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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 54/2003
of 13 January 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 14 January 2003.

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

Done at Brussels, 13 January 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 13 January 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 | 76,7 |
| | 204 | 48,2 |
| | 212 | 102,0 |
| | 999 | 75,6 |
| 0707 00 05 | 052 | 135,2 |
| | 628 | 151,4 |
| | 999 | 143,3 |
| 0709 10 00 | 220 | 91,4 |
| | 999 | 91,4 |
| 0709 90 70 | 052 | 92,5 |
| | 204 | 165,0 |
| | 999 | 128,8 |
| 0805 10 10, 0805 10 30, 0805 10 50 | 052 | 52,4 |
| | 204 | 54,6 |
| | 220 | 55,4 |
| | 999 | 54,1 |
| 0805 20 10 | 204 | 68,5 |
| | 999 | 68,5 |
| 0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90 | 052 | 65,5 |
| | 204 | 78,2 |
| | 220 | 54,6 |
| | 624 | 75,1 |
| | 999 | 68,3 |
| 0805 50 10 | 052 | 76,2 |
| | 220 | 81,2 |
| | 600 | 79,7 |
| | 999 | 79,0 |
| 0808 10 20, 0808 10 50, 0808 10 90 | 060 | 41,6 |
| | 400 | 97,8 |
| | 404 | 106,8 |
| | 720 | 128,1 |
| | 999 | 93,6 |
| 0808 20 50 | 052 | 124,8 |
| | 400 | 118,8 |
| | 528 | 82,9 |
| | 720 | 48,6 |
| | 999 | 93,8 |

⁽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 55/2003
of 13 January 2003
concerning the classification of certain goods in the Combined Nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, as last amended by Commission Regulation (EC) No 1832/2002⁽²⁾, and in particular Article 9 thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific Community provisions, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to the said general rules, the goods described in column 1 of the table set out in the Annex to this Regulation should be classified under the CN code(s) indicated in column 2, by virtue of the reasons set out in column 3.
- (4) It is appropriate that binding tariff information issued by the customs authorities of Member States in respect of

the classification of goods in the Combined Nomenclature and which is not in accordance with the provisions of this Regulation, can continue to be invoked by the holder, under the provisions of Article 12(6) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽³⁾, as last amended by Regulation (EC) No 2700/2000 of the European Parliament and of the Council⁽⁴⁾, for a period of three months.

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the table set out in the Annex are classified within the Combined Nomenclature under the CN code(s) indicated in column 2 of that table.

Article 2

Binding tariff information issued by the customs authorities of Member States which is not in accordance with the provisions of this Regulation can continue to be invoked under the provisions of Article 12(6) of Regulation (EEC) No 2913/92 for a period of three months.

Article 3

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

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

Done at Brussels, 13 January 2003.

For the Commission
Frederik BOLKESTEIN
Member of the Commission

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.
⁽²⁾ OJ L 290, 28.10.2002, p. 1.

⁽³⁾ OJ L 302, 19.10.1992, p. 1.
⁽⁴⁾ OJ L 311, 12.12.2000, p. 17.

ANNEX

| Description of the goods | Classification CN code | Reasons |
|--|---------------------------|--|
| (1) | (2) | (3) |
| 1. Ready-made meal, consisting of the following two, individually packed, components, put up in a set for retail sale: (a) pre-cooked rice (150 g); and (b) curry (200 g) consisting of coconut milk (72 %), chicken meat (20 %), mixture of spices (7 %), lemon grass (0,5 %) and anchovies extract (0,5 %). | 1904 90 10 | Classification is determined by the provisions of General Rules 1, 3 (b) and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 1904, 1904 90 and 1904 90 10. This product is put up for retail sale in accordance with General Rule 3(b). Its essential character is conferred by the rice component (heading 1904). |
| 2. Ready-made meal, consisting of the following two, individually packed, components, put up in a set for retail sale: (a) pre-cooked rice (150 g); and (b) Curry (200 g) consisting of coconut milk (65 %), chicken meat (14 %), mixture of spices (13,2 %), aubergines (3 %), basil (2,5 %) and anchovies extract (2,3 %). | 1904 90 10 | Classification is determined by the provisions of General Rules 1, 3(b) and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 1904, 1904 90 and 1904 90 10. This product is put up for retail sale in accordance with General Rule 3(b). Its essential character is conferred by the rice component (heading 1904). |
| 3. Ready-made meal, consisting of the following two, individually packed, components, put up in a set for retail sale: (a) pre-cooked rice (150 g); and (b) curry (200 g) consisting of coconut milk (65,4 %), chicken meat (15,5 %), potatoes (10 %), mixture of spices (7,1 %) and anchovies extract (2 %). | 1904 90 10 | Classification is determined by the provisions of General Rules 1, 3(b) and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 1904, 1904 90 and 1904 90 10. This product is put up for retail sale in accordance with General Rule 3(b). Its essential character is conferred by the rice component (heading 1904). |
| 4. Ready-made meal, consisting of the following two, individually packed, components, put up in a set for retail sale: (a) pre-cooked rice (150 g); and (b) curry (200 g) consisting of coconut milk (50 %), beef (20 %), potatoes (15 %), mixture of spices (7 %), ground-nuts (3 %), anchovies extract (3 %) and onions (2 %). | 1904 90 10 | Classification is determined by the provisions of General Rules 1, 3 (b) and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 1904, 1904 90 and 1904 90 10. This product is put up for retail sale in accordance with General Rule 3(b). Its essential character is conferred by the rice component (heading 1904). |
| 5. Product in the form of a powder with the following composition (percentage by weight): – protein 92 – – collagen content: 65 – moisture 4 – ash (550 °C) 4 The product, which is soluble in water, is made from bones by hydrolysis. It is used to bind water in, e.g., meat products. | 3504 00 00 | Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 3504 and 3504 00 00. Taking into account that the product is made from bones and its composition, it cannot be regarded as a meat extract of heading 1603. Nor can it be considered to be, in view of the collagen content and the ash content, a gelatin of heading 3503. Due to the high protein content, the product has the characteristics of a protein isolate of heading 3504. |

COMMISSION REGULATION (EC) No 56/2003
of 13 January 2003
on the issuing of system A3 export licences in the fruit and vegetables sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1961/2001 of 8 October 2001 laying down detailed rules for implementing Council Regulation (EC) No 2200/96 as regards export refunds on fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1176/2002 ⁽²⁾, and in particular Article 4(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 2259/2002 ⁽³⁾ opens an invitation to tender setting the indicative refund rates and indicative quantities for system A3 export licences, which may be issued, other than those tendered for as part of food aid.
- (2) In the light of the tenders submitted, the maximum refund rates and the percentages of quantities to be awarded for tenders quoting those maximum rates should be set.

- (3) In the case of tomatoes, oranges, lemons and apples, the maximum rate necessary to award licences for the indicative quantity up to the quantities tendered for is not more than one-and-a-half times the indicative refund rate,

HAS ADOPTED THIS REGULATION:

Article 1

In the case of tomatoes, oranges, lemons and apples, the maximum refund rates and the percentages for reducing the quantities awarded under the invitation to tender opened by Regulation (EC) No 2259/2002 shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 15 January 2003.

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

Done at Brussels, 13 January 2003.

For the Commission

J. M. SILVA RODRÍGUEZ
Agriculture Director-General

⁽¹⁾ OJ L 268, 9.10.2001, p. 8.

⁽²⁾ OJ L 170, 29.6.2002, p. 69.

⁽³⁾ OJ L 344, 19.12.2002, p. 5.

ANNEX

| Product | Maximum refund rate (EUR/t net) | Percentage awarded of quantities tendered for quoting the maximum refund rate |
|----------|------------------------------------|---|
| Tomatoes | 20 | 100 % |
| Oranges | 23 | 91 % |
| Lemons | 18 | 41 % |
| Apples | 11 | 9 % |

COMMISSION DIRECTIVE 2003/5/EC
of 10 January 2003
amending Council Directive 91/414/EEC to include deltamethrin as active substance
(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽¹⁾, as last amended by Commission Directive 2002/81/EC ⁽²⁾, and in particular Article 6(1) thereof,

Whereas:

- (1) Commission Regulation (EEC) No 3600/92 of 11 December 1992 laying down the detailed rules for the implementation of the first stage of the programme of work referred to in Article 8(2) of Council Directive 91/414/EEC concerning the placing of plant protection products on the market ⁽³⁾, as last amended by Regulation (EC) No 2266/2000 ⁽⁴⁾, establishes a list of active substances of plant protection products to be assessed, with a view to their possible inclusion in Annex I to Directive 91/414/EEC. That list is contained in Commission Regulation (EC) No 933/94 of 27 April 1994 laying down the active substances of plant protection products and designating the rapporteur Member State for the implementation of Regulation (EEC) No 3600/92 ⁽⁵⁾, as last amended by Regulation (EC) No 2230/95 ⁽⁶⁾, and includes deltamethrin.
- (2) For deltamethrin the effects on human health and the environment have been assessed in accordance with the provisions laid down in Regulation (EEC) No 3600/92 for a range of uses proposed by the notifiers. By Regulation (EC) No 933/94 Sweden was designated as rapporteur Member State. Sweden submitted the relevant assessment reports and recommendations to the Commission on 6 October 1998 in accordance with Article 7(1)(c) of Regulation (EEC) No 3600/92.
- (3) This assessment report has been reviewed by the Member States and the Commission within the Standing Committee on the Food Chain and Animal Health. The review was finalised on 18 October 2002 in the format of the Commission review report for deltamethrin.
- (4) The review did not reveal any open questions or concerns, which would have required a consultation of the Scientific Committee on Plants.
- (5) It has appeared from the various examinations made that plant protection products containing deltamethrin may be expected to satisfy, in general, the requirements laid

down in Article 5(1)(a) and (b) and Article 5(3) of Directive 91/414/EEC, in particular with regard to the uses which were examined and detailed in the Commission review report. It is therefore appropriate to include deltamethrin in Annex I, in order to ensure that in all Member States the authorisations of plant protection products containing this active substance can be granted in accordance with the provisions of that Directive.

- (6) The Commission review report is required for the proper implementation by the Member States, of several sections of the uniform principles laid down in Directive 91/414/EEC. It is, therefore, appropriate to provide that the finalised review report, except for confidential information, should be kept available or made available by the Member States for consultation by any interested parties.
- (7) A reasonable period should be allowed to elapse before an active substance is included in Annex I in order to permit Member States and the interested parties to prepare themselves to meet the new requirements which will result from the inclusion.
- (8) After inclusion, Member States should be allowed a reasonable period within which to implement the provisions of Directive 91/414/EEC as regards plant protection products containing deltamethrin, and in particular, to review existing authorisations to ensure that the conditions regarding deltamethrin set out in Annex I to Directive 91/414/EEC are satisfied. A longer period should be provided for the submission and assessment of the complete dossier of each plant protection product in accordance with the uniform principles laid down in Directive 91/414/EEC.
- (9) It is therefore appropriate to amend Directive 91/414/EEC accordingly.
- (10) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex I to Directive 91/414/EEC is amended as set out in the Annex to this Directive.

⁽¹⁾ OJ L 230, 19.8.1991, p. 1.

⁽²⁾ OJ L 276, 12.10.2002, p. 28.

⁽³⁾ OJ L 366, 15.12.1992, p. 10.

⁽⁴⁾ OJ L 259, 13.10.2000, p. 27.

⁽⁵⁾ OJ L 107, 28.4.1994, p. 8.

⁽⁶⁾ OJ L 225, 22.9.1995, p. 1.

Article 2

Member States shall keep available the review report for deltamethrin, except for confidential information within the meaning of Article 14 of Directive 91/414/EEC, for consultation by any interested parties or shall make it available to them on specific request.

Article 3

Member States shall adopt and publish by 30 April 2004 at the latest the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith inform the Commission thereof.

They shall apply those provisions from 1 May 2004.

When Member States adopt this provision, they shall contain a reference to this Directive or shall be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

Article 4

1. Member States shall review the authorisation for each plant protection product containing deltamethrin to ensure that the conditions relating to deltamethrin set out in Annex I to Directive 91/414/EEC are complied with. Where necessary and by 30 April 2004 at the latest, they shall amend or withdraw the authorisation.

2. Member States shall, for each authorised plant protection product containing deltamethrin as either the only active substance or as one of several active substances all of which were listed in Annex I to Directive 91/414/EEC by 31 October 2003 at the latest, re-evaluate the product in accordance with the uniform principles provided for in Annex VI to Directive 91/414/EEC, on the basis of a dossier satisfying the requirements of Annex III to that Directive. On the basis of that evaluation, they shall determine whether the product satisfies the conditions set out in Article 4(1)(b), (c), (d) and (e) of Directive 91/414/EEC. Where necessary and by 31 October 2007 at the latest, they shall amend or withdraw the authorisation.

Article 5

This Directive shall enter into force on 1 November 2003.

Article 6

This Directive is addressed to the Member States.

Done at Brussels, 10 January 2003.

For the Commission

David BYRNE

Member of the Commission

ANNEX

The following entries shall be added at the end of the table in Annex I to Directive 91/414/EC:

| No | Common name, identification numbers | IUPAC name | Purity ⁽¹⁾ | Entry into force | Expiration of inclusion | Specific provisions |
|-----|---|---|-----------------------|------------------|-------------------------|--|
| '40 | Deltamethrin CAS No 52918-63-5 CIPAC No 333 | (S)- α -cyano-3-phenoxybenzyl (1R,3R)-3-(2,2-dibromo-vinyl)-2,2-dimethylcyclopropane carboxylate | 980 g/kg | 1 November 2003 | 31 October 2013 | <p>Only uses as insecticide may be authorised</p> <p>For the implementation of the uniform principles of Annex VI, the conclusions of the review report on deltamethrin, and in particular Appendices I and II thereof, as finalised in the Standing Committee on Plant Health on 18 October 2002 shall be taken into account. In this overall assessment Member States:</p> <ul style="list-style-type: none">— must pay particular attention to the operator safety and must ensure that the conditions of authorisation include appropriate protective measures,— should observe the acute dietary exposure situation of consumers in view of future revisions of maximum residue levels,— must pay particular attention to the protection of aquatic organisms, bees and non-target arthropods and must ensure that the conditions of authorisation include risk mitigation measures, where appropriate. |

⁽¹⁾ Further details on identity and specification of active substance are provided in the review report.'

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 16 December 2002

**on the equivalence of field inspections carried out in third countries on seed-producing crops and
on the equivalence of seed produced in third countries**

(Text with EEA relevance)

(2003/17/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed ⁽¹⁾, and in particular Article 16(1) thereof,

Having regard to Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed ⁽²⁾, and in particular Article 16(1) thereof,

Having regard to Council Directive 2002/54/EC of 13 June 2002 on the marketing of beet seed ⁽³⁾, and in particular Article 23(1) thereof,

Having regard to Council Directive 2002/57/EC of 13 June 2002 on the marketing of seed of oil and fibre plants ⁽⁴⁾, and in particular Article 20(1) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The rules on official seed control in Argentina, Australia, Bulgaria, Canada, Chile, the Czech Republic, Estonia, Croatia, Hungary, Israel, Latvia, Morocco, New Zealand, Poland, Romania, Slovenia, Slovakia, Turkey, the United States of America, Uruguay, Yugoslavia and South Africa provide for an official field inspection to be carried out during the period of seed production.
- (2) Those rules provide in principle that seed may be officially certified and seed packages officially closed in accordance with the OECD Schemes for the Varietal

Certification of Seed moving in International Trade. The rules also provide for seed sampling and testing in accordance with the methods of the International Seed Testing Association (ISTA), or where appropriate, in accordance with the rules of the Association of Official Seed Analysts (AOSA).

- (3) An examination of those rules and the manner in which they are applied in the aforementioned third countries has shown that the field inspection of seed-producing crops satisfies the conditions laid down in Directives 66/401/EEC, 66/402/EEC, 2002/54/EC and 2002/57/EC. The national provisions governing seed harvested and controlled in those countries afford the same assurances as regards the seed's characteristics and the arrangements for its examination, for ensuring seed identification, for marking and for control as the provisions applicable to seed harvested and controlled within the Community, provided that further conditions for seed-producing crops and seed produced, in particular in respect of packages marking, are satisfied.
- (4) Council Decision 95/514/EC of 29 November 1995 on the equivalence of field inspections carried out in third countries on seed-producing crops and on the equivalence of seed produced in third countries ⁽⁵⁾ provides that for a limited period field inspections carried out in certain third countries on seed-producing crops of certain species are considered as equivalent to field inspections carried out in accordance with Community legislation and that seed of certain species produced in those countries is considered as equivalent to seed produced in accordance with Community legislation.

⁽¹⁾ OJ L 125, 11.7.1966, p. 2298/66. Directive as last amended by Directive 2001/64/EC (OJ L 234, 1.9.2001, p. 60).

⁽²⁾ OJ L 125, 11.7.1966, p. 1309/66. Directive as last amended by Directive 2001/64/EC.

⁽³⁾ OJ L 193, 20.7.2002, p. 12.

⁽⁴⁾ OJ L 193, 20.7.2002, p. 74. Directive as amended by Directive 2002/68/EC (OJ L 195, 24.7.2002, p. 32).

⁽⁵⁾ OJ L 296, 9.12.1995, p. 34. Decision as last amended by Commission Decision 2002/276/EC (OJ L 96, 13.4.2002, p. 28).

- (5) As Decision 95/514/EC will expire on 31 December 2002, a new decision should be adopted and its scope extended in particular by including Estonia, Latvia and Yugoslavia.
- (6) It appears desirable to limit the period for which equivalence is recognised under this Decision to five years.
- (7) It is appropriate to include in this Decision specific rules concerning relabelling and refastening in the Community incorporating rules similar to those provided by Decision 86/110/EEC ⁽¹⁾, which is no longer applicable.
- (8) The existing legislation already provides for an obligation for seed, including not finally certified seed, marketed in the Community to indicate whether the seed is chemically treated or the variety has been genetically modified. It is appropriate to provide for detailed rules on the exact indications to be given on the label of certified seed imported under this Decision. It is appropriate for these rules to mirror the ones provided by Decision 95/514/EC. It will be appropriate in future to update the annexes of the present Decision in order to ensure that imported seed is subject to requirements equivalent to any new rules which may be introduced, especially for not finally certified seed.
- (9) Certain amendments to the Annexes to this Decision should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedure for the exercise of implementing powers conferred on the Commission ⁽²⁾,

prior to basic seed, shall be considered equivalent to seed complying with Directives 66/401/EEC, 66/402/EEC, 2002/54/EC and 2002/57/EC, if it satisfies the conditions laid down in point B of Annex II.

Article 3

1. Where equivalent seed is 'relabelled and refastened' in the Community, within the meaning of OECD Schemes for the Varietal Certification of Seed moving in International Trade, the provisions of Directives 66/401/EEC, 66/402/EEC, 2002/54/EC and 2002/57/EC concerning the reclosing of packages produced in the Community shall apply by analogy.

The first subparagraph shall be without prejudice to the OECD rules applicable to such operations.

2. Where relabelling and refastening in the Community of equivalent seed is necessary, EC labels shall be used only:

- (a) if seeds produced in Member States and seeds of the same variety and category produced in third countries are blended in order to improve the germination capacity, provided that:
- the blend is homogeneous, and
 - the label mentions each country of production; or
- (b) for small EC packages within the meaning of Directives 66/401/EEC or 2002/54/EC.

Article 4

HAS ADOPTED THIS DECISION:

Amendments to the Annexes, with the exception of those concerning column 1 of the table in Annex I, shall be adopted in accordance with the procedure laid down in Article 5.

Article 1

Field inspections concerning the seed-producing crops of the species specified in Annex I carried out in the third countries listed in that Annex, excluding seed of generations prior to basic seed, shall be considered equivalent to field inspections carried out in accordance with Directives 66/401/EEC, 66/402/EEC, 2002/54/EC and 2002/57/EC provided that they:

- (a) are carried out officially by the authorities listed in Annex I, or under the official supervision of those authorities;
- (b) satisfy the conditions laid down in point A of Annex II.

Article 2

Seed of the species specified in Annex I, produced in the third countries listed in that Annex and officially certified by the authorities listed in that Annex, excluding seed of generations

Article 5

1. The Commission shall be assisted by the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry.

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

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

3. The Committee shall adopt its Rules of Procedure.

Article 6

This Decision shall apply from 1 January 2003 to 31 December 2007.

⁽¹⁾ OJ L 93, 8.4.1986, p. 23.

⁽²⁾ OJ L 184, 17.7.1999, p. 23.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 16 December 2002.

For the Council
The President
M. FISCHER BOEL

ANNEX I

Countries, authorities and species

| Country | Authority | Species referred to in the following Directives |
|----------------|--|---|
| 1 | 2 | 3 |
| Argentina | Secretaría de Agricultura, Ganadería, Pesca y Alimentación, Buenos Aires | 66/401/EEC 66/402/EEC 2002/57/EC |
| Australia | AFFA Grains Section, Canberra | 66/401/EEC 66/402/EEC 2002/57/EC |
| Bulgaria | Executive Agency for variety testing, field inspection and seed control, Sofia | 2002/54/EC 66/401/EEC 66/402/EEC 2002/57/EC |
| Canada | Canadian Food Inspection Agency, Ottawa | 66/401/EEC 66/402/EEC 2002/57/EC |
| Chile | Servicio Agrícola y Ganadero, Santiago | 2002/54/EC 66/401/EEC 66/402/EEC 2002/57/EC |
| Czech Republic | Central Institute for Supervising and Testing in Agriculture, Prague | 2002/54/EC 66/401/EEC 66/402/EEC 2002/57/EC |
| Estonia | Estonian Plant Production Inspectorate, Saku, Harjumaa, | 66/401/EEC 66/402/EEC, other than <i>Zea mays</i> and <i>Sorghum</i> spp. 2002/57/EC |
| Croatia | State Institute for Seed and Seedlings, Osijek | 2002/54/EC 66/401/EEC 66/402/EEC 2002/57/EC |
| Hungary | National Institute for Agricultural Quality Control, Budapest | 2002/54/EC 66/401/EEC 66/402/EEC 2002/57/EC |
| Israel | Ministry of Agriculture, Bet-Dagan | 66/401/EEC 66/402/EEC 2002/57/EC |
| Latvia | Ministry of Agriculture, Riga | 66/401/EEC 66/402/EEC |
| Morocco | Service de Controle des Semences et des Plants, Rabat | 66/401/EEC 66/402/EEC 2002/57/EC |
| New Zealand | Ministry of Agriculture and Fisheries, Wellington | 2002/54/EC 66/401/EEC 66/402/EEC 2002/57/EC |
| Poland | Seed Inspection Service General Inspectorate, Warsaw | 2002/54/EC 66/401/EEC 66/402/EEC — other than <i>Zea mays</i> 2002/57/EC |

| Country | Authority | Species referred to in the following Directives |
|--------------------------|--|---|
| 1 | 2 | 3 |
| Romania | Ministry of Agriculture, Food and Fisheries, Bucharest | 2002/54/EC 66/401/EEC 66/402/EEC 2002/57/EC |
| Slovenia | Ministry of Agriculture, Forestry and Food, Ljubljana | 66/401/EEC 66/402/EEC 2002/57/EC |
| Slovakia | Central Control and Testing Institute in Agriculture, Bratislava | 2002/54/EC 66/401/EEC 66/402/EEC 2002/57/EC |
| Turkey | Ministry of Agriculture and Rural Affairs, Ankara | 2002/54/EC 66/401/EEC 66/402/EEC 2002/57/EC |
| United States of America | USDA, Beltsville, Maryland | 2002/54/EC 66/401/EEC 66/402/EEC 2002/57/EC |
| Uruguay | Ministerio de Ganadería Agricultura y Pesca, Montevideo | 66/401/EEC 66/402/EEC 2002/57/EC |
| Yugoslavia | Federal Ministry of Economic and Internal Trade, Belgrade | 2002/54/EC 66/401/EEC 66/402/EEC 2002/57/EC |
| South Africa | National Department of Agriculture, Pretoria | 66/401/EEC 66/402/EEC — only in respect of <i>Zea mays</i> and <i>Sorghum</i> spp. 2002/57/EC |

ANNEX II

A. Conditions relating to field inspections carried out in third countries on seed-producing crops

1. Field inspections shall be carried out in accordance with national rules for the application of the OECD Schemes for the Varietal Certification of Seed moving in International Trade as follows:
 - sugar beet and fodder beet seed, in the case of *Beta vulgaris* referred to in Directive 2002/54/EC,
 - grass and legume seed, in the case of the species referred to in Directive 66/401/EEC,
 - crucifer seed and other oil and fibre species seed, in the case of the species referred to in Directives 66/401/EEC and 2002/57/EC,
 - cereal seed, in the case of the species referred to in Directive 66/402/EEC, other than *Zea mays* and *Sorghum* spp.,
 - maize and sorghum seed, in the case of *Zea mays* and *Sorghum* spp. referred to in Directive 66/402/EEC.
2. Seed not finally certified shall be packed in officially closed packages which bear a special label provided for this purpose by the OECD.
3. Seed not finally certified shall be accompanied, without prejudice to the certificate provided by the OECD schemes, by an official certificate giving the following information:
 - reference number of the seed used to sow the field, and name of the Member State or third country which certified that seed,
 - area cultivated,
 - quantity of seed,
 - the attestation that the conditions that have to be satisfied by the crops from which the seed comes have been fulfilled.

B. Conditions relating to seed produced in third countries

1. Seed shall be officially certified and its packages officially closed and marked in accordance with national rules for the application of the OECD Schemes for the Varietal Certification of Seed moving in International Trade as follows; the seed lots shall be accompanied by the certificates required under those OECD schemes:
 - sugar beet and fodder beet seed, in the case of *Beta vulgaris* referred to in Directive 2002/54/EC,
 - grass and legume seed, in the case of the species referred to in Directive 66/401/EEC,
 - crucifer seed and other oil or fibre species seed, in the case of the species referred to in Directives 66/401/EEC and 2002/57/EC,
 - cereal seed, in the case of the species referred to in Directive 66/402/EEC, other than *Zea mays* and *Sorghum* spp.,
 - maize and sorghum seed, in the case of *Zea mays* and *Sorghum* spp. referred to in Directive 66/402/EEC.

Moreover, seed shall satisfy the conditions of Community rules other than those relating to varietal identity and varietal purity.

2. Seed shall satisfy the following conditions.
 - 2.1. The conditions which seed shall satisfy in accordance with the second subparagraph of paragraph 1 are laid down in the following Directives:
 - Directive 66/401/EEC, Annex II,
 - Directive 66/402/EEC, Annex II,
 - Directive 2002/54/EC, Annex I(B),
 - Directive 2002/57/EC, Annex II.
 - 2.2. For the purpose of the examination to check whether the abovementioned conditions have been satisfied, samples shall be taken officially in accordance with the ISTA rules, and their weights shall conform to the weight stipulated under such methods, taking into account those specified in the following Directives:
 - Directive 66/401/EEC, Annex III, columns 3 and 4,
 - Directive 66/402/EEC, Annex III, columns 3 and 4,

- Directive 2002/54/EC, Annex II, second line,
- Directive 2002/57/EC, Annex III, columns 3 and 4,

- 2.3. The examination shall be carried out officially in accordance with the rules established under the ISTA rules.
- 2.4. By way of derogation from points 2.2 and 2.3, seed sampling and seed testing may be carried out in accordance with the 'Derogatory experiment on seed sampling and seed analysis' set out in Annex V(A) to the Decision adopted by the OECD Council on 28 September 2000 on the OECD Schemes for the Varietal Certification of Seed moving in International Trade.
3. Seed shall satisfy the following additional conditions in respect of package marking.

- 3.1. The following official information shall be given:

- a statement that the seed satisfies the conditions of Community rules other than those relating to varietal identity and varietal purity: 'EC rules and standards',
- a statement that the seed has been sampled and tested in accordance with current international methods: 'Sampled and analysed according to ISTA rules for orange or green certificates by ..., (name or initials of the ISTA seed testing station)',
- date of official closing,
- where seed lots have been 'relabelled and refastened' within the meaning of the OECD schemes, also a statement that this operation took place, the most recent date of reclosing and the Authorities responsible therefore,
- country of production,
- declared net or gross weight or declared number of pure seeds or, in the case of beet seed, clusters, and
- where weight is indicated and granulated pesticides, pelleting substances or other solid additives are used, the nature of the additive and also the approximate ratio between the weight of pure seed and the total weight.

This information may be given either on the OECD label or on an additional official label which shall give the name of the service and the country. Any suppliers' labels shall be drawn up in such a manner that they cannot be confused with the additional official label.

- 3.2. In the case of seed of a variety which has been genetically modified, any label or document, official or otherwise, which is affixed to, or accompanies, the seed lot shall clearly indicate that the variety has been genetically modified and provide for any other information as may be determined in the authorisation procedure required under Community law.
- 3.3. An official notice placed inside the package shall give at least the reference number of the lot, the species and the variety; in addition, in the case of beet seed, it shall be stated, where appropriate, whether the seed is mono-germ or precision seed.

This notice is not necessary if the minimum information is printed indelibly on the package or if an adhesive label or a label of non-tear material is used.

- 3.4. Any chemical treatment of the seed and the active substance shall be noted either on the official label or on a special label as well as on the container or inside it.
- 3.5. All information required for official labels, for official notices and for packages shall be given in at least one of the official languages of the Community.
4. The seed lots shall be accompanied by an orange or green ISTA certificate giving the information relating to the conditions in paragraph 2.
5. In the case of basic seed of varieties which are exclusively maintained within the Community, the seed of the preceding generations shall have been produced within the Community.

In the case of basic seed of other varieties, the seed of the preceding generations shall have been produced under the responsibility of the persons responsible for the maintenance breeding, referred to in the common catalogue of varieties of agricultural plant species either within the Community or in a third country which has been granted, under Decision 97/788/EC⁽¹⁾, the equivalence of checks on practices for the maintenance of varieties carried out in third countries.

⁽¹⁾ OJ L 322, 25.11.1997, p. 39. Decision as last amended by Decision 2002/580/EC (OJ L 184, 13.7.2002, p. 26).

6. For certified seed of all generations, seed of the previous generations shall have been produced and officially controlled and certified:
 - either within the Community, or
 - in a third country which has been granted equivalence under this Decision for the production of basic seed of the species concerned, provided that it has been produced from seed produced in accordance with paragraph 5.
 7. In the case of Canada and the United States of America, by way of derogation from:
 - points 2.2 and 2.3,
 - point 3.1, second indent, and
 - point 4,sampling, testing and issue of seed analysis certificates may be carried out by officially recognised seed testing laboratories according to the rules of the AOSA. In this case:
 - the following statement shall be given under paragraph 3.1: 'Sampled and analysed according to AOSA rules by ...' (name or initials of the officially recognised seed testing laboratory), and
 - the certificates required under paragraph 4 shall be issued by the officially recognised seed testing laboratory under the responsibility of the Authorities listed in Annex I.
-

COUNCIL DECISION

of 19 December 2002

concerning the conclusion of a Protocol adjusting the trade aspects of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and Romania, of the other part, to take account of the outcome of negotiations between the Parties on new mutual agricultural concessions

(2003/18/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133, in conjunction with Article 300(2) first subparagraph, first sentence thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and Romania, of the other part ⁽¹⁾, provides for certain reciprocal trade concessions for certain agricultural products.
- (2) Article 21(5) of the Europe Agreement provides that the Community and Romania is to examine product by product and on an orderly and reciprocal basis the possibilities of granting each other further concessions.
- (3) The first improvements to the preferential arrangements of the Europe Agreement with Romania were provided for in the Protocol for the adaptation of the trade aspects of the Europe Agreement to take into account the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union and the results of the agricultural negotiations of the Uruguay Round, including improvements to the existing preferential regime, approved by Council Decision 98/626/EC ⁽²⁾.
- (4) Improvements to the preferential arrangements were also provided for as a result of negotiations to liberalise agricultural trade concluded in 2000. On the Community side, these were implemented from 1 July 2000 by Council Regulation (EC) No 2435/2000 of 17 October 2000 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreement with Romania ⁽³⁾. This second adjustment of the preferential arrangements has not yet been incorporated in the Europe Agreement in the form of an Additional Protocol.
- (5) Negotiations for further improvements to the preferential arrangements of the Europe Agreement with Romania were concluded on 18 June 2002.
- (6) The new Protocol to the Europe Agreement adjusting the trade aspects of the Europe Agreement between the European Communities and their Member States, of the

one part, and Romania, of the other part (hereinafter referred to as the Protocol) should be approved with a view to consolidating all concessions in agricultural trade between the two sides, including the results of the negotiations concluded in 2000 and 2002.

- (7) 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 ⁽⁴⁾ has codified the management rules for tariff quotas designed to be used following the chronological order of dates of customs declarations. Certain tariff quotas under this Decision should therefore be administered in accordance with those rules.
- (8) The measures necessary for the implementation of this Decision should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽⁵⁾.
- (9) As a result of the aforementioned negotiations, Regulation (EC) No 2435/2000 has been superseded and should therefore be repealed,

HAS DECIDED AS FOLLOWS:

Article 1

The Protocol adjusting the trade aspects of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and Romania, of the other part, to take account of the outcome of negotiations between the Parties on new mutual agricultural concessions, is hereby approved on behalf of the European Community.

Article 2

1. The President of the Council is hereby authorised to designate the person empowered to sign the Protocol on behalf of the Community in order to bind the Community.
2. The President of the Council shall, on behalf of the Community, make the notification of approval provided for in Article 3 of the Protocol.

⁽¹⁾ OJ L 357, 31.12.1994, p. 2.

⁽²⁾ OJ L 301, 11.11.1998, p. 1.

⁽³⁾ OJ L 280, 4.11.2000, p. 17.

⁽⁴⁾ OJ L 253, 11.10.1993, p. 1. Regulation last amended by Regulation (EC) No 444/2002 (OJ L 68, 12.3.2002, p. 11).

⁽⁵⁾ OJ L 184, 17.7.1999, p. 23.

Article 3

1. Upon this Decision taking effect, the arrangements provided for in the Annexes of the Protocol attached to this Decision shall replace those referred to in Annexes XI and XII as referred to in Article 21(2) and (4), as amended, of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and Romania, of the other part.

2. The Commission shall adopt detailed rules for the application of the Protocol in accordance with the procedure referred to in Article 5(2).

Article 4

1. The order numbers as attributed to the tariff quotas in the Annex to this Decision may be changed by the Commission in accordance with the procedure referred to in Article 5(2). Tariff quotas with an order number above 09.5100 shall be administered by the Commission in accordance with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93.

2. Quantities of goods subject to tariff quotas and released for free circulation as from 1 July 2002 under the concessions provided for in Annex A(b) to Regulation (EC) No 2435/2000 shall be fully counted against the quantities provided for in the fourth column in Annex A(b) to the attached Protocol, except for quantities for which import licences were issued before 1 July 2002.

Article 5

1. The Commission shall be assisted by the Management Committee for Cereals instituted by Article 23 of Council Regulation (EEC) No 1766/92 ⁽¹⁾ or, where appropriate, by the committee instituted by the relevant provisions of the other Regulations on the common organisation of agricultural markets.

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

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

3. The Committee shall adopt its rules of procedure.

Article 6

Regulation (EC) No 2435/2000 shall be repealed from the entry into force of the Protocol.

Done at Brussels, 19 December 2002.

For the Council

The President

L. ESPERSEN

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

ANNEX

Order numbers for EU tariff quotas for products originating in Romania

(as referred to in Article 4)

| Quota order No | CN code | Description |
|--------------------|--|---|
| 09.4598 09.4537 | 0102 90 05 0102 90 21 0102 90 29 0102 90 41 0102 90 49 | Live bovine animals of a live weight not exceeding 80 kg Live bovine animals of a live weight exceeding 80 kg but not exceeding 300 kg |
| 09.4563 | ex 0102 90 | Heifers and cows not for slaughter of the following mountain breeds: grey, brown, yellow, spotted Simmental and Pinzgau |
| 09.4753 | 0201 0202 | Meat of bovines, fresh, chilled or frozen |
| 09.4756 | ex 0203 | Meat of domestic swine, fresh, chilled or frozen |
| 09.4765 | 0206 10 95 0206 29 91 0210 20 0210 99 51 | Fresh or chilled edible bovine thick and thin skirt Frozen edible bovine thick and thin skirt Meat of bovine animals, salted, in brine, dried or smoked Thick and thin skirt of bovine animals |
| 09.5855 | 0207 | Meat and edible offal, of the poultry of heading No 0105 |
| 09.4758 | 0406 | Cheese and curd |
| 09.6101 | 0702 00 00 | Tomatoes |
| 09.6103 | 0703 10 19 | Onions, other than sets |
| 09.6105 | ex 0704 10 00 0704 90 10 0704 90 90 | Cauliflower and headed broccoli, from 15 April to 30 November White cabbages and red cabbages Other |
| 09.6107 | ex 0707 00 05 | Cucumbers, from 1 November to 15 May |
| 09.5611 | ex 0707 00 05 | Cucumbers, from 16 May to 31 October |
| 09.6109 | 0708 20 00 | Beans |
| 09.6111 | 0709 60 10 | Sweet peppers |
| 09.6113 | 0710 21 00 0710 22 00 0710 29 00 | Peas, frozen Beans, frozen other leguminous, frozen |
| 09.4726 | 0711 51 00 2003 10 20 2003 10 30 | Mushroom of the genus <i>Agaricus</i> |
| 09.6119 | 0808 10 20 0808 10 50 0808 10 90 | Apples, other than cider apples |
| 09.6121 | 0809 10 00 | Apricots |
| 09.6123 | 0809 40 05 | Plums |

| Quota order No | CN code | Description |
|-------------------|--|--|
| 09.6125 | 0810 10 00 | Strawberries |
| 09.6131 | 0813 10 00 0813 20 00 0813 30 00 | Apricots, dried Plums, dried Apples, dried |
| 09.4766 | 1001 | Wheat and meslin |
| 09.5871 | 1005 10 90 | Maize seed, other than hybrid seed |
| 09.4767 | 1005 90 00 | Maize, other than seed |
| 09.5872 | 1101 1103 11 1103 20 60 | Wheat and meslin flour Wheat groats and meal Wheat pellets |
| 09.5873 | 1107 | Malt |
| 09.6133 | 1209 29 80 1209 99 91 1209 99 99 | Other seeds, fruits and spores |
| 09.6137 | 1512 11 91 1512 19 91 | Sunflower-seed oil |
| 09.4751 | 1601 00 91 1601 00 99 | Sausages, other than of liver |
| 09.6139 | 1602 31 1602 32 1602 39 | Prepared or preserved meat of poultry |
| 09.4752 | 1602 41 10 1602 42 10 1602 49 11 1602 49 13 1602 49 15 1602 49 19 1602 49 30 1602 49 50 | Preserved meat of domestic swine |
| 09.4768 | 1602 50 | Prepared or preserved meat or offal of bovine animals |
| 09.6141 | 2001 10 00 2001 90 60 2001 90 70 2001 90 75 2001 90 85 2001 90 93 2001 90 96 | Cucumbers and gherkins, preserved Other preserved fruits and vegetables |
| 09.6143 | 2002 90 31 2002 90 39 2002 90 91 2002 90 99 | Preserved tomatoes |
| 09.5545 | 2003 10 20 2003 10 30 | Mushrooms of the genus <i>Agaricus</i> |
| 09.6145 | 2005 40 00 | Peas |
| 09.5723 | 2007 10 99 2007 99 10 2007 99 98 | Other homogenised preparations Plum purée and paste Other preparations |
| 09.6149 | 2401 10 60 2401 10 70 2401 20 60 2401 20 70 | Tobacco |

PROTOCOL

adjusting the trade aspects of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and Romania, of the other part, to take account of the outcome of negotiations between the parties on new mutual agricultural concessions

THE EUROPEAN COMMUNITY, hereinafter referred to as 'the Community',

of the one part, and

ROMANIA,

of the other part,

Whereas:

- (1) The Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and Romania, of the other part (hereinafter referred to as the Europe Agreement) was signed in Brussels on 1 February 1993 and entered into force on 1 February 1995 ⁽¹⁾.
- (2) Article 21(5) of the Europe Agreement provides that the Community and Romania is to examine in the Association Council, product by product and on an orderly and reciprocal basis, the possibility of granting each other additional agricultural concessions. On this basis negotiations have been undertaken and were concluded between the Parties.
- (3) For the first time, improvements to the preferential agricultural regime of the Europe Agreement were provided for in the Protocol for the adaptation of the trade aspects of the Europe Agreement ⁽²⁾ to take account of the last enlargement of the Community and the outcome of the GATT Uruguay Round.
- (4) Two further rounds of negotiations for improved agricultural trade concessions were concluded on 26 May 2000 and 18 June 2002.
- (5) From the one side, the Council decided, by virtue of Regulation (EC) No 2435/2000 ⁽³⁾, to apply on a provisional basis, as from 1 July 2000, the European Community concessions resulting from the 2000 round of negotiations and from the other side the Government of Romania took legislative provisions to apply, as from the same date of 1 July 2000, the equivalent Romanian concessions (Emergency Ordinance No 124/30 of 30 July 2000) ⁽⁴⁾.
- (6) The abovementioned concessions are to be supplemented and replaced on the date of entry into force of this Protocol by the concessions provided for herein,

HAVE AGREED AS FOLLOWS:

Article 1

The arrangements for import into the Community applicable to certain agricultural products originating in Romania as set out in Annex A(a) and A(b) and the arrangements for import into Romania applicable to certain agricultural products originating in the Community as set out in Annex B(a) and B(b) to this Protocol shall replace those set out in Annexes XI and XII as referred to in Article 21(2) and 21(4), as amended, of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and Romania, of the other part.

Article 2

The Annexes to this Protocol shall form an integral part thereof.

This Protocol shall form an integral part of the Europe Agreement.

Article 3

This Protocol shall be approved by the Community and Romania in accordance with their own procedures. The Contracting Parties shall take the necessary measures to implement this Protocol.

The Contracting Parties shall notify each other of the accomplishment of the corresponding procedures according to the first paragraph hereof.

⁽¹⁾ OJ L 357, 31.12.1994, p. 2.

⁽²⁾ OJ L 301, 11.11.1998, p. 3.

⁽³⁾ OJ L 280, 4.11.2000, p. 17.

⁽⁴⁾ MO I, 306, 4.7.2000.

Article 4

Subject to completion of the procedures provided for in Article 3, this Protocol shall enter into force on 1 January 2003. Should these procedures not be completed in time, it shall enter into force on the first day of the first month following the Contracting Parties notification of the accomplishment of the procedures.

Article 5

This Protocol shall be drawn up in duplicate in the Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish, Swedish and Romanian languages, each of these texts being equally authentic.

Hecho en Bruselas, el veinte de diciembre del dos mil dos.

Udfærdiget i Bruxelles den tyvende december to tusind og to.

Geschehen zu Brüssel am zwanzigsten Dezember zweitausendundzwei.

Έγινε στις Βρυξέλλες, στις είκοσι Δεκεμβρίου δύο χιλιάδες δύο.

Done at Brussels on the twentieth day of December in the year two thousand and two.

Fait à Bruxelles, le vingt décembre deux mille deux.

Fatto a Bruxelles, addì venti dicembre duemiladue.

Gedaan te Brussel, de twintigste december tweeduizendtwee.

Feito em Bruxelas, em vinte de Dezembro de dois mil e dois.

Tehty Brysselissä kahdentenakymmenentenä päivänä joulukuuta vuonna kaksituhattakaksi.

Som skedde i Bryssel den tjugonde december tjugohundratvå.

Încheiat la Bruxelles, la data de douăzeci decembrie a anului două mii doi.

Por la Comunidad Europea

For Det Europæiske Fællesskab

Für die Europäische Gemeinschaft

Για την Ευρωπαϊκή Κοινότητα

For the European Community

Pour la Communauté européenne

Per la Comunità europea

Voor de Europese Gemeenschap

Pela Comunidade Europeia

Euroopan yhteisön puolesta

På Europeiska gemenskapens vägnar



Pentru România



ANNEX A(a)

Custom duties on imports applicable in the Community to products originating in Romania and listed below shall be abolished — CN codes ⁽¹⁾

| | | | | | |
|------------|------------|---------------------------|------------|------------|------------|
| 0101 | 0604 91 41 | 0810 40 50 | 1208 10 00 | 1602 49 90 | 2008 92 72 |
| 0104 10 30 | 0604 91 49 | 0810 40 90 | 1209 10 00 | 1602 90 31 | 2008 99 11 |
| 0104 10 80 | 0604 91 90 | 0810 50 00 | 1209 21 00 | 1602 90 41 | 2008 99 19 |
| 0104 20 | 0604 99 90 | 0810 60 00 | 1209 23 80 | 1602 90 72 | 2008 99 25 |
| 0106 19 10 | 0701 10 00 | 0810 90 95 | 1209 29 50 | 1602 90 74 | 2008 99 26 |
| 0106 39 10 | 0704 20 00 | 0811 90 70 | 1209 29 60 | 1602 90 76 | 2008 99 46 |
| 0204 | 0706 90 30 | 0811 90 85 | 1209 30 00 | 1602 90 78 | 2008 99 47 |
| 0205 | 0707 00 90 | 0812 10 00 | 1209 91 | 1602 90 98 | 2008 99 49 |
| 0206 80 91 | 0709 20 00 | 0812 90 20 | 1211 90 30 | 1603 00 10 | 2008 99 61 |
| 0206 90 91 | 0709 52 00 | 0812 90 30 | 1212 10 10 | 1703 | 2008 99 62 |
| 0208 10 11 | 0709 59 10 | 0812 90 40 | 1212 10 99 | 2001 90 20 | 2009 21 00 |
| 0208 10 19 | 0709 59 30 | 0812 90 50 | 1214 90 10 | 2001 90 65 | 2009 29 19 |
| 0208 20 00 | 0709 60 99 | 0812 90 60 | 1302 19 05 | 2001 90 91 | 2009 29 99 |
| 0208 30 00 | 0709 90 20 | 0812 90 99 | 1502 00 90 | 2003 20 00 | 2009 31 19 |
| 0208 40 | 0709 90 31 | 0813 40 95 | 1503 00 19 | 2003 90 00 | 2009 31 51 |
| 0208 50 00 | 0709 90 40 | 0813 50 31 | 1503 00 90 | 2004 90 30 | 2009 31 59 |
| 0208 90 10 | 0709 90 50 | 0813 50 99 | 1504 10 10 | 2005 60 00 | 2009 31 91 |
| 0208 90 55 | 0710 80 61 | 0814 00 00 | 1504 10 99 | 2005 90 10 | 2009 31 99 |
| 0208 90 60 | 0710 80 69 | 0901 12 00 | 1504 20 10 | 2005 90 50 | 2009 39 19 |
| 0208 90 95 | 0710 80 85 | 0901 21 00 | 1504 30 10 | 2005 90 75 | 2009 39 39 |
| 0210 91 00 | 0711 20 | 0901 22 00 | 1509 10 10 | 2006 00 91 | 2009 39 55 |
| 0210 92 00 | 0711 30 00 | 0901 90 90 | 1509 90 00 | 2006 00 99 | 2009 39 59 |
| 0210 93 00 | 0711 90 10 | 0902 10 00 | 1510 00 | 2008 19 11 | 2009 39 95 |
| 0210 99 10 | 0712 31 00 | 0904 12 00 | 1511 10 90 | 2008 19 13 | 2009 39 99 |
| 0210 99 21 | 0712 32 00 | 0904 20 10 | 1511 90 | 2008 19 51 | 2009 41 91 |
| 0210 99 29 | 0712 33 00 | 0904 20 90 | 1512 21 | 2008 19 59 | 2009 41 99 |
| 0210 99 31 | 0712 39 00 | 0905 00 00 | 1512 29 | 2008 20 19 | 2009 49 19 |
| 0210 99 39 | 0713 50 00 | 0907 00 00 | 1513 | 2008 20 39 | 2009 49 93 |
| 0210 99 59 | 0714 20 | 0910 20 90 | 1515 21 | 2008 20 51 | 2009 49 99 |
| 0210 99 60 | 0714 90 90 | 0910 40 13 | 1515 30 90 | 2008 20 59 | 2009 71 |
| 0407 00 90 | 0802 12 90 | 0910 40 19 | 1515 50 | 2008 20 71 | 2009 79 19 |
| 0409 00 00 | 0802 21 00 | 0910 40 90 | 1515 90 29 | 2008 20 79 | 2009 79 30 |
| 0410 00 00 | 0802 22 00 | 0910 91 90 | 1515 90 39 | 2008 20 91 | 2009 79 93 |
| 0601 | 0802 31 00 | 0910 99 99 | 1515 90 40 | 2008 30 11 | 2009 79 99 |
| 0602 30 00 | 0802 32 00 | 1006 10 10 | 1515 90 51 | 2008 30 31 | 2302 50 00 |
| 0602 90 10 | 0802 40 00 | 1007 00 10 | 1515 90 59 | 2008 30 39 | 2306 90 19 |
| 0602 90 30 | 0802 50 00 | 1008 10 00 ⁽²⁾ | 1515 90 60 | 2008 30 51 | 2308 00 90 |
| 0602 90 41 | 0802 90 50 | 1008 20 00 ⁽²⁾ | 1515 90 91 | 2008 30 55 | 2309 90 10 |
| 0602 90 45 | 0802 90 60 | 1008 90 ⁽²⁾ | 1515 90 99 | 2008 30 59 | 2309 90 31 |
| 0602 90 49 | 0802 90 85 | 1102 90 90 ⁽²⁾ | 1516 10 | 2008 30 71 | 2309 90 41 |
| 0602 90 51 | 0808 10 10 | 1103 19 90 ⁽²⁾ | 1518 00 31 | 2008 30 75 | 2309 90 51 |
| 0602 90 59 | 0809 40 90 | 1103 20 90 ⁽²⁾ | 1518 00 39 | 2008 30 79 | 2309 90 91 |
| 0604 10 90 | 0810 20 90 | 1106 10 00 | 1522 00 91 | 2008 30 90 | |
| 0604 91 21 | 0810 30 90 | 1106 30 | 1602 41 90 | | |
| 0604 91 29 | 0810 40 30 | 1108 20 00 | 1602 42 90 | | |

⁽¹⁾ As defined in Commission Regulation (EC) No 2031/2001 of 6 August 2001 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 279, 23.10.2001, p. 1).

⁽²⁾ Customs duties on imports of these products shall be abolished provided they do not benefit from export refunds.

ANNEX A(b)

Imports into the Community of the following products originating in Romania shall be subject to the concessions set out below

(MFN = Most favoured nation duty)

| CN code | Description ⁽¹⁾ | Applicable duty (% of MFN) ⁽²⁾ | Quantity from 1.7.2002 to 30.6.2003 (tonnes) | Annual quantity from 1.7.2003 to 30.6.2004 (tonnes) | Yearly increase as from 1.7.2004 (tonnes) | Specific provisions |
|---|---|---|--|---|---|-------------------------------|
| 0102 90 05 0102 90 21 | Live bovine animals of a live weight not exceeding 80 kg | 10 | 178 000 heads | 178 000 heads | 0 | ⁽³⁾ ⁽⁹⁾ |
| 0102 90 29 0102 90 41 0102 90 49 | Live bovine animals of a live weight exceeding 80 kg but not exceeding 300 kg | 10 | 153 000 heads | 153 000 heads | 0 | ⁽³⁾ ⁽⁹⁾ |
| ex 0102 90 | Heifers and cows not for slaughter of the following mountain breeds: grey, brown, yellow, spotted Simmental and Pinzgau | 6% <i>ad valorem</i> | 7 000 heads | 7 000 heads | 0 | ⁽⁴⁾ ⁽⁹⁾ |
| 0201 0202 | Meat of bovines, fresh, chilled or frozen | free | 3 500 | 4 000 | 0 | ⁽⁸⁾ ⁽⁹⁾ |
| ex 0203 | Meat of domestic swine, fresh, chilled or frozen | 20 | 15 625 | 15 625 | 0 | ⁽⁵⁾ ⁽⁹⁾ |
| 0206 10 95 0206 29 91 0210 20 0210 99 51 | Fresh or chilled edible bovine thick and thin skirt Frozen edible bovine thick and thin skirt Meat of bovine animals, salted, in brine, dried or smoked Thick and thin skirt of bovine animals | free | 50 | 100 | 0 | ⁽⁸⁾ |
| 0207 | Meat and edible offal, of the poultry of heading No 0105 | free | 3 600 | 3 900 | 300 | ⁽⁸⁾ ⁽⁹⁾ |
| 0406 | Cheese and curd | free | 2 400 | 2 600 | 200 | ⁽⁸⁾ ⁽⁹⁾ |
| 0603 90 00 | Cut flowers, not fresh | 35 | unlimited | unlimited | | |
| 0702 00 00 | Tomatoes | 20 | 9 750 | 9 750 | 0 | ⁽⁷⁾ ⁽⁹⁾ |
| 0703 10 19 | Onions, other than sets | free | 170 | 170 | 0 | ⁽⁹⁾ |
| 0703 20 | Garlic | 9.6% <i>ad valorem</i> | unlimited | unlimited | | |
| ex 0704 10 00 0704 90 10 0704 90 90 | Cauliflower and headed broccoli, from 15 April to 30 November White cabbages and red cabbages Other | 20 | 3 250 | 3 250 | 0 | ⁽⁹⁾ |
| ex 0707 00 05 | Cucumbers, from 1 November to 15 May | 20 | 4 000 | 4 000 | 0 | ⁽⁷⁾ ⁽⁹⁾ |
| ex 0707 00 05 | Cucumbers, from 16 May to 31 October | 80 | unlimited | unlimited | | ⁽⁷⁾ |
| ex 0707 00 05 | Cucumbers, from 16 May to 31 October | 12% <i>ad valorem</i> | 330 | 330 | 0 | ⁽⁷⁾ ⁽⁹⁾ |

| CN code | Description ⁽¹⁾ | Applicable duty (% of MFN) ⁽²⁾ | Quantity from 1.7.2002 to 30.6.2003 (tonnes) | Annual quantity from 1.7.2003 to 30.6.2004 (tonnes) | Yearly increase as from 1.7.2004 (tonnes) | Specific provisions |
|---|--|--|--|---|---|--|
| 0708 20 00 | Beans | free | 250 | 250 | 0 | ⁽⁹⁾ |
| ex 0709 30 00 | Aubergines, from 1 January to 31 March | 56 | unlimited | unlimited | | |
| ex 0709 90 00 | Pumpkins and other gourds, from 1 January to 31 March | 56 | | | | |
| ex 0709 90 90 | Other, except parsley, from 1 January to 31 March | 56 | | | | |
| 0709 60 10 | Sweet peppers | free | 3 000 | 3 000 | 0 | ⁽⁹⁾ |
| 0710 21 00 | Peas, frozen | 20 | 250 | 250 | 0 | ⁽⁹⁾ |
| 0710 22 00 | Beans, frozen | | | | | |
| 0710 29 00 | Other leguminous, frozen | | | | | |
| 0711 51 00 2003 10 20 2003 10 30 | Mushroom of the genus <i>Agaricus</i> | 8,4% <i>ad valorem</i> | 500 | 500 | 0 | ⁽⁹⁾ |
| 0712 20 00 | Dried onions | 50 | unlimited | unlimited | | |
| ex 0712 90 90 | Horse-radish | free | | | | |
| ex 0806 10 10 | Fresh table grapes, from 1 January to 14 July (excluding emperor variety, from 1 to 31 January only) | free | unlimited | unlimited | | |
| ex 0807 11 00 | Watermelons, from 1 November to 30 April | 59 | unlimited | unlimited | | |
| 0808 10 20 0808 10 50 0808 10 90 | Apples, other than cider apples | 20 | 250 | 250 | 0 | ⁽⁷⁾ ⁽⁹⁾ |
| 0809 10 00 | Apricots | 20 | 2 500 | 2 500 | 0 | ⁽⁷⁾ ⁽⁹⁾ |
| 0809 20 05 | Sour cherries | 73 | unlimited | unlimited | | ⁽⁷⁾ |
| 0809 40 05 | Plums | 20 | 4 250 | 4 250 | 0 | ⁽⁷⁾ ⁽⁹⁾ |
| 0810 00 00 | Strawberries | 20 | 3 195 | 3 195 | 0 | ⁽⁹⁾ ⁽⁹⁾ |
| 0810 20 10 0810 30 10 0810 30 30 | Raspberries Blackcurrants Redcurrants | free | unlimited | unlimited | | ⁽⁹⁾ |
| 0811 10 90 0811 20 31 0811 20 39 0811 20 59 0811 20 90 0811 90 50 ex 0811 90 95 ex 0811 90 95 ex 0811 90 95 | Strawberries Raspberries Blackcurrants Blackberries and mulberries Other berries Bilberries Quinces Rose-hips Other than quinces and rose hips | 36 39 28 53 33 47 56 free 33 | unlimited | unlimited | | ⁽⁹⁾ ⁽⁹⁾ ⁽⁹⁾ |

| CN code | Description ⁽¹⁾ | Applicable duty (% of MFN) ⁽²⁾ | Quantity from 1.7.2002 to 30.6.2003 (tonnes) | Annual quantity from 1.7.2003 to 30.6.2004 (tonnes) | Yearly increase as from 1.7.2004 (tonnes) | Specific provisions |
|--|--|---|--|---|---|-------------------------------|
| 0813 10 00 0813 20 00 0813 30 00 | Apricots, dried Plums, dried Apples, dried | free | 1 250 | 1 250 | 0 | ⁽⁹⁾ |
| 0813 40 30 | Pears, dried | 50 | unlimited | unlimited | | |
| 1001 | Wheat and meslin | free | 130 000 | 230 000 | 0 | ⁽⁸⁾ |
| 1005 10 90 | Maize seed, other than hybrid seed | free | 500 | 1 000 | 0 | ⁽⁸⁾ |
| 1005 90 00 | Maize, other than seed | free | 74 500 | 149 000 | 0 | ⁽⁸⁾ |
| 1101 1103 11 1103 20 60 | Wheat and meslin flour Wheat groats and meal Wheat pellets | free | 1 500 | 3 000 | 0 | ⁽⁸⁾ |
| 1107 | Malt | free | 5 000 | 10 000 | 0 | ⁽⁸⁾ |
| 1209 29 80 1209 99 91 1209 99 99 | Other seeds, fruits and spores | free | 625 | 625 | 0 | ⁽⁹⁾ |
| 1512 11 91 1512 19 91 | Sunflower-seed oil | free | 4 750 | 4 750 | 0 | ⁽⁹⁾ |
| 1601 00 91 1601 00 99 | Sausages, other than of liver | 20 | 1 125 | 1 125 | 0 | ⁽⁹⁾ |
| 1602 20 11 1602 20 19 ex 1602 50 39 ex 1602 50 80 | Goose or duck liver Prepared or preserved tongue of bovine animals | 69 69 65 65 | unlimited | unlimited | | |
| 1602 31 1602 32 1602 39 | Prepared or preserved meat of poultry | free | 900 | 975 | 75 | ⁽⁸⁾ ⁽⁹⁾ |
| 1602 41 10 1602 42 10 1602 49 11 1602 49 13 1602 49 15 1602 49 19 1602 49 30 1602 49 50 | Preserved meat of domestic swine | 20 | 2 125 | 2 125 | 0 | ⁽⁹⁾ |
| 1602 50 | Prepared or preserved meat or offal of bovine animals | free | 250 | 500 | 0 | ⁽⁸⁾ |
| 2001 10 00 2001 90 60 2001 90 70 2001 90 75 2001 90 85 2001 90 93 2001 90 96 | Cucumbers and gherkins, preserved Other preserved fruits and vegetables | 20 | 250 | 250 | 0 | ⁽⁹⁾ |

| CN code | Description ⁽¹⁾ | Applicable duty (% of MFN) ⁽²⁾ | Quantity from 1.7.2002 to 30.6.2003 (tonnes) | Annual quantity from 1.7.2003 to 30.6.2004 (tonnes) | Yearly increase as from 1.7.2004 (tonnes) | Specific provisions |
|--|---|---|--|---|---|---------------------|
| 2002 90 31 2002 90 39 2002 90 91 2002 90 99 | Preserved tomatoes | 20 | 700 | 700 | 0 | ⁽⁹⁾ |
| 2003 10 20 2003 10 30 | Mushrooms of the genus <i>Agaricus</i> | free | 250 | 250 | 0 | ⁽⁹⁾ |
| 2005 40 00 | Peas | 20 | 250 | 250 | 0 | ⁽⁹⁾ |
| 2007 10 99 2007 99 10 2007 99 98 | Other homogenised preparations Plum purée and paste Other preparations | free | 2 400 | 2 600 | 200 | ⁽⁹⁾ |
| ex 2007 91 90 | Other, with the exception of orange jams and marmalades | 70 | unlimited | unlimited | | |
| 2007 99 31 | Cherry jam | 83 | | | | ⁽⁷⁾ |
| ex 2007 99 39 | Fruit preparations, with sugar content > 30 % by weight, fruit within headings 0801, 0803, 0804 (except figs and pineapples), 0807 20 00, 0810 20 90, 0810 30 90, 0810 40 10, 0810 40 50, 0810 40 90, 0810 90 | 27 | | | | ⁽⁷⁾ |
| 2008 60 61 | Sour cherries, containing added sugar, in immediate packings of a net content not exceeding 1 kg | 70 | unlimited | unlimited | | |
| 2401 10 60 2401 10 70 2401 20 60 2401 20 70 | Tobacco | 20 | 4 375 | 4 375 | 0 | ⁽⁹⁾ |

⁽¹⁾ Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording of the description of the products is to be considered as having no more than indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN code. Where ex-CN codes are indicated, the preferential scheme is to be determined by application to the CN code and corresponding description taken together.

⁽²⁾ In cases where a MFN minimum duty exists, the applicable minimum duty is equal to the MFN minimum duty multiplied by the percentage indicated in this column.

⁽³⁾ The quota for this product is opened for Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania and the Slovak Republic. Where it appears likely that total Community imports of live bovine animals may exceed 500 000 head in a given marketing year the Community may take the management measures needed to protect its market, not withstanding any other rights given under the Agreement.

⁽⁴⁾ The quota for this product is opened for Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania and the Slovak Republic.

⁽⁵⁾ Excluding tenderloin presented alone.

⁽⁶⁾ Subject to minimum import price arrangements contained in the Annex to this Annex.

⁽⁷⁾ The reduction applies only to the *ad valorem* part of the duty.

⁽⁸⁾ This concession is only applicable to products not benefiting from any kind of export subsidies.

⁽⁹⁾ Quantities of goods subject to this existing tariff quota and released for free circulation as from 1 July 2002 before the entry into force of this Protocol shall be fully counted against the quantity provided for in the fourth column.

Annex to ANNEX A(b)

Minimum import price arrangement for certain soft fruit for processing

1. Minimum import prices are fixed as follows for the following products for processing originating in Romania:

| CN code | Description | Minimum import price (EUR/100 kg net) |
|---------------|---|--|
| ex 0810 10 00 | Strawberries, fresh, intended for processing | 51,4 |
| ex 0810 20 10 | Raspberries, fresh, intended for processing | 63,1 |
| ex 0810 30 10 | Blackcurrants, fresh, intended for processing | 38,5 |
| ex 0810 30 30 | Redcurrants, fresh, intended for processing | 23,3 |
| ex 0811 90 95 | Frozen strawberries, containing no added sugar or other sweetening matter: whole fruit | 75,0 |
| ex 0811 10 90 | Frozen strawberries, containing no added sugar or other sweetening matter: other | 57,6 |
| ex 0811 20 31 | Frozen raspberries, containing no added sugar or other sweetening matter: whole fruit | 99,5 |
| ex 0811 20 31 | Frozen raspberries, containing no added sugar or other sweetening matter: other | 79,6 |
| ex 0811 20 39 | Frozen blackcurrants, containing no added sugar or other sweetening matter: without stalk | 62,8 |
| ex 0811 20 39 | Frozen blackcurrants, containing no added sugar or other sweetening matter: other | 44,8 |

2. The minimum import prices, as set out in Article 1, will be respected on a consignment by consignment basis. In the case of a customs declaration value being lower than the minimum import price, a countervailing duty will be charged equal to the difference between the minimum import price and the customs declaration value.
3. If the import prices of a given product covered by this Annex show a trend suggesting that the prices could go below the level of the minimum import prices in the immediate future, the European Commission will inform the Romanian authorities in order to enable them to correct the situation.
4. At the request of either the Community or Romania, the Association Committee shall examine the functioning of the system or the revision of the level of the minimum import prices. If appropriate, the Association Committee shall take the necessary decisions.
5. To encourage and promote the development of trade and for the mutual benefit of all parties concerned, a consultation meeting will be organised three months before the beginning of each marketing year in the European Community. This consultation meeting will take place between the European Commission and the interested European producers' organisations for the products concerned, of the one part and the authorities', producers' and exporters' organisations of all the associated exporting countries, of the other part.

During this consultation meeting, the market situation for soft fruit including, in particular, forecasts for production, stock situation, price evolution and possible market development, as well as possibilities to adapt supply to demand, will be discussed.

ANNEX B(a)

Custom duties on imports applicable in Romania to products originating in the Community and listed below shall be abolished — Romanian tariff codes ⁽¹⁾

| | | | | | |
|---------------------------|------------|---------------------------|------------|------------|------------|
| 0101 | 0507 10 00 | 0802 22 00 | 1202 10 | 1516 10 | 2008 99 41 |
| 0102 10 | 0507 90 00 | 0802 40 00 | 1202 20 00 | 1518 00 31 | 2008 99 46 |
| 0102 90 90 | 0508 00 00 | 0802 50 00 | 1207 30 | 1518 00 39 | 2008 99 47 |
| 0103 10 00 | 0509 00 10 | 0802 90 | 1207 40 | 1522 00 91 | 2008 99 49 |
| 0103 91 90 | 0510 00 00 | 0803 | 1207 50 90 | 1522 00 99 | 2008 99 51 |
| 0103 92 90 | 0511 91 | 0804 | 1207 60 | 1602 41 90 | 2008 99 61 |
| 0104 | 0511 99 | 0805 | 1207 91 10 | 1602 42 90 | 2008 99 62 |
| 0106 | 0601 | 0806 20 | 1209 21 00 | 1602 49 90 | 2009 21 00 |
| 0203 11 90 | 0602 30 00 | 0807 20 00 | 1209 22 10 | 1602 90 31 | 2009 29 19 |
| 0203 12 90 | 0602 90 10 | 0808 10 10 | 1209 22 80 | 1602 90 41 | 2009 29 99 |
| 0203 19 90 | 0602 90 20 | 0809 40 90 | 1209 23 | 1602 90 72 | 2009 31 19 |
| 0203 21 90 | 0602 90 30 | 0810 40 10 | 1209 24 00 | 1602 90 74 | 2009 31 51 |
| 0203 22 90 | 0602 90 41 | 0810 40 50 | 1209 25 10 | 1602 90 76 | 2009 31 59 |
| 0203 29 90 | 0602 90 45 | 0810 40 90 | 1209 25 90 | 1602 90 78 | 2009 31 91 |
| 0204 | 0602 90 49 | 0810 50 00 | 1209 26 00 | 1602 90 98 | 2009 31 99 |
| 0205 | 0602 90 51 | 0810 60 00 | 1209 29 50 | 1603 | 2009 39 19 |
| 0206 10 91 ⁽²⁾ | 0602 90 59 | 0810 90 | 1209 30 00 | 1703 | 2009 39 39 |
| 0206 10 99 ⁽²⁾ | 0604 | 0811 90 70 | 1209 91 | 2001 90 10 | 2009 39 55 |
| 0206 21 00 ⁽²⁾ | 0704 20 00 | 0811 90 85 | 1209 99 10 | 2001 90 20 | 2009 39 59 |
| 0206 22 00 ⁽²⁾ | 0706 90 30 | 0812 10 00 | 1211 90 | 2001 90 65 | 2009 39 95 |
| 0206 29 99 ⁽²⁾ | 0709 20 00 | 0812 90 20 | 1212 10 | 2001 90 91 | 2009 39 99 |
| 0206 30 80 | 0709 52 00 | 0812 90 30 | 1213 00 00 | 2003 20 00 | 2009 41 91 |
| 0206 41 80 | 0709 59 10 | 0812 90 40 | 1214 10 00 | 2003 90 00 | 2009 41 99 |
| 0206 49 80 | 0709 59 30 | 0812 90 50 | 1214 90 | 2004 90 30 | 2009 49 19 |
| 0206 80 91 | 0709 60 91 | 0812 90 60 | 1301 10 00 | 2005 60 00 | 2009 49 93 |
| 0206 80 99 | 0709 60 95 | 0812 90 70 | 1301 20 00 | 2005 90 10 | 2009 49 99 |
| 0206 90 91 | 0709 60 99 | 0812 90 99 | 1301 90 | 2005 90 50 | 2301 |
| 0206 90 99 | 0709 90 20 | 0813 40 50 | 1302 11 00 | 2005 90 75 | 2302 50 00 |
| 0208 | 0709 90 31 | 0813 40 60 | 1302 14 00 | 2006 00 10 | 2304 00 00 |
| 0210 91 00 | 0709 90 40 | 0813 40 70 | 1302 19 05 | 2006 00 91 | 2305 00 00 |
| 0210 92 00 | 0709 90 50 | 0813 40 95 | 1302 19 98 | 2006 00 99 | 2306 10 00 |
| 0210 93 00 | 0710 80 10 | 0813 50 12 | 1302 32 90 | 2008 11 | 2306 20 00 |
| 0210 99 10 | 0710 80 61 | 0813 50 31 | 1302 39 00 | 2008 19 11 | 2306 41 00 |
| 0210 99 21 | 0710 80 69 | 0813 50 99 | 1401 | 2008 19 13 | 2306 50 00 |
| 0210 99 29 | 0710 80 85 | 0814 00 00 | 1402 00 00 | 2008 19 51 | 2306 60 00 |
| 0210 99 31 | 0711 20 | 0901 | 1403 00 00 | 2008 19 59 | 2306 70 00 |
| 0210 99 39 | 0711 30 00 | 0904 20 10 | 1404 | 2008 19 93 | 2306 90 |
| 0210 99 59 | 0711 90 10 | 0904 20 30 | 1502 | 2008 20 19 | 2307 00 11 |
| 0210 99 60 | 0712 31 00 | 0909 10 00 | 1503 | 2008 20 39 | 2307 00 90 |
| 0407 00 90 | 0712 32 00 | 0909 40 00 | 1504 | 2008 20 51 | 2308 00 11 |
| 0408 11 20 | 0712 33 00 | 0909 50 00 | 1509 10 10 | 2008 20 59 | 2308 00 40 |
| 0408 19 20 | 0712 39 00 | 0910 20 | 1509 90 00 | 2008 20 71 | 2308 00 90 |
| 0408 91 20 | 0713 20 00 | 0910 40 11 | 1510 00 10 | 2008 20 79 | 2309 90 10 |
| 0408 99 20 | 0713 40 00 | 0910 40 13 | 1510 00 90 | 2008 20 91 | 2309 90 20 |
| 0410 00 00 | 0713 50 00 | 0910 40 19 | 1512 21 | 2008 20 99 | 2309 90 31 |
| 0501 00 00 | 0714 20 | 1102 90 90 ⁽²⁾ | 1512 29 | 2008 30 | 2309 90 41 |
| 0502 90 00 | 0714 90 90 | 1103 19 90 ⁽²⁾ | 1515 21 | 2008 92 72 | 2309 90 51 |
| 0503 00 00 | 0801 | 1103 20 90 ⁽²⁾ | 1515 30 | 2008 99 11 | 2309 90 91 |
| 0504 00 00 | 0802 11 | 1106 10 00 | 1515 40 00 | 2008 99 19 | |
| 0505 10 10 | 0802 12 | 1106 30 | 1515 50 | 2008 99 25 | |
| 0506 | 0802 21 00 | 1108 20 00 | 1515 90 | 2008 99 26 | |

⁽¹⁾ As defined in Emergency Ordinance No 171/2001, MO I No 848/29.12.2001.⁽²⁾ Customs duties on imports of these products shall be abolished provided they do not benefit from export refunds.

ANNEX B(b)

Imports into Romania of the following products originating in the Community shall be subject to the concessions set out below

| Romanian tariff code | Description (*) | Applicable custom duty (% <i>ad valorem</i>) | Quantity from 1.7.2002 to 30.6.2003 (tonnes) | Annual quantity from 1.7.2003 to 30.6.2004 (tonnes) | Yearly increase as from 1.7.2004 (tonnes) | Specific provisions |
|--|---|---|--|---|---|-----------------------------------|
| ex 0102 90 41 ex 0102 90 49 0102 90 51 0102 90 59 | Heifers (female bovines that have never calved), weighing more than 220 kg | 18,8 | unlimited | unlimited | | |
| 0201 0202 | Meat of bovine animals, fresh, chilled or frozen | free | 2 000 | 4 000 | 0 | (¹) |
| 0206 10 95 0206 29 91 0210 20 0210 99 51 | Fresh or chilled edible bovine thick and thin skirt Frozen edible bovine thick and thin skirt Meat of bovine animals, salted, in brine, dried or smoked Thick and thin skirt of bovine animals | free | 50 | 100 | 0 | (¹) |
| 0207 | Meat and edible offal, of the poultry of heading No 0105 | free | 3 600 | 3 900 | 300 | (¹) (⁴) |
| 0210 99 90 | Edible flours and meals of meat or meat offal | 18,8 | unlimited | unlimited | | |
| 0402 10 19 0402 21 11 0402 21 19 0402 21 91 | Milk and cream, in powder or other solid forms | 15 18,8 18,8 18,8 | 1 500 | 1 500 | 0 | (⁴) |
| 0403 10 11 to 0403 10 39 0403 90 11 to 0403 90 69 | Yoghurt, not flavoured nor containing added fruits, nuts or cocoa Other, not flavoured nor containing added fruits, nuts or cocoa | 18,8 | unlimited | unlimited | | |
| 0404 10 02 to 0404 10 16 | Whey, in powder or other solid forms, not containing added sugar or other sweetening matter | 18,8 | unlimited | unlimited | | |
| 0405 10 0405 90 | Butter and other fats and oils derived from milk | 18,8 | 1 900 | 1 900 | 0 | (⁴) |
| 0406 | Cheese and curd | free | 2 400 | 2 600 | 200 | (¹) (⁴) |
| 0602 10 | Unrooted cuttings and slips | 15 | unlimited | unlimited | | |
| ex 0701 10 00 | Seed potatoes, fresh or chilled, of superior biological categories | free | unlimited | unlimited | | |
| 0701 90 50 0701 90 90 | Potatoes, fresh or chilled other than seed and other than for the manufacture of starch | 18,8 | 20 000 | 20 000 | 0 | (⁴) |
| 0709 10 0709 90 39 | Globe artichokes, fresh or chilled Olives, for the production of oil | 18,8 | unlimited | unlimited | | |
| ex 0806 10 10 | Fresh table grapes, from 1 January to 14 July (excl. emperor variety, from 1 to 31 January only) | free | unlimited | unlimited | | |

| Romanian tariff code | Description (*) | Applicable custom duty (% <i>ad valorem</i>) | Quantity from 1.7.2002 to 30.6.2003 (tonnes) | Annual quantity from 1.7.2003 to 30.6.2004 (tonnes) | Yearly increase as from 1.7.2004 (tonnes) | Specific provisions |
|----------------------|--|---|--|---|---|-----------------------------------|
| ex 1001 10 00 | Durum wheat, seed | free | unlimited | unlimited | | |
| ex 1001 | Wheat and meslin, except durum wheat seed | free | 125 000 | 125 000 | 0 | (¹) (⁴) |
| 1002 00 00 | Rye | 18,8 | 30 000 | 30 000 | 0 | (⁴) |
| 1003 00 10 | Barley, seed | 18,8 | 1 118 | 1 118 | 0 | (⁴) |
| 1003 00 90 | Barley, other than seed | 18,8 | 55 882 | 55 882 | 0 | (⁴) |
| 1005 10 | Maize seed | free | 1 000 | 1 000 | 0 | (¹) (⁴) |
| 1005 90 00 | Maize, other than seed | free | 24 500 | 49 000 | 0 | (¹) |
| 1006 | Rice | free | 10 000 | 10 000 | 0 | (⁴) |
| 1102 30 00 | Rice flour | | | | | |
| 1103 19 50 | Rice groats and meal | | | | | |
| 1103 20 50 | Rice pellets | | | | | |
| 1101 | Wheat and meslin flour | free | 1 500 | 3 000 | 0 | (¹) |
| 1103 11 | Wheat groats and meal | | | | | |
| 1103 20 60 | Wheat pellets | | | | | |
| 1107 | Malt | free | 5 000 | 10 000 | 0 | (¹) |
| 1204 00 10 | Linseed, for sowing | free | unlimited | unlimited | | (²) |
| 1209 10 00 | Sugar beet seed | free | unlimited | unlimited | | (³) |
| 1509 10 90 | Virgin olive oil, other than lampante virgin olive oil | 18,8 | unlimited | unlimited | | |
| 1515 11 00 | Crude linseed oil | 18,8 | unlimited | unlimited | | |
| 1602 20 90 | Preparations of liver, other than goose or duck liver | 18,8 | unlimited | unlimited | | |
| 1602 49 19 | Meat preparations of domestic swine, other | | | | | |
| 1602 31 to 1602 39 | Prepared or preserved meat of poultry | free | 600 | 650 | 50 | (¹) (⁴) |
| 1602 50 | Meat preparations of bovine animals | free | 250 | 500 | 0 | (¹) |
| 1701 11 | Raw cane sugar | 18,8 | 20 000 | 20 000 | 0 | (⁴) |
| 1701 12 | Raw beet sugar | | | | | |
| 1701 99 | White or other sugar, not containing added flavouring or colouring | | | | | |
| 1801 00 00 | Cocoa beans, whole or broken | free | unlimited | unlimited | | (²) |
| 2005 70 | Olives, prepared or conserved | free | 5 000 | 5 000 | 0 | (⁴) |

| Romanian tariff code | Description (*) | Applicable custom duty (% <i>ad valorem</i>) | Quantity from 1.7.2002 to 30.6.2003 (tonnes) | Annual quantity from 1.7.2003 to 30.6.2004 (tonnes) | Yearly increase as from 1.7.2004 (tonnes) | Specific provisions |
|----------------------|--|---|--|---|---|---------------------|
| 2007 91 | Jams, fruit jellies, marmalades, purée and pastes of citrus fruits | 18,8 | unlimited | unlimited | | |
| 2007 99 35 | Jams, fruit jellies, marmalades, purée and pastes of raspberries | | | | | |
| 2007 99 51 | Chestnut purée and paste | | | | | |
| 2009 11 | Frozen orange juice | 18,8 | unlimited | unlimited | | |
| 2009 19 | Other orange juice | | | | | |
| 2009 29 11 | Grapefruit juice | | | | | |
| 2009 29 91 | | | | | | |
| 2009 31 11 | Other citrus fruit juice | | | | | |
| 2009 39 11 | | | | | | |
| 2009 39 31 | | | | | | |
| 2009 39 51 | Lemon juice | | | | | |
| 2009 41 10 | Pineapple juice | | | | | |
| 2009 49 11 | | | | | | |
| 2009 49 30 | | | | | | |
| 2009 49 91 | | | | | | |
| 2401 10 10 | Unmanufactured tobacco | 18,8 | 2 500 | 2 500 | 0 | (⁴) |
| 2401 10 20 | | | | | | |
| 2401 10 60 | | | | | | |
| 2401 10 70 | | | | | | |
| 2401 20 10 | | | | | | |
| 2401 20 20 | | | | | | |

(*) The wording of the description of the products is to be considered as having no more than indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the code. Where ex-codes are indicated, the preferential scheme is to be determined by application to the code and corresponding description taken together.

(¹) This concession is only applicable to products not benefiting from any kind of export subsidies.

(²) In the event of an increase in the customs duty applicable *erga omnes*, the preferential duty applicable to imports originating in the Community may be set at 75 % of the customs duty applicable *erga omnes*, subject to a maximum of 18,8 % *ad valorem*.

(³) In the event of an increase in the customs duty applicable *erga omnes*, the preferential duty applicable to imports originating in the Community may be set at 75 % of the customs duty applicable *erga omnes*, subject to a maximum of 15 % *ad valorem*.

(⁴) Quantities of goods subject to this existing tariff quota and released for free circulation as from 1 July 2002 before the entry into force of this Protocol shall be fully counted against the quantity provided for in the fourth column.

COUNCIL DECISION

of 14 October 2002

on declassifying certain parts of the Sirene Manual adopted by the Executive Committee established by the Convention implementing the Schengen Agreement of 14 June 1985

(2003/19/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 207 thereof,

Whereas:

- (1) By its Decision of 14 December 1993 (SCH/Com-ex (93) 22 rev) and 23 June 1998 (SCH/Com-ex (98) 17), the Executive Committee established by the Convention implementing the Schengen Agreement of 14 June 1985, which was replaced by the Council pursuant to Article 2 of the Schengen Protocol, classified as 'Confidential' the Sirene Manual, the final version of which was adopted by the Decision of the said Executive Committee on 28 April 1999 (SCH/Com-ex (99) 5).
- (2) The Sirene Manual and the Decisions of the Executive Committee on its classification form part of the Schengen *acquis* as defined by the Council in its Decision 1999/435/EC of 20 May 1999.
- (3) Certain parts of the Sirene Manual should be declassified.
- (4) Certain parts of the Sirene Manual should have their classification downgraded to 'Restreint UE'.
- (5) It is appropriate to repeal the Executive Committee decisions (SCH/Com-ex (93) 22 rev) and (SCH/Com-ex (98) 17) insofar as they relate to the classification of the Sirene Manual, so that future decisions on its classification may be taken in accordance with the normal rules on the classification of documents, as set out in Council Decision 2001/264/EC of 19 March 2001 adopting the Council's security regulations ⁽¹⁾,

HAS DECIDED AS FOLLOWS:

Article 1

The Sirene Manual shall be declassified, with the exception of section 2.3 and Annexes 1, 2, 3, 4, 5 and 6.

Article 2

Section 2.3 of the Sirene Manual, as well as Annexes 1, 2, 3, 4, 5 and 6 shall be classified 'Restreint UE'.

Article 3

The declassified parts of the Sirene Manual shall be published in the *Official Journal of the European Communities*.

Article 4

1. The decisions of the Schengen Executive Committee of 14 December 1993 (SCH/Com-ex (93)22 rev.) and of 23 June 1998 (SCH/Com-ex (98) 17) shall be repealed insofar as they relate to the Sirene Manual.
2. Future decisions on the classification of the Sirene Manual shall be taken in accordance with the provisions of Decision 2001/264/EC.

Article 5

This Decision shall take effect on the day of its publication in the *Official Journal of the European Communities*.

Done at Luxembourg, 14 October 2002.

*For the Council**The President*

L. ESPERSEN

⁽¹⁾ OJ L 101, 11.4.2001, p. 1.

COMMISSION

COMMISSION DECISION

of 27 December 2002

on the application of Article 6 of the Directive 2000/26/EC of the European Parliament and of the Council of 16 May 2000 on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles and amending Council Directives 73/239/EEC and 88/357/EEC

(notified under document number C(2002) 5304)

(Text with EEA relevance)

(2003/20/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Directive 2000/26/EC of the European Parliament and of the Council of 16 May 2000 on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles and amending Council Directives 73/239/EEC and 88/357/EEC ⁽¹⁾, and in particular Article 6(3)(b) thereof,

Whereas:

- (1) The Directive 2000/26/EC (fourth motor insurance Directive) lays down special provisions applicable to injured parties resident in a Member State and entitled to compensation in respect of any loss or injury resulting from accidents occurring in a Member State other than the Member State of residence of the injured party or in third countries whose national insurer's bureaux have joined the green card system whenever such accidents are caused by the use of vehicles insured and normally based in a Member State.
- (2) According to Article 6(1) and Article 10(3) of the fourth Directive, each Member State shall establish or approve before 20 January 2002 a compensation body responsible for providing compensation where the insurance undertaking has failed to appoint a representative or is manifestly dilatory in settling a claim. Furthermore, as provided for in Article 7, the injured party is entitled to apply for compensation from the compensation body in the Member State where he resides if it is impossible to identify the vehicle or if, within two months following the accident, it is impossible to identify the insurance undertaking.
- (3) In accordance with the provisions of Article 6(2) of the fourth Directive, the compensation body of a Member State which has compensated an injured party residing in that Member State shall be entitled to claim reimbursement of the sum paid by way of compensation from the compensation body in the Member State in which the insurance undertaking which issued the policy of the presumed liable party is established.
- (4) By virtue of Article 6(3)(a) of the fourth Directive, the entry into force of Article 6 of the fourth Directive is subject to the conclusion of an agreement between the compensation bodies established or approved by the Member States defining their functions and obligations and the procedures for reimbursement.
- (5) All the Member States have designated the compensation bodies responsible for providing compensation to injured parties in the cases referred to in Article 1 of the fourth motor insurance Directive, as provided for by its Article 6. An agreement between these compensation bodies according to this provision was concluded on 29 April 2002 in Brussels and notified to the European Commission by letter dated 19 July 2002 within the deadline established by Article 10(3) of the same Directive.
- (6) Article 6(3)(b) calls on the Commission to fix the date from which Article 6 of the fourth Directive shall take effect, and the Commission has already ascertained, after consulting the Insurance Committee, the conclusion of this agreement.
- (7) In accordance with Article 10(1) of the fourth motor insurance Directive, Member States shall apply the laws, regulations and administrative provisions necessary to comply with it before 20 January 2003,

⁽¹⁾ OJ L 181, 20.7.2000, p. 65.

HAS ADOPTED THIS DECISION:

Article 3

This Decision is addressed to the Member States.

Article 1

As from 20 January 2003, Article 6 of Directive 2000/26/EC shall take effect.

Done at Brussels, 27 December 2002.

Article 2

Member States shall inform the Commission of measures taken to apply this Decision.

For the Commission

Frederik BOLKESTEIN

Member of the Commission

COMMISSION DECISION

of 30 December 2002

amending Decision 2002/673/EC approving the programmes for the implementation of Member States' surveys for avian influenza in poultry and wild birds

(notified under document number C(2002) 5488)

(2003/21/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 Decision 2001/572/EC ⁽²⁾, and in particular Article 20 thereof,

Whereas:

- (1) Council Decision 90/424/EEC provides for financial aid from the Community for the undertaking of technical and scientific measures necessary for the development of Community veterinary legislation and for veterinary education or training.
- (2) The implementation of surveys for avian influenza in poultry and wild birds in Member States was decided by Commission Decision 2002/649/EC ⁽³⁾ including a financial contribution by the Community to the costs incurred by the Member States at the rate of 50 % of the costs for the collection and the analysis of samples up to a maximum of EUR 500 000 for all the Member States in total.
- (3) By Decision 2002/673/EC ⁽⁴⁾ the programme for a Member State was approved and standard forms were laid down for reporting results and costs of the programme performed in each Member State.
- (4) All Member States have now submitted their programmes which have been studied by the Commission and an expert of the Community Reference Laboratory.
- (5) Decision 2002/673/EC should therefore be amended in order to officially approve the Member States' programmes and to determine the amount of financial participation by the Community granted to each approved programme.

- (6) The date for the submission of the reports on the results of the surveys should be postponed until 15 October 2003 to better cover the investigations for wild birds.
- (7) The opportunity should be taken to amend one table used for Member State's reporting of the results of the survey in relation to the different categories of poultry tested and to correct a mistake in that table.
- (8) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2002/673/EC shall be amended as follows:

1. in Article 1(3) the date '30 September 2003' is replaced by the date '15 October 2003';
2. Annex I is replaced by Annex I to this Decision;
3. Annex II is replaced by Annex II to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 30 December 2002.

For the Commission

David BYRNE

Member of the Commission⁽¹⁾ OJ L 224, 18.8.1990, p. 19.⁽²⁾ OJ L 203, 28.7.2001, p. 16.⁽³⁾ OJ L 213, 9.8.2002, p. 38.⁽⁴⁾ OJ L 228, 24.8.2002, p. 27.

ANNEX I

List of Member States, for which programmes for avian influenza surveys in poultry and wild birds are approved

| (in euro) | | |
|---------------------|------------------------------------|----------------|
| Member States | Period | Maximum amount |
| Austria — AT | 30 December 2002 — 15 October 2003 | 24 500 |
| Belgium — B | 30 December 2002 — 15 October 2003 | 12 600 |
| Denmark — DK | 30 December 2002 — 15 October 2003 | 29 500 |
| Finland — FI | 30 December 2002 — 15 October 2003 | 19 700 |
| France — F | 30 December 2002 — 15 October 2003 | 28 700 |
| Germany — D | 30 December 2002 — 15 October 2003 | 74 400 |
| Greece — EL | 30 December 2002 — 15 October 2003 | 37 600 |
| Ireland — IRL | 30 December 2002 — 15 October 2003 | 17 800 |
| Italy — I | 1 August 2002 — 30 June 2003 | 31 800 |
| Luxembourg — L | 30 December 2002 — 15 October 2003 | 1 500 |
| Netherlands — NL | 30 December 2002 — 15 October 2003 | 22 800 |
| Portugal — P | 30 December 2002 — 15 October 2003 | 32 900 |
| Spain — E | 30 December 2002 — 15 October 2003 | 42 100 |
| Sweden — SE | 30 December 2002 — 15 October 2003 | 25 200 |
| United Kingdom — UK | 30 December 2002 — 15 October 2003 | 98 900 |
| Total | | 500 000 |

COMMISSION DECISION**of 30 December 2002****for the purchase by the Community of classical swine fever vaccine and the establishment of a Community stock of that vaccine***(notified under document number C(2002) 5490)**(2003/22/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 Decision 2001/572/EC ⁽²⁾, and in particular Article 6(2) and Article 8(2) thereof,Having regard to Council Directive 2001/89/EC of 23 October 2001 on Community measures for the control of classical swine fever ⁽³⁾, and in particular Article 18(2) thereof,

Whereas:

- (1) Classical swine fever is a threat for domestic and feral pigs in the Community.
- (2) Outbreaks of classical swine fever in domestic pig holdings can lead to very serious consequences and economic losses in the Community, in particular if they occur in areas with a high density of pigs.
- (3) The rules for applying emergency vaccination in pig holdings are laid down in Directive 2001/89/EC.
- (4) Pursuant to Decision 2002/106/EC of 1 February 2002 approving a Diagnostic Manual establishing diagnostic procedures, sampling methods and criteria for evaluation of the laboratory tests for the confirmation of classical swine fever ⁽⁴⁾, no suitable discriminatory tests are available to distinguish vaccinated pigs from pigs naturally infected with classical swine fever virus. Therefore, at present the successful use of marker vaccines against that disease cannot be envisaged in case of emergency vaccination.
- (5) It is appropriate to purchase an adequate number of doses of live attenuated classical swine fever vaccine and to make arrangements for keeping it in stock and making it rapidly available in case of an emergency vaccination of domestic pigs.
- (6) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

1. The Community shall purchase as soon as possible 1 000 000 doses of live attenuated classical swine fever vaccine.

2. The Community shall make arrangements for the storage and distribution of the vaccine referred to in paragraph 1.

Article 2

The maximum cost of the measures referred to in Article 1 shall not exceed EUR 300 000.

Article 3

The measures provided for in Article 1(2) shall be carried out by the Commission in cooperation with the supplier designated by call for tender.

Article 4

1. The Commission shall conclude contracts for the measures provided for in Articles 1 and 3 without delay.

2. The Director General of the Directorate General for Health and Consumer Protection shall be authorised to sign the contracts provided for in paragraph 1 on behalf of the European Commission.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 30 December 2002.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 224, 18.8.1990, p. 19.

⁽²⁾ OJ L 203, 28.7.2001, p. 16.

⁽³⁾ OJ L 316, 1.12.2001, p. 5.

⁽⁴⁾ OJ L 39, 9.2.2002, p. 71.

COMMISSION DECISION

of 30 December 2002

concerning a financial contribution for the compulsory slaughter between 1 July and 31 October 2001 of animals due to foot-and-mouth disease in the United Kingdom*(notified under document number C(2002) 5491)***(Only the English text is authentic)**

(2003/23/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 Council Decision 2001/572/EC ⁽²⁾, and in particular Article 11(2) and (4) thereof,

Whereas:

- (1) Outbreaks of foot-and-mouth disease occurred in the United Kingdom in 2001. The onset of the disease represents a serious danger to Community stocks. With a view to prevent the spreading of the disease and contribute to its eradication the Community may contribute to eligible expenditures incurred by the Member State.
- (2) As soon as the presence of foot-and-mouth disease was officially confirmed, the British authorities reported that they had taken measures listed in Article 3(2) of Decision 90/424/EEC and implemented immediately the relevant provisions of Directive 85/511/EEC ⁽³⁾.
- (3) Pursuant to Article 3(2) of Council Regulation (EC) No 1258/1999 ⁽⁴⁾, 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; for financial control purposes, Articles 8 and 9 of Regulation (EC) No 1258/1999 apply.
- (4) The financial contribution from the Community shall be granted provided that the actions planned are efficiently carried out and that the authorities supply all the necessary information within the time limits laid down.
- (5) The financial contribution towards the eradication of foot-and-mouth disease in the United Kingdom in 2001 relating to outbreaks of foot-and-mouth disease which occurred until 30 June 2001 has been fixed by Commission Decision 2001/654/EC ⁽⁵⁾.
- (6) Outbreaks of foot-and-mouth occurred in the United Kingdom also after 30 June 2001. A supplementary financial contribution towards the eradication of these outbreaks has to be fixed.

- (7) As the amount of the eligible costs shall be paid in euro, an exchange rate has to be fixed.

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

HAS DECIDED AS FOLLOWS:

Article 1

The United Kingdom may obtain a financial contribution from the Community for the adequate compensation of owners for the compulsory slaughter of their animals under eradication measures relating to outbreaks of foot-and-mouth disease which occurred between 1 July 2001 and the end of October 2001, in accordance with the provisions of Article 11 of Decision 90/424/EEC.

Article 2

1. The Community financial contribution shall be paid on the basis of:

- (a) the supporting documents relating to the measures taken in the period referred to in Article 1 which shall be forwarded no later than 60 days after the date on which the Member State is notified of this Decision;
- (b) the results of the Commission checks referred to in Article 4.

2. The documents referred to in paragraph 1 shall include a financial report. This financial report shall take account of the categories of animals destroyed, or slaughtered and destroyed in each farm due to foot-and-mouth disease. This report shall be provided in computerised form in accordance with the annex.

3. For the purposes of this Decision, 'adequate compensation' means animals compensated at the value the animals had immediately before they became affected.

⁽¹⁾ OJ L 224, 18.8.1990, p. 19.

⁽²⁾ OJ L 203, 28.7.2001, p. 16.

⁽³⁾ OJ L 315, 26.11.1985, p. 11.

⁽⁴⁾ OJ L 160, 26.6.1999, p. 103.

⁽⁵⁾ OJ L 230, 28.8.2001, p. 16.

Article 3

The amount of the eligible costs shall be fixed in euro at the rate published in the *Official Journal of the European Communities* on the first working day of the month in which the application for payment was received.

Article 4

The Commission may make on-the-spot checks, with the cooperation of the competent national authorities, on the application of the above measures and the related expenditures incurred.

The Commission shall inform the Member States of the results of the checks carried out.

Article 5

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 30 December 2002.

For the Commission

David BYRNE

Member of the Commission

COMMISSION DECISION
of 30 December 2002
concerning the development of an integrated computerised veterinary system
(notified under document number C(2002) 5496)

(2003/24/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning the veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽¹⁾, as last amended by Directive 92/118/EEC ⁽²⁾, and in particular Article 20(3) thereof,

Having regard to Council Decision 92/438/EEC of 13 July 1992 on computerisation of veterinary import procedures (Shift project), amending Directives 90/675/EEC, 91/628/EEC and Decision 90/424/EEC, and repealing Decision 88/192/EEC ⁽³⁾, as last amended by Council Decision 95/1/EC ⁽⁴⁾, and in particular Article 12 thereof,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽⁵⁾, as last amended by Decision 2001/572/EC ⁽⁶⁾, and in particular Articles 37 and 37a thereof,

Whereas:

- (1) Directive 1999/93/EC of the European Parliament and of the Council of 13 December 1999 on a Community framework for electronic signatures ⁽⁷⁾ seeks to guarantee the security of and confidence in electronic communication media and facilitate their use by the national and Community authorities to communicate both among themselves and with citizens and economic operators.
- (2) Article 3 of Commission Decision 92/563/EEC of 19 November 1992 on the database covering the Community's import requirements, envisaged by the Shift project ⁽⁸⁾ lays down that the Commission must develop the relevant databases.
- (3) Commission Decision 91/398 of 19 July 1991 on a computerised network linking veterinary authorities (Animo) ⁽⁹⁾ defines the principles governing the communications network linking veterinary units.

- (4) The work carried out in Community studies and seminars has shown that the architecture of the Animo network needs to be revised to create a veterinary system that includes various computer applications.
- (5) European Parliament Resolution A5-0396/2000 on Court of Auditors Special Report No 1/2000 ⁽¹⁰⁾ on the outbreak of classical swine fever calls for the Animo network to be managed and developed under the full control of the Commission and for amendments to be made in accordance with the Court's observations.
- (6) In order to optimise functions and user interfaces, the Member States need to be closely involved in developing an integrated computerised veterinary system.
- (7) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

The Community shall as soon as possible set up a computer system integrating the functions of the ANIMO and SHIFT systems into a single architecture. The technical specifications of this system are set out in the Annex.

Article 2

1. In the first phase, the Commission shall draw up the specifications for the new Animo system, analyse the system and present a prototype.

The Commission shall have a budget of EUR 200 000 for that work.

2. In the second phase, the Commission shall develop the new Animo system and make the database available to the Member States.

3. The Commission shall also develop and integrate into the new computer system the Shift system, in particular the functions required to aid decision-making at border inspection posts, as regards both regulatory matters and risk analyses.

⁽¹⁾ OJ L 224, 18.8.1990, p. 29.

⁽²⁾ OJ L 62, 15.3.1993, p. 49.

⁽³⁾ OJ L 243, 25.8.1992, p. 27.

⁽⁴⁾ OJ L 1, 1.1.1995, p. 113.

⁽⁵⁾ OJ L 224, 18.8.1990, p. 19.

⁽⁶⁾ OJ L 203, 28.7.2001, p. 16.

⁽⁷⁾ OJ L 13, 19.1.2000, p. 12.

⁽⁸⁾ OJ L 361, 10.12.1992, p. 45.

⁽⁹⁾ OJ L 221, 9.8.1991, p. 30.

⁽¹⁰⁾ OJ C 85, 23.3.2000, p. 1.

Article 3

The Director-General of the Directorate-General for Health and Consumer Protection shall be authorised to sign the contracts needed to implement this Decision.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 30 December 2002.

For the Commission

David BYRNE

Member of the Commission

ANNEX

The architecture of the computer systems of the Directorate-General for Health and Consumer Protection is based on n-tier technology, with a client-side browser, a web server for the presentation of information and a separate Oracle database server. Strategic applications are developed in JAVA using BEA Weblogic. The network protocol is IP, and, where necessary for security reasons, a private data-network, TESTA II, and security protocols such as Secure Socket Layer (SSL) and Public Key Infrastructure (PKI) are used. Data is exchanged between applications using the XML standard.

Statistical reports are generated from BO (Business Object) and cartographic software.

CORRIGENDA**Corrigendum to Commission Regulation (EC) No 2304/2002 of 20 December 2002 implementing Council Decision 2001/822/EC on the association of the overseas countries and territories with the European Community (Overseas Association Decision)**

(Official Journal of the European Communities L 348 of 21 December 2002)

The following Annex shall be added to Regulation (EC) No 2304/2002 which appears on page 82:

'ANNEX**STANDARD STRUCTURE FOR SINGLE PROGRAMMING DOCUMENTS FOR OVERSEAS COUNTRIES AND TERRITORIES****Part A: Cooperation strategy**

Executive summary

Chapter 1: EC cooperation objectives

Chapter 2: Policy agenda of OCT

Chapter 3: Assessment of the political, economic and social situation

Chapter 4: Assessment of past and ongoing EC cooperation

Chapter 5: Response strategy

Part B: Indicative programme

Chapter 6: Indicative programme

The full text, including the executive summary and chapters 1 to 6, should be limited to approximately 10 pages plus annexes.

PART A: COOPERATION STRATEGY**Executive summary**

SPDs should begin with a half-page executive summary. This should include the major challenges facing OCT in the medium and long term, the main objective of the SPD, the principal reasons for the choice of focal area and the overall distribution of funds.

Chapter 1: EC cooperation objectives

In this section, the broad EC cooperation objectives are explicitly stated, as determined by the EC Treaty, EC regulations, international agreements and the recent Statement on EC Development Policy.

Chapter 2: Policy agenda of OCT

This section should provide a concise statement of the aims and objectives of the government, as set out in official policy documents, in medium or long-term plans, reform strategies or development programmes. This should be completed by an indication as to how the Government proposes to achieve these objectives.

Chapter 3: Assessment of the political, economic and social situation

Major domestic policy developments/issues and relevant aspects of the external context should be covered, including the political situation, trade aspects, the economic and social situation, environmental aspects and finally, the sustainability of current policies and medium-term challenges. Particular attention should be given to the assessment of public expenditure management and public procurement.

This should be an analytical and not merely descriptive exercise. The analysis should be dialogue-driven, prepared in close cooperation with other donors (if applicable) and involving non-State actors.

Chapter 4: Assessment of past and ongoing EC cooperation

This section should contain a brief account of the results and “lessons learned” from past and ongoing EC cooperation. Recommendations from relevant evaluations on the OCT, specific sectors or projects should be considered.

A coherence paragraph (EC policy mix) should assess the linkages between the SPD and other Community policies, resources and instruments. Programmes of EU Members States and other donors (if applicable) should be outlined.

Chapter 5: Response strategy

This section should set out the strategic choices for EC cooperation, specifying in which area/sector assistance will concentrate. That choice should flow logically from:

- EC **policy objectives**;
- an analysis of the OCT situation and its **development strategy**, determining the **relevance and sustainability** of the support strategy;
- conclusions reached in the context of any **‘policy mix’/coherence** analysis exercise;
- the indicative volume of **funds** available;
- **lessons learned** from past and ongoing EC activities;
- **complementarity** with assistance from other major donors and the Government's own programmes. Community assistance should be focused in areas where it has **comparative advantage** or particular **expertise**.

PART B: INDICATIVE PROGRAMME

Chapter 6: Indicative programme

This Chapter is a presentation of the OCT Indicative programme, which is based on and fully consistent with the strategic analysis. The indicative programme is an integral part of the SPD and should be composed of the following sections:

Financing envelopes

This section should include a breakdown of the indicative amounts set aside under the ninth EDF for the focal area and (if appropriate) other areas. Any uncommitted balances remaining from preceding EDFs should also be included and used to support the priorities outlined in the strategy. The indicative programme may also indicate that, in addition, specific action may be financed via budget lines and may identify areas of such support, while clarifying that financing via budget lines is subject to specific rules and regulations and depend on the availability of funds. Finally, it should be clarified that the ninth EDF also includes the “Investments Facility” as a financing instrument managed by the European Investment Bank, but that the Investment Facility does not form part of the Indicative programme. All amounts should be denominated in euro.

Focal area

This section should contain information on the specific objectives and expected results for the focal area and (if appropriate) other areas, as well as the major assistance planned. It should also include the policy/accompanying measures to be taken by the Government as a contribution to the implementation of the response strategy. The amount earmarked for each area should be indicated. An analysis should be made of the merits of a budgetary support approach as opposed to other methods, and a judgement reached on what method would be most effective. A conclusion in principle in favour of a budgetary support mechanism (whether direct or via a trust fund or other system) would still be subject to an appraisal of public financial management, and of public procurement in the focal area, which would need to be conducted before a financing proposal could be presented.

Indicators

Input, output, outcome, and, as far as possible, impact indicators should be identified on policy areas covered by the focal area. Indicators should take into account the SMART criteria (specific, measurable in the short/medium term, achievable, realistic and time-bound) and include a starting level, a target and a clear time-horizon, to allow for comparisons at the time of annual, mid- and end-of-term reviews.

Cross-cutting issues

Attention needs to be paid to the mainstreaming of cross-cutting issues (gender, environment, institutional development and capacity building) in the areas of assistance.

The indicative programme should be complemented by a set of tables:

- an **assistance framework** for the focal area, detailing indicators, sources of verification and assumptions. Input, output, outcome, and, as far as possible, impact indicators should be identified on policy areas covered by the focal area. Indicators should take into account the SMART criteria (specific, measurable in the short/medium term, achievable, realistic and time-bound) and include a starting level, a target and a clear time-horizon, to allow for comparisons at the time of annual, mid- and end-of-term reviews,
 - an **indicative timetable for commitments and disbursements**,
 - a **timeline of activities**.'
-