

English edition

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1485/2003
of 22 August 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 ⁽¹⁾, as last amended by Regulation (EC) No 1947/2002 ⁽²⁾, 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 23 August 2003.

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

Done at Brussels, 22 August 2003.

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

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 299, 1.11.2002, p. 17.

ANNEX

to the Commission Regulation of 22 August 2003 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	64,3
	060	44,1
	999	54,2
0709 90 70	052	83,4
	999	83,4
0805 50 10	382	45,4
	388	58,6
	524	51,0
	528	55,1
	999	52,5
0806 10 10	052	110,4
	064	112,4
	400	194,3
	999	139,0
0808 10 20, 0808 10 50, 0808 10 90	039	65,0
	388	73,1
	400	85,3
	508	82,1
	512	88,9
	528	69,1
	720	71,9
	800	129,4
	804	85,8
	999	83,4
0808 20 50	052	128,8
	388	88,5
	512	81,5
	528	87,6
	800	148,4
	999	107,0
0809 30 10, 0809 30 90	052	121,0
	999	121,0
0809 40 05	060	63,5
	064	54,7
	066	50,1
	068	50,0
	093	60,7
	094	56,7
	624	154,7
	999	70,1

⁽¹⁾ 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 1486/2003
of 22 August 2003**

laying down procedures for conducting Commission inspections in the field of civil aviation security

(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

SUBJECT MATTER 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 ⁽¹⁾, and in particular Article 7(2) thereof,

Article 1

Subject matter

This Regulation lays down procedures for conducting Commission inspections to monitor the application by Member States of Regulation (EC) No 2320/2002 at the level of each Member State and each individual airport.

Whereas:

The inspections shall be conducted in a transparent, effective, harmonised and consistent manner.

(1) In order to monitor the application by Member States of Regulation (EC) No 2320/2002 the Commission should conduct inspections starting six months after the entry into force of that Regulation. The organisation of inspections under the supervision of the Commission is needed to verify the effectiveness of national civil aviation security quality-control programmes.

Article 2

Definitions

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

(2) The Commission should coordinate with the Member States the schedule and preparation of Commission inspections. Its inspection teams should include qualified national auditors made available by the Member States.

1. 'appropriate authority' means the national authority designated by a Member State pursuant to Article 5(2) of Regulation (EC) No 2320/2002;

(3) Commission inspections should be carried out according to a set procedure, including a standard methodology.

2. 'Commission inspection' means an examination by Commission inspectors of existing quality controls and civil aviation security measures, procedures and structures to determine compliance with Regulation (EC) No 2320/2002;

(4) Sensitive information relating to inspections should be treated as classified information.

3. 'Commission inspector' means an appropriately qualified person employed by the Commission or a national auditor mandated by the Commission to conduct civil aviation security inspections;

(5) The Commission should take into account the activities of Member States and examine the activities, procedures, training programmes and facilities of intergovernmental organisations to make the most efficient use of technical knowledge and resources, and to achieve a harmonised, cooperative approach in the field of civil aviation security, wherever possible.

4. 'Committee' means the Committee instituted by Article 9(1) of Regulation (EC) No 2320/2002;

(6) The measures provided for in this Regulation are in accordance with the opinion of the Committee instituted by Article 9(1) of Regulation (EC) No 2320/2002,

5. 'deficiency' means failure to comply with the requirements laid down in Regulation (EC) No 2320/2002;

6. 'national auditor' means a person employed by a Member State and qualified as a civil aviation security auditor in accordance with Article 10 of Commission Regulation (EC) No 1217/2003 ⁽²⁾;

7. 'test' means a trial of civil aviation security measures, where intent to commit unlawful action is simulated for the purpose of testing efficiency in the implementation of existing security measures.

⁽¹⁾ OJ L 355, 30.12.2002, p. 1.

⁽²⁾ OJ L 169, 8.7.2003, p. 44.

CHAPTER II

GENERAL REQUIREMENTS*Article 3***Cooperation of Member States**

1. Without prejudice to Commission responsibilities, Member States shall cooperate with the Commission in the accomplishment of its inspection tasks. This cooperation shall be effective during the preparatory, control and reporting phases.

2. Member States shall take all necessary steps to ensure that notification of an inspection is kept confidential in order to ensure that the inspection process is not compromised.

*Article 4***Exercise of Commission powers**

1. Each Member State shall ensure that Commission inspectors are able to exercise their authority to inspect the civil aviation security activities of the appropriate authority under Regulation (EC) No 2320/2002 and of any other entity subject to that Regulation.

2. Each Member State shall ensure that, upon request, Commission inspectors have access to all the following documentation:

- (a) the national civil aviation security programme, including the national civil aviation security training programme;
- (b) the national civil aviation security quality-control programme;
- (c) identified airport and air carrier security programmes;
- (d) the results of the audits referred to in Article 7(1) of Regulation (EC) No 2320/2002.

3. Wherever Commission inspectors encounter difficulties in the execution of their duties, the Member States concerned shall by any means within their legal powers assist the Commission to accomplish in full its task.

*Article 5***Participation of national auditors in Commission inspections**

1. Member States shall make available to the Commission national auditors able to participate in Commission inspections as well as in related preparatory and reporting phases.

2. A national auditor shall not participate in Commission inspections in the Member State where he is employed.

3. Member States shall provide the Commission with a list of national auditors on whom the Commission may call to participate in a Commission inspection.

That list shall be updated, at least by the end of June each year, and for the first time within two months of the entry into force of this Regulation.

4. The Commission shall communicate to the Committee the lists referred to in paragraph 3.

5. The Commission shall, at least two months before the Commission inspection is due to commence, request from the appropriate authority information as to the availability of national auditors for the conduct of that inspection.

6. The expenses arising from the participation of national auditors in Commission inspections shall, in compliance with Community rules, be met by the Commission.

*Article 6***Qualification criteria for Commission inspectors**

1. In order to qualify for Commission inspections, Commission inspectors shall have successfully completed training.

This training shall:

- (a) be accredited by the Commission;
- (b) be initial and recurrent;
- (c) ensure a standard of performance adequate for the purposes of controlling whether security measures are implemented in accordance with Regulation (EC) No 2320/2002.

2. The Commission shall ensure that Commission inspectors fulfil the criteria set out in paragraph 1 and that they have sufficient theoretical and practical experience.

CHAPTER III

PROCEDURES FOR THE CONDUCT OF COMMISSION INSPECTIONS*Article 7***Notification of inspections**

1. The Commission shall give at least two months' notice of an inspection to the appropriate authority in whose territory it is to be conducted.

2. When an airport is to be inspected, the Commission shall notify the appropriate authority accordingly.

3. When giving notice of an inspection to the appropriate authority, the Commission shall communicate a pre-inspection questionnaire, for completion by the appropriate authority, and a request for the documents enumerated in Article 4(2).

The completed questionnaire and the documents requested shall be submitted to the Commission within six weeks of receipt of the inspection notification.

*Article 8***Preparation of inspections**

1. Commission inspectors shall undertake preparatory activities in order to ensure efficiency, accuracy and consistency of inspections.
2. The Commission shall provide the appropriate authority with the names of the Commission inspectors mandated to conduct an inspection, and other details as appropriate.
3. For each inspection the appropriate authority shall designate a coordinator who shall make the practical arrangements associated with the inspection activity to be undertaken.

*Article 9***Conduct of inspections**

1. A standard methodology shall be used to monitor compliance with the civil aviation security requirements laid down in Regulation (EC) No 2320/2002.
2. Member States shall ensure that Commission inspectors are accompanied at all times during the inspection.
3. Commission inspectors shall carry an identity card authorising inspections on behalf of the Commission and an airport identification card allowing access to all areas required for inspection purposes.
4. Tests shall only be performed after advance notification and agreement, in close coordination with the authority, to ensure their security, safety and effectiveness.
5. Without prejudice to Article 10, the Commission inspectors shall, wherever appropriate and practicable, deliver an informal oral summary of their findings on the spot. In any case, the appropriate authority shall be informed promptly of any serious deficiencies identified by a Commission inspection.

*Article 10***Inspection report**

1. Within six weeks of completion of an inspection, an inspection report shall be communicated by the Commission to the appropriate authority.

The appropriate authority shall relate the relevant findings to the inspected entities.

2. The report shall identify findings established during the inspection and deficiencies.

The report may contain recommendations for remedial action.

3. When assessing the implementation of Regulation (EC) No 2320/2002, the following classifications shall apply:

- (a) fully compliant;
- (b) compliant, but improvement desirable;
- (c) not compliant, with minor deficiencies;
- (d) not compliant, with serious deficiencies;
- (e) not applicable;
- (f) not confirmed.

*Article 11***Answer of the appropriate authority**

Within three months of the date of dispatch of an inspection report, the appropriate authority shall submit in writing to the Commission an answer to the report which:

- (a) addresses the findings and recommendations;
- (b) provides an action plan, specifying actions and deadlines, to remedy any identified deficiencies.

Where the inspection report identifies no deficiencies, no answer shall be required.

*Article 12***Action by the Commission**

The Commission may take any of the following steps in the event of deficiencies and following receipt of the answer of the appropriate authority:

- (a) submit comments to the appropriate authority or request further explanation to clarify all or part of the answer;
- (b) conduct a follow-up to check the implementation of remedial actions, the minimum notice for such a follow-up being two weeks;
- (c) initiate an infringement procedure in respect of the Member State concerned.

CHAPTER IV

GENERAL AND FINAL PROVISIONS*Article 13***Sensitive information**

Without prejudice to Article 8 of Regulation (EC) No 2320/2002, the Commission shall treat sensitive inspection-related materials as classified information.

*Article 14***Commission inspection programme**

1. The Commission shall seek advice from the Committee on the priorities for the implementation of its inspection programme.
2. The Commission shall inform the Committee on a regular basis about the implementation of its inspection programme as well as about the results of the assessments.

*Article 15***Information to appropriate authorities of serious deficiencies**

If an inspection discloses a serious deficiency which is deemed to have significant impact on the overall level of civil aviation security in the Community, the Commission shall immediately inform the appropriate authorities.

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

Done at Brussels, 22 August 2003.

*Article 16***Coordination with intergovernmental organisations**

When planning its inspection programme, the Commission shall take into consideration the planned or recently undertaken security audits of intergovernmental organisations in order to ensure the overall effectiveness of the various security inspection and audit activities.

*Article 17***Review**

By 31 July 2005 and regularly thereafter the Commission shall review its system of inspections, and in particular the effectiveness of that system and its consistency with the activities of intergovernmental organisations in this field.

*Article 18***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*.

For the Commission
Loyola DE PALACIO
Vice-President

**COMMISSION REGULATION (EC) No 1487/2003
of 22 August 2003**

amending Regulation (EC) No 1555/96 as regards the trigger levels for additional duties on apples

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾, as last amended by Commission Regulation (EC) No 47/2003 ⁽²⁾, and in particular Article 33(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1555/96 of 30 July 1996 on rules of application for additional import duties on fruit and vegetables ⁽³⁾, as last amended by Regulation (EC) No 933/2003 ⁽⁴⁾, provides for surveillance of imports of the products listed in the Annex thereto. That surveillance is to be carried out in accordance with the rules laid down in Article 308d of Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽⁵⁾, as last amended by Regulation (EC) No 881/2003 ⁽⁶⁾.

- (2) For the purposes of Article 5(4) of the Agreement on Agriculture ⁽⁷⁾ concluded during the Uruguay Round of multilateral trade negotiations and in the light of the latest data available for 2000, 2001 and 2002, the trigger levels for additional duties on apples should be adjusted.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 1555/96 is hereby replaced by the Annex hereto.

Article 2

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

It shall apply from 1 September 2003.

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

Done at Brussels, 22 August 2003.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 7, 11.1.2003, p. 64.

⁽³⁾ OJ L 193, 3.8.1996, p. 1.

⁽⁴⁾ OJ L 133, 29.5.2003, p. 40.

⁽⁵⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁶⁾ OJ L 134, 29.5.2003, p. 1.

⁽⁷⁾ OJ L 336, 23.12.1994, p. 22.

ANNEX

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Without prejudice to the rules governing the interpretation of the combined nomenclature, the description of the products is deemed to be indicative only. The scope of the additional duties for the purposes of this Annex is determined by the scope of the CN codes as they exist at the time of the adoption of this Regulation. Where "ex" appears before the CN code, the scope of the additional duties is determined both by the scope of the CN code and by the corresponding trigger period.

Serial No	CN code	Description	Trigger period	Trigger level (tonnes)
78.0015 78.0020	ex 0702 00 00	Tomatoes	1 October to 31 March 1 April to 30 September	190 815 17 676
78.0065 78.0075	ex 0707 00 05	Cucumbers	1 May to 31 October 1 November to 30 April	7 037 4 555
78.0085	ex 0709 10 00	Artichokes	1 November to 30 June	1 109
78.0100	0709 90 70	Courgettes	1 January to 31 December	50 201
78.0110	ex 0805 10 10 ex 0805 10 30 ex 0805 10 50	Oranges	1 December to 31 May	331 166
78.0120	ex 0805 20 10	Clementines	1 November to end of February	81 509
78.0130	ex 0805 20 30 ex 0805 20 50 ex 0805 20 70 ex 0805 20 90	Mandarins (including tangerines and satsumas); wilkings and similar citrus hybrids	1 November to end of February	85 422
78.0155 78.0160	ex 0805 50 10	Lemons	1 June to 31 December 1 January to 31 May	249 206 14 827
78.0170	ex 0806 10 10	Table grapes	21 July to 20 November	62 101
78.0175 78.0180	ex 0808 10 20 ex 0808 10 50 ex 0808 10 90	Apples	1 January to 31 August 1 September to 31 December	642 617 42 076
78.0220 78.0235	ex 0808 20 50	Pears	1 January to 30 April 1 July to 31 December	239 999 25 357
78.0250	ex 0809 10 00	Apricots	1 June to 31 July	4 156
78.0265	ex 0809 20 95	Cherries, other than sour cherries	21 May to 10 August	62 483
78.0270	ex 0809 30	Peaches, including nectarines	11 June to 30 September	3 378
78.0280	ex 0809 40 05	Plums	11 June to 30 September	81 605'

COMMISSION REGULATION (EC) No 1488/2003
of 22 August 2003
determining the world market price for unginning cotton

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Protocol 4 on cotton, annexed to the Act of Accession of Greece, as last amended by Council Regulation (EC) No 1050/2001 ⁽¹⁾,

Having regard to Council Regulation (EC) No 1051/2001 of 22 May 2001 on production aid for cotton ⁽²⁾, and in particular Article 4 thereof,

Whereas:

- (1) In accordance with Article 4 of Regulation (EC) No 1051/2001, a world market price for unginning cotton is to be determined periodically from the price for ginned cotton recorded on the world market and by reference to the historical relationship between the price recorded for ginned cotton and that calculated for unginning cotton. That historical relationship has been established in Article 2(2) of Commission Regulation (EC) No 1591/2001 of 2 August 2001 ⁽³⁾, as amended by Regulation (EC) No 1486/2002 ⁽⁴⁾. Where the world market price cannot be determined in this way, it is to be based on the most recent price determined.
- (2) In accordance with Article 5 of Regulation (EC) No 1051/2001, the world market price for unginning cotton is to be determined in respect of a product of specific characteristics and by reference to the most favourable

offers and quotations on the world market among those considered representative of the real market trend. To that end, an average is to be calculated of offers and quotations recorded on one or more European exchanges for a product delivered cif to a port in the Community and coming from the various supplier countries considered the most representative in terms of international trade. However, there is provision for adjusting the criteria for determining the world market price for ginned cotton to reflect differences justified by the quality of the product delivered and the offers and quotations concerned. Those adjustments are specified in Article 3(2) of Regulation (EC) No 1591/2001.

- (3) The application of the above criteria gives the world market price for unginning cotton determined hereinafter,

HAS ADOPTED THIS REGULATION:

Article 1

The world price for unginning cotton as referred to in Article 4 of Regulation (EC) No 1051/2001 is hereby determined as equalling EUR 27,751/100 kg.

Article 2

This Regulation shall enter into force on 23 August 2003.

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

Done at Brussels, 22 August 2003.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 148, 1.6.2001, p. 1.

⁽²⁾ OJ L 148, 1.6.2001, p. 3.

⁽³⁾ OJ L 210, 3.8.2001, p. 10.

⁽⁴⁾ OJ L 223, 20.8.2002, p. 3.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 14 August 2003

conferring management of aid on implementing agencies for pre-accession measures in agriculture and rural development in the Republic of Bulgaria in the pre-accession period

(2003/614/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1266/1999 of 21 June 1999 on coordinating aid to the applicant countries in the framework of the pre-accession strategy and amending Regulation (EEC) No 3906/89⁽¹⁾, and in particular Article 12(2) thereof,

Having regard to Council Regulation (EC) No 1268/1999 of 21 June 1999 on Community support for pre-accession measures for agriculture and rural development in the applicant countries of central and eastern Europe in the pre-accession period⁽²⁾, as last amended by Regulation (EC) No 696/2003⁽³⁾, and in particular Article 4(5) and (6) thereof,

Whereas:

(1) The Special Accession Programme for Agriculture and Rural Development for the Republic of Bulgaria (hereinafter Sapard) was approved by Commission Decision of 20 October 2000⁽⁴⁾, and amended by Commission Decision of 21 May 2002 in accordance with Article 4(5) of Regulation (EC) No 1268/1999.

(2) The Government of the Republic of Bulgaria and the Commission, acting on behalf of the Community, signed on 18 December 2000 the Multiannual Financing Agreement laying down the technical, legal and administrative framework for the execution of the Sapard, as amended by the Annual Financing Agreement for 2001, signed on 19 February 2002 which finally entered into force on 29 July 2002.

(3) A Sapard Agency has been appointed by the competent authority of the Republic of Bulgaria for the implementation of some of the measures defined in the Sapard. The Ministry of Finance, National Fund, has been appointed for the financial functions it is due to perform in the framework of the implementation of the Sapard.

(4) On the basis of a case-by-case analysis of the national and sectorial programme/project management capacity, financial control procedures and structures regarding public finance, as provided for in Article 12(2) of Regulation (EC) No 1266/1999, the Commission adopted the Decision 2001/380/EC of 14 May 2001 conferring management of aid on implementing agencies for pre-accession measures in agriculture and rural development in the Republic of Bulgaria in the pre-accession period⁽⁵⁾ with regard to certain measures provided for in the Sapard.

(5) The Commission has since undertaken a further analysis under Article 12(2) of Regulation (EC) No 1266/1999 in respect of Measures 1.2.1 'Wholesale markets', 1.4 'Forestry and afforestation of agricultural areas, investment in forestry holdings, processing and marketing of forestry products', 1.5 'Setting up producer groups', 2.2 'Renovation and development of villages, protection and conservation of rural heritage and cultural traditions', 2.3 'Development and improvement of rural infrastructure', 3.1 'Improvement of vocational training' and 4.1 'Technical assistance' as provided for in the Sapard. The Commission considers that, also with regard to those measures, the Republic of Bulgaria complies with the provisions of Articles 4 to 6 and of the Annex to

⁽¹⁾ OJ L 161, 26.6.1999, p. 68.

⁽²⁾ OJ L 161, 26.6.1999, p. 87.

⁽³⁾ OJ L 99, 17.4.2003, p. 24.

⁽⁴⁾ C(2000) 3058 final.

⁽⁵⁾ OJ L 134, 17.5.2001, p. 65.

Commission Regulation (EC) No 2222/2000 of 7 June 2000 laying down financial rules for the application of Council Regulation (EC) No 1268/1999 on Community support for pre-accession measures for agriculture and rural development in the applicant countries of central and eastern Europe in the pre-accession period ⁽¹⁾, as last amended by Regulation (EC) No 188/2003 ⁽²⁾, and with the minimum conditions set out in the Annex to Regulation (EC) No 1266/1999.

- (6) It is therefore appropriate to waive the *ex ante* approval requirement provided for in Article 12(1) of Regulation (EC) No 1266/1999 and to confer, with regard to Measures 1.2.1, 1.4, 1.5, 2.2, 2.3, 3.1 and 4.1, on the State Agriculture Fund and on the Ministry of Finance, Directorate National Fund in the Republic of Bulgaria, the management of aid on a decentralised basis.
- (7) Since the verifications carried out by the Commission for measures 1.2.1, 1.4, 1.5, 2.2, 2.3, 3.1 and 4.1 are based on a system that is not yet fully operating with regard to all relevant elements, however, it is appropriate to confer the management of the Sapard on the State Agriculture Fund and on the Ministry of Finance, Directorate National Fund, according to Article 3(2) of Regulation (EC) No 2222/2000, on a provisional basis.
- (8) On 3 July 2003 the Bulgarian authorities proposed the rules for the eligibility of expenditure in accordance with Article 4(1) of section B of the Multiannual Financing Agreement. The Commission is called upon to take a decision in this respect.
- (9) Full conferral of management of the Sapard is only envisaged after further verifications to ensure that the system operates satisfactorily have been carried out and after any recommendations which the Commission may issue with regard to the conferral of management of aid on the State Agriculture Fund and on the Ministry of Finance, Directorate National Fund, have been implemented,

HAS DECIDED AS FOLLOWS:

Article 1

The requirement of *ex ante* approval by the Commission of project selection and contracting for measures 1.2.1, 1.4, 1.5, 2.2, 2.3, 3.1 and 4.1 by the Republic of Bulgaria provided for in Article 12(1) of Regulation (EC) No 1266/1999 is hereby waived.

Article 2

Management of the Sapard is conferred on a provisional basis on:

1. the State Agriculture Fund (Sapard Agency) located at 55 Hristo Botev Boulevard, 1040 Sofia, Bulgaria, for the implementation of measures 1.2.1, 1.4, 1.5, 2.2, 2.3, 3.1 and 4.1 of the Sapard as defined in the Programme for Agricultural and Rural Development that was approved by Commission Decision of 20 October 2000; and
2. the Ministry of Finance, Directorate National Fund, located at 102 Radkovski Street, 1040 Sofia, Bulgaria, for the financial functions it is due to perform in the framework of the implementation of the Sapard for measures 1.2.1, 1.4, 1.5, 2.2, 2.3, 3.1 and 4.1 for the Republic of Bulgaria.

Article 3

Without prejudice to any Decisions granting aid under the Sapard programme to individual beneficiaries, the rules for eligibility of expenditure proposed by the Republic of Bulgaria by letter of 3 July 2003 shall apply.

Done at Brussels, 14 August 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 253, 7.10.2000, p. 5.

⁽²⁾ OJ L 27, 1.2.2003, p. 14.

COMMISSION DECISION

of 14 August 2003

conferring management of aid on implementing agencies for pre-accession measures in agriculture and rural development in the Slovak Republic in the pre-accession period

(2003/615/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1266/1999 of 21 June 1999 on coordinating aid to the applicant countries in the framework of the pre-accession strategy and amending Regulation (EEC) No 3906/89⁽¹⁾, and in particular Article 12(2) thereof,

Whereas:

- (1) The Special Accession Programme for Agriculture and Rural Development for the Slovak Republic (hereinafter Sapard) was approved by Commission Decision of 17 November 2000⁽²⁾, and amended by Commission Decision of 5 March 2002, of 31 July 2002 and 20 March 2003 in accordance with Article 4(5) of Council Regulation (EC) No 1268/1999 of 21 June 1999 on Community support for pre-accession measures for agriculture and rural development in the applicant countries of central and eastern Europe in the pre-accession period⁽³⁾, as last amended by Regulation (EC) No 696/2003⁽⁴⁾.
- (2) The Government of the Slovak Republic and the Commission, acting on behalf of the Community, signed on 26 March 2001 the Multiannual Financing Agreement laying down the technical, legal and administrative framework for the execution of the Sapard, amended by the Annual Financing Agreement for 2001, signed on 11 September 2002. This amendment entered into force after ratification by both parties on 4 November 2002.
- (3) A Sapard Agency has been appointed by the competent authority of the Slovak Republic for the implementation of some of the measures defined in the Sapard. The Ministry of Finance, National Fund, has been appointed for the financial functions it is due to perform in the framework of the implementation of the Sapard.
- (4) On the basis of a case-by-case analysis of the national and sectorial programme/project management capacity, financial control procedures and structures regarding public finance, as provided for in Article 12(2) of

Regulation (EC) No 1266/1999, the Commission adopted the Decision 2002/299/EC of 15 April 2002 conferring management of aid on implementing agencies for pre-accession measures in agriculture and rural development in the Slovak Republic in the pre-accession period⁽⁵⁾ with regard to certain measures provided for in the Sapard.

- (5) The Commission has since undertaken a further analysis under Article 12(2) of Regulation (EC) No 1266/1999 in respect of Measures 3 'Setting-up producers group', 4b 'Diversification activities in rural areas', 6 'Agricultural production methods designed to protect the environment and maintain the countryside', 8 'Development of human resources' and 9 'Technical assistance' as provided for in Sapard. The Commission considers that, also with regard to those measures, the Slovak Republic complies with the provisions of Articles 4 to 6 and of the Annex to Commission Regulation (EC) No 2222/2000 of 7 June 2000 laying down financial rules for the application of Council Regulation (EC) No 1268/1999 on Community support for pre-accession measures for agriculture and rural development in the applicant countries of central and eastern Europe in the pre-accession period⁽⁶⁾, as last amended by Regulation (EC) No 188/2003⁽⁷⁾, and with the minimum conditions set out in the Annex to Regulation (EC) No 1266/1999.
- (6) It is therefore appropriate to waive the *ex ante* approval requirement provided for in Article 12(1) of Regulation (EC) No 1266/1999 and to confer, with regard to Measures 3, 4b, 6, 8 and 9, on the Sapard Agency and on the Ministry of Finance, National Fund in the Slovak Republic, the management of aid on a decentralised basis.
- (7) Since the verifications carried out by the Commission for measures 3, 4b, 6, 8 and, 9 are based on a system that is not yet fully operating with regard to all relevant elements, however, it is appropriate to confer the management of the Sapard on the Sapard Agency and on the Ministry of Finance, National Fund, according to Article 3(2) of Regulation (EC) No 2222/2000, on a provisional basis.

⁽¹⁾ OJ L 161, 26.6.1999, p. 68.⁽²⁾ C(2000) 3327 final.⁽³⁾ OJ L 161, 26.6.1999, p. 87.⁽⁴⁾ OJ L 99, 17.4.2003, p. 24.⁽⁵⁾ OJ L 102, 18.4.2002, p. 34.⁽⁶⁾ OJ L 253, 7.10.2000, p. 5.⁽⁷⁾ OJ L 27, 1.2.2003, p. 14.

- (8) Full conferral of management of the Sapard is only envisaged after further verifications to ensure that the system operates satisfactorily have been carried out and after any recommendations which the Commission may issue with regard to the conferral of management of aid on the Sapard Agency and on the Ministry of Finance, National Fund, have been implemented.
- (9) According to the second indent of Article 9(1) of Regulation (EC) No 2222/2000 expenditure with regard to feasibility and related studies and for technical assistance incurred by the beneficiary before the date of the Commission Decision conferring management may be reimbursable. It is therefore appropriate to fix the date as of which such expenditure may be reimbursed,

HAS DECIDED AS FOLLOWS:

Article 1

The requirement of *ex ante* approval by the Commission of project selection and contracting for Measures 3, 4b, 6, 8, and 9 by the Slovak Republic provided for in Article 12(1) of Regulation (EC) No 1266/1999 is hereby waived.

Article 2

Management of the Sapard is conferred on a provisional basis on:

1. The Sapard Agency of the Slovak Republic located at 12 Dobrovičova, 81 266 Bratislava, for the implementation of Measures 3, 4b, 6, 8 and 9 as defined in the Programme for Agricultural and Rural Development that was approved by the Commission Decision of 17 November 2000; and

2. The Ministry of Finance, National Fund, located at 5 Štefanovičova, 81 782 Bratislava, for the financial functions it is due to perform in the framework of the implementation of the Sapard for measures 3, 4b, 6, 8 and 9 for the Slovak Republic.

Article 3

Expenditure pursuant to this Decision shall be eligible for Community co-finance only if incurred by beneficiaries from the date of adoption of this Decision or, if later, from the date of conclusion of the instrument making them a beneficiary for the project in question, except for feasibility and related studies and for technical assistance, where this date shall be 15 April 2002, provided in all cases it has not been paid by the Sapard Agency prior to the date of adoption of this Decision.

Done at Brussels, 14 August 2003.

For the Commission

Franz FISCHLER

Member of the Commission

CORRIGENDA**Corrigendum to Commission Decision 80/765/EEC of 8 July 1980 laying down a code and standard rules for the transcription into a machine-readable form of the data relating to the intermediate statistical surveys of areas under vines**

(Official Journal of the European Communities L 213 of 16 August 1980)

On page 39, in Annex I, table 8, yield class III, changes, column 2:

for: '2',

read: '3'.

Corrigendum to Commission Decision 2003/96/EC of 17 July 2003 amending Decision 2000/96/EC as regards the operation of dedicated surveillance network

(Official Journal of the European Union L 185 of 24 July 2003)

On page 57, under point 2.5.4:

for: 'Viral haemorrhagic fevers (*)',

read: 'Viral haemorrhagic fevers'.
