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Legislation

Contents

[1] Text with EEA relevance

(Continued overleaf)

Contents (continued)

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1846/2003

of 20 October 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 21 October 2003.

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

Done at Brussels, 20 October 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 20 October 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	86,8
	060	73,8
	064	88,6
	096	51,1
	204	82,0
	999	76,5
0707 00 05	052	112,4
	999	112,4
0709 90 70	052	101,8
	999	101,8
0805 50 10	052	90,0
	388	102,8
	524	50,4
	528	56,3
	999	74,9
0806 10 10	052	95,7
	400	194,0
	508	398,8
	624	230,3
	999	229,7
0808 10 20, 0808 10 50, 0808 10 90	060	32,8
	096	41,3
	388	72,1
	400	69,2
	404	79,9
	720	42,4
	800	175,4
	804	104,1
	999	77,2
0808 20 50	052	105,2
	060	44,5
	064	60,3
	999	70,0

(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 1847/2003

of 20 October 2003

concerning the provisional authorisation of a new use of an additive and the permanent authorisation of an additive already authorised in feedingstuffs

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs [1], as last amended by Commission Directive 2003/7/EC [2], and in particular Article 3, Article 9d(1) and Article 9e(1) thereof,

Whereas:

(1) Directive 70/524/EEC provides that a new use of an additive already authorised requires a Community authorisation.

(2) In the case of additives referred to in Part II of Annex C to Directive 70/524/EEC, which include enzymes, provisional authorisation of a new use of an additive in feedingstuffs may be given if the conditions laid down in that Directive are satisfied and if it is reasonable to assume, in view of the available results, that when used in animal nutrition, it has one of the effects referred to in Article 2(a) of that Directive. Such provisional authorisation may be given for a period not exceeding four years.

(3) The enzyme referred to in Annex I to this Regulation (the enzyme) was provisionally authorised for chickens for fattening for the first time by Commission Regulation (EC) No 1436/98 [3], following a favourable opinion of the Scientific Committee for Animal Nutrition (SCAN), in particular with regard to the safety of the product. The provisional authorisation of that additive was extended until 30 June 2004 by Commission Regulation (EC) No 2200/2001 [4].

(4) New data were submitted by the producing company in support of the application to extend the authorisation of the use of the enzyme to turkeys for fattening.

(5) The assessment of the application for authorisation submitted in respect of the new use of the enzyme shows that the conditions provided for in Directive 70/524/EEC for provisional authorisation are satisfied.

(6) On 27 March 2003, the SCAN delivered a favourable opinion on the safety of the enzyme for turkeys for fattening under the conditions laid down in this Regulation.

(7) Directive 70/524/EEC provides that additives referred to in Part II of Annex C to that Directive may be authorised without a time limit if the conditions laid down in Article 3(a) are satisfied.

(8) The micro-organism referred to in Annex II to this Regulation (the micro-organism) was provisionally authorised for the first time by Commission Regulation (EC) No 1436/98, following a favourable opinion of the SCAN, in particular with regard to the safety of the product. The provisional authorisation of the micro-organism was extended until 30 June 2004 by Regulation (EC) No 2200/2001.

(9) New data were submitted by the producing company in support of the application for authorisation without a time limit of the micro-organism.

(10) The assessment of the application for authorisation submitted in respect of the micro-organism, shows that all the conditions required for an authorisation without a time limit as provided for in Directive 70/524/EEC are satisfied.

(11) On 2 December 2002, the SCAN delivered a favourable opinion on the efficacy of the micro-organism under certain conditions laid down in this Regulation.

(12) Accordingly, it is appropriate that the use of the enzyme for turkeys for fattening should be authorised for a period of four years, and the use of the micro-organism for piglets up to 35 kg should be authorised without a time limit.

(13) The assessments of the two applications shows that certain procedures are required to protect workers from exposure to the enzyme and the micro-organism. However, such protection is assured by the application of Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work [5].

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

[1] OJ L 270, 14.12.1970, p. 1.
[2] OJ L 22, 25.1.2003, p. 28.
[3] OJ L 191, 7.7.1998, p. 15.
[4] OJ L 299, 15.11.2001, p. 1.
[5] OJ L 183, 29.6.1989, p. 1.

HAS ADOPTED THIS REGULATION:

Article 1

The additive belonging to the group 'enzymes' referred to in Annex I is authorised for use as an additive in feedingstuffs under the conditions laid down in that Annex.

Article 2

The additive belonging to the group 'micro-organisms' referred to in Annex II is authorised for use as additive in feedingstuffs under the conditions laid down in that Annex.

Article 3

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, 20 October 2003.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

No (or EC No)	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
					Units of activity/kg of complete feedingstuff			
'Enzymes								
14	Endo-1,4-beta-xylanase EC 3.2.1.8.	Preparation of endo-1,4-beta-xylanase produced by *Aspergillus niger* (CBS 520.94) having a minimum activity of: Solid form: 600 U/g (1) Liquid form: 300 U/ml	Turkeys for fattening	—	300 U	—	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life, and stability to pelleting 2. Recommended dose per kg of complete feedingstuff: 300 — 1 200 U 3. For use in compound feed rich in non-starch polysaccharides, (mainly arabinoxylans) e.g. containing more than 40 % wheat.	24.10.2007

(1) One U is the amount of enzyme which liberates 1 micromole of xylose from birchwood xylan per minute at pH 5,3 and 50 °C.'

ANNEX II

No (or EC No)	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
					CFU/kg of complete feedingstuff			
'Micro-organisms								
E 1703	*Saccharomyces cerevisiae* CNCM I-1079	Preparation of *Saccharomyces cerevisiae* containing a minimum of: 2×10^{10} CFU/g additive	Piglets	—	2×10^{9}	6×10^{9}	For piglets until approximately 35 kg. In the direction for use of the additive and premixture, indicate the storage temperature, storage life, and stability to pelleting.	Without a time limit'

COMMISSION REGULATION (EC) No 1848/2003
of 20 October 2003
prohibiting fishing for cod by vessels flying the flag of Portugal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy [1], as last amended by Regulation (EC) No 806/2003 [2], and in particular Article 21(3) thereof,

Whereas:

(1) Council Regulation (EC) No 2341/2002 of 20 December 2002 fixing for 2003 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required [3], as last amended by Regulation (EC) No 1407/2003 [4], lays down quotas for cod for 2003.

(2) In order to ensure compliance with the provisions relating to the quantity limits on catches of stocks subject to quotas, the Commission must fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated.

(3) According to the information received by the Commission, catches of cod in the waters of ICES divisions I, II (Norwegian waters), by vessels flying the flag of Portugal or registered in Portugal have exhausted the quota allocated for 2003. Portugal has prohibited fishing for this stock from 25 September 2003. This date should consequently be adopted in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of cod in the waters of ICES divisions I, II (Norwegian waters) by vessels flying the flag of Portugal or registered in Portugal are hereby deemed to have exhausted the quota allocated to Portugal for 2003.

Fishing for cod in the waters of ICES divisions I, II (Norwegian waters), by vessels flying the flag of Portugal or registered in Portugal is hereby prohibited, as are the retention on board, transhipment and landing of this stock caught by the above vessels after the date of application of this Regulation.

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 25 September 2003.

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

Done at Brussels, 20 October 2003.

For the Commission
Jörgen HOLMQUIST
Director-General for Fisheries

[1] OJ L 261, 20.10.1993, p. 1.
[2] OJ L 122, 16.5.2003, p. 1.
[3] OJ L 356, 31.12.2002, p. 12.
[4] OJ L 201, 8.8.2003, p. 3.

COMMISSION REGULATION (EC) No 1849/2003
of 20 October 2003
determining the world market price for unginned 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 unginned 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 unginned 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 unginned 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 unginned cotton determined hereinafter,

HAS ADOPTED THIS REGULATION:

Article 1

The world price for unginned cotton as referred to in Article 4 of Regulation (EC) No 1051/2001 is hereby determined as equalling EUR 34,495/100 kg.

Article 2

This Regulation shall enter into force on 21 October 2003.

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

Done at Brussels, 20 October 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)

COUNCIL

COUNCIL DECISION

of 22 September 2003

approving the conclusion by the Commission of an Agreement for cooperation in the peaceful uses of nuclear energy between the European Atomic Energy Community (Euratom) and the Government of the Republic of Uzbekistan

(2003/744/Euratom)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas:

(1) In accordance with Council directives, adopted by Council Decision of 26 June 2000, the Commission has negotiated an Agreement for cooperation in the peaceful uses of nuclear energy between the European Atomic Energy Community (Euratom) and the Government of the Republic of Uzbekistan.

(2) The Commission should be authorised to conclude the Agreement,

HAS DECIDED AS FOLLOWS:

Sole Article

The Commission is hereby authorised to conclude an Agreement for cooperation in the peaceful uses of nuclear energy between the European Atomic Energy Community (Euratom) and the Government of the Republic of Uzbekistan.

The text of the Agreement is attached to this Decision.

Done at Brussels, 22 September 2003.

For the Council

The President

F. FRATTINI

AGREEMENT

for cooperation in the peaceful uses of nuclear energy between the European Atomic Energy Community (Euratom) and the Government of the Republic of Uzbekistan

THE EUROPEAN ATOMIC ENERGY COMMUNITY (EURATOM), hereinafter referred to as 'the Community', and

THE GOVERNMENT OF THE REPUBLIC OF UZBEKISTAN hereinafter referred to as 'Uzbekistan',

both also generally referred to hereinafter as the 'Party' or 'Parties', as appropriate.

MINDFUL that the Partnership and Cooperation Agreement (PCA) between the European Communities and their Member States and Uzbekistan, which entered into force on 1 July 1999, establishes that trade in nuclear materials is to be subject to the provisions of a specific Agreement to be concluded between Euratom and Uzbekistan,

WHEREAS all Member States of the Community and Uzbekistan are Parties to the Treaty on the Non-proliferation of Nuclear Weapons, hereinafter referred to as 'the Non-proliferation Treaty',

WHEREAS the Community, its Member States and Uzbekistan are committed to ensuring that the research, development and use of nuclear energy for peaceful purposes are carried out in a manner consistent with the objectives of the Non-proliferation Treaty,

WHEREAS nuclear safeguards are applied in the Community both under Chapter VII of the Euratom Treaty and under safeguards agreements concluded between the Community, its Member States and the International Atomic Energy Agency, hereinafter referred to as 'the IAEA',

WHEREAS nuclear safeguards are applied in Uzbekistan according to a safeguards agreement between Uzbekistan and the IAEA,

WHEREAS the Community, its Member States and Uzbekistan reaffirm their support of the IAEA and of its strengthened safeguards system,

WHEREAS it is appropriate to strengthen the basis for cooperation between the Parties in the civil nuclear sector by a framework agreement,

HAVE AGREED AS FOLLOWS:

CHAPTER I

OBJECTIVE AND SCOPE

Article 1

The objective of this Agreement is to provide a framework for cooperation between the Parties in the peaceful uses of nuclear energy with a view to strengthening the overall cooperation relationship between the Community and Uzbekistan on the basis of mutual benefit and reciprocity and without prejudice to the respective powers of each Party.

Article 2

1. The Parties may cooperate in the way as specified in Articles 3 to 7 below in the peaceful uses of nuclear energy in the following areas:

(a) nuclear safety (Article 3);

(b) nuclear research and development in other areas than those provided for under (a) above (Article 6);

(c) trade in nuclear materials and provision of nuclear fuel cycle services (Article 7);

(d) other relevant areas of mutual interest (Article 8).

2. The cooperation referred to in this Article, as between the Parties, may also take place between authorised persons and undertakings established in the Community and Uzbekistan.

CHAPTER II

NUCLEAR SAFETY AND SECURITY

Article 3

1. The cooperation shall encourage and contribute to the improvement of nuclear safety, including the definition and application of scientifically warranted and internationally accepted nuclear safety guidelines, as well as to the implementation of the Convention on Nuclear Safety as far as the Parties are concerned.

2. The cooperation shall be as broad as possible and involve the following areas:

(a) Radiation protection

Research, regulatory aspects, development of safety standards, training and education. Particular attention shall be paid to low-dose effects, industrial exposure, forecasting of doses and personnel and post-accident management;

(b) Nuclear waste management

Assessment and optimisation of geological disposal, and scientific aspects of the management of nuclear waste;

(c) Research and development on safeguards of nuclear material

Development and evaluation of nuclear material measurement techniques and characterisation of reference materials for safeguards activities and development of the systems of accounting for and control of nuclear materials;

(d) Prevention of illicit trafficking of nuclear and radioactive material

Cooperation shall relate to the promotion of methods and techniques of control of nuclear and radioactive material.

3. Other areas of cooperation under this Chapter may be added as agreed between the Parties and as far as they can be implemented under their respective legislation.

Article 4

1. The cooperation under this Chapter shall be implemented in particular through:

— exchange of technical information by means of reports, visits, seminars, technical meetings, etc.,

— exchange of personnel between laboratories and/or bodies involved on both sides, including for training purposes,

— exchange of samples, materials, instruments and apparatus for experimental purposes,

— balanced participation in joint studies and activities.

2. To the extent necessary, implementing arrangements to set out the scope, terms and conditions to implement specific cooperation activities, may be entered into by the Parties and/or bodies which either Party may eventually entrust with the aforementioned activities. Such implementing arrangements may, *inter alia*, cover financing provisions, assignment of management responsibilities and detailed provisions on dissemination of information and intellectual property rights.

3. In order to minimise duplication of efforts, the Parties shall endeavour to coordinate their activities under this Agreement with other international activities related to nuclear safety in which they are participants.

Article 5

1. Each Party's obligations under this Chapter shall be subject to the availability of the required funds.

2. All costs resulting from this cooperation shall be borne by the Party that incurs them.

CHAPTER III

OTHER AREAS OF NUCLEAR RESEARCH AND DEVELOPMENT

Article 6

1. Cooperation under this chapter shall extend to nuclear research and development activities of mutual interest to the Parties other than those provided for in Article 3, as agreed between the Parties, insofar as they are covered by respective research and development activities undertaken by the Parties.

2. The cooperation may include in particular the following areas:

(a) applications of nuclear energy in the fields of medicine and industry, including generation of electricity;

(b) interaction between nuclear energy and the environment;

(c) any other area of nuclear research and development as agreed between the Parties and as far as they can be implemented under their respective legislations.

3. The cooperation shall be implemented in particular through:

— exchange of technical information by means of reports, visits, seminars, technical meetings, etc.,

— exchange of personnel between laboratories and/or bodies involved on both sides, including for training purposes,

— exchange of samples, materials, instruments and apparatus for experimental purposes,

— balanced participation in joint studies and activities.

4. (a) To the extent necessary, the scope, terms and conditions for cooperation in concrete projects will be laid down in implementing arrangements, entered into by the Parties acting through their competent institutions which will proceed according to their respective legislative and regulatory requirements.

(b) Such implementing arrangements may, *inter alia*, cover financing provisions, assignment of management responsibilities and detailed provisions on dissemination of information and intellectual property rights.

(c) Costs resulting from cooperation activities shall be borne by the Party that incurs them, unless otherwise specifically agreed by the Parties.

(d) Any nuclear transfers carried out pursuant to the cooperation activities under this chapter shall be made in accordance with the relevant international and multilateral commitments of the Parties and of the Member States of the European Union in relation to peaceful uses of nuclear energy as listed in Article 7(5).

CHAPTER IV

TRADE IN NUCLEAR MATERIALS AND PROVISION OF RELEVANT SERVICES

Article 7

1. Nuclear material transferred between the Parties, whether directly or through a third country, shall become subject to this Agreement upon its entry into the territorial jurisdiction of the receiving Party, provided that the supplying Party has notified the receiving Party in writing prior to, or at the time of, shipment, in accordance with procedures defined in an Administrative Arrangement to be established by the appropriate authorities of the Parties.

2. Nuclear material referred to in paragraph 1 above shall remain subject to the provisions of this Agreement until

— it is determined in accordance with the provisions for the termination of safeguards in the relevant agreement referred to in paragraph 5(e), that it is no longer usable for any nuclear activity relevant from the point of view of safeguards, or has become practicably irrecoverable,

— it has been transferred beyond the jurisdiction of the recipient Party in accordance with paragraph 5(e), or

— the Parties agree that it should no longer be subject to this Agreement.

3. Trade in nuclear materials and provision of relevant services between the Parties shall be carried out at market-related prices.

4. (a) The Parties shall try to avoid conflict situations requiring commercial safeguard measures in their mutual trade in nuclear materials. If problems nevertheless arise in their mutual trade in nuclear materials which would seriously jeopardise the viability of the nuclear industry, including uranium mining, of the Community or Uzbekistan, either Party may request consultations which shall be held as soon as possible in the framework of an ad hoc Committee.

(b) If no mutually acceptable solution to these problems can be found in the consultations, the Party having requested the consultations may take the appropriate commercial safeguard measures to solve them or mitigate their effects in accordance with its internal legislation and with the relevant principles of international law.

(c) The implementation of subparagraphs (a) and (b) above shall be without prejudice to the Euratom Treaty and secondary legislation thereunder, as well as to the legislation of Uzbekistan.

5. Transfers of nuclear material shall be subject to the following conditions:

(a) the nuclear material shall be used for peaceful purposes and not for any nuclear explosive device or for research on, or development of, any such device;

(b) the nuclear material shall be subject:

(i) in the Community, to the Euratom safeguards pursuant to the Euratom Treaty and to the IAEA safeguards pursuant to the following safeguards agreements, as relevant, and as they may be revised and replaced, so long as coverage as required by the Non-proliferation Treaty is provided for:

— the Agreement between the Community's non-nuclear weapon Member States, Euratom and the IAEA, which entered into force on 21 February 1977 (published as INFCIRC/193),

— the Agreement between France, Euratom and the IAEA, which entered into force on 12 September 1981 (published as INFCIRC/290),

— the Agreement between the United Kingdom, Euratom and the IAEA, which entered into force on 14 August 1978 (published as INFCIRC/263),

supplemented in due course by Additional Protocols concluded on 22 September 1998 on the basis of the document published as INFCIRC/540 (Model Protocol Additional to the Agreement(s) between State(s) and the IAEA for the Application of Safeguards);

(ii) in Uzbekistan, to the safeguards agreement concluded with the IAEA in implementation of Article III.(1) and (4) of the NPT, which entered into force on 8 October 1994 (published as INFCIRC/508); supplemented by an Additional Protocol concluded on 22 September 1998, on the basis of the document published as INFCIRC/540 (Model Protocol Additional to the Agreement(s) between State(s) and the IAEA for the Application of Safeguards), as well as to the legislation of Uzbekistan;

(c) in the event of the application of any of the Agreements with the IAEA referred to in paragraph (b) above being suspended or terminated for any reason within the Community or Uzbekistan, the relevant Party shall enter into an agreement with the IAEA which provides for effectiveness and coverage equivalent to that provided by the safeguards agreements referred to in paragraphs (b)(i) or (b)(ii), or, if that is not possible,

the Community, as far as it is concerned, shall apply safeguards based on the Euratom safeguards system, which provides for effectiveness and coverage equivalent to that provided by the safeguards agreements referred to in paragraph (b)(i) or, if that is not possible,

the Parties shall enter arrangements for the application of safeguards, which provide for effectiveness and coverage equivalent to that provided by the safeguards agreements referred to in paragraphs (b)(i) or (b)(ii);

(d) application of physical protection measures at levels which satisfy as a minimum the criteria set out in Annex C to IAEA document INFCIRC/254/Rev.5/Part 1 (Guidelines for Nuclear Transfers) as it may be revised; supplementary to this document, the Member States of the Community, the European Commission, as appropriate, and Uzbekistan will refer when applying physical protection measures to the recommendations in IAEA document INFCIRC/225/Rev.4 (Physical Protection of Nuclear Material and Nuclear Facilities) as it may be revised. International transport shall be subject to the provisions of the International Convention on the Physical Protection of Nuclear Material (IAEA document INFCIRC/274/Rev.1), as it may be revised and accepted by the Parties and the Member States of the Community and to the IAEA Regulations for the Safe Transport of Radioactive Materials (IAEA Safety Standards Series TS-R-1/ST-1, Revised), as they may be revised;

(e) retransfers of any items subject to this Article outside the jurisdiction of the Parties shall only be made under the conditions of the Guidelines for Nuclear Transfers, as set out in IAEA document INFCIRC/254/Rev.5/Part 1, as it may be revised.

6. (a) The Parties shall facilitate nuclear trade between themselves or between authorised persons or undertakings established in the respective territories of the Parties in the mutual interest of producers, the nuclear fuel cycle industry, utilities and consumers.

(b) Authorisations, including export and import licences as well as authorisations or consents to third parties, relating to trade, industrial operations or nuclear material movements on the territories of the Parties shall not be used to restrict trade or hinder the commercial interests of either Party on the peaceful use of nuclear energy both internationally and domestically. The relevant authority shall act upon applications for such authorisations as soon as possible after submission and without unreasonable expense. Appropriate administrative provisions shall be in place to ensure respect of this provision.

(c) Provisions of this Agreement shall not be used to impede the free movement of nuclear material within the territory of the Community.

7. Notwithstanding the suspension or termination of this Agreement for any reason, paragraph 5 shall continue to apply so long as any nuclear material subject to these provisions remains under the jurisdiction of either Party or until a determination is made in accordance with paragraph 2 above.

CHAPTER V

OTHER AREAS OF MUTUAL INTEREST

Article 8

1. The Parties may agree within the scope of their respective competences to cooperation in other activities in the field of nuclear energy.

2. On the Community's side, the activities would have to be covered by relevant programmes of action and correspond to the conditions specified for it, e.g. in areas such as the safe transport of nuclear material, safeguards or industrial cooperation to promote certain aspects of the safety of nuclear installations.

3. The provisions of Article 6(4) are equally applicable.

CHAPTER VI

GENERAL PROVISIONS

Article 9

Cooperation under this Agreement shall be in accordance with the laws and regulations in force within the Community and Uzbekistan as well as with the international agreements entered into by the Parties. In the case of the Community the applicable law includes the Euratom Treaty and secondary legislation thereunder.

Article 10

The utilisation and diffusion of information and intellectual property rights, patents and copyrights connected with the cooperation activities under this Agreement shall be in accordance with the Annexes, which form an integral part of this Agreement.

Article 11

1. The Parties will hold regular consultations within the PCA framework to monitor the cooperation under this Agreement unless the Parties foresee specific consultation mechanisms.

2. Any dispute relating to the application or interpretation of this Agreement may be dealt with according to Article 90 of the PCA.

Article 12

1. The Agreement shall enter into force on the date the Parties, through an exchange of diplomatic notes, specify its entry into force and shall remain in force for an initial period of five years.

2. Thereafter this Agreement shall be automatically renewed for five-year periods, unless either Party, by written notice, requests the termination or renegotiation of the Agreement not later than six months prior to the expiry date.

3. If either Party or any Member State of the Community violates any of the material provisions of this Agreement, the other Party may, on giving written notice to that effect, suspend or terminate cooperation under this Agreement in whole or in part. Before either Party takes action to that effect the Parties shall consult with a view to reaching agreement on the corrective measures to be taken and on the timescale within which such measures shall be taken. Such action shall be taken only if there has been failure to take the agreed measures within the agreed time or, in the event of failure to reach agreement as provided in the foregoing paragraph, after the lapse of a reasonable period of time having regard to the nature and gravity of the violation.

Article 13

For the purpose of this Agreement:

(a) 'nuclear material' means any source material or special fissionable material as those terms are defined in Article XX of the Statute of the IAEA;

(b) 'Community' means both:
   (i) the legal person created by the Treaty establishing the European Atomic Energy Community, Party to this Agreement;
   (ii) the territories to which this same Treaty applies;

(c) 'appropriate authorities of the Parties' means:
   (i) for the Community, the European Commission;
   (ii) for Uzbekistan, the Cabinet of Ministers of the Republic of Uzbekistan;

   or such other authority as the Party concerned may at any time notify to the other Party.

Article 14

This Agreement shall be drawn up in duplicate in the Danish, German, Greek, Spanish, French, Italian, Dutch, English, Finnish, Portuguese, Swedish and Uzbek languages, each text being equally authentic.

Hecho en Bruselas, el seis de octubre de dos mil tres.

Udfærdiget i Bruxelles, den sjette oktober to tusind og tre.

Geschehen zu Brüssel am sechsten Oktober zweitausendunddrei.

Έγινε στις Βρυξέλλες, στις έξι Οκτωβρίου δύο χιλιάδες τρία.

Done at Brussels on the sixth day of October in the year two thousand and three.

Fait à Bruxelles, le six octobre deux mille trois.

Fatto a Bruxelles, addì sei ottobre duemilatre.

Gedaan te Brussel, de zesde oktober tweeduizenddrie.

Feito em Bruxelas, em seis de Outubro de dois mil e três.

Tehty Brysselissä kuudentena päivänä lokakuuta vuonna kaksituhattakolme.

Som skedde i Bryssel den sjätte oktober tjugohundratre.

Ушбу Битим Брюсселда, 2003 йилнинг 6 октябрида тузилган.

Por la Comunidad Europea de la Energía Atómica

På vegne af Det Europæiske Atomenergifællesskab

Für die Europäische Atomgemeinschaft

Για την Ευρωπαϊκή Κοινότητα Ατομικής Ενέργειας

For the European Atomic Energy Community

Pour la Communauté européenne de l'énergie atomique

Per la Comunità europea dell'energia atomica

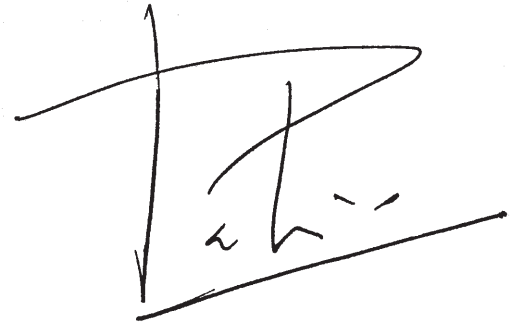
Voor de Europese Gemeenschap voor atoomenergie

Pela Comunidade Europeia da Energia Atómica

Euroopan atomienergiayhteisön puolesta

För Europeiska atomenergigemenskapen

Атом энергияси бўйича Европа Ҳамжамияти номидан



Por el Gobierno de la República de Uzbekistán

På vegne af Republikken Usbekistans regering

Für die Regierung der Republik Usbekistan

Για την κυβέρνηση της Δημοκρατίας του Ουζμπεκιστάν

For the Government of the Republic of Uzbekistan

Pour le gouvernement de l'Ouzbékistan

Per il governo della Repubblica di Uzbekistan

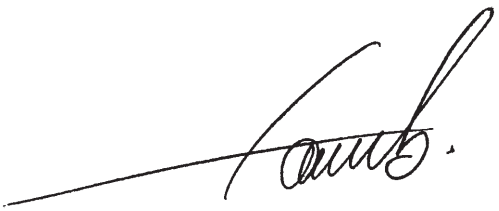
Voor de regering van de Republiek Oezbekistan

Pelo Governo da República do Usbequistão

Uzbekistanin tasavallan hallituksen puolesta

För Republiken Uzbekistans regering

Ўзбекистон Республикаси Ҳукумати номидан



ANNEX I

Guidelines on the allocation of intellectual property rights [1] resulting from joint research under the Agreement for cooperation in the peaceful uses of nuclear energy between the European Atomic Energy Community and the Government of the Republic of Uzbekistan

I. OWNERSHIP ALLOCATION AND EXERCISE OF RIGHTS

1. All research carried out pursuant to this Agreement shall be 'joint research'. The participants shall jointly develop joint technology management plans (TMPs) [2] in respect of the ownership and use, including publication, of information and intellectual property (IP) to be created in the course of joint research. Those plans shall be approved by the responsible funding agency or department of the Party involved in financing the research, before the conclusion of the specific research and development cooperation contracts to which they are attached. The TMPs shall be developed taking into account the aims of the joint research, the relative contributions of the participants, the advantages and disadvantages of licensing by territory or for fields of use, requirements imposed by laws applicable and other factors deemed appropriate by the participants.

2. Information or IP created in the course of joint research and not addressed in the TMP plan shall be allocated, with the approval of the Parties, according to the principles set out in the technology management plan. In case of disagreement, such information or IP shall be owned jointly by all the participants involved in the joint research from which the information or IP results. Each participant to whom this provision applies shall have the right to use such information or IP for his own commercial exploitation with no geographical limitation.

3. Each Party shall ensure that the other Party and its participants have the rights allocated to them in accordance with these principles.

4. While maintaining the conditions of competition in areas affected by this Agreement, each Party shall endeavour to ensure that rights acquired pursuant to this Agreement are exercised in such a way as to encourage in particular:

   (i) the dissemination and use of information created, disclosed, or otherwise made available, under the Agreement;

   (ii) the adoption and implementation of international standards.

II. COPYRIGHT WORKS

Under this Agreement, copyright belonging to the Parties or to their participants shall be accorded treatment consistent with the Bern Convention (1971 Paris Act).

III. SCIENTIFIC LITERARY WORKS

Without prejudice to Section IV, unless otherwise agreed in the TMP, publication of results of research shall be made jointly by the Parties or participants to that joint research. Subject to the foregoing general rule, the following procedures shall apply:

1. In the case of publication by a Party or public bodies of that Party of scientific and technical journals, articles, reports, books, including video and software, arising from joint research pursuant to this Agreement, the other Party shall be entitled to a worldwide, non-exclusive, irrevocable, royalty-free licence to translate, reproduce, adapt, transmit and publicly distribute such works.

2. The Parties shall ensure that literary works of a scientific character arising from joint research pursuant to the agreement and published by independent publishers shall be disseminated as widely as possible.

3. All copies of a copyright work to be publicly distributed and prepared under these provisions shall indicate the names of the author(s) of the work unless an author or authors expressly declines or decline to be named. They shall also bear a clearly visible acknowledgement of the cooperative support of the Parties.

[1] Definitions of the concepts referred to in these guidelines are set out in Annex II.
[2] The indicative features of such TMPs are set out in Annex III.

IV. UNDISCLOSED INFORMATION

A. Documentary undisclosed information

1. Each Party or its participants, as appropriate, shall identify, at the earliest possible moment and preferably in the TMP, the information that it wishes to remain undisclosed in relation to this Agreement, taking account, *inter alia*, of the following criteria:

   — secrecy of the information in the sense that the information is not, as a body or in the precise configuration or assembly of its components, generally known among or readily accessible by lawful means to experts in the field,

   — the actual or potential commercial value of the information by virtue of its secrecy,

   — previous protection of the information in the sense that it has been subject to steps that were reasonable under the circumstances by the person lawfully in control, to maintain its secrecy.

   The Parties and the participants may in certain cases agree that, unless otherwise indicated, parts or all of the information provided, exchanged or created in due course of joint research pursuant to the Agreement may not be disclosed.

2. Each Party shall ensure that undisclosed information under this Agreement and its ensuing privileged nature is readily recognisable as such by the other Party, for example by means of an appropriate marking or restrictive legend. This also applies to any reproduction of the said information, in whole or in part.

   A Party receiving undisclosed information pursuant to the Agreement shall respect the privileged nature thereof. These limitations shall automatically terminate when the owner without restriction to experts in the field discloses this information.

3. Undisclosed information communicated under this Agreement may be disseminated by the receiving Party to persons within or employed by the receiving Party, and other concerned departments or agencies in the receiving Party authorised for the specific purposes of the joint research under way, provided that any undisclosed information so disseminated shall be pursuant to an agreement of confidentiality and shall be readily recognisable as such, as set out above.

4. With the prior written consent of the Party providing undisclosed information under this Agreement, the receiving Party may disseminate such undisclosed information more widely than otherwise permitted in paragraph 3 above. The Parties shall cooperate in developing procedures for requesting and obtaining prior written consent for such wider dissemination, and each Party will grant such approval to the extent permitted by its domestic policies, regulations and laws.

B. Non-documentary undisclosed information

Non-documentary undisclosed or other confidential or privileged information provided in seminars and other meetings arranged under this Agreement, or information arising from the attachment of staff, use of facilities, or joint projects, shall be treated by the Parties or their participants according to the principle specified for documentary information in the Agreement, provided, however, that the recipient of such undisclosed or other confidential or privileged information has been made aware of the confidential character of the information communicated at the time such communication is made.

C. Control

Each Party shall ensure that undisclosed information received by it under this Agreement shall be controlled as provided therein. If one of the Parties becomes aware that it will be, or may reasonably be expected to become unable to meet the non-dissemination provisions of paragraphs A and B above, it shall immediately inform the other Party. The Parties shall thereafter consult to define an appropriate course of action.

ANNEX II

Definitions

1. 'INTELLECTUAL PROPERTY': shall have the meaning given in Article 2 of the Convention establishing the World Intellectual Property Organisation, done at Stockholm on 14 July 1967.
2. 'PARTICIPANT': any natural or legal person, including the Parties themselves, participating in a project under this Agreement.
3. 'JOINT RESEARCH': research development and/or funded by the joint contributions of the Parties and with collaboration from participants of both Parties, where appropriate.
4. 'INFORMATION': scientific or technical data, results or methods of research and development stemming from the JOINT RESEARCH and any other information deemed necessary by the Parties and/or participants engaged in the JOINT RESEARCH to be provided or exchanged under this Agreement or research pursuant thereto.

ANNEX III

Indicative features of a technology management plan (TMP)

The TMP is a specific agreement to be concluded between the participants, about the implementation of joint research and the respective rights and obligations of the participants. With respect to IPR, the TMP will normally address, *inter alia*, ownership protection, user rights for R & D purposes, exploitation and dissemination, including arrangements for joint publication, the rights and obligations of visiting researchers and dispute settlement procedures. The TMP may also address foreground and background information, licensing and deliverables.

COMMISSION

COMMISSION DECISION

of 13 October 2003

concerning a Community financial contribution for the eradication of classical swine fever in Germany in 2002

(notified under document number C(2003) 3584)

(Only the German text is authentic)

(2003/745/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 [1], as last amended by Regulation (EC) No 806/2003 [2], and, in particular, Article 3(3) and Article 5(3) thereof,

Whereas:

(1) Outbreaks of classical swine fever occurred in Germany in 2002, representing a serious danger to the Community livestock population.

(2) With a view to helping to eradicate the disease as rapidly as possible, the Community may contribute financially to eligible expenditure borne 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 [3], 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 financial contribution from the Community must be subject to the condition that the actions planned have actually been carried out and that the authorities supply all the necessary information within the time limits laid down.

(5) On 19 June 2003, Germany submitted an official application for the reimbursement of all the expenditure incurred on its territory.

(6) Pending checks by the Commission, it is now necessary to set the amount of an advance on the Community financial assistance. This advance must be equal to 50 % of the Community contribution established on the basis of the costs presented (EUR 1 675 000) for compensation for the slaughter of pigs, limiting the amount of 'other costs' to 10 % of the amount of this compensation for the time being.

(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,

[1] OJ L 224, 18.8.1990, p. 19.
[2] OJ L 122, 16.5.2003, p. 1.
[3] OJ L 160, 26.6.1999, p. 103.

HAS ADOPTED THIS DECISION:

Article 1

Granting of Community financial assistance to Germany

In order to eradicate classical swine fever in 2002, Germany is eligible for a Community financial contribution equal to 50 % of the expenses incurred for:

(a) the swift and adequate compensation of the livestock farmers forced to cull their animals as part of the measures to eradicate the outbreaks of classical swine fever that occurred in 2002, pursuant to Article 3(2), seventh indent, of Decision 90/424/EC and this decision;

(b) operating expenditure associated with the destruction of the contaminated animals and products, as well as cleaning and disinfecting of premises and the disinfecting or destruction, where necessary, of contaminated equipment, under the conditions provided for in Article 3(2), first, second and third indents, of Decision 90/424/EEC and this decision.

Article 2

Definitions

The following definitions apply to this decision:

(a) 'swift and adequate compensation': payment, within 90 days of the slaughter of the animals, of compensation corresponding to the market value of the animals immediately before they became infected or were slaughtered;

(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

Payment arrangements

1. Subject to the results of the checks referred to in Article 6 below, an advance of EUR 460 000 shall be paid as part of the Community financial contribution mentioned in Article 1, on the basis of supporting documents submitted by Germany 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 the cleaning, disinfecting and disinsectisation of the holdings and equipment and the destruction of contaminated feeds and equipment.

2. Once the inspections 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 contribution

1. The non-compliance of the German authorities with the payment deadline in Article 2(a) has led to a reduction in the eligible amounts, in accordance with the rules below:

— 25 % reduction for payments made between 91 and 105 days after slaughter of the animals,

— 50 % reduction for payments made between 106 and 120 days after slaughter of the animals,

— 75 % reduction for payments made between 121 and 135 days after slaughter of the animals,

— 100 % reduction for payments made later than 136 days after slaughter of the animals.

However, the Commission will apply a different scale and/or lower reduction rates (or a zero reduction rate) if specific management conditions can be demonstrated for certain measures or if Germany provides a well-grounded justification for the delay.

2. 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.

3. It does not include:

(a) value added tax;

(b) officials' wages;

(c) the use of public equipment, except consumables.

Article 5

Payment conditions and supporting documents

1. The Community financial contribution referred to in Article 1 is paid on the basis of the following documents:

(a) an application submitted in accordance with Annexes II and III, within the deadline in paragraph 2 of this Article;

(b) the supporting documents in Article 3(1), including an epidemiological report on each holding where animals have been culled and destroyed, as well as a financial report;

(c) the results of any in situ Commission inspections, as referred to in Article 6.

The documents referred to in (b) above must be made available for the Commission's in situ audits.

2. The application referred to in paragraph 1(a) must be provided in computerised form in accordance with Annexes II and III within 30 calendar days of the date of notification of this decision. If this time limit is not observed, the financial contribution from the Community shall be reduced by 25 % for every month of delay.

Article 6

Commission in situ inspections

The Commission, in collaboration with the competent German authorities, may conduct in situ inspections relating to the implementation of the measures in Article 1 and the associated costs.

Article 7

Addressee

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 13 October 2003.

For the Commission
David BYRNE
Member of the Commission

ANNEX I

Eligible expenditure, as referred to in Article 4(2)

1. Costs associated with slaughtering the animals:
   (a) wages and remuneration for abattoir workers;
   (b) consumables (bullets, T61, tranquillisers, etc.) and specific slaughtering equipment;
   (c) equipment used to transport the animals to the abattoir.
2. Costs associated with destroying the animals:
   (a) rendering: transport of carcases to the rendering plant, processing of the carcases in the rendering plant and destruction of the meals;
   (b) burial: staff specifically employed, equipment expressly hired to transport and bury the carcases and products used for disinfecting the holding;
   (c) incineration: staff specifically employed, fuel or other equipment used, equipment expressly hired to transport the carcases and products used for disinfecting the holding.
3. Costs associated with cleaning, disinfecting and disinsecting holdings:
   (a) products used for cleaning, disinfecting and disinsecting;
   (b) wages and remuneration for staff specifically employed.
4. Costs associated with destroying contaminated feed:
   (a) compensation for purchase price of feeds;
   (b) destruction of the feeds.
5. Costs associated with compensation for the destruction of contaminated equipment at its market value. The cost of compensation for the reconstruction or renovation of farm buildings and infrastructure costs shall not be eligible.

ANNEX II

Application for a contribution towards compensation for the cost of animals compulsorily slaughtered

Out-break No	Contact with outbreak No	Holding ID No	Farmer		Location of the holding	Date of slaughter	Destruction method			Weight at moment of destruction	No of animals per category				Amount paid per category				Other costs paid to farmer (not including VAT)	Total compensation (not including VAT)	Date of payment
			Surname	First name			Rendering plant	Abattoir	Others (please specify)		Sows	Boars	Piglets	Pigs	Sows	Boars	Piglets	Pigs			

ANNEX III

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

'Other costs' for holding No … (not including compensation for the value of the animals)	
Category	Amount (not including VAT)
Rendering	
Destruction (transport and processing)	
Cleaning and disinfecting (wages and products)	
Feed (compensation for and destruction of)	
Equipment (compensation for and destruction of)	
Total	

COMMISSION DECISION

of 14 October 2003

on the list of programmes for the eradication and the monitoring of certain TSEs qualifying for a financial contribution from the Community in 2004

(notified under document number C(2003) 3713)

(2003/746/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 [1], as last amended by Regulation (EC) No 806/2003 [2], and in particular Article 24(5) thereof,

Whereas:

(1) The Member States and certain acceding Member States have submitted programmes to the Commission for the eradication and the monitoring of certain transmissible spongiform encephalopathies (TSEs) for which they wish to receive a financial contribution from the Community.

(2) Under Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agricultural policy [3], programmes for the eradication and the monitoring of animal diseases shall be financed under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund. For financial control purposes, Articles 8 and 9 of that Regulation are to apply.

(3) Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies [4], as last amended by Commission Regulation (EC) No 1234/2003 [5], lays down rules for monitoring TSEs in bovine, ovine and caprine animals.

(4) Article 32 of the Treaty of Accession of 2003 lays down that the new Member States are to receive the same treatment as the present Member States as regards expenditure under veterinary funds.

(5) However, no financial commitment under the 2004 budget for any programme concerned may be made before the accession of the concerned new Member State has taken place. Furthermore, the eradication of certain diseases in acceding Member States can also be co-financed by other Community instruments.

(6) In drawing up the lists of programmes for the eradication and the monitoring of TSEs qualifying for a financial contribution from the Community for 2004 and the proposed rate and maximum amount of the contribution for each programme, both the interest of each programme for the Community and the volume of available appropriations must be taken into account.

(7) The Member States and the concerned acceding Member States have supplied the Commission with information enabling it to assess the interest for the Community of providing a financial contribution to the programmes for 2004.

(8) The Commission has considered each of the programmes from both the veterinary and the financial point of view and is satisfied that those programmes should be included in the lists of programmes qualifying for a financial contribution from the Community in 2004. The contribution for the monitoring of TSEs concerns the implementation of rapid tests, and for the eradication of scrapie, the destruction of animals found positive and the genotyping of animals.

(9) In view of the importance of these measures for the protection of public and animal health, as well as the relatively recent introduction of these monitoring programmes compared with the traditional disease eradication programmes and the obligatory application of these programmes in all Member States, a high level of financial assistance from the Community should be ensured.

(10) It is therefore appropriate to adopt the list of programmes qualifying for a financial contribution from the Community in 2004 and to set the rate and the maximum amount of those contributions.

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

HAS ADOPTED THIS DECISION:

Article 1

1. The programmes for the monitoring of TSE (BSE and scrapie) listed in Annex I shall qualify for a financial contribution from the Community in 2004.

[1] OJ L 224, 18.8.1990, p. 19.
[2] OJ L 122, 16.5.2003, p. 1.
[3] OJ L 160, 26.6.1999, p. 103.
[4] OJ L 147, 31.5.2001, p. 1.
[5] OJ L 173, 11.7.2003, p. 6.

2. For each programme as referred to in paragraph 1, the proposed rate and maximum amount of the financial contribution from the Community shall be as set out in Annex I.

Article 2

1. The programmes for the eradication of TSE (scrapie) listed in Annex II shall qualify for a financial contribution from the Community in 2004.

2. For each programme as referred to in paragraph 1, the proposed rate and maximum amount of the financial contribution from the Community shall be as set out in Annex II.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 14 October 2003.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

List of programmes for the monitoring of TSEs

Rate and maximum amount of the Community financial contribution

(in EUR)

Disease	Member State or acceding Member State	Rate-purchase of test kits	Maximum amount
TSEs	Belgium	100 %	3 351 000
	Denmark	100 %	2 351 000
	Germany	100 %	15 611 000
	Greece	100 %	745 000
	Spain	100 %	4 854 000
	France	100 %	21 733 000
	Ireland	100 %	5 386 000
	Italy	100 %	6 283 000
	Luxembourg	100 %	158 000
	Netherlands	100 %	4 028 000
	Austria	100 %	1 675 000
	Portugal	100 %	1 012 000
	Finland	100 %	1 060 000
	Sweden	100 %	358 000
	United Kingdom	100 %	7 726 000
	Cyprus	100 %	144 000
	Estonia	100 %	103 000
	Malta	100 %	37 000
	Slovenia	100 %	353 000
		Total	76 968 000

ANNEX II

List of programmes for the eradication of scrapie

Maximum amount of the Community financial contribution

(in EUR)

Disease	Member State or acceding Member State	Rate	Maximum amount
Scrapie	Denmark	50 % culling, 100 % genotyping	5 000
	Germany	50 % culling, 100 % genotyping	755 000
	Greece	50 % culling, 100 % genotyping	450 000
	Spain	50 % culling, 100 % genotyping	435 000
	France	50 % culling, 100 % genotyping	1 160 000
	Ireland	50 % culling, 100 % genotyping	490 000
	Italy	50 % culling, 100 % genotyping	3 210 000
	Netherlands	50 % culling, 100 % genotyping	675 000
	Austria	50 % culling, 100 % genotyping	30 000
	Portugal	50 % culling, 100 % genotyping	255 000
	Finland	50 % culling, 100 % genotyping	5 000
	Sweden	50 % culling, 100 % genotyping	5 000
	United Kingdom	50 % culling, 100 % genotyping	7 460 000
	Cyprus	50 % culling, 100 % genotyping	740 000
		Total	15 675 000

DECISION No 2/2003 OF THE EC-ANDORRA JOINT COMMITTEE

of 8 October 2003

laying down rules to implement further the Protocol on veterinary matters supplementary to the Agreement in the form of an Exchange of Letters between the European Economic Community and the Principality of Andorra, signed in Brussels on 15 May 1997

(2003/747/EC)

THE JOINT COMMITTEE,

Having regard to the Agreement in the form of an Exchange of Letters between the European Economic Community and the Principality of Andorra, hereinafter referred to as 'the Agreement' ([1]), signed in Luxembourg on 28 June 1990, and in particular Article 17 thereof,

Having regard to the Protocol on veterinary matters supplementary to the Agreement in the form of an Exchange of Letters between the European Economic Community and the Principality of Andorra ([2]), signed in Brussels on 15 May 1997,

Whereas:

(1) The Contracting Parties desire to extend the traditional exchange of trade between Andorra and the European Community which were covered by Decision No 2/1999 ([3]) and Decision No 1/2001 ([4]) of the EC-Andorra Joint Committee in order to facilitate development of new exchanges.

(2) Such trade will accordingly be conducted in compliance with Community veterinary rules.

(3) At its meeting in Andorra on 13 and 14 December 2001, the veterinary subgroup of the EC-Andorra Joint Committee recommended the adoption of an additional list of Community legislation to be applied by Andorra in order to extend the agreement, the date of adoption to be no later than 18 months after the publication of this Decision in the *Official Journal of the European Union*,

HAS DECIDED AS FOLLOWS:

Article 1

General provision

Andorra undertakes to adopt Community measures in the field of control for transmissible spongiform encephalopathy (TSE) as set down in Article 2, Community measures on treatment of animal by-products not intended for human consumption as set down in Article 4, Community measures against certain animal diseases as set down in Article 4.

([1]) OJ L 374, 31.12.1990, p. 14.
([2]) OJ L 148, 6.6.1997, p. 16.
([3]) OJ L 31, 5.2.2000, p. 84.
([4]) OJ L 33, 2.2.2002, p. 35.

Article 2

TSE legislation

Andorra will adopt Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies ([5]), as last amended by Commission Regulation (EC) No 1234/2003 ([6]). For the purposes of this Agreement the following adaptations shall be made:

(a) in Annex III, Chapter A, Part II, point 2 of the table, the following shall be added:

'Andorra	100'

(b) in Annex III, Chapter A, Part II, point 3 of the table, the following shall be added:

'Andorra	30'

Andorra will adopt Council Decision 2000/766/EC of 4 December 2000 concerning certain protection measures with regard to transmissible spongiform encephalopathies and the feeding of animal protein ([7]), as last amended by Commission Decision 2002/248 ([8]).

Andorra will adopt Commission Decision 2001/9/EC of 29 December 2000 concerning control measures required for the implementation of Council Decision 2000/766/EC concerning certain protection measures with regard to transmissible spongiform encephalopathies and the feeding of animal protein ([9]), as last amended by Decision 2002/248.

Article 3

Animal by-products

Andorra will adopt Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption ([10]), as last amended by Commission Regulation (EC) No 808/2003 ([11]).

([5]) OJ L 147, 31.5.2001, p. 1.
([6]) OJ L 173, 11.7.2003, p. 6.
([7]) OJ L 306, 7.12.2000, p. 32.
([8]) OJ L 84, 28.3.2002, p. 71.
([9]) OJ L 2, 5.1.2001, p. 32.
([10]) OJ L 273, 10.10.2002, p. 1.
([11]) OJ L 117, 13.5.2003, p. 1.

Article 4

Disease control measures

Andorra will adopt Council Directive 2001/89/EC of 23 October 2001 on Community measures for the control of classical swine fever [1] and Council Directive 2000/75/EC of 20 November 2000 laying down specific provisions for the control and eradication of bluetongue [2].

Article 5

Transposition and application

Andorra will transpose and apply, at the latest 18 months from the date of publication of this Decision in the *Official Journal of the European Union*, the Community legislation set down in the Annex.

Article 6

Entry into force

This Decision will enter into force on the first day of the month following that of its adoption.

Article 7

Publication

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

Done at Brussels, 8 October 2003.

For the Joint Committee

The President

Meritxell MATEU

[1] OJ L 316, 1.12.2001, p. 5.
[2] OJ L 327, 22.12.2000, p. 74.

ANNEX

References to these basic texts are to be understood as including references to all amendments and implementing rules

Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies.

Council Decision 2000/766/EC of 4 December 2000 concerning certain protection measures with regard to transmissible spongiform encephalopathies and the feeding of animal protein.

Commission Decision 2001/9/EC of 29 December 2000 concerning control measures required for the implementation of Council Decision 2000/766/EC concerning certain protection measures with regard to transmissible spongiform encephalopathies and the feeding of animal protein.

Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption.

Council Directive 2001/89/EC of 23 October 2001 on Community measures for the control of classical swine fever.

Council Directive 2000/75/EC of 20 November 2000 laying down specific provisions for the control and eradication of bluetongue.