of the implementation of its national civil aviation security programme;

(5) Priority should be given to the development of a detailed common methodology for audits.

2. 'audit' shall mean any procedure or process used for compliance monitoring undertaken at national level. It covers security audits, inspections, surveys, tests and investigations;

(6) It is necessary to develop a harmonised way of reporting on the measures taken to fulfil the obligations under this Regulation and on the aviation security situation at the airports in the territories of the Member States.

3. 'auditor' shall mean any person conducting audits at national level;

(7) National civil aviation security quality control programmes should be based on best practices. Such best practices should be shared between Member States.

4. 'deficiency' shall mean failure to comply with aviation security requirements;

(8) The measures provided for in this Regulation are in accordance with the opinion of the Committee for Civil Aviation Security,

5. 'inspection' shall mean an examination of the implementation of one or more aspects of security measures and procedures in order to determine how effectively they are being carried out;

6. 'investigation' shall mean an examination of a security incident and an explanation of its cause in order to avoid recurrence and to consider legal action;

7. 'quality control programme' shall mean the national civil aviation security quality control programme;

8. 'security audit' shall mean an in-depth examination of all aspects of security measures and procedures in order to determine if they are being implemented on a continual basis and to a constant standard;

<sup>(1)</sup> OJ L 355, 30.12.2002, p. 1.

9. 'security incident' shall mean an occurrence with negative implications for the security and safety of persons and property;
10. 'survey' shall mean an evaluation of operations in order to determine security needs. This includes the identification of vulnerabilities which could be exploited to carry out an act of unlawful interference, despite the implementation of security measures and procedures, and the recommendation of compensatory protective measures commensurate with the threat to address any identified risk;
11. 'test' shall mean a trial of aviation security measures, where the appropriate authority introduces or simulates intent to commit an unlawful act for the purpose of examining the efficiency and implementation of existing security measures.

## CHAPTER II

### COMMON REQUIREMENTS FOR QUALITY CONTROL PROGRAMMES

#### Article 3

#### **Powers of the appropriate authority**

In order to ensure the effectiveness of its national civil aviation security programme, Member States shall provide the appropriate authority with necessary enforcement powers.

#### Article 4

#### **Content of the quality control programme**

1. The quality control programme shall contain all necessary quality control monitoring measures taken to assess on a regular basis the implementation of the national civil aviation security programme, including the policies on which they are based.
2. The quality control programme shall include and address the following elements:
  - (a) organisational structure, responsibilities and resources;
  - (b) job descriptions and qualifications of all auditors responsible for carrying out the quality control programme;
  - (c) operational monitoring activities, including types, aim, content, frequency and focus of security audits, inspections, surveys and tests as well as classification of compliance and the scope and responsibilities of investigations whenever applicable;
  - (d) deficiency rectification activities providing details concerning deficiency reporting, follow-up and rectification in order to effectively ensure aviation security requirements compliance;
  - (e) enforcement measures; and
  - (f) communications and reporting of undertaken activities and the level of aviation security requirements compliance.

#### Article 5

#### **Compliance monitoring**

1. The implementation of the national civil aviation security programme shall be monitored.
2. Monitoring shall be undertaken in accordance with the quality control programme, taking into consideration the threat level, type and nature of the operations, standard of implementation, and other factors and assessments which will demand for more frequent monitoring.
3. The management, setting of priorities and organisation of the quality control programme shall be undertaken independently from the operational implementation of the measures taken under the national civil aviation security programme.

#### Article 6

#### **Reporting**

1. Member States shall annually submit a report to the Commission on the measures taken to fulfil their obligations under this Regulation and on the aviation security situation at the airports located in their territory. Guidelines for reporting are set out in Annex I.
2. The reference period for the report shall be 1 January — 31 December. The report shall be due two months after completion of the reference period. Exceptionally, a report shall be submitted by the end of February 2004 for the period 19 July 2003 to 31 December 2003.

## CHAPTER III

### COMMON METHODOLOGY FOR AUDITS

#### Article 7

#### **Conduct of audits**

Compliance monitoring activities shall include both announced and unannounced activities.

#### Article 8

#### **Classification of compliance**

Security audits, inspections and tests shall assess the implementation of the national civil aviation security programme using the harmonised classification system of compliance set out in Annex II.

## CHAPTER IV

### COMMON REQUIREMENTS FOR AUDITORS

#### Article 9

#### **Availability of auditors**

Each Member State shall take the appropriate steps to ensure that a sufficient number of auditors are available for performing all compliance monitoring activities.

*Article 10***Qualification criteria for auditors**

1. Each Member State shall ensure that auditors performing functions on behalf of the appropriate authority shall have appropriate qualifications, which shall include sufficient theoretical and practical experience in the relevant field.
2. The auditors shall have:
  - (a) a good understanding of the national civil aviation security programme and how it is applied to the operations being examined;
  - (b) where appropriate, knowledge of the more stringent measures as applicable in the Member State concerned and the location being examined;
  - (c) a good working knowledge of security technologies and techniques;
  - (d) a knowledge of audit principles, procedures and techniques;

- (e) a working knowledge of the operations being examined.

## CHAPTER V

**COMMON PROVISIONS***Article 11***Sharing of best practices**

Member States shall inform the Commission of best practices with regard to quality control programmes, audit methodologies and auditors. The Commission shall share this information with the Member States.

*Article 12*

This Regulation shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 4 July 2003.

*For the Commission*  
Loyola DE PALACIO  
*Vice-President*

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## ANNEX I

**GUIDELINES FOR REPORTING TO THE COMMISSION****Organisational structure, responsibilities and resources**

- Modalities of the quality control organisation, responsibilities and resources, including planned future amendments (see Article 4(2)(a))
- Number of auditors — present and planned (see Article 9)
- Qualification of auditors — training facilities used and resources (see Articles 4(2)(b) and 10)
- Explanation if the quality control programme for this part is not being applied in full.

**Operational monitoring activities**

- Status of the implementation of the operational activities: types, aim, content, frequency and focus of all monitoring activities (see Article 4(2)(c)), including number of audits per airport and per area of security measure requirements (e.g. access control, aircraft protection, hold baggage screening) where appropriate and possible
- Proportionality of operational monitoring activities in relation to field activities (see Article 5(2))
- Level of compliance per area of aviation security requirements (e.g. access control, aircraft protection, hold baggage screening) (see Article 8)
- Explanation if the operational activities are not being applied in full.

**Deficiency rectification activities**

- Status of the implementation of the deficiency rectification activities (see Article 4(2)(d))
- Main areas of concern with regard to the implementation of aviation security requirements (e.g. access control, aircraft protection, hold baggage screening)
- Main activities undertaken or planned aimed at rectification (e.g. security awareness trainings, workshops, incentive programmes)
- Enforcement measures used (see Article 4(2)(e)).

**Aviation security situation at airports**

- General context of the aviation security situation at the airports in the Member State.
-

## ANNEX II

**Harmonised classification system of compliance**

The following classification of compliance shall apply to assess the implementation of the national civil aviation security programme.

	Security audit	Inspection	Test
Fully compliant	✓	✓	✓
Compliant, but improvement desirable	✓	✓	✓
Does not comply/minor deficiencies only	✓	✓	✓
Does not comply/serious deficiencies	✓	✓	✓
Not applicable	✓	✓	
Not confirmed	✓		

**COMMISSION REGULATION (EC) No 1218/2003  
of 7 July 2003**

**fixing Community producer and import prices for carnations and roses with a view to the application of the arrangements governing imports of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip <sup>(1)</sup>, as last amended by Regulation (EC) No 1300/97 <sup>(2)</sup>, and in particular Article 5(2)(a) thereof,

Whereas:

Pursuant to Article 2(2) and Article 3 of abovementioned Regulation (EEC) No 4088/87, Community import and producer prices are fixed each fortnight for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses and apply for two-weekly periods. Pursuant to Article 1b of Commission Regulation (EEC) No 700/88 of 17 March 1988 laying down detailed rules for the application of the arrangements for the import into the Community of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the

Gaza Strip <sup>(3)</sup>, as last amended by Regulation (EC) No 2062/97 <sup>(4)</sup>, those prices are determined for fortnightly periods on the basis of weighted prices provided by the Member States. Those prices should be fixed immediately so the customs duties applicable can be determined. To that end, provision should be made for this Regulation to enter into force immediately,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Community producer and import prices for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses as referred to in Article 1b of Regulation (EEC) No 700/88 for a fortnightly period shall be as set out in the Annex.

*Article 2*

This Regulation shall enter into force on 8 July 2003.

It shall apply from 9 to 22 July 2003.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 7 July 2003.

*For the Commission*  
J. M. SILVA RODRÍGUEZ  
*Agriculture Director-General*

<sup>(1)</sup> OJ L 382, 31.12.1987, p. 22.  
<sup>(2)</sup> OJ L 177, 5.7.1997, p. 1.

<sup>(3)</sup> OJ L 72, 18.3.1988, p. 16.  
<sup>(4)</sup> OJ L 289, 22.10.1997, p. 1.

## ANNEX

**to the Commission Regulation of 7 July 2003 fixing Community producer and import prices for carnations and roses with a view to the application of the arrangements governing imports of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip**

(EUR/100 pieces)

Period: from 9 to 22 July 2003

Community producer price	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
	16,69	15,19	22,99	12,78
Community import prices	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
Israel	—	—	7,19	8,92
Morocco	12,22	12,41	—	—
Cyprus	—	—	—	—
Jordan	—	—	—	—
West Bank and Gaza Strip	—	—	—	—

**COUNCIL DIRECTIVE 2003/50/EC**

**of 11 June 2003**

**amending Directive 91/68/EEC as regards reinforcement of controls on movements of ovine and caprine animals**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37 thereof,

Having regard to the proposal from the Commission <sup>(1)</sup>,

Having regard to the opinion of the European Parliament <sup>(2)</sup>,

Having regard to the opinion of the European Economic and Social Committee <sup>(3)</sup>,

Whereas:

(1) Council Directive 91/68/EEC <sup>(4)</sup> lays down animal health conditions governing intra-Community trade in ovine and caprine animals.

(2) Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine <sup>(5)</sup> was subsequently amended and updated by Directive 97/12/EC <sup>(6)</sup> in order to take account of the developments in the livestock sector in the Community.

(3) Sheep and goats share with bovine animals and swine not only similar husbandry systems, but also susceptibility to a common range of diseases.

(4) Movements of sheep largely contributed to the spread of foot-and-mouth disease in certain parts of the Community during the outbreak in 2001. The animal health conditions for intra-Community trade in sheep and goats have therefore been reinforced by Commission Decision 2001/327/EC of 24 April 2001 concerning restrictions to the movement of animals of susceptible species with regard to foot-and-mouth disease and repealing Decision 2001/263/EC <sup>(7)</sup>.

(5) When the foot-and-mouth disease crisis of 2001 came to an end, an International Conference on the Prevention and Control of Foot-and-Mouth Disease was organised jointly by the Belgian Presidency of the Council and the Commission in December 2001 in order to draw the first conclusions from the 2001 outbreak. The Conference called upon the Commission to submit suitable proposals for Community legislation to prevent such outbreaks in the future, and in the event of their occurrence, to minimise the adverse economic effects. Amongst other things, it was requested that the movement of susceptible animals be controlled more efficiently with regard to the health guarantees offered.

(6) Therefore, this Directive aims to reinforce the controls on movement of sheep and goats in order to strengthen the health guarantees offered by Member States for intra-Community trade in animals of these species in line with Directive 64/432/EEC.

(7) It is necessary to provide for a swift procedure for updating the health certificates.

(8) Directive 91/68/EEC should therefore be amended,

HAS ADOPTED THIS DIRECTIVE:

*Article 1*

Directive 91/68/EEC is hereby amended as follows:

1. Article 2 shall be replaced by the following:

*'Article 2*

(a) The definitions given in Article 2 of Directive 90/425/EEC and in Article 2 of 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 <sup>(\*)</sup> shall apply as far as applicable.

(b) In addition, the following definitions apply for the purposes of this Directive:

1. "ovine or caprine animals for slaughter" means animals of the ovine or caprine species intended to be taken either directly or via an approved assembly centre to a slaughterhouse in order to be slaughtered;

<sup>(1)</sup> OJ C 331 E, 31.12.2002, p. 287.

<sup>(2)</sup> Opinion of 17 December 2002 (not yet published in the Official Journal).

<sup>(3)</sup> OJ C 85, 8.4.2003, p. 36.

<sup>(4)</sup> OJ L 46, 19.2.1991, p. 19. Directive as last amended by Commission Decision 2002/261/EC (OJ L 91, 6.4.2002, p. 31).

<sup>(5)</sup> OJ L 121, 29.7.1964, p. 1977/64. Directive as last amended by Commission Regulation (EC) No 1226/2002 (OJ L 179, 9.7.2002, p. 13).

<sup>(6)</sup> OJ L 109, 25.4.1997, p. 1. Directive as last amended by Directive 98/99/EC (OJ L 358, 31.12.1998, p. 107).

<sup>(7)</sup> OJ L 115, 25.4.2001, p. 12. Decision as last amended by Commission Decision 2002/1004/EC (OJ L 349, 24.12.2002, p. 108).

2. "ovine or caprine animals for breeding" means ovine and caprine animals other than those mentioned in points 1 and 3 intended to be transported to the place of destination, either directly or via an approved assembly centre, for breeding and production purposes;
3. "ovine or caprine animals for fattening" means ovine and caprine animals other than those mentioned in points 1 and 2 intended to be transported to the place of destination, either directly or via an approved assembly centre, in order to be fattened for subsequent slaughter;
4. "officially brucellosis-free ovine or caprine holding" means a holding which satisfies the conditions laid down in Section I of Chapter 1 of Annex A;
5. "brucellosis-free ovine or caprine holding" means a holding which satisfies the conditions laid down in Chapter 2 of Annex A;
6. "compulsorily notifiable disease" means a disease listed under Section I of Annex B;
7. "official veterinarian" means a veterinarian designated by the competent central authority of the Member State;
8. "holding of origin" means any holding on which the ovine and caprine animals have been continuously present as required by this Directive and on which records are maintained demonstrating the residence of the animals which may be audited by the competent authorities;
9. "assembly centre" means collection centres and markets, at which under the supervision of the official veterinarian ovine and caprine animals originating from different holdings are grouped together to form consignments of animals for national movement;
10. "approved assembly centre" means premises on which ovine or caprine animals originating from different holdings are grouped together to form consignments of animals intended for intra-Community trade;
11. "dealer" means any natural or legal person who buys and sells animals commercially either directly or indirectly, who has a turnover of these animals and who within a maximum of 29 days of purchasing animals resells them or relocates them from the first premises to other premises or directly to a slaughterhouse not within his ownership;
12. "approved dealer's premises" means premises operated by a dealer as defined in point 11 and approved by the competent authorities at which ovine or caprine animals originated from different holdings are grouped together to form consignments of animals intended for intra-Community trade;
13. "transporter" means any natural or legal person referred to in Article 5 of Directive 91/628/EEC;
14. "region" means that part of a Member State's territory which is at least 2 000 km<sup>2</sup> in area and which is subject to inspection by the competent authorities and includes at least one of the following administrative regions:
- |                                      |                         |
|--------------------------------------|-------------------------|
| — Belgium:                           | province/provincie      |
| — Germany:                           | Regierungsbezirk        |
| — Denmark:                           | amt or island           |
| — France:                            | département             |
| — Italy:                             | provincia               |
| — Luxembourg                         | —                       |
| — Netherlands:                       | RVV-kring               |
| — United Kingdom:                    |                         |
| England, Wales and Northern Ireland: | county                  |
| Scotland:                            | district or island area |
| — Ireland:                           | county                  |
| — Greece:                            | νομός                   |
| — Spain:                             | provincia               |
| — Portugal:                          |                         |
| continent:                           | distrito                |
| other parts of Portugal's territory: | região autónoma         |
| — Austria:                           | Bezirk                  |
| — Sweden:                            | län                     |
| — Finland:                           | lääni/län;              |
- (\*) OJ L 340, 11.12.1991, p. 17. Directive as last amended by Directive 95/29/EC (OJ L 148, 30.6.1995, p. 52).'
2. Article 3 shall be replaced by the following:
- Article 3*
- (1) Ovine and caprine animals for slaughter may be the subject of trade only if they fulfil the conditions laid down in Articles 4, 4a, 4b and 4c.
- (2) Ovine and caprine animals for fattening may be the subject of trade only if they fulfil the conditions laid down in Articles 4, 4a, 4b and 5, without prejudice to any additional guarantees which may be required pursuant to Articles 7 and 8.
- (3) Ovine and caprine animals for breeding may be the subject of trade only if they fulfil the conditions laid down in Articles 4, 4a, 4b, 5 and 6, without prejudice to any additional guarantees which may be required pursuant to Articles 7 and 8.

(4) By way of derogation from the provisions in paragraphs 2 and 3, the competent authorities of Member States of destination may grant general or limited derogations in respect of movement of ovine and caprine animals for breeding and fattening, intended solely for temporary pasturing near internal borders of the Community. Member States making use of such derogation shall inform the Commission of the content of the derogations granted.

(5) Ovine and caprine animals covered by this Directive must at no time between leaving the holding of origin and arriving at destination come into contact with cloven-hoofed animals other than animals that have the same health status.'

3. Article 4 shall be replaced by the following:

*'Article 4*

(1) Member States shall ensure that ovine and caprine animals:

- (a) are identified and registered in accordance with Community legislation;
- (b) are inspected by an official veterinarian during the 24 hours preceding the loading of the animals, and show no clinical sign of disease;
- (c) do not come from a holding, nor have been in contact with animals from a holding, which is the subject of a prohibition on animal health grounds; the period of such prohibition shall last after the slaughter and/or the disposal of the last animal suffering from or susceptible to one of the diseases referred to in points (i), (ii) or (iii), for at least:
  - (i) 42 days in the case of brucellosis,
  - (ii) 30 days in the case of rabies,
  - (iii) 15 days in the case of anthrax;
- (d) do not come from a holding, nor have been in contact with animals from a holding, situated in an area which for health reasons is subject to a prohibition or restriction affecting the species involved in accordance with Community and/or national legislation;
- (e) are not the subject of animal health restrictions pursuant to Community legislation on foot-and-mouth disease nor have they been vaccinated against foot-and-mouth disease.

(2) Member States shall ensure that the following animals are not the subject of trade:

- (a) ovine and caprine animals which may have to be slaughtered under a national programme for the eradication of diseases not referred to in Annex C to Directive 90/425/EEC or in Chapter I of Annex B to this Directive;

(b) ovine and caprine animals which cannot be marketed on their own territory for health or animal health reasons justified by Article 30 of the Treaty.

(3) Member States shall ensure that ovine and caprine animals shall:

- (a) either have been born and reared since birth in the Community, or
- (b) have been imported from a third country in accordance with Community legislation.'

4. The following Articles shall be inserted:

*'Article 4a*

(1) Member States shall ensure that ovine and caprine animals for slaughter, breeding and fattening are not dispatched to another Member State, unless the animals:

- (a) have been continuously resident on the holding of origin for at least 30 days, or since birth if the animals are younger than 30 days of age,
- (b) do not come from a holding into which ovine or caprine animals have been introduced during the 21 days prior to dispatch,
- (c) do not come from a holding into which biungulate animals imported from a third country have been introduced during the 30 days prior to dispatch.

(2) By way of derogation from paragraphs 1(b) and (c), Member States may authorise the dispatch of ovine and caprine animals to another Member State, if the animals referred to in paragraphs 1(b) and (c) have been completely isolated from all other animals on the holding.

*Article 4b*

(1) Member States shall ensure that the conditions set out in paragraphs 2 to 6 are applied to intra-Community trade in all ovine and caprine animals.

(2) The animals shall not be outside their holding of origin for more than six days before being last certified for trade to the final destination in another Member State as indicated in the health certificate.

Without prejudice to Article 9(1) in the case of transport by sea, the time limit of six days shall be prolonged by the duration of the sea journey.

(3) After leaving the holding of origin the animals shall be consigned directly to the destination in another Member State.

(4) By way of derogation from paragraph 3, ovine and caprine animals may, after leaving the holding of origin and before arrival at destination in another Member State, transit through only one approved assembly centre situated in the Member State of origin.

In the case of ovine and caprine animals for slaughter, the approved assembly centre may be substituted by approved dealer's premises situated in the Member State of origin.

(5) Animals for slaughter which have been taken on arrival in the Member State of destination to a slaughterhouse, must be slaughtered there as soon as possible but at least within 72 hours of arrival.

(6) Without prejudice to Article 3(5), Member States shall ensure that the animals covered by this Directive at no time, between leaving the holding of origin and their arrival at destination, compromise the health status of ovine and caprine animals not intended for intra-Community trade.

#### Article 4c

(1) By way of derogation from Article 4a(1)(a), ovine and caprine animals for slaughter may be subject to trade after they have been continuously resident on the holding of origin for at least 21 days.

(2) By way of derogation from Article 4a(1)(b), and without prejudice to paragraph 1 and Article 4b(2), ovine and caprine animals for slaughter may be consigned from a holding of origin into which ovine or caprine animals have been introduced during the 21 days prior to dispatch, if they are transported directly to a slaughterhouse in another Member State for immediate slaughter without passing through an assembly centre or staging point established in accordance with Directive 91/628/EEC.

(3) By way of derogation from Article 4b(3) and (4), and without prejudice to the provisions in Article 4b(2), ovine and caprine animals for slaughter may, after leaving the holding of origin, pass through one additional assembly centre under the following alternative conditions:

(a) the animals, before passing through the approved assembly centre referred to in Article 4b(4) which is situated in the Member State of origin, comply with the following conditions:

(i) after leaving the holding of origin the animals pass through one single assembly centre under official veterinary supervision, which permits at the same time only animals of at least the same health status,

(ii) without prejudice to Community legislation on identification of sheep and goats, at the latest at that assembly centre the animals are individually identified so as to enable in each case the tracing of the holding of origin and

(iii) from the assembly centre the animals are, accompanied by an official veterinary document, transported to the approved assembly centre referred to in Article 4b(4) to be certified and consigned directly to a slaughterhouse in the Member State of destination;

or

(b) the animals may after dispatch from the Member State of origin transit through one approved assembly centre before being consigned to the slaughterhouse in the Member State of destination under the following conditions:

(i) either the approved assembly centre is situated in the Member State of destination from where the animals must be removed under the responsibility of the official veterinarian directly to a slaughterhouse to be slaughtered within five days of arrival at the approved assembly centre, or

(ii) the approved assembly centre is situated in one Member State of transit from where the animals are consigned directly to the slaughterhouse in the Member State of destination indicated in the animal health certificate issued in accordance with Article 9(6).'

5. Article 8a shall be replaced by the following:

#### 'Article 8a

(1) Member States shall ensure that, in order to be approved by the competent authority, assembly centres must at least:

(a) be under the control of an official veterinarian who shall ensure that, in particular, the provisions of Article 3(5) are complied with;

(b) be located in an area which is not subject to prohibition or restrictions in accordance with relevant Community legislation and/or national legislation;

(c) be cleaned and disinfected before use, as required by the official veterinarian;

(d) have, taking into account the animal capacity of the assembly centre:

— a facility dedicated exclusively for this purpose when used as an assembly centre,

— appropriate facilities for loading, unloading and adequate housing of a suitable standard for the animals, for watering and feeding them, and for giving them any necessary treatment; these facilities must be easy to clean and disinfect,

— appropriate inspection facilities,

— appropriate isolation facilities,

— appropriate equipment for cleaning and disinfecting rooms and trucks,

— an appropriate storage area for fodder, litter and manure,

— an appropriate system for collecting waste water,

— the use of an office for the official veterinarian;



(e) admit only animals which are identified in accordance with Community legislation and comply with the animal health conditions set down in this Directive for the category of animals concerned. To this end, when animals are admitted, the owner or person in charge of the centre shall ensure they are accompanied by health documents or appropriate certificates for the species and categories involved;

(f) be regularly inspected by the competent authority in order to ascertain that the requirements for approval continue to be fulfilled.

(2) The owner or person in charge of the assembly centre shall be required, on the basis either of the accompanying documents for the animals or of the identification numbers or marks of the animals, to record on a register or a database and retain for a minimum period of three years the following information:

— the name of the owner, the origin, date of entry and exit, number and identification of the ovine and caprine animals or the registration number of the holding of origin of the animals entering the centre, where applicable the approval or registration number of the assembly centre through which the animals have passed prior to entering the centre and their proposed destination,

— the registration number of the transporter and the licence number of the lorry delivering or collecting animals from the centre.

(3) The competent authority shall issue an approval number to each approved assembly centre. Such approval may be limited to one or the other species covered by this Directive or to animals for breeding or fattening or to animals for slaughter. The competent authority shall notify the Commission of the list of approved assembly centres and of any updates. The Commission shall present this list to Member States in the framework of the Committee referred to in Article 15(1).

(4) The competent authority may suspend or withdraw approval in the event of failure to comply with this Article or other appropriate provisions of this Directive or other directives in respect of health restrictions. Approval may be restored when the competent authority is satisfied that that assembly centre is in full compliance with all the appropriate provisions of this Directive.

(5) The competent authority shall ensure that, when operating, assembly centres have sufficient approved veterinarians to carry out all duties.

(6) Any detailed rules required for uniform application of this Article shall be adopted in accordance with the procedure referred to in Article 15(2).'

6. The following Articles are inserted:

*'Article 8b*

(1) Member States shall ensure that all dealers are registered and, for the purpose of intra-Community trade, approved and issued with an approval number by the competent authority and that approved dealers comply with at least the following conditions:

(a) they must deal only in animals which are identified and come from holdings that conform with the conditions set out in Article 3. To this end, the dealer shall ensure that the animals are properly identified and are accompanied by health documents as appropriate in accordance with this Directive;

(b) the dealer shall be required, either on the basis of the document accompanying the animals, or on the basis of identification numbers or marks on the animals, to keep a record or database and to store the following data for at least three years:

— the name of the owner, origin, date of purchase, categories, number and identification of ovine and caprine animals or registration number of the holding of origin of the animals purchased, where applicable, the approval or registration number of the assembly centre through which the animals have passed prior to purchase and their destination,

— the registration number of the transporter and/or the licence number of the lorry delivering and collecting animals,

— the name and address of the purchaser and the destination of the animal,

— copies of route plans and/or serial number of health certificates as applicable;

(c) when the dealer keeps animals on his premises he shall ensure that:

— specific training is given to the staff in charge of the animals in applying the requirements of this Directive and in the care and welfare of the animals,

— any necessary controls and tests on the animals are carried out regularly by the official veterinarian and that all necessary steps are taken to prevent the spread of disease.

(2) Member States shall ensure that all premises used by a dealer in connection with his business are registered and issued with an approval number by the competent authority and that they comply with at least the following conditions:

(a) they must be under the control of an official veterinarian;

(b) they must be located in an area which is not subject to prohibition or restrictions in accordance with relevant Community or national legislation;

(c) they must have:

— appropriate facilities of sufficient capacity and, in particular, inspection facilities and isolation facilities so that all animals can be isolated in the event of an outbreak of a contagious disease,

- appropriate facilities for unloading and where necessary adequate housing of a suitable standard for the animals, for watering and feeding them, and for giving them any necessary treatment; these facilities must be easy to clean and disinfect,
  - an appropriate reception area for litter and manure,
  - an appropriate system for collecting waste water;
- (d) they must be cleaned and disinfected before use, as required by the official veterinarian.
- (3) The competent authority may suspend or withdraw approval in the event of failure to comply with this Article or other appropriate provisions of this Directive or other Directives in respect of health restrictions. Approval may be restored when the competent authority is satisfied that the dealer is in full compliance with all the appropriate provisions of this Directive.
- (4) The competent authority must carry out regular inspections in order to ascertain that the requirements of this Article are fulfilled.

#### Article 8c

- (1) Member States shall ensure that the transporters referred to in Article 5 of Directive 91/628/EEC meet the following additional conditions:
- (a) for the carriage of animals they must use means of transport which are:
- constructed in such a way that the animal faeces, litter or feed cannot leak or fall out of the vehicle,
  - cleaned and disinfected immediately after every animal transport or that of any product which could affect animal health and if necessary before any new loading of animals, using disinfectants officially authorised by the competent authority;
- (b) they must either have appropriate cleaning and disinfection facilities approved by the competent authority, including facilities for storing litter and dung, or they must provide documentary evidence that these operations are performed by a third party approved by the competent authority.
- (2) The transporter must ensure that for each vehicle used for the transport of animals a register is kept containing at least the following information which shall be kept for a minimum period of three years:
- (i) places and dates of pick-up, and the name or business name and address of the holding or assembly centre where the animals are picked up,
  - (ii) places and dates of delivery, and the name or business name and address of the consignee(s),
  - (iii) species and number of animals carried,
  - (iv) date and place of disinfection,

- (v) details of accompanying documentation, number, etc.
- (3) Transporters shall ensure that the consignment or animals do not at any time, between leaving the holdings or the assembly centre of origin and arriving at their destination, come into contact with animals of a lower health status.
- (4) Member States shall ensure that transporters give a written undertaking stating in particular that:
- all the measures necessary to comply with this Directive shall be taken and in particular the provisions laid down in this Article and relating to the appropriate documentation that must accompany the animals,
  - the transport of animals is entrusted to staff who possess the necessary ability, professional competence and knowledge.
- (5) Article 18 of Directive 91/628/EEC shall apply in a like manner in case of infringement of this Article.'

#### 7. Article 9 shall be replaced by the following:

##### 'Article 9

- (1) Ovine and caprine animals must be accompanied during transportation to destination by a health certificate conforming to either model I, II or III set out in Annex E, as appropriate. The certificate shall consist of a single sheet or, where more than one page is required, shall be in such a form that any two or more pages are part of an integrated whole and indivisible and shall contain a serial number. It shall be drawn up on the day of the health inspection, in one of the official languages of the country of destination at least. The certificate shall be valid for 10 days from the date of the health inspection.
- (2) The health inspection for the issuing of the health certificate, including additional guarantees, for a consignment of animals may be carried out in the holding of origin or in an approved assembly centre or, in the case of animals for slaughter, on approved dealer's premises. For this purpose the competent authority shall ensure that any certificate is drawn up by the official veterinarian after inspections, visits and controls as provided by this Directive.
- (3) The official veterinarian for the assembly centre shall carry out all necessary checks on animals arriving there.
- (4) For ovine and caprine animals for fattening and breeding dispatched to another Member State from an approved assembly centre located in the Member State of origin, the health certificate referred to in paragraph 1, conforming to either model II or III set out in Annex E as appropriate, may only be issued on the basis of the checks provided for in paragraph 3 and of an official document containing the necessary information completed by the official veterinarian responsible for the holding of origin.

(5) For ovine and caprine animals for slaughter dispatched to another Member State from an approved assembly centre or from an approved dealer's premises located in the Member State of origin, the health certificate referred to in paragraph 1, conforming to model I set out in Annex E, may only be issued on the basis of the checks provided for in paragraph 3 and of an official document containing the necessary information completed by the official veterinarian responsible for the holding of origin or the assembly centre referred to in Article 4c(3)(a)(i).

(6) For ovine and caprine animals for slaughter passing through an approved assembly centre in accordance with Article 4c(3)(b)(ii), the official veterinarian responsible for the approved assembly centre in the Member State of transit shall provide certification to the Member State of destination by issuing a second health certificate, conforming to model I set out in Annex E, completing it with the requested data from the original health certificate(s) and attaching to it an officially endorsed copy thereof. In this case, the combined validity of the certificates shall not exceed that provided for in paragraph 1.

(7) The official veterinarian issuing a health certificate for intra-Community trade conforming to either model I, II or III set out in Annex E as appropriate, shall ensure that the movement is recorded in the ANIMO system on the day the certificate is issued.'

8. Article 13 shall be repealed.

9. Article 14 shall be replaced by the following:

'Article 14

(1) Annex A shall be amended by the Council, acting by a qualified majority on a proposal from the Commission.

(2) Annexes B, C, D and E shall be amended in accordance with the procedure referred to in Article 15(2).

(3) The rules for the implementation of this Directive shall be adopted in accordance with the procedure referred to in Article 15(2).'

10. Article 16 shall be repealed.

11. Annex E shall be replaced by the Annex to this Directive.

#### Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive before 1 July 2004. They shall forthwith inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by the Member States.

2. Member States shall communicate to the Commission the texts of the main provisions of national law which they adopt in the field covered by this Directive.

#### Article 3

This Directive shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Directive is addressed to the Member States.

Done at Luxembourg, 11 June 2003.

For the Council

The President

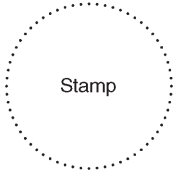
G. DRYS

## ANNEX

## ANNEX E

## Model I

<b>HEALTH CERTIFICATE (1) FOR TRADE BETWEEN MEMBER STATES OF THE EUROPEAN COMMUNITIES IN OVINE AND CAPRINE ANIMALS FOR SLAUGHTER</b>																
1. <b>Consignor</b> (name and address in full) ..... ..... ..... ..... .....	No ..... ORIGINAL ..... Original Health Certificate(s) Number(s) ..... (2)															
2. <b>Consignee</b> (name and address in full) ..... ..... ..... ..... ..... ..... ..... ..... .....	Released in (Member State(s) of origin) ..... On ..... 3. <b>Origin</b> 3.1 MEMBER STATE(S) OF ORIGIN (4) ..... ..... 3.2 MEMBER STATE OF TRANSIT (2) (4) ..... .....															
5. <b>Place of loading:</b> ..... .....	4. <b>Competent Authority</b> 4.1 Ministry: ..... 4.2 Department .....															
6. <b>Means of transport</b> (3) 6.1 Type ..... 6.2 Identification .....	7. <b>Establishment(s) of origin</b> 7.1 Name and address of the holding of origin (4) ..... ..... ..... ..... 7.2 Name, address and registration number of the approved assembly centre (4) or approved dealer's premises (4) (5) ..... ..... ..... .....															
8. <b>Destination of the animals</b> 8.1 EU Member State: ..... 8.2 Name, address and registration number of: 8.2.1 the slaughterhouse (4) 8.2.2 the approved assembly centre (4) 8.2.3 the approved assembly centre in a Member State of transit (4) (6) ..... .....	..... ..... ..... ..... ..... .....															
9. <b>Number of animals</b> .....	.....															
10. <b>Identification of the animals</b> 10.1 Animal specie(s): ..... breed ..... 10.2 Individual identification of the animals included in this consignment <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 33%;">Official individual identification (7)</th> <th style="width: 33%;">Age (months) and Sex ( ♀♂ Castrated)</th> <th style="width: 33%;">Number of animals</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>		Official individual identification (7)	Age (months) and Sex ( ♀♂ Castrated)	Number of animals												
Official individual identification (7)	Age (months) and Sex ( ♀♂ Castrated)	Number of animals														
11. <b>Origin of the animals</b> The animals were either: (a) born and have been reared since birth on Community territory (4) or (b) imported from a third country satisfying the animal health conditions laid down in Commission Decision 93/198/EEC in accordance with Article 8 of Directive 72/462/EEC (4)																

<p><b>12. Health information</b></p> <p>I, the undersigned official veterinarian, hereby certify that the animals described above meet the following requirements:</p> <p>12.1 they have been inspected today (within 24 hours prior to loading) and show no clinical sign of disease;</p> <p>12.2 they are not animals which are to be destroyed under a scheme to eradicate a contagious or infectious disease;</p> <p>12.3 they were not obtained from a holding which is the subject of a prohibition on animal health grounds and they have not been in contact with animals from such a holding, it being understood that:</p> <p>12.3.1 such prohibition is connected with the outbreak of one of the following diseases to which the animals are susceptible:</p> <ul style="list-style-type: none"> <li>— brucellosis,</li> <li>— rabies,</li> <li>— anthrax;</li> </ul> <p>12.3.2 after slaughter and/or destruction of the last animal suffering from or susceptible to one of the above diseases, the duration of the prohibition must be at least:</p> <ul style="list-style-type: none"> <li>— 42 days in a case of brucellosis,</li> <li>— 30 days in a case of rabies,</li> <li>— 15 days in a case of anthrax;</li> </ul> <p>12.3.3 they do not come from a holding nor have been in contact with animals from a holding in a protection zone which has been set up under Community legislation and which animals are prohibited to leave;</p> <p>12.3.4 they are not the subject of animal health measures pursuant to the Community legislation on foot-and-mouth disease nor have they been vaccinated against foot-and-mouth disease;</p>	
<p>12.4.1 they have been obtained from a holding in which they have been continuously resident for a period of at least 21 days prior to loading, or since birth in the holding of origin where the animals are less than 21 days old, and into which no biungulate animal imported from a third country has been introduced during the last 30 days prior to dispatch, unless those animals were introduced in accordance with Article 4a(2) of Directive 91/68/EEC;</p> <p>12.4.2 they either</p> <ul style="list-style-type: none"> <li>(i) have been obtained from a holding into which no animal of the ovine or caprine species has been introduced, unless those animals were introduced in accordance with Article 4a(2) of Directive 91/68/EEC, during the last 21 days prior to dispatch from the holding <sup>(4)</sup>, or</li> <li>(ii) they are to be consigned directly from a single holding to the slaughterhouse of destination <sup>(4)</sup>.</li> </ul>	
<p>13.1 The animals were transported using means of transport and containment which had, before-hand, been cleaned and disinfected using an officially approved disinfectant, and in such a way as to provide effective protection of the animals' health status.</p> <p>13.2 Based on the official documentation accompanying the animals the consignment covered by this health certificate started the journey on ..... (insert date) <sup>(8)</sup> <sup>(9)</sup>.</p> <p>13.3 At the time of inspection the animals were fit to be transported on the intended journey in accordance with the provisions of Directive 91/628/EEC <sup>(10)</sup>.</p>	
<p><b>14. This certificate</b></p> <ul style="list-style-type: none"> <li>(i) is valid for 10 days from the date of inspection on the holding of origin, or in the approved assembly centre or approved dealer's premises in the Member State of origin <sup>(4)</sup>, or</li> <li>(ii) expires in accordance with Article 9(5) of Directive 91/68/EEC on..... (insert date) <sup>(2)</sup> <sup>(4)</sup>.</li> </ul>	
<p><b>14.1. Official stamp and signature</b></p> <div style="text-align: center; margin-top: 20px;">  </div>	<p><b>14.2 Done at:</b></p> <p>..... (insert place of inspection)</p> <hr/> <p><b>14.3 Done one:</b></p> <p>..... (insert date of inspection)</p> <hr/> <p><b>14.4 Signature of official veterinarian</b></p> <p>..... ..... (insert name and capacity in block capitals)</p>

**Indicative notes**

- (<sup>1</sup>) Health certificates may be drawn up only for animals which are to be transported in the same railway wagon, truck/lorry, aircraft or boat/ship, which originate from the same holding/assembly centre and which are being sent to the same consignee.
- (<sup>2</sup>) To be completed in case of consignment grouped in an approved assembly centre located in the Member State of transit.
- (<sup>3</sup>) Provide the registration number in the case of railway wagons and lorries/trucks, the flight number in the case of aircraft and the name in case of boats and ships.
- (<sup>4</sup>) Delete where not applicable.
- (<sup>5</sup>) Only for destination 8.2.1.
- (<sup>6</sup>) Only in connection with point 12.4.2(i).
- (<sup>7</sup>) State number and location.
- (<sup>8</sup>) In the case where a consignment is grouped in an assembly centre and comprises animals that were loaded on different dates, the date at which the journey commenced for the whole consignment is considered to be the earliest date when any part of the consignment left the holding of origin.
- (<sup>9</sup>) To be completed in case of consignment grouped in an approved assembly centre or in approved dealer's premises.
- (<sup>10</sup>) This statement does not exempt transporters from their obligations in accordance with Community provisions in force in particular regarding the fitness of animals to be transported.

Model II

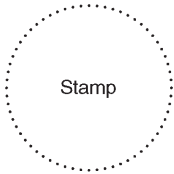
<p>1. <b>Consignor</b> (name and address in full)                  .....                  .....                  .....                  .....</p>	<p><b>HEALTH CERTIFICATE <sup>(1)</sup> FOR TRADE BETWEEN                  MEMBER STATES OF THE EUROPEAN                  UNION IN OVINE AND CAPRINE                  ANIMALS FOR FATTENING</b></p> <p>No <span style="float: right;">ORIGINAL</span></p>																		
<p>2. <b>Consignee</b> (name and address in full)                  .....                  .....                  .....                  .....</p>	<p>3. MEMBER STATE .....</p>																		
<p>5. <b>Place of loading:</b> .....</p>	<p>4. <b>Competent Authority</b></p> <p>4.1 Ministry: .....</p> <p>4.2 Department .....</p>																		
<p>6. <b>Means of transport <sup>(3)</sup></b></p> <p>6.1 Type .....</p> <p>6.2 Identification .....</p>	<p>7. <b>Establishment(s) of origin</b></p> <p>7.1 Name and address of the holding <sup>(4)</sup>:                  .....                  .....                  .....</p> <p>7.2 Name, address and registration number of the approved                  assembly centre in the Member State of origin <sup>(4)</sup>                  .....                  .....                  .....</p>																		
<p>8. <b>Destination of the animals</b></p> <p>8.1 EU Member State: .....</p> <p>8.2.1 Name and address of the holding <sup>(4)</sup>                  .....</p> <p>8.2.2 Name, address and registration number of the approved                  assembly centre in the Member State of origin <sup>(4)</sup>                  .....                  .....                  .....</p>																			
<p>9. <b>Number of animals</b> .....</p>																			
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**12. Health information**

I, the undersigned official veterinarian, hereby certify that the animals described above meet the following requirements

- 12.1 they have been inspected today (within 24 hours prior to loading) and show no clinical sign of disease;
- 12.2 they are not animals which are to be destroyed under a scheme to eradicate a contagious or infectious disease;
- 12.3 they were not obtained from a holding which is the subject of a prohibition on animal health grounds and they have not been in contact with animals from such a holding, it being understood that:
- 12.3.1 such prohibition is connected with the outbreak of one of the following diseases to which the animals are susceptible:
- brucellosis,
  - rabies,
  - anthrax;
- 12.3.2 after slaughter and/or destruction of the last animal suffering from or susceptible to one of the above diseases, the duration of the prohibition must be at least:
- 42 days in a case of brucellosis,
  - 30 days in a case of rabies,
  - 15 days in a case of anthrax;
- 12.3.3 they do not come from a holding nor have been in contact with animals from a holding in a protection zone which has been set up under Community legislation and which animals are prohibited to leave;
- 12.3.4 they are not the subject of animal health measures pursuant to Community legislation on foot-and-mouth disease nor have they been vaccinated against foot-and-mouth disease;
- 12.4 they have remained on a single holding of origin for a period of at least 30 days prior to loading, or since birth in the holding of origin where the animals are less than 30 days old, and no animal of the ovine or caprine species has been introduced into the holding of origin during the last 21 days prior to loading and no biungulate animal imported from a third country has been introduced into the holding of origin during the 30 days prior to dispatch from the holding of origin, unless those animals were introduced in accordance with Article 4a(2) of Directive 91/68/EEC;
- 12.5 they comply with the additional guarantees provided for in Articles 7 or 8 of Council Directive 91/68/EEC and laid down for the Member State of destination or part of its territory .....  
[insert Member State or part of its territory] in Commission Decision .../.../EC <sup>(4)</sup>.
- 12.6 they comply with at least one of the following conditions in 12.6.1, 12.6.2 or 12.6.3 and therefore qualify for admission to an ovine or caprine holding which is officially brucellosis-free (*B. melitensis*) <sup>(4)</sup>:
- 12.6.1 the holding of origin is situated in a Member State or part of its territory .....  
[insert name of Member State or part of its territory] which is recognised as being officially brucellosis-free in accordance with Commission Decision .../.../EC <sup>(4)</sup>, or
- 12.6.2 they come from an officially brucellosis-free (*B. melitensis*) holding <sup>(4)</sup>; or
- 12.6.3 they come from a brucellosis-free (*B. melitensis*) <sup>(4)</sup> holding and
- (i) they are identified individually,
  - (ii) they have never been vaccinated against brucellosis or if they have been vaccinated were so vaccinated more than two years previously or they are females over two years old which were vaccinated before the age of seven months,
  - (iii) they were isolated under official supervision on the holding of origin and, during such isolation, underwent, with negative results, two tests for brucellosis in accordance with Annex C to Directive 91/68/EEC, separated by an interval of at least six weeks <sup>(4)</sup>;
- 12.7 they comply with at least one of the following conditions in 12.7.1, 12.7.2 or 12.7.3 and therefore qualify for admission to an ovine or caprine holding which is brucellosis-free (*B. melitensis*) <sup>(4)</sup>:
- 12.7.1 they come from an officially brucellosis-free (*B. melitensis*) holding <sup>(4)</sup>; or
- 12.7.2 they come from a brucellosis-free (*B. melitensis*) holding <sup>(4)</sup>; or
- 12.7.3 until the qualifying date under eradication plans approved pursuant to Decision 90/242/EEC, they originate from a holding other than that referred to in 12.7.1 and 12.7.2 and satisfy the following conditions:
- (i) they are identified individually;
  - (ii) they originate from a holding in which all the animals of species susceptible to brucellosis (*B. melitensis*) have been free of clinical symptoms or any other symptoms of brucellosis for at least 12 months;
  - (iii) either:
    - they have not been vaccinated against brucellosis (*B. melitensis*) in the last two years, and
    - they were isolated under veterinary supervision on the holding of origin and, during such isolation, underwent, with negative results, two tests for brucellosis in accordance with Annex C to Directive 91/68/EEC, separated by an interval of at least six weeks <sup>(4)</sup>,
    - or
    - they were vaccinated with Rev. 1 vaccine before the age of seven months but not later than 15 days before their introduction into the holding of destination <sup>(4)</sup>;



13.1 The animals were transported using means of transport and containment which had, beforehand, been cleaned and disinfected using an officially approved disinfectant, and in such a way as to provide effective protection of the animals' health status.	
13.2 Based on the official documentation accompanying the animals the consignment covered by this health certificate started the journey on ..... (insert date) <sup>(5)</sup> .	
13.3 At the time of inspection the animals were fit to be transported on the intended journey in accordance with the provisions of Directive 91/628/EEC <sup>(6)</sup> .	
14. This certificate is valid for 10 days from the date of inspection.	
14.1 <b>Official stamp and signature</b>  	14.2 <b>Done at:</b> ..... (insert place of inspection)
	14.3 <b>Done on:</b> ..... (insert date of inspection)
	14.4 <b>Signature of official veterinarian</b> ..... ..... (insert name and capacity in block capitals)

**Indicative notes**

- (<sup>1</sup>) Health certificates may be drawn up only for animals which are to be transported in the same railway wagon, truck/lorry, aircraft or boat/ship, which originate from the same holding and which are being sent to the same consignee.
- (<sup>2</sup>) Give the registration number in the case of railway wagons and lorries/trucks, the flight number in the case of aircraft and the name in case of boats and ships.
- (<sup>3</sup>) State number and location.
- (<sup>4</sup>) Delete where not applicable.
- (<sup>5</sup>) In the case where a consignment is grouped in an assembly centre and comprises animals that were loaded on different dates, the date at which the journey commenced for the whole consignment is considered to be the earliest date when any part of the consignment left the holding of origin.
- (<sup>6</sup>) This statement does not exempt transporters from their obligations in accordance with Community provisions in force in particular regarding the fitness of animals to be transported.

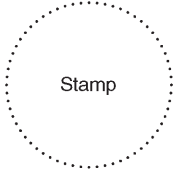
## Model III

<b>HEALTH CERTIFICATE <sup>(1)</sup> FOR TRADE BETWEEN MEMBER STATES OF THE EUROPEAN UNION IN OVINE AND CAPRINE ANIMALS FOR BREEDING</b>																			
1. <b>Consignor</b> (name and address in full) ..... ..... ..... ..... .....	No ..... ORIGINAL																		
2. <b>Consignee</b> (name and address in full) ..... ..... ..... .....	3. MEMBER STATE ..... 4. <b>Competent Authority</b> 4.1 Ministry: ..... ..... 4.2 Department ..... .....																		
5. <b>Place of loading:</b> ..... .....																			
6. <b>Means of transport <sup>(2)</sup></b> 6.1 Type ..... 6.2 Identification .....	7. <b>Establishment(s) of origin</b> 7.1 Name and address of the holding <sup>(4)</sup> : ..... ..... ..... ..... 7.2 Name, address and registration number of approved as- sembly centre <sup>(4)</sup> ..... ..... ..... ..... .....																		
8. <b>Destination of the animals</b> 8.1 EU Member State: ..... 8.2.1 Name and address of the holding <sup>(4)</sup> ..... 8.2.2 Name, address and registration number of the approved assembly centre in the Member State of origin <sup>(4)</sup> ..... ..... ..... ..... ..... ..... .....																			
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**12. Health information**

I, the undersigned official veterinarian, hereby certify, that the animals described above meet the following requirements:

- 12.1 they have been inspected today (within 24 hours prior to loading) and show no clinical sign of disease;
- 12.2 they are not animals which are to be destroyed under a scheme to eradicate a contagious or infectious disease;
- 12.3 they were not obtained from a holding which is the subject of a prohibition on animal health grounds and they have not been in contact with animals from such a holding, it being understood that:
- 12.3.1 such prohibition is connected with the outbreak of one of the following diseases to which the animals are susceptible:
- brucellosis,
  - rabies,
  - anthrax;
- 12.3.2 after slaughter and/or destruction of the last animal suffering from or susceptible to one of the above diseases, the duration of the prohibition must be at least:
- 42 days in a case of brucellosis,
  - 30 days in a case of rabies,
  - 15 days in a case of anthrax;
- 12.3.3 they do not come from a holding nor have been in contact with animals from a holding in a protection zone which has been set up under Community legislation and which animals are prohibited to leave;
- 12.3.4 they are not the subject of animal health measures pursuant to Community legislation on foot-and-mouth disease nor have they been vaccinated against foot-and-mouth disease;
- 12.4 they have remained on a single holding of origin for a period of at least 30 days prior to loading, or since birth in the holding of origin where the animals are less than 30 days old, and no animal of the ovine or caprine species has been introduced into the holding of origin during the last 21 days prior to loading and no biungulate animal imported from a third country has been introduced into the holding of origin during the 30 days prior to dispatch from the holding of origin, unless those animals were introduced in accordance with Article 4a(2) of Directive 91/68/EEC;
- 12.5 they comply with the additional guarantees provided for in Articles 7 or 8 of Council Directive 91/68/EEC and laid down for the Member State of destination or part of its territory .....  
[insert Member State or part of its territory] in Commission Decision ..../.../EC <sup>(4)</sup>.
- 12.6 they comply with at least one the following conditions in 12.6.1, 12.6.2 or 12.6.3 and therefore qualify for admission to an ovine or caprine holding which is officially brucellosis-free, (*B. melitensis*) <sup>(4)</sup>:
- 12.6.1 the holding of origin is situated in a Member State or part of its territory .....  
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  - (ii) they have never been vaccinated against brucellosis or if they have been vaccinated were so vaccinated more than two years previously or they are females over two years old which were vaccinated before the age of seven months and
  - (iii) they were isolated under official supervision on the holding of origin and, during such isolation, underwent, with negative results, two tests for brucellosis in accordance with Annex C to Directive 91/68/EEC, separated by an interval of at least six weeks <sup>(4)</sup>;
- 12.7 they comply with at least one of the following conditions in 12.7.1, 12.7.2 or 12.7.3 and therefore qualify for admission to an ovine or caprine holding which is brucellosis-free, (*B. melitensis*) <sup>(4)</sup>:
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- 12.7.2 they come from a brucellosis-free (*B. melitensis*) holding <sup>(4)</sup>; or
- 12.7.3 until the qualifying date under eradication plans approved pursuant to Decision 90/242/EEC, they originate from a holding other than that referred to in 12.7.1 and 12.7.2 and satisfy the following conditions:
- (i) they are identified individually;
  - (ii) they originate from a holding in which all the animals of species susceptible to brucellosis (*B. melitensis*) have been free of clinical symptoms or any other symptoms of brucellosis for at least 12 months;
  - (iii) either:
    - they have not been vaccinated against brucellosis (*B. melitensis*) in the last two years, and
    - they were isolated under veterinary supervision on the holding of origin and, during such isolation, underwent, with negative results, two tests for brucellosis in accordance with Annex C to Directive 91/68/EEC, separated by an interval of at least six weeks <sup>(4)</sup>,
    - or
    - they were vaccinated with Rev. 1 vaccine before the age of seven months but not later than 15 days before their introduction into the holding of destination <sup>(4)</sup>;

<p>12.8 as regards contagious epididymitis of rams (<i>B. ovis</i>), where uncastrated breeding rams are concerned, they must:</p> <p>(i) come from a holding on which no case of contagious epididymitis of rams (<i>B. ovis</i>) has been recorded in the past 12 months, and</p> <p>(ii) have been kept permanently on that holding for the 60 days preceding consignment, and</p> <p>(iii) have undergone, within 30 days prior to consignment, with a negative result, a test to detect contagious epididymitis of rams (<i>B. ovis</i>) in accordance with Annex D to Directive 91/68/EEC;</p> <p>12.9 to the best of the knowledge of the undersigned and according to the written declaration made by the owner, they were not obtained from a holding nor have been in contact with animals from a holding in which the following diseases have been clinically detected:</p> <p>(i) within the last six months, contagious agalactia of sheep (<i>Mycoplasma agalactiae</i>) and contagious agalactia of goats (<i>Mycoplasma agalactiae</i>, <i>M. capricolum</i>, <i>M. mycoides</i> subsp. <i>mycoides</i> large colony),</p> <p>(ii) within the last 12 months, paratuberculosis or caseous lymphadenitis,</p> <p>(iii) within the last three years, pulmonary adenomatosis, maedi/visna or caprine viral arthritis/encephalitis. However, this time limit is reduced to 12 months if animals affected by maedi/visna or caprine viral arthritis/encephalitis have been slaughtered and the remaining animals have reacted negatively to two tests;</p> <p>12.10 as regards scrapie:</p> <p>12.10.1 they come from a holding satisfying the following requirements:</p> <p>(i) it is subject to regular official veterinary checks,</p> <p>(ii) the animals are marked,</p> <p>(iii) no case of scrapie has been confirmed for at least three years,</p> <p>(iv) checking by sampling is carried out on the holding on old female animals intended for culling,</p> <p>(v) females are introduced into that holding only if they come from a holding which complies with the same requirements;</p> <p>12.10.2 they have been continuously kept on a holding or holdings complying with the requirements in point 12.10.1 since birth or for the last three years;</p> <p>12.10.3 if they are destined for a Member State which benefits, for all or part of its territory, from the provisions laid down in point 3(b) of Chapter A in Annex VIII to Regulation (EC) No 999/2001, they comply with the guarantees provided for in the programmes referred to in that point;</p>	
<p>13.1 The animals were transported using means of transport and containment which had, beforehand, been cleaned and disinfected using an officially approved disinfectant, and in such a way as to provide effective protection of the animals' health status.</p> <p>13.2 Based on the official documentation accompanying the animals the consignment covered by this health certificate started the journey on ..... (insert date) <sup>(5)</sup>.</p> <p>13.3 At the time of inspection the animals were fit to be transported on the intended journey in accordance with the provisions of Directive 91/628/EEC <sup>(6)</sup>.</p>	
<p>14. This certificate is valid for 10 days from the date of inspection.</p>	
<p>14.1 <b>Official stamp and signature</b></p> <div style="text-align: center; margin-top: 20px;">  <p>Stamp</p> </div>	<p>14.2 <b>Done at:</b></p> <p>..... (insert place of inspection)</p> <hr/> <p>14.3 <b>Done on:</b></p> <p>..... (insert place of inspection)</p> <hr/> <p>14.4 <b>Signature of official veterinarian</b></p> <p>..... ..... (insert name and capacity in block capitals)</p>

#### Indicative notes

- (<sup>1</sup>) Health certificates may be drawn up only for animals which are to be transported in the same railway wagon, truck/lorry, aircraft or boat/ship, which originate from the same holding and which are being sent to the same consignee.
- (<sup>2</sup>) Give the registration number in the case of railway wagons and lorries/trucks, the flight number in the case of aircraft and the name in case of boats and ships.
- (<sup>3</sup>) State number and location.
- (<sup>4</sup>) Delete where not applicable.
- (<sup>5</sup>) In the case where a consignment is grouped in an assembly centre and comprises animals that were loaded on different dates, the date at which the journey commenced for the whole consignment is considered to be the earliest date when any part of the consignment left the holding of origin.
- (<sup>6</sup>) This statement does not exempt transporters from their obligations in accordance with Community provisions in force in particular regarding the fitness of animals to be transported.

## II

(Acts whose publication is not obligatory)

## COMMISSION

## COMMISSION DECISION

of 3 July 2003

on a financial contribution from the Community towards the eradication of classical swine fever in Spain at the end of 2001 and in 2002

(Only the Spanish text is authentic)

(2003/494/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field <sup>(1)</sup>, as last amended by Council Regulation No 806/2003 <sup>(2)</sup>, and in particular Article 3(3) and Article 5(3) thereof,

Whereas:

- (1) Outbreaks of classical swine fever occurred in Spain in 2001 and 2002. The emergence of this disease represents a serious risk to the Community's livestock population.
- (2) With a view to helping to eradicate the disease as rapidly as possible, the Community may contribute financially to eligible costs incurred by the Member State, as provided for in Decision 90/424/EEC.
- (3) Pursuant to Article 3(2) of Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agricultural policy <sup>(3)</sup>, veterinary and plant health measures undertaken in accordance with Community rules shall be financed under the 'Guarantee' section of the European Agricultural Guidance and Guarantee Fund. The auditing of these measures comes under Articles 8 and 9 of the said Regulation.
- (4) The payment of the Community financial contribution must be subject to the condition that the planned activities were actually implemented and the authorities provide all the necessary information within certain deadlines.

(5) On 7 October 2002, Spain submitted an official request for reimbursement for all the expenditure incurred on its territory.

(6) It is now time to set the amount of an advance on the Community financial contribution, pending checks carried out by the Commission. This advance must be 50 % of the Community contribution calculated on the basis of the number of pigs culled (222 594) at a unit cost of EUR 100 and limiting, for the moment, the 'other costs' to 10 % of the amount of this reimbursement.

(7) The terms 'swift and adequate compensation of the livestock farmers' used in Article 3 of Decision 90/424/EEC, 'reasonable payments' and 'justified payments' and the categories of eligible expenditure under 'other costs' associated with the compulsory slaughter must all be defined.

(8) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

*Article 1*

**Granting of a financial contribution from the Community to Spain**

In order to eradicate classical swine fever in 2002, Spain may benefit from a Community financial contribution of 50 % of the expenditure incurred for the:

- (a) swift and adequate compensation of farmers forced to cull their animals as part of the measures to eradicate the

<sup>(1)</sup> OJ L 224, 18.8.1990, p. 19.

<sup>(2)</sup> OJ L 122, 16.5.2003, p. 1.

<sup>(3)</sup> OJ L 160, 26.6.1999, p. 103.

outbreaks of classical swine fever at the end of 2001 and in 2002, pursuant to the provisions of Article 3(2)(7) of Decision 90/424/EC and this Decision;

- (b) operational expenditure associated with the destruction of contaminated animals and products, the cleaning and disinfecting of premises and the cleaning and disinfecting, or destruction if necessary, of contaminated equipment, under the conditions provided for in Article 3(2)(1), (2) and (3) of Decision 90/424/EEC and this Decision.

#### Article 2

##### Definitions

In this Decision, the following definitions shall apply:

- (a) 'swift and adequate compensation': the payment, without prejudice to Article 4(2) of Commission Regulation (EC) No 296/96 <sup>(1)</sup>, within 90 days of the slaughter of the animals, of compensation corresponding to the market value that these animals had immediately prior to their contamination or slaughter;
- (b) 'reasonable payments': payments made for the purchase of equipment or services at proportionate prices compared to the market prices that applied before the outbreak;
- (c) 'justified payments': payments made for the purchase of equipment or services in accordance with Article 3(2) of Decision 90/424/EEC, where their nature and direct link to the compulsory slaughter of animals on holdings have been demonstrated.

#### Article 3

##### Arrangements for the payment of the financial contribution

1. Subject to the results of the checks referred to in Article 6, an advance of EUR 6 000 000 shall be paid, as part of the Community financial contribution mentioned in Article 1, on the basis of supporting documents submitted by Spain relating to the swift and adequate compensation of owners for the compulsory slaughter, the destruction of the animals and, if necessary, the products used for cleaning, disinfecting, disinsection of the holdings and equipment, as well as the destruction of contaminated feed and materials.
2. Once the checks referred to in Article 6 have been carried out, the Commission shall decide on the balance in accordance with the procedure provided for in Article 41 of Decision 90/424/EEC.

#### Article 4

##### Eligible operational expenditure covered by the Community financial contribution

1. The Community financial contribution referred to in Article 1(b) relates only to justified and reasonable payments for the eligible expenditure mentioned in Annex I.
2. This Community financial contribution referred to in Article 1 does not include:
- (a) value added tax;
- (b) officials' remuneration;
- (c) the use of public equipment, with the exception of consumables.

#### Article 5

##### Conditions for payment and supporting documents

1. The Community financial contribution referred to in Article 1 shall be paid on the basis of the following elements:
- (a) an application submitted in accordance with Annexes II and III within the deadline laid down in paragraph 2 of this Article;
- (b) the supporting documents referred to in Article 3(1), including an epidemiological report on each holding where animals were slaughtered and destroyed, as well as a financial report;
- (c) the results of the *in situ* checks carried out by the Commission, referred to in Article 6.

The documents referred to in (b) must be made available for the *in situ* audits carried out by the Commission.

2. The application referred to in 1(a) must be submitted in the form of a computer file in line with Annexes II and III within 30 calendar days of the date of notification of this Decision. If this deadline is not met, the Community financial contribution shall be reduced by 25 % per month of delay.

#### Article 6

##### *In situ* checks performed by the Commission

The Commission, in collaboration with the Spanish authorities, may perform *in situ* checks relating to the implementation of the measures referred to in Article 1 and the associated expenditure.

#### Article 7

##### Recipients

This Decision is addressed to the Kingdom of Spain.

Done at Brussels, 3 July 2003.

For the Commission

David BYRNE

Member of the Commission

<sup>(1)</sup> OJ L 39, 17.2.1996, p. 5.

## ANNEX I

**Eligible expenditure, as referred to in Article 4(1)**

1. Costs associated with the slaughter of the animals:
    - (a) wages and remuneration for slaughterhouse workers;
    - (b) consumables (bullets, T61, tranquillisers, etc.) and specific equipment used for the slaughter;
    - (c) equipment used for the transportation of animals to the slaughterhouse.
  2. Costs associated with the destruction of the animals:
    - (a) rendering: the transportation of the carcasses to a rendering plant, the processing of carcasses in the plant and the destruction of the meat meal;
    - (b) burial: personnel specifically employed, equipment specially hired for the transportation and burying of carcasses and the products used for disinfecting the holding;
    - (c) incineration: personnel specifically employed, fuel or other materials used, equipment specially hired for the transportation of carcasses and the products used for disinfecting the holding.
  3. Costs associated with cleaning, disinfecting and disinsectisation of holdings:
    - (a) products used for cleaning, disinfecting and disinsectisation;
    - (b) wages and remuneration for staff employed to do this job.
  4. Costs associated with the destruction of contaminated feed:
    - (a) reimbursement of purchase price of feed;
    - (b) destruction of feed.
  5. Costs associated with compensation, at market value, for the destruction of contaminated equipment. Costs associated with the reconstruction or renovation of farm buildings and infrastructure are not eligible.
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## ANNEX III

**Application for a contribution to the compensation for other eligible costs associated with the compulsory slaughter**

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'Other costs' incurred by holding No ... (not including compensation for the value of the animals)

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Heading	Amount (not including VAT)
Rendering	
Destruction (transport and processing)	
Cleaning and disinfecting (wages and products)	
Feed (compensation and destruction)	
Equipment (compensation and destruction)	
Total	

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(Acts adopted pursuant to Title V of the Treaty on European Union)

**COUNCIL COMMON POSITION 2003/495/CFSP**  
**of 7 July 2003**  
**on Iraq and repealing Common Positions 96/741/CFSP and 2002/599/CFSP**

THE COUNCIL OF THE EUROPEAN UNION,

Article 2

Having regard to the Treaty on European Union, and in particular Article 15 thereof,

Whereas:

- (1) On 22 May 2003, the United Nations Security Council adopted Resolution 1483 (2003) repealing all prohibitions related to trade with Iraq and the provision of financial and economic resources to Iraq established by Security Council Resolution 661 (1990) and subsequent relevant resolutions including Resolution 778 (1992), with the exception of prohibitions related to the sale or supply to Iraq of arms and related material other than those arms and related material required by the United States of America and the United Kingdom of Great Britain and Northern Ireland as occupying powers under unified command (hereinafter called 'the Authority'), and imposing new measures.
- (2) The Council welcomes the decision of the Security Council to lift sanctions against Iraq.
- (3) The Council welcomes the commitment of the Security Council and of the Authority, in Resolution 1483 (2003), to help reconstruct Iraq and to aid the Iraqi people in moving towards the establishment of an internationally recognised, representative Government.
- (4) Council Common Positions 96/741/CFSP <sup>(1)</sup> and 2002/599/CFSP <sup>(2)</sup> should therefore be repealed.
- (5) Action by the Community is needed in order to implement certain measures,

All funds or other financial assets or economic resources:

- (a) of the previous Government of Iraq or its State bodies, corporations, or agencies, located outside Iraq as of 22 May 2003 as designated by the Committee established pursuant to Security Council Resolution 661 (1990), or
- (b) that have been removed from Iraq, or acquired by Saddam Hussein or other senior officials of the former Iraqi regime and their immediate family members, including entities owned or controlled directly or indirectly by them or by persons acting on their behalf or at their direction, as designated by the Committee established pursuant to Security Council Resolution 661 (1990),

shall be frozen without delay and, unless these funds or other financial assets or economic resources are themselves the subject of a prior judicial, administrative or arbitral lien or judgement, Member States shall immediately cause their transfer to the Development Fund for Iraq under the conditions set out in Security Council Resolution 1483 (2003).

HAS ADOPTED THIS COMMON POSITION:

Article 1

The sale or supply to Iraq of arms and related material, other than those arms and related material required by the Authority to serve the purposes of Security Council Resolution 1483 (2003) and other related Security Council Resolutions, remains prohibited.

<sup>(1)</sup> Common Position 96/741/CFSP of 17 December 1996 defined by the Council on the basis of Article J.2 of the Treaty on European Union concerning the derogations from the embargo with regard to Iraq (OJ L 337, 27.12.1996, p. 5).

<sup>(2)</sup> Common Position 2002/599/CFSP of 22 July 2002 supplementing Common Position 96/741/CFSP concerning the derogations from the embargo with regard to Iraq (OJ L 194, 23.7.2002, p. 47).

Article 3

All appropriate steps will be taken to facilitate the safe return to Iraqi institutions of Iraqi cultural property and other items of archaeological, historical, cultural, rare scientific, and religious importance illegally removed from the Iraq National Museum, the National Library, and other locations in Iraq since the adoption of Security Council Resolution 661 (1990), including by establishing a prohibition on trade in or transfer of such items and items with respect to which reasonable suspicion exists that they have been illegally removed.

*Article 4*

All proceeds from all export sales of petroleum, petroleum products, and natural gas from Iraq as of 22 May 2003 shall be deposited into the Development Fund for Iraq under the conditions set out in Resolution 1483 (2003), until such time as an internationally recognised, representative government of Iraq is properly constituted.

*Article 5*

1. Petroleum, petroleum products, and natural gas originating in Iraq will be immune, until title passes to the initial purchaser, from legal proceedings against them and not be subject to any form of attachment, garnishment, or execution.

2. Privileges and immunities equivalent to those enjoyed by the United Nations will be enjoyed by:

- (a) proceeds and obligations arising from the sale of products referred to in paragraph 1;
- (b) the Development Fund for Iraq;
- (c) funds, other financial assets or economic resources to be transferred to the Development Fund for Iraq in accordance with Article 2.

3. The privileges and immunities referred to in paragraph 2(a) will not apply with respect to any legal proceeding in which recourse to such proceeds and obligations is necessary

to satisfy liability for damages assessed in connection with an ecological accident, including an oil spill, that occurs after 22 May 2003.

*Article 6*

Council Common Positions 96/741/CFSP and 2002/599/CFSP are hereby repealed.

*Article 7*

This Common Position shall take effect on the date of its adoption. It shall apply from 22 May 2003.

Article 4 shall apply until 31 December 2007 unless the Council decides otherwise in accordance with any future relevant UN Security Council Resolution.

*Article 8*

This Common Position shall be published in the *Official Journal of the European Union*.

Done at Brussels, 7 July 2003.

*For the Council*

*The President*

F. FRATTINI

**COUNCIL JOINT ACTION 2003/496/CFSP  
of 7 July 2003**

**concerning the appointment of an EU Special Representative for the South Caucasus**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 14, Article 18(5) and Article 23(2) thereof,

Whereas:

- (1) The Council has stated its willingness to play a more active political role in the South Caucasus (Armenia, Azerbaijan, Georgia).
- (2) There is a need to ensure clear lines of responsibility, as well as the coordination and consistency of external actions of the European Union in the South Caucasus.
- (3) On 30 March 2000 the Council adopted guidelines on the appointing procedure and administrative arrangements for European Union Special Representatives (EUSRs),

HAS ADOPTED THIS JOINT ACTION:

*Article 1*

Mr Heikki TALVITIE is hereby appointed as the EUSR for the South Caucasus.

*Article 2*

1. The objective of the EUSR shall be to contribute to the implementation of the policy objectives of the European Union in the South Caucasus, as defined and updated by the Council. These policy objectives include:

- (a) to assist Armenia, Azerbaijan and Georgia in carrying out political and economic reforms, notably in the fields of rule of law, democratisation, human rights, good governance, development and poverty reduction;
- (b) in accordance with existing mechanisms, to prevent conflicts in the region, to assist in the resolution of conflicts, and to prepare the return of peace, including through promoting the return of refugees and internally displaced persons (IDPs);
- (c) to engage constructively with key national actors neighbouring the region;
- (d) to encourage and to support further cooperation between States of the region, in particular between the States of the South Caucasus, including on economic, energy and transport issues;

(e) to enhance EU effectiveness and visibility in the region.

2. The EUSR shall support the work of the High Representative in the region.

*Article 3*

In order to further the policy objectives referred to in Article 2, the mandate of the EUSR shall be to:

- (a) develop contacts with governments, parliaments, judiciary and civil society in the region;
- (b) encourage Armenia, Azerbaijan and Georgia to cooperate on regional themes of common interest, such as common security threats, the fight against terrorism, trafficking and organised crime;
- (c) contribute to the prevention of conflicts, and to prepare the return of peace to the region, including through recommendations for action related to civil society and rehabilitation of territories without prejudice to the Commission's responsibilities under the EC Treaty;
- (d) assist in conflict resolution, in particular to enable the EU better to support the United Nations Secretary General and his Special Representative for Georgia, the Group of Friends of the United Nations Secretary General for Georgia, the OSCE Minsk Group, and the conflict resolution mechanism for South Ossetia under the aegis of the OSCE;
- (e) intensify EU dialogue with the main interested actors, concerning the region;
- (f) assist the Council in further developing a comprehensive policy towards the South Caucasus.

*Article 4*

The EUSR, acting under the authority and operational direction of the High Representative, shall be responsible for implementation of the mandate referred to in Article 3.

The EUSR shall maintain a privileged link with the Political and Security Committee (PSC), which shall be the primary point of contact with the Council. The PSC shall provide strategic guidance and political input to the EUSR within the framework of the mandate.

As a rule, the EUSR will report in person to the High Representative and to the PSC, and may report also to the relevant Working Group. Regular written reports will be circulated to the High Representative, Council and Commission.

To ensure the consistency of the external action of the European Union, the activities of the EUSR shall be coordinated with those of the High Representative, the Presidency and the Commission. In the field, close liaison shall be maintained with the Presidency, the Commission and Heads of Mission of EU Member States. The EUSR shall also liaise with other international actors in the field, in particular the UN, the OSCE and the Council of Europe.

*Article 5*

The administrative expenditure of the EUSR shall be covered exceptionally by Finland.

The EUSR shall be accountable to the High Representative for administrative expenditure and to the Commission for any operational expenditure incurred in respect of activities.

*Article 6*

The Presidency, the Commission and/or Member States, as appropriate, will assist the EUSR in the implementation of the mandate, including through provision of logistical support when the EUSR is travelling. The Council Secretariat will provide additional support as necessary.

The privileges, immunities and further guarantees necessary for the completion and smooth functioning of the mission of the EUSR shall be worked out as appropriate. Member States and the Commission shall grant all necessary support to this effect.

*Article 7*

The implementation of this Joint Action, and its consistency with other EU contributions to the region, shall be kept under regular review.

Before this Joint Action expires, the EUSR shall present a comprehensive written report to the High Representative, Council and Commission making recommendations on how further to enhance EU policy on the South Caucasus. This report shall form a basis for evaluation of the Joint Action in the relevant Working Groups and by the PSC.

In the context of decisions by the Council on the further development of EU policy towards the South Caucasus, the High Representative shall make recommendations to the PSC concerning the Council's decision on renewal, amendment or termination of the mandate of the EUSR.

*Article 8*

This Joint Action shall enter into force on 1 July 2003.

It shall apply until 31 December 2003.

*Article 9*

This Joint Action shall be published in the *Official Journal of the European Union*.

Done at Brussels, 7 July 2003.

*For the Council*  
*The President*  
F. FRATTINI

**CORRIGENDA**

**Corrigendum to Commission Regulation (EC) No 1517/95 of 29 June 1995 laying down detailed rules for the application of Regulation (EEC) No 1766/92 as regards the arrangements for the export and import of compound feedingstuffs based on cereals and amending Regulation (EC) No 1162/95 laying down special detailed rules for the application of the system of import and export licences for cereals and rice**

*(Official Journal of the European Communities L 147 of 30 June 1995)*

On page 53, in Article 9, cited text, fourth indent:

- for:* '— in Section 20, the content in cereal products to be incorporated in the compound feedingstuff if this is known, a distinction being made between maize and other cereals; otherwise, if use is made of the provision referred to above of annotating Section 15, the bracket showing the quantities of maize and other cereals incorporated,'
- read:* '— in Section 20, the content in cereal products to be incorporated in the compound feedingstuff if this is known, a distinction being made between maize and other cereals; otherwise, if use is made of the provision referred to above of annotating Section 15 with a reference specifying two or more subdivisions, the bracket showing the quantities of maize and other cereals incorporated.'
-